

**TOWN OF CONCORD
SELECT BOARD AGENDA
JANUARY 3, 2022 AT 6:30 PM
VIA ZOOM ONLY**

REVISED ON DECEMBER 31, 2021

Join Zoom Meeting
<https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBla21CczdQM0EvWVVFZz09>
 Meeting ID: 840 9239 5810
 Passcode: 865209

#	Time	Agenda Item
1.	6:30pm	Call to Order
2.		Consent Agenda <ul style="list-style-type: none"> • Town Accountant Warrant: January 6, 2022 • Gift Acceptance: Donation by John Fiske of \$14,000.00 to the Council on Aging • Minutes: October 25, 2021; November 8, 2021; November 15, 2021.
3.		Swearing in of Interim Town Manager, Kerry Lafleur
4.	6:40pm	Town Manager's Report
5.		Chair's Remarks
6.	6:50pm	Update from Concord Municipal Affordable Housing Trust: Vote on CHDC request to decommit \$570,000 for 100 Elm Brook Review request to designate \$500,000 of free cash to affordable housing Review CMAHT support for Upland Road/Old Marlboro Road land acquisition project Discuss CMAHT Trust Guidelines
7.	7:15pm	Review Finance Department Plan
8.	7:30pm	Discuss committee/citizen requests and SMT input
9.	8:00pm	Review of Select Board Goals Accomplished in FY22
10.		Vote on Additional Select Board license renewals for calendar year 2022: <ul style="list-style-type: none"> • Common Victualler's License • Class II Auto License • Innholder license • Tour Guide Licenses
11.	8:30pm	Discuss possible Annual Town Meeting Articles Electrification Trust OPEB Trust Fund
12.		Vote to authorize MWPAT Interim Note Loan
13.		Select Board Member Liaison Reports
14.		Committee Nominations: none at this time
15.		Committee Appointments: Frank G. Feeley of 347 Lexington Road to the Concord Municipal Affordable Housing Trust for a two year term set to expire April 30, 2023

16		Miscellaneous Correspondence
17		Public Comment
18	9:00pm	Adjourn

Note: All times are approximate and subject to change.

Current Board and Committee Vacancies
Concord 2025 Executive Committee
Conservation Restriction Stewardship Committee
Council on Aging
Natural Resources Commission
Personnel Board
Public Ceremonies and Celebrations Committee
Tax Fairness Committee

**Town of Concord
Select Board
Minutes
October 25, 2021**

Pursuant to a notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via Zoom on October 25, 2021 at 6:30pm.

Present were Matthew Johnson, Clerk; Henry Dane, Susan Bates, and Linda Escobedo. Also present was Stephen Crane, Town Manager. Terri Ackerman; Chair was not present.

Call to Order

Linda Escobedo called the meeting to order at 6:30pm. Ms. Escobedo noted that Chair Terri Ackerman was not present and nominated Mr. Johnson as pro temp Chair.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to appoint Mr. Johnson as pro temp Chair of the Concord Select Board.

Roll call vote

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

Mr. Johnson stated that the Board would also need to appoint a pro temp clerk for the meeting, and Mr. Johnson nominated Susan Bates for the role of Select Board Clerk for the meeting.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to appoint Ms. Bates as pro temp Clerk of the Concord Select Board.

Roll call vote

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

Consent Agenda

- Minutes to approve: August 9, 2021; September 7, 2021
- Letter of Support of for H.1377 & S.868 Transfer Fee Bill to the Joint Committee on Housing
- Proclaim November 27, 2021 as Small Business Saturday
- Gift Acceptance: Middlesex School totaling \$75,000.00 for support of emergency equipment
 - \$50,000.00 to the Police Department
 - \$25,000.00 to the Fire Department

Ms. Escobedo stated that the Chair had requested amendments to the August 9, 2021 minutes that had not been made and suggested that the Board remove them from the consent agenda for consideration at a future meeting.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda, with the exception of the August 9, 2021 minutes.

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Roll call vote

Ms. Bates: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Town Manager's Report

Town Manager Stephen Crane stated that his report had been included as part of the Select Board meeting packet. Mr. Crane stated that the Town was seeing between 10-20 new cases of COVID-19 in Town on a weekly basis and was encouraged by that figure. Mr. Crane also informed the Board that significant rain and wind could cause power outages in Concord the following week, and asked residents to remain vigilant.

Chair's Remarks

Mr. Johnson wanted to remind all Board and Committee members that the Effective Governance Workshop given by Chair Ackerman, Kaari Tari; Town Clerk, Carmin Reiss; Town Moderator, and Jason Bulger; IT Director was upcoming. Mr. Johnson stated that topics to be covered would include meeting guidelines, ethics, Open Meeting laws, and the Town Meeting process. Mr. Johnson noted that the meeting would be taking place on Saturday, November 6, 2021.

Mr. Johnson also congratulated Susan Rask on her retirement and thanked her for her years of service.

Adopt Special Town Meeting Calendar

Mr. Johnson stated that a draft calendar was included in the Select Board meeting materials. Mr. Johnson asked if it was appropriate to adopt a calendar with "TBD" dates included in it. Ms. Escobedo shared Mr. Johnson's concerns and suggested several dates for some of the dates that were listed as "TBD". Ms. Christine Reynolds, Chair of the Finance Committee, reviewed the potential dates for the joint meetings between the Finance Committee and Select Board. Ms. Carmin Reiss, Town Moderator, reminded the Board of the timing needed for the printing of the Warrant. Mr. Chris Carmody, Administrative Manager in the Town Managers Office, reminded the Board that they may also need to consider any citizen petitions which have financial bearing. Mr. Johnson stated that residents were being encouraged to delay any citizen petitions that could be reasonably delayed until Annual Town Meeting, considering the ongoing COVID-19 pandemic. Ms. Reiss added that citizen petitions for a Special Town Meeting would need 100 signatures to be added to the Warrant, as opposed to 10 signatures for an Annual Town Meeting Warrant.

Ms. Reynolds stated that December 16, 2021, the date the Select Board suggested, would work for the Finance Committee to hold the Joint Meeting of the Finance Committee and the Select Board.

The Board reviewed the remainder of the proposed Special Town Meeting and Special Town Election calendar. The Board noted the snow date for the Special Town Meeting of January 27, 2022 and the moving of the date of the Special Town Election to February 3, 2022 from February 2, 2022, which had been previously approved.

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Mr. Dane requested more information from the Middle School Building Committee on the overall cost of the project. Mr. Johnson stated that professional estimators were working to prepare that figure, and that it would be available soon. Mr. Crane stated that the vote taken at Town Meeting would be to authorize the bonding for the project. Mr. Dane voiced his concerns over a lack of information regarding the impact of the cost of the project prior to authorizing the calendar.

Upon a motion duly made and seconded, by a count of 3 to 1 it was **VOTED:** to adopt the Special Town Meeting Calendar as amended during the Select Board discussion.

Roll call vote

Ms. Bates: Aye
Mr. Dane: Nay
Ms. Escobedo: Aye
Mr. Johnson: Aye

Vote to Open Special Town Meeting Warrant

Mr. Johnson stated the Select Board needed to open the Special Town Meeting Warrant and define when it closes. He encouraged the public to review the calendar approved in the previous discussion item, which denoted the open and closing dates.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to open the Special Town Meeting Warrant on October 25, 2021 at 7PM and to close the Warrant on November 4, 2021 at 4PM.

Roll call vote

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

Set Town Special Election Date to Fill School Committee Vacancy

Mr. Johnson stated that the Board was tasked with setting a date to hold a Special Election to fill the vacancy on the School Committee, left by the resignation of Fatima Mezdad. Mr. Johnson stated that the Board already had a Special Election Date scheduled for February 3, 2022, and suggested they set the date for this Special Election on February 3, 2022 as well.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to set the Special Election Date to Fill the School Committee Vacancy for February 3, 2022.

Roll call vote

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

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**Consider revised charge of Bruce Freeman Rail Trail Advisory
Committee: Number and Distribution of Members**

Mr. Nathaniel Welch, Co-Chair of the Bruce Freeman Rail Trail Advisory Committee reviewed the terms of the Bruce Freeman Rail Trail Advisory Committee charge regarding the distribution of members. Mr. Welch noted that the trail was near the 100% design phase, and the Committee felt that they no longer needed a member of the Public Works Division or member knowledgeable in facility design and development. Mr. Welch shared the desire of the Committee to encourage more diverse members to serve on the Committee. Mr. Welch requested the Board change the charge in respect to number and distribution of members to:

The Bruce Freeman Rail Trail Committee shall be comprised of nine residents of the Town appointed by the Board of Selectmen each for staggered three-year terms. The membership shall be as follows:

- One representative of the Friends of the Bruce Freeman Rail Trail
- One member to represent the interests of abutters to the Rail Trail
- Seven citizens at-large

Ms. Escobedo asked if the Committee had discussed the change in charge with Marcia Rasmussen, the Town's Director of Planning and Land Management. Mr. Welch stated that he had not, but asked Ms. Rasmussen to comment on the request, as she was present on the call. Mr. Johnson asked if the Committee had liaisons to other Boards or Committees. Mr. Welch stated that they did and listed several Boards and Committees they have liaisons to.

Jean Goldsberry, Chair of the Concord Commission on Disabilities, voiced her support of the change in charge for the Bruce Freeman Rail Trail Advisory Committee, and asked the Board to consider having the charge include a dedicated member from the Concord Commission on Disabilities.

Mr. Johnson asked if the Board would support adding a dedicated member from the Concord Commission on Disabilities, or designee they would make, to the charge and reduce the number of citizens at large from seven to six.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to amend the charge of the Bruce Freeman Rail Trail Committee, regarding membership, to:

“The Bruce Freeman Rail Trail Committee shall be comprised of nine residents of the Town appointed by the Board of Selectmen each for staggered three-year terms. The membership shall be as follows:

- One representative of the Friends of the Bruce Freeman Rail Trail
- One member to represent the interests of abutters to the Rail Trail
- One member, or designee, of the Commission on Disabilities
- Six citizens at-large”

Roll call vote

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

**Discuss Bruce Freeman Rail Trail Advisory Committee working on
Junction Park**

Mr. Johnson explained that the Bruce Freeman Rail Trail Advisory Committee had proposed to spearhead discussions on safety and the use of Junction Park. Mr. Welch noted the long history of safety concerns regarding wheeled vehicles in Junction Park. Mr. Welch stated that with the completion of the bridge going over Route 2, the town needed to find solutions for the increase in bike and wheeled traffic. The Committee felt they had a responsibility to facilitate the discussions regarding safety in Junction Park and were willing to take on the task.

Mr. Dane stated that he spent time in the park and noted the many issues regarding safety. Mr. Dane stated his belief that there were two problems, with Junction Park:

1. Coming up with a conceptual idea of how the Town can coordinate the various competing activities of the rail trail and Junction Park
2. Getting Town departments to implement changes.

Mr. Dane suggested that the Board take affirmative steps towards safety and ban wheeled vehicles from passing through Junction Park until the safety concerns were resolved. Mr. Dane suggested a physical barrier and better signage to make trail users aware the wheeled vehicles were not permitted in Junction Park.

Ms. Bates stated her opinion that all stakeholders should be involved in the process of ensuring safety in Junction Park. Ms. Bates asked what the legalities were for cutting off bike access in Junction Park, as it was technically part of the Bruce Freeman Rail Trail. She also asked if it was possible for bike traffic to circumvent the park. Mr. Dane stated that the Town owned or had easements on all the land that the Trail utilizes. Mr. Crane stated that Transportation Advisory Committee had explored many different concepts and ideas, and that at the time they took the interim measures of adding markings on the ground and a sign asking bicyclists to dismount. Mr. Crane noted the Advisory Committee's reluctance to physically alter Junction Park. Mr. Crane stated that any physical changes would likely take both significant time and money. Mr. Welch stated that his committee was committed to putting together a collaborative, long-term solution.

Nancy Crowley, of 5 Concord Greene, shared her concerns regarding safety surrounding the Junction Park portion of the Bruce Freeman Rail Trail. Ms. Crowley thanked the Bruce Freeman Rail Trail Advisory Committee for their commitment to taking up the safety issue surrounding Junction Park. Ms. Crowley suggested the Advisory Committee take a two-step approach, to address the short term, following the opening of the bridge, and to discuss the long-term safety of pedestrians in Junction Park.

Mr. Johnson noted the strong public support for this initiative and asked the Board for their final thoughts on the item. Ms. Escobedo suggested that if the Advisory Committee was to take up this challenge that they bring a report back to the Select Board, and suggested delivery of such a report no later than July of 2022. Mr. Johnson voiced his support for Ms. Escobedo's suggestion and

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stated he'd like to see a report as soon as the Advisory Committee thought reasonable. Mr. Welch stated that if approved by the Select Board, the Advisory Committee would be discussing the work to be undertaken at their next meeting. Mr. Johnson asked Mr. Welch to report back to the Select Board no later than June 30, 2022. Mr. Dane asked Mr. Welch how the efforts of the Advisory Committee would be coordinated with the Transportation Advisory Committee. Mr. Johnson stated that this item had been handed back from the Transportation Advisory Committee and would be best handled by the Bruce Freeman Rail Trail Advisory Committee.

Prepare for Focused Meeting: Envision Concord

Mr. Johnson stated that on November 15, 2021, the Board would be holding a focused meeting to discuss the Town's progress in completing the action items in the Envision Concord long range plan. To capture the Select Board's input to the process, Mr. Johnson reviewed the top ten recommended Select Board actions. For each, the Board was to report the current status, actions to date, and any future plans.

Ms. Escobedo noted that the Select Board was not exclusively responsible for some items. She asked if another column should be added for actions taken by the other implementing parties. Ms. Escobedo also noted that the Town Manager was tasked with taking up some of the items. Mr. Johnson stated that Town Departments were aware of the action items and would hopefully be addressing these items as well. Mr. Crane agreed, but stated that each Town Department may not submit standardized reports. The Planning Division would be coordinating their efforts, but responses may not be uniform.

The Board reviewed Mr. Johnson's spreadsheet, and after discussion, drafted their responses. A copy is attached to these meeting minutes.

Committee Nominations

Annabelle Paushter of 139 Jennie Dugan Rd, Alexander Fernandez of 1400 Lowell Road, and Molly Wierman of 6 Nathan Pratt Drive to the Diversity, Equity and Inclusion Commission for terms ending April 30, 2022, Ha Richmond of 144 Nashoba Rd, Ji Orloff of 34 East Circle, and Robert Munro of 1400 Lowell Rd to the Diversity, Equity and Inclusion Commission for terms ending April 30, 2023, and Andrea Foncerrada of 41 Commonwealth Ave, Rose Cratsley of 79 Hillcrest Rd, and Jimi Two Feathers of 303 Commonwealth Ave to the Diversity, Equity and Inclusion Commission for terms ending April 30, 2024. Stephen Verrill of 415 Wheeler Rd as the Agriculture Committee representative to the Pollinator Health Advisory Committee for a term to expire April 30, 2024. Farhanah Y Sheets of 69 Riverside Ave to the Tax Fairness Committee for a term to expire April 30, 2024

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to appoint Kathleen Fasser of 46 Arrowhead Road, Michele Cardinal of 95 Hubbard Street, Dan Schragger of 24 Mallard Drive, Laura Davis of 330 Garfield Road, Norman Abbott of 97 Mildred Circle, Phil Posner of 223 Laws Brook Road, and Nick Pappas of 1743 Monument Street to the Transportation Advisory Committee for terms to expire on April 30, 2024.

Roll call vote

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

Committee Liaison Reports

Ms. Bates reported that the Chamber of Commerce had met that morning and recognized the Concord healthcare community's heroic efforts in response to the pandemic. Ms. Bates also noted that the Council on Aging held a booster clinic on October 13, 2021 and would be holding another on October 28, 2021. Ms. Bates added that at the first clinic they had excess capacity, so they opened the clinic on the 28th to senior residents of the town of Acton as well. Ms. Bates stated that there had been a flu vaccine clinic held on October 13, 2021, where they administered 126 vaccines. She further reported that the Council on Aging had also recently hired two new van drivers. Ms. Bates also reported that Concord, Maynard, and Carlisle had received a grant to support mental health initiatives. She added that the Commission on Disabilities discussed being involved in the initiatives regarding Junction Park and were hoping to hold conversations at the Town level for transportation for the disabled.

Mr. Dane reported that the Boards and Committees he was liaison to were taking quite seriously the request by the Select Board for their input on the Envision Concord plan. Mr. Dane further stated that the Board of Registrars was still discussing redistricting and noted that the Town would be divided into more than one legislative district for the first time. He added that Senator Barrett and Representative Gouveia had been involved in a discussion with the Select Board and Board of Registrars, but that they could not commit much help to the efforts. He noted that the Board of Registrars and Town Clerks Office were working diligently on the matter. Mr. Dane reported that the Board of Health had met with Deborah's Natural Gourmet to allow their customers to use their own containers to buy bulk foods from the store. The Board of Health Director had granted a variance to Deborah's and envisioned more store owners applying for similar variances. Mr. Dane stated that, on behalf of Chair Ackermann, in her role as liaison to the Joint Dispatch Center (or RECC) with the Town of Acton, the original documentation for the committee was now under review by Town Counsel for administrative and institutional issues. He noted that changes to the documentation would be likely, and that it would be inappropriate for the body to enter binding commitments pending the completion of that review and the Select Board's approval of the revised agreements.

Ms. Escobedo stated that she had attended the CPC meeting where they interviewed applicants for the treatment and prevention of the cyanobacterial blooms in White Pond. Ms. Escobedo stated that she also met with the Junction Village Open Space Task Force which held a debriefing following the public forum. Ms. Escobedo added that the Junction Village Open Space Task Force are now going back to their consultant to restructure based on feedback by Delia Kaye, Director of Natural Resources, and the public. Ms. Escobedo also reported that the Historic Commission would be revitalizing the Historic Commission Coffee meetings, and that the first would be held on October 28, 2021 at 8:00 a.m. Ms. Escobedo added that the Concord Municipal Affordable Housing Trust Committee met in their third meeting and discussed their housing goals in relation to their development of policy goals and statements that they would be bringing before the Select Board for their approval. Ms. Escobedo stated that these goals and policies would be used as the basis for making funding awards for applications that came to the attention of the Concord Municipal

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Affordable Housing Trust. Ms. Escobedo further noted that Concord would be hosting the Hanscom Area Towns Committee (HATS) and talked about some of the design initiatives HATS would be undertaking.

Mr. Johnson stated that the Tax Fairness Committee would be welcoming a new member and was seeking an additional member. He added that they would be reviewing potential new initiatives for tax fairness in Concord. Mr. Johnson informed the Board that the Climate Action Advisory Board was not able to produce a quorum, and so they were not able to meet. Mr. Johnson added that the Concord Comprehensive Sustainability and Energy Committee had not been able to meet due to a technical issue with the Zoom platform, but that they would be meeting in person on October 27, 2021 at the Harvey Wheeler Center.

Miscellaneous Correspondence

Mr. Johnson acknowledged a letter submitted by Ellen Quackenbush that was included in the Select Board meeting packet

Public Comment

There were none.

Adjourn to Executive Session not to return to open session, to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the Town

Upon a motion duly made and seconded, it was UNANIMOUSLY VOTED: to Adjourn to Executive Session not to return to open session, to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the Town.

Roll call vote

Ms. Bates: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Meeting Materials: <https://concordma.gov/DocumentCenter/View/32708/October-25-SB-Packet>

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=iprj8N5nUSU&list=PLITTzrWEKOOkHKXNLQprEz0f0ofHYKj8-&index=8>

**Town of Concord
Select Board
Minutes
November 8, 2021**

Pursuant to a notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via Zoom on November 8, 2021 at 6:30pm.

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

Call to Order

Chair Ackerman called the meeting to order at 6:30pm.

Consent Agenda

- Minutes to approve: August 9, 2021
- Gift Acceptance: Mr. & Mrs. Langan \$1,000.00 gift to the Council on Aging Gift Account
- Town Accountant Warrants: October 28, 2021

Mr. Dane noted a typo on the August 9, 2021 meeting minutes, and Chair Ackerman suggested tabling the acceptance of the meeting minutes of August 9, 2021.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to approve the consent agenda without the August 9, 2021 minutes.

Roll call vote

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

Town Manager's Report

Town Manager Stephen Crane stated that his report had been included as part of the Select Board meeting packet. The Town's COVID-19 case count was holding steady at approximately 15 new cases per week. A car accident caused a significant power and broadband outage in West Concord, on Sunday, November 7, 2021. Mr. Crane added that all but two customers had their power/broadband restored as of that evening's meeting. Mr. Crane also lauded the Concord Public Works Department for their work on repairing a water main just before the Route 2 rotary on November 4, 2021.

Mr. Dane asked that the Board be kept up to date on the drafts of the TMO Operations Manual, referenced in the Town Manager's report, and be able to offer input for that document. Mr. Crane stated that the document was being drafted by the Town Manager's Office staff, and was not a policy document. Mr. Dane shared his concerns about items like office hours, and Mr. Crane reiterated his view that the document was an operations document, not a policy document. Mr. Crane offered to discuss the matter with Mr. Dane following the meeting.

Chair's Remarks

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Ms. Ackerman thanked Mr. Johnson for acting as pro temp chair at the previous meeting. Ms. Ackerman noted that there had been no progress made in a settlement opportunity regarding the Estabrook Woods litigation. She also reminded the Board and public that the next Select Board would be a focused meeting to discuss Envision Concord and would be held on November 15, 2021.

Ms. Ackerman asked the Board if they would like to continue meeting via Zoom or would like to try to meet in person again. Mr. Johnson stated he believed the audio in the Town House was not ideal but recognized the benefits of meeting in person. Mr. Johnson believed that for the focused meeting to be held on November 15, 2021, Zoom would encourage more participation. Ms. Bates asked if Board members would be able to continue to participate virtually. Mr. Dane voiced his opinion that the Board would be able to continue to hold hybrid meetings utilizing the Select Board meeting room. Ms. Ackerman stated that she felt hybrid meetings were not advantageous. The Board discussed how easily meetings could be carried out while still safely socially distancing.

**Meet with Rep. Gouveia to Discuss Current Items & Status of Home
Rule Petitions**

Chair Ackerman asked Representative Gouveia to give the Board an update on the Special Legislation filed on behalf of the Town of Concord. Rep. Gouveia stated that she had filed four Home Rule Petitions on behalf of the Town and that all four had hearings held regarding them. Rep. Gouveia stated that the special legislation regarding liquor licenses was taken up most recently, and that the Town could expect the most resistance to the petition seeking voting rights for 17-year-old residents. Representative Gouveia reviewed the four pieces of legislation and stated that she had been in contact with Senator Barrett to try to advance all four bills.

Rep Gouveia also stated that her office had been very focused on the American Rescue Plan Act (ARPA) funds and stated that the House had taken up an ARPA bill several weeks prior. She stated that any funds from the Build Back Better legislation at the Federal level would also be taken up by the State's House of Representatives, should it pass.

Ms. Escobedo asked Rep. Gouveia asked how realistic it was that the Home Rule Petitions filed by the Town would be passed by the legislature. Rep. Gouveia stated that she believed that the petition related to liquor licenses would likely not meet much resistance, but that the Town would be best served to pose the question to Senator Barrett. Ms. Escobedo also asked if the home rule petitions would be passed by the end of the calendar year. Rep. Gouveia stated that it was possible, but also unlikely.

Chair Ackerman asked if the Town would need to refile any of the home rule petitions, as they had in the past. Rep. Gouveia stated the Town may need to refile some of the petitions.

The Board and Rep. Gouveia discussed affordable housing initiatives taken on by both the Town and the State.

Ms. Bates asked Rep. Gouveia if the Town would need to have both Representatives file Home Rule Petitions going forward, following the redistricting of the town. Rep. Gouveia stated that, in the future, one Representative would file the Home Rule Petition, and the other Representative would co-sponsor the legislation.

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Public Hearing: Application for Transfer of License, Pledge of Inventory, and Pledge of License from JMMS Liquors, DBA Walden Liquors located at 18 Walden Street to Sunny Side Enterprises

Upon a motion duly made and seconded, by a margin of 4-1, it was **VOTED:** to open the public hearing for Application for Transfer of License, Pledge of Inventory, and Pledge of License from JMMS Liquors, DBA Walden Liquors located at 18 Walden Street to Sunny Side Enterprises.

Roll call vote

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

Mr. Dane shared his belief that the application was not complete for consideration by the Board.

Attorney Benjamin Levin stated that he would be presenting on behalf of his clients, Sunny Side Enterprises. Attorney Levin reviewed the application of his clients and stated that the operations of the store would continue as they had with the previous license holder.

Mr. Dane reviewed the criteria for awarding a liquor license transfer and stated that he had concerns about the completeness of the application. Mr. Dane stated that the application listed 12 owners of the corporation, each with 10% ownership, which was obviously more than 100%, citing the Schedule 6. Mr. Dane also pointed out that the source of the funds being used to purchase the assets and inventory was not referenced, noting that the \$375,000 purchase price was for assets, exclusive of the inventory. He stated that the seller was not listed as a creditor, as they should have been. Attorney Levin stated that the bank financing the purchase would also be financing the purchase of inventory, once an inventory count was complete. Mr. Dane took issue with that figure not being detailed on the application. Mr. Dane reiterated that he did not believe the application was complete. Mr. Levin offered to provide amendments to address Mr. Dane's concerns. Mr. Dane also took issue with a lack of information regarding the qualifications of the manager. Mr. Levin stated that the manager is TIPS certified and has managed other locations. Mr. Dane also asked about the Concord Police Department carrying out an investigation into the proposed owners and business. Mr. Crane stated that generally the Police Department would carry out investigations only in cases of violations. Mr. Jeremy Romanul stated that he had also carried out CORI checks on the applicant.

Pamela Dritt, of 13 Concord Greene-Unit 4, seconded the issues raised by Mr. Dane, and voiced her belief that addressing the issues raised by Mr. Dane would help the Town avoid potential corruption, accidental or otherwise.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to continue the public hearing for Application for Transfer of License, Pledge of Inventory, and Pledge of License from JMMS Liquors, DBA Walden Liquors located at 18 Walden Street to Sunny Side Enterprises to November 22, 2021 at 7:00 p.m.

Roll call vote

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

Public Hearing: Petition from National Grid to relay 100 feet of 2-inch Coat Steel (1930) gas main with 100 feet of 4-inch Plastic gas main at 1024 Monument St

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to open the public hearing regarding a petition from National Grid to relay 100 feet of 2-inch Coat Steel (1930) gas main with 100 feet of 4-inch Plastic gas main at 1024 Monument St.

Roll call vote

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

Mary Maroney, a representative from National Grid, stated that Steve Dookran, Town Engineer, had reviewed the application and did not have concerns. Mr. Dookran stated that the plan submitted met Town standards.

Mr. Johnson asked why the pipe was increasing in size. Mr. Dookran stated that in the future National Grid had plans to increase the pipe size for all of Monument Street, but with the culvert project currently ongoing, they were making the request to change that section at this time.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to close the public hearing regarding a petition from National Grid to relay 100 feet of 2-inch Coat Steel (1930) gas main with 100 feet of 4-inch Plastic gas main at 1024 Monument St.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve a petition from National Grid to relay 100 feet of 2-inch Coat Steel (1930) gas main with 100 feet of 4-inch Plastic gas main at 1024 Monument St.

Roll call vote

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

Review Henry Vlacovsky Eagle Scout Project

Mr. Henry Vlacovsky, a Concord Eagle Scout, described his Eagle Scout project to the Board. He was building a four-foot by eight-foot scoreboard for Concord-Carlisle Youth Baseball. Mr. Vlacovsky stated that he had worked with contractors and Town staff to ensure that the project was completed to Town standards, without damage to Town infrastructure.

Mr. Johnson asked if Mr. Vlacovsky had followed up on concerns by the Recreation Commission,

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which Mr. Vlacovsky stated he had. Deputy Town Manager Kate Hodges stated that the Town had reviewed the project and because the scoreboards are not electronic and are technically removable, they were exempt from the Town's sign bylaws.

The Board commended, congratulated, and thanked Mr. Vlacovsky.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to accept the scoreboard proposed by Henry Vlacovsky at Emerson Field.

Roll call vote

Ms. Bates: Aye

Ms. Ackerman: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Meet with WPAC: White Pond Vision Statement, Q&A

Josh Gelper and Beth Kelly, co-chairs of the White Pond Advisory Committee (WPAC), gave a presentation the Board, a copy of which can be found in the Select Board's Meeting Packet. Mr. Gelper and Ms. Kelly focused on the need for intervention in White Pond to avoid closing White Pond for most, if not all, warmer months in the future, due to toxic algae blooms.

Following the presentation, the Board thanked the WPAC for all the work that they are carrying out regarding White Pond.

Mr. Johnson asked if the nutrients that had already escaped from septic systems would continue to be an issue. Ms. Kelly stated if the Town can remove the bacteria that are recycling themselves, the Town would have a baseline with which to work. Mr. Johnson also asked about the stocking of rainbow trout, and if there was any progress to address the WPAC's concerns. Ms. Kelly stated that a subgroup had been tasked with working on the matter, and that two letters were sent to the Department of Fisheries requesting that the pond not be stocked with rainbow trout, but that 500 more rainbow trout had been stocked on October 5, 2021. Mr. Dane stated local sportsmen's groups were also looking to have the pond stocked with alternative species, as opposed to rainbow trout, and suggested the subcommittee reach out to those groups.

Chair Ackerman stated that she approved of the vision statement but suggested that the WPAC review their action plan and figure out which groups would carry out which tasks, and to set a timeline for completion of those tasks. Mr. Gelper stated that the WPAC had already done so. Ms. Ackerman stated that she wanted to avoid confusion about which group was tasked with doing each item laid out in the action plan.

Jim Ricker, of 68 Shore Drive, and member of the WPAC, stated that he and Jeff Parker are on the Sewer Committee and really appreciated the time and commitment he had been given by Town staff, including Susan Rask, Alan Cathcart, and Delia Kaye.

Ms. Escobedo thanked the WPAC for their work, and suggested the WPAC hold a symposium regarding the health of White Pond. Ms. Escobedo suggested inviting outside representatives, from groups like the Department of Fisheries, to the symposium.

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Mr. Crane thanked Mr. Gelper and Ms. Kelly for their presentation and further stated that the Town departments are committed to aiding the WPAC in their efforts in solving the problems facing White Pond, some of which date back many years.

Pamela Dritt thanked the group for recognizing the important impact that climate change has had on White Pond.

Election Officer Appointments

Kaari Tari, the Town Clerk, stated that the Election Office appointments were an annual appointments, and requested that the Select Board appoint election workers to one year terms. Ms. Tari noted all the work carried out by election workers.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to appoint the election officers as specified in the meeting materials dated November 8, 2021.

Roll call vote

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

Review 2020 Census Results, Discuss Massachusetts 2021 Proposed House Legislative Districts, and Review and Vote Reapportioning Proposal

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to call the meeting of the Board of Registrars to order.

Roll call vote

Ms. McNally: present
Ms. Benn: present
Ms. Fortier: present
Ms. Tari: present

Ms. Tari stated that the COVID-19 pandemic had delayed census responses, but that the data was used in the redistricting data. Ms. Tari reviewed the data included in the Select Board meeting packet and noted that the Town's population increased by 4.7% to a total of 18,491. Ms. Tari also stated that the Town's total housing units increased by 348 units, a 5.0% increase.

Mr. Johnson asked if the population increase could have been skewed by college age students moving home during the pandemic. Ms. Tari stated that she believed that did happen, and cited that the Middlesex School saw a decrease in student activity while other parts of Town likely saw college age students living in their parent's homes when they otherwise may not.

Ms. Ackerman asked about the 93.1% occupancy rate highlighted in the data and noted that previous occupancy rates were higher. Ms. Tari stated that in 2000 there was a 96.7% occupancy

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rate and in 2010 there was a 93.3% occupancy rate. Ms. Tari and the Board discussed some residents going to second homes during the pandemic, and the lack of students in dormitories at the private schools in Town.

Ms. Tari reviewed further census data, including employment information, and stated that the information is not always comparable. Ms. Tari further added that the census blocks were redrawn between 2010 and 2020. Ms. Tari noted that the population increased by quite a bit, which affected the redistricting of the Town. Concord had been split between the 13th and 14th Middlesex Districts, which was also affected by the delay in getting the Census information out. Ms. Tari also stated that the addition of thirteen majority-minority districts affected the redistricting.

Jill Moonheron, the Town's GIS Technician/Analyst, showed the Board a town map, highlighting the new proposed district boundaries. The map also showed the new proposed Town precincts. Ms. Moonheron stated that the Conantum neighborhood had been discussed by the Board, and noted the population in that area was included in the map.

Ms. Tari stated that the challenge had been in moving the precincts while trying to keep the neighborhoods together, noting that the Town was tasked with keeping within 5% of the target population for each Precinct. She stated that the Conantum neighborhood had been moved to Precinct 3, but that the addition of the 139 residents in the neighborhood would exceed the allowed maximum by the local election review committee. Mr. Johnson asked about moving the Conantum neighborhood to Precinct 4, which Ms. Tari stated would move Precinct 4 over the allowable maximum. The Board discussed polling locations in relation to the residents who may be affected by the reprecincting, and possible solutions.

Ms. Tari noted that any change made would be in effect for ten years, so that Select Board and community input was very important. Ms. Tari also noted that she would need a vote by the Select Board by December 15, 2021 and would also need time to inform affected voters. The Board and Ms. Tari decided to discuss this matter further at the Select Board's meeting on November 22, 2021.

Vote to Approve the Special Town Meeting Warrant

Ms. Ackerman noted that the Board had one proposed Article for the Special Town Meeting Warrant. Mr. Dane noted that there was a blank in the Warrant Article that he believed should be corrected to read, "Not in excess of \$100,000,00". Ms. Ackerman stated that the Middle School Building Committee would be meeting Friday morning to discuss the matter.

Mr. Johnson stated that the MSBC had recently received two professional estimates based upon the current market, which showed the project was estimated to cost approximately \$102,500,000. Mr. Johnson stated that a list of value engineering items under review could reduce the cost for the project from the \$102,500,00 figure. Mr. Johnson also suggested that the project contingency of 5%, be increased to 8% in response to recent construction cost volatility. Mr. Dane voiced his concerns that the project will cost more than \$100,000,000. Mr. Dane further stated his belief that the Board should input a figure to the Warrant that evening. Chair Ackerman stated that a figure of \$104,000,000 would include an 8% contingency. Chair Ackerman voiced

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concerns about inserting a figure that may need to be increased at Town Meeting, which may be difficult. Mr. Dane reiterated his desire to have the verbiage, “Not in excess of”. Mr. Crane stated that the MSBC would be delivering a schematic design with cost estimates, and agreed with Mr. Johnson’s approach of increasing the contingency to reduce the risk of the project not being completed as designed. Mr. Johnson added that the project may cost \$100,000,000, but that the Board should be hesitant about not seeking enough funding to complete the project. Mr. Dane stated his belief that the cost was as important as the design. Mr. Dane also reminded the Board that Town residents would need to vote for a debt exclusion.

Ms. Bates asked if the figure discussed was for the entire project including demolition and the construction of the athletic fields, which Mr. Johnson confirmed.

Ms. Ackerman stated that what Mr. Johnson was suggesting was that the project cost was not going to exceed \$105,000,000. Ms. Ackerman stated that the Select Board could either include a “not to exceed” number, or could call a Select Board Meeting on Friday, November 12, 2021.

Mr. Dane stated that he would support a vote to include the language, “not to exceed \$104,000,000.

Ms. Escobedo and Ms. Bates voiced support for Mr. Dane’s verbiage.

Pamela Dritt, asked if the future operating costs of net zero building techniques had been considered. Ms. Ackerman stated that there would be a \$548,000 savings which would be put into reducing debt. Mr. Crane stated that sustainability had been discussed at length during the design process. Ms. Ackerman suggested Ms. Dritt speak with her or Mr. Johnson following the meeting.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to approve the Special Town Meeting Warrant with the expenditure of funds to be authorized by the Town Manager under the general supervision and oversight of the Concord Middle School Building Committee with a precise dollar amount to be provided by the Concord Middle School Building Committee at their meeting on November 12, 2021, not to exceed \$104,000,000.

Roll call vote

Ms. Bates: Aye

Ms. Ackerman: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Finalize Inter-municipal Agreement for Regional Public Health Service

Ms. Susan Rask, the Town’s Director of Public Health, explained that in 2018 the Massachusetts Department of Public Health convened a special commission on local and regional public health. The State created a grant program called the Public Health Excellence for Shared Services Grant. Ms. Rask stated that this past summer, Concord,

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Bedford, Carlisle, Sudbury, Weston and Wayland applied for the grant and were awarded \$300,000 per year for the next three years. The grant allowed the six towns to hire and share the services of health inspectors, a public health nurse, and a public relations person. Ms. Rask stated that she was seeking to have the Board sign the Inter-Municipal Agreement included in the Select Board's Meeting Packet so that she could return it to the Department of Public Health.

Chair Ackerman asked for further details regarding the shared services. Ms. Rask stated that the staff would be hired to support the six towns, not replace existing staff. Ms. Rask highlighted the difficulties brought on by the COVID-19 pandemic, and how additional support would be given to the member communities to support public health efforts.

Ms. Escobedo asked if there would be any additional assessments to the Towns to participate in this service. Ms. Rask stated that she believed the State would be making changes regarding public health to better support communities, and that the model going forward would focus on regional entities, such as the one the grant was supporting. Ms. Rask did note that the grant funding was only for three years, and that she was committed to not hiring more staff than the Town was prepared to support. Ms. Rask also stated that the Town was not permitted to use the grant funds to replace existing staff.

Mr. Crane stated that he had worked on similar projects in the past, and that this grant program was to promote regionalization of public health efforts. He also stated that this grant would help the communities meet state mandates regarding public health.

Mr. Dane stated that all inter-municipal agreements should be reviewed by Town Counsel. Mr. Dane was also concerned that inter-municipal agreements were often presented without the full understanding of the Board. Ms. Rask stated that the agreement had been reviewed by Town Counsel.

Mr. Johnson noted that the State seemed to encourage more regionalization, and that it was his impression that the sovereignty of individual towns was being marginalized to some degree through these initiatives.

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to authorize the Town Manager to sign the Inter-Municipal Agreement for Public Health Excellence for Shared Services Grant.

Roll call vote

Ms. Bates: Aye

Ms. Ackerman: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Prepare for Focused Meeting: Envision Concord

Mr. Johnson explained that following their last meeting to discuss the Board's

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preparation for the Envision Concord meeting, he realized that the Board might want to add comments regarding any new strategic Select Board goals that were not already present in the plan. Mr. Johnson stated that he had proposed adding two new goals based on the Select Board's FY2022 goals: 1) researching, and implementing diversity, equity, and inclusion best practices in town governance and 2) to plan for events celebrating the 250th anniversary of the American Revolution.

Ms. Escobedo asked if the Board had included a note on an integrated land management plan. Mr. Johnson stated the integrated land management plan would be reviewed by the Planning Board.

Ms. Ackerman stated that the meeting would be held via Zoom and noted that the Board would need to be cognizant of time constraints. The Board further reviewed the spreadsheet populated by Mr. Johnson, which covered the topics to be discussed at the meeting on November 15, 2021.

Committee Nominations

Tracy Hansen of 77 Hill Street and Sam Stearns, 124 Tarbell Spring Road to the Bruce Freeman Rail Trail Committee for terms to expire April 30, 2024. Thomas Beardsley of 21 Liberty Street to the Historical Commission to fill an unexpired term set to expire on May 31, 2022. Marybeth Barker of 51 Birch Drive to the Bruce Freeman Rail Trail Advisory Committee as the Commission on Disability representative for a term to expire May 31, 2022. Stephen Irza of 39 Cottage Street to the Junction Village Open Space Task Force to fill an unexpired term set to expire April 30, 2023

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **VOTED:** to appoint Annabelle Paushter of 139 Jennie Dugan Rd, Alexander Fernandez of 1400 Lowell Road, and Molly Wierman of 6 Nathan Pratt Drive to the Diversity, Equity and Inclusion Commission for terms ending April 30, 2022, Ha Richmond of 144 Nashoba Rd, Ji Orloff of 34 East Circle, and Robert Munro of 1400 Lowell Rd to the Diversity, Equity and Inclusion Commission for terms ending April 30, 2023, and Andrea Foncerrada of 41 Commonwealth Ave, Rose Cratsley of 79 Hillcrest Rd, and Jimi Two Feathers of 303 Commonwealth Ave to the Diversity, Equity and Inclusion Commission for terms ending April 30, 2024. Stephen Verrill of 415 Wheeler Rd as the Agriculture Committee representative to the Pollinator Health Advisory Committee for a term to expire April 30, 2024. Farhanah Y Sheets of 69 Riverside Ave to the Tax Fairness Committee for a term to expire April 30, 2024.

Roll call vote

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

Committee Liaison Reports

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Ms. Escobedo asked the Board if there would be a Select Board representative at the Veterans Day Memorial service at the cemetery. Chair Ackerman stated that Mr. Dane would be representing the Board at the service.

Miscellaneous Correspondence

There was no discussion of this agenda item.

Public Comment

There was none.

Adjournment

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

Roll call vote

Ms. Bates: Aye

Ms. Ackerman: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Meeting Materials: <https://concordma.gov/DocumentCenter/View/32964/November-8-SB-Packet>

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=pzsqAyARIhs&list=PL1TTzrWEKOOkHKXNLQprEz0f0ofHYKj8-&index=7>

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Pursuant to a notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via Zoom on November 15, 2021 at 6:30pm.

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

Call to Order

Chair Ackerman called the meeting to order at 6:30pm.

Consent Agenda

- Gift Acceptance: Martina Ladd gift of \$3,117.91 to the Recreation Department for the purchase and installation of a tennis backboard at Emerson Park
- Minutes to approve: August 9, 2021
- Town Accountant Warrants: November 10, 2021
- One day special liquor license application for the sampling of wines and sale by the bottle/case for off-premises consumption: Terroir Wines LLC at 29 Walden Street on November 22, 2021 from 11:00am-4:00pm
- One day special liquor license application from Concord Youth Theatre for an event at 53 Church Street from 7:00pm-11:00pm on January 8, 2022. Wines and malt beverages only

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

Roll call vote

Ms. Bates: Aye

Ms. Ackerman: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Chair's Remarks

Chair Ackerman thanked Jeremy Romanul, the Administrative Assistant to the Select Board, for his dedication to the Select Board and Town, as that evening would be his last meeting. Mr. Johnson stated that the Select Board would be presenting Mr. Romanul with two gifts, a book and a gift certificate for a restaurant near his home. Mr. Johnson thanked Mr. Romanul for his service to Concord and wished him well in his future endeavors. Mr. Romanul thanked the Board and Concord residents for the opportunity to serve them.

Committee Nominations

Alan Bogosian of 1624 Main Street to the Historical Commission to fill an unexpired term set to expire on May 31, 2022. Sustainability Director Amanda Kohn to the Middle School Building Committee for a term to expire at the completion of the project

Committee Appointments

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Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Tracy Hansen of 77 Hill Street and Sam Stearns, 124 Tarbell Spring Road to the Bruce Freeman Rail Trail Committee for terms to expire April 30, 2024. Marybeth Barker of 51 Birch Drive to the Bruce Freeman Rail Trail Advisory Committee as the Commission on Disability representative for a term to expire May 31, 2022. Stephen Irza of 39 Cottage Street to the Junction Village Open Space Task Force to fill an unexpired term set to expire April 30, 2023

Roll call vote

Ms. Bates: Aye

Ms. Ackerman: Aye

Mr. Dane: Aye

Ms. Escobedo: Aye

Mr. Johnson: Aye

Focused Meeting: Envision Concord

Chair Ackerman thanked the various Boards, Committees and Town Departments for cooperation in making that evening's discussion possible. Chair Ackerman stated that the purpose of the meeting was to address the Envision Concord plan, a report initially published in 2018, and to determine what had been accomplished and what remained to be done. Ms. Ackerman invited the co-chairs of the former Comprehensive Long Range Plan committee to address the Board.

Elise Woodward, co-chair of Envision Concord, gave a brief presentation explaining that Envision Concord was designed to be aspirational. Ms. Woodward noted that the plan sought to balance the inevitable growth of the town with the values, cultures, and qualities that are unique to Concord. The economics of the plan were left to the various Boards, Committees, and Departments tasked with various action items. The plan addresses five major criteria, including:

1. History & Character
2. Livability & Values
3. Mobility & Accessibility
4. Environmental Sustainability
5. Fiscal Sustainability

Ms. Woodward also outlined the three big ideas which emerged from the Envision Concord process:

1. Strengthen the sustainability of local businesses by connecting with the cultural, historical and civic assets in Town
2. Develop strategies to preserve open space and natural resources and provide more housing choices consistent with Town character and sustainability
3. Address transportation needs and challenges by aligning with economic, environmental, and development goals

Gary Kleiman, co-chair of the former CLRP committee, also addressed the plan. He stated that Envision Concord recognized that there were traditional municipal functions that plan elements would need to recognize, which goals and actions could address, including:

1. Cultural & Historic Resources
2. Economic Vitality
3. Housing
4. Land Use & Zoning

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5. Mobility & Transportation
6. Open Space & Natural Resources
7. Public Facilities & Infrastructure
8. Fiscal Planning

Mr. Johnson stated that over two dozen groups had supplied information regarding the eight sections highlighted by Mr. Kleiman. Mr. Johnson stated that he and Mr. Romanul had summarized the information, which showed which items had been completed, which were ongoing, and those which had some progress made with further action was needed. Mr. Johnson noted that about one-third of the items had been addressed, and that Envision Concord was a twelve-year plan, and so that the Town should be encouraged.

Mr. Johnson presented a spreadsheet and reviewed the progress made on the three big ideas discussed by Ms. Woodward, as well as the eight sections discussed by Mr. Kleiman. Chair Ackerman requested each presenter be brief so that each Board and Committee could respond to any questions. She also requested that each Board, Committee, and Department think about how their respective group could work collaboratively with the other presenters.

Planning Board

Burton Flint, Chair of the Planning Board, stated that the Planning Board was very focused on affordable housing in Concord. Mr. Flint highlighted the 2020 Annual Town Meeting and the allowance for Accessory Dwelling Units (ADUs) in Town, and that item's completion. Mr. Flint then discussed the 2021 Annual Town Meeting and the creation of zoning bylaws which allowed for the development of two-family housing in the Residence C zoning district. Mr. Flint further added that the Planning Board would be addressing the 100-year flood zone concerns raised in Envision Concord at the 2022 Annual Town Meeting.

Mr. Flint stated that the Planning Board was considering zoning changes to the Thoreau Depot Business District to allow for mixed use development. He noted that the Town had received a grant to fund a consultant from the MAPC to review the zoning in the Thoreau Depot Business District, who had made some recommendations. Mr. Flint also reviewed changes to the formula business bylaws, and potential changes regarding formula businesses in the Thoreau Depot Business District.

Regarding sustainability principles, Mr. Flint stated the Planning Board considered sustainability during all Site Plan reviews. He noted that the Planning Board was restricted by the State building code from imposing sustainability requirements on new development, and that they had considered alternatives like offering incentives to developers to encourage more sustainable designs.

Planning Department

Elizabeth Hughes, Town Planner, stated that the town had received a grant from the State to implement a workforce commuter shuttle throughout the town. Unfortunately, funds were not received following the outbreak of the COVID-19 pandemic. She stated that she was confident the Town would receive those funds as the State moved forward from the pandemic. Ms. Hughes gave further information on efforts related to transportation in town that the Planning Division and Planning Board had undertaken.

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Mr. Flint thanked the Planning Division for their support in all the initiatives they had undertaken related to Envision Concord. Mr. Flint stated that the Planning Board would like to collaborate further with the new Sustainability Director. Mr. Flint added that the Planning Board would like support in their efforts to increase affordable housing in Town.

Marcia Rasmussen, Director of Planning and Land Management, added that Ms. Hughes had done outreach regarding transportation to various businesses and Emerson Hospital to secure the grant that had been referenced earlier. Ms. Rasmussen also stated that the Town could work with the National Park Service to better serve the town, visitors, and those who work in Concord in their efforts to offer more sustainable transportation in town. Ms. Rasmussen added that the Planning Division was tasked with 132 action items, and that her office had not been able to review them all, but that they had made a great deal of progress.

Pamela Dritt, of 13 Concord Greene, Unit 4, asked if the Town was able to offer incentives to developers to encourage more sustainable development in Concord. Mr. Flint stated that the Planning Board was constantly reviewing what kinds of incentives would best serve the Town, with respect to sustainability. He reiterated that the Planning Board was bound by the State's building code.

Steven Crane, Town Manager, stated that the Planning Department was heavily tasked, but that many Town Departments were involved with many of the items laid out by Envision Concord. Mr. Crane applauded Town Departments for their work, and for the support that they offered to many Town boards and committees. Mr. Crane also thanked Mr. Johnson for his compilation of the information presented that evening. Mr. Crane stated that because the goals of Envision Concord are consistent with the Town's character, they are worked on both consciously and subconsciously by Town staff every day. Mr. Crane encouraged residents to reach out any Town Department with questions regarding Envision Concord.

Economic Vitality Committee

Jennifer Schunemann, of 712 Monument Street and co-chair of the Economic Vitality Committee, stated that her committee had been formed as the COVID-19 pandemic began, and so they had prepared a document outlining what they have worked on since their inception. Her committee pivoted their purpose to optimizing safety for business owners, and to stem the financial losses to local business owners. Ms. Schunemann stated that her committee provided additional assistance to businesses in Town, including researching grants and loan opportunities for them.

Mr. Crane added that there was a systems-based approach taken by the Economic Vitality Committee to support the local businesses in Town and thought their committee would be able to use the same processes to address the Envision Concord plan going forward.

Ms. Bates thanked the Economic Vitality Committee for all their work throughout the pandemic.

Public Works

Jeff Fasser, chair of the Public Works Commission, commended the Town for having an updated Master Plan. Mr. Fasser stated that the Public Works staff were working diligently on the Envision

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Concord plan. Mr. Fasser reviewed the functions of the Town's Public Works Department and stated that as the Commission went through the plan, they realized that they would play a role in various initiatives tasked to other committees and departments. Mr. Fasser stated that the Commission was happy to collaborate with any other committee or department. Mr. Johnson commended the Public Works Department and Public Works Commission on the number of submissions they had made. Mr. Johnson highlighted the Municipal Buildings Needs Assessment completed in 2019 as well as the Threat Assessment that the Water Division had completed.

Brian Rosborough, of 56 Elm Street, asked if an integrated water management plan and an urban forest master plan had been staffed or funded, and who would be managing both. Alan Cathcart, Director of Public Works, stated that the integrated water management plan, which relates to drinking water, wastewater, and stormwater management, was in progress. He noted that the plans were being considered in a fashion like the Envision Concord plan, in a collaborative way with a specific focus on sustainability and environmental impact. Mr. Cathcart noted that a consultant had been retained to help put together the framework of such a plan. Regarding the urban forest master plan, Mr. Cathcart stated that the Town had a Tree Warden, and that the Town had recently received a grant from the state to plant over 100 trees throughout the Town. Mr. Cathcart further added that the Town did not currently have an urban forest master plan.

Community Preservation Committee

Diane Proctor, chair of the Community Preservation Committee (CPC), reviewed the charge of the Committee, including the creation of the CPC in 2006. Ms. Proctor stated that since 2006 the CPC has allocated \$25,935,233 to the Town of Concord for various projects and undertakings. Ms. Proctor stated that the CPC worked very hard to balance their funds to the various areas they are charged with supporting including community housing, historic preservation, open space, and recreation.

Mr. Kleiman stated that there was a projects checklist which was implemented in the formation of the Envision Concord report. Mr. Fasser added he was very encouraged by the ability of various Town Departments to apply for, and receive, State grants to help implement the Master Plan.

Ms. Escobedo thanked the departments and committees for their work and asked if there were staff limitations that were in any way impacting our ability to apply for more grant opportunities. Mr. Crane stated while the Town did apply for many grants, that each department tried to manage their staff as efficiently as possible while still capturing as many grant opportunities as they could.

Natural Resources Commission

Mr. Kleiman, a member of the Natural Resources Commission, stated that the Commission was pleased with the work they had been able to accomplish, including hiring a land manager, implementing the new fifty foot no build policy, and updating the flood plain requirements. He noted the majority of their action items were ongoing. Mr. Kleiman further explained to the Board where the Natural Resources Commission would be focusing their efforts in the future.

Mr. Johnson asked Mr. Kleiman about how to regulate residential stormwater, and if it was a big component of the Natural Resources Commission's plans for their Envision Concord action plan. Mr. Cathcart stated that the Town had adopted stormwater management plans and noted that any

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development on a property that is less than one acre was not currently regulated. Ms. Hughes reiterated Mr. Cathcart's points regarding residential development and stated that the Planning Board and Zoning Board of Appeals have been requiring stormwater mitigation plans of applicants to their respective boards. Ms. Hughes added that to address stormwater mitigation for all new residential development would require additional staff.

School Committee

Court Booth, vice chair of the School Committee, reviewed Mr. Johnson's spreadsheet relevant to the School Committees action items, noting that most action items were currently in progress. Mr. Booth stated that the pandemic had put some of their action items either on hold or had delayed some progress. Mr. Booth stated that the proposed Middle School would be built implementing several sustainable building practices. Additionally, Mr. Booth stated that the School District had recently purchased 2 diesel school buses but hoped to electrify the fleet in the near future.

Pamela Dritt asked Mr. Booth why the Town purchased two diesel school buses. Mr. Booth stated that two buses required replacement and did not anticipate the purchase of fossil fuel infrastructure in the future.

Climate Action Advisory Board

Jake Swenson, Chair of the Climate Action Advisory Board (CAAB), reviewed the Climate Action and Resilience Plan, published in 2020. Mr. Swenson stated that many of their action items were in progress, and that some of the items that they listed as complete were addressed in the Climate Action and Resilience Plan. Mr. Swenson stated that CAAB was trying to identify key priorities and policies that the Committee can support moving forward to implement and supplement the Climate Action and Resilience Plan.

Amanda Kohn, Sustainability Director, applauded the Climate Action Advisory Board and the Concord Sustainability and Energy Commission for the work they have done regarding Envision Concord.

Lois Suarez, of 34 River Street, Apartment 10B, stated that she felt some of the information presented by the Climate Action Advisory Board was misleading, specifically their stating that items were complete when she believed they were not. Mr. Swenson stated that he would be happy to amend the status of some items, but that he believed that his board had completed their portion of the action item, but that a collaborator may still have work to do.

Finance Committee

Christine Reynolds, chair of the Finance Committee, stated that they had four action items to address from the Envision Concord plan. Ms. Reynolds shared her belief that the Finance Committee had made significant progress on each item. The Finance Committee had leveraged the work of the long-term capital planning committee task force, and that a new process had been implemented that integrates the School and Town capital plans to fund and support those capital projects. Ms. Reynolds added that both the Town and Schools have prepared 5-year financial projections on spending, in conjunction with the Finance Committee.

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Affordable Housing

Elizabeth Rust, CHSO Director, stated that the Regional Housing Services Office was there to support Town initiatives, versus taking on policy changes, as laid out in the Envision Concord plan.

Charles Phillips, of 65 Fairhaven Road and member of the Concord Housing Authority, stated that the Housing Authority was unsure of their role in the implementation of the Envision Concord plan.

Stephanie Chrobak, vice chair of the Concord Housing Authority, stated that the CHA was participating in the creation of the Housing Production Plan. Ms. Chrobak also discussed the use of infill land to build affordable housing units and stated that the Housing Authority was working with other committees to secure funding to build a home on donated land on Commonwealth Avenue.

Ms. Reynolds asked Ms. Rust about developing quantitative targets for all housing types and asked if there had been progress made on that action item. Ms. Rust stated that there was an inventory of housing in Concord, but that she did not have a quantitative target for all housing types. Ms. Hughes stated that the Town was issuing a contract for the development of the Town's Housing Production Plan. Ms. Rasmussen stated that a consultant had been hired but that the information required to complete the Housing Production Plan relied on Census data that would not be released until the end of 2022. Mr. Johnson added that the Planning Board was working on the Zoning Bylaws to allow for the construction of less expensive, smaller scale units.

Frank Feeley asked what the mechanism in Town was for prioritizing Town owned land for use in affordable housing. Mr. Crane stated that town owned land was under the authority of the Town Manager, and that once the Housing Production Plan was completed the Town would have a better idea of areas to target for the development of affordable housing.

Historical Commission

Melissa Saalfield, chair of the Historical Commission, stated that the Commission was able to amend the Demolition Delay Bylaw to preserve the historic resources and character of the Town. Ms. Saalfield stated that the Historical Commission was also hoping to propose a Scenic Road Bylaw at the Annual Town Meeting in 2022. Ms. Saalfield added that the Historical Commission had recently reimplemented their Historical Commission Coffees, which would allow town residents to better understand the undertakings and goals of the Historical Commission.

Library Committee

Lindsay Howard, chair of the Library Committee, informed the Board that the Library Committee was working to plan collaborative events, and to create and promote a more succinct Town wide events calendar. Ms. Howard also stated that the Committee also plans to highlight the new Library renovations, as well as introduce new programming to bring residents together.

Council on Aging

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Ginger Quarles, Director of the Council on Aging/Senior Services, stated that the Council on Aging had made progress on two of three of their goals, but added that work on the goal of assessing the capacity of meeting the social services needs of Town residents, was delayed by the pandemic. Ms. Quarles also noted the stress put on her office because of the pandemic. Carol Ann Hannan thanked Ms. Quarles for her work with the Council on Aging Board.

Tax Fairness

David Karr, chair of the Tax Fairness Committee stated that his committee was tasked with making homeowners tax burdens more representative of their ability to pay. Mr. Karr highlighted the Senior Means Tax Exemption as an example of progress made in that regard.

Recreation

Anna McKeown, Recreation Director, stated that the Recreation Commission had spent their last few meetings considering the Envision Concord plan, and appreciated the collaboration they were afforded by the Department of Public Works, Town Manager's Office, Natural Resources Division, and the Board of Health. Ms. McKeown noted that her office had been tasked with 19 action items, all of which were either in progress or completed. The items that were still in progress included increased accessibility in recreation spaces, addition of new recreation amenities, and collaboration with the Economic Vitality Committee to facilitate new events to attract visitors. Ms. McKeown stated that some items may never be complete, as the Recreation Commission would always look to address the items she listed as in progress.

Transportation Advisory Committee

Nick Pappas, Chair of the Transportation Advisory Committee, stated that while the committee had not met yet, that to address the transportation needs of the community would take collaborative efforts across boards, committees, and town departments. Mr. Pappas stated that as a community Concord would need to find a way to improve mobility while protecting the town's historic and aesthetic values.

Mr. Crane added that the first iteration of the Transportation Advisory Committee had begun discussions on a number of issues including multi-modality and mobility, setting priorities for how Concord should address transportation issues.

Historic Districts Commission

Mr. Johnson stated that the Historic Districts Commission had completed both of their action items, regarding expanding local historic districts, and the undertaking of the study of the Neighborhood Conservation District.

Select Board

Chair Ackerman reviewed the eleven items that the Select Board was the lead on. Ms. Ackerman stated that the Board had established the town's Economic Development staff position. Ms. Ackerman stated that nearly all items were in progress.

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Mr. Johnson added that there were two additional action items the Select Board had decided to undertake which were to:

1. Research and implement diversity, equity, and inclusion best practices in town governance
2. Plan for events celebrating the 250th anniversary of the American Revolution

Conclusion

Chair Ackerman stated that there were seventy-six participants in the meeting. She thanked each board, committee, and town department for their efforts to address the action items laid out in the Envision Concord plan. Ms. Ackerman asked all participants to return to their boards, committees, and departments to see how they could further collaborate with other groups to continue to work on their action items. Ms. Ackerman thanked Ms. Woodward and Mr. Kleiman for their efforts related to Envision Concord and Mr. Johnson and Mr. Romanul for their compilation efforts in preparation for the meeting.

Pamela Dritt asked if there were any plans to develop a large meeting facility that could hold Town meetings or large citizen gatherings. Mr. Johnson stated that he was not aware of an instance where the Town could not accommodate large meetings, including Town Meeting. Mr. Crane added that the Town did have capacity for large meetings. Mr. Dane added that the Town was continuing to pursue the acquisition of the Concord Armory, which could serve the purpose of holding large meetings.

Peggy Briggs, thanked the Board for facilitating the evening's meeting, stated that the new gym at the high school could accommodate large gatherings.

Adjournment

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

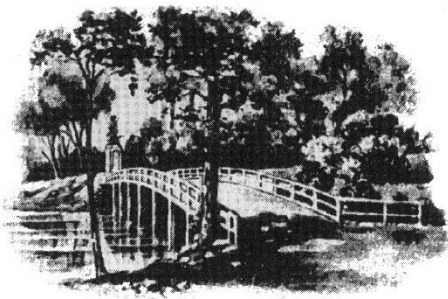
Roll call vote

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

Meeting Materials: See attached.

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=tjD4sgVmMpI&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=6>



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

TO: Concord Select Board c/o Chair Terri Ackerman
FROM: Concord Municipal Affordable Housing Trust c/o Chair Keith Bergman
DATE: December 27, 2021
SUBJ: Update for January 3, 2022 Select Board Meeting.

The Concord Municipal Affordable Housing Trust appreciates the opportunity to update the Concord Select Board on several matters of moment, for your action and direction. We ask that the Select Board approve the first item at your meeting on January 3, 2022, and would welcome your input on the others when time permits.

- 1. CMAHT recommends Select Board approval of CHDC request to decommit \$570,000 for 100 Elm Brook** - The Concord Housing Development Corporation met with the Concord Municipal Affordable Housing Trust on December 16, 2021 and reported that its project for a buydown of one SHI Unit at 100 Elm Brook was not able to proceed, and so CHDC requested that the \$570,000 approved by the Select Board on June 1, 2021 for that purpose be decommitted. Since the Select Board's vote of December 6, 2021 transferring oversight of the free cash affordable housing articles to CMAHT was "subject to any funding commitments that may have been made by the Select Board or Town Manager prior to this vote," *CMAHT unanimously voted to recommend that the Select Board rescind its June 1, 2021 vote committing \$570,000 for a buydown of one SHI Unit at 100 Elm Brook.*
- 2. CMAHT requests Select Board insert 2022 Annual Town Meeting Article for affordable housing trust fund; explore alternative funding sources.** Mindful that the Select Board has inserted an article for \$500,000 for affordable housing from free cash at each of the last three town meetings, CMAHT wishes to request that the Select Board do so again for 2022 to fund the Trust. Aware that free cash may not be a source the Trust can rely on year in and year out, and since the proposed real estate transfer fee and building permit surcharge envisioned to fund the Trust have not been approved by the State, CMAHT wishes to explore potential alternative funding sources for the Trust, which might include other local funds, mitigation funds from housing developers, donations to the trust, and/or use of funds from the state and federal government.
- 3. CMAHT supports revised Upland Road/Old Marlboro Road land acquisition project; approves initial \$50,000 towards deposit** – CHDC has briefed CMAHT on the revised \$2.9-million 5.5-acre Upland Road/Old Marlborough Road land acquisition project, which now seeks \$1,900,000 for open space and \$1,000,000 for community housing [five affordable units]. We understand that the Community Preservation Committee has invited an amended application for CPA funding (\$500,000 was requested for open space and \$500,000 for community housing), by requiring that a plan of land be submitted which shows one parcel for open space and another for community housing, with updated appraisals for both. For the housing component, CHDC is also now seeking \$50,000 from the Concord Housing

Foundation, and \$450,000 from CMAHT. CMAHT voted unanimously on December 16, 2021 to support the revised Upland Road/Old Marlborough Road land acquisition project and approve initial funding of not-to-exceed \$50,000 from the Trust towards the \$140,000 deposit needed to preserve the opportunity to acquire the property.

- 4. CMAHT developing proposed Trust Guidelines for Select Board approval later in January/February 2022.** The CMAHT Bylaw adopted by the 2020 Annual Town Meeting directs the Trustees in Section 6, Item 18 “to develop policy goals and statements, consistent with the Town’s adopted housing goals, and subject to approval by the Select Board, to serve as guidelines for the Trust.” CMAHT is in the process of developing an initial set of proposed guidelines and has thus far met with the Concord Housing Authority, Concord Housing Foundation and Concord Housing Development Corporation—and will be meeting with the Community Preservation Committee. The housing goals we’re reviewing include the 2018 Envision Concord housing plan element, 2015 Housing Production Plan and CPC’s 2021 specific use criteria for community housing projects. We’re especially looking at which Town housing goals the Trust should prioritize in the near term, and hope to be able present a set of proposed guidelines to the Select Board later in January or in early February for your approval. Thereafter, once the Housing Production Plan is updated based on 2020 US Census data in the coming months, CMAHT could revisit its guidelines and propose any necessary revisions for your consideration at that time.

Please let us know what questions you have about any of this.

Thanks very much.

From: keith@kbergman.com
Sent: Thursday, November 4, 2021 3:26 PM
To: 'Linda Escobedo'; 'Stephen Crane'; 'Michael Lawson'
Cc: 'Elizabeth Rust'; 'Marcia Rasmussen'; 'Jeremy Romanul'
Subject: Developing Proposed Guidelines for Concord Municipal Affordable Housing Trust

One of the items the CMAHT board will be discussing with the Concord Housing Roundtable on Monday, November 8, 2021 at 7 PM is developing proposed guidelines for the Trust, which would be subject to Select Board approval. In preparation, I've drafted an outline below, which suggests engaging the Housing Roundtable participants and other community stakeholders in a process of identifying which of the Town's housing goals should be prioritized in the Trust's inaugural set of guidelines, for now; and then, once the Housing Production Plan is updated in the coming months, CMAHT could revisit and propose any necessary revisions.

CMAHT Background.

The **Concord Municipal Affordable Housing Trust** was established by the CMAHT Bylaw, adopted by the 2020 Annual Town Meeting, to provide for the preservation and creation of affordable housing in Concord for low and moderate income households and for the funding of community housing as defined by the Community Preservation Act. CMAHT complements the Town's existing affordable housing efforts, entities and programs, and-- **with sustained funding sources**-- can act quickly when affordable housing opportunities arise, without having to wait for votes of town meeting to fund particular projects or, with Select Board approval, to acquire property.

Developing Proposed CMAHT Guidelines.

The CMAHT Bylaw directs the Trustees in Section 6, Item 18 **“to develop policy goals and statements, consistent with the Town's adopted housing goals, and subject to approval by the Select Board, to serve as guidelines for the Trust.”**

As we approach this important task in Concord, the Massachusetts Housing Partnership's [2018 Municipal Affordable Housing Trust Guidebook](#) and [2015 MAHT Operations Manual](#) provide some useful insight on the importance of a goal-setting process in which the MAHT engages stakeholders and the community. Some excerpts from MHP's *MAHT Guidebook* . . .

Although not mandated, creating an action plan can provide a deliberate focus to the trust's work and use of resources. An action plan would state the board's **goals and priorities, usually for a period of one to five years** . . .

The process of creating the action plan provides **an ideal opportunity for the trust to engage the community**. The intent of this community outreach would be threefold: generate feedback and ideas from members of the community, provide information about the community's affordable housing needs and the role of the trust, and generate support for trust activities and projects . . .

It can spell out the role of the trust with respect to other entities in the community and give details about how the trustees will achieve their goals. In some cases, having an action plan was key to the trust's efforts to get funding . . .

The trust has a vital role in the support and achievement of your community’s established housing objectives. If your community has **current plans and documents that provide an analysis of housing needs or identify the community’s affordable housing goals**, it is critical to use this data to develop the trust’s priorities and work plan . . .

For reference only, full action plan reports adopted by other MAHTs in Massachusetts include [Wenham](#) (2018), [Grafton](#) (2017), and [Easton](#) (2014). An executive summary format might suffice for getting Concord’s MAHT launched with an initial set of guidelines.

Prioritizing Concord’s Adopted Housing Goals in Trust Guidelines.

In Concord, the Town’s current adopted housing goals include the 2018 [Envision Concord Section 4.3 Housing Plan Element](#), the 2015 [Housing Production Plan](#), and the 2021 [Community Preservation Committee Funding Application Guidelines](#). See tables below.

CMAHT and other stakeholders could **identify which particular housing goals the Trust should be addressing and prioritizing in its guidelines**.

The Concord Housing Roundtable joint meeting would be a good opportunity to gauge the interest of those participants in working with CMAHT on this exercise. Joint meetings and opportunities for community input could follow, in drafting a proposed set of Trust guidelines to the Select Board for approval. When the Housing Production Plan is updated in the coming months, CMAHT could then revisit its guidelines, and propose any necessary revisions for Select Board approval.


2018 Envision Concord, Section 4.3 Housing Plan Element Goals	CMAHT	Other Lead
1. Develop realistic, achievable targets for preserving or creating housing of all types (beyond the State Housing Inventory).		
2. Develop additional, self-sustaining funding mechanisms to support achieving the housing targets developed in Goal 1.		
3. Bring private and public groups representing open space, land conservation, resilience, and housing together to identify solutions for meeting housing needs.		
4. Discourage the demolition of smaller homes and their replacement with larger, more expensive residences.		
5. Encourage renovation of existing single-family homes (in all zoning districts), and identify the opportunities to create accessory dwelling units within existing structures in all zoning districts, and allow cluster development and cohousing in designated areas.		
6. Identify regulatory tools and tax incentives to encourage developers to build housing the Town wants/needs, especially denser housing near town centers or small (5-10 unit) developments such as Riverwalk, in ways that reinforce existing historical character and support sustainable development practices.		

2015 Housing Production Plan Goals	CMAHT	Other Lead
1. Support and foster aging in the community through expansion of the range of affordable housing options.		
2. Increase variety of housing options, particularly near village centers.		
3. Encourage creation of affordable rental and ownership housing for households with low-incomes, moderate, and middle-incomes throughout the community.		
4. Encourage the preservation of existing smaller homes and the construction of new smaller homes, especially as permanently affordable homes for low-income families.		
5. Promote and support affordable housing for families including rental and homeownership opportunities.		
6. Foster community outreach and education to develop an inclusive mindset about the need for affordable housing throughout the community.		
7. Continue to nurture and maintain working partnerships with organizations focused on addressing affordable housing needs in Concord and the region.		
8. Continue to support the monitoring and preservation of existing affordable units.		

2021 Community Preservation Committee Funding Application Guidelines Specific Use Criteria for Community Housing Projects	CMAHT	Other Lead
1. Address objectives in the 2018 Comprehensive Long Range Plan or the Housing Production Plan.		
2. Contribute to the Town’s State Housing Inventory units to maintain its goal of 10% affordability consistent with Chapter 40B.		
3. Ensure long term affordability through deed restrictions or other mechanisms.		
4. Create new affordable housing opportunities by buying-down the purchase price of condominium and other housing units; new construction; the reuse of non-residential buildings, the use of Town or State-owned land; or the conversion of market rate housing to affordable units. CPC recommends, whenever possible, the reuse of existing buildings or the construction of new buildings on previously developed sites.		
5. Give priority to local residents, Town and school employees, Hanscom AFB military personnel and other groups with a “Concord Connection” in accordance with State guidelines.		
6. Receive support from local organizations and institutions that advocate for affordable housing.		
7. Distribute community housing throughout the Town. Encourage mixed-income developments that are harmonious in design and scale with the surrounding community.		
8. Leverage funds available for affordable housing through the utilization of state, federal, and other funding resources.		
9. Avoid compromising resources identified on the Town’s Historic Resources Master Plan		

Town of Concord
Town Manager' Office
Memorandum

TO: Select Board

FROM: Kerry A. Lafleur, Chief Financial Officer 

SUBJ: Finance Department Transition Plan

DATE: December 29, 2021

As requested, I am providing the Board with information regarding the transition plan for the Finance Department while I move from the position of Chief Financial Officer to Interim Town Manager.

Background: As CFO, I am the department manager for the following divisions of the Finance Department:

- **Accounting:** responsible for overseeing and maintaining Town's accounting system and related applications; prepares Accounts Payable; coordinates annual audit. Three- (3) full-time staff budgeted; Town Accountant, Assistant Town Accountant, and Senior Account Clerk. All positions currently filled. No changes/ adjustments proposed.
- **Assessing:** responsible for overseeing and maintaining property valuation system; evaluating and processing exemptions and abatements, including Senior Means-Tested exemption; and preparing all tax commitments. Four- (4) full-time and one- (1) part-time staff budgeted; Chief Assessor, Assistant Assessor, Administrative Assistant, Senior Account Clerk, and PT Data Lister. Chief Assessor position is vacant. Part-time Interim Assessor was appointed in October for a term of 3 - 6 months to get us through tax classification, tax recap and FY22 actual property tax bills.
- **Budget & Purchasing:** responsible for facilitating budget development process; budget monitoring throughout the fiscal year; overseeing purchasing to ensure compliance with applicable procurement requirements. Two- (2) full-time staff budgeted; Budget & Purchasing Manager, and Senior Budget & Purchasing Analyst. All positions currently filled. No changes/ adjustments proposed.
- **Finance Administration:** responsible for oversight of department; management of all assigned citizen committees; preparing and processing payroll. CFO also services as Treasurer-Collector for the Town, and Treasurer for the Trustees of Town Donations and the Concord Retirement System. Three- (3) full-time staff budgeted; Chief Financial Officer, Assistant Treasurer and Finance Assistant. CFO position vacant as a result of the appointment of the incumbent to the position of Interim Town Manager. The other 2 positions are filled.

- **Treasurer-Collector:** responsible for billing property and excise taxes; collection of property tax, excise tax, and utility bills; receiving and maintaining all departmental receipts; and maintaining all bank accounts. Also responsible for all debt issuance and management. Four- (4) full-time and one- (1) part-time staff budgeted; Deputy Treasurer-Collector and 3.5 Senior Account Clerks. Part-time position is vacant and no longer needed. Personnel shifting to Finance Administration.

Plan: On an interim basis, the role of CFO will be split in two: Interim Finance Director and Interim Treasurer-Collector.

The position of Interim Treasurer-Collector will be filled by Deputy Treasurer-Collector Colleen Rhinhart. Ms. Rhinhart has been employed by the Town for eight- (8) years, serving in the positions of Collections Assistant, Treasury Assistant, and Deputy Treasurer-Collector. While only recently promoted to the position of Deputy, she effectively managed the division's operations from the retirement of the former Deputy (September 2020) until her appointment. Ms. Rhinhart is fully capable of assuming the additional duties of Treasurer-Collector and is looking forward to taking on this role. Under Section 2 D(1) of the Town Charter, the Town Manager's appointment of a Treasurer-Collector is subject to the approval of the Select Board. By extension, the appointment of an Interim Treasurer-Collector is also subject to the approval of the Select Board. I request that this appointment be included on the January 24, 2021 agenda. For the period of January 1 - 24, 2022, I will appoint Ms. Rhinhart as Acting Treasurer-Collector.

We are currently recruiting for the position of Interim Finance Director. The advertisement, below, is posted on the Town's website, and advertised on both the MMA (MA Municipal Association) and MGFOA (MA Government Finance Officers Association) websites. In addition, I've sent a copy of the advertisement to three- (3) government search firms and to an agency specializing in temporary government placements. The position is open until filled. The first review of applications will occur during the week of January 10, 2022. I expect to have a candidate identified within the next two weeks. Again, under the Charter, this appointment is also subject to the approval of the Select Board. I am hopeful that a suitable candidate will be identified in time to be confirmed on January 24, 2022 as well.

In the interim period, the following board and committee assignments are being made:

Board/ Committee	Staff Assignment
Concord Retirement Board	Interim Treasurer-Collector
Finance Committee	Interim Finance Director
Financial Audit Advisory Committee	Town Accountant
Middle School Building Committee	Budget & Purchasing Manager
Minuteman Nashoba Health Group	HR Director is Town's Alternate Rep.
Trustees of Town Donations	Interim Treasurer-Collector

The staff listed above will serve as the primary contact during the interim period, though as Interim Town Manager, I fully expect and intend to be attending meetings of the Finance Committee and Trustees of Town Donations (quarterly), and of the Middle School Building Committee, though in my capacity as Interim Town Manager.

Interim Finance Director

The Town of Concord seeks qualified candidates for the position of Interim Finance Director. The Interim Director serves as the Town's CFO, under the direction of the Town Manager and is a member of the Town's Senior Management Team. As CFO, the incumbent will ensure the long-term financial and operational health and success of the municipal enterprise; interpret and administer federal, state and local laws, regulations and policies relevant to municipal financial management; and be accountable for and manage the services and staff of all Finance divisions: Assessing; Budget & Purchasing; Finance Administration (Payroll & Operations); Treasurer-Collector; Town Accountant; and Town Clerk.

Master's degree in Public Administration or related field, plus at least ten years of progressively responsible experience in municipal government finances and municipal operations, including supervisory experience; or any equivalent combination of education and experience. Must be able to commit to full-time work for a term of 6-months, subject to extension depending upon organizational needs. Salary will be based on qualifications.

Applications will be accepted until the position is filled. Interested candidates should submit a resume and cover letter via email to jobs@concordma.gov.

To view the full job description, click [here](#).

With regard to the vacancy in the Assessor's Office, the market for Assessors in MA is extremely tight. We are fortunate to have hired such a well-qualified Interim Assessor, and even more fortunate that he is interested in continuing to serve for as long as we need him, though he is retired and thus limited in the number of hours he can work per year. We will be re-evaluating our recruitment plan during the month of January.

Conclusion: The Finance Department is made up of an outstanding group of staff members who all work diligently to complete our mission, and I am fully confident that they will continue to meet the standards of excellence required of the community and our profession.

-- FOR REFERENCE --

Town of Concord
Finance Department
Memorandum

TO: Board of Assessors
Assessing Office Staff

FROM: Kerry A. Lafleur, Chief Financial Officer

SUBJ: Interim Assessor

DATE: September 29, 2021

As you are aware, Lane Partridge will be resigning from his position as Chief Assessor on September 30, 2021. He has been offered & has accepted the position of Chief Assessor with the Town of Barnstable; anyone who knows Lane knows how much he enjoys the Cape. This is a terrific opportunity for him, and while I am disappointed for us, it's hard not to be happy for him! Lane has worked for the Town for about 11.5 years and during this time, he has served us exceptionally well. Lane is a stand-out in his profession in the Commonwealth, region and even at the national level, often being called upon by the MAAO and IAAO to teach classes at conferences; and in addition to teaching, he has also served in leadership capacities in both professional organizations. The Town will have a very tough time in replacing Lane Partridge.

As you are also aware, the fall is a particularly busy time for the Assessing division as it works to:

- finalize values & seek approval from the BOA and DOR;
- certify New Growth;
- calculate the impact of the Senior Means Exemption;
- prepare for the Classification Hearing;
- assist in certification of Tax Rate; and
- create the actual tax bill file

In addition to being a busy time for the Concord Assessing division, fall is a busy time for all Assessing offices in the Commonwealth, and therefore, not likely to be the best time to be recruiting for our next Chief Assessor. As such, after careful deliberation, and in consultation with Lane, the Town Manager and I agreed that filling the position on an interim basis, i.e. for a period of 3 to 6 months made the most sense. Once we get through the FY22 Tax Rate Certification and Tax Billing process, we can look to start the official recruitment process.

At present, the Town is running the following advertisement for an Interim Assessor with MMA (Massachusetts Municipal Association) and MAAO (Massachusetts Association of Assessing Officers):

Interim Assessor

The Town of Concord seeks qualified candidates for the position of Interim Assessor for a duration of 3 – 6 months. Must have experience in all aspects of real and personal property valuation, including certification procedures and documentation requirements of the MA DOR. MAA designation and Vision experience preferred with at least five years of related experience. Must be able to commit to a minimum of 15 hours per week in office. Salary will be based on qualifications. Interested candidates should submit a resume/cover letter via email to jobs@concordma.gov. For more information, visit www.concordma.gov/jobs or contact Human Resources at 978-318-3025. EOE

While not specifically specified in the advertisement, the Town is most interested in hiring a retired assessor for the interim position. For the interim appointment, the Town is not interested in considering anyone who is interested in being a candidate for the regular position. I am hopeful that the Town will find a suitable candidate and make an interim appointment on or before October 8, 2021.

During this transition time, it is also likely that the existing staff will be temporarily assuming some additional duties. I am in the process of evaluating the need for assignment of additional duties and will be making a recommendation to the Town Manager on or before October 8, 2021.

Further, during this transition time, I am available for any question and happy to attend any meetings of the Board of Assessor upon request.

Ideas from Meeting with SMT 1/3/22

1. Select Board members may request information, but may not direct the work of town staff.
2. Copy the Town Manager on communications with the SMT.
3. TM and SB Chair to strategize about improving the tone of discourse
4. Code of conduct – Discussion of Draft policy at Focused Meeting Feb 2022
5. Public statements in support of civil discourse
6. SB Chair to discuss briefly at Chair's Breakfast, then perhaps follow-up with workshop
7. Refer issues of board/committee requests, if necessary, to Select Board liaison
8. When working as a liaison, don't direct committees; instead act as an observer, and as a resource to clarify issues or get support when needed.
9. Appreciate and respect staff and their important contributions
10. Use the ARPA/Infrastructure funding prioritization project as a first example of working together in a new and collaborative way
11. Think about how to use the upcoming 250th anniversary to rally the town to a common purpose; harness energy in a positive direction
12. Possibly add'l meetings with SMT to continue the dialogue

Draft Document, For Discussion Purposes Only:

<p>Select Board/ Staff Communications</p> <p>Select Board should feel free to reach out to staff (SMT, division managers) with routine questions and/ or requests for information. Understand that communicating with line staff may be problematic due to power imbalance.</p> <p>Out of courtesy: TM should be made aware of any substantive meetings with staff, and copied on any emails whose response requires a substantial time commitment.</p> <p>Select Board should not direct staff or assign work</p> <p>Select Board should not make commitments on behalf of staff to boards & committees and/ or residents</p>	<p>Boards & Committees/ Staff Liaison</p> <p>Requests for information, documents, etc. should be made directly to staff liaison</p> <p>In the course of carrying out board/ committee business, may request substantive work, which if of concern, liaison would discuss with supervisor for prioritization purpose</p> <p>TM does not need to be involved in normal course of work</p>
<p>Boards & Committees/ Staff (where no liaison has been assigned)</p> <p>Requests for information should be routed through the TMO until a liaison has been assigned</p> <p>Note: Town Clerk's Office & Senior Administrative Assistant (TMO) to be available to provide assistance.</p>	<p>Residents/ Staff</p> <p>Free to make contacts at all levels throughout the organization with issues & concerns being addressed as deemed appropriate by SMT member and/ or TM, in compliance with public records law.</p> <p>Note: Discourse/ rhetoric in some cases has become heated, causing some to feel uncomfortable, and in a few cases, concerned for safety</p>

2021-2022 Select Board Goals

DRAFT

PROGRESS TO DATE as of Dec 6, 2021

Process

The Concord Select Board annually affirms its values and guiding principles to align its goals and objectives for improving government as it interacts with the Town Manager, committees, task forces, citizens and other units of government. In so doing, the Board aims to lead and establish strategic priorities, to provide support and guidance and encouragement where appropriate and to be collaborative, open and inclusive at all times.

Values and Guiding Principles

Governance: Effective, responsive and transparent governance

Public Health and Safety: Utilization of best practices for the health and safety of all

Financial Stability: Fiscal responsibility, financial stability/sustainability, town-school collaboration and integration

Infrastructure: Sufficient and sustainable, well-maintained and reliable

Quality of Life: High level maintenance of town services for Concord citizens. Dignity and respect for all individuals

Balance and Equity: Balance and equity among divergent individual, neighborhood and town-wide interests

Diversity: Conscious decision making to support economic and social diversity and inclusion

Historic and Cultural Heritage: Preservation and promotion of historic and cultural heritage

Agricultural and Natural Resources: Protection and enhancement

Sustainability and Resilience: Sustainable management of energy resources, reduction of carbon emissions, and regeneration of our natural environment

Economic Resilience: Protecting the vitality of the town and businesses and reducing obstacles to their success

Regional and State Interests: Advancement of Concord's interest in the region and the commonwealth

Goals and Objectives

Specifically, the Board supports short and long-term goals and objectives in the following categories:

Effective Governance, Board Organization, and Communication

1. **COMPLETE** Provide ongoing support and advice to the Town Manager on leadership opportunities and issues. Conduct the annual evaluation of the Town Manager's performance and make determination on contract renewal.
2. Continue to support the Town Manager, town departments and town committees as they implement action steps from the *2030 Envision Concord Comprehensive Long-Range Plan* and other new priority areas in their current year goals.
 - a. **NOT DONE** Work with the Town Manager to lay out a 5-year plan for implementing the relevant action steps of *2030 Envision Concord*.
 - b. **NOT DONE/alternate** Identify departmental goals and review progress with the

Town Manager at the beginning and end of the fiscal year.

3. **COMPLETE** Approve a charge for and seat a new Fiber Broadband Completion Committee (ATM '21 Article 41).
4. **COMPLETE** Approve a charge for and seat a new study committee to review the current charge, bylaws, and function of the Personnel Committee. Evaluate recommendations and decide future charge of Personnel Board.
5. **ONGOING** Provide guidance and resources for all Town volunteers serving on boards and committees to improve consistency and efficiency of public meetings and hearings.
COMPLETE Restart annual training session for board/committee members on OML, ethics, and meeting management.
6. **ONGOING** Continue to promote open and transparent government through enhanced use of technology and increased public access television.
7. **COMPLETE / alternate** Work to improve citizen communications by reviewing/implementing the citizen correspondence policy drafted in 2021. Continue regular publication of the Town Manager's report.
8. **COMPLETE** Recruit new committee volunteers that reflect all segments of Concord's citizenry; revisit the Green Card assignment and appointment process as needed. Implement the committee volunteer process drafted in 2021. Ensure that all volunteers are acknowledged for their willingness to serve.
9. **COMPLETE / alternate** Review/revise current committee structure; consider consolidation or elimination of existing committees and review APP10.
10. **NOT DONE** Support and participate in the public review of all new Public Private Partnership Agreements. Review the Town Manager's Public Private Partnership update to the SB.
11. **ONGOING** Advise the Town Manager on opportunities to improve the Town website organization and access to the information it contains.
12. **ONGOING** Work with the Town Manager and his office staff to improve the process of preparation for Select Board meetings.

Financial Stability

1. **ONGOING** Gain Special Town Meeting and Town Election approval of debt exclusion funding for the new middle school with a target total project cost of \$100 million or less.
2. **ONGOING** Brainstorm Town and School strategies for financing the forthcoming new Middle School Building Project to manage the future tax burden on Concord citizens. Identify an action plan to implement these financing strategies.
3. **COMPLETE** Fully implement the adopted recommendations of the Capital Planning Task Force this year to assist the Town Manager in developing an effective long-term method for understanding and prioritizing the capital and facilities needs of the Town and the Schools, to include timetables, cost estimates, environmental impact, debt forecasting and citizen tax burden.
4. **ONGOING** Review strategies with the Town Manager for risk assessment and legal budget management and expenses.

Affordable Housing

1. **EARLY 2022** Submit an ATM '22 warrant appropriation article for affordable housing if the related special legislation has not been approved.

2. **ONGOING** Provide input to the housing production plan update to maximize the equity and diversity impacts of future affordable housing initiatives.
3. **ONGOING** Seek alternatives that reduce the real estate tax burden of less affluent homeowners.
4. **ONGOING** Develop an alternative or successor to Concord's inclusionary housing bylaw that can achieve the same objective going forward.
5. **ONGOING** Support the Planning Board's work to identify best zoning practices to encourage the preservation of smaller homes.

Diversity, Equity, Inclusion, and Belonging

1. **NOT DONE** Review report from the DEI consultant to better understand the policy implications and implementation priorities.
2. **ONGOING** Research and implement diversity, equity and inclusion best practices in town governance. Listen to diverse voices in the community and assess which potential DEI actions the Select Board should take.

Maintaining Concord's Unique Character, Historic and Cultural Heritage, Agriculture and Natural Resources

1. **NOT DONE** Launch development of a multi-year integrated planning process for land use, identifying currently owned and priority acquisitions for municipal and school facility needs, affordable housing, and conservation and acquisition of land to preserve Concord's rural and agricultural culture.
2. **ONGOING** Monitor progress of the recreational use and long-term protection of White Pond, the Gerow land, Warner Pond and their ecosystems.
3. **NOT DONE** Coordinate the efforts of town bodies to support the Complete Streets goals of enhancing pedestrian safety and managing the increased use of bikes and other non-automobile motorized vehicles while protecting our natural conservation areas and trails.
4. **ONGOING** Continue to seek resolution for public access to Estabrook Trail. (This matter currently being litigated.)
5. **ONGOING** Launch town-wide planning for events celebrating the 250th anniversary of the American Revolution: Appoint Executive Committee to oversee the needed structure for the required advance town-wide planning. Executive Committee to produce preliminary plan within 90 days

Economic Vitality, Transportation and Communication

1. **ONGOING** Promote town events and commercial activity in the village business districts to ensure their continued success.
2. **COMPLETED** Consider the establishment of a new municipal Economic Vitality Division.
3. **ONGOING** Provide input to the Thoreau Depot business district zoning and development processes.
4. **EARLY 2022** Propose next steps for the Nuclear Metals/Starmet site based upon the recommendations in the committee report.
5. **ONGOING** Identify and implement opportunities for enhancing transportation throughout town to support economic, social equity and recreational needs. Increase use of shuttle buses, school buses, on-demand transportation, the rail trail, the Assabet River Pedestrian Bridge, and village center wayfinding improvements.

6. **ONGOING** Work with the Town Manager on initiatives to ensure the stability, continuity and continued growth of Concord's municipal broadband Internet service.
7. **ONGOING** Monitor potential changes in status or ownership of institutional properties, such as the Post Office and the Armory.
8. **NOT DONE** Work with the Economic Vitality Committee's efforts to re-examine the sewer improvement fee and parking system.
9. **NOT DONE** Review the town's wireless communications policies and provide a definitive plan for addressing the priority safety and access concerns of town center cellphone coverage.

Regional and State Interests

1. **ONGOING** Continue to work with our State legislative representatives on:
 - a. Special legislation refiled 2021 for ATM'19 Articles 25 and 26 related to affordable housing
 - b. Home rule petition filed 2021 for ATM'20 Article 15: Senior Means-Tested Property Tax Exemption
 - c. Work with our State legislative representatives on special legislation filed for ATM 21 Article 31 Fossil Fuel Infrastructure.
 - d. ATM 20 Article 50: one day liquor licenses
 - e. ATM'18 Article 18: 17-year-olds voting in Town elections
2. **COMPLETED** Annually invite state legislators to meet with the Select Board.
3. **ONGOING** Reinvigorate participation in regional organizations of which Concord is a member such as Hanscom Area Town Selectmen (HATS), Hanscom Field Advisory Committee (HFAC), MPO, MAPC/MAGIC, MBTA, Massport, Cross-Town Connect, the MMA Fiscal Policy Committee, and the Battle Road 250th group.
4. **ONGOING** Implement the regional dispatch center proposal dependent on grant funding, taking into account any additional revenues, resources and expenses such as IT readiness. into account.
5. **ONGOING** Appoint Concord representative to statewide 250th Commission and continue to work with regional partners in the ad-hoc Battle Road group.
6. **JAN 2022** Receive an annual update on Minuteman Regional Technical High School with a focus on OPEB liabilities and Concord's expected long-term enrollment, projected per-pupil and total long-term costs.

Specific to First Year Post COVID-19 Pandemic Transition for Municipal Functions

1. **ONGOING** Continue to prioritize public health and public safety in decision making to protect Concord citizens and Town employees as we emerge from the pandemic period.
2. **ONGOING** Get regular updates and give input on ongoing efforts to re-open Town facilities and the effectiveness of the revised open office hours.
3. **ONGOING** Keep town boards and committees apprised of hybrid meeting best practices while supporting a continued virtual (Zoom) meeting option.
4. **ONGOING** Relay citizen concerns and interests in new town practices going forward as outcomes from the past 15-month pandemic challenge.
5. **NOT DONE** Review the Town Manager's annual plan for and use of ARPA funds.
6. **NOT DONE** Request a semi-annual progress report on filling the significant number of

employee vacancies that were carried through the pandemic.
Approved: xx-xx-21

Town of Concord

SELECT BOARD'S OFFICE

Memorandum

DATE: December 31, 2021
TO: Concord Select Board
FROM: Christopher Carmody, Administrative Manager
SUBJECT: Select Board Licenses for Calendar Year 2022

This memo is an update to the original December 20, 2021 memo to the Select Board on completed and submitted license applications. The following is a list of **additional** renewal applicants for the 2022 calendar year. Each applicant has fulfilled the renewal requirements and paid the requisite fee. A copy of each completed renewal application is on file and available at the Town Manager's Office. I recommend the Select Board approve each application.

Common Victualler's License

Caffee Nero
Corporate Chefs Inc. (300 Baker Ave.)

Class II (used) Auto Dealer License

Swedish Motor Works and Repair, LLC

Innholder and Lodging License

Concord's Home for the Aged doing business as Timothy Wheeler House

Tour Guide License

Last Name	First Name
Aden	Scott
Guth	Tracey
Rohan	Martha
Tobey	Cheryl
Webb	Neville
Webb	Aidan
Zimmerman	Ward
Zimmerman	Ward Alexander

License Requirements
(as required by the State or the Town of Concord)

- A. Common Victualler's License:
 - i. Renewal Application,
 - ii. Payment of \$50.00 License Fee,
 - iii. Massachusetts Department of Revenue License Attestation,
 - iv. Workers' Compensation Insurance Affidavit (and copy of insurance),

- B. Class I (new) and Class II (used) Auto Dealer License:
 - i. Renewal Application,
 - ii. Payment of \$150.00 License Fee,
 - iii. Massachusetts Department of Revenue License Attestation,
 - iv. Workers' Compensation Insurance Affidavit (and copy of insurance),
 - v. A copy of the \$25,000 bond for Class II (used) licensees only.

- C. Innholder and Lodging License:
 - i. Renewal Application,
 - ii. Payment of \$150.00 License Fee,
 - iii. Massachusetts Department of Revenue License Attestation, and
 - iv. Workers' Compensation Insurance Affidavit (and copy of insurance).

- D. Tour Guide License:
 - i. Renewal Application, and
 - ii. Payment of \$35.00 License Fee.

Town of Concord
Town Manager' Office
Memorandum

TO: Select Board

FROM: Kerry A. Lafleur, Chief Financial Officer

SUBJ: Potential Annual Town Meeting Articles

DATE: December 30, 2021

As we begin preparing for the 2022 Annual Town Meeting, I wanted to make you aware of two- (2) potential warrant articles, those being:

- OPEB Trust Fund, request to hire investment manager; and
- Establishment of Electrification Fund.

OPEB Trust Fund

At the 2019 Annual Town Meeting, the Town voted to re-authorize its OPEB (Other Post-Employment Benefits) Trust Fund under MGL Chapter 32B, Section 20, choosing to designate a sole trustee to manage and oversee the fund. In the explanatory box appearing in the warrant, it states that the recommendation is to have the Trustee have a formalized reporting requirement to an existing board. Further, in the ATM presentation (slide 7), it stated that the recommendation is that the Trustee will consult with the Trustees of Town Donations and have a formal reporting requirement to the Select Board. Below is a copy of the warrant article, the vote and a link to the presentation materials.

Warrant Article: AUTHORIZATION TO ACCEPT M.G.L. c. 32B, § 20 – OTHER

POSTEMPLOYMENT BENEFITS (OPEB) LIABILITY TRUST FUND ARTICLE 9. To determine whether the Town will vote to adopt Massachusetts General Laws c. 32B, § 20, Other Post-Employment Benefits Liability Trust Fund, for the purpose of establishing on its books and accounts the Other Post-Employment Benefits Liability Trust Fund, the assets of which shall be held solely to meet the current and future liabilities of the governmental unit for group health insurance benefits for retirees and their dependents, and to establish the Town Treasurer as the sole Trustee, or take any other action relative thereto. This article seeks Town Meeting approval to establish a new OPEB Trust Fund in accordance with Massachusetts General Laws c. 32B, § 20. In 2008, the MA Legislature adopted a Special Act authorizing an OPEB Trust Fund for the Town of Concord. In 2016, the Legislature revised the existing law relative to OPEB Trust Funds. The Department of Revenue, the Town's Auditor, and Town Counsel have recommended that the Town adopt Massachusetts General Laws c. 32B, § 20 in order to provide a clear legal structure, make this fund irrevocable, and ensure that monies held in the trust would be used solely to pay the OPEB liability. Further, Massachusetts General Laws c. 32B, § 20 requires the appointment of a sole Trustee or Board of Trustees to oversee this fund. The recommendation is that a sole Trustee be appointed, but that the Trustee have a formalized reporting requirement to an existing board.

Motion: Article 9 VOTE Upon a MOTION made by Mr. Whelan and duly seconded, the following was VOTED by overwhelming majority that the Town take affirmative action on Article 9 as printed in the Warrant.

Presentation Materials: <https://concordma.gov/2362/Article-9>

Before making this recommendation, the Trustees of Town Donations was consulted and agreed, based upon its understanding of the role, to serve in the capacity of advisor. The Trustees did ask to have a further discussion with the Town's actuary to better understand OPEB and its advisory role. Because of the pandemic and the actuary's schedule, this further discussion did not occur until fall/winter 2020 (2 meetings). The results of this further discussion with the actuary was that the Trustees collectively felt that serving as an advisor to the Trustee was outside of the scope of what they were appointed to do and they did not think it was appropriate to take on this task.

At this same time, the Trustees of Town Donations requested issuance of a Request for Proposals (RFP) for Investment Advisory Services for the funds under their jurisdiction. I also issued an RFP for Investment Advisory Services for the OPEB Trust Fund and received responses from four- (4) firms who would provide different service levels, ranging from advisory to OCIO (Outsources Chief Investment Officer) services.

In further discussing the need to fill the investment advisor role with Town Counsel, it was determined that specific Town Meeting action should be sought to authorize the Trustee to hire an advisor. Because of timing, it was not possible to include this item on the 2021 Annual Town Meeting Warrant.

As of today, the market value of the OPEB Trust Fund is \$33.6M, and on an actuarial basis, the Town's OPEB liability has a funding status of 62.4%. The fund is sizeable, represents the Town's significant investment in funding its OPEB liability, and needs the benefit of professional investment advisory services, the cost of which would be borne by the OPEB Trust Fund.

Establishment of Electrification Fund

A couple of months ago, the Town Manager and I were contacted by a resident couple who expressed interest in making a sizeable donation for the purpose of electrification of the Town's fleet (Public Safety & Public Works vehicles). The resident couple would be making a QCD (Qualified Charitable Distribution) from an IRA account and therefore, need to donate to a 501 (c) 3 trust. While the Town of Concord is not a 501 (c) 3, Town Counsel opined that it could still accept the donation under the same terms and conditions as a 501 (c) 3. This opinion was reviewed with the resident, who prefers the establish of an independent trust, believing that once established, there may be other residents interested in making donations as well.

This trust would need to be established by Town Meeting similar to the OPEB Trust noted above. We are preparing a draft Declaration of Trust and expect to make a brief presentation on this article at the ATM Preview Meeting on January 8, 2022.

Trust to Assist in Sustainability Efforts of the Town of Concord

Purpose

- Assist in accomplishing Concord's Climate Action and Resilience Plan of 2020
- Establish a 501(c)(3) trust
- Encourage Concord citizen financial assistance

Concord Climate Action Plan elements

- Build Environment – Concord’s building and solid waste systems minimize GHG emissions
- Energy – Concord’s electricity is 100% carbon free
- Mobility – zero carbon transportation options
- Natural Resources – provide resilience benefits, biodiversity and carbon sequestration
- Preparedness – infrastructure designed to reduce emissions and prepared for climate impacts

Qualified Charitable Distribution (QCD)

- 2015 federal legislation made QCDs permanent
- Allows people who must take annual Required Minimum Distributions (RMDs) from an IRA to direct all or a portion of the RMD to a charity
- QCDs must be made to a 501(c)(3) trust
- Municipalities may establish a 501(c)(3) trust if it assists municipal activities
- QCD donations do not count as taxable income to the donor

Trust actions

- Donations can be designated to one or more of the Climate Action Plan's five elements, or left to the discretion of the Trustees
- The Trustees will be members of Concord's senior management team
- Trust monies must be less than 50% of the cost of each activity undertaken (Town funds or grant money must be more than 50% of the cost of each activity)
- Town Treasurer is the custodian of Trust funds
- Annual report of Trust activities to Select Board

Town of Concord
Finance Department
Memorandum

TO: Stephen J. Crane, Town Manager
FROM: Kerry A. Lafleur, Chief Financial Officer
SUBJ: MWPAT Interim Loan Agreement
DATE: December 29, 2021

In September, the Town of Concord submitted a loan application to the Massachusetts Clean Water Trust (MCWT) seeking \$512,337 in funding, representing the remaining authorization under 42-ATM-2009. The loan proceeds will be used to offer low interest loans to residents to replace septic systems. The loans are then repaid through a betterment attached to the property.

Earlier this month, we received loan closing instructions from MCWT via bond counsel for Interim Loan CWT-21-18. At this time, I am seeking the Select Board's acceptance of this interim loan which is being issued with an interest rate of 0.00%.

In order to accept the loan, the Select Board must vote its approval using the language in the vote provided by bond counsel and execute the following documents:

- Interim Loan Note, signed by members of the Select Board and the Town Treasurer; and
- Loan Certificate, signed by members of the Select Board, Town Treasurer and Town Clerk.

Please be in touch with any questions.

Town of Concord
Finance Department
Memorandum

TO: Stephen J. Crane, Town Manager

FROM: Kerry A. Lafleur, Chief Financial Officer

SUBJ: Massachusetts Clean Water Trust (MCWT) Loan Application

DATE: September 24, 2021

On behalf of the Board of Health, I am seeking approval to submit a Loan Application to the Massachusetts Clean Water Trust (MCWT) to borrow the full balance remaining in the authorization under 42-ATM-2009 which is \$512,337. These funds will be used to offer low interest loans to residents to replace septic systems. The loans are then repaid via a betterment attached to the property.

Background.

On April 29, 2009, Town Meeting approved a debt authorization of \$2,000,000 for the purpose of funding a program of upgrading residential septic systems (42-ATM-2009). This borrowing was authorized under the Massachusetts Water Pollution Abatement Trust's (MWPAT's) Community Septic Management Loan Program, on a "zero interest" basis. (Note: MWPAT is now known as the Massachusetts Clean Water Trust (MCWT). As such, the Town was required to repay only the principal amount of the loan, with the State subsidizing the interest cost of the debt and the bond being issued through the MWPAT/ MCWT.

The local program, administered by the Board of Health, uses the funds to provide low-interest loans (at 2%) to eligible homeowners needing to replace an on-site sewage disposal system. Each individual loan is secured by a Betterment Agreement which is then recorded at the Registry of Deeds.

This program is a successor program to a \$1,000,000 program initiated at the 2004 Annual Town Meeting (50-ATM-2004) and for which funds were finally exhausted in 2012, having benefitted 58 homeowners. The new program had its first disbursement to participants in May 2010, and to date 96 homeowners have received commitments of funding from the Board of Health.

In 2014, the "zero interest" loan program was replaced with a "2% interest" loan program, though up until 2020, MCWT allowed the Town to access the "zero interest" program. We have been advised that this new application will fall under the "2% interest" loan program, though the Town will not change its local program and will still

loan out this money to residents at 2% interest, with a maximum repayment term of ten-10 years.

Requested Action.

At this time, I am requesting that the Select Board grant the Town Manager the authority to file a Community Septic Management Program loan application seeking \$512,337 in funds authorized under 42-ATM-2009, by adopting the attached resolution.

/kal

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Concord, Massachusetts, certify that at a meeting of the board held _____, 20__, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED
- (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$512,337 (the "Bonds") pursuant to Chapters 29C and 111 of the General Laws and a vote of the Town passed April 29, 2009 (Article 42), which authorized a total borrowing of \$2,000,000, for a community septic management loan program (the "Project");
 - (2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$512,337;
 - (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement;
 - (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement or Agreements with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the members of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes;
 - (5) that any certificates or documents relating to each Bond and Note (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures;
 - (6) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan agreement by the Treasurer, are hereby ratified, approved and confirmed; and

- (7) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement or Agreements and the Project Approval Certificate and Regulatory Agreement or Agreements relating to the Project.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: _____, 20__

Clerk of the Board of Selectmen

United States of America
The Commonwealth of Massachusetts

TOWN OF CONCORD
INTERIM LOAN NOTE

PRINCIPAL AMOUNT: Five Hundred Twelve Thousand Three Hundred Thirty-Seven Dollars

The Town of Concord, Massachusetts (the "Borrower"), for value received, promises to pay to the Massachusetts Clean Water Trust (the "Trust"), upon presentation and surrender hereof, the Principal Amount specified above, or such lesser amount as shall have been advanced from time to time to the Borrower on account of this note in accordance with the Financing Agreement hereinafter referred to, on the Closing Date (as defined in the Financing Agreement) at the principal corporate trust office of U.S. Bank National Association, in the City of Boston, Massachusetts. The date and amount of each advance made on account of this note shall be endorsed on the Schedule of Advances attached hereto by an authorized officer of the Trust. No interest shall accrue and be payable on the Principal Amount of this note.

This note is issued pursuant to Chapter 29C and Chapter 111 of the General Laws as amended for the purpose of financing costs of a community septic management loan program project in anticipation of the proceeds of a loan to the Borrower under and pursuant to Financing Agreement No. CWT-21-18 dated as of November 3, 2021 between the Trust and the Borrower (the "Financing Agreement"). This note shall mature on the Closing Date (as defined in the Financing Agreement) and is a general obligation of the Borrower and the full faith and credit of the Borrower are pledged to the payment of the principal of this note.

Dated: December 15, 2021

TOWN OF CONCORD, MASSACHUSETTS

By: 
Treasurer

Countersigned:

Select Board

(TOWN SEAL)

(Please Note: The following statements are an essential part of the permanent note record. Read them carefully before signing this certificate. Advise Locke Lord LLP of any inaccuracy.)

Town of Concord, Massachusetts

\$512,337 Community Septic Management Program Interim Loan Note

CERTIFICATE

We, the members of the Select Board and the Treasurer of the Town of Concord, Massachusetts (“Town”), certify that we have signed the \$512,337 0 percent Interim Loan Note (the “Note”) of the Town dated December 15, 2021 and payable on the Closing Date. The Note bears the Town seal, which is also affixed to this certificate.

We further certify that Financing Agreement No. CWT-21-18 with the Massachusetts Clean Water Trust (the “Trust”), dated as of November 3, 2021 providing for the Interim Loan evidenced by the Note, and that Project Approval Certificate and Regulatory Agreement No. CWT-21-18 with the Department of Environmental Protection dated as of November 1, 2021 relating to the Project financed by the Note have been signed by the Treasurer or other duly authorized official and we hereby confirm those Agreements. Capitalized terms used in this certificate and not otherwise defined shall have the same meanings given those terms in the Financing Agreement and Chapter 29C of the General Laws (the “Enabling Act”). The Financing Agreement and the Project Approval Certificate and Regulatory Agreement are sometimes referred to collectively in this certificate as the “Agreements”.

We, the members of the Select Board, certify that we have authorized the use of any facsimiles of our signatures that may be printed on the Note.

We, the members of the Select Board and the Treasurer, also certify as follows:

1. Authority. The Note is issued pursuant to the Enabling Act, Chapter 111, Section 127B½ of the General Laws (the “Applicable Authority”) and a vote of the Town passed April 29, 2009 (Article 42), which authorized a total borrowing of \$2,000,000.

Execution of the Agreements was further authorized, ratified, approved and confirmed by a vote of the Select Board passed _____, _____ (the “Vote”).

2. Other Debt. No other debt has been incurred under that vote of the Town except a \$300,000 interim loan note dated January 1, 2020; and a \$2,000,000 interim loan note issued to the Trust dated September 15, 2009, which was renewed in part by a \$1,675,284 interim loan note issued to the Trust dated May 1, 2013 (the “2013 ILN”), and permanently financed in part

with the proceeds of a \$324,715 bond issued to the Trust dated May 22, 2013 and \$0.11 forgiven by the Trust. A \$197,457 portion of the 2013 ILN was permanently financed in part with the proceeds of a bond issued to the Trust dated January 7, 2015 and the remaining \$1,477,826 portion of the 2013 ILN was renewed on March 1, 2015, of which \$665,490 was permanently financed with a Bond dated October 24, 2019 and the \$812,336 portion not being permanently financed by the Bond was not requisitioned by, or disbursed to the Town and subsequently cancelled by the Trust.

3. Representations under Section 2 of the Terms and Conditions to the Massachusetts Clean Water Trust Financing Agreement.

(i) The Town is a Local Governmental Unit as defined in the Enabling Act with full legal right and authority under the Enabling Act and the Applicable Authority to authorize, execute and deliver the Agreements, to execute, issue and deliver the Note, to undertake the Project, and to carry out and consummate all transactions contemplated by the foregoing.

(ii) The Town has duly and validly authorized the execution and delivery of the Agreements and the Note and all approvals, consents and other governmental proceedings necessary for the execution and delivery of any of the foregoing or required to make them the legally binding obligations of the Town that they purport to be in accordance with their terms have been obtained or made.

(iii) No action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body is pending or, to our knowledge, threatened seeking to restrain or enjoin the execution or delivery or performance of any of the Agreements or the Note or the carrying out of the Project; or contesting or adversely affecting the validity of the Agreements or the Note or the power of the Town to assess and collect taxes, rates and charges to pay the Payments; and neither the corporate existence of the Town nor the title to office of any of us or any other Authorized Officer of the Town executing the Agreements or the Note is being contested.

(iv) The authorization, execution and delivery of each of the Agreements and the Note, and performance of each of them, will not constitute a breach of, or a default under, any law, ordinance, resolution, agreement, indenture or other instrument to which the Town is a party or by which it or any of its properties is bound.

(v) The Financing Agreement and the Note are valid general obligations of the Town, for the payment of which its full faith and credit are pledged, enforceable in accordance with their terms and the terms of the Enabling Act and the Applicable Authority, and payable as to principal, premium, if any, and interest (to the extent not paid from other sources) from taxes which may be levied upon all taxable property within the territorial boundaries of the Town, without limit as to rate or amount.

4. No Default. As of this date, no Event of Default or Default, as applicable, and no event which with the passage of time or the giving of notice may become or may be declared to be an Event of Default or a Default, has happened and is continuing under either of the Agreements.

5. Loan Questionnaire. The statements and information set forth in the Loan Questionnaire submitted by the Town to the Trust in connection with the Interim Loan are true and correct in all material respects on this date as if made on this date.

6. Use of Project and Interim Loan Proceeds.

(i) Reimbursement. The proceeds of the Interim Loan and the Note may be used, in part, to reimburse the Town for loans previously made under the loan program described in paragraph (iii) below. Any such expenditures were made pursuant to G.L. c.44, §20A and the rules and regulations of the State Director of Accounts and any such expenditure was documented by a "Report of Advance of Funds in Lieu of Borrowing" filed with the Director. Any such expenditures were made within 18 months prior to this date. At the time of the filing of any report referred to above the Town reasonably expected to reimburse the expenditures with the proceeds of a borrowing.

(ii) Prior Bonds or Notes. No proceeds of the Interim Loan or the Note will be used to pay or retire any bonds, notes or other evidence of indebtedness previously issued by the Town.

(iii) Use of Proceeds. The proceeds of the Interim Loan and the Note will be used by the Town to fund a Community Septic Management Program pursuant to G.L. c.111, §127B½. The Town will requisition funds from the Trust pursuant to the Financing Agreement only to the extent the Board of Health of the Town has entered into an agreement or agreements with owners of residential property relating to the repair, replacement and/or upgrade of septic systems on such residential property to be financed with such funds pursuant to G.L. c.111, §127B½.

7. Special Conditions. The Town hereby acknowledges the special conditions set forth in Exhibit C to the Project Approval Certificate and Regulatory Agreement and the Town has satisfied or expects to satisfy all of such conditions and is not aware of any circumstances adversely affecting its expectation of satisfying those conditions.

We, the members of the Select Board, the Treasurer and the Town Clerk, further certify as follows:

(a) Authorization, Execution and Delivery of Documents. The Financing Agreement, the Project Approval Certificate and Regulatory Agreement and the Note have been duly authorized, executed and delivered. None of those instruments has been amended or supplemented since its date (except such amendments or supplements which have been approved by the Trust or the Department, as applicable) or repealed and each such instrument remains in full force and effect as of this date.

(b) Open Meeting Law. Except for the Town meeting called pursuant to G.L. c.39, §10, all proceedings essential to the issue of the Note and the execution of the Agreements and deliberations of a quorum relating thereto have been taken at a meeting or meetings open to the public; notice of each such meeting was filed in the office of the Town Clerk and publicly posted in the time and manner set forth in the General Laws, as amended, in effect at the time of

each such meeting (Chapter 39, §23B for proceedings occurring prior to July 1, 2010 and Chapter 30A, §§18-25 for proceedings occurring on or after July 1, 2010) and as further suspended, supplemented, amended or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020 (the “Executive Order”), or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b); no deliberations, decision or vote in connection with the Note or the Agreements were taken in executive session and no vote was taken by secret ballot; and the official record of each such meeting was made available to the public and remains available to the public as set forth in G.L. c.39, §23B or c.30A, §§18-25, as further suspended, supplemented, amended or modified by the Executive Order, as applicable.

(c) Signatures and Incumbency. The signatures of the Treasurer and the members of the Select Board as appearing below are the genuine, electronic, or facsimile signatures of the persons who held those offices when the Agreements and the Note were signed and when they were delivered.

(d) Proceedings. No proceeding essential to the execution, delivery or issue of the Agreements and the Note has been repealed or amended except as stated in paragraph (1) above, and no proceedings have been taken relating to the Agreements and the Note other than those certified to Locke Lord LLP.

(e) Bylaws. The bylaws or votes described below are the only bylaws or standing votes of the Town affecting the authorization, sale or issue of the Note, or the authorization, execution or delivery of the Agreements, and there has been no change therein affecting those matters in any way except as may be indicated below:

Town of Concord General Bylaws updated through 2011, as certified to Locke Lord on April 26, 2021.

(f) Home Rule. The Town has not adopted a home rule charter and the Town has not amended or repealed any special law relating to the Town through the use of home rule procedures except for the amendments to Chapter 280 of the Acts of 1952, as amended by Chapter 347 of the Acts of 2004, with the amendments thereto adopted October 10, 1972, March 6, 1973, May 6, 1974, April 4, 1978, April 9, 1984, May 8, 2003 and April 8, 2015.

(g) Vote. Attached hereto is a true copy of the Vote, which has not been amended or repealed and remains in full force and effect on this date.


(h) Development Districts. The Town has not established any development districts pursuant to G.L. c.40Q.

[The balance of this page is intentionally left blank.]

8. Execution of Counterparts and Delivery by Electronic Means. This certificate, as well as any other certificates or documents relating to the Note (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document. Delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document. Electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Dated: _____
(Date of delivery of the Note -
to be left blank until delivery)

Select Board



Town Treasurer

Town Clerk

(Town Seal)