

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference on March 29, 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**

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

**Consent Agenda**

- Indigenous People's Day Proclamation
- Juneteenth Proclamation
- National Library Week 2021 Proclamation: April 4 - April 10
- Extension of Hours for the Sale of All Alcoholic Beverages by Nashawtuc Country Club located at 1861 Sudbury Road on Sunday, April 4, 2021 to begin at 10:00am instead of 12:00pm
- Extension of Hours for the Sale of All Alcoholic Beverages by Nashawtuc Country Club located at 1861 Sudbury Road on Sunday, May 9, 2021 to begin at 10:00am instead of 12:00pm

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**

The federal government has released the estimated local aid approved through the recently enacted American Recovery Plan Act (ARPA). The Town of Concord will receive

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

approximately \$5.5 million in direct federal aid. Although the Treasury Department will provide its interpretation on eligible uses, the following activities are specifically permitted:

- To respond to the pandemic or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries, such as the hospitality sector;
- It can be used for premium pay to workers performing essential work (*as determined by each recipient government*) during the pandemic, providing up to \$13 per hour above regular wages;
- To make necessary investments in water, sewer, or broadband infrastructure
- For government services to the extent that the pandemic led to lower revenue as compared to 2019.

In addition to the local aid, the package includes a new Restaurant Revitalization Fund: \$28.6 billion fund to be administered by the SBA to help restaurants and bars that have suffered losses due to COVID. These grants are available for up to \$10 million per business. The eligible amount will be based on the difference in revenue from 2019 to 2020. Also, for the first 21 days, applications from restaurants owned and operated by women, veterans, or socially and economically disadvantaged individuals will receive priority. The funds will be available for a range of expenses, including payroll, mortgage, rent, food and beverage expenses, paid sick leave, and operational expenses.

It was recently suggested that the Town has 28 open litigation cases; the Administrative Manager reviewed the dockets and compiled a list of cases that was subsequently reviewed by Town Counsel. Additionally, Town Counsel submitted the 2020 Town Counsel Report that identifies cases that Anderson & Kreiger is handling in 2020. Of the four cases listed, two settled (the two involving the library) and two remain: 1. The Estabrook litigation and 2. *Mandrioli*, in which the Town is named as a nominal defendant pending resolution of the case, but in which all parties have accepted the Town's position that it has no interest in the property at issue. In January 2021, the *Symes* case was filed against the Town as an appeal of a certain conditions of the subdivision approval. This case could have only been avoided had the Planning Board failed to apply the Town's inclusionary housing bylaw (and even then, an abutter could have appealed). Counsel further advised that the vast majority of cases listed on the state courts' online dockets are complete, but many are improperly listed on the Court's website as open.

The FY22 Town Manager's Budget Book is now online. As presented in this document, the FY22 General Fund Budget is balanced and conforms to the Finance Committee's Guidelines. Overall, the budget of \$118,260,360 is proposed to increase by \$2,680,217 or 2.32% from the FY21 budget, and the impact on the property tax levy for existing taxpayers is estimated to be +2.32%, though the exact increase to a tax bill may vary due to changes in the assessed value of a particular property. The Budget Book is located at the Town Website under the Finance Department at Budget Books or by clicking on this link: <https://concordma.gov/2786/FY2022>. The Finance Department worked tirelessly to produce both the budget and associated book.

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

The Highway & Grounds Division will be opening and operating the yard waste drop-off facility located on Walden Street on Saturday April 3rd. Yard waste, wood debris, brush and invasive species will be accepted from residents of Concord on Wednesdays from 3 PM to 6 PM and Saturdays from 9 AM to 3 PM. Residents may also pick-up screened compost and wood chips during the posted hours.

Taxi, Livery, and Hackney Transportation Partnerships Grant: A coalition led by the Town of Sudbury, coordinating with the towns of Concord, Maynard, and Stow, has been awarded a \$100,000 Grant from MassDevelopment to assist with transportation needs for community members. The group will contract with Tommy's Taxi of Framingham and JFK Transportation of Natick to provide transportation for seniors, individuals with disabilities, essential workers, and financially and food-insecure residents. Concord will receive \$15,600 from this grant, program that will be administered by the MAPC and supported by Town staff.

Deputy Town Manager Kate Hodges reported that the Town solicited bids from qualified firms for the Gerow Recreation Area Phase 1 Improvements and Restroom Building this past February. The Gerow Park Improvements bid was designed and offered under the parameters outlined in M.G.L. Ch.30B. The work proposed in the bid specifications included: all ground work, over seeding, invasive species removal, stormwater management installations, plantings and/or rain garden creations and the installation of all parking and walkway areas. The Town estimated the work under this contract to fall between \$1.35M to \$1.4M. The low bid base price came in at approximately \$1.1M which is substantially lower than the estimat. The Gerow Park Bathroom Building bid was designed and offered under the parameters outlined in M.G.L. Ch.149. Under Chapter 149, there are 18 categories of work which require filed sub-bids. Three of those, Plumbing, Electrical and Roofing/Flashing, were included in the scope of work for the bathroom building. The estimates which the Town and its designers/engineers included approximately \$70,000 - \$80,000 for the three trades combined and a total cost of \$300,000 for the building structure. The Town estimated approximately \$700 per square foot. The cost of the building work was quoted nearly \$100,000 more than the Town's estimate.

Ms. Hodges reported that that the Park Construction bid received was a favorable amount and when the low bidder's references and previous work experience have been verified and are considered satisfactory, she will proceed with the award and execution of that portion of the project. Ms. Hodges will be writing a determination of award letter for Cole Contracting which she will forward to the Town Manager for his consideration and approval. Once awarded, she plan to begin the process of negotiating a contract with Cole which will also be forwarded to the Manager for approval. Since the park work precedes the building work by a number of months, the ability for the Town to re-evaluate the building-specific portion of the project and re-bid it later this spring, will not adversely affect the project's timeline. Although extra time and effort relative to re-bidding a portion of the project is inevitable, Ms. Hodges believe it is important to ensure that we are paying appropriate amounts for all portions of the project and that we have

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

explored/exhausted every possibility in order to ensure we have a project that is professionally done and falls within, or perhaps below, budget.

**Chair's Remarks**

Ms. Escobedo thanked everyone who stepped up to run for elected offices in the [2021 Town Election](#), and congratulated Henry Dane for his election to the Select Board. Mr. Dane will begin his term with the Select Board in June 2021 after Town Meeting.

Ms. Escobedo thanked the Town staff who worked to produce the [2021 Town Budget Book](#).

**Biomass Resolution**

Ms. Escobedo noted that the [Resolution in Opposition to State Subsidies & Incentives for Biomass Plants](#) has been referred to the Select Board after being endorsed by the Climate Action Advisory Board, the Comprehensive Sustainable Energy Committee, and the Concord Municipal Light Board.

The resolution calls for the Select Board to oppose any state subsidies or incentives for commercial wood-burning biomass plants in the Commonwealth of Massachusetts, and calls upon Concord Municipal Light Plant not to enter into any agreements to purchase electricity produced from woody biomass combustion. Furthermore, the resolution calls upon the Massachusetts DOER to revise the proposed RPS regulations by returning the woody biomass provisions to their previous science-based language, and urges the state legislature to support legislation in the forthcoming session of the Massachusetts General Court to remove and bar taxpayer and ratepayer incentives for commercial biomass power plants in the Commonwealth of Massachusetts.

Ms. Escobedo noted that this resolution is in keeping with the Town's stated climate action goals. The Select Board members expressed their support for the resolution

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to approve "A Resolution in Opposition to State Subsidies & Incentives for Biomass Plants" as included in the meeting materials dated March 29, 2021.

**Roll call vote**

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

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

**Review Order of Draft Articles for the Annual Town Meeting Warrant**

Ms. Escobedo introduced the order of the draft warrant articles for the Annual Town Meeting Warrant. The Select Board needs to finalize the order of the warrant so it can be printed and distributed to residents ahead of the meeting. The Select Board determined the order of the warrant as was included in the [meeting materials](#).

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to approve the order of the Annual Town Meeting Warrant as discussed.

**Roll call vote**

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

**Extend Tour Guide Terms through December 31, 2021**

Tourism Director Beth Williams has recommended that the Select Board renew the tour guide licenses on a calendar year basis. Previously, the licenses have been renewed on June 1. Ms. Williams stated that this date falls right in the middle of the peak tourism season, and renewing the licenses on a calendar year basis would simplify the process for the guides. Ms. Williams is requesting that the Select Board extend the active tour guide terms through December 31, 2021, and then continue to renew the licenses on a calendar year basis in the future.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to extend the terms of Concord Tour Guide's set to expire on May 31, 2021, to December 31, 2021.

**Roll call vote**

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

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

**Committee Nominations:**

Amy Robinson of 19 Loring Road to the West Concord Advisory Committee subcommittee of the Planning Board for a term to expire on April 30, 2024. Marie Foley, Concord Chamber of Commerce representative, to the Economic Vitality Committee to fill an unexpired term set to expire April 30, 2022.

**Committee Appointments:**

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to appoint Ed Feather of 392 Border Road to the West Concord Junction Cultural District Committee for a term to expire on April 30, 2024.

**Roll call vote**

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

**Committee Liaison Reports**

Ms. Bates attended the Board of Registrars, where they reviewed the results of the Town Election. The Board of Registrars is looking for a new member. The Board of Assessors is almost finished reviewing the abatement applications. The Conservation Restriction Stewardship Committee reviewed Open Meeting Law requirement that may impact their committee work. The Economic Vitality Committee will be encouraging households and businesses to decorate in the spirit of Patriots' Day and post pictures online. The Visitor Center will be open by April 5. The Personnel Board met and reviewed Article 7 on the 2021 Annual Town Meeting Warrant, which would change the role of the Personnel Board. The Council on Aging Board is looking for one full and two associate members. The Council on Aging has administered full COVID-19 vaccinations to 300 residents.

Mr. Johnson attended the Public Ceremonies and Celebrations Committee meeting with the Concord Battery and Minuteman National Park staff to prepare for Patriots' Day celebrations. The Housing Authority is in the process of choosing their next Executive Director. The Housing Authority Board is split between two candidates ahead of the final round of interviews. The Middle School Building Committee presented their current plan and additional community requests at a recent Finance Committee meeting.

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

Ms. Ackerman attended the MMA Fiscal Policy Committee, where they discussed the recently passed American Recovery Plan Act which in part will provide financial assistance directly to municipalities, including \$5.5 million for Concord. The Capital Planning Task Force is split on whether to recommend a standing committee going forward, or to enhance the process that is currently in place. The Capital Planning Task Force is working on their final report for the Select Board for this summer.

Ms. Hotchkiss did not have any committee meetings, but noted that there are several vacancies in boards and committees. Ms. Hotchkiss offered that Select Board members should make note of vacancies on their committees in their liaison reports so everyone is aware of where vacancies are.

Ms. Escobedo stated that the Town is still looking for a volunteer on the Hanscom Field Advisory Committee who will productively engage with the committee and provide helpful feedback. Ms. Escobedo attended the Finance Committee meeting, where they had a thoughtful discussion about the citizen proposals for additions to the middle school building project. The Junction Village Open Space Task Force conducted a recent site walk, and the engineer has done a survey of the area. They are also looking to engage other boards and committees in the coming months, and are planning a public hearing this summer to get public feedback.

**Miscellaneous Correspondence**

The correspondence included in the meeting materials was representative of over 25 letters received regarding the middle school building projects, and requests to increase the size of the gym and auditorium spaces in the current project plan.

**Public Comments**

There were no public comments.

**Adjourn**

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to adjourn.

**Roll call vote**

Ms. Escobedo: Aye

Ms. Ackerman: Aye

Ms. Bates: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
MARCH 29, 2021  
4:00 PM  
VIDEO CONFERENCE**

**Minuteman Media Network Coverage:** <https://www.youtube.com/watch?v=gh2W4Qv9QZQ>

**Meeting Materials:** <https://concordma.gov/DocumentCenter/View/28626/March-29-SB-Packet>