

**TOWN OF CONCORD  
SELECT BOARD  
AGENDA  
FEBRUARY 8, 2021  
4:00 PM  
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"><li>- Town Accountant Warrants – February 4, 2021</li><li>- Gift Acceptance<ul style="list-style-type: none"><li>o The Umbrella Arts Center \$1500.00 Drive-in Movie Event</li><li>o The Rotary Club of Concord \$1500.00 Drive-in Movie Event</li></ul></li></ul>
3.	Town Manager’s Report
4.	Chair’s Remarks
5.	Middle School Building Committee Presentation
6.	Resolution for a Just Transition to Building Decarbonization in the Commonwealth
7.	Concord 2025 Executive Committee Draft #3
8.	Committee Nominations
9.	Committee Liaison Reports
10.	Miscellaneous Correspondence
11.	Public Comments
12.	Adjourn



**TOWN OF CONCORD**  
**Office of the Town Manager**  
Town House  
P.O. Box 535  
Concord, Massachusetts 01742

TEL: 978-318-3000  
FAX: 978-318-3002

Stephen Crane, Town Manager

## MEMORANDUM

To: Chair Escobedo and Members of the Board

From: Stephen Crane, Town Manager

Date: February 8, 2021

Re: Town Manager Report

---

### **Vaccines**

The first of the vaccine micro-clinics will take place at the Harvey Wheeler Center on Wednesday, February 10 from 1-4PM. The clinic is full and registration is closed. Given the feedback about seniors and limited access to or proficiency with the internet, the COA and Health Department accepted reservations by phone. The volume of calls disrupted the phone system for a number of Town departments. In addition to conducting the micro-clinics, Town staff continue to pursue any and all options to increase the amount of vaccine available.

### **Recreation**

The third White Pond public forum was rescheduled due to the snowstorm. It will now be held on Tuesday, February 9 at 6PM via zoom.

### **IT**

The IT Department assisted with the mailing of postcards to seniors for the COVID-19 vaccination program and setup the phone line for COVID-19 vaccine registration and information. Work also continues on the planned conversion to Windows 365 as well as an ongoing review of Town systems.

### **CPW**

National Grid's Bedford Court: National Grid has informed the Engineering Division that they plan to start construction as soon as the second week of February 2021. This project involves the replacement of an existing gas main in Bedford Court. Engineering staff has drafted the Right of Way Permit and will coordinate with National Grid during construction.

February 2nd Winter Storm: CPW operations crew began winter storm response activities on Monday morning around 11 AM. After pre-treating the roads, support from CMLP and third party contractors were called in for plowing operations at around 5 PM. The conditions deteriorated throughout the night as heavy, wet snow began to accumulate with wind gusts reaching 30mph. The storm ended Tuesday morning around 11 AM dropping a total of 20 inches of snow. CPW crews continued to work on cleanup throughout the day. On Wednesday, the CPW crew began to focus more on sidewalk cleanup, crosswalks, and intersections as needed. Snow removal operations in the downtown and West Concord business districts began

at 8 PM Wednesday evening. This work continued through the night, and was completed by 7 AM Thursday morning. The cost of this storm through Thursday morning was about \$124,019.03, which includes labor and supplies.

Adopt a Hydrant – CPW and Concord Fire Department will be following up on recent snow response by clearing hydrants throughout Town. A snow-covered fire hydrant can take away precious minutes from the Fire Department when responding to an emergency call. As there are over 1,300 hydrants located throughout the Concord water service area, residents are encouraged to “adopt a hydrant” by clearing it of snow after each storm.

### **FY22 Town Manager Budget**

The work on the FY22 Budget is ongoing with the initial review of department requests. There are a number of factors that are driving costs and increases as shown on the attached presentation that was given to the Finance Committee on February 4. Using the reduced FY21 Town Budget as the starting point for the FY22 Guideline presents a challenge for both meeting service needs and meeting the Guideline. Nevertheless, the Town remains committed to limiting budget increases to the greatest extent possible.

### **DPLM**

Land Manager recruitment underway: First round interviews for the Land Manager position are being conducted this week.

Concord Trail Guide: We are delighted to announce that the compilation of Concord’s trails information into a book, with input from Concord resident and Harvard University Professor of Advanced Studies in Landscape Ecology, Richard T. T. Forman, has been delivered to the printer for publication!

# Town Manager's Response to FY22 Preliminary Guideline

February 4, 2021

# FY22 Budget Development Timeline

- November 6, 2020: FY22 – 26 Capital Plan Instructions issued
- December 4, 2020: FY22 – 26 Capital Plan requests due
- December 31, 2020: FY22 Budget Instructions issued to departments
- [January 14, 2021: Town Manager response to FY22 Guidelines Information Request](#)
- [January 21, 2021: FinCom sets FY22 Preliminary Guideline](#)
- January 27, 2021: departmental requests due
- Jan 29 – Feb 9: review of requests by Town Manager/ Finance 
- [February 4, 2021: Town Manager response to FY22 Preliminary Guideline](#) 
- February 12: all operating & capital requests compiled for final review
- [February 25, 2021: FinCom sets FY22 Final Guideline](#)
- March 5: Preliminary FY22 Operating Budget & Capital Plan issued
- March 15: Preliminary FY22 Operating Budget & Capital Plan presented to Select Board
- March 25: Final FY22 Operating Budget & Capital Plan published

# FY22 Preliminary Guideline

<u>Guideline Accounts</u>	<b>Final FY2019</b>	<b>Appropriated FY2020</b>	<b>FY21 AFTER Guideline 12/6/2019</b>	<b>FY21 Budget, After Recap 10.21.20</b>	<b>FY22 Budget Estimate 11.24.20</b>
<b>Town Government</b>					
Personnel	\$ 17,983,494	\$ 19,238,126	\$ 19,815,270	\$ 19,514,085	
Expense	\$ 3,897,019	\$ 3,891,387	\$ 3,969,215	\$ 4,390,839	
Capital Outlay	\$ 1,945,000	\$ 1,945,000	\$ 2,100,000	\$ 1,081,855	
Reserve Fund	\$ 225,000	\$ 225,000	\$ 225,000	\$ 225,000	
sub-total: General Fund	\$ 24,228,513	\$ 25,299,513	\$ 26,109,485	\$ 25,211,779	
Transfers from Enterprise Funds & Other Credits	\$ 2,698,681	\$ 3,407,135	\$ 3,020,225	\$ 2,819,885	
<b>total: Town Government</b>	<b>\$ 26,927,194</b>	<b>\$ 28,706,648</b>	<b>\$ 29,129,710</b>	<b>\$ 28,031,664</b>	<b>\$ 28,539,815</b>
<b>over Prior Year:</b>		<b>\$ 1,779,454</b> <b>6.61%</b>	<b>\$ 423,062</b> <b>1.47%</b>	<b>\$ (674,984)</b> <b>-2.35%</b>	<b>\$ 508,151</b> <b>1.81%</b>
			<b>Pandemic Revision:</b>	<b>\$ (1,098,046)</b> <b>-3.77%</b>	

- FY22 Preliminary Guideline is \$508,151, which is an increase of 1.81% over FY21 Budget (Pandemic Revision)
- FY21 Budget (Pandemic Revision) resulted in the need to cut \$1.1M from FY21 Guideline
- FY21, increased costs were mitigated by attrition, position vacancies, reduction in capital **and** \$715k carry forward from FY20
- FY22 Guideline still lower than FY20 appropriation, yet cost of service has increased and new services are required
- Attrition savings is less and continued reductions in capital is not sustainable

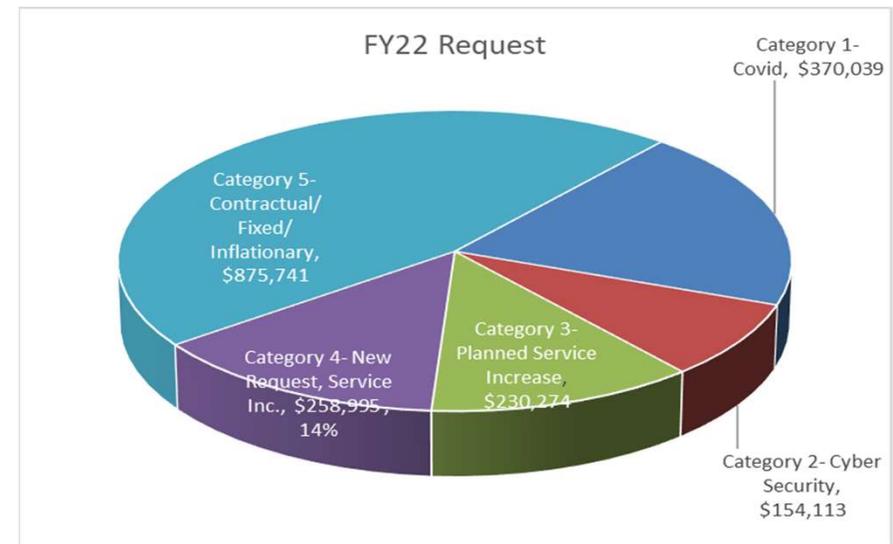
# FY22 Budget Drivers

- **Category 1, Covid-19:**
  - Temporary- economic vitality efforts, facilitation of remote meetings
  - Permanent- custodial services, costs to facilitate remote work
- **Category 2, Cyber Security:**
  - Office 365, hardware upgrades
- **Category 3, planned increase in service levels:**
  - Library Expansion, Facilities, on-going Economic Vitality
- **Category 4, new service level requests:**
  - Increased hours for rangers; additional services RHSO; structural changes at CPW/ Park & Trees division
- **Category 5, Contractual & Inflationary increases:**
  - Salaries, utilities

# FY22 Budget Drivers

	FY21 Before Salary	FY21 After Salary	FY22 Requested	\$Δ FY21 to FY22 Req.
Gen Govt Subtotal	4,026,649	4,074,637	4,827,980	753,343
Finance Subtotal	2,373,592	2,420,349	2,293,366	(126,983)
DPLM Subtotal	1,858,940	1,878,215	1,951,469	73,254
Human Services Subtotal	3,445,273	3,493,988	3,682,509	188,521
Public Safety Subtotal	10,212,263	10,623,630	10,586,207	(37,423)
Public Works Subtotal	4,473,093	4,504,039	4,537,438	33,399
Unclassified Subtotal	560,000	(45,049)	960,000	1,005,049
Capital	1,081,855	1,081,855	1,081,855	-
<b>Total</b>	<b>\$ 28,031,665</b>	<b>\$ 28,031,664</b>	<b>\$ 29,920,824</b>	<b>\$ 1,889,160</b>
Guideline	\$ 28,031,664	\$ 28,031,664	\$ 28,539,815	\$ 508,151
Encumbrance	\$ -	\$ -		
Surplus / Deficit	\$ 1	\$ 0	\$ 1,381,009	\$ 1,381,009

Category of Increase:	Dollar Value:	Percent Inc. over FY21	Percent Increase over FY20
Category 1- Covid	\$ 370,039	1.32%	1.29%
Category 2- Cyber Security	\$ 154,113		
Category 3- Planned Service Increase	\$ 230,274	0.82%	0.80%
Category 4- New Request, Service Inc.	\$ 258,995	0.92%	0.90%
Category 5- Contractual/ Fixed/ Inflationary	\$ 875,741	3.12%	3.05%
	\$ 1,889,161	6.74%	6.58%
		2-year average:	3.29%



# Request for Consideration to increase Guideline

- Consideration of increase to FY22 Guideline due to:
  - Covid related expenses, temporary & permanent
  - Planned increase in service levels, commitments made pre-pandemic
  - Loss of Parking Meter revenue but maintenance contracts still in place
  - Need to support local business community
  - Big spike in cyber fraud, requiring us to advance technology upgrades faster than originally planned

<b>FY22 Preliminary Guideline</b>	<b>\$ 508,151</b>	<b>1.81%</b>
<b>Additional Consideration for:</b>		
Category 1, temporary	\$ 72,568	0.26%
Category 1A, lost revenue (Parking Meters)	\$ 150,000	0.54%
Category 2, Cyber Security	\$ 154,113	0.55%
Category 3, Planned Service Increase	\$ 159,780	0.57%
Sub-total:	\$ 536,461	1.91%
<b>Total:</b>		
	\$ 1,044,612	3.73%
<b>Remaining Deficit to be addressed:</b>		
Category 1, Permanent	\$ 147,471	0.53%
Category 3, Planned Service Increase	\$ 70,494	0.25%
Category 4, New Requests	\$ 258,995	0.92%
Category 5, Contractual/ Fixed/ Inflationary	\$ 367,590	1.31%
remaining deficit:	\$ 844,549	3.01%
total of FY22 Requests:	\$ 1,889,161	6.74%



**TOWN OF CONCORD**  
**Office of the Town Manager**  
Town House  
Concord, Massachusetts 01742

Date: February 5, 2021

To: Stephen Crane, Town Manager

From: Christopher Carmody, Administrative Manager

Re: Public Private Partnerships update

---

This memo responds to your request for an update on the Town's public-private partnerships.

The Public-Private Partnership Study Committee was formed in 2016 (the "Committee"). The Committee's charge was threefold: "(1) become knowledgeable about public-private partnerships in Concord and elsewhere, (2) solicit public input, and (3) consider whether the town should make the process transparent by providing ways for the public to participate in reviewing short and long-term public-private partnerships." The Committee issued a final report to the Select Board on December 28, 2016 (Exhibit A), and an addendum to its final report on February 6, 2017 (Exhibit B). The list of public-private partnerships identified by the Committee is attached as Exhibit C. The Select Board adopted the "Select Board Policies Regarding Public Private Partnerships" on July 10, 2017 (Exhibit D).

The Committee identified 33 public-private partnerships based on its research of former or existing partnerships in Concord. The existence of any partnership, as determined by the Committee, was not dependent on it being documented. Accordingly, a third of the listed partnerships lack any documentation. The Committee's work helped to highlight the absence of a process for establishing a PPP. Of the documented partnerships, few have any formal partnership agreement in place (and the partnership is otherwise verified by an invoice or a memo). Along with listing the private party involved, Exhibit C includes a description of each type of public benefit.

The Senior Management Team responded to your request to update Exhibit C with current partnerships known by each department. This resulted in identifying twenty-five unlisted existing partnerships (Exhibit E). Of the 25, one relates to recreation, one relates to economic vitality, one relates to restorative justice, four relate to public works, and eighteen are farming leases. Exhibit E also serves to (i) categorize each type of public benefit, (ii) identify a lead department, and (iii) document the status of all partnerships including those listed in Exhibit C. The current categories of public benefit include affordable housing, agriculture and natural resources, Concord seniors, economic vitality, food scarcity, historic preservation, human services, public works, public art, library, recreation, and police and fire fundraising. Clearly these public benefits speak to the shared values held by the Concord community.

Of the 58 total partnerships listed in Exhibit E, eight are no longer applicable because the partnership is no longer in effect. I will submit a subsequent memo to you detailing the scope of each active partnership.

# **Report of the Public-Private Partnership Study Committee**

Jean Goldsberry, Chair  
Abraham Fisher, Clerk  
Carol Aronson  
Ingrid Detweiler  
Miguel Echavarri  
Bob Grom  
Dorrie Kehoe  
Peter Mahler  
Tom Rarich

December 28, 2016

## **Report to the Select Board**

### **Executive Summary**

In the Spring of 2016, the Select Board created the Public-Private Partnership Study Committee, charging it to:

- Become knowledgeable about public-private partnerships in Concord and elsewhere.
- Solicit public input.
- Consider whether the town should make the process transparent by providing ways for the public to participate in reviewing short and long-term public-private partnerships.

The committee met frequently for approximately seven months. This report documents the recommendations of the committee, as follows:

1. There should be a standing “P3 Committee,” charged with evaluating proposed Public-Private Partnerships (P3s) and monitoring ongoing P3s.
2. That committee should have dedicated staff support, especially with respect to keeping the records of all P3s in a consistent place for public review.
3. The Town Manager or his/her designee should act as the “gatekeeper” to the P3 processes documented herein.
4. Every new and existing P3 should be governed, in addition to any lease or contract, by a Memorandum of Understanding (MOU) which clearly sets out the requirements for that particular P3.
5. The standing P3 Committee should review all Town of Concord P3s on (at least) an annual basis.
6. Efforts should be made to expand this process to include partnerships between the schools (including the Regional School District) and private entities.

## Introduction

In April 2016, the Select Board, recognizing that the Town of Concord's reliance on the use of tax-based funds is limited and therefore public-private partnerships will continue to be used to fund Town and school-related projects, appointed a Public Private Partnership Study Committee—P3 Study Committee. The Committee was charged "...to explore issues surrounding public private partnerships, including the benefits and the drawbacks of such arrangements." At the first meeting, Select Board chair Michael Lawson said the goal is to help the town develop a process to review and monitor future P3s in a responsible manner.

The Study Committee was asked to:

- Become knowledgeable about public-private partnerships in Concord and elsewhere.
- Solicit public input.
- Consider whether the town should make the process transparent by providing ways for the public to participate in reviewing short and long-term public-private partnerships.

Committee Members: Carol Aronson, Ingrid Detweiler, (representing the League of Women Voters of Concord-Carlisle), Miguel Echavarri, Abraham Fisher (Clerk), Jean Goldsberry (Chair), Robert Grom (School Committee Liaison), Dorrie Kehoe, Peter Mahler (representing the Rotary Club of Concord), Tom McKean (Select Board Liaison), and Tom Rarich. The charge included a representative from CC@Play, but the designated member was unable to participate.

## Goals of a P3 Process

Public-Private Partnerships have existed in Concord for many years and are a substantial benefit to the Town. Historically these relationships have been managed by public officials (e.g. Town Manager and Boards, School Superintendent and School Committees) on an *ad hoc* basis.

The purpose of this report is to propose a consistent process for managing existing and new partnerships and the projects they create going forward. Much as town ordinances define what can and cannot be done on private property, all citizens and organizations who envision a partnership with the town will be able to reference, and use, a standard P3 process as they plan and manage their project.

The Study Committee proposes a common, standardized P3 process. This would accomplish several goals. It would include multiple opportunities for public involvement in planning and carrying out a project that may affect them and the community. It would provide up-front enumeration of all the costs, revenues, and benefits that may accrue, and provide a standard review process to assist with the management of contingencies that might arise during a project. The proposed P3 committee and its documentation would also provide an institutional memory to aid future project planning and supervision.

## Recommendations

This document recommends methods to the Select Board for evaluating and approving new P3s as well as monitoring ongoing P3s to ensure they are fulfilling their original mission.

The Study Committee adopted a working definition of a P3 to guide the process.

*A public-private partnership (P3) is a relationship between a public body and a private body, in which the resulting product is a governmental asset or a public benefit (not always physical). This relationship involves monetary or physical assets of the town. A service contract, grant, and/or gift do not necessarily create a public-private partnership. A P3 may receive grants and/or gifts.*

The Study Committee's research and deliberation about what makes a successful public-private partnership confirmed the need for a clear explanation of the purpose and process for each proposed partnership. Sources of funding to pay for the project as well as what will be accomplished, the time frame, and any contingency plans should also be made clear. No partnership should be undertaken without clear public education and involvement. The Study Committee is convinced that if the public is aware of proposals and has an opportunity to follow a project through to fruition, there is less likelihood of misunderstandings.

The Study Committee recommends:

1. The establishment of a P3 Committee to study proposals forwarded from the Town Manager's office or passed at town meeting. This committee shall serve as the liaison with the public, ensuring an open process.
2. The creation of an open process with opportunity for public input to evaluate all P3 projects.
3. As part of this process, private organizations wishing to undertake a project on Town property or affecting Town interests or finances must notify the Concord Town Manager's office where the project will be reviewed and a determination made whether to consider the proposed P3.
4. Each new and existing P3 should be governed by a Memorandum of Understanding approved by all parties.
5. Any 'stakeholders' acting as a town decision maker should recuse themselves from votes on whether the project should go forward.

## Process

The Study Committee met 2-3 times per month throughout the spring, summer, and fall. Two public hearings were held—one in September to solicit public input and one in December to receive public comment on a draft report.

The Study Committee reviewed P3 information from the League of Women Voters, the National Council for Public Private Partnerships, as well as from other towns and groups. Committee members researched former or existing P3s in Concord to glean information about how they were started, the relationship between the town and the private entity, what each P3 had in common, and what worked well.

One example of an ongoing P3 is the Doug White Fields located behind the high school. In 2007, Friends of Concord-Carlisle Playing Fields (FCCPF) served as the private partner in proposing and overseeing construction of two artificial turf fields at the regional high school campus. Through its fundraising efforts, FCCPF provided a large share of the money to pay for the project, while the Town of Concord oversaw the work. FCCPF has continued the P3 partnership with the town by providing \$50,000 a year towards field maintenance. In addition to these funds, FCCPF is obligated to raise funds to cover future costs of replacing the artificial turf. The use of the fields is co-operatively managed by the high school athletic director and town youth sports programs.

Another example of an ongoing P3 is the Concord Visitor Center. The facility is owned by the town and run by the Chamber of Commerce. The Chamber pays \$1.00 per year plus utilities for the building, and it provides the staffing. The committee identified many P3s ranging from small partnerships such as the Center for Restorative Justice, to large projects initiated by the Concord Free Public Library Corporation, Emerson Umbrella and CC@Play.

The Study Committee worked to devise a process that would allow greater transparency for the citizens of Concord and yet not be onerous for P3s. The objective was to involve citizens early in the process so they could be informed and participate. The Study Committee charge states in part that the Committee should “consider whether the Town should make a special effort to guarantee transparency, access to information, and public participation in either short-term public-private partnerships focused on a specific project or in long-term partnerships providing an ongoing service or creating an enduring relationship.”

The Study Committee strongly recommends that such an effort be made. While there are many legitimate reasons a private entity might choose to operate privately when reasonable, in accordance with its mission, ultimately a P3 is performing a governmental function and thus should provide the same kind of public access that a purely public enterprise would be legally obligated to provide. “Transparency” has perhaps become a cliché, but it represents a desire for openness to public input and public scrutiny without which public trust will inevitably be lost.

## **Key Participants**

There are five key participants in the P3 process.

### **Town Manager's Office**

The Town Manager's office (TM) is the gatekeeper for most P3 partnerships. A partnership can be initiated by a citizen, a private entity, a town meeting article, or the Town Manager's office. Typically, a P3 is initiated by a private entity, although there have been examples, such as the Ball's Hill land acquisition, where the Town Manager initiated the conversation with a private entity.

The Town Manager or his designee will determine if the proposed relationship meets the definition and criteria of a P3 and will decide if the proposal should be forwarded to the P3 Committee. The P3 Committee will evaluate the proposal and suggest guidelines and conditions which the Town Manager will then incorporate into a Memorandum of Understanding (MOU). Once the draft MOU is completed, the Committee will review the MOU prior to forwarding it, together with its recommendations, to the Select Board for a determination whether the proposal should move forward.

The Study Committee suggests that the Town Manager should forward a P3 proposal to the committee if the total cost of the proposed project exceeds \$150,000 or the duration of the project is expected to exceed one year.

### **Town Staff Person**

The staff person designated by the Town Manager will provide administrative support to the P3 Committee and will coordinate with town departments to provide input to the Committee. This person will be knowledgeable about P3 policies and criteria. The staff person will maintain a document file for all P3 projects, adding relevant documents to the Town website.

The Study Committee recognized that there is a cost to the town in staffing the P3 Committee. It is important that the community understand that P3's are not free – there is a cost to insuring that the outcome is a benefit to both the public and the private entity.

### **P3 Committee**

The Committee will be responsible for evaluating the potential P3 and making a recommendation to the Select Board to approve or deny the public private partnership and monitoring ongoing P3s .

The P3 Committee is composed of five members who will serve three-year staggered terms.

- 1 representative from the most recent Comprehensive Long Range Plan Committee
- 1 representative from the Schools—K-8 or Regional School Committee
- 3 members-at-large appointed by the Select Board
- A liaison from the Finance Committee

All P3 Committee meetings are open to the public and minutes are taken in conformance with the state Open Meeting Law. The Committee reviews all new P3 proposals and may hold a public hearing to explain

the project and receive public comment. Information gathered from the review process is forwarded to the Town Manager for inclusion in a Memorandum of Understanding (MOU) and is the basis for making a recommendation to the Select Board. The Committee may also review a list of gifts made to the Town and may also elect to review the impact expired P3s have had on current Town operations and finances.

The P3 Committee is also responsible for monitoring each active P3 project, making sure the project meets the milestones outlined in the MOU. The Committee also conducts an annual review of each ongoing P3 to ensure it conforms to the MOU and to consider any changes to the scope of work. Additional meetings could be scheduled as needed to consider questions or issues about existing P3 projects.

P3s in existence at the time of this report should be scheduled into the annual monitoring process. As part of this process, if no conforming MOU exists, one should be created.

The P3 Committee would report to the Select Board on the status of existing P3s and alert the Board to any problems that could require future action.

### **Private Partner**

The Private Partner is typically an organization that can be a non-profit or a for-profit entity. The private partner can have its own board of directors and is not bound by public meeting requirements. The private partner may have a lease or some other type of legal agreement with the town.

### **Select Board**

The Select Board is responsible for determining if a specific Public-Private Partnership should be created. They will receive a report and a copy of the Memorandum of Understanding developed by the Town Manager and the P3 Committee for each new partnership. They will then vote to approve or deny the partnership. The Select Board will also assist with transitioning of existing P3s into this new process.

## **Memorandum of Understanding**

In its research, the Study Committee found that in many cases the details of the agreement between the public and private entities can be difficult to determine. It became clear that good practice requires that such agreements be made explicit and recorded carefully, to the benefit of all parties.

The Study Committee recommends strongly that in addition to any contract or lease with the Town, each P3 should be governed by a Memorandum of Understanding (MOU). MOUs should outline specific requirements that must be met by the private organization. To the greatest extent possible, MOUs should be written in language that is clear and understandable to a layman. MOUs should describe the nature of the project/partnership with regard to a number of key elements.

1. The MOU should clearly describe all costs and revenues to both the Town and the private entity. This should include: costs of the initial project, ongoing operating expense (including labor), any projected long term maintenance expenses, any required town services, any capital replacement costs, and any other burdens on Town resources. The MOU should further describe the anticipated sources of revenue—pri-

vate donations and taxpayer funds, including any Community Preservation Act grants. If taxpayer funds are needed, it may be appropriate for the MOU to require explicit Town Meeting approval of those funds.

2. The MOU should clearly set out the impact on the Town. This should include a statement of how the proposal aligns with town goals and needs, how it will affect other town activities, and how it will benefit the town character. This statement should include estimates of the number of residents, households, and businesses affected both by the project work and by the completed project. Any connection with the Town's Comprehensive Long Range Plan should be identified, and any conflict with that plan should be explicitly justified.
3. The project schedule should be described in the MOU. For larger (more expensive) projects and projects of longer duration, the MOU should set out measurable milestones and a timeframe for completion. Milestones should exist for both project goals (i.e. construction targets) and fundraising. The MOU should clearly describe contingency plans in case milestones are not met. These contingencies may include minor extensions (subject to continued oversight), renegotiation of the agreement, and termination of the partnership.
4. The MOU should commit the P3 to regular public review by the P3 committee. For an ongoing partnership, such review should be at least annual. Reviews of specific projects may be conducted on a cyclical basis (i.e. quarterly), at specific milestones, or as desired by the Committee. For example, the MOU might commit the P3 to quarterly review, to review at specified milestones (i.e. 25% and 75% design points), AND to review when such review seems necessary to the committee.
5. The items on this list are a minimum suggestion. Other requirements may be imposed by the P3 committee as it sees fit.

The Study Committee recognizes that P3s already in existence at the time of the adoption of this report may or may not already be governed by an MOU. It is envisioned that the above recommendations will eventually apply to all existing, as well as new P3s. Where P3 lease agreements and MOUs are already in place, the provisions therein would be included in a P3 MOU, which may – or may not – require enhancements to cover all the topics recommended above. It is not envisioned that every minor change to a lease or rental agreement will require a review by the P3 committee prior to approval.

## **School Connection**

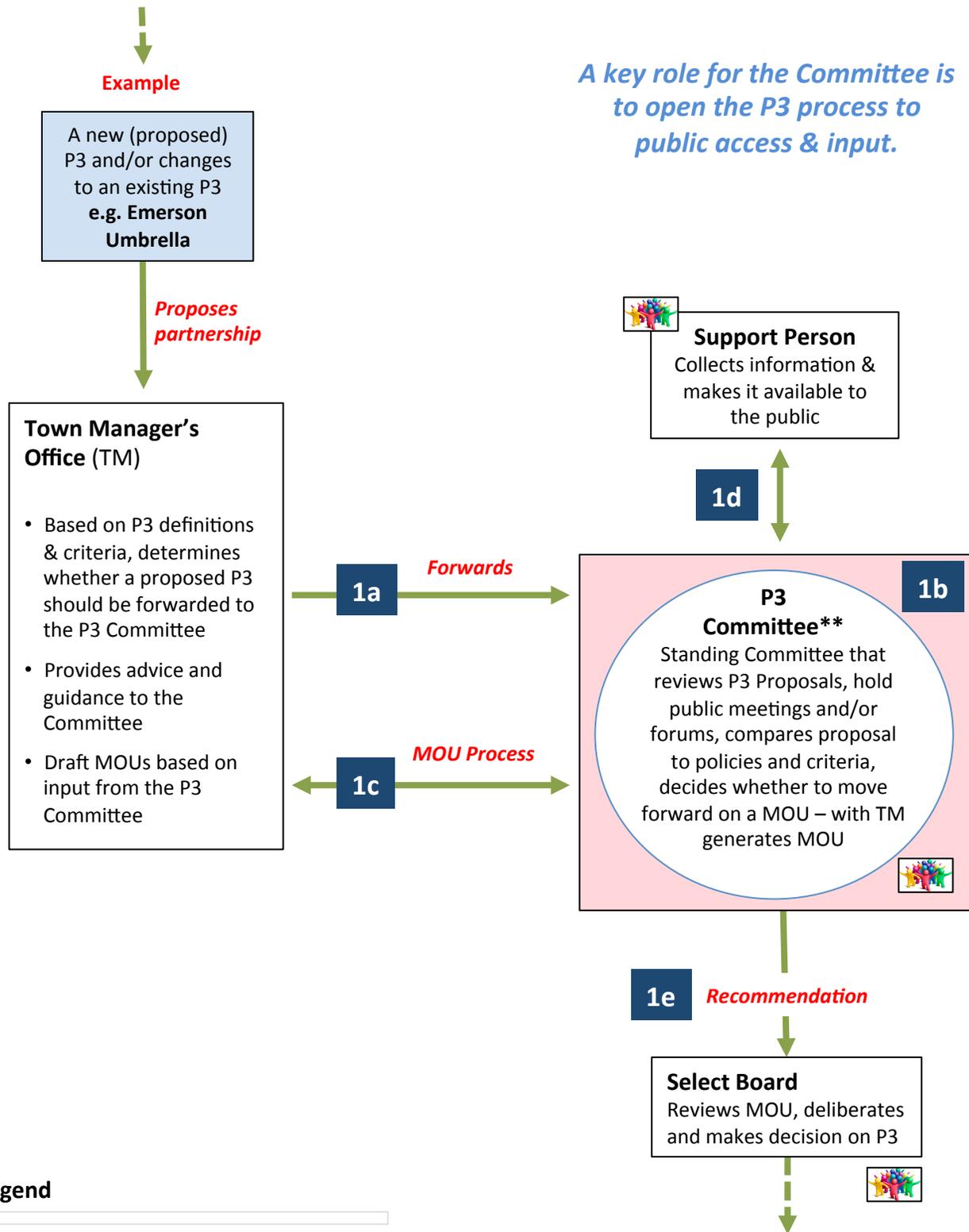
The P3 Study Committee has discussed and deliberated on the benefits of including Concord Schools—both K-8 Concord schools and the Concord-Carlisle Regional High School—in its recommended procedures. The Study Committee agreed that the Town of Concord and the Concord schools would benefit by having a common process for approval of new projects as well as monitoring of current and ongoing projects.

It is the consensus of the P3 Study Committee that the Concord Public Schools—K-8—and Concord-Carlisle Regional School District participate in a common process involving the Town P3 Committee for approval and monitoring of public-private partnerships.

## **Conclusion**

The Study Committee devoted many hours considering a wide range of questions. Ultimately the committee determined that P3s in Concord should be addressed in a more consistent fashion, designed to increase the opportunities for public participation without becoming too burdensome on the generosity of the private partner. The Study Committee believes that the process and structures outlined in this report have the greatest likelihood of achieving the goals of consistency and openness while remaining cognizant that the operation of a private entity is not normally subject to public scrutiny. Just as the Town Governance Study Committee recommended creation of an Audit Committee, which includes town and school representatives, we hope this proposal will be adopted whenever a partnership is created between private organizations and the Town.

# Chart 1 -- Evaluating P3s



*A key role for the Committee is to open the P3 process to public access & input.*

## Legend

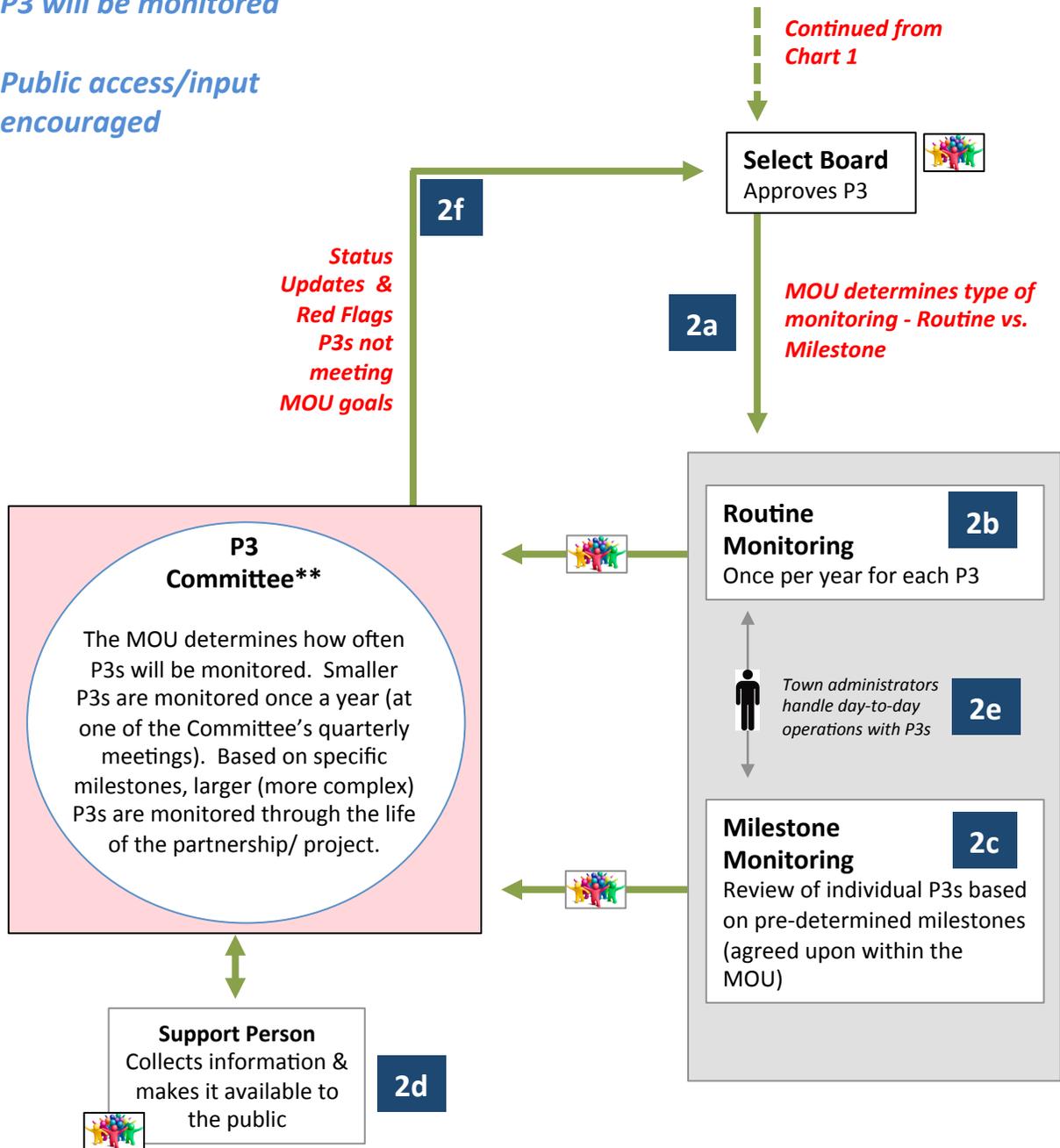
\*\* Members Include 1 Long Term Strategic Plan member, 1 School Committee member, 3 residents, and 1 FinCom Liaison

Meetings open to the public and subject to Open Meeting Laws and/or information made available to the public

# Chart 2 -- Monitoring P3s

The MOU determines when a P3 will be monitored

Public access/input encouraged



## Legend

\*\* Members Include 1 Long Term Strategic Plan member, 1 School Committee member, 3 residents, and 1 FinCom Liaison

 Meetings open to the public and subject to Open Meeting Laws and/or information made available to the public

## Narrative for the Diagrams

Note that:

- Chart 1 shows the evaluation process for new and existing P3s.
- Chart 2 shows the process by which the Committee monitors existing P3s.

### P3 Process – Evaluating P3s (Chart 1)

The following icon in **Chart 1** shows where the public has access to Committee meetings and P3 related documents.



As shown by **Chart 1 – 1a**, the Town Manager’s office starts the evaluation process by determining which proposals should be forwarded to the Committee. Smaller proposals that don’t meet P3 criteria, will remain within the purview of the Town Manager’s office.

If the Town Manager refers the proposal to the P3 Committee, the Committee will then review the proposal to determine whether it meets P3 policies and criteria and whether it is a good fit for the Town (Refer to **Chart 1 – 1b**). With the approval of the Committee to move the proposal forward, the Town Manager’s office drafts an MOU in collaboration with the Committee and negotiation with the private entity.

**Chart 1-1c** The MOU is drafted, based on the recommendations in the MOU section of the report

**Chart 1-1d** shows the role of the Support Person during the Evaluation process. For more information, please refer to the section detailing the Support Person’s responsibilities.

The Committee makes a recommendation to the Select Board on whether to accept or reject a P3 proposal. The decision to accept or reject a P3 resides with the Select Board. If the Committee recommends that the Select Board accept the P3 proposal, then it provides the MOU agreement between the Town and the private entity. (**Refer to Chart 1-1e**).

### P3 Process – Monitoring P3s (Chart 2)

Please note that the following icon in **Chart 2** shows where the public has access to Committee meetings and P3 related documents.



With the Select Board's approval of a P3, the Committee assumes the role of overseeing the project. The MOU determines the frequency with which the P3 will be reviewed by the Committee. Note that in all cases it is anticipated that ongoing P3s will be reviewed at least annually (**Refer to Chart 2-2a**).

It should be noted that the day-to-day relationship with the partnership would remain with Town staff (Refer to **Chart 2-2e**). While not shown on Chart 2, the Town Manager's Office will alert the Committee of any P3 seeking to change its MOU. Such an action would trigger a new evaluation process, as outlined in **Chart 1**.

The Committee will review smaller (simpler) P3s annually during one of its quarterly review meetings (Refer to **Chart 2-2b, Routine Monitoring**).

For larger (more complex) P3s, the Committee is likely to review them several times over the life of the partnership (**Refer to Chart 2-2c, Milestone Monitoring**). Reviews are based on milestones identified by the MOU. For example, a construction related P3 might have several open meeting reviews when 25 % is completed and 50% is completed.

**Chart 2-2d** shows the role of the Support Person in the Monitoring process. For more information, please refer to the section detailing the Support Person's responsibilities.

During the monitoring process, the P3 Committee will provide the Select Board with a status update on the partnerships and will red flag any P3s that are not meeting the requirements outlined by the MOU and would thus require further action by the Board (Refer to **Chart 2-2f**).

**Appendix 2** - Useful links

League of Women Voters "Best Practices" position paper:

<http://lww.org/content/strategies-best-practice>

League of Women Voters "Privatization Policy Debate"

<http://lww.org/content/privatization-public-policy-debate>

National Council for Public-Private Partnerships "7 Keys to Success"

<http://www.ncppp.org/ppp-basics/7-keys/>

## EXHIBIT B

To the Concord Select Board  
February 6, 2017

Thank you for giving the P3 Study Committee the opportunity to clarify some sections of the Committee's report surrounding public participation and dialogue, the process for new and existing P3 relationships, creation of a standing committee, MOUs, and the responsibilities of the Select Board and Town Manager relating to P3s.

The P3 Study Committee's charge stated:

"It has been noted in recent times, however, that the interests of private donors and issue specific advocates may sometimes not be in complete alignment with the public interest, particularly in the areas of openness and transparency in decision-making, access to documents and information and public involvement in decision-making. When a private entity is making decisions for itself, the public has no right of access to information and no right to observe its decision-making process. But when private parties are making decisions concerning the construction of a new public facility or the use and management of public property, there is a disconnect between the public's rights and the rights of private parties to make decisions. The result can be less openness and reduced public participation and therefore a loss of public trust in the decisions that have been made."

The P3 Study committee responded to the Select Board's concerns and shaped its proposals so that, going forward, there will be appropriate public participation and trust in the decisions that affect new and ongoing public-private partnerships related to construction of a new public facility and the use or management of public property.

One area of concern expressed by the Select Board at the January 23 meeting was the P3 Committee's recommendation that there be a new P3 Standing Committee.

As our committee deliberated our charge and held two well-attended Public Hearings, the idea of a Standing Committee began to emerge as the proper vehicle for achieving the goals of public participation and monitoring P3 relationships. (Incidentally, we have learned that other communities, for example, Cambridge, have created similar committees to work with partnerships). At first this seemed like a lot of overhead for not very much return. But then we realized that *without* a standing committee, it's very difficult to build true openness into the process. The goal of our committee—and, we believe the goal of the Select Board in charging us with this task of finding a way for "public participation"—requires that there be a process for such participation. Our P3 Study Committee makes such a recommendation in order to assist the Select Board and not in any way limit or reduce its power or judgment. Such a Standing Committee would work with the Select Board to provide opportunities for public education and dialogue, thus fulfilling one of the goals of our charge.

1. The Standing Committee would work with the Select Board to facilitate public participation in the initial stages of a new Public Private Partnership.

2. The Committee would be responsible for providing a forum for public participation in existing partnerships, including drafting a project agreement.
3. The Committee would also ensure the Town website provides the public with current information about all P3s.

Such a committee would be appointed by the Select Board or the Select Board and the Town Manager and would serve for a length of time agreed upon by the Select Board. This is how we see this early stage of a potential P3 working:

1. The Town Manager is the gate keeper where the process begins.
2. The P3 Committee considers new P3 proposals and reviews existing P3s and organizes public participation. It is an advisory committee only.
3. The Select Board is the ultimate authority in deciding whether to move ahead with a new P3 relationship or not.

A second area of concern to the Select Board was the issue of Memoranda of Understanding (MOUs). For that reason and in the interest of clarity, we suggest that the term MOU be replaced with the term "Project Agreement" which would describe the scope of the project (including its financing), a timeline, and the expectations of both Public as well as the Private partners. Our committee leaves it to the judgment of the Select Board and the Town Manager as to the details of such a Project Agreement. But we urge that the agreement be reviewed by the Standing Committee on a regular basis and a new agreement be drawn up by the Town Manager and/or the Select Board when any of the conditions change.

Finally, at our January 23 meeting with the Select Board there was very little discussion of existing Public Private Partnerships making decisions concerning the construction of a new public facility or the use and management of public property. It is of equal, and perhaps even more importance in terms of openness and public dialogue and education, that a Standing Public Private Partnership Committee provides a place for the public to participate. It is also critical to have a committee that can keep track of project changes by asking for annual reviews.

Our committee made a distinction between partnerships dealing with projects of \$150,000 and/or over a year or more in length and smaller, more specific projects which do not fit those criteria. For your assistance, we have included a list of known, current Public/Private Partnerships which seem to fit these definitions.

Again, we thank you for the opportunity to assist in finding ways to help educate and involve Concord citizens, and to assist in continuing Concord's record of successful Public Private Partnerships.

Respectfully,

Public Private Partnership Study Committee

EXHIBIT C

**Current Concord Public Private Partnerships**

PPT Title	Public Entity	Private Entity	Public Benefit
Beede Center	-	Beede Center	Swimming & Other Activities
Center for Restorative Justice	Police	C4RJ - Center for Restorative Justice	Restorative Justice
CC Youth Baseball		CC Youth Baseball	Donates funds annually in exch for use of fields
Visitors Center		Chamber of Commerce	Visitors Information Center
Sidewalk Renovation		Concord Academy	Donated funds for sidewalk in front of school
CCHS fields renovations Phase I	Regional School District	Concord Carlisle at Play	CC Athletic Fields & Facilities
CCHS fields renovations Phase II	Regional School District	Concord Carlisle at Play	CC Athletic Fields & Facilities
CC Athletic Fields & Facilities	Regional School District	Concord Carlisle at Play	High School Athletic Facilities
Concord Children's Center		Concord Children's Center (Harvey Wheeler)	Pre-school, child care services
Concord Children's Center		Concord Children's Center (Ripley)	Pre-school services
Concord Library		Concord Free Public Library Corporation	Library Services
Concord Housing Development Corp		Concord Housing Development Corp	Affordable Housing Promotion
Concord Land Conservation Trust		Concord Land Conservation Trust	Open Space Preservation
Concord Friends of the Aging	Council on Aging	Concord Friends of the Aging	
Domestic Violence Prevention	Police	DVAP -???	Domestic Violence Prevention

Emerson Umbrella		Emerson Umbrella	Historic Preservation
FOPAC (51 Walden)		FOPAC (51 Walden)	Historic Preservation
Friends of Bruce Freeman Rail Trail		Friends of Bruce Freeman Rail Trail	
CCHS Playing Fields - Doug White - Lease		Friends of CC Fields (Doug White Fields)	Athletic facilities
CCHS Playing Fields - Doug White - Replacement		Friends of CC Fields (Doug White Fields)	
CCHS Playing Fields - Doug White - Maintenance		Friends of CC Fields (Doug White Fields)	Donate funds annually for fields maintenance in exchange for use of fields
CCHS Playing Fields - Doug White - Installation		Friends of CC Fields (Doug White Fields)	
Harrington House tenant		Harrington House tenant	Historic Preservation
Holy Family Church		Holy Family Church	Shared parking in Villages
Lions Club		Lions Club	Donated funds to support police & fire depts
Marshall Farm / Barrett Farm tenants		Marshall Farm / Barrett Farm tenants	Promotion of Agriculture
Middlesex School		Middlesex School	Donated funds to resurface track in exchange for use
Open Table		Open Table	Food for the needy
Regional Housing Services Office (141 Keys)		Regional Housing Services Office (141 Keys)	Affordable Housing Promotion
Rotary Club of Concord -- Various		Rotary Club of Concord	Donated funds for War Memorial, Monument Sq beautification, equipment for police/fire
Various farmers		Various farmers	Promotion of Agriculture
Town House and West Concord Center Gardens	Concord Public Works	Garden Club of Concord	Public Gardens
Hanging Baskets and Five Public Gardens in West Concord Center	Concord Public Works	West Concord Green Thumbs	Public Gardens and Beautification

## Select Board Policies Regarding Public Private Partnerships

### **For all new proposed partnerships:**

- All P3s involving the Town, Town property and/or other Town assets must originate with the Town Manager.
- The Select Board will hold a public meeting for any new Public Private Partnership over \$150,000 to help ensure that the public is aware of the proposed partnership.
- The Town will develop and maintain a website where information about all public private partnerships within the jurisdiction of the Town will be made available to the public.
- Before the Select Board or the Town Manager will take any action to approve a partnership the following must take place:
  1. Material associated with the proposed partnership as well as a project description shall be posted on the Town's website.
  2. The Select Board will determine what other methods will be used to help ensure that the public is aware of the proposed partnership.
  3. There will be a ten-day comment period associated with every proposed public private partnership.
  4. A memorandum on understanding between the Town and the private organization to which it would partner shall be drafted. It shall be kept as a draft throughout the process of deliberation about the partnership. A more detailed description of the content of said MOU is contained in Appendix A.
  5. If the partnership is approved by the Select Board, the Town Manager or by Town Meeting, the signed MOU shall become a permanent part of the record.
  6. In approving a partnership, the Select Board, Town Manager or Town Meeting shall also determine a specific timetable for the future review of the partnership.

### **For existing partnerships:**

- The Town Manager or his designated representative shall develop a schedule to review all public private partnerships.
- Partnerships deemed by the Town Manager to be have been significant – involving \$150,000 or that have lasted for over a year – shall be reviewed by the Select Board according to the schedule developed by the Town Manager.

- A designated representative of the Town Manager shall review all other partnerships, according to the above-mentioned schedule.
- On an annual basis the Town Manager will provide a summary of the review of all existing partnerships at a public meeting held by the Select Board.

**Partnerships within the Town but not under the jurisdiction of the Town Manager and Select Board**

- The Select Board and Town Manager will undertake to be aware of any proposed partnerships within the Town that may not be under their jurisdiction.
- The Select Board and Town Manager will endeavor, when aware of such a proposed partnerships, to ensure that they are brought to the attention of the citizens through the Town's website and by other means that may be useful.
- The Select Board will work with other jurisdictions in Town to encourage the adoption of similar policies regarding public private partnerships within these jurisdictions.

# EXHIBIT E

	Partnership identified by PPP committee	Town department lead, if any Select Board	Private Entity Concord Housing Development Corp	Current or future partnership over \$150K or longer than one year?	PPP Policy Applicability	Public Benefit affordable housing	documented?	Status	comments
11	Concord Housing Development Corp		Concord Housing Development Corp	yes	yes	affordable housing	no	current	this relationship is not governed by a partnership agreement but by the charter of the CHDC
28	Regional Housing Services Office	DPLM	Regional Housing Services Office	yes	yes	affordable housing	yes	current	
	Concord Land Conservation Trust	DPLM	Concord Land Conservation Trust				yes	current	various forms of MOUs for various sites in Concord
12				yes	yes	agriculture and natural resources			
25	Marshall Farm / Barrett Farm tenants	Facilities Dept.	Marshall Farm / Barrett Farm tenants	yes	yes	agriculture and natural resources	yes	current	
3A		NRC		yes	yes	agriculture and natural resources	yes	current	
4A	Ammendolia/East Quarter	NRC		yes	yes	agriculture and natural resources	yes	current	
5A	Burke Farm	NRC	Eric Nelson	yes	yes	agriculture and natural resources	yes	current	
6A	Harrington Park	NRC	Marshall Farm	yes	yes	agriculture and natural resources	yes	current	
7A	Kaveski Farm	NRC	Cupp & Son, LLC	yes	yes	agriculture and natural resources	yes	current	
8A	Marshall West	NRC	Marshall Farm	yes	yes	agriculture and natural resources	yes	current	
9A	Mattison Field (Main)	NRC	Cupp & Son, LLC	yes	yes	agriculture and natural resources	yes	current	
10A	Mattison Field (North)	NRC	Verrill Farms LLC	yes	yes	agriculture and natural resources	yes	current	
11A	McGrath Farm (refer to Farmstead lease)	NRC	Barretts Mill Farm	yes	yes	agriculture and natural resources	yes	current	
12A	McGrath Farm	NRC	Barretts Mill Farm	yes	yes	agriculture and natural resources	yes	current	
13A	McGrath Farm	NRC	Barretts Mill Farm	yes	yes	agriculture and natural resources	yes	current	
14A	McGrath Farm	NRC	Hutchins Farm	yes	yes	agriculture and natural resources	yes	current	
15A	McGrath Farm (1 acre)	NRC	Michael McGrath	yes	yes	agriculture and natural resources	yes	current	
16A	McHugh Farm	NRC	Bill Kenney	yes	yes	agriculture and natural resources	yes	current	
17A	Peter Spring Farm, Hutchins Farm	NRC	Hutchins Farm	yes	yes	agriculture and natural resources	yes	current	
18A	Rogers/Marshall Farm	NRC	Marshall Farm	yes	yes	agriculture and natural resources	yes	current	
	Thoreau Birthplace Farm land		Gaining Ground, Inc.						

	Partnership identified by PPP committee	Town department lead, if any	Private Entity	Current or future partnership over \$150K or longer than one year?	PPP Policy Applicability	Public Benefit	documented?	Status	comments
19A		NRC		yes	yes	agriculture and natural resources	yes	current	
	Willow Guzzle		Verrill Farms						
20A		NRC		yes	yes	agriculture and natural resources	yes	current	
2A	Michael McGrath Stop and Shop Parking Spots	DLPM, TMO, CPD	individual The Stop & Shop Supermarket Compar	yes	yes	economic vitality	yes	current	expanding parking options for public transportation
27	Open Table	TMO	Open Table	no	yes	food scarcity	no	current	Regular dialogue; verbal agrmt. Btw Town & Group for 105 Everett
29	Rotary Club of Concord -- Various	TMO	Rotary Club of Concord	yes	yes	Historic Preservation	no	current	Donated funds for War Memorial, Monument Sq beautification, equipment for police/fire
16	FOPAC (51 Walden)	TMO	FOPAC (51 Walden)	yes	yes	Historic Preservation	yes	current	
22	Harrington House tenant	Deputy Town Manager; NRC	Harrington House tenant	no	yes	Historic Preservation	yes	current	Historical Commission is responsible for the house. Natural Resources Commission has responsibility for the open space. TMO is responsible for the Lease Agreement - ends 7/2021
8	Concord Children's Center	TMO	Concord Children's Center (Harvey Wheeler)	yes	yes	human services: child care services	yes	current	Lease Agreement - ends 7/2021
9	Concord Children's Center	TMO	Concord Children's Center (Ripley)	yes	yes	human services: child care services	yes	current	Lease Agreement - ends 1/2022
10	Concord Library	Library	Concord Free Public Library Corporation	yes	yes	Library Services	yes	current	
24	Lions Club	TMO	Lions Club	yes	yes	Police and Fire boosters	no	current	
15	Emerson Umbrella	TMO	Emerson Umbrella	yes	yes	public art	yes	current	Lease extended 30 years in 2018; TM vote in ATM 18 to allow TM to sign a lease longer than 10-years.
5	Sidewalk Renovation	Public Works	Concord Academy	yes	yes	public works	no	current	In about 2014/2015, Concord Academy contributed a total of \$93,849 towards a CPW pedestrian improvement project in the vicinity of the academy. The project was completed leaving a balance of \$15,608.23 in the gift account. Concord Academy is currently planning another project that includes sidewalk reconstruction and has requested Town participation.
31	Town House and West Concord Center Gardens	Public Works	Garden Club of Concord	yes	yes	public works	no	current	CPW coordinates with members of the West Concord Green Thumbs seasonally to review maintenance programs and initiatives related to the beautification of open space in West Concord. WCGT provide organized clean up and maintenance events in Junction Park and Mandrioli Park.
32	Hanging Baskets and Five Public Gardens in West Concord Center	Public Works	West Concord Green Thumbs	yes	yes	public works	no	current	CPW and WCGT work closely on planning and installing hanging flower baskets in West Concord each spring. No fixed funding for services and materials identified.
21A	Friends of Sleepy Hollow Cemetery	Public Works	Friends of Sleepy Hollow Cemetery	yes	yes	public works	no	current	Friends of Sleepy Hollow Cemetery is a non-profit organization who works closely with the Cemetery Committee and CPW to promote and support initiatives involving the Town's cemeteries. The Friends of Sleepy Hollow receive donations and provide funding for various projects, which enhance cemetery grounds.
23A	Business Recycling Day	Public Works	Various Bussinesses	yes	yes	public works	no	current	Likely no formal agreement with value not the trigger but definitely multi-year partnership.
24A	Drop off Swap Off	Public Works	REUSE IT	yes	yes	public works	no	current	The <b>Solid Waste Division</b> partners with area businesses and the chamber of Commerce to host a electronics, univeral waste and paper shredding recycling event open to local businesses in the fall and spring. Businesses cover the cost to recycle items at the event. General funding from outside sources is not collected.
25A	CPA grant - Drinking Founains for Six	Public Works	Concord on Tap	yes	yes	public works	no	current	<b>Water and Sewer Division</b> partnerned with Concord on Tap and recived CPA funding to install "Drinking Fountains for Six Conord Playing Fields." One fountain remaining to be installed. Total project budget \$66,000.
26	Middlesex School	TMO	Middlesex School	no	yes	recreation	no	current	unknown Formal letter provided to the Town; SB Voted to accept gift; matching funds voted upon at Town Meeting FY19; Donated funds to resurface track in exchange for use

Partnership identified by PPP committee	Town department lead, if any	Private Entity	Current or future partnership over \$150K or longer than one year?	PPP Policy Applicability	Public Benefit	documented?	Status	comments	
1	Beede Center	Recreation Dept.	C.C. Pools, Inc., Dane Brady & Haydon, LLP	yes	yes	Recreation	yes	current	This Deed is one part of a suite of five documents that represents the Beede Center including: (ii) Intergovernmental Agreement between Town of Concord and CCHS School District, (iii) Gift Agreement between Town of Concord and Dane Brady & Haydon, LLP, (iv) Ground Lease between Dane Brady & Haydon, LLP and Town of Concord, (v) Operating Agreement between Town of Concord, and Dane Brady & Haydon, LLP.
3	CC Youth Baseball	Recreation & Hwy. & Grounds	CC Youth Baseball	yes	yes	Recreation	yes	current	CPW works closely with members of the CCYB board to discuss the planning and maintenance needs of the Town's baseball and softball fields to support organized youth baseball/softball programs seasonally. CCYB provides an annual donation of \$7,500 to support the operations and maintenance of the Ripley Baseball Field Complex. In addition, CCYB also donates funding for materials, equipment, and capital improvements to support baseball and softball field operations. with value likely not trigger but definitely multi-year partnership.
17	Friends of Bruce Freeman Rail Trail	DPLM	Friends of Bruce Freeman Rail Trail	yes	yes	recreation	yes	current	
18	CCHS Playing Fields - Doug White - Lease	School District	Friends of CC Fields (Doug White Fields)	yes	yes	Recreation	yes	current	
19	CCHS Playing Fields - Doug White - Replacement	Recreation	Friends of CC Fields (Doug White Fields)	yes	yes	Recreation	yes	current	
20	CCHS Playing Fields - Doug White - Maintenance	Recreation	Friends of CC Fields (Doug White Fields)	yes	yes	Recreation	yes	current	Friends of Concord Carlisle provides annual funding of \$50,000 to support the maintenance and operations of the Doug White artificial turf field.
22A	Friends of CC Youth Soccer	Public Works	Friends of CC Youth Soccer	yes	yes	recreation	no	current	CPW works closely with members of the CCYS board to discuss the planning and maintenance needs of the Town's grass turf fields to support organized youth soccer programs seasonally. CCYS will also donates funding for items such as soccer goals and soccer nets.
13	Concord Friends of the Aging	COA	Concord Friends of the Aging	no	no	Concord seniors economic vitality	no	not in effect	CFOA's actions are governed by its charter and operating agreement.
4	Visitors Center	TMO	Chamber of Commerce	no	no	human service: domestic violence prevention	yes	not in effect	Visitor Center transferred to the Town
14	Domestic Violence Prevention	Police Dept.	Domestic Violence Service Network	no	no	human services: restorative justice	no	not in effect	space no longer used at CPD due to COVID
2	Center for Restorative Justice	Police Dept.	C4RJ - Center for Restorative Justice	no	no	human services: restorative justice	no	not in effect	
1A	Communities for Restorative Justice	Police Dept.	Communities for Restorative Justice	no	no	human services: restorative justice	no	not in effect	space no longer used at CPD due to COVID
6	CCHS fields renovations Phase I	School District	Concord Carlisle at Play	no	no	Recreation	yes	not in effect	completed
7	CCHS fields renovations Phase II	School District	Concord Carlisle at Play	no	no	Recreation	yes	not in effect	completed
21	CCHS Playing Fields - Doug White - Installation	Recreation	Friends of CC Fields (Doug White Fields)	yes	no	Recreation	yes	not in effect	project completed



# Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: [WWW.RHSOhousing.org](http://WWW.RHSOhousing.org)

Email: [INFO@RHSOhousing.org](mailto:INFO@RHSOhousing.org)

Phone: (978) 287-1092

January 31, 2021

To: John Mangiaratti, Sarah Stanton, Stephen Crane, James Malloy, Timothy Higgins, Greg Johnson, Henry Hayes, Louise Miller, Leon Gaumond, Janet Adachi, Kristen Guichard, Robert Hummel, Alyssa Sandoval, Marcia Rasmussen, Heather Gill, Lee Smith, Carol Kowalski, Amanda Loomis, Paula Vaughn, Megan Zammuto, Adam Duchesneau, Cynthia Howe, Sarkis Sarkisian, Imai Aiu, Sarah Rhatigan

CC: Jody Kablack, Lara Plaskon, Liz Valenta

From: Elizabeth Rust

RE: Regional Housing Services Office – FY21 Q2, Status Report

This is the FY21 status report for activity from 10/1/20 through 12/31/20 (FY21 Q2) for Regional Housing Services Office, the inter-municipal collaboration between the nine towns of Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland and Weston. Please let me know if you have any comments or questions.

### **RHSO Administration:**

We continue the RHSO work in the pandemic semi-shut down. We staff the office 2-3 days a week, continuing remote working, and meetings of all kinds through ZOOM. All efforts on the workplan continue, with minor adjustments as needed.

The RHSO IMA covering the FY21 – FY23 period, was signed by all communities, effective 10/1/20, and all membership fees have been received. Acton, Maynard, Lincoln and Weston have incurred supplemental hours, and sent all accompanying invoices.

From the staffing perspective, contracts with the RHSO Consultants are complete. Plans to hire a 5<sup>th</sup> RHSO staff was deferred for this fiscal year due to on boarding difficulties in COVID times.

The Advisory committee met in December, and reviewed continued resources available during COVID, RHSO programs including emergency rental and mortgage assistance, continued stay of rent increases during the state of emergency, and the RHSO FY22 budget. The Advisory committee will meet again in March.

### **Regional Activities:**

Regional activities provide general housing resources, including trainings, reports, information and the website.

The RHSO is responding to COVID-19 in this fluid and changing environment and implemented Emergency Rental and Mortgage Assistance Programs. There are Emergency Rental Assistance implemented in over 80 Massachusetts communities, and MHP has published its collection of information.

<https://www.housingtoolbox.org/covid-19-resources/emergency-rental-assistance-era-program-database>

Based on the ERAP efforts, we presented at the MMA Human Services Council.

The RHSO ERAP program is active in Acton, Bedford, Maynard, Sudbury and Weston – details below. The averages across all applicants show that the households are relatively low income with a 34% reduction in income due to COVID, averaging a change of income from \$56,000 to \$38,000. Positions range from restaurant, retail, healthcare, education and people who felt they were high-risk and left work.

In November, we implemented a mortgage assistance program with Acton and Maynard, using CARES Act funds, as DOR has opined that mortgage assistance is not eligible for CPA funds. The programs closed on 12/31, and will reopen in February to utilize the unspent CARES ACT funds.



# Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

	Rental Assistance (ERAP)			Mortgage Assistance (MAP)		
	FUNDING SOURCE	AMOUNT ALLOCATED	HOUSEHOLDS ASSISTED	AMOUNT COMMITTED	HOUSEHOLDS ASSISTED	AMOUNT COMMITTED
<b>Acton</b>	CARES Act	\$100,000	37	\$83,900	7	\$14,460
<b>Bedford</b>	MAHT	\$40,000	7	\$15,350		
<b>Maynard</b>	MAHT/CPC	\$70,000	13	\$43,400	4	\$8,085
<b>Sudbury</b>	MAHT	\$39,000	8	\$29,600		
<b>Weston</b>	MAHT/CPC	\$100,000	5	\$11,400		
	<b>TOTAL</b>	<b>\$349,000</b>	<b>70</b>	<b>\$183,650</b>	<b>11</b>	<b>\$22,545</b>

## **SHI, 40B Safe Harbor and Inventory Administration**

Managing the SHI inventory is a key component of the RHSO services provided. 1,191 units have been added to the Subsidized Housing Inventory for the member communities since they joined the RHSO and 160 so far in FY21.

	Housing Units, 2010 Census	SHI Tracking					40B Safe Harbor
		SHI Units	% Subsidized	+/- 10%	Added in FY21	FY21/FY22 Pipeline	
Acton	8,475	894	10.55%	47		Craftsman Village (2)	Yes - >10%, and HPP Certified to 8/9/22
Bedford	5,322	981	18.43%	449		Village at Bedford Woods (6)	Yes - >10%
Concord	6,852	721	10.52%	36		Junction Village (83), Gerow (1), 930 Main St (2)	Yes - >10%
Lexington	11,946	1,334	11.17%	140		Wright Farm (1), 186 Bedford St (13)	Yes - >10%
Lincoln	2,130	298	13.99%	85			Yes - >10%
Maynard	4,430	401	9.05%	-42		Coolidge (12), Old Bay Road (1)	Yes - HPP Certified to 9/21/21
Sudbury	5,921	669	11.30%	77			Yes - >10%
Wayland	4,957	330	6.66%	-166		Rivers Edge (218), Michael Road (1), Cascade (-30)	
Weston	3,952	331	8.38%	-65	160	Modera Weston (160)	Yes - HPP Certified to 11/23/22
<b>total</b>	<b>53,985</b>	<b>5,959</b>	<b>11.04%</b>	<b>561</b>	<b>160</b>		



# Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

## **Monitoring:**

The monitoring program is a core service of the RHSO with almost 5,800 units of SHI rental and ownership restricted housing across the communities.

**Ownership Units:** The ownership monitoring is well underway for FY21, with the following steps:

- Self-certifications to each owner, 3 mailings
  - Second mailing sent 1/12/21
- Review the registry of deeds, In process
- Review owner mailing address versus town database
- Review on-line sites for rentals
- Provide annual certification reports to DHCD in June
- Send quarterly Welcome Letters to new owners – 7 letters to date.

**Resales:** One of the primary responsibilities of the monitoring agent is to locate eligible buyers upon resale of deed restricted ownership units. This falls to the municipality for units in the LIP Program, 40B units where the town is the named agent, or other locally restricted units. FY20 saw an uptick in resales (6 units), and this trend is continuing strongly into FY21 with eight resales closed to date in FY21 (Acton, Bedford, Concord, Lincoln (2 units), Sudbury (2 units) and Weston), three units in process (Bedford, Concord, Lincoln), and inquiries from many owners.

The RHSO provides these resale services as part of its core monitoring efforts, and the town receives the resale fee (~\$4k ~\$5k) associated with the transaction. Municipalities can purchase additional hours if the work on resales extend past the contracted support level.

**Rental Projects:** The RHSO monitors Local Initiative Program (LIP) rental units and units funded with HOME funds on behalf on the member communities, as required by the funding Regulatory Agreements.

In general, the monitoring review includes:

1. Reviewing that the rents are calculated in accordance with the Regulatory Agreement.
2. Reviewing sample tenant files to ensure that tenant income is recertified using source documents according to the regulations
3. Verifying that tenants are selected in accordance with Fair Housing requirements and current Affirmative Fair Housing Marketing Plans (AFHMP) including advertising requirements.
4. Verification that the units are maintained in accordance with applicable standards.
5. Providing Town certification to DHCD, as required.
6. Follow-up during the year on compliance findings and recommendations.
7. Reviewing annual rent increase requests and recommending approvals.

The below table provides the detail schedule for the rental monitoring. There is some shift in schedule and scope due to COVID, including desk reviews in lieu of site visits. There is a moratorium of both rent increases and evictions, per DHCD guidance and rental re-certifications are slower and delayed.

1/26/21	FY21 Self-Declaration			
	Sent	Rec'd	Open	% rec'd
Acton	67	54	13	81%
Bedford	60	49	11	82%
Concord	73	59	14	81%
Lexington	32	27	5	84%
Lincoln	54	44	10	81%
Maynard	6	6	0	100%
Sudbury	36	31	5	86%
Wayland	37	26	11	70%
Weston	26	19	7	73%
<i>total</i>	<i>391</i>	<i>315</i>	<i>76</i>	<i>81%</i>



# Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

	Town	LIP Rental Development Name	SHI units	Subsidy Program	FY21
1	Acton	Scattered sites (AHA)	8	LIP 40B	Q3
2	Acton	Inn at Robbins Brook	3	LIP-LAU	Q4
3	Bedford	Village at Concord Road	12	LIP 40B	Q2, In process
4	Bedford	20 Railroad	4	HOME	Q2, Complete
5	Bedford	Patriot Place	10	LIP 40B	Q2, In process
6	Bedford	Village at Taylor Pond	200	LIP-LAU	Q2, In process
7	Bedford	Bedford Village	96	CPA	Q3
8	Bedford	447 Concord Road	11	HOME	Q3
9	Concord	Concord Prescott	350	LIP 40B	Q3
10	Concord	Concord Park	16	Local	Q3
11	Concord	405 Old Bedford Road (CHA)	4	LIP LAU	Q2, Complete
12	Concord	Brookside Square	8	LIP-LAU	Q2, In process
13	Concord	Warner Woods	80	MH NEF	Q4
14	Concord	Thoreau St (CHA)	1	HOME	Q3
15	Concord	Peter Bulkeley (CHA)	4	HOME	Q3
16	Lexington	Avalon at Lexington Hills	97	LIP 40B	Q3, started
17	Lexington	Avalon Lexington	56	Local	Q3, started
18	Lexington	LexHAB Scattered Sites	48	various	Complete
19	Lexington	Pine Grove Village	3	HOME	Q2, Complete
20	Lexington	Keeler Farm	1	HOME	Q3
21	Lincoln	Commons	30	LIP 40B	Q4
22	Lincoln	Oriole Landing	60	LIP LAU	Q4
23	Maynard	Maynard Crossing, Vue	22	LIP LAU	Q4
24	Sudbury	Willis Lake (SHA)	1	LIP-LAU	Q3, In process
25	Sudbury	Avalon	250	LIP 40B	Q3
26	Sudbury	Coolidge (Phase1)	1	HOME	Q3
27	Wayland	Residences At Wayland Center	12	LIP-LAU	Q4
28	Weston	Church, Jones, Pine, Viles	6	LIP LAU	Q2, In process
29	Weston	Warren Ave	5	LIP 40B	Q2, In process
30	Weston	Merriam Village	5	LIP LAU	Under Review
			1404		

### Town-Specific Monitoring

Other monitoring efforts include assisting residents with refinancing as well as maintaining the inventory with new projects, new owners, and other general updates.

In Acton: Recommended approval for refinances at Quail Ridge and Madison Place; worked with town on significant challenge to residency; received invoice from owner at Anthem Village on prior approved capital improvement.

In Bedford: Assisted with the permanent loan closing at 447 and revisions in the affordability matrix; assisted Habitat and the town with preparing the home at 4 Carter Way for resale.

In Concord: Started marketing another resale unit at Walden Street; prepared subordination for town mortgage at Elm Brook; recommended refinancing approval at Shaw Farm; worked with family member of a



# Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: [WWW.RHSOhousing.org](http://WWW.RHSOhousing.org)

Email: [INFO@RHSOhousing.org](mailto:INFO@RHSOhousing.org)

Phone: (978) 287-1092

deceased owner of a restricted unit; assisted the CHA with the HUD Reposition project specifically regarding the affordable housing restriction.

In Lexington: Performed annual monitoring of LexHAB units; provided a template to collect capital needs assessment information in support of the Select Board goal.

In Lincoln: Worked with family member of a deceased owner of a restricted unit; started resale efforts for a unit at Battle Road Farm; recommended approval for refinancing of a unit at Battle Road Farm; reviewed loan documents for older BRF loans; prepared analysis on over-mortgaged restricted unit.

In Maynard: Worked with family member of a deceased owner of a restricted unit.

In Sudbury: Kept apprised of status with Habitat for deceased owner of a restricted unit; located an eligible purchaser for the resale unit at Village at County Road; recommended approval for two applicants for Frost Farm; prepared closing documents for unit at Grouse Hill.

In Wayland: No monitoring activities this period.

In Weston: No monitoring activities this period.

## **HOME Support:**

The HOME support category assists participating HOME communities (Bedford, Concord, Lexington, Sudbury and Wayland) commit and expend their available Program funds, develop HOME funded programs, as well as completing their administrative requirements. To date, the RHSO has assisted the member communities commit ~\$2,000,000 since FY13.

In this reporting period the RHSO attended the quarterly HOME meeting in September, submitted the Annual Action Plan on behalf of the member communities, as well as:

- Analysis of Impediments: Assisted in the comment period for the final Analysis of Impediments to Fair Housing Choice, with review within each municipality.
- Bedford: The Ashby Place project, renovations in the community building, has completed construction and the final requisition and monitoring is upcoming. The Bedford Initial Rental Assistance Program (TBRA) is funded for FY21 for \$15,550.
- Concord: Continued the Environmental Review (ER) analysis for Christopher Heights at Junction Village specifically to complete the Section 106 notice to tribes with interests in Middlesex County. After months of notice with no response, we are proceeding with the public notice process. Once the ER is complete, then the Town can execute the funding commitment for the project.
- Lexington: Lexington has \$30,040 of FY21 funds available.
- Sudbury: Coolidge II HOME project has completed construction, and occupancy is starting.
- Wayland: Wayland Initial Rental Assistance Program (TBRA) is funded for FY21 for \$8,280.

## **Local Support:**

The local support category enables each municipality to have some amount of hours to support priority items that are not covered under other service categories. The following local support activities were performed for each community in this reporting period:

Acton: Reviewing 184 Main St final plans and sales prices; continued monthly meetings with town and reviewed HPP goals and strategies; continued administration of ERAP with review of new and renewed



# Regional Housing Services Office

*Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston*

Address: 37 Knox Trail, Acton, MA 01720

Website: [WWW.RHSOhousing.org](http://WWW.RHSOhousing.org)

Email: [INFO@RHSOhousing.org](mailto:INFO@RHSOhousing.org)

Phone: (978) 287-1092

applicants, and submission of monthly rent invoices; implemented Mortgage Assistance Program, reviewed applicants and presented approvals for payment to the town; and supported the ACHC by attending meetings, taking minutes, and following up as appropriate.

Bedford: Continued administration of ERAP with review of new and renewed applicants, and submission of monthly rent invoices; assisted MAHT with annual report; assisted the town and MAHT with the administration of the Small Grant Program.

Concord: For Christopher Heights at Junction Village: held closing kickoff meeting, supported SB in appointment for the Open Space Task Force; supported the 930 Main Street effort with their permit hearings, the LIP Application approval with local preference, supporting Habitat marketing efforts; assisted the CHA with Executive Director search. Assisted the CHDC by preparing meeting agendas and packets; locating, worked with the accounting firm on financial statements, and IRS and MA tax forms; drafting the proposal for CPC funds, administering the Small Grant Program by reviewing and presenting applications for consideration and award, and processing invoices for awarded funds.

Lexington: Assisted the LHP with table of housing units created for Town Meeting.

Lincoln: Participated in discussions on supporting residents.

Maynard: Continued administration of ERAP with review of new and renewed applicants, and submission of monthly rent invoices; implemented Mortgage Assistance Program, reviewed applicants and presented approvals for payment to the town; assisted with certification of the Maynard Housing Production Plan with the regulation of 42 Summer resulting in Safe Harbor.

Sudbury: Continued administration of ERAP with review of new and renewed applicants, and submission of monthly rent invoices; supported the town CPC requests for Housing Production Plan; supported the Sudbury Housing Trust by: preparing agendas and packets; supporting the proposal for CPC funds; and Small Grant Program by reviewing and presenting applications for consideration and award, and processing invoices for awarded funds. In addition, under the Sudbury Trust umbrella, the RHSO performed lottery and resale services for other entities in the region, as follows:

- One new contract for a moderate income unit in Lexington
- Started and/or Completed Affirmative Fair Housing Marketing Plans for Bedford, Harvard Trail Ridge,
- Supported contracts and closings for Sherborn Fields at Sherborn Falls, Acton Post Office Square, and Reading Postmark Square.

Wayland: No local support this period.

Weston: Continued administration of ERAP with review of new and renewed applicants, and submission of monthly rent invoices. Assisted with certification of the Weston Housing Production Plan with the permit of Modera Weston resulting in a 2-year Safe Harbor. In October, with Jennifer Goldson serving as the consultant, the Housing Production Planning process began, several committee meetings have been held and a public forum/webinar was conducted in December. RHSO drafted the Needs Assessment for the HPP and has been assisting the HPP Steering Committee with project administration. DHCD has reviewed the Brook School LIP/LAU application and the RHSO will work with DHCD to make revisions and have the AHFMP and application approved. Assisted the Weston Affordable Housing Trust with its projects and programs, including: preparing meeting agendas and packets; ongoing asset management of Warren Avenue housing development; and continued support the development at 0 Wellesley, working with Habitat to develop six-affordable homes.



# Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Address: 37 Knox Trail, Acton, MA 01720

Website: WWW.RHSOhousing.org

Email: INFO@RHSOhousing.org

Phone: (978) 287-1092

## FY21 Tracking:

The FY21 Q2 total hours are shown in the table to the right.

Over all, the RHSO has worked 32 hours over the anticipated Q2 amount (using a straight line budget, of one-half the annual budget).

We monitor the hours for each community monthly and work together as the year closes to ensure that the over/under is +/- 10 hours (which are forgiven).

	YTD Actual	YTD Annualized Budget	Actual v Budget
<b>Acton</b>			
Monitoring	33.00	40.00	(7.00)
40B Monitoring	3.50	0.00	3.50
Local Support	213.50	165.50	48.00
ACHC	22.50	52.00	(29.50)
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	301.25	277.50	23.75
<b>Bedford</b>			
Monitoring	65.25	52.00	13.25
HOME administration	17.50	20.00	(2.50)
Local Support	94.25	100.00	(5.75)
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	205.75	192.00	13.75
<b>Concord</b>			
Monitoring	58.75	40.00	18.75
HOME administration	31.25	40.00	(8.75)
Local Support	116.50	125.00	(8.50)
CHDC	61.00	82.50	(21.50)
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	296.25	307.50	(11.25)
<b>Lexington</b>			
Monitoring	45.50	70.00	(24.50)
HOME administration	19.25	20.00	(0.75)
Local Support	72.75	82.00	(9.25)
Regional Activities	10.75	10.00	0.75
Admin	17.50	10.00	7.50
Total	165.75	192.00	(26.25)
<b>Lincoln</b>			
Monitoring	80.50	80.00	0.50
Local Support	26.75	38.50	(11.75)
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	136.00	138.50	(2.50)
<b>Maynard</b>			
Monitoring	13.00	20.00	(7.00)
Local Support	48.50	87.50	(39.00)
Maynard AHT	67.50	10.00	57.50
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	157.75	137.50	20.25
<b>Sudbury</b>			
Monitoring	53.50	40.00	13.50
HOME administration	15.50	25.00	(9.50)
Local Support	83.00	100.00	(17.00)
Sudbury AHT	277.50	282.50	(5.00)
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	458.25	467.50	(9.25)
<b>Wayland</b>			
Monitoring	8.25	15.00	(6.75)
HOME administration	20.25	32.50	(12.25)
Local Support	15.50	15.00	0.50
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	72.75	82.50	(9.75)
<b>Weston</b>			
Monitoring	7.50	20.00	(12.50)
Local Support	45.75	45.00	0.75
HPP	114.50	86.50	28.00
Weston AHT	108.00	100.00	8.00
Regional Activities	10.75	10.00	0.75
Admin	18.00	10.00	8.00
Total	304.50	271.50	33.00
<b>Totals</b>	<b>2098.25</b>	<b>2066.50</b>	<b>31.75</b>



Town of Concord

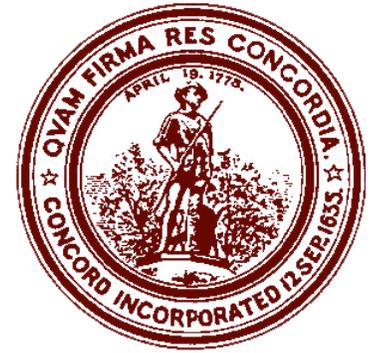
# Concord Middle School Project

Select Board Meeting

02.08.21

# Agenda

- Goals Recap
- Charge for the 2021 Feasibility Study
- Critical Information and Decisions
- Project Cost Drivers Overview
- Next Steps
- Process & Timeline



# Project Goals Recap

- Total Project Cost Limit: \$100 million
- Total Estimated Construction Cost Limit: \$80 million
- Consolidate Peabody and Sanborn Middle Schools on Sanborn Middle School site
- Design enrollment 700 Students; Grades 6-8
- Team Teaching Model
- Consider sizing Gymnasium for more than Middle School use
- Consider including Auditorium for more than Middle School use
- Design for Net Zero Ready; consider ultra-low energy design

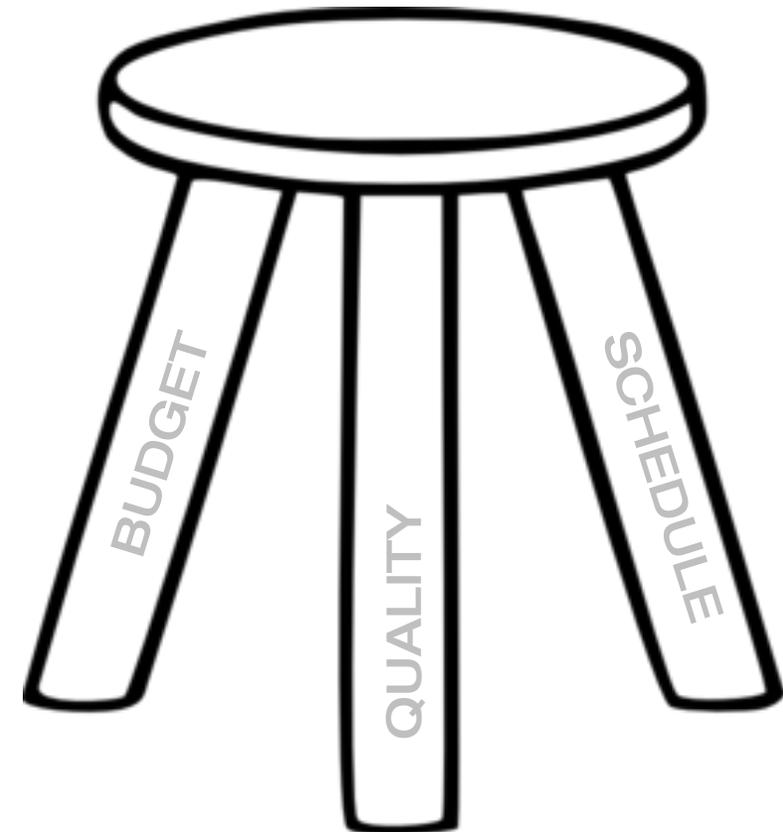
## Primary Goal:

Consolidate two middle schools/populations **into a single, next generation learning facility** that will serve the community for generations.

# Charge for the 2021 Feasibility Study

## THREE-LEGGED STOOL

- All legs must be in balance
- Example: *You cannot cut schedule in half and expect the other legs not to change.*
- What we learned from the first phase of the CMS Study: *The quality leg was too long; not in balance with cost.*
- “Quality leg” in construction projects includes:
  - *Scope (Size) and Material Quality*



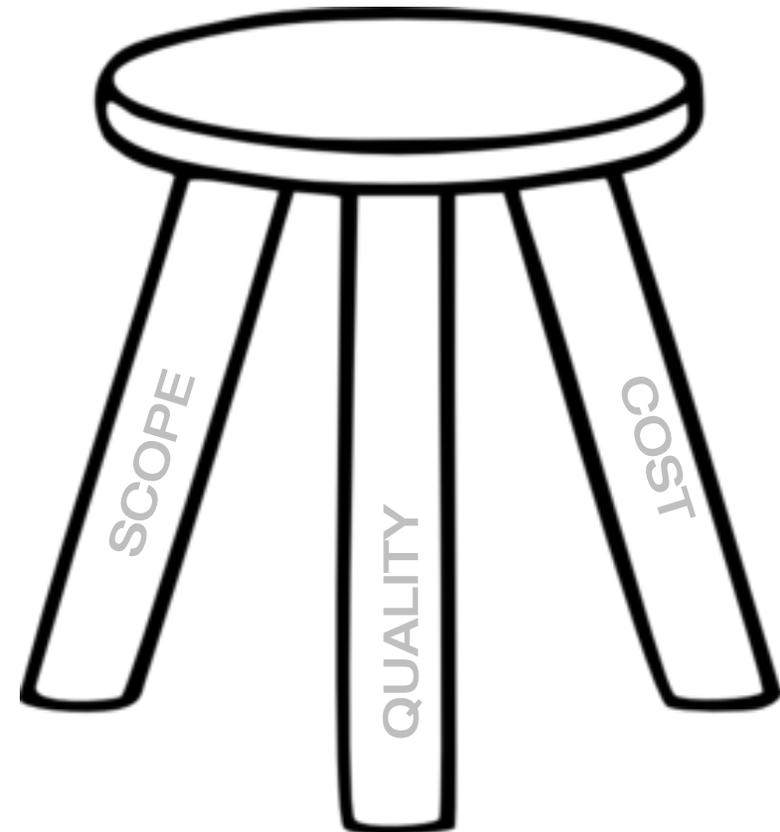
### **Current Charge:**

Revisit the **Quality** leg to realign with the Budget and Schedule legs.

# Charge for the 2021 Feasibility Study

## THREE-LEGGED STOOL

- The same applies: All legs must be in balance



### Current Charge:

Revisit the **Scope** and **Quality** leg to ensure with the **Cost** leg.

# Critical Information and Decisions by Phase

## Feasibility Study

- Education Plan and Enrollment
- Site / Location (*a given for CMS*)
- Program and Square-Footage of Building
- Site Constraints, Conditions, Program
- Conceptual Site and Building Plans
- Building Materials and Massing
- All-electric or Gas Heating and Kitchen
- Preliminary / Target EUI Range
- FFE, AV and Security Goals
- Budget (Construction and Soft Costs)
- Construction Delivery Method

## Schematic Design

- Schematic Floor Plans (layout)
- Schematic Site Plans (layout)
- Building Materials
- Building MEP Systems (with LCCAs)
- Detailed Construction and Soft Costs
- Room Data Sheets
- Preliminary Energy Model (EUI update)
- PV Strategy

# Project Cost Drivers

## Fixed Costs / Costs We Cannot Control

- Demolition of the Sanborn Building
- Abatement pre-demolition
- Septic system
- Code compliance
- Escalation (can be influenced to some extent through schedule)

## Costs We Can Control

- Building Square-footage
- Building Engineering Systems
- Site Program
- Building Materials
- Construction Delivery Method
- Sustainability

**Decision:** What is minimum requirement and what is a goal?

Trade-offs will be required!

# Next Steps (how and where information will be gathered)

## Focused Discussion with Subcommittees

- Educational Leadership Team:
  - Develop ed plan
  - Inform educational use of gymnasium and auditorium
  - Inform educational site program
  - Review and provide input on space summary that reflects space efficiencies while being curriculum responsive; recommend to SBC
- Design Subcommittee:
  - Assist in ascertaining requirements for community use of school
  - Set requirements for building massing and materials
  - Review of draft space summary; recommend to SBC
  - Review and provide feedback on site and building concepts; recommend to SBC

# Next Steps (how and where information will be gathered)

## Focused Discussion with Subcommittees

- Sustainability Subcommittee:
  - Inform design team of applicable Town policies and goals
  - Recommend minimum sustainability requirements to SBC
  - Discuss above-minimum sustainability goals
- Select Board & (Town) Finance Committee – after Building Committee Chair review:
  - Confirmation of Construction Delivery Method
  - Consultation on other funding sources for (additional) fields, if required
  - Discussion on Peabody School and Site
  - Review of Project Cost

# Next Steps (how and where information will be gathered)

## Focused Discussion with Subcommittees

- Management / Leadership Team:
  - Perform administrative check-ins with the OPM and Design team
  - Assist consultants by providing contact information and points of contact for information gathering as needed
- Finance Subcommittee:
  - Management of Project Budget
  - Analysis of Building Costs
  - General review of Project Financial Issues
- Communications Subcommittee:
  - Ensure information is available to the Community

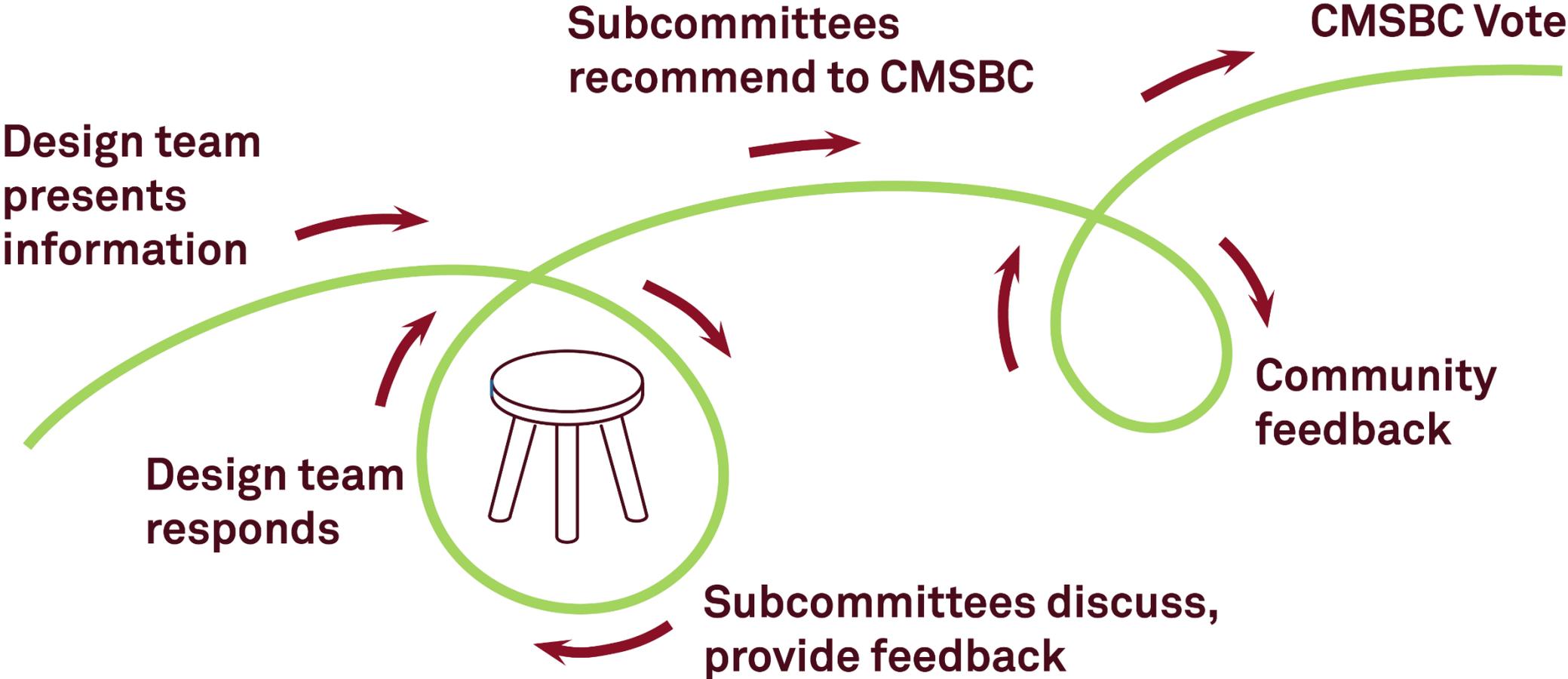
*(the continuation and role of Finance and Communications subcommittees are to be discussed at the next CMSBC meeting)*

# Next Steps

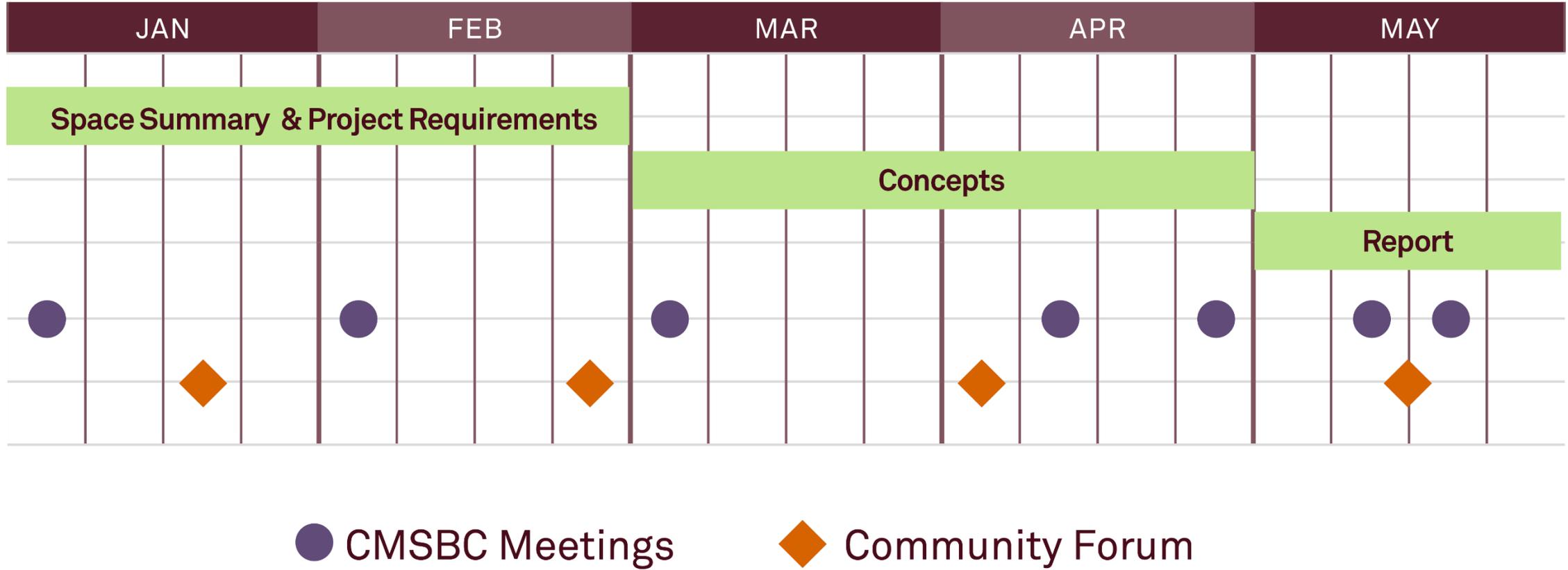
## Collecting Community Input

- Small Working Group Meetings:
  - Athletic Programs Working Group – review community use requirements for gym and outdoor fields
  - Performing Arts Programs Working Group – review community use requirements for auditorium use
  - Civic Use Working Group – review community use requirements relative to Town events and activities
- Larger Informational and Q&A Sessions:
  - Four General Update Sessions – one as kick-off; second after program is developed; third after site/building concepts have been developed, fourth and final summary

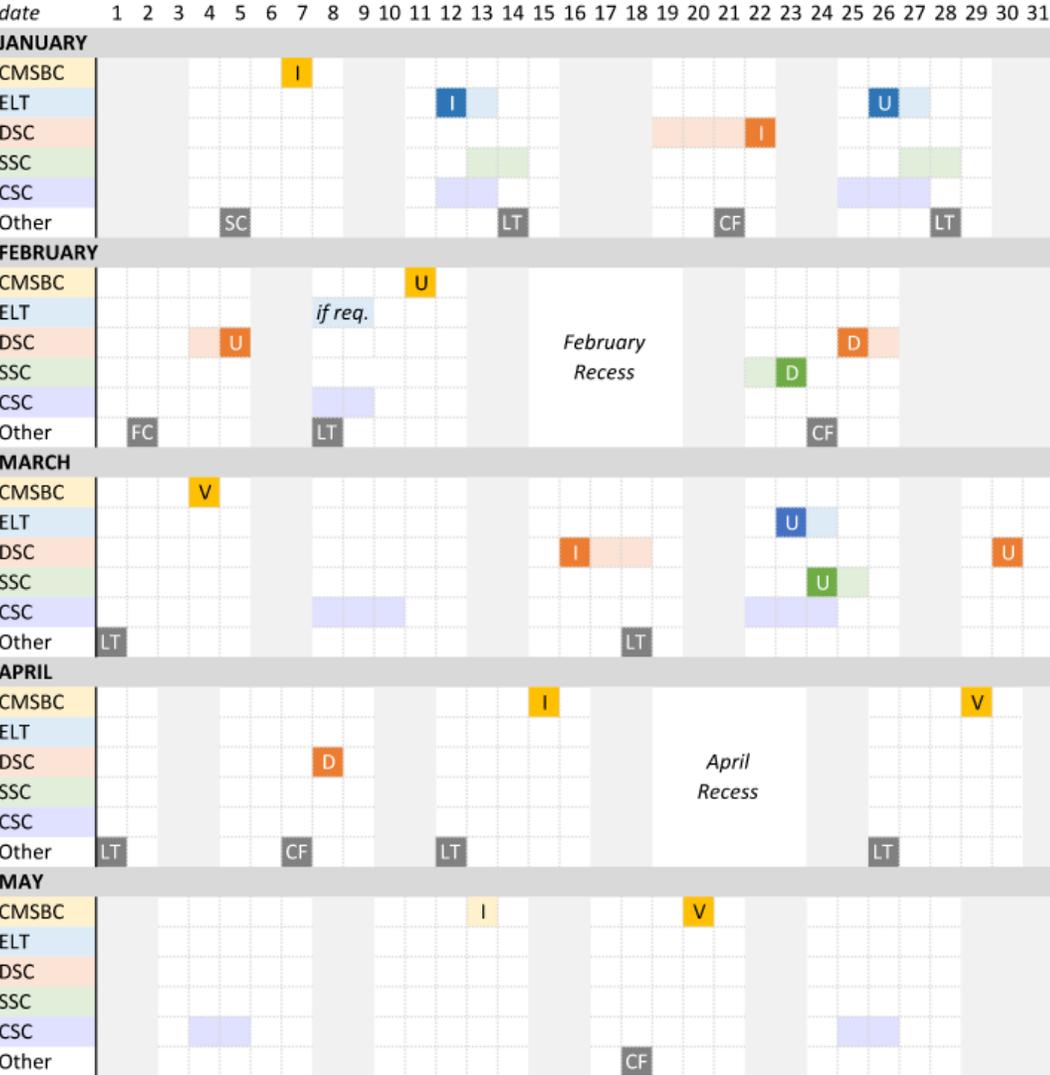
# Process



# Timeline



# Meetings and Decisions Required



End of January: Educational Leadership Team recommends Ed portion of draft Space Summary to Design Subcommittee

End of February: Design Subcommittee recommends Space Summary inclusive of Community Use of School to CMSBC

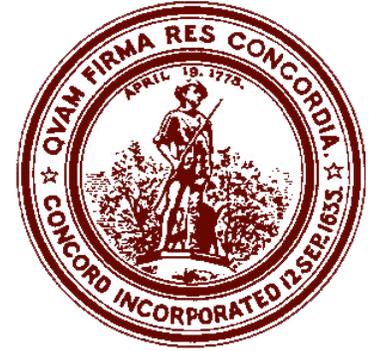
Early March: CMSBC Votes Space Summary

Early April: Design Subcommittee recommends Preferred Schematic to CMSBC

End of April: CMSBC Votes Preferred Schematic

Mid May: CMSBC Votes Report

# Project Goals Recap



Total Project Cost Limit of **\$100 M**



Replace two middle schools with **one combined middle school**, grades 6-8



Design enrollment **700 Students**



**Team Teaching** Model



Design for **Net Zero Energy**

**Primary Goal:**  
Consolidate two middle school populations **into a single, 21<sup>st</sup> century learning facility** that will serve the community for generations.



**Thank You!**

Concord Middle School

# Memo



To: Concord Select Board  
From: Kate Hanley, Sustainability Director, on behalf of Climate Action Advisory Board  
CC: Jake Swenson, Chair of Concord Climate Action Advisory Board  
Date: February 4, 2021  
Re: Non-binding Resolution

---

Concord's Climate Action Advisory Board requests the approval and signature of the following non-binding resolution titled **"A Resolution Calling for the Massachusetts State Legislature, Massachusetts Governor, Department of Public Utilities, Board of Building Regulations and Standards, and the Executive Office of Labor and Workforce Development to commit to a just transition to building decarbonization in the Commonwealth."**

As you know, The Town of Concord has ambitious climate goals including reducing community-wide greenhouse gas emissions 80% by 2050. Electrification of buildings is a key strategy to achieving those goals. As such, the Select Board was prepared to move Article 40, to prohibit the expansion of fossil fuel, at 2020 Town Meeting. This article was not moved because in the summer of 2020 the Attorney General decided that a similar article in Brookline was not allowable by state law.

Since that decision, a Concord group has been participating in an accelerator program run by Rocky Mountain Institute to understand policy options for Massachusetts communities to accelerate the electrification of buildings. The Climate Action Advisory Board, upon recommendation from that group, is moving forward with two actions.

The first is requesting the Select Board submit a non-binding resolution to the state legislature, Governor, and state agencies calling for a commitment to a just transition away from fossil fuels to decarbonization of buildings in the Commonwealth by acting at the state-level and allowing rapid municipal action.

The Climate Action Advisory Board will be making a subsequent request to the Select Board to support a home rule petition to move forward with the language in Article 40 from last year's town meeting.

For now, the Climate Action Advisory Board requests the Select Board's signature to this non-binding resolution and thanks the Select Board for their support.

**A Resolution Calling for the Massachusetts State Legislature, Massachusetts Governor, Department of Public Utilities, Board of Building Regulations and Standards, and the Executive Office of Labor and Workforce Development to commit to a just transition to building decarbonization in the Commonwealth.**

**WHEREAS**, The Commonwealth of Massachusetts and the Town of Concord have legislatively approved mandates for an 80% reduction in greenhouse gas emissions by 2050;

**WHEREAS**, The Concord Municipal Light Plant has committed to a carbon-free electric supply by 2030;

**WHEREAS**, Concord is unable meet its targets to reduce Greenhouse Gas emissions, due to constraints imposed by legacy laws and regulations of the Commonwealth;

**WHEREAS**, addressing climate change requires a just transition from fossil fuels to a decarbonized economy that is sustainable and equitable;

**WHEREAS**, low-income communities and communities of color in Massachusetts and around the world are already disproportionately impacted by climate change, and will continue to bear an excess burden as temperatures increase, oceans rise, and disasters worsen;

**WHEREAS**, building emissions account for 60% of Concord's greenhouse gas emissions, and 50% of the Commonwealth's greenhouse gas emissions;

**WHEREAS**, natural gas is a dangerous fossil fuel that generates indoor and outdoor air pollution, leaks explosive methane from aging infrastructure, and puts the health and safety of the Commonwealth's current and future residents at risk;

**WHEREAS**, gas stoves produce harmful indoor emissions including nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), and formaldehyde (HCHO), and cooking with gas has been linked to asthma and other adverse health effects, with children and low-income households particularly affected;

**WHEREAS**, all-electric technology and net-zero carbon building capability exists today, is feasible, and is cost-effective;

**WHEREAS**, the availability of renewable energy is growing and expected to continue to grow;

**WHEREAS**, under current regulations, towns and cities in Massachusetts are prohibited by law from adopting stringent building codes and regulations that will allow us to eliminate fossil fuels from our buildings and meet our local, legally binding, greenhouse gas emissions targets;

**WHEREAS**, the Massachusetts Legislature passed comprehensive climate legislation, S.2995, in January 2021 that would assist municipalities in achieving their GHG reduction goals, but it was not signed into law by the Governor.

**NOW BE IT RESOLVED**, we call for the Massachusetts State Legislature, Massachusetts Governor, Department of Public Utilities, the Board of Building Regulations and Standards and the Executive Office of Labor and Workforce Development to commit to a just transition away from fossil fuels to decarbonization of buildings in the Commonwealth by acting at the state-level and allowing rapid municipal action;

**BE IT FURTHER RESOLVED**, we call upon the Massachusetts State Legislature to pass a law enabling municipalities to prohibit fossil fuel infrastructure in new construction and phase out fossil fuel infrastructure in existing buildings;

**BE IT FURTHER RESOLVED**, we call upon the Massachusetts State Legislature to change the Gas Code and G.L.c.142.13 in order to allow municipalities to deny gas permits;

**BE IT FURTHER RESOLVED**, we call upon the Massachusetts State Legislature to align the mission of the Board of Building Regulations and Standards with achieving the Commonwealth's decarbonization goals;

**BE IT FURTHER RESOLVED**, we call upon the Massachusetts State Legislature to continue to prioritize comprehensive climate legislation that supports municipalities in the Commonwealth in meeting GHG reduction goals;

**BE IT FURTHER RESOLVED**, we call upon Governor Baker to sign into law climate legislation passed by the Massachusetts State Legislature;

**BE IT FURTHER RESOLVED**, the Massachusetts State Legislature and Department of Public Utilities ensure that the benefits of electrification can be realized by low-income households and environmental justice communities through funding assistance and deliberate program design;

**BE IT FURTHER RESOLVED**, a just transition demands the equitable creation and distribution of high-quality jobs as the effort to decarbonize our buildings and restore a safe climate is launched;

**BE IT FURTHER RESOLVED**, that the Town Clerk shall cause a copy of this resolution to be sent to State Representative Tami Gouveia, and to Senator Michael Barrett, Secretary Roselin Acosta, and to Governor Charles Baker.

Or to take any other action in relation thereto.

# Legislature again OK's climate bill that Gov. vetoed

By Ariela Lovett

An omnibus climate bill passed by the Legislature in the final days of the last legislative session and vetoed by Gov. Charlie Baker on Jan. 14 was re-filed (as S. 9) and passed again by the House and Senate on Jan. 28.

After the 2019-2020 Legislature passed the original bill (S. 2995) on Jan. 4, the governor had 10 days to decide whether to sign or veto it in its entirety. When he vetoed it on Jan. 14, the legislative session had ended and the Legislature did not have the option of considering a veto override. (Since the bill was not an appropriations or bond bill, the governor did not have the option of returning it with amendments for consideration, or vetoing sections of it.)

The re-filed bill, unchanged from the previous iteration, would establish a "net zero" limit on statewide greenhouse gas emissions by 2050 (with gross emissions at least 85% below 1990 levels). The bill would also set interim emissions limits for 2030 (half or less of 1990 levels) and 2040 (no more than one-quarter of 1990 levels).

The bill would also mandate statewide emissions limits at five-year intervals and require the Executive Office of Energy and Environmental Affairs to develop comprehensive and specific plans for reaching each goal and to produce regular reports on how the state is doing on emissions goals.

In vetoing the previous bill, the [governor outlined several policy concerns](#), including that the legislation could inhibit his recently passed priority, the Housing Choice Act (part of an economic development bond law), which is intended to facilitate new housing construction across the state. He cited concerns voiced by the construction industry that one provision of the climate bill, to allow municipalities to update their building codes to require net-zero energy usage, would be damaging to housing production goals.

Other areas of contention include a difference between the bill's proposed 50% reduction in greenhouse gas emissions from 1990 levels by 2030 and the administration's preference for a 45% target.

The governor also highlighted a gap in the area of climate adaptation, which has been a priority for his administration.

"If we intend to comprehensively address climate change, we must give ourselves and our colleagues in local government the tools necessary to create a Commonwealth that is more resilient to the destructive weather events and natural disasters we continue to face because of ongoing climate change," he wrote.

Even before the governor announced his decision to veto the climate bill, Senate President Karen Spilka and new House Speaker Ron Mariano announced their intent to re-file the bill as soon as possible.

The re-filed bill passed by a 144-14 vote in the House and a clear voice vote in the Senate, all but guaranteeing the level of support needed to override a potential veto.

The governor now has another 10 days to either sign the new bill, veto it outright, or return it with proposed amendments. ●

## Gov. Baker signs combined sewer overflow notification bill

By Ariela Lovett

On Jan. 12, Gov. Charlie Baker signed a law requiring wastewater operators to notify the public when a combined sewer system discharges untreated wastewater into a local body of water.

Combined sewer systems, many dating back more than a century, combine wastewater and stormwater, unlike more modern systems that keep sewage separate from stormwater. Stormwater caused by heavy rain events can overwhelm combined systems, causing them to discharge into rivers.

These combined sewer overflows, or CSOs, discharged upwards of 700 million gallons into the Merrimack River alone in 2018, according to a report from WBUR. The Massachusetts Water Resources Authority reported that 29 million gallons were discharged into its service watershed during a major storm this past Christmas Day.

The notification bill was a priority of the environmental advocacy community for

several years. In a press release about the bill signing, Julia Blatt, executive director of the Massachusetts Rivers Alliance, said: "Massachusetts residents have a right to know if there is sewage in their rivers, especially this year when we've turned to nature for safe recreation and peace of mind."

The law requires wastewater operators to, at a minimum, send email or text notifications to local and downstream residents within two hours of discovering a discharge, and provide updates every eight hours until the discharge subsides. The law also requires the operators to publish information online confirming the volume discharged and identifying any precautionary measures the public should take when interacting with the affected waterway.

The law charges the Department of Environmental Protection with developing regulations in the coming year to enforce the new law.

Some wastewater operators have used the debate over the notification bill to

raise concerns about implementation and funding. While some wastewater operators with CSOs have real-time and upgraded monitoring and metering systems, others have aging and out-of-date infrastructure.

Phil Guerin, president of the Massachusetts Coalition for Water Resources Stewardship and director of Worcester's wastewater utility, recently told WBUR that not all permittees subject to the new law will be able to meet the requirements with their current technology, and that it will be a financial burden for them to do so.

As the public receives the CSO notifications required by the law and becomes concerned, Guerin hopes state and federal legislators "will come up with the hundreds of millions of dollars needed to actually fix the problems with antiquated sewer systems."

As of 2018, Massachusetts had 19 CSO permittees responsible for more than 100 separate outfall locations. ●

# Concord 2025 Executive Committee (Draft #3)

## Purpose and Duties

The year 2025 will mark the 250<sup>th</sup> anniversary of the [historic battles of Concord and Lexington](#). 2026 will mark the 250<sup>th</sup> anniversary of the signing of the Declaration of Independence. To mark these [significant](#) anniversaries, the Select Board will create the Concord 2025 Executive Committee. The purpose of the Committee is to evaluate and make recommendations as to how the Town should organize for this event and to serve as the Executive Committee to oversee other committees to be created to assist with this effort; and, to oversee activities to be held to commemorate the 250<sup>th</sup> Anniversary of the Battle of Concord and other historical events related to the founding of our Country.

The Executive Committee will also coordinate the Town's events with our sister communities of Lincoln, Bedford, Lexington, and Arlington (Battle Road 2025); Minuteman National Historical Park; [Hanscom Air Force Base](#) as well as with other local, state, regional and federal events.

[As the 200<sup>th</sup> celebration in 1975 was a grand celebration including multiple events across several months/years planned by numerous subcommittees and entities well in advance of an accepted invitation from President Ford and other dignitaries, the committee's work will commence immediately and extend through December 2026 in anticipation of a possible breadth of events on the same scale. Given the scope of the committee's charge, it may be necessary for the committee to request an amended charge from the Select Board once the landscape of the numerous celebration-related Federal, State and local communities' plans are initially surveyed and the Concord 2025 Executive Committee outlines its own preliminary plans. The Select Board recognizes that immediate advance planning/outreach will be needed for specific components of the preliminary plan.](#)

As part of its duties, the committee shall:

1. develop a comprehensive plan for celebrating and promoting the 250th anniversary of the Battle of Concord;
2. identify funding needs and a plan for both Town and [private funding \(which would require a 501\(c\)3 entity\)](#);
3. develop a plan for a permanent memorial and recommend its placement;

4. appoint subcommittees, where necessary, to carry out specific tasks and in so doing may appoint members of the Executive Committee and/or other residents of the Town;
5. identify opportunities for individuals or organizations to participate in celebrations of the anniversary;
6. ensure that activities represent a commitment to diversity and inclusiveness, and create opportunity at all levels and activities for citizen participation;
7. hold public hearings from time to time in order to gain input from the residents of Concord, including at least three in the first eighteen months of the committee's formation; and,
8. report its activities to the Select Board on a periodic basis, but no less often than on a quarterly basis.

### **Membership**

The Committee shall be a **9-12** member committee with appointments made by the Select Board.

Representatives from each of the following groups will constitute the committee:

- Select Board or appointee (1)
- Town (1)
- **Concord Public Schools/Concord-Carlisle Regional High School/Minuteman Technical High School (1)**
- Business Community (1)
- PCCC or Reenactment Community (1)
- Community members with a background in American history (1)
- Event planning and/or logistics expertise (1)
- Community leaders with fundraising experience (1)
- Civic or Community groups (1)
- **Literature, Music, and the Arts Community (1)**
- Concord Museum (1)
- Concord Library (1)

### **Other Considerations**

The Committee shall comply with the provisions of the Open Meeting Law (OML), the Public Records Law, the Conflict of Interest Law and all other laws and regulations of the Commonwealth, as well as all relevant Bylaws and Administrative Policies of the Town. **Given the number of citizens that may be asked to participate on subcommittees for their particular interest, expertise, and community connection, APP #10 will not apply to this committee or its subcommittees.**



West Concord Junction  
Cultural District

February 1, 2021

To Whom it May Concern,

We are writing at the request of the West Concord Green Thumbs to lend our voice to clarifying and enforcing the rule for cyclists to walk their bikes along the cobbled section of the Bruce Freeman Rail Trail as it passes through Junction Park in West Concord.

As members of a cultural district committee charged with advancing the interests of local businesses and cultural amenities, we take safety and walkability seriously and strive to foster an environment that is inclusive for all. Our worry, as has been stated by others, is that cyclists who do not disembark from their bikes along that small stretch put walkers, elders and others at risk.

We would like to encourage the town to find a way – through signage and increased enforcement – to mandate that cyclists walk their bikes through the park.

In addition, as stewards of the district's aesthetic and deeply invested in the branding of West Concord Village, we would respectfully request that the West Concord Junction Cultural District Committee be included in any design discussions about signage in the park related to a new enforcement campaign.

Thank you for your consideration of this important matter.

Carlene Hempel,  
on behalf of members of the West Concord Junction Cultural District Committee (Lisa Evans,  
Margot Kimball, Jennifer Montbach, Ann Sussman and Kate Yoder)