



Town of Concord
Meeting of the Public Hearing and Finance Committee
Meeting Minutes – March 1, 2023
Hybrid Meeting
<https://www.youtube.com/watch?v=OmLs1GwIA3c>

The Public Hearing was called to order at 7pm by roll call vote.

Members present:

Parashar Patel, Vice Chair (chairing the hearing and meeting following the hearing)
Dee Ortner
Brian Taylor (remote)
Christine Reynolds
Don Kupka
Eric Dahlberg
Kathy Cuocolo
Lois Wasoff (remote)
John Garofalo (remote)
Lyndsey Lis
Suresh Bhatia

Members absent:

Peggy Briggs, Chair
Amrith Kumar
Greg Guarriello

Mr. Patel started the meeting at 7pm and provided a summary of the agenda for the public hearing, which focused on the Town's proposed fiscal year capital- and operating budgets, free cash, and other warrant articles. The Finance Committee and public also heard from representatives from the Affordable Housing Trust and the Community Preservation Committee. The Finance Committee will hear from the Schools on March 9th and the Enterprise Funds (Beede Center, Light Plant, Water, PEG) on March 15th. Time was made for questions by the finance committee and members of the public for each article presented.

Article 3: Meeting Procedure

Ms. Gail Dowd, Town of Concord Finance Director provided an overview of the article which is to determine whether the Town will adopt a rule of the meeting governing requirements on Motions and amendments to Motions made at this meeting under Articles concerned with expenditure in order to assure compliance with the requirement of Mass. Gen. Laws c. 59, § 21C (generally referred to as "proposition 2 1/2.") or take any other action relative thereto.

No public questions/comments

Article 7: Use of Free Cash

Ms. Dowd provided an overview of the article, which is to determine whether the Town will vote to transfer from free cash the sum of \$1,000,000, or any other sum, to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2024, or take any other action relative thereto.

Finance Committee questions

- Ms. Reynolds highlighted that the estimated free cash balance could be as low as 5.06%, which means the Town would have little to no room to do anything more with free cash at this level given the floor on free cash is 5%.

No public questions/comments

Article 8: FY23 Town Budget Line-Item Adjustments (13min 30sec into recording)

Ms. Dowd provided an overview of the article, which is to determine whether the Town will vote to amend appropriations made under Article 9 of the 2022 Annual Town Meeting, Town Budget, or take any other action relative thereto. This article permits the Town to do budget line-item adjustments if actual spending is different from line items in the approved budget. At the present time, it is not expected that any budget line-item adjustments will be necessary.

No questions from Finance Committee or public

Article 9: FY24 Town Budget)

Ms. Kerry Lefleur, Town Manager provided an overview of the article, which is to determine whether the Town will vote to raise and appropriate or transfer from available fund the sum of \$55,552,181, or any other sum, of the following necessary and expedient purposes of the Town for the fiscal year ending June 30, 2024.

Finance Committee questions

- Mr. Patel wanted to understand if the estimated fixed cost debt service included CPS debt? Ms. Lefleur said CPS is included. The current debt service (Slide 16) shows all debt that is on the books right now.
- Ms. Reynolds asked about legal expenses. Ms. Lefleur said in FY23 the Town is running \$50-\$75K below current budget.
- Ms. Reynolds asked if salary reserves have their own line item with respect to the operating budget? Are salary increases built into existing department budgets? Ms. Lefleur said that union contracts are settled and built into the department budgets. Non-union and non-settled union salaries (there are currently no non-settled union contracts) are in the salary reserves.

Public comments/questions

- Fredrick Ryan, 211 Park Lane wondered if any analysis was done on comparable towns regarding service levels for FTEs? Ms. Lefleur indicated that the Town wants to do some strategic planning, so it better understands how Concord compares to other comparable Towns. The new FTEs are based on current internal service level demand that the Town knows about right now.
- Mr. Ryan indicated that the State's FY24 budget was released today. Nearly 10% was allocated for local aid. How much of that will Concord receive? Ms. Lefleur said that Concord typically expects 2-3% in State aid. Concord received 2.3%, which was in line with what was expected.
- Stewart Sinclair, 1681 Main St; Mr. Sinclair had two rhetorical questions and a comment: 1) What kind of Town do we want? 2) Would we consider the Finance Committee to be balanced (conservative, liberal, moderate), and 3) the public should have more than one minute to speak during these public hearings.

Article 11: Capital Improvement and Debt Plan

Ms. Lefleur provided an overview of the article, which is to determine whether the Town will vote to raise and appropriate, or transfer from available funds, or authorize the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or noted under the provisions of Mass, Gen. Laws c. 44 § 7, the sums of money specified in the FY2023 Capital Improvements Plan, or any other sum, to be expended under the direction of the Town Manager, or take any other action relative thereto.

Finance Committee questions

- Ms. Reynolds asked how did this year compare to last year with respect to the Capital plan? Ms. Lefleur said Tier 1 - \$1.72M equated to \$1.50M in the current year. Before the pandemic, Tier 1 spent just under \$2M. The Town would like to get back to \$2M to make sure it is truly funding anything up to \$250K in Tier 1 by paying cash, with the bigger ticket items paid with debt. The Town has been underinvesting in Tier 1 over the past few years. Tier 2 - \$4.1M last year equates to \$4.1-\$4.5M this year. Depending on how much is required for pavement maintenance going forward, the Town could continue operate in the same manner, but will need to consider what it wants to do about funding public works infrastructure.
- Ms. Reynolds asked if the Town is going to see the same level of growth in the operating budget? Ms. Lefleur indicated a strategic plan is necessary to fully understand what appropriate growth is as opposed to reacting to requests.
- Ms. Ortner asked if the Town could give an assessment of infrastructure improvements that are required per year over the next five years? Ms. Lefleur said the Town could spend ~ \$10M/year on public works.
- Mr. Dahlberg asked if we get a trade-in on retired vehicles. Ms. Lefleur said that trade-in values are factored in but have been low in the recent past due to the age of the equipment.

Public comments/questions

- Matt Johnson, 21 Winthrop St, Select Board (Chair); Does the MBTA have any responsibility in what is happening with the MBTA parking lot project? Justin Richardson, Town Engineer stated that the Town has an agreement for joint use of that parking lot but bears the overall cost of maintenance for the lot. Masha Rasmussen, Director of Planning and Land Management weighed in, noting that the agreement was put in place back in the early 1990's and has not been revisited since that time. The Town receives 60% of parking revenue and the MBTA receives 40% on federal land. The Town receives all revenue from Town of Concord land.
- Mark Howell 668 Annursnac Hill Road commented that the target for paving conditions is 85. He is wondered when was the last time the Town was at 85? How much of the ARPA funding is directed to this? Alan Cathcart, Director of Public Works stated that the significant investment in the Cambridge Turnpike contributed to deficit we are seeing now. It absorbed a lot of project funding. If roads are maintained at the 85 PCI level deterioration happens at an accelerated rate. Need to spend approximately \$20M to catch up to where the Town needs to be to get the PCI up to 100.
- Diane Proctor, 57 Sudbury Road; The sewer system often precludes the Town's ability to add affordable housing. What are the projections for expanding the sewage system? Ms. Lafleur commented that the issue is a permit capacity issue.

Article 12: OPEB Trust Fund Appropriation

Ms. Dowd provided an overview of the article, which is to determine whether the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$1,467,851 to the Other Post-Employment

Benefits Liability Trust Fund (OPEB Fund) established under Mass, Gen. Laws c. 32B, 20, or take any other action relative thereto.

Finance Committee questions

No public questions/comments

Article 13: OPEB Trust Fund Expense

Ms. Dowd provided an overview of the article, which to determine whether the Town will vote to appropriate a sum of money from the Other Post-Employment Benefits Liability Trust Fund (OPEB Fund) established under Mass. Gen. Laws c. 32B, § 20, for OPEB Fund expenses, and further to authorize the Trustee of the OPEB fund to employ reputable and knowledgeable investment consultants to assist in determining appropriate investments and pay for those services from the OPEB Fund, or take any other action relative thereto.

Finance Committee questions

- Mr. Patel asked if using an independent advisor is new for the Town and wanted clarity on how associated fees would be accounted for going forward. Ms. Lefleur explained that historically investment expenses were automatically netted from earnings and that is not a best practice for municipalities. The Town will now pay all fees associated related to the management of the investment account out of the Town's fund versus being automatically netted out of the investment account. Estimated all-in fees which include the new independent advisor are approximately 250 basis points. Mr. Patel requested more information from Ms. Dowd offline to gain more clarity.
- Mr. Kupka asked if there is another layer of fees now that we have hired an investment advisor. Ms. Dowd and Ms. Lefleur acknowledged that there is another layer of fees for the new independent advisor – Fiducient Advisors.

Article 14: Appropriation of Opioid Settlement Funds Received from the State Settlement Fund

Ms. Dowd provided an overview of the article, which is to determine whether the Town will vote to appropriate the sum of \$77,362.88 for the purpose of the funding of substance use disorder prevention, harm reduction, treatment and recovery programs, as further detailed in the Massachusetts State-Subdivision Agreement for Statewide Opioid Settlements, to be spent under the direction of the Town Manager and with input from local stakeholders including people with lived experience of the opioid epidemic; and that to meet this appropriation, \$77,362.88 be appropriated from Free Cash reflecting the amount allocated by the Commonwealth to the Town of Concord in the Fiscal Year ending June 30, 2022 from the Commonwealth of Massachusetts' Opioid Settlement Fund; or take any other action relative thereto. The amount set out in the article is the portion of the settlement agreed to by the State Attorney General that has been allocated to Concord and must be used for the purposes set out in the settlement agreement.

Finance Committee questions

- Ms. Reynolds wanted to understand if the \$29K is the only carry forward? Ms. Dowd said it is what the Town has received and will use in FY24. Jill Block, Chair of the Board of Health, commented that they have been convening to talk about the different ways the Town can address mental health issues so the Town can use the funds appropriately.

No public questions/comments

Article 25: Appropriation for 250th Anniversary Celebration

Mr. Rick Loughlin, 83 Chestnut St provided an overview of the article, which is to determine whether the Town will vote to raise and appropriate, or transfer from available funds, a sum not to exceed \$600,000 to pay for expenses of the 250th Anniversary Celebration, commemorating the historic battles of Concord and Lexington, to be expended under the direction of the Town Manager, in consultation with the Concord 2025 Executive Committee, or take any other action relative thereto.

Finance Committee questions

- Mr. Patel asked if any other Towns or the State will contribute to funding. Mr. Loughlin is looking at all options around funding, Federal, State and Local.
- Mr. Kupka asked if hospitality services contribute through tax revenue? Will this also be a national event? Mr. Loughlin said this is a local event and all revenue options are being considered.
- Ms. Reynolds wanted to understand if there were any public/private partnerships? Mr. Loughlin is also looking into those options as well. Mr. Loughlin would ideally like to have \$200-\$300K come from public/private partnerships and other sources.
- Mr. Ortnier asked about public safety. Mr. Ryan commented there are mutual agreements between various entities that Concord will be able to leverage (Sherriff, National Guard, Northeast Massachusetts Law Enforcement Council, and surrounding Town Police departments).

Public comments/questions

- Ms. Terry Ackerman, 89 Heaths Bridge Road; Has any thought been given to user fees for special events or bracelet for events? Mr. Loughlin said this is being considered.
- Ms. Proctor, 57 Sudbury Road, suggested that everyone look at Freedom’s Way which is an organization that coordinates events in Middlesex. It is a good resource to investigate in addition to State and Federal resources, which she thinks are the appropriate avenues for funding.

Article 26: Community Preservation Committee Appropriation Recommendations

Ms. Diane Proctor provided an overview of the article, which is to determine whether the Town will vote to appropriate the sum of \$1,839,680, or any other sum, from the Concord Community Preservation Fund, of which up to \$1,839,680 shall be appropriated from projected Fiscal Year 2024 Fund Reserves, in accordance with Mass. Gen. Laws c. 44B, to be expended under the direction of the Town Manager as follows, or take any other action relative thereto:

Item	Project/Description	Category	FY2024 CPA Fund Revenues	Total Amount Recommended
A	Town of Concord – Regional Housing ServicesOffice	Community Housing	\$33,000	\$33,000
B	Concord Housing Development Corp. – Assabet River Bluff Housing Development	Community Housing	\$500,000	\$500,000
C		Open Space	\$25,000	

	Town of Concord – Bruce Freeman RailTrail	Recreation	\$25,000	\$50,000
D	Town of Concord – Open Space and Recreation Plan Update	Open Space	\$47,725	\$95,450
		Recreation	\$47,725	
E	Town of Concord – Warner’sPond Restoration Project	Open Space	\$275,000	\$550,000
		Recreation	\$275,000	
F	Town of Concord – Cemetery Restoration	Historic Preservation	\$340,000	\$340,000
G	Town of Concord – CivilWar Soldier’s Monument	Historic Preservation	\$165,000	\$165,000
H	Town of Concord – Historic Preservation Plan	Historic Preservation	\$50,000	\$50,000
I	Town of Concord – Preservation of Historic Plans	Historic Preservation	\$16,230	\$16,230
J	Staff and Technical Support	Administration	\$40,000	\$40,000
			\$1,839,680	\$1,839,680

Finance Committee questions

- Ms. Ortner wanted to understand if this is the final request for Bruce Freeman Rail Trail? Masha Rasmussen, Director of Planning and Land Management, stated she has been project manager since FY2000. She cannot guarantee this will be the last time.

Public comments/questions

- Gary Clayton, 31 Black Birch Lane asked how many of the projects have some form of matching funds? Ms. Proctor stated that there is a presumption that matching funds would be used when available.

Article 27: Community Preservation Act – Rescind and Reappropriate Funds

Ms. Diane Proctor provided an overview of the article, which is to determine whether the Town will vote to rescind prior appropriations in the total amount of \$250,000 from the Community Preservation Fund, appropriated at the 2022 Annual Town Meeting for the Junction Village Open Space project, and to transfer that amount to the CPC Open Space Reserve Fund; or take any other action relative thereto.

No Finance Committee questions

Public comments/questions

- Rich Greely 347 Lexington Road asked if the committee pulled the open space money back and put another project to the site, how does one get that money back? Ms. Proctor stated that funds have been put into a reserve fund. It would not be difficult to move the money back into the reserve fund.

Article 28: Community Preservation Committee Appropriation Recommendations

Ms. Diane Proctor provided an overview of the article, which is to determine whether the Town will vote to appropriate the sum of \$1,044,255.76, or any other sum, from the Community Preservation Act Community Housing Reserve Fund, in accordance with Mass. Gen. Laws c. 44B, to be expended under the direction of the Concord Municipal Affordable Housing Trust for the purpose of assisting with the development of affordable community housing; or take any other action relative thereto.

No Finance Committee questions

No public questions/comments

Article 29: Transfer of Housing Funds

Mr. Keith Bergman, 56 White Avenue, Chair of Affordable Housing Trust provided an overview of the article, which is to determine whether the Town will vote to transfer the sum of \$1,000,000 appropriated under the 2017 Annual Town Meeting Warrant Article 30 for the Christopher Heights at Junction Village senior assisted living project to the Concord Municipal Affordable Housing Trust for the purpose of assisting with the development of affordable housing; or take any other action relative thereto.

Finance Committee questions

- Ms. Reynolds asked what the approval process is regarding how the money gets spent? Mr. Bergman stated that the guidelines outline the process as to how money gets spent. It is a structured process that involves all the appropriate Town stakeholders.

No public questions/comments

Article 43: Annual Appropriation of Parking Meter Receipts

Ms. Dowd provided an overview of the article which is to determine whether the Town will vote to appropriate the sum of \$400,000 from Parking Meter Receipts to fund expenses related to parking enforcement or public transportation initiatives for the fiscal year ending June 30, 2024, or take any other action relative thereto.

Finance Committee questions

- Ms. Reynolds asked if the Town continues to lose money on these meters. Ms. Dowd will circle back to her with the data.

No public questions/comments

Article 44: Authorize Expenditure of Revolving Funds Under Mass. Gen. Laws c. 44, § 53E½

Ms. Dowd provided an overview of the article which is to authorize the total expenditures for the following revolving funds pursuant to Mass. Gen. Laws c. 44, § 53E ½ for the fiscal year ending June 30, 2024, to be expended in accordance with the Town's Revolving Fund Bylaw or take any other action relative thereto.

No Finance Committee questions

No public questions/comments

Article 45: Unpaid Bills (2hr 42min 50sec into recording)

Ms. Dowd provided an overview of the article which is to raise and appropriate, or transfer from available funds, a sum of money to pay the unpaid bills of prior fiscal years or take any other action relative thereto. Ms. Dowd do not anticipate a motion going forward on this article.

No Finance Committee questions

No public questions/comments

Article 46: Debt Rescission

Ms. Dowd provided an overview of the article which is to rescind unused borrowing authorizations or take any other action relative thereto. Ms. Dowd does not anticipate a motion going forward on this article.

No Finance Committee questions

No public questions/comments

Public Hearing adjourned at 9:53.

**Town of Concord
Finance Committee Meeting**

Meeting Minutes – March 1, 2023

Hybrid Meeting

<https://www.youtube.com/watch?v=OmLs1GwIA3c>

(2hr 48min 02sec into recording)

Members present:

Parashar Patel, Vice Chair

Dee Ortner

Brian Taylor (remote)

Christine Reynolds

Don Kupka

Eric Dahlberg

Kathy Cuocolo

Lois Wasoff (remote)

John Garofalo (remote)

Lyndsey Lis

Suresh Bhatia

Members absent:

Peggy Briggs, Chair

Amrith Kumar

Greg Guarriello

Mr. Patel opened the meeting at 9:57. He proposed that the Committee do a combined vote on all the articles that were discussed in the public hearing which the Committee agrees do not require further

discussion. Mr. Patel asked each committee member to indicate which articles he or she viewed as warranting further discussion.

In the discussion following, several members indicated that articles 7, 25, and 26 required further discussion. Ms. Lis wanted additional guidance from other Committee members on how concerned the Committee and public should be about the fact that free cash is expected to be at 5.06% or 5.26% (depending on which other articles are passed at town meeting), which is lower than in past years. Ms. Ortner agree that the free cash level is low by historic standards and noted that free cash must addressed on a year-by-year basis. Mr. Kupka commented that in the past unspent funds were rolled into free cash. He asked for an explanation why this year the Town was incorporated those funds into the budget, which reduces free cash. Ms. Lafleur indicated that the Town has been trying to catch up from the impact of the pandemic and the Town doesn't want to keep doing this. The Town is still catching up on the Tier 1 capital and is still behind by \$275K.

Mr. Patel wants to hear from the Town's financial advisor to better understand what the implications are to the bond rating with respect to the way the Town handles free cash and where free cash currently stands.

Several members expressed a preference to have more information before voting on Article 25 (the 250th Anniversary celebration).

With respect to Article 26, Ms. Ortner said that Item E (Warner Pond) has too many variables around it now and she does not feel comfortable voting on this item tonight. Ms. Carmen Reese, Town Moderator, indicated that sub-item E in Article 26 could be removed from the overall article if the Finance Committee needed to deliberate further on the item. Ms. Reynolds and Ms. Ortner both indicated a preference for waiting to vote on Article 26.

Ms. Wasoff and Ms. Chocolo suggested the Committee postpone a vote on articles 7 and 25 until the Committee can better understand the implications of free cash falling below the 5% threshold.

Ms. Wasoff made a motion that the Committee recommend affirmative action on articles 3, 8, 9, 11, 12, 13, 14, 27, 28, 29, 43 and 44. Ms. Ortner seconded the motion. The motion passed unanimously.

Mr. Henry Dane, Chair of the Concord 250 Celebration Committee understands the Finance Committee's concern regarding funding but pointed that the Town will be confronted with this celebration and its related costs whether the Town wants to address them or not. The Celebration Committee is coming to the Town early so it can try and spread out the costs over a number of years. Mr. Patel asked how much of the \$600K requested would be spent in FY24. Mr. Dane said about half of that amount. Mr. Patel requested a schedule of anticipated expenditures for 2024 and 2025. Ms. Ortner asked if the committee has approached the State? Mr. Dane indicated the State probably will not be a source of funds for this activity.

Meeting was adjourned at 10:29pm.

Brian Taylor
Finance Committee Member