

CONCORD SELECT BOARD  
MINUTES  
MARCH 18, 2019

APPROVED: APRIL 22, 2019

Pursuant to notice duly filed with the Town Clerk, a meeting of the Concord Select Board was held at 7 p.m. in the Public Hearing Room at the Town House. Present were Thomas McKean, Chair; Michael Lawson, Clerk; Alice Kaufman, Jane Hotchkiss and Linda Escobedo. Also in attendance was Kate Hodges, Deputy Town Manager. Mr. McKean called the meeting to order at 7 p.m. and announced that it was being broadcast on Minuteman Media Network.

**CONSENT AGENDA**

- Town Accountant Warrants
- One Day Special Licenses

Concord Museum	3/28	6pm-9pm	200 Lexington Road	Wines Only
Rotary Club of Concord	4/12	7pm-11pm	51 Walden Street	Wine & Malt
- Minutes – 1/26, 1/28, 2/4, 2/19, 2/26

Upon a motion duly made and seconded the Board UNANIMOUSLY

**VOTED:** To approve the consent agenda.

**REVIEW AND APPROVE EXECUTIVE SESSION MINUTES**

Upon a motion duly made and seconded the Board UNANIMOUSLY

**VOTED:** To approve Executive Session minutes for January 8, 2018 #1, #2, and #3, not to be released

**TOWN MANAGER'S REPORT**

- The White Pond Public Forum was held last Thursday and over 100 people attended the event.
- The annual Concord Cleanup program will be held from March 30 to April 7.
- The Agriculture Committee will host an event to discuss the rewards and challenges of cooking with local ingredients year-round.
- Blasting will take place at the Nashawtuc Country Club as part of their ongoing construction project.
- The Facilities Division has hired a HVAC technician.
- The Recreation Department is in the process of selling parking passes to the White Pond beach.

**CHAIR'S REPORT**

None.

**REVIEW CONSENT CALENDAR FOR TOWN MEETING – CARMIN REISS, TOWN MODERATOR**

Town Moderator Carmin Reiss appeared before the Board and provided an update on the proposed Consent Calendar for the upcoming Annual Town Meeting starting on April 8. She noted that most items on the Consent Calendar were routine business items that were on the Consent Calendar for several past Town Meetings. There were seventeen articles on the proposed Consent Calendar. Board members agreed with the proposed list of Articles presented by the Moderator and pointed out that residents have the ability to remove Articles from the list if so desired.

Moderator Reiss noted that the four Articles related to affordable housing were designated as high-interest and prescheduled for consideration on Tuesday, April 9. Due to the related subject matter of the articles, she sought to avoid having to split discussions between different nights. She briefly reviewed her plans for incorporating electronic voting at Town Meeting.

**TAKE POSITIONS ON REMAINING WARRANT ARTICLES**

Board members briefly discussed Article #12 – Concord Public Schools Capital Projects.

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Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** to recommend affirmative action on Article 12 - Concord Public Schools Capital Projects in the amount of \$900,000.

Board members discussed Article #14 – Concord Middle School Feasibility Study. Mr. McKean advised that he was in favor of Article 14. He opined that the Schools did a great job with their public tours to illustrate the need for a feasibility study to study the issues within the Middle School's aging infrastructure. Ms. Escobedo agreed that the public tours were very helpful.

Heather Bout, 33 Alden Road and member of the Concord School Committee, appeared at the request of the Board and explained how the Schools got to point of requesting funds to study the feasibility of a new middle school. Ms. Bout and the Board held a lengthy discussion regarding the background of Article 14. Ms. Bout reviewed the different options presented by the Finegold Alexander Report. It was noted that a Middle School Building Committee was in the works. Ms. Bout and the Board discussed the public processes that have been undertaken by the School Committee.

Jared Stanton, Director of Finance & Operations for Concord Public Schools, reviewed his memo dated March 14, 2019 regarding the cost of the Feasibility Study and Schematic Design. The cost for a Feasibility Study and Schematic Design of a new middle school building will likely be approximately \$1.5 million, broken down as follows: \$300K for Owner's Project Manager; \$400K for the Feasibility Study; \$500K for the Schematic Design; and \$300K for Hazardous Materials Assessment, Geo-environmental Engineering, Other Services, and Contingency.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** to recommend affirmative action on Article #14 – Concord Middle School Feasibility Study.

Board members discussed Article #16 – Concord-Carlisle Regional High School Capital Projects. Ms. Kaufman noted that she had concerns with Article 16. She said that the purpose of Article 16 did not mesh with the Town's sustainability goals.

Dr. Laurie Hunter, Superintendent of Schools, addressed concerns raised by Ms. Kaufman. Dr. Hunter stated that the \$1.2 million in requested funds would go towards a variety of needs including paving, lighting, ADA accessibility, sidewalk access, and student parking. Dr. Hunter said that these items symbolically represented the final stages of construction at the campus as the high school building was constructed just a few years ago. She reviewed the proposed parking lot that would have 104 parking spaces. The proposed parking lot would return the total amount of parking spaces to the previous amount available before the new school building was constructed. She said that parking was a major issue at the High School and Article #16 would maximize the amount of parking available at the school. Ms. Hotchkiss noted that the Town's school bus fleet was under-utilized and sought for more emphasis to be put on students using the existing bus system. Board member discussed Dr. Hunter's comments.

Mr. McKean stated that he did not support Article #16. He did not believe that the creation of additional parking spaces was a priority when the school system already provides daily bus service. He did not view the request as an essential need for the Town or School. Mr. Lawson inquired if Concord Public Works had reviewed the estimated costs associated with Article #16.

Nick Pappas, 300 Virginia Road and Chair of the Climate Action Advisory Board, expressed concerns about Town-wide transportation issues facing the community. He sought for better solutions to the parking issues than what are currently proposed by Article #16.

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Board members agreed to defer taking a position on Article #16 until a later date and time. It was noted that the Finance Committee did not intend to move Article #18 – General Bylaw Amendment - Sustainable Growth Rate. Board members also agreed to delay taking a position on Article #23 - Appropriate Funds -- Affordable Housing Development until a later date.

Board members discussed Article #24 Authorization to Accept M.G.L. Ch. 44 § 55C – Municipal Affordable Housing Trust Fund. Town Moderator Carmin Reiss advised that she was working with Town Counsel to clarify the language of the final motion for this Article.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** to recommend Affirmative Action on Article #24 Authorization to Accept M.G.L. Ch. 44 § 55C – Municipal Affordable Housing Trust Fund

Board members discussed Article #25 – Authorize Special Legislation - Real Estate Transfer Tax for Affordable Housing. Mr. McKean discussed concerns with Article #25 that have been brought to his attention by the Greater Boston Real Estate Board. He and Mr. Lawson discussed the details of the article. Board members reviewed how they could potential move the article at Town Meeting. Town Moderator Carmin Reiss noted that the impact of Article #25 would be dependent on how the Board moved the Article at Town Meeting.

Todd Benjamin, AHFC Chair and 333 Sudbury Road and Chair of the Affordable Housing Funding Committee, spoke about concerns raised by the Greater Boston Real Estate Board regarding inequity and unstable revenue stream. Board members discussed the concerns in greater detail with Mr. Benjamin.

Upon a Motion duly made and seconded, the Board

**VOTED:** 4-1 to recommend Affirmative Action on Article #25 – Authorize Special Legislation - Real Estate Transfer Tax for Affordable Housing with the recommendation that it will come back for a vote at Town Meeting and, if necessary, General/Special Election. *(Mr. McKean voted no action)*

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** to recommend Affirmative Action on Authorize Special Legislation - Building Permit Fee Surcharge for Affordable Housing with the recommendation that it will come back for a vote at Town Meeting and, if necessary, General/Special Election.

Board members discussed Article 29 Zoning Article Amendment – Formula Business. Mr. Lawson stated that he was opposed to Article 29. He believed that the Article will have the opposite effect of its intentions to preserve the existing character, diversity, variety and scale of the Concord Center Business Districts. He noted that the retail landscape was dramatically changing and expressed concern with possible effects of Article #29. He opined that the Town needed to focus on attracting businesses from tourism. He noted recent vacant storefronts in Concord Center. Ms. Kaufman noted differences between service-based industry and commodity-based industry. Board members noted that if there was an economic downturn, a formula business restriction could hamper future growth. It was mentioned that the Historic Districts already have some stringent restrictions in place regarding the visual impact of business' and storefronts.

Ms. Hotchkiss spoke in support of Article #29.

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Upon a Motion duly made and seconded, the Board

**VOTED:** 4-1 to recommend no action on Article #29 Zoning Article Amendment  
- Formula Business. (*Ms. Hotchkiss voted affirmative action*)

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** to recommend Affirmative Action on the following articles:

#38 Light Plant Expenditures & Payment In Lieu of Taxes in the amount of \$452,000 as printed

#39 Solid Waste Disposal Fund Expenditures

#40 Sewer System Expenditures

#41 Sewer Improvement Fund Expenditures

#42 Water System Expenditures

#43 Debt Authorization: Water Main Replacement in the amount of \$4,000,000 as printed in warrant

#44 Authorize Expenditure from PEG Access and Cable-Related Fund in the amount of \$600,000 as printed in warrant

#45 Beede Swim & Fitness Center Enterprise Fund Expenditures in the amount of \$2,379,905 as printed in warrant

### **DISCUSS LIBRARY CONSTRUCTION PROJECT – LIBRARY TRUSTEES**

John Boynton, member of the Board of Trustees for the Concord Free Public Library, appeared before the Board. He discussed the history of the Library and presented an update on the upcoming library construction project. He reviewed Library operations. The Town provides municipal funding for the Library's operating budget including staff, utilities, books and materials. The Concord Free Public Library Corporation, which owns and oversees the buildings, grounds, and Special Collections, provides essential funding to augment the operating budget. Those funds are generated by the Corporation's endowment and Annual Fund. The Friends of the Concord Free Public Library was established in 1970. The Concord Free Public Library, established in 1873, represented the first and oldest public-private partnership in Concord. Mr. Boynton discussed the expansion project and reviewed the currently proposed floor plan. He mentioned that more space was needed in order to accommodate present and future demand for programs. The proposed floor plan is designed to deliver educational programs through various different approaches for residents of all-ages. Ms. Hotchkiss and Mr. Boynton discussed how different age groups could potentially utilize library resources.

Mr. McKean noted that two articles on the Town Meeting Warrant would provide funds for the project. Mr. Boynton briefly reviewed costs associated with the expansion project. The total project cost is projected to be \$10 million. 88% of the project budget will come from private fundraising and 12% will come from public sources.

Ms. Hotchkiss and Mr. Boynton discussed the construction project. She inquired if the Historic Districts Commission was consulted.

Jeff Adams, Farmers Cliff Road, noted that the Library informally presented initial plans a few months ago and the group would be formally presenting plans at the next Historic Districts Commission meeting.

At the request of Mr. Lawson, Mr. Boynton reviewed the current floor plan and the proposed floor plan. It was noted that the proposed floor plan was designed to be flexible for various uses. Mr. Boynton discussed the community fundraising component of the project.

### **PUBLIC PRIVATE PARTNERSHIP (P3) UPDATE**

Continued without discussion to a future meeting.

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**REVIEW & APPROVE LIBRARY-P3 COMMITTEE CHARGE**

Mr. McKean briefly outlined the discussion regarding a proposed Library-P3 Committee. Mr. McKean noted that several members of the former Public-Private Partnership (P3) Study Committee were present. The of purpose of proposed committee is to serve as a forum for the dissemination of information to the public concerning the planned Main Library Expansion project expected to begin in the Fall of 2019. Mr. McKean asked for comments from former P3 members.

Jean Goldsberry, 1832 Main Street, spoke on behalf of several members of the former P3 committee. She expressed appreciation that this topic was being considered by the Board but mentioned that several Library construction/expansion-related decisions have already been made. Ms. Goldsberry presented suggested changes to the draft charge's purpose, membership, and duties.

Sherry Litwack, 1575 Monument Street and President of the Concord Free Public Library Corporation, explained the differences between the Concord Free Public Library Corporation and the Concord Free Public Library Committee.

Board members agreed that additional discussion on this topic was necessary and agreed to resume this discussion at an upcoming meeting.

John Boynton, 72 Chestnut Street and member of the Board of Trustees for the Concord Free Public Library, stated that no one from the former P3 Committee approached the Library Corporation in regard to the proposed committee. He inquired if this approach had been taken towards other Town public-private partnerships in the past.

Dorrie Kehoe, 51 MacArthur Road, advised that she was a former P3 committee member. She explained that the P3 committee recommended ongoing studies of existing P3s. She noted that there was frustration among former P3 members that ongoing studies of existing P3s have not been completed yet. She mentioned that the library was contacted during the P3 Committee's work towards a final report.

**LONG RANGE PLAN UPDATE FROM TOWN DEPARTMENTS – MARCIA RASMUSSEN, DPLM DIRECTOR**

Marcia Rasmussen, Director of Planning and Land Management, appeared before the Board and provided an update on Long Range Plan matters. She reviewed her memo dated March 15, 2019. It was mentioned that her memo (and accompanying chart) focused on items underway by divisions under the authority of DPLM. Prior to the meeting, Concord Public Works provided a few comments to supplement the chart provided Director Rasmussen. Director Rasmussen discussed updates pertaining to goals identified in the following sections: 4.1 Culture/Historic Resources, 4.2 Economic Vitality, 4.3 Housing, 4.5 Transportation/ Mobility, 4.6 Open Space/Natural Resources, and 4.7 Public Facilities/Infrastructure. Kate Hodges, Deputy Town Manager, provided a brief update on Long Range Plan matters from the perspective of the Human Services Division, Recreation Department, media technology, public information, and visitor services.

Mr. McKean requested that discussion be continued to a future meeting.

**MUNICIPAL FACILITIES ASSESSMENT & MASTER PLAN UPDATE – KATE HODGES, DEPUTY TOWN MANAGER**

Deputy Town Manager Kate Hodges and Facilities Director Ryan Orr appeared before the Board and provided the Board an update on the Municipal Facilities Assessment and Master Plan. Article 27 of the 2017 Town Meeting allocated \$250,000 to be expended under the direction of the Town Manager to conduct a comprehensive municipal facilities needs assessment and master plan.

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After an RFP was issued, the Town ultimately hired TBA Architects. The work plan developed by TBA and the Town identified 3 key factors for the projects' success. The first step was to conduct a comprehensive existing facilities analysis where 3D High Definition Survey Laser scanning was used in many of the municipal buildings in order to identify where all building elements, utilities and amenities lay. The second task involved discussions with each of the building managers and department heads to assess the most cost-effective designs and enhancements for each of the existing facilities that would help with both short-term and long-term divisional needs.

The consultants developed three proposal plans for review and comment. The consultants' Option A is the least modified and least expensive option which works to accomplish minor renovations, office moves and other 'space mining' techniques which address immediate concerns. Option B shows potential renovations and expansion offerings to existing buildings and departments that may carry a larger percentage and would be moderately disruptive. The building work in Option B, for some facilities, show the relocation of certain Departments between buildings and sites to create a more streamlined town administrative center. Option C calls for major renovations and, in some instances, acquiring new buildings, properties or combinations of both. Deputy Town Manager Hodges and Director Orr reviewed the findings pertaining to the Town House and Keyes Road campus as examples of Options A and B. Option C has not been finalized but will endeavor to look at several things including a new centralized Town Hall, Public Safety Facilities, and covered DPW garage. The Senior Management team has an initial meeting with the consultants next month to discuss functional needs. The Town will also project staffing levels as best we can for the next several years and assess sustainability and potential energy savings and consolidation efforts. The contract with TBA has public forums and meetings included within the scope in order to gauge the community's feedback, thoughts and reactions. Board members stressed the importance of receiving input from the community.

Terri Ackerman, 89 Heaths Bridge Road, inquired about the creation of a Town-wide capital planning process as recommended by Finance Committee.

**REVIEW & APPROVE MIDDLE SCHOOL BUILDING COMMITTEE CHARGE**

Mr. McKean briefly reviewed the current draft of the Middle School Building Committee charge. It was noted that the current draft was modeled on the former Willard School Building Committee charge. Mr. McKean asked for comments.

Dr. Laurie Hunter, Superintendent of Schools, requested that the school's Director of Finance and Operations be included as a committee member. She also sought to have two School Committee members serve on the Committee. She presented other recommendations that were still in development and agreed to send a list of recommendations to the Board.

Heather Bout, School Committee member, urged that the Board include public process and community feedback as required components of the charge.

Ms. Kaufman discussed the role of the Town Manager in the process and as a member of the Committee. Board members briefly discussed the potential membership of the committee.

Carmin Reiss, 52 Devens Street, noted that Finance Committee members are appointed by the Moderator and they are not permitted to concurrently serve as a voting member on another committee.

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Nick Pappas, 300 Virginia Road and member of the Climate Action Advisory Board, mentioned that sustainability was an element that should be included in the charge.

Ms. Kaufman recommended that at least one member have experience in general and industrial construction.

Further discussion was continued to a future meeting.

**PUBLIC COMMENTS**

Carmin Reiss, 52 Devens Street, suggested that the Board review MSBA policies as they finalize the Middle School Building Committee charge.

**COMMITTEE LIAISON REPORTS**

Mr. Lawson reviewed the work of the Town Manager Search Committee and updated the Board on the search process.

**MISCELLANEOUS/CORRESPONDENCE**

None.

**ELECTION OFFICERS**

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** to appoint Election Officers as listed on Town Clerk's memo dated March 15, 2019

**COMMITTEE NOMINATIONS**

None.

**COMMITTEE APPOINTMENTS**

None.

**ADJOURN**

At 10:31 p.m. upon a motion duly made and seconded the Board UNANIMOUSLY

**VOTED:** to adjourn the meeting for the evening.

Respectfully submitted,

Michael Lawson, Clerk