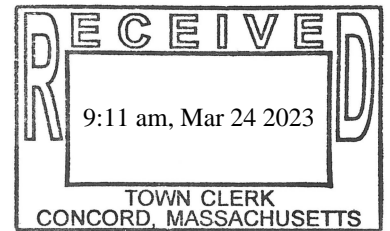


**Town of Concord
Select Board
Minutes
December 5, 2022**



Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both via Zoom and in person at 22 Monument Square on December 5, 2022 at 5:30 PM.

Present were: Matthew Johnson, Chair; Terri Ackerman, Clerk; Henry Dane, Mary Hartman and Linda Escobedo. Also present were Town Manager Kerry Lafleur, Senior Administrative Assistant Shannon McAndrew, and Town Counsel Mina Makarious and Melissa Allison.

Call to Order

Select Board Chair Matthew Johnson called the meeting to order at 5:30 PM.

Executive Session pursuant to G.L. c. 30A, § 21(a)(3) Upon a motion duly made and seconded, it was **voted:** to enter an Executive Session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation regarding Estabrook Road (Town of Concord v. Rasmussen et al.), as the chair declares that an open meeting may have a detrimental effect on the litigating position of the Town.

Roll Call Vote:

Chair Johnson – Aye
Terri Ackerman – Aye
Henry Dane – Aye
Linda Escobedo – Aye
Mary Hartman – Aye

Town Manager's Report

Town Manager Kerry Lafleur reported that the Diversity, Equity, and Inclusion Commission and the Police Department are hosting an informal coffee gathering on Wednesday, December 7, 2022 at 2:00 PM at the Concord Free Public Library. Ms. Lafleur continued that the Town had a successful Tree Lighting Ceremony yesterday, Sunday, December 4, 2022.

Ms. Ackerman asked a question regarding the Centennial Arts Center.

Ms. Lafleur confirmed that this is the construction that will be taking place at Concord Academy.

Ms. Ackerman asked if anyone has looked into the increased parking capacity that will be needed on Main Street to accommodate the construction.

Ms. Lafleur responded that this is being reviewed by the Planning Board.

Chair Johnson noted of the successes of the Concord Trolley pilot project but that the Town still needs to find a more financially viable solution for increased transit in Town.

Chair's Report

**Town of Concord
Select Board
Minutes
December 5, 2022**

Chair Johnson did not have a report this evening.

Joint Meeting with the School Committee to Discuss Tier 3 Capital Planning

Alexa Anderson, School Committee Chair, called the School Committee meeting to order.

Ms. Hartman commented that moving forward in the capital planning process, she would like for there to be an ongoing discussion of debt smoothing.

Cynthia Rainey, School Committee member, noted that one of the projects the School Committee has been discussing further is for the installation of solar energy at the Middle School.

Bob LeLacheur, Interim Finance Director, and Sandy Smith appeared before the Select Board to present on the Middle School debt sale preparation and impact on median household. The full presentation is included in the Select Board meeting packet.

In response to a question about alternative channels for selling municipal bonds, Mr. Smith stated that if the Town wanted to pursue a mini bond program, they would work with the Town's Financial Advisor on this.

Mr. Dane asked how will the debt strategy be managed going forward.

Chair Johnson responded that the Town Treasurer will manage the bond strategy and confirmed that the Town Manager is working on Town Meeting articles for this.

Alexa Anderson, School Committee Chair, asked what the assessed value of Peabody Middle School is.

Chair Johnson responded that it has been valued under \$10,000,000.00.

Intergovernmental Agreement with Plymouth County

Gail Dowd, Chief Financial Officer, appeared before the Select Board to present an Intergovernmental Agreement with Plymouth County regarding parking tickets. The full agreement is included in the Select Board meeting packet.

Chair Johnson asked if there is any potential confusion that the recipient of the parking ticket would experience from receiving a notice from Plymouth County for a parking ticket from the Town of Concord.

Ms. Dowd stated that the Town would add a notice to the website that notes that the parking ticket bill would be coming from Plymouth County but that the tickets are still to be paid on the Town's website. Ms. Dowd noted that this service is very cost effective.

**Town of Concord
Select Board
Minutes
December 5, 2022**

Ms. Ackerman asked if the Town would still need this service even if the parking meters are no longer being used.

Ms. Dowd responded yes because there can still be parking violations that are not in relation to metered parking.

Ms. Escobedo asked if in addition to a notice on the website stating that the parking ticket bill would be coming from Plymouth County if there is a way to include a notice on the bill itself.

Ms. Dowd responded that she can ask Plymouth County if there is an option to do so or how this could be better communicated.

Upon a duly made motion and seconded, it was UNANIMOUSLY **voted:** to approve the Intergovernmental Agreement with Plymouth County as included in the Select Board meeting packet.

**Joint Meeting with the Personnel Board to discuss the
Personnel Study Task Force Final Report**

Bill Mrachek, Personnel Board Chair, called the Personnel Board meeting to order. The Personnel Board members present, Elizabeth Cobbs and Katherine Ryan, introduced themselves to the Select Board. Interim Assistant Town Manager, Kellie Hebert, also appeared before the Select Board as staff support for the Personnel Board. Mr. Mrachek introduced the Personnel Board's presentation and Ms. Cobbs presented on four areas of focus for the Board including communication, governance, human resources, and employee relations. The full presentation is included in the Select Board meeting packet.

Ms. Hartman asked if some of the subjects to be addressed in the first area of focus, communication, are data not being collected or if it is being collected and not being shared with the Personnel Board.

Ms. Cobbs responded that it is her understanding that it is being collected though not shared with the Personnel Board.

Ms. Hartman asked who modifies the Personnel Board's charge.

Town Manager Kerry Lafleur responded that the Personnel Board is in the Town Charter and Bylaw, and there are some duties that the Board must perform outlined in the Bylaw, and that the charge has not always been updated when the Bylaw is updated.

Chair Johnson asked if the Personnel Board planned to bring any articles forward for Annual Town Meeting in 2023.

Ms. Cobbs responded yes and that they are preparing to submit their draft articles on December 16th.

**Town of Concord
Select Board
Minutes
December 5, 2022**

Interim Assistant Town Manager Kellie Hebert noted that the Board identified 9 housekeeping items that were recommended by the Personnel Study Task Force and further agreed upon by Town Staff.

Chair Johnson suggested that the Boards host another joint meeting in March 2023 to discuss progress on their goals.

Amy Foley, Human Resources Director, provided a personnel update, explaining how the Town's growth has been significant by adding positions in-house that formerly were contracted and how the Town continues to add more services to residents.

Chair Johnson noted that an aspect of the Personnel Study Task Force Final Report that concerned him were that it stated that job descriptions and personnel policies may not have been up to date which was not leaving Town Staff with the tools they needed to perform their job duties.

Ms. Foley agreed and stated that there are aspects that need to be improved. Ms. Foley continued that they are working to make personnel policies more understandable moving forward as there has been confusion between them.

Chair Johnson recommended the Human Resources Department make their Strategic Goals, listed in the memorandum from the Human Resources Director, more concrete.

Housing Production Plan Presentation

Marcia Rasmussen, Director of Planning and Land Management, appeared before the Select Board with Liz Rust, Office of Regional Housing Services and Laura Smeed, Planning Consultant with JM Goldson LL to present the latest draft version of the Housing Production Plan.

Ms. Smeed noted that the Planning Board is going to be voting on the Housing Production Plan at their next meeting on December 13, 2022 and that the Planning Board's comments have already been incorporated in the draft being reviewed at tonight's Select Board meeting. Ms. Smeed continued that after tonight's discussion, it is their hope that the Select Board will be ready to vote on the Housing Production Plan at their next meeting on December 19, 2022.

Chair Johnson opened the floor for questions regarding the "Strategies" section of the plan.

Ms. Ackerman suggested in Strategy #3, it should state "*and* the Peabody Middle School". Ms. Ackerman asked why former Strategies #7 and #21 have been struck from the plan.

Ms. Rasmussen responded that #7 was struck because it has already been implemented and that #21 was incorporated with a different strategy.

Chair Johnson asked if Strategy #5 is new.

Ms. Rasmussen responded that it was included in the original draft of the plan.

**Town of Concord
Select Board
Minutes
December 5, 2022**

Ms. Rust commented that once the Housing Production Plan has been approved by the Town, and further the Department of Housing and Community Development, the Town will form a group to implement the plan.

**Vote Recommendations on Special Town Meeting Warrant Articles and Vote
Recommendations for Special Town Meeting Consent Calendar for
Special Town Meeting Scheduled on January 19, 2023**

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 1: Fossil Fuel Infrastructure: Confirm Authorization To Apply For Participation In Fossil Fuel-Free Demonstration Project.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 2: Reauthorize Special Legislation Petition – Real Estate Transfer Fee for Affordable Housing.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 3: Reauthorize Special Legislation Petition – Building Permit Fee Surcharge for Affordable Housing.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend favorable action on Special Town Meeting Warrant Article 4: Community Preservation Act Community Housing Reserve Fund.

Upon a motion duly made and seconded, it was
voted: to recommend favorable action on Special Town Meeting Warrant Article 5: Concord Middle School Building Project. The motion passed 4-1-0.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to recommend Special Town Meeting Warrant Articles 1: Fossil Fuel Infrastructure: Confirm Authorization To Apply For Participation In Fossil Fuel-Free Demonstration Project and 4: Community preservation Act Community Housing Reserve Fund to the Consent Calendar.

Status Update on Annual Town Meeting Scheduled for April 30, 2023

Town Manager Kerry Lafleur noted that this agenda item was added in the event the Select Board wanted to discuss any anticipated Annual Town Meeting Warrant Articles following the Annual Town Meeting Preview Meeting that was held last Saturday, December 3, 2022. Ms. Lafleur continued that at this point in time, we are expecting a number of routine articles.

Committee Nominations

**Town of Concord
Select Board
Minutes
December 5, 2022**

Ms. Ackerman noted the following committee nominations:

- John Colman of 65 Central Street to the White Pond Task Force for a term to expire December 30, 2023, upon completion of their final report to the Select Board
- Peter Blau of 135 Partridge Lane for a term to expire April 30, 2025

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to correctively appoint Stanley Lucks of 165 Indian Spring Road to the Pollinator Health Advisory Committee for June 1, 2020 through May 31, 2023; to correctively appoint Arthur Fulman of 64 Annursnac Hill Road for a second term to the Financial Audit Advisory Committee for April 30, 2021 through May 31, 2024; to correctively appoint William Mrachek of 64 Rollingwood Lane for a second term to the Personnel Board for April 30, 2021 through May 31, 2024 and Joe Emerick of 611 Old Bedford Road to the Personnel Board for a term to expire April 30, 2025; to appoint Elissa Brown of 5 Concord Greene, Unit 1 to the White Pond Task Force for a term to expire December 2023, upon the completion of their final report to the Select Board.

Select Board Liaison Reports

Chair Johnson did not have a report.

Ms. Ackerman reported on:

- Bruce Freeman Rail Trail Advisory Committee – Going to need two members due to current members moving out of Town and the Committee is going to do a site walk of Junction Park after the planters are installed
- Personnel Board – Regarding the appeal from CMLP, the Personnel Board agrees with the Town’s administrative decisions but encourages better communication with employees moving forward
- PEG Access Committee – Working on a contract with Comcast and a consultant will be attending a Select Board meeting with the Committee in the future
- MMA Fiscal Policy Committee – Proposed a resolution supporting an enduring fiscal partnership between cities, towns, and the Commonwealth in Fiscal Year 2024 which will be voted on at the Annual Conference in January 2023

Mr. Dane reported on:

- 2025 Executive Committee, Communication Subcommittee – Group of people working on logos and taglines for the 250th Celebration
- 2025 Executive Committee, Finance Subcommittee – Collecting budget estimates on a standardized form from all 10 subcommittees which should be processed this week

Ms. Escobedo reported on:

- Groundbreaking Ceremony for the Habitat for Humanity house on Commonwealth Avenue
- Concord Municipal Housing Authority – Looking into the next house that could be added to the SHI, which could potentially be an existing CHA property at 1031 Main Street

**Town of Concord
Select Board
Minutes
December 5, 2022**

- Concord Housing Development Corporation – Working on their application for the Assabet River Bluff project that will be going to the CPA
- Community Preservation Committee – Has made their preliminary recommendations for applications received and the final vote will take place at their meeting this coming week
- Planning Board – Concord Academy project is moving forward to the Zoning Board of Appeals

Ms. Hartman reported on:

- Trails Committee – Bedford did not vote to pass the project to pave their section of the Reformatory Trail branch that extends to the Concord town line
- Recreation Commission – Challenges at the Beede Center
- Regional Water Services – Municipalities are facing challenges with PFAS in drinking water and looking toward solutions

Correspondence

Chair Johnson acknowledged correspondence from the Concord Retirement Board notifying the Select Board of the election of Peter J. Fulton to the Concord Retirement Board.

Public Comment

Diane Proctor of 57 Sudbury Road and Chair of the Community Preservation Committee appeared before the Select Board and noted that the Bruce Freeman Rail Trail Advisory Committee will not be able to perform their site visit of the planters at Junction Park until the Town votes to have the CPC funding allocated to place the planters.

Ned Perry of 362 Bedford Street appeared before the Select Board and asked that the memorandum that Amy Foley, Human Resources Director, was referring to during her presentation will be added to the Select Board packet.

Mark Gailus of 62 Prescott Street appeared before the Select Board and thanked the staff working on the Housing Production Plan and further commented that he does not believe that there should be aspects including in the plan that are left open to interpretation, but should be concrete.

Toby Chaudhuri of 100 Keyes Road appeared before the Select Board and commented on issues that he has experienced this year with the Concord Police Department.

Adjournment

Chair Johnson adjourned the meeting.

Meeting Materials: <https://concordma.gov/DocumentCenter/View/40030/Select-Board-Meeting-Packet-December-5-2022v2>

Meeting Recording:

<https://www.youtube.com/watch?v=Upuctrzechg&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=3>