



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
 CONCORD, MASSACHUSETTS 01742

Select Board Agenda

Monday, March 18, 2024 at 6:00 PM

Town House, Select Board Room, 22 Monument Square

Join Zoom Meeting

<https://us02web.zoom.us/j/89256415454?pwd=Q1ZBNjNMdE4wTVhCZUx1VGRXcHo1Zz09>

Meeting ID: 892 5641 5454

Passcode: 478683

Dial In Toll-Free: 833 928 4610

#	Time*	Agenda Item
I.	6:00 PM	Public Comment: Public Comment is limited to up to 15 minutes, with no more than 3 minutes allocated to any one speaker. Public Comment is limited to items that are not on the agenda.
II.	6:15 PM	<p>Consent Agenda</p> <ul style="list-style-type: none"> a. Meeting Minutes: February 26, 2024; March 4, 2024 b. Executive Session Meeting Minutes for <u>Approval but not to be Released</u>: February 28, 2024; March 4, 2024 c. Town Accountant Warrants: March 7, 2024; March 14, 2024 d. Retroactive Approval of a Sunday Entertainment License for 51 Walden Performing Arts Center for the performance of Mozart’s Opera Cosi Fan Tutte on Sunday, March 10, 2023 from 2:00 PM to 5:00 PM e. Late Tour Guide License Renewal for Elisabeth DiCicco f. One Day Liquor Licenses: <ul style="list-style-type: none"> i. Concord Museum for All Alcoholic Beverages for the Midnight Ride Party on Saturday, March 23, 2024 from 6:00 PM to 9:00 PM at 53 Cambridge Turnpike ii. Gaining Ground for All Alcoholic Beverages for the Gaining Ground Annual Donor Appreciation Event on Thursday, June 6, 2024 from 5:00 PM to 7:00 PM at 341 Virginia Road iii. Runway for Recovery for Wines Only for the Love Local Concord Event on Thursday, May 16, 2024 from 6:30 PM to 9:00 PM on Walden Street (between Main Street and Hubbard Street)
III.	6:20 PM	Town Manager’s Report
IV.	6:30 PM	Chair’s Report

V.	6:35 PM	Select Board Liaison Reports
VI.	6:50 PM	Approve Amendment to the Concord Historical Commission Code Presenter: Ann Clifford, Senior Planner
VII.	7:00 PM	Continued Select Board Annual Town Meeting Public Hearing - Article 41 – Authorize a Task Force to Review and Update the Charges, Policies, and Protocols of the Historic Districts Commission and Historical Commission
VIII.	7:15 PM	Update regarding the Comcast Franchise Contract Renewal Presenters: Jason Bulger, Chief Technology Officer and Sue Buske, Consultant of the Buske Group
IX.	7:20 PM	MCI Concord Status Report and Consider Drafting of Charge for a Town Advisory Committee Presenter: Henry Dane, Select Board Chair
X.	7:40 PM	Legislative Briefing: - Municipal Empowerment Act - Home Rule Petitions - Fiscal Year 2025 State Budget Requests Presenters: Chris Carmody, Legislative Liaison and Mimi Graney, Economic Vitality Manager
XI.	7:55 PM	Approve Amended Economic Vitality Committee Charge Presenter: Mary Hartman, Select Board Clerk
XII.	8:00 PM	Discuss Recommendations on Annual Town Meeting Warrant Articles Presenter: Henry Dane, Select Board Chair
XIII.	8:15 PM	Adjournment

**Times are approximate and subject to change*

Upcoming Meetings:

Monday, March 25, 2024

Monday, April 1, 2024

Monday, April 8, 2024



The Town of Concord endeavors to make public meetings accessible to all members of the community. To request a meeting accommodation or modification, please contact our ADA Coordinator Jessica Porter at jporter@concordma.gov or at 978-318-3028. Please make any requests for accommodation or modifications at least two (2) business days prior to the scheduled meeting.

**Town of Concord
Select Board
Minutes
February 26, 2024**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both in-person at 22 Monument Square on the 2nd floor in the Public Hearing Room and via Zoom at 6:00 PM on February 26, 2024.

Present were: Henry Dane, Chair; Mary Hartman, Clerk; Terri Ackerman, Linda Escobedo, and Mark Howell

Call to Order

Select Board Chair Henry Dane called the meeting to order at 6:00 PM.

Ms. Hartman confirmed that the members present were Mr. Dane, Ms. Ackerman, Ms. Escobedo, and Mr. Howell.

Public Comment

Janet Miller of 1647 Main Street appeared before the Select Board to comment on the Doug White Fields and encouraged the Town to consider the replacement of the current artificial turf with natural grass.

Stephan Bader of 7 River Street appeared before the Select Board to comment on the residential tax exemption and on a newly formed group, Concord Residents Connect, to work with residents who would likely qualify for the exemption and help them through the application process. Mr. Bader also commented on the recent announcement of the MCI Concord closure and stated that it is imperative that the Town come together to relay its desires to the legislature before they take a vote on the item.

Mari Weinberg of 26 Hillside Avenue appeared before the Select Board to comment on the residential tax exemption and also commented on the newly formed group, Concord Residents Connect, stating that there is a new email address concordresidentsconnect@aol.com, which if contacted, the author will receive a flyer with information regarding the exemption.

Tanya Gailus of 62 Prescott Road appeared before the Select Board to comment on the discussion of the disbandment of the Concord Center Cultural District Committee.

Lee Smith of 1836 Main Street appeared before the Select Board to comment on the MCI Concord closure announcement, stating that this is a generational opportunity for the Town, with two of the Town's greatest needs being affordable housing and wastewater treatment capacity.

Peter Lowitt of 5 Westvale Drive appeared before the Select Board to also comment on the MCI Concord closure announcement, urging the need for a committee to be formed to investigate the reuse/repurpose of the property.

Pamela Dritt of 13 Concord Greene appeared before the Select Board and also commented on the Doug White Fields and urged the Select Board to consider the replacement of the current artificial turf with natural grass.

**Town of Concord
Select Board
Minutes
February 26, 2024
Consent Agenda**

- a. Meeting Minutes: February 12, 2024
- b. Town Accountant Warrants: February 14, 2024; February 21, 2024
- c. Confirmatory Vote to Disband the Concord Center Cultural District Committee
- d. One Day Liquor Licenses:
 - i. Wines & Malt Beverages Only for the Nature Connection for the Neighbors by Nature event on Tuesday, March 19, 2024 from 5:30 PM to 9:00 PM at the Trinitarian Congregational Church
 - ii. Wines & Malt Beverages Only for the Auxiliary of Emerson Health for EmerSong, on Saturday, April 6, 2024 from 7:00 PM to 9:30 PM at the 51 Walden Performing Arts Center
- e. Committee Nominations:
 - i. Gregory Dorothy of 188 Border Road as an Associate Member to the West Concord Advisory Committee for a term to expire May 31, 2027
 - ii. Joshua Fay of 44 Powers Road to the Personnel Board to complete an unexpired term to expire on May 31, 2026

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Consent Agenda.

Committee Appointments

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint Rob Almeida of 28 Commerford Road as a Full Member to the Planning Board for a term to expire May 31, 2029.

Town Manager's Report

Town Manager Kerry Lafleur presented the Weekly Operation's Report for the week ending February 16, 2024. The full Weekly Operations Report is available on the Town website on the Town Manager's webpage here: <https://concordma.gov/3499/2024-Town-Manager-Weekly-Operation-Report>.

Ms. Lafleur also provided an update on MCI Concord, noting that the Town is working extremely hard to coordinate a response to State Legislation within a condensed time frame, along with following Open Meeting Law. The Select Board will host an Executive Session on the matter this Wednesday, February 28 to prepare agenda items for subsequent meetings.

Chair's Report

Chair Dane reported on the Town continuing to work on planning regarding the MCI Concord closure announcement.

**Town of Concord
Select Board
Minutes
February 26, 2024
Select Board Liaison Reports**

Ms. Hartman reported on:

- Economic Vitality Committee – Working to rewrite the Committee charge, which will be coming forth to the Select Board for approval in the next few weeks.
- MassDOT Route 2 Corridor Study Public Hearings – MassDOT recently completed a study on the corridor, Lincoln to Leominster, in which the Select Board is drafting a letter to MassDOT regarding the consideration of the closure of MCI Concord and any further actions regarding Route 2.
- Finance Committee – Elementary School has met the Finance Committee Guideline; the High School is still \$125,000.00 over the Guideline and will continue to work toward reconciling. The Concord Finance Committee and visiting members of the Carlisle Finance Committee discussed the proposed Amenities Building and urged the School Committee to consider alternative options.
- Concord CAN – Scientist presented findings on the connection between artificial turf and PFAS, so would like residents to keep this in mind.
- Planning Board – 768 Elm Street property was granted approval for 3 restaurants and a bank, with conditions, for a one-story building. Scenic Road Bylaw Rules and Regulations were finalized between the Board and the Department of Public Works. 166 Commonwealth Avenue project applicant will return to the Board on April 2, 2024 for the proposal of 10 residential units, 3 units being affordable, a retail space, and 14 parking spaces.
- MCI Concord – When considering developments that residents would like to see on the property, it is important to remember that the Town does not own the land.

Ms. Ackerman reported on:

- PEG Access Advisory Committee – Comcast Franchise Contract negotiations are proceeding well.
- Transportation Advisory Committee and 2229 Main Street Advisory Task Force are both very active and the Select Board can anticipate further reports from them in coming weeks.

Ms. Escobedo reported on:

- Community Preservation Committee – Looking into the Committee’s Annual Plan to propose any necessary changes.
- Zoning Board of Appeals – Discussed the NOVO Riverside Commons Project, with several concerns voiced to the developers, and the Board has continued the Public Hearing for the project through April 1, 2024.
- Planning Board – 166 Commonwealth Avenue project is moving forward and has made considerable progress and the Board intends to consider a draft list of conditions for the project at their next meeting.
- Council on Aging – In the process of helping with the interviews to hire a new Council on Aging Director, in which interviews are already in the second phase.

**Town of Concord
Select Board
Minutes
February 26, 2024**

- Concord Municipal Affordable Housing Trust – Continuing to discuss the announcement of the closure of MCI Concord.
- Joint Meeting between the Historical Commission and Historic District Commission – Discussed the ongoing updates to the Historical Preservation Plan with the consultants.

Mr. Howell reported on:

- Middle School Building Committee – Making good progress in construction of the Middle School and proceeding within budget.
- Concord Municipal Light Board – The vendor for the street lights is being very responsive with the Town regarding recent street light issues. Coordination taking place between the Board and the Middle School Building Committee regarding the solar project.
- Personnel Board – Presenting the proposed amended Personnel Bylaw at the Public Hearing tonight and would like employees to know that the Personnel Board is truly interested in hearing feedback from employees on the amendments.

Select Board Annual Town Meeting Public Hearing

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to open the Select Board Annual Town Meeting Public Hearing.

- Article 4 – Ratify Personnel Board Classification Actions; Article 5 – Ratify Personnel Board Classification and Compensation Plan; Article 6 – Personnel Bylaw Amendments

Elizabeth Cobbs, Co-Chair of the Personnel Board, appeared before the Select Board to present Articles 4, 5, and 6.

Ned Perry of 362 Bedford Street asked if any other actions had been taken by the Personnel Board on Classification Actions, in relation to Article 4, since the Annual Town Meeting Warrant has closed and if the Board intends to make any additional changes before Annual Town Meeting.

Janet Walker of 20C Westvale Meadow asked a question regarding recommendations for non-union versus union positions.

Ms. Cobbs responded that the Personnel Board is limited to non-union positions, while union positions are determined through collective bargaining agreements.

Ms. Ackerman asked about the timeline of completion for the Employee Handbook.

Ms. Cobbs responded likely around six additional months.

Ms. Ackerman then asked about Personnel Policy and Procedure #43.

Ms. Cobbs responded that PPP #43 has been drafted by the Interim Human Resources Director in collaboration with other departments to include input.

Ms. Ackerman suggested that the Personnel Board has a handout at Annual Town Meeting to

**Town of Concord
Select Board
Minutes
February 26, 2024**

explain PPP #43 a bit more and then asked how positions will be re-graded upon departmental request moving forward.

Ms. Cobbs responded that this is first discussed amongst department heads and Town management, and then it is put forth to the Personnel Board where the Board takes a vote, and then any changes would appear in this year's Article 4: Ratify Personnel Board Classification Actions, meaning that it ultimately comes forth to the Town in its final stage of approval.

Ms. Escobedo asked if a FAQ has been compiled for employees regarding changes to the Personnel Bylaw.

Ms. Cobbs responded no, but there are the discussions that have been held at Personnel Board meetings through meeting minutes and recordings.

Joel Laurin of 134 Southfield Road asked about the financial impact of positions that may be re-graded or have salary changes.

Ms. Cobbs responded that the financial impact is investigated by the Finance Committee, rather than the Personnel Board.

Town Manager Kerry Lafleur added that the financial impact of this is also fully considered within the Town Budget process.

Ms. Cobbs added that the Personnel Board has worked closely with Human Resources to improve strategic planning and that an important factor that can help the Town is to be data driven.

- Article 18 – Select Board to Accept Easements

Alan Cathcart, Public Works Director, appeared before the Select Board to present Article 18.

Ms. Hartman asked if there would be any impact to Enterprise Funds for the easements.

Mr. Cathcart responded no.

- Article 22 – Authorize New Middle School Naming – Name the New Concord Middle School Ellen Garrison Middle School

Andrea Foncerrada and Joe Palumbo, Co-Chairs of the Diversity, Equity, and Inclusion Commission, appeared before the Select Board to present Article 22.

Michael Williams of 1284 Sudbury Road appeared before the Select Board to voice his support for the naming of Concord Middle School Ellen Garrison Middle School.

Kara Angeloni of 86 Central Street appeared before the Select Board to comment on the process that has taken place over the last couple of months by the Concord School Committee to entertain different names for the Concord Middle School and that all people of color that she has observed speaking up on the matter have noted how much the dedication of the school to Ellen Garrison would mean to them.

**Town of Concord
Select Board
Minutes
February 26, 2024**

Wendy Rovelli of 42 Bow Street appeared before the Select Board and noted that as the Concord School Committee recently voted for the name of the Middle School to remain Concord Middle School and asked what the goal of the DEI Commission through this Warrant Article at this time is.

Alexa Anderson of 14 Park Lane commented that the Concord School Committee had already discussed the matter and voiced concern about the end goal of the Warrant Article.

Tanya Gailus of 62 Prescott Road asked if the Concord School Committee began the process to consider renaming the Concord Middle School in reaction to the Warrant Article.

- Article 26 – Town Meeting Study Committee

Carmin Reiss, Town Moderator, appeared before the Select Board to present Article 26.

Ms. Hartman asked how the recommendations of the Committee would be implemented, either by Town Meeting action or Select Board action.

Ms. Reiss responded that it depends on the recommendation, as some may require the action of Town Meeting and others may not.

Dinos Gonatas of 260 Old Marlboro Road appeared before the Select Board and asked in what sections of Massachusetts State Law are the other proposed Town Meeting related Citizen Petitions prohibited.

Ms. Reiss responded that not every provision of the law is plainly expressed, but when you look at the overall picture of the law, it can be understood that way.

- Article 27 – Citizen Petition: Town Meeting Voting Reform

Dinos Gonatas, Citizen Petitioner, appeared before the Select Board to present Article 27.

Mr. Howell noted that it would be helpful to outline the timeline of such an election and what may occur if something like the Town or School Budget is rejected in such an election, and how this would be resolved. Mr. Howell also asked how the ballot would be constructed.

Ms. Ackerman asked the Town Clerk how cumbersome this would be for the Clerk's Office.

Stephan Bader of 7 River Street asked if the petitioner has considered a Representative form of Town Meeting.

Matt Johnson of 21 Winthrop Street noted that at Town Meeting, residents vote on motions for Warrant Articles, not the Warrant Articles themselves. Mr. Johnson continued that Warrant Articles at times can be amended at Town Meeting. Mr. Johnson concluded that as there is a separate Warrant Article proposing a Town Meeting Study Committee, perhaps this Warrant Article should not be moved this year and consider the recommendations of the Committee.

Wendy Rovelli of 42 Bow Street echoed Mr. Johnson's comments and noted that in its current state the Warrant Article does not feel practical.

**Town of Concord
Select Board
Minutes
February 26, 2024**

Cynthia Rainey of 80 Hunters Ridge Road noted that a potential unintended consequence of the article would be that if Concord Town Meeting rejected the Concord-Carlisle Regional School District budget, there would likely have to be a joint Town Meeting with Concord and Carlisle.

Anita Tekle of 260 Virginia Road noted that the Warrant Article does not currently include language for a Home Rule Petition and at a minimum, she thinks this would be required.

- Article 28 – Citizen Petition: Remote Participation at Annual and Special Town Meetings

Scott Gillis, Co-Citizen Petitioner, appeared before the Select Board to present Article 28.

David Karr, Co-Citizen Petitioner, appeared before the Select Board to present Article 28.

Elizabeth More of 105 Blueberry Lane commented on the lack of privacy of voting at Town Meeting and how this made her feel uncomfortable. Ms. More continued and asked if remote participation would allow for voting to be done anonymously.

Mr. Dane asked if this Warrant Article also proposes electronic voting at Town Meeting.

David Allen, Co-Citizen Petitioner, responded no, that this is taken up in Article 29.

Ned Perry of 362 Bedford Street commented that the only two citizen petitioners for the warrant article should be Scott Gillis and Mark Martines. Mr. Perry continued that the Town used to vote anonymously by voice, and even voting with hands raised is mostly anonymous, but that many residents' hesitations regarding attending Town Meeting are due to privacy concerns, so remote participation would help attendance.

Town Clerk Kaari Tari asked how voters would be checked in through remote participation.

Mr. Allen responded regarding a technology service called VotEZ, but also noted that the topic of security of voting remotely is also very important.

Matt Johnson of 21 Winthrop Street asked if votes are authorized per vote or during the voter check in.

- Article 29 – Use of Hand-Held Electronic Voting at Town Meetings

Mark Martines, Co-Citizen Petitioner, appeared before the Select Board to present Article 29.

Ms. Ackerman voiced support for the use of clickers but remembered Concord experimenting with them before and the Town not moving forward with their use.

Ms. Hartman asked if this Warrant Article passed at Town Meeting if it is binding.

Town Moderator Carmin Reiss responded that so long as the motion at Town Meeting remains consistent with the language of the Warrant Article, it will be a binding vote to implement the use of clickers beginning in 2025.

- Article 30 – Authorize Select Board to Petition for Changes to Previously Approved Home Rule Petition regarding a Check Out Bag Charge

**Town of Concord
Select Board
Minutes
February 26, 2024**

Liza Bemis, Co-Chair of the Agriculture Committee, appeared before the Select Board to present Article 30.

- Article 31 – Update Town Goals to Meet the Climate Challenge

Brad Hubbard-Nelson, Chair of the Climate Action Committee, appeared before the Select Board to present Article 31.

Ms. Hartman noted that a handout at Town Meeting could be helpful to outline concrete actions that the Town can take toward meeting these goals.

- Article 32 – Fossil Fuel-Free Demonstration: Bylaw Amendments for Program Participation

Eric Simms, Sustainability Director, appeared before the Select Board to present Article 32.

Keith Bergman of 36 White Avenue voiced support for this amendment on behalf of himself and the other Town affordable housing groups.

- Article 38 – Citizen Petition: Citizen Support for a New Cell Tower Located at the Landfill at 755 Walden Street

Alisha Boyajian, Citizen Petitioner, appeared before the Select Board to present Article 38.

Ms. Hartman noted that there could be other obstacles to securing a cell tower located at the Landfill beyond securing citizen support for this location and asked what the expectation of this Warrant Article was.

Wendy Rovelli of 42 Bow Street asked a question regarding the coverage provided by a cell tower that would be located at the Landfill.

Stephan Bader of 7 River Street noted that the space in the Landfill that is not capped is a depression and asked if the height of the cell tower may be a concern for the state with Walden Pond located across the street.

- Article 39 – Citizen Petition: Citizen Support for a New Cell Tower Located at the Public Works Parcel at Keyes Road

Alisha Boyajian, Citizen Petitioner, appeared before the Select Board to present Article 39.

Mark Martinez asked if the National Park Service would have to approve a cell tower located at Keyes Road.

Ms. Boyajian said yes.

Gail Hire of 54 Nancy Road commented that the thought process behind these two articles were to issue RFPs, which is the first step in the process of bringing stakeholders together, and encouraged the Town to consider the use of Town property for cell towers.

Upon a motion duly made and seconded, it was UNANIMOUSLY

**Town of Concord
Select Board
Minutes
February 26, 2024**

voted: to continue the Select Board Annual Town Meeting Public Hearing to Monday, March 4, 2024 at 7:00 PM.

Adjournment

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to adjourn the meeting at 10:12 PM.

Meeting Materials:

[Select Board Meeting Packet for February 26, 2024](#)

[Select Board Meeting Recording for February 26, 2024](#)

[2024 Annual Town Meeting Warrant](#)

DRAFT

**Town of Concord
Select Board
Minutes
March 4, 2024**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both in-person at 22 Monument Square on the 2nd floor in the Select Board Room and via Zoom at 5:00 PM on March 4, 2024.

Present were: Henry Dane, Chair; Mary Hartman, Clerk; Terri Ackerman, Linda Escobedo, and Mark Howell

Call to Order

Select Board Chair Henry Dane called the meeting to order at 5:00 PM.

Ms. Hartman confirmed that all Select Board members were present.

Executive Session under G.L. c. 30A, § 21(6) to consider the purchase, exchange, lease or value of real property (the MCI Concord facility)

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to enter Executive Session under G.L. c. 30A, § 21(6) to consider the purchase, exchange, lease or value of real property (the MCI Concord facility), the Chair having declared that an open meeting may have a detrimental effect on the negotiating position of the Town and to resume Open Session at the conclusion of the Executive Session.

Roll Call Vote:

Mr. Dane – Aye
Ms. Hartman – Aye
Ms. Ackerman – Aye
Ms. Escobedo – Aye
Mr. Howell – Aye

The meeting was no longer available to the public in-person or via Zoom. The meeting resumed at 6:00 PM in Open Session in the Town House, Public Hearing Room, and via Zoom.

Consent Agenda

- a. Town Accountant Warrants: February 28, 2024
- b. Approve LOHA Letter of Support regarding H. 4138 – Housing Bond Bill
- c. Approve Comment Letter regarding MassDOT Route 2 Corridor Study Public Meetings
- d. Approve Letter of Support regarding the Municipal Empowerment Act

Ms. Ackerman noted a small correction to insert the word “to” in the Comment Letter regarding MassDOT Route 2 Corridor Study Public Meetings.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Consent Agenda with the amendment with the amendment to the Comment Letter regarding MassDOT Route 2 Corridor Study Public Meetings.

Appointments

**Town of Concord
Select Board
Minutes
March 4, 2024**

- a. Committee Appointments
 - i. Gregory Dorothy of 188 Border Road as an Associate Member to the West Concord Advisory Committee for a term to expire May 31, 2027
 - ii. Joshua Fay of 44 Powers Road to the Personnel Board to complete an unexpired term to expire on May 31, 2026

- b. Election Workers – Eight (8) Election Workers as outlined in the Select Board meeting packet by the Town Clerk on behalf of the Board of Registrars

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted**: to appoint Gregory Dorothy of 188 Border Road as an Associate Member to the West Concord Advisory Committee for a term to expire May 31, 2027; to appoint Joshua Fay of 44 Powers Road to the Personnel Board to complete an unexpired term to expire on May 31, 2026; and to appoint eight Election Workers as outlined in the Select Board meeting packet by the Town Clerk on behalf of the Board of Registrars.

Town Manager's Report

Deputy Town Manager Megan Zammuto presented the Weekly Operations Report for the week ending February 23, 2024. The full Weekly Operations Report can be viewed on the Town Manager's webpage on the Town website here: <https://concordma.gov/3499/2024-Town-Manager-Weekly-Operation-Report>.

Chair's Report

Chair Dane reported on the Concord-Carlisle League of Women's Voters First Friday event regarding MCI Concord that was held on Friday, March 1, 2024. Chair Dane noted the high resident attendance and of the positive discourse that took place.

Select Board Liaison Reports

Ms. Hartman reported on:

- Trails Committee – Continuing to meet and are the stewards of the Town's trail system.
- Economic Vitality Committee – The Chair recently resigned to focus on her professional work, and the new Chair is Mike Lawson.
- West Concord Junction Cultural District Committee – A promotional video was recently released highlighting West Concord aesthetics, businesses, and restaurants.
- Attended a play at the Umbrella Arts Center called "The Minutes", which is both a parody of town government with a deeper message relevant to us.

Ms. Escobedo reported on:

- Warners Pond Task Force – Discussed what each members' greatest accomplishment would be at the end of the work of the Task Force, which was an interesting discussion.
- Attended the Concord-Carlisle League of Women's Voters First Friday event regarding MCI Concord, which was a terrific meeting.

**Town of Concord
Select Board
Minutes
March 4, 2024**

- Zoning Board of Appeals – The proposed Residences at Thoreau 40B project held their initial walkthrough and were encouraged to come back to the Board with much greater detail.
- Economic Vitality Committee – Committee is clearly working to take an actionable role with their work moving forward.

Ms. Ackerman reported on:

- Attended the Concord-Carlisle League of Women’s Voters First Friday event regarding MCI Concord and noted that the event was attended by the Commissioner of the Division of Capital Asset Management and Maintenance (DCAMM) who was impressed by the attendance and interest of residents.
- Transportation Advisory Committee – Working with the Town of Acton, as both Concord and Acton applied for the same grant, to change their applications to a regional application for micro-transit. The Town Planner is also submitting a grant for the 100% design of the Assabet River pedestrian bridge.
- PEG Access Advisory Committee – The Council on Aging has received a grant to update their hearing assistance equipment. Also working on a vehicle to obtain recording equipment for the 250th American Revolution Anniversary Celebration.

Mr. Howell reported on:

- Attended the Concord-Carlisle League of Women’s Voters First Friday event regarding MCI Concord and noted that a recording of the meeting is available on Minuteman Media Network’s YouTube Channel. Mr. Howell also thanked the the panelists, especially those who were currently attending the Select Board meeting.
- The Concord-Carlisle League of Women’s Voters Candidates Forum is on Sunday, March 10, 2024 from 1:00 PM to 3:00 PM at the Town House, Public Hearing Room.
- Warners Pond Task Force – Held their second meeting in which Co-Chairs were chosen. Noted that because the Task Force is a subcommittee of the Natural Resources Commission that getting to the Task Force webpage is different than for other committees. To get to the WPTF webpage, one should first go to the NRC webpage, and then hover over the Subcommittees tab, and choose WPTF.

Discussion regarding future of MCI Concord property with State Representatives

Chair Dane opened the discussion regarding MCI Concord and asked that Ms. Hartman review the motion that was made by the Select Board at the conclusion of their Executive Session this evening.

Ms. Hartman read the motion, that the Select Board unanimously voted to create a local strategic MCI Concord Advisory Committee with diverse representation of stakeholders as soon as feasible and work concurrently with the State Representatives to create an amendment to the Governor’s Budget Legislation to establish a State Commission. The Select Board will propose revisions to the amendment to the Governor’s Budget Legislation through the Executive Assistant to the Select Board and resolves to work with the State in a cooperative and responsive manner.

**Town of Concord
Select Board
Minutes
March 4, 2024**

State Senator Mike Barrett appeared before the Select Board and commented that the Town was well represented at the Concord-Carlisle League of Women's Voters First Friday event regarding MCI Concord. Senator Barrett continued that the state recognizes that the Town has a strong claim on the disposition of the property and that the DCAMM Commissioner attending the First Friday event is indicative of the State's appreciation for the community's work.

State Representative Carmin Gentile appeared before the Select Board and commented that the Town has a great relationship with State administration and that he is confident that all parties can work together to successfully redevelop the parcel.

State Representative Simon Cataldo appeared before the Select Board and commented that he is committed to the Town having a strong formal role in the process. Representative Cataldo continued that the State administration has worked very well with the Town thus far and does not think that residents need to be wary of backlash from the State administration and that a collaborative spirit can remain.

Ms. Ackerman thanked residents who submitted letters to the Select Board regarding MCI Concord.

Continued Select Board Annual Town Meeting Public Hearing

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to reopen the Select Board Annual Town Meeting Public Hearing.

Article 41 – Authorize a Task Force to Review and Update the Charges, Policies, and Protocols of the Historic Districts Commission and Historical Commission

Chair Dane noted that the Co-Chairs of the Diversity, Equity, and Inclusion Commission were unable to attend the Public Hearing this evening, so that there will not be a formal presentation made on Article 41. Chair Dane continued that because the Public Hearing had been deliberately continued to this evening's meeting that he would still permit public comment on the Warrant Article.

Mr. Howell noted that he would ask the Select Board to continue the Public Hearing for this Warrant Article again to Monday, March 18, 2024 in order to give the DEI Commission the opportunity to make their presentation.

Nancy Fresella-Lee commented that she appreciates the work that the DEI Commission performs, but why create another Task Force when the Town has so many. Ms. Fresella-Lee continued and noted that members of the DEI Commission have not attended a Historical Commission meeting to discuss the nature of the article and that the DEI Commission has not approached the Historical Commission regarding the proposed changes that they have for the charge, protocols, and procedures, while the DEI Commission has had a discussion with the Historic Districts Commission regarding the article. Ms. Fresella-Lee continued that it seems like this article was brought forth to make an example out of the two committees, when this idea of

**Town of Concord
Select Board
Minutes
March 4, 2024**

improving DEI in Town committee work is something that the DEI Commission would like to see across the board. Ms. Fresella-Lee noted that it may be a better suited idea for the DEI Commission to create guidance that can be referenced by Town committees to improve DEI on all fronts, rather than just for the Historical Commission and Historic Districts Commission.

Nancy Nelson commented that she feels that the warrant article is redundant to work already underway, such as the Historic Preservation Plan that is currently being updated. Ms. Nelson continued and asked why the warrant article is only targeting two committees and why the DEI Commission did not consult with the Historical Commission on the article. Ms. Nelson concurred with the previous comment that it may be better suited to create guidance or a policy that can be referenced by Town committees for DEI initiatives. Ms. Nelson lastly added that she would like to work more collaboratively with the DEI Commission in the future.

Rich Feeley commented that he shares the same concerns already mentioned and continued by noting that the Historical Commission and Historic Districts Commission have a lot of work to do and do not think that their current protocols and/or practices are indicative of not being inclusive and trying to evolve their best practices of historical preservation/references within the Town.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to continue the Select Board Annual Town Meeting Public Hearing for Article 41.

Article 42 – Tourist Bylaw Amendments

Chris Carmody, Legislative Liaison, presented Article 42 – Tourism Bylaw Amendments, on behalf of the Tourism Manager.

Ms. Escobedo asked if the Warrant Article had been reviewed by Town Counsel and noted that there were a couple of items that should have been struck through in the Warrant Article language that did not appear to be struck through in the memorandum.

Mr. Carmody responded that he would follow up.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to close the Select Board Annual Town Meeting Public Hearing for Article 42.

Public Hearing for Grant of Location Requests for Comcast for Pole Petitions

56 Winthrop Street

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to open the Public Hearing for a Grant of Location Request for Comcast for a Pole Petition at 56 Winthrop Street.

**Town of Concord
Select Board
Minutes
March 4, 2024**

Cathy Maloney, Senior Manager of Government & Regulatory Affairs for Comcast, presented the Grant of Location Request for Comcast for a Pole Petition at 56 Winthrop Street.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to close the Public Hearing.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Grant of Location Request for Comcast for a Pole Petition at 56 Winthrop Street in accordance with the conditions provided by Concord Public Works and Concord Municipal Light Plant.

835 Old Marlboro Road

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to open the Public Hearing for a Grant of Location Request for Comcast for a Pole Petition at 835 Old Marlboro Road.

Cathy Maloney, Senior Manager of Government & Regulatory Affairs for Comcast, presented the Grant of Location Request for Comcast for a Pole Petition at 835 Old Marlboro Road.

Mr. Howell commented that it would be more appropriate for the address of this request to be listed as 923 Old Marlboro Road, which is for the new Concord Middle School.

Ms. Maloney agreed to making this small amendment to the petition.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to close the Public Hearing.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the Grant of Location Request for Comcast for a Pole Petition at 923 Old Marlboro Road in accordance with the conditions provided by Concord Public Works and Concord Municipal Light Plant.

Public Hearing for a Grant of Location Request for National Grid for Gas Main Petition

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to open the Public Hearing for the Grant of Location Request for National Grid for a Gas Main Petition at 47 Davis Court.

Mary Mulroney, Permit Representative for National Grid, presented the Grant of Location Request for National Grid for a Gas Main Petition at 47 Davis Court. Ms. Mulroney noted that the timing of this petition was coordinated with Concord Public Works, as the Town is to be repaving Davis Court at this time, too.

**Town of Concord
Select Board
Minutes
March 4, 2024**

Ms. Ackerman asked if National Grid was prepared to accept all conditions proposed by Concord Public Works.

Steve Dookran, Town Engineer, noted that the conditions proposed by Concord Public Works were sent to National Grid in advance of the Public Hearing and that they did not receive any negative feedback.

Bill Kemeza of 28 Davis Court commented that he had questions regarding National Grid's coordination with Concord Public Works, which have already been answered, but continued and noted safety concerns for young children during construction on Davis Court.

Mr. Dookran responded that National Grid hosts a community meeting with residents impacted by their construction, so this is something that can be discussed at this meeting with National Grid.

Barbara Lynn-Davis of 21 Davis Court voiced concern regarding National Grid being pushy about performing work through residents' lawns.

Ms. Mulrone responded that National Grid respects residents' property and that they will work collaboratively with residents during the construction.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to close the Public Hearing.

Upon a motion duly made and seconded, it was **voted:** to approve the Grant of Location Request for National Grid for a Gas Main Petition at 47 Davis Court in accordance with the conditions provided by Concord Public Works.

The motion passed 4-1-0, with Ms. Ackerman voting no.

**Public Hearing for a Community Cable Needs Assessment in relation to the Comcast
Franchise Contract Renewal**

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to open the Public Hearing for a Community Cable Needs Assessment.

Chief Technology Officer Jason Bulger provided a status update on the Town's current standings with Comcast and franchise contract renewal discussions.

Ms. Escobedo noted that she looked at some other communities cable contracts and asked how realistic it is for Concord to achieve a contract as such. Ms. Escobedo continued and asked a question regarding technology caused isolation and voiced concern for a growing senior population in Town.

**Town of Concord
Select Board
Minutes
March 4, 2024**

Sue Buske, Consultant for the Buske Group, responded that technology caused isolation is a situation where an individual or a group may not have access to information because they do not have access to the technology needed itself.

Mr. Bulger added that the senior population was represented at the community forums that were previously held and that Minuteman Media Network and the PEG Access Advisory Committee are continuing to work with the Council on Aging to improve programming for seniors. Mr. Bulger continued that the language that is included in Carlisle’s contract with Comcast is realistic for the Town to achieve in our contract and thinks that there will be a favorable result for the Town at the conclusion of the negotiations. Mr. Bulger noted that he will be able to provide an updated fund balance for the next Select Board meeting.

Mr. Howell asked if the Town had received a formal offer from Comcast.

Mr. Bulger responded yes, and that it is very similar to the current contract, so he feels that this is a starting point that the Town can only improve from. Mr. Bulger noted that at the next Select Board meeting, the Board will need to act on the current offer.

Carmin Reiss of 52 Devens Street noted that it would be great for the PEG Access channels to have closed captioning, especially for Town Meeting purposes.

Upon a motion duly made and seconded, it was UNANIMOUSLY
voted: to close the Public Hearing.

Discuss Recommendations on Annual Town Meeting Warrant Articles

The Select Board discussed recommendations on Annual Town Meeting Warrant Articles that were heard at the Select Board Annual Town Meeting Public Hearings.

Article #	Article Name	Sponsor	Select Board Recommendation
1	Choose Town Officers	Select Board	N/A
2	Hear Reports	Select Board	N/A
4	Ratify Personnel Board Classification Actions	Personnel Board	Affirm. Action – 5-0-0
5	Ratify Personnel Board Classification & Compensation Plan	Personnel Board	Affirm. Action – 5-0-0
6	Personnel Bylaw Amendments	Personnel Board	Affirm. Action – 5-0-0
18	Select Board to Accept Easements	Public Works Commission	Affirm. Action – 5-0-0
22	Authorize New Middle School Naming – Name the New Concord Middle School Ellen Garrison Middle School	DEI Commission	Tabled to subsequent meeting
26	Town Meeting Study Committee	Town Moderator	Affirm. Action –

**Town of Concord
Select Board
Minutes
March 4, 2024**

			5-0-0
27	Citizen Petition: Town Meeting Voting Reform	Dinos Gonatas	No Action – 5-0-0
28	Citizen Petition: Remote Participation at Annual and Special Town Meetings	Scott Gillis, Mark Martines, David Allen, & David Karr	Tabled to subsequent meeting
29	Citizen Petition: Use of Hand-Held Electronic Voting at Town Meetings	Scott Gillis & Mark Martines	Tabled to subsequent meeting
30	Authorize Select Board to Petition for Changes to Previously Approved Home Rule Petition regarding a Check Out Bag Charge	Agriculture Committee	Affirm. Action – 5-0-0
31	Update Town Goals to Meet the Climate Challenge	Climate Action Committee	Tabled to subsequent meeting
32	Fossil Fuel-Free Demonstration: Bylaw Amendments for Program Participation	Select Board	Affirm. Action – 5-0-0
38	Citizen Petition: Citizen Support for a New Cell Tower Located at the Landfill at 755 Walden Street	Alisha Boyajian	Tabled to subsequent meeting
39	Citizen Petition: Citizen Support for a New Cell Tower Located at the Public Works Parcel on Keyes Road	Alisha Boyajian	Tabled to subsequent meeting
42	Tourist Bylaw Amendments	Select Board	Tabled to subsequent meeting

Adjournment

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to adjourn the meeting at 8:40 PM.

Meeting Materials:

[Select Board Meeting Packet for March 4, 2024](#)

[Select Board Meeting Recording for March 4, 2024](#)



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

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: March 18, 2024

Re: Sunday Entertainment License for Carole Wayland of 51 Walden Performing
Arts Center

Included in your meeting packet is an application for a Sunday Entertainment Licenses for Carole Wayland of 51 Walden Performing Arts Center for the performance of Mozart's Opera Cosi Fan Tutte on Sunday, March 10, 2024 from 2:00 PM to 5:00 PM.

This application is complete with payment. This application was submitted in advance of the event, but after the deadline for the prior Select Board meeting, so I am requesting retroactive approval of the license.

TOWN OF CONCORD
Application For Tourist Guide License

To offer Guide Service within Concord

License Fee \$50.00

The undersigned hereby applies for a TOURIST GUIDE LICENSE in accordance with the provisions of the Town of Concord bylaw Article 16 (Sub-Article 9)

Name: Elisabeth D. Cicco
Address: 9 Hawthorne Place apt 3H, Boston MA
Company or companies employed with: Self-Employed 02114
Website Address: _____
Telephone Number: 917-617-7586
Email Address: edcicco@gmail.com
Year Concord History Course Taken: 2018
Signature: Elisabeth D. Cicco

This application also requires a copy of a valid state issued identification card or driver's license and a Criminal Offender Record Information (CORI) Acknowledgement Form.

I agree by to comply with any and all Town of Concord Regulations.

Office Use Only

Paid: Check Cash Check # _____
Date: 2/25/24

License expires on December 31, 2024

(OVER)



PAID



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

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: March 18, 2024

Re: One Day Liquor License for Jenny Gilbert of the Concord Museum

Included in your meeting packet is an application for a One Day Liquor License for Jenny Gilbert on behalf of the Concord Museum. The application is for All Alcoholic Beverages for the Midnight Ride Party on Saturday, March 23, 2024 from 6:00 PM to 9:00 PM at the Concord Museum, 53 Cambridge Turnpike. This application was reviewed by Public Safety, in which a Police Detail will be on site and a Certified Crowd Manager will also be on site per the Fire Code.

This application is complete with payment and TIPS Certifications.



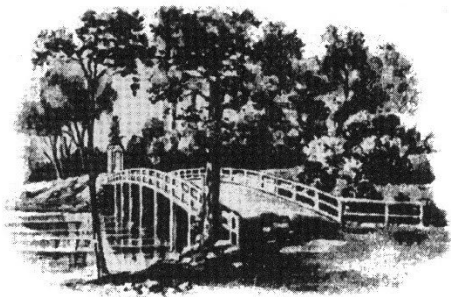
PAID

Shannon McAndrew

From: noreply@civicplus.com
Sent: Monday, March 4, 2024 11:25 AM
To: licensing board; Town Manager's Office; jromanul@concordma.gov
Subject: Online Form Submittal: One Day Special Liquor Licenses

One Day Special Liquor Licenses

Company or Organization	Concord Museum
Applicant Name	Jenny Gilbert
Email Address	jgilbert@concordmuseum.org
Applicant Address	53 Cambridge Turnpike
City	Concord
State	MA
Zip Code	01742
Phone Number	978-369-9763 ext. 228
Name of Event	The Midnight Ride Party
Activity Is	Non-Profit
Event Type	Party in Residential Home
Event Date & Start Time	3/23/2024 6:00 PM
End Time	9:00 PM
Premises to be Licensed	Concord Museum
City	53 Cambridge Turnpike
State	MA
Zip Code	01742
License is for the Sale of:	All Alcoholic Beverages



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: March 18, 2024

Re: One Day Liquor License for Olivia Boger of Runway for Recovery and

Included in your packet is a One Day Liquor License application for Wines Only for Olivia Boger of Runway for Recovery, a nonprofit organization seeking to hold a fundraiser event on Thursday, May 16, 2024 from 6:30 PM to 9:00 PM on Walden Street between Main Street and Hubbard Street. As such, the applicant is seeking to close the public way during the event, and if approved, will be provided support from both Concord Public Works and the Concord Police Department.

This application is complete with payment and TIPS Certification. This application was also reviewed by the Use of Town Property internal review team, including the Police Department, Fire Department, Public Works, Department of Planning and Land Management, and Risk and Compliance and are comfortable proceeding pending the Select Board's approval of the license.



PAID

Shannon McAndrew

From: noreply@civicplus.com
Sent: Thursday, February 15, 2024 8:52 AM
To: licensing board; Town Manager's Office; jromanul@concordma.gov
Subject: Online Form Submittal: One Day Special Liquor Licenses

One Day Special Liquor Licenses

Company or Organization	Gaining Ground
Applicant Name	Allison Goodwin
Email Address	allison@gainingground.org
Applicant Address	341 Virginia Road
City	Concord
State	MA
Zip Code	01742
Phone Number	9786106086
Name of Event	Gaining Ground Annual Donor Appreciation Party
Activity Is	Non-Profit
Event Type	Event in Town-Owned Facility
Event Date & Start Time	6/6/2024 5:00 PM
End Time	7:00 PM
Premises to be Licensed	Gaining Ground Inc
City	Concord
State	MA
Zip Code	01742
License is for the Sale of:	All Alcoholic Beverages



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

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: March 18, 2024

Re: One Day Liquor License for Allison Goodwin of Gaining Ground

Included in your meeting packet is an application for a One Day Liquor License for Allison Goodwin of Gaining Ground. The application is for All Alcoholic Beverages for the Gaining Ground Annual Donor Appreciation Party on Thursday, June 6, 2024 from 5:00 PM to 7:00 PM at Thoreau Farm, 341 Virginia Road. This application was reviewed by Public Safety, in which a Certified Crowd Manager will be on site per the Fire Code.

This application is complete with payment and TIPS Certifications.



PAID

Shannon McAndrew

From: noreply@civicplus.com
Sent: Monday, February 12, 2024 5:24 PM
To: licensing board; Town Manager's Office; jromanul@concordma.gov
Subject: Online Form Submittal: One Day Special Liquor Licenses

One Day Special Liquor Licenses

Company or Organization	Runway for Recovery
Applicant Name	Olivia Boger
Email Address	olivia@runwayforrecovery.org
Applicant Address	29 Water Street
City	Newburyport
State	Massachusetts
Zip Code	01950
Phone Number	6177102172
Name of Event	Olivia Boger
Activity Is	Non-Profit
Event Type	Event in Town-Owned Facility
Event Date & Start Time	5/16/2024 6:30 PM
End Time	9:00 PM
Premises to be Licensed	Walden Street (between Hubbard and Main Street)
City	Concord
State	MA
Zip Code	01742
License is for the Sale of:	Wines Only



TOWN OF CONCORD

CONCORD HISTORICAL COMMISSION

141 KEYES ROAD, CONCORD, MA 01742
TEL. (978) 318-3290 FAX (978) 318-3291

January 12, 2024

Henry Dane, Select Board Chair and CHC Liaison
Town House
22 Monument Square
Concord, MA 01742

Re: Concord Historical Commission Code Amendment

Dear Henry,

The Historical Commission is embarking on a year-long planning process to develop a community-wide Historic Preservation Plan that will include a comprehensive review of its Administrative Code. The planning process will include robust community involvement. As a critical initial step in the process, the Historical Commission has voted to amend its Code in order to expand its membership.

On January 11, 2024, the Concord Historical Commission voted to amend Section A of the Historical Commission Administrative Code to read as follows (deletions are shown in grey highlight ~~strikeout~~ and additions are shown in grey highlight ***bold italics*** for emphasis only. Other sections shall remain unchanged):

A. Membership

The Historical Commission shall have five members appointed by the Town Manager, ~~with~~ ***subject to*** the approval of the ~~Board of Selectmen~~ ***Select Board***, for staggered three-year terms. The Commission elects a chairman and a clerk. ***Alternate members may be appointed in like manner not exceeding in number the principal members for one-year terms. In the case of the absence or inability to act on the part of a principal member, the place of the principal member shall be taken by an alternate member designated by the chair. In the case of a vacancy occurring other than by expiration of a term, the chair may designate an alternate member to serve as a member of the Commission until said vacancy is filled as provided in this section.***

The original Section A approved by the Commission on March 22, 1982 reads:

A. Membership

The Historical Commission shall have five members appointed by the Town Manager with the approval of the Board of Selectmen for staggered three year terms. The Commission elects a chairman and a clerk.

This administrative change was made in accordance with Massachusetts General Law Chapter 40, Section 8D: Historical Commission; establishment; powers and duties. MGL Ch. 40 §8D states: "The commission shall consist of not less than three nor more than seven members. In...towns they shall

be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. Alternate members may be appointed in like manner as provided for in this section not exceeding in number the principal members. In the case of the absence or inability to act on the part of a principal member, the place of a principal member shall be taken by an alternate member designated by the chairman."

Please contact Senior Planner Ann Clifford or myself if you would like any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Alan Bogosian". The signature is written in black ink and is positioned above the printed name and title.

Alan Bogosian
Concord Historical Commission Chair

cc.

Members of the Historical Commission

Ann Clifford, Senior Planner

Megan Zammuto, Deputy Town Manager

Shannon McAndrew, Executive Assistant to the Select Board

AUTHORIZE A TASK FORCE TO REVIEW AND UPDATE THE CHARGES, POLICIES, AND PROTOCOLS OF THE HISTORIC DISTRICTS COMMISSION AND THE HISTORICAL COMMISSION ARTICLE 41.

To determine whether the Town will urge the Select Board, in close collaboration with the Diversity Equity and Inclusion Commission, to create a short-term task force to conduct a full and complete review of the charges, policies, protocols and enabling legislation of the Historic Districts Commission and Historical Commission, and recommend to the Select Board any updates, changes, and improvements needed, or take any other action relative thereto.

As members of the DEI Commission in Concord, it has been our collective endeavor to promote diversity, equity, and inclusion within our community.

Recognizing the significance of the Historic District Commission and Historical Commission's role in preserving our town's rich history, our collaboration would be aimed at enhancing the inclusivity of the town's historical preservation efforts.

Our intent is to foster an environment where the stories of all community members, regardless of background, are acknowledged and preserved.

Both commissions were formed in 1960 and 1973 respectively and their charges have not been updated since 1982. (42 years)

The scope of these commissions can be expanded to more explicitly include a wider understanding of our community's history that represents all of us (Black, Indigenous, Woman, Immigrant and the LGBTQ+ communities)

Some framing questions that could facilitate the task forces discussion include :

What do we value as a Town? Who are we today?

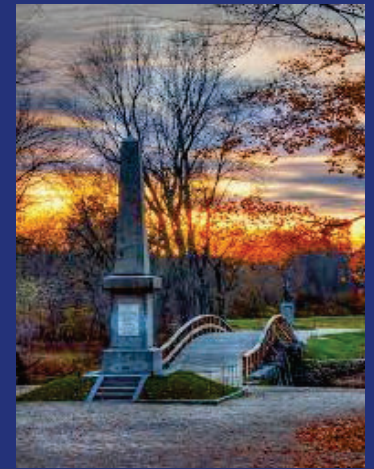
Whose history have we preserved?

What do we mean by the "literary and historic tradition of Concord"?

Whose "literary and historic tradition?"

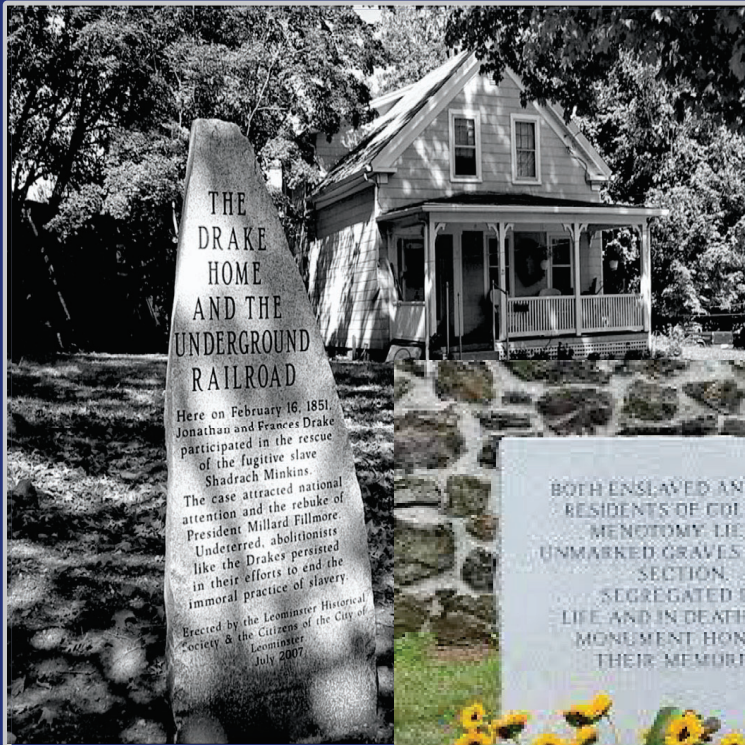
Who is not represented and why?

How does our interpretation reflect the makeup of America and our Town? What internal improvements can we make? What positive changes can we begin to collectively advocate for?





God will us free, man will us slaves,
 I will as God will, God's will be done,
 Here lies the body of
 JOHN JACK
 A native of Africa, who died
 March 17, aged about 60 years.
 Tho' born in a land of slavery,
 He was born free,
 Tho' he lived in a land of slavery,
 He lived a slave,
 Till by his honest & sicken labors,
 He acquired the sum of money,
 Which gave him his freedom,
 Tho' no living before,
 Death this grand event,
 Gave him his final emancipation,
 And set him on a footing with kings
 Tho' a slave to vice,
 He practised these virtues
 Without which kings are but slaves



BOTH ENSLAVED AND FREE RESIDENTS OF COLOR IN MEMOTOMY LIE IN UNMARKED GRAVES IN THIS SECTION. SEGREGATED IN LIFE AND IN DEATH THIS MONUMENT HONORS THEIR MEMORIES

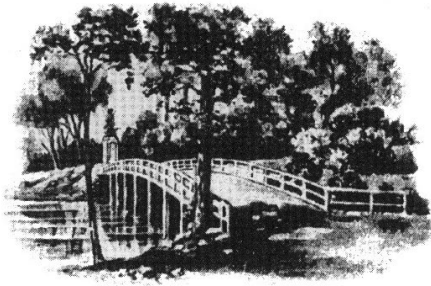


LexSeeHer is writing women into the narrative of American history. Make women visible: fund the Something Is Being Done monument.

Harriet Tubman
 Sojourner Truth
 Ruth Moody
 Sylvia Ferrell Jones
 LexSeeHer
 Make Women Visible

Sojourner Truth Memorial Celebration & Women's Suffrage Marker Unveiling
 May 28, 2023 Northampton, MA





OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

March 18, 2024

Gregory Franks
Director of Government and Regulatory Affairs
Comcast of Massachusetts III, Inc.
85 East Belcher Road
Foxborough, Massachusetts 02035

Dear Greg,

This letter addresses the status of the Cable License (“License”) between Comcast (“Comcast”) and the Town of Concord (“Town”) -- collectively referred to as “Parties” -- and the mutual desire of the Parties to renew said License (“Renewal License”).

The License between the Town and Comcast expires on April 23, 2024. While the Parties wish to renew the License, there is insufficient time to negotiate and reach an agreement on such a renewal. Therefore, by execution of this letter, the Parties agree to a six-month extension to further negotiate the terms and conditions of a Renewal License, with the existing License fully enforceable until midnight on October 23, 2024. While the Parties have been meeting regularly and negotiating in good faith, they believe that it is necessary to extend the period of negotiations in hopes of reaching a mutually agreed upon Renewal License.

Therefore, by way of the signatures of the Parties below;

- The Parties are prepared to continue to negotiate in good faith to reach an agreement on a Renewal License by October 23, 2024.
- The Parties agree to a six (6) month extension of the existing License to further negotiate the terms and conditions of a Renewal License.
- During the extension period, the Parties will continue to abide by the terms of the existing License, including any Side Letters.
- Because this is an extension of the existing License and not a renewal, the Parties reserve all rights under both the formal and informal process of Federal Law and acknowledge that both the Town and Comcast have preserved and retain all rights afforded to each party under Section 626 of the Cable Act, 47 U.S.C. § 546.

Thank you for your attention to this matter.

Yours truly,

Town of Concord Select Board:

Henry Dane, Chair

Mary Hartman, Clerk

Terri Ackerman

Linda Escobedo

Mark Howell

Acknowledge and Accepted:

Gregory Franks
Director of Government and Regulatory Affairs
Comcast of Massachusetts III, Inc

TOWN OF CONCORD
STATEMENT OF REASONS FOR PRELIMINARY ASSESSMENT OF DENIAL
OF FORMAL RENEWAL LICENSE PROPOSAL
SUBMITTED BY COMCAST OF MASSACHUSETTS III, INC.

The Concord Select Board, statutory Issuing Authority for the Town of Concord (the “Issuing Authority” or the “Town”), and Comcast of Massachusetts III, Inc. (“Comcast”) received Comcast’s Formal Renewal Proposal pursuant to 47 U.S.C. §546(b)(1), dated December 15, 2023. The Issuing Authority hereby issues a preliminary assessment of denial. After several negotiating sessions, the Issuing Authority and Comcast have been unable to agree on a number of terms for a renewal license. Consequently, the Issuing Authority is hereby issuing this written statement detailing its reason for this preliminary assessment of denial pursuant to 207 CMR 3.06(3)

First, based upon the ascertainment process conducted by the Town of Concord, the Issuing Authority’s Needs Assessment Report identified a need and interest in the community that the signal quality and functionality of the Town’s PEG Access channels should be equivalent to that of the highest quality channels offered on the cable system. In its Formal Renewal Proposal Comcast did not agree that any of the three offered PEG Access Channels would be in HD format.

Second, the Issuing Authority’s Needs Assessment Report identified the need for three PEG access channels initially and the availability of two additional channels in the future. In its Formal Renewal Proposal Comcast did not agree to provide the two additional channels, and language in the Formal Proposal regarding the current three channels indicated that there would be only one channel available from the Comcast headend to Concord cable subscribers.

Third, the Needs Assessment Report determined that there is a need and interest in having the ability to easily transmit live programming from locations throughout the Concord license area, requiring Comcast to provide live origination drops or similar technological resources throughout the Town. Comcast’s Formal Renewal Proposal does not offer such a capability.

Fourth, the Needs Assessment Report identified a need and interest in ensuring that Comcast includes full program listings for PEG Access programs on its on-screen electronic program guide. Comcast’s Formal Renewal Proposal does not have language that guarantees that PEG Access programming could be listed by title and description on its electronic programming guide.

Fifth, the Needs Assessment Report identified a need and interest in requiring Comcast to provide documentation that it complies with the FCC’s customer service standards. Comcast’s Formal Proposal does not require Comcast to provide documentation of its compliance with FCC customer service standards.

Sixth, the Needs Assessment Report identified a high level of need and interest in PEG Access programming and services and in the need and interest for Comcast to provide adequate capital and operating funding, in-kind resources, and support to maintain and expand PEG Access

programming and services throughout the term of the renewal License agreement. Comcast's Formal Proposal includes inadequate capital support to meet the PEG Access budget developed for the Needs Assessment Report. The PEG Access equipment and facilities funding needs that were included in the Needs Assessment were based upon a review and inventory of the current Minuteman Media Network equipment and facilities, an analysis of the future equipment and facilities resources necessary to meet the needs and interests identified, and feedback from Minuteman Media personnel and community members. The PEG Access capital needs and interests are estimated to be \$652,260 over ten years. The Comcast Formal Proposal offers \$35,344 per year, for a total of \$353,440 over ten years. Furthermore, Comcast's Formal Renewal proposal offers only 4.8% of its Gross Annual Revenues (out of a maximum of 5% allowed by federal law) to the Town for PEG support.

Seventh, the Needs Assessment Report identified the need and interest for Comcast to have an office in or at a location convenient to Concord. Comcast's Formal Proposal does not include a commitment to maintain a local office in or at a location convenient to Concord.

Eighth, the Needs Assessment Report identified a need and interest in ensuring that Concord's PEG Access channel locations may only be changed if Comcast must do so to comply with FCC requirements or documented technical reasons and with the Town's approval. Comcast's Formal Proposal does not prohibit Comcast from freely changing PEG Access Channels.

Ninth, Comcast's Formal Renewal Proposal included language that indicated Comcast would not be required to remove its Cable System if such system was no longer being used to deliver/provide services governed by the Cable Act. The Town would not agree to such language.

Signed:

Henry Dane, Chair

Mark Howell

Mary Hartman, Clerk

Terri Ackerman

Linda Escobedo

IX. MCI Concord Status Report

Draft Amendment to the Governor's Budget Legislation prepared by Representative Simon Cataldo

EXHIBIT A - PROPOSED SECTION 107 EDITS

~~SECTION 107. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may sell, lease for a term not to exceed 99 years, transfer or otherwise dispose of real property, used for correctional purposes, known as the Massachusetts Correctional Institution, Concord in the town of Concord. The final boundaries of the parcels to be conveyed may be determined by the commissioner of capital asset management and maintenance after the completion of a survey. (b) The commissioner of capital asset management and maintenance shall dispose of real property:~~

Formatted: Font: Times New Roman, 12 pt

~~(b) The commissioner of capital asset management and maintenance shall study the existing conditions of the site and conduct planning for the reuse of the property described in subsection (a). The commissioner shall consult stakeholders and other interested persons during the study process, including, without limitation, the: (i) secretary of housing and livable communities or their designees; (ii) secretary of transportation or their designees; (iii) secretary of public safety and security or their designees; (iv) members of the select board of the town of Concord or their designees; (v) members of an advisory body established by the select board of the town of Concord regarding the reuse of the Massachusetts Correctional Institution, Concord, if any; (vi) chair of the board of the Concord Housing Development Corporation, established pursuant to chapter 275 of the acts of 2006, or their designee; (viii) Concord representative to the metropolitan area planning council; (ix) district council chair of the Urban Land Institute Boston/New England or their designee; (x) executive director of the Concord Business Partnership or their designee; and (xi) executive director of OARS, Inc., or their designee.~~

~~The commissioner shall, at least 60 days prior to finalizing the study, cause no fewer than 3 public hearings to be held, after giving timely notice, in the town of Concord, with an available option for virtual participation, for the purpose of receiving public comment on the site planning and reuse of the property described in said subsection (a). The first such meeting shall take place no later than 45 days after the effective date of the act.~~

~~The commissioner shall prepare a written report summarizing the study findings, which shall include, but shall not be limited to: (1) a summary of existing site conditions identified during the study, if any; (2) a summary of the provisions of existing and ongoing municipal plans, including the town of Concord's Envision Concord: Bridge to 2030 Plan, and Concord's zoning bylaws affecting the property described in said subsection (a); (3) a summary of state, regional and local plans and policies that may affect or guide use of the property described in said subsection (a), including, without limitation, plans and policies encouraging the development of a variety of housing options, commercial and retail opportunities, jobs and open space, and policies encouraging smart growth; (4) a summary of input provided at the public hearings and by the: (i) secretary of housing and livable communities or their designees; (ii) secretary of transportation or their designees; (iii) secretary of public safety and security or their designees; (iv) members of the select board of the town of Concord or their designees; (v) members of an advisory body established by the select board of the town of Concord regarding the reuse of the Massachusetts Correctional Institution, Concord, if any; (vi) chair of the board of the Concord Housing Development Corporation, established pursuant to chapter 275 of the acts of 2006, or~~

their designee; (vii) managing director of the Concord Chamber of Commerce, Corp., or their designee; (viii) Concord representative to the metropolitan area planning council; (ix) district council chair of the Urban Land Institute Boston/New England or their designee; (x) executive director of the Concord Business Partnership or their designee; and (xi) executive director of OARS, Inc., or their designee; and (5) the potential reuses and use restrictions, if any, the commissioner deems appropriate for the property described in said subsection (a).

The commissioner shall file the report with the clerks of the house of representatives and the senate no later than 18 months after the passage of this act.

(c) The commissioner of capital asset management and maintenance shall dispose of the real property described in subsection (a); (1) utilizing appropriate competitive processes and procedures; or (2) through a sales-partnership agreement in accordance with subsection ~~(ed)~~ with the municipality wherein said real property is located. Such competitive processes may include, without limitation, absolute auction, sealed bids and requests for price and development proposals. The real property shall be conveyed without warranties or representations by the commonwealth and shall be on such terms and conditions as the commissioner determines. ~~(e)~~

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

(d) A sales-partnership agreement may: (i) require the municipality to conduct a competitive process and select a developer prior to disposition of the real property by the commonwealth; provided, that the commissioner of capital asset management and maintenance may transfer the real property directly to the developer selected by the municipality; or (ii) authorize the municipality to sell or lease the real property directly to a developer pursuant to chapter 30B of the General Laws. The consideration for the disposition of real property to a municipality pursuant to a sales-partnership agreement shall be \$1. If the municipality sells or leases any portion of the real property or the commonwealth disposes of real property directly to the developer selected by the municipality pursuant to a sales-partnership agreement, the net proceeds from such sale or lease as agreed to by the commissioner of capital asset management and maintenance and the municipality shall be allocated between the municipality and the commonwealth in equal shares; provided, however, that the commissioner may agree to reduce the share of the commonwealth's proceeds to not less than 40 per cent of the net proceeds in order to provide certain incentives to expedite the sale, lease or permitting of redevelopment by the municipality. ~~(d) Notwithstanding subsection (b) and subject~~

Formatted: Font: Times New Roman, 12 pt

(e) Subject to subsection (fg) through (j) below, k, the commissioner of capital asset management and maintenance ~~may~~ shall, within 30 days of the passage of this act, make an offer to transfer the ~~water/wastewater~~ treatment facility located at Massachusetts Correctional Institution, Concord, and any other real property necessary thereto to the town of Concord for a direct public use, as defined in section 33 of chapter 7C of the General Laws; provided, ~~further,~~ that the town of Concord shall have have a right of first refusal for no less than ~~90~~ 180 days to accept the commissioner's offer to acquire the property. Upon a refusal of the town of Concord of the commissioner's offer, including the expiration of said offer, the commissioner may dispose of the ~~water/wastewater~~ treatment facility and any other real property necessary thereto pursuant to said subsection ~~(b)-(ec)~~.

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

(f) At least 30 days before the date of an auction or the date on which bids or proposals or other offers to purchase or lease the real property are due, the commissioner of capital asset

management and maintenance shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of such property, the nature of the competitive process and other information deemed relevant, including the time and location of the auction, the submission of bids or proposals and the opening thereof; provided, however, that the commissioner shall not be required to place said notice if the property is conveyed to a municipality or developer selected by a municipality in accordance with a sales-partnership agreement. At least 30 days before the date of an auction or the date on which bids or proposals or other offers to purchase or lease the real property are due, the commissioner of capital asset management and maintenance shall notify in writing regarding the availability of such property, for each town in which the real property is located, the chair of the board of selectmen and the members of the general court. ~~ff~~

~~(g)~~ The commissioner of capital asset management and maintenance shall establish the value of the real property through procedures customarily accepted by the appraising profession as valid for determining property value. The value shall be calculated both for: (i) the highest and best use of the property as may be encumbered, and (ii) subject to uses, restrictions and encumbrances defined by the commissioner. The commissioner shall submit the appraisal required by this subsection to the inspector general for review and comment. The inspector general shall review and approve the appraisal, and the review shall include an examination of the methodology utilized for the appraisal. The inspector general shall prepare a report of the review and file the report with the commissioner of capital asset management and maintenance for submission by the commissioner to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight. The commissioner shall submit copies of the appraisal and the inspector general's review and approval and comments, if any, to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight not less than 15 days prior to the execution of documents effecting the transfers authorized by this section. ~~fg~~

Formatted: Font: Times New Roman, 12 pt

~~(h)~~ The commissioner of capital asset management and maintenance shall place a notice in the central register identifying the municipality, public agency, individual or firm selected as party to such real property transaction, along with the amount of such transaction. If the commissioner accepts an amount below the value calculated pursuant to subsection ~~(fg)~~, the commissioner shall include the justification ~~therefor~~ therefore, specifying the difference between the calculated value and the price received. ~~fh~~

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

~~(i)~~ The commissioner of capital asset management and maintenance may retain or grant rights of way or easements for access, egress, utilities and drainage across the property described in subsection (a) and across other property owned by the commonwealth that is contiguous to the property described in subsection (a) and may accept such rights of way or easements for access, egress, utilities and drainage as the commissioner considers necessary and appropriate to carry out this section. ~~fi~~

Formatted: Font: Times New Roman, 12 pt

~~(j)~~ No agreement for the sale, lease, transfer or other disposition of real property pursuant to this section and no deed, executed by or on behalf of the commonwealth, shall be valid unless such agreement or deed contains the following certification, signed by the commissioner of capital asset management and maintenance: "The undersigned certifies under penalties of perjury that I

Formatted: Font: Times New Roman, 12 pt

have fully complied with section X of chapter___ of the acts of 2024 in connection with the property described herein."-f

(k) No agreement for the sale, lease, transfer or other disposition of real property pursuant to this section shall be valid ~~unless~~unless the purchaser or lessee has executed and filed with the commissioner of capital asset management and maintenance the statement required by section 38 of chapter 7C of the General Laws.-k

(l) The grantee or lessee of any real property disposed of pursuant to this section shall be responsible for all costs including, but not limited to, appraisals, surveys, plans, recordings and any other expenses relating to the transfer, as shall be deemed necessary by the commissioner of capital asset management and maintenance.-l

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: Times New Roman, 12 pt

Formatted: Normal, Space Before: 12 pt, After: 12 pt

DRAFT



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

Kerry A. Lafleur, Town Manager

TO: Kerry A. Lafleur, Town Manager
Concord Select Board

FROM: Christopher Carmody, Risk & Compliance Manager, Legislative Aid

SUBJECT: Legislative Update

Date: March 18, 2024

This legislative briefing serves to update the Board since the last legislative [update](#) (p. 48) on November 6, 2023. The U.S. Congress remains dysfunctional and there is no federal legislation to include in this report.

I. Status of Home Rule Petitions

- a. Real Estate Transfer Fee, H. 2730: <https://malegislature.gov/Bills/193/H2730>. This bill was assigned to the Joint Committee on Revenue, which reporting deadline was extended to April 30, 2024. The actions of this home rule petition are explicitly contemplated and included in the Affordable Homes Act. The home rule authorization to collect a real estate transfer fee (1% on home sales over \$1 Million) may be effected through either of the two tracks, through passage of this bill or passage of the Affordable Homes Act. The Select Board submitted written testimony in support of this bill in advance of the October 11, 2023 public hearing by the Joint Committee on Revenue.
- b. Building Permit Fee for Affordable Housing, H.2729: <https://malegislature.gov/Bills/193/H2729report>. This bill was assigned to the Joint Committee on Revenue, which reporting deadline was extended to April 30, 2024. The Select Board submitted written testimony in support of this bill in advance of the July 25, 2023 public hearing by the Joint Committee on Revenue. The home rule authorization would allow the Select Board to set a minimum construction value to trip an affordable housing surcharge which funds would be deposited into the Concord Municipal Affordable Housing Trust.
- c. Checkout Bag Fee, H.2037: <https://malegislature.gov/Bills/193/H2037>. The Committee on Municipalities and Regional Government has reported favorably on this bill and the House Clerk's Office is preparing the committee's final report.
- d. Ranked Choice in Concord, H.664: <https://malegislature.gov/Bills/193/H664>. The Committee on Election Laws is scheduled to issue their report on March 19, 2024.

- e. Fossil Fuel Free Infrastructure in Concord, H.2038: <https://malegislature.gov/Bills/193/H2038>. Joint Committee on Telecommunications, Utilities, and Energy's report is due on April 7, 2024. The Town's Sustainability Director has testified on this bill twice. The Town has been selected to participate in the Fossil Fuel demonstration pilot project by the Executive Office of Energy Resources. Legislative approval would remove the Town's dependence on executive pilot program status. The Joint Committee staff has relayed advice that Concord's participation in the pilot program makes this bill redundant.
- f. 250th funding for Concord and Lexington, H.3242: <https://malegislature.gov/Bills/193/H3242>. Committee on Tourism, Arts, and Cultural Development. This bill has been sent to study while alternative funding mechanisms are being explored by Concord's state representatives including amendments to the Governor's proposed FY25 state budget and the Economic Development Bill.

II. Affordable Homes Act (H. 4138, An Act the Affordable Homes Act, filed October 18, 2023)

The Healey-Driscoll aims to produce 200,000 units of new housing by 2030. Housing production, specifically affordable housing, is the Healey-Driscoll Administration's top priority. Massachusetts is experiencing a reduction in population growth due to domestic out-migration and it was recently listed as the state with the seventh highest rate of domestic out-migration.

The Select Board submitted favorable written testimony to the Joint Committee on Housing for their public hearing scheduled for January 18, 2024. Specifically, the AHA will allow municipalities to establish a real estate transfer fee of 0.5% to 2% on the portion of the home sale over \$1 Million. The Massachusetts Municipal Association is discussing the \$1 Million threshold with the Joint Committee on Housing to explore a lower limit for municipalities with a large majority of homes valued under \$1 Million.

See attached signing statement by Governor Healey.

III. Municipal Empowerment Act (S. 2571, An Act Empowering Municipalities and Local Governments, filed January 29, 2024)

The Select Board packet for the March 18, 2024 meeting includes a slide deck on the MEA. See attached signing statement by Governor Healey.

IV. Fiscal Year 2025 Budget Bill (H.2, An Act Making Appropriations for the Fiscal Year 2025, filed January 25, 2024)

The proposed FY25 budget bill provides nearly \$1.3 billion in local aid which represents a 3% increase (about \$38.1 Million) over UGGA (unrestricted general government aid). The proposed budget also seeks \$6.86 Billion in Chapter 70 school aid, an increase of \$263 Million (or 4% from FY24). Payments in lieu of taxes -- to replace property tax revenue foregone due to state ownership of land – is proposed to be flat.

The Town is discussing budget amendments with Representative Cataldo including a firm commitment from the state on public safety funds for the 250th celebration and a governance structure for the disposition of the MCI prison. These discussions are ongoing.

HOUSE No. 2



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE · BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

January 24, 2024

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for the Fiscal Year 2025 for the Maintenance of the Departments, Boards, Commissions, Institutions, and Certain Activities of the Commonwealth, for Interest, Sinking Fund, and Serial Bond Requirements, and for Certain Permanent Improvements,” more commonly known as House 2.

This \$56.15 billion proposal represents a sustainable approach to state spending, ensuring a responsible expansion for key policy priorities while managing spending within available revenues, federal funding streams, and reserves. After a series of years with unprecedented one-time revenues in the form of federal funding and tax windfalls, we as a state are experiencing a tightening of tax collections and expect Fiscal Year 2025 to bring a soft landing for the economy and flat growth in revenues.

The Governor’s House 2 budget recommendation totals \$56.15 billion, an increase of \$1.59 billion, or 2.9 percent, over the Fiscal Year 2024 GAA, excluding spending tied to the Fair Share income surtax and Medical Assistance Trust Fund. This spending growth is below inflation with the consumer price index currently at 3.1 percent. Additionally, the recommendation includes \$1.3 billion in spending tied to the Fair Share income surtax. In the second full year of Fair Share income surtax availability, House 2 thoughtfully deploys these resources to support critical programs for our education and transportation sectors, while also advancing transformative new investments.

The Administration is proud that this budget fully funds another year of implementation of the Student Opportunity Act, increases Unrestricted General Government Aid by 3 percent

and fully pays for the package of tax cuts enacted and signed last year by our Administration, in partnership with the Legislature, to make Massachusetts more affordable and competitive.

Our Fair Share spending proposal also makes important investments in our Gateway to Pre-K agenda and the Literacy Launch program, to make sure our youngest learners are put on the right path to learn to read, as well as a new investment of \$250 million in the Commonwealth Transportation Fund that will leverage \$1.1 billion in additional borrowing over the next five years and a doubling of the state's operating support to the MBTA.

House 2 also maintains \$475 million in Commonwealth Cares for Children (C3) grants, fully supports universal school meals, expands our innovative MassReconnect program with \$24 million to provide no-cost community college for students 25 and older and maintains 1 percent of total spending for the Executive Office of Energy and Environmental Affairs.

We are also proposing to create a new Disaster Relief and Resiliency Fund to better enable Massachusetts to respond quickly to natural disasters, such as the flooding experienced over the past year. This fund would be capitalized with 10 percent of annual excess capital gains, in addition to public and private sources, federal grants, settlements, repayments, or reimbursements available for the purpose of delivering aid.

Recognizing the fiscal challenges we have confronted in Fiscal Year 2024 and assuming flat tax revenues in FY25, the House 2 recommendation proposes a glidepath into future fiscal years that combines controlled spending with new recurring non-tax revenues that will grow over time.

This utilization of a thoughtful combination of funding sources ensures a responsibly balanced budget that does not raise taxes, minimizes impact to our most vulnerable residents and does not utilize the Stabilization Fund. The Stabilization Fund has grown to a record high balance of over \$8 billion and would continue to grow under this House 2 budget proposal.

The consensus tax revenue estimate that was agreed to with the Legislature assumes \$2 billion in total capital gains revenue. Our blueprint would allow for a portion of capital gains tax revenues above the statutory threshold, not to exceed \$375 million, to be retained as a last resort to balance the budget and sustain essential programs.

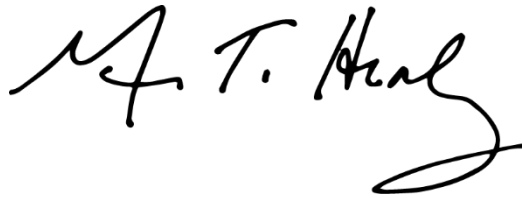
Our budget recommendation proposes to continue to use excess capital gains to build the Stabilization Fund balance, address pension and other post-employment benefit liabilities, and contribute to the new Disaster and Resiliency Trust Fund. The budget recommendation maintains the state's commitment to fully fund its pension liability by 2036 with \$4.5 billion in FY25, a \$395 million increase over the FY24 contribution. Projected sales tax revenues will enable a \$1.5 billion transfer to support the operations of the MBTA and \$1.3 billion will be transferred to the Massachusetts School Building Authority to support school construction across the state.

The budget also commits \$27 million for the Workforce Training Fund to support the state's workforce, competitiveness, and engine for growth.

Spending is also supported by a proposal to move the Lottery online and a tax amnesty program to help make sure Massachusetts can collect the taxes it is owed.

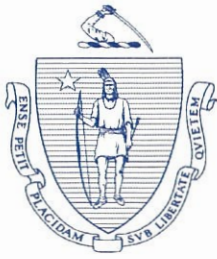
As required by section 6E of chapter 29 of the General Laws, my recommendations today constitute a balanced budget for the Commonwealth. I urge you to enact this legislation in time for the start of the coming fiscal year.

Respectfully submitted,

A handwritten signature in black ink, reading "M. T. Healey". The signature is fluid and cursive, with a large, sweeping flourish at the end of the name.

Maura T. Healey,
Governor

Rec'd Jan. 22, 2024
349 pm



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

January 22, 2024

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled *An Act empowering municipalities and local governments* (“*The Municipal Empowerment Act*”) – legislation designed to arm local governments with greater tools and supports to generate resources for vital local services and access the products and workers they need to best serve Massachusetts residents.

Our administration appreciates that the health of the Commonwealth’s 351 cities and towns underpins the overall success of Massachusetts and its people. That is why this administration is committed to ensuring that every municipality, from Provincetown to Pittsfield, has the resources it needs to succeed.

Since taking office, our administration has been focused on ensuring our municipal partners have the support they need from the state. Our Fiscal Year 2025 budget proposal, which will be filed in the coming days, will once again recommend historic investments in municipal partnerships. From fully funding the Student Opportunity Act to boosting resources for unrestricted general government aid (UGGA), our Fiscal Year 2025 budget proposal will provide nearly \$8.7 billion for local aid, a \$269.4 million (or 3 percent) increase over the Fiscal Year 2024 General Appropriations Act.

But the administration also recognizes that boosting funding alone is not enough. Cities and towns across the Commonwealth can benefit from changes to state programs and rules that make it easier for the state and municipalities, together, to best serve our constituents. The administration, therefore, engaged in an extensive listening tour with municipal leaders this Fall to explore ideas on how the Commonwealth can best partner with our cities and towns. Over several months, the administration held seven regional listening sessions that engaged over 130 municipal managers and administrators from 112 different municipalities and solicited input from professional associations representing local leaders and employees – the *Municipal Empowerment Act* is a direct outgrowth of what we heard.

Based on feedback from the dedicated individuals who serve our communities every day, the *Municipal Empowerment Act* provides relief from numerous administrative burdens, including reforms to procurement rules that raise thresholds for competitive bids; contains local option

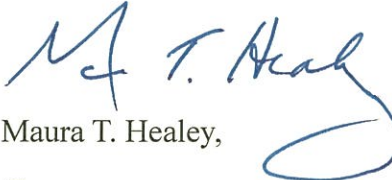
revenue raisers, including a new Motor Vehicle Excise surcharge local option that can benefit every city and town in the Commonwealth; improves the efficiency of local operations by, for example, updating borrowing rules for school projects and establishing enforcement mechanisms for double pole prohibitions; and provides new tools for addressing critical local workforce challenges, such as allowing for the creation of regional boards of assessors, centralizing valuation of telecom and utility property at the state level and creating additional flexibilities in post-retirement employment exemptions.

Additionally, this bill proposes to make permanent some of the COVID-19 era policies that have become popular and valuable additions to the fabric of civic and social lives in communities around the state, including hybrid public meetings and outdoor dining.

Outside of this legislation, the administration is also supporting critical work being pursued through other bodies to improve local staffing and finances, including endorsing policies recently approved by the *Special Legislative Commission to Study and Examine the Civil Service Law* that will support alternative paths for civil service police and fire departments to recruit personnel while benefitting the system. These reforms would allow up to 50 percent of officers to be hired outside of the traditional civil service process and enable communities to create public safety cadet programs without requiring their own special acts. Enactment of these reforms this year will help cities and towns recruit a more diverse cadre as the next generation of public safety officials.

City and town officials understand what programs and policies can meet the needs of the residents they serve, and the *Municipal Empowerment Act* reflects those unique local perspectives. The bill positions the state as a better partner to our cities and towns in building communities in which people want to live, work, visit, go to school, raise a family, start a business and age in place. I appreciate the Legislature's attention to enact this piece of legislation.

Respectfully submitted,


Maura T. Healey,
Governor



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

October 18, 2023

To the Honorable Senate and House of Representatives,

I am pleased to submit for your consideration “The Affordable Homes Act.”

The Commonwealth faces an increasing housing shortage. The demand for both market rate and affordable housing has significantly increased, and the Executive Office of Housing and Livable Communities estimates that the Commonwealth must produce 200,000 homes by 2030 to tackle the existing housing shortage and meet growing demand. This legislation, together with the increases to the Low-Income Housing Tax Credit and the Housing Development Incentive Program, enacted in *An Act to improve the Commonwealth’s competitiveness, affordability, and equity*, are projected to create over 40,000 new homes and preserve or support an additional over 27,000 homes over the next 5 years. An additional 114,000 market-rate homes are already completed, under construction, or in the pipeline for completion by 2030 if conditions allow them to move forward. The legislation I file today will accelerate production to reach our 200,000 home goal and help ensure that a significant portion of that goal is comprised of long-term affordable housing.

This legislation proposes not only a comprehensive funding strategy to increase the supply of housing, rehabilitate and modernize public housing, and support affordable housing opportunities for our residents across the state, but also recommends policy initiatives to address fair housing and equity concerns, provides critical protections to vulnerable tenants and authority for cities and towns to raise revenue to address their unique affordable housing needs.

The bond authorization I propose today will provide \$4.12 billion in capital authorization to support the following key initiatives:

- **Investing in Public Housing**
 - \$1.5 billion in new capital authorization to make capital improvements across the over 43,000 units of state-aided public housing, including \$150 million dedicated to the decarbonization of public housing and \$15 million for accessibility upgrades.

- \$100 million in new capital authorization for the Public Housing Demonstration Program to encourage housing authorities to pursue innovative, market-driven strategies and leverage private resources.

- **Driving Housing Production & Preservation**

- \$800 million in new capital authorization for the Affordable Housing Trust Fund to support private affordable housing development.
- \$425 million in new capital authorization for the Housing Stabilization and Investment Trust Fund to support preservation, new construction, and rehabilitation projects.
- \$275 million in new capital authorization for sustainable and green housing initiatives:
 - Accelerate and support innovative housing strategies, including repurposing existing commercial or office space for housing development. This authorization will also support a new social housing demonstration program;
 - Develop transit-oriented housing; and
 - Support the creation and rehabilitation of sustainable and climate resilient affordable multifamily housing.
- \$50 million in new capital authorization for a Momentum Fund to capitalize a permanent, revolving fund and seeded through state and private investment, to accelerate development of mixed-income multifamily housing.
- \$175 million in new capital authorization for the HousingWorks Infrastructure Program.
- \$50 million in new capital authorization for the Neighborhood Stabilization Program for redevelopment, reconstruction, repair, acquisition, and rehabilitation of abandoned and foreclosed properties.
- \$35 million in new capital authorization for Housing Choice Grants.
- \$30 million in new capital authorization to support efforts to utilize state surplus land for housing and other purposes.
- \$25 million in new capital authorization for Community Planning Grants.

- \$20 million in new capital authorization to recapitalize the 40R Smart Growth Housing Trust Fund.

- **Supporting Vulnerable Populations**

- \$200 million in new capital authorization for the Housing Innovations Trust Fund to support innovative and alternative forms of rental housing for residents who need extensive support services.
- \$70 million in new capital authorization for the Facilities Consolidation Fund to create community-based housing in rental developments for clients of the Departments of Developmental Services and Mental Health.
- \$60 million in new capital authorization for the Home Modification Loan program to provide loans to make access and safety modifications to the homes of persons with disabilities and seniors.
- \$55 million in new capital authorization for the Community-Based Housing program to create housing for people with disabilities.
- \$50 million in new capital authorization for the Early Education and Out of School Time program to help build early education facilities that children from families with low incomes.

- **Supporting Middle Income & Home Buyers**

- \$100 million in new capital authorization to support the creation of affordable homeownership units through the CommonWealth Builder program.
- \$100 million in new capital authorization to support the creation of mixed-income rental housing that is affordable for households whose incomes are too high for traditional subsidized housing but are priced out by market rents.
- \$50 million, included within the authorization of the Affordable Housing Trust Fund, to support first-time homebuyers through the MassDREAMS program.

The bill also contains tax credit proposals to help support our community development corporations and their work creating affordable housing and livable communities and a new homeownership production tax credit program:

- Making the Community Investment Tax Credit permanent and increasing it from \$12 million to \$15 million per year to support the work of community development corporations.
- Creating a new Homeownership Production Tax Credit to award up to \$10 million in tax credits annually to produce homes affordable to moderate-income first-time homebuyers.

Finally, this bill includes policy proposals and statutory changes to address the Commonwealth's housing shortage, establish tenant protections, and provide additional tools for localities to address their unique affordable housing needs. Key highlights include:

- **Unlocking Housing Production and Preservation**

- Requiring the Executive Office of Housing and Livable Communities to prepare a statewide housing plan every five years.
- Allowing accessory dwelling units to be built by-right in single family zoning districts in all communities.
- Adding inclusionary zoning to the list of zoning changes municipalities may pass by simple majority.
- Establishing a temporary streamlined process for the disposition of land under the control of state and public agencies for housing purposes.
- Establishing a Supportive Housing Pool Fund to provide critical assistance for supportive housing by funding staffing, management, service coordination and other tenancy-related services not funded through other sources.
- Public housing reforms to allow housing authorities to operate more effectively and efficiently, reduce maintenance backlogs, and ensure resident protections.

- **Supporting Local Communities**

- Establishing a local option real estate transfer fee of 0.5% - 2% paid by the seller of property on the portion of the sale over \$1 million, or the county median home sales price, whichever is greater. Revenue raised through a real estate transfer fee would be required to be used for affordable housing purposes, including for public housing, through a community's municipal affordable housing trust fund.
- Creating a "seasonal communities" designation to create housing policies and resources to better serve the needs of these communities.
- Reforming the Commonwealth's receivership statute to permit courts to allow the sale of vacant properties in receivership to nonprofits for fair market value to rehabilitate and sell affordably to income-eligible first-time homebuyers.

- **Fair Housing & Tenant Protections**

- Establishing an Office of Fair Housing within the Executive Office of Housing and Livable Communities to support and coordinate enforcement initiatives, fair housing testing and outreach/education.

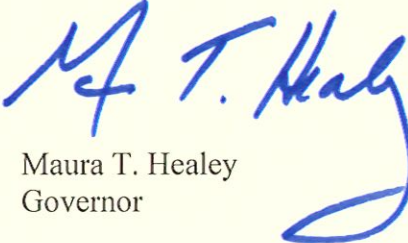
- Establishing a process for tenants to petition a court to seal eviction records.

- **Commissions**

- Establishing a Senior Housing & Age-Friendly Communities Commission to recommend policy, programs, and investments to expand the supply of sustainable, broadly affordable supportive senior housing and appropriate community supports.
- Establishing a commission to recommend policy, programs, and investments to expand the supply of housing affordable to households with extremely low incomes for those earning not more than 30% of the Area Median Income.

This housing bond bill will help strengthen our communities through the preservation and creation of affordable housing. I urge you to enact this legislation promptly to ensure that we meet the housing needs of the people of the Commonwealth.

Respectfully submitted,



Maura T. Healey
Governor



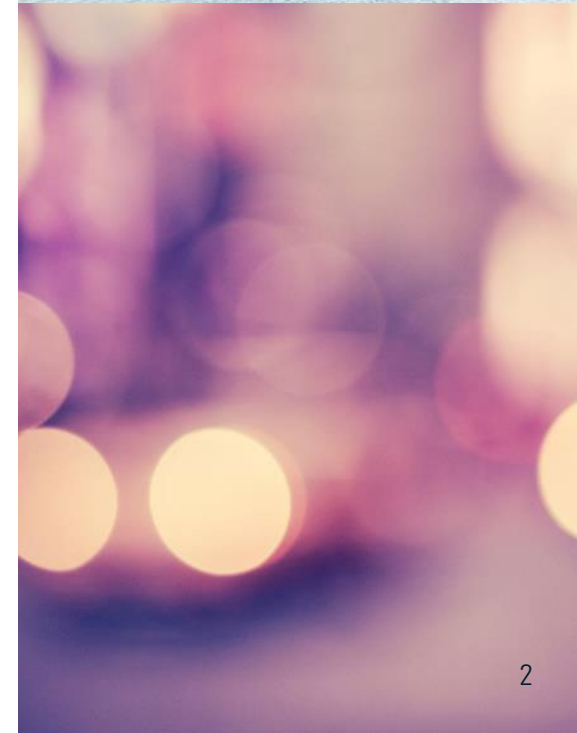
*THE MUNICIPAL
EMPOWERMENT
ACT*

Mimi Graney,
Economic Vitality Manager

Chris Carmody,
Risk & Compliance Manager,
Legislative Affairs Coordinator

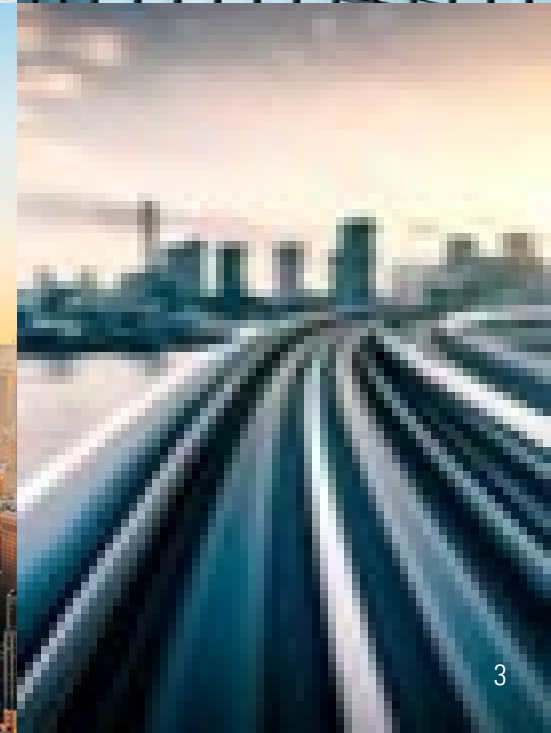
AGENDA

- I. Extending COVID Programs
- II. Financial Tools for Cities and Towns
- III. Authorization for Additional Local Revenues



SUMMARY

- 83 Sections
- Seeks to improve municipal fiscal strength and address workforce shortages
- Is an update to Governor Baker's Municipal Modernization Act of 2016
- Popular elements such as hybrid meeting of public bodies, local revenue increases, changes to municipal procurement, and instituting COVID-19 era programs (eg. outdoor dining)



EXTENDING COVID PROGRAMS

PROBLEM: LOW CITIZEN PARTICIPATION AT PUBLIC MEETINGS

Solution: expand accessibility for members of the public to attend public meetings; remove the physical quorum requirement for committee members

Benefit: In Concord, meeting frequency almost doubled; posting of meeting documents improved

PROBLEM: REDUCED RESTAURANT REVENUE

Solution: Expand the restaurant footprint by allowing outdoor dining

Benefit: Over 20 restaurants originally applied for outdoor dining approval; around 10 still offer outdoor dining on public ways

PROBLEM: RESTRICTIVE ALCOHOL LICENSING

Solution: allow restaurants to sell takeaway liquor

Benefit: Increase high-profit alcohol purchases and increase average sales for take-away orders

FINANCIAL TOOLS FOR CITIES AND TOWNS - STAFFING

CRITICAL STAFFING SHORTAGES

- Exempt certain post-retirement employment rules to allow greater utilization of retired public safety employees
- State funding to Local Finance Fellowship Program
- Allow regional Boards of Assessors
- Allow police/fire to appoint up to 50% of officers outside of the civil service process

FINANCIAL TOOLS FOR CITIES AND TOWNS - PROCUREMENT

- Reform Procurement Laws (MGL c. 30B); removes state procurement differences between schools and municipalities – increases threshold for public advertising to \$100K
- Allow cities and towns to award multiple contracts for services through one RFP process
- End requirement to publish procurement notices in COMMBUYS
- Increase school project bond term from 30 years to 40 years to align with project life expectancy

FINANCIAL TOOLS FOR CITIES AND TOWNS - GREATER FLEXIBILITY

- Allow municipalities to amortize emergency deficit spending for natural disasters over 3 years
- Enable spending of PEG Access Funds without appropriation
- Grant means-tested property tax exemption for seniors (originally authorized by expired home rule petition)
- Allows for COLA adjustment for qualifying property tax exemptions
- Allows one time override for non-capital expenses
- Eliminate requirement that municipalities print a physical annual report; copies only required in electronic form

AUTHORIZATION FOR ADDITIONAL LOCAL RECEIPTS

LOCAL LODGING TAX

- Last updated in 2009, MEA would allow municipalities to increase the local lodging tax from 6% to 7% through local legislative vote
- Statewide could generate \$49M in local revenue

LOCAL MEALS TAX

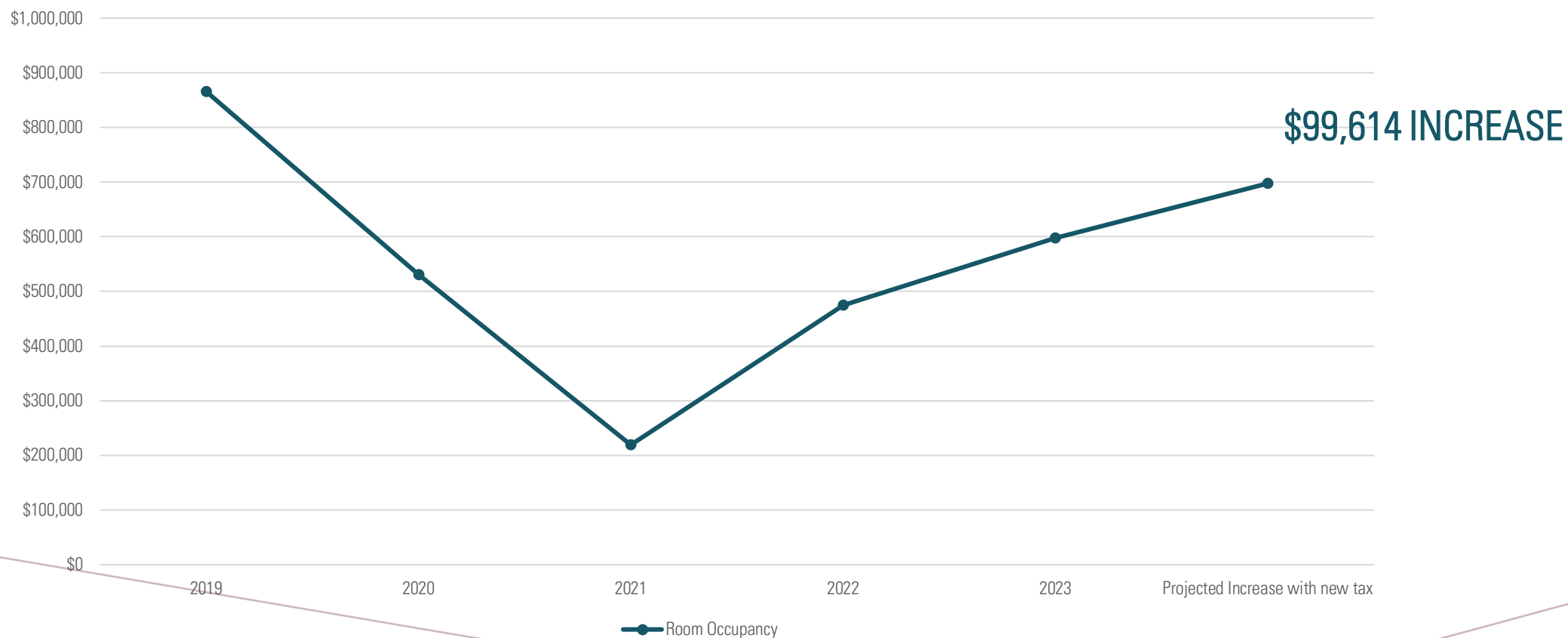
- First introduced in 2009, MEA would allow municipalities to increase local meals tax from 0.75% to 1.0% through local legislative authority
- Statewide could generate \$58M in local revenue

EXCISE TAX

- The MEA would change vehicle valuations for excise tax purposes from \$25 per \$1,000 assessed to a 5% surcharge of the vehicle's value
- Statewide could generate \$48M in local revenue

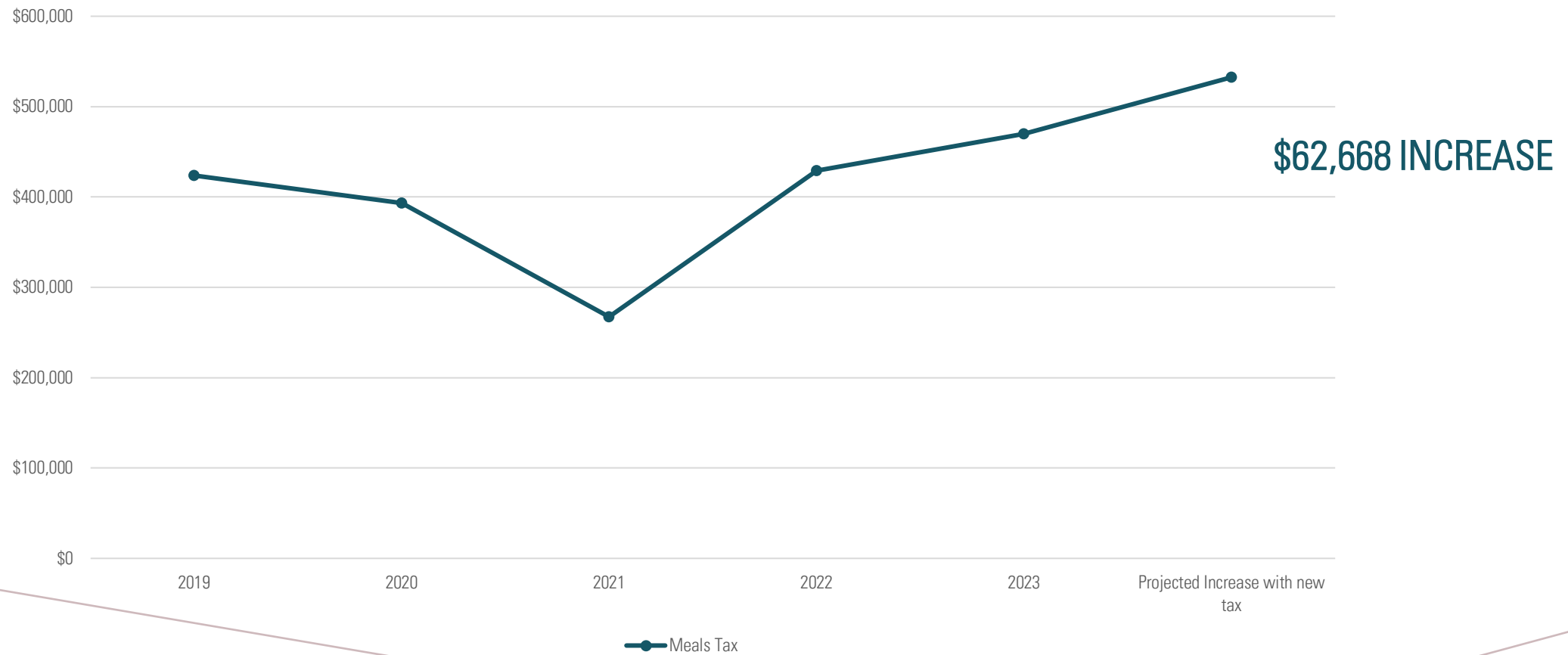
AUTHORIZATION FOR ADDITIONAL LOCAL RECEIPTS

LOCAL LODGING TAX



AUTHORIZATION FOR ADDITIONAL LOCAL RECEIPTS

LOCAL MEALS TAX





THANK YOU

*QUESTIONS?
COMMENTS?*

Mimi Graney

mgraney@concordma.gov

978-318-3007

Chris Carmody

ccarmody@concordma.gov

978-318-3009

Adopted: July 31, 2019
Revised: April 9, 2020
Revised: March XX, 2024

Economic Vitality Committee Charge

Background

In 2019 the Select Board created the Economic Vitality Committee in response to the in response to the Town's long-range plan, *Envision Concord Bridge to 2030*, Big Idea 1, to "Strengthen the sustainability of local business districts and the cultural, historic and civic assets in Concord by connecting businesses to cultural, historic, and civic resources and developing coordinated strategies that serve cross sector goals." By economic vitality, the Select Board aims to incorporate tourism, the vitality of the town's retail districts, and more traditional economic development. This committee is charged with two key areas: focusing on retail sustainability and tourism, and integrating economic vitality goals into a collaborative forum with other key town departments and committees.

Purpose and Goals

The purpose of the Economic Vitality Committee is to examine ways the Town can attract, sustain, and promote local businesses in Concord's four existing business districts. Where impediments to business are identified, the committee will work with town staff to create thoughtful recommendations to address them. Where opportunities for business are identified, the committee will work with town staff to identify resources to realize them.

The Committee will also examine ways the Town can promote and encourage tourism, a vital source of direct and indirect revenues to the town. The Committee will also consider the role that other disciplines play in accomplishing these goals and collaborate with related committees and town departments as needed. Further, the Committee shall explore external revenue sources, such as public-private partnerships and grants, that can help the Town accomplish its economic vitality goals.

In so doing, the Committee will recognize the important contribution made by the arts, culture and historic resources of the town in support of tourism and economic vitality.

Membership

The Economic Vitality Committee shall be composed of 10-13 members appointed by the Select Board. The term of office shall be three years.

Membership shall be as follows:

- One member of the Concord Business Partnership (1)
- The Executive Director of the Concord/Carlisle Chamber of Commerce, or designee (1)
- Town Economic Vitality Director (1)
- Town Tourism Manager (1)
- Three (3) owner/managers of a local business or commercial landlord
- Three (3) citizens at large with a relevant background such a business, urban planning, economic development
- Other roles as identified by the committee

Duties and Responsibilities

Advocate for the business community by:

- Identifying obstacles to attracting and/or retaining businesses and recommend related changes (as appropriate) to policies, zoning, bylaws etc. that could resolve those problems.
- Identifying – or creating – opportunities to proactively connect tourism with commerce.
- Articulating benefits to tourism and commerce resulting from articles advanced by other boards and committees, providing support and advocacy as needed and appropriate.
- Articulating the potential impact on tourism and commerce of potential uses of land acquisitions.

Host a quarterly forum including business organizations, town departments, boards, committees, and citizens. The forum would serve as a sounding board for ideas, and a forum through which a wide range of related resources can align and collaborate to promote economic vitality and tourism. Ideally, this quarterly forum will act as a conduit between the business community, the Town, and residents.

On an annual basis, report to the Select Board with specific recommendations that can support the goals of the committee.

Work collaboratively with the 250th Committee to anticipate the needs of visitors and to augment opportunities foron the business community during this unique moment in our town's history.

Other Considerations

The Committee shall comply with the provisions of the Open Meeting Law, the Public Records Law, the Conflict of Interest Law and all other applicable laws and regulations of the Commonwealth as well as all relevant Bylaws and Administrative Policies of the Town.

DRAFT

2024 ANNUAL TOWN MEETING

Article #	Article Name	Sponsor	Select Board Recommendation	Fin Com Recommendation
1	Choose Town Officers	Select Board	N/A	N/A
2	Hear Reports	Select Board	N/A	N/A
3	Meeting Procedure	Finance Committee		Affirm. Action
4	Ratify Personnel Board Classification Actions	Personnel Board	Affirm. Action – 5-0-0	
5	Ratify Personnel Board Classification & Compensation Plan	Personnel Board	Affirm. Action – 5-0-0	
6	Personnel Bylaw Amendments	Personnel Board	Affirm. Action – 5-0-0	
7	Fiscal Year 2024 Budget Line Item Adjustments	Chief Financial Officer		No vote taken at this time
8	Fiscal Year 2025 Town Budget	Town Manager		Affirm. Action
9	Capital Improvement & Debt Plan	Town Manager		Affirm. Action
10	OPEB Trust Fund Appropriation	Chief Financial Officer		Affirm. Action
11	OPEB Trust Fund Expense	Chief Financial Officer		Affirm. Action
12	Appropriation to the Opioid Prevention Programs Fund	Chief Financial Officer		Affirm. Action
13	Funding Public Safety during the Concord250 Celebrations in 2025 Commemorating the Beginning of the American Revolution, April 19, 1775	Concord 2025 Executive Committee		
14	Use of Free Cash	Finance Committee		No vote taken at this time
15	Establish a Permanent Senior Means Tested Property Tax Exemption	Board of Assessors		
16	Create Stormwater Enterprise Fund	Public Works Commission		
17	Nagog Pond Improvements and PFAS Mitigation	Public Works Commission		

18	Select Board to Accept Easements	Public Works Commission	Affirm. Action – 5-0-0	
19	Minuteman Regional Technical High School District Budget	Minuteman Regional School Committee		
20	Concord-Carlisle Regional School District Budget	Concord-Carlisle Regional School Committee		No vote taken at this time
21	Amenities Building at Concord-Carlisle High School	Concord-Carlisle Regional School Committee		No vote taken at this time
22	Authorize New Middle School Naming – Name the New Concord Middle School Ellen Garrison Middle School	DEI Commission	Tabled to subsequent meeting	
23	Concord Public Schools Operating Budget	Concord Public School Committee		Affirm. Action
24	Concord Public Schools Capital Budget	Concord Public School Committee		No vote taken at this time
25	Appropriation to Middle School Stabilization Fund	Finance Committee		No vote taken at this time
26	Town Meeting Study Committee	Town Moderator	Affirm. Action – 5-0-0	
27	Citizen Petition: Town Meeting Voting Reform	Dinos Gonatas	No Action – 5-0-0	
28	Citizen Petition: Remote Participation at Annual and Special Town Meetings	Scott Gillis, Mark Martines, David Allen, & David Karr	Tabled to subsequent meeting	
29	Citizen Petition: Use of Hand-Held Electronic Voting at Town Meetings	Scott Gillis & Mark Martines	Tabled to subsequent meeting	
30	Authorize Select Board to Petition for Changes to Previously Approved Home Rule Petition regarding a Check Out Bag Charge	Agriculture Committee	Affirm. Action – 5-0-0	
31	Update Town Goals to Meet the Climate Challenge	Climate Action Committee	Tabled to subsequent meeting	

32	Fossil Fuel-Free Demonstration: Bylaw Amendments for Program Participation	Select Board	Affirm. Action – 5-0-0	
33	In-Town Solar Expansion	Solar Implementation Task Force		
34	Zoning Bylaw Amendment: Zoning Map & MBTA Communities Multi-Family Overlay District	Planning Board		
35	Zoning Bylaw Amendment: Two-Family Dwelling Unit in Residence B Zoning District	Planning Board		
36	Zoning Bylaw Amendment: Floodplain Conservancy District	Planning Board		
37	Zoning Bylaw Amendment: General Housekeeping – Multiple Sections	Planning Board		
38	Citizen Petition: Citizen Support for a New Cell Tower Located at the Landfill at 755 Walden Street	Alisha Boyajian	Tabled to subsequent meeting	
39	Citizen Petition: Citizen Support for a New Cell Tower Located at the Public Works Parcel on Keyes Road	Alisha Boyajian	Tabled to subsequent meeting	
40	Community Preservation Appropriation Recommendations	Community Preservation Committee		
41	Authorize a Task Force to Review and Update the Charges, Policies, and Protocols of the Historic Districts Commission and the	DEI Commission		

	Historical Commission			
42	Tourist Bylaw Amendments	Select Board	Tabled to subsequent meeting	
43	Amend Departmental Revolving Funds Bylaw	Town Manager		
44	Authorize Expenditure of Revolving Funds under Mass. Gen. Laws 44 § 53 E1/2	Town Manager		
45	Light Plant Expenditures and Payment in Lieu of Taxes	Town Manager		
46	Solid Waste Disposal Fund Expenditures	Town Manager		
47	Sewer System Expenditures	Town Manager		
48	Sewer Improvement Fund Expenditures	Town Manager		
49	Water System Expenditures	Town Manager		
50	Authorize Expenditure from PEG Access & Cable-Related Fund	Town Manager		
51	Beede Swim and Fitness Center Enterprise Fund Expenditures	Town Manager		
52	Unpaid Bills	Chief Financial Officer		
53	Debt Rescission	Chief Financial Officer		

From: [Terri Ackerman](#)
To: [Shannon McAndrew](#)
Cc: [Henry Dane](#)
Subject: Fw: Article 28 Remote Voting Motion
Date: Thursday, March 7, 2024 1:57:33 PM
Attachments: [Article 28 Narrative for our Select Board.docx](#)

Please see attached AND email below for upcoming agenda packet on Art 28

Regards,
Terri

From: Scotthgillis <scotthgillis@comcast.net>
Sent: Wednesday, March 6, 2024 5:39 AM
To: Terri Ackerman <tackerman@concordma.gov>
Cc: Mark Martines <mjmartines@comcast.net>; Shannon McAndrew <smcandrew@concordma.gov>
Subject: Article 28 Remote Voting Motion

You don't often get email from scotthgillis@comcast.net. [Learn why this is important](#)

Good morning, Terri,

Thank you for considering Article 28.

The draft motion is as follows:

“The petitioners move that the Town authorize the Select Board to petition the Massachusetts General Court to allow remote participation at Concord Annual and Special Town Meetings as outlined in the 2024 Annual Town Meeting Warrant.”

Attached is the narrative written for the Select Board. The first paragraph of the narrative is the motion language.

Please let us know if you have any suggestions or questions.

Thank you,
Mark and Scott

Scott H. Gillis
scotthgillis@comcast.net
781-799-5594

Article 28: Remote Participation at Concord Annual and Special Town Meetings

The petitioners move that the Town authorize the Select Board to petition the Massachusetts General Court to allow remote participation at Concord Annual and Special Town Meetings as outlined in the 2024 Annual Town Meeting Warrant.

Remote participation is widely used in our modern world. It's used in Concord Public Schools, during Select Board Meetings, for telemedicine and even for remote robotic surgery. Remote voting would utilize well-established technology including existing and securely-encrypted "apps" or hyperlinks that can be conveniently employed on smart phones, and laptop, desktop and tablet computers.

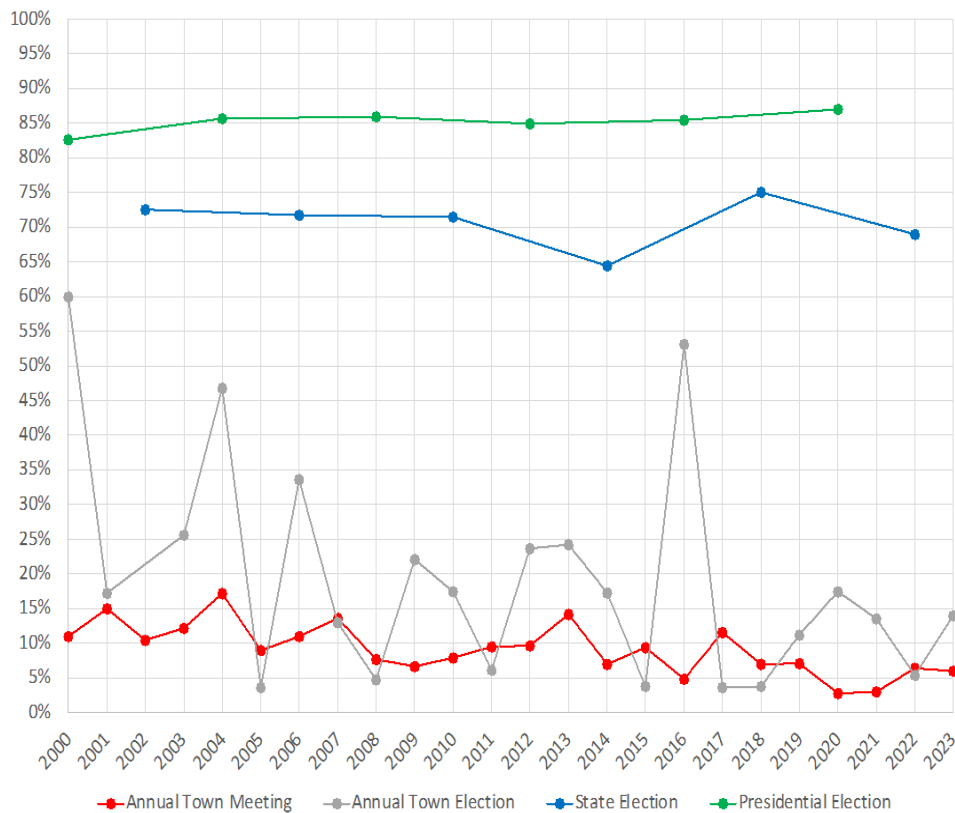
Town Meeting is often described as the "Purest Form of Democracy" because every registered voter has the right to vote. However, for Concord Town Meetings every registered voter has the right to vote if and only if he/she is physically in the meeting room at the time of the vote.

Decades of data collected by Concord Town Clerks demonstrate that attendance at Concord Town Meetings has declined significantly over the last 20 years. Over the last 10 years, less than 8% (or less than 1,000) of the Town's registered voter have attended Annual Town Meeting – in other words, more than 92% (or more than 12,000 registered voters) on average have not participated in Annual Town Meeting. We believe remote participation and voting will increase participation at Town Meetings.

The data points on the line graph below compare Concord's participation in Annual Town Meeting with other elections. As you

can see, Annual Town Meeting attendance is very low and substantially lower than Presidential and State elections.

Participation Rates by Concord Registered Voters
(Data points provided by Town Clerk, Kaari Mai Tari)



Concord registered voters participate at a higher rate during Presidential elections than the national and the Massachusetts averages. Further, Concord registered voters participate at a higher rate for Massachusetts state elections than the overall Massachusetts average. Clearly, registered Concord voters take their right to vote very seriously but for some reason this high level of civic participation does not occur at Concord Annual Town Meetings. We believe this is because Massachusetts law requires in-person participation at open town meetings. In comparison, at the same time, the use of mail-in ballots for all other elections is

increasing significantly across our Nation.

We believe, as an unintended consequence, Massachusetts law requiring in-person attendance suppresses participation at open town meetings. In an effort to increase voter participation, many Massachusetts towns are exploring ways to address this issue. For example, Wayland's petition for home-rule remote voting is currently before the Massachusetts legislature. Concord's acknowledgement and further support for remote voting will add weight to this important and urgent need and initiative for more representative and inclusive voting rights.

The petitioners seek a bill titled "An Act Authorizing Remote Participation at Annual and Special Town Meetings in the Town of Concord". Full draft language is printed in the Town Warrant.

In summary, this Bill contains four sections:

- 1) Remote voting shall be allowed,
- 2) Meetings shall be recorded for later viewing,
- 3) Results shall be binding as if meetings were entirely in-person,
- 4) The right to vote remotely shall take effect upon passage of the Bill by the State.

The primary benefit of remote voting is that it would allow "hybrid meetings" (in-person and remote participation) to preserve the opportunity for deliberation and would enable more of our neighbors to participate in Town Meetings.

Existing open meeting laws are in stark contrast to the many Federal and Massachusetts laws making voting convenient and available to all registered voters.

A "yes" vote on Article 28 does not endorse any remote voting system, technology or philosophy.

A "yes" vote does not require changing Annual Town Meeting. It simply gives Concord the option to improve it.

Voting "yes" on Article 28 does nothing more than authorize the Select Board to seek state legislative permission for remote participation during Concord Annual and Special Town Meetings.

If Article 28 passes, the petitioners anticipate the Town, including and a study committee can evaluate and identify the latest and most appropriate technology options for Concord with the goal of increasing participation at Concord Town Meetings.

The petitioners hope that our Select Board will support all efforts to increase participation at Annual Town Meetings including the use of remote participation.

We request that the Select Board unanimously support Article 28. We hope that Massachusetts state legislators will appreciate that open town meetings can utilize technology to attract and include voters who may otherwise be disenfranchised such as voters who are unable to attend open town meetings in-person including travelers, people with child care responsibilities, deployed military, the ill, shift workers and many others.

The petitioners thank our Select Board for supporting Article 28.

Achieving Concord's Emission Reduction Goals - Progress and Actions

Memo to Concord Select Board

Brad Hubbard-Nelson, Climate Action Committee

March 14th, 2024

Overview:

The Climate Action Committee (CAC) has proposed Town Meeting Article 31 (Concord's Updated Goals to Meet the Climate Challenge). At a recent meeting, considering whether to support the article, two questions were raised:

1. What is the implication of declaring a "Climate Emergency"?
2. Without knowing how Concord is progressing so far, and what steps need to be taken to achieve the goals, how could the Select Board support changing the goals?

We appreciate those comments, and this memo is an attempt to address both of them, with the hope that the Select Board can support Article 31.

The intention of Article 31 is for Concord citizens to reaffirm the Town's commitment to do its part to meet the climate emergency, and continue to be a leader in reducing greenhouse gas emissions and provide inspiration and examples for other communities. That was the original intention of Article 51 passed in 2017. However, since that time, the State and other nearby communities have made more ambitious climate mitigation goals and it is time for Concord to do the same as well as follow through on them.

Climate Emergency Declaration:

The climate emergency declaration is largely symbolic, with no specific actions or spending included. The crisis has become an emergency for the planet and for our Town. In declaring an emergency, the citizens of Concord stand with over 16 communities across Massachusetts and 2,100 others in 39 countries across the world to state that we will do our part to reduce emissions. We see many examples of harm from emissions already happening around the world, including the last decade being the 10 hottest years in recorded history, devastating wildfires, flooding from rising sea levels and severe storms, ocean acidification, coral reef mortality, increasing migration, and more. While some of these effects are far away, we are contributors to the problem and vulnerable to our own. For example, Leominster flooded recently and the fires in Nova Scotia could easily happen in Massachusetts before long.

In summary, declaring an emergency is an acknowledgement that all residents, businesses, schools, and other Town entities are urged to do their part to lower emissions as soon as feasible. Doing so may involve expense, inconvenience, and hard work but we can all help each other to make it happen and be the better for it.

Progress Towards Emission Reduction Targets:

Courtney Eaton from the CAC and Sustainability Director Eric Simms are completing the analysis of Concord's 2022 greenhouse gas (GHG) emissions, the most recent year with complete data. The analysis uses the [Community Greenhouse Gas Inventory tool](#) developed by MAPC, to be consistent with past Concord inventories as well as inventories from other

communities. Figure 1 and Table 1 show preliminary values from the 2022 GHG Inventory compared with past inventories for 2008, 2016 and 2019. Note the preliminary values will change slightly (less than 1%) as the footprint for waste is yet to be updated. The emissions included in the analysis are from energy use, including electricity, natural gas, gasoline and fuel oil, and other emissions that can be readily tracked using available data.

Figure 1: Summary of Concord's Community-wide GHG emissions inventory for buildings (stationary energy), transportation and waste, for the years 2008, 2016, 2019 and 2022 (preliminary, see text). Values shown are in Metric Tons of CO2-equivalent.

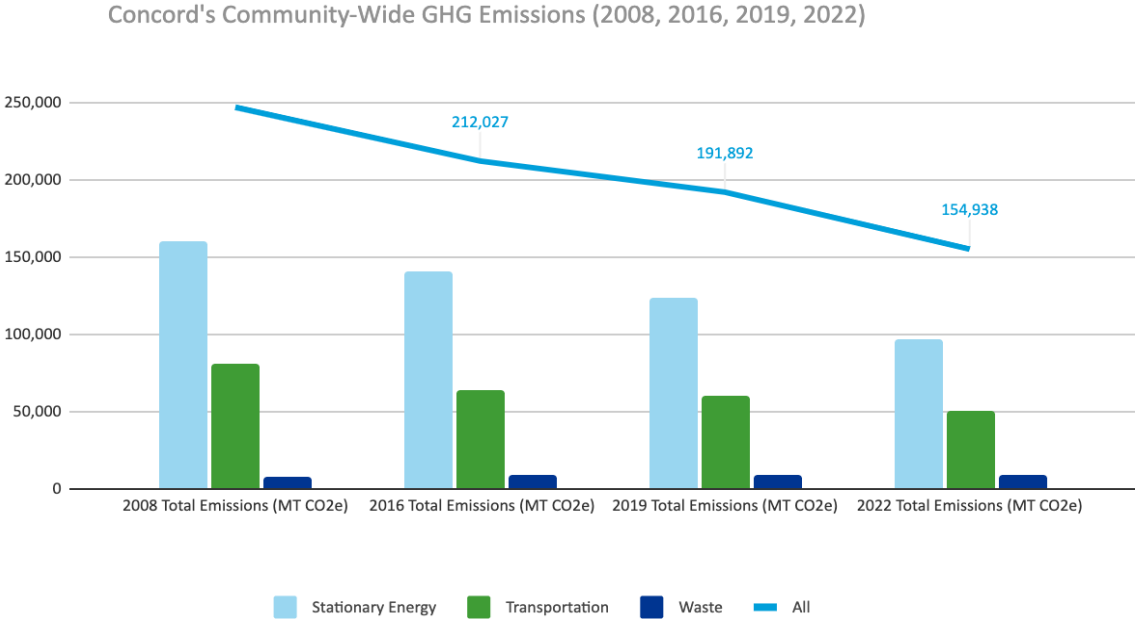


Table 1: Summary of Concord's Community-wide GHG emission inventory for buildings, transportation and waste, for the years 2008, 2016, 2019 and 2022 (preliminary, see text). Values shown are in Metric Tons of CO2-equivalent.

Year	Buildings	Transportation	Waste	Total (CO2e)	Reduction
2008	159,779 MT	80,100 MT	7,011 MT	246,890 MT	Baseline year
2016	140,072 MT	63,829 MT	8,126 MT	212,027 MT	14.1%
2019	123,680 MT	59,527 MT	8,685 MT	191,892 MT	22.3%
2022	96,593 MT	49,797 MT	8,548 MT	154,938 MT	37.3%

The data shows that emissions have continued to fall over the last three years, which is encouraging. The largest factor is the emissions-free portion of our electric power, rising from approximately 50% in 2019 to 95% in 2022. Additionally, a growing number of residents are replacing gasoline vehicles with EVs and installing heat pumps.

Steps for Further GHG Emissions Reduction:

Reducing GHG emissions from energy use requires three general efforts: 1) reducing energy consumption through efficiency measures and alternative uses; 2) reducing emissions from the

electricity we use; and 3) converting energy use from fossil fuels to low-emissions electricity. Since CMLP already has reduced the electricity emissions to near zero, the continued focus needs to be on the first and third efforts, which are energy efficiency and electrification. CMLP plays the leading role in both efforts, through the work of the Energy Management Division led by Jan Aceti. The Sustainability Director, Climate Action Committee, Transportation Advisory Committee, and other groups play important supporting roles in advising the Town and supporting residents, businesses and municipal efforts.

Concord's [Climate Action and Resilience Plan of 2020](#) outlines numerous priority actions for Concord to take to achieve its emission reduction goals, with sections devoted to buildings, energy use and transportation ("mobility"), as well as natural resources and climate resilience.

Buildings:

Buildings fall in three sectors, which require separate efforts:

- Residential: Homes are the largest contributor, with a diverse housing stock in age, size, and construction, including single and multi-family buildings, each with their unique challenges. Our fossil-free new construction program is underway, so new homes will be electrified from the start, which is the most cost-effective approach. Upgrading energy efficiency and conversion of the over 6000 residences to heat pump technology is an in-depth process for building owners, aided by CMLP's financial incentives coaching programs.

To be successful, approximately half our homes need to be fully or mostly electrified by 2030, and nearly all of them by 2050. As of January 2024, 632 residences had received air-source or ground-source heat pump rebates, indicating around 10% of residences had made substantial electrification efforts, with 180 rebates per year in 2022 and 2023. Many of these were in oil heated homes, where heat pumps save considerable costs for homeowners. To achieve 50% conversions by 2030, the rate of conversions would need to average closer to 400 per year through the end of the decade.

To this end, the CAC and CMLP need to devote substantial effort supporting homeowners with information, coaching, and financial incentives, and address numerous barriers to electrification in multi-family buildings. Upgrading a home's efficiency and heating system costs a homeowner typically \$25,000 or more, so the lack of a low-interest financing option (available in other communities through the MassSave program) is a problem which should be addressed. We recommend continued effort to drive down fuel-oil consumption through heat pump conversions, while encouraging natural gas customers to convert to heat pumps when replacing or upgrading their heating systems.

- Commercial: Businesses, churches, and other non-residential building stock are a smaller sector and largely heated with natural gas. CMLP offers commercial energy audits and LED lighting rebates, though progress towards electrification is slower than the residential sector. Some recent successes are full electrification of the West Concord Union Church full electrification and ongoing efforts at First Parish in Concord

and the Public Library. Substantial efforts are required to address cost-conscious business owners. Example larger scale projects are networked geothermal pilots led in [Framingham](#) and [Lowell](#).

- Municipal and schools: This is the smallest sector, but visible to all and under the Town and school department's control through planned capital projects. The Town should convert all schools and municipal buildings to electric heat by 2040, if possible, with at least half completed by 2030. The new middle school under construction is just a starting point, demonstrating that efficient fossil-free buildings can be built at very low extra cost, netting considerable savings over time. Retrofitting existing buildings is more challenging, but examples abound throughout the commonwealth. The Town needs to plan for and prioritize these capital projects as soon as possible.

Mobility:

Reducing GHG emissions from transportation relies on two main strategies, namely electrifying vehicles (including passenger EVs, electric buses and other service vehicles), and reducing individual car travel. Individual vehicle travel remains a significant driver of pollution, generating about 1/3 of our energy emissions. In the last few years, the number of EVs has grown to over 1,200 EVs registered in Concord today. To reach our climate goals, this trend needs to continue, with EV's representing most of new car sales by 2030. We need to continue eliminating barriers to adoption, including the ability to charge EV's in multi-family housing and more fast (Level 3) chargers in the Town. More residents may switch to EVs as technology advances. Vehicle-to-grid capabilities, once available, will allow a car or truck battery to charge from on-site solar panels or the grid when electricity is plentiful and cheap, and then feed power to the home or grid when conditions change.

Reducing single car travel is also vitally important, though a challenge for Concord both in logistics and our mind-sets. Prioritizing this should also improve equity, since not everyone should need to afford an electric vehicle to live here. Bicycles, shuttles, inter-town bus transport, and MBTA improvements could all be part of the solution. The Transportation Advisory Committee is doing important work addressing these challenges.

Concord's Role as a Climate Leader:

In all the work which we do to address the climate challenge, we need to provide an example to and collaborate with other communities. Concord's work addressing the climate challenge is an example to others and benefits from collaboration with our neighbors. Concord's heat pump coaching began as a pilot in 2020 and is being adopted in different forms in many communities now. Earlier programs such as Cooler Concord (2017) and HeatSmart (2018) have been propagated to other communities through the nonprofits [Cooler Communities](#), [MassEnergize](#) and the [HeatSmart Alliance](#). Through these collaborative efforts, Concord can continue leading by example and have an outsized impact on Massachusetts and the greater world.