

**TOWN OF CONCORD
SELECT BOARD MEETING
FEBRUARY 14, 2022 | 6:30 PM**

VIA ZOOM

<https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBlaz091CczdQM0EvWVVFZz09>

Meeting ID: 840 9239 5810

Passcode: 865209

REVISED FEBRUARY 11, 2022

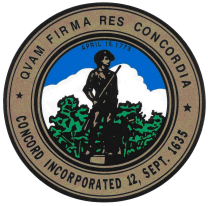
AGENDA

#	Time*	Agenda Item
1.	6:30pm	Call to Order
2.		Consent Agenda <ul style="list-style-type: none"> • Sunday Entertainment License at 51 Walden Street on March 27, 2022 from 1PM to 5PM • One Day Special Liquor License <ul style="list-style-type: none"> ○ Forklift Catering, 301 Reservoir Street, March 3, 2022, 6:00pm-8:00pm, Wines & Malt Beverages Only
3.		Town Manager's Report
4.		Chair's Remarks
5.	6:45pm	Assabet Bridge Update (cost to permit)
6.	6:50pm	Christopher Heights: Concord HOME Funds
7.	7:15pm	Approve Ripley formula for Carlisle vs Concord
8.	7:30pm	ARPA Follow Up
9.	8:00pm	Code of Conduct DEI Training for all boards & committees
10.	8:30pm	Liaison Reports
11.		Committee Nominations: Eric Macy, of 225 Prairie Street, Trustee of Town Donations
12.		Committee Appointments: John J. Arena, III, of 70 Beharrell Street, Unit 327, to the Concord 2025 Committee for a term to expire on December 31, 2025
13.		Miscellaneous Correspondence
14.		Public Comment
15.	8:45pm	Adjourn to executive Session to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

**Times are approximate and subject to change*

Current Board and Committee Vacancies

Bicycle Subcommittee of Transportation Advisory Committee
Concord 2025 Executive Committee
Concord Local Cultural Council
Conservation Restriction Stewardship Committee
Council on Aging
Cultural Council
Historic Districts Commission
Natural Resources Commission
Personnel Board
Planning Board
Public Ceremonies and Celebrations Committee
Tax Fairness Committee
Trustees of Donations
West Concord Advisory Committee
Zoning Board of Appeals



TOWN OF CONCORD

Office of the Interim Town Manager

Operational Status Reports & Departmental Updates

For the Period Ending February 11, 2022

Town Manager & General Government

- The Town was notified that the MassMVP program has awarded Concord a grant for a DC fast charger for Rideout Park. The Town is also excited to launch the Community Compost Pilot Program at the Beede Center and 55 Church Street for residents. Registration is required, see www.concordma.gov/foodcompost for details and to sign up.
- The Home Rule Petition (Fossil Fuel Infrastructure) is in the joint Telecommunications, Utilities, and Energy Commission (TUE). Each committee needed to report out on the bills that were under their review by February 3. The TUE asked for an extension on the Home Rule Petition until May 2. However, the Senate bill enabling all Towns to opt into all-electric buildings and homes ordinances rather than appeal was reported favorably by the TUE to Ways and Means. If reported on favorably from Ways and Means, it is likely that the statewide bill would be sent back to the Senate floor.

In addition, DOER is updating the Stretch Energy code and has a straw proposal for a specialized code (see information linked below)

- [Straw Proposal](#)
- [Recording of February 8 Webinar](#)

Questions and comments can be submitted to: stretchcode@mass.gov with the subject line “Stretch Code Straw Proposal Comments.” The deadline for comments on the Straw Proposal is 5 pm EST on March 9, 2022.

- The Bruce Freeman Rail Trail (BFRT) Advisory Committee has been tasked by the Concord Select Board to create a short- and long-term conceptual design for improving the safety of Junction Park - the park in West Concord which sits between Rt. 62 and the West Concord train station and is co-located with the BFRT. The Committee invites you to take a few minutes to complete a survey which will provide the Committee with helpful data and useful information. You can access the survey here: https://docs.google.com/forms/d/e/1FAIpQLSfJ0I7RdYN8Z1OQmtQ3cSjgXIs_Lpv1SQcAo4Tt40Ds7GrOhQ/viewform

On February 16, 2022 at 4:00PM the BFRT Advisory Committee will meet over Zoom to discuss the topic further; details will be posted to the Committee’s page on the Town’s website as they arise.

Emergency Services

Police Department:

Concord Police Dept. Announce Accreditation On-Site Assessment

Chief Joseph O’Connor and the Concord Police Department are pleased to announce that a team of assessors from the Massachusetts Police Accreditation Commission is scheduled to arrive on Wednesday, March 8 to begin examining various aspects of the Concord Police Department’s policies and procedures, operations, and

facilities.

“Our department is looking forward to the arrival of the assessment team,” said Chief O’Connor. “As an agency we are committed to delivering exceptional service all of the time. This process will validate our efforts, and we look forward to the team’s feedback.”

Verification by the Assessment Team that the Concord Police Department meets the Commission’s standards is part of a voluntary process to gain state accreditation — a self-initiated evaluation process by which police departments strive to meet and maintain standards that have been established for the profession, by the profession.

The Massachusetts Police Accreditation Program consists of 257 mandatory standards as well as 125 optional standards. To achieve accreditation status, the department must meet all applicable mandatory standards as well as 55% of the optional standards.

Achieving accreditation is a highly prized recognition of law enforcement professional excellence.

Anyone interested in learning more about this program is invited to call Chief O’Connor, or the department’s Accreditation Manager Lt. Brian H. Goldman at 978-318-3400.

[2020 Massachusetts Uniform Citation Data Analysis Report](#) was released on February 7, 2022 (Concord Data on page 114)

Job Opportunity: Police Department has an immediate need of School Crossing Guards anyone interested in applying can find information on the Human Resources page concordma.gov or contact Inspector Ron Holsinger 978-318-3445.

Public Works

Wastewater Treatment Plant NPDES Renewal: On January 25, 2022, EPA announced it will be issuing a General NPDES Permit to “medium” sized wastewater treatment plants (WWTP’s) within the Commonwealth. A “*Medium WWTP*” is defined as a facility with a design flow between **1 MGD** and **5 MGD**, which includes Concord and 43 other eligible WWTPs in Massachusetts. The issuance of a General Permit represents a new approach, designed to replace individual permits, but with the same requirements as if each permittee was reissued an individual permit. In late 2021, MassDEP promulgated new Water Quality Standards that are being reviewed by EPA (likely for Spring 2022 approval), and new permit limits are determined using old and new WQS. New requirements will include ambient monitoring (pH, Temperature, and Phosphorus) and PFAS monitoring.

On February 8, 2022, Concord received its draft General Permit - noting a **60-day** period for public comment (concluding on **April 11, 2022**). The DRAFT General Permit for Concord fails to acknowledge a request for a 10% increase in Rolling Average Effluent Flow, leaving our permitted flow at **1.2 MGD**. This presents significant limitations to the future growth and development in the Town. As such, it will be very important for community members to understand these issues and become engaged in ensuring that the Town’s best interests are advanced and supported during this time-sensitive permit renewal process.

Health Division

- **Mask Mandate to be discussed 2/15/22:** The Health Division staff in conjunction with the Board of Health Chair and Director Marcia Rasmussen developed a draft waiver process to the Mask Mandate to be discussed at the February 15 Board meeting.
- **Returnable Container support:** Administrative staff drafted a letter for the Board of Health's review relative to its support of requesting a change to the Federal Food Code regarding the use of "Returnable Containers" for dry bulk food items. This letter will be reviewed and voted upon at the February 15 meeting.

Economic Vitality & Tourism

- **Chocolate Tours sell out!:** The EVT Division was grateful to be covered on WBZ's *Things to Do This Weekend* for our Concord History with a Chocolate Twist, which ran on Thursday and Friday Feb 3 and 4. All remaining tours were sold out within 24 hours after airing and we were able to increase capacity to 20 for each date by adding a second tour guide. We have a waiting list of interested guests hoping we add additional dates. Feedback from the Feb 5 tour has been extremely positive with many guests making purchases at each of the tour stops.
- Working with DHCD Downtown Initiative consultant Ann Burke, the EVT Manager is setting up 4 focus groups on Feb. 15 and 16 as the next phase in the process of getting Concord property owners, retail business owners, non-profit/culture/arts groups and food/restaurant owners together to share their thoughts and observations on doing business in Concord with the goal to make recommendations for improvements.

Natural Resources Division

- **White Pond Signage:** Sign routing has begun for new signs at White Pond Reservation. The Division is working with Christian Perotta to construct and install these new signs as an Eagle Scout project. The scout is responsible for project planning, materials fundraising, sign painting, assembly, and installation, volunteer coordination in this effort, and more. Along with introducing more aesthetically pleasing signs, this new signage will help provide consistent messaging to trail users, as well as providing physical structures for critical regulations to be posted, including no swimming, no bikes, dogs on leash, and carry-in/carry-out.



- **White Pond Water Quality:** Staff from the Town Manager's office, Natural Resources and Health Divisions, will be meeting with the Water Quality subcommittee of the White Pond Advisory Committee this week to discuss sampling and monitoring to be conducted at the pond this year. A contract with Nancy Leland of UNH is being developed to monitor harmful cyanobacteria blooms, with sampling anticipated to occur from ice-out through September. The sampling will be done in concert with the innovative cyanobacteria removal program developed by Higgins Environmental and piloted at the pond last summer (the A-POD program), and will help to inform when beach closures may be needed in response to blooms,

as well as modifying the A-POD to be as effective as possible. The Division has also contracted with ESS Group to conduct additional, post-restoration water quality sampling at Sachem’s Cove.

Planning Division

- **Planning Board meeting of February 8:** The Board granted Site Plan Approval to Middlesex School to construct 4 units of faculty housing in two duplex buildings on the north end of the campus off of Pratt Lane, behind the existing faculty housing. Each unit is 1,485 s.f. with 3 bedrooms. Other related site improvements include new parking areas and driveway, pedestrian walkways, stormwater management infrastructure, utilities, and landscaped areas. There will be no increase in students or faculty because of the project. Existing faculty that is living off campus will be relocated on-campus.

The Board began discussion on the development of Site Plan Rules & Regulations by identifying category topics, such as landscaping, parking and lighting, for inclusion. Each Board member was assigned a specific topic that they would begin looking at other communities to develop a list of aspects that may be included for that topic. The Site Plan Rules & Regulations will provide guidance to applicants on developing plans that meet the Site Plan Criteria in the Zoning Bylaw through appropriate design.

In preparation for the upcoming Annual Town Meeting Warrant Articles public hearing on March 8th, the Board reviewed and discussed their presentation on Article 31, a Zoning Bylaw amendment to Section 4.2.2.2 Additional Dwelling Unit and Article 32, a ZBL amendment to Section 3.3 Formula Business. Additionally, the Board reviewed an updated FAQ for Article 33 Thoreau Depot Business District Zoning Amendment.

Building Inspections Division

- From January 26 – February 9, the Building division issued 18 Residential building permits, 2 Commercial building permits, 40 Electrical permits, 18 Plumbing permits, and 12 Gas permits. During that same time, the Building division also conducted 57 Building inspections, 61 Electrical inspections, 35 Plumbing & Gas inspections, and 4 Annual Inspections of commercial buildings.
- On a daily basis, the division continues to answer various zoning, permitting, and building code questions from Concord residents, Contractors, Architects, and Surveyors.

Human Services

Senior Services:

- COA staff is available to assist any Concord senior who needs help finding or making an appointment for COVID vaccination or booster shots.
- The COA is continuing to offer “Grab and Go” meals on Wednesdays. Free “Fidget” pillows are available to any senior with dementia or Alzheimer’s disease. Please call to sign up or receive more information
- COA Cinema continues to offer weekly movies at Noon on Fridays. The schedule can be found in the monthly newsletter.
- If you missed the mask giveaway on February 7, the COS still has packages of disposable masks available for Concord seniors; stop in to pick up yours!
- What is SHINE? SHINE (Serving the Health Insurance Needs of Everyone) provides free health insurance information counseling and assistance. A SHINE counselor is trained and certified by the

Massachusetts Office of Elder Affairs. The COA is able to help you connect to a SHINE volunteer to help answer your questions.

- The File of Life is a small card with vital information that is kept in a magnetic, easily identifiable red case. It is placed on your refrigerator and emergency personnel know to look for it in the home. There are also smaller versions for the purse or wallet. The COA maintains a supply of File of Life in our office and Concord seniors are welcome to pick one up for free.
- Five Wishes is a document that lets you plan how you want to be cared for in case you become seriously ill and unable to speak for yourself. It speaks to all of one's needs: emotional, medical, personal and spiritual. The Five Wishes are 1) The person I want to make health care decisions for me when I can't 2) The kind of medical treatment I want or don't want 3) How comfortable I want to be 4) How I want people to treat me 5) What I want my loved ones to know. Five Wishes can help encourage discussions with your family and physician. The COA has copies of the Five Wishes document available free of charge and you are welcome to come in and request one.

Concord Free Public Library:

- The Friends have rescheduled the February 12 Music Series concert featuring Thomas Meglioranza (baritone) and Reiko Uchida (piano) to February 26 due to the closure of the Main Library. The Library is grateful for the Friends' patience in accommodating this last minute change.
- The Main Library's closure was unexpectedly shifted forward to accommodate carpeting work that needed to be in place before the shelving arrives. We thank the community for their patience and understanding. The Main Library will be closed from Wednesday, February 9 through Friday, February 18 for this work to take place. When the Main Library reopens on Saturday, February 19, the Children's Library, connecting corridor and Commons will remain closed as work continues in those areas. The Children's Library, including the Commons and corridor, will reopen on Saturday, February 26.

Please note that Fowler Library will remain open during the Main Library's closure and will offer additional services, including the ability to pick up all museum passes and library holds. Staff are also creating personalized book bundles for children via the [Book Bundle Request](#). These bundles can be picked up at Fowler as well.

- The Assistant Library Director position has been posted to the [town's website](#) and will be advertised on the [Massachusetts Board of Library Commissioners' Library Jobs website](#).

Recreation/Beede Center:

- Registration has opened for summer camp, White Pond, Emerson Pool, Triple Play, and more. Sign-ups have been happening quickly, Recreation is excited to prepare for the upcoming season of programming.
- Recreation's Annual Winter Wonderland community event will take place this year, at Emerson Park on Stow Street, on Saturday February 12 from 1:00 pm – 3:00 pm.

Public Information/PEG Services:

- The Public Information Office is soliciting photos for the 2021 Town Report Cover. To celebrate a turning point in the pandemic, we are asking community members to submit their vaccination photos to be included as part of a collage for the front cover of the 2021 Annual Town Report. If interested, please email your photo to publicinfo@concordma.gov. Deadline to submit is March 15, photos must be taken and provided with consent to be printed.
- MMN Staff broadcast the Citizen's Caucus on February 7 in the Hearing room; the event was streamed live to cable. This was the first use of the system in this way since the beginning of the pandemic and it went very smoothly.
- A new process for receiving and processing zoom meetings to help ensure a timely processing of all meetings is being explored to assist MMN staff as well as Town employees who assist boards and committees.





TOWN OF CONCORD

Planning Division

141 Keyes Road, Concord, MA 01742

(978) 318-3290

MEMORANDUM

To: Members of the Select Board
From: Elizabeth Hughes, Town Planner
cc: Kerry Lafleur, Interim Town Manager
Marcia Rasmussen, DPLM Director
Re: **Assabet River Bridge & Trail Update**
Date: February 11, 2022

This memo is in response to questions raised regarding the Assabet River Bridge & Trail total cost for the completion of the engineering, design, permitting and construction documents and provides information on the need for funding of the project at this time.

Based on community feedback on the conceptual architectural design, the trail approach and the bridge will be wide enough to accommodate pedestrians, bicycles, and appropriate emergency vehicles, utilizing a paved surface so that it can be used all year. The floodway in this location is 129 feet, but due to the changes in topography, the bridge approaches will be elevated. This elevated condition produces a desirable, gentle (non-aggressive) slope conducive to pedestrians and cyclists. The overall length of the trail from the commuter rail platform to the building at 300 Baker Avenue is approximately 1,000 feet.

The final design and engineering will take into consideration the topography, soils, floodplain, tree and foliage density, and wetland characteristics in determining the best location and route for the bridge and for the trail connections. This analysis will then determine the overall length. It is anticipated that the bridge will be partially covered at its primary span and include amenities such as benches for people to sit, take a break, and enjoy this portion of the Assabet River, which is a designated Wild and Scenic River. The pedestrian bridge will also embody the public's desire for a lighting design that is sensitive to the riparian landscape while providing appropriate foot candles for safety without light pollution.

The project has already been advanced through conceptual design, public involvement and the Bridge Type Selection Report is currently being finalized for submission to MassDOT. Additionally, the borings and geotechnical report were funded in the Preliminary Design Phase and are not included in the task list below, which is the Final Design Phase.

The Final Phase will follow the MassDOT Transportation Improvement Program process in order to be eligible for Federal funding for construction. Following approval of the Bridge Type Selection Report the following steps will be requires:

- 25% Design Submittal
 - o 25 % Highway Design Submission
 - o Bridge Sketch Plans, including preliminary Architectural Detailing of key elements

- o Hydraulic Report
- o Geotechnical Report
- o Early Environmental Coordination
- o Preliminary Right of Way Plan
- Design Public Hearing
 - o Presentation to the abutters and interested parties in Concord concerning the project
 - o Development of a PowerPoint Presentation
 - ♣ Renderings of what the Bridge will look like in relation to the site
 - ♣ Visualization of the experience of the path and bridge (model, likely virtual)
 - ♣ Standard MassDOT Slide Template
 - ♣ Handouts and Notice will be created and distributed in coordination with the Town and MassDOT
 - ♣ Responses to comments, as required
- 75% Design Submission
 - o 75% Highway Submission (including Landscape Plans)
 - o 1st Structural Submission (including Architectural & Lighting Plans)
 - o 75% Construction Time Duration
 - o Various Environmental Draft Permit Applications (NOI, 404, Section 106, 4f, NEPA CE, WQC & CH. 91 License anticipated)
 - o 75% Right of Way Plans
- 100% Design Submission
 - o 100% Highway Submission
 - o 2nd Structural Submission
 - o 100% Construction Time Duration
 - o Various Environmental Final Permit Applications
 - o 100% Right of Way Plans
 - o Draft Layout Taking Plans and Instrument
- PS&E Submission

		MassTrails grant	Town Match	Total
Environmental Permitting Services	Local & Army Corps 404 Permit	\$50,000	\$0	\$50,000
Civil and Structural Engineering Design Services.	25% Design Submission to MDOT (including design public hearing)	\$190,000	\$0	\$190,000
Civil and Structural Engineering Design Services.	75% & First Structural Submission to MDOT	\$60,000	\$370,000	\$430,000
Civil and Structural Engineering Design Services.	100% and Plans, Specifications and Estimates (PS&E) Submission to MDOT	\$0	\$40,000	\$40,000
TOTAL				\$710,000

There will be reviews associated with each stage and coordination with both the Town and MassDOT throughout the process. It is the MassDOT and Federal funding process that drives the development and the preparation of construction drawings, specifications and permitting so high, as well as the community input that the bridge fit into the location of this designated Wild & Scenic Assabet River and the desire that this bridge be accessible year-round. As a comparison, the cost to design Phase 2B for the Bruce Freeman Rail Trail (the bridge over Route 2) through construction drawings was over \$1,000,000, and that did not involve the same level or degree of engineering because the Route 2 bridge was not crossing a major wild and scenic river.

The source of construction funding for Assabet River Bridge & Trail will be through the State's Transportation Improvement Program (TIP), which is how the Bruce Freeman Rail Trail is being funded.

The Transportation Improvement Program (TIP) is the five-year rolling capital plan for the 97 cities and towns in the Boston Region Metropolitan Planning Organization's (MPO) planning area. The TIP documents all transportation projects that will receive federal funding in the region over the next five years. The Town has started the process for having the Assabet River Bridge included on the TIP. Because the TIP funding is a rolling plan, projects are placed on the TIP based on available funds after earmarked large projects are allocated, project type and the status of the project to move forward. Given the number of projects funds that have been allocated for the next two to three years, it is likely that the Assabet River Bridge project will be programmed three years out.

The critical reason this project needs to move forward and not delayed a year is because of the MDOT required process for the development of construction plans, specifications, and estimates. This process will take about a year and a half beginning July 1, 2022 if the CPA funds are approved in May and a MassTrails grant is awarded this year. Final plans in should then be complete by December 2023. To delay the funding of the project by one year indicates to the MPO that the Town does not place this project as a priority and the project may not be considered for placement on the TIP. If the plans do not go through the MassDOT process, it is not eligible for TIP funding.

Moving forward now also has an additional advantage. Once the plans, specs and estimates are completed and approved by MassDOT, the project is considered shovel ready. Because the TIP is a rolling process, the status of projects is evaluated each year. If a project is not ready to move forward, which is often the case for larger projects, that project is moved back, and shovel ready projects can move forward, which happens a lot for smaller projects.

The new pedestrian bridge will serve residents, commuters, workers, and visitors by providing a vital connection for West Concord village and its surroundings, not only joining business and residences to West Concord's main streets, but also intersecting with the established Bruce Freeman Rail Trail. The residents of Concord Greene will also benefit from the Bridge by having more direct and safer access to the West Concord Village District.

The proposed bridge encourages bicycle and pedestrian circulation within its immediate context and creates vital access to the MBTA commuter train station and the Fitchburg rail line. Survey data show that this station is used predominantly by residents of Concord and nearby towns who travel to work locations in the cities of Boston and Cambridge. The station also serves people who make trips between their homes in other cities and towns along the Fitchburg Line and work locations in West Concord.



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Office Address: 37 Knox Trail, Acton, MA 01720
Phone: (978) 287-1092

Website: WWW.RHSOhousing.org
Email: INFO@RHSOhousing.org

February 3, 2022

To: Concord Town Manager, Concord Select Board
CC: Marcia Rasmussen, Town of Concord, Director of Planning and Land Management
From: Elizabeth Rust, RHSO
RE: HOME Funds, Junction Village Christopher Heights.

I am writing to see if the Town might agree to direct \$144,345 of HOME funds to the Concord Christopher Heights (Junction Village) project comprised of \$116,345 of previously awarded funds from the Concord 367 Commonwealth Avenue project to the Concord Christopher Heights (Junction Village) project, and the FY23 concord allocation of \$28,000 to Christopher Heights. This request is supported by the Concord Housing Authority and the Concord Housing Development Corporation, and approved by the WestMetro HOME Consortium (for the Consortium Pool portion of funds).

By way of background, HOME funds are allocated to each member community annually, and the municipality has a one-year exclusive use period to apply the funds to an eligible HOME projects (low income rental). Funds not used by a community are then pooled and available through RFP for projects across the consortium. Concord has directed \$614,000 towards past HOME projects – Peter Bulkeley Phase 2 and improvements at the CHA-owned property on Thoreau Street. Additionally, Concord has earmarked \$511,400 to Christopher Heights already (see detail below). These funds have been a combination of exclusive use and RFP funds.

A note on the nature of the funds: while HOME funds can be directed by Concord to eligible projects, they are not Concord funds, do not process through the town warrant or accounts, and are not raised through taxpayer levy.

This request stems from extreme increases in construction costs resulting in a change of approach for Commonwealth Avenue and a funding gap for Christopher Heights.

As you know, the Commonwealth Avenue project proposed a 1,000 square foot detached structure to be built by the Concord Housing Authority (CHA) under full public procurement and public construction regulations. The DHCD-authorized architect estimated \$700,000 for a stick build construction. The CHA had options to refine the scope, estimate modular design, and instead has decided to RFP the property for 3rd party development and sale. As such, they have released the commitment on their exclusive use funds, and the RFP funds.

The Concord Christopher Heights project has been awarded \$12,710,000 in financing from Federal Low Income Housing Tax Credits, DHCD subordinated debt sources, and local funds and local HOME funds in 2020. The pandemic hit as the project was completing its per-closing tasks. Updated budget amounts produced a new gap. DHCD increased their funding amounts, and the developer is making adjustments and concessions on their side and has narrowed the gap. Specifically the developer is deferring the full amount of their development fee from tax credit equity to available cash flow from operations, and then pursuing a bridge loan to finance the period between building permit and occupancy permit and hope to gain that commitment soon. The developer is open to making the increased HOME funds tied to the condition that the developer fee is being paid from cash flow, versus the tax credit equity – should the town desire that commitment.

This additional amount of HOME funds (the \$144,345) will assist in filling this gap. If Concord chooses not to make this allocation, the funds will be released to the Consortium Competitive Pool as Concord has no currently eligible projects able to commit funds in the timeframe.

I have heard some comments that this request is in conflict to the Memorandum of Understanding clause which states that the Developer agrees not to request any financial support from the Town other than the



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Town Funds for the construction and development of the Project and acknowledges that the Town is under no obligation to provide any additional financial support. I can offer that the developer did not specifically ask for these HOME funds, and the request came from the RHSO working with the town bodies to proactively utilize HOME funds in Concord. To note, as mentioned before, the HOME funds are not taxpayer created funds, and may be considered to be in a different category for financial support.

We note that with the delay in Christopher Heights is also the delay with the US Census data publication, and the recalibration of the Subsidized Housing Inventory. When Christopher Heights has its building permits, those 83 units are eligible to be counted on the SHI, keeping Concord above the 10% threshold.

With these considerations, it is up to the Town, through the Town Manager and Select Board, to direct this allocation of HOME funds.

Christopher Heights HOME funding				
Current Funding	Local HOME	Consolidated Pool	Total Funding	
HM19-13B	\$19,505	\$388,065	\$407,570	
HM20-13B	\$23,050	\$54,878	\$77,928	
HM21-13B	\$25,900		\$25,900	
Total Funding	\$68,455	\$442,943	\$511,398	
Proposed Additional Funds				
HM21-13B		\$88,345	\$88,345	Transfer from 367 Comm.
HM22-13B	\$28,000		\$28,000	Transfer from 367 Comm.
HM23-13B	\$28,000		\$28,000	New Allocation
Total proposed	\$56,000	\$88,345	\$144,345	
Total HOME funds	\$124,455	\$531,288	\$655,743	

From: Laurie Hunter <lhunter@concordps.org>

Sent: Thursday, February 3, 2022 8:24 AM

To: Tim Goddard <tgoddard@carlislema.gov>; Kerry Lafleur <klafleur@concordma.gov>; Terri Ackerman <tackerman@concordma.gov>; Barney4Carlisle@gmail.com

Cc: Jared Stanton <jstanton@concordps.org>; Cynthia Rainey <crainey@concordps.org>; Sara Wilson <swilson@concordcarlisle.org>

Subject: Ripley Capital Improvements

Good Morning,

As I believe you are all aware, the Ripley Administration Building where the central office is housed is in need of capital improvements.

We have a multi-year process laid out which is primarily found in the Concord Public Schools capital plan that is funded through the Concord Town Manager's budget. Improvements are slated to begin this summer, pending approval at Town Meeting. The complete plan is found here: <https://www.concordps.org/wp-content/uploads/2021/12/FY23-Capital-Plan-for-SC-Updated-12-7-21.pdf>

We have had preliminary discussions of a possible approach to Carlisle contributing to the improvements. Carlisle Town Administrator Tim Goddard asked the schools to propose a means of calculating a share of the projects. That proposal is attached for consideration.

From here, it is our belief that any agreement would be reached between the leadership of the two towns, without direct school department or School Committee involvement. Since the regional agreement does not pertain and Concord's share of the funds is from the Town Manager's budget, we suggest that it now be discussed at your levels.

We are happy to participate in any way that is helpful. Please do not hesitate if you have any questions or if you would like to schedule a conversation.

Best,
Laurie

--

Dr. Laurie Hunter
Superintendent of Schools
Concord Public Schools and Concord-Carlisle Regional School District
120 Meriam Road
Concord, MA 01742
978-318-1500

Note: All email correspondence to and from this address is subject to public review under the MA Public Records Law.

As a result all messages may be monitored by and disclosed to third parties.

**CONCORD PUBLIC SCHOOLS
CONCORD-CARLISLE REGIONAL SCHOOL DISTRICT**

120 MERIAM ROAD CONCORD, MA 01742 PHONE: 978.318.1500 FAX: 978.318.1537
www.concordps.org

To: Dr. Laurie Hunter
From: Jared Stanton, Assistant Superintendent of Finance and Operations
Date: January 24, 2022
RE: Ripley Capital Improvement Formula Recommendation

The total square footage of the Ripley Building is 57,000. Including in this square footage is 11,000sqft for the (4) pods, 3,213sqft for the gymnasium, and 448sqft for CASE Collaborative. This represents approximately 25.7% of the entire Ripley total square footage. These areas should not be included in the formula and therefore, this will increase Concord’s share. After backing out these square footages 42,338 remains. Below is the estimated formula:

Total K-12 Enrollment 10/1/21	3,271
Concord Enrollment	2,990
Total Percentage	91.41%
Carlisle Enrollment	281
Total Percentage	8.59%

Ripley Projects	FY23	FY24	FY25
Boiler Replacement	\$ -	\$ 100,000	\$ 350,000
Paving Parking Lot & Sidewalk Replacements	\$ 200,000	\$ 140,000	\$ -
Ripley Flooring	\$ 140,000	\$ 185,000	\$ -
Install Connection to the Sewer System	\$ -	\$ 275,000	\$ -
3 Year Totals	\$ 340,000	\$ 700,000	\$ 350,000
Pre-K, CASE, & Gym Portion (Concord)	\$ 87,380	\$ 179,900	\$ 89,950
Difference	\$ 252,620	\$ 520,100	\$ 260,050
Concord's Share (91.41%)	\$ 230,920	\$ 475,423	\$ 237,712
Carlisle's Share (8.59%)	\$ 21,700	\$ 44,677	\$ 22,338

TOTALS	FY23	*FY24	*FY25
Concord	\$ 318,300	\$ 655,323	\$ 327,662
Carlisle	\$ 21,700	\$ 44,677	\$ 22,338
3 Year Totals	\$ 340,000	\$ 700,000	\$ 350,000

*subject to change w/enrollment shifts

Category	ARPA Category	Town Request (asterisk notes multiple ARPA applicability)	Request Amount	TA Priority 1=Top,2=Med,3=No	Envision Concord Category	Select Board Goals
A.Aff Housing	Capital Expenditures	Assabet Bluff*	\$ 500,000.00		Housing	DEI, Ag Natural Resources
A.Aff Housing	Capital Expenditures	Housing Trust*			Housing	DEI
A.Aff Housing	Capital Expenditures	Additional Affordable Housing Projects*			Housing	DEI
B. Broadband	Capital Expenditures	Seed money to expand broadband*				Economic Resiliency
B. Broadband	Capital Expenditures	Broadband for Low Income*				Economic Resiliency
B. Broadband	Capital Expenditures	Broadband Access*				Economic Resiliency
C. Transport	Capital Expenditures	Assabet River Bridge*	\$ 110,000.00		Transportation	DEI, Cultural Historical, Sustainability
C. Transport	Capital Expenditures	Buses: Cross Town Connect, Microtransit, 1st/Last Mile*			Transportation	DEI, Sustainability
C. Transport	Negative Economic Impact	Transportation Planner			Economic Vitality, Transportation	DEI, Sustainability
C. Transport	Complete Streets Design Phase				Economic Vitality, Transportation	Quality of Life, DEI
C. Transport	Capital Expenditures	Pedestrian and Bike Improvements*	\$ 537,000.00		Transportation	DEI, Sustainability
D.DEI/Health	Public Health	mental health/substance abuse	\$ 75,000.00			Health/Safety, DEI
D.DEI/Health	Negative Economic Impact	Services for the Disabled				Health/Safety, Quality of Life, DEI
D.DEI/Health	Negative Economic Impact	Sr Citizens				Quality of Life, DEI
E.Ec Vital	Capital Expenditures	Expand Cell service*				Economic Resiliency
E.Ec Vital	Capital Expenditures	Expand sewer treatment capacity*			Public Facility	Economic Resiliency
E.Ec Vital	Negative Economic Impact	Director of Business Development			Economic Vitality	Economic Resiliency
F. Salaries	Public Sector Capacity	Salary Catchup for Special Positions				
F. Salaries	Premium Pay	Premium Pay	\$ 300,000.00			Health/Safety
F. Salaries	Public Sector Capacity	Salary Catch Up for Non Union				
F. Salaries	Public Sector Capacity	Restore Services/ salaries cut during Covid				
G.Other	Capital Expenditures	Middle School			Public Facility	Sustainability
G.Other	Rainy Day Fund (indirectly)				Fiscal Planning	Financial Stability
G.Other	Capital Expenditures	Parking Lot Rehab	\$ 310,000.00		Public Facility	
G.Other	Lost Revenue	parking	\$ 400,000.00			
G.Other	Capital Expenditures	Beede Roof	\$ 345,000.00		Public Facility	

ARPA Category	Town Request	Request Amou	TA Priority	Envision Concord Catego	Select Board Goals
	(asterisk notes multiple ARPA applicability)		1=Top,2=Med,3=No		
Public Sector Capacity	Salary Catch Up for Non Union		2		
Public Sector Capacity	Salary Catchup for Special Positions		1		
Public Sector Capacity	Restore Services/ salaries cut during Covid		2		
Capital Expenditures	Assabet Bluff*	\$ 500,000.00	2	Housing	DEI, Ag Natural Resources
Capital Expenditures	Housing Trust*		2	Housing	DEI
Capital Expenditures	Additional Affordable Housing Projects*		3	Housing	DEI
Capital Expenditures	Assabet River Bridge*	\$ 110,000.00	1	Transportation	DEI, Cultural Historical, Sustainability
Capital Expenditures	Pedestrian and Bike Improvements*	\$ 537,000.00	2	Transportation	DEI, Sustainability
Capital Expenditures	Parking Lot Rehab	\$ 310,000.00	2	Public Facility	
Capital Expenditures	Beede Roof	\$ 345,000.00	3	Public Facility	
Capital Expenditures	Buses: Cross Town Connect, Microtransit, 1st/Last Mile*		1	Transportation	DEI, Sustainability
Capital Expenditures	Seed money to expand broadband*		1		Economic Resiliency
Capital Expenditures	Broadband Access*		2		Economic Resiliency
Capital Expenditures	Broadband for Low Income*		1		
Capital Expenditures	Expand Cell service*		2		Economic Resiliency
Capital Expenditures	Expand sewer treatment capacity*		2	Public Facility	Economic Resiliency
Capital Expenditures	Middle School		1	Public Facility	Sustainability
Premium Pay	Premium Pay	\$ 300,000.00	1		Health/Safety
Water and Infrastructure	Expand sewer treatment capacity*		(duplicate) 2		
Broadband Infrastructure	Broadband Access*		(duplicate) 2		
Broadband Infrastructure	Broadband for Low Income*		(duplicate) 1		
Lost Revenue	parking	\$ 400,000.00	2		
Public Health	mental health/substance abuse	\$ 75,000.00	1		Health/Safety, DEI
Negative Economic Impact	Assabet Bluff*		(duplicate) 2	Open Space	
Negative Economic Impact	Housing Trust*	\$ 500,000.00	(duplicate) 2		
Negative Economic Impact	Additional Affordable Housing Projects*		(duplicate) 3		
Negative Economic Impact	Director of Business Development		3	Economic Vitality	Economic Resiliency
Negative Economic Impact	Assabet River Bridge*		(duplicate) 1	Economic Vitality	Economic Resiliency
Negative Economic Impact	Pedestrian and Bike Improvements*		(duplicate) 2	Economic Vitality	
Negative Economic Impact	Buses: Cross Town Connect, Microtransit, 1st/Last Mile*		(duplicate) 1	Economic Vitality	Economic Resiliency
Negative Economic Impact	Transportation Planner		1	Economic Vitality, Transportatio	DEI, Sustainability
Negative Economic Impact	Seed money to expand broadband*		(duplicate) 1	Economic Vitality	
Negative Economic Impact	Broadband Access*		(duplicate) 2		Quality of Life, DEI
Negative Economic Impact	Broadband for Low Income*		(duplicate) 1		Quality of Life, DEI
Negative Economic Impact	Expand Cell service*		(duplicate) 2	Economic Vitality	Quality of Life, DEI
Negative Economic Impact	Expand sewer treatment capacity*		(duplicate) 2	Economic Vitality	
Negative Economic Impact	Sr Citizens		2		Quality of Life, DEI
Negative Economic Impact	Services for the Disabled		1		Health/Safety, Quality of Life, DEI
Rainy Day Fund (indirectly)			1	Fiscal Planning	Financial Stability
Complete Streets Design Phase			1	Economic Vitality, Transportatio	Quality of Life, DEI

Code of Conduct for Boards/Commissions/Committees Policy

I. Purpose

The intent of this policy is to establish clear guidelines to serve as the standard for achieving and maintaining a high level of public confidence, trust, and professional respect with regard to how the Town and its officials conduct business. This policy is intended to define and create a centralized policy with regard to standards of conduct.

The Select Board recognizes the importance of professional standards at all levels of government, including those who volunteer their time and services on behalf of the Town.

II. Applicability

This policy and all its sections shall apply to the Select Board and to the other boards, presiding officers, public officials, commissioners, and committees, and other representatives of the Town, whether appointed or elected, including those with special municipal employee status.

III. Code of Conduct

These obligations and commitments shall be assumed by all officials defined in the Applicability section:

A. Conduct Generally and in Relation to the Community

- Be well informed concerning the local and state duties of a board/committee member.
- Remember that you represent the Town of Concord at all times.
- Accept your position as a means of unselfish public service, not to benefit personally, professionally, or financially from your board/committee position.
- Recognize that the chief function of local government at all times is to serve the best interest of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Seek no favor and believe that personal aggrandizement or profit secured by holding these positions is dishonest and/or unlawful.
- Conduct yourself as to maintain public confidence in our local government.

- Conduct official business in such a manner as to give the clear impression that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted (e.g. Executive Session), conduct the business of the public in a manner that promotes open and transparent government and maintain full compliance with the Open Meeting Law.
- Comply with all applicable Town policies.
- Comply with all applicable laws, including, without limitation, the following:
 - o The Open Meeting Law
 - o Public Records Law including all records retention schedules. Do not store originals of public records on your personal electronic device or in any location other than Town offices.
 - o Procurement Laws
 - o The Ethics/Conflict of Interest Statute (M.G.L. c.268A)
 - o Special Municipal Employees are reminded that all Open Meeting Law and other regulations of the Commonwealth of Massachusetts and Town of Concord shall apply. Said status is subject to approval of the Select Board and the statute that governs it.
 - o All necessary disclosures required by M.G.L. 268A Section 19 and M.G.L. 268A Section 20 shall be filed with the office of the Town Clerk in a timely manner.

B. Conduct on Social Media

- Board and Committee members using social media platforms (including, but not limited to: Facebook, Twitter, Instagram, YouTube, etc.) are reminded that their online persona reflects their character. Social media is not exempt from Open Meeting Law or Records Retention law. For the purposes of individual board/committee members using social media, please note:
- All board/committee members ("Officials") are expected and required to conduct themselves online in a manner consistent with the Town's policies and standards of conduct.
- Officials must not reveal any confidential or privileged information about the Town, its constituents, or its contractors.
- Officials must not harass others in contravention of the Town's computer use policy, anti-discrimination and harassment policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may

be deemed to violate this policy even if the Town's name or name(s) of any individual is not specifically referenced.

- Officials shall be as honest and accurate as possible when posting information or news. Officials should not use social media to post rumors or conjecture about the Town, its employees, constituents, officials, suppliers, vendors, or contractors.
- Officials may only express their personal opinions and should never represent themselves on social media as a spokesperson for the Town, unless specifically designated to do so.
- It is recommended that officials refrain from providing public opinions on a matter before their Committee, as it could be a violation of Open Meeting Law. Comments include “liking” a post or other similar responses on a social media site.

C. Conduct in Relation to Your Fellow Board/Commission/Committee Members

- Treat all members of the board/commission/committee with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Recognize your responsibility to attend all meetings of your Committee and promptly notify the chairman should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/commission/committee requires written notification to the office of the Town Clerk.
- Recognizes that action at official legal meetings is binding and that you alone cannot bind the board/commission/committee outside of such meetings.
- Wait until a public hearing, whereby one has the opportunity to hear the pros and cons of an issue, prior to making statements or promises as to how you will vote on quasi-judicial matters that will come before the board/committee/commission
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

D. Conduct in Relation to Town Administration.

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Recognize and support the administrative chain of command.

- Direct questions of Town staff and/or requests for additional background information through the Committee's respective staff or the Town Manager as applicable and channel instructions or requests for assistance from Town Department Heads through the full Board/Commission/Committee and the Town Manager.
- The Select Board, and individual committee members, shall refrain from giving direct orders to any Town staff who are under the direction and supervision of the Town Manager.
- Committee members should refrain from impeding the Town Manager from discharging his or her responsibilities, and refrain from giving orders or direction to the Town Manager or attempting to direct the Town Manager to take any particular action.
- Provide orders or directions to the Town Manager for action as a Board, rather than as an individual Board member.
- Address any concerns about staff performance to the Town Manager through private communication, rather than publicly criticizing an individual employee or a department.

IV. Distribution and Education

The Town Clerk shall provide a copy of this policy, the Town's Anti-Harassment and Anti-Discrimination policy to all elected and appointed officials upon its issuance and upon the appointment, election, re-appointment, or re-election of any individual. Each individual shall sign a statement that they have read this policy and will comply with all requirements set forth in this policy. In the event that any member declines to sign the form, that fact shall be noted by the Town Clerk on the form and sent to the Town Manager.

V. Enforcement

In addition to any other remedies or enforcement options available under the law, each board/committee may vote to censure any elected or appointed member and the appointing authority may decline to reappoint an individual who violates any provision of this Code of Conduct. If any elected or appointed official is accused of violating the Town's Anti-Harassment and Anti-Discrimination Policy, the Town Manager shall refer the matter for investigation to Town Counsel or disinterested outside firm to investigate the alleged conduct. The Town Manager shall not be obliged to obtain any additional authority; this Code shall be sufficient authority. The firm to whom the matter is referred shall promptly investigate the matter and report back findings of fact and recommendations to the Town Manager. The Town Manager shall share the reported findings and recommendations with the elected/appointed official's board/ committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter. If an elected or appointed official is accused of violating any other provision of this Code of Conduct,

the board/committee that the official represents or if applicable the appointing authority may take such action as is authorized by law and as it deems fit or it may vote upon request of the Town Manager or on its own to refer the matter to Town Counsel or a disinterested outside firm. This firm shall promptly investigate the matter and report back findings of fact and recommendations to the Town Manager. The Town Manager shall share the reported findings and recommendations with the board/committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter. These remedies shall be in addition to, and not in substitution for, any other remedies that may be available by law.

DRAFT

DEI Training: Potential Topics

Feb 14, 2022

- Why Town Committees should have DEI training
- How racism plays out in municipal settings
- Developing a common vocabulary and understanding of anti-racism
- Understanding the complexity of identity and how it impacts your role
- Systems of advantage/disadvantage

- Privilege, white privilege
- Cycle of oppression
- Unconscious bias
- Microaggressions
- Responding to microaggressions

- Understanding your own conflict default style
- Personal and institutional barriers to talking about race/racism and other isms
- Strategies to turn difficult conversations into opportunities for learning
- Case studies and scenarios- practical application of strategies

- Exploring your committee's areas of concern, influence, control
- How to develop regulations and policies that facilitate DEI
- Working with "difficult" people (citizens, customers, employees, committee members)
- Providing leadership to make Concord a welcoming community to all
-

Melissa Saalfield, Chair
Nancy Nelson
Alan Bogosian
Robert Gross
Michael Capizzi
Rebecca Lemaitre, Associate
Francesca Cataldo, Associate



Department of Planning and
Land Management
141 Keyes Road, Concord, MA 01742
Fax (978) 318-3291
Heather Gill, Senior Planner
hgill@concordma.gov

January 11, 2022

Governor Charles Baker
Massachusetts State House
24 Beacon Street
Office of the Governor
Room 280
Boston, MA 02133

RE: MassDOT Project ID # 608495

Dear Governor Baker,

On behalf of the Concord Historical Commission, I write to you of our deep concern for the future of Route 2A/The Battle Road which is scheduled to be resurfaced among other treatments by the Massachusetts Department of Transportation (MassDOT). The project is predominantly within the boundary of Minute Man National Historical Park (MMNHP) or immediately adjacent to it. The current 2-lane road within the project area overlays significant sections of the original Battle Road along which a running battle occurred on April 19, 1775. British soldiers died along the road that day and were buried near where they fell.

For decades, this historic road has changed little and even today has relatively few signs, simple pavement markings, limited lighting and is without contemporary highway structures. This is the only remnant of the historic Battle Road that still evokes the memory of its past. Efforts to preserve what little is left of the original Battle Road have been ongoing since the 1930s. A major step forward in protection came in 1959 with the creation of Minute Man National Historical Park. Since that time, many entities and organizations including the national park, the surrounding towns of Concord, Lincoln, Bedford and Lexington, the Massachusetts Highway Department, Hanscom Air Force Base and the Massachusetts National Guard have worked together to preserve the character of the Battle Road. The Battle Road Scenic Byway Committee also seeks to protect the resources along the Battle Road in Arlington, Concord, Lexington, Lincoln and MMNHP.

In recognition of its unique features, the Federal Highway Administration designated the Battle Road an All-American Road in 2020. To achieve this distinction, "a road must possess multiple intrinsic qualities that are nationally significant and have one-of-a-kind features that do not exist elsewhere"...[it] must also be considered a "destination unto itself." (Quoted from 2002 press release from the Federal Highway Administration).

We emphasize the historic importance of Route 2A/The Battle Road because it appears MassDOT does not. We ask you to consider why visitors travel along this road. Of course, there are commercial vehicles, commuters and bicyclists; but in addition, visitors are interested in gaining a better understanding of the events of April 1775. A million people come every year to see and walk amidst the restored and rehabilitated landscape of MMNHP. The Battle Road is a critical artifact of this national

park which merits great care when altering it in any manner. The changes of which we are aware would dramatically negate so much of the efforts to reclaim this area as a national park – efforts that have been achieved with millions of American taxpayer dollars.

MassDOT initially contacted us in June 2021 to initiate the consultation process under Section 106 of the National Historic Preservation Act. In August 2021 we wrote back expressing our dismay with the lack of public engagement and relayed the considerable efforts to create and protect the Battle Road. MassDOT's response was an email requesting clarification of our objections to which we responded with a second letter sent in September 2021. In November 2021 we learned that MassDOT had responded to comments from the towns of Lincoln and Lexington and the National Park Service the previous month. It is now almost four months later and the Historical Commission has had no further communication from MassDOT since their email. We remain deeply concerned about the proposed treatments under consideration: raised splitter islands; crosswalks that may include large, elevated islands; landing pads; flashing lights; and advance warning signs; vertical granite curbing; and a significant increase in pavement markings.

No evidence has been submitted that would compel these changes. We have requested the creation of a Working Group as has been suggested by the National Park Service. We also requested and were granted "consulting party" status as provided by the National Historic Preservation Act and the National Environmental Policy Act but other than receiving this status have heard nothing more. There have been no public hearings and we understand that the design stage is at the 25-75% stage and perhaps progressing to 100% without any public process.

We urgently request your assistance in persuading MassDOT to reconsider their current plans for Rte2A/Battle Road. As currently designed, they will permanently and adversely impact the simple and scenic nature of the historic Battle Road as well as the closely related historic landscapes and structures of Minute Man National Historical Park. To this end, we would appreciate an opportunity for representatives from Concord to meet with you or members of your staff to develop a course of action that will protect these important American resources. Surely, we can do better than what is currently proposed.

Sincerely,



Melissa C. Saalfield, Chair
Concord Historical Commission

cc:

Senator Elizabeth Warren
Senator Edward Markey
Congress, Lori Trahan
Congress, Katherine Clark
Senator Michael Barrett
Senator James Eldridge
Representative Tami Gouveia
Representative Thomas Stanley
Kerry LaFleur, Acting Town Manager, Concord
Teri Ackerman, Select Board, Concord
Linda Escobedo, Select Board, Concord
Simone Monteleone, Superintendent, Minute Man NHP



Minuteman Regional Vocational Technical School District provides a strong return on investment for students and our region. Our highly integrated academic and career technical education model in a new facility brings proven results.

Did You Know?

CTE associates degrees pay \$10,000 more per year than those in other fields – and even more than many bachelor’s degrees – while limiting student debt. (Source: ACTEonline.org)

<p>98% Positive Placement</p> <p>98% of the Class of 2021 are enrolled in college, the military, or employed in their trade of study. 67% of them are enrolled in a two- or four-year college or university and 28% are employed or receiving advanced training in their trade of study. Many Class of 2021 graduates worked for their future employer through the Co-Op program. Local employers include Wheaton Electrical of Waltham, JM Foley Construction of Concord, Acton Ford, Goddard School of Lexington, and many more.</p>	<p>Community Service</p> <p>Minuteman has a commitment to hands-on community service. Students rehabilitated homes in recent years in New Orleans and Puerto Rico. Locally, recent or ongoing home rehab projects through LexHab and Habitat for Humanity are helping the towns of Lexington, Acton, and Concord. Automotive students often refurbish used cars that are provided to veterans at low-cost through Second Chance Cars of Concord.</p>
<p>Increasing Demand for Career Tech Ed</p> <p>As member-town enrollment continues to rise, Minuteman intends to expand building capacity from its current 628 to 800. To accommodate this, there is ongoing campus redevelopment occurring without additional borrowing.</p> <p>The enrollment demand has resulted in a loss of tuition and capital fees from out-of-district students, which historically reduced member-town assessments.</p>	<p>Meeting Industry Needs</p> <p>Minuteman is expanding programming to meet the needs of the workforce. The Animal Science program was launched in the fall while support from the Commonwealth expanded adult programming at Minuteman Technical Institute in carpentry, CNC machine operation, & welding. Expansion of the robotics logistics engineering curriculum helps meet the needs of Industry 4.0 with big data, artificial intelligence, and more.</p>
<p>District-Level Line Items</p> <p>As a regional vocational school district, Minuteman’s budget covers many line items that are often included in the municipal budget of a traditional school district. These items include capital debt, health insurance, legal expenses, pension obligations, property insurance, unemployment and vocational-technical equipment like machinery, technology, and tools.</p>	<p>Facility Rental Income Opportunities</p> <p>In 2018, special legislation was passed to authorize Minuteman to enter 50-year facility leases for mission-compatible uses. Currently, Minuteman is seeking a partner to operate a veterinary clinic with students in the Animal Science program in a building on campus. Additionally, rentals have begun for Minuteman’s athletics, arts, and conference spaces.</p>

January 24, 2022

Dear Town Manager and Select Board,

Former Town Manager Stephen Crane delineated “*the fundamental legal question*” of the Estabrook lawsuit at 2020 Annual Town Meeting:

“Does the public retain rights of access over a portion of what was Estabrook Road subject to a 1932 abandonment by the County Commissioners. Did the public still retain rights of access even with that abandonment. That’s the fundamental legal question.”¹”

But there are at least five roads in Concord which were “abandoned” (in legal actuality, “discontinued”) under the same statute as Estabrook Trail. These roads are: East Acton Road, the west end of Powder Mill Road, Pond Lane, and Great Meadows Road. As you can see in the photo below, Great Meadows Road is posted with “PRIVATE WAY” and “NO TRESPASSING” signs at its entrance.



The other discontinued roads are also closed to general public access. But the Town never sued the owners of these other roads which were discontinued under exactly the same statute as Estabrook Trail, and are now, like Great Meadows Road, shut off to the general public.

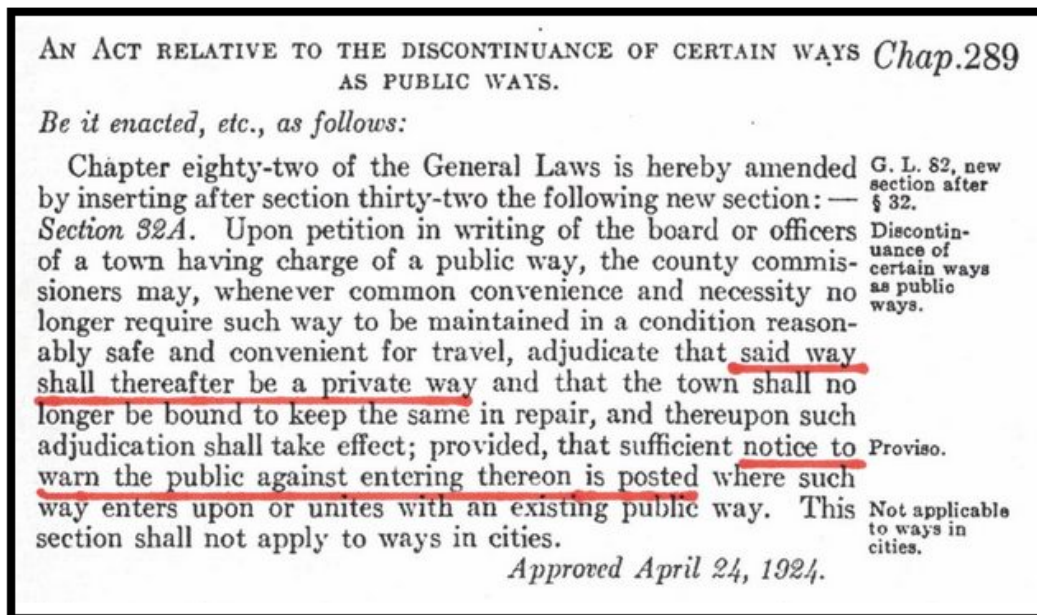
If the Town *legitimately* had to sue the owners of the Estabrook Trail, why does it not also have to sue the owners of the other roads in the town which were discontinued under the same statute and have had general public access cut off?

¹ YouTube link to Stephen Crane delineating “*the fundamental legal question*” of the Estabrook lawsuit at 2020 Annual Town Meeting:
https://youtu.be/9wvhYWCzLAQ?list=PL1TTzrWEKOOonvkmYtSjwsY_eMrjORoIPj&t=3972

Why has the Town spent \$80,000 to obtain a preliminary injunction to restore general public access to Estabrook Trail, but has taken no similar action to restore general public easement rights on the other roads in Concord which were discontinued under the same statute as Estabrook, and are now cut off to the public at large?

The Town's actions demonstrate unequal treatment of the owners of these identically discontinued roads.

The statute under which all these roads were discontinued is reproduced below:



Could Town Counsel please explain why only the owners of Estabrook Trail have been sued, and why the Town has only pursued a preliminary injunction for Estabrook Trail, but has not taken any similar actions against the owners of the other roads discontinued and shut to general public access under the exact same statute?

After being billed more than \$1.5 million dollars for the Estabrook lawsuit, to date, we think we deserve answers directly from Town Counsel.

Thank you,

Peter Gifford, 1171 Monument Street

Ellie Bemis, 858 Monument Street

Lansing Old, 607 Lowell Road

Mark and Marcia Thomas, 495 Hugh Cargill Road

Susan Frommer, 128 Nimrod Drive

Joan Campbell, 254 Fairhaven Road

William Becklean, 254 Fairhaven Road

Shelley Morss, 50 Manuel Drive