

**TOWN OF CONCORD
SELECT BOARD
AGENDA
November 23, 2020
4:00PM
VIDEO CONFERENCE CALL**

Join Zoom Meeting

<https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBlA21CczdQM0EvWVVFZz09>

Meeting ID: 840 9239 5810

Passcode: 865209

One tap mobile

+16465588656,,84092395810# US (New York)

Dial by your location

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Meeting ID: 840 9239 5810

Find your local number: <https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBlA21CczdQM0EvWVVFZz09>

1.	Call to Order
2.	Consent Agenda <ul style="list-style-type: none">- Minutes to approve: October 13, 2020; November 2, 2020- Town Accountant Warrants – November 19, 2020- Gift Acceptance: John and Arline Leigh \$400.00 Council on Aging Gift Account- Proclaim November 28th, 2020 as Small Business Saturday
3.	Town Manager’s Report
4.	Chair’s Remarks
5.	Priority List of CPA Projects
6.	Committee Volunteer Subcommittee Update
7.	Committee Nominations
8.	Committee Appointments: John Cooley of 80 Highland Street to the West Concord Advisory Committee for terms to expire on April 30, 2023
9.	Committee Liaison Reports
10.	Miscellaneous Correspondence
11.	Public Comments
12.	Adjourn

**TOWN OF CONCORD
SELECT BOARD
MINUTES
October 13, 2020
4:00PM
VIDEO CONFERENCE CALL**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference call on October 13, 2020 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

- Town Accountant Warrants (September 28)
- One Day Liquor License: Saltbox Farm, 40 Westford Road, October 24 at 5:30pm-10:00pm, Wines & Malt Beverages Only
- Minutes to approve: August 17, 2020 Joint Select Board & Finance Committee Public Hearing, August 31, 2020; September 8, 2020
- Proclamation to declare October as Community Chest Month

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to accept the consent agenda as read.

Roll call vote

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

Town Manager's Report

**TOWN OF CONCORD
SELECT BOARD
MINUTES
October 13, 2020
4:00PM
VIDEO CONFERENCE CALL**

Town Manager Stephen Crane reported that in last week's storm, 40 trees fell down and approximately 3,600 households lost power. Mr. Crane commended the work of the Concord Municipal Light Plant in getting power back to those households as quickly as possible.

The Library is having the ground breaking for their renovation on October 14th.

On October 25th from 1:00-4:00pm, the Recreation Department is holding a drive-thru "Trunk or Treat" at the CCHS parking lot.

The TBA Architects Comprehensive Facilities Analysis is complete, and there will be printed copies at the library.

Discover Concord Magazine is working on a holiday shopping guide to send out to 9,000 households. They are looking for charitable contributions to offset the cost of ads on small businesses. The Town is taking out \$2,500 in advertisements for various programs.

Chair's Remarks

Ms. Escobedo commended Town departments for their response to the storm.

Early voting will occur at the Town House from October 17-30th. Residents can view the schedule for early voting on the [Town website](#).

Ms. Escobedo encouraged residents to enjoy Town conservation lands, trails, parks, and to follow the stated rules for these areas.

Joint Meeting with Concord Housing Authority Board to fill current CHA Board Vacancy

By statute, in order to fill a vacant unexpired term to the CHA Board before an election, the CHA Board and Select Board must hold a joint meeting.

Concord Housing Authority Board Roll call Vote

Richard Eifler: Here

Edward Larner: Here

Todd Benjamin: Here

Hester Schnipper: Not Present

The CHA Board has recommended that Stephen Dirrane fill the unexpired term.

**TOWN OF CONCORD
SELECT BOARD
MINUTES
October 13, 2020
4:00PM
VIDEO CONFERENCE CALL**

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint Stephen Dirrane of 59 Marthas Point Road to the Concord Housing Authority Board to fill an unexpired term set to expire on April 30, 2022.

Concord Housing Authority Board Roll call Vote

Richard Eifler: Aye

Edward Larner: Aye

Todd Benjamin: Aye

Hester Schnipper: Not Present

Select Board Roll call vote

Ms. Escobedo: Aye

Ms. Ackerman: Aye

Ms. Bates: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

Sudbury Road and Garfield Road Pedestrian Safety – Police Chief Joseph O’Connor and Town Engineer Steve Dookran

Select Board member Terri Ackerman recused herself from this agenda item after a discussion with the Massachusetts Ethics Commission. Ms. Ackerman lives in this neighborhood and her husband is involved with this matter.

Ms. Escobedo noted that the board received lots of correspondence regarding this matter, and thanked residents for their interest.

Town Engineer Stephen Dookran provided a memo and PowerPoint to the Select Board on this issue. The presentation involved the steps to achieve a long term solution. These documents are available in the [meeting materials](#). The Board and Town Engineer also discussed action that could be taken in the short term to enhance pedestrian safety.

Discussion of Veterans’ Day Proposal - Public Ceremonies and Celebrations Committee

Julissica Navarro-Norton and Tom Valle of the Public Ceremonies and Celebrations Committee provided the Select Board with a memo of their recommendation for the Veterans’ Day celebration. This document is available in the [meeting materials](#).

Upon a motion duly made and seconded, it was UNANIMOUSLY

**TOWN OF CONCORD
SELECT BOARD
MINUTES
October 13, 2020
4:00PM
VIDEO CONFERENCE CALL**

VOTED: To accept the recommendation from the Public Ceremonies and Celebrations Committee to not include children and the flag burning part of the traditional program in this year's Veterans' Day ceremony.

Roll call vote

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

FY21 Select Board Goals – Continued Discussion

Linda Escobedo provided an updated FY21 Select Board goals document for the board's input. This document is available in the [meeting materials](#). Ms. Escobedo will continue to receive input from board members, and the board will finalize the goals document at their October 19 meeting.

Election Worker Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to appoint the Election Workers as outlined in the memo from Town Clerk Kaari Tari dated October 10, 2020

Roll call vote

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

Committee Nominations

There were no committee nominations.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

**TOWN OF CONCORD
SELECT BOARD
MINUTES
October 13, 2020
4:00PM
VIDEO CONFERENCE CALL**

VOTED: to appoint: Jennifer Ubaldino of 38 Crabtree Road to the Trustees of Town Donations for a term to expire April 30, 2023. Connell A Benn of 747 Old Marlborough Road to fill the Republican seat on the Board of Registrars for a term to expire April 30, 2023. Liza Bemis of 5 Grant Street to the Agriculture Committee for a term to expire April 30, 2023.

Roll call vote

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

Committee Reappointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to reappoint: Elise Woodward of 379 Garfield Road, Terri Ackerman of 89 Heaths Bridge Road, Stephen Crane, Town Manager, Kerry Lafleur, Chief Financial Officer, Jared Stanton, School Director of Finance & Operations, Cynthia Rainey, School Committee, Parshar Patel of 379 Sudbury Road, Laurie Hunter, School Superintendent, and Hugh Lauer of 100 Keyes Road to the Capital Planning Task Force for terms to expire June 30, 2021.

Roll call vote

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

Committee Liaison Reports

Ms. Bates attended the Planning Board meeting, where they recommended to the ZBA to approve the 930 Main Street PRD project. They also discussed the traffic study regarding 1440 Main Street. The Historical Commission discussed the demolition delay review for 1710 Lowell Road. The Concord Business Partnership discussed assessment for businesses with Town Assessor Lane Partridge.

**TOWN OF CONCORD
SELECT BOARD
MINUTES
October 13, 2020
4:00PM
VIDEO CONFERENCE CALL**

Ms. Hotchkiss attended the Transportation Advisory Committee, where they discussed the Sudbury Road and Garfield Road pedestrian safety issue. The Natural Resources Commission discussed the Middlesex School's application for two new turf fields, and the Fenn Schools' interest in building a dock and canoe rack.

Mr. Johnson announced that NMI-Starmet is holding a site visit with the Recreation Commission on October 23rd. The Public Ceremonies and Celebrations Committee is looking to come to a Select Board meeting in the future to discuss the Town's budget for parades. The Zoning Board of Appeals reviewed and approved an accessory dwelling unit application on Lexington Road, as well as a two-family Habitat for Humanity home.

Ms. Ackerman attended the Capital Planning Task Force, where they are preparing for a public forum currently scheduled for December 2nd. The Commission on Disability met, where they discussed accessibility of hearing-assist devices in Town facilities.

Ms. Escobedo attended a School Committee meeting, where they reviewed the Superintendent's goals for the year, and prepared an evaluation process for the Superintendent. The School Committee also met in executive session and reported out in open session that they approved the Secretaries' contract through June 2021. The Finance Committee Debt Subcommittee is getting started and working on their goals as a subcommittee. The Financial Audit Advisory Committee is working on their final letters to the Select Board for FY'19 CCRSD and FY19 CMLP audits, and they expect to have these complete by December. The Finance Committee had a presentation from the Capital Planning Task Force Chair Elise Woodward.

Miscellaneous Correspondence

The Select Board has received correspondence regarding the vandalism of Black Lives Matter signs, comments on Select Board goals, questions on whether the Transportation Advisory Committee is a public body or not, and concerns that residents are not obeying the rules for recreational use of Estabrook Trail.

Public Comments

Tanya Gailus of 62 Prescott Road asked if a correction in the September 8th minutes she requested was made. The Select Board confirmed that it was.

Adjourn

**TOWN OF CONCORD
SELECT BOARD
MINUTES
October 13, 2020
4:00PM
VIDEO CONFERENCE CALL**

Upon a motion duly made and seconded, it was UNANIMOUSLY
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=EhxN0IXphC8&t=4665s>

Meeting Documents: <https://concordma.gov/DocumentCenter/View/26548/October-13-SB-Packet>

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference call on November 2, 2020 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

- September 28, 2020 Executive Session #2 (not to be released); October 5, 2020; October 19, 2020; October 19, 2020 Executive Session (not to be released)
- Town Accountant Warrants - October 29, 2020
- Gift Acceptance: Middlesex School gift of \$50,000 for emergency equipment purchases

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

Roll call vote

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

Town Manager's Report

The Governor held a press conference announcing new COVID-19 related restrictions. Cases in Massachusetts continue to rise. Starting on Friday, November 6th a mask advisory will be in place. Massachusetts residents must wear a mask in public indoors or outdoors. The previous

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

guidance was a mask or 6 feet of social distance, but is now both a mask and 6 feet. In person gatherings are now limited to 10 indoors, and 25 outdoors. Restaurant service and alcohol sales will end at 9:30pm. The Governor's stated goals are to keep schools and businesses open as much as possible.

The Presidential Election is on November 3rd. Over 70% of registered voters in Concord voted early.

There is a holiday shopping event on Saturday in Concord and West Concord. Mr. Crane commended Concord Municipal Light Plant for their work in putting up the lights in the business districts.

Chair's Remarks

Ms. Escobedo noted that the Presidential Election will take place on November 3rd, and encouraged the 30% of registered voters who have yet to vote to get out and vote. Ms. Escobedo asked that as we await results, residents should be respectful, respond peacefully, and remember Concord's sense of shared community and peaceful discourse.

Public Hearing: FY21 Tax Levy Classification Hearing – Board of Assessors

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to open the public hearing

Roll call vote

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

Town Assessor Lane Partridge and the Board of Assessors Chair Tom Matthews attended to present the FY21 Tax Levy Classification to the Select Board. The full presentation is available in the [meeting materials](#).

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to close the public hearing.

Roll call vote

Ms. Escobedo: Aye

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

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

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the minimum residential factor of .999960 for FY21.

Roll call vote

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

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to direct the Board of Assessors and the Assessor's Office to examine the residential exemption.

Roll call vote

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

Review Application for permission to fire the Town of Concord Cannons by the Concord Independent Battery

Phil Kenney of the Concord Independent Battery attended to discuss their application for Veteran's Day.

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the application to fire the Town of Concord Cannons by the Concord Independent Battery as included in the meeting materials for the November 2 Select Board meeting and amended with the updated license information.

Roll call vote

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

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

Delegate Town Manager authority for Right of First Refusal – 333 Walden Street

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to authorize the Town Manager to sign a letter on behalf of the Town declining to exercise the Right of First Refusal for the resale of the Local Initiative Project unit at 333 Walden Street.

Roll call vote

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

Review the Local Initiative Plan for 930 Main Street

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the Local Initiative Plan for 930 Main Street.

Roll call vote

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

Concord Middle School Building Committee request to resume committee work

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to give approval for the Concord Middle School Building Committee to end the pause in the feasibility and schematic design phase of the CMSBC project formerly approved by the Select Board, and resume formal activities on or about December 1, 2020.

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

Roll call vote

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

Outdoor Dining Extension

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to retroactively extend the validity of licenses for on-premises alcohol consumption extending said licensees' premises to include outdoor premises, consistent with the Governor's COVID-19 Orders #35 and #37, the Alcohol Beverage and Control Commission's Guidelines for Extension of Premises to Patio and Outdoor Areas, and other applicable state and laws that may not be waived pursuant to either of the foregoing. This authorization, and all applications approved by the Town Manager under this authorization, shall be retroactively extended from November 1, 2020 until December 1, 2020 or when said Order 35 is rescinded, whichever is sooner, at which point the applicant's licensed premises will revert to the licensed premises in effect prior to such approval.

Roll call vote

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

Committee Nominations

Adrienne Boardman of 110 Hillcrest Road to the Bruce Freeman Rail Trail Advisory Committee for a term to expire on April 30, 2023.

Committee Appointments:

Upon a motion duly made and seconded, it was UNANIMOUSLY

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

VOTED: to appoint Dan Schmid of 44 Baker Farm Road to the Agricultural Committee for a term to expire on April 30, 2023.

Roll call vote

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

Town Manager Appointment with Select Board Approval: Brendan O'Neill Kemeza of 30 Davis Court to the Board of Assessors for a term to expire on April 30, 2023.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the Town Manager appointment of Brendan O'Neill Kemeza of 30 Davis Court to the Board of Assessors for a term to expire on April 30, 2023.

Roll call vote

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

Committee Liaison Reports

Ms. Bates attended the Trails Committee's CPC hearing on December 1. At the Conservation Restriction Stewardship Committee, a Town GIS Coordinator did training on GIS software for stewards. Economic Vitality Committee met on the 27th, and discussed a new HUD grant program for businesses with over 5 employees, and the second round of micro-enterprise grants for businesses with 5 or fewer employees.

Ms. Hotchkiss attended the White Pond Advisory Committee on October 27th, where they reviewed the White Pond Improvement Plan presented at the public forum on Wednesday, October 28th. The Transportation Advisory Committee met, and continued their discussion on a Sudbury Road traffic safety zone. The Commission on Disability met in special session with Jeff Adams from the Library Board and discussed library parking proposals. They expressed strong dissatisfaction with the on-street parking proposal. The Concord Sustainable Energy Committee

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

met and discussed how to effectively complement the Climate Action Advisory Board as an action based town committee interested in promoting the adoption of CAAB's policies. Mr. Johnson attended the CPC funding hearings on the following items or projects: Bruce Freeman Rail Trail, the Housing Production Plan, Regional Housing Services Office, helping CHDC buy down future units, and administrative and technical support for CPC. The Select Board's Committee Volunteer Subcommittee met, where they prepared a policy for Select Board review at a future meeting.

Ms. Ackerman also attended the Committee Volunteer Subcommittee. Ms. Ackerman attended the Commission on Disability, where they discussed the library parking issue. The MMA Fiscal Policy Committee met and discussed unemployment insurance fraud.

Ms. Escobedo attended the Concord-Carlisle Regional District School Committee, where they reviewed FY20 Budget variances, and also reviewed the FY21 approved budget. The CHDC held their annual meeting, where they reviewed a number of follow up tasks to the Junction Village Christopher Heights project ahead of the June 2021 closing. She also viewed the White Pond Public Forum Meeting and encourages others to do the same to learn more about this town-wide resource. Ms. Escobedo specifically called out Ms. Hodges' important opening remarks to correct a lot of circulating misinformation about this project.

Miscellaneous Correspondence

The Select Board received correspondence regarding the Open Meeting Law Complaint against the Transportation Advisory Committee, and regarding concerns of misuse on Estabrook Trail.

Public Comments

Tanya Gailus of 62 Prescott Road commented that although the Transportation Advisory Committee meeting was well-run, residents cannot assume that everything will be upfront, until it is determined whether or not the TAC is a public body.

Ned Perry of 362 Bedford Street commented that he watched the Commission on Disability, and was impressed with the emotional messages being sent by the Commission to the Library Corporation regarding the parking issue.

Adjourn to Executive Session, not to return to open session, to discuss ongoing litigation regarding Estabrook Road. Doing so in Open Session may have a detrimental effect on the Town's litigation strategy.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**TOWN OF CONCORD
SELECT BOARD
MINUTES
November 2, 2020
4:00PM
VIDEO CONFERENCE CALL**

VOTED: to adjourn to Executive Session, not to return to open session, to discuss ongoing litigation regarding Estabrook Road. Doing so in Open Session may have a detrimental effect on the Town's litigation strategy.

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=n-I0CFeJ7qE&list=PL1TTzrWEKOOKHKXNLQprEz0f0ofHYKj8-&index=2>

Meeting Documents: <https://concordma.gov/DocumentCenter/View/26722/November-2-SB-Packet>

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONCORD
SELECT BOARD

PROCLAMATION
SMALL BUSINESS SATURDAY
NOVEMBER 28th, 2020

Whereas, the government of Concord, Massachusetts celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.9% of all firms with paid employees in the United States, are responsible for 65.1% of net new jobs created from 2000 to 2019; and

Whereas, small businesses employ 47.1% of the employees in the private sector in the United States, 62% of U.S. small businesses reported that they need to see consumer spending return to pre-COVID levels by the end of 2020 in order to stay in business, 65% of U.S. small business owners said it would be most helpful to their business to have their “regulars” return and start making purchases again, and three-quarters of U.S. consumers are currently looking for ways to Shop Small® and support their community; and

Whereas, 96% of consumers who shopped on Small Business Saturday® agree that shopping at small, independently-owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact and 97% of consumers who shopped on Small Business Saturday agree that small businesses are essential to their community; and

Whereas, 95% of consumers who shopped on Small Business Saturday reported the day makes them want to shop or eat at small, independently-owned businesses all year long, not just during the holiday season; and

Whereas, Concord, Massachusetts supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, Therefore, the Concord Select Board hereby proclaims, November 28, 2020, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

ENCOURAGE YOUR COMMUNITY TO SHARE JOY AND

SHOP SMALL[®]

ALL SEASON LONG



BY



WHAT IS SMALL BUSINESS SATURDAY[®]?

Since its inception in 2010, Small Business Saturday, proudly backed by American Express, has illuminated the significance of supporting small, independently owned businesses across the country. Falling between Black Friday and Cyber Monday, it's a day dedicated to supporting the diverse range of local businesses that help create jobs, boost the economy, and keep communities thriving across the country.

WHY SUPPORT SMALL BUSINESS SATURDAY?

- Demonstrates a conscious commitment to the communities in which we live.
- Creates goodwill within the communities.
- When we support small businesses, we help create jobs and local communities preserve their unique culture.

2019 SMALL BUSINESS SATURDAY FACTS:

- In 2019, U.S. consumers reported spending a record high total of an estimated \$19.6 billion at independent retailers and restaurants on Small Business Saturday.¹
- On average for every dollar spent at local small businesses 67 cents stays in the local community.²
- Elected officials in all 50 states, Washington, D.C., Puerto Rico, and other U.S. territories championed Small Business Saturday.

¹ The 2019 *Small Business Saturday Consumer Insights Survey* was conducted by Teneo on behalf of American Express and the National Federation of Independent Business (NFIB). The study is a nationally representative sample of 2,287 U.S. adults 18 years of age or older. The sample was collected using an email invitation and an online survey. The study gathered self-reported data and does not reflect actual receipts or sales. It was conducted anonymously on December 1, 2019. The survey has an overall margin of error of +/- 2.0%, at the 95% level of confidence. Projections are based on the current U.S. Census estimates of the U.S. adult population, age 18 years and over.

² The 2018 *Small Business Economic Impact Study* was conducted by Econsult Solutions, Inc. (ESI) on behalf of American Express. ESI calculated the share of national Gross Domestic Product (GDP), employment and employee compensation that small businesses with under 100 employees provide to the economy based on an analysis used by the U.S. Small Business Administration. ESI also estimated how much of each dollar spent at the average small business remains in their local community and used input-output analysis across 100 representative U.S. counties to calculate the additional impact that is generated locally as the result of the spending of employees and the spending of the small business with local suppliers and service providers.

- 802 local governments issued proclamations in support of Small Business Saturday covering all 50 states and Washington, D.C.
- American Express enlisted the support of nearly 100 large companies, known as Corporate Supporters, to help drive excitement for and promote Small Business Saturday.
- The Small Business Saturday Coalition, comprised of national, state and local associations that help coordinate activities for Small Business Saturday with small business owners and consumers, had 627 organizations help spread the Shop Small® message.
- According to the 2019 Small Business Saturday Consumer Insights Survey, 95% of consumers who shopped on Small Business Saturday reported the day makes them want to shop or eat at small, independently-owned businesses all year long, not just during the holiday season.³

JOIN THE COALITION:

Building on the success of previous years, the Coalition of supporters are more committed than ever. This includes support from advocacy organizations that join the initiative to motivate constituents through incentives and offers to not only Shop Small on November 28, 2020 but Shop Small all year long.

The coalition will be led by Women Impacting Public Policy, a business advocacy organization representing small businesses. [Join Us!](#)

Contact Info:

Small Business Saturday Program

Women Impacting Public Policy

Phone: (415) 434-4314 | Email: sbscoalition@wipp.org

³ The 2019 *Small Business Saturday Consumer Insights Survey* was conducted by Teneo on behalf of American Express and the National Federation of Independent Business (NFIB). The study is a nationally representative sample of 2,287 U.S. adults 18 years of age or older. The sample was collected using an email invitation and an online survey. The study gathered self-reported data and does not reflect actual receipts or sales. It was conducted anonymously on December 1, 2019. The survey has an overall margin of error of +/- 2.0%, at the 95% level of confidence. Projections are based on the current U.S. Census estimates of the U.S. adult population, age 18 years and over.

10th Annual Appeal for Concord low-income family tax relief

*This mailing asks your help to support Concord families in need. On this side, the **Tax Relief Committee** asks you to help Concord families needing **property tax** relief. On the reverse side, the **Hugh Cargill Trust Fund** asks you to help provide **other necessities** for families in temporary financial need. Please consider supporting both funds or write "**Tax Relief Fund**" or "**Hugh Cargill Trust**" on your check memo line.*

November 2020

Dear caring Concordian,

In our prosperous town, it's easy to forget that some of our neighbors face significant economic challenges. Our taxes are high – to support good schools and excellent town services – but are a major strain on some.

Nine years ago, our Select Board created a **Tax Relief Fund** to enable more financially-able Concordians to help financially-limited families meet their town tax burdens. Currently, the Fund is helping 51 families pay Town taxes. Aid is administered by the Hugh Cargill Trust Committee, which provides confidential assistance to Concord residents in need. Recipients are means tested, and their homes must be valued below the town mean.

Many residents face especially challenging financial needs this year due to the Covid pandemic. Other common situations creating financial need include longtime residents whose tax bills increase with rising land values, households affected by job loss, and one-income single-parent families struggling to remain in the town they and their children love. Our Town Meeting-voted tax-relief measure only assists seniors (who meet an income test after taking Town aid into account).

This letter solicits your support. Giving is entirely voluntary. Contributors are caring citizens and generous donors. Gifts of any size are important. However, please consider, as you are able, a gift equal to the quarterly (\$325) or annual (\$1300) assistance for one family.

Enclosed is a remittance envelope. Please make checks payable to **Town of Concord** and note **Tax Relief Fund** or **Hugh Cargill Trust Fund** on the memo line. Undesignated contributions will be divided equally between the two funds.

Thank you for your caring consideration of this special need in Concord.

For the Tax Relief Committee,

Eric Van Loon, Chair
Helena Long
Virginia McIntyre

PS If you wish to contribute appreciated stock, please call the Town Finance Department at 978.318.3090

*This joint mailing comprises two appeals. This side requests donations for the **Hugh Cargill Trust**, a Fund which supports Concord families in temporary financial need by providing funds for necessities. The reverse side is an appeal to help citizens with property tax relief. Please consider supporting both funds. Please make out all checks to "**Town of Concord**" and note on the memo line either "**Tax Relief Fund**" or "**Hugh Cargill Trust**."*

Dear Concord Resident,

This is our fifth year requesting donations to help our most vulnerable Concord neighbors who need short-term emergency financial assistance. The donations made last year enabled the Hugh Cargill Trust Committee to distribute \$24,555 to meet the emergency needs of 79 Concord families. We expect the needs to continue this year especially due to the impact of Covid-19 pandemic.

In the recent past we have had to withdraw additional funds from the Hugh Cargill Trust to meet the increasing needs. We can no longer do this and keep the Fund viable for the future. Donations such as yours are therefore more important than ever for us to meet the urgent needs of our neighbors.

Examples of the needs met over the last year are:

- Helped a senior pay for necessary dental work
- Helped a single mother pay her rent
- Helped pay for hearing aids
- Helped a senior pay for medical insurance
- Helped pay for necessary car repairs so a mother could get to work.
- Helped pay the water bill for a financially stressed family
- Helped a single mother pay for groceries

Concord has been and remains a welcoming and generous town. We are asking for your help to assist some of our neighbors in desperate need.

Donations may be sent to:

The Hugh Cargill Trust
Concord Town House
P.O Box 535
Concord, MA 01742

All contributions are tax deductible.

With much appreciation,

Judy Terry, Chair
Bob Abraham
Lucy Rosborough
Deena Whitfield
Elisabeth Elden

The Hugh Cargill Trust Committee

P.S. If you wish to contribute appreciated stock, please call the Finance Department at (978) 318-3090



Community Preservation Applications for Funding in FY22

- TM Rank
- 1-20 White Pond Beach Improvements, Town of Concord
2 The Town of Concord is requesting \$300,000 from the CPC to supplement the Phase I improvements for the White Pond Beach Area, The Town was gifted the beach in 2018 from White Pond Associates, Inc. We have taken time over these past two years to study and develop landscape and management plans for the hillside which will enhance the property and create a more sustainable and accessible environment. This funding will be used for earthwork and stormwater management, as well as access and ADA modifications to the property.
Requested Funding: \$300,000 Category: Open Space and Recreation
- 2-20 Emerson Field Flagpole, Melissa Saalfield/Town of Concord
8 Time and the elements have taken their toll on the historic flagpole in the center of Concord's Emerson Field. First erected in 1929, the pole which is approximately 75 feet tall, has been lovingly tended by both town employees and volunteers who have raised and lowered the flag in respect of flag protocol. After a successful fundraising campaign nearly 20 years ago, lights were installed to allow for illumination during the night, again in respect of flag protocol. That illumination has only amplified what is visible by daylight... severe rust and flaking paint. This application written on behalf of the Town of Concord seeks \$14,250 from the CPC to fund the refurbishment of the pole.
Requested Funding: \$14, 250 Category: Historic Preservation
- 3-20 Bruce Freeman Rail Trail, Town of Concord
4 The Town of Concord is requesting \$25,000 from CPC in FY22 for the Bruce Freeman Rail Trail. The Bruce Freeman Rail Trail is a non-motorized, ADA accessible, multi-use trail serving as a recreation and transportation resource for residents and visitors of all ages and abilities. Phase 2C was completed in 2018; Phase 2B is currently under construction with completion anticipated in November 2021 and the final design of the last ½ mile of Phase 2C from Powder Mill Road south to the Sudbury Town line in underway. The additional funds requested in this application will be used to provide additional landscaping, fencing, paving, and other amenities to enrich and enhance the visitor experience.
Requested Funding: \$25,000 Category: Open Space and Recreation
- 4-20 Wheeler Harrington House and Land, Town of Concord
7 The Town of Concord is requesting \$20,000 from CPC in FY22 to hire a consultant to assist with public outreach in determining future use and plans as they relate to the Wheeler Harrington House and Harrington Park. This property is a unique town-owned parcel containing a historic structure on 15.6 acres of fields, wetlands, trails and riverfront in West Concord. A site with tremendous potential as a recreational and open space destination, it is primarily known as the home of the ca. 1745 Wheeler Harrington House. The Town through funding provided by the CPC, previously conducted a historic survey of the house, has

contracted to have the property surveyed, and has been working with a preservation consultant who dismantled the Ball-Benson house and barn about the potential to relocate the barn to this site. The town proposed to hire a professional facilitator to help with public outreach that will result in developing a community specific plan for the site.

Requested Funding: \$20,000 Category: Open Space and Historic Preservation

5-20 Housing Production Plan, Town of Concord

The Town of Concord requests \$30,000 for Concord's update of the 2015 Housing Production Plan. The Town is required to update this plan every five years; this request was delayed by one year to allow completion of the 2020 census, which will recalculate the Town's required number of subsidized housing units as listed on the State's Subsidized Housing Inventory. The Town is required to have at least 10% of its housing stock available as affordable housing; Concord is currently at 10.52%.

Requested Funding: \$30,000 Category: Community Housing

6-20 Regional Housing Services Program, Town of Concord

The Town of Concord requests \$25,000 in funding for the Town's participation in the Regional Housing Services Office, an inter-municipal organization which provides professional housing staff for the administration of the affordable housing programs in Concord and six neighboring communities.

Requested Funding: \$25,000 Category: Community Housing

7-20 Staff and Technical Services, Town of Concord

The Town of Concord requests \$40,000 in funding to support the CPA in Concord by providing staff support from the Dept. of Planning and Land Management; legal, technical, and consulting assistance for the Town's CPA funded projects; supplies and associated administrative requirements including legal ads, copying, etc.; and funding to purchase CPA signage.

Requested Funding: \$40,000 Category: Administration

8-20 Emerson Conservation Restriction, Town of Concord Natural Resources Division

The Town of Concord Natural Resources Division is requesting \$210,000 towards the acquisition of a Conservation Restriction on a portion of the historically significant Ralph Waldo Emerson property. This portion of the R.W. Emerson House parcel is proposed to be restricted by the Town for conservation and passive recreation purposes. The purchase by the Town of a conservation restriction on a 0.68 acre area of woods between the Emerson House and the Heywood Meadow. The restriction will be held by the Natural Resources Commission, with public access provided over the Emerson-Thoreau Amble, and the lot will remain in fee ownership of the Ralph Waldo Emerson Memorial Association.

Requested Funding: \$210,000 Category: Open Space

9-20 Warner's Pond Dredging, Town of Concord Natural Resources Division

The Warner's Pond Dredging Project seeks to improve the ecological health and recreational opportunities at Warner's Pond through a limited dredging operation, and to improve the boat

launch access to better serve the public. The pond once provided recreational opportunities including swimming, fishing, boating, and ice-skating, but these uses have diminished overtime due to pond eutrophication, which has also decreased the ecological health of the pond. The Warner's Pond Watershed Management Plan identified limited dredging as the most economical strategy to sustainably improve the condition of Warner's Pond. The Warner's Pond Dredging Feasibility Analysis developed preliminary cost estimates of \$1.8 to \$2.2 million to dredge a limited portion of the pond at the boat launch off Commonwealth Avenue and at the newly acquired Gerow Land. This application seeks the second and final year to fund dredging improvements in the amount of \$250,000 to supplement the previously awarded CPA funding and capital funding.

Requested Funding: \$250,000

Category: Open Space and Recreation

10-20 Chamberlin Park Bridge – Survey and Permitting, Town of Concord Natural Resources Div.

The Town of Concord Natural Resources Division is requesting CPA funding in the amount of \$35,000 for survey and permitting services to replace the footbridge and repair the walkway between Chamberlin Park and the Keyes Road municipal parking lot. Requested funds will be used to conduct survey around the bridge and walkway, and to obtain approval from the Natural Resources Commission to replace the structure, which is over 40 years old and nearing the end of its functional lifespan.

Requested Funding: \$35,000

Category: Open Space

11-20 Old Rifle Range – Survey and Permitting, Town of Concord Natural Resources Division

The Town of Concord Natural Resources Division is requesting CPA funding in the amount of \$34,500 for survey, design and permitting services to improve a 0.25 mile section of the main trail through the Old Rifle Range that is seasonally impassable due to its very narrow width at the edge of a steep hill.

Requested Funding: \$34,500

Category: Open Space and Recreation

12-20 Affordable Housing Buy-Down, Concord Housing Development Corporation

The CHDC requests funding for a Buydown Program to create at least one unit of affordable housing through the buy-down or conversion of existing market rate unrestricted housing, to restricted affordable housing. This request for \$500,000 of CPA funds from the Community Housing category meets many of the CPC guidelines for community housing and prior town planning strategies and will enable the CHDC to preserve existing housing stock while providing housing to an income-eligible household with long-term affordability restrictions when the opportunity presents itself.

Requested Funding: \$500,000

Category: Community Housing

13-20 110 Walden Street Preservation – Phase 3, Concord Home for the Aged

The Concord Home for the Aged is requesting \$185,000 in CPA funding for Phase 3 of the 110 Walden Street Preservation Project (the historic Timothy Wheeler House). Phase 3 includes the implementation of several of the major projects recommended in Section III of the Historic Structures Report including, roof replacement; replacement of the fascia and gutter system; structural and masonry repairs, and the inspection, repairs and painting of all 62 windows.

Requested Funding: \$185,000

Category: Historic Preservation

14-20 58 Monument Square Roof Replacement and Historic Structures Report, Concord Masonic Corporation

The Concord Masonic Corporation requests \$107,261 in CPA funding to replace the roof on the Corinthian Lodge, as well as complete a Historic Structures Report on the building. Existing conditions have allowed rain water to infiltrate the building, deteriorating the integrity of the roof and exposing artifacts to the elements. Removal of the previous roof will allow contractors to repair leaks in the historic structure and replace the existing slate with a more water resistant faux slate material. The proposed synthetic slate material would match the appearance of the existing slate roof and is the most cost effective option. Roof repair and replacement is expected to cost \$53,211 and the Historic Structures Report is expected to cost \$54,050, for a total request of \$107,261.

Requested Funding: \$107, 261

Category: Historic Preservation

15-20 Trustees of Parish Donations – First Parish, Repair, Stabilize and Renovate Wright Tavern

The Trustees of Parish Donations of First Parish Concord, who administer the Wright Tavern, are requesting \$500,000 in CPA funding to help preserve the building and make it safe for an increase in public access. The scope of work will include structural repairs in the basement and on the second and third floors. The roof is sagging badly and needs to be stabilized. Structure under the first floor needs repair or reinforcement. Insulation will be added where feasible and mechanical systems updated. The fire, smoke and carbon monoxide alarms need to be updated, and a sprinkler system installed on all four levels.

Requested Funding: \$500,000

Category: Historic Preservation

The total amount requested for 2019 CPA Funding Applications is \$2,276,011

Town of Concord - Board/Committee Volunteer Process

Task	Select Board			Board/Committee			Town Moderator	Town Staff				Minuteman Media Network
	Chair	Liaison	Members (General)	Chair	Current Members	New Member		Town Manager	Town Clerk	Admin Staff	Comms Director	
Recruit Candidates	Educate citizens about opportunities and benefits of serving											
	Develop and maintain member recruitment microsite											
	Hold committee "fair" or other town events											
	Add regular Select Board agenda item listing current openings (see 17)											
	Solicit green card submissions											
	Promote committee service during Annual/Special Town Meetings											
	Highlight green card submission process in Town Meeting handouts											
	Reach out to citizens via social media about openings											
	Target communications when specific openings and/or skills needed											
	Announce current openings at the beginning of committee meetings											
Acknowledge green card submissions (email notice needs refinement)												
Reappoint Members	Confirm interest											
	Confirm eligibility (term limits, residency)											
	Contact member and chair to notify of reappointment											
	Handle reappointments beyond term limits in exceptional cases											
Identify Vacancies	Distribute list of vacancies due to term expirations before town meeting											
	Announce vacancies for unexpired terms (committee member resigns)											
	Review vacancies at Chairs' breakfast											
Identify Candidates	Highlight vacancies during committee liaison reports (see 17)											
	Select candidates from green card pool											
	Determine eligibility											
Select Candidates	Review cards that identify other committee preferences as necessary											
	Confirm continued interest											
	Route card to committee chair and Select Board liaison											
	Recruit from the public											
	Advertise current openings											
	Strive to reach a diverse talent pool of candidates											
Appoint Members	Reach out to personal contacts, outside groups and the general public											
	Direct interested parties to online green card system											
	Invite candidate to attend one or more meetings											
	Introduce candidate at committee meeting (optional)											
	Interview candidates (if needed/applicable)											
Orient and Train Members	Evaluate candidates, taking desired skills and diversity into account											
	Contact selected candidates to notify of nomination											
	Encourage any non-selected candidates to consider another committee											
	Place committee nomination on Select Board meeting agenda											
Recognize Members	Nominate members											
	Appoint members											
	Send appointment cards											
Maintain Data	Swear in new members											
	Send committee handbook to new members											
	Conduct periodic governance training (OML, public records, ethics)											
	Meet with new member to discuss committee charge and procedures											
Task Key	Existing task, consistently executed at present											
	Existing task, not consistently executed at present											
	Proposed/new task											

Primary Role	Support Role	Roles/Responsibilities Key
		All town boards and committees
		Select Board nominated boards and committees only
		Town Manager nominated boards and committees only
		Town Moderator nominated (Finance) committee only

To: The Select Board
From: Virginia and Sheldon Hines
Subject: The Urgent Need for a 5G Policy
Date: 11/19/20

Dear Ms. Escobedo and Members of the Select Board,

We commend and thank the Board for taking up the issue of establishing a 5G Policy as one of its goals for the coming year. As a next step, we respectfully ask that this subject be treated as urgent, and that it be added to the Board's agenda as soon as possible for the reasons below.

What is 5G?

Wireless carriers are rolling out Fifth Generation (5G) wireless technology which transmits much shorter wavelengths than do the current, more familiar 3G and 4G antennas on cell towers. While frequencies from 4G antennas typically travel thousands of feet and miles, by contrast, the shorter 5G transmit only hundreds of feet -- hence, the name "small cell technology".

Due to its shorter range, 5G depends on a new infrastructure of closely located antennas every 100 to 200 feet by some accounts, and 500 to 1000 feet by others (what the industry calls "antenna densification"). These are to be installed on streetlights and utility poles along a Town's rights of way, as well as on closely located 5G towers on building tops, etc. ("local aggregation using available real estate"). 5G will not replace 4G, but will interact and work with it.

The Concord Wireless Communication Facilities (WCF) Bylaw, which regulates the longer range 3G and 4G antenna siting, does not apply to the new 5G infrastructure -- hence, the need for a dedicated 5G Policy to address and regulate this new landscape.

Why the urgency?

Each 5G application can include up to ten antennas, and at times, dozens to hundreds. Each antenna facility can range from the size of a pizza box to a refrigerator.

In the absence of a 5G Policy, 5G applicants have the right to locate their 5G antennas anywhere, without Town approval or public input, regardless of factors that may be important to Town officials and residents, e.g., aesthetics, property value, public health and safety, privacy and security, etc.

Once *one* such applicant (in the absence of a 5G Policy) installs antennas in locations that the Town would otherwise have deemed inappropriate, future applicants cannot be denied similar locations by the Town -- *nor can a future 5G Policy prohibit such locations* -- as these actions would be considered discriminatory toward subsequent wireless applicants, and therefore in violation of one of the conditions of the 1996 Telecom Act.

What's at stake? Town control

To fast track the 5G rollout, wireless companies successfully lobbied the FCC to remove obstacles to this goal, resulting in the FCC 5G Ruling and Order in 2018. Many of the removed obstacles translate into unprecedented intrusions on long-standing local authority over traditional antenna siting.

Since the 2018 5G Ruling, Towns now face these new curtailments by the FCC, among others:

- Limits to fees that Towns can charge for 5G siting on Town property
- Limit of 60 days to review 5G installations on pre-existing structures (“Shot clock” 1)
- Limit of 90 days to review 5G installations on new structures (“Shot clock” 2)
- Exceeding these shot clocks will be considered a “prohibition on the provision of services,” a violation of the 1996 Telecom Act
- Some limits on local aesthetic requirements, which the Town must publish in advance

In response to these preemptions, the National Association of Counties, the National League of Cities (among them Boston), and the US Conference of Mayors issued statements calling on the FCC to reverse its new rules. As well, over two dozen cities and counties filed lawsuits against the FCC to restore local control over 5G deployment. They lost their case to the FCC in August, 2020. Most recently, on 10/27/20 the FCC took action to further reduce local government control, this time by granting wireless carriers automatic authority over excavating or installing 5G equipment within 30 feet of existing site boundaries.

In this new restrictive environment, adopting a 5G Policy – *before* the first 5G application is submitted – is imperative for allowing a Town to claim its remaining control over 5G siting. Many Towns nationwide have already taken this action, including nearby Bedford and Lincoln.

While the 5G rollout is in the early stages, it would be in error to assume that 5G applications are in the distant future for Concord. Our less populated neighbor, Lincoln, received a 5G application in 2018. Establishing a 5G Policy right away is critical for all the above reasons.

Sources:

- <https://www.naco.org/blog/fcc-curtails-local-control-5g-deployment-order>
- <https://www.smartcitiesdive.com/news/cities-and-counties-sue-fcc-over-5g-vote/540889/>
- <https://arstechnica.com/tech-policy/2020/08/fcc-beats-cities-in-court-helping-carriers-avoid-2-billion-in-local-5g-fees/>
- <https://docs.fcc.gov/public/attachments/DOC-367782A1.pdf>

Some positive news: Savings in time & funds for Concord

Numerous Towns have drafted and established exemplary 5G Policies that leverage local powers within this new regulatory environment. **The Boulder, CO Report on Small Cell Policies (attached)** provides summaries of some of these, as well as an introduction to basic issues for Towns to be aware of.

Burlington MA’s 5G Policy has emerged as a state-of-the-art gold standard (attached).

Spearheaded by Burlington’s Select Board, it is the result of a more than two-year, multi-departmental, telecom attorney-assisted process. It provides effective Town-serving terms that work within the new 5G legal landscape, with built-in flexibility to accommodate potential future regulatory changes. The well-designed, extensive application anticipates and harvests all the necessary information up front for a Town to stay within the new Shot Clocks. As an adjunct to its 5G Policy, Burlington also developed an equally essential set of Design Guidelines.

The good news is that these 5G Policies provide effective, ready-made templates at Concord’s disposal to review, adapt, and adopt – providing huge savings in time and revenue to the alternative of starting from scratch.

The Lincoln and Bedford Select Boards adopted a 5G Policy last year in a matter of several months. Both used the Burlington MA policy as their model. **Lincoln’s** initial approach to

modify Burlington's policy was ultimately dropped in favor of adopting it as-is when close scrutiny revealed that it included everything they wanted.

The **Bedford** Select Board adopted Burlington's policy in its entirety after, now-former, Selectman Mike Rosenberg brought this issue to his Board, and arranged a meeting with Burlington Selectman Jim Tigges who initiated his Town's process.

Both the Bedford and Lincoln Boards saved their Towns significant funds by taking this approach, and thus established a 5G (Small Cell) Policy in a timely manner, leaving their Towns prepared for the future.

Next steps for Concord

We respectfully ask that the Board add the 5G Policy to its earliest possible agenda, so that the task of adopting such a policy can begin with the urgency that is required if Concord is to be prepared for the first 5G application.

We also respectfully suggest that the Board invite Burlington Selectman Jim Tigges to a meeting, or call him, to learn more about his Town's policy and experience.

Burlington contacts:

- Jim Tigges: jimtigges@gmail.com, 781-910-3303
- Burlington's 5G Policy attorney: Donna Brewer, Miyares & Harrington, dbrewer@miyares-harrington.com, 617-804-2423

Bedford and Lincoln contacts:

- Mike Rosenberg, former Bedford Selectman: mike@thebedfordcitizen.org
- Tim Higgins, Lincoln Town Administrator: higginst@lincolntown.org, 781-259-2601

Lastly, we ask that the Board please take the time to scan the **Addendum**, beginning on the next page.

Thank you for your time and attention to this important matter.

Sincerely,

Virginia and Sheldon Hines
74 The Valley Road, Concord

Note: Links to sources in this Letter and the Addendum also appear in the cover email for live access.
Attachments:

- Burlington, MA (5G) Small Cell Policy documents
- Boulder, CO Report on Small Cell Policies

ADDENDUM – *next page*

1. The Science
2. Scientists Appeal to World Organizations
3. Actions Taken by State and Local Governments
4. FCC Refuses to Update Its Safety Standards
5. Commonly Referenced Health Organizations
6. Insurance Industry Does Not Cover Wireless Technologies – implications for Towns

ADDENDUM

We would be remiss not to address the health impacts of wireless technology, including that of 5G. We have saved this subject for last and in a separate section because Towns are prohibited from drafting regulation on the basis of the environmental effects of wireless technology, which courts have interpreted to mean “health effects” (1996 Telecom Act, Section 704).

Nonetheless, there are some facts, we believe, that are essential for every Board member to be aware of as background information, since they may have potential implications for the Town:

1. THE SCIENCE

- Paralleling the growth of wireless networks and devices, **a large body of credible scientific evidence has been established that consistently reveals biological harms from exposure to the type of radiation that wireless antennas and devices emit. Hundreds of published peer-reviewed studies worldwide** have identified negative biological effects from exposure to these technologies.
- Wireless technologies use low power, radio frequency (RF) microwaves in the non-ionizing (non-thermal) range of the electromagnetic spectrum. **Fifty years ago, non-ionizing RF radiation was thought to be too weak to cause biological damage, however, this has not proven to be true.**
- **Documented *adverse biological effects* from exposure include:** Cancer of several types, DNA damage, heart arrhythmia, short term memory loss, damage to the blood brain barrier and the immune system, neurological impairments, and infertility. The damage to cells is cumulative and increases with continuing exposure. Prenatal impacts are especially concerning as these can be potentially heritable.
- **Documented *adverse symptoms*** in the presence of wireless devices or in proximity to antennas include: insomnia, headaches, heart palpitations and tachycardia, difficulty concentrating, fatigue, and dizziness. These are acknowledged signs of microwave sickness in reports by NASA, the US Department of Defense, and the EPA.
- **All of these adverse biological impacts occur well below the FCC safety limits,** which means that current safety standards do not protect the public from these hazards.
- **The above information is not what you generally find in mainstream media.** Instead, the news abounds with stories that research results showing harm from cell phones and other wireless sources are “inconclusive,” “mixed,” “based on flawed research,” or that there is “no scientific consensus”. Manufacturing doubt through such terms is a well-known tactic in the playbook of big industries (tobacco, fossil fuels, and now wireless) to protect their interests.
- **Notably, NO studies have definitively proven that exposure to wireless technologies is SAFE, though the word “inconclusive” is frequently interpreted to mean that.**
- Dr. Henry Lai, a researcher at the University of Washington in Seattle, conducted a study in 2006 to see why research results were often so inconsistent. When he evaluated available studies between 1990 and 2006, he found:

- "...50% of the 326 studies showed a biological effect from exposure to RF microwave radiation and 50% showed no effect. But when he separated the studies based on funding, **he found that only 30% of the industry-funded studies showed an effect, while 70% of the independently funded studies showed an effect.**"
- In 2018, the **National Toxicology Program (NTP) of the US National Institutes of Health** concluded a 10-year, \$30 million study which sought to determine if exposure to wireless radiation from cell phones increased the risk of cancer. The 13-member independent panel of experts concluded that **there was "clear evidence" of an increased cancer risk -- the highest level of scientific certainty.** Dr. Ronald Melnick, principal designer of this study, stated:

"We should no longer assume that any current or future wireless technology – including 5G – is safe without adequate testing."

Note: Criticism aimed at the processes employed by this study have been rigorously addressed and refuted.

Sources:

- <https://mdsafetech.org/featured-page-one/join-mdsafetech-org/> - Wireless Technology & Public Health
- <https://ehtrust.org/science/top-experimental-epidemiological-studies/> - Recent Science
- <https://www.5gcrisis.com/science-explained> - Science Explained

2. SCIENTISTS APPEAL TO WORLD ORGANIZATIONS (Full lists in links below)

- 9/3/17: **Scientists and Doctors Demand a Moratorium on 5G.** Over 230 scientists and doctors from 41 nations sent a declaration to the European Commission stating:

"Scientific studies from years ago along with many new studies are consistently identifying harmful human health impacts when wireless products are tested properly using conditions that reflect actual exposures. **With hazards at those exposures, we are very concerned that the added exposure to 5G radiation could result in tragic, irreversible harm.**"

- 10/11/20: **2020 Consensus Statement of 3,500-plus UK and International Medical and Scientific Experts & Practitioners** on the Health Effects of Non-Ionising Radiation (NIR):

"Medical experts and practitioners from around the world have united once again to make clear their concerns regarding the health effects of escalating non-ionising radiation (NIR), [particularly]...the radio frequency emissions from mobile phone networks, Wi-Fi, and the rollout of 5G. Whilst such emissions were historically presumed to be biologically inert, and are still purported to be safe by many to this day, there is now highly credible evidence to the contrary."

Sources:

- <https://ehtrust.org/science/medical-doctors-consensus-statements-recommendations-cell-phoneswireless/> - Scroll through list of medical authorities
- <https://ehtrust.org/doctors-scientists-appeal-stricter-wireless-technology-regulation/> - scroll down to list

3. ACTIONS TAKEN BY STATE & LOCAL GOVERNMENTS (sampling)

- On November 1, 2020, **NEW HAMPSHIRE 5G Commission issued a ground-breaking report on 5G health risks, with recommendations for protecting public health and the natural environment** from harmful wireless radiation exposures. This report was the result of legislation passed on 7/19/19 to establish a commission for this purpose for the first time.

- On 8/9/19, **OREGON was first in the nation to pass a bill** requiring the Dept. of Education and the Oregon Health Authority to review independently-funded peer-reviewed scientific studies on the **health risks of children being exposed to harmful microwave radiation from electronic devices in classrooms**, and to create a plan to ensure students' safety.
- **MASSACHUSETTS leads the nation with 20 bills under consideration in the 2019-2020 legislative session on the impacts of wireless radiation**, among them:
 - S129:** To form a commission to investigate wireless radiation **health and economic impact**.
 - S130:** To ensure the safe use of electronic devices by **children**
 - S1867:** To reduce non-ionizing radiation exposures from wireless in **libraries**
 - S1988:** To give the public the right to choose non-radiation emitting **utility meters**
 - H2885:** To establish a commission to study the environmental and health effects of **5G**
 - H1874:** To establish best practices for wireless safety in **schools**
 - H587:** To reduce non-ionizing radiation and wireless exposures in **public schools**
- **Easton, CT: On May 7, 2020 voted unanimously to stop its 5G wireless technology rollout** until research and testing show it is safe for humans and the environment.

Sources:

- NH: <https://ehtrust.org/replace-wi-fi-with-hardwired-technology-in-schools-says-new-hampshire-state-commission/>
 OR: <https://ehtrust.org/first-in-the-nation-oregon-passes-state-bill-on-wireless-radiation-and-health-in-school/>
 MA: <https://sites.google.com/site/understandingemfs/massachusetts-emf-bills-2019-20>
 CT: <https://www.wtnh.com/news/technology/easton-bans-5g-technology-rollout-citing-lack-of-research-testing/>

4. FCC REFUSES TO UPDATE ITS SAFETY STANDARDS

- The existing FCC safety standards, adopted in 1996, were based on the assumption that only *ionizing (or thermal)* radio frequency radiation causes harm by heating tissue, a prevalent view among engineers and physicists at the time. A 2002 letter from the EPA stated:

“**The FCC’s current exposure guidelines**, as well as those of the Institute of Electronics Engineers (IEEE) and the International Commission on Non-Ionizing Radiation Protection, **are thermally based, and do not apply to chronic, non-thermal exposure situations [such as wireless and smart technologies*]**. They are believed to protect against injury that may be caused by acute exposures that result in tissue heating, electric shock and burn.” (EPA letter, 7/16/2002) **editorial note*
- **The FCC has resisted updating its exposure limits despite repeated appeals from Congressional hearings (2008, 2009 & 2019), the US Government Accountability Office (2012), the American Academy of Pediatrics (2013 & 2019), the US Department of the Interior (2014), the National League of Cities / National Association of Counties / US Conference of Mayors (2017), among thousands of others.**
- **On 7/30/20, a landmark lawsuit was filed against the FCC** for refusing to revise its safety guidelines. Petitioners, including the Environmental Health Trust, the Natural Resources Defense Fund, and the Children’s Health Defense denounced the FCC’s

“**failure to protect human health and the environment by dismissing scientific evidence of harm from wireless radiation... Ample research has found numerous biological effects**—from cancer to brain damage to reproductive damage to oxidative stress—**at levels far lower than the FCC’s heat-based wireless radiation limits.**”

- In response, the FCC stated they will retain their current guidelines and will apply these same standards to 5G. The issue will now be decided in court.

Sources:

- <https://mdsafetech.org/2020/09/23/landmark-lawsuit-filed-against-fcc-for-failing-to-reevaluate-5g-and-wireless-safety/>
- https://ntp.niehs.nih.gov/ntp/about_ntp/trpanel/2018/march/publiccomm/environmental-health-trust20180312.pdf See Item 5, page 9: Chronology of appeals to FCC to update safety guidelines
- <https://ecfsapi.fcc.gov/file/100252268811/Join%20letter%20re%20RF%20to%20FCC%20NACo%20Final.pdf> - Letter from Cities, Counties and Mayors to FCC requesting an update of exposure limits

5. COMMONLY REFERENCED HEALTH ORGANIZATIONS

We are aware that the position of the American Cancer Society, the National Cancer Institute and various government agencies is that research results on the health effects of cell phones and other wireless sources are “inconclusive”. The FDA goes a step further: “To date, there is no consistent or credible scientific evidence of health problems caused by the exposure to radio frequency energy emitted by cell phones.”

These statements are disingenuous and myopic, given that they exclude hundreds of credible peer-reviewed published studies over decades that have consistently identified adverse effects from wireless technologies under scientifically rigorous conditions. It is a discredit to any health agency to ignore the existence of the weight of such evidence, and, moreover, to shut down viable concerns with assurances of safety that are divorced from a full set of evidence. This does not serve the public.

Sources:

- <https://www.fda.gov/radiation-emitting-products/cell-phones/scientific-evidence-cell-phone-safety>
- <https://ehtrust.org/science/science-skeptics-myth-versus-fact-cell-phones-wi-fi/>

6. INSURANCE INDUSTRY WILL NOT COVER WIRELESS TECHNOLOGIES – implications for Towns

- Electromagnetic Fields (EMF) are defined as a “**pollutant**” by insurance companies. **EMF exclusions are the standard in the industry** and typically include language to the effect of: This policy **excludes** “‘bodily injury’ or ‘property damage’ arising out of any liability loss, cost or expense directly or indirectly arising out of, or resulting as, a consequence of ‘electromagnetic radiation.’”
- **This means that EMF exclusion clauses will not cover damages from illnesses from continuous exposure to:** 5G antennas, cell tower antennas, smart meters, WiFi routers in schools, libraries, homes, and business, cell phones, wireless laptops, tablets, nor the IoT* devices that 5G networks along public rights of way are designed to operate. (*Internet of Things: e.g., smart cars, smart thermostats, smart appliances, smart baby monitors, etc.)
- **EMF exclusions** (Exclusion 32) are used by **Lloyds of London** and **Swiss Re**, two of the world’s largest insurance companies, and their global under-writers.
- In a 2019 Report on new emerging risks, **Swiss Re described both health and cyber security related concerns regarding 5G:**
 “To allow for a functional [5G] network coverage and increased capacity overall, more antennas will be needed, including acceptance of higher levels of electromagnetic radiation....Existing concerns regarding potential negative health effects from

electromagnetic fields (EMF) are only likely to increase. An uptick in liability claims could be a potential long-term consequence...Moreover, hackers can also exploit 5G speed and volume, meaning that more data can be stolen much quicker...”

- **Implications for Towns:** If wireless companies are not insured for their antennas and equipment (this could vary with each company), then Towns may potentially end up bearing the liability for illnesses from continuous exposure to antennas on cell towers and public buildings, from WiFi installations in public schools and libraries, smart meters, and from 5G antennas placed on street poles near residents’ homes. This is a subject that the Town needs to research.

(Scroll through examples of EMF policy exclusions in the last link below. Some insurance companies offer additional Pollution Liability policies at an extra cost, also listed below.)

Sources:

- <https://completemarkets.com/Electromagnetic-Fields-Utilities-Liability-Insurance/Storefronts/>
- <https://ehtrust.org/key-issues/reports-white-papers-insurance-industry/> - on 5G
- <https://ehtrust.org/key-issues/electromagnetic-field-insurance-policy-exclusions/> - List of insurance companies and their EMF exclusions, as well as those with pollution liability coverage

Note: Links to all sources also appear in the cover email for live access.

END NOTES

We recommend visiting **Physicians for Safe Technology** (mdsafetech.org) and the **Environmental Health Trust** (ehtrust.org), two of the largest databases of comprehensive, current, and responsible information on the enclosed subjects. Links to primary source materials are consistently provided at these sites.

In addition, **UnderstandingEMFs.org** (a google site) is an extensive repository that includes practical information not readily available elsewhere, for example (in the left sidebar):

- **“For Municipal Leaders”**
 - Wireless technology is biologically hazardous
 - Why we don’t know
 - What this means at the municipal level
 - What the industry will say - and what else public leaders should know
 - Solutions
- **“Legal Issues” – e.g.:**
 - Engineers at Michigan Technological University indicate **siting cell towers needs careful planning to avoid legal liability**

Concluding Remarks:

We are witnessing great tectonic shifts in understanding about wireless technology and its impacts on human and environmental health. Just as it took decades for the information about the hazards of smoking, DDT, asbestos, lead, and fossil fuels to break through layers of genuine disbelief and industry-generated doubt to the point of general acceptance, so it is with wireless. Historically, the same credible, documented evidence that at the end became mainstream knowledge was at first marginalized, dismissed, mocked, and vilified. We are in the midst of such a cycle now.