

TOWN OF CONCORD
SELECT BOARD
MINUTES
APRIL 2, 2020

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a video conference call on April 2, 2020 at 4:00PM.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, Jane Hotchkiss, and Susan Bates. Also present was Stephen Crane, Town Manager; Finance Director, Kerry Lafleur; Town Moderator, Carmin Reiss; Town Assessor, Lane Partridge; and Kaari Tari, Town Clerk.

1. Call to Order

Select Board Chair Michael Lawson called the meeting to order at 4:00pm.

2. Town Manager Update

Town Manager Stephen Crane noted that the Town has been communicating with members of the business community regarding ways in which the Town can support local business during this time and moving forward.

Starting Monday April 6, town staff members John Harris and Brandon Roberts will be available to discuss the SBA programs available to local businesses. Mr. Crane noted that there is information for businesses available on Town's website, as well as public health information regarding COVID-19. The Town's Tourism Manager is close to completing a tourism website, which will feature information for business as well.

The Town had previously been reporting the number of COVID-19 cases on the website. The Massachusetts Department of Public Health requested that municipalities do not continue to post the number of reported cases. The Town also had concerns that the number of confirmed cases significantly underrepresents the actual amount of cases given the lack of testing at this time. For these reasons, we took off the number of cases from the website. Mr. Crane stated that he was open to feedback from the Select Board on whether or not the Town should continue to post the number of confirmed cases. Ms. Escobedo suggested that the Town could continue to post the data, but with the qualifier that Mr. Crane previously mentioned about the actual number of cases being higher than the confirmed cases. Ms. Hotchkiss stated that the small number of confirmed cases right now likely isn't representative because of the lack of testing that is occurring, and is weary that posting the small number of cases could influence a relaxation in resident's social distancing patterns. Mr. Lawson cautioned that we should follow the advice from our public health leaders, and if the Department of Public Health advises the Town not to post the data, then we should follow that advisory. Mr. Crane suggested that the Town could post the case numbers weekly, and if the number of confirmed cases spike, then we could post these daily. Mr. Crane stated that the Public Health Director and

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Public Information Officer agree that we should follow DPH's guidelines and not publish the number of confirmed cases at this time.

The Town closed Beede Center and the childcare center in accordance with the Governor's Order, and laid off the non-regular status employees so they could be eligible for unemployment, and because their salaries come from the monthly revenue of those centers. The Recreation Department is working on doing the annual Easter egg hunt, where residents can drive up to Beede and receive Easter eggs on Sunday, April 9 from 11:00am-12:30pm.

The curbside trash and recycling collection will continue. The sticker renewal is usually April 1, but if residents can't get out and get their sticker, their trash will continue to be collected through the end of the month. The Town is working on a process for residents to be able to purchase their stickers online.

The Town is going to open the composting facility on Thursday, April 9 from 8:00am-2:00pm, and on Saturday, April 11, from 9:00am-3:00pm. Residents can go to the Concord Public Works website if they have any questions. Mr. Crane noted people need to be mindful of social distancing if they plan on attending, otherwise they will have to close this.

Alan Cathcart is the new Director of Public Works. Mr. Crane commended Mr. Cathcart's knowledge of the Town and department operations, and his commitment to the same.

Ms. Hotchkiss asked if we could waive the third-party fee for online bill payments. Finance Director Kerry Lafleur noted that the Town is not allowed to pay the service fees for the third-party processing fee, unless there is a budget appropriation. Mr. Lawson noted that residents could avoid the service fee by using their bank account information instead of a credit card.

3. Discuss and Vote to Suspend Single Serve Water Bottle Ban

Mr. Crane stated that a supermarket approached him about temporarily suspend the bylaw that bans single serve water bottles in order to help meet the needs of their customers, stating that retailers are having trouble getting larger sized water bottles due to the high demand. Mr. Crane noted that the Town will leave public drinking fountains off at this time because they could be a transmission point. Ms. Hotchkiss objected to the suspending the single serve water bottle ban, stating that it would be a change that perhaps would benefit the retailers, but would reverse a behavior change that members of the public are already underway in, and stated that she would need to be convinced that reversing this bylaw is in response to an overwhelming public need. Ms. Escobedo asked if we are aware of how much this is affecting our business community. Mr. Lawson stated he would like to hear directly from the Director of

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Public Health to see if this is something that would be beneficial. Mr. Crane stated that he believes that the manager of the store he spoke with was sincere about the need for resident's access to bottled water, but that he could hold off on suspending the bylaw and continue to seek feedback.

4. Discussion of Property Tax Relief

Mr. Lawson stated that pending before the legislature is a bill that would give the Select Board the ability to do one of two things: 1) to waive the late fees and penalties for property tax payments, or 2) to delay the due date for property taxes from May 1 to June 1. Mr. Lawson stated that this legislation hasn't passed, but it would be good to have a discussion so we have a plan for when it does.

Town Assessor Lane Partridge stated that the exemption of a filing period for exemption and deferrals is normally April 1, and the bill allows this to be extended. Mr. Partridge states that it would be great for people to take advantage of this, but it is based on income and expenses from July 2019, which doesn't consider what individuals are going through during this time period. Mr. Partridge commented that we could certainly extend this deadline, but wouldn't expect many applications to come in.

Finance Director Kerry Lafleur commented that she would prefer that the Select Board doesn't delay the due date, but would be supportive of waiving late fees and penalties so that anyone who isn't in a position to pay would not be penalized. Mr. Crane agreed with Ms. Lafleur, citing the need for flexibility during this unprecedented time. Ms. Ackerman asked if we were aware how long the legislation would allow municipalities to delay the fee for. This has not yet been determined.

5. Town Meeting Update – Town Moderator

Town Moderator Carmin Reiss stated that she consulted with the Town's public safety officials pursuant to the Town Meeting Emergency Protocol. The feedback was unanimous and consistent that Town Meeting will need to be postponed due to the risk to voters, lack of alternative options, and the availability of public safety personnel. Ms. Reiss stated that the Town is allowed to schedule Town Meeting for up to 30 days beyond its' original date. For planning purposes, Ms. Reiss states she plans to extend the start of Town Meeting until the end of May, and then again will revisit whether to extend it another month into the end of June. Ms. Reiss pointed out that the Select Board and the Town Moderator likely both have the authority to postpone Town Meeting, and has consulted with Town Counsel on determining the best path forward. Town Counsel stated that there's an argument to be made that under Massachusetts General Law, the Select Board could postpone Town Meeting to June, but there is no prior case law on this, and the warrant serves as the formal notice of the

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meeting and the warrant has already gone out. Town Counsel suggested that both the Select Board and Town Moderator could decide to postpone Town Meeting until June, and in case of any questions about procedural regularity, the Town Moderator could also issue a declaration the day before planned beginning of Town Meeting in April to reschedule it 30 days out.

Ms. Reiss pointed out that if we target June 22, 2020 as the new Town Meeting date, it would leave plenty of time for the final two Finance Committee Public Hearings, the Finance Committee report to be created, the Select Board to make their recommendation on the articles, and for Town staff to prepare. Mr. Lawson asked if we would be able to get this timeline written down and posted that would be useful. Mr. Lawson asked what the requirements were to do public hearings before Town Meeting. Ms. Reiss stated that while the Town has always done public hearings, there is no requirement under state law or any town bylaw.

Ms. Reiss noted that the Town of Sheffield recently held a meeting outside, with everyone practicing social distancing measures. Ms. Reiss commented that holding Town Meeting outdoors in June is something the Town should keep on their radar as we continue to search for ways to viably conduct Town Meeting.

Ms. Ackerman remarked that Ms. Reiss' proposal that both the Select Board and the Town Moderator agree to reschedule Town Meeting makes sense. Ms. Ackerman questioned when the earliest date that requires an in-person meeting in accordance to this new timeline would be. Ms. Reiss responded that every meeting could be done online if necessary up until the first day of Town Meeting, which would have to take place in person. Town Clerk Kaari Tari stated that June 22 would work given that it would take place after the Town Election, which is now scheduled for June 11. Mr. Lawson requested that Ms. Reiss write down the new timeline so the board members could review it.

Mr. Lawson noted that there was a regularly scheduled Select Board meeting on Monday, April 6, which will be cancelled.

Mr. Lawson stated that at the next Select Board meeting, they will be reviewing the charge of the Economic Vitality Committee in order for this committee to come up with suggestions on how the Town could provide support to small businesses during this time. Mr. Crane encouraged residents to review the list of essential businesses on the town website.

6. Adjourn

Motion made and seconded, with a unanimous vote to **adjourn**.

Minuteman Media Network Coverage:

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

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