

**TOWN OF CONCORD  
SELECT BOARD  
AGENDA  
APRIL 30, 2020  
4:00PM  
CONFERENCE CALL**

1.	Call to Order
2.	Town Manager Update
3.	Certificate regarding intended use of land purchase (Emerson land)
4.	Certificate of Useful Life of purchased equipment
5.	Concord Town History & Guide Training Class Graduates
6.	Miscellaneous Correspondence
7.	Adjourn

**Town of Concord**  
**Finance Department**  
*Memorandum*

**TO:** Stephen J. Crane, Town Manager

**FROM:** Kerry A. Lafleur, Chief Financial Officer

**SUBJ:** Determination of Maximum Useful Life

**DATE:** April 22, 2020

As you are aware, we are in the processing of issuing both long and short term debt for ongoing and recently completed capital project. The funding for the following projects is anticipated to be included in the upcoming bond issue (permanently financed):

2020 General Obligation Bond Issue						
PROJECT	Authorization	Capital Project Account	Amount Authorized	Previous Amount Borrowed	Net	
<b>General Fund, Non-Exempt</b>						
1	Fire Engine (to replace #5 and #7)	21-ATM-2018 (3)	220-220-396	\$ 365,000	\$ -	\$ 365,000
2	Park Improvements, Gerow	07-ATM-2019	122-123-402	\$ 600,000	\$ -	\$ 600,000
3	Open Space Land Acquisition	07-ATM-2019	180-175-403	\$ 100,000	\$ -	\$ 100,000
4	2019 Roads Program	07-ATM-2019	410-422-404	\$ 800,000	\$ -	\$ 800,000
5	2019 Roads, Cambridge Turnpike	07-ATM-2019	410-422-405	\$ 600,000	\$ -	\$ 600,000
6	Park Improvements, White Pond	07-ATM-2019	122-123-407	\$ 600,000	\$ -	\$ 600,000
7	Park Improvements, Rideout	07-ATM-2019	122-123-408	\$ 200,000	\$ -	\$ 200,000
8	Concord Public Schools, 2019	12-ATM-2019	300-300-410	\$ 900,000	\$ -	\$ 900,000
<b>General Fund, Exempt</b>						
9	Middle School Feasibility Study	14-ATM-2019	122-123-411	\$ 1,500,000	\$ -	\$ 1,500,000

In order to move forward with this process, we must obtain a legal opinion from Bond Counsel, often referred to as the "Green Light Letter," assuring bond holders that the Town has the legal right to issue this debt. To obtain this legal opinion, the Town must provide various documents and certifications regarding the project authorizations contained in either the bond or note issuance.

There are two items required of the Select Board. First is a Vote of the Select Board to determine the Maximum Useful Life for any equipment financed within the bond issue. The form of the Vote is attached hereto. This Vote, in its entirety, should be read into the record.

Second is a Certificate of the Select Board stating that the land acquired with the \$100,000 bond will not be leased, rented, managed, sold or otherwise committed to a third party for so long as the bonds or notes for the land acquisition are outstanding.

At this time, I am requesting that the Select Board undertake these votes in order to meet certain legal requirements related to the 2020 General Obligation Bond Issue. Please be in touch with any questions.

## Vote of the Select Board

I, the Clerk of the Select Board of the Town of Concord, Massachusetts, certify that at a meeting of the board held April 30, 2020, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was unanimously passed, all of which appears upon the official record of the board in my custody:

Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of a portion of the \$900,000 borrowing allocable to equipment authorized by the vote of the Town passed April 10, 2019 (Article 12) to be as follows:

<b>Item</b>	<b>Purpose</b>	<b>Borrowing Amount</b>	<b>Maximum Useful Life</b>
1	Elementary Energy Recovery Units (ERU's)	\$ 690,000	20 years
2	Integrated Playground at Thoreau Elementary School	\$ 50,000	20 years
3	Boiler Exhaust at Willard Elementary School	\$ 20,000	20 years
4	AC Chiller replacement at Willard Elementary School	\$ 40,000	10 Years

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

Dated: April 30, 2020

Clerk of the Select Board: \_\_\_\_\_

## Certificate of the Select Board

- A. **Open Space Land Acquisition Planning Bonds:** With regard to the \$100,000 authorized to acquire land under Article 7 (3) of the 2019 Annual Town Meeting (Emerson Land): the Town does not currently anticipate that the land to be acquired with proceeds of the bonds, or any portion of such land or facilities to be located thereon, will be leased, rented, managed, sold or otherwise exclusively committed to a third party for so long as any bonds or notes for the land acquisition are outstanding. The purpose of this land purchase is to supplement the Town's open space inventory.

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Clerk of the Board, Town of Concord

52 Devens Street  
Concord, MA 01742

April 25, 2020

Dear Select Board and Town Manager,

I write as a Concord citizen. I was dismayed to hear last week the report that Concord residents are not observing social distancing measures on the trails. This is not what I have observed and I would like to offer a more positive report.

My husband and I, with our (always leashed) dog, have been walking trails throughout town and the streets and roads around Concord Center multiple times a day since the beginning of March, logging about 40 miles a week. We've walked Hapgood Wright Forest, Emerson-Thoreau Amble, Simon Willard Woods, the Old Rifle Range, Estabrook Woods, Punkatasset, Chamberlain Woods, the Reformatory Branch, Sleepy Hollow Cemetery, North Bridge NHP, October Farm, and Annursnac. We've also shopped at Crosby's, Ace, CVS, Concord Market, and the Liquor Store, visited the Post Office, and picked up take-out at Sorrento's and 80 Thoreau. In the 35+ years I've lived in Concord, I've never appreciated our local resources more.

In our travels over these past few weeks, we've passed folks walking and running on foot, with and without dogs (on and off leashes), and folks on bikes, scooters, roller skates, and pushing strollers. Almost without exception, the people we pass have mindfully kept their distance, covered their faces if they weren't wearing masks, and smiled or waved. We've stepped off the trail for bikers and runners to pass – easier for us than for them. People walking in pairs or groups appeared almost certainly to be members of the same household (the miserable looking teenagers trailing behind adults are a clear giveaway) – not friends congregating. The two or three negative encounters we've had with others, out of probably a hundred, have been with people walking dogs off-leash who didn't take kindly to our request that they leash their dogs to avoid an unfriendly interaction with our leashed dog.

In the grocery stores, shops and restaurants, I have observed others wearing masks and often gloves, wiping carts, keeping a wide berth from other shoppers, standing six feet behind the next person in the check-out line, and standing obediently outside the restaurant for take out to be delivered to the curb, or for their turn to be the one person in the restaurant to pick up.

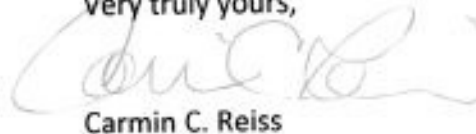
In sum, the behavior of people in our community appears to me to be overwhelmingly careful, considerate, and appropriately observant of social distancing protocols. Concordians deserve recognition and appreciation of their efforts. If reminders are in order for those few who have departed from social distancing protocols, it would seem best that the reminders be informative (one can have the virus and be spreading it without knowing), proportional (the

vast majority of us are doing a great job) and given with understanding and empathy for how hard social distancing is, especially for the most social among us.

I would note that there is very, very little signage around town or on the trails with COVID-19 social distancing reminders. Compare the sign posted by the Concord Land Conservation Trust in the Simon Willard Woods (copy attached). I would think that Social Distancing Reminders posted around town and on town trails would be a very good way to deliver reminders to those who need them.

Thank you all for all that you are doing for us in this difficult time.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Carmin C. Reiss".

Carmin C. Reiss



## GUIDELINES FOR TRAIL USE SPRING 2020

CLCT is committed to keeping its trails open and safe for everyone during the COVID-19 crisis. Adhering to these guidelines – which are consistent with those on Town Conservation Lands – will help keep our trails open!

1. If the parking area is full, please return at a later time or choose a different trail to hike.
2. Walk to areas that are close to your home to alleviate parking pressure.
  - Go to [www.concordland.org/clct-lands/](http://www.concordland.org/clct-lands/) for trail options.
3. Keep dogs leashed at all times.
4. Practice appropriate social distancing on trails with at least 6 feet between you and other trail users.
5. Wear a mask when approaching other people.
6. As always, carry out any trash or dog waste.

**If you are enjoying this land  
please consider joining the Land Trust.**

Contact us at [info@concordland.org](mailto:info@concordland.org) for more information  
and follow us on Instagram @concordlandconservationtrust.



**From:** Mark Gailus <[mark\\_gailus@yahoo.com](mailto:mark_gailus@yahoo.com)>

**Date:** Thursday, April 30, 2020 at 2:24 PM

**To:** Concord Public Info <[publicinfo@concordma.gov](mailto:publicinfo@concordma.gov)>, Michael Lawson <[mlawson@concordma.gov](mailto:mlawson@concordma.gov)>

**Cc:** Health Department <[healthdepartment@concordma.gov](mailto:healthdepartment@concordma.gov)>

**Subject:** To: Concord Select Board Meeting April 30, 2020

Dear Members of the Select Board,

Would you consider some regulations regarding how many trucks and other related equipment can be parked at a construction or renovation site at one time? I am concerned that large numbers of trucks and people going in and out on narrow residential streets may be increasing residents' (and workers') exposure to the Coronavirus, including by raising dust that spreads widely and does not settle quickly.

I have seen this happening in various locations in Town, including our neighborhood.

Would you consider requiring that workers, whether in construction, or in lawn services, wear masks while outdoors? Last week I witnessed an out of town lawn care company working locally -- 5 people were blowing leaves plus two others working or supervising, all within the same 20 by 20 foot area -- and none of them were wearing masks.

Would you consider a temporary ban on use of leaf blowers? I am concerned that the typical 100 mile per hour wind stream they create can further extend the range of any contaminated droplets from anyone in the immediate area, as well as creating new droplets from what would otherwise stay harmlessly on the ground where we would not breathe it in. (By the way, this same concern applies to diseases such as tularemia that could be present on the ground from animal droppings and are made airborne by hurricane force leaf blowers.) As weather becomes drier and more people of all ages are outside, I think that this is a serious problem. In dry weather I have seen clouds of dust from aggressive leaf blowing travel dozens of yards without settling.

Are you considering a general requirement that masks be worn by all individuals when on residential streets or in town centers etc.?

Thank you very much.

Keep well,

Mark Gailus  
62 Prescott Road

**From:** Ellen Emerson <[ellen.emerson@yahoo.com](mailto:ellen.emerson@yahoo.com)>

**Sent:** Sunday, April 26, 2020 5:28 PM

**To:** [concord@wickedlocal.com](mailto:concord@wickedlocal.com)

**Cc:** Michael Lawson; Terri Ackerman; [jescobedo@concordma.gov](mailto:jescobedo@concordma.gov); Jane Hotchkiss; Susan Bates; Stephen Crane

**Subject:** Letter to the Editor re: COVID19 and Concord Community

Dear Editor,

We've been following Town Updates of COVID19 on the [concordma.gov](http://concordma.gov) site. They stress the importance of social distancing, and give good guidelines for keeping our community safe. They are succinct and well-written, focusing always on our community as a whole.

But on April 23, a very different message came from the Town, a 'Statement of the Select Board'. The Statement expresses the Select Board's concern with private landowners closing access to their private land because social distancing measures by the public were not being followed on their land.

The landowners took action to protect the community by closing their land, just as the Town takes action to protect the community by closing public land.

The private land involved is the subject of a lawsuit initiated by the Select Board. The Statement of the Select Board makes far more allegations relevant to its lawsuit than it does to the importance of all of us taking whatever measures are needed, private or public, to protect the health and safety of our community during the COVID crisis.

We find it very disturbing that the Select Board used its April 23 Statement as a forum to further its claims about a legal matter unrelated to the public safety at this time. Particularly disturbing is the insinuation that there are 'permitted recreational purposes' available to the public on the private land, and the statement that 'the Town will not take action to prevent the public from using' the private land for 'permitted recreational purposes.' There are no permitted recreational purposes on that private land.

Unless the Town's claim of 'public access' to that land is decided in the Town's favor by the Court, that land has no public access. It now is rightfully controlled and managed by its landowners.

Ellen Emerson and Bruce Kohler  
Monument Street

From: Lansing Old <[tenblackcormorants@yahoo.com](mailto:tenblackcormorants@yahoo.com)>

Sent: Sunday, April 26, 2020 6:11 PM

To: Stephen Crane; Susan Bates; Jane Hotchkiss; Michael Lawson; Terri Ackerman; Linda Escobedo

Subject: Re: Statement of the Select Board 4/23/2020

SB/ Town Manger,

Concord keeps claiming it has a case, it needs to save this asset at all cost, yet where is the evidence you have a case? Where is the accountability to the tax payers your intentions have merit? Show us one document, show us a plan, a budget. Give us a reason to agree with your Statements, give us something besides your reactions to citizen complaint.

Lansing Old Lowell Road

Sent from my iPhone

On Apr 26, 2020, at 2:22 PM, Lansing Old <[tenblackcormorants@yahoo.com](mailto:tenblackcormorants@yahoo.com)> wrote:

To Town Government,

There are numerous misrepresentations of what is factual and what is legal in your language presented to Concord residents. While you suggest the public and yourselves are acting with lawful authority in actuality you are inciting public discord.

Town government is to be non-partisan, to hold a standard of equal treatment under our laws, to keep the peace between those who disagree.

There is no documentation to substantiate your claim Estabrook Trail, has ever been or, is a road.

The land beneath The Trail and all abutting lands you have acknowledged to be private. Each landowner has a right to protect his land as Massachusetts' private property rights grant.

Being the Plaintiff in your law suit places the burden of proof upon yourselves to prove Estabrook Trail abutters are acting illegally by denying access as trespassers refuse to follow simple rules and regulations, also allowed by MA private property rights.

The landowners are only doing what they feel is safe for themselves and the land they own.  
This is their right.

In witnessing Concord's history of a lifetime I am convinced to be a resident is to be honorable, is to be fair, is to be above judgement until this access issue is resolved. To side with public outcry now is to undo all of what Concord stands for.

Lansing Old

Sent from my iPhone

From: Peter Gifford <[plgiff@aol.com](mailto:plgiff@aol.com)>  
Sent: Friday, April 24, 2020 6:00 PM  
To: finance mail; Stephen Crane  
Cc: Michael Lawson; Jane Hotchkiss; Terri Ackerman; Linda Escobedo; Susan Bates  
Subject: Tax payment though

Dear all,

I know this is going to sound like a far reaching thought, but has the town considered, given the current unprecedented economic stress on many people, of allowing the real estate property taxes that are due on the first of May, to be paid in two different installments? One on the first of May, and the other half due maybe in July. This may ease the impact on many citizen's budget requirements.

Along with this, is there any opportunity to lower the tax rate so as to lessen the burden on those budgets?

Every body is throttling their spending obviously due to incomes falling way off, and maybe it is time for the town to rein in its budget. It is probably way to late for any of these ideas simply because they all would have to go through some endless appropriation/legal course before they could be implemented. But who knows, sometimes when things really need to be done, there are ways to make them happen.

Speaking of budget cuts, one place for sure that tax dollars could be saved/reduced is by dismissing article #28 on the warrant for this year. Asking for \$848,410.00 for a parking lot at CCHS for 130 (mostly student) cars is completely gilding the lily! There is a very good bus system that we all are paying for anyway and that should be the only needed expenditure related to mobility. Bicycles still work!

The town truly needs to become more careful with regards to its allocation of budget requests. Not every citizen in this town has deeply padded bank accounts. And this year some are going to be truly living close to the wire.

I appreciate you at least taking the time to read this correspondence and it would be great to hear back from members of the boards or Mr. Crane himself.

Thankyou all,

Peter Gifford  
1171 Monument Street

On Apr 24, 2020, at 12:34 PM, Kevin Strauss <marketing@gogovapps.com> wrote:

Hi Jane,

My name is Kevin Strauss and I was hoping you could point me in the right direction...

I work with a number of Towns providing CRM 311 Mobile apps to help manage citizen complaints, work orders and improve citizen satisfaction.

I was hoping to schedule a call with the right person to discuss ways that we might be able to help save time & operate more efficiently. In the meantime, here is some information on our service...

GOREquest by GOGov

Best Regards,

Kevin Strauss

