



May 6, 2020

Concord Select Board Chair Michael Lawson; Select Board Clerk Linda Escobedo;
Select Board Members Jane Hotchkiss, Terri Ackerman and Susan Bates;
Moderator Carmin Reiss; and Town Manager Stephen Crane

Dear Members of the Concord Select Board, Town Manager, and Moderator:

The League of Women Voters of Concord-Carlisle Board (LWVCC) appreciates the work of the Select Board and Town Manager Stephen Crane in keeping Concord citizens safe during these extraordinary times in the midst of the COVID-19 pandemic.

Democratic government depends upon informed and active participation of its citizens, even in the midst of a pandemic. With that thought, I write to share concerns about three issues involving Concord's Town Government response to the pandemic that have come to our attention. Now that this new public meeting mode has been in place for over a month, we respectfully request that it is time to review the Temporary Policy in light of experience and lessons learned. We write to you in a cooperative spirit and with the important goal of continuing the strong involvement of Concord citizens in the welfare and goals of our Town.

First, Governor Charlie Baker's March 12, 2020 "Executive Order Suspending Certain Provisions of the Open Meeting Law" enabled Massachusetts cities and towns to temporarily suspend some provisions of the Open Meeting Law and establish guidelines for public meetings and public hearings. Concord's guidelines -- "*Temporary Policy Directive and Guidelines for Public Meetings and Public Hearings Conducted via Remote Participation Due to Covid-19 State of Emergency*" -- were issued on April 1st without public notice, public input, or a formal public vote of the Select Board. The unsigned policy was announced on April 2nd by Town Manager Stephen Crane at the end of the Select Board meeting. It was posted on the Town's website and then sent to Town boards and committees on April 3rd. While this policy was enabled by the Governor's emergency declaration and as an extension of the Select Board's March 19th Declaration of Emergency, we are concerned about the policy's effect on the work and roles of Town Boards and Committees, and the critical role of Concord citizens in the governance process.

Second, the LWVCC is concerned with Concord's narrow application of the Governor's Executive Order, choosing to limit public meetings during the pandemic to only those deemed "...to meet a statutory deadline or for emergency purposes." As an example, the Finance Committee's last public meeting was March 9th, and another meeting was not held until May 4. As a result of not having met for almost two months, the Finance Committee has fallen behind in its work to prepare for both the hearings and the June 22nd Annual Town Meeting. The Finance

Committee also hasn't been given the opportunity to review proposed budgets and other financial articles in light of the anticipated change in the Town's financial picture caused by the pandemic. Town Moderator Carmin Reiss said at the April 23rd Select Board Meeting that the Finance Committee was "eager to get going," but was only recently allowed to do so.

Third, the Select Board's posted agendas do not list an opportunity for public comment. The current format for Select Board virtual meetings, broadcast over Minuteman Media Network only, precludes real-time public comment at the end of the meetings. The Town has attempted a substitute for real-time public input—requesting the public submit comments before the meeting that will be included in the minutes. We believe that is insufficient and in addition is not verifiable. It is also a significant change from normal Select Board meeting procedures. We note that there are no published minutes of Select Board meetings since February 27th, which further exacerbates the inability of the public to be informed of the proceedings. We believe the conduct of meetings should be revised to allow Concord citizens to log in online and be heard as part of the meeting. The change in focus for the Select Board—from conducting regular business, including pre-town meeting discussions—to issuing emergency declarations and changing statutory deadlines is also troubling.

For reference and for comparison purposes, we attach recent agendas for the Select Boards in Westford and Acton, both of which have been robust and include information for remote access by the public.

The League of Women Voters of Concord-Carlisle appreciates your responsibility and goal of keeping Concord citizens safe during the COVID-19 pandemic. We realize that these actions were taken with appropriate reasons and rationale. We respectfully request that you take the opportunity to reassess some of the ramifications of the Temporary Policy.

Thank you for your consideration.

Julie Rohwein, President
League of Women Voters of Concord-Carlisle
President@lwvcc.org

Attachments:

- Board of Selectmen Agenda Town of Westford, April 14, 2020
- Board of Selectmen Agenda Town of Acton, April 21, 2020
- Select Board Agenda Town of Concord, March 26, 2020



TOWN OF WESTFORD
BOARD OF SELECTMEN

TOWN HALL
55 Main Street
WESTFORD, MA 01886
Telephone (978) 692-5501 Fax (978) 399-2557



REVISED

April 14, 2020 at 10:20AM

MEETING AGENDA

Tuesday, April 14, 2020
6:30PM

Meeting will be held virtually– instructions are below

1. 6:30PM **Call to Order**
2. 6:30PM **Executive Session**
To discuss negotiations with the Westford Police Association and the Westford Superior Officer's Association, as an open session may have a detrimental effect on the town's bargaining position
3. 7:00PM **Return to Open Session**
4. 7:00PM **Pledge of Allegiance**
5. 7:02PM **Update for the community on the COVID-19 situation and impact on residents of town operations during this period**
 - i. Review amended Annual Town Meeting Timeline
 - ii. Decisions to be made based on Chapter 53 of the Acts of 2020
 - a. Detrimental impacts to town departments if the Annual Town Meeting is not held by June 30, 2020
 - b. Consider whether to delay real estate and personal property tax collection from May 1, 2020 to June 1, 2020
 - c. Consider waiving interest and penalties for tax bills due after March 10, 2020 until June 30, 2020
 - d. Consider extending the filing deadline for Exemptions and Deferrals from April 1, 2020 to no later than June 1, 2020
 - e. Update on the "CARES Act"– does not apply to municipalities
 - iii. Request to approve a FY20 Coronavirus COVID-19 expense account with a limit of \$100,000 for spending associated with the Division of Local Services MA Department of Revenue – *Paul Fox, Facilities Director*
 - iv. Request from the Health Department to accept state funds in the amount of \$10,000 from the Metropolitan Area Planning Council in the effort to combat the spread and effect of COVID-19

6. 7:30PM **Discussion and potential vote(s) on a new contract for Westford’s Community Electric Aggregation Program including the following items:**
- **Participation in the upcoming community electric aggregation bid solicitation process being managed by Good Energy LLC**
 - **Adding optional renewable energy upgrades for residents and businesses**
 - *Mike Berlinski, Chair, Energy Committee*
 - *Eric Heideman, Assistant Town Manager*
7. 7:55PM **Old/New Business**
8. 8:00PM **Minutes for Approval**
Regular Session – For Release
- March 31, 2020
 - April 3, 2020
- Executive Session – Not for Release:
- March 31, 2020
 - April 3, 2020
 - April 7, 2020
9. 8:05PM **Board Reports/Updates**
10. 8:10PM **Town Manager’s Report**
- i. Receive direction regarding letter received from David Adams, trustee of the DHD Adams Realty Trust related to the property located at 41-42 Lowell Road, sale of lots 2 and 3
 - ii. Request approval of the following:
 - a. Contracts:
 1. Markings Inc. for traffic line painting services at the unit prices submitted on their price proposal form included in the packet, as requested by the Highway Department
 2. One-year contract extensions with Aggregate Industries, All State Berm, Brox Industries, Newport Materials, P.J. Albert, and P.J. Keating for various bituminous concrete installation services, which were initially approved by the board on June 12, 2018. Contractor payments shall be based on their submitted unit pricing listed in the meeting packet, as requested by the Highway Department
 - b. Purchase Orders:
 1. Pathfinder Tree Service, LLC for tree removal/maintenance related services in the amount of \$20,000, as requested by the Highway Department
11. 8:15PM **Correspondence**
12. 8:20PM **Adjournment**

Options available to access the Board of Selectmen meeting remotely:

1. Register to watch the meeting through the GotoWebinar website at:
<https://attendee.gotowebinar.com/register/7863210588726450190>.
After registering, you will receive a confirmation email.

There are basic instructions on how to use GoToWebinar available at:
www.youtube.com/watch?v=IQ3Xwwgbd8Y.

2. WCAT will be broadcasting the meeting live on channels 9 (Comcast) and 34 (Verizon). They also will be streaming the video online. Please see their website for more details:
www.westfordcat.org.

**Board of Selectmen
Correspondence
April 14, 2020**

Incoming Correspondence:

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|-------|---------|---|
| IC 01 | 4/06/20 | Letter from John Daukas regarding the town's contract for recyclables collection, transportation, and disposal services |
| IC 02 | 4/08/20 | Letter from trustee of the DHD Adams Realty Trust regarding 41-43 Lowell Road, sale of lots 2 and 3 |
| IC 03 | 4/09/20 | Memorandum of Understanding between the town of Westford and the Boxboro Regency Hotel relative to short-term first responder housing |
| IC 04 | 4/09/20 | Letter from the United States Environmental Protection Agency regarding the temporary policy on COVID-19 implications |
| IC 05 | 4/09/20 | United States Environmental Protection Agency COVID-19 implications for the Enforcement and Compliance Assurance Program |

Outgoing Correspondence:

- | | | |
|-------|---------|--|
| OC 01 | 4/09/20 | Letter to Preservation Massachusetts in support of nominating the Redevelopment of Abbot Mill Phase II for the Preservation Awards Program |
| OC 02 | 4/09/20 | KP Law response to John Daukas regarding the town's contract for recyclables collection, transportation, and disposal services |

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact our office at 978-692-5501 extension 1 or email to tmaa@westfordma.gov.



BOARD OF SELECTMEN AGENDA

APRIL 21, 2020

7:00 PM

VIRTUAL MEETING

Note: The Town of Acton in response to the COVID-19 (Corona Virus) is currently following the guidance from the Acton Board of Health, Massachusetts Department of Public Health and the CDC regarding the virus and steps communities can take to prevent the spread. The Town Hall is closed to the public. This meeting will be broadcast live local access cable on the ActonTV channel or streaming online at the ActonTV YouTube live channel and audio will be broadcast live on the radio on WAEM 94.9 FM.

To Participate Remotely:

From a computer, please click on the link below to join the public meeting

Webinar: <https://zoom.us/j/503918785>

Or

From a telephone, dial (646) 876-9923 and enter Webinar ID: 503-918-785

Telephone users may dial *9 to request to speak after joining the meeting. Computer and app users may use the “raise hand” feature to request to speak.

I. **Regular Business**

1. Citizen Concerns
2. Chair Update/Town Manager Update

II. **New/Special Business**

3. Presentation of the Housing Production Plan
4. Review Draft Warrant for Annual Town Meeting
5. Review Concepts for Small Business Relief Measures
6. Discuss Town Events and 4th of July Celebration
7. Discuss Acton Boxborough Farmers Market

III. **Consent Items**

8. Approve Meeting Minutes, April 14, 2020
9. Approve Executive Sessions, April 3 and 14, 2020

Additional materials can be found online: <http://doc.acton-ma.gov/dsweb/View/Collection-12282>

The listed agenda items are those reasonably anticipated by the Chair. Not all items may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, including as much detail

*as you can and include a way we can contact you if we need more information. Please allow advance notice. Send an e-mail to **manager@actonma.gov** or call Town Manager's Office **(978)929-6611***

For more information about Board of Selectmen contact manager@actonma.gov or 978-929-6611

**TOWN OF CONCORD
SELECT BOARD
AMENDED AGENDA
MARCH 26, 2020
4:00PM
CONFERENCE CALL**

1.	Call to Order
2.	An update from the Town Manager
3.	Postponement of the Town Election scheduled for March 31 st
4.	Decision Regarding the Use of Plastic Bags - Town Manager
5.	Adjourn

Supporting materials for agenda items are available online at www.concordma.gov/sbmtgdocs. Materials are uploaded on the Friday before a Select Board meeting.