



**Board of Selectmen
Minutes
Tuesday, September 10, 2013 at 7:00PM
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Marie Sobalvarro in the Town Hall Meeting Room. Selectmen Stu Sklar, Ron Ricci, Lucy Wallace and Leo Blair were all in attendance as well as the Town Administrator Tim Bragan.

MINUTES

Marie Sobalvarro informed the Select Board that minutes of August 20, 2013 will be ready for the next meeting.

APPOINTMENTS

Sobalvarro moved voting on appointments to the next meeting on September 24, 2013. Sobalvarro reminded everyone interested in serving/volunteering on a board or committee to visit the town website, fill out the volunteer forms and send to Select Board. Other open vacancies include but are not limited to the Energy, Personnel and Advisory Boards.

TOWN ADMINSTRATOR'S UPDATE

Elderly and Disabled legislation

Administrator Bragan informed the Board that the legislation for the Elderly and Disabled Taxation Aid Committee passed.

Special Municipal Employee

Bragan summed up the need for the designation of Special Municipal Employee for the full-time custodian, and the need to drop the designation for substitute custodian. The Electrical Inspector Dave Woodsum has now accepted the full time custodian position resulting in the need for the vote of Special Municipal Employee. On a Wallace/Sklar motion the Board voted to approve the designation of Special Municipal Employee to the full-time custodian position and dropping the designation for the substitute position.

MMA Legislative Breakfast

Bragan asked the Board if any one was interested in attending the MMA Legislative Breakfast in Shirley on October 4th, at 8 AM to let him know and he would register them.

Virginia Thurston Healing Garden

Bragan extended an open invitation to the Virginia Thurston Healing Garden on Sunday, September 15 from 2-5 PM.

Regional Dispatch

Bragan explained that the Regional Dispatch was delayed until October due to linkage issues with Harvard's cable provider, Charter Communications.

Deven's Policing

Administrator Bragan reported that he received a message late today from Chief Denmark informing him that MassDevelopment Devens' staff voted to recommend to the MassDevelopment Board that it award the policing contract to the State Police. Selectman Ricci commended Chief Denmark on his presentation and stated that he was very disappointed knowing full well that Harvard's Police Department would have done a great job. Bragan explained that the Chief asked what could have been offered or done differently to have achieved a better outcome but felt that the decision was based more on community and what they wanted in policing, not bids.

Unemployment for Retired Public Safety Officers

Bragan informed the Select Board that legislation regarding public safety retirees passed, making the retirees eligible to collect unemployment for 28 weeks. This applies to those retirees that were mandated for retirement at the age of 65.

Conservation Commission update

Jim Breslauer from the Conservation Commission met with the board asking for permission to continue the hiring of outside counsel granted previously by the board (last year). With a Wallace/Sklar motion the Board voted to allow the use of outside counsel (Attorney Pickett) by the Conservation Commission for matters beyond the expertise of town counsel. .

Community Solar update

Chair Sobalvarro supplied the board with a handout on the solar project and said the Legislation will not be filed.

The town clerk received a citizen's petition with 272 certified signatures. The town meeting articles being petitioned include voting to endorse the community solar project, vote that the Board enter into a PILOT (payment in lieu of taxes) agreement and change the building permit fee. The Board agreed that they needed to dedicate the 1st meeting in October to discuss the PILOT and what it means to the town.

ENTERTAINMENT LICENSE

On a Wallace/Sklar motion the Board voted to approve the entertainment license for the Concerts At the Common.

LIQUOR LICENSE

On a Wallace/Ricci motion the Board voted to sign the Wine and Malt license approval from the ABC for the General Store.

BANNER REQUEST

On a Wallace/Ricci motion the board voted to approve the banner request for the Harvard Road Race Association to be held on September 28th.

PUBLIC COMMUNICATION

Kara Minar presented the Board with a statement from the Harvard Planning Board regarding the building project at Broomfield School and the lack of site plan review from the Planning Board. Town-by law states that a site plan review needs to be done before project starts making sure that all regulations are met and stated until that is done a Cease and Desist Order should be placed on the project immediately. Administrator Bragan stated that he was made aware of the issue and passed all the information on to those involved with the project, putting the project on hold until they hear from counsel. A brief discussion continued regarding the outside grading, dimensions, drainage and set backs. Lucy Wallace stated that educational uses were subject to site plan review, citing the precedent of the Village Nursery School. Leo Blair questioned whether the Select Board had jurisdiction/legal standing over this issue. Discussion followed regarding the need for site plan review and approval by the Planning Board. It was agreed to await further input from legal counsel. Administrator Bragan assured the Board and representatives of the Planning Board that the paving would not go forward the next day.

BARE HILL POND COMMITTEE UPDATE

Bruce Leicher of the Bare Hill Pond Committee updated the Select Board on the Bare Hill Pond and was pleased to inform the Select Board that they were able to control the milfoil, testing showed a significant reduction. He continued by thanking all those who helped in compiling data.

TOWN HALL BUILDING COMMITTEE UPDATE

Chair Sobalvarro informed the Board that the project was approved for 3.9 million dollars and after many revisions and adjustments the project is estimated to be 4.1 million, resulting in a short fall. Selectman Blair added that the project will most likely come in with at least a 1.2 – 1.4 million short fall, presenting a major problem. His opinion was to go to town meeting asking for more money from the residents. Lucy Wallace agreed that they needed to respectfully go back to town meeting for a vote, maybe even a ballot

vote. Chair Sobalvarro gave a brief overview of options, informing the Select Board that she reviewed each line item for ways to cut the budget and found none. The Board will continue their discussion and recommendations for going forward at their next meeting on September 24, 2013.

TOPICS FOR NEXT MEETING

The Select Board listed the topics they would like to see addressed at their future meetings.

ADJOURNMENT

On a Blair/Sobalvarro motion the Board voted to adjourn the meeting at 8:32 PM.

RESPECTFULLY SUBMITTED