

**TOWN OF CONCORD  
SELECT BOARD  
AGENDA  
AUGUST 24, 2020  
4:00PM  
VIDEO CONFERENCE CALL**

Join Zoom Meeting

<https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBlA21CczdQM0EvWVVFZz09>

Meeting ID: 840 9239 5810

Passcode: 865209

One tap mobile

+16465588656,,84092395810# US (New York)

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1.	Call to Order
2.	Consent Agenda <ul style="list-style-type: none"><li>- Town Accountant Warrants</li><li>- Minutes to approve: July 27, 2020; August 3, 2020</li></ul>
3.	Town Manager's Update
4.	Chair's Remarks
5.	Parking Meter Enforcement Through the Remainder of the Year
6.	Discuss and Vote on the Library Agreement
7.	Election Officer Appointments
8.	Committee Nominations: Karle Packard of 86 Butternut Circle to the Capital Planning Task Force for a term to expire June 30, 2021.
9.	Committee Liaison Reports
10.	Miscellaneous Correspondence
11.	Public Comments
12.	Adjourn

**TOWN OF CONCORD  
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MINUTES  
July 27, 2020  
4:00PM  
VIDEO CONFERENCE CALL**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference call on July 27, 2020 at 4:00pm.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, Susan Bates, and Jane Hotchkiss. Also present were Stephen Crane, Town Manager; and Kerry Lafleur, Finance Director.

**Call to Order**

Select Board Chair Michael Lawson called the meeting to order at 4:00pm.

**Consent Agenda**

- Town Accountants Warrants
- Minutes to approve: June 29, 2020

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to approve the consent agenda.

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**Town Manager Update**

Mr. Crane reported that this week CMLP expected peak electricity demand due to the heatwave. There are materials on the [CMLP website](#) on how to limit electricity consumption during peak demand periods.

There is a water main project beginning in the Peter Springs Road area. Concord Public Works will be conducting socially-distant field meetings in preparation for the project.

There is still a water restriction in place. Mr. Crane noted that residents should not be watering their lawns more than once a week.

The Town has received a COVID-19 Community Development Block Grant (CDBG). Mr. Crane noted that the Town is still waiting on documentation from the Town of Ashland who is leading on this effort.

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Both nights of the drive-in movie are fully sold out. The first one is Thursday, July 30<sup>th</sup> at 8:00pm, and the second one is on August 13<sup>th</sup>.

**Chair's Remarks**

Mr. Lawson reported that there will be supplementary public hearings on warrant articles ahead of Town Meeting. The public hearings will be as follows:

August 17<sup>th</sup> – Select Board & Finance Committee Joint Public Hearing

August 18<sup>th</sup> – Finance Committee Public Hearing

August 19<sup>th</sup> – Planning Board Public Hearing

Mr. Lawson read [the attached statement](#) regarding the Estabrook Road litigation.

**Public Hearing: Agreement between the Town and Library Corporation**

Mr. Lawson noted that the Library Committee was scheduled to meet last week to review the Library agreement but did not. Therefore, the Select Board will not vote on the agreement this evening. Mr. Lawson expects to get their comments on the agreement before the Select Board's August 3<sup>rd</sup> meeting, and the board will take the Library Committee's feedback into consideration when amending the agreement.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to open the public hearing

**Roll call vote**

Mike Lawson: Aye

Terri Ackerman: Aye

Jane Hotchkiss: Aye

Linda Escobedo: Aye

Susan Bates: Aye

Sherry Litwack and Mario Favorito of the Concord Library Corporation attended in order to discuss the agreement, which they worked with Mr. Crane and Mr. Lawson of the Town to develop. Mr. Favorito provided a memo in the meeting materials that summarized the proposed changes in each section of the agreement. Mr. Lawson outlined some of the changes detailed in the memo, which is available in the [meeting materials](#).

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Ms. Escobedo asked if there were any concerns over space in the vault for Town archives. Ms. Litwack responded that there weren't immediate concerns, but in the future there could be.

Ms. Bates asked what the downside would be to not approving the agreement until a memorandum of understanding is put into place. Mr. Lawson responded that the downside would be that there are a lot of improvements in the agreements, and the Town would like to see them put into place.

Ned Perry of 362 Bedford Street commented that he doesn't believe the draft agreement moves the Town government away from a silo approach. Mr. Perry stated that he hopes the agreement isn't finalized until an MOU has been negotiated and completed.

Mav Pardee of 87 Stow Street and member of the Library Committee commented that the Library Director and the Curator's position duties in the agreement include supporting the Library Corporation, which Ms. Pardee believes may be a conflict of interest given that the Library Corporation is a private organization. Ms. Pardee suggests that the Select Board and Town Manager follow up with either Town Counsel or the State Ethics Commission on Library employees supporting the Library Corporation in unspecified ways in the agreement.

Diane Proctor of 57 Sudbury Road asked what the limits of the funding from the Town would be for any potential renovations or expansions to the Library. Mr. Crane explained that the intent was to allow for expenditures for furnishing and fixtures such as computers and desks. Mr. Lawson added that the flexible language in this part of the agreement allows for community preservation fund appropriations.

Jean Goldsberry of 1832 Main Street stated that it is important to have the MOU completed and included in the agreement, given that this is the first public-private partnership that the Town has engaged in since the Select Board accepted the Public Private Partnership Study Committee's recommendations in 2017. Ms. Goldsberry believes that not having the completed MOU in the agreement is contrary to the recommendations of this committee that the Select Board adopted in 2017.

Dorrie Kehoe of 51 McArthur Road commented that MOU should be included in the agreement the Select Board eventually votes on. Ms. Kehoe also commented that she believes there is no reason for the Select Board to vote on the agreement before there has been additional time for public input and review.

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The Select Board determined that they would continue to public hearing on the agreement at their next scheduled meeting on August 3<sup>rd</sup>, 2020.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to continue the public hearing on the library agreement currently in discussion to August 3<sup>rd</sup>, 2020.

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**Approve New Tour Guide Applications**

The Select Board voted to accept the new Tour Guide Licensees, for all those who completed their Concord History courses in the spring.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to approve the new Tour Guide license applications, per the memo from the Town Manager's Office sent to the Select Board dated July 24, 2020.

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**Approve Tour Guide Renewal Applications**

The Select Board previously extended the validity of the Tour Guide Licenses from May 31, 2020 to July 31, 2020 in light of the COVID-19 Pandemic.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to approve the new Tour Guide renewal applications, per the memo from the Town Manager's Office sent to the Select Board dated July 24, 2020.

**Roll call vote**

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Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**FY20 Year End Transfer**

Finance Director Kerry Lafleur attended to explain that this transfer was presented to the Finance Committee and approved at their last meeting. The transfer is a request to move \$39,000.00 from the Snow Removal Account to the Social Security & Medicare Account. The need for this transfer is for new part time employees; for whom the Town pays into Social Security and Medicare, but not pensions.

As you will recall, the Town's fiscal year budget is appropriated by Town Meeting in thirty-nine (39) distinct line items. Transfers are allowed between line items either by:

- Further Town Meeting action; or
- Under the procedure outlined in MGL Chapter 44, Section 33B.

At this time, I am seeking approval of **one final** transfer under MGL Ch. 44, Section 33B. Under this law, line item transfers are allowed between May 1 and July 15, with the approval of the Select Board and Finance Committee, the purpose being to close the year without line item deficits.

The following is the final request to close FY20:

Chapter 44, Section 33B Transfers Needed to Close FY20				
number	to/ from	line item	line description	amount
1	from	18	Snow Removal	\$ 39,000.00
2	to	38	Social Security & Medicare	\$ 39,000.00

The deficit in Line Item 38, Social Security & Medicare, is generally the result of an increase in the number of part-time employees for which the Town pays into Social Security, as these employees are not pension-eligible. As proposed, this deficit will be funded from Line 18, Snow Removal. A total of \$625,000 was budgeted for this activity, but only \$538,433 was expended, leaving an available balance of \$86,567.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** as authorized by MGL Chapter 44 Section 33b, move to approve a year end budget transfer in the amount of \$39,000.00 from Line Item 18 Snow Removal to Line Item 38 Social Security & Medicare, which is needed to close FY20.

**Roll call vote**

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Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**Letter of Support for Concord's Transfer Fee Home Rule Petition**

Mr. Lawson noted that Concord's home rule petition bill is in the Massachusetts Senate, but a number of our sister city bills are in the House. Additionally, there are amendments being proposed that would enable home rule petitions for transfer fees in support of affordable housing. The item on the agenda would allow the Chair of the Select Board to develop letters of support to go to our representatives and the chairs of various committees in support of our home rule petition legislation, as well as any amendments to the House bills that would allow home rule petitions to be part of the legislative package.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to authorize the chair to send a letter in support of Concord's Transfer Fee Home Rule Petition to our state legislative representatives, and if appropriate, to the current relevant chamber or committees chairs where it being deliberated (currently listed on HB4879, Addendum 129).

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**Committee Appointments:**

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to appoint Dennis Fiori of 309 Strawberry Hill Road to the Historic Districts Commission for a term to expire on April 30, 2023.

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye

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Susan Bates: Aye

**Committee Liaison Reports**

Ms. Escobedo attended the Finance Committee, where they discussed sustainable growth rate and five year projections for the Finance Committee report. They also took affirmative action on Article 12, which is the authorization for the revolving fund. Ms. Escobedo attended the Housing Development Corporation, where they accepted a gift of \$20,000.00 from the Middlesex Bank Foundation. They also discussed the Junction Village Project, where they noted the award letter and the twenty years of work it has taken to get to this point. They also noted that the TIF agreement is a key part of this and will be discussed on the August 17<sup>th</sup> joint Select Board and Finance Committee public hearing.

Ms. Ackerman stated that there is a vacancy in the Capital Planning Task Force. Ms. Ackerman attended the Public Works Commission meeting, where they provided updates on Cambridge Turnpike. Ms. Ackerman reiterated the Town's water restriction, stating that residents should only be watering one day a week, and it should be the same day as your trash collection between 4:00am-9:00am, or after 5:00pm.

Ms. Bates attended the Planning Board, where they had hearings on an application from Middlesex School to construct an 11-bedroom modular student housing project on an existing parking lot. The purposed would be to house students who become sick with COVID-19. The Planning Board also discussed the MAPC draft Thoreau Development Plan. The plan references four-story buildings that are 38 feet high, but the drawings did not indicate that. The Economic Vitality Committee met and discussed the movie events and the micro-enterprise funds that the Town has received from the state.

Ms. Hotchkiss attended the Natural Resources Commission, where they discussed three forthcoming applications. The Gerow project has a public information session coming up on July 28<sup>th</sup>. The NRC reviewed that newly changed Gerow proposal for the first time. The second project discussed was Chase moving into the Citizen's Bank building. The final project discussed was a notice of intent from the Fenn School, where they plan to apply for a canoe launch dock and a permanent building to store 22 canoes.

**Miscellaneous Correspondence**

Mr. Lawson noted that this week's correspondence is posted, and is mostly regarding the Town and Library Corporation agreement.

**Public Comments**

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There were no public comments.

**Adjourn**

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

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

Minuteman Media Network Coverage: [https://www.youtube.com/watch?v=Qm\\_gDLzDoI4](https://www.youtube.com/watch?v=Qm_gDLzDoI4)

Meeting Materials: <https://concordma.gov/DocumentCenter/View/25580/July-27-SB-Packet>

**TOWN OF CONCORD  
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4:00PM  
VIDEO CONFERENCE CALL**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference call on August 3, 2020 at 4:00pm.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, Susan Bates, and Jane Hotchkiss. Also present were Stephen Crane, Town Manager; Kerry Lafleur, Finance Director; Kate Hodges, Deputy Town Manager; and Kaari Tari, Town Clerk.

**Call to Order**

Select Board Chair Michael Lawson called the meeting to order at 4:00pm.

**Consent Agenda**

- Minutes to approve: July 20, 2020
- Gift Acceptance:
  - Concord-Carlisle Community Chest \$3,062.50 Volunteer Coordinator Account
  - Concord-Carlisle Community Chest \$10,335.50 Outreach Worker Account
  - Concord-Carlisle Community Chest \$4,427.00 Social Services Coordinator Account
  - Mrs. Mariann H Goslovich \$4,000.00 Council on Aging Account
  - Concord-Carlisle Youth Baseball \$7,700.00 Ripley Baseball Field Gift Account

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to approve the consent agenda.

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**Town Manager Update**

Mr. Crane announced that the Town received a grant from the Mass Trails program for \$135,000, which will be matched by a \$250,000 request from CPA once it is approved at the 2020 Town Meeting. This grant will help with the engineering and permitting process for the pedestrian upgrades to be built at Assabet River.

Concord Police have noticed an uptick in car break-ins in the Revolutionary Road area. Mr. Crane advised residents to please lock their vehicles and not to leave valuables in the car.

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Mr. Crane and Town staff are meeting with the restaurants over Zoom on August 7th to discuss safe dining and how the restaurants and the Town can work together to help assure residents that dining out can be a safe experience with the proper precautions.

The downtown businesses are collaborating again for a sidewalk sale, which is tentatively scheduled for Saturday, August 15.

The Town Clerk's Office has mailed out notices of inactivation to 2,336 Concord residents. The notice is sent out annually to residents who have not responded to the annual census. Voters are kept on the inactive list through two state elections. If a voter does not respond by voting, by returning the census, or by signing a petition or nomination paper, then it is assumed that the voter has moved. The Town Clerk asks residents who received the inactive notice to please fill it out and return it to the Town Clerk's Office. Ms. Tari noted that replying to the application for a mail-in ballot reactivates residents as well.

Mr. Crane noted that the Town continues to receive emails about people not abiding by the rules in outdoor spaces at Estabrook Road trail and White Pond. There are signs posted and rules associated with both locations. Dogs need to be leashed on Estabrook Road. There is no swimming allowed in Sachem's Cove at White Pond.

**Chair's Remarks**

Mr. Lawson stated that the agendas and supporting materials for the supplementary public hearings ahead of Town Meeting are posted on the Town website.

The Superintendent of Schools Dr. Laurie Hunter will attend next week's Select Board meeting to discuss the schools reopening plan.

**Continued Public Hearing – Library Agreement**

Mr. Lawson thanked the public for the comments and suggestions received since the board started the discussion of this agreement. Mr. Crane and Mr. Lawson continue to work on behalf of the Town with Mr. Favorito and Ms. Litwack to address the concerns that have been discussed. Mr. Lawson drafted a memo that addresses the concerns that have been raised so far. Mr. Lawson noted that the Select Board will not vote on the agreement today, and the public hearing will be continued at the next meeting of the Select Board on August 10, 2020.

Upon a motion duly made and seconded, it was UNANIMOUSLY

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**VOTED:** to open the public hearing, which is being continued from the July 27th Select Board meeting

**Roll call vote**

Mike Lawson: Aye

Terri Ackerman: Aye

Jane Hotchkiss: Aye

Linda Escobedo: Aye

Susan Bates: Aye

Mr. Lawson read a memorandum that lists the concerns raised by residents at the July 27<sup>th</sup> public hearing and from letters the Town has received. The responses to each concern are listed below are in red and are reflected in the revised draft agreement as of August 3, 2020.

There were three primary issues raised at the Select Board meeting with regard to the agreement:

1. Concern about a conflict of interest if the director and curator are operating on behalf of the Corporation. I have forwarded Mav Pardee's remark, which I asked her to email to me, along with a copy of the draft agreement to Town Counsel. **We will await the opinion of Counsel.**
2. Concern about the unfinished maintenance MOU. **We have deleted the current language and will replace it with language indicating that maintenance is the responsibility of the Library Corporation and janitorial services are the responsibility of the Town.**
3. Language in Section 10 is not sufficient with respect to the Town's ability to provide funds for renovation and/or expansion of the Library. **We have added, "if appropriated at an Annual or Special Town Meeting."**

We received a letter from the League of Women Voters. The League believes we should be explicit in defining the director's responsibility to include staffing levels and staff supervision. **We have added "Determination of Staffing Levels" to Section 3. However, staff supervision is already included as a responsibility of the Library Director.**

We also received a letter from former members of the Public Private Partnership Committee. Their letter raised process concerns and concerns about signing the maintenance agreement without first completing the MOU and asked the Select Board to postpone a decision until the Library Committee has provided input. **We have dealt with the MOU issue above and the Select Board did postpone its decision until receiving input from the Library Committee.**

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On Friday, the Select Board received written comments from the Library Committee.

They raised the following issues. The first issue raised was concern about the clarity of the Library Committee's role and charter. **We added to the footnote: "The Library Committee's Administrative Code defines the role and responsibility of the Library Committee."**

The Committee raised issues about the roles of the Town Manager and Library Director as reflected in Section 2. **We changed the language in the first sentence of Section 2 to better reflect the intent of the Section.**

The Committee also raised the issue of staffing and conflict of interest. **We addressed these concerns above.** The Committee suggested additional items be added to Section 5 Ownership of Property. **We have added "intellectual property, branding materials, logos" to the section for both the Town and the Corporation.**

Finally, the Committee suggested that to improve communication between the Corporation and the community, that the Corporation 'extend a standing invitation to the Library Committee to appoint a member to attend Trustee meetings in order to stay up-to-date on Corporations activities...' Further, that stated that the Corporation will be offered the opportunity to be on the Committee's agenda to provide updates. **We added a paragraph to Section 11, "From time to time during the fiscal year, the Library Corporation shall provide an opportunity for members of the Library Committee to attend Library Corporation meetings."**

We received an email from the Town Clerk indicating that in Section 5, Ownership of Property, that is the paragraph about Town ownership, town records should be included. **We have added, "All Town records, including pre-1870 town records and all proprietors' records, are also owned by the Town."**

Sunday evening we received a memorandum from Ned Perry in which he raised a number of issues. They are:

1. The deletion of the words "easily" and "entire" from the first purpose of the Library. This was raised in concern for the Americans with Disabilities Act.
2. A process concern that earlier drafts were not shared with the public nor with key members of the Town staff, mentioning, specifically the Town Clerk. **We have heard from the Town Clerk and have incorporated her suggestion for revision to the ownership section to include town records.**
3. That the agreement makes no mention of the Library Committee Administrative Code. **This was addressed above.**
4. Concerns about the proposed MOU regarding maintenance. **This too is addressed above.**

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5. Stepping 'back and facilitating a full community review of the draft agreement from the perspective of the relevant Town Committees and Administrative Departments.'
6. Amend Section 4, number 10 to read "Scheduling special events and programs in coordination with the Corporation, the Friends of the Library and the Umbrella Arts Center.'
7. The Draft Agreement does not "contain a single word about our sustainability commitment as part of the policies, practices or obligations of the Corporation – or the Town – moving forward."

Mr. Lawson thanked residents for their feedback so far.

Ms. Litwack of the Library Corporation commented that Section 10 of the agreement references commitment to Town goals, and sustainability would be one of those.

Ms. Ackerman suggested that the agreement should include language that allows the Library Corporation to contract with the Town for maintenance services. Mr. Favorito of the Library Corporation commented that he has no problem with that since it is currently implied in the agreement.

Resident Tanya Gailus commented that the use of the phrase "from time-to-time" in Section 11 of the agreement feels vague for a legal document.

Julie Hirscheler of 81 Main Street recommended that the word 'sustainability' appear in the agreement so it is a salient concept in Town operations.

Tara Edelman of 357 Nashawtuc Road and Chair of the Library Committee thanked the Select Board and Library Corporation for updating the agreement according to the Library Committee's feedback.

Jean Goldsberry of 1832 Main Street and Chair of the Commission on Disabilities asked if the MOU discussed at the July 27<sup>th</sup> meeting would be approved at a future Select Board meeting. Mr. Lawson responded that the MOU would be an agreement between the Library Corporation and the Town Manager, but that it would be appropriate for that agreement to have public feedback at a Select Board meeting when it is drafted.

Resident Ned Perry asked why there was hesitancy to include the term "easily accessible" in the agreement. Mr. Lawson responded that he is not aware of any hesitancy to include this term, noting that the Select Board received Mr. Perry's feedback to include this term on Sunday night, and didn't have time to incorporate it into the agreement ahead of the Monday afternoon meeting.

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Dorrie Kehoe of 51 McArthur Road commented that she believes the Library Corporation has been responsible for all maintenance in the past, and the new agreement would be a notable change for part of the responsibility for maintenance to be the responsibility of the Town, with the potential to require the Town to add staff.

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to continue the public hearing until August 10<sup>th</sup>.

**Roll call vote**

Mike Lawson: Aye

Terri Ackerman: Aye

Jane Hotchkiss: Aye

Linda Escobedo: Aye

Susan Bates: Aye

**Town Budget Presentation**

Mr. Crane opened the presentation by pointing out that the impact of COVID-19 on revenues is knowable in some ways, but unknown in others. The Town Manager and the Finance Director have been working together on a weekly basis to update the budget that will be reviewed and approved at Town Meeting. The [full budget presentation](#) is available in the meeting materials.

- The Town is estimating a reduction in revenue of \$1,882,779 (as of August 3, 2020)
- As of July 31, 2020, state aid will be level funded
  - The state is still projecting reductions of 20-25% in minor accounts
- The Town is assuming there will be significant reductions in local excise taxes and licenses and permits
  - The Town expects the biggest losses in this area to be from room occupancy and meals taxes
  - This is slightly offset by the projected increases in investment income
- The new growth estimate from property taxes was about \$1,100,000 previously, and is now estimated at approximately \$900,000
- There is was an estimated deficit from expenditures in the amount of \$1,515,565 that has become evident since the last draft budget, so the Town made the following expense reductions to close the gap:
  - Town FY20 carry-forward (\$712,094)
  - Reduce FY21 Salary Reserve (\$250,000)
  - Reduction in FY21 Capital Outlay (\$475,671)
    - Additional Reduction, FY21 Cap. (\$229,670)

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- Vacant Positions (\$125,206)
- Energy Efficient Street Lighting (\$17,500)
- CPS Revised Budget (\$5,681)
- There was \$1,693,790 earmarked for Concord in the CARES Act for expenditures incurred due to the pandemic response

**Position on Warrant Articles 45, 46 and 47**

The Select Board unanimously voted to recommend 'no action' on 2020 Town Meeting Warrant Articles 45, 46, and 47.

Article #	Article Name	Affirmative Action	No Action
45.	By Petition: Electronic Recording of Select Board Executive Sessions		X
46.	By Petition: Public Posting of Open Meeting Law Complaints		X
47.	By Petition: Investigation and Amendment to the Town Counsel ByLaw		X

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to take no action on Article 45: By Petition: Electronic Recording of Select Board Executive Sessions

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

Upon a motion duly made and seconded, it was UNANIMOUSLY

**VOTED:** to take no action on Article 46: By Petition: Public Posting of Open Meeting Law Complaints

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye

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Linda Escobedo: Aye  
Susan Bates: Aye

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to take no action on Article 47: By Petition: Investigation and Amendment to the Town Counsel ByLaw.

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**Discuss Liquor License Rebates**

The Select Board and the Town Manager's Office have received correspondence from restaurants that serve alcohol on-premise requesting partial refunds for their 2020 liquor licenses, since they were not able to use them for several months. Mr. Crane noted that other communities have granted refunds to these licensees.

The Select Board members voiced their support for providing some sort of relief to the liquor licensees.

Mr. Lawson concluded the discussion by saying he would work with the Finance Director and Town Counsel to prepare the dollar amount for the rebate and the appropriate motion for the next Select Board meeting on August 10<sup>th</sup>.

**Annual Election Officer Appointments**

Upon a motion duly made and seconded, it was UNANIMOUSLY  
**VOTED:** to appoint the Election Officers as listed in the memo from Town Clerk, Kaari Tari, dated July 31, 2020.

**Roll call vote**

Mike Lawson: Aye  
Terri Ackerman: Aye  
Jane Hotchkiss: Aye  
Linda Escobedo: Aye  
Susan Bates: Aye

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
AUGUST 3, 2020  
4:00PM  
VIDEO CONFERENCE CALL**

**Committee Liaison Reports**

Mr. Lawson attended the School Committee meeting, where they discussed the reopening plan for the schools. Mr. Lawson reiterated that the Superintendent would be in attendance for the next Select Board meeting to present this plan.

Ms. Hotchkiss attended the White Pond Advisory Committee. The committee members are concerned about the lack of rangers at the pond this summer, as well as the volume and type of usage occurring at the pond this summer. The committee voted to forward their recommendations to the Select Board to be discussed at the next Select Board meeting on August 10<sup>th</sup>. Ms. Hotchkiss attended the Ag Committee, where they discussed whether or not they would move forward with Ag Day.

Ms. Escobedo attended the Gerow Plan Update Forum, where Deputy Town Manager Kate Hodges presented on the key changes in the park plan and their budgetary impacts.

Ms. Bates attended the Board of Registrars, where they discussed the evolving guidance coming from the Secretary of State's Office about the elections. The Town Clerk notably stated that there have been more requests for mail-in ballots in Concord than people who turned out for the last state election in 2016. Ms. Bates attended the Personnel Board, where they voted to recommend that Warrant Article 6 in 2020 Town Meeting should be considered non-essential.

Ms. Ackerman attended the Library Committee, where they discussed the agreement between the Town and Library Corporation.

**Miscellaneous Correspondence**

There was no correspondence reported on at the meeting.

**Public Comments**

Tanya Gailus, 62 Prescott Road, asked that private email addresses be removed from a letter she had earlier sent and was posted. She also inquired about the new policy on posting citizen correspondence in general. Ms. Gailus also added that she wished there was more discussion regarding the three warrant articles the Select Board took a position on at the meeting.

Matt Johnson, 21 Winthrop Street, noted the importance of citizen letters being posted in the interest of transparency.

**TOWN OF CONCORD  
SELECT BOARD  
MINUTES  
AUGUST 3, 2020  
4:00PM  
VIDEO CONFERENCE CALL**

**Adjourn**

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

**Roll call vote**

Mike Lawson: Aye

Terri Ackerman: Aye

Jane Hotchkiss: Aye

Linda Escobedo: Aye

Susan Bates: Aye

**Meeting Materials:** <https://concordma.gov/DocumentCenter/View/25606/August-3-SB-Packet>

**Minuteman Media Network Coverage:** <https://www.youtube.com/watch?v=v-yF2b4Ahxl>

## AGREEMENT

The Town of Concord is a Massachusetts municipal corporation chartered in 1635 with its principal place of business at the Town House, 22 Monument Square, Concord, Massachusetts 01742 (the “Town”).

The Concord Free Public Library Corporation (the “Corporation”) is a Massachusetts charitable corporation created by Chapter 99 of the Acts of 1873 (the “Act”) which provides, in relevant part, that “Ebenezer R. Hoar, Grindall Reynolds, George M. Brooks, George Keyes and Henry F. Smith, and their successors, are made a corporation by the name of the Concord Free Public Library” for the statutory purpose of forming and maintaining a public library in Concord. The Town transferred the Town library to the Corporation on October 1, 1873 pursuant to the vote of the Town taken on March 31, 1873... “for the use and benefit of the citizens of the Town.” The Act also authorized the Town to fund the expense of maintaining and staffing the Library. The Corporation has a principal place of business at 129 Main Street, Concord, Massachusetts 01742 and also owns the property at 151 Main Street, Concord and the Fowler Branch Library at 1322 Main Street in West Concord.

The Library Committee appointed by the Select Board in accordance with Section 2 of the Town Charter functions in accordance with its charge, as the same may be amended from time to time. The Library Committee consists of seven members appointed by the Select Board for staggered three-year terms to work with the Library Director to achieve specific goals in support of the Library. The Library Committee’s Administrative Code defines the role and responsibilities of the Committee

This Agreement sets out the relationship between the Corporation and the Town relating to the Library, provided that this Agreement is not, in any way, intended to supersede the provisions governing such relationships in the Act or the Town Charter.

### SECTION 1. LIBRARY MISSION

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The Library is a joint resource of the Town and the Corporation herein (the "Library"). The mission of the Library is to serve the Concord Community as a primary source of information and ideas for educational, intellectual, business and recreational pursuits. The Library's mission is to inspire lifelong learning and to actively promote personal enrichment by connecting community members to information, ideas, culture, unique historical resources, and each other in a tradition of innovation and excellence. The Corporation is responsible for providing the buildings, grounds and facilities (which shall comply with applicable State and Town accessibility requirements) to support and assist the Library's mission and its Strategic Plan as well as the oversight, maintenance, preservation, protection, improvement and expansion of the buildings, grounds, and Special Collections (as hereinafter defined in Section 6 (3)), and other property of the Library owned by the Corporation.

To accomplish the Library's mission, the Corporation and the Town shall, in accordance with the Act and this Agreement;

1. Provide, in an easily accessible, efficient and attractive manner, a collection of informational and recreational materials which responds to the needs of the Concord community;
2. Maintain referral capabilities through a knowledge of available interlibrary and interagency resources including internet and on-line databases;
3. Employ persons professionally skilled in supplying information and ideas through books and other media and through special programs and exhibits; and
4. Make the Concord community aware of the services the Library provides.

## SECTION 2. LIBRARY POLICIES

To carry out the mission of the Library, the Town (in coordination with the Library Committee) and the Corporation may make decisions and establish procedures affecting each entity's respective area of responsibility.

The Town shall be responsible for making decisions and establishing procedures regarding the operation and staffing of the Library and the expenditure of Town resources for

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Library purposes. ~~The Corporation shall be responsible for making decisions and establishing procedures regarding~~ (a) the use and availability of buildings, grounds, furnishings, Special Collections and other materials or items owned by or under the care, custody and control of the Corporation and (b) the expenditure of Corporation funds for Library purposes.

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The Corporation and the Town may each enact policies relating to each entity's area of responsibility but policies of the Corporation that may affect operation and staffing of the Library and Town policies that may affect those areas of responsibility of the Corporation shall not be inconsistent with one another. Inconsistencies, if any, shall be resolved in a spirit of mutual cooperation and collaboration between the Town and the Corporation.

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SECTION 3. TOWN AND CORPORATION RESPONSIBILITY

The Town may make decisions and establish procedures relating to its areas of responsibility including the following:

1. Hours of Library operation;
2. ~~Staffing decisions, staffing levels and human resources policies;~~
3. Availability of Library services;
4. Setting fines and fees;
4. Acquisition and disposition of Town owned materials; and
5. Setting periods and limitations on circulating materials.

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The Corporation may ~~make~~ decisions and establish procedures relating to its areas of responsibility including the following:

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1. Budgeting Corporation funds for the maintenance, improvement, insurance, and security of the grounds, buildings, physical plant, equipment, furnishings, Special Collections, and other tangible personal property belonging to or on loan to or controlled by the Corporation;
2. Regulating the use and availability of its buildings, grounds, and Special Collections for events, programs, meetings, and exhibitions;

3. Investment and distribution practices governing the Corporation's endowment, gifts and miscellaneous income;
4. Fundraising in support of Corporation purposes, including annual appeals, capital campaigns, fundraising events, grants from foundations or government authorities, bequests and planned giving, and such other fundraising tools and support services as the Corporation in its discretion may employ;
5. Awarding scholarships including those required by restricted gifts; and
6. Use of all vault space in Library buildings subject to Section 6 (2) (iv) and (v) hereof.

SECTION 4. ADMINISTRATION

The Library Director shall have the primary responsibility for the operations of the Library. The Library Director shall attend the Corporation's monthly meetings and report on Library operations and staff activities. The Library Director shall, to the extent consistent with the Library's Director's duties as established by the Town Manager, support the functions of the Corporation and the policies and procedures related to its areas of responsibility and shall also be responsible for implementing the policies and procedures of the Town and those of the Corporation developed pursuant hereto.

The duties of the Library Director, as delegated by the Town Manager, may include but are not limited to the following:

1. Overall supervision of Town Library staff;
2. Administering Town finance policies relating to Town Library employees;
3. Administering the use of Town funds as budgeted for the Library;
4. Administering the use of Corporation funds as budgeted for Library supplies, materials, equipment and services;
5. Selection and removal of Town owned books and materials;
6. Allocation of space within the Library buildings for Library purposes in coordination with the Corporation;
7. Emergency closing of Library buildings in coordination with the office of the Town Manager;

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8. Facilitating communications, as appropriate, between and among Library staff, Town Staff, the Corporation, Library Committee, the Friends of the Library, and Library volunteers and regularly informing the Town Manager and the Corporation as to Library matters;
9. Scheduling special events and programs in coordination with the Corporation and the Friends of the Library;
10. Coordinating the use of the Library rooms by community groups in accordance with Library room use policies as posted on the Library website and the development of community outreach and awareness programs;
11. Establishing new, or terminating existing, services or programs in coordination with the Corporation;
12. Establishing and administering procedures in coordination with the Town Manager and the Corporation providing for the safety and security of Library employees and patrons; and
13. Coordinating with the Corporation as to the content of the Library web site and inclusion therein of matters related to the Corporation's responsibilities.

#### SECTION 5. OWNERSHIP OF PROPERTY

Title to property used by the Library is and shall be owned as follows:

##### Owned by the Corporation

Land and landscaping; buildings; furniture, shelving, fixtures; books, art, musical instruments; computers, printers, software, intellectual property, branding materials, logos and other materials or equipment or systems purchased with funds of the Corporation or given thereto; Special Collections materials owned, given to, or purchased by the Corporation; and Endowment and other funds given to or held by the Corporation.

##### Owned by the Town

All books, periodicals, electronic media, shelving, equipment, furniture, electronic and data processing equipment, software, intellectual property, branding materials, logos and

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other materials or equipment or systems purchased with Town funds and all Town records, including pre-1870 town records and all proprietors' records, are also owned by the Town.

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#### SECTION 6. DIRECTOR, CURATOR, SPECIAL COLLECTIONS, VAULT SPACE

(1) The Library Director is a Town employee appointed by the Town Manager and serves under the direction of the Town Manager. The Town Manager shall appoint and evaluate the Library Director in a manner consistent with Town Personnel policies and procedures. In appointing or terminating a Library Director the Town Manager shall seek the opinion of the Corporation before taking such action, but shall not be bound by that opinion. In evaluating the performance of the Library Director, the Town Manager shall annually seek or receive (orally or in writing) the opinion of the Corporation. The Corporation shall appoint a representative to provide input on the Library Director's performance.

(2) The Curator is a Town employee appointed by the Town Manager and shall serve under the direction of the Library Director and shall carry out the following responsibilities:

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(i) To serve along with the Library Director on the Corporation's Special Collections Committee which meets at the discretion of the Corporation for various purposes including developing policies in respect of Special Collections, planning exhibitions, events, and programs; advising on acquisitions, acceptance of gifts and collaboration with other entities including libraries and museums; and advising on budgeting for Special Collections and related activities. The Curator's duties with respect to Special Collections shall be carried out in coordination with the Corporation.

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(ii) To manage use of the Main Library Art Gallery, and the Community Meeting room in the Fowler Branch Library and such other space as may be designated from time to time for Special Collections exhibitions (“Exhibition Space”). The Curator will be a member of any committee created to manage the Exhibition Space and shall give priority to Special Collections exhibits in said Exhibition Space;

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(iii) To manage Special Collections in accordance with the Corporation’s goal of making it fully available to the public and as a research resource to scholars subject to reasonable regulations consistent with practices of similar institutions;

(iv) To exercise care, custody and control, in concert with the Town Archivist, of Town records deposited by the Town Clerk in the vault of the Main Library building provided that such Town records will be non-current documents of historic value (“Historic Town Records”) and shall not occupy more than 50% of the vault in the Main Library building which also houses Special Collections in vault space not occupied by Historic Town Records; and

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(v) To develop security procedures for access to all materials, including Historic Town Records and Special Collections, in all vault space in the Corporation’s Library buildings including such additional vault space that in future may be constructed by the Corporation.

The Curator shall not be responsible to the Corporation for damage or loss to Special Collections when taking the same standard of care as the Curator uses in managing other materials of the Library or Town records. The Corporation shall remain fully responsible for damage or loss to Special Collections in the event that the Corporation does not follow the Curator’s recommended security procedures or the Curator’s recommendations relating to public access to Special Collections.

(3) For the purposes of this Agreement the term “Special Collections” shall mean all those works of art, sculpture, musical instruments, manuscripts, letters, books,

documents, photographs, broadsides, ephemera, or other materials (including without limitation, intellectual property and those works described in written appraisals prepared for the Corporation from time to time by Skinner Appraisal Services or in any other qualified appraisal commissioned by the Corporation) and objects such as weather vanes and surveying equipment, at any time owned, given to, purchased by or on loan to or under the care, custody and control of the Corporation.

(4) In appointing or terminating the Curator the Library Director shall seek the opinion of the Corporation President before recommending such action to the Town Manager. In evaluating the performance of the Curator the Library Director shall annually seek or receive (orally or in writing) the opinion of the Corporation or its appointed representative for such purpose.

All Town Library employees are appointed by the Town Manager and are supervised and evaluated by the Library Director except as specifically set forth herein. Library staff shall support the work of the Corporation. In this connection, the Corporation recognizes and agrees that Trustees of the Corporation shall not give orders or instruction to the Town Library staff except as permitted by the Library Director or the Town Manager and that all Town Library employees are subject to Town Administrative Policies and State Ethics requirements and are subject to the terms of applicable Collective Bargaining Agreements with the Town.

#### SECTION 7. LIBRARY MAINTENANCE

Responsibility for maintenance of the Library's buildings, structures and grounds shall continue to be the sole responsibility of the Library Corporation and funds therefore shall be included in the Corporation's annual operating budget. Contractors and vendors for maintenance supplies and services (which may include Town staff and resources) shall be selected, contracted, and paid for by the Corporation. Janitorial and cleaning services shall remain the responsibility of the Town.

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SECTION 8. BUDGETING

The Library Director shall propose to the Town Manager the Library portion of the annual Town budget, which shall provide for the staffing and operating expenses of the Library as herein set forth.

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The Corporation shall annually prepare a budget, which shall provide for the expenses of the Library that are its responsibility as herein set forth and shall annually provide a copy of its budget and five year capital plan on or before December 31 and its audited financial statement to the Town Manager as soon as practicable.

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SECTION 9. LIBRARY REVENUE SOURCES

Library expenses to be paid for by the Town shall be funded in accordance with the Town Budget as approved by Town Meeting. Library expenses to be paid for by the Corporation shall be funded out of gifts and bequests made to the Corporation, investment income, annual giving or capital contributions as determined by the Corporation, and any other funds which may legally be used for the expenses of the Library. Gifts including bequests made to the Concord Free Public Library or to the Concord Free Public Library Corporation shall be deemed to be gifts to the Corporation. Gifts to the Town of Concord for the benefit of the Library shall be deemed gifts to the Town. Any ambiguity shall be resolved in a spirit of mutual cooperation and collaboration between the Town and the Corporation. Income accruing from fines and fees shall belong to the Town so long as fines and fees are assessed. Income from copy machines or other equipment or services paid for by the Corporation shall accru to the Corporation. Gifts made to the Corporation shall be treated as items of income or increase in capital in accordance with applicable accounting principles, and used as determined by the Corporation subject to applicable gifting conditions and applicable statutory requirements. Such gifts and other income of the Corporation in no way shall relieve the Town's obligation to fund the operation and staffing of the Library.

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SECTION 10. LIBRARY EXPENSES AND RENOVATIONS

Unless otherwise agreed to by the Corporation and the Town, all operating expenses of the Library, (e.g., staff and custodial salaries, books, periodicals and electronic media purchases, utilities, office supplies, janitorial services and interior cleaning services) shall be borne by the Town. All capital expenses (e.g., building maintenance and repairs; improvements, renovation, and expansion; equipment, furniture, fixtures, and shelving purchases; and grounds maintenance) and Corporation expenses (e.g., building, contents and fine arts insurance; fundraising; funds management; administration; accounting; and other support services retained by the Corporation) shall be borne by the Corporation. The Corporation also shall make available to the Library annually at least \$75,000 for the purchase of books and media.

No renovations or expansion of library facilities that may increase Library staffing or materially impact the Town's operating costs shall be undertaken by the Corporation without consultation among the Library Committee, the Library Director, and the Town Manager in a spirit of mutual cooperation and collaboration and mindful of community goals, including sustainability, as set forth in the Town Long Range Plan. The Town may if appropriated at an Annual or Special Town Meeting, subject to applicable law and the approval of the Corporation, provide funds for any proposed Library renovation or expansion.

SECTION 11. COMMUNICATIONS

The Library shall develop a Strategic Plan for the Library that shall be initiated by the Library Director and the Library Committee and shall seek input from the Corporation, the Friends of the Library and include public participation.

The Library Director shall propose programs for professional development as well as events for annual recognition of Town Library staff employees and volunteers. Recognition events shall include participation of the Corporation, the Library Committee, and the Friends of the Library. The Corporation may contribute, as appropriate, to the cost of such programs and events.

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During each year, the Library Director shall provide opportunities for Library staff department heads to attend regularly scheduled Board meetings of the Corporation's Trustees to acquaint the Trustees with their current Library activities. During the fiscal year, the Library Corporation shall provide opportunities for members of the Library Committee to attend Library Corporation meetings.

The President of the Corporation and the Town Manager shall meet at least twice annually to discuss the status of library operations and the efficacy of this Agreement.

SECTION 12. GENERAL PROVISIONS

This document contains the entire agreement of the parties in respect of the subject matter hereof and supersedes in its entirety the agreement between the parties executed on June 22, 2009.

This Agreement may be amended or terminated only by mutual written agreement of the parties specifically referencing this document and executed by an authorized representative thereof.

Each party hereby warrants and represents to the other that the individual who is signing this agreement has been duly authorized to execute this document and to agree to the matters set forth herein.

IN WITNESS WHEREOF the parties hereto have executed this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF CONCORD

By: \_\_\_\_\_

Town Manager

CONCORD FREE PUBLIC LIBRARY CORPORATION

By: \_\_\_\_\_

President

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*Town Clerk's Office  
22 Monument Square  
Concord, MA 01742*

# Memo

**To:** Select Board  
**Cc:** Stephen Crane, Town Manager  
Kerry Lafleur, Finance Director  
**From:** Kaari Mai Tari, Town Clerk  
**Date:** August 23, 2020  
**Re:** Election Officer Appointments

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Pursuant to MGL Chapter 54: Section 12, I would like to request, on behalf of the Board of Registrars, appointment of the following **6** voters (list of appointees follows) as Election Officers for terms to expire July 31, 2021.

Reappointments: 0  
New Appointments: 7

Party distribution among 66 Election Workers  
Democrat: 34 (51%)  
Republican: 4 (6%)  
Unenrolled: 28 (43%)

Thank you for your consideration.

Kaari

## Appointment List

Party	Name	Address	Precinct
U	Karen Johnson Brown	86 Highland St	2
D	William S. David	41 Morningside Ln Lincoln, MA 01773	2
D	Brian Francisco	101 Hildreth St Westford, MA 01886	4
D	Brook Lynn King-Harris	20 Hawthorne Village	2
D	Mathew C Molloy	371 Old Bedford Rd	4
D	Matthew Ryan	109 Stone Root Ln	3
U	Sandra Schelzi	9 Edmonds Rd	4

**From:** Judy Zaunbrecher <[jrzaunbrecher@gmail.com](mailto:jrzaunbrecher@gmail.com)>

**Date:** Friday, August 21, 2020 at 1:50 PM

**To:** Michael Lawson <[mlawson@concordma.gov](mailto:mlawson@concordma.gov)>, Jane Hotchkiss <[jhotchkiss@concordma.gov](mailto:jhotchkiss@concordma.gov)>, Linda Escobedo <[lescobedo@concordma.gov](mailto:lescobedo@concordma.gov)>, Terri Ackerman <[tackerman@concordma.gov](mailto:tackerman@concordma.gov)>, Susan Bates <[sbates@concordma.gov](mailto:sbates@concordma.gov)>, Kate Hodges <[khodges@concordma.gov](mailto:khodges@concordma.gov)>, Stephen Crane <[scrane@concordma.gov](mailto:scrane@concordma.gov)>

**Subject:** Letter to Select Board on Town House Renovation Project and Temporary Relocation of Town Clerk's Office

Dear Select Board,

Please read this letter.

Judy Zaunbrecher

August 21, 2020

To: Concord Select Board

From: Judy Zaunbrecher

Subject: Town House Renovation Project and Town Clerk Office Dislocation

I just heard the Town Clerk's office will need to temporarily to the basement of the Harvey Wheeler Community Center right after the September 1 primary election. This requires the Town Clerk and her staff to divert their attention from wrapping any issues from the state primary election, preparing for the upcoming Town Meetings, and preparing for the November 3 general election at a critical time. In my view, this puts the integrity of the general election in Concord at risk.

I am appalled the Town Manager and Assistant Town Manager managing this renovation project has developed and are executing such a plan. I am extremely disappointed the Select Board, as the elected authority to oversee the Town Manager, is allowing this to happen.

Voting is the core of our democracy. People have fought and lost their lives to win the right to vote. The 19<sup>th</sup> amendment was ratified 100 years ago after an eighty year battle by suffragists to win the right to vote. Over the past 100 years, the battle has continued leading to Chinese-American, Asians, and American Indians winning the right to vote. The Voting Rights Act was passed 55 years ago to dismantle the voting barriers faced by Black Americans. District of Columbia residents won the right to vote in Presidential elections in 1961 through the passage of the 23<sup>rd</sup> Amendment to the Constitution. The battle to protect and extend voting rights to all US citizens is continuing today.

2020 is seeing an unprecedented attack on everyone's right to vote. Voter suppression is rampant in this country through the President and his allies falsely claiming large scale voter fraud and is already laying the table to delegitimize the upcoming election on November 3. The emergency election measures implemented by the state so everyone can vote safely this fall are only successful if local election officials can carry them out. On top of everything, our local election officials must be on the constant lookout for foreign interference in our election systems, a threat federal law enforcement and Congressional committees have continually been warning us about.

The Town personnel managing the Town House renovation project could have easily planned for this upcoming election season. The date of the November election has been known for decades as it is established by federal law. The approximate date of the state primary is also well known. The procedures for registering to vote, preparing for the election, securing the voter rolls and ballots, processing of mailed in ballots, setting up early voting, preparing for election day (recruiting poll workers, training poll workers, establishing polling places) and any post-election duties are well known and should have been taken into account in the Town House renovation plan. It was apparent to election officials and election advocates in the spring that emergency procedures would be needed so voters could safely participate in the election this fall. The emergency voting legislation was passed on July 6 outlining how voters could safely vote this fall. This legislation made it crystal clear that mail in voting would significantly increase this fall—and it has. This bill also extended for the first time early voting for the September 1 state primary. Again, it is the Town Clerk who will need to make sure these procedures are put in place and the election runs smoothly in Concord.

As Co-President of the League of Women Voters of Massachusetts and a member of the LWV of Concord-Carlisle, I have been personally involved in advocating for and educating voters on how to vote safely this fall. Additionally, the League of Women Voters is actively pushing back on the changes at the US Postal Service to ensure all mail in ballots are delivered on time. I never thought I would need to write a letter to the Concord Select Board to advocate for free and fair elections in Concord and to ensure the resources are in place to carry out our elections.

Temporarily relocating the Town Clerk's office in the midst of election season is beyond the pale. It appears to me the Town management has placed meeting a project timeline above conducting free and fair elections in Concord.

I encourage the Select Board to call the Town Manager and Assistant Town Manager to account for this plan in the strongest possible terms and request the temporary relocation of the Town Clerk's Office be postponed until after all of the ballots have been counted and reports filed for the November 3 election. The citizens of Concord deserve to have confidence in how elections are held in Concord. The current plan to move the Town Clerk's office does not do that.

Sincerely,  
Judy Zaunbrecher  
402 Border Rd  
Concord, MA

Cc: Stephen Crane  
Kate Hodges

**From:** denise gilbert <[denise.a.gilbert@me.com](mailto:denise.a.gilbert@me.com)>

**Date:** August 24, 2020 at 8:59:19 AM EDT

**To:** [lescobedo@concordma.gov](mailto:lescobedo@concordma.gov)

**Subject:** please hear us

Attachment available until Sep 23, 2020

Dear Linda Escobedo,

I am a resident of West Concord, formerly known as the junction, unique and loved by generations for its preserved charm. This part of town is absolutely like no other.

West Concord has been for the most part preserved and enhanced with gardens and structures that have not degraded the original charm. Oh how that is appreciated. The plan for the Chase Bank however is so sad for us.

Please say NO to another bank which will without a doubt erode the beautiful feel of our lovely town. An entrance that is generic and corporate. *How very sad.* How about a park! Yes!

It will be a destination for families and children, not bank withdrawals. Isn't there enough of that?

Please take 90 seconds to watch my video. Thank you!

[Click to Download](#)

A Walk in My Town two - HD [720p.mov](#)

110.5 MB

most sincerely,

Denise

**From:** tbarveyan <[tbarveyan@yahoo.com](mailto:tbarveyan@yahoo.com)>

**Date:** Sunday, August 23, 2020 at 10:30 AM

**To:** Michael Lawson <[mlawson@concordma.gov](mailto:mlawson@concordma.gov)>, Linda Escobedo <[lescobedo@concordma.gov](mailto:lescobedo@concordma.gov)>, Jane Hotchkiss <[jhotchkiss@concordma.gov](mailto:jhotchkiss@concordma.gov)>, Susan Bates <[sbates@concordma.gov](mailto:sbates@concordma.gov)>, Terri Ackerman <[tackerman@concordma.gov](mailto:tackerman@concordma.gov)>, Jeremy Romanul <[jromanul@concordma.gov](mailto:jromanul@concordma.gov)>

**Cc:** Moderator <[moderator@concordma.gov](mailto:moderator@concordma.gov)>, Kaari Tari <[ktari@concordma.gov](mailto:ktari@concordma.gov)>, "[president@lwvcc.org](mailto:president@lwvcc.org)" <[president@lwvcc.org](mailto:president@lwvcc.org)>, "[towngovernmentconcord@LWVCC.org](mailto:towngovernmentconcord@LWVCC.org)" <[towngovernmentconcord@LWVCC.org](mailto:towngovernmentconcord@LWVCC.org)>, Matthew Johnson <[matthewwardjohnson@gmail.com](mailto:matthewwardjohnson@gmail.com)>

**Subject:** Select Board August 3 minutes correction request and other comments

Dear Members of the Select Board,

I request a correction to the draft minutes of your August 3rd meeting as posted in your August 24 meeting packet.

Re: my comments in the "Public Comments" section (bottom of page 18/30 of your packet):

The draft states:

"Tanya Gailus of 62 Prescott Road asked about correspondence she had previously sent to the Select Board and why it had been posted. Ms. Gailus also added that she wished there was more discussion regarding the three warrant articles the Select Board took a position on at the meeting."

The first sentence is not accurate. The summary of my statement should read:

*"Tanya Gailus of 62 Prescott Road asked that private email addresses be removed from a letter she had sent earlier, which was posted, referring to a request she had already made. She also inquired about the new policy of posting citizen correspondence in general. Ms. Gailus also added that she wished there was more discussion regarding the three warrant articles the Select Board took a position on at the meeting."*

The draft minutes also do not mention the newly elected incoming Select Board member Mr. Johnson's comment, following mine, that he recommended that

citizen letters be posted in the interest of transparency. I think this is also of interest to the public.

**Explanation:** When I saw that my "informal" letter of 7/15 (addressed to "Dear Mike", copying others) about citizen petitions was posted in your July 20 meeting documents, I wrote to Mr. Lawson and Ms. Escobedo stressing that the letter was written informally and said so from the start. At that time, I was not aware of the new policy of posting citizen letters either. I asked that, if possible, my letter be removed; if not, that at least the private email addresses in it be removed. Mr. Lawson wrote back saying "I'll see what we can do." So *that* is what I was inquiring about.

I never asked *why* my letter was posted.

I did ask again, on August 3rd, that the private email addresses be removed, (in reference to "I'll see what we can do.") I also asked what the SB's general policy was with citizen letters.

I believe it is the policy of most government bodies to black out private email addresses from online documents. (e.g. AG's office with posted OML findings that include private emails.)

I am OK with my 7/15 letter staying online at this point, although I had sent a correction to it, too, later the same day, and that is not included in its posting.

I still would appreciate if private emails of individuals were blacked out.

Separately, I think a discussion and clarification of your postings policy would be helpful. To be clear, *I support transparency at least as much as the next person*. Also, though, adopted transparency measures should be applied with consistency and administered with equality. I have noticed, for example, that a response from the Chair to a citizen letter about police reform has been removed, after having been posted (7/20 packet.). A detailed letter from Mr. Perry (8/2) about the library agreement has been removed, after being posted (8/3/packet) (I do not know whether the SB chose to do so or if Mr. Perry requested the removal.) There is frequent reference in SB meetings to input from 'civil groups' or the business or development community, with no mention of the name of the group or of individuals. Some are extended the courtesy of privacy and anonymity, others

are not. In short, some 'clarity' is needed regarding your policies. Otherwise, semi-transparency can be as misleading as lack of transparency, - or worse since it gives the 'illusion' of transparency. Not everything everyone says needs to be disclosed to everyone else, but the Board's "policies" should be clear and apply to everyone equally.

**In closing,** I would appreciate it if you would please correct the minutes as I request above, and please do consider blacking out private emails in posted documents.

I am assuming that this letter will be posted.

Thank you, and best regards,

Tanya B. Gailus

p.s.: I was going to postpone my comments on transparency to a less busy time after Town Meeting, but they seemed organic to mention in this letter.

On 8/24/20, 9:08 AM, "Rose Ruze" <[roseruze@verizon.net](mailto:roseruze@verizon.net)> wrote:

I hope the selectmen will not vote for another huge building to be built on the corner of Baer Ave and Rt 62. I would hope the property can be a park.

Sincerely, Rose Ruze

**From:** Nancy Brown <[nancygutfeldbrown@gmail.com](mailto:nancygutfeldbrown@gmail.com)>

**Date:** Monday, August 24, 2020 at 3:04 PM

**To:** Michael Lawson <[mlawson@concordma.gov](mailto:mlawson@concordma.gov)>, Jane Hotchkiss <[jhotchkiss@concordma.gov](mailto:jhotchkiss@concordma.gov)>, Linda Escobedo <[lescobedo@concordma.gov](mailto:lescobedo@concordma.gov)>, Susan Bates <[sbates@concordma.gov](mailto:sbates@concordma.gov)>, Terri Ackerman <[tackerman@concordma.gov](mailto:tackerman@concordma.gov)>

**Subject:** Town House Renovation Project Timing

To: Concord Select Board

From: Nancy G. Brown

Re: Town House Renovation Project Timing

I moved to Concord from Columbus, Ohio four years ago. In Columbus for some general elections I stood in line for hours, I suspect because my precinct was in a racially diverse neighborhood. The Secretary of State in Ohio has routinely deleted from the roles people who had not voted in the last couple major elections. At times there were bizarre regulations, all designed to make it harder for *some* people to vote.

The first thing I did upon arrival in Concord was register to vote. It was a pleasure to vote in Concord, where the election is administered so efficiently and citizens are encouraged to vote. More recently, I have been pleased that the Massachusetts legislature has addressed the issue of mail voting in light of the pandemic.

I fear that in November voters in Ohio and in many other states will face impediments to voting and uncertainty about how the results will be calculated and reported. I had no such fears about the election to be conducted in Concord. However, learning about the plans to move the Town's Clerk's office to the basement of Harvey Wheeler right after the primary undermines my confidence and is causing me to worry about the likelihood of chaos and uncertainty, which is likely to undermine the integrity of our election and our citizens faith in the election process.

This is the most important election in my memory. The convenience of starting the renovation project now is not worth jeopardizing Concord's election and I urge you to delay the commencement date for the construction until after the General Election.

Thank you for your consideration.

Nancy G. Brown

96 Forest Ridge Rd.

Concord, MA 01742

**From:** THOMAS RUGGLES <[smileymr@aol.com](mailto:smileymr@aol.com)>  
**Date:** August 22, 2020 at 8:16:34 PM EDT  
**To:** [lescobedo@concordma.gov](mailto:lescobedo@concordma.gov), [jhotchkiss@concordma.gov](mailto:jhotchkiss@concordma.gov)  
**Subject:** **Proposed park at corner of baker ave and main st. In West. Concord**

I support this idea strongly

We don't need yet another bank in our fair town (as evidenced by the lonely Concord Cooperative bank's situation on Walden Street)

Tom "Smiley" Ruggles  
8-5 Concord Greene

**From:** Elizabeth Sloane <[elizabeth.sloane@gmail.com](mailto:elizabeth.sloane@gmail.com)>  
**Date:** August 23, 2020 at 12:17:17 PM EDT  
**To:** [lescobedo@concordma.gov](mailto:lescobedo@concordma.gov), [tackerman@concordma.gov](mailto:tackerman@concordma.gov), [sbates@concordma.gov](mailto:sbates@concordma.gov), [jhotchkiss@concordma.gov](mailto:jhotchkiss@concordma.gov)  
**Subject:** **Plan to build a new bank**

I would like to voice support for a park at the closed Citizens Bank location instead of another bank. Two banks did not work there and there is no reason to think two banks side by side will work out now. The issue with banks is they do not encourage pedestrian activity.

A park would encourage people to sit and enjoy the small area of peace on their way to West Concord Center or on dog walks. It could be joined with the wooded area behind the bank lot which connects Baker Avenue with West Concord center without having to walk across the very narrow sidewalks on the Rt 62 bridge. Many people walk dogs along the path across from Concord Greene to avoid the bridge.

Thank you for your consideration.

Elizabeth Sloane  
4 Concord Greene Unit 4  
Concord, MA