

Town of Concord Finance Committee Meeting Minutes – March 3 2022

Present: Dean Banfield, Peggy Briggs, Kathy Cuocolo, Eric Dahlberg, Greg Guarriello, Mary Hartman, John Hickling, Amrith Kumar, Don Kupka, Dee Ortner, Parashar Patel, Christine Reynolds, Brian Taylor, Lois Wasoff

Others Present: Town Employees, Public Officials and Members of the Public

Chair Reynolds asked for a motion to open the Public Hearing for March 3, 2022 at 7pm.

Motion made and seconded to open the Public Hearing for March 3, 2022. Unanimous vote.

Chair Reynolds stated the Concord Finance Committee Meeting and Public Hearing for March 3, 2022 at 7pm is open. The meeting is the first of three Finance Committee Annual Town Meeting Public Hearings for Article review. The second is scheduled for March 10, 2022 at 7pm, the third is scheduled for March 17, 2022 at 7pm. The hearings are for article presentations regarding the operating budget and articles that may have a financial impact on the Town.

The meeting was televised and recorded by MMN. All agendas, meeting materials and recordings can be accessed on the Town website under the 2022 Annual Town Meeting section.

Chair Reynold stated the process, procedures and protocols for the public hearing and participation. The Finance Committee will move into their regular meeting after the public hearing to review and vote on recommendations for the 2022 Annual Town Meeting Warrant Articles.

- **Article 3 Meeting Procedure**

Article 3 is a routine Town article to hold spending constraints of Proposition 2 ½, for all appropriation articles to remain open and may be amended up until the meeting adjourns.

The article states any proposed budget must specify the amount of increase and source of funding. And any motion to increase a borrowing item for which Debt Service is to be covered within the Levy Limit must specify source of funding.

No questions or comments from the members or public on Article 3.

- **Article 7 Use of Free Cash**

Chair Reynolds recognized Kerry Lafleur, Interim Town Manager as presenter for Article 7 Use of Free Cash.

Article 7 is to authorize and direct the Assessors to transfer \$1,000,000 from Free Cash to reduce the tax levy for the fiscal year ending June 30, 2023.

Free cash is undesignated funds the Town has because revenue collection is in excess of estimates and/or when actual expenditure is less than appropriations. The Department of Revenue (DOR) certifies this amount each year. The funds are available for appropriation at an Annual or Special Town Meeting for a lawful purpose.

The Town adopted a Free Cash Policy which states a level of 5 to 10% of the general fund, and if it rises above 10%, Town Management shall consider recommending using excess for a capital item or general fund stabilization fund.

The certified free cash for the last 10 years was presented. 2021 available free cash is higher than 2020 but lower than years 2012 through 2019 because use of free cash to lower tax bills and advance community initiatives.

The certified free cash for the Town as of June 30, 2021 is \$7,695,461. The amount is DOR certified.

The 2022 Annual Town Meeting Requests:

Article 7 Reduce Property Taxes	\$1,000,000
Article 20 Middle School Stabilization Fund	\$500,000
Article 24 Affordable Housing	\$500,000

The estimated balance is \$5,695,461 (4.78%) if all ATM Warrant Articles are approved.

Article 7 is requesting \$1,000,000 transfer from Free Cash to reduce property taxes.

No questions or comments from the members or public on Article 7.

- **Article 8 FY22 Budget Line-Item Adjustments**

Ms. Lafleur stated that there is no motion anticipated for Article 8 but did want to review in case there is a motion made at Town Meeting.

The Town Manager must manage the bottom line of each line-item appropriation. Adjustments are only allowed by further Town Meeting action or Year-end transfer process provide under MGL Ch. 44 sec 33B.

The expenditures are coming in lower than anticipated and any transfer that may be required would not have a legal expense.

The Town's budget is appropriated by Town Meeting in 16 distinct line items. The budgets are prepared well in advance of fiscal year but sometimes circumstances change resulting in proposed adjustment amounts available at due and amounts needed are due. She noted that the approval of this transfer does not increase the total appropriation approved under 10-ATM-2021.

Remedy under MGL Ch.44 sec 33B to seek a year-end adjustment with approval from the Finance Committee and Select Board. Or required to raise a like amount on the tax recap.

Chair Reynolds asked for questions and comments from the Finance members

Ms. Hartman asked if there is no Article/motion does that mean there are no over expenditures in the budget line items for the fiscal year. Ms. Lafleur stated yes, that would mean no over expenditures.

Chair Reynolds asked for questions and comments from the public.

No questions or comments from the public.

- **Article 9 FY23 Town Budget**

Article 9 seeks the Town appropriate \$51,005,334 for the operation of Town Departments and joint accounts for the FY23.

There will be a handout made available at Town Meeting of the Town's FY23 Budget.

The request exceeds the guidelines but the delta between is funded through reappropriation and capital funding.

Ms. Lafleur shared a slide with the summary of the Budget Article. The slide indicated the appropriation description and cost and the funding description and amount.

The Operating and Capital Tier 1 FY23 Guideline (total \$30,335,046 3.56%) and the FY23 Town Manager Recommendation (total \$31,244,746 6.66%). Ms. Lafleur stated hard work was done to meet the guideline, it could not be done without impacting Town services.

The bridge would be to carry forward the \$600k of unspent operating appropriation which is allowed in MGL Ch.44 33b of unspent appropriation before close of fiscal year to use, the carry forward will impact Free Cash but reduces impact to property tax. The \$600k is available because of position vacancies, limited office hours and other unused services.

A transfer of \$309,700 from previously approved capital is also being requested to close the gap.

The carry forward of the \$600k and the transfer of the \$309,700 would allow the budget to meet the Finance committee guideline and retain Town services. Use of this carry forward will impact free cash but also will keep property tax at a reasonable increase of 3%.

Ms. Lafleur shared a slide reviewing the budgets from FY19 to FY22, the total time period of the pandemic. She summarized how these past Town budgets were affected by the pandemic and how those budgets have impacted the FY23 Town budget.

Limited Capital spending caused the Town to fall below its policy guidelines and limited salary increases caused salaries to fall behind the market rate. It is important that the Town work within its financial policies to maintain the AAA bond rating and credit rating.

The FY23 budget process identified four strategic issues

- Compensation and Benefits
 - Compensation back on par with peer communities
 - Addressing compensation for targeted positions
 - Full Job Classification and Compensation Study
- Infrastructure
 - Restore funding levels for Tier One
 - Evaluate efficacy of 5% policy cap for Tier Two
- Governance
 - Additional resources to support boards and committees
- Welcoming Community
 - Affordable Housing
 - Access to Public Transportation
 - Access to supportive services

The drivers for the FY23 budget

Wage Adjustments	\$970,792
Increased Utility Costs	\$163,965
Non-Wage Strategic Issues	\$227,519
Build back Tier 1	\$709,700

The Fixed Costs for FY23

Group Insurance \$7,468,322 (14.64%), Property/Liability \$378,000 (.74%), Unemployment & Workers Comp \$262,450 (.51%), Retirement, General Fund \$3,381,101 (6.63%) Retirement, Pension Reserve \$1,501,370 (2.94%) Social Security/Medicare \$942,064 (1.85%) and Debt Service \$7,221,604 (14.16%).

The total of fixed costs is \$21,154,912 (41.48%) of the FY23 Town Budget.

Ms. Lafleur continued with slides explaining the drivers in more depth.

Chair Reynolds thanked Ms. Lafleur for the presentation and invited questions and comments from members.

Chair Reynolds asked why the Finance and Public Safety funding is less for FY23 than in previous years. The Police Department/Public Safety budget is lower as \$400,000 of parking meter revenue has been reinstated as a general fund expense offset. It is expected in FY23 that parking receipts will be back to financing the related meter expenses. Additionally, the amount is lower because of employee turnover. The Chief Assessor who left was at the top of the pay scale but the new hire is not at the top of the pay scale resulting in savings. Jon Harris, Budget and Purchasing Administrator added that an employee moved from the Finance Department to Human Resources Department which impacted the budget for the Finance Department.

Chair Reynolds ask to confirm that legal expenses are tracking better than budgeted. Yes, the Town is tracking better than budgeted in legal expenses for FY22.

Ms. Ortnier asked to review page 11 in the presentation, General Government. She was inquiring about Town Meeting expenses and reports, budgeted at \$118,000. She questioned if the amount is for both Annual Town Meeting and Special Town Meeting. The cost of Annual Town Meeting has been consistent for at least 5 years. There is no plan for a Special Town Meeting in FY23. FY22 had a 1-day Annual Town Meeting and a Special Town Meeting. The Annual Town Meetings from the past has been as long as 4 days where the cost of rental supplies and equipment would be budgeted. Chris Carmody, Administrative Manager stated that Annual Town Meeting budget covers Town Meeting expenses and the Finance Committee Report, along with materials, rentals and booklets needed/requested for the meeting. The budget does have a cushion for a Special Town Meeting, if one is required. He added that material cost is expected to increase.

Ms. Ortnier asked for an explanation of the Land Fund Account. The Land Fund Account is an appropriation for possible land acquisitions that may require an environment study or other prepurchase studies/evaluations. The Town must do its due diligence on purchases. There is an old Land Fund Account that is connected to a By-Law that was used appropriately at the time it was created. Any funds in the account will be transferred to this account.

Mr. Banfield asked if there is a way for the free cash certification for next fiscal year be able to meet the 5%, if the proposal of \$600K is moved from free cash to meet the budget guideline. Ms. Lafleur said the Town is expecting to close higher at year end, the most recent numbers are not available but numbers are tracked starting in January for the year end numbers.

Ms. Hartman asked if the transfer of the \$600K is under special legislation or can to be used every year. This transfer is not under special legislation. It is allowable in MGL Ch.44 33b that states a transfer can be authorized if done before fiscal year end. It can be done any year, but must be approved at Town Meeting and prior to yearend.

Ms. Hartman asked about incremental headcount. Mr. Harris stated that page 36 of the Budget Book indicates the FY23 FTE's increase is 7.55 for fiscal FY23. FTEs have been added to the Parks and Playground, Town Clerk, Transportation/Planning, Library, Fire Department(clerical) and Parks and Trees. There was a discussion about the positions for the library. At the time of the expansion the additional head count was to add one, but two is in the budget.

Mr. Kupka asked if there is expected increase in fuel and utilities. Slide 8 of the presentation stated the projected increases in utilities and fuel. Diesel fuel +17.2%, Electricity +12.1%, and Solid Waste +124.1%. Solid Waste has a big increase because of cardboard recycling. The total is about \$164,000. The police fleet is turning over to electrical vehicles which will see a savings in fuel over time.

Public questions and comments.

Mr. Perry asked for an explanation on why the employee health benefits have fallen behind in comparison to other municipalities, resulting in the loss of employees. And what is the remedy to retain employees. The health insurance provided to Town employees is often discussed by Town employees. The Town has not fallen behind but the Town a made a decision on the percent of what employer contribution would be for health benefits, it is in line with other municipalities. There is a meeting planned to meet with the health insurance advisory board about the Town employee health insurance benefits. Currently the Town is between 55% and 65% contribution which is better than the 70% and 75% for many communities. Chair Reynolds clarified that the Finance Committee looks at employee compensation and benefits as a whole, looking at the dollars the Town spends. It is the purview of the Personnel Board to look at the what the benefits are in specifics.

• Article 10 Capital Improvement and Debt Plan

Kate Hodges, Deputy Town Manager presenting Article 10 Capital Improvement and Debt Plan.

Article 10 is to determine whether the Town will vote to raise and appropriate or transfer, fund or authorize to borrow under the provisions of MGL c.44 sec 7. The Capital Fund "Buckets" that fund the capital improvement and debt plan are Outlay \$800,000 and Debt \$5,000,000 (Town \$4,100,000, School \$900,000).

The Tier One total is \$1,509,700 allocated to General Government, Finance, Planning and Land Management, Pubic Safety, Public Works.

- IT will receive, \$200,000 for firewall acquisition, remote meeting tech, staff computers, datacenter battery backups and public building wireless improvements.

- Buildings and Facilities \$40,500, new Trail Exterior Painting and Repairs, Hunt Gym Conference Room Window Replacement and Hunt Gym Plexiglas Storm Window Replacement.
- Concord Elder Services and COA and Carousel Preschool feasibility study in the amount of \$25,000 to determine buildings/locations to best serve residents, especially as the senior population increases, determine the best use for the buildings to house services.
- Planning and Land Management will receive \$95,000 for subdivision rules and regulations update to include pond, stream and field management. Current rules and regulations are from 2007.
- Sustainability efforts will receive \$100,000 for matching funds for Green Communities, Environmental Efforts and Community Stewardship Events, Electric Vehicle Charges and EV grant matches.
- Finance to receive \$35,000 for revaluation and recertification efforts under the Board of Assessors.
- Police to receive \$259,200 for police vehicles, equipment and training room upgrades.
- Fire to receive \$135,000 to maintain Community AED's, Turnout Gear and small vehicle replacement.
- Public Works to receive \$385,000 for asset management, safety signals, signage, small equipment, shade trees and heavy equipment.

The debt capital is \$5,000,000 allocated to General Government, Public Works and Concord Public Schools.

- Public Works Roof Replacement is \$581,000.
- Gerow Park to receive \$200,000 for invasive species removal.
- Recreation will receive \$150,000 for the Emerson Park, Hunt Gym Area and basketball court resurfacing.
- Public Works is to receive \$3,516,000 for roads, drainage, heavy equipment and vehicles

Chair Reynolds asked what will happen if the Gerow Park does not receive the \$200,000 for improvements. Ms. Hodges said that there are three areas in Gerow Park with invasives that will continue to grow, choke out naïve plants and damage and/or kill the newer plants planted at the property. She also said the water quality could be affected if the invasives move into the water. Chair Reynolds asked can the work be put off to next year. Ms. Hodges said the Town has spent \$4 million on the property, so it may not be in the Town's best interest to put off the last piece of the project that may cause harm to the work already done.

Chair Reynolds asked for clarification of funding requests in Article 10 and Article 25. The request in Article 10 is \$4.5 million and Article 25 is \$500,000 exclusive of each other.

Chair Reynolds asked if there were funds requested that are transfer funds? Ms. Lafleur said a transfer request is done in the motion. There are unused funds of about \$80k to 100K that will be asked to transfer because the funds were covered by a grant.

Ms. Ortner asked if the Gerow Park improvements for invasive species removal will be a recurring cost? The improvements planned for the Gerow Park invasive species removal are an involved process done by an environmental monitor who either hand digs to remove the roots or uses a mechanical machine method and does a special waterline removal. There is a continuous monitoring of the property cause in

the contract. The contract has a three-year grantee for work done and monitoring health of plants and scrubs added to the property. And a five-year review of the property where action has been taken is guaranteed. This is not the normal community pull to control invasives but a specialized process.

Ms. Ortner asked how many years is the Town anticipating the repairs and improvements for drainage to be? Alan Cathcart, Director of Public Works said the drainage maintenance and work is level funded every year. The Town is finalizing an RFP for the assessment. He said the assets have to be evaluated and inspected, he thinks the budget will be in the range of \$300,000 to \$400,000 annually.

Mr. Kupka asked what does the Planning Division rules and regulations update mean, wondering if it involved a zoning update? Marcia Rasmussen, Director of Planning and Land Management said the hope is to hire a consultant to assist the Town in updating the rules and regulations that provide guidance to those coming before the Planning Board with all the rules and regulations of the Town. The information has not been updated since 2007 and lacks items such as drainage and storm water regulations.

Mr. Kupka said there are other Town waterfront properties, likely with invasive species and asked are they being considered for improvements and how are properties prioritized. He thought maybe the Town should look at the invasive species control comprehensively. Delia Kaye, Director Natural Resources said that there are many Town properties that have an invasive species issue, The Town is making an effort to have a comprehensive invasive control plan.

Ms. Briggs asked if the roof replacements will include solar? The Town only has plans at this time to replace the roofs and make them functional again.

Mr. Banfield thought the Assessor item and Planning Division item should not but be in capital budgets and asked for an explanation on why they were? The practice has been to put items such as these is capital because the Town can pay cash and if put in the department's budget the increase would be great to the department budget.

Mr. Banfield asked if there is a designation for sidewalks in the roadway funding. The DPW does have a line item in its budget that is not presently funded for pedestrian and bike lane improvements. The Town is hoping to receive grants to work on pedestrian and bike lanes. The needs are being prioritized with the hope to have line item funded. But funds to improve sidewalks is not coming out of paving funds. The paving funds are needed for the roads. Mr. Banfield said the roadway from the High School exit to Walden Pond does not have a sidewalk. The road is a public way that is busy in the summer with people, 2 to 4 individuals walking side by side on the road, which is dangerous. This stretch of roadway needs consideration to be made safe for pedestrians.

• Article 11 Senior Means-Tested Property Tax Exemption

David Karr joined the meeting via Zoom to present Article 11 Senior Means-Tested Property Tax Exemption.

Article 11 is to determine whether Town Meeting will vote to accept a Special Act or passed by the General Court entitled An Act to Make Permanent a Senior Means Property Tax Exemption in Concord. The objective is to continue exempting up to 50% of property tax for seniors meeting income and other guidelines.

The recap of the program:

- 37 applications accepted in FY22. 34 applications accepted in FY21.
- Total amount granted was \$145,561

The Town approved Article 15 at ATM in 2020. Home Rule filed in 2021-2022 legislative session Bill HD.3731.

If Article 11 is approved at ATM, a Town vote at the polls is required to move forward.

Article 11 questions and comments

No question and/or comments for members.

- **Article 12 Appropriation for Senior Means-Tested Tax Exemption**

Susan Bates, Select Board presenting Article 12 Means-Tested Tax Exemption

Article 12 requests the Town appropriate and transfer the sum of \$150,000 from the Overlay Surplus for the purpose of funding the cost of providing the Senior Means-Tested Tax Exemption program for the fiscal year ending June 30, 2023. The Article provides an appropriation to continue the Senior Means Tested Tax Exemption in FY23 in the event that legislative authority has not been received and acted upon by the time the Town is required to set the FY23 tax rate.

No Questions or comments

- **Article 13 OPEB Trust Fund Appropriation**

Ms. Lafleur presenting Article 13 OPEB Trust Fund Appropriation

Article 13 seeks that the Town vote to raise and appropriate \$1,401,347 and transfer \$50,761 from Light Fund and \$15,743 from Broadband for a total appropriation of \$1,467.851 to fund the Town's FY23 contribution to the Other Post-Employment Benefits Liability Trust Fund (OPEB Trust) under MGL c32B, sec 20. The OPEB liability is valued as of June 30th. The liability in 2021 was \$48.4M of which 62.4% was funded.

- Unfunded = \$18.2M
- Funded = \$30.2M

The Town's funding schedule assumes a 6.5% discount rate. Because of the Town's strong funding status, beginning in FY22, the remaining unfunded liability will be amortized using a level payment methodology.

Both the DOR and the Town's external auditor have indicated that best practice is to appropriate the full annual contribution in a stand-alone warrant article.

Chair Reynolds thanked Ms. Lafleur for the presentation and invited questions and comments from members on Article 13 OPEB Trust Fund.

Chair Reynolds asked what expenses are associated with the OPEB Trust Fund. The only expenses are those associated with the actuarial assessment and associated with investments.

Mr. Hickling asked are the assets about 30 million? Ms. Lafleur said yes.

Questions and comments from the public on Article 13 OPEB Trust Fund.

Stephan Bader asked why some of the enterprise funds do not have to make a contribution to the OPEB Trust Fund. There is no liability for the funds listed with a zero, therefore no contribution is required.

- **Article 14 OPEB Trust Fund Expense**

Ms. Lafleur presenting Article 14 OPEB Trust Fund Expense

Article 14 seeks the Town vote to appropriate \$275,000 from the OPEB Trust Fund established under MGL c. 32B sec 20 for FY23 expenses further to authorize the Trustee of the OPEB Trust to employ reputable and knowledgeable investment consultants to assist in determining appropriate investments and pay for those services from the OPEB fund.

The expenditures may include:

- Actuarial valuation \$25,000
- Investment Advisor Fees, Banking Fees up to \$250,000
- Trustee Compensation - Zero at this time but subject to change

The benefits of hiring an investment advisor are

- Identification short- and long-term investment objectives
- Risk tolerance and cash flow needs
- Development of target asset allocation and custom benchmark
- Recommend individual security selection and timeline for strategic implementation
- Ensure compliance
- Monitor performance against benchmark

The change from FY22 to FY23 is to hire an investment advisor.

No Questions or comments on Article 14 OPEB Trust Expense.

- **Article 15 Establishing an Electrification Trust**

Article 15 Establishing an Electrification Trust has been withdrawn.

- **Article 24 Appropriate Funds for Affordable Housing Development**

Linda Escobedo, Select Board presenting Article 24 Appropriate Funds for Affordable Housing Development.

Article 24 seeks to determine whether the Town will vote to raise and appropriate or transfer from free cash the sum of \$500,000 for the purposes of developing or supporting affordable housing to the Concord Municipal Affordable Housing Trust (CMAHT).

The last four years the Town has aggressively pursued funding sources for affordable housing. The Affordable Housing Study Committee and the Select Board seek approval for sustainable funds would recommended seeking annual appropriations from ATM for affordable housing. ATM has appropriated

annual funds since 2019 resulting in four additional affordable housing units that will be eligible for the Town's Subsidized Housing Inventory to meet the 40B, 10% threshold requirements. The funds may also be committed for land investments and potential for five more units pending on ATM approval of Article 25.

Chair Reynolds thanked Ms. Escobedo for the presentation and invited questions and comments from members on Article 24 Appropriate Funds for Affordable Housing Development.

Ms. Hartman asked what the balance is, right now in the Affordable Trust Fund? The balance is \$580,000, including a gift of \$25,000. The balance also reflects the return of funds for an acquisition that did not go through.

Keith Bergman, Chair Concord Municipal Affordable Trust stated that the Trust voted to support Article 24 and Article 25 at ATM at the last meeting.

Mr. Banfield asked to review the motion text provided in the presentation. Ms. Escobedo read the motion. Mr. Banfield raised concern with the wording of "the Town will vote to raise and appropriate or transfer from free cash". The concern was the word "or". Michael Lawson stated the motion is okay for the purpose of this presentation, but come ATM the determination of where the funds will be coming from must be specified.

- **Article 25 Assabet River Bluff Preservation Project**

Delia Kaye, Director Division of Natural Resources presenting Article 25 Assabet River Bluff Preservation Project.

Article 25 seeks that the Town vote to authorize the Town Treasurer, with the approval of the Select Board, to borrow under the provisions of MGL c. 44 sec 7, the sum of up to \$500,000 to be expended under the direction of the Town Manager and further that any premium received by the Town upon the sale of any bonds or notes approved by the vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with MGL c. 44, sec 20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Town has an opportunity for both community housing and land preservation

- Community Housing 1 acre
- Land for Conservation and Passive Recreation 6 acres

The property is located in West Concord by the Assabet River. There is an informal trail that can be made into an ADA compliant trail connecting to the Bruce Freeman trail.

The property purchase price is \$2,800,000 and the closing is on July 29, 2022.

Funding Sources pending ATM approval.

- CPA- Open Space \$700,000
- CPA- Housing \$300,000
- AHR Funds \$600,000
- CLCT/SVT Fundraising \$650,000

- Grant or Article 25 \$500,000

The grant(s) may not be available by the purchase closing date. But if a grant is awarded the Town will be reimbursed funds.

Chair Reynolds thanked Ms. Kaye for the presentation and invited questions and comments from members on Article 25 Assabet River Bluff Preservation Project

Ms. Ortnier asked to hear about the Memorandum of Understanding (MOU) that is in place and asked if it is not feasible to have more affordable housing on the property. The MOU lays out the terms of the purchase and sale agreement. There is testing being done to ensure the soil is adequate to build 3 units. Currently there are no concerns but due diligence will be done prior to the purchase. Ms. Ortnier stated concern about the increase of the construction costs. ATM will not address the construction costs and are yet to be determined. If the housing does not come to pass, the property could be sold and the sale money would be given to the Town. Conservation would have an opportunity to purchase the housing property if so desired. Ms. Ortnier asked the presentation for Town Meeting should be clearer about all possible outcomes.

Chair Reynolds said it should be made clear to the public the housing construction is not include in the \$2,800,000.

Ms. Hartman asked if the land is not purchased by the Town, six houses by right could be built on the land. She asked is there are reason to be proposing only five in Article. The feedback from the community/neighborhood, open space and housing came to an agreement that five houses is agreeable to the needs of all.

• Article 26 Community Preservation Committee Appropriation Recommendations

Diane Procter presented Article 26 the Community Preservation Appropriation Recommendations.

Article 26 seeks to determine whether the Town will vote to appropriate the sum of \$2,1753,741 from the Concord Community Preservation Fund of up to \$100,826 from Land Acquisition Reserve Fund. Up to \$237,142 from the prior year undesignated fund balance, and up to \$1,815,773 from project FY23 revenues in accordance with Chapter 44B of MGL to be expended under the direction of the Town Manager.

The recommendations for CPA funding are:

- Recreation \$304,750
- Community Housing \$288,880
- Open Space \$559,750
- Historic Preservation \$576,511
- Administration \$40,000

The CPC recommends funding 11 applications.

Project	Applicant
Regional Housing Services Program Annual – \$28,000	Town of Concord

110 Walden Street Preservation Project Phase 4 - \$135,000	Town of Concord
The Old Manse Exterior Preservation – \$38,500	Trustee of Reservations
Wright Tavern Structural Repairs -\$234,400	Wright Tavern Legacy Trust & Trustees of Parish Donations
Concord Oral History Preservation & Access Project – \$22,841	Concord Free Public Library
Assabet River Bluff Preservation & Housing Land Acquisitions - \$1,000,000	Town of Concord
Junction Village Open Space - \$250,000	Town of Concord
Bruce Freeman Rail Trail - \$30,000	Town of Concord
Assabet River Pedestrian Bridge - \$300,000	Town of Concord
Recreation Facilities Strategic Plan - \$75,000	Concord Recreation Dept.
Staff and Technical Support - \$40,000	Town of Concord

Chair Reynolds thanked Ms. Proctor for the presentation and invited questions and comments from members on Article 26 Community Preservation Committee Appropriation Recommendations.

Chair Reynolds asked if the Wright Tavern has any other means of funding. There will be parish donations. The first year of funding efforts were to determine the historic value of the property and the needs to preserve. The total cost of completion for all that is required to preserve is not yet known.

Ms. Hartman asked if the public can use the Wright Tavern. The idea for the property is for it to be a working museum but Ms. Proctor did not want to speak for the committee about the use of the property, but there are many options for its uses. Ms. Hartman asked if the public would have input into how the building will be used, saying the Town has put a lot of money into the property. Ms. Procter agreed that the residents should be able to use the property and that is the understanding of the committee.

Mr. Banfield questioned the Junction Village Open Space funding because it is only for a part of the project, he asked if there is any information on the complete scope of the project. The complete project is estimated at \$1.5 million to be completed over 4 to 5 years. Mr. Banfield said this project may need a capital review.

Questions and comments from the public on Article 26 Community Preservation Committee Appropriation Recommendations

Mr. Perry asked for the funding request amount for The Old Manse. The amount is \$38,5000 for painting. The presentation/slide had an incorrect amount.

Mr. Johnson was concerned the Wheeler House and the Old Manse funding requests appear to be regular maintenance vs historic preservation. The CPA does not give funding for regular routine

maintenance. Ms. Procter said discussions with lawyers confirming the funding being asked for is correctly identified as historical preservation have taken place.

Mr. Johnson questioned the Assabet River Bluff Preservation & Housing Land Acquisition for \$1,000,000. And the split between the open space and housing units. He would like to see more housing units and would wait to put the property in open space, because if land is put into open space, it can be reversed. Ms. Procter said the split of the land was a recommendation of those who worked on the proposed project for open space and affordable housing. She said she would communicate concerns and comments regarding the project.

Ms. Wasoff said the Town Meeting presentations for the CPA projects should outline the benefits to the community. She said the investment of the project holders should be known and how the investment of the Town benefits the Town.

- **Article 27 Amend Departmental Revolving Funds Bylaw**

Ms. LaFleur presenting Article 27 Amended Departmental Revolving Funds Bylaw.

Article 27 seeks to amend the 2018 Departmental Revolving Funds bylaw as printed in the warrant.

MGL Ch.44 sec.53E1/2 allows for the creation of revolving funds to provide for a separate accounting of departmental fees used to support certain departmental programs. Revolving funds must be established by Town Meeting. The revolving fund budget must be appropriated by Town Meeting on an annual basis.

Article 27 seeks to create a fifth revolving fund of the Visitor's Center and Tourism to be authorized annually.

No Questions or comments on Article 27 Amend Departmental Revolving Funds Bylaw.

- **Article 28 Authorize Expenditure of Revolving Funds Under Mass. Gen. Laws c. 44, § 53E 1/2**

Ms. LaFleur presenting Article 28 Authorize Expenditure of Revolving Funds Under MGL c. 44 § 53E ½

Article 28 seeks to authorize expenditure of revolving funds under c. 44 § 53E ½. The revolving funds authorize under MGL MGL c. 44 § 53E ½ require that an annual, not to exceed budget be established. This article seeks approval of annual budgets for five existing funds.

The Revolving Funds:

Regional Housing Services	\$375,000
Road Repair	\$120,000
Senior Services	\$50,000
Tree Preservation	\$50,000
Visitor's Center & Tourism	\$70,000

The revolving funds come in the receipts of fees, fines and/or donations. Spending from these funds supplements existing departmental budgets to provide programs and services.

No Questions or comments on Article 28 Authorize Expenditure of Revolving Funds Under MGL c. 44, § 53E1/2.

- **Article 46 Citizen Petition: Reformatory Branch Trail Feasibility Study**

Chair Reynolds recognized Phillip Posner to present Article 46 Citizen Petition: Reformatory Branch Trail Feasibility Study.

Article 46 seeks funding for a feasibility study for the Reformatory Branch Trail in the minimum amount of \$75,000. The funding would hire consultants for the feasibility study. The article is not seeking approval for a construction project. The Envision Concord Study 2030 states as Goal 3 – create safe, cost-effective walking and bicycling connections between key pedestrian and bicycle paths/trails to improve mobility around Concord. This feasibility study is in line with goal. There are also other Town studies that support the objectives of Article 46.

The Reformatory Branch Trail is 120 years old, runs from the Bedford Townline to Lowell Road. It once was a railroad trail from Cambridge to Concord. It is owned by the Town. The goal is to improve what already exists.

The current concerns of the trail are muddy, poorly stabilized trail surface, poor drainage in various sections, trees growing in middle of trail, metal hatches present in the trail bed, cracked, steep drip-off at Treatment Plant Road, Grades too steep, and trail conditions poor for persons with mobility challenges.

The trail is a Town recreational resource, but the bigger picture is that it is an active transportation route that can assist in the climate crisis.

The Town of Bedford is scheduled to start construction in 2024 on its part of the trail. Funding is necessary to start the planning process for the Concord part of the trail.

Chair Reynolds asked if there were any questions or comments on Article 46.

Ms. Hartman asked for confirmation that Bedford has funding for the trail to the Townline of Concord. Mr. Posner that the project is a Trail Project of the Transportation Department of the State. The State/Commonwealth is funding the project, under the TIP program. The final approved plan is about 800 feet from the Concord Townline. Ms. Hartman asked if the Commonwealth is funding the trail for the Bedford, why is it not funding it for Concord. She stated she is aware Bedford has Articles on the ATM regarding the trail including easements and purchases.

Questions and Comments from the public for Article 46 Citizen Petition: Reformatory Branch Trail Feasibility Study

Mr. Perry wondered why the 1995 decision to keep the trail in its present natural state was not part the of the information provided in the presentation. Mr. Posner said the 1995 study did result in the decision to keep the trail in its present state, but 2022 is a different world with climate change now a factor, traffic problems were different, the world has changed. He added that the trail should be graded and improvements made for more people to have access and use of the trail. Mr. Perry asked why the Transportation Advisory Committee's input regarding bikes dropping off in the Bedford Town Center was not part of the presentation. Mr. Posner said he is giving this presentation to the Transportation Advisory Committee at their next meeting. He added he will also be presenting in other public forums. He is hoping for Concord to take action in planning for this trail.

Ms. Bates asked if there has been a funding source identified, adding that the project could be a CPA project. Mr. Posner thought the funding could be done within the levy. But the funding will be identified at Town Meeting. He could identify grants, although grants are dependent on an appropriation from the Town.

Nancy Cronin stated the 1995 study concluded not to pave the trail was because Great Meadows did not want more bicycles/people at Great Meadows.

Other members of the public spoke who were not in favor of the Article 46.

• **Article 47 Citizen Petition: Preserve Concord's Reformatory Branch Trail**

Mark Gailus presenting Article 47 Citizen Petition: Preserve Concord's Reformatory Branch Trail.

Article 47 is to determine whether the Town will recommend to the owners of the various portions of the Reformatory Branch Trail in Concord and to the individuals and entities and all other parties responsible for the care thereof, that the Trail continue to be maintained in an unpaved natural condition for walking, hiking, jogging, dog walking, nature immersion, nature observation, photography and cycling. And that any future changes made to drainage, to features affecting individuals with reduced mobility or other aspects of the Trail be done in a way that cause the least injury possible to existing trees, does not clear-cut trees to make trail wider and preserves the greatest extent possible the existing natural characteristics of the Trail.

The Reformatory Branch Trail is maintained by the Concord Trails Committee and Trail Stewards with assistance from the Division of Natural Resources and the Department of Public Works.

The Concord's 1995 Bikeways Task Force Report stated the goal should be the reservation of this trail for passive pedestrian use.

Concord's Reformatory Branch Trail has been discussed outside of Concord, by those who want to make the trail an extension of the Minuteman Bikeway. These discussions do not prioritize protection of wildlife and the preservation of the natural characteristics of the Trail.

Chair Reynolds asked for questions and comments for members.

Mr. Guarriello asked if the Article is asking for a letter to owners along the pathway in this form, he said he does not think the Town has any enforcement avenue. Mr. Gailus said this gives an opportunity at Town Meeting to express a principal view, it is not a financial commitment or does not ask for a legal requirement, only to have the sense of the Town regarding the trail.

Chair Reynolds asked for comments and questions from the public. There were none.

• **Article 48 Unpaid Bills • Article 49 Debt Rescission**

Ms. Lafleur stated there is no motion anticipated for Article 48 Unpaid Bills and Article 49 Debt Rescission.

Motion to adjourn the public hearing. Motion seconded. The motion carried unanimously.

Motion to open the Finance Committee of March 3, 2022. Seconded. The motion carried unanimously.

The committee confirmed Articles 3,7, 9,10,11,12,13,14,26,27,28,and 46 will be voted on tonight. The committee stated Articles 24 and 25 will required more information before a vote. The members had a consensus that Article 47 was not under in the Finance Committee purview.

The was a public comment was made asking that the Finance Committee take a vote on Article 47.

Motion to vote in the affirmative on Article 3 Meeting Procedure. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative on Article 7 Use of Free Cash. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative on Article 9 FY23 Town Budget. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative on Article 10 Capital Improvement and Debt Plan. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative on Article 11 Senior Means-Tested Property Tax Exemption. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative on Article 12 Appropriation for Senior Means-Tested Tax Exemption. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative on Article 13 OPEB Trust Fund Appropriation and Article 14 OPEB Trust Fund Expense. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative Article 26 Community Preservation Committee Appropriation Recommendations. Motion seconded. Motion carried unanimously.

Motion to vote in the affirmative on Article 27 Amend Departmental Revolving Funds Bylaw and Article 28 Authorize Expenditure of Revolving Funds Under Mass. Gen. Laws c. 44, § 53E ½. Motion seconded. Motion carried unanimously.

Motion to vote no action on Article 46 Citizen Petition Reformatory Branch Trail Feasibility Study. Motion seconded. Motion carried unanimously.

Motion to vote no position on Article 47 Citizen Petition: Preserve Concord's Reformatory Branch Trail. Motion seconded. Motion carried unanimously.

Motion to adjourn. Motion Seconded. Motion carried unanimously.

Documents: <https://concordma.gov/DocumentCenter/View/35242/Article-3-Meeting-Procedure>

<https://concordma.gov/DocumentCenter/View/35241/Article-7-Use-of-Free-Cash>

<https://concordma.gov/DocumentCenter/View/35240/Article-8-FY22-Budget-Line-Item-Adjustments>

<https://concordma.gov/DocumentCenter/View/35239/Article-9-FY2023-Town-Operating-Budget>

<https://concordma.gov/DocumentCenter/View/35243/Article-10-FY2023-Town-Capital-Budget>

<https://concordma.gov/DocumentCenter/View/35238/Article-11-Senior-Means-Tested-Property-Tax-Exemption>

<https://concordma.gov/DocumentCenter/View/35237/Article-12-Appropriation-for-Senior-Means-Tested-Tax-Exemption>

<https://concordma.gov/DocumentCenter/View/35236/Article-13-OPEB-Trust-Fund-Appropriation>

<https://concordma.gov/DocumentCenter/View/35235/Article-14-OPEB-Trust-Fund-Expense>

<https://concordma.gov/DocumentCenter/View/35234/Article-15-Establishing-an-Electrification-Trust-no-motion>

<https://concordma.gov/DocumentCenter/View/35233/Article-24-Appropriate-Funds-for-Affordable-Housing-Development>

<https://concordma.gov/DocumentCenter/View/35251/Article-25-Assabet-River-Bluff-Preservation-Project>

<https://concordma.gov/DocumentCenter/View/35250/Article-26-Community-Preservation-Committee-Appropriation-Recommendations>

<https://concordma.gov/DocumentCenter/View/35249/Article-27--Amend-Departmental-Revolving-Funds-Bylaw>

<https://concordma.gov/DocumentCenter/View/35248/Article-28-Authorize-Expenditure-of-Revolving-Funds-under-MGL-44-section-53E12>

<https://concordma.gov/DocumentCenter/View/35245/Article-46-Reformatory-Branch-Trail-Feasibility-Study>

<https://concordma.gov/DocumentCenter/View/35244/Article-47-Citizen-Petition-Preserve-Concord-Reformatory-Branch-Trail>

<https://concordma.gov/DocumentCenter/View/35247/Article-48-Unpaid-Bills>

<https://concordma.gov/DocumentCenter/View/35246/Article-49-Debt-Recission>