

**Town of Concord
Select Board
January 4, 2021
Minutes**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference call on January 4, 2021 at 4:00pm.

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

Call to Order

Select Board Chair Linda Escobedo called the meeting to order at 4:00pm.

Roll call vote

Ms. Escobedo: Present
Ms. Ackerman: Present
Ms. Bates: Present
Ms. Hotchkiss: Present
Mr. Johnson: Present

Consent Agenda

- Gift Acceptance
 - Eric Green and Carmin Reiss \$25,000 to the Affordable Housing Trust Fund
 - Mr. & Mrs. John J. Langan \$800 to the Council on Aging

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

Roll call vote

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

Town Manager's Report

Town Manager Stephen Crane reported that the structure for the first responders' vaccination clinic is nearly complete. Mr. Crane responded to inquiries the Town has received regarding vaccinations, noting that the Massachusetts Department of Public Health determines the [vaccination order](#), and the Town cannot accelerate or change priority populations. Mr. Crane stated that the goal is to not stop administering vaccinations at this site until everyone in each of [the three phases](#) has been vaccinated.

The Planning Board voted to approve the subdivision plan at 1440-1450 Main Street subject to 55 conditions. The plan reserves 3 lots of affordable housing and 2 lots of open space. The Town has 3 years to decide whether to purchase any of the 5 lots for fair market value. A copy of the

**Town of Concord
Select Board
January 4, 2021
Minutes**

plan was included in the [meeting materials](#).

The third-party customer service vendor for CMLP is scheduled to go live on January 7th. Customers will be notified about the new reporting system through their next bill, as well as through news and notices, and social media.

The process of developing the Town Manager's Budget and Capital Plan is underway. Given the uncertainty surrounding state aid and local receipts, the impact of the pandemic will extend into FY22, and the Town will continue the conservative approach taken in the revised FY21 Budget.

The Town's social services Holiday Program saw record numbers this year, with 79 families and 165 children receiving gift cards donated by residents. The silent fund helped 109 families and 186 total individuals with cash gifts. Mr. Crane thanked residents for their generosity, noting its impact on people's lives during the holiday season.

Affordable Housing Funds Update

Liz Rust of the Concord Housing Development Corporation explained that the CHDC put in a Community Preservation Committee funding request for \$500,000.00 to support the buydown and conversion of market rate homes to affordable units, and to extend the affordability. Ms. Rust noted that they may not get the full \$500,000.00 from CPC, and in that case would expect to come to Town Meeting with a warrant article requesting additional funding to develop and maintain affordable housing.

Legal Services Budget Discussion – Town Counsel

Town Counsel Mina Makarious reported on the work that has required use of the legal services budget. Anderson & Kreiger's legal spending as Town Counsel on matters other than the Estabrook matter totaled just over \$54,000 between July 1 and November 30, 2020. Town Counsel noted that another approximately \$26,000 expended in December 2020 has not yet been billed. These numbers are in line, and as of early December, were slightly below the typical rate expended at this point in the fiscal year. This period included the unusually late annual town meeting, as well as additional advice regarding COVID-related issues, which were tracked separately since the beginning of the pandemic so it's possible that they may be reimbursed by federal or state funding. Additional issues have included the review of the Junction Village TIF Agreement, a settlement regarding the Concord Library litigation, advising the Planning Board on proposed subdivisions, and a large number of public records requests and associated appeals.

2020 CARES Act COVID-19 Expenses

Mr. Crane reported that the Town received \$1,600,000 in funding through the CARES Act. The

**Town of Concord
Select Board
January 4, 2021
Minutes**

CARES Act initially gave municipalities a deadline of December 31, 2020 to allocate the funding provided, before extending the deadline to December 31, 2021 in the final days of the year. The Town already had allocated all of the funding by the end of 2020. Mr. Crane noted that there will be labor costs associated with pandemic response that continue into 2021, and the funding may be reallocated to other areas as needed. The complete list of how the funding was allocated is included on [page 34 of the meeting materials.](#)

Letter of Support for S.2995. An Act Creating a Next Generation Roadmap for MA Climate Policy

Ms. Escobedo explained that the state legislative session closes tomorrow, and the Select Board received a request from Senator Mike Barrett's Office requesting support for [S. 2995 An Act Creating a Next Generation Roadmap for MA Climate Policy](#). Sustainability Director Kate Hanley reported that the senate voted 38-2 to support this bill, and it will go to Governor Baker for his signature. There is concern that he may veto the bill as it is written. Select Board members voiced their support for the bill.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to submit a letter to Governor Baker in support of S. 2995 An Act Creating a Next Generation Roadmap for MA Climate Policy.

Roll call vote

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

Town Manager's FY'20 Evaluation

Ms. Escobedo explained that the individual Select Board evaluations were submitted anonymously, and then compiled into one form. Mr. Crane also submitted a self-assessment as part of the evaluation process. Ms. Escobedo noted the difficulty of the transition period that included an IT breach and the COVID-19 Pandemic within the first months of Mr. Crane's arrival.

Select Board members expressed concern that the comments in the evaluation were outdated since they were written in August and September 2020, and it could be helpful to incorporate comments and feedback that reflect the last several months. Ms. Escobedo noted that this is the one-year evaluation and feedback for the last few months will be incorporated into next year's evaluation. The Select Board agreed that they would continue this discussion at the next meeting. Ms. Escobedo invited public comment.

**Town of Concord
Select Board
January 4, 2021
Minutes**

Brooks Reed of Estabrook Road stated concern that the interest in public comment from the Select Board was disingenuous because the Town Manager's evaluation was not added to the agenda until the day of the meeting.

Mark Gailus of 62 Prescott Road stated that if a document is to be discussed at a meeting, the public would benefit from access to that document in real time.

Diane Proctor of 57 Sudbury Road stated that it would be useful to have access to the evaluation document so that the public could provide feedback.

Pamela Dritt of 13 Concord Greene requested a copy of the evaluation form.

Tanya Gailus of 62 Prescott Road stated that she wasn't sure if it was against open meeting law for the Select Board Chair to be compiling comments on the evaluation and distributing a summary, as opposed to a summary prepared by a third-party.

Committee Nominations

There were no committee nominations.

Committee Liaison Reports

There were no committee liaison reports at this meeting.

Miscellaneous Correspondence

The Select Board received correspondence related to Bruce Freeman Rail Trail Advisory Committee's potential request to a revision of their charge to include the Reformatory Trail.

There was also correspondence questioning whether there were other examples of a Town engaging in litigation against citizens.

Public Comments

Diane Proctor of 57 Sudbury Road stated that the League of Women Voters will hold a candidate debate three weeks ahead of the Town Election on March 7, 2021 over Zoom.

Adjourn

Upon a motion duly made and seconded, it was UNANIMOUSLY

**Town of Concord
Select Board
January 4, 2021
Minutes**

VOTED: to adjourn.

Roll call vote

Ms. Escobedo: Aye

Ms. Ackerman: Aye

Ms. Bates: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=VsMnh1MC2rQ>

Meeting Documents:

<https://concordma.gov/DocumentCenter/View/27365/January-4-SB-Packet>