

**TOWN OF CONCORD
SELECT BOARD
MINUTES
MARCH 8, 2021**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference call on March 8, 2021 at 4:00pm.

Present were Linda Escobedo, Chair; Susan Bates, Clerk; Terri Ackerman, Jane Hotchkiss, and Matthew Johnson. Also present was Stephen Crane, Town Manager.

Call to Order

Roll call vote

Ms. Escobedo: Present
Ms. Ackerman: Present
Ms. Bates: Present
Ms. Hotchkiss: Present
Mr. Johnson: Present

Consent Agenda

- Town Accountant Warrants: March 4, 2021
- Proclaim the Week of April 4 - April 11 as Days of Remembrance for the Victims of the Holocaust

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda.

Roll call vote

Ms. Escobedo: Aye
Ms. Ackerman: Aye
Ms. Bates: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

Town Manager's Report

Health Division staff reported a successful vaccine clinic for 140 seniors (age 75 and up) on Tuesday, March 2 at the Harvey Wheeler Community Center. Thanks to the COA staff who orchestrated the invitations to Concord's residents. In this process it was learned that many of the most vulnerable residents have already received their first vaccination.

An important milestone was achieved at the most recent MSBC meeting when recommendations from the Sustainability and Design Subcommittees were presented to the Middle School Building Committee.

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D&C Construction (Weymouth, MA) continues to make progress on the rehabilitation of both sewer-pumping stations. Start-up and commissioning activities have begun at the Assabet station with Lowell start-up tentatively scheduled in April. Final exterior work at both facilities is also planned for April.

Bedford Court Gas Main Work - National Grid's Sub-contractor NEUCO has installed several hundred ft. of 2" gas main with a plan of installing a total of approximately 640 feet of main over the next few weeks. Work will include making the connection to the existing gas main in Bedford Street and installing gas services to individual homes. The Engineering Division is working closely with National Grid by conducting daily site inspections to ensure compliance with the Town's construction standards.

Bruce Freeman Rail Trail: Letters inviting abutters to the last ½ mile of Phase 2C to site walks scheduled for March 18 and 19 will be going out this week. We will be reviewing the need for fencing and location of signage along this stretch of the trail.

Hubbard Street/Parking Management Team: As CPW-Engineering Division refines plans to reconstruct Hubbard Street near Walden Street, the Parking Management Team discussed the use of meters in this location. Based on the existing conditions and observations of the use of these meters, the PMT recommended that the meters not be re-installed at this time, but that signage be installed to limit three parking spaces closest to Walden Street to 30-minutes and the remaining spaces on Hubbard Street be allowed to park for 3-hours. This change will require revision to the Traffic, Parking, and Pedestrian Rules and Regulations.

The Massachusetts Cultural Council approved two grant applications submitted in February in the amount of \$7,500 each for Concord Center and West Concord Junction cultural districts. This year's grants are expected to help address recovery and relief from the COVID-19 pandemic for the arts & cultural resources and local businesses.

Chair's Remarks

Ms. Escobedo reminded residents that the Town Meeting Warrant closes on March 26. Draft articles are due to the Town Manager's Office at 12:00pm on March 19.

The Select Board has recently received correspondence regarding pedestrian safety at Junction Park. The Transportation Advisory Committee will be discussing this issue on March 10, and the Select Board will discuss it at their March 15 meeting.

Town House Renovation Update

Deputy Town Manager Kate Hodges and Facilities Director Ryan Orr attended to present the current status of the Town House renovation. Ms. Hodges reported that while the first floor renovation of the Town House was necessary and the final product will be a significant

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improvement, new challenges arose in the renovation process. The Town has attempted to implement cost saving and innovative solutions in response to the challenges that have come up during the renovation process. Ms. Hodges' presentation is available in the [meeting materials](#).

The renovation process started on November 16th, 2020. The original target date for completion was April 2021 if there were no change orders. Currently, there are 24 potential change orders, with 9 of them approved so far at the cost of approximately \$35,000. The original scope of the project was \$678,000. The projected cost of all the change orders is approximately \$100,000. Final inspections are expected to happen on the June 18th, 2021. The projected completion date at this time is July 15, 2021.

Climate Action Advisory Board Draft Warrant Article: Authorizing the Town of Concord to Adopt and Enforce Local Regulations Restricting New Fossil Fuel Infrastructure in Certain Conditions

Sustainability Director Kate Hanley, Climate Action Advisory Board Chair Jake Swenson, and Light Board Chair Alice Kaufman attended to discuss this proposed warrant article. At the Select Board's March 1 meeting, Ms. Hanley, Mr. Swenson, and Ms. Kaufman requested that the Select Board sponsor this proposed [warrant article](#) ahead of the 2021 Town Meeting. The Select Board requested that they finalize the language of the prospective article with the Town Moderator Carmin Reiss. Since that meeting, they prepared an updated text on the draft warrant article after it was reviewed by the Moderator and Town Counsel.

Ms. Kaufman reported that this is both a warrant article and a proposed bylaw. This article is being proposed as a more viable alternative to Article 40, presented at the 2020 Town Meeting, which was a blanket ban on fossil fuel infrastructure in new construction. The article was not moved because in the summer of 2020, the Attorney General decided that a similar article in Brookline was not allowable under state law. The article proposed for the 2021 Town Meeting is requesting that the state legislature give Concord the authority to place municipal restrictions on fossil fuel usage in some categories.

The Select Board members voiced general consensus to carry this warrant article to the Select Board public hearing ahead of Town Meeting. The Select Board did not take a vote on whether or not to endorse this article.

Select Board FY21 Goal: ATM Housing Appropriation

At their March 1 meeting, the Select Board discussed the idea of filing a warrant article for an appropriation for affordable housing funds, with proposals ranging up to \$500,000. Housing groups in Concord have submitted [correspondence](#) requesting that the Select Board file a warrant article to this effect.

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The Select Board members voiced their support for sponsoring an article to appropriate \$500,000 to affordable housing, stating that this amount could always be reduced ahead of Town Meeting if needed . There was no vote taken on this matter.

Status of ATM 2020 Article Neonicotinoids Prohibition

The Massachusetts Pesticides Board recently took action to designate neonicotinoids as a “Restricted Category” pesticide, which may accomplish the original goals of this proposed warrant article. Mark Hanson of the Pollinator Health Advisory Committee said this action was a good step in the right direction, but does not necessarily entirely accomplish the goals of the warrant article. Mr. Hanson stated that the recent action by the Massachusetts Pesticides Board prevents retailers from selling neonicotinoids in Massachusetts beginning in July 2022, whereas the proposed warrant article would ban the use of neonicotinoids on new leases of Town land. This would not impact the use on existing leases. Therefore, Mr. Hanson would like the Select Board to move the article.

The Select Board reached a general consensus that they would carry the warrant article to the Select Board public hearing ahead of Town Meeting, although they did not take a position on the article. Mr. Hanson will be working with the Town Manager’s Office get this warrant article refiled.

Election Officer Appointments

Town Clerk Kaari Tari prepared [a memo](#) for new election officer appointments. The Select Board did not have concerns regarding any of the nominees.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint the election officers as described in the memo from Kaari Tari dated March 5, 2021.

Roll call vote

Ms. Escobedo: Aye
Ms. Ackerman: Aye
Ms. Bates: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

Committee Nominations

There were no committee nominations.

Committee Liaison Reports

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Ms. Bates attended the Capital Planning Task Force, where they reviewed the recommendations of the 2003 Capital Planning Report. The Cemetery Committee discussed 18 Windmill Hill Road, a property with a fence around it that is visible from the cemetery and has an application before the ZBA. The Committee voted 4-1 to not recommend that the ZBA oppose the project. The Middle School Building Committee continues to make progress and is receiving a notable amount of correspondence regarding the gymnasium.

Mr. Johnson attended the Middle School Building Committee, where they voted to recommend a 7,000 square foot gym, a 270 seat auditorium, a 1600 square foot physical education space, a 1000 square foot maker space, and a 3400 square foot media center. CMLP also believes they will be able to install solar at the new middle school. The Housing Authority continues to have interviews for the Executive Director role. The Public Ceremonies and Celebrations Committee is working with Minuteman Media Network on preparations for the virtual Patriot's Day celebrations. The NMI-Starmet Committee discussed the Town assuming liability for the site and the risks of that. Additionally, they are preparing an executive summary for the Select Board at an upcoming meeting.

Ms. Hotchkiss attended the Natural Resources Commission, where they reported that a new Land Manager has been hired. The NRC has continued to discuss the 50-foot no build policy. The Commission on Disability met to approve the minutes from past meetings. The Historic Districts Commission discussed contractor signage within historic districts.

Ms. Ackerman reported that the Capital Planning Task Force charge expires in June, and they will continue meeting every other week until the expiration and final report. The West Concord Junction District Committee received a grant from the Massachusetts Cultural Council for marketing and producing maps and brochures. The Transportation Advisory Committee Bicycle Subcommittee met and discussed bicyclist safety and the possibility of surveying of cyclists in town to figure out the demography and transportation patterns of cyclists. The Bruce Freeman Rail Trail Advisory Committee is putting the last half mile of the rail trail out to bid.

Ms. Escobedo attended the Tax Fairness Committee, where they are discussing the senior means tax exemption warrant article that will be on the 2021 Warrant. The School Committee presented a new draft of their budget, getting closer to the proposed budget guidelines.

Miscellaneous Correspondence

Correspondence was included in the [meeting materials](#).

Public Comments

Mary Hartman of 16 Concord Greene commented that the projected balance for free cash is

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\$5,600,000.

Tanya Gailus of 62 Prescott Road asked what the final date the warrant closed. Ms. Gailus asked if the Select Board would cover the Bruce Freeman Rail Trail's request regarding the Reformatory Branch next week.

Adjourn to Executive Session, not to return to open session, pursuant to M.G.L. c. 30A, section 21(a)(3) to discuss strategy with respect to litigation in the case of L.Y. v. Kester Krueger, CCTV, Inc., Town of Concord and Concord-Carlisle School District, as an open meeting may have a detrimental effect on the litigating position of the Committees as declared by the Chair.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to Adjourn to Executive Session, not to return to open session, pursuant to M.G.L. c. 30A, section 21(a)(3) to discuss strategy with respect to litigation in the case of L.Y. v. Kester Krueger, CCTV, Inc., Town of Concord and Concord-Carlisle School District, as an open meeting may have a detrimental effect on the litigating position of the Committees as declared by the Chair.

Roll call vote

Ms. Escobedo: Aye
Ms. Ackerman: Aye
Ms. Bates: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

Minuteman Media Network Coverage: <https://www.youtube.com/watch?v=kedmk22PD6Q>

Meeting Materials: <https://concordma.gov/DocumentCenter/View/28283/March-8-SB-Packet>