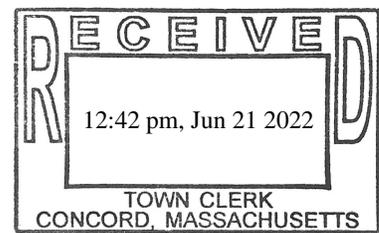


**Town of Concord
Select Board
Minutes
June 6, 2022**



Pursuant to a notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting in the Second Floor Meeting Room and via Zoom on June 6, 2022 at 6:31pm.

Present were Matthew Johnson; Chair, Terri Ackerman; Clerk; Henry Dane, Linda Escobedo, and Mary Hartman. Also present was Kerry Lafleur, Interim Town Manager.

Call to Order

Chair Johnson called the meeting to order at 6:31 p.m.

Consent Agenda

- Town Accountant Warrant: May 26, 2022
- Minutes: May 23, 2022
- Gift Acceptance:
 - \$1,500 from the Workers Credit Union to the Concord Fire Department
- Tour Guide License Renewal: John Kinsman

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the consent agenda with amendments made to the meeting minutes of May 23, 2022 including:

1. On page 6, Ms. Escobedo requested the minutes be amended to correct the spelling of Board of Health Chair Dr. Deborah Greene's name in several places.
2. On page 4, Ms. Escobedo requested the minutes be amended to reflect the proposed new d/b/a of Trails End Café, LLC, Nosh by Concord Market.

Interim Town Manager's Report

Ms. Lafleur reviewed the Interim Town Manager's reports that were included as part of the Select Board's meeting packet. Ms. Ackerman asked Ms. Lafleur about the volunteer database, and its accessibility to the Select Board and other Board's and Committees. Ms. Lafleur explained that a presentation regarding the volunteer database was planned for later that month.

Chair's Report

Chair Johnson informed the Board and residents of a volunteer appreciation reception for Town volunteers at the Town House on June 16, 2022, from 5:30pm to 7:00pm. Chair Johnson also informed the Board that they had received the first of the quarterly reports from the Middle School Building Committee, and that it was included as part of the meeting packet.

Seasonal Outdoor Restaurant Seating Application by 80 Thoreau, LLC of 80 Thoreau Street

Ian Calhoun, Owner of 80 Thoreau, LLC, explained that his restaurant intended to occupy a smaller outdoor space this year, than years past. He added that the outdoor area outlined in his application was entirely on private property and the seating was on a raised terraced area underneath the roof of the building.

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Chair Johnson asked how many tables and seats would be outdoors, and Mr. Calhoun explained that he was proposing 7 tables, with 28 total seats.

Ms. Hartman noted that the application included a letter from 80 Thoreau, LLC's landlord which was dated July 10, 2020, and asked if the letter's sentiment was still valid. Mr. Calhoun confirmed that it was.

Upon a motion duly made and seconded, it UNANIMOUSLY
VOTED: to approve the outdoor restaurant seating application of 80 Thoreau, LLC of 80 Thoreau Street, as included in this board packet.

Approval of 2022 General Obligation Bond Issue

Ms. Lafleur reviewed the general obligation bond sale which took place on May 24, 2022. Ms. Lafleur stated that the Town had received 11 bids on its \$19,970,000 issuance. Ms. Lafleur explained that Morgan Stanley won the bid and stated that the original bid provides coupon rates of 4% and 5%, respectively. However, Ms. Lafleur added that after netting out the premium paid to the Town the true interest cost was actually 3.288%, and noted that the Town had estimated a true interest cost of 3.25%. Ms. Lafleur also explained that the Town resized the issuance using the premium paid down to \$18,405,000. Ms. Lafleur reviewed the items which would be financed with the bond issuance, most notably \$12,000,000 for the Middle School building project.

Ms. Lafleur also reviewed the bond rating issued by Moody's Investor Services for the Town, which was Aaa. Ms. Lafleur noted that the report from Moody's was included as part of the Select Board's meeting packet.

Finally, Ms. Lafleur stated that the Town's competitiveness was not affected by having to push the sale back by one week.

Mr. Dane asked if the cost of the issuance of \$200,000 was accurate, and Chair Johnson provided clarity. Mr. Dane also noted the impact of the \$12,000,000 bonded for the Middle School building project added a cost of \$123.00 assessed to the median annual tax bill in Town. Mr. Dane voiced concerns that based on that figure the original impact the Board had discussed may have been lower than what may be realized. Ms. Lafleur explained that the bonds that had just been issued were 20-year bonds with equal principal payments, and that the full project would utilize 25 year bonds with level debt. Mr. Johnson also explained that the project remains on target with the projected total cost of slightly over \$1,000 for median house, but with planned offsets, this amount is reduced to under \$800.

Ms. Hartman asked if the strengths and weaknesses listed in the credit rating report were surprising or concerning to Ms. Lafleur. Ms. Lafleur explained that the report was very similar to the report issued three years ago. Ms. Lafleur reviewed the scorecard included as part of the meeting packet and noted that the Town's strengths make up for the Town's weaknesses. She did add that Moody's is monitoring the Town's Free Cash, and that it was 12% about five years ago, down to 5% recently.

Ms. Escobedo asked if the stabilization funds that had been established were considered by

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Moody’s when reviewing the Town’s reserves. Ms. Lafleur explained that those stabilization funds were not unrestricted reserves, like Free Cash, and that Moody’s took that factor into account.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** that the sale of the \$19,970,000 General Obligation Municipal Purpose Loan of 2022 Bonds of the Town dated June 14, 2022 (the “Bonds”), to Morgan Stanley & CO, LLC at the price of \$21,775,393.03 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on January 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$1,330,000	5.00%	2033	\$645,000	5.00%
2024	1,325,000	5.00	2034	645,000	5.00
2025	1,320,000	5.00	2035	645,000	5.00
2026	1,320,000	5.00	2036	645,000	5.00
2027	1,305,000	5.00	2037	645,000	4.00
2028	1,080,000	5.00	2038	645,000	4.00
2029	1,075,000	5.00	2039	640,000	4.00
2030	1,075,000	5.00	2040	640,000	4.00
2031	1,075,000	5.00	2041	640,000	4.00
2032	1,070,000	5.00	2042	640,000	4.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 16, 2022, and a final Official Statement dated May 24, 2022 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as

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original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

**Discuss 2023 Annual Town Election & Annual Town Meeting Schedule with
Town Moderator Carmin Reiss**

Carmin Reiss reviewed the Annual Town Election and Annual Town Meeting schedule she had drafted in conjunction with Chris Carmody, the Town's Administrative Projects Manager, and Kaari Tari, Town Clerk. Ms. Reiss also explained that the schedule was assembled with input from Finance Committee, the Town Manager, and the Superintendent of Schools.

Ms. Reiss explained that some amendments to the schedule had already been requested, including:

1. Ms. Ackerman suggested closing the warrant earlier than Friday, January 6, 2023 to allow Town staff to have the table of contents with the order of the Articles ready for the January 9, 2023 meeting of the Select Board.
2. The Planning Board requested to have their hearing moved from #3 to #4 so that both the Planning Board and the Finance Committee could both hold the hearings during their regularly scheduled meeting times.
3. There was a typo in the dates listed for the relevant holidays, specifically that the April school vacation should be listed as lasting from April 17, 2023-April 21, 2023.
4. Ms. Reiss also noted that the voter registration deadlines for the State Primary and the State Election on the election schedule but was open to adding them.

Ms. Reiss also added that the schedule set the Annual Town Meeting for the week following the April vacation, and for Annual Town Meeting to begin on a Sunday afternoon.

Ms. Escobedo encouraged the Board to add the voter registration deadlines to the schedule.

Mr. Johnson reviewed the amendments and suggested that the warrant close on January 4, 2023.

Ms. Hartman noted the inclusion of hybrid meetings in the schedule, and that the ability to hold hybrid meetings may not be possible after July. Ms. Reiss stated that snow days were included if hybrid meetings were not allowed, and weather conditions made them necessary. Mr. Dane shared his belief that holding meetings in person was more effective.

Ms. Lafleur asked that the dates listed as "TBD", be left that way until after the Town finalized its Special Town Meeting calendar.

Upon a motion duly made and seconded, it was 4-0, with Mr. Dane abstaining
VOTED: to approve the 2023 Annual Town Meeting and Town Election Calendar as included in the Select Board's meeting packet with the following amendments:

1. Switching the dates for hearings #3 and #4 (Planning Board and Finance Committee)

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2. Closing the warrant on January 4, 2023 instead of January 6, 2023
3. Correcting the typo to reflect the correct dates for April vacation
4. Including the voter registration deadlines

Departmental Update from Concord Public Works Director Alan Cathcart

Alan Cathcart, the Director of Concord Public Works (CPW), explained that it was vital for CPW to determine the Select Board goals as they related to CPW, and for the Select Board to understand important initiatives for CPW.

Mr. Cathcart explained that some of his priorities included the review and analysis of the Keyes Road campus where CPW was located. Mr. Cathcart also stated that the replacement of the artificial turf at Doug White field would be presented at a future Town Meeting. Mr. Cathcart explained that considering the moratorium put into place following Town Meeting, he anticipated the item to be controversial.

Mr. Cathcart also described some of the organizational changes CPW had undergone, with additional or new responsibilities being tasked to staff members. Mr. Cathcart introduced three staff members to the Board, Aaron Miklosko, the Highway and Grounds Superintendent, Steve Dookran, the Town Engineer, and Jeff Murawski, the Water/Sewer Superintendent.

The Board, Mr. Miklosko, and Mr. Cathcart held a robust discussion regarding topics such as the replacement of the artificial turf field at the Doug White Field, the Town's Solid Waste and Recycling program, and Concord's Tree Planting Program.

The Board, Mr. Dookran, and Mr. Cathcart discussed ongoing engineering projects including transportation projects, the Complete Streets program, road work, and storm water systems.

The Board, Mr. Murawski, and Mr. Cathcart discussed the water and sewer system, which provided services to approximately one-third of the Town. The group further discussed wastewater capacity and the sewer improvement fee. It was noted that further discussion regarding the wastewater capacity and the sewer improvement fee may be needed at a future meeting.

Amendment to RHSO Intermunicipal Agreement'

Liz Rust, the Director of the Regional Housing Services Office (RHSO), explained that she was seeking the approval for an amendment to the RHSO Intermunicipal Agreement. She explained that the intermunicipal agreement was a made between nine communities and was originally signed with a three-year term. Ms. Rust explained that the only amendments requested this year were related to the budget. The Board and Ms. Rust also discussed the Housing Production Plan Survey, Concord's 10% minimum SHI to avoid 40B Housing, and how to better promote affordable housing.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to authorize the Interim Town Manager to sign the Amendment to the agreement to share services of a Regional Housing Services Office, as included in the board packet.

Discuss Battle Road Trail Connector to Thoreau Farm

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Courtland Booth, of 144 Wright Road, Helen Bowdoin, of 100 Autumn Lane, both members of the Thoreau Farm Trust, and Robert White of 221 Monsen Road, Chair of the Trails Committee, reviewed the presentation they had included as part of the Select Board meeting packet. The group explained that they were seeking a letter of support, like one previously issued by the Select Board, to help in their efforts to join Thoreau's birthplace to the Battle Road trail. The group reviewed the extensive work and outreach they had conducted with several different organizations including the National Park Service, Mass Audubon, and the Concord Trails Committee. The presenters and the Board further discussed the potential development and costs of the project.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to authorize the Chair to write a letter on the Board's behalf offering support for the connector trail from the Thoreau birthplace to the Battle Road Trail, as described in the Select Board's meeting packet.

Committee Nominations

Holly Cratsley, of 10 Edmonds Road, to the Concord 2025 Executive Committee;
Patricia Hopkins, of 65 Dalton Street, to the Concord 2025 Executive Committee

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to appoint Michael Lawson, of 1695 Lowell Road, to the Economic Vitality Committee for a term to expire May 31, 2025; Burton Flint, of 1643 Main Street, to the Community Preservation Committee for a term to expire May 31, 2024; Diane C. Proctor, of 57 Sudbury Road, to the Concord 2025 Executive Committee for a term to expire December 31, 2026; Cynthia Rainey of 80 Hunters Ridge Road, as the Concord Public School Committee representative to the PEG Access Advisory Committee with a term to expire May 31, 2025; Courtland Booth of 144 Wright Road as the Concord Public School Committee representative to the Financial Audit Advisory Committee for a term to expire May 31, 2023.

Correspondence

Chair Johnson noted the inclusion of a letter from the Concord Business Partnership and an email from Ellen Quackenbush as part of the Select Board Meeting Packet.

Public Comment

Mark Gailus, of 62 Prescott Road, thanked the Board for an excellent meeting and the time spent discussing Concord Public Works. Mr. Gailus also stated his belief that the Battle Road Trail connector to Thoreau Farm was worthy of the Board's support.

Executive Session

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to enter into Executive Session in accordance with M.G.L. 30A, Section 21(a)(2),

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to conduct strategy sessions in preparation for negotiations with nonunion personnel (Town Manager), not to return to regular session

Roll Call Vote

Mr. Dane: Aye

Ms. Escobedo: Aye

Ms. Hartman: Aye

Mr. Johnson: Aye

Ms. Ackerman: Aye

Meeting Materials: <https://concordma.gov/DocumentCenter/View/36856/June-6-2022-packet>

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=SqlNKajrAB8&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=1>