

Master Plan Steering Committee
Meeting Minutes
April 9, 2015

Members Present: Didi Chadran, Joe Hutchinson, SusanMary Redinger, Victor Normand, Lucy Wallace

Liaisons Present: Elaine Lazarus, Don Ludwig, Joe Theriault

Planning Board Present: Michelle Catalina, Kara Minar, Fran Nickerson

Planning Board Consultant: Bill Scanlon

The meeting was called to order by Joe Hutchinson at 7:10 PM.

Minutes: The minutes of March 19, 2015 were approved as presented.

RKG Invoice: A discussion ensued regarding whether the MPSC would recommend that the Planning Board (PB) pay RKG's invoice dated April 6, 2015 and in the amount of \$20,340. According to the invoice detail, RKG considers the contract 71% complete and having earned \$67,655 of the contract total of \$95,000. SusanMary reminded the committee that it had voted at its last meeting not to pay RKG any more as its work to date was not acceptable. The committee agreed to vote on the actual invoice. It was moved and seconded and unanimously voted to recommend that the PB not pay the invoice.

Status of Contract: Kara Minar reported that the PB had not accepted the recommendation of the MPSC (at its March 9th meeting) to terminate the contract with RKG, as it was not convinced the master plan could not be completed by RKG. In a meeting in with Town Administrator Tim Bragan and Kara with Craig Seymour of RKG, Craig had suggested a way forward if the contract was extended to June 30, 2105. She noted RKG had a lot of institutional understanding of Harvard, given their work to date, which would be lost by going to another consultant. While Craig had suggested a new project manager, Judi would be available as a resource. She also reported that she had met with Finance Director Lorraine Leonard regarding the length past a sunset date funds could be encumbered and was told only a few months. Therefore, she did not believe the MPSC had time to go out to bid to find another consultant to complete the master plan. Finally, she reported that the PB intends to have an article on the June Special Town Meeting extending the sunset date of the funds. She expressed her desire that there be better collaboration between the PB and MPSC on the master plan to assure its completion.

Lucy asked Kara what, specifically, she was seeking from the MPSC to which Kara responded that she wanted to know what the MPSC needed going forward.

The MPSC and liaisons then gave their opinions as to whether or not they believed RKG could produce a meaningful master plan and if the PB voted to continue with RKG, could they work with RKG. Joe T noted that not being a planner, he could not really assess the overall value of the work done by RKG. However, the work on the historical and cultural elements was, in his opinion and as a member of the Historic Commission, quite satisfactory. Elaine's primary concern was that the plan get completed and she worried that terminating the contract and not paying RKG the current invoice would tie the process and funds up in protracted litigation. She suggested the PB take control of completing the

plan with RKG if necessary and rely on the MPSC and liaisons to do reality checks on the material. She noted Devens could be separated from RKG's work.

SusanMary felt the Devens was the most important piece of the plan and the basis for the town meeting awarding the PB \$100,000 for the master plan. In her opinion, RKG had not done an adequate analysis of Devens or even produced meaningful assessment criteria. She also took exception to RKG's alleging that the MPSC was the cause for the breakdown between the two parties. She noted the missed deadlines, missed meetings, change in organization of master plan (from elements to chapters) and the MPSC's constant adjustment to accommodate RKG. Finally, she would not be willing to work with RKG any longer. Didi concurred with SusanMary's complaint about missed deadlines. He did not know what the MPSC could have done differently to avoid this situation. He felt Judi did not give clear direction on how committee comments were to be submitted and that she did not seem to incorporate them. He was ambivalent about his ability to continue with RKG.

Victor noted that Harvard has not changed that much since the 2002 master plan and that, absent the Devens issue, we probably would not have need a consultant to do an updated plan. Devens is the critical element of this effort and RKG has failed to provide the mechanism/tools/criteria whereby the town could address Devens in future planning decisions. He felt RKG has backed off the Devens piece (clearly articulated in the RFP) since the first day. Given their performance to date, he has no faith in them or reason to believe they can turn this around and complete a worthwhile master plan. If RKG were to continue, he would not want his name on the master plan. He suggested the contract be terminated, the town negotiate the funds due RKG and use the balance to finish the plan.

Don noted he had no planning experience. But he knows the town is starving for information on Devens and is looking to the master plan to provide guidance on how Devens might help it attain its various master planning goals. He agreed Judi has pushed back against addressing Devens and the RKG has not provided any financial information. He too felt the committee had tried to accommodate and work with Judi.

Vic noted how Shirley had used its plan for Shirley Village to negotiate with MassDevelopment to develop zoning changes to accommodate Shirley's goals for that area which will be considered at the June Super Town Meetings. This was his expectation for Harvard's master plan: to have specifics to negotiate for with MassDevelopment when asked to accommodate a requested change in the Reuse Plan. Kara concurred, noting the town should have a strategic plan and be proactive, rather than reactive, in working with MassDevelopment. Michelle felt that was too simplistic; that the town is split on whether or not to resume jurisdiction of Devens. Joe H. noted there as a split (roughly 60% for, 40% against), but that the overwhelming majority (close to 90%) wanted more information before making a final decision.

Lucy basically concurred with what the others had said about RKG's non-performance and inability to finish an acceptable plan. She said that if the PB decided to continue with RKG she would not continue on the MPSC. Like Victor, she did not want her name on the plan if RKG continued as the consultant.

Bill was asked his opinion on how the MPSC might go forward to complete the plan without RKG. He agreed that RKG had failed to tackle the Devens question and if we continued with RKG it would not be adequately addressed. Should the contract with RKG be terminated, he would be willing to work with the MPSC, either under the current PB contracted 20 hrs/week or a separate contract, to finish the master plan in accordance with the requirements of Chapter 30B. He estimated his services might come to about \$15,000. Another consultant could be retained to do the Devens piece. Kara asked him to see if he could identify potential consultants to take on Devens.

Vic felt that was a reasonable suggestion. Devens could be evaluated in terms of what the town's needs and wants are as articulated by the master plan's elements (housing, economic development, etc). He thought the Devens piece could be done in about two months. It would not be a big task to look at what is at Devens (infrastructure, development, protected open space) and juxtapose it with Harvard.

Michelle asked the MPSC what it could do to help the PB both in terminating the contract (providing a strong justification) and finishing the task with whatever funds may be left after negotiating a termination with RKG. She too does not believe RKG should continue under contract. Joe H. noted the MPSC had developed a fairly complete list of missed items demonstrating RKG's failure to meet the contract. He was willing to review it and add any additional items that might be missing.

Joe H. reiterated to the members of the PB present the urgency of terminating the contract so that funds could be reapplied. While the PB is not scheduled to meet until April 27th, he asked that they consider this matter at the upcoming retreat (Saturday, April 11th) so that Tim could begin the termination process.

Finally, the MPSC was asked how it might structure the master plan if it was to do most of the work with Bill's assistance. The sense was that an element by element plan (the conventional style) would be best, as we could work off of the working papers. Joe H. also noted it would be easier to develop an implementation plan tied to the respective elements. While the chapter style Judi used in the 2002 master plan and proposed part way through the current plan development, it would be too difficult for the committee to follow.

The PB members left the meeting at 9:15. After a brief discussion on next steps, the MPSC set a next meeting date of April 29th at 7 PM.

Meeting adjourned at 9:25 PM.