

SELECT BOARD
MINUTES
SEPTEMBER 23, 2019

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in the Select Board Room of the Town House on September 23, 2019 at 7PM.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, and Susan Bates. Absent: Jane Hotchkiss. Also present was Stephen Crane, Town Manager.

CALL TO ORDER

Mr. Lawson called the meeting to order and announced that it was being broadcast and recorded.

CONSENT AGENDA

- Town Accountant Warrants
- Minutes – June 17, July 1, and July 15, 2019
- Proclamations
 - Luke Pautler, Eagle Scout
 - 100th anniversary of The Concord Players - Concord Players Day, October 20, 2019
 - Concord-Carlisle Community Chest Month – October 2019
- Gift Acceptance
 - Almgren Family Charitable Fund \$500.00 property tax relief
- One Day Special Licenses
 - Saltbox Farm 10/5 11AM-4PM 40 Westford Rd. Wines & Malt Only
 - Provisors 10/7 12pm-7pm Concord Country Wines & Malt Only
 - Saltbox Farm 10/11 6:30pm-9:30pm 40 Westford Rd. Wines & Malt Only
 - Saltbox Farm 10/25 6:30pm-9:30pm 40 Westford Rd. Wines & Malt Only
 - The Umbrella 10/25 6:30PM-11PM 40 Stow St. Wines & Malt Only
 - Saltbox Farm 11/16 6:30pm-9:30pm 40 Westford Rd. Wines & Malt Only

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to Approve the Consent Agenda.

TOWN MANAGER'S REPORT

1. Town Manager Stephen Crane announced that the Nuclear Metals/Starmet Reuse Planning Committee is working with consultants and the EPA to review and develop future reuse options for the parcel at 2229 Main St. when the Superfund site has been fully rehabilitated to a residential standard. More information is available online.
2. Working with MA Dept. Public Health, the Town has closed recreation areas from dusk to dawn and undertaken ground spraying of playing fields and around school buildings in response to the threat of EEE. The Town and MDPH will continue to monitor risk levels.
3. The Town Manager stated that he has distributed background documents to Department Heads for developing budget and capital planning by municipal departments.

Call to Order

Consent Agenda

TM Rpt

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4. This is Climate Action Plan Week. The Town is participating in a Municipal Vulnerability Program (MVP) grant to help develop a plan for resilience in a time of climate change.
5. The Library has received all of the local approvals needed for its planned renovation and expansion. Next is a 20-day appeal period.
6. The Ribbon Cutting ceremony for the Bruce Freeman Rail Trail will be on Friday at 2PM.

CHAIR'S REMARKS

Mr. Lawson stated that there will a reception on September 27 in the Hearing Room at 5PM to welcome the new Town Manager. The First Annual West Concord Porch Fest occurred on Saturday, September 21 from 1-5PM and was a great success. There were 25 bands performing on stages at the Harvey Wheeler and 9 homes.

Mr. Lawson stated that he heard a presentation regarding the 2229 Main St. reuse planning while attending a School Committee meeting. The Committee intends to seek input from various stakeholders before making a presentation to the Select Board regarding ownership and liability as well as potential reuse options.

ACCEPTANCE OF FEDERAL GRANT MONEY POLICY – Kerry LaFleur, Director of Finance.

Kerry LaFleur was present to seek approval for a policy regarding acceptance of federal grant money. She stated that this step is a requirement based on the amount of funds the Town and Schools receive. In response to a question, she stated that the bulk of federal funding is for public school programs such as free/reduced lunch and special education. From time to time, the Town will receive FEMA funds, which together with schools, require the policy to cover cash management, procurement, allowable costs, travel, and sub-recipient monitoring. Ms. LaFleur

The Board reviewed the policy memo and had no questions.

On a motion made and duly seconded, it was UNANIMOUSLY:

VOTED: to approve the acceptance of the Federal Grant Money Policy as discussed.

CONSERVATION RESTRICTION HARTWELL MEADOW– Joan Ferguson, President Concord Land Conservation Trust

Mr. Lawson stated that he would recuse himself and not participate in this matter as his wife is a Director on the Concord Open Land Foundation and their home closely abuts the parcel in question. Ms. Escobedo chaired *pro tem*.

Chr. Remarks

Federal Policy

CR

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Joan Ferguson, President of the Concord Conservation Land Trust was present with member Jay Keyes and Director of Natural Resources Delia Kaye, to seek approval for a Conservation Restriction on a 5-acre parcel of land at 1767 Lowell Rd. Ms. Ferguson stated that the parcel had been in the Town Chapter 61A land program that creates tax benefits for land owners who keep property in agriculture or open space. One component of the program is to allow the Town to have first right of refusal on the parcel should the owner decide to change its use or sell. The Town is allowed to assign its rights to another entity, in this case CCLT, which has fulfilled the purchase and sale agreement with the owner and spent some time to develop a Conservation Restriction that keeps the land in agriculture and open space connecting with Carlisle and the Spencer Brook Valley.

There was discussion regarding the long fruitful working relationship of the Town and CLCT, but no questions regarding the proposed restriction.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve a Conservation Restriction, pursuant to Massachusetts General Laws, Sections 31 through 33 of Chapter 184, at 1767 Lowell Road granted by the Concord Land Conservation Trust on September 9, 2019 and accepted by the Natural Resources Commission on September 18, 2019. The CR is shown as Lot A and Parcel B and consisting collectively of approximately 5.36 acres as shown on the following plan: "Hayes Farm Concord, Mass. Lot Layout Plan for Hayes Farm Partnership" dated May 24, 1989" Prepared by Stamski and McNary, Inc., recorded in the Middlesex South Registry of Deeds as Plan No. 630 of 1992.

TAX FAIRNESS COMMITTEE – SENIOR MEANS TESTED PROPERTY TAX EXEMPTION UPDATE

David Karr, Chair of the Tax Fairness Committee, was present with member Jay Keyes and Assessor Lane Partridge to update the Board on implementation of the program and alert the Board to the need to submit a Warrant Article to Town Meeting to renew the program. Mr. Karr stated that FY19 was the first year that applications were accepted for local property tax exemptions. 49 applications were granted with a value of \$191,000. Each exemption was valued between \$1,700 and \$5,800. This amounts to 0.23% of the residential levy, much less than the 0.5% that was anticipated in the committee proposal to Town Meeting. The Committee anticipates that the program will continue to be implemented for the next two years.

Tax Fairness

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However, the home rule legislation approved by the Great and General Court that enables the program has a three-year life and expires in 2021. This means that it is time to develop a new petition for Town Meeting to send to the Legislature in time for its action before returning to both Town Meeting and the polls in 2021. If all goes as it did when Sudbury proposed such a renewed program, the Legislature will not attach the short duration the next time.

Mr. Lawson stated that he contacted Senator Barrett in hopes that the original home rule petition might be amended and renewed and was disappointed to learn that it must go through the entire legislative cycle with no shortcuts. Therefore, he will send the new text to Senator Barrett to get the earliest input from Senate Counsel before the Town acts on it at 2020 Town Meeting.

7:05PM PUBLIC HEARING: CHANGE OF MANAGER associated with Section 12 Restaurant All Alcohol License—Papa Razzi Trattoria of Concord, Inc., 768 Elm Street

ABCC

On a motion made and duly seconded, it was:

VOTED: to Open the Hearing.

Julian Maria was present from Papa Razzi to seek approval for a Change of Manager of Record. He stated that he is currently employed by the parent company in Boston and before that worked elsewhere in the food and alcohol industry. The application is complete, and Mr. Maria stated that he is aware of and ready to comply with Concord requirements.

In response to a question, Mr. Maria summarized the corporate history of Papa Razzi and Newport Harbor Corporation. He stated that there have been no operational changes. There were no public questions or comments.

On a motion made and duly seconded, it was:

VOTED: to Close the Hearing.

On a motion made and duly seconded, it was:

VOTED: To approve the application from the application from Papa Razzi Trattoria of Concord, Inc., located at 768 Elm Street, for the change of manager associated with existing Section 12 Restaurant All Alcohol License. The new manager, Julian Maria, must be engaged in the actual management of the Licensed Premises as his main occupation and must be present on the Licensed Premises for not less than thirty (30) hours per week during the hours when Alcoholic Beverages are sold. Approval is contingent upon ABCC approval.

MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT-- UPDATE

MMRVT

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Steven Ledoux, recently appointed Concord Representative to the Minuteman Regional School Committee, was present to inform the Board about school matters. The new high school recently has been completed one year early and on budget, a most uncommon experience. There will be a ribbon-cutting ceremony on October 4 at 9:30AM and an Open House on Sunday, November 17 from 1PM –4PM.

About five years ago, the sixteen towns in the Minuteman Regional District reviewed and amended the regional agreement, in the process of which reducing the number of participating towns from 16 to 10. In 2016, Belmont, which had remained in the district, had second thoughts and voted to withdraw effective June 2020. In the circumstances, their School Superintendent charged a committee to determine the best option for providing vocational technical education to Belmont residents and concluded that Minuteman Regional District was the best option. Belmont has scheduled a Special Town Meeting for November 18 to determine whether to rescind its earlier vote to withdraw.

If Belmont continues to wish to withdraw, there is no further impact on the District. If it decides to rescind that vote there are two things that happen. First of all, the Minuteman Regional School Committee will consider and vote UNANIMOUSLY whether to admit or deny Belmont (which they are empowered to do for any new or returning Town). Secondly, if Belmont is admitted, then a plan must be developed to repay its share of the capital cost of the new school. Belmont's share to date is a lump sum of \$472,000, Belmont would like to do this over time.

Mr. Ledoux is looking for insight into what steps to take going forward. He will update the Finance Committee as well. In his opinion, it is better for the students to stay where they will get access to the best services. He has no opinion regarding how to handle the funding. Discussion amongst the Board saw a similar "no opinion" perspective. Mr. Ledoux was thanked and encouraged to keep the Board informed.

MUNICIPAL FACILITIES -- UPDATE

Stephen Crane stated that after the TBA consultant report on municipal facilities, the Senior Management Team (SMT) considered the report and developed priorities for municipal facilities with department operations in mind. First of all, all agreed that the Middle School was priority 1 for the Town.

Facilities update

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After that, being mindful that priorities do not exist in a vacuum and without speculating on future circumstances, SMT decided that 2) construction of a new public safety facility in a new location is its highest priority. A satellite fire house would still need to be maintained in order to maintain reasonable response times throughout Town. 3) Building a new Public Works campus off the Keyes Rd location would be ideal, but costly. 4) Phased renovations of Public Works administration and storage are next identified needs. 5) Storage of the Public Works vehicle fleet and 6) renovating the existing Public Safety facility on Walden St. for other uses complete the list.

Mr. Crane noted that there has been an appropriation of funds to “mine” space at the Town House, likely to move divisions within the building or to other sites. Mr. Crane stated that debt service peaks provide context for facilities planning. There will be some relief in 2025 when the debt on the elementary schools is paid off and in 2029 when all elementary school debt is gone. Mr. Lawson suggested an interactive graphic to show current debt as well as forecasted debt and the impact of prioritized projects when more financial information is available. Mr. Crane announced that SMT has agreed to work with TBA to develop more information from their groundwork so that planning and awareness of external factors can make projects ready to go with shorter lead time when opportunity arises.

Mr. Lawson thanked Mr. Crane for this important step in facilities planning. Ms. Ackerman suggested that overrides would likely be required to address these needs and surprises such as a surplus school building or the 2229 site could come available.

MUNICIPAL FY21 CPA PROJECTS -- DISCUSSION

Mr. Crane stated that department heads have reviewed municipal projects that are eligible for Community Preservation funding and have ranked seven projects as priorities; two of these are ongoing—the administrative costs and Regional Housing Services. The purpose of the agenda item is to allow the Board to indicate its own priorities.

Discussion included: why does dredging Warner’s Pond continue on the list when both White Pond and the Gerow Land continue to be developed; can dredging be phased; do all the projects “fit” within the CPA budget; can the Emerson Field be phased; is there not funding available for Chamberlin Park from a trust. Delia Kay, Kerry LaFleur, and Stephen Crane provided information helpful information: dredging Warner’s Pond is for the health of the pond, not for recreational values and cannot be phased. However, funding is being sought in multiple years until enough is “banked” to accomplish the task in one season. Emerson cannot be phased because of the impact on the rest of the playground.

CPA

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There is sufficient money available for Chamberlin Park bridge in the care of the Trustees of Town Donations. However, there is some uncertainty about how the trust may be expended. While there is likely to be \$1.5 to \$2M available to be expended, the municipal projects are not the only applications submitted. There were 13 applications for \$2.6M in CPA funding submitted. In addition, Mr. Crane stated that two non-municipal projects were referred to Counsel for an opinion on whether they were eligible for CPA funding.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to authorize the Chair to draft and transmit correspondence to the Community Preservation Committee indicating the Board's priorities as discussed.

LIAISON REPORTS

Ms. Bates reported that the successful Porch Fest was a project of the West Concord Cultural District Committee. She attended the Historical Commission at which there was discussion regarding amending the demolition delay bylaw, an Historic Preservation Award ceremony, a report on the First Parish Clock Tower, and the need for an associate member. She attended the Hanscom Field Advisory Committee (HFAC) at which there was a discussion of noise and capital projects. The Middle School Building Committee will now be meeting every other Thursday at 7:30AM in Conference Room 4 at Ripley Building. On the alternate Thursdays the subcommittees will be meeting. The Owners Project Manager (OPM) presented two potential timelines for the project.

Ms. Escobedo attended the Emerson Umbrella ribbon cutting ceremony as well as Ag Day. She attended Planning Board at which the Library received needed approvals for its renovation, but the 430 Bedford Rd project is still under review.

Ms. Ackerman attended the Public Works Commission (PWC) meeting at which there was a discussion of the Complete Streets Program. Once the State provides approvals, the Town will be eligible for \$400,000 per year in grants to address conditions identified by public and professional input. This matter will come before the Board in the future. Work is proceeding well on Cambridge Turnpike. Drop Off/Swap Off will occur on October 19. The Council on Aging Flu Clinic will occur on October 8. The Concord Center Cultural Council believes there has been a difference in visitors' experience since the hiring of the tourism manager. It hopes to consider expanding the district once Cambridge Turnpike construction is complete. *Little Women* will likely be released to theaters for Christmas. The Board of Assessors will appear before the Board on November 18 to set the annual tax classification. Ms. Ackerman attended a multi-town group meeting in Arlington on gas leaks.

Liaison Reports

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Mr. Lawson stated that he has met with the Tax Fairness Committee as well as the Hugh Cargill Trust Committee. The 2229 Main St. Reuse Planning Committee made an appearance before the School Committee and intends to make a presentation to the Board as well. The Municipal Light Board heard a report on its Reserves. The Financial Audit Committee heard the Auditor report on the Concord Municipal Light Plant (Concord Light). There were no concerns. The Annual education meeting for board and committee members will occur on November 2 from 9—12 in the Hearing Room.

MISCELLANEOUS/CORRESPONDENCE

1. There have been questions over the years regarding policy dealing with prohibitions on non-residents serving on committees and residents serving on multiple committees simultaneously. This is addressed in Administrative Policy and Procedure #10. Mr. Lawson volunteered to work with the Town Manager on the question and return to the Board for discussion.

COMMITTEE NOMINATIONS

Linda Escobedo nominated Jane Obbagy of the Concord Chamber of Commerce to the Economic Vitality Committee for a term to expire 5/31/22; Holly Darzen of 155 Heath's Bridge Rd to the Affordable Housing Trust Study Committee for a term to expire 3/23/20

COMMITTEE APPOINTMENTS

On a motion made and duly seconded, it was:

VOTED: to appoint Keith Bergman of 56 White Avenue, Linda Miller of 300 Main Street, Lee S. Smith of 1836 Main Street, and James B. Terry, Jr. of 368 College Road, to the Affordable Housing Trust Study Committee for terms to expire March 23, 2020.

PUBLIC COMMENT

Diane Proctor of Sudbury Road, commenting on behalf of the League of Women Voters, noted that from time to time, the public turnout to a meeting overflows the space available and citizens are turned away. She recommended that committees be sensitive to these issues and be prepared to relocate to avoid discouraging the public.

ADJOURNMENT

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to adjourn Open Session and conclude business for the evening.

Respectfully Submitted,

Linda Escobedo, Clerk
Approved: 10/21

Misc.

Nominate

Appointments

Public Comment

Adjourn

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Meeting Documents

<https://concordma.gov/DocumentCenter/View/21624/September-23rd-Select-Board-Packet>

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=q5PSRnLT8LU&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=2&t=1734s>