

**Select Board
Minutes
June 1, 2021**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference on June 1, 2021 at 4:00pm.

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

Call to Order

Roll call vote

Ms. Escobedo: Present

Ms. Bates: Present

Ms. Ackerman: Present

Ms. Hotchkiss: Present

Mr. Johnson: Present

Executive Session: To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to enter executive session to consider the purchase, exchange, lease or value of real property, as an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares, and to return to open session estimated to occur at approximately 4:35pm.

Roll call vote

Ms. Escobedo: Aye

Ms. Bates: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

Consent Agenda

- Town Accountant Warrants: May 26, 2021; May 27, 2021
- Gift Acceptance: The Boston Foundation \$2,500.00 to the Nanae Gift Account

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the consent agenda.

Roll call vote

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

Town Manager's Report

The Governor has filed a bill that extends certain provisions that were enacted as part of the emergency orders during the pandemic. The OML provision would allow public bodies to “conduct deliberations entirely by remote means in a manner consistent with” the Governor’s OML Executive Order from last March. Under this provision, public bodies would not have to make any adjustments to their pandemic-era practices until September 1, as long as those practices comply with the Governor’s executive order. Public bodies could still choose to end remote meetings and observe the standard OML requirements. All pandemic-era provisions for remote meetings would be repealed on September 1 unless the Legislature passed an additional bill. In addition to this bill, Town Counsel has been working with the Massachusetts Municipal Association to make remote meetings possible permanently. The bill also extends outdoor dining approvals through November 29. Hearings on the bill are scheduled for early next week.

To ensure that boards and committees have the opportunity to use one of available meeting spaces, room reservations will only be accepted for up to 30 days for non-executive, non-regulatory boards and committees. This restriction will be temporary and lifted once Town buildings return to pre-pandemic configurations.

The Town is conducting the Commonwealth Avenue Complete Streets Project, which includes improvements to sidewalks, crosswalks, parking, signage, etc. on Commonwealth Ave between Church St and Laws Brook Rd. CPW Engineering will present the design to the area community via a meeting of the West Concord Advisory Committee on Tuesday June 2, 2021 at 7:00 p.m. on Zoom.

Lieutenant David Nichols was awarded the certification of Fire Investigator Lt. Nichols’s experience includes seven years as a Concord Fire Department Fire Investigator and a member (former chair) of the District 14 Fire Investigation team. This accomplishment adds a tremendous amount of value to our investigative team.

Two new firefighters started this week. Stephanie Hamelin and Connor Finerty began work on Monday and following a two-week training program they will be assigned to shifts awaiting placement at the Massachusetts Fire Academy.

The Office 360 conversion continues with over 150 email accounts migrated to the cloud. The Department is also working to improve wifi access at the Doug White fields in advance of Town Meeting.

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Division staff are preparing to issue a Request for Proposals to select a consultant to finalize design plans and obtain permits to dredge a portion of Warner's Pond and improve the boat launch access.

The Town of Concord and the City of Newton, have completed an environmental review record for Christopher Heights of Concord that is proposed for funding with HOME Investment Partnerships Program (HOME) funds in the amount of \$1,336,398.40.

Chair's Remarks

Ms. Escobedo noted that the [2020 Annual Town Report](#) is available online.

Massachusetts School Building Authority Statement of Interest for Middle School Funding

The School Committee voted to support the statement of interest for funding from the Massachusetts Middle School Building Authority. The Town of Concord has applied for this funding four times previously and did not receive it, but the Town believes pursuing this funding is in the best interest of the community.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: Having convened in an open meeting on May 25, 2021 and June 1, 2021, prior to the SOI submission closing date, the Select Board and the School Committee of Concord, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated May 28, 2021 for the Concord Middle School located at 835 Old Marlboro Road and 1231 Old Marlboro Road which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for priorities #2, #5, and #7, with deficiencies as follows: Priority #2. Elimination of severe overcrowding, this condition has been addressed by use of an elementary school being converted to use as the second middle school building in 1967, Priority #5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility, the two buildings that serve as the Middle School have significant capital requirements with roofing, HVAC and other systems reaching obsolescence after nearly 50 years, Priority #7 Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; having two buildings located a mile apart requires duplication of many services and increases staffing costs significantly; these funds could be used to improve the direct educational experiences of the Middle School students housed in the Peabody and Sanborn buildings; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the

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approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Roll call vote

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

Request of Transfer for Right of First Refusal for 100 Elm Brook

A resident currently living in an income restricted unit and is seeking to move out of town. In order to preserve the affordability of the unit, the Town is seeking to transfer the right of first refusal to the Concord Housing Development Corporation. Out of the funds requested, it is estimated that approximately half will be returned to the Town following the sale of the property.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to authorize the Town Manager to execute an assignment of Town's right of first refusal to CHDC; Authorize the Town Manager to commit \$570,000 to CHDC to acquire, renovate and sell 100 Elm Brook Lane to an 80% AMI eligible purchaser and retain \$50,000 from the proceeds of the sale for the CHDC Small Grant Program; and authorize the Town Manager to request that Town Counsel assist CHDC with the transactions.

Roll call vote

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

**Request to State Legislative Representatives to include Battle Road Town Representatives on
Commission for 250th Ann. of American Revolution**

Earlier this year, the Select Board sent a letter to the United States Postal Service to request commemorative stamps for the 250th anniversary of the American Revolution. The Select Board also approved the charge for the Concord 2025 Executive Committee to coordinate celebrating the 250th anniversary. The Town has been in discussion with the National Park Service and the

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battle road towns in preparation for the celebration, and with MassDOT regarding upgrades to 2A prior to 2025. The state is preparing a commission for the 250th celebration. The House has already approved a bill without representation from the Battle Road Towns. Senator Mike Barrett has proposed legislation to include representation on this committee from Lexington, Concord, Lincoln, and Arlington. The current language in this amendment would allow for the Select Board to choose their representatives for the commission.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to authorize the chair to send a letter to Concord's State Legislative Representatives to include Battle Road Town Representatives on the Commission for 250th Ann. of American Revolution.

Roll call vote

Ms. Escobedo: Aye

Ms. Bates: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

Thoreau Farm-Battle Road Trail

Molly Eberle and Court Booth attended to speak to the request for a letter of support from the Select Board for the Thoreau Farm-Battle Road Trail. The proposed 0.8 mile trail would run north to south, which would transverse national park land and Town land. The goal of the trail is to promote connectivity. Mr. Booth stated that the Elm Brook neighborhood is supportive of the concept, and the trail would offer an important connection within the Concord trail network and also provide an opportunity for nature study within the Elm Brook wetlands and floodplain. Mr. Booth explained that they are seeking to take the idea to engineers and designers in order to prepare for the permitting work, and are seeking for Select Board support to help move the project forward.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to authorize the chair to send a letter of support for the proposed Thoreau Farm-Battle Road Trail.

Roll call vote

Ms. Escobedo: Aye

Ms. Bates: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

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Proposed Select Board Summer Meeting Schedule

Ms. Ackerman prepared a draft Select Board summer meeting schedule. The Select Board will send any conflicts to Town Manager's Office staff. The current proposal is two regular meetings and one focused meeting per month. The Select Board will discuss this more at a future meeting after Town Meeting.

Update on White Pond Improvement Project

Ms. Escobedo noted that Deputy Town Manager Kate Hodges and her staff have been responsive to resident concerns and conducted a thorough outreach process, and the plan has evolved in response to extensive community input.

Ms. Hodges and Facilities Director Ryan Orr were present to provide an update on the project. They have submitted some aspects of the project to the Natural Resources Commission for permitting. Ms. Hodges noted these documents may change depending on the Natural Resources Commission response to the project.

Ms. Hodges pointed out that an important change made recently in the process was to add more benches and resting points. This feedback came at the request of the Commission on Disabilities. Ms. Hodges and her staff designed the spaces with the intention for them to be more desirable destinations to rest or gather at along the trail.

Ms. Hodges noted the approximate funding that will be required for the project:

- \$588,000.00 for roadway improvements, ADA pathways, and a retaining wall
- \$155,000.00 for the purchase of a stormwater basin system and materials
- \$145,000.00 for earth work fill and other resource area protection
- \$135,000 for planting and seeding
- A 3% escalation in FY22 pricing
- A total project cost of \$1.2-\$1.35 million

The project currently has accumulated approximately \$750,000.00 between capital funding and CPC funding. About \$600,000.00 of this funding has been earmarked for construction and design and permitting. Ms. Hodges concluded that if favorable action was taken at Town Meeting on the Capital Budget and CPC Funding articles, the White Pond Project would have a fund balance of \$1,400,000.00.

Committee Nominations

There were no committee nominations.

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Committee Appointments:

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Thomas Swaim of 28 Central Street to the Zoning Board of Appeals for a term to expire on April 30, 2024. John Cratsley of 10 Edmonds Road to a second term on the Community Preservation Committee to expire on April 30, 2025. Elizabeth Akehurst-Moore of 86 Holden Wood Road to a second term on the Zoning Board of Appeals to expire on April 30, 2024. Andrew Boardman of 110 Hillcrest Road to the Planning Board for a term to expire April 30, 2026. Josh Galper of 65 Stone Root Lane to the White Pond Advisory Committee for a term to expire on April 30, 2024.

Roll call vote

Ms. Escobedo: Aye

Ms. Bates: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

Committee Liaison Reports

Ms. Bates attended the Historical Commission, where they discussed the possible demolition of a garage at 325 Nashawtuc Road. There is a public forum on the Thoreau Business District zoning bylaw changes upcoming. The Planning Board discussed Town Meeting presentations. The Council on Aging Board discussed their reopening plan, and heard a presentation on Article 31. The Economic Vitality Committee is gathering data on impediments to starting a business in Concord.

Ms. Hotchkiss attended the Board of Health, where they discussed the COVID-19 restrictions being lifted as we near the end of the State of Emergency on June 15. The Historic Districts Commission discussed ownerships and renovations of 1 Sudbury Road. The Commission on Disability discussed potential for coordinating with other Town committees.

Ms. Ackerman attended the League of Women Voters discussion on Town Meeting Articles. Margot Kimball unveiled a beautiful mural on the side of Saltbox Kitchen. The School Committee heard the Capital Planning Task Force presentation, which the Select Board will be hearing at their next meeting. The School Committee discussed whether or not to apply for MSBA funding.

Mr. Johnson attended the Recreation Commission, where they discussed potential changes to the administrative code, and the long-range plan for Recreation. The Recreation Department ended the fiscal year with a surplus. The Beede Center unfortunately did not, but are budgeting conservatively and expect to see opportunities for greater membership as the state reopens. The

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Public Ceremonies and Celebrations Committee did a final walk through for Memorial Day celebrations.

Ms. Escobedo reported that she and the Town Manager testified before the state licensing board regarding the home rule petition for additional special liquor licenses.

Miscellaneous Correspondence

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

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. Bates: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

Meeting Materials: <https://concordma.gov/DocumentCenter/View/29850/June-1-SB-Select-Board-Packet>

Minuteman Media Network Coverage: <https://www.youtube.com/watch?v=GSKjLOGI8gI>