



Town of Concord

Weekly Operations Report

2024 Volume 35/October 18th, 2024

General Administration

Cell Service Update

The Town issued a Request for Proposals (RFP) for cellular infrastructure in the cupula of 40 Stow Street. Proposals were due on September 27th. We received one proposal from Cellco Partnership d/b/a Verizon Wireless. The proposal that was received did not meet the proposal submittal requirements as detailed in the RFP. The submission was deemed non compliant and nonresponsive and was rejected from the Town's consideration. We are working with Town Counsel and our RF consultant to review the RFP and plan to post a second version within the next few weeks. While we are disappointed that this RFP did not result in a viable project, we know there is interest in this location to improve cellular service in Concord Center and we remain committed to solving this public safety problem.

FY25 ARPA

The Town Manager received departmental ARPA requests for over \$7.7 Million for FY25, which exceeded the US Treasury Department's total ARPA award to the Town. Of the many well-considered requests for ARPA funds in FY25, the Town was only able to award about \$2.7 Million, which represents the balance of uncommitted ARPA funds. The Town is pleased to announce the following awards (in no particular order):

1. Finance Department: \$100,000 for payroll conversion to Munis
2. 250th Committee: \$125,000 for tree plantings to match CPC funds
3. Concord Municipal Affordable Housing Trust: \$500,000 for affordable housing
4. Public Works: \$50,000 for technical review of the Rt. 2 corridor study
5. Public Works: \$9,400 for Lowell Road sidewalk improvement
6. Planning Department: \$125,000 on a multi-modal path design for path between National Park Service and Thoreau Farm
7. Police Department: \$100,000 for replacement body-cameras

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8. Public Works: \$100,000 for options analysis for replacement of Doug White field
 9. Public Works: \$1,000,000 for Baker Ave. replacement of failing culvert
 10. Public Works: \$450,000 for Main Street/Baker Ave. road improvements
 11. Public Works: \$75,000 for White Pond drainage study.
 12. Fire Department: \$150,000 for ALS startup costs

The Town's investment in infrastructure improvements as reflected in the FY25 ARPA allocations speak to the critical need of infrastructure improvements and current interest by both the State Government and Federal Government in cost-sharing infrastructure development projects.

The US Treasury Department requires that every dollar of the Town's \$5,654,719 be obligated by December 31, 2024. The US Treasury Department has issued subsequent guidance that interdepartmental grant agreements fulfill this obligation requirement. The Town Manager's Office is in the process of contacting each ARPA recipient to coordinate the execution of these interdepartmental agreements. Any ARPA funds not obligated by December 31, 2024 and any ARPA funds left unspent by December 31, 2026 will be returned to the US Treasury Department.

MMA Legislative Breakfast

Deputy Town Manager Megan Zammuto, Risk & Compliance Manager and Legislative Aide Chris Carmody, and Concord Select Board member Wendy Rovelli attended the MMA Legislative Breakfast on October 18th, 2024 in Maynard to hear summaries of: (i) legislative bills passed during the last session, (ii) current legislative activity during the informal legislative sessions, and (iii) plans for a formal session to debate the proposed Economic Development Bill before the legislature opens their next legislative session. Attendees heard updates from MMA and the legislators pictured above, (from left to right) including Representative Kate Hogan (speaking), Representative Dan Sena, Representative Simon Cataldo, Representative Carmine Gentile, and Senator Jamie Eldridge.



Supreme Court Cases and Impact on Municipal Operations

The National League of Cities has [published](#) a roundup of US Supreme Court cases decided during the 2023-2024 term that impact municipal operations, including these highlighted cases below:

1. *Grants Pass vs. Johnson*: preserves the authority of local governments to regulate health and safety of their residents related to the public camping of involuntarily homeless individuals.
2. *Lindke vs. Freed*: clarifies that government employees that post government business on their private social media platforms cannot ban or restrict access to those posts.
3. *United States vs. Rahimi*: allows for the prohibition of possession of firearms by persons subject to domestic violence restraining orders.
4. *Muldrow vs. City of St. Louis*: per NLC, this case “lowers the bar” for Title VII plaintiffs regarding employee transfers.
5. *Loper Bright Enterprises vs. Raimondo*: per NLC, “the court determined that the Administrative Procedure Act requires courts to exercise independent judgment in determining whether an agency has acted within their statutory authority for ambiguous laws, and courts should not defer to an agency’s interpretation alone but may still “seek aid” from the agency in their determination.” This ruling overturns decades of judicial deference to content matter experts embedded in government agencies. It is unclear how this ruling will impact Massachusetts municipalities.
6. *Scheetz vs. El Dorado County*: per NLC, “In a unanimous decision, the court narrowly determined that legislatively enacted impact fees are not exempt from the requirements listed above. As such, local governments that impose impact fees are now subject to a standard requiring them to demonstrate the relationship and relative impact of the development on the community.”
7. *Gonzalez vs. Trevino*: per NLC, “the decision means that more plaintiffs may be able to bring a retaliatory arrest claim under the *Nieves* exception by utilizing any form of objective evidence.”
8. *Chiaverini vs. City of Napoleon*: per NLC, “probable cause for one charge in a criminal proceeding does not defeat a claim for malicious prosecution under the Fourth Amendment as that claim relates to another baseless charge. In other words, valid charges cannot insulate a local government from a Fourth Amendment malicious prosecution claim related to invalid charges.”

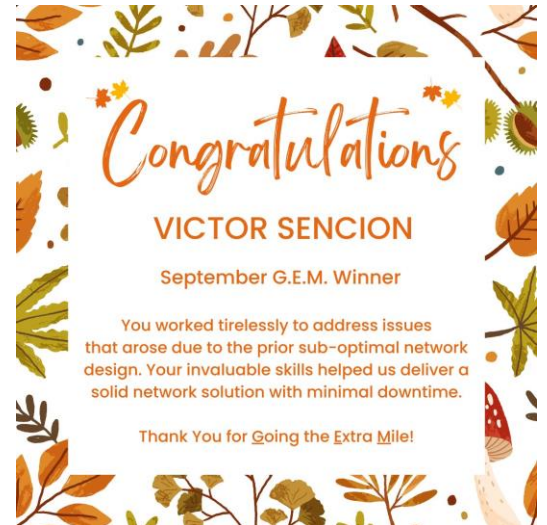
Human Resources

GEM Winner

Congratulations to our September GEM Lottery Award winner Victor Sencion from CMLP!

For Going the Extra Mile with his tireless efforts and work on network design, which made troubleshooting easier and in town network access faster and more efficient, Victor will receive a \$25.00 gift certificate to a local business to enjoy. Follow this link to learn more about the GEM Program: [Town of Concord \(concordma.gov\)](http://Town of Concord (concordma.gov))

If you know someone who has gone the extra mile and deserves recognition, nominate them at [GEM-Form \(concordma.gov\)](http://GEM-Form (concordma.gov)) Completed forms can be submitted to Magnolia Begley, Human Resources, mbegley@concordma.gov.



Tourism

Concord Chamber of Commerce Annual Taste of Concord event

On Tuesday October 15th, Concord tourism staff Stefanie Cloutier worked at the Concord Chamber of Commerce Annual Taste of Concord event at Nashoba Brooks School.

We sponsored a Concord250 table selling merchandise and partnered with West Concord Wine and Spirits so that they could offer samples of the new Concord250 wine.

The event had over 300 attendees and lots of Concord250 merchandise was sold.

Stefanie will also host our table at Discover West Concord Day on October 19th



Concord Public Works

Curbside Collection Roll Out

During the week of October 14th-October 20th, 35-gallon solid waste and 96-gallon recycling carts were delivered to all current subscribers. This is the beginning of a new Curbside Collection Solid Waste & Recycling program with automated collection and single stream recycling. Since the Public Works Commission approved the programmatic updates in June, Concord Public Works staff have been working to educate residents, town officials, and town staff on these changes-the first of its kind in over 20 years. Residents will begin using these carts next week, October 21st-October 25th. They are able to drop off their old plastic barrels and recycle bins for recycling at the Compost Site at 755 Walden Street on Wednesdays from 3-6 and Saturdays from 9-3 through November. We are excited for residents to participate in this updated, more sustainable, and fiscally responsible program.



Drop Off/Swap Off

On Saturday, October 5th, Concord Public Works staff and the volunteers with REUSIT once again hosted the semi-annual DropOff/SwapOff. In 5 ½ hours, over 540 residents participated in dropping off items for disposal or recycling. Among those items were: (5) 30-yard roll offs full of metal; over 430 pounds of batteries, including lead acid, nickel cadmium and lithium ion; over 800 bulbs, including CFLs and incandescent bulbs; 56 mattresses, and 50 air conditioners. The Swap portion of the event was also successful, with residents shopping for their “new” items from 12:00 PM-3:00 PM.



Engineering

Street Paving

Highland St – final paving layer completed. Finishing work is taking place.

Several streets reclaimed last week and prepared for paving – Channing Rd, Isaac Davis Rd, Temple Rd, Martin Rd, Bartlett Hill Rd. Paving is expected to be scheduled in the coming days.

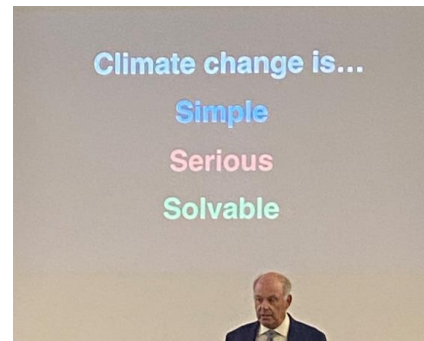
Silver Hill Neighborhood Water Main Replacement

Work started last week on Turning Mill Rd and is progressing well. Water main work will continue on Silver Hill Rd and Cress Brook Rd with the goal of getting the streets reconstructed by the end of the year.

Council on Aging

Climate Change Talk

Meteorologist Harvey Leonard visited the COA to talk about climate change and why hurricanes like Helene and Milton entered the U.S. so viciously. Over 100 senior residents attended.



Harvey's Treasure Chest Gift Shop

Harvey's Treasure Chest Gift Shop added extra hours and invited Town employees and residents to shop all the jewelry items donated to the COA. The parking lot was full, and all proceeds went to

support the programs, activities, and services the COA provides. THANK YOU!

