

**THE REPORT OF THE  
FINANCE COMMITTEE  
OF THE TOWN OF  
CONCORD**



**SUNDAY, MAY 4**

**2PM**

**CONCORD-CARLISLE  
HIGH SCHOOL**

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# Town Meeting

**Sunday May 4, 2014, 2 p.m.      Continued Monday May 5, 7 p.m.**

**Concord-Carlisle Regional High School, 500 Walden Street**

## **Parking**

Town Meeting attendees should enter the high school parking lot via the Walden St. entrance only. On-site parking is limited. Carpooling is encouraged. Parking for people with disabilities is available at the flagpole circle at the high school. In the event that the parking lots at the high school are full, attendees will be directed to Alcott School first and, once Alcott is full, then the Concord District Court. Shuttle buses will be available to bring residents to and from the satellite parking.

## **Childcare**

Childcare will be provided at the high school for children 2 1/2 and older. The Concord Recreation Department offers the service at a cost of \$5 per child per hour or \$25 for two or more children for the evening. In order to guarantee a space, reservations should be made in advance by calling the Concord Recreation Department at 978/369-6460.

## **Seniors**

Seniors may arrange transportation with the Council on Aging office, 978/318-3020. Advance reservations are necessary and seats are limited and offered on a first come first serve basis.

## **Check-in**

All voters who were registered to vote by April 14, 2014 are eligible to participate at Town Meeting. Voters should check-in at the tables in the main lobby by last name and pick up a Town Meeting ballot on each night of attendance. Only one ballot per voter per evening of attendance. Ballots are not transferrable.

## **Seating**

Seating is available in either the auditorium or the cafeteria. The auditorium will be the main meeting room.

## **Assisted Listening Devices**

Assisted Listening Devices will be available in the lobby.

## **Refreshments**

Light refreshments will be available for purchase in the lobby Sun., May 4 beginning at 1:30 p.m. For the remaining Town Meeting evening sessions, pizza, desserts, and coffee will be available for purchase in the lobby beginning at 6:30 p.m. Proceeds to benefit the CCHS Class of 2017.

## **Special arrangements or needs.**

Anyone with a disability requiring special arrangements for Town Meeting should contact Douglas Meagher, Deputy Town Manager/ADA Coordinator before 4:30 p.m. on April 21, 2014 at 978/318-3000. The earlier that special arrangement needs are communicated, the more likely that time will allow for special accommodations, if possible, to be met.

## **Tellers**

Voters willing to be a teller at Town Meeting are asked to call Abe Fisher, head teller, 978/869-9233 e-mail at abefisher@misterfisher.com or Greg Englund at 617/439-6779 e-mail at GJEnglund@EnglundLawFirm.com.

# MANY THANKS...



The Finance Committee thanks the town and school administrations, employees and committees for their cooperation and assistance during the past year.

## **Terms to expire in 2014**

Richard Giles  
 Alexandra C. Kuchar, clerk  
 Robert Mandeville  
 Wendy Rovelli, vice chair  
 Lynn B. Salinger

## **Terms to expire in 2015**

John C. Hutchins, chair  
 Paul O. McGinn  
 Linda Miller  
 Triveni Upadhyay

## **Terms to expire in 2016**

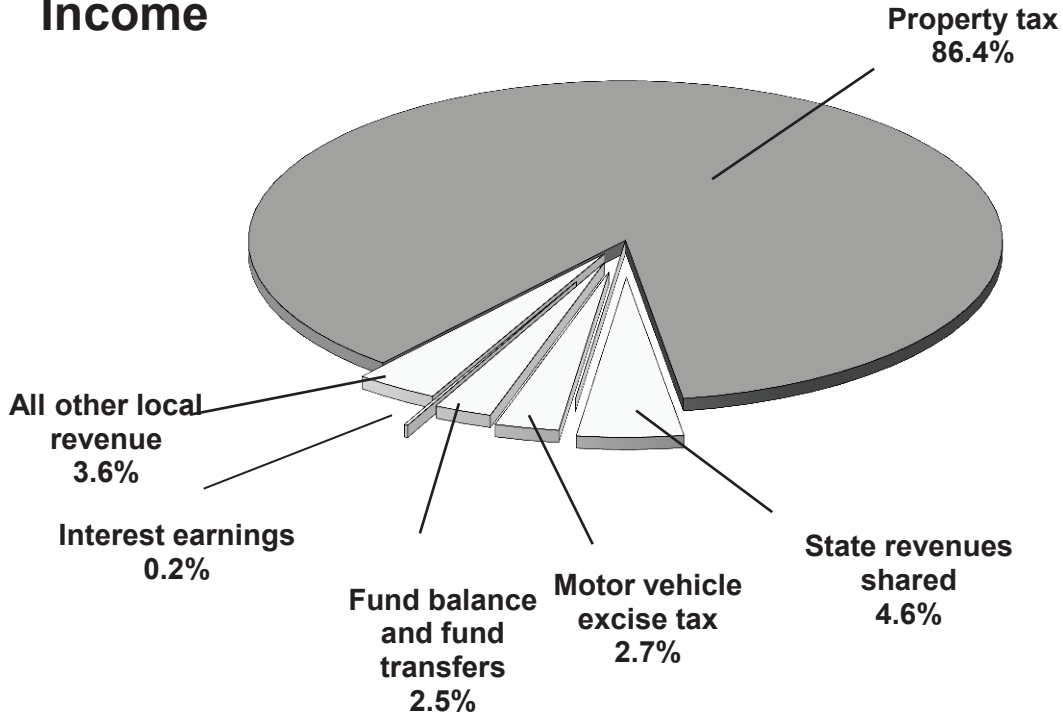
Lisa Bergen  
 Mark Garvey  
 Patricia Nelson  
 Scott Randall  
 June Rzepczynski

Pictures courtesy of the Concord Free Public Library.  
 Charts and tables by the Town of Concord Finance Department.  
 This report of the Concord Finance Committee was designed,  
 edited and produced with the assistance of Janet Beyer.

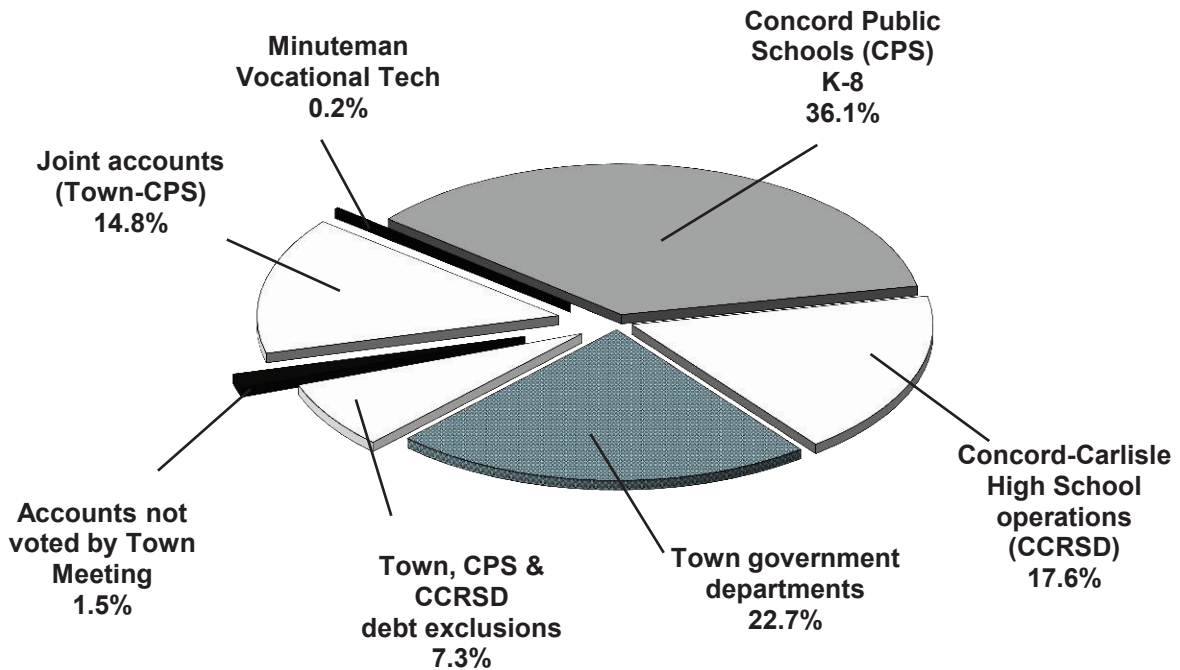
Cover Design by Donna Thomas

**General Fund**  
**FY15 PROPOSED BUDGET**  
Operating budgets of town and schools  
Total Budget: \$89,880,481 (+4.25%)

**Income**



**Outlays**



# The budget in brief

## essential information at a glance

### Total Budget: Town Government and Education at Finance Committee recommendations

- The total proposed FY15 General Fund budget is \$89,880,481. This is \$3,660,142 or 4.25% over FY14. Concord's share of the debt service payable on bonds and notes issued or to be issued by the Concord-Carlisle Regional School District is estimated at \$1,858,841, an increase of \$306,998. Allocation to the OPEB Trust Fund is proposed at \$900,000, an increase of \$250,000. The current year snow account deficit to be raised in the FY15 budget is estimated at \$350,000, an increase of \$248,049 over the prior year. Exclusive of these three items, the remainder of the budget is a 3.3% increase.
- The Town government and education proposed operating budgets total \$68,660,772, which is 4.08% over FY14 operating budgets.
- 66% of the proposed FY15 spending plan is for expenses related to primary and secondary education.
- Total debt service (principal and interest payments on long and short-term debt) is budgeted at \$9,854,473 (including \$500,000 proposed to be appropriated from Concord's High School Debt Stabilization Fund under Article 14. The tax levy for debt service excluded from the Proposition 2 ½ levy limit, in accordance with previous town-wide ballot votes, is \$5,444,595, which is equal to 6.1% of the total proposed budget.
- Long term bonds have been issued for the financing of the new Alcott, Thoreau and Willard schools opened in 2004, 2006 and 2009 respectively. The total debt issued, principal to be repaid through June 30, 2014 and the FY15 debt service amounts are:

	Debt issued	Repaid at 6/30/14	FY15 Principal	Debt service Interest
Alcott	\$ 9,365,000	\$ 4,275,000	\$ 505,000	\$ 196,499
Thoreau	16,940,000	6,315,000	935,000	409,761
Willard	27,025,000	7,285,000	1,565,000	675,650
	<u>\$53,330,000</u>	<u>\$ 17,875,000</u>	<u>\$ 3,005,000</u>	<u>\$ 1,281,910</u>

### Property taxes

- The median single family residential tax bill in FY14 is \$9,832 based on an assessed value of \$680,400 at a tax rate of \$14.45 per thousand.
- The tax rate projected increase is 3.87% (an additional \$380 on the median bill, \$56 per \$100,000 of assessed valuation).
- Each 1% increase in the tax levy equals \$741,000 in revenue for FY15.
- 86.5% of the Proposed Budget support is derived from property taxes.
- 76% of property taxes are paid by single family residential property.

### Free Cash Use

- The Finance Committee recommends allocating \$850,000 from Free Cash to support the FY15 budget plan. Free Cash is a term denoting the available portion of the unreserved General Fund balance. Free Cash is certified as of each June 30 by the State for each city and town.

## The Proposed General Fund Appropriation for the year beginning July 1, 2014 (FY15)

### *Recommendations of the Finance Committee*

#### *Articles 7, 8, 13, 14, 15*

	FY15: Warrant location reference	Appropriated FY14	Proposed FY15	percent change	percent of total
<b>Town Government</b>					
General Government	Art. 7, items 1-6	\$ 2,326,096	\$ 2,460,383	5.8%	2.7%
Finance & Admin; Inf. Systems	Art. 7, items 7-10	2,089,279	2,033,970	-2.6%	2.3%
Public Safety (Police & Fire)	Art. 7, items 11-16	8,168,853	8,420,305	3.1%	9.4%
Public Works	Art. 7, items 17-24	3,882,497	3,939,367	1.5%	4.4%
Library	Art. 7, item 25	1,881,760	1,898,318	0.9%	2.1%
Reserve Fund	Art. 7, item 34	225,000	225,000	0.0%	0.3%
Salary Reserve	Art. 7, item 35	77,747	555,434	--	0.6%
Recreation and all other	Art. 7, items 26-32, 33, 36	822,781	831,236	1.0%	0.9%
<b>Total Town Gov't operations</b>		<b>\$ 19,474,013</b>	<b>\$ 20,364,013</b>	<b>4.6%</b>	<b>22.7%</b>
<b>Concord Public Schools (CPS)</b>	Article 8	<b>\$ 31,140,538</b>	<b>\$ 32,440,538</b>	<b>4.2%</b>	<b>36.1%</b>
<b>Concord-Carlisle Regional HS</b> <i>(Concord's assessment share)</i>	Operations	\$ 15,356,221	\$ 15,856,221	3.3%	17.6%
	Debt Service	1,551,843	1,858,841	19.8%	2.1%
	Article 13	\$ 16,908,064	17,715,062	4.8%	19.7%
<b>Town and School (CPS) debt service</b>					
debt repayment within levy limit		\$ 3,400,000	\$ 3,500,000	2.9%	3.9%
debt excluded from levy limit		3,659,457	3,995,632	9.2%	4.4%
<b>Total tax-supported</b>	Art. 7, item 41 (A & B)	<b>\$ 7,059,457</b>	<b>\$ 7,495,632</b>	<b>6.2%</b>	<b>8.3%</b>
CPS School Debt Stabilization		735,000	0		0.0%
High School Debt Stabilization	Article 14	230,000	500,000		0.6%
<b>total debt service</b>		<b>\$ 8,024,457</b>	<b>\$ 7,995,632</b>	<b>-0.4%</b>	<b>8.9%</b>
<b>Employee Benefits (Town and CPS only):</b>					
Group Insurance	Art. 7, item 37A	\$ 4,650,000	\$ 4,650,000	0.0%	5.2%
OPEB Trust	Art. 7, Item 37B	650,000	900,000	38.5%	1.0%
Retirement (pension funding)	Art. 7, item 39	3,035,000	3,125,000	3.0%	3.5%
Social Security & Medicare	Art. 7, item 40	640,000	685,000	7.0%	0.8%
<b>Total Employee Benefits</b>		<b>\$ 8,975,000</b>	<b>\$ 9,360,000</b>	<b>4.3%</b>	<b>10.4%</b>
<b>Minuteman Tech Regional HS</b>	Art. 15	\$ 227,033	\$ 191,689	-15.6%	0.2%
<b>Property &amp; liability insurance</b>	Art. 7, item 37C	200,000	225,000	12.5%	0.3%
<b>Unemployment/Worker's Comp</b>	Art. 7, item 38	200,000	200,000	0.0%	0.2%
<b>TOTAL Town Meeting appropriations</b>		<b>\$ 85,149,105</b>	<b>88,491,934</b>	<b>3.9%</b>	<b>98.5%</b>
<b>Not Appropriated:</b>					
State assessments (mostly for MBTA)		\$ 429,403	\$ 488,547	13.8%	0.5%
Snow & Ice expense account deficit		101,951	350,000		0.4%
Overlay for tax exemptions and abatements		539,880	550,000	1.9%	0.6%
		\$ 1,071,234	\$ 1,388,547	29.6%	1.5%
<b>TOTAL SPENDING PLAN</b>		<b>\$ 86,220,339</b>	<b>\$ 89,880,481</b>	<b>4.2%</b>	

# To the residents of Concord

The annual report of the Concord Finance Committee summarizes the financial results of the operations and financial position of the Town and discusses the articles on the warrant for the 2014 Annual Town Meeting.

## Overview

The Great Recession of 2008-2009 is finally in our rear view mirror but the lingering effects of that event continue to have significant overhang on national, international and local economies. The national economy is growing slowly but fairly steadily. Employment levels have been slowly rising and unemployment seems to be slowly decreasing but with mixed signals, particularly with respect to long-term unemployment, certain segments of the economy and certain geographic areas of the country. While the debt ceiling and sequester crises have been pushed back, the impacts on the economy of federal budget cutting, tapering of the Federal Reserve stimulus programs, the termination of certain unemployment benefits and the costs of implementing the Affordable Care Act have yet to be determined. Additional economic headwinds have been created by natural disasters and unusual weather events, the political stalemate in Washington, and continuing political and economic turmoil in various parts of the world with consequential negative impacts on international trade and finance.

Closer to home, while the Massachusetts economy seems to have survived pretty well, median household income in the Commonwealth appears to have stagnated. Signals from the real estate markets are still mixed. The taxable assessed values of property in Concord effective for the property tax levy of FY14 (the assessment date of January 1, 2013), after excluding new growth, actually decreased marginally from the total for FY13 (reflecting changes in the market from Calendar 2011 to 2012), but there are indications that the local residential real estate market is recovering.

Concord has responded well to these economic issues. After the Great Recession hit, the Town and schools implemented strict controls on budgets, expenditures and non-tax revenue projections with the result that, whereas during the five years encompassing FY05 through FY09, the average percentage increase in the tax levy on existing taxpayers was 4.34%, for the five years FY10 through FY14, the average increase in the levy for existing taxpayers was just 1.9%. This has allowed the Town to build a cushion against the Proposition 2 ½ levy limit, with the Current year (FY14) tax levy being \$3.5 million (4.9%) below the levy limit. Unemployment in Concord remains well below the national and State levels.

## Concord's Financial Position

Despite many local issues and concerns, the Town has maintained a strong financial position. Concord's dependence on the local property tax for 86% of its General Fund revenues has made it less vulnerable than other communities to fluctuations in state aid and other revenue sources. The Town had an unused Proposition 2 ½ levy limit capacity of \$3,545,295 based on the FY14 property tax levy, and the unused capacity is projected to decrease to \$3,142,695 based on the proposed FY15 General Fund budget plan. The Town and the regional school district have both maintained their Aaa ("triple A") bond ratings. In June 2013 the district successfully issued \$32,500,000 of bonds to finance about half of the district's share of the cost of the new high school at a favorable effective interest rate of only 3.00% on 25-year serial maturity bonds.

A High School Debt Stabilization Fund was created with an initial transfer of \$2 Million from Free Cash at the Concord Special Town Meeting in the fall of 2011, when the Town authorized construction and financing for the new Concord-Carlisle High School. This stabilization fund is designed to mitigate, during the peak years of debt service, the impact on the tax levy of Concord's share of the debt service costs associated with financing construction of the new high school. The initial funding of this stabilization fund was bolstered by an additional transfer

*Continued*

from Free Cash in FY14. For FY15 the Finance Committee recommends affirmative action on Article 14 that will add an additional \$750,000 to the Fund and withdraw \$500,000 from the Fund to apply to the FY15 budget plan.

**Building and development activity in Concord continues to be strong, with a record number of building permits having been issued during calendar year 2013, contributing to an expanded tax base even while increases in assessed residential real estate values have been modest. Our unreserved Free Cash balance (“free cash”) continues to be targeted at about 10% of the total budget plan. The Town follows a financial policy objective of allocating about 7% to 8% of its annual operating budget for routine capital maintenance and renewal of Town facilities and infrastructure (including Concord Public School K-8 facilities)**

The increased development activity has resulted in increased demands on the Town’s infrastructure. The Town needs to acquire, equip and staff an additional ambulance, to be based in West Concord, to provide acceptable response times for the increasing numbers of emergency calls. Funds are included in the FY15 budget to solve this need. Town water and wastewater treatment facilities are reaching capacity, and plans are being made to address these issues.

In the last couple of years the student enrollment at the Concord Public Schools, particularly in grades kindergarten through fifth grade, has increased dramatically, so that the three elementary schools are approaching capacity. With the increased enrollment has come an increased need for special education services that can be very expensive as well as unpredictable and therefore difficult to budget with any degree of confidence. The Finance Committee and the school committees have become concerned about the relatively high per pupil expenditures in Concord, which are among the highest in the State relative to peer school systems, particularly at Concord Carlisle High School (CCHS), while recognizing that the disparity is attributable in part to the relatively high levels of human and technology resources provided for the Concord students.

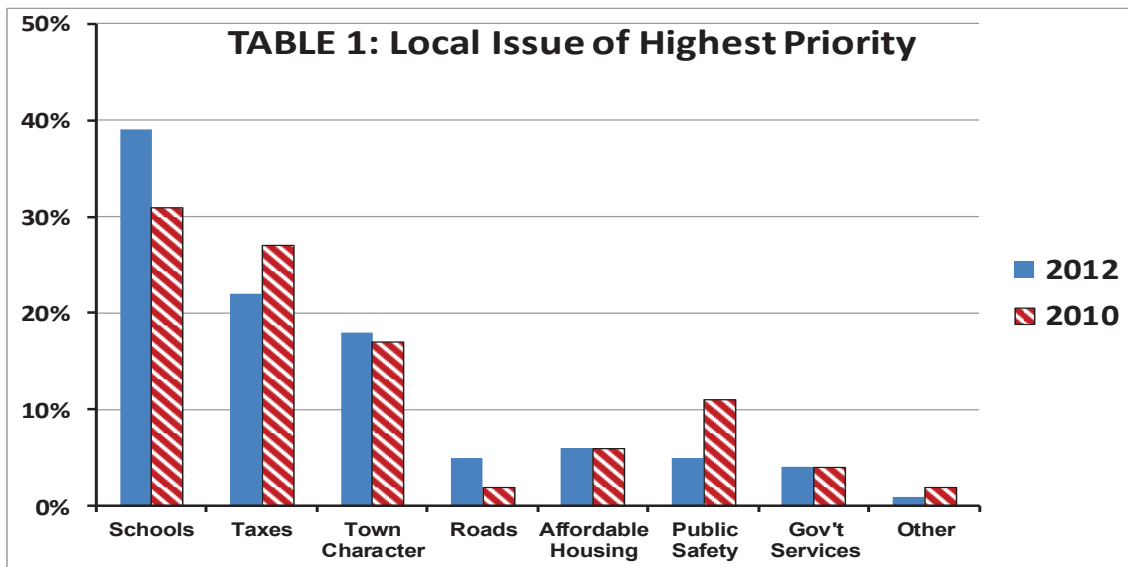
The Finance Committee is concerned about the relentless increases in tax bills to existing taxpayers, particularly those with fixed or lower incomes. The Finance Committee’s concern has been heightened by the fact that the median income of our citizens appears to have stagnated, even while the median value of homes in Concord have also stagnated. As shown in the chart on page 18, the median tax bill for FY15 is projected to be above \$10,000 for the first time.

The Committee is aware of the significant annual increases in the tax levy, roughly 1% per year through FY18, that is due to the increase in excluded debt service for the bonds issued and to be issued to pay for construction of the new high school (although those increases will be mitigated somewhat by appropriations from the Debt Service Stabilization Fund created for the purpose). It is also aware that capital expenditures will be required during the next several years to remediate the old private landfill site located on the high school campus, to solve the bus transportation needs for both the Concord Public Schools (CPS) and the Concord-Carlisle Regional School District (CCRS) (both infrastructure and perhaps replacement of the bus fleet), and for major infrastructure capital projects at the Concord Middle School buildings necessary to keep them operational for an extended period of years.

The Finance Committee also believes it is important for both the Town and regional school district to continue to fund their plans for meeting their respective accrued unfunded liabilities for pensions and other post-retirement benefits (OPEB) of their retired employees, both as a matter of sound fiscal planning and because it is becoming increasingly important to the ratings placed on their bonded indebtedness.

### **Demographics and citizen feedback**

The total population of Concord was relatively stable between 1990 and 2010. However it has started to grow moderately in the last few years. The percentage of residents over age 60 has been slowly but steadily increasing for a number of years, while the percentage of those between age 20 and 40 has been decreasing. However the dramatic increase in enrollments, particularly in the lower grades, may mean that more families with young children are



moving into Concord. The assessments to Concord and Carlisle for their respective shares of the CCRSD budget are based upon the ratio of the students from each town to the total Concord and Carlisle enrollment. Concord's percentage has been steadily increasing in recent years and that trend is projected to continue, so that by FY20 Concord's assessed share of the budget will have risen from 73.1% for FY 2014 to a projected 79.9% in FY 2020. These changes will magnify the impact on Concord of any increases in the CCRSD budgets, including debt service.

Another indicator of the Town's fiscal health is contained in the results of the Town's most recent biennial Town-wide survey of residents which was professionally conducted in the fall of 2012 to measure, among other things, the residents' satisfaction with the types and quality of services provided by the Town, their satisfaction with various services relative to taxes paid, and the priorities of the residents regarding services. The survey indicates that 91% of the residents rated the overall quality of services provided by the Town government as "excellent" or "good", and 90% are satisfied or very satisfied with Town spending on government relative to property tax levels. 88% of the respondents felt that the amount of spending on Town government was about right. The 2012 survey did not attempt to measure the residents' satisfaction with the schools. However, as shown in Table 1 above, the schools remain the highest priority issue among respondents.

**Table 2: FY14 and Proposed FY15 Budgets**

	FY13 Budget	FY14 Budget	FY15 Budget (Proposed)	Change from FY14 to FY15	
				Amount	Percent
<b>Operating Budgets</b>					
Town Government	\$18,724,013	\$19,474,013	\$20,364,013	\$ 890,000	4.57%
Concord Public Schools	29,755,538	31,140,538	32,440,538	1,300,000	4.17%
Concord-Carlisle Regional HS (Concord's assessment)	15,066,221	15,356,221	15,856,221	500,000	3.26%
<b>Total Operating Budgets</b>	<b>\$63,545,772</b>	<b>\$65,970,772</b>	<b>\$68,660,772</b>	<b>\$ 2,690,000</b>	<b>4.08%</b>
Other Accounts	13,740,456	14,073,267	14,865,236	791,969	5.63%
Excluded Debt Service	4,973,599	6,176,300	6,354,473	178,173	2.88%
<b>Total Budget Plan</b>	<b>\$82,259,827</b>	<b>\$86,220,339</b>	<b>\$89,662,745</b>	<b>\$ 3,660,142</b>	<b>4.25%</b>

*Continued*

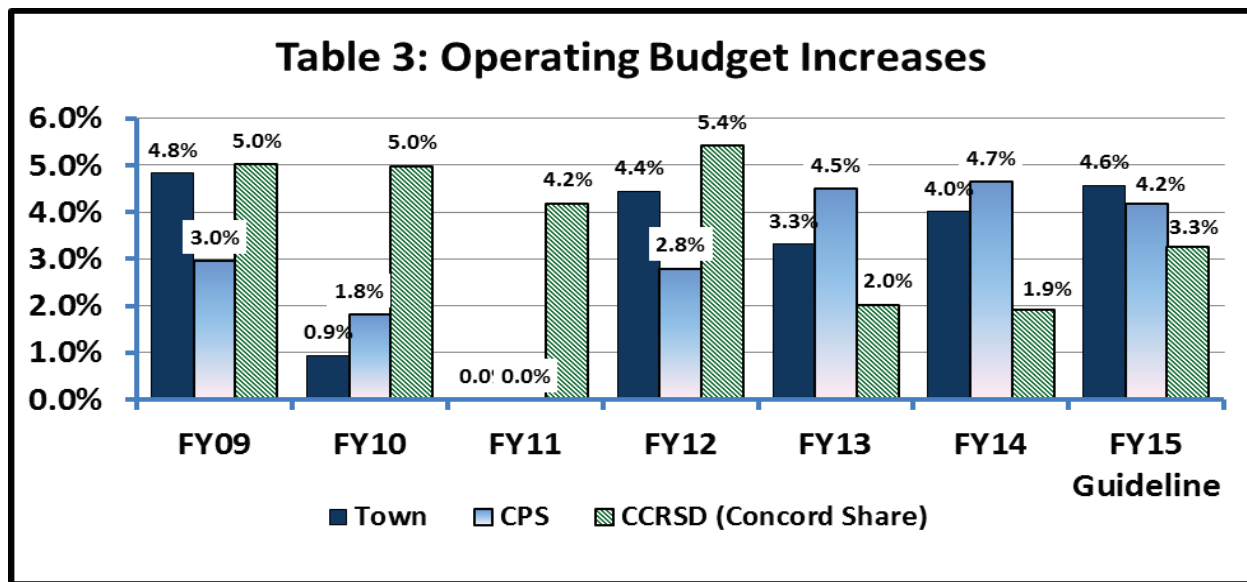
### The FY 15 Budgets

The revenue and expenditure forecasts for FY15 originally made last September were reviewed again at the beginning of March 2014. While there have been some minor changes in both resource items and expenditure items, the net overall change in the budget plan is negligible.

The Finance Committee’s FY15 Budget Guideline Memorandum was issued at the end of November 2013. The proposed total FY15 budget plan for Concord is \$89,880,481. The operating budget for the Town, which meets the Guideline set by the Finance Committee, provides \$890,000 of new spending. The CPS budget and the CCRSD operating assessment, with increases of \$1,300,000 and \$500,000 respectively, and voted by the Concord-Carlisle and Concord School Committees in December, also meet the Guidelines. Approximately 65% of total budgeted expenditures will be used for education-related purposes.

Table 2 above shows the increase in debt service on excluded debt in recent years, most of which is attributable to the debt issued to help pay for the new high school. This line will continue to increase through FY18 as additional debt will be issued to complete the construction financing of the new high school.

The Finance Committee carefully considers the budgets requests of the Town, CPS and CCRSD and proposes guidelines reflecting its judgment of the needs of each entity relative to available resources and its judgment as to how much additional tax burden should be placed on the taxpayers. Table 3 below shows the differing levels of increases in the budgets of the Town, CPS and CCRSD over the last seven years based on the determinations of the Finance Committee on these matters.



For FY15 the projected increase in the total property tax levy, if the proposed budgets are approved, is 4.81%, of which .094% is attributable to new growth and 3.87% will be borne by existing taxpayers.

The Finance Committee is concerned that increases in the operating budgets averaging 4% or more will erode the unused levy limit within five years and subject the Town to the necessity (and risk) of having Proposition 2 ½ override ballots to approve its budgets. While we have concerns about eroding the unused levy limit, we also point out that our peer research indicates that Concord’s tax rate and the tax burden placed on its residents is below the median and compares favorably with many similar communities.

### Budget Drivers for FY15 budgets

To get a better understanding of the drivers affecting the budgets being proposed for the next fiscal year the Finance Committee meets regularly during the fall with Town and school officials. We consider recent and likely future

trends in salaries, special education, other costs, and capital expenditures. We evaluate annual operating budget requirements, capital expenditure budgets and contributions toward pension and health insurance commitments to retired public employees in light of already approved debt obligations.

We also seek to understand the structural changes that affect the scope or quality of public services being delivered to our citizens. Notable drivers this year include:

*Salaries:* The largest component of Town and school budgets is the salaries of our employees. In the school system, most salaries are determined through various collective bargaining agreements. This is less true of salaries in the Town budget, where only public safety and library personnel are represented by unions. Labor agreements typically cover a three-year period and salaries structured within them typically include mandatory service, education-related and cost-of-living increases, which limit the flexibility to adjust budgets from year to year.

*Rising numbers of students:* Student enrollment in Concord Public Schools has risen significantly, from 1859 students in school year 2009-10 to 2152 in school year 2013-14, a jump of 293 students in four years at the K-8 level. The NESDEC enrollment projections used by the schools show further increases in each of the next five years to a total of 2436 students for the 2018-19 school year. These increases will work their way through the high school in future years. Rising enrollment puts pressure on our schools in terms of faculty, instruction costs, class sizes, and space needs. An enrollment subcommittee of the school committee is considering strategies for accommodating future enrollment increases.

*Shifts in high school student enrollment between Concord and Carlisle:* The two member towns of the Regional School District contribute to its budget in direct proportion to annual enrollment shares. Concord's assessment for FY14 rose from 71.77% in FY 13 to 73.10% in FY14 and is expected to rise to just under 80% by 2020. This will increase Concord's CCHS assessment at a rate higher than the rate of overall budget increase at the high school.

*Demographic shifts in town:* The increase in the over-60 segment of the Town's population, which now constitutes 27% of our total population, has caused a significant increase in the demand for services for this group, including emergency medical services, recreation and other quality of life issues. This is part of the reason for the decision to acquire and staff an additional ambulance to be based in West Concord. However, the recent spike in public school student enrollment may signal further evolution of the town's demographic picture.

*Increased space needs of the Town:* The Town has run out of room for offices, equipment and storage at the Keyes Road complex because of the increased service demands on many departments. One of the Town's warrant articles (Article 30) includes funding for a study of options to increase the space for Town operations at the Keyes Road location, and another (Article 31) would provide funds for extraordinary repair and improvement work at the 141 Keyes Road building.

*OPEB obligations:* All Massachusetts cities and towns face large unfunded liabilities to cover their accrued obligations with respect to Other Post-Employment Benefits (primarily health care) for retired public employees. Both Concord and the Concord-Carlisle Regional School District are making annual contributions toward funding these accrued liabilities, but neither has yet reached its actuarially determined annual net OPEB obligation (NOO). The OPEB liabilities are substantial. Concord's practice, however, exceeds what most other Massachusetts cities and towns have been able to accomplish during these challenging economic times, and is thus considered exemplary by rating agencies.

*Other School Needs:* The schools are faced with challenges to provide mandated special education and English language learner services. They must also implement a new educator evaluation system and provide up-to-date technology facilities and support for both faculty and students.

*Continued*

	<u>at June 30, 2013</u>	<u>Reserves held</u>
<b>Town Debt</b>	<b>\$ 50,782,417</b>	
<b>Pension</b>	<b>26,234,945*</b>	<b>\$ 7,471,386</b>
<b>OPEB</b>	<b><u>28,392,828*</u></b>	<b><u>2,640,319</u></b>
<b>    <i>subtotal direct</i></b>	<b>\$ 105,410,190</b>	<b>\$10,111,705</b>
<b>Concord's share of CCRSD **: </b>		
<b>    Debt</b>	<b>\$ 24,200,844</b>	
<b>    OPEB</b>	<b><u>12,358,683**</u></b>	<b>\$ 592,804**</b>
<b>    <i>total direct and overlapping</i></b>	<b>\$ 141,969,717</b>	
<i>* as of Jan. 1, 2012 valuation date</i>		
<i>** at 71.77% FY13 assessment ratio share</i>		

### Looking Ahead

While the Town and the schools are in sound financial condition and continually update their long range plans to address anticipated future needs and obligations, there are a number of matters on the horizon that the Finance Committee is concerned may significantly impact the tax burden on our residents, the magnitude and/or timing of which cannot be accurately projected at this time.

The citizens of Concord have shown strong support for continuing to provide bus transportation services for both CPS and CCHSS students on an in-house basis after the bus depot at the present high school was demolished to make way for construction of the new high school. Since early 2013 an interim solution has been in place for bus storage, maintenance and fueling activities, with facilities being leased in Billerica and Acton. A longer term solution needs to be determined quickly as the schools will soon be entering the final year of the leases. At the 2013 Town Meeting a proposal to use a portion of the Town's landfill site for construction of a new bus depot failed to muster the required majority. A new site has been identified at Knox Trail in Acton on the Concord border that possibly could house the bus storage and maintenance operations and might also provide access to the W.R. Grace parcel that was approved for purchase by the Town at the 2012 Annual Town Meeting. If bus transportation continues to be handled in-house, the full costs of the infrastructure necessary for the busing operations, including the costs of a phased plan to replace the aging bus fleet, have yet to be determined, as have the costs of outsourcing the function, if that becomes necessary.

Soil testing for the new high school revealed the presence of reportable concentrations of various metals and organic compounds in the ground under the eastern parking lot adjacent to the old high school, leftovers from a private landfill operated on the site prior to its purchase in the mid 1950s by the Regional School District. The Regional School District has retained consultants whose interim report indicates that, after the new high school is completed, the former landfill site probably can be remediated by covering it with some of the soil removed during the process of excavating for the new high school, and that the net cost may be less than one million dollars. Further analysis of this matter will not be undertaken until the new high school has been completed and the existing high school has been demolished and removed.

The construction of the new high school also resulted in demolition of the CCHS tennis courts and the junior varsity practice field located behind the existing school, and the plans for the new school do not include any provision for replacing these facilities (outdoor athletic facilities are not part of State-assisted school construction projects).

A group of concerned citizens from Concord and Carlisle has formed a not-for profit corporation, CCatPlay, Inc., which has proposed a plan for not only replacing these facilities but also providing a substantial up-grade of other CCHS playing fields and related facilities. The present plan of CCatPlay, which has received preliminary approval from the CCHS School Committee, calls for doing the work in three phases, at a total estimated cost of about \$4.2 Million, of which two-thirds is to be raised by private donations, with the remainder to be provided from public financing. CCatPlay has received a favorable recommendation from the Concord Community Preservation Committee on its application for a Community Preservation Fund appropriation of \$433,000 for the first phase of the project, the preliminary estimate for the cost of which is \$1.0 Million. The CPC recommendations for appropriations are to be considered under Article 36 of the warrant. The Finance Committee has considered this project in light of its policy statement on Best Practices for Private Funding of Public Services and is recommending affirmative action by Town Meeting.

The five-year capital plan for the Concord Public Schools now contemplates making substantial infrastructure improvements to the Concord Middle School (Peabody and Sanborn buildings) in order to assure that the middle school will not have to be replaced for at least 15 years. Up to \$6,000,000 of these improvements will probably need to be funded by excluded debt authorizations over the near term, but the exact timing and amount of this project has not yet been determined.

Investments may be required in the next few years to expand the capacity of certain infrastructure systems operated by Concord's public enterprises, such as its wastewater treatment facilities and its public water supply system. The cost of such investments will be paid for through rate increases to the users of those systems.

Continued residential and business development will put additional strains on town infrastructure and school capacity.

The Minuteman Regional Vocational and Technical High School is working on plans for a new 800- student high school. That project will not move forward unless amendments to the Regional School Agreement (Article 16 on the warrant) are approved by all member towns. If they are approved, Concord will be assessed for the new school in accordance with the cost-sharing provisions of the amended Regional School Agreement. The Finance Committee is recommending affirmative action on Article 16.

### **Five-Year Projection of the Tax Levy**

Starting with the Finance Committee Report in 2012, the Finance Committee has tried to make reasonable assumptions as to a range of possible changes in Town and School resources (other than the tax levy), new growth, operating budgets, debt service and capital expenditures and other financial factors in order to provide the taxpayers with a projection of likely trends in the property tax levy. The results of that analysis for this year appear on p. 21. No assumptions for purposes of the tax levy projection could be made regarding many of the future concerns expressed above because of the many contingencies surrounding those matters. We have tried to improve our modeling for the projection each year and will appreciate feedback as to the usefulness of our analysis and presentation.

### **Conclusions**

The Finance Committee believes it is important for the Town and the Regional School District to adhere to their plan for funding their unfunded OPEB accrued liabilities until they reach their respective required contribution levels, to try to achieve maximum value from our tax dollars by benchmarking the costs of Town and school services against those of peer communities, to pursue initiatives for consolidating services between the Town and schools where it makes operational sense, to keep aggregate future budget increases each year at a level that will not require Proposition 2 ½ override ballots, and to try to keep property taxes at a level that ensures Concord will have a diverse population affordable for the less affluent residents of our community.

Concord's finances are in good shape and the Town has a great deal to be proud of. Our schools have an enviable

*Continued*

reputation for the quality of their teaching and facilities. We have constructed three outstanding new elementary school buildings during the last decade and have improved many of our other facilities and much of our infrastructure including new transformers at the Forest Ridge Substation. A major solar installation project is being installed on the site of the former Town landfill on Route 2, and the Town had an exceptionally strong response to its residential rooftop solar initiative. The Town has been certified as a Green Community, which makes the Town eligible for state grants for energy saving projects, and we are responsibly planning for the future challenges facing the Town and the schools. Our Free Cash balance is at a healthy level. The bond ratings for both the Town and the Regional School District are at the highest level, and we have an unused levy limit margin of more than \$3,000,000, well above most of our peers

**H**owever, our total budget and projected tax levy increases for FY15 are at levels that the Finance Committee considers unsustainable going forward. Finding ways to mitigate the increases required by collective bargaining agreements, to increase non-tax revenues and to finance creatively some of the financial challenges coming down the road will assure Concord's continued excellence in its public services and education programs and that the Town will continue to be the vibrant, innovative and welcoming community that makes it so desirable.

As always, we are enormously grateful to the wide bench of professionals who manage Concord's town departments and schools. Christopher Whelan, Town Manager, and Diana Rigby, Superintendent of Schools, lead truly impressive teams. Thanks go to each of them and the many staff members on their teams who have provided insights and information to the Finance Committee for their vision, dedication, and skill, as well as for their patient mentoring and support of an ever-changing cast of volunteer townspeople contributing their time for the good of the town. We also acknowledge the amazing contributions to the Finance Committee deliberations (and to the Town's planning and functioning) by the chairs and members of the Town's boards and committees and other concerned citizens whose experience, wisdom and dedication make Concord such a unique place. We deeply appreciate, too, the collaborative relationships with our colleagues on the Board of Selectmen and school committees. We owe special thanks to our Town Finance Director, Anthony Logalbo, and the Deputy Superintendent of Schools, John Flaherty, for their solid financial acumen, easy accessibility, patience in communicating their knowledge to us, and their abilities to present our Committee with data and analyses both deep and wide about the state of our Town and school finances.

# Notes

The Concord Finance Committee was established by Town bylaw in 1921 and comprises 15 members appointed by the Moderator for staggered three-year terms. By tradition, members serve no more than two terms. By this arrangement, there is always a mix of new and experienced members and a mix of new points of view and institutional memory. The appointment process is designed so that the Finance Committee remains independent of the Town's administrative structure and elected boards.

*The Finance Committee has the following responsibilities:*

- Establishing fiscal guidelines for the Town Manager, the Concord Public School Committee, and the Concord-Carlisle Regional School Committee in preparing their budgets. Under Town by-law, these guidelines must be published by the end of November each year;
- Conducting public hearings on the budgets and other financial matters expected to come before annual and special Town Meetings;
- Preparing this report for distribution to all residents, including recommendations on warrant articles before the Annual Town Meeting and a summary of the Town's financial status;
- Conducting special studies and activities to gather and disseminate information about financial issues affecting the Town;
- Managing a Reserve Fund account to meet extraordinary and unforeseen expenditures (proposed at \$225,000 for FY15);
- Individual committee members are assigned as observers to attend public meetings of other Town boards and committees. Reports from these observers are included in the Observer Reports section of this document.

It is important to emphasize that the role of the Finance Committee is limited to making recommendations. The Finance Committee regularly makes recommendations to Town Meeting, the Town Manager, the Board of Selectmen, the school committees, the Superintendent of schools, other boards and committees, and the citizens of the Town. Responsibility for making decisions is reserved to the citizens through Town Meeting and Town elections and to staff members, boards, and committees to whom specific responsibilities have been delegated by Town by-law and/or State law.

That being said, the Finance Committees recommendation for the allocation of the limited resources within the Levy Limit has the de facto force of a formal decision. This is because the three major budgetary entities—the Town Manager, Concord Public Schools, and the Concord-Carlisle Regional School District—have constituencies of roughly equal weight. Therefore, as a practical matter, any one entity is rarely able to increase its share at the expense of the others without the Finance Committee's support.

## **Finance Committee Policies**

For many years, the Finance Committee has had a set of long-range financial policies for prudent financial management of the Town. Starting in FY06, the Town began to document its financial policies in the Town Manager's annual budget in a comprehensive way, following the recommended practices of the Government Finance Officers Association of the United States and Canada. Following is a summary of some of these policies, from the perspective of the Finance Committee:

- Maintain a minimum fixed percentage of the annual budget in Free Cash. This forms the core of the Town's reserves and its working capital. Since the mid-1990s, the percentage has been 5%, equivalent to about \$4.5

*Continued*

million as the Town enters FY15.

- Spend about 7% to 8% of the annual budget on routine recurring capital maintenance and renewal of the Town's facilities and infrastructure (including schools). Included in this, up to 5% is reserved for debt service for large items and projects funded by borrowing with debt service to be supported within the property tax levy limit and therefore, for this component of the capital program, without resort to debt exclusion ballots.
- Avoid earmarking of revenues, except as established by statute or local bylaw enacted by Town Meeting. All other revenues go into the General Fund, where they form part of the current year resources and/or contribute to Free Cash for future years.
- Maximize the efficiency of capital with an aggressive program of repayment of debt principal, thereby minimizing the proportion of debt service paid in interest and making tax dollars go farther.
- Adjust these policies only gradually and deliberately, not in response to pressures of the moment.

In general, the Finance Committee's position is that debt service within the Levy Limit should be focused on routine things over which the Town has little discretion, e.g., roofs, roads, equipment, workspaces for employees. Debt exclusion financing should be reserved for community amenities that are direct additions or improvement in basic services and that would otherwise push essential maintenance out of the capital budget.

### **Budget Process**

The budget process begins each summer when the Finance Committee formulates a series of requests for information from the Town Manager and School Superintendent regarding overall trends and issues. In September, a joint coordination meeting is held, including the Finance Committee, the Board of Selectmen, the School Committees, the Carlisle Board of Selectmen, and the Carlisle Finance Committee. During this meeting, the general parameters of revenue, state aid, and fixed costs are laid out, along with matters of coordination between the two towns regarding the Regional School District.

During the fall, the Town Manager and the School Superintendent begin their annual budget process with their own department managers. In October, the Guideline Subcommittee of the Finance Committee meets with each of them to begin to frame the allocation of resources within the Levy Limit and any override for the coming fiscal year. This is presented to the full Finance Committee, which publishes its Tentative Guideline by the end of October.

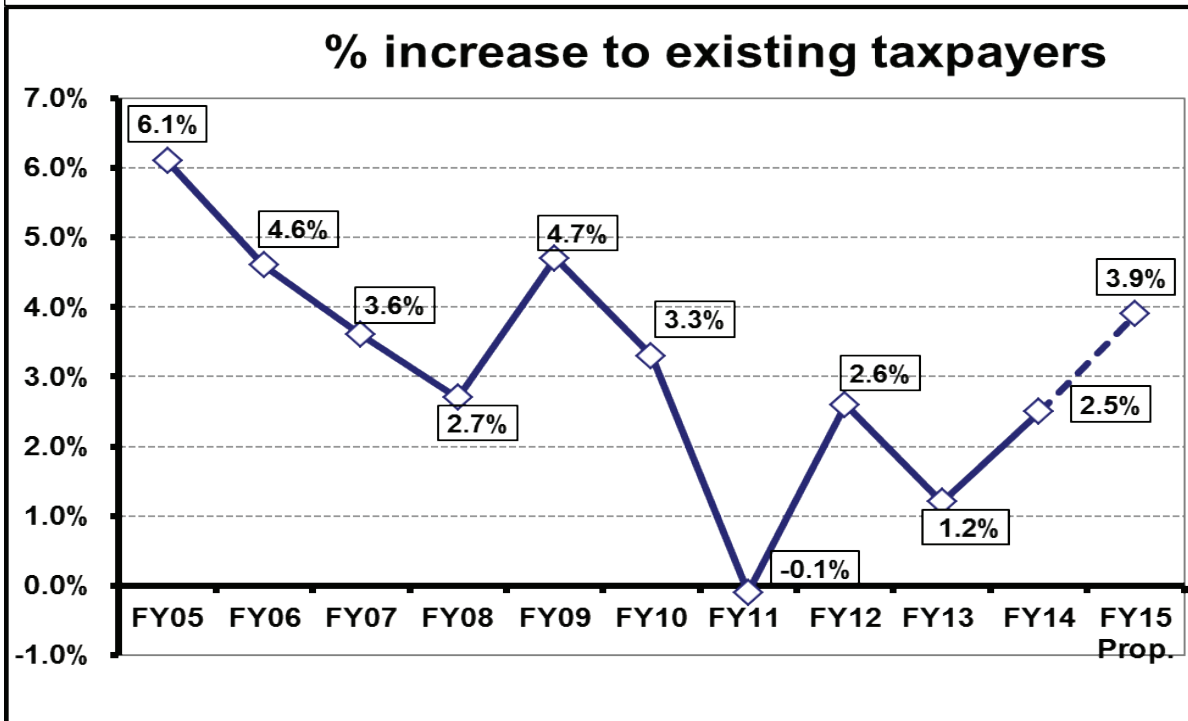
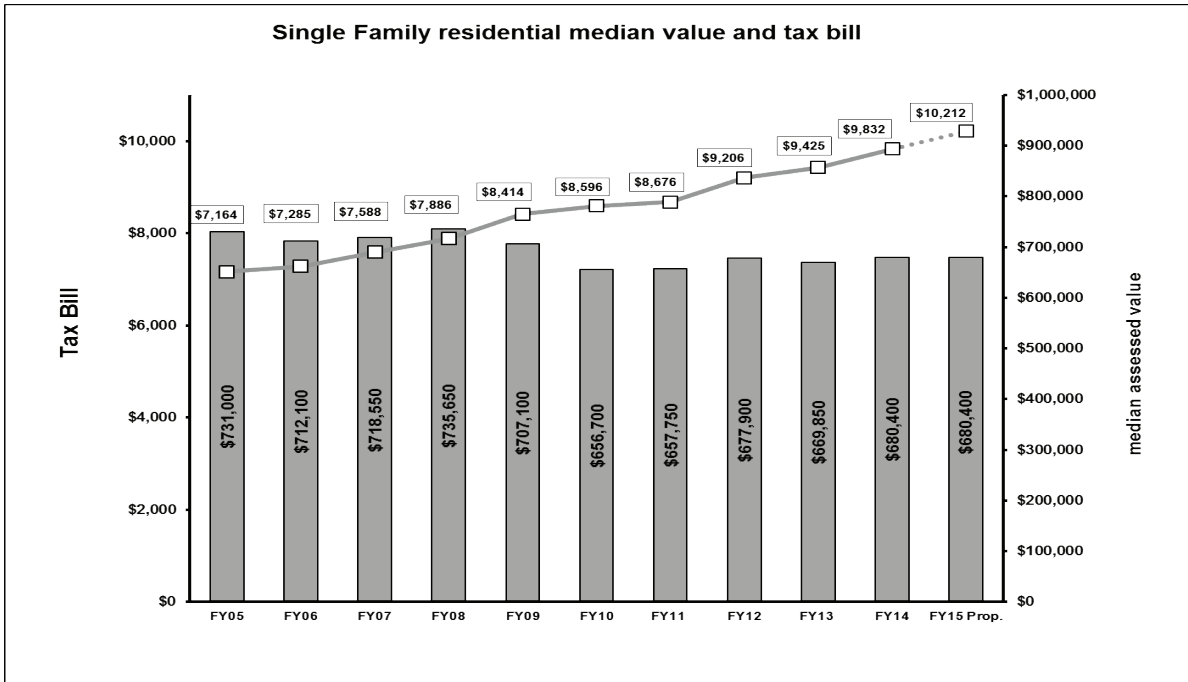
During November, the Guideline Subcommittee again meets with the Town Manager and School Superintendent to finalize the recommended Guideline. This Guideline is published by the Finance Committee no later than the end of November.

School budgets are voted by the School Committees in early January, in time for summarizing in the Town Manager's proposed budget. By Town Charter, the Town Manager's budget proposal must be presented to the Board of Selectmen 90 days before the start of Town Meeting. About two months before Town Meeting, the Town and Education budgets are presented for public comment at the Finance Committee's public hearings. The period between these hearings and Town Meeting is for resolving issues, addressing comments and questions, and refining the budgets.



# PROPERTY TAX IMPACT OF PROPOSED FY15 BUDGET

	<b>FY14 Actual</b>		<b>FY15 Budget</b>
<i>Single Family residential property</i>			
<b>Projected Tax rate Impact</b>			<b>+ 3.87%</b>
<b>Tax Bill at median \$680,400 assessed value</b>	<b>\$ 9,832</b>	<b>+ 380</b>	<b>= \$ 10,212</b>
<b>Tax Bill per \$100,000 assessed value</b>	<b>\$ 1,445</b>	<b>+ 56</b>	<b>= \$ 1,501</b>



**General Fund Budget - All Accounts  
FY12 - FY14 Budgets, FY15 Proposed (at Finance Committee Guidelines)**

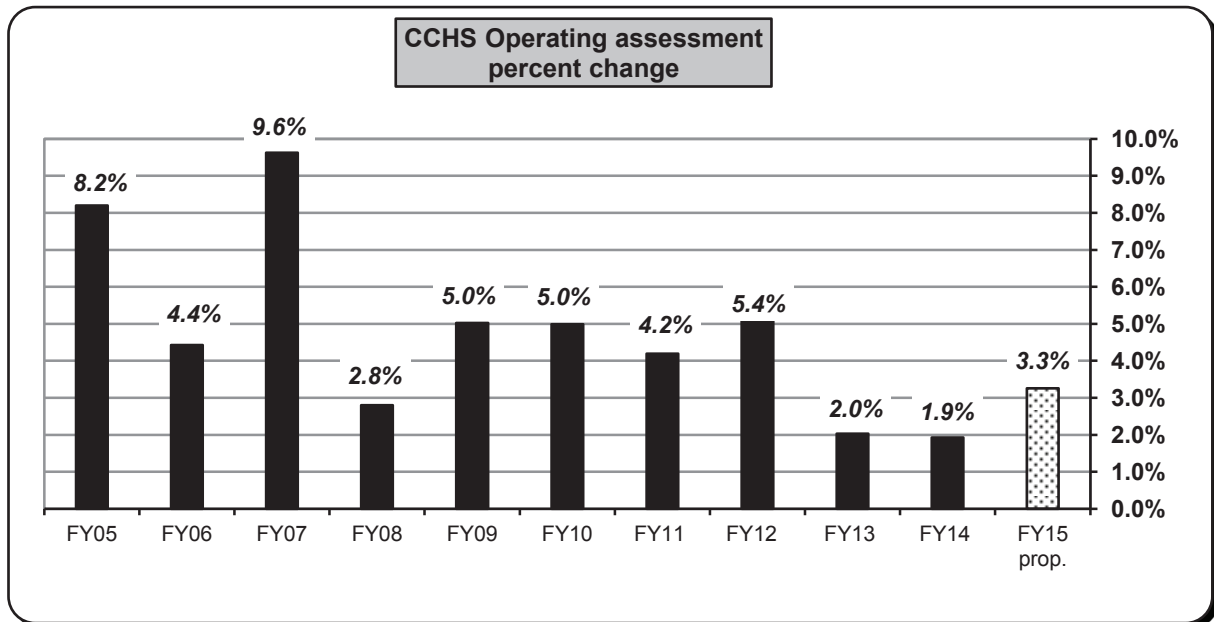
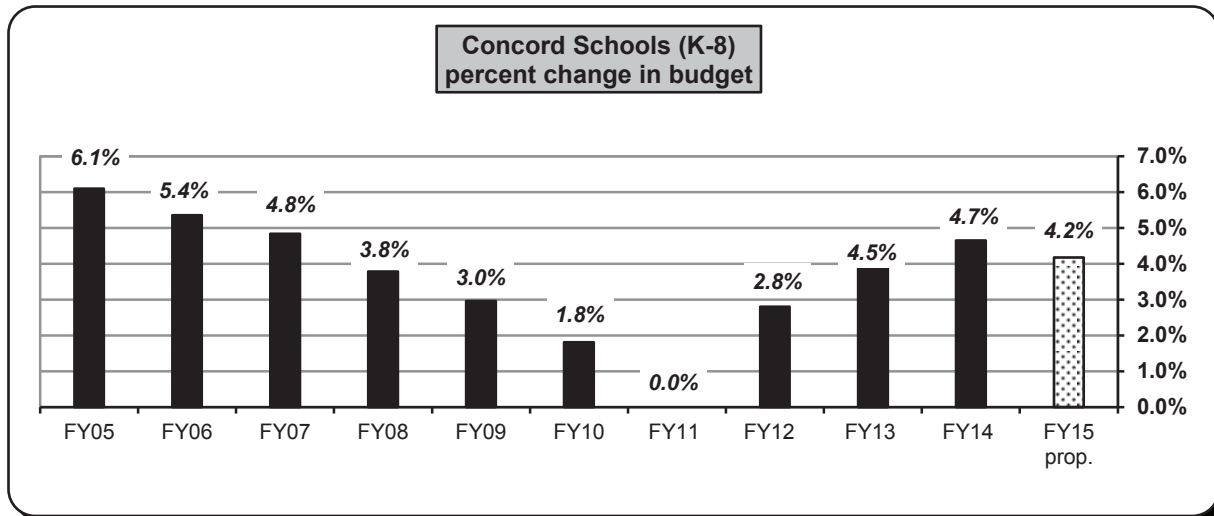
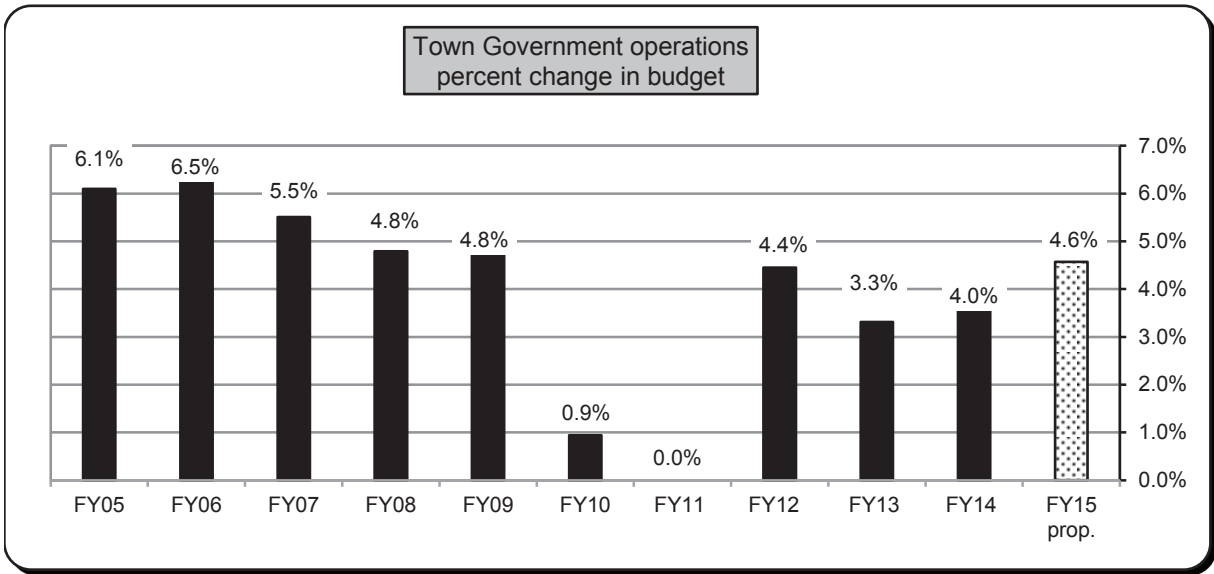
Line #	Description	FY12 Budget	FY13 Budget	FY14 Budget	FY15 Proposed	Dollar Change	Percent Change	Percent of Total
<b>Town Government</b>								
1	personal services	\$ 13,599,845	\$ 13,937,691	\$ 14,494,368	\$ 15,181,707	\$ 687,339	4.74%	
2	O & M	2,914,168	3,126,322	3,234,645	3,332,306	97,661	3.02%	
3	capital outlay	1,385,000	1,435,000	1,520,000	1,625,000	105,000	6.91%	
4	Reserve Fund	225,000	225,000	225,000	0			
5	<b>Total</b>	<b>\$ 18,124,013</b>	<b>\$ 18,724,013</b>	<b>\$ 19,474,013</b>	<b>\$ 20,364,013</b>	<b>\$ 890,000</b>	<b>4.57%</b>	<b>22.66%</b>
6	<b>Concord Public Schools</b>	<b>\$ 28,474,200</b>	<b>\$ 29,755,538</b>	<b>\$ 31,140,538</b>	<b>\$ 32,440,538</b>	<b>\$ 1,300,000</b>	<b>4.17%</b>	<b>36.09%</b>
7	<b>Concord-Carlisle RSD</b>	<b>\$ 14,766,221</b>	<b>\$ 15,066,221</b>	<b>\$ 15,356,221</b>	<b>\$ 15,856,221</b>	<b>\$ 500,000</b>	<b>3.26%</b>	<b>17.64%</b>
9	<b>Total Operating Budgets</b>	<b>\$ 61,364,434</b>	<b>\$ 63,545,772</b>	<b>\$ 65,970,772</b>	<b>\$ 68,660,772</b>	<b>\$ 2,690,000</b>	<b>4.08%</b>	<b>76.39%</b>
<b>JOINT TOWN &amp; CPS ACCOUNTS</b>								
9	Group Insurance	\$ 4,650,000	\$ 4,650,000	\$ 4,650,000	\$ 4,650,000	\$ 0		5.17%
9a	OPEB Trust	150,000	400,000	650,000	900,000	250,000	38.46%	1.00%
10	Retirement	2,860,000	2,945,000	3,035,000	3,125,000	90,000	2.97%	3.48%
11	Debt Service	3,275,000	3,300,000	3,400,000	3,500,000	100,000	2.94%	3.89%
12	Social Security/Medicare	610,000	625,000	640,000	685,000	45,000	7.03%	0.76%
13	Other Fixed & Mandated	375,000	375,000	400,000	425,000	25,000	6.25%	0.47%
14	<b>subtotal</b>	<b>\$ 11,920,000</b>	<b>\$ 12,295,000</b>	<b>\$ 12,775,000</b>	<b>\$ 13,285,000</b>	<b>\$ 510,000</b>	<b>3.99%</b>	<b>14.78%</b>
15	Minuteman Voc Tech	\$ 555,830	\$ 437,910	\$ 227,033	\$ 191,689	\$ (35,344)	-15.57%	0.21%
16	High School Debt Exclusion	322,941	254,128	1,551,843	1,858,841	306,998	19.78%	2.07%
17	Town Debt Exclusion	4,874,334	4,719,471	4,624,457	4,495,632	(128,825)	-2.79%	5.00%
	<b>subtotal</b>	<b>\$ 5,753,105</b>	<b>\$ 5,411,509</b>	<b>\$ 6,403,333</b>	<b>\$ 6,546,162</b>	<b>\$ 142,829</b>	<b>2.23%</b>	<b>7.28%</b>
18	<b>TOWN MEETING VOTE</b>	<b>\$ 79,037,539</b>	<b>\$ 81,252,281</b>	<b>\$ 85,149,105</b>	<b>\$ 88,491,934</b>	<b>\$ 3,342,829</b>	<b>3.93%</b>	<b>98.46%</b>
19	State assessments	\$ 446,473	\$ 468,736	\$ 429,403	\$ 488,547	\$ 59,144	13.77%	0.54%
20	Snow/ice & other deficits	157,838	0	101,951	350,000	248,049	243.30%	0.39%
21	Overlay	500,183	538,810	539,880	550,000	10,120	1.87%	0.61%
22	<b>subtotal</b>	<b>\$ 1,104,494</b>	<b>\$ 1,007,546</b>	<b>\$ 1,071,234</b>	<b>\$ 1,388,547</b>	<b>\$ 317,313</b>	<b>29.62%</b>	<b>1.54%</b>
23	<b>TOTAL BUDGET PLAN</b>	<b>\$ 80,142,033</b>	<b>\$ 82,259,827</b>	<b>\$ 86,220,339</b>	<b>\$ 89,880,481</b>	<b>\$ 3,660,142</b>	<b>4.25%</b>	

"Concord-Carlisle RSD" is Concord's share of the assessable portion of the High School budget.

"Other Fixed & Mandated" includes: Property & Liability Insurance, Unemployment and Worker's Compensation.

## Financing the Budget Plan

		FY12 Budget	FY13 Budget	FY14 Budget	FY15 Proposed	Dollar Change	Percent Change	Percent of Total
24	state aid	\$ 3,580,402	\$ 3,717,120	\$ 3,792,628	\$ 4,104,158	\$ 311,530	8.21%	4.57%
25	motor vehicle excise tax	2,150,000	2,225,000	2,400,000	2,475,000	75,000	3.13%	2.75%
26	investment earnings	175,000	175,000	125,000	150,000	25,000	20.00%	0.17%
27	other local revenue	2,731,400	2,899,400	3,094,400	3,229,400	135,000	4.36%	3.59%
28	<b>Appropriations financed from:</b>							
29	Elem. Debt Stabilization Fund	700,000	475,000	735,000	0	<b>(735,000)</b>		0.00%
30	CCHS Debt Stabilization Fund			230,000	500,000	270,000	117.39%	0.56%
31	Free Cash	24,822						
32	<b>Transfers to General Fund:</b>							
33	from CMLP (Light Fund)	380,000	385,000	447,800	458,650	10,850	2.42%	0.51%
34	Thoreau School MSBA grant	427,412	409,878	409,878	409,878	0		0.46%
35	"free cash" transfer	850,000	850,000	850,000	850,000	0		0.95%
36	<b>subtotal</b>	\$ 11,019,036	\$ 11,136,398	\$ 12,084,706	\$ 12,177,086	\$ 92,380	0.76%	13.55%
<b>Property Tax:</b>								
37	property tax base	\$ 64,189,546	\$ 65,851,372	\$ 68,113,587	\$ 71,558,800	3,445,213		
38	new growth	863,588	1,183,336	1,220,624	700,000	<b>(520,624)</b>		
39	<b>total within the Levy Limit</b>	\$ 65,053,134	\$ 67,034,708	\$ 69,334,211	\$ 72,258,800	\$ 2,924,589	4.22%	80.39%
40	debt service excluded from Levy Limit	4,069,863	4,088,721	4,801,422	5,444,595	643,173	13.40%	6.06%
41	<b>total property tax</b>	\$ 69,122,997	\$ 71,123,429	\$ 74,135,633	\$ 77,703,395	\$ 3,567,762	4.81%	86.45%
<b>TOTAL RESOURCES</b>		\$ 80,142,033	\$ 82,259,827	\$ 86,220,339	\$ 89,880,481	\$ 3,660,142	4.25%	



# Five-year projection of real estate taxes

Article 3 adopted at the Special Town Meeting held Nov. 7, 2011 requested the Finance Committee to make a five-year projection of the real estate taxes likely to be levied on the citizens of the Town. This report represents the third year this projection has been developed and covers the period FY16 through FY20. In response to citizen comments and suggestions, the Finance Committee has refined the five-year projection of real estate taxes to present multiple scenarios, the first being based on a “most likely” analysis and then two alternative scenarios.

The level of the operating budgets of the Town and schools are the dominant contributors to the amount of taxes that must be levied since they comprise approximately 76% of the total Town Budget. The Town and School administrations have informed the Committee that annual increases between 3% and 5% are necessary to maintain the current level of municipal services. Keeping budgets below the lower end of this range for an extended period of time is likely to require cuts in services, staff reductions, deferral of maintenance and/or delays in equipment replacement to balance resource availability with expenditures.

The projections by the Finance Committee are based on a number of significant assumptions. In developing this year’s five-year projection, the Finance Committee has developed three realistic forecast scenarios to highlight the key drivers of the Town Budget. With approximately 86% of its General Fund revenue derived from property taxes, the Concord town and school budget is more sensitive to changes in spending levels than it is to changes in outside sources of income. With this in mind, all scenarios contain the same assumptions related to revenues, while illustrating the impact of different levels of Town expenditures. All three scenarios are based on a moderate economic environment. State Aid, which represents only about 4% of all general fund resources, is held flat over the five-year forecast period based on the Committee’s reluctance to predict shifts in allocations across the Commonwealth. Moderate revenue increases were included in categories where growth is reasonably expected including contributions from local excise taxes, payments in lieu of taxes (PILOT), new growth and free cash.

Given this constant external rev-

enue backdrop, the three five-year scenarios reflect three varying sets of expense assumptions. Each of the cost scenarios incorporates projected expenditures for the non-operating budget line items. In addition, the projections incorporate the planned OPEB contributions for CCRSD as well as the increase in Concord’s share of the CCRSD budget anticipated based on Concord and Carlisle projected student enrollment. The Most Likely Scenario represents a period of modest expenditure growth (cost increases generally in the area of 3%). Alternative Scenario 1 represents a period of below average expenditure growth (ranging from 1% to a maximum of 3%, across budget entities), and Alternative Scenario 2 represents a period of above average expenditure growth (ranging from 3% to a maximum of 4.4%, across budget entities). These scenarios all represent reasonable expenditures that might be anticipated (e.g. weak economic conditions or a high level of local development driving increases in town services and student populations). Although the three Scenarios are designed to represent a realistic range of outcomes, the Town’s actual experience may fall outside the scope of these scenarios.

In particular, the five-year projection scenarios do not assume any new projects requiring debt exclusion approval by voters and Town Meeting. Similarly, the projections do not include allowances for other potential or unanticipated projects. Under the assumptions of all three scenarios, property taxes to existing taxpayers are expected to increase in each forecast year, with the largest increase occurring in FY16 as normal spending increases are compounded by increases in the High School Debt Exclusion as the building project is completed and by increases in the Town and Schools' funding for post-retirement employee health benefits. In the Most Likely Scenario, the moderate spending environment, property taxes to existing taxpayers increase

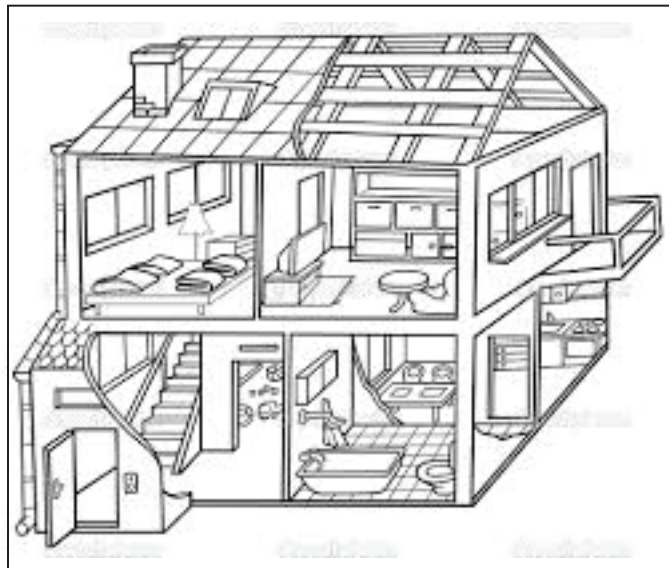
between 4.1% and 1.9% per year. In Alternate Scenario 1, the annual increase ranges from 3.1% to 0.9%, and in Alternate Scenario 2, from 5.1% to 2.9%. (See Figure 1)

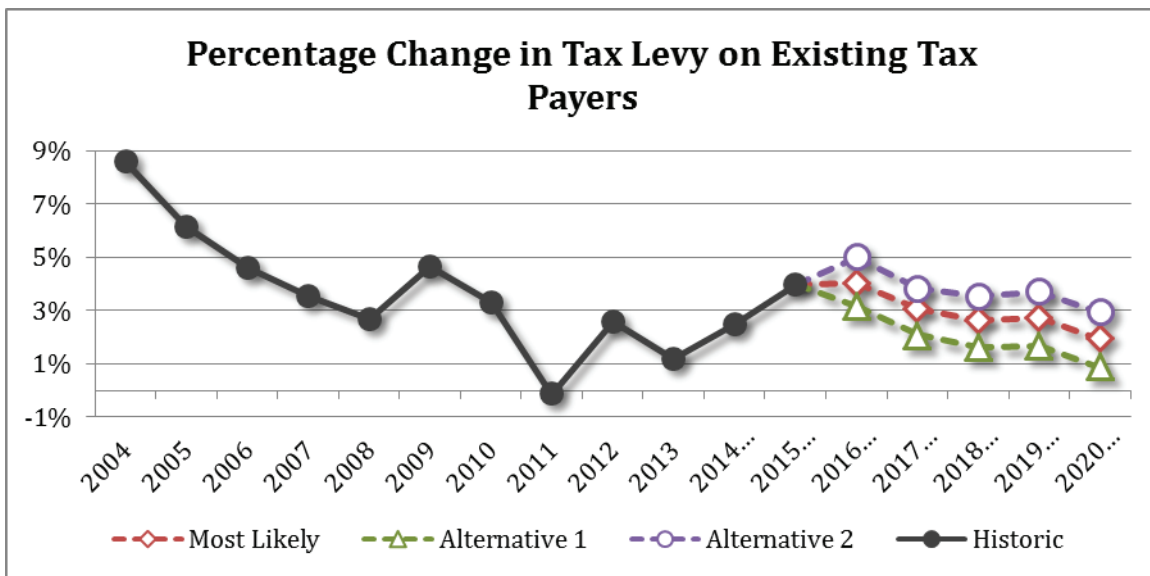
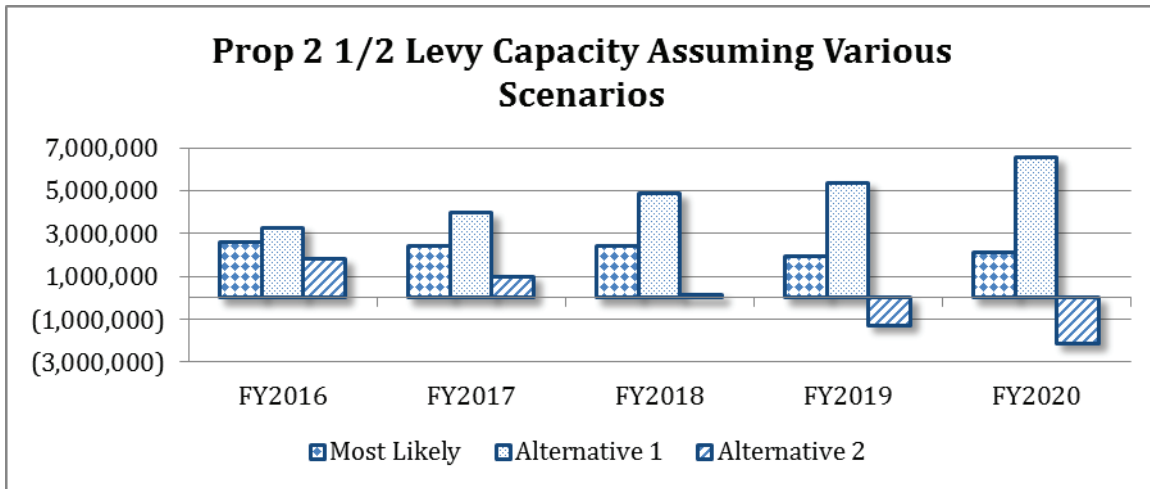
Figure 2 indicates that under all three Scenarios, the Town of Concord maintains unused Prop 2 ½ Debt Levy Capacity through FY18. However, under Alternate Scenario 2's higher than average spending environment, the levy limit is exceeded in FY19 and FY20. If the limit is exceeded, two sets of approvals will be required (see p. 37). The Town has approved operating budget overrides of levy limits in prior years, most recently in FY07.

A tax bill calculator is included in Table 1 to allow individual taxpayers to calculate the impact of the

projected Most Likely Scenario tax increase on each property tax bill based on the present assessed value. The Finance Committee will continue its efforts to improve the usefulness of its five-year projection for taxpayers, Town and school administrators, boards, and committees. We welcome your comments and suggestions to improve the five-year projections and its presentation to citizens.

A copy of this report will be available on the Finance Committee website along with the assumptions for all three Scenarios and additional charts and tables.





**Table 1: Tax Impact Calculator**

Home Value	2014	(B) 2015	Est 2016	Est 2017	Est 2018	Est 2019	Est 2020
Concord FY14 Median (\$680,400)	9,832	10,224	10,637	10,964	11,253	11,559	11,784
- per 100K	1,445	1,503	1,563	1,611	1,654	1,699	1,732
\$250,000	3,613	3,757	3,908	4,028	4,135	4,247	4,330
\$500,000	7,225	7,513	7,817	8,057	8,269	8,494	8,660
\$750,000	10,838	11,270	11,725	12,085	12,404	12,742	12,989
\$1,000,000	14,450	15,026	15,633	16,114	16,539	16,989	17,319
\$1,500,000	21,675	22,539	23,450	24,170	24,808	25,483	25,979
\$2,000,000	28,901	30,052	31,266	32,227	33,077	33,978	34,638

Note: The median single family residential tax bill in FY14 is \$9,832, based on an assessed value of \$680,400 at a tax rate of \$ 14.45 per thousand.

# Budget Summary: Article 7

## Town Government Departments and Joint Town-Concord Public Schools (CPS) Accounts

Article 7 consists of 41 separate appropriation accounts. Once voted, funds cannot be transferred between these accounts except by Town Meeting action. For Guideline purposes, these accounts are grouped into two categories:

- The Town Operating Budget, Items 1-36 is recommended at \$20,364,013 for FY2015, which is an increase of \$890,000 or 4.6% from the current year budget and is at the Finance Committee's Guideline;
- The Joint Town-CPS (Concord Public Schools) accounts, Items 37-41, are recommended at \$17,280,632. This is 5.1% above the current budget, with most of the increase due to Other Post-Employment Benefits (OPEB) funding (+\$250,000) and an increase of \$336,175 for Excluded Debt Service paid from the General Fund (Account 41B).

Article 7 - The Proposed Town Government General Fund Budget for the year beginning July 1, 2014 General Fund appropriations			
	<u>Appropriations FY 2014</u>	<u>Proposed FY 2015</u>	<u>percent change</u>
<b>Operations (accounts 1-36)</b>			
General Government	\$2,086,096	\$2,140,383	2.6%
Finance & Admin	1,839,279	1,843,970	0.3%
Police & Fire	8,002,353	8,192,805	2.4%
Public Works	3,036,497	3,074,367	1.2%
Library	1,876,760	1,888,318	0.6%
Reserve Fund	225,000	225,000	0.0%
Salary Reserve	77,748 *	555,434	
Recreation & all other	810,280	818,736	1.0%
<b>subtotal- operations</b>	<b>\$17,954,013</b>	<b>\$18,739,013</b>	<b>4.4%</b>
<b>Capital Outlays</b>	1,520,000	1,625,000	6.9%
<b>TOTAL subject to Guideline</b>	<b>\$19,474,013</b>	<b>\$20,364,013</b>	<b>4.6%</b>
<b>Town and School debt service (account #41):</b>			
repayment within levy limit	3,400,000	3,500,000	2.9%
excluded from levy limit	3,659,457	3,995,632	9.2%
<b>TOTAL</b>	<b>\$7,059,457</b>	<b>\$7,495,632</b>	<b>6.2%</b>
<b>Employee Benefits (Town and CPS):</b>			
Group Insurance (acct. #37A)	4,650,000	4,650,000	0.0%
OPEB Trust Fund (acct. #37B)	650,000	900,000	
Retirement (pension funding, acct. #39)	3,035,000	3,125,000	3.0%
Medicare/social security (acct. #40)	640,000	685,000	7.0%
<b>TOTAL</b>	<b>\$8,975,000</b>	<b>\$9,360,000</b>	<b>4.3%</b>
<b>Other Expenses (Town/CPS joint accounts)</b>			
Workers & Unempl. Comp (acct. #38)	200,000	200,000	0.0%
Property & Liability Insr. (acct. #37B)	200,000	225,000	12.5%
<b>TOTAL, Article 7</b>	<b>\$35,908,470</b>	<b>\$37,644,645</b>	<b>4.8%</b>
* NOTE: balance of FY14 salary reserve at 3-31-14 not yet transferred to operating accounts			

The Joint Town-CPS group of accounts includes employee group insurance, the OPEB Trust Fund, the Town's annual required payment to the employee (non-teacher) pension fund, property and liability insurance covering the Town and CPS, and the debt service account covering debt issued for both Town and CPS capital projects, both debt service within the levy limit and debt service on bonds voted by the town electorate to be paid from tax levies above the levy limit. Effective management of these accounts is strengthened by consolidating the Town government and Concord Public Schools components rather than budgeting them separately between Town and school appropriations.

Item 41, Debt Service, includes \$3,995,632 for principal and interest expense excluded from the levy limit by past votes of the electorate (refer to the section in this Report on Excluded Debt). This is the net amount to be tax-supported after the proposed allocation of \$500,000 from Debt Stabilization funds (Articles 14).

### **Town Government: Items 1-36**

The proposed operating budget for the departments organized under the Town Manager is \$20,364,013. As shown in the accompanying table, it is broken down into two main components: operations, up 4.3%; and capital outlay, up 6.9% .

### **Article 7 Overview**

Article 7 shows only the General Fund portion of each budget account, as this is the portion to be voted by the Town Meeting. Many budget accounts include resources from other funds, typically involving allocations from the Town's enterprise operations (water, sewer, light, solid waste, swim and fitness center) for management services provided.

The Town Manager's Proposed Budget document, published on Feb. 3 and available on the Town website at [concordma.gov](http://concordma.gov), provides detailed discussion of each account. The Finance Committee has reviewed this document with the Town Manager and has conducted a Public Hearing (Feb. 24) on the submitted plan. The Finance Committee recommends the adoption of the Town Government budget as proposed by the Town Manager.

### **Highlights of the Proposed Budget are summarized as follows.**

Staffing changes in the Town Manager's Proposed Budget: For FY15, the main tax-supported proposed staffing changes are as follows.

- The Town Manager Division: increasing the Community Services Coordinator to be a full-time position (an increase of 0.52 FTE)
- The Inspections Division: an additional 15 hours for the Electrical Inspector and an additional 15 hours for the Plumbing Inspector.
- The Police Department: a half-time administrative assistant position.
- The Fire Department: to meet the needs of the Emergency Medical Services Strategic Plan, the hiring of 4 additional firefighters (4.0 FTE).
- The Council on Aging: additional 1274 hours (0.61 FTE) for van drivers, outreach coordinators, and activity coordinators.

## Budget Changes

The significant changes and other selected account recommendations contained in the proposed FY15 budget are as follows:

### Acct # - Account Title

#### *1A Town Manager*

The Town Manager's operating budget represents a 2.4% increase from FY14. The Community Services Coordinator is funded as a full-time position.

#### *1C Town-wide building maintenance*

The recommended funding level in FY15 is \$200,000, an increase of \$20,000. The five-year Capital Outlay plan raises this funding target to \$265,000 by FY19.

#### *1D Resource Sustainability Fund*

A new account initiated in the FY13 budget, the sum of \$75,000 is proposed to be allocated in FY15 for resource sustainability and energy conservation projects, an increase of \$35,000.

#### *3A Elections*

The amount required to fund the Elections account is dependent on the number of federal, state, and local elections that are held in a given year. In FY15, it is expected that there will be three elections. Each election costs the Town approximately \$12,000. Accordingly, as compared to FY14 during which there is scheduled to be one election, the budget for the Elections account is proposed to increase from \$17,129 to \$40,368.

#### *5A Planning Division, DPLM*

The FY15 operating budget for the Planning Division funds an upgrade of a Senior Planner positions to a Town Planner. Additionally \$12,500 is proposed as Concord's share of the five-town Regional Housing Services Office.

#### *5D Health Division, DPLM*

\$10,000 is proposed to fund the Healthy Communities Initiatives.

#### *9 Information Systems*

The Town's Information Systems (IS) Department recently underwent a comprehensive review to assist the Town Manager in determining the appropriate organizational model and technology structure that the Town should use going forward. The Information Systems budget is proposed to be reduced by 10% as outside services are reduced.

#### *12 Fire Department*

There is a proposed 8.8% increase in the Fire Department's FY15 budget, to fund the addition of four firefighters to staff the second ambulance from the West Concord Station, 8 a.m. to 8 p.m. daily.

#### *18 Snow Removal, CPW*

The snow removal budget is proposed to be funded at \$555,000, an increase of \$15,000 from that of FY14. The FY15 budget plan also provides funding for up to a \$350,000 overrun of the FY14 appropriation.

#### *19 Street Lights, CPW*

The FY15 proposed Street Light budget is \$73,463, a \$5,000 increase from the \$68,463 budgeted in FY14.

#### *20 Public Works Equipment, CPW*

The Public Works Equipment budget of \$288,000 funds the Town's well-planned schedule of equipment replacement. This represents an increase of \$10,000 from FY14.

21 *Drainage, CPW*

The FY15 funding plan includes \$105,000 for drainage improvements and \$100,000 for culvert improvements, a funding level consistent with the current year.

22 *Sidewalk Management, CPW*

The proposed FY15 budget calls for level funding for maintenance of the Town's existing sidewalks program at \$100,000.

23 *Road Improvements, CPW*

The General Fund proposed funding for road improvements is \$90,000. With additional amounts of \$680,000 expected from the State (Chapter 90 Funds) and \$1,300,000 in borrowing, the total FY15 amount for road improvements is recommended to be \$2,070,000.

25 *Library*

As set forth in a long-standing agreement, the Trustees of the Concord Free Public Library Corporation, which owns the main library and the Fowler Branch, are responsible for maintenance and capital improvements of the buildings and grounds; the Town covers the operating costs. For FY15 operations, the library budget is proposed to increase by 0.8%.

29 *Council on Aging*

The FY15 budget for the Council on Aging is proposed to increase by 6.9%. The proposed budget allows for \$5,644 in funding for 332 additional hours for the van drivers, \$4,687 in funding for an additional 324 hours for activity coordinators, and \$15,905 for an additional 776 hours for outreach workers.

30 *Veterans Services*

The FY15 proposed budget represents a 21% increase from that of FY14. This increase is a result of the predicted rise in veterans' benefits costs from \$24,000 to \$33,800 to accommodate additional beneficiaries.

33 *Town Employee Benefits*

The proposed budget provides \$90,000 to cover unused sick leave buyback for some employees at retirement. This payment is restricted to non-union employees hired prior to July 1, 1992 and to uniformed police and fire personnel subject to the collective bargaining agreements. In all eligible cases, the benefit is capped at 62 days (65 for firefighters). This account also funds the Employee Assistance Program and certain medical costs for police and fire retirees for accidental disability expenses.

34 *Reserve Fund*

As budgets remain tight due to the economic situation and there are fewer resources available to cover unexpected events, the Reserve Fund appropriation becomes a crucial part of the budgeting process. By statute, this fund is to be used to meet "extraordinary or unforeseen expenditures" as approved by the Finance Committee. A funding level of \$225,000 is proposed for this purpose, unchanged from FY14.

35 *Salary Reserve*

The allocation in this account makes resources available for the funding of collective bargaining agreements. In addition, the account provides for a market adjustment to the pay scales and a step and merit adjustment to the salary schedules applicable to non-union employees effective July 1, 2014. Transfers from this account to the individual departmental operating accounts are reported to the Finance Committee and Board of Selectmen in accordance with the vote of Town Meeting adopting the budget article. This account is proposed to be funded at \$555,434.

### 37A *Group Insurance*

The budget anticipates no increase in FY15 group insurance costs supported by the General Fund. As part of the 17-member Minuteman Nashoba Health Group, the Town is self-insured for employee health coverage and any cost increase or decrease directly reflects actual claims experience. Group health plan offerings effective June 1, 2012 implemented a new plan design resulting in an average 13% premium reduction. Rates for the June 1, 2013 Plan year were lowered a further 1-2%, and for the June 1, 2014 are being lowered again by an average 5%. The account has been level-funded since FY11, with lowered group insurance costs enabling the transfer of funds to the OPEB Trust Fund.

### 37B *Other Post-Employment Benefits (OPEB)*

With the FY13 budget, Other Post-Employment Benefits was separated into its own line item due to the increasing importance of recognizing and funding this liability. The OPEB liability primarily consists of the present value of the Town's portion of future retiree health care cost. That is, in addition to the amount allocated to pay for the current health care cost of retirees, there is also a liability for the future health care cost for Town Government and Concord Public School retirees. This liability is referred to as the Town Government's Annual Net OPEB Obligation (NOO).

In FY15, the General Fund share of the NOO is projected to be about \$2.1 million. In an effort to partially fund this liability, it is proposed that the Town budget \$900,000 for this purpose, an increase of \$250,000 over the FY14 line item and in accordance with a long-range funding plan.

### 38 *Unemployment & Workers Compensation*

An amount of \$100,000 is proposed for the Unemployment Compensation account. The Town pays only for actual claimants, not as a percent of payroll (since the minimum available "experience rating" percentage would be in excess of our actual historical costs). In addition, an amount of \$100,000 is proposed for Worker's Compensation costs; this amount funds a stop-loss reinsurance policy covering wage and other claims and the payment of miscellaneous medical expenses resulting from employee injury on the job. Coverage of unemployment and workers compensation applies to both Town and Concord Public School employees.

### 39 *Retirement*

Following the sharp economic downturn in the financial markets during the fall of 2008, assets of the Concord Retirement System have fully recovered. The market value of system assets at Feb. 28, 2014 is about \$120 million compared to a low of \$67 million in February 2009. At the most recent biennial actuarial valuation as of Jan. 1, 2012, the revised Funding Schedule for projected full funding status had been extended to 2030.

In FY15, the General Fund appropriation is projected at \$3,125,000, an increase of 3.0% from FY14 and consistent with the present funding schedule. The retirement system is a Defined Benefit plan.

### 41 *Debt Service*

This item includes the appropriation for Town and CPS debt service within the levy limit and outside the levy limit (excluded debt). Most of the excluded debt is to cover the cost of construction of the three new elementary schools. For debt service, the FY15 budget proposes appropriating \$7,495,632, which includes \$3.5 million for debt service within the levy limit and \$4.0 million for excluded debt. The excluded debt is net of amounts appropriated from debt stabilization funds (\$500,000 proposed for FY15, Article 14). The excluded debt to pay for the construction of the new high school is budgeted as part of the assessment for the Concord-Carlisle Regional School District (Article 13).

# Budget Summary: Education

Budgets proposed for the Concord Public Schools (CPS, grades K-8) and the Concord-Carlisle Regional School District (CCRSD) for FY15 are presented on page 31 and are consistent with the Operating Budget Guidelines recommended by the Finance Committee on Nov. 30, 2013.

The FY15 CPS total budget (Article 8) request of \$32,440,538 represents an increase of 4.17%, or \$1,300,000 above the current FY14 budget. The majority (79%) of expenses in the CPS budget are allocated to staff salary expense, of which a significant portion is driven by collective bargaining agreements. Contractual salary obligations alone require incremental funding of \$877,661, or a 2.7% increase in operating budget expense. Additional funding is needed to support increases in student enrollment, English Language Learners (ELL), support for Special Education students, and additional technology investment to meet educational goals for development of

Personalized Learning Plans and implementation of the new educator evaluation system. Increases in student enrollment have been fairly dramatic in the last few years, including 50 new students in the last year alone (see chart below for historical trends). For the first time in several years, the allocation of CPS expense for special education, inclusive of students requiring out of district placements, is expected to decline slightly. Special education expenses have been increasing in recent years as the percentage of students with more complex learning needs and disabilities has increased, especially in preschool aged children. In FY14, the percentage of special education students in K-8 is 17%, which mirrors the statewide average.

Article 10 requests a supplemental appropriation for CPS for the current fiscal year due to unanticipated expenses. Because of the severe winter weather this year, existing snow removal and heating budgets have been exhausted and addition-

al maintenance of the transportation fleet has been required. In addition, there has been a higher than average number of maternity leave requests, resulting in additional substitute teacher expenses. The supplemental appropriation will move funds to the Reserve Fund for FY 14, which can then subsequently be transferred to CPS but only upon formal request to and approval by the Finance Committee.

The FY15 CCRSD total budget (Article 13) request of \$27,437,330 represents an increase of 4.3% or \$1,131,727 over the FY14 budget. This budget includes expenses for debt service in the amount of \$2,831,824 related to debt issued to finance the new high school building. This debt is excluded from the Proposition 2½ limits on the property tax levy as a result of prior ballot votes in both Concord and Carlisle. The budget request, exclusive of debt service (e.g. operating budget), is an increase of 3.0% or \$719,042. Projected salary escalation is estimated to require a 2.0% increase in CCRSD

<i>Enrollment Data</i>	<i>Concord Public K-8</i>			<i>CCHS</i>				<i>out-of-district</i>	
	<u>K-5</u>	<u>6-8</u>	<u>Total</u>	<u>Concord Carlisle</u>		<u>Other</u>	<u>Total*</u>	<u>CPS</u>	<u>CCRSD</u>
Oct. 1, 2007	1228	581	1809	846	332	81	1259	51	59
Oct. 1, 2008	1233	606	1839	850	332	86	1268	45	36
Oct. 1, 2009	1233	626	1859	813	353	79	1245	42	37
Oct. 1, 2010	1304	614	1918	801	337	83	1221	42	37
Oct. 1, 2011	1324	633	1957	811	319	79	1209	35	38
Oct. 1, 2012	1403	699	2102	832	310	74	1216	33	40
Oct. 1, 2013	1462	690	2102	845	311	72	1228	34	45
<b>Projected:</b>									
Oct. 1, 2014	1534	711	2245*	845	323	76	1244 *		

\* NESDEC, Nov. 2013; totals include non-resident students.

*Continued*

operating budget expense, a majority of which is subject to terms negotiated under collective bargaining agreements. Additional increases to special education of \$393,540 are necessitated by students matriculating into CCRSD from CPS as well as for increases in students aged 18-22. The budget also incorporates a \$273,000 increase in the line item for Other Post-Employment Benefits (OPEB), consistent with a plan to achieve funding of CCRSD's Annual Required Contribution by 2020..

The Finance Committee commends the school for re-establishing this funding schedule, as OPEB remains a critical unfunded liability (\$16.3 million as of the Jan. 1, 2012 actuarial valuation date).

#### *Enrollment*

Concord's share of the CCRSD budget each year is driven by enrollment on Oct. 1 preceding the July 1 start of the budget year. Concord's FY15 assessment percentage has increased from 72.85%, to 73.10%, accounting for an increase of \$60,585 in Concord's portion of the CCRSD budget. Growth in student enrollment across both CPS and CCRSD is driven by general population growth created by new housing (e.g. the Concord Mews), and new families moving into existing homes throughout Concord. Projections for future student enrollment are prepared annually by the New England School Development Council (NESDEC), and predict continued increases in the percentage of Concord students at the high school over the next 5 years.

#### *Special education*

State Circuit Breaker aid provides for reimbursement of special education costs that exceed certain thresholds. While the reimbursement percentage has varied greatly in the past, for FY15 (and FY14), aid levels are expected to meet the targeted statutory goal of 75% of the costs exceeding the benchmark threshold. The cost of special education is difficult to predict and can vary widely depending upon the needs of students, especially those who are medically fragile. For example, at the close of FY13, CCRSD special education tuition expenditures were \$500,000 less than budget. With approval from the CCRSD School Committee, these unexpended funds were subsequently allocated to existing stabilization funds providing critical resources to support future operating needs.

#### *Stabilization funds*

When funds are allocated to a stabilization fund, they become restricted to the purpose for which the fund was created. Creation, as well as transfer of funds into and out of a Town Stabilization Fund requires a 2/3's majority vote at Town Meeting. The creation of Concord's High School Debt Stabilization Fund was approved in the fall of 2011, along with an initial transfer of \$2 million from the town's Free Cash account. This stabilization fund is intended to be used to offset peaks in debt service expense incurred due to the issuance of bonds for funding of the high school building project. Article 14 requests withdrawal of \$500,000 for this use, while at the same time, requests a transfer of an additional

\$750,000 from Free Cash into the stabilization account. The debt service expense for the high school building is not expected to peak until FY18.

Article 11 requests authorization for use of \$75,000 from the CPS Technology Stabilization Fund to support replacement of existing classroom equipment. This withdrawal will effectively deplete this fund, leaving a minimal balance remaining. The Finance Committee supports this use to help supplement the proposed operating budget increase at CPS, which including expansion of the school technology plan to achieve a 1:1 ratio of laptops: students at Concord Middle School.

CPS also maintains a Capital Needs Stabilization Fund in the town treasury with a balance of \$960,743 as of February 28, 2014. Article 12 authorizes a withdrawal of \$925,000 from the CPS Capital Needs Stabilization fund to support transportation infrastructure. In the Special Town Meeting held Dec. 4, 2013, Article 1 authorized the Board of Selectmen to purchase land at 55 and 55R Knox Trail in Acton as a possible site for a new bus depot and other municipal uses and authorized a borrowing of \$700,000 for the purchase. A portion of that funding was to be drawn from CPS's allocation from the Town Manager's five-year Debt Plan for CPS with the balance being provided from the Town Government share of the Debt Plan. The purchase of the Knox Trail land was intended to be finalized by April 1, 2014, whereupon CPS

**Concord Finance Committee  
Proposed FY15 Education Budgets**

	Adopted FY14 Budget	Proposed FY15 Budget	FY14 to FY15	
			\$ Change	% Change
<b>Concord Public Schools</b>				
<b>Program Area</b>				
Regular Education	\$ 16,554,621	\$ 17,773,788		
Special Education	8,410,279	8,287,906		
Administrative Support	4,085,535	4,239,644		
Operations	2,041,803	2,082,092		
Fixed Costs	48,300	57,108		
<b>Total</b>	<b>\$ 31,140,538</b>	<b>\$ 32,440,538</b>	<b>\$ 1,300,000</b>	<b>4.17%</b>
<b>Concord-Carlisle High School</b>				
<b>Program Area</b>				
Regular Education	\$ 11,660,210	\$ 11,834,920		
Special Education	4,836,800	5,230,340		
Administrative Support	1,434,329	1,397,631		
Operations	3,374,627	3,347,947		
Fixed Costs	2,580,498	2,794,668		
<b>Operations</b>	<b>\$ 23,886,464</b>	<b>\$ 24,605,506</b>	<b>\$ 719,042</b>	<b>3.01%</b>
<b>Debt Service:</b>				
debt reimbursed by state aid	\$ 288,950	\$ 288,950		
debt exclusion assessed	2,130,189	2,542,874		
	<b>\$ 2,419,139</b>	<b>\$ 2,831,824</b>	<b>\$ 412,685</b>	<b>17.1%</b>
<b>Total</b>	<b>\$ 26,305,603</b>	<b>\$ 27,437,330</b>	<b>\$ 1,131,727</b>	<b>4.30%</b>
<b>Financing Sources</b>				
State aid	\$ 2,496,181	\$ 2,603,319	\$ 107,138	4.29%
District funds	600,000	600,000	0	
Assessments	\$ 23,209,422	\$ 24,234,011	\$ 1,024,589	4.41%
<b>Concord assessment ratio</b>				
	<b>72.85%</b>	<b>73.10%</b>		
without debt exclusion	\$ 15,356,221	\$ 15,856,221	\$ 500,000	3.26%
debt exclusion	1,551,843	1,858,841	306,998	
<b>TOTAL</b>	<b>\$ 16,908,064</b>	<b>\$ 17,715,062</b>	<b>\$ 806,998</b>	<b>4.77%</b>
<b>Carlisle assessment ratio</b>				
	<b>27.15%</b>	<b>26.90%</b>		
without debt exclusion	\$ 5,723,012	\$ 5,834,916	\$ 111,904	1.96%
debt exclusion	578,346	684,033	105,687	
<b>TOTAL</b>	<b>\$ 6,301,358</b>	<b>\$ 6,518,949</b>	<b>\$ 217,591</b>	<b>3.45%</b>

Continued

would solidify plans for retaining in-house bus transportation with housing and maintenance of bus transportation on the site. Purchase of the 55 and 55R Knox Trail location has been complicated. However, an alternate location at 37 Knox Trail is now being pursued. This location represents a more suitable access to the abutting W.R. Grace land and is a more desirable location for Town and CPS vehicle maintenance and storage. The Town purchase of the 37 Knox Trail site is being proposed under a warrant article to be considered in a Special Town Meeting, called for Mon. May 5. The \$925,000 to be withdrawn under Article 12 would help pay for the construction of bus transportation facilities at the newly proposed 37 Knox Trail site.

The CPS School Committee has developed an alternate strategy for managing student transportation should a physical location for permanent housing and maintenance not be obtained within the local vicinity. In Dec. 2013, the Concord and Concord-Carlisle School Committees voted to authorize school bus transportation consultants to prepare a request for proposals by outside vendors to provide bus transportation services for CPS and CCHS using existing bell times and to prepare documents for disposition of the bus fleet. This is a prudent strategy in the event that a local solution for in-house transportation cannot be identified. Keeping bus transportation in-house is the solution desired by both school committees. The alternate strategy will not be pursued by the school

committees should the purchase of 37 Knox Trail site be approved.

#### *Capital maintainance*

While three new elementary schools have been constructed in recent years, funding for capital maintenance and improvements for all K-8 schools is planned within the Town Manager's Five-Year Capital Plan. Article 9 authorizes borrowing in the amount of \$450,000, predominantly to fund boiler replacements at the Peabody School. This project is an important investment aimed at reducing energy consumption and stemming increases in future operating costs. Further investment in infrastructure at the Middle School buildings to keep them operating for at least the next 15 years, including boilers, HVAC systems and roof replacements, will become a critical funding priority in the near future. The capital needs identified for the Middle Schools for the next two years is estimated at over \$5,500,000, and authorization for excluded debt may be pursued to fund these investments.

#### *Cost comparisons*

The Finance Committee has great appreciation for the complexity and range of services that the schools provide to the students within our town. Student achievement, as measured through MCAS scores, is high across all grades. Concord is also a leader in the investment and application of technology within our classrooms to improve student learning and skills.

While Concord's students benefit greatly from these educational

programs, the average cost of our delivery system is higher than several surrounding communities. The Finance Committee formed a benchmark working group to identify cost and performance metrics for comparison to other communities. The workgroup found, based on FY12 data, that staffing ratios and the average cost per student are higher than in comparable communities, particularly with respect to CCRSD. The Finance Committee remains concerned about these higher costs, but recognize the schools have broad citizen support for funding of school operations. Metrics for measuring school performance will evolve with the implementation of the new education evaluation system mandated by the Department of Elementary and Secondary Education (DESE). This system will focus on narrowing proficiency gaps of all students and particularly for those students identified as "high need" (students identified as current or former English Language learners, low income or special education). Implementation of these new standards is a significant challenge for the administration and teachers, but will result in development of new and more effective measures of student (and teacher) performance.

#### *The new high school*

Construction of the new high school building is proceeding on time and on budget. Construction began last March and at the end of Feb. 34% of the project construction is complete. The \$92.5 million dollar project has a total construction contingency budget of \$4.4 million, and through Feb. only \$300,000 (or 7%)

in change orders has been approved. Through Feb., 82% of the non-construction portion of the project has been completed, with \$525,000 (or 32%) of the contingency allowance expended. The low percentage of contingency dollars used speaks to the thoroughness of the detailed design and proficiency of the project management team. Students will move into the new building April 2015. The only direct impact on the FY15 operating budget was a deferral of some equipment purchases that will subsequently be purchased for the new high school and included in the FY16 budget.

Of additional interest is the proposal by a group of concerned citizens to assist with renovation of the CCRSD student playing fields, currently excluded from funding under the high school building project. This group of citizens has formed a not-for-profit corporation, Concord Carlisle at Play, Inc. (CCatPlay), to facilitate fund raising and implementation of a proposed field renovations, intended to be implemented in three phases. These renovations include plans to restore the high school tennis courts and junior varsity fields lost as a result of the high school building, as well as improvements to the lower playing fields and football stadium. The CCatPlay plan was formally presented to the School Committee in Nov.. The CCRSD School Committee voted to approve the Renovation Plan in concept, and appointed two members to work with the organization to establish a framework and process to implement the Renovation Plan, including discussion and negotiation of terms, conditions,

and agreements with stakeholders. Article 36 includes a recommendation by the Community Preservation Committee for a grant of \$433,000 to CCatPlay to support Phase I of the CCHS Fields Renovation Project.

Once the high school building project is complete, implementation of plans for remediation of the former landfill on the school property will commence. The CCRSD School Committee hired CDW Consultants to perform a Comprehensive Site Assessment and to develop options for remediation. The option approved by the CCRSD School Committee is to construct an engineered barrier over the landfill soil, to prevent any human exposure and limit risk of groundwater contamination. This will impose a Future Activity and Use limitation on the affected area of the property. This option, the least expensive of three alternatives presented, is estimated to cost approximately \$1 million (although the use of soil retained from excavation for the new high school will likely reduce this amount). A final plan for implementation and the projected

costs are targeted for completion by Dec. 2014. A debt exclusion warrant article is expected to be presented for the 2015 Annual Town Meetings in Concord and Carlisle.

*In conclusion*

Concord schools receive strong support from citizens and have directed resources effectively to allow its children to excel academically and to gain skills for long term success. Previous debt exclusion votes have allowed for significant investment in the school building infrastructure providing an enhanced learning environment for both children and staff. New educational reform will positively influence the schools ability to measure and address individual student gaps in performance. These and other educational initiatives will continue to be monitored by the Finance Committee, in collaboration with the school committees and school administration, to ensure there is a reasonable balance between future resource allocation and the quality outcomes for Concord's children.



# Community Preservation Act

The Community Preservation Act (CPA) was adopted by the Commonwealth in 2000 to help Massachusetts communities to preserve open space and historic sites and to create affordable housing and recreational facilities. It allows a local surcharge on property tax bills of up to 3%, to be used in four categories of expenditure:

To acquire, create and preserve open space; To acquire and preserve historic resources; To create, preserve and support community housing; To acquire, create, preserve, rehabilitate and restore land for recreational use.

Concord's Town Meeting approved a 1.5% surcharge on property tax bills, affirmed by the voters at the polls Nov. 2004. The surcharge allows an exemption to residential property owned and occupied by any person who qualifies for moderate- or low-income housing (earning less than 80% of area median income) or moderate- or low-income senior housing (earning less than 100% of area median income and 60 years of age or older). The Concord vote also provides for exemption of the first \$100,000 of taxable assessed value.

In addition to Concord's contribution, the State contributes Community Preservation funds from a surcharge on Registry of Deeds' fees on property transactions and mortgage refinancing activity via the Community Preservation Trust Fund. Through FY07 State funds represented a 100% match with Town surcharge revenues. Declines in fees collected during the economic downturn, however, and a coincident increase in the number of towns that initiated CPA programs resulted in a reduction in the State match of the local surcharge to 26.8 % for the Oct.

2012 disbursement. 2013 saw a one-time rebound in the State match to 52.2%, as the State's FY13 budget had provided for a one-time \$25 million addition from General Funds to the distribution. The Town's budget forecast for the State match expected in the fall of 2014 is 23%, consistent with advice and instruction from the State Department of Revenue.

Under the law, a minimum of 10% of revenues must be appropriated or reserved each year for each of three primary purposes: open space, community housing and historic preservation.

In 2005, the Board of Selectmen established the Community Preservation Committee (CPC), which by law is charged with the task of "studying the needs, possibilities and resources of the Town regarding community preservation." The Committee prepares an annual Community Preservation Plan. The Committee receives information from the Town's boards, commissions and officials, as well as information from other Town Planning documents, including the Comprehensive Long Range Plan. The Plan is available on the Town of Concord website, [www.concordma.gov](http://www.concordma.gov), at the Town libraries, and at the Planning Department, 141 Keyes Road.

Through the 2013 Town Meeting, \$12.5 million has been recommended or appropriated for CPS projects in the following categories:

- Historic preservation, 42%
- Open space, 16%
- Recreation, 16%
- Community housing, 24%
- Administration, 2%

Through Oct. 2013, \$4,089,832 has

been received into the fund from State distributions. The fund receives its own interest earnings. Through June 30, 2013, \$427,810 has been added to the fund from this source.

## Recommendations for 2014 Town Meeting, Article 36

The CPC is proposing \$1,293,875 of project appropriations for 11 specific projects as well as \$30,000 to cover direct administrative costs. Many of these projects will generate matching revenues from Town, State, foundation and/or private funds. Of this amount, \$1,248,000 will be appropriated from projected FY15 revenues and \$75,875 will be appropriated from FY14 fund revenues not yet committed. The single largest proposed allocation is \$433,000 toward the renovation of fields at Concord Carlisle Regional High School. Along with funds appropriated for the Bruce Freeman Rail Trail and the Concord Children's Center, 54% of funds will support recreation. The proposed allocation of FY15 projected fund revenues meets the minimum requirements:

- 11% will support historic preservation;
- 15% will support open space;
- 21% will support community housing.

In accordance with State law, Town Meeting may affirm, reject or reduce the allocation for any project recommended by the CPC, but may not increase an allocation and may not add a project not already put forward by the CPC.

The Finance Committee recommends Affirmative Action on Article 36 as proposed by the Community Preservation Committee.

# Community Preservation Fund *financial status*

	Actual		Revised Estimate		
	FY11	FY12	FY13	FY14	FY15
<b>Fund Resources</b>					
1.5% surcharge collections	\$ 866,476	\$ 897,353	\$ 933,192	\$970,000	\$1,019,500
State match of surcharge committed	233,141 <sup>a</sup>	230,656 <sup>a</sup>	241,434 <sup>a</sup>	485,112 <sup>a</sup>	228,000 <sup>a</sup>
Earnings on available cash balance	6,708	6,470	3,664	2,000	500
<b>TOTAL FUND REVENUE</b>	<b>\$1,106,325</b>	<b>\$1,134,479</b>	<b>\$1,178,290</b>	<b>\$ 1,457,112</b>	<b>\$ 1,248,000</b>
<b>Fund Disbursements</b>					
Beginning cash balance	681,320	1,019,707	1,912,231	2,410,000	1,149,159
Ending cash balance	\$1,438,104	\$1,863,109	\$1,977,881	\$ 1,243,940	\$291,052
	\$1,863,109	\$1,977,881	\$1,243,940	\$291,052	\$ 389,893

**Notes**

(a) State match is based upon the net committed surcharge of the prior fiscal year, paid in November. The amount shown in the FY14 column was received Nov. 2013, a 52.2% match of the FY13 committed surcharge. FY15 assumes a 23% match.

	APPROPRIATIONS (by Fund Year):				Proposed
	FY11	FY12	FY13	FY14	FY15
Housing	\$500,000	\$111,000	\$115,000	\$145,000	\$267,500
Historic Preservation	\$445,000	\$637,390	\$799,708	\$862,200	\$133,782
Open Space	\$131,100	\$202,518	\$115,000	\$117,800	\$182,520
Recreation	\$0	\$109,202	\$43,400	\$75,875	\$634,198
Undesignated land acquisition		\$3,000	\$19,826	\$0	\$0
Administration	\$30,000	\$30,000	\$52,500	\$30,000	\$30,000
<b>TOTAL*</b>	<b>\$1,106,100</b>	<b>\$1,093,110</b>	<b>\$1,145,434</b>	<b>\$1,230,875</b>	<b>\$1,248,000</b>
10% of surcharge and state match: <i>(minimum amount that must be allocated to Housing, Historic Preservation, Open Space)</i>	\$109,962	\$112,801	\$114,343	\$145,511	\$124,750

\* includes appropriations from Uncommitted Fund Balance. FY14 allocations do not include \$224,737 to be appropriated in future from revised FY14 revenue estimate, at which time the revised Open Space minimum will be met.

# Proposition 2½

## The levy limit explained

Proposition 2½ refers to an initiative statute adopted by the voters of the Commonwealth Nov. 1980. Its purpose was to restrict the increase of the property tax levy. It limits the amount by which the taxing capacity of the Town is allowed to increase each year. The allowed growth is 2.5 percent of the prior year's levy limit. For FY15, this allowed increase in the limit will be \$1,821,988 (which is 2.5% of the FY14 levy limit, \$72,879,506).

Added to the levy limit computation is the levy increase attributable to new growth. This represents additions to the base of taxable property, typically as a result of new construction, renovation and minor alterations, or change of use. Permitting the levy limit to be adjusted by new growth recognizes the fact that development creates pressures on Town services over the long term.

The assessment date for each tax year is Jan. 1. The 2001 Annual Town Meeting adopted a State law allowing the physical improvements

existing on property through each June 30 to be assessed with the taxable roll of the preceding Jan. 1. Thus, new growth forecasted for FY15 is based on the activity of the current 12-month fiscal year ending June 30, 2014. The budget estimate is \$700,000, equivalent to about 1% of the FY14 total property tax levy.

Total growth of the levy limit is therefore attributable to two factors, one which is fixed (+2.5% per year) and one which is variable and subject to economic conditions. The total projected increase in the FY15 levy limit is thus \$2,521,988.

Additionally, the FY15 permitted tax levy will increase due to the added cost of debt service already approved by voters at the ballot box in prior years. The FY15 increase is \$643,173. This is net of the proposed allocation from the High School Debt Stabilization Fund (Article 14, \$500,000), and the allocation of the Thoreau

School grant received from the Mass. School Building Authority June 2010 (\$409,878 required to be allocated for FY15).

The total increase in the Budget Plan recommended by the Finance Committee amounts to \$3,660,142 (+4.25%). The increase in excluded debt service associated with the new high school project is \$306,998. The increase in the proposed allocation for the Town's OPEB Trust Fund (for retiree health benefit costs) is \$250,000. The increased cost of snow removal this winter adds \$248,049 to FY15 budget requirements. Net of these items, the remainder of the Budget Plan is up 3.2%.

The property tax levy required to fund the proposed budget level is projected to be \$3,142,695 under the FY15 levy limit, a 4.2% margin, based upon current projections of other revenues and available resources.

# Overriding the levy limit

Once at the annual levy limit, the Town may exceed this limit only with a majority vote at a Town-wide special or regularly scheduled election. Voters approved operating overrides for the Town government accounts and the schools for six consecutive years concluding with FY07 (ballot vote of June 6, 2006):

FY02 budget: \$2,249,022

FY03 budget: \$1,478,773

FY04 budget: \$1,532,364

FY05 budget: \$1,858,160

FY06 budget: \$ 752,480

FY07 budget: \$ 657,538

Since then, no operating override ballots have been presented to the voters. Without changes to current State laws, development of new municipal revenue sources, or significant amounts of new State aid, override votes are expected again to become an annual consideration in the budget cycle within the five-year forecast period to FY20.

Sixteen debt exclusion ballots have also been approved by the voters since 1980 (see the section Excluded Debt). The most recent approval was a ballot in Nov. 2011 for the construction of a new \$92.5 million Concord-Carlisle High School. The total debt exclusion tax levy for FY15 is budgeted at \$5,444,595 (about 7.0% of the total projected tax levy). This is net of the proposed \$500,000 allocation from the High School Debt Stabilization Fund (Article 14), and the FY15 allocation of \$409,878 from the \$6.3 million

Thoreau School grant received from the MSBA. The major portion of this sum, \$3,877,034, about 5.0% of the projected tax bill, is the FY15 property tax share of debt service cost on long-term bonds issued for the Alcott, Thoreau and Willard elementary school projects. Between Sept. 2004 and May 2011, a total of \$53,165,000 was issued as long-term debt to finance the construction of the three elementary school buildings. As of June 30, 2015, \$20,715,000 of this debt will have been repaid, 39% of the total.

## Forms of overrides

The Town Meeting does not vote on overrides, or specify the ballot questions. By State law, overrides, capital outlay and debt exclusions are voted upon only at a Town-wide election and require a simple majority vote for approval. State law gives the Board of Selectmen the sole authority to determine and specify the ballot questions. The Town Meeting's responsibility is to adopt budgets, and, when necessary, to specify whether and how much of an appropriation is to be contingent upon override or exclusion approval by the Town-wide electorate.

Override votes may precede or follow Town Meeting action. A General Override or Capital Exclusion vote will show the amount of the override in the wording of the ballot question. A Debt Exclusion cannot, by State law, show the amount of the debt, but rather can refer only to the debt authorized or to be authorized by a vote of Town Meeting.

Authorization of Town debt by the issuance of bonds requires a two-thirds vote in a specified amount at Town Meeting.

There are several permitted forms of a vote to exceed the annual levy limit:

### *General override*

A majority vote of the Board of Selectmen (3 of 5) is required to place this question on a ballot. The dollar amount of the levy limit increase must be specified and, if approved, the vote permanently increases the limit. The question can be posed with respect to the total budget or by identifying allocations to specific departments.

### *Capital outlay exclusions*

A two-thirds vote of the Board of Selectmen (4 of 5) is required to place this question on a ballot. If approved, the dollar amount of the override is effective for one year only. This form of vote can be used to authorize a capital purchase in lieu of a borrowing authorization. It can be used only for an expense that qualifies, under State law, for debt issuance authorization by the Town Meeting.

### *Debt exclusions*

A two-thirds vote of the Board of Selectmen (4 of 5) is required to place this question on a ballot. If approved, the override is effective only for the duration of the specified loan. The annual debt service amount (principal and interest payment) is added to the otherwise permitted annual levy limit.

# Debt management

Prudent use of debt financing is an important part of the Town's overall fiscal planning. The central objective of any debt management approach is to borrow at the least cost over the term of repayment of the debt. Pursuit of this objective requires clear strategies regarding the purposes of the borrowing, when to schedule debt-financed projects, and how long to stretch out the repayment. Borrowing is a means of distributing part of a current capital cost to future taxpayers, and therefore should be utilized only when such cost allocation is deemed equitable and the long-term interest costs do not outweigh other benefits.

All debt of the Town is issued as general obligation debt. This means that the full faith and credit of the Town - its promise to repay from any source - is pledged to the bondholder. Debt issued on behalf of the Town's enterprise operations (water, sewer, light) is, however, fully supported by the revenues of the respective enterprise when this is stipulated by the authorizing vote of Town Meeting. The basic rules of debt issuance are set forth in the General Laws of the Commonwealth. Municipalities have no independent authority to develop their own rules or innovations.

Capital financing and debt management policy for town debt supported by taxation within the levy limit is subject to the following guidelines:

- the total budget allocation for capital needs should be in the range of 7% to 8% of the total budget (town and K-8 schools);

- approximately one-third of capital needs should be met from current resources; the repayment of principal and interest, together with related issuance costs and short-term financing costs (i.e., debt service) should be capped at approximately 5% of the total budget;
- a rapid debt repayment schedule should be maintained, with a goal of 60% principal repayment within five years and 90% repayment within 10 years.

These guidelines are modified for major projects supported by debt exclusion votes. For example, the Willard School bond of January 2010 was issued as a 19-year level-principal maturity schedule.

The guidelines for debt to be financed within the levy limit serve several important purposes:

- capital needs are not displaced by the fiscal demands of current operations;
- the Town's approach to borrowing decisions is disciplined;
- the amount of debt service dollars expended for interest cost is minimized; about 21% of the total FY15 debt service appropriation for long-term debt repayment will be expended for interest;
- the capacity to address continuing capital needs is quickly and continuously restored.

Revenue-supported debt (water, sewer, light) is subject to different guidelines that consider the useful life of the project and the current interest rates in the marketplace (generally, debt issued for longer periods bears a higher interest rate).

May 14, 2013, in connection with the Town's most recent long-term bond issue, Moody's Investors Service reaffirmed the Town's credit rating of Aaa, its highest rating category. The rating report may be viewed on the Town's website at [concordma.gov](http://concordma.gov). The Aaa rating had first been obtained in November 1987. The Town's credit rating is a measure of its overall fiscal health.

The benefit of a strong credit rating is realized in lower interest costs on the Town's long-term debt issues. Thus, to the extent that the Town plans to borrow in support of its future capital needs, a strong credit rating is a benefit to the taxpayers. Over the past 1-years, the Town has issued more than \$53 million in long term debt to finance the three elementary school construction projects. Each bond issue was sold at an interest rate below 4%. Through June 30, 2014, 34% of the debt obligation for construction for the three new elementary schools will have been repaid.

# Excluded Debt

The FY15 budget for debt service on all excluded debt authorized to date is \$6,354,473. This includes \$1,858,841 as Concord's assessed share of debt service for the new Concord-Carlisle High School. Of the total, \$500,000 is proposed to be allocated from the High School Debt Stabilization Fund (Article 14). Additionally, \$409,878 will be the fifth annual allocation from the \$6.3 million Thoreau School grant received from the Mass. School Building Authority June 2010.

The net FY15 tax levy for excluded debt, \$5,444,495, will be about 7.0 % of the total \$77.7 million projected property tax levy. The major portion of this cost is for the three elementary school projects.

The FY15 tax levy will include \$3,877,032 for Alcott, Thoreau and Willard School debt expense (net of the MSBA grant allocations).

<b>Tax Levy for Excluded Debt</b>									
<i>projected to FY20, including share of planned High School debt</i>									
	FY13 Actual	FY14 Budget	FY15 Proposed	FY16	FY17	FY18	FY19	FY20	Final Fiscal Yr
	<b>PROJECTED</b>								
<b>Debt Issued:</b>									
Concord-Carlisle H.S.	\$ 254,128	\$1,551,843	1,858,841	\$2,014,163	\$1,900,390	\$1,827,641	\$1,651,520	\$1,604,418	2040
Harvey Wheeler Building	114,039	110,837	107,389	103,695					2016
Alcott School	740,052	720,995	701,499	682,442	661,628	641,913	622,147	602,380	2025
Thoreau School	1,416,392	1,381,397	1,344,761	1,305,061	1,266,311	1,230,148	1,188,619	1,151,491	2026
Willard School	2,347,423	2,309,778	2,240,652	2,128,091	2,087,764	2,033,958	1,813,598	1,771,428	2029
Wastewater Plan, Phase 1	101,565	101,450	101,331	101,212	101,089	100,863	100,836	100,706	2026
<b>subtotal</b>	<b>\$ 4,973,599</b>	<b>\$ 6,176,300</b>	<b>\$6,354,473</b>	<b>\$6,334,664</b>	<b>\$6,017,182</b>	<b>\$5,834,523</b>	<b>\$5,376,720</b>	<b>\$5,230,423</b>	
CCHS not yet issued				1,588,495	1,635,298	1,675,957	1,710,362	1,689,557	2042
				\$7,923,159	\$7,652,480	\$7,510,480	\$7,087,082	\$6,919,980	
<i>less Elem. Stabilization Fund</i>	(475,000)	(735,000)							
<i>less HS Stabilization Fund</i>		(230,000)	(500,000)	(1,500,000)	(1,020,000)	(250,000)			
<i>less MSBA Thoreau grant</i>	(409,878)	(409,878)	(409,878)	(409,878)	(409,878)	(409,878)	(407,686)	(407,686)	
<b>NET from property tax levy</b>	<b>\$4,088,721</b>	<b>\$4,801,422</b>	<b>\$5,444,595</b>	<b>\$6,013,281</b>	<b>\$6,222,602</b>	<b>\$6,850,602</b>	<b>\$6,679,396</b>	<b>\$6,512,294</b>	

Following is a summary of the debt exclusion authorizations for which debt service is included in the FY15 budget.

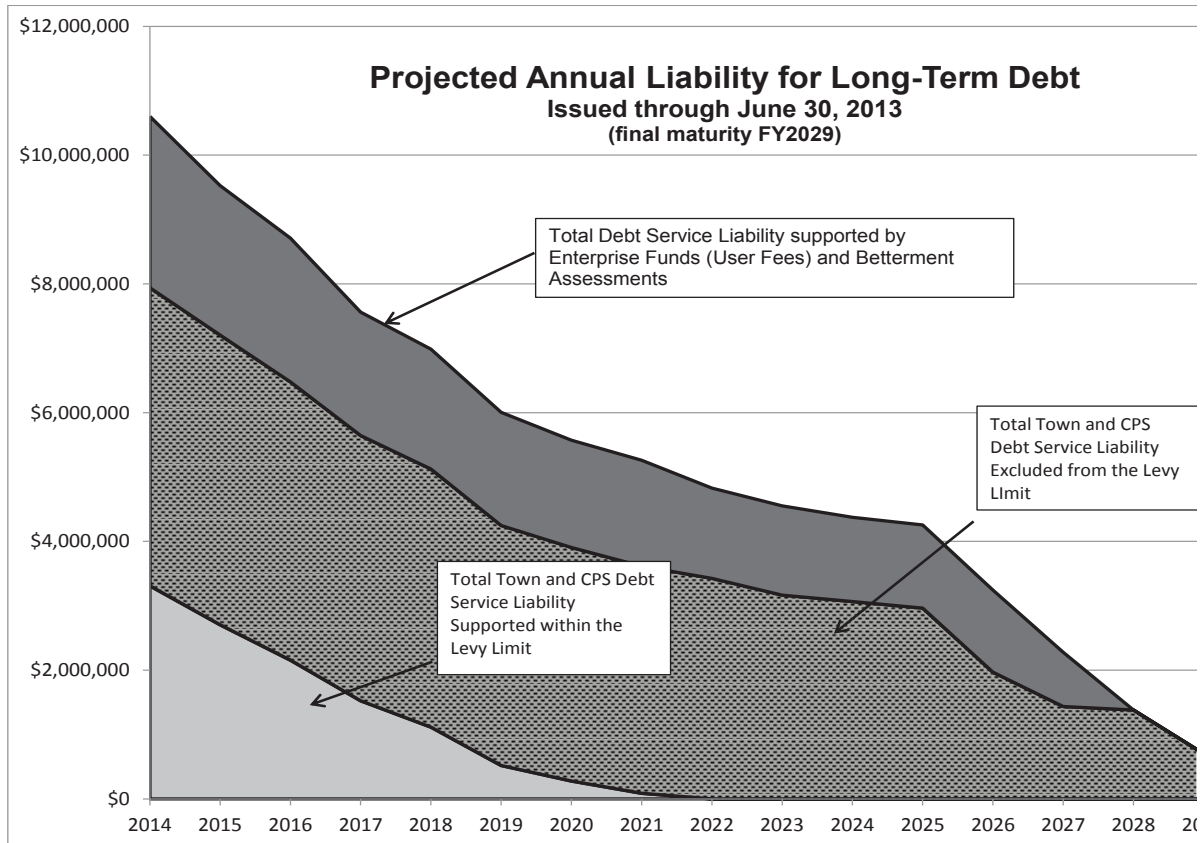
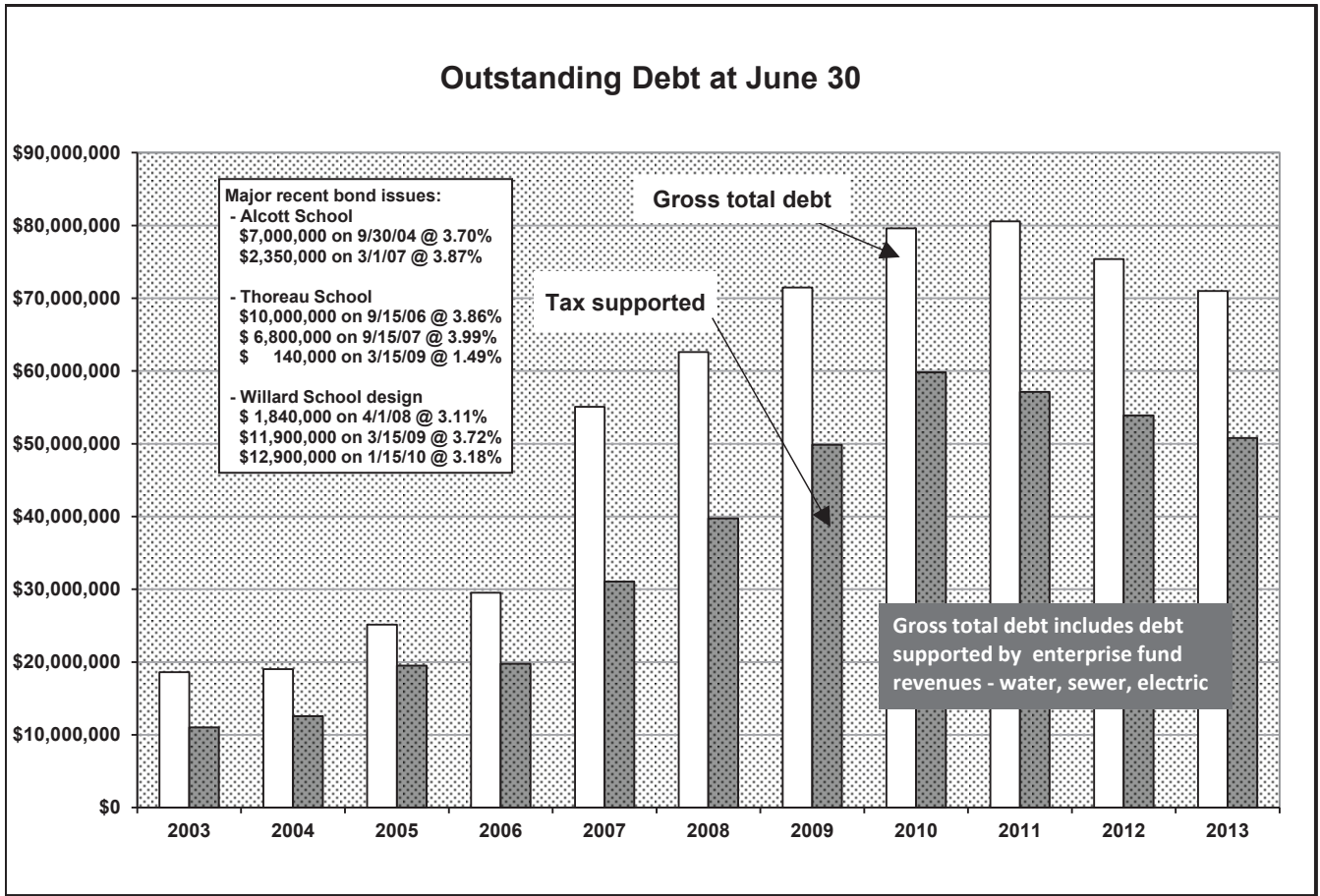
## **Harvey Wheeler Bldg. (2002): final payment FY16**

At a Special Election May 14, 2002, voters by a vote of 2,759 to 1,062 approved excluding \$1.2 million of debt for the Harvey Wheeler Building renovations, following authorization at the 2002 Annual Town Meeting. This debt was issued Feb. 2004 at a 2.87% interest rate and repayment commenced in FY05.

## **Alcott School (2002): \$9,365,000 issued, final payment in FY25**

June 19, 2002, voters approved excluding the debt for construction of the new Alcott School, a \$16.7 million authorization approved at the 2002 Annual Town Meeting. The ballot vote was 2,208 to 1,477. The design and construction portion of this authorization, about \$14.2 million, was audited by the State in the summer of 2006 and received a lump-sum state grant of \$7.2 million in Sept. 2006. A 20-year bond for \$7 million, representing the major portion of our anticipated local share for the construction phase, was issued in Sept. 2004 at a favorable 3.7% interest rate. The second phase of work, demolition of the original building and site work, commenced in the summer of 2006 following the relocation of Thoreau students to their new school building after two years in temporary residence at the old Alcott School. No further state grant was earned for Phase 2 of the Alcott project. A 15-year bond for \$2.3 million was issued in Feb. 2007 at a rate of 3.89%. A one-year bond for \$15,000 was

*Continued*



# Debt Service Schedule for debt issued through June 30, 2013

Fiscal Year	Total Annual Debt Service		Total Principal Outstanding at June 30th	Tax Supported Annual Debt Service						Revenue Supported Annual Debt Service									
	Principal Matured	Interest Payment		Town (within levy limit)		Town (outside levy limit)		School (within levy limit)		School (outside levy limit)		Water		Sewer		Betterment (WPAT loans)		Light	
				Principal Matured	Interest Payment	Principal Matured	Interest Payment	Principal Matured	Interest Payment	Principal Matured	Interest Payment	Principal Matured	Interest Payment	Principal Matured	Interest Payment	Principal Matured	Interest Payment	Principal Matured	Interest Payment
2014	8,370,269	2,231,401	62,613,767	2,270,000	227,868	177,723	34,726	740,000	70,895	3,035,000	1,384,125	520,000	169,327	603,388	179,931	264,158	36,955	760,000	127,574
2015	7,529,497	1,996,583	55,084,270	1,850,000	167,976	179,293	29,539	635,000	50,481	3,005,000	1,287,825	520,000	153,144	613,557	165,398	266,648	34,326	460,000	107,894
2016	6,934,014	1,776,882	48,150,256	1,470,000	116,800	180,895	24,067	535,000	32,288	2,930,000	1,189,082	520,000	136,681	623,932	150,620	289,187	31,644	405,000	95,700
2017	6,003,822	1,557,598	42,146,434	1,095,000	72,800	82,529	18,560	340,000	17,075	2,930,000	1,068,857	420,000	115,706	534,516	134,242	271,777	28,908	330,000	81,450
2018	5,608,928	1,377,149	36,537,506	865,000	42,250	84,196	16,767	200,000	7,900	2,920,000	988,844	420,000	101,388	545,314	122,634	274,418	26,116	300,000	71,250
2019	4,804,339	1,200,411	31,733,167	425,000	16,200	85,897	14,939	75,000	2,900	2,740,000	886,850	345,000	86,213	556,331	110,791	277,111	23,268	300,000	59,250
2020	4,519,744	1,052,107	27,213,424	200,000	5,700	87,632	13,073	70,000	1,400	2,740,000	787,563	345,000	75,050	567,570	98,709	209,542	20,362	300,000	50,250
2021	4,351,003	909,239	22,862,421	85,000	1,700	89,403	11,170	0	0	2,740,000	687,888	345,000	63,450	579,036	86,383	212,564	17,388	300,000	41,250
2022	4,061,315	766,599	18,801,106	0	0	91,209	9,229	0	0	2,740,000	585,088	235,000	51,850	590,734	73,808	204,372	14,374	200,000	32,250
2023	3,923,007	628,994	14,878,099	0	0	93,052	7,248	0	0	2,585,000	480,178	235,000	43,050	602,668	60,979	207,287	11,289	200,000	26,250
2024	3,877,635	496,643	11,000,464	0	0	94,932	5,227	0	0	2,585,000	380,884	235,000	34,250	614,843	47,891	147,860	8,141	200,000	20,250
2025	3,894,962	360,365	7,105,502	0	0	96,850	3,165	0	0	2,585,000	278,882	235,000	25,300	627,265	34,538	150,847	4,930	200,000	13,750
2026	3,002,637	240,751	4,102,865	0	0	98,806	1,062	0	0	1,675,000	193,844	235,000	16,275	639,936	20,916	153,895	1,654	200,000	7,000
2027	2,127,865	149,881	1,975,000	0	0	0	0	0	0	1,300,000	135,688	175,000	7,175	652,865	7,018	0	0	0	0
2028	1,300,000	81,344	675,000	0	0	0	0	0	0	1,300,000	81,344	0	0	0	0	0	0	0	0
2029	675,000	27,000	0	0	0	0	0	0	0	675,000	27,000	0	0	0	0	0	0	0	0
total	70,954,036	14,852,947		8,260,000	651,294	1,442,417	188,772	2,595,000	182,939	38,485,000	10,463,742	4,785,000	1,078,859	8,351,955	1,293,858	2,909,666	259,365	4,155,000	734,118

Interest expense as % of total debt service, FY14: **21.0%**  
 Interest expense as % of total debt service to final maturity: **17.3%**

Projected as of June 30, 2013:  
 Debt Retirement - all **5 yrs** | **10 yrs**  
 Debt Retirement - tax supported only **48.5%** | **79.0%**  
**50.9%** | **80.6%**

issued in March 2009 at a rate of 1.17%.

**Thoreau School (2004): \$16,940,000 issued, final payment in FY25**

June 8, 2004, voters approved excluding the debt for new construction and reconstruction (1994 wing) of the Thoreau School, a \$16.8 million authorization approved at the 2004 Annual Town Meeting. The ballot vote was 3,421 to 1,899. A further \$350,000 was authorized by Town Meeting vote in April 2006. An 18-year bond for \$10 million was issued in Sept. 2006 at a favorable 3.85% interest rate. An 18-year bond for \$6.8 million was issued in Sept. 2007 at a 3.99% rate. A 3-year bond for \$140,000 was issued in March 2009 at a 1.49% rate, completing the Thoreau School permanent financing.

**Wastewater Management Plan, Phase 1 (2004): final payment in FY26**

June 8, 2004, voters approved excluding the debt for construction of sewer system extensions in the West Concord and Elm Brook neighborhoods. The ballot vote was 3,392 to 1,851. A debt authorization of \$4,190,000 was approved by the 2004 Annual Town Meeting, the debt to be issued through the State Water Pollution Abatement Trust at a subsidized interest rate of 2%. The Town Meeting voted to allocate this debt among the General Fund, the Sewer Fund and betterments. The property tax share of the debt is approximately \$1,640,000. The debt was executed with the State in Nov. 2005 and principal repayment commenced on a 20-year schedule beginning July 2006.

**Willard School Design (2006): \$1,840,000 issued, final payment in FY18**

March 28, 2006, voters approved excluding the debt for design cost of a new Willard elementary school. The ballot vote was 2,080 to 1,747. Town Meeting subsequently authorized \$1,840,000 for this purpose. This amount was financed as part of the April 1, 2008 bond issue, with a ten-year maturity schedule at a 3.11% interest rate.

**Concord-Carlisle High School (2006 and 2007): final payment in FY18**

June 6, 2006, voters approved a debt exclusion for Concord's share of \$1,200,000 for renovations at the regional high school, pursuant to the vote of the 2006 Annual Town Meeting. The ballot vote was 1,209 to 778. March 27, 2007, voters approved a debt exclusion for Concord's share of \$1,245,000 for renovations at the regional high school, by a vote of 959 to 514. This debt was subsequently authorized at the April 2007 Annual Town Meeting. These authorizations were combined and issued by the district as a 10-year \$2.445 million bond Dec. 15, 2007, at a 3.33% interest rate.

**Willard School construction (2007): \$25,175,000 issued, final payment in FY28**

Nov. 14, 2007, voters approved \$29.4 million for construction of a new Willard Elementary School, by a vote of 2,160 to 1,200. The project is scheduled for fall 2009 completion. A 19-year bond was issued for \$11.9 million in March 2009 at a 3.72% interest rate. A second 19-year bond was issued for \$12.9 million in Jan. 2010 at a 3.18% interest rate. A 4-year bond was issued for \$375,000 in May 2011 at a 1.06% rate, completing the Willard permanent financing.

**Concord-Carlisle High School (2010 and 2011)**

June 8, 2010, voters approved a debt exclusion for Concord's share of \$1,300,000 for a feasibility study and schematic design of a renovated or new CCHS building. The ballot vote was 1,809 to 450.

Nov. 15, 2011, voters approved a debt exclusion for Concord's share of a \$92,578,000 new high school, following the MSBA approval of a maximum facilities grant Sept. 28, 2011, at 35.58% of eligible costs. The ballot vote was 3,571 to 659. This vote incorporated the earlier \$1.3 million debt authorization. The projected net local cost of the project is approximately \$64 million. A \$32.5 million serial maturity bond was issued by the regional school district June 4, 2013 at a 3.00% interest rate, with final maturity in FY40. Principal repayment commences in the FY14 budget period. A further bond issue is anticipated in spring 2015, with completion of the permanent financing in 2016 after all site work and the MSBA audit is completed.

# State Aid

State aid is received for general town purposes and is not restricted in use, although it is often discussed as if earmarked for “school aid” and “general or non-school aid”. Chapter 70 school aid and the distribution of the net lottery proceeds are the major components of Concord’s aid. Concord receives a minimum statutory Chapter 70 allocation, due to its income and property wealth measures.

## State Aid and the State’s fiscal position

State Aid is a significant component of the State budget, equivalent to about 22% of own-source State revenues. Aid is distributed to the cities and towns through a variety of formulas, most of which provide aid to communities based upon relative need as measured by property and income characteristics. On average,

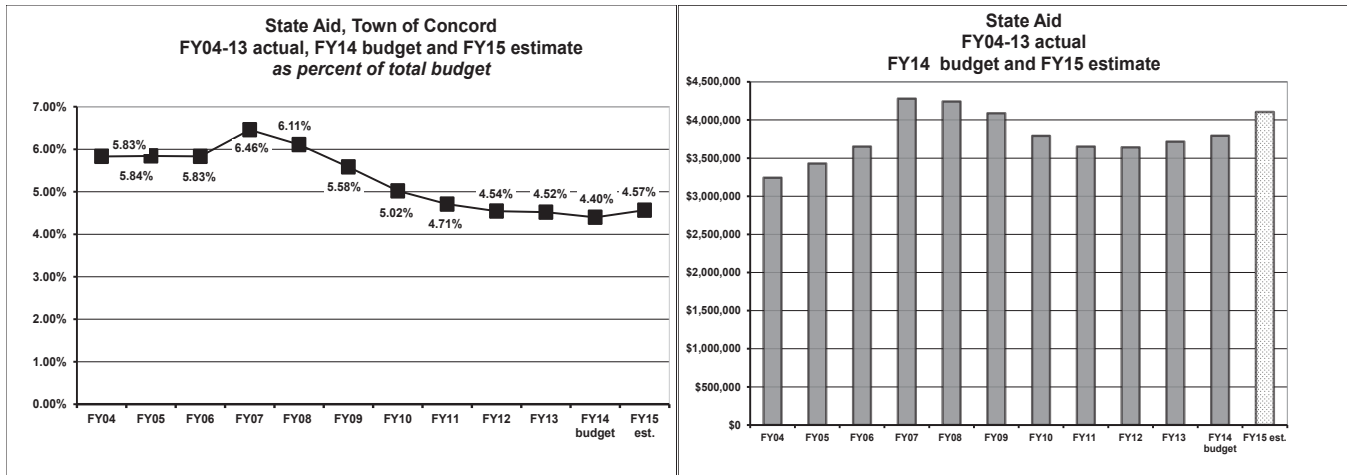
about 21% of all local General Fund spending is supported from State Aid while property taxes support 57% of local spending (FY13 estimated). Funding received by Concord in FY13 represented about 4.4% of the Town’s total \$86.2 million General Fund budget (Town departments and education combined) while property taxes supported 86% of the budget.

Since fiscal year 2009, State Aid to municipalities and regional school districts had weathered a cut of more than 10% through FY12. Concord’s recent state aid history reflects a steeper drop, from \$4.5 million as the initial FY09 allocation (before a mid-year cutback) to \$3.64 million received in FY12 year, a drop of almost 20%.

The Governor’s Jan. proposal for the FY15 State budget proposed a

modest increase in State Aid for most communities for the coming year. The House and Senate have recently adopted a Joint Resolution covering certain State Aid elements but not the full picture. While action by the legislature will not be completed until June, early indications of the intent of Beacon Hill are more favorable than our original budget planning estimate had been.

The financial plan being presented for Concord’s Town Meeting therefore incorporates a FY15 State Aid estimate of \$4,104,158, a \$311,000 increase based on the Joint Resolution, or 4.6% of the proposed budget total. Even with this increase, State Aid would remain almost 10% below what the Town received in FY06, almost a decade ago.



## *Annual Town Meeting: May 4, 2014*

### **Article 19: Free Cash Use**

### **Article 14: High School Debt Stabilization Fund**

## *Special Town Meeting: May 5, 2014*

### **Article 3: Emergency Response Stabilization Fund**

#### **Free cash**

The accumulation and use of Free Cash, which is available undesignated fund balance of the General Fund, is an important component of the Town's overall financial management policies. These policies maintain the Town's ability to respond to emergencies, promote the stability of service levels and control the rate of tax levy change.

The undesignated fund balance may be appropriated in either of two forms: (1) for specific expenditures or (2) to reduce the tax levy that otherwise would be required. The available amount is calculated and certified each year by the Commonwealth's Department of Revenue based upon the balance sheet submitted by the Town.

The General Fund Balance, sometimes referred to as "surplus" or "surplus revenue", is the amount by which cash and receivables exceed current liabilities and commitments. In a business sense, this might be thought of as 'liquidity'. In a personal sense, it can be thought of as 'available savings'—at least the portion of savings that cannot be claimed by any other creditor and that is available without requiring the sale of property or other fixed assets.

It is customary for the Annual Town

Meeting to allocate some portion of the General Fund Balance to the support of the ensuing year's expenditure plan. In some years these savings used are more than replenished from operations, while in other years the year-end return from unexpended appropriations and from revenues over estimates (if any) is insufficient to fully restore the Town's accumulated reserves. The sums voted by each annual Town Meeting for use in the ensuing fiscal period are deducted and reserved prior to each June 30 certification.

#### **Free Cash allocated to FY15 budget support**

The Finance Committee's Budget Guideline plan issued last Nov. recommends an allocation of \$850,000 to support the FY15 operating budgets. The Committee annually reviews the Free Cash policy and has reaffirmed the commitment to keep the unused Free Cash Balance at or above 5% of the total ensuing budget, a level deemed essential to enable the Town to cope with unexpected circumstances. The Town's actual Free Cash level has been above this minimal level in recent years and has been an important factor in the maintenance of the Town's "Triple A" credit rating. Any favorable budget variances from current year operations (ac-

tual revenues in excess of the FY14 budget estimate, and/or any FY14 appropriations that remain unspent at year end) will become part of the June 30, 2014 Free Cash balance. This balance will be available to the next Annual Town Meeting in 2015 for allocation in support of future budgets. The results of FY14 operations are presently expected to restore all or most of the Free Cash balance proposed for allocation at the 2014 Town Meeting. The Committee is recommending allocation of \$850,000 (Article 19).

#### **High School Debt Stabilization Fund**

The Special Town Meeting Nov. 7, 2011 approved the borrowing authorization of \$92.5 million as voted by the Regional School District Committee. The Massachusetts School Building Authority will share 35.58% of the eligible portion of this cost, based on an Estimated Facilities Grant of \$25.5, reimbursing the district as construction bills are incurred. This, the Regional School District will be financing with permanent debt just the local share of the "eligible cost" plus 100% of costs not eligible for MSBA participation. This exclusion encompasses 100% of the cost of the second gym. The total local share of the project cost is projected at about \$64 million.

Debt service on this borrowing will be assessed annually to Concord and Carlisle based on the same student population ratio as is used to allocate the net operating budget costs. This ratio will change each year. Long-range student enrollment projections are subject to uncertainty but indicate at this point that Concord's share will average about 75% over the next five years (FY15-19), but could average an 81% share for the five-year period after that (FY20-24). These assumptions were used in updating the Finance Committee's five-year forecast. The forecast model projects issuance of 25-year level-principal bonds in two stages (the first being the \$32.5 million sale of June 2013) timed for a construction schedule that will have a completed high school building opening April 2015. The maximum tax bill impact of the high school debt will occur in FY18, when debt service on the high school bonds will be about 4% of the total tax bill.

Recognizing the significant tax increase that results from the project, the Selectman and Finance Committee in 2011 proposed the establishment of a new Debt Stabilization

Fund, modeled on the Fund created in 2008 to address the Elementary School debt impact. At the 2012 Annual Town Meeting, \$2,000,000 was voted to be appropriated for this purpose from the Free Cash balance of July 1, 2011. The 2013 Town Meeting approved adding \$750,000 to this fund, to this fund from the July 1, 2012 certified Free Cash balance. Again at the 2014 Town Meeting, the Finance Committee is proposing to add another \$750,000 to this fund.

The present plan, represented in the table appearing on the Excluded Debt page in this Report, is to allocate this Stabilization Fund over the next four years as follows:

FY15	\$ 500,000
FY16	\$ 1,500,000
FY17	\$ 1,020,000
FY18	\$ 250,000

These allocations will make the annual tax bill adjustments more uniform while also lowering the peak impact on taxpayers. The Finance Committee is recommending affirmative action on Article 19.

**Emergency Services Stabilization Fund**

The 2012 Annual Town Meeting

approved Article 29 creating a new Stabilization Fund and allocating the \$1,000,000 payment that had been made by the developer of the Concord Mews. This payment had been made in compliance with the Development Agreement and was to be used to mitigate the impact of the project on the Town's public safety and emergency response capacity. Subsequently an internal Fire Department study of ambulance service carried out in 2012 has led to inclusion in the FY15 proposed budget of four new firefighter positions to staff a daytime ambulance out of the West Concord station. The ambulance is being acquired with funding from a generous gift of Audrey Mold, a Town resident.

In order to manage the impact on the General Fund budget, the plan to finance this service expansion is to draw upon the Stabilization Fund over a period of three years, at successively decreasing amounts while increasing the General Fund budget gradually accordingly. A total of \$350,000 is intended to be committed from the Stabilization Fund over three years, subject to Town Meeting votes each year.

<b>Free Cash</b>					
<b>Undesignated Fund Balance</b>					
<b>BALANCE</b>			<b>USED</b>		
<b>As of June 30</b>	<b>Certified</b>	<b>As % of next budget</b>	<b>Fiscal Year</b>	<b>To reduce tax rate</b>	<b>As percent of levy</b>
<b>2008</b>	<b>7,371,061</b>	<b>9.8%</b>	<b>2010</b>	<b>1,040,000</b>	<b>1.6%</b>
<b>2009</b>	<b>8,471,337</b>	<b>11.2%</b>	<b>2011</b>	<b>600,000</b>	<b>0.9%</b>
<b>2010</b>	<b>8,635,340</b>	<b>11.1%</b>	<b>2012</b>	<b>850,000</b>	<b>1.2%</b>
<b>2011</b>	<b>9,567,656</b>	<b>11.9%</b>	<b>2013</b>	<b>850,000</b>	<b>1.2%</b>
<b>2012</b>	<b>9,357,662</b>	<b>11.3%</b>	<b>2014</b>	<b>850,000</b>	<b>1.1%</b>
<b>2013</b>	<b>\$ 9,664,489</b>	<b>11.2%</b>	<i>proposed</i> <b>2015</b>	<b>\$ 850,000</b>	<b>1.1%</b>

# Reserve Fund transfers

The Reserve Fund is an appropriated contingency account. It is part of the Town Government budget (item 34 of Article 7, proposed at \$225,000) and is counted within the Finance Committee's budget guideline for Town Government operations (Article 7, items 1-36). It is allocated during the budget year by vote of the Finance Committee pursuant to the request of the Town Manager. By state law, its use is restricted to "extraordinary or unforeseen expenditures". In FY13, \$86,253 was allocated and \$138,747 was returned unexpended at the end of the budget year.

The Town budget is adopted as a series of separate appropriations (Article 7, items 1-41). Funds are not transferred from one appropriation account to another except by Town

Meeting action. Only the Reserve Fund appropriation may be used during the fiscal year to supplement other appropriation accounts, except that in the final three months of the budget year any appropriation balance may be transferred by joint approval of the Finance Committee and the Board of Selectmen. This latter provision was added by State law in 2003 as a safety valve for communities that exhaust their Reserve Fund account. Concord has never used this provision of State law.

The budget contingency process works differently for the Concord Public Schools budget (Article 8). State law gives the School Committee the "bottom line" power to authorize transfers within its appropriation total voted by Town Meeting.

At the end of each fiscal year, funds in appropriation accounts that are not spent are returned to the General Fund balance.

The FY15 Reserve Fund appropriation recommendation, \$225,000, is about six-tenths of one percent of the total Article 7 recommendation. State law allows the Reserve Fund appropriation to be as much as 5% of the previous tax levy; this would permit a Reserve Fund appropriation of \$3.7 million. The Concord Finance Committee has not felt that such a large contingency account would be consistent with the objective of fostering tight expenditure control by Town and School administrations.

## *Reserve Fund Uses, FY2013*

<b>Town Account</b>	<b>Amount</b>	<b>Purpose</b>
Building Maintenance Acct.	\$ 47,203	Brownstone order, Town House project
141 Keyes Road	20,000	Attic damage repair
Animal Control	2,700	Special Town Meeting, Nov. 5, 2011
Street Lighting	4,550	Rate increase impact
Veteran's Benefits	11,000	Additional beneficiaries, mandated payments

# Observer reports

## Historical Commission

**T**he Historical Commission is recommending an amendment to the Demolition Delay Bylaw in Article 57 of the Town Meeting Warrant. The loss of several structures that might have been deemed historically significant if subject to review in recent years prompted the Commission to explore the demolition policies of Concord in comparison to those of peer communities. The Commission's work highlighted the appropriateness of Concord taking measures to broaden the scope of structures which should be reviewed by the Historical Commission prior to any demolition. By setting the structure age threshold at 75 years or more, all pre-World War II construction would be subject to review for cultural, political, architectural or social history significance.

Concord's present bylaw requires pre-demolition review for all structures within a Local Historic District as well as approximately 60 structures placed on a "Significant Listed Building or other structure" list included within the bylaw. Under the proposed amendment, the net is cast more broadly, and approximately 1,500 structures would meet the criteria for pre-demolition review. The proposed amendment maps out a set of procedures for all parties—proper-

ty owner, building commissioner, and the Historical Commission—to follow when a property owner of a building subject to the bylaw seeks demolition approval. The proposed amendment also provides for a timely determination (within 15 business days) of whether the structure is historically significant.

If the Commission determines a property is historically significant, the proposed amendment is designed to encourage the owner to explore means of preserving the structure through sale, rehabilitation or relocation. If preservation is not possible, the amendment calls for creation of documentation of the structure, including a visual record. Provisions are made for appropriate notices and public discussion, and the steps required for emergency demolition of unsafe structures are mapped out as well.

One-page summaries, "The ABC's of Proposed Demolition Delay Process," and "Proposed Demolition Delay Process Flow Chart" are available at the Concord Historical Commission webpage on the Town website: [www.concordma.gov/Pages/ConcordMA\\_HistComm/Index](http://www.concordma.gov/Pages/ConcordMA_HistComm/Index).

## Minuteman High School Articles 15 and 16 Financial Considerations

Since 1970 Concord has had the benefit of being a member of the Minuteman Regional High School District. As a member, the Town is able to offer Concord students an alternative to the Concord Carlisle Regional High School which broadens the students' educational experience to include the development of vocational and technical skills along with academics. State law requires that vocational education be made available to all students, either directly through the municipality's high school or through a regional district such as Minuteman.

Minuteman's mission is to collaborate with parents, communities and business leaders to serve a diverse student body with multiple learning styles. Through a challenging, integrated curriculum, students develop the academic, vocational, and technical skills necessary to be productive members of a global community. Minuteman values life-long learning that fosters personal and professional development in a safe and respectful environment. Minuteman is committed to preparing all students for success.

Each year the Town is asked to approve the budget for Minuteman and Concord's share of the annual operating budget. The total FY15 budget presented in Article 15 is \$19,645,065. The 16 member towns, of which Concord is one, are assessed a portion of this budget based primarily on the number of each town's students that attended the

school in the most recent year, but adjusted by a relative wealth factor setting forth a minimum assessment in accordance with the 1993 state Education Reform law (Chapter 71 of the Acts of 1993). Concord's assessed share of the 2014-2015 Minuteman budget will be \$191,689.

Concord's assessments have varied over the years from a high in FY11, based on 26 Concord students enrolled as of Oct. 1, 2009, to a low, for FY15, based on seven students enrolled as of Oct. 1, 2013 (1.62% of the 16-member town enrollment). The FY15 assessment of \$191,689 is comprised of several components:

State-required minimum assessment	\$ 99,959 (a 1.71% share)
Special Education assessment	\$ 31,500
Transportation assessment	\$ 10,427
Remaining operating assessment	\$ 32,630
Debt and capital assessment	\$ 17,173

Non-member towns may send students for whom the sending community pays tuition towards operating and transportation expenses only, in an amount determined by the State Department of Elementary and Secondary Education (DESE). Non-member communities may not be assessed for capi-

tal expenses. The current system places the burden for the financing of capital expenses on the 16 member towns.

This year the citizens of Concord will be asked both to approve Concord's assessed share of the Minuteman budget (Article 15) and to approve amendments to the regional agreement governing the relationship between member towns and Minuteman (Article 16). This agreement, among other things, dictates how each town will be assessed for capital and operating expenses, voting procedures at school committee meetings, and procedures for the admission and withdrawal of member committees. The proposed amendments would revise the assessment formula basis by using a four-year rolling average of student enrollment, rather than the most recent single-year enrollment. In addition the amendments would introduce weighted voting, ease the way for the addition of new member communities and the withdrawal of current member communities, and define the process for authorization by member communities for Minuteman to take on new debt in light of options available under State law.

In a separate but related initiative, the District is working with officials at DESE to establish a policy under which it would be

allowed to charge a facility fee to the home communities of out-of-district students. The amended regional agreement stipulates that any such revenue would be applied to reduce capital assessments to the 16 member towns.

The importance of Article 16 lies in the expectation that Minuteman will begin a major capital project to improve its campus within the next few years. Under the current arrangement the cost of these improvements would fall disproportionately on member towns. Changes to the agreement are intended to encourage the admission of new member communities, resulting in a more equitable sharing of both operating and capital costs.

The Minuteman High School has a history of providing an excellent educational alternative to Concord students and those attending from the other 15 member towns, as well as at tuition-paying students. The availability of technical training in an environment that also provides academic preparation for post-secondary education is an important asset to our region. Articles 15 and 16 will give Concord's citizens the opportunity to consider the Town's commitment to the school. The Finance Committee recommends affirmative action by Town Meeting on both articles.

## Planning Board

This year's Warrant for Town Meeting features two articles petitioning for Zoning Bylaw Amendments intended to facilitate the development of affordable housing. The Concord Planning Board is proposing amendments to the Zoning Bylaw addressing combined business and residential use in Article 46 and to the Inclusionary Housing Bylaw in Article 54. The Town of Concord currently meets the State's policy objective that each city and town should have 10% of its housing stock classified as affordable. The goal of both proposed bylaw amendments is facilitation of affordable housing development to keep pace with other residential development, thereby assisting continuing efforts of the Town to foster affordable housing goals and remain above the 10% threshold.

The Planning Board's proposed amendment to the mixed-use bylaw (Article 46) seeks to reduce the minimum percentage of a development's dwelling units required to be available for affordable housing from 20% to 15% and to allow for the negotiation of a comparable fee in lieu of affordable housing units when fewer than five dwelling units are being constructed. The Board is proposing this change from the 20% set-aside approved at Concord's 2006 Town Meeting. At that time, proponents of the 20% threshold anticipated that this provision would accelerate Concord's pace in meeting the 10% affordable housing goal. No development has occurred under this bylaw since 2006.

Consequently, the Planning Board proposes reducing the set-aside provision to 15% from 20% and allowing a negotiated payment in lieu of affordable housing units for smaller projects as a means to promote mixed-use development. Combined business and residential development is a key of the smart growth approach to urban planning. In this

model, residents enliven a compact business center, and the center's proximity to public transportation broadens the appeal of the development to a wider variety of potential residents, which in turn increases the vibrancy of the community.

The proposed action under Article 46 would give the Planning Board discretion to allow for the creation of one or more strictly residential structures in a multi-structure development if it is not detrimental to the neighborhood. The proposed amendment also stipulates a 30% minimum percentage of development space allocated to business and includes provisions for open space in developments covered by the Bylaw.

In Article 54, proposing an amendment to the Inclusionary Housing Bylaw, the Planning Board seeks to broaden the bylaw's application to include special development processes, not merely the subdivision development process. Special development processes include mixed business and residential and mixed industrial, business and residential developments where only a small number of residential units are proposed. In these instances, a fractional set-aside of units for affordable housing is unworkable. For example, if a developer proposes a mixed-use project with only two residential units, a 15% or 20% allocation for affordable housing units cannot be achieved. In this and similar cases, the fractional set-aside acts as a barrier to successful development. The proposed amendment would allow the negotiation of a payment of money or land in lieu of the development of affordable housing units. If the negotiated payment is money rather than land, the funds would be deposited in the Town's General Fund and would require future Town Meeting appropriation from Free Cash when another suitable affordable housing opportunity arises.

## TOWN OF CONCORD

### MODERATOR'S NOTES & PROCEDURES FOR THE 2014 TOWN MEETING

One guiding principle for Concord Town Meeting is “keep it simple.” We follow procedures set forth in Town Meeting Time, a book published by the Massachusetts Moderators Association and available at Town libraries. “Concord Town Meeting Traditions and Procedures” (Feb. 2014 edition) provides more information; it is available at the Town House, online at [www.concordma.gov](http://www.concordma.gov), and in the lobby during Town Meeting (printed on green paper).

#### PART 1 – IMPORTANT THINGS TO KNOW

**CIVILITY IN DEBATE:** All speakers must address all remarks to the Moderator. Our Concord Town Meeting has a long tradition of vigorous, civil, and respectful debate. This means that we stick strictly to the issue, avoid impugning the motives of any person or group, and avoid any personal attacks or references to other speakers by name. Any speaker who fails to honor this tradition will be ruled out of order.

Civility enables all participants to speak and be heard without interruptions or demonstrations, such as hissing, booing, clapping or cheering. All participants are expected to listen to all presentations carefully. The Moderator is responsible to ensure that the meeting proceeds in an orderly and respectful manner so that thoughtful deliberation and decision-making may occur.

**PARLIAMENTARY PROCEDURE & TIME LIMITS ON SPEAKING:** All speakers must stick to the announced time limits. These (like last year) are five minutes for presenting main motions, and two minutes for speaking pro or con on a motion. Any extra time must have the Moderator’s advance permission. Often, the best way to communicate your point of view effectively is to provide a handout with more comprehensive information. If you exceed the limit, the Moderator’s bell must end your speaking.

**DOCUMENTS YOU WILL NEED:** Please be sure you have a copy of the **Finance Committee Report**, which indicates the recommendations of the Board of Selectmen, Finance Committee, and other town boards and committees (when available). If a Selectmen or Finance Committee affirmative action recommendation is indicated in the Finance Committee Report, they may not come to the microphone solely to repeat this. Also, please pick up copies of handouts provided on the tables outside the hall, as the Moderator may not read articles or motions which are printed on a handout. When a handout is available, the Moderator usually notes this at the start of debate.

**VOTING SLIPS:** All registered voters must check in with Election Officials in the lobby to receive a Voting Slip. Please keep your Voting Slip handy, and show it during a vote by show of hands. When a standing vote is being counted by the Tellers, you must show your Voting Slip to identify you as a voter to the Tellers who are responsible for counting the section where you are seated. In the event that the Meeting votes to vote on a matter by secret ballot, you will be instructed by the Moderator on how to detach your ballot. Please note that ballots are not transferrable. If you leave the Meeting early, please take your Voting Slip with you. *A different slip is used during each night of Town Meeting.*

**SMOKING:** Smoking is not permitted in any part of any of the premises.

**VISITORS (NON-RESIDENTS & RESIDENTS NOT ELIGIBLE TO VOTE):** Anyone not registered to vote in Concord must check in at the door to the high school, sign the guest list, and receive a Visitor’s badge. The badge must be worn while in attendance at the Meeting. Separate seating for persons in these categories is provided to avoid confusion in counting votes. A resident not registered to vote, or anyone not residing in Concord may speak *only with the prior specific permission of the Moderator*.

**TOWN & SCHOOL EMPLOYEES NOT RESIDENTS OF THE TOWN:** Town or school employees who are not residents of the Town may sit with their respective boards and committees and may be granted prior permission to speak by the Moderator.

**REFRESHMENTS:** Food and drinks may only be consumed in the Cafeteria or the hallways. They may not be brought into the auditorium, except for water.

**CELL PHONE USE, BROADCASTING, & PRIVATE VIDEOTAPING:** Cell phones may not be used to make or receive calls in any meeting hall, and all cell phones must be placed in vibrate only mode. The Meeting is cablecast live by Comcast Channel 9. Private videotaping is not permitted without prior permission of the Moderator.

**HEARING ASSISTANCE:** Hearing assistance devices are available in the lobby.

**EMERGENCY EVACUATION OF THE BUILDING:** In the event the building must be evacuated, please exit promptly and carefully through the nearest designated exit. If you have children in the Childcare Center, do not attempt to go for them. They will be safely cared for by the people in charge.

**RECYCLING:** Recycling barrels are provided in the lobby for materials you do not wish to take home. Please place used copies of the Warrant, Finance Committee Report, and “Town Meeting Traditions & Procedures” pamphlet on a lobby document table for reuse by other voters.

## **PART 2 – TOWN MEETING PROCEDURES IN A NUTSHELL**

**TO VOTE:** Keep your Voting Slip handy—you will need it for all votes.

### **TO MAKE A MOTION:**

1. Stand at a microphone and wait to be recognized by the Moderator.
2. Give your name and address and wait for acknowledgment by the Moderator.
3. State your motion: “I move that ...”
4. Your motion must be seconded by another voter saying: “I second the motion.”

### **TO AMEND A MOTION:**

1. Stand at a microphone until recognized by the Moderator. State your name and address.
2. Have **two written copies** of your amendment ready to give to the Moderator. The Moderator will not accept an amendment that is not in writing. All voters thinking about amendments are encouraged to discuss them with the Moderator as early in the Town Meeting process as possible, preferably long before coming to Town Meeting, so that your proposed amendment may be shown on the screen during Town Meeting discussion. You must

put your name and address on your amendment to help the Town Clerk keep an accurate record of the Meeting.

3. Say: "I move to amend the motion as follows: ..." [then read your amendment].
4. Every motion to amend must be seconded by another voter.
5. Every amendment must be within the scope of the article under debate.
6. Debate will then proceed on your amendment until the Meeting decides whether to accept it and amend the Main Motion, or to reject your amendment.
7. Only two amendments may be "on the floor" (considered by the Meeting) at the same time.

#### **TO END DEBATE AND CALL FOR A VOTE:**

1. Stand at a microphone until recognized by the Moderator. State your name and address.
2. Say: "I move the previous question" or "I move to call the question." **YOU MAY NOT MAKE ANY OTHER STATEMENT** regarding the merits of the matter being discussed.
3. Your motion must be seconded and is not debatable. It requires a 2/3 vote to pass.
4. If an amendment is being discussed, you must state whether your motion applies to the amendment only, or to the amendment and the Main Motion.
5. Concord tradition allows the Moderator to ask a mover to hold this kind of motion until a reasonable amount of debate pro and con has occurred. Before moving the question, please consider whether you believe that there has been a reasonable amount of debate.

#### **TO QUESTION THE MODERATOR'S DECLARATION (ANNOUNCEMENT) OF A VOTE:**

1. After the Moderator declares the result of any voice vote or a show of hands, any seven voters may question the announced result. (Mass. Gen. Laws, Ch.39, §15).
2. To do this, stand and say: "I question the Vote." This **MUST BE DONE IMMEDIATELY** after the declaration of the vote being questioned.
3. If seven voters question a vote, tellers must count a re-vote by a standing, counted vote.
4. Once a standing vote has been counted by tellers, it may not be challenged.

#### **TO CALL FOR A PAPER BALLOT:**

1. Stand at a microphone until recognized by the Moderator. State your name and address.
2. State your motion: "I move that we vote on this matter by paper ballot."
3. This motion must be seconded and is debatable.
4. The meeting then decides by majority vote whether to vote by paper ballot (unless a different procedure has been adopted by a previous vote of the Meeting).

#### **TO TAKE AN ARTICLE OUT OF ORDER:**

1. Stand at a microphone until recognized by the Moderator (when no other business is pending on the floor). When recognized, state your name and address.
2. Then say: "I move that the Meeting take up Article \_\_ at \_\_ o'clock" (the time when the article is proposed to be taken up).
3. This motion requires a second, is debatable, and may be amended.
4. The Meeting decides this motion by majority vote.

#### **TO RAISE A QUESTION OF DECORUM OR A POINT OF ORDER:**

1. Stand at a microphone until recognized by the Moderator. State your name and address.
2. State your point of order, or question, as succinctly as possible.
3. No second is required. The Moderator will respond to, or rule on, the matter you raise.

**TO RECONSIDER A VOTE:**

1. Concord Town Meeting has traditionally limited reconsideration to situations where new information, not previously available, becomes available to be considered by the Meeting.
2. Stand at a microphone until recognized by the Moderator (when no other business is pending on the floor). When recognized, state your name and address.
3. State your motion: "I move that the Meeting reconsider its vote on Article [number]."
4. A motion to reconsider must be seconded, is debatable, and requires a majority vote.
5. The Concord Town Meeting Bylaw on Reconsideration of a Vote at the Same Town Meeting governs the limited timing when a motion for reconsideration may be brought:
  - [A] To move reconsideration of a motion at the same session where the original motion passed, a motion to reconsider must be made within 20 minutes of the declaration of the vote to be reconsidered.
  - [B] To move reconsideration of a motion passed at a previous session, notice must be given to the Moderator before adjournment of that previous session at which the vote to be reconsidered was taken.
  - [C] Apart from the above two timing and notice requirements, the Selectmen or Finance Committee may consent to reconsideration of a motion at any time before a meeting dissolves. However, Town Meeting itself must still vote on the merits of whether to reconsider. (See also: Concord Town Meeting Traditions and Procedures).

**TO ADJOURN:**

1. Stand at a microphone until recognized by the Moderator. State your name and address.
2. Say: "I move that the Meeting adjourn (to a specific time, if one has not been set)."
3. A motion to adjourn must be seconded, and is debatable and amendable. A majority vote is required. A motion to adjourn may be made at any time and takes precedence over all other pending business on the floor at the time.
4. If the time and place to which to adjourn has not been fixed by a previous vote at the Meeting, the Moderator will ask that this be done before the Meeting votes on the Motion.
5. A motion to "dissolve" (end Annual Town Meeting altogether) is not in order if there are any undisposed warrant articles remaining.

**TO LAY ON THE TABLE:**

Concord Town Meeting does not use this kind of motion as a means of terminating debate.



## Recreation Commission

**T**he Recreation Commission is appointed by the Town Manager and is responsible for setting policy directions for the Concord Recreation Department. The Recreation Department operates a number of programs to provide year-round recreational opportunities for members of the community, and last year provided services to over 8,000 children and adults. Major services include swim and fitness programs at the Beede Swim and Fitness Center, preschool and after-school childcare serving children between the ages of three and 11, summer day camp, a musical theater program, and a wide variety of sports programs and activities for children and adults.

The Department has over 70 employees and oversees an annual operating budget of approximately \$4 million. Recreation programs are funded primarily through user fees and are intended to be self-supporting, requiring no additional funding from taxpayers.

### **The Beede Center**

The Beede Center is operated as the Swim and Fitness Enterprise Fund, established by a Town Meeting vote in 2005. Located on the campus of the Concord Carlisle Regional High School, the facility opened in April 2006. Now in its eighth year, the Center continues to be a vital and popular community resource, serving over 4,000 community members. The Center, which has approximately 60 full and part-time employees, offers a number of popular swim and fitness programs, personal training, and a Concord Otters youth swim team program. Satisfaction with Beede is high, as evidenced by consistently high membership renewal rates.

The enterprise fund structure allows the Town to operate the facility as a financially self-supporting enterprise without a need for

tax revenues. As an enterprise fund, the Beede Center has an accounting structure under which membership, user and program fees are used to meet its expenses, including certain costs allocated from the Town. The enterprise fund structure allows the Center to recognize asset depreciation expense as part of its operating budget and thereby to accumulate capital reserves for building maintenance and future capital equipment and facility replacement costs. The Beede Center has an annual capital budget pursuant to which it replaces exercise equipment and infrastructure to keep the facility in top condition.

The fiscal year that ended June 30, 2013 was a financial success, with total operating revenues of \$2,429,580 and an operating profit of approximately \$19,000. As of June 30, 2013, the Beede Center had an Operating Fund balance of \$1,462,616. This amount is added to in years with operating profits, and drawn down in years with operating losses. For FY14, revenues are expected to increase 1.9% to \$2,476,776, with a small projected operating loss of approximately \$29,000.

As of June 30, 2013, the Center had a Depreciation Fund Balance of \$1,617,894, which is designated to be used for future years' capital expenditures. Maintaining a sufficient depreciation reserve ensures that the Center will be able to finance needed capital equipment replacements and maintain the condition of the facility with its own resources. In FY14 and FY15, the Center is replacing its dehumidification system and hot water system, a significant capital project that will be funded in large part by drawing down its depreciation reserve.

The Enterprise Fund budget for the Beede

*Continued*

Center is Article 29 on the Warrant for Town Meeting.

### **Child and Adult Recreation Programs**

The Recreation Department offers a wide variety of popular child and adult recreation programs. These programs are funded primarily through user fees and are intended to be self-supporting for all direct program expenses. For the fiscal year that ended June 30, 2013, program revenues were \$1,667,992 and net income recorded in the Recreation Fund was \$80,918. Concord citizens are generally satisfied with the services the Department provides; 87% of those surveyed in the most recent town survey in the fall of 2012 rated recreational services as “good” or “excellent”. The major programs are detailed below.

The Department provides child care services for children between the ages of three and 11, accounting for \$732,000 in program fees. These services include the Carousel Preschool program at the Harvey Wheeler Center, as well as after-school and school-vacation programs at Harvey Wheeler and the Hunt Gym.

The Department runs popular summer programs that generated program revenues of for \$464,000, including the day-camp sum-

mer program at the Hunt Gym and Emerson Field. User fees support the majority of these services. The Department offers scholarship assistance to families in need, which totaled over \$100,000 in FY13. Funding for the scholarships is raised annually from individuals, businesses and organizations including the Concord Carlisle Community Chest, the Silent Fund (a Town Trust Fund), the Concord Open Golf Tournament, the Shamrock Ball and the Middle School Halloween Party.

In addition, over 5,000 children and adults participate in recreation programs that the Department runs throughout the year, including youth musical theater, basketball, tennis and skiing programs. The Department also organizes and supports several popular community-wide events including the Fourth of July Picnic in the Park and the Minuteman Classic Road Race. In addition to its own programming, the Recreation Department works with other sports organizations in Concord to provide and coordinate the use of time and space on the Town’s recreational facilities.

The entire recreation budget is intended to be self-supporting. As of the end of FY13, the Recreation Revolving Fund balance, which is the sum total of prior years’ successful operations, was \$424,108.

### **Future Projects**

The Department is undertaking a strategic study to assess the infrastructure and projected active and passive recreational needs to guide future recreation decisions and capital planning. The Recreation Commission, along with the Cemetery Committee, is sponsoring Article 59 on the Warrant for Town Meeting, which proposes changes to the Dog Bylaw.



# Article 2

## Consent calendar

Mr. Hutchins moves: that the 2014 Annual Town Meeting advance for consideration Articles 3, 4, 5, 6, 11, 14, 15, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 34, 35, 37, 38, 41, 47, 48, 49, 51, 52, 55, 56, and 58, and take action on such Articles without debate on any of such Articles, provided, that upon the request of five voters at this Meeting, made before the vote is taken on this motion, an Article shall be dropped from the Consent Calendar and shall be acted upon in the ordinary course of business at this Town Meeting.

### **Article 3 Meeting procedure**

*Affirmative Action Recommended By:* Finance Committee and Board of Selectmen

*Motion:* That the Town take affirmative action on Article 3 as printed in the handout applicable to the Article.

*Reason:* Routine and noncontroversial; the motion will be identical to a motion passed annually and unani- mously for more than thirteen years.

### **Article 4 Ratify personnel Board classification actions**

*Affirmative Action Recommended By:* Finance Committee, Board of Selectmen and Personnel Board

*Motion:* That the Town take affirmative action on Article 4 as printed in the Warrant.

*Reason:* Routine and noncontroversial.

### **Article 5 Classification and compensation plan for regular-status positions**

*Affirmative Action Recommended By:* Finance Committee, Board of Selectmen and Personnel Board

*Motion:* That the Town take affirmative action on Article 5 as printed in the Warrant.

*Reason:* Routine; noncontroversial; 1 .5% adjustment for AC, TCL, MP, EL and EM scales, 0% for SF and HS scales.

### **Article 6 Personnel bylaw and other special pays**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 6 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Update bylaw to maintain competitive structure in municipal employ- ment market.

### **Article 11 Concord Public Schools:**

#### **Use of technology stabilization fund for classroom computer replacement**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 11 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Use funds from Stabilization Fund to purchase classroom computers.

### **Article 14 High School Debt Stabilization Fund**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 14 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Place available monies into Stabilization Fund to help cushion future impact of high school construction debt service and use a portion to mitigate FY15 property tax increase.

### **Article 15 Minuteman Regional Vocational School budget**

*Affirmation Action By:* Finance Committee and Board of Selectmen

*Motion:* That the Town raise and appropriate Concord's apportioned share of \$191,689 for the Minuteman

*Continued*

Career and Technical School District assessment for the fiscal year ending June 30, 2015.

*Reason:* Routine; noncontroversial. Concord sends seven of 431 member-town students, a 1.6% share by formula, less than our 2.2% share last year.

**Article 19 Free Cash use**

*Affirmative Action Recommended By:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 19 to authorize and direct the Assessors to take \$850,000 from free cash to reduce the tax levy for the fiscal year ending June 30, 2015.

*Reason:* Routine and noncontroversial; reduces future property tax rate; the specific amount is recommended by the citizen Finance Committee and is explained in the Finance Committee Report (p. 44).

**Article 21 Property tax exemption**

*Affirmative Action Recommended By:* Finance Committee, Board of Selectmen and Board of Assessors

*Motion:* That the Town take affirmative action on Article 21 as printed in the Warrant.

*Reason:* Routine and noncontroversial (voted last year on Consent Calendar, passed unanimously annually since 2001).

**Article 22 Light Plant payment in lieu of taxes**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen and Light Board

*Motion:* That the Town take affirmative action on Article 22 as printed in the Warrant in the sum of \$458,650.

*Reason:* Routine and noncontroversial (on consent calendar past six years).

**Article 23 Light Plant expenditures**

*Affirmative Action Recommended By:* Finance Committee, Board of Selectmen and Light Board

*Motion:* That the Town take affirmative action on Article 23 as printed in the Warrant.

*Reason:* Routine and noncontroversial (voted in previous years on consent calendar).

**Article 24 Road repair revolving fund expenditures**

*Affirmative Action Recommended By:* Finance Committee, Board of Selectmen and Public Works Commission

*Motion:* That the Town take affirmative action on Article 24 as printed in the Warrant, in an amount not to exceed \$120,000.

*Reason:* Routine and noncontroversial (revolving fund, voted last six years on consent calendar).

**Article 25 Solid waste disposal expenditures**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen, and Public Works Commission

*Motion:* That the Town take affirmative action on Article 25 as printed in the Warrant.

*Reason:* Routine and noncontroversial (enterprise fund, voted last six years on consent calendar).

**Article 26 Sewer system expenditures**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen, and Public Works Commission

*Motion:* That the Town take affirmative action on Article 26 as printed in the Warrant.

*Reason:* Routine and noncontroversial (enterprise fund, voted last six years on consent calendar).

**Article 27 Sewer improvement fund expenditures**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen, and Public Works Commission

*Motion:* That the Town take affirmative action on Article 27 as printed in the Warrant.

*Reason:* Routine and noncontroversial (enterprise fund, voted last six years on consent calendar).

**Article 28 Water system expenditures**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen, and Public Works Commission

*Motion:* That the Town take affirmative action on Article 28 as printed in the Warrant.

*Reason:* Routine and noncontroversial (enterprise fund, voted last six years on consent calendar).

**Article 29 Beede Swim and Fitness Center Enterprise Fund**

**FY15 budget and FY14 supplemental appropriation**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen

*Motion:* that the Town appropriate \$2,747,441 for operating expenses and \$260,000 for capital expenditures including building improvements and equipment replacements of the Beede Swim and Fitness Center for the fiscal year beginning July 1, 2014, and further that the Town appropriate \$1,000,000 as a supplemental appropriation for the fiscal year that began July 1, 2013 to fund the purchase of capital equipment, including any necessary design, testing, engineering, planning and related expenses, said to be expended under the direction of the Town Manager; and that to meet this appropriation the amount of \$2,525,804 is appropriated from the estimated fiscal year 2015 revenues and \$1,481,637 is appropriated from the certified undesignated fund balance as of July 1, 2013 of the Community Pool Enterprise Fund.

*Reason:* Routine and noncontroversial (self-supporting enterprise fund, previously on consent calendar) plus replacing dehumidification system with more reliable and energy-efficient one.

**Article 31 141 Keys Rd. building improvements**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 31 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Replace more than 20-year-old roof and HVAC system on 1899 building and relocate mechanical systems from wet basement area.

**Article 32 Purchase ambulance equipment**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 32 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Purchase \$75,000 of life-saving and patient-care equipment necessary to operate the new \$200,000 West Concord ambulance being purchased with donated funds.

**Article 34 Harvey Wheeler Community Center**

**HVAC system and insulation and police station improvements**

*Affirmative Action Recommended By:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 34 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Provides \$340,000 for Harvey Wheeler Community Center HVAC and insulation and \$85,000 for additional office space at the Walden St. Police Station.

**Article 35 Regional housing services revolving fund**

*Affirmative Action Recommended by:* Finance Committee, Board of Selectmen

*Motion:* That the Town take affirmative action on Article 35 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Creates a funding mechanism for Concord to take a three-year turn as lead community for five-town consortium started in 2011.

**Article 37 Grant of recreation restriction at 51 Laws Brook Road**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 37 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. A housekeeping correction to conform 2012 Town Meeting CPA appropriation to state law by placing a permanent conservation restriction allowing for recreational use on play-ground parcel.

**Article 38 Agricultural Preservation Restriction on Town farm land at 449, 42a, 52a and 52x Barrett's Mill Road.**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 38 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. A housekeeping correction to conform 2013 Town Meeting CPA appropriation to State law by placing a Permanent Agricultural Preservation or a Conservation Restriction on McGrath farmland.

**Article 41 Transfer of custody: property at 383 Old Bedford Road.**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 41 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. A housekeeping action to transfer custody of an open space parcel from the Selectmen to the Natural Resources Commission, as required by the Zoning Board of Appeals in 2004.

**Article 47 Zoning bylaw amendment: Flood plain conservancy district**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 47 as printed in the Warrant.

*Reason:* Noncontroversial at hearing, where it was characterized as "almost housekeeping." This keeps the Town in compliance with the National Flood Insurance Program requirements, keeping Concord eligible for disaster relief and avoiding Town suspension from the program.

**Article 48 Zoning bylaw amendment**

**Table III Dimensional regulations**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 48 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Two separate provisions: 1) update Table III to reflect changes voted at 2011 Town Meeting and 2) to apply setback requirements voted in 2011 for West Concord Business and West Concord Village districts to Concord Center and Thoreau Depot districts.

**Article 49 Zoning bylaw amendment**

**Registered marijuana dispensary**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 49 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Terminology modification to make Concord Bylaw consistent with State regulatory language.

**Article 51 Zoning bylaw amendment:**

**Housekeeping and corrections**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 51 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Housekeeping changes to correct numbering, to conform to 2012 Town Meeting vote, and also allows future non-substantive numbering changes to be made without Town Meeting action.

**Article 52 Zoning bylaw amendment**

**Wireless facility modifications**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 52 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. To reflect recent interpretations of the 1996 Telecommunications Act, Section 704, frees Zoning Board from reviewing non-substantial changes and equipment removal.

### **Article 55 2015 road program**

*Affirmative Action Recommended by:* Board of Selectmen, Finance Committee and Public Works Commission

*Motion:* That the Town appropriate the sum of \$1,300,000 to be expended under the direction of the Town Manager for the design, repair, reconstruction or renovation of roads and streets within the town, including drainage and sidewalk improvements, and costs incidental or related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$1,300,000 under the provisions of Chapter 44, §7 of the Massachusetts General Laws, or any other enabling authority; and further to authorize the Town Manager to apply for, accept and expend state grants as may be available for the same purpose and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to the amount stipulated in such grant or grants under the provisions of Chapter 44, §§ 6 and/or 6A, of the Massachusetts General Laws, in anticipation of reimbursement of such amount; and that the Board of Selectmen and Town Manager are authorized to take any actions necessary or convenient to carry out this vote.

*Reason:* Routine annual approval, noncontroversial at hearing. Part of Town Manager five-year capital plan. Voted unanimously annually multiple years.

### **Article 56 Street acceptance Finigan Way**

*Affirmative Action Recommended by:* Board of Selectmen and Public Works Commission

*Motion:* That the Town take affirmative action on Article 56 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Authorizes the Public Works Commissioners to negotiate to accept this cul-de-sac and related utility, drainage and other easements, as a Town road.

### **Article 58 By petition: to serve alcoholic beverages**

*Affirmative Action Recommended by:* Board of Selectmen

*Motion:* That the Town take affirmative action on Article 58 as printed in the Warrant.

*Reason:* Noncontroversial at hearing. Authorizes the Board of Selectman to accept State law, which provides for Sunday serving of alcoholic beverages after 10 am.



**THE COMMONWEALTH OF MASSACHUSETTS  
WARRANT FOR THE ANNUAL TOWN MEETING 2014**

Middlesex, ss.

To any of the Constables of the Town of Concord, in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of said Town of Concord, qualified to vote at Town Meeting for the transaction of Town affairs, to meet at the Concord-Carlisle Regional High School at 500 Walden Street, in said town, on Sunday, the fourth day of May 2014, at 2:00 pm in the afternoon, by posting a printed copy of this Warrant by you attested, at the Town House and in at least one public location in each precinct in Concord, and by mailing a copy thereof to every household seven days, at least, before said 4th day of May 2014, then and there to act upon the following Articles:

**CHOOSE TOWN OFFICERS**

**ARTICLE 1.** To choose all necessary Town Officers and Committees.

**HEAR REPORTS**

**ARTICLE 2.** To hear and act upon the reports of Town Officers and Committees.

**MEETING PROCEDURE**

**ARTICLE 3.** To determine whether the Town will adopt a rule of the meeting governing requirements on Motions and amendments to Motions made at this meeting under Articles concerned with expenditures, in order to assure compliance with the requirements of Chapter 59, Section 21C of the Massachusetts General Laws (generally referred to as "Proposition 2½"), or take any other action relative thereto.

*The motion to be made by the Finance Committee will specify that every motion to appropriate funds will be required to identify the source of funding. This meeting procedure has been adopted by Town Meeting for a number of years.*

**Finance Committee recommends affirmative action.**

**RATIFY PERSONNEL BOARD CLASSIFICATION ACTIONS**

**ARTICLE 4.** To determine whether the Town will vote to ratify the Personnel Board's actions to amend the Classification and Compensation Plan as follows:

1. Delete the title "Building Systems Custodian" from Grade TCL-3, effective July 1, 2013.
2. Delete the title "GIS Program Coordinator" from Grade MP-3, effective September 24, 2013.
3. Add the title "GIS Technician/Analyst" to Grade MP-2, effective September 24, 2013.
4. Add the title "GIS & Application Integration Program Manager" to Grade MP-4, effective Sept. 24, 2013.
5. Delete the title "Engineering & Operations Manager" from Grade EM-3, effective September 24, 2013.
6. Add the title "Power Supply & Rates Administrator" to Grade EM-3, effective September 24, 2013.
7. Change the title "Information Systems Assistant" in Grade MP-2 to "Information Systems Technician," effective January 2, 2014.
8. Add the title "Town Planner" to Grade MP-5, effective January 2, 2014.
9. Make all other changes to the Classification and Compensation Plan voted by the Personnel Board between January 2, 2014, and May 4, 2014,

or take any other action relative thereto.

*The Town Manager has authority to create and modify positions throughout the fiscal year; titles and salary ranges are determined using the Town's established classification system. Under the Personnel Bylaw, the Personnel Board is authorized to approve temporary changes in the Classification and Compensation Plans, pending ratification of such actions at the next Town Meeting. Eight actions taken appear in the Warrant; if additional actions are taken by the Personnel Board after the close of the Warrant, notice will be filed with the Town Clerk and details will be presented at Town Meeting.*

**Finance Committee** recommends affirmative action.

**Board of Selectmen** recommends affirmative action.

### CLASSIFICATION & COMPENSATION PLAN FOR REGULAR-STATUS POSITIONS

**ARTICLE 5.** To determine whether the Town will vote to amend the Classification and Compensation Plan for regular-status Town positions by adopting the following schedules to become effective July 1, 2014, or take any other action relative thereto:

#### CLASSIFICATION AND COMPENSATION PLAN

Effective July 1, 2014

#### ADMINISTRATIVE-CLERICAL

Grade Number & Class Title		Minimum	Mid-Point	Maximum
<b>AC-1</b>	Hourly	15.60	18.76	21.91
Receptionist/Clerk Recreation Clerk				
<b>AC-2</b>	Hourly	17.42	20.94	24.46
Account Clerk Department Clerk Senior Recreation Clerk Utility Account Clerk				
<b>AC-3</b>	Hourly	19.75	23.75	27.74
Senior Account Clerk Senior Department Clerk				
<b>AC-4</b>	Hourly	21.34	25.65	29.96
Administrative Assistant Collections Assistant Retirement Assistant Treasury Assistant				
<b>AC-5</b>	Hourly	22.81	27.42	32.02
Assistant Town Clerk Human Resources Assistant Senior Administrative Assistant				
<b>AC-6</b>	Hourly	23.59	28.37	33.14
Finance Assistant				
<b>AC-7</b>	Hourly	26.07	31.35	36.62
Executive Assistant to the Town Manager				

**TRADES-CRAFTS-LABOR**

<u>Grade Number &amp; Class Title</u>		<b>Minimum</b>	<b>Mid-Point</b>	<b>Maximum</b>
<b>TCL-1</b> Building Custodian	Hourly	15.39	18.61	21.82
<b>TCL-2</b> Building Maintenance Custodian Laborer/Truck Driver	Hourly	17.39	21.02	24.64
<b>TCL-3</b> Cemetery Specialist Equipment Operator Park & Tree Specialist Water/Sewer System Maintainer	Hourly	19.12	23.12	27.12
<b>TCL-4</b> Equipment/Line Operator Master Mechanic Park & Tree Specialist (Aerial) Senior Park & Tree Specialist	Hourly	21.41	25.89	30.37
<b>TCL-5</b> Cemetery Supervisor Crew Leader Senior Master Mechanic Treatment Systems Operator	Hourly	23.70	28.66	33.62
<b>TCL-6</b> Fleet Supervisor Senior Treatment Systems Operator	Hourly	26.62	32.19	37.76
<b>TCL-7</b> Public Works Supervisor	Hourly	29.54	35.73	41.91

**MANAGERIAL-PROFESSIONAL**

*Annual rates are based on 40-hour base week and will be prorated for part-time schedules.*

Grade Number & Class Title		Minimum	Mid-Point	Maximum
<b>MP-1</b>	<b>Annual</b>	<b>42,369</b>	<b>53,141</b>	<b>63,913</b>
Aquatics Supervisor				
Associate Engineer				
Engineering Technician				
Recreation Supervisor				
<b>MP-2</b>	<b>Annual</b>	<b>47,814</b>	<b>59,969</b>	<b>72,123</b>
Administrative & Special Projects Coordinator				
Assistant Aquatics Coordinator				
Assistant Local Inspector				
Assistant Natural Resources Director				
Budget Analyst				
COA Program Supervisor				
Environmental Health Inspector				
Environmental & Regulatory Coordinator				
Field Lister				
GIS Technician/Analyst				
Information Systems Technician				
Office Accountant				
Public Health Inspector				
Senior Engineering Technician				
Telecommunications Network Technician				
Utility Software Coordinator				
Water Conservation Coordinator				
<b>MP-3</b>	<b>Annual</b>	<b>56,419</b>	<b>70,762</b>	<b>85,105</b>
Aquatics Coordinator				
Assistant Human Resources Director				
Assistant Public Health Director				
Assistant Public Works Engineer				
Assistant to the Water/Sewer Superintendent				
Assistant Town Accountant				
Assistant Treasurer				
Civil Engineer				
Customer Service Administrator				
Energy Conservation Coordinator				
Facilities Maintenance Supervisor				
Fitness Coordinator				
Local Inspector				
Management Analyst				
Recreation Coordinator				
Retirement System Administrator				
Senior Budget & Operations Analyst				
Senior Environmental & Regulatory Coordinator				
Senior Planner				

**MANAGERIAL-PROFESSIONAL, continued**

*Annual rates are based on 40-hour base week and will be prorated for part-time schedules.*

<b>MP-4</b>	<b>Annual</b>	<b>60,317</b>	<b>75,651</b>	<b>90,985</b>
Assistant Recreation Director				
Budget & Purchasing Administrator				
Council on Aging Director				
Environmental Services Program Administrator				
Financial Administrator				
GIS & Application Integration Program Manager				
Natural Resources Director				
Operations Engineer				
Public Works Engineer				
Telecommunications Coordinator				
<b>MP-5</b>	<b>Annual</b>	<b>64,880</b>	<b>81,373</b>	<b>97,865</b>
Assistant Library Director				
Deputy Fire Chief				
Deputy Treasurer/Collector				
Highway & Grounds Superintendent				
Police Lieutenant				
Public Health Director				
Town Clerk				
Town Planner				
<b>MP-6</b>	<b>Annual</b>	<b>71,499</b>	<b>89,675</b>	<b>107,850</b>
Building Commissioner				
Deputy Police Chief				
Human Resources Director				
Town Accountant				
Town Assessor				
Town Engineer				
Water/Sewer Superintendent				
<b>MP-7</b>	<b>Annual</b>	<b>81,870</b>	<b>102,683</b>	<b>123,496</b>
Chief Information Officer				
Director of Planning & Land Management				
Library Director				
Recreation Director				
<b>MP-8</b>	<b>Annual</b>	<b>91,211</b>	<b>114,399</b>	<b>137,587</b>
Deputy Town Manager				
Fire Chief				
Police Chief				
Public Works Director				
<b>MP-9</b>	<b>Annual</b>	<b>99,964</b>	<b>125,378</b>	<b>150,792</b>
Finance Director				

**ELECTRICAL LABOR**

Grade Number & Class Title		Minimum	Mid-Point	Maximum
<b>EL-1</b> Meter Reader	Hourly	17.22	20.83	24.43
<b>EL-2</b> Lineworker, Grade 3 Meter Technician	Hourly	21.01	25.41	29.81
<b>EL-3</b> Lineworker, Grade 2 Utility Electrician	Hourly	26.66	30.14	33.62
<b>EL-4</b> Lineworker, Grade 1	Hourly	33.10	37.43	41.75
<b>EL-5</b> Lead Lineworker	Hourly	34.66	39.19	43.71
<b>EL-6</b> Line Supervisor	Hourly	37.33	42.21	47.08

**ELECTRICAL MANAGEMENT**

*Annual rates are based on 40-hour base week and will be prorated for part-time schedules.*

Grade Number & Class Title		Minimum	Mid-Point	Maximum
<b>EM-1</b> Meter Supervisor	Annual	57,754	69,433	81,111
<b>EM-2</b> Electrical Engineer	Annual	66,287	79,690	93,092
<b>EM-3</b> Assistant CMLP Director Power Supply & Rates Administrator	Annual	78,849	94,792	110,735
<b>EM-4</b> CMLP Director	Annual	106,581	128,131	149,681

**SWIM & FITNESS**

Grade Number & Class Title		Minimum	Mid-Point	Maximum
SF-1	Hourly	8.00	34.00	60.00
Swim/Fitness Specialist				

**HUMAN SERVICES**

Grade Number & Class Title		Minimum	Mid-Point	Maximum
HS-1	Hourly	15.00	22.50	30.00
Human Services Specialist				
HS-2	Hourly	15.00	27.50	40.00
Child Care/Education Specialist				

*With annual adjustments and periodic comprehensive reviews, the Classification & Compensation Plan keeps Town salaries competitive in the employment market, maintains internal equity of salary ranges, maintains comparability with salaries of unionized employees, and keeps pace with changes in the cost of living. This article does not control the amount of the actual salary increases to be received by employees in FY15. The Town Manager and Personnel Board set actual salary increase amounts after Town Meeting, based upon the approved budget.*

**Finance Committee** recommends affirmative action.  
**Board of Selectmen** recommends affirmative action.

**PERSONNEL BYLAW AMENDMENT – OTHER SPECIAL PAYS**

**ARTICLE 6.** To determine whether the Town will vote to amend the Other Special Pays section of the Personnel Bylaw as follows:

**Section 10. PAY POLICIES**

In section 10.7, Other Special Pays, delete paragraph 1, Stand-By Pay, and paragraph 2, Uniform Pay, and replace with the following:

**10.7 Other Special Pays**

The Town Manager may adopt schedules to provide employees with special pays that are consistent with the municipal employment market. Examples of such compensation that may be provided beyond the maximum base rate of pay outlined in the Compensation Plan include, but are not limited to: stand-by pay, uniform pay, education assistance, and educational incentives.

or take any other action relative thereto.

*This Bylaw amendment provides the Town Manager with the ability to maintain competitive total compensation for employees by providing common forms of special pay that can be adjusted when needed. The amendment is requested at this time to address changes made by the Commonwealth of Massachusetts to the “Quinn Bill”, which provided educational incentive pay to law enforcement officers, including the police chief and lieutenants.*

**Finance Committee** recommends affirmative action.  
**Board of Selectmen** recommends affirmative action.

**TOWN BUDGET**

**ARTICLE 7.** To determine whether the Town will vote to raise and appropriate money for the following necessary and expedient purposes of the Town for the fiscal year ending June 30, 2015, or take any other action relative thereto:

**General Fund Operating Budget**

Item No.	Department	Fiscal 2013 Expenses	Fiscal 2014 Appropriation	Fiscal 2015 Proposal
<b>General Government</b>				
<b>\$2,460,383 is 6.5% of Total</b>				
1	Town Manager's Office			
	A. Town Manager	\$ 316,743	\$ 324,396	\$ 327,646
	B. Human Resources	187,160	198,553	198,672
	C. Town-Wide Building Fund	170,000	180,000	200,000
	D. Resource Sustainability Fund	25,000	40,000	75,000
	<b>Subtotal</b>	<b>698,903</b>	<b>742,949</b>	<b>801,318</b>
2	Legal Services	202,104	225,000	225,000
3	Elections and Registrars			
	A. Elections	37,169	17,129	40,368
	B. Registrars	5,718	8,216	8,031
	<b>Subtotal</b>	<b>42,887</b>	<b>25,345</b>	<b>48,399</b>
4	Town Meeting and Reports	61,794	81,550	81,550
5	Planning			
	A. Planning Administration	303,979	325,045	344,284
	B. Natural Resources	207,282	196,315	221,394
	C. Inspections	368,368	387,519	386,248
	D. Health	247,365	268,254	277,738
	<b>Subtotal</b>	<b>1,126,994</b>	<b>1,177,133</b>	<b>1,229,664</b>
6	141 Keyes Road	84,838	74,119	74,452
	<b>Total General Government</b>	<b>\$ 2,217,520</b>	<b>\$ 2,326,096</b>	<b>\$ 2,460,383</b>
<b>Finance and Administration</b>				
<b>\$2,033,970 is 5.4% of Total</b>				
7	Finance Committee	2,711	3,410	3,410
8	Finance			
	A. Finance Administration	253,264	265,933	264,659
	B. Treasurer-Collector	255,591	265,456	270,790
	C. Town Accountant	129,464	145,414	142,190
	D. Assessors	367,057	387,176	388,916
	E. Town Clerk	215,150	224,903	227,847
	<b>Subtotal</b>	<b>1,220,527</b>	<b>1,288,882</b>	<b>1,294,402</b>
9	Information Systems	486,863	697,358	632,533
10	Town House	100,843	99,629	103,625
	<b>Total Finance and Administration</b>	<b>\$ 1,810,944</b>	<b>\$ 2,089,279</b>	<b>\$ 2,033,970</b>

Item No.	Department	Fiscal 2013 Expenses	Fiscal 2014 Appropriation	Fiscal 2015 Proposal
<b>Public Safety</b>				
<b>\$8,570,305 is 22.4% of Total</b>				
11	Police Department	3,952,915	4,063,608	4,124,019
12	Fire Department	3,638,828	3,804,730	3,994,645
13	West Concord Fire Station	34,830	35,814	36,697
14	Police-Fire Station	217,741	226,792	227,034
15	Emergency Management	12,767	12,810	12,810
16	Animal Control Officer	21,750	25,100	25,100
	<b>Total Public Safety</b>	<b>\$ 7,878,831</b>	<b>\$ 8,168,853</b>	<b>\$ 8,420,305</b>
<b>Public Works and Facilities</b>				
<b>\$3,939,367 is 10.5% of Total</b>				
17	Public Works			
	A. CPW Administration	173,359	178,930	178,143
	B. Engineering	282,621	348,720	358,619
	C. Highway Maintenance	1,183,960	1,249,913	1,262,994
	D. Parks and Trees	540,225	654,970	658,691
	E. Cemetery	24,544	60,429	60,366
	<b>Subtotal</b>	<b>2,204,709</b>	<b>2,492,962</b>	<b>2,518,813</b>
18	Snow and Ice Removal	626,951	540,000	555,000
19	Street Lighting	69,131	68,463	73,463
20	CPW Equipment	296,500	277,000	288,000
21	Drainage Program	205,000	205,000	205,000
22	Sidewalk Management	100,000	100,000	100,000
23	Road Improvements	90,000	90,000	90,000
24	133/135 Keyes Road	93,672	109,072	109,091
	<b>Total Public Works and Facilities</b>	<b>\$ 3,685,963</b>	<b>\$ 3,882,497</b>	<b>\$ 3,939,367</b>
<b>Human Services</b>				
<b>\$2,614,554 is 6.9% of Total</b>				
25	Library	1,827,580	1,881,760	1,898,318
26	Recreation Administration	96,331	100,544	100,544
27	Hunt Recreation Center	83,115	88,262	90,192
28	Harvey Wheeler Community Ctr.	137,753	144,945	116,853
29	Council on Aging	262,293	284,812	303,946
30	Veterans	42,624	45,971	55,771
31	Ceremonies and Celebrations	23,569	23,800	24,006
32	Visitors' Center and Restroom	7,605	24,447	24,924
	<b>Total Human Services</b>	<b>\$ 2,490,869</b>	<b>\$ 2,594,541</b>	<b>\$ 2,614,554</b>

Item No.	Department	Fiscal 2013 Expenses	Fiscal 2014 Appropriation	Fiscal 2015 Proposal
<b>Unclassified</b> <b>\$895,434 is 2.4% of Total</b>				
33	Town Employee Benefits A. Unused Sick Leave B. Public Safety Disability C. Employee Assistance Program <b>Total</b>	90,000 242 6,721 <b>96,963</b>	90,000 2,500 7,500 <b>100,000</b>	90,000 2,500 7,500 <b>100,000</b>
34	Reserve Fund*	-	225,000	225,000
*Transfers totaling \$86,253 were made to other accounts in Fiscal Year 2013				
35	Salary Reserve**	84,500	77,748	555,434
**Transfers totaling \$371,858 in Fiscal Year 2013 and \$402,826 (to date) in Fiscal Year 2014 were made to other accounts.				
36	Land Fund	10,000	10,000	15,000
	<b>Total Unclassified</b>	<b>\$ 191,463</b>	<b>\$ 412,748</b>	<b>\$ 895,434</b>
<b>SUBTOTAL FOR REFERENCE ONLY</b> Account 1-36		<b>\$18,275,590</b>	<b>\$ 19,474,013</b>	<b>\$20,364,013</b>
<b>Joint (Town - CPS)</b> <b>\$17,280,632 is 45.9% of Total</b>				
37	Insurance A. Group Insurance B. OPEB C. Property/Liability <b>Subtotal</b>	4,650,000 400,000 175,000 <b>5,225,000</b>	4,650,000 650,000 200,000 <b>5,500,000</b>	4,650,000 900,000 225,000 <b>5,775,000</b>
38	Unemployment/Workers' Comp. A. Unemployment Comp. B. Workers' Comp. <b>Subtotal</b>	100,000 47,627 <b>147,627</b>	100,000 100,000 <b>200,000</b>	100,000 100,000 <b>200,000</b>
39	Retirement	2,912,312	3,035,000	3,125,000
40	Social Security and Medicare	618,331	640,000	685,000
41	Debt Service A. Debt Within the Levy Limit Town Principal and Interest CPS Principal and Interest <b>Subtotal</b> Interest on Notes Other Debt Expense <b>Subtotal Within Levy Limit</b> B. Excluded Debt Town Principal and Interest CPS Principal and Interest <b>Subtotal Excluded Debt</b> <b>Total Debt Service</b>	2,467,671 697,220 <b>3,164,891</b> - 14,336 <b>3,179,227</b> 214,806 4,039,057 <b>4,253,863</b> <b>7,433,090</b>	2,497,671 810,895 <b>3,308,566</b> 56,434 35,000 <b>3,400,000</b> 212,287 3,447,170 <b>3,659,457</b> <b>7,059,457</b>	2,527,576 899,281 <b>3,426,857</b> 38,143 35,000 <b>3,500,000</b> 208,720 3,786,912 <b>3,995,632</b> <b>7,495,632</b>
	<b>Total Joint (Town - CPS)</b>	<b>\$16,336,360</b>	<b>\$ 16,434,457</b>	<b>\$17,280,632</b>
	<b>Total Appropriation</b>	<b>\$34,611,950</b>	<b>\$ 35,908,470</b>	<b>\$37,644,645</b>

That the appropriation for equipment under these various line items is to be expended by the Town Manager. The Town Manager is authorized to turn in or sell at public auction the surplus equipment, the amount allowed or received therefor to be applied against the purchase of new equipment;

That the sum of \$11,000, state aid to libraries, be transferred to the use of the Library Committee for the purchase of books, periodicals, and subscriptions;

That the Town appropriate and transfer the sum of \$500 from the dog inoculation fees reserve account for the cost of the Board of Health's rabies clinic;

That the appropriation for salary reserve under line item 35 shall be transferred by the Town Manager to the various salary line items in accordance with salary levels established at July 1, 2014 and thereafter pursuant to the salary schedules adopted under Article 5, the implementation of the merit pay plan in accordance with Section 10.2 (2) of the Personnel Bylaws, and collective bargaining agreements. Any such transfers shall be reported periodically by the Town Manager to the Board of Selectmen and the Finance Committee, and a final report shall be issued when all such transfers have been completed for the fiscal year;

That the Town authorize the sum of \$10,828.73 to be expended from the Title 5 Septic Loans Betterments reserve account to meet the loan payment to the Massachusetts Water Pollution Abatement Trust #T5-1070 due and payable during FY 2015, pursuant to Article 46 of 1997 and the loan totaling \$195,088.95 executed on July 24, 2003 and having a final payment due February 1, 2021.

That the Town authorize the sum of \$70,317 to be expended from the Title 5 Septic Loans Betterments reserve account to meet the loan payment of the Massachusetts Pollution Abatement Trust #T5-05-1234 due and payable during FY 2015, pursuant to Article 50 of 2004 and the loan totaling \$703,170 executed on March 18, 2009 and having a final payment date of July 15, 2018.

That the Town authorize the sum of \$29,527 to be expended from the Title 5 Septic Loans Betterments reserve account to meet the loan payment of the Massachusetts Pollution Abatement Trust #T5-05-1234A due and payable during FY 2015, pursuant to Article 50 of 2004 and the loan totaling \$296,830 executed on June 13, 2012 and having a final payment date of July 15, 2022.

*The Town budget article provides for all General Fund (tax-supported) Town operations and activities organized by Town Charter under the direction of the Town Manager. The total appropriation to be presented for Town Meeting approval meets the spending guideline set by the Finance Committee in November 2013.*

**Finance Committee recommends affirmative action in the amount of \$37,644,645.**

**Board of Selectmen recommends affirmative action in the amount of \$37,644,645.**

### PUBLIC SCHOOL BUDGET

**ARTICLE 8.** To determine whether the Town will vote to raise and appropriate money for the following necessary and expedient purposes of the public schools of the Town for the fiscal year ending June 30, 2015, or take any other action relative thereto:

SCHEDULE A - PUBLIC SCHOOL BUDGET				
	Department	Fiscal 2013 Adopted	Fiscal 2014 Adopted	Fiscal 2015 School Committee Vote of Dec. 10, 2013
1	Concord Public Schools Budget/Appropriation	\$29,755,538	\$31,140,538	\$32,440,538

*This article provides the annual operating budget for the Concord Public Schools. The appropriation to be presented for Town Meeting approval meets the spending guideline set by the Finance Committee in November 2013.*

**Finance Committee** recommends affirmative action in the amount of \$32,440,538.

**Board of Selectmen** recommends affirmative action in the amount of \$32,440,538.

### CONCORD PUBLIC SCHOOLS RENOVATIONS

**ARTICLE 9.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen to borrow money by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$450,000, or any other sum, to be expended under the direction of the School Committee for remodeling, construction, reconstructing or making extraordinary repairs, including original equipment and related work, at various Concord Public School facilities, or take any other action relative thereto.

*This article authorizes the Treasurer to borrow \$450,000 for construction, renovations, repairs, and related work at various Concord Public School facilities. This borrowing is part of the Town Manager's five-year Capital Plan, with the debt service cost to be funded within the Levy Limit.*

**Finance Committee** recommends affirmative action in the amount of \$450,000 from borrowing.

**Board of Selectmen** recommends affirmative action in the amount of \$450,000 from borrowing.

### CONCORD PUBLIC SCHOOLS – SUPPLEMENTAL APPROPRIATION FOR CURRENT YEAR

**ARTICLE 10.** To determine whether the Town will vote to transfer from available funds in the treasury, or transfer from the current year appropriations, the sum of \$200,000 or any other sum, to be added to the appropriation voted under Item No. 34 Reserve Fund of Article 6 of the Warrant of the 2013 Annual Town Meeting, for the purposes of meeting extraordinary or unforeseen expenditures of the Concord Public Schools Budget, due to increased pupil transportation expenses, and benefits costs, identified after preparation of the FY14 budget for the fiscal year ending June 30, 2014, or take any other action relative thereto.

*This article amends the current year budget for the purpose of paying unanticipated costs of pupil transportation services and employee benefits costs. The Article proposes a supplemental appropriation to the Reserve Fund account which is subject to the control of the Finance Committee. The School Committee would make a request to the Finance Committee, by June 30, 2014, for a transfer from the Reserve Fund appropriation to the extent necessary but not exceeding the amount voted.*

**Finance Committee** recommends affirmative action in the amount of \$200,000 from Free Cash.

**Board of Selectmen** recommends affirmative action in the amount of \$200,000 from Free Cash.

### CONCORD PUBLIC SCHOOLS – USE OF THE CPS TECHNOLOGY STABILIZATION FUND FOR CLASSROOM COMPUTER REPLACEMENT

**ARTICLE 11.** To determine whether the Town will vote to appropriate the sum of \$75,000, or any other sum, from the CPS Technology Stabilization Fund established by vote under Article 25 of the 2010 Annual Town Meeting, to be expended under the direction of the Concord School Committee for the

replacement of classroom technology in Concord Public Schools, or at any other available site controlled by and deemed appropriate by the Concord School Committee, or take any other action relative thereto.

*This article authorizes use of monies in the Concord Public Schools Technology Stabilization Fund.*

**Finance Committee** recommends affirmative action in the amount of \$75,000.

**Board of Selectmen** recommends affirmative action in the amount of \$75,000.

**CONCORD PUBLIC SCHOOLS – USE OF THE CPS CAPITAL NEEDS STABILIZATION FUND FOR TRANSPORTATION INFRASTRUCTURE**

**ARTICLE 12.** To determine whether the Town will vote to appropriate the sum of \$925,000, or any other sum, from the CPS Capital Needs Stabilization Fund established by vote under Article 32 of the 2006 Annual Town Meeting, to be expended under the direction of the Concord School Committee for the development of transportation infrastructure at 55 and 55R Knox Trail, Acton, MA, or at any other available site controlled by and deemed appropriate by the Concord School Committee, or take any other action relative thereto.

*This article authorizes use of monies in the Concord Public Schools Capital Stabilization Fund.*

**Finance Committee** recommends affirmative action in the amount of \$925,000.

**Board of Selectmen** recommends affirmative action in the amount of \$925,000.

**CONCORD-CARLISLE REGIONAL HIGH SCHOOL BUDGET**

**ARTICLE 13.** To determine whether the Town will vote to raise and appropriate the sum of \$17,715,062, or any other sum, as set forth in schedule A below for the following necessary and expedient purposes of the Concord-Carlisle Regional School District for the fiscal year ending June 30, 2015, or take any other action relative thereto.

<b>SCHEDULE A – CONCORD-CARLISLE REGIONAL HIGH SCHOOL BUDGET</b>				
	<b>Department/Description</b>	<b>Fiscal 2013 Adopted</b>	<b>Fiscal 2014 Adopted</b>	<b>Fiscal 2015 School Committee Vote of Dec. 10, 2013</b>
1	Concord-Carlisle Regional High School Budget	\$24,290,423	\$26,305,603	\$27,437,330
	Assessment	\$15,320,349	\$16,908,064	\$17,715,062*
*(includes \$15,856,221 assessment for operating budget and \$1,858,841 assessment for debt exclusion)				

*This article provides Concord's share of the annual operating budget for the Concord-Carlisle Regional High School. The appropriation to be presented for Town Meeting approval meets the spending guideline set by the Finance Committee in November 2013.*

**Finance Committee** recommends affirmative action in the amount of \$17,715,062.

**Board of Selectmen** recommends affirmative action in the amount of \$17,715,062.

**HIGH SCHOOL DEBT STABILIZATION FUND – ADDITION AND USE**

**ARTICLE 14.** To determine whether the Town will vote to appropriate and transfer from Free Cash the sum of \$750,000 to be added to the Stabilization Fund established by vote under Article 2 of the November 7, 2011 Special Town Meeting for the purpose of reserving funds to be used to lower the tax levy impact of the Town's assessed share of principal and interest payment on bonds to be issued by the Concord-Carlisle Regional School District for the new District High School construction project; and further, to appropriate the sum of \$500,000, or any other sum, from said Fund, to be expended under the direction of the Town Manager for a portion of the Town's assessed share of the debt service due and payable during fiscal year 2015, or take any other action relative thereto.

*This article provides that \$750,000 of the Uncommitted Fund Balance (“Free Cash”) be added to the existing \$2,750,000 High School Debt Stabilization Fund; and further that the second of a planned multi-year allocation be made to mitigate the FY15 property tax increase that would otherwise occur due to payment of the Town’s apportioned share of debt service on the Concord-Carlisle Regional School District bonds issued and to be issued in connection with the construction of the new high school building.*

**Finance Committee** recommends affirmative action in the amount of \$750,000 transferred from Free Cash into the Fund and \$500,000 appropriated for use in FY2015.

**Board of Selectmen** recommends affirmative action in agreement with the Finance Committee.

**MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT BUDGET**

**ARTICLE 15.** To determine whether the Town will vote to raise and appropriate the sum of \$237,950, or any other sum, as set forth in schedule A below for the following necessary and expedient purposes of the Minuteman Regional Vocational School District for the fiscal year ending June 30, 2015, or take any other action relative thereto.

<b>SCHEDULE A – MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT BUDGET</b>				
	<b>Department/Description</b>	<b>Fiscal 2013 Adopted</b>	<b>Fiscal 2014 Adopted</b>	<b>Superintendent’s Proposed Budget &amp; Fiscal 2015 Assessment</b>
1	Minuteman Regional High School Budget Assessment	\$17,251,713 \$437,910	\$18,547,097 \$227,033	\$19,645,065 \$208,212 (est. @ 1/7/2014)

*This article provides Concord’s share of the annual operating budget for the Minuteman Regional Vocational School District. The final assessment amount for FY15 is \$191,689.*

**Finance Committee** recommends affirmative action in the amount of \$191,689.

**Board of Selectmen** recommends affirmative action in the amount of \$191,689

**AMENDMENTS TO THE DISTRICT AGREEMENT OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

**ARTICLE 16.** To determine whether the Town will vote, consistent with Section VII of the existing “Agreement With Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional Vocational Technical School District, to accept the amendments to said Agreement as on file with the Town Clerk, which have been initiated and approved by a majority of the Regional School Committee and which have been submitted to the Board of Selectmen of each member town prior to its vote on this article, or take any other action relative thereto.

*Concord was a founding community in 1970 of the now-16-member Minuteman Regional Vocational Technical School District, whose Regional Agreement was last amended in 1980. The Minuteman School Committee, in conjunction with the state DESE (Dept. of Elementary and Secondary Education), has developed a series of proposed revisions which would use each community’s 4-year rolling average student enrollment, rather than the current single-year number, as the basis for annual assessments of operating and capital costs. The revisions also provide new procedures for school committee votes, debt authorization, admission of new member communities, and the withdrawal of current members. A more complete explanation of the proposed revisions is found on the Concord Town website and will be provided in a handout at Town Meeting. Under the current agreement, these proposed amendments must be approved by town meetings in each of the 16 member communities, as well as by the state DESE Commissioner, although the revisions also provide that future amendments, with certain important exceptions, would require approval by only 3/4ths of the member communities, along with state approval.*

**Finance Committee** recommends affirmative action.

**Board of Selectmen** recommends affirmative action.

**BY PETITION RECALL BY TOWN MEETING**

**ARTICLE 17.** To determine whether the Town of Concord, MA, will deliver a home-rule petition to the State legislature for enabling legislation amending the Town of Concord town charter to permit the recall by action of Town Meeting of both elected and appointed town officials for failure to perform their duties in accordance with the best interest of the residents of the Town of Concord, MA, as determined by a 2/3 vote at the Town of Concord Town Meeting, or take any other action relative thereto.

*PETITIONER'S EXPLANATION: This article is intended to give Town Meeting the power to remove elected and appointed town officials by a 2/3 vote, for failure to act in the best interest of Concord citizens. Implementation of such authority would be through a home-rule petition to the state legislature to amend Concord's Town Charter. This article does not pertain to town or school employees. Approximately 150 communities in Massachusetts have recall provisions.*

**Finance Committee recommends No action.**

**Board of Selectmen recommends No action.**

**BY PETITION TOWN CHARTER HOME-RULE PETITION: TOWN MEETING BALLOTING AT POLLS**

**ARTICLE 18.** To determine whether the Town of Concord, MA, will deliver a home-rule petition to the State legislature for enabling legislation amending the Town of Concord town charter to make voting at the precinct polls on Town Meeting motions for which the call for the previous question has been duly made in deliberative sessions of Town Meeting to be an integral part of Town Meeting, and that completion of such voting shall constitute adjournment of the Town Meeting, or to take any other appropriate action relative thereto.

*PETITIONER'S EXPLANATION: This article would authorize a home-rule petition to enable voting at the polls on Town Meeting motions by all of the registered voters of Concord instead of the requirement of physical attendance at Town Meeting to vote, which now disenfranchises more than 90% of Concord's registered voters on Town issues.*

**Finance Committee recommends No action.**

**Board of Selectmen recommends No action.**

**FREE CASH USE**

**ARTICLE 19.** To determine whether the Town will vote to authorize and direct the Assessors to take \$850,000, or any other sum, from free cash to reduce the tax levy for the fiscal year ending June 30, 2015, or take any other action relative thereto.

*This article seeks Town Meeting approval to allocate a portion of the available General Fund balance to support the 2015 budget.*

**Finance Committee recommends affirmative action in the amount of \$850,000.**

**Board of Selectmen recommends affirmative action in the amount of \$850,000.**

**UNPAID BILLS**

**ARTICLE 20.** To determine whether the Town will vote to raise and appropriate or transfer from available funds in the Treasury, monies to pay the unpaid bills of prior fiscal years, or take any other action relative thereto.

*If there are unpaid bills of a prior fiscal year, state law requires that such bills be presented to the Town Meeting.*

**No motion is expected**

### PROPERTY TAX EXEMPTIONS

**ARTICLE 21.** To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, and further to act under the aforesaid statutes to increase by 100% the amount of property tax exemption granted to persons who qualify for said exemption under clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, and 41C of Section 5 of Chapter 59 of the Massachusetts General Laws, or take any other action relative thereto.

*State law establishes property tax exemptions, reimbursed by the State, for disabled veterans, blind persons, and elderly citizens who meet income and asset limitation requirements. State law also allows towns, by annual votes, to increase state-set exemption amounts up to 100%, although without state reimbursement. Since 2001, Concord Town Meeting has voted this, for example, increasing the \$500 state-set senior exemption to \$1000 each year since 2005.*

**Finance Committee recommends affirmative action.**

**Board of Selectmen recommends affirmative action.**

### LIGHT PLANT PAYMENT IN LIEU OF TAXES

**ARTICLE 22.** To determine whether the Town will vote to authorize a transfer of \$458,650, or any other sum, from the Operating Fund of the Light Plant to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2014, or take any other action relative thereto.

*This article authorizes the transfer of \$458,650 from the Operating Fund of the Light Plant to the General Fund as a Payment In Lieu of Taxes (or PILOT) for fiscal year 2015. The amount is determined as the product of the net plant investment of the Light Plant on the previous June 30 and the property tax rate of the current fiscal year. This makes the PILOT equivalent to the amount an investor-owned utility with the same physical plant would pay in property taxes, thus avoiding any indirect subsidy from property taxpayers to the Municipal Light Plant.*

**Finance Committee recommends affirmative action in the amount of \$458,650.**

**Board of Selectmen recommends affirmative action in the amount of \$458,650.**

### LIGHT PLANT EXPENDITURES

**ARTICLE 23.** To determine whether the Town will vote that the income from sales of electricity and from servicing and jobbing during the ensuing fiscal year together with the balance of operating cash in the Light Plant Fund, be expended without further appropriation under the direction and control of the Town Manager for the expenses of the Light Plant for said fiscal year, as defined in Section 57 of Chapter 164 of the Massachusetts General Laws; and/or for other plant extensions, enlargements, additions, renewals and reconstruction, or take any other action relative thereto.

*This article authorizes the Town Manager, as Manager of the Light Plant, to expend the income received by the Light Plant from the sale of electricity along with other departmental income to be used for the purposes of operating the department for the Fiscal Year. This is a routine annual action.*

**Finance Committee recommends affirmative action.**

**Board of Selectmen recommends affirmative action.**

### ROAD REPAIR REVOLVING FUND EXPENDITURES

**ARTICLE 24.** To determine whether the Town will vote that the income from fees paid by applicants to the Town for permits to dig up, alter, or disturb a public way in accordance with the Motion passed under Article 47 of the 1992 Annual Town Meeting, in an amount not to exceed the sum of \$120,000, or any other sum, be expended without further appropriation for the purpose of repairing, restoring, maintaining and inspecting public ways, to be managed and expended by the Town Manager in accordance with Chapter 44, Section 53E½ of the Massachusetts General Laws, or take any other action relative thereto.

*Pursuant to Article 47 of the 1992 Annual Town Meeting, this article authorizes up to \$120,000 of fees collected through the Town's Right-of-Way Street Permit Program to be used in fiscal year 2015 for repairing, restoring, maintaining and inspecting the Town's public ways. This is a routine annual action, with the amount of the authorization dependent upon the available unreserved balance of the Fund at the time of the vote.*

**Finance Committee** recommends affirmative action in the amount of \$120,000.

**Board of Selectmen** recommends affirmative action in the amount of \$120,000.

#### **SOLID WASTE DISPOSAL FUND EXPENDITURES**

**ARTICLE 25.** To determine whether the Town will vote that the income from user fees for solid waste disposal services, associated services, and jobbing services by Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Solid Waste Disposal Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 27 of the 1989 Annual Town Meeting, or take any other action relative thereto.

*Pursuant to Article 27 of the 1989 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Solid Waste Disposal Fund and user fee revenue in fiscal year 2015 to be used to operate the Town's "pay-as-you-throw" curbside solid waste and recycling collection and disposal program. The Program consists of two major components: curbside collection and disposal including recycling and Drop-Off Days; and the operation and maintenance of the Town's composting site including the former landfill. This has been a routine annual action.*

**Finance Committee** recommends affirmative action.

**Board of Selectmen** recommends affirmative action.

#### **SEWER SYSTEM EXPENDITURES**

**ARTICLE 26.** To determine whether the Town will vote that the income from user fees, special service fees and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Sewer Fund be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 37 of the 1976 Annual Town Meeting, or take any other action relative thereto.

*Pursuant to Article 37 of the 1976 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Sewer Fund and fiscal year 2015 revenue for the operation and maintenance and improvement of the Town's sewer system. Similar to the Town's Water and Light Plant Funds, the Sewer Fund is an enterprise fund. The entire cost of operations, maintenance, and capital replacement and renewal is funded by user fees. At the present time approximately one-third of Concord's residences and many businesses and institutions are connected to the Town's municipal sewer system. This has been routine annual action.*

**Finance Committee** recommends affirmative action.

**Board of Selectmen** recommends affirmative action.

#### **SEWER IMPROVEMENT FUND EXPENDITURES**

**ARTICLE 27.** To determine whether the Town will vote that the income from sewer improvement fees during the ensuing fiscal year, together with the balance of operating cash in the Sewer Improvement Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 25 of the 1989 Annual Town Meeting and applicable state enabling statutes, or take any other action relative thereto.

*Pursuant to Article 25 of the 1989 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Sewer Improvement Fund (a sub-fund within the Sewer Fund) and fiscal year 2015 fees for constructing and expanding the Town's sewer lines and treatment facility capacities. Sewer improvement fees are charged to certain properties connecting to the sewer system. This has been a routine annual action.*

**Finance Committee** recommends affirmative action.

**Board of Selectmen** recommends affirmative action.

### WATER SYSTEM EXPENDITURES

**ARTICLE 28.** To determine whether the Town will vote that the income from user fees, special service fees, and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Water Fund, be expended without further appropriation under the direction and control of the Town Manager in accordance with the Motion passed under Article 38 of the 1974 Annual Town Meeting, or take any other action relative thereto.

*Pursuant to Article 38 of the 1974 Annual Town Meeting, this article authorizes the Town Manager to use cash on hand in the Water Fund and fiscal year 2015 revenue for the operation and maintenance and improvement of the Town's water system. Similar to the Town's Sewer and Light Plant Funds, the Water Fund is an enterprise fund. The entire cost of operations, maintenance, and capital replacement and renewal is funded by user fees. This has been a routine annual action.*

**Finance Committee** recommends affirmative action.

**Board of Selectmen** recommends affirmative action.

### BEEDE SWIM & FITNESS CENTER ENTERPRISE FUND; FY 2015 BUDGET AND FY2014 SUPPLEMENTAL APPROPRIATION

**ARTICLE 29.** To determine whether the Town will vote to appropriate the amount required for the total expenses of the Community Pool Enterprise Fund for the fiscal year beginning July 1, 2014 (FY2015) for the operation of the Community Pool, in accordance with Chapter 44, section 53F½ of the Massachusetts General Laws, and further to make a supplemental appropriation to the FY2014 Beede Center operating budget in the amount of \$1,000,000, or any other sum, to fund the purchase of capital equipment, including any necessary design, testing, engineering, planning and related expenses, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*This article enacts the operating budget for the Community Swim and Fitness Center, which is self-supporting from its own revenues. State law applicable to this enterprise fund, adopted by the 2005 Town Meeting, requires that a budget be enacted by Town Meeting. No tax funds are involved. As presented at the March 17 Enterprise Budget Hearing, the FY15 proposed budget is: \$2,747,441 for operating expenses and \$260,000 for capital expenses (funded with \$2,525,804 from estimated FY15 revenues and \$481,637 from the undesignated fund balance).*

*This article also proposes the appropriation of \$1,000,000 to supplement the FY14 budget so that a major capital improvement project, funded from Beede Center fund balances, may be ordered in May and delivered and installed during the Center's annual one-week closure in August for cleaning and repairs. The capital improvement project will replace the existing dehumidification system with a more reliable and energy-efficient system.*

**Finance Committee** recommends affirmative action.

**Board of Selectmen** recommends affirmative action.

### FEASIBILITY STUDY AT 133, 135 AND 141 KEYES ROAD CAMPUS

**ARTICLE 30.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, or any other enabling authorities, the sum of \$150,000, or any other sum, for the purposes of financing the cost of design services consultants, including engineering, surveying, geotechnical, architectural and related services, to undertake a feasibility study and preliminary design for the renovation and expansion of facilities on the Keyes Road campus, including 133, 135, and 141 Keyes Road, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*This article provides funds for a feasibility study to determine how best to utilize 133 and 135 Keyes Road, which house the Public Works Department, and 141 Keyes Road, which houses the Dept. of Planning & Land Management. Both depts. need additional office, storage, and employee workspaces. The site is located partially within the floodplain, so the study will include an evaluation of creating work space without increasing building footprints.*

**Finance Committee** recommends affirmative action in the amount of \$150,000 from borrowing.

**Board of Selectmen** recommends affirmative action in the amount of \$150,000 from borrowing.

### 141 KEYES ROAD BUILDING IMPROVEMENTS

**ARTICLE 31.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$600,000, or any other sum, for the purposes of remodeling, reconstructing or making extraordinary repairs to the structure at 141 Keyes Road, including original equipment and related work, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*The building at 141 Keyes Road was originally constructed in 1899 to generate electricity for the Town. The structure underwent a major renovation in 1992 and now houses the Planning & Land Management Department, including the Planning, Health, Inspections and Natural Resources Divisions. This article would provide funds to replace the heating, ventilating and air conditioning system (HVAC) and the roof, which are both more than twenty years old. A small addition to the structure is proposed in order to relocate the mechanical systems out of the basement of the building, which is very wet and requires the continual operation of a sump-pump system.*

**Finance Committee** recommends affirmative action in the amount of \$600,000 from borrowing.

**Board of Selectmen** recommends affirmative action in the amount of \$600,000 from borrowing.

### PURCHASE OF AMBULANCE EQUIPMENT

**ARTICLE 32.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$75,000, or any other sum, for the purposes of financing the cost of purchasing equipment for a new ambulance that was donated to the Town and which will be placed into service on or about July 1, 2014, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*This article funds the purchase of important equipment needed for a new ambulance, including a stretcher, various cardiac and respiratory care equipment, patient monitoring devices and other related equipment. Ms. Audrey J. Mold generously donated the full cost of purchasing a new ambulance for West Concord and on July 1 the Fire Department expects to have this second ambulance operational daily from 8:00 a.m. to 8:00 p.m. The funding proposed in this article fully equips the donated ambulance with life-saving and patient-care equipment necessary to operate this second ambulance.*

**Finance Committee** recommends affirmative action in the amount of \$75,000 from borrowing.

**Board of Selectmen** recommends affirmative action in the amount of \$75,000 from borrowing.

### WEST CONCORD INFRASTRUCTURE IMPROVEMENTS

**ARTICLE 33.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the Treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$100,000, or any other sum, for the purpose of reconstruction, renovation and improvement of streets, roads, sidewalks and related facilities in West Concord Center, including any necessary engineering design and surveying services, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*The "West Concord Master Plan" recommended streetscape improvements in West Concord to promote pedestrian safety, make better use of available parking, calm traffic and improve the appearance of the village with plantings and other amenities. This article funds some of the recommended public infrastructure improvements.*

**Finance Committee** recommends affirmative action in the amount of \$100,000 from borrowing.

**Board of Selectmen** recommends affirmative action in the amount of \$100,000 from borrowing.

**HARVEY WHEELER COMMUNITY CENTER – HVAC SYSTEM AND INSULATION AND POLICE STATION IMPROVEMENTS**

**ARTICLE 34.** To determine whether the Town will vote to appropriate the sum of \$425,000, or any other sum, for the purpose of remodeling, reconstructing or making extraordinary repairs, including any necessary design services, original equipping and related work, to the Harvey Wheeler Community Center in West Concord and the Police Station on Walden Street, and that to raise said appropriation, the Town Treasurer be authorized, with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$425,000, or any other sum, said funds to be expended under the direction of the Town Manager, or take any other action relative thereto.

*This article funds building improvements at both the Harvey Wheeler Community Center, which needs HVAC improvement and building insulation, as well as at the Police Station on Walden Street. The third floor of the public safety building has unfinished storage space, which will likely be converted into new office space for use by the Police Dept. The expected breakdown in cost will be approximately \$340,000 for the Harvey Wheeler Community Center and \$85,000 for the Police Station. This is part of the Five-Year Capital Plan.*

**Finance Committee** recommends affirmative action in the amount of \$425,000 from borrowing.  
**Board of Selectmen** recommends affirmative action in the amount of \$425,000 from borrowing.

**REGIONAL HOUSING SERVICES REVOLVING FUND**

**ARTICLE 35.** To determine whether the Town will vote to establish a under Massachusetts General Laws Chapter 44, Section 53E ½, a Regional Housing Services Revolving Fund, to receive payments from member towns, including a payment of Concord's proportional share as appropriated in the Town budget under Article 7, and to authorize the expenditure of up to \$150,000 in revenue under the direction of the Town Manager, for the purposes of continuing the operation of a five-town consortium set up to assist member communities in managing affordable housing resources, or take any other action relative thereto.

*In 2011, the Boards of Selectmen in Concord, Lexington, Lincoln, Sudbury and Weston approved an inter-municipal agreement to jointly operate a Regional Housing Services Office (RHSO). The RHSO provides a variety of affordable housing-related services including monitoring of developer/owner compliance with affordable housing requirements; consulting with affordable housing supporters and committees to develop community-sensitive housing; developing ready-buyer and ready-renter list to ensure maximum availability of affordable housing units; exploring regional solutions to affordable housing challenges. In 2012, Lincoln left the consortium and Acton joined the group. Sudbury served as lead community for the first three years of operation. It is proposed that Concord serve as lead community for the next three years. Approval of this article would facilitate accounting and spending as Concord exercises its role as lead community. Funding for Concord's proportional share of the expenses for the RHSO will be appropriated under Article 7 (\$12,500 in line item 5A) and under Article 36 (\$17,000 in line item A).*

**Finance Committee** recommends affirmative action.  
**Board of Selectmen** recommends affirmative action.

**COMMUNITY PRESERVATION COMMITTEE APPROPRIATION RECOMMENDATIONS**

**ARTICLE 36.** To determine whether the Town will vote to appropriate or reserve for future appropriation the sum of \$1,323,875, or any other sum, from the Concord Community Preservation Fund, of which up to \$75,875 shall be appropriated from unappropriated Fiscal Year 2014 Fund revenues and up to \$1,248,000 shall be appropriated from projected Fiscal Year 2015 Fund revenues, in accordance with Chapter 44B of the Massachusetts General Laws, to be expended under the direction of the Town Manager as follows:

Item	Project/Description	Total Amount Recommended	Category	FY14 CPA Fund Revenues	FY15 CPA Fund Revenues
A	Town of Concord – Regional Housing Services Program	17,500	Community Housing		17,500
B	Concord Housing Development Corporation – Broadening Affordable Housing for Concord Program	125,000	Community Housing		125,000
C	Town of Concord – Heywood Meadow Stone Wall Reconstruction Project	88,000	Historic Preservation		73,000
			Open Space		15,000
D	The Trustees of Reservations - Old Manse Phased Interior Restoration and Preservation Program	45,782	Historic Preservation		45,782
E	Town of Concord – Rogers Land Slope Restoration	82,804	Open Space		82,804
F	Town of Concord - Bruce Freeman Rail Trail Phase 2B and 2C in Concord	250,000	Recreation		200,000
			Open Space		50,000
G	Concord Carlisle at Play, Inc. – Fields Renovation Project at Concord Carlisle High School	433,000	Recreation		433,000
H	Concord Children’s Center – Phase II Infrastructure and Accessible Elements for the Natural Playscape at Ripley	77,073	Recreation	75,875	1,198
I	Community Housing Reserve Fund (reserve for future appropriation)	125,000	Community Housing		125,000
J	Historic Preservation Reserve Fund (reserve for future appropriation)	15,000	Historic Preservation		15,000
K	Open Space Reserve Fund (reserve for future appropriation)	34,716	Open Space		34,716
L	Town of Concord – Staff and Technical Support	30,000	Administrative		30,000
		<b>\$1,323,875</b>		<b>\$75,875</b>	<b>\$1,248,000</b>

or take any other action relative thereto.

*This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of specific projects as listed in the above chart and allowed under the Community Preservation Act (CPA). The article also reserves for future appropriation designated amounts for community housing, historic preservation and open space. These projects will expend, and reserve, a total of \$267,500 for Community Housing, \$133,782 for Historic Preservation, \$182,520 for Open Space, \$710,073 for Recreation and \$30,000 for Administration. Under the CPA, Town Meeting may reduce or reject but may not increase the appropriation from the Community Preservation Fund for any item proposed by the Committee, provided, however, that the CPA requires that a minimum of 10% of the annual revenues in the Community Preservation Fund be either spent or reserved for future spending for each of Community Housing, Historic Preservation and Open Space purposes.*

**Finance Committee** recommends affirmative action in the amount of \$1,323,875.

**Board of Selectmen** recommends affirmative action in the amount of \$1,323,875.

#### GRANT OF A RESTRICTION AT 51 LAWS BROOK ROAD

**ARTICLE 37.** To determine whether the Town will vote to authorize the Board of Selectmen (a) to grant on terms acceptable to the Board of Selectmen a perpetual restriction to an entity acceptable to the Board of Selectmen, meeting the requirements of Chapter 44B, Section 12 and Chapter 184, Sections 31-33 of the Massachusetts General Laws, with respect to all or a portion of the real property known as and numbered 51 Laws Brook Road, shown on the assessors maps D9 as parcel #2243, comprised of approximately 1 acre, that would permit recreational uses and uses accessory thereto on the property and (b)

to enter into all agreements, execute any and all instruments and take any other steps that may be necessary in the judgment of the Board of Selectmen to effect said restriction, or take any other action relative thereto.

*This article authorizes the Town to enter into a permanent conservation restriction for the site formerly known as 51 Laws Brook Road Parcel 2243. In conjunction with the Town's purchase of the property, the restriction will provide for recreational uses and is recommended to meet the requirements of the Community Preservation Act as authorized by the 2012 Town Meeting.*

**Board of Selectmen recommends affirmative action.**

**AGRICULTURAL PRESERVATION RESTRICTION ON TOWN FARM LAND AT 449, 42A, 52A AND 52X  
BARRETT'S MILL ROAD**

**ARTICLE 38.** To determine whether the Town will vote to authorize the Board of Selectmen to (a) grant a perpetual Agricultural Preservation Restriction (APR) or a Conservation Restriction (CR) that meets the requirements of Chapter 184, Sections 31-33 of the Massachusetts General Laws, in all or a portion of the properties at 449, 42A, 52A and 52X Barrett's Mill Road to the Concord Land Conservation Trust or a similar conservation organization acceptable to the Board of Selectmen, for the purposes of promoting local agriculture, farming and food production, and (b) to enter into all agreements, execute any and all instruments and take any other steps that may be necessary in the judgment of the Board of Selectmen to effect said restriction, or take any other action relative thereto.

*The 2013 Annual Town Meeting authorized the Board of Selectmen to purchase the property at 449 Barrett's Mill Road, including the McGrath farmhouse, farm stand and 1.9 acres of land. The purchase was completed on July 31, using \$400,000 from Community Preservation Act (CPA) funds designated for Open Space acquisition as well as an additional \$451,000 in non-CPA funds. The Natural Resources Commission has authorized the use of 10 additional acres of adjacent farmable conservation land acquired previously, to be leased to a farmer who will reside in the farmhouse. The CPA requires that a permanent restriction be placed on land purchased with CPA funds. The State Department of Agricultural Resources has provided preliminary support for an APR on the property which would limit future use of the land to agricultural uses, which is consistent with the Town's long-term plan to promote local agriculture and food production.*

**Board of Selectmen recommends affirmative action.**

**BY PETITION BRUCE FREEMAN RAIL TRAIL – PROTECTIVE MEASURES FOR ENVIRONMENTAL  
RESOURCES AND PUBLIC SAFETY**

**ARTICLE 39.** To determine whether the Town will vote to authorize and direct the Board of Selectmen to: (1) evaluate public and private studies completed to date and perform additional assessments necessary to clearly define and evaluate impacts of construction, use, and maintenance of the Bruce Freeman Rail Trail (BFRT) on *environmental resources* (including but not limited to White Pond, Vernal Pools, Natural Heritage and Endangered Species Priority Habitat, Jennie Dugan Swamp, recharge areas to Town drinking water supplies, the Assabet River, and Warner Pond) and *public safety* (including but not limited to rules of use); (2) clearly define and evaluate environmental resource and safety impacts of construction, use, and maintenance of the BFRT; (3) design protective pre-construction, construction, use, and maintenance measures that will avoid, minimize, or mitigate these environmental resource and safety impacts; and (4) implement these protective measures during pre-construction, construction, use, and long-term maintenance of the BFRT.

Environmental resources and public safety impacts of construction, use, and maintenance of the BFRT, for which protective measures shall be designed and implemented, include but are not limited to the following:

- Soil erosion and discharge of toxics into environmental resources, including water supplies, and creation of conditions for invasive plants
- Destruction of tree canopy and shading, and damage to root systems of remaining trees
- Wildlife disturbance, including barriers to wildlife passage, temporary or permanent habitat loss, loss of biological diversity, and loss of "small wilderness" that supports species sensitive to human intrusion
- Impacts of 10 feet trail width, 3 feet shoulders either side of trail, and paved, impervious surface material for portions of the trail passing through environmental resources

- Public safety impacts, including safety during all hours of use, safety at rest stops, Sanborn Middle School student safety, safety around the West Concord train station, safety associated with allowed speeds and parking, and safe access from the BFRT to expected tourist destinations
- Drainage impacts of the surface and shoulders to wildlife habitat, water supplies and other environmental resources
- Impacts to environmental resources and public safety associated with long-term maintenance needs
- Impacts to environmental resources and public safety from increased usage over time

**Also, to determine whether the Town** will vote to allocate the sum of up to \$20,000, or any other sum, from the BFRT account or other funding source, to be expended under the direction of the Board of Selectmen for development of a Work Plan, Implementation Plan and associated budget and schedule for completion of tasks 1-4 in paragraph 1 above; or take any other action relative hereto.

Said Work Plan, Implementation Plan and associated budget and schedule shall be completed by the Board of Selectmen, in consultation with the Town of Concord BFRT Advisory Committee, Natural Resources Commission, and Health Department, and relevant state environmental, public health and safety agencies, prior to commencement of BFRT construction in 2015, and shall be incorporated into specifications for BFRT pre-construction site preparation, construction, post-construction, and long-term maintenance.

*PETITIONER'S EXPLANATION: This article would provide for a quality experience of the BFRT by (1) clearly defining environmental resource and public safety impacts and necessary pre-construction, construction, and post-construction measures to avoid, minimize or mitigate these impacts; and (2) developing a Work Plan, Implementation Plan and associated budget and schedule for these measures tied to the site preparation, construction, and long-term monitoring and maintenance phases of the project.*

**Finance Committee recommends No action.**

**Board of Selectmen recommends No action.**

#### **BY PETITION RESOLUTION ON FOSSIL FUEL DIVESTMENT**

**ARTICLE 40.** To determine whether the Town of Concord will vote to adopt the following Resolution:

##### RESOLUTION ON FOSSIL FUEL DIVESTMENT

WHEREAS, Global warming, caused primarily by the burning of fossil fuels and resulting increase in greenhouse gases in the atmosphere, is a serious threat to current and future generations in Concord and around the world; and

WHEREAS, Global warming is already causing costly disruption of human and natural systems throughout the world, including the acidification of the oceans, melting of Arctic and glacial ice, rising sea levels, increasing heat waves, floods, drought, extreme weather, and corresponding food and water shortages, property damage, loss of biodiversity, and death; and

WHEREAS, The effects of global warming will further intensify with increased temperatures such that almost all governments in the world, including the United States, have agreed (through the 2009 Copenhagen Accord) that any warming above a 2°C (3.6°F) rise would be unsafe for human habitation; and

WHEREAS, Scientists estimate that humans can emit only approximately 565 more gigatons of carbon dioxide into the atmosphere and still retain a reasonable hope of not exceeding 2°C of global warming; and

WHEREAS, Proven coal, oil and gas reserves counted as assets of fossil fuel companies equal roughly 2,795 gigatons of CO<sub>2</sub>, or five times the maximum amount that can safely be released to prevent more than 2°C of global warming; and

WHEREAS, Fossil fuel companies continue to explore for even more fossil fuel deposits that cannot be burned without rendering Earth unfit for human habitation; and

WHEREAS, Fossil fuel companies operate under the imperative to create shareholder profit rather than for long term public benefit, use their considerable financial resources to create confusion on the science of global warming, and to influence the government to maintain laws and regulations favorable to the continuing sale of their product, and

WHEREAS, The Town of Concord has a moral duty to protect the lives and livelihoods of its inhabitants and of people around the world from the threat of global warming and believes that its investments should support a future without the catastrophic impacts of a warming environment; and

WHEREAS, The Town of Concord has a duty to its employees and taxpayers to maintain the value of funds invested on their behalf and to avoid risky investments; and

WHEREAS, Investments in fossil fuel companies could prove highly risky given that 80% of their proven reserves could become “stranded” and unusable assets if governments act to protect a habitable climate; now

THEREFORE, BE IT RESOLVED THAT Concord Town Meeting urges its Retirement Board and Town Treasurer to review their investment portfolios in order to identify any holdings that include direct or indirect investments in Fossil Fuel Companies, defined for purposes of this Resolution as any of the two hundred publicly-traded companies with the largest coal, oil and gas reserves (as measured by the gigatons of carbon dioxide that would be emitted if those reserves were extracted and burned) such as those companies listed in the Carbon Tracker Initiative’s “Unburnable Carbon” report; and

Be it FURTHER RESOLVED, That Concord Town Meeting urges its Retirement Board and the Town Treasurer to adopt policies to divest from such existing public equities, corporate bonds, or other direct holdings in Fossil Fuel Companies within five years and to preclude any new direct investments in Fossil Fuel Companies in the future, and

Be it FURTHER RESOLVED, That, for any investments of the Town of Concord in commingled funds that are found to include Fossil Fuel Companies, Town Meeting urges the Retirement Board and Town Treasurer to contact the fund managers and request that the Fossil Fuel Companies be removed from such funds; and

Be it FURTHER RESOLVED, That the Town Treasurer and Retirement Board release annual updates, that are made available to the public, which detail progress made towards full divestment in Fossil Fuel Companies within five years; and

Be it FURTHER RESOLVED, That Town Meeting urges the Board of Selectmen, Town Treasurer and Retirement Board to endorse proposed state legislation requiring divestment of statewide retirement funds (Pension Reserve Investment Trust (PRIT)) from Fossil Fuel Companies, and

Be it FURTHER RESOLVED, That the Town Clerk is requested to send copies of this Resolution to Concord’s elected state and national officials including President Barack Obama, Senators Elizabeth Warren and Edward Markey, Representative Niki Tsongas, Governor Deval Patrick, State Senator Michael Barrett, and State Representative Cory Atkins, as well as to State Treasurer Steven Grossman, the Public Employee Retirement Administration Commission (PERAC) and managers of the Pension Reserve Investment Trust (PRIT), or take any other action relative thereto.

**PETITIONER’S EXPLANATION:** *Because of the urgency of the climate crisis which is caused primarily by human use of fossil fuels, this resolution urges the Town of Concord to 1) examine its portfolio to determine its holdings in fossil fuel companies 2) adopt a policy to divest from direct investment in fossil fuel companies within five years 3) send a request to managers of funds with which Concord investments are commingled to divest from fossil fuel companies 4) report annually on progress toward divestment 5) support proposed legislation for divestment of the statewide pension fund from fossil fuel companies and 6) send copies of this resolution to Concord’s national and state elected officials as well as to the county and state retirement boards*

**Finance Committee recommends No action.**

#### **TRANSFER CUSTODY OF PROPERTY AT 383 OLD BEDFORD ROAD**

**ARTICLE 41 .** To determine whether the Town will vote to authorize the Board of Selectmen to transfer care custody and control of Parcel “A”, as shown on the “Recorded Plan for 389 Old Bedford Road, a Planned Residential Development, Concord MA” dated October 26, 2004, as revised April 25, 2005 and October 24, 2005, prepared for Paul McMann by Stamski and McNary, Inc., on file with the Town Clerk, containing 84,783 square feet more or less, to the Natural Resources Commission, acting as the Town’s Conservation Commission, pursuant to Chapter 40, Section 8C of the General Laws of Massachusetts, for open space purposes, or take any other action relative thereto.

*The Board of Appeals approved a Planned Residential Development for the property at 389 Old Bedford Road in July of 2004 which created a new lot referred to as 383 Old Bedford Road. A condition of the PRD approval was that the open space portion of the PRD property, containing approximately 84,783 square feet, would be gifted to the Town and held in the custody of the Natural Resources Commission. The buyer of the property at 383 Old Bedford Road belatedly transferred the open space portion of the property to the Town via quitclaim deed recorded on January 16, 2012 without the Town's review. The deed failed to specify that the land was to be placed in the custody of the NRC. Therefore, the land is held in the care, custody and control of the Selectmen until Town Meeting authorizes transfer to the NRC.*

**Board of Selectmen recommends affirmative action.**

### **SALE OF TOWN-OWNED LAND – 13B KEYES ROAD**

**ARTICLE 42.** To determine whether the Town will vote to authorize the Board of Selectmen to sell fee, easement and/or other property interests in, on, over, across, or under all or any portion of the property located at 13B Keyes Road in Concord, shown on Assessor's map 8G as parcel #1682-1, consisting of approximately 0.45 acres, together with any structures, improvements and trees thereon, on terms and conditions agreeable to the Selectmen, provided that such sale shall be conditioned upon the execution of a Development Agreement between the Board of Selectmen and the purchaser of the property on terms acceptable to the Board of Selectmen, concerning the redevelopment or reuse of the property, or take any other action relative thereto.

*The Mill Brook Tarry Task Force, appointed by the Planning Board, has been meeting to help define a redevelopment project for Mill Brook Tarry commercial property, including new housing, commercial office space and retail sales space, including a grocery store. The property at 13B Keyes Road may be useful to accomplish the overall redevelopment of this area. The 0.45 acre-parcel at 13B Keyes Road, which is the subject of this article, was acquired in 1899 by the Town as part of the campus of the Public Works Department. This article authorizes the Selectmen to sell the land, provided a Development Agreement has been reached specifying the terms and conditions of redevelopment.*

**No Motion is expected.**

### **BY PETITION ZONING BYLAW AMENDMENT – FRONT YARDS**

**ARTICLE 43.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Amend Section 6.2.6, by adding the following sentence thereto: "In a Business District, the Board may, by special permit, allow a front yard of zero (0) feet along Keyes Road, if it finds that doing so will advance the planning objectives of the town and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw".

or take any other action relative thereto.

*PETITIONER'S EXPLANATION: This article furthers the goals of both the 2005 Comprehensive Long Range Plan and the 2007 Village Center Study, one of which is the redevelopment of the underutilized Millbrook Tarry property at the intersection of Lowell Road and Keyes Road into a vibrant, mixed-use, "sub-village" of Concord Center. On December 13, 2013, the Millbrook Tarry Task Force, created by the Concord Planning Board, issued its Final Report and Recommendations and unanimously recommended specific redevelopment guidelines for the site. To existing uses at Millbrook Tarry (Rite Aid, Citizens Bank, Trail's End Café, professional offices) will be added residences, an upscale grocery store, and retail space serving local needs. Approval of this article grants no permits to the project's proponent, who will have to go through the regular town permitting process.*

**No Motion is expected.**

**BY PETITION ZONING BYLAW AMENDMENT – TRAILER AND MOBILE HOME**

**ARTICLE 44.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Amend subsection 5.4.1 by inserting a new subsection 5.4.1.5, as follows:

“5.4.1.5 In a Business District, the Board may, by special permit, authorize the use of a trailer, modular container transportable by trailer or other similar vehicle or mobile structure as temporary retail space for not more than two (2) years provided that adequate parking is available for such temporary retail use.”

or take any other action relative thereto.

**PETITIONER’S EXPLANATION:** *This article furthers the goals of both the 2005 Comprehensive Long Range Plan and the 2007 Village Center Study, one of which is the redevelopment of the underutilized Millbrook Tarry property at the intersection of Lowell Road and Keyes Road into a vibrant, mixed-use, “sub-village” of Concord Center. On December 13, 2013, the Millbrook Tarry Task Force, created by the Concord Planning Board, issued its Final Report and Recommendations and unanimously recommended specific redevelopment guidelines for the site. To existing uses at Millbrook Tarry (Rite Aid, Citizens Bank, Trail’s End Café, professional offices) will be added residences, an upscale grocery store, and retail space serving local needs. Approval of this article grants no permits to the project’s proponent, who will have to go through the regular town permitting process.*

**No Motion is expected.**

**BY PETITION ZONING BYLAW AMENDMENT – COMBINED BUSINESS/RESIDENCE**

**ARTICLE 45.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Replace existing Subsection 4.2.3.1 with the following: “4.2.3.1 Each such unit is either a) structurally part of a commercial building, having common walls, foundation, roof or floor, or b) is within a multi-unit dwelling authorized by a special permit issued by the Board, provided, that, no such special permit shall be issued if the gross floor area of the multi-unit dwelling exceeds thirty-five percent (35%) of the gross floor area of the non-residential uses on the lot.

Amend Subsection 4.2.3.2, by deleting the word “twenty” and replacing it with the word “ten.”

Amend Subsection 4.2.3.3, by deleting the word “twice.”

Add Subsection 4.2.3.5, to read as follows: “4.2.3.5 For purposes of this Section 4.2.3: a) “at least” and “more than” shall refer to the whole number derived by dividing the number of proposed units by ten (10), and b) an affordable unit shall not be required unless the number derived by dividing the number of proposed units by ten (10) results in a remainder that equals or exceeds one half (.5).”

or take any other action relative thereto.

**PETITIONER’S EXPLANATION:** *This article furthers the goals of both the 2005 Comprehensive Long Range Plan and the 2007 Village Center Study, one of which is the redevelopment of the underutilized Millbrook Tarry property at the intersection of Lowell Road and Keyes Road into a vibrant, mixed-use, “sub-village” of Concord Center. On December 13, 2013, the Millbrook Tarry Task Force, created by the Concord Planning Board, issued its Final Report and Recommendations and unanimously recommended specific redevelopment guidelines for the site. To existing uses at Millbrook Tarry (Rite Aid, Citizens Bank, Trail’s End Café, professional offices) will be added residences, an upscale grocery store, and retail space serving local needs. Approval of this article grants no permits to the project’s proponent, who will have to go through the regular town permitting process.*

**No Motion is expected.**

### **ZONING BYLAW AMENDMENT – REVISE COMBINED BUSINESS/RESIDENCE USE**

**ARTICLE 46.** To determine whether the Town will vote to amend the Zoning Bylaw in Section 4.2.3 Combined business/residence to allow one or more structures to be entirely in residential use when there are multiple structures on a lot, to establish a minimum percentage of commercial use for the combined business/residence use, to reduce the number of affordable units required from 20% to 15% and to allow the Board of Appeals to waive the affordable housing requirement when a payment in lieu of housing is provided when five or fewer units are proposed, and to reduce the amount of open space required, as follows:

4.2.3 *Combined business/residence:* A dwelling unit or units may be located on the same lot where commercial uses are conducted provided that:

- 4.2.3.1 Each such unit is structurally part of the commercial building, having common walls, foundation, roof and floor; except where there are multiple structures on the same lot, the Board may grant a special permit to allow one or more structures to be solely in residential use if the Board finds that the proposed residential use on the lot is not detrimental or injurious to the neighborhood in which it is to take place;
- 4.2.3.2 At least thirty percent (30%) of the total gross floor area on the lot shall be in business use;
- 4.2.3.3 At least fifteen percent (15%) of the dwelling units are available as affordable housing; if five (5) or fewer units are proposed, the Board may waive the construction or provision of affordable housing units when a comparable fee in lieu of units is made in accordance with the Inclusionary Housing Bylaw;
- 4.2.3.4 Open space shall be provided on the lot (~~apart from any paved area~~) equal to the gross floor area of the residential portion of the building. Any deck, balcony or rooftop garden shall be considered as open space if its width or depth is six feet (6 ft.) or greater and its floor area is more than thirty-six (36) square feet. Open space may be in its natural state or modified in such a way that the modification itself enhances the residents' quality of life;
- 4.2.3.5 In a combined business/residence building where more than fifteen percent (15%) of the dwelling units are available as affordable housing, the Board may grant a special permit to allow a decrease in the amount of open space, an increase in the height of the building up to forty (40) feet and/or a decrease in the number of parking spaces if the Board finds that the proposed combined business/residence development is in harmony with the general purpose and intent of this section and that it will not be detrimental or injurious to the neighborhood in which it is to take place.

or take any other action relative thereto.

*This Zoning Bylaw amendment to Section 4.2.3 Combined business/residence use allows one or more structures to be entirely in residential use when there are multiple structures on a lot; establishes a minimum area on the lot for business use; reduces the percentage of affordable housing units required from 20% to 15%; allows the Board of Appeals to waive the affordable housing units in consideration of a payment made in accordance with the Inclusionary Housing Bylaw if 5 or fewer units are proposed; and reduces the amount of open space required in relation to the residential use proposed. The Planning Board has submitted this bylaw amendment for two reasons: there has been no development of a combined business/residence use in any of the Business Districts since the bylaw was amended in 2006 to require 20% affordable housing units and the Town has achieved the 10% affordable housing mandated by the State. Additionally, the Planning Board recognizes the value of providing housing options in the Business districts that are located near goods, services and transportation opportunities, and would like to promote development that includes a mix of business and residential uses. The current bylaw is viewed as an impediment to this goal. Changes above are shown underlined or deleted for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

### **ZONING BYLAW AMENDMENT – FLOOD PLAIN CONSERVANCY DISTRICT**

**ARTICLE 47.** To determine whether the Town will vote to amend **Zoning Bylaw Section 2.2 Zoning Map** by inserting the date of January 1, 2014 in place of the date of January 1, 2010 and inserting the date of July 7, 2014 in place of June 4, 2010 and change the suffix of ALL map panels from “E” to “F”, as follows:

Flood Plain Conservancy District, Town of Concord, January 1, 2014 (Scale 1”=1000’ consisting of a single sheet). The general boundaries of the Flood Plain Conservancy District includes all special flood hazard areas within the Town of Concord designated as Zone A, AE and AH, on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Concord are panel numbers 25017C0244E, 25017C0263E, 25017C0264E, 25017C0356E, 25017C0357E, 25017C0358E, 25017C0359E, 25017C0366E, 25017C0367E, 25017C0376E,

25017C0377F, 25017C0378F, 25017C0379F, 25017C0381F, 25017C0383F, 25017C0386F, and, 25017C0387F dated July 7, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

And, by amending Zoning Bylaw Section 2.3.5 to insert a reference to the new Flood Insurance Rate Maps (FIRMs) as follows:

"2.3.5 The exact boundaries of the Flood Plain Conservancy District shall be the location on the ground of the 100-year flood contours shown on the FPCD maps or the Middlesex County FIRMs, and as determined by an actual field survey. Supplementary information concerning flood elevations and the limits of the floodway may be found in the Middlesex County "Flood Insurance Study" booklet dated July 7, 2014 and published by the Federal Emergency Management Agency."

And, by inserting the phrase "greater than 50 lots or 5 acres, whichever is the lesser," in subsection 7.2.1.5 *Base flood elevation data*, so that the subsection reads: "Base flood elevation data is required for subdivision proposals or other developments on parcels greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones."

And, by revising the datum referenced in subsection 7.2.1.7 from National Geodetic Vertical Datum to North American Vertical Datum as follows: "7.2.1.7 *Water surface elevation*: The height in relation to the North American Vertical Datum (NAVD) of 1988 of floods of various magnitudes and frequencies in the flood plains of riverine areas."

And, by inserting a new section 7.2.3 *Standards* as follows:

7.2.3 Standards.

7.2.3.1 Within Zone AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

7.2.3.2 In Zone AE, along watercourses that have a regulatory floodway within the Town of Concord designated on the Middlesex County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

7.2.3.3 All site plan proposals shall be designed to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and, c) adequate drainage is provided to reduce exposure to flood hazards."

and renumbering the sections and subsections that follow, i.e., "7.2.4 Uses permitted without review by the Board", "7.2.5 Uses permitted subject to review by the Board" and "7.2.6 Procedure for review by the Board".

or take any other action relative thereto.

*This Zoning Bylaw amendment addresses changes to the Federal Emergency Management Agency and National Flood Insurance Program mapping prepared by FEMA in 2013/2014 and keeps the Town in compliance with requirements of the National Flood Insurance Program. Failure to adopt these revisions will result in Concord's suspension from the National Flood Insurance Program. Changes above are shown underlined and highlighted for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

### **ZONING BYLAW AMENDMENT – TABLE III – DIMENSIONAL REGULATIONS**

**ARTICLE 48.** To determine whether the Town will vote to amend the **Zoning Bylaw TABLE III – Dimensional Regulations** by creating individual lines for each Business District (Business, Concord Center Business, Thoreau Depot Business and Nine Acre Corner Business), and by changing the minimum front yard in the Concord Center Business and Thoreau Depot Business districts from ten (10) feet to zero (0) feet, as shown below:

**TABLE III – DIMENSIONAL REGULATIONS**

Zoning Districts	Min. Lot Area in Sq. Ft.	Min. Lot Frontage In Feet	Frontage Exception In Feet	Min. Lot Width In Feet	Min. Front Yard In Feet	Min. Side Yard In Feet	Minimum Rear Yard in Feet	Corner Clearance In Feet	Maximum Height In Feet	Max. Lot Coverage %	Max. Floor Area Ratio
<u>Business</u>					<u>10</u>		none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10	35		
<u>Concord Center Business</u>					<u>0</u>		none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10	35		
<u>Thoreau Depot Business</u>					<u>0</u>		none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10	35		
<u>Nine Acre Corner Business</u>					<u>10</u>		none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.	10	35		

or take any other action relative thereto.

*This amendment to the Zoning Bylaw Table III Dimensional Regulations changes the minimum front yard in the four named business districts to match minimum front yard setbacks voted for the West Concord Business and West Concord Village districts in 2011. It makes many currently non-conforming structures in these business districts conforming with respect to the front yard setback requirement. Changes above are shown underlined and highlighted for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

**ZONING BYLAW AMENDMENT – REGISTERED MARIJUANA DISPENSARY**

**ARTICLE 49.** To determine whether the Town will vote to amend the Zoning Bylaw as follows:

Amend Zoning Bylaw Section 4.3 Institutional Uses by replacing the words “Medical Marijuana Treatment Center” with “*Registered Marijuana Dispensary*”, so that the Section reads:

**4.3.9 Registered Marijuana Dispensary:** A non-profit facility or location that has been registered by the Department of Public Health where medical marijuana is grown, processed and/or made available to a qualifying patient or a personal caregiver, provided that:

4.3.9.1 A registered marijuana dispensary shall not be located within three thousand feet (3,000’) of an elementary school, middle school, high school, or public library in existence at the time of enactment of the zoning bylaw amendment establishing this use.

And, amend Table I – Principal Use Regulations in Section 4 to replace the words “Medical Marijuana Treatment Center” with “Registered Marijuana Dispensary” as shown in the portion of Table I below as follows.

	Residential Districts				Commercial Districts					Industrial Districts						Site Plan Review	
Principal Uses	AA	A	B	C	B	<u>CCB,</u> <u>TDB,</u> <u>NACB</u>	<u>WCB</u>	<u>WCV</u>	LB	MP	WCI	I	IPA	IPB	LIP1	LIP2	
<b>4.3</b>																	
4.3.9 <u>Registered Marijuana Dispensary</u>	no	no	no	no	no	no	no	no	no	SP	no	no	no	no	no	no	R

*This amendment aligns the Town’s terminology with the State’s terminology, which had not yet been established at the time the Town’s Zoning Bylaw was amended to create and allow a medical marijuana use. Changes above are shown underlined for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

**ZONING BYLAW AMENDMENT – RESTAURANT SIZE IN THE WEST CONCORD VILLAGE DISTRICT**

**ARTICLE 50.** To determine whether the Town will vote to amend the Zoning Bylaw by revising Section 4.5.4 to allow a restaurant larger than 4,000 square feet and up to 5,200 square feet in the West Concord Village District by increasing the percentage allowed by Special Permit from twenty percent (20%) to thirty percent (30%):

4.5.4 Restaurant: Restaurant, cafeteria, lunchroom or similar establishment whose principal business is the sale of prepared foods or beverages and whose principal method of operation includes either (1) service by a restaurant employee to a table or counter where the food or beverages is consumed, or (2) a cafeteria-type operation where foods and beverages are consumed within the restaurant building. Provided, however, in the West Concord Business District a restaurant shall not occupy more than 5,000 square feet of gross floor area; and, provided further, in the West Concord Village District a restaurant shall not occupy more than 4,000 square feet of gross floor area, unless a special permit is granted to allow a larger restaurant in the West Concord Village District by up to thirty percent (30%). A special permit shall be granted by the Planning Board only upon a written determination as provided in Section 11.6 and that the larger restaurant serves a public purpose or has a public benefit.

or take any other action relative thereto.

*The proposed change to the Zoning Bylaw allows a restaurant in the West Concord Village District to be 30% larger than 4,000 sq. ft. in area by special permit. This will allow the building at 24 Commonwealth Ave. to be used entirely for restaurant use, including the existing 2<sup>nd</sup> floor office space, which would otherwise be limited to storage space. Changes above are shown underlined for the Warrant only.*

**Board of Selectmen recommends No action.**

## ZONING BYLAW AMENDMENT – HOUSEKEEPING/CORRECTIONS

**ARTICLE 51.** To determine whether the Town will vote to amend the Zoning Bylaw by revising the following:

Insert the phrase, “of the annual household income” before the phrase “of a qualified affordable housing unit tenant” in section *1.3.2 Affordable housing*: item (b) so that this portion of the sentence reads: “(b) available for rent and rented at an annual rent (which for this purpose shall include, to the extent required by the applicable federal, state or local program, an appropriate allowance for utilities to the extent they are not otherwise included in the rent) that will result in an annual shelter cost of not more than thirty percent (30%) of the annual household income of a qualified affordable housing unit tenant;

Re-number Section 1.3 Definitions beginning with 1.3.14 and deleting the alphabetical addition (A and B) so that the subsections follow in numerical sequence (that is 1.3.14, 1.3.15, 1.3.16, and so on); and,

Amend Section 5.3 Table II-Accessory Use Regulations to add a period before the 15 in subsection 5.315, so that it reads 5.3.15; and,

To implement the vote of the 2012 Town Meeting that Section 4 Table I – Principal Use Regulations was to be amended to allow 4.2.9 Hotel, Extended-stay hotel and Motel use in the Industrial Park-A (IP-A).

And, add a new section 1.4 to read as follows:

“ 1.4 Changes in Numbering

The Town Clerk is authorized to make non-substantive changes to the numbering of this Bylaw and future amendments hereto in order to make numbering conform to the numbering format of this Bylaw.” .

or take any other action relative thereto.

*The proposed changes to the Zoning Bylaw are “general housekeeping” items to revise and correct numbering and numbering sequences, to implement the actions of Town Meeting 2012 when there are inconsistencies between the table and the language presented in the Warrant, and to allow non-substantive numbering changes to be made in the future without requiring a vote by Town Meeting. Changes above are shown underlined for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

## ZONING BYLAW AMENDMENT – WIRELESS FACILITY MODIFICATIONS

**ARTICLE 52.** To determine whether the Town will vote to amend the Zoning Bylaw Section 7.8 Personal Wireless Communications Facility by revising subsection *7.8.2.13 Modification of an existing facility*: to delete the following phrase “change in antenna type or model, repositioning of antenna(s),” so that the subsection reads as follows:

*“7.8.2.13 Modification of an existing facility:* Any material change or proposed change to a personal wireless communication facility including but not limited to power input or output, number of antennas, ~~change in antenna type or model, repositioning of antenna(s),~~ or change in number of channels per antenna above the maximum number approved under an existing special permit.”

And, revise subsection *7.8.4 Procedure for review by the Board*: to insert the following language at the end of the paragraph: “, except where modification of an existing tower or facility does not substantially change the physical dimensions of such tower or facility or transmission equipment, or involves the removal of transmission equipment.” so that the paragraph reads as follows:

*“7.8.4 Procedure for review by the Board:* Any person who desires to construct or install a personal wireless communication facility, including co-location on an existing facility, shall submit a written application for a special permit and site plan approval to the Board, with copies to the Planning Board. Applications shall be submitted in accordance with the requirements outlined in the Rules and Regulations for Personal Wireless Communication Facility(s) adopted by the Board. A special permit is required for: a) new tower construction (or modification of an existing tower); and b) personal wireless communication service facilities (or modification of an existing facility) to be mounted in or on an existing or newly permitted tower or structure, except where modification of an existing tower or facility does not substantially change the physical dimensions or appearance of such tower or facility or transmission equipment, or involves the removal of transmission equipment.”

or take any other action relative thereto.

*Recent changes in the interpretation of section 704 of the Telecommunications Act of 1996 clarify the definition of substantial changes. The added language for “Procedure for review by the Board” allows the wireless provider to make minor changes to an existing tower, facility or equipment, as well as to remove equipment. Changes above are shown underlined for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

**ZONING BYLAW AMENDMENT – BIKE PARKING REQUIREMENTS AND WAIVER OF DESIGN STANDARDS FOR SITE PLAN REQUIREMENTS**

**ARTICLE 53.** To determine whether the Town will vote to amend the Zoning Bylaw Section 7.7.3 *Design standards* by adding a new subsection “7.7.3.8 *Bicycle parking:*” and renumbering the subsections that follow i.e., 7.7.3.9 Surfacing, drainage and curbing; 7.7.3.10 Landscaping; etc. as follows:

“7.7.3.8 *Bicycle parking:* Bicycle parking or storage shall be provided for use by residents, employees and other users of the site. Long-term bicycle parking for residents and employees shall be located in secure, weather-protected, restricted access facilities. Short-term bicycle parking for visitors and users of a site shall be located in convenient and accessible locations.”

And by deleting the existing subsection 7.7.3.12 and inserting a new subsection 7.7.3.13 in its place as follows:

7.7.3.13 *Relief from design standards:* The Board may, upon advice of the Planning Board, grant relief from the design standards contained in Section 7.7.3 where the variation in the standards can be supported by a study prepared by a qualified consultant and where the Board finds that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

or take any other action relative thereto.

*There is no requirement to provide for bicycle storage when a site is being developed or redeveloped – the proposed change clarifies the expectation that bicycle parking should be provided. Further, the existing bylaw allows the Board of Appeals (the Board) to consider relief or waivers from only the parking dimensions outlined in subsection 7.7.3.1. This amendment also allows the Board to consider relief or waivers from all of the Design standards on a case by case basis and be more responsive to the concerns of a specific site. Changes above are shown underlined for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

**BYLAW AMENDMENT - INCLUSIONARY HOUSING BYLAW**

**ARTICLE 54.** To determine whether the Town will vote to amend the Inclusionary Housing Bylaw enacted under Article 61 of the 1992 Annual Town Meeting as follows:

Amend Section 1. Purpose by inserting the phrase “or special development provisions of the Zoning Bylaw” in the first sentence and after the words “subdivision process”, so the first sentence reads: “To provide, as a matter of public policy and within the subdivision process or special development provisions of the Zoning Bylaw, a means to address the affordable housing needs of the Town and to encourage housing for persons of all income levels in the Town of Concord, particularly, and to the extent permitted by law, for Town employees, residents of the Town, and their children.”

Add the words “in Subdivisions” to the title of Section 2. so that the title reads: “Required Reservation of Land in Subdivisions”.

Add the words “for Subdivisions” to the title of Section 3. so that the title reads: “Exemptions for Subdivisions”.

Add the words “of Land in Subdivisions” to the title of Section 4. so that the title reads: “Options in Lieu of Reservation of Land in Subdivisions”.

**Insert** a new Section 5. Options in Lieu of Required Affordable Housing in Special Developments as follows:

### **Section 5. Options in Lieu of Required Affordable Housing in Special Developments**

Certain uses in the Zoning Bylaw require the construction of affordable housing units as a percentage of the overall number of residential housing units constructed (Zoning Bylaw sections 4.2.3 Combined business/residence use and 4.2.4 Combined industrial/business/residence use); however, when a small number of residential housing units are proposed, construction of the required affordable housing unit may not be economically feasible. In such situations, the Board of Appeals may waive the required affordable housing unit provided that the Selectmen have agreed to accept, at no cost to the Town, for affordable housing purposes adequate alternative contributions of land or money to the Town or its designee.

And, renumber Section 5. Rules and Regulations to be **Section 6. Rules and Regulations.**

or take any other action relative thereto.

*The proposed changes to the Inclusionary Housing Bylaw provide a mechanism for an applicant or developer using a special development provision of the Zoning Bylaw to provide an alternative form of contribution toward development of affordable housing when a small number of residential housing units are proposed for construction. Changes above are shown underlined for the Warrant only.*

**Board of Selectmen recommends affirmative action.**

### **2015 ROAD PROGRAM**

**ARTICLE 55.** To determine whether the Town will vote to raise and appropriate, or transfer from available funds in the treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen to borrow the sum of \$1,300,000, or any other sum, for the repair, reconstruction, renovation or design of roads and streets within the town including drainage and sidewalk improvements; and that to meet said appropriation, the Treasurer with the approval of the Board of Selectmen be authorized to borrow the sum of \$1,300,000, or any other sum, under the provisions of Chapter 44 of the Massachusetts General Laws; said funds to be expended under the direction of the Town Manager; and further that the Town Manager be authorized to accept and expend state grants as may be available for the same purpose, and that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow up to the amount stipulated in such grant or grants under the provisions of Chapter 44 of the Massachusetts General Laws, in anticipation of reimbursement of this amount, or take any other action relative thereto.

*This article authorizes the Treasurer to borrow \$1,300,000 for the repair, reconstruction or renovation of Concord's roads. Combined with expected state road aid and \$90,000 requested under Article 7, item 23, funds will be used to protect and replace Concord's 103 miles of public roads including drainage and sidewalk construction and renovation. This borrowing is part of the Town Manager's Five-Year Capital Plan, with the debt service cost to be funded within the Levy Limit.*

**Finance Committee recommends affirmative action in the amount of \$1,300,000 from borrowing.**

**Board of Selectmen recommends affirmative action in the amount of \$1,300,000 from borrowing.**

### **STREET ACCEPTANCE – FINIGAN WAY**

**ARTICLE 56.** To determine whether the Town will vote to (a) accept as a Town way the laying out by the Commissioners of Public Works of a street located on the westerly side of Strawberry Hill Road approximately 850' feet north westerly from Barrett's Mill Road extending in a westerly direction approximately 1,277 feet and terminating in a cul-de-sac turnaround over land formerly owned by Bentley Building Corp., as shown on a plan filed with the Town Clerk and recorded at the Middlesex South District Registry of Deeds on March 26, 2008 as Plan No. 214 of 2008, entitled "Definitive Subdivision Plan, Finigan Way, A Planned Residential Development, Concord Massachusetts", dated June 26, 2007, revised March 7, 2008, prepared by Stamski and McNary, Inc., containing three (3) sheets; (b) name said street Finigan Way; (c) authorize the Commissioners to acquire on behalf of the Town, by purchase, eminent domain or otherwise, such interests in land as may be necessary and related thereto, including the fee interest in Finigan Way, and utility, drainage and other easements, on such terms and conditions as the Commissioners may determine; and (d) raise and appropriate, transfer from available funds or accept a grant of a sum of money therefor; or take any other action relative thereto.

*This article asks Town Meeting to accept the laying out of Finigan Way as a public way.*

**Board of Selectmen recommends affirmative action.**

**DEMOLITION DELAY BYLAW**

**ARTICLE 57.** To determine whether the Town will vote to replace the text of the existing **Demolition Delay Bylaw** with new text as follows:

**Section 1. Intent and Purpose**

The intent of this bylaw is to provide an opportunity to develop preservation solutions for historically significant properties threatened with demolition. The purpose of this article is to establish a predictable process for preserving and protecting significant buildings and other structures within the Town of Concord (the "Town") which constitute or reflect distinctive features of the cultural, political, architectural or social history of the Town; to encourage owners of such buildings and other structures to seek out persons or groups of people who might be willing to purchase, preserve, rehabilitate, restore or relocate such buildings or other structures rather than demolish them; or, barring that, to create a record, including a visual history of such buildings or other structures; and to provide a reasonable time period for public notice and discussion by interested groups and individuals of means by which to preserve such buildings and other structures.

**Section 2. Definitions**

For the purposes of this bylaw, the following words and phrases shall have the meanings set forth below:

- 2.1 "CHC" - the Concord Historical Commission.
- 2.2 "Building Commissioner"- the Building Commissioner of the Town of Concord, or other person authorized by state law or local bylaw to issue demolition permits in the Town.
- 2.3 "Building or other Structure" - any combination of materials forming a shelter for persons, animals, or property, and also such other combinations of building materials as constitute the historic built environment of the Town, including, but not limited to, statues, monuments, and burial grounds.
- 2.4 "Application" - An application to the Building Commissioner for a demolition permit as defined by this bylaw.
- 2.5 "Demolition Permit" - Any permit issued by the Building Commissioner which is required by the State Building Code and which authorizes the total or partial demolition of a building or structure (excluding interior demolition) regardless of whether such permit is called a demolition permit, alteration permit, building permit, or otherwise.
- 2.6 "Total Demolition" - The pulling down, razing or destruction of the entire portion of a building or structure which is above ground regardless of whether another building or structure is constructed within the original footprint of the destroyed building or structure.
- 2.7 "Partial Demolition" - The pulling down, destruction or removal of a substantial portion of the exterior of a building or structure or the removal of architectural elements which define or contribute to the historic character of the structure.
- 2.8 "Historically significant building or structure" - Any building or other structure which is in whole or in part **seventy five** or more years old and
  - (1) is listed on or within an area listed on the National Register of Historic Places or eligible for such listing, or listed on or is within an area listed on the State Register of Historic Places, or eligible for such listing; and/or,
  - (2) has been determined by the CHC or its designee to be a historically significant building after a finding that it is:
    - a) importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the Town of Concord, the Commonwealth of Massachusetts or the

- United States of America: or
- b) historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of buildings or structures; or
  - c) located within one hundred fifty (150) feet of the boundary line of any federal or local historic district and contextually similar to the buildings or structures located in the adjacent federal or local historic district; and/or,
- 3) is located in any federal historic district, or if in any local historic district, is not visible from any public street, way, or place, including public lands, parks or bodies of water.

2.9 "Preferably Preserved" - An historically significant building or structure which the CHC has determined should be preserved, rather than totally or partially demolished, in accordance with the standards set forth in subsection 3.6 below.

2.10 "Business Day" – A day which is not a legal federal, state or municipal holiday, Saturday, or Sunday.

### Section 3. Procedure

3.1 No demolition permit for a building or structure which is in whole or in part seventy five or more years old shall be issued by the Building Commissioner except in conformity with the provisions of this section, as well as any other applicable law, statute, bylaw or regulation.

3.2 If any applicant, or the owner of the building or structure if different from the applicant, seeks to demolish, in whole or in part, a building or structure which is in whole or in part seventy five or more years old, and if the Building Commissioner determines that at least one full exterior façade or roof structure is proposed for demolition, the owner of the building or structure shall file a demolition review application with the CHC for a determination as to whether the building or structure is historically significant and shall provide the CHC with the following information:

- (1) a site plan or GIS map which shows the building or structure to be demolished and the property on which it is located;
- (2) photographs of all existing façade elevations of the building or structure to be totally or partially demolished;
- (3) a description of the proposed plans for demolition and the reason(s) therefore.

3.3 Within fifteen (15) business days after the CHC's receipt of a demolition review application, the CHC shall make a determination as to whether the building is or is not historically significant and shall notify, in writing, the Building Commissioner and the applicant of this determination. The CHC may delegate the determination that a building or structure is or is not historically significant to Commission staff or to a designated Commission member. In the event that the CHC delegates the determination to the Commission staff or to a designated Commission member, the Commission shall adopt criteria to be followed by the staff or the member in making this determination.

- (1) when the CHC receives a demolition review application for a partial demolition, the CHC shall apply the following standards and procedures:

(a) *Items requiring review by the CHC at a hearing.* Partial demolition of any architecturally significant features in a historically significant building or other structure, which would alter the massing of the existing building or other structure including, but not limited to, the removal or envelopment by subsequent additions of any complete exterior wall surface or roof structure.

(b) *Items requiring review by the CHC that may be reviewed and approved by its staff without a hearing if plans indicate:*

- a) Repair or replacement of existing and original porches with similar materials to match existing.
- b) Demolition or envelopment by subsequent additions or alterations not visible from a public way.
- c) Removal or envelopment by subsequent additions of a portion of an exterior wall or an area comprising less than a single exterior wall surface.

(c) *Items considered to be de minimis and requiring no CHC review:*

- a) Open porches and entryways consisting of only a set of stairs, an entrance platform and a roof which are utilitarian in design or do not contribute to the architectural significance or character of the building.
- b) Demolition or construction of new additions which remove, alter, or envelop less than 100% of a single exterior wall or roof structure.
- c) Normal maintenance of a building's exterior, including, but not limited to repair or replacement of roof surfaces, repair or replacement of gutters, and repair or replacement of existing doors and windows, including casings and frames, repair or replacement of existing exterior cladding (clapboards, shingles, masonry, etc.).

3.4 A determination that a building or structure is or is not historically significant made by the Commission staff or a designated Commission member may be appealed to the full CHC by filing a notice of appeal with the CHC not later than fifteen (15) business days after the written notice that the building or structure is or is not historically significant has been filed with the Building Commissioner. Filing the appeal of the determination shall not stay the effect of such determination. Following a hearing before the CHC, which may be, but is not required to be, conducted in conjunction with the hearing on whether the building or structure is preferably preserved, the CHC shall affirm or reverse the determination and file notice of such determination with the Building Commissioner. If the appeal of the determination is made independent of the preferably preserved hearing, the CHC shall follow the same procedure for such hearing as that set forth in subsection 3.6 below.

3.5 No demolition permit shall be issued by the Building Commissioner for a building or structure determined to be historically significant until the procedural requirements of subsection 3.6 of this bylaw have been satisfied. The Building Commissioner may grant the demolition permit if he:

- (1) does not receive written notice within forty-five (45) days after the CHC's receipt of the application for demolition that the building or structure is historically significant; or
- (2) receives written notice from the CHC that the affected structure either is not historically significant, or is historically significant but deemed not preferably preserved by the CHC.

3.6 When a building or structure is determined to be historically significant, the CHC shall hold a public hearing to determine whether the building or structure, or the portion of the building or structure to be demolished, is preferably preserved. The applicant shall provide the CHC with the following information for this determination:

- (1) in the case of partial demolition involving alteration(s) or addition(s) to a building or structure,
  - a) proposed plans and elevation drawings for the affected portion of the building or structure; and,
  - b) a plot plan of the property, if the same is required to obtain a permit under the State Building Code for the proposed alteration(s) or addition(s); and,
  - c) if the site of the building or structure to be demolished is to be redeveloped, plans showing the use or development of the site after demolition together with a statement identifying all zoning variances and/or special permits which may be required in order to implement the proposed use or development.

The date that the CHC receives all the above information shall be stamped on the information received and shall be considered the submission date. Following public notice as set forth in subsection 3.9 of this ordinance, the CHC shall hold a public hearing within forty-five (45) days of the submission date to determine whether the building or structure should be preferably preserved based on the criteria set forth in this paragraph. If the CHC finds that the demolition proposed in the application would result in the demolition of a historically significant building or structure whose loss would be detrimental to the historical, cultural or architectural heritage or resources of the Town of Concord, then the CHC shall find that the building or structure should be preferably preserved.

3.7 Upon a determination that the building or structure which is the subject of an application for a demolition permit is preferably preserved, the CHC shall give written notice of the determination to the Building Commissioner. A copy of the CHC's determination shall also be sent to the applicant for the demolition permit and to the owner of the building or structure if different from the applicant.

- (1) For a building or structure listed in the National Register of Historic Places or determined eligible for listing in the National Register of Historic Places by the Massachusetts Historical Commission:
  - a) No demolition permit shall be issued for a total demolition or a partial demolition of a building or structure until eighteen (18) months after the date of such determination by the CHC, unless the

CHC informs the Building Commissioner prior to the expiration of such eighteen (18) month period that it is satisfied that the applicant for the demolition permit and the owner of the building or structure, if different from the applicant, has:

- i) made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the building or structure who is willing to preserve, rehabilitate, restore or relocate the building or structure; or,
  - ii) has agreed to accept a demolition permit on specified conditions approved by the CHC.
- b) If the specified conditions involve approved plans and elevations, then no demolition permit shall be issued by the Building Commissioner unless the applicant provides, as part of his application for a demolition permit, a complete set of plans and elevation drawings which have been signed and stamped by the CHC or its staff. The applicant shall have two (2) years from the date of the expiration of the eighteen (18) month period in which to apply for and obtain a demolition permit. No demolition permit shall be issued for such building or structure after the expiration of this two (2) year period, unless the procedural requirements of subsection 3.6 hereof have been satisfied.
- c) The applicant, the CHC and any other interested parties are encouraged to work to seek an alternative to the proposed demolition during the eighteen (18) month delay. In order to encourage applications that preserve, restore, reuse, rehabilitate or relocate historic buildings and structures, no application for a total demolition of a building or structure which has been unfavorably and finally acted upon by the CHC shall be acted favorably upon within four (4) months after the date of final unfavorable action unless the said CHC finds, by a majority vote of those members present, that the resubmitted application proposes to preserve the building or structure.
- d) Due notice shall be given to parties in interest of the time and place of the proceedings when the resubmitted application will be considered.
- (2) For all other preferably preserved buildings and other structures not covered under section 3.7(1) above:
- a) No demolition permit shall be issued for a total demolition or a partial demolition of a building or structure found preferably preserved until one (1) year after the date of such determination by the CHC, unless the CHC informs the Building Commissioner prior to the expiration of such one (1) year period that the CHC is satisfied that the applicant for the demolition permit and the owner of the building or structure, if different from the applicant, has:
    - i) made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the building or structure who is willing to preserve, rehabilitate, restore or relocate the building or structure; or,
    - ii) agreed to accept a demolition permit on specified conditions approved by the CHC.
  - b) If the specified conditions involve approved plans and elevations, then no demolition permit shall be issued by the Building Commissioner unless the applicant provides, as part of his application for a demolition permit, a complete set of plans and elevation drawings which have been signed and stamped by the CHC or its staff. The applicant shall have two (2) years from the date of the expiration of the one (1) year period in which to apply for and obtain a demolition permit. No demolition permit shall be issued for such building or structure after the expiration of this two (2) year period, unless the procedural requirements of subsection 3.6 hereof have been satisfied.
  - c) The applicant, the CHC and any other interested parties are encouraged to work to seek an alternative to the proposed demolition during the one year delay. In order to encourage applications that preserve, restore, reuse, or rehabilitate historic buildings and structures, no application for a total demolition of a building or structure which has been unfavorably and finally acted upon by the commission shall be acted favorably upon within four (4) months after the date of final unfavorable action unless the said commission finds, by a majority vote of those members present, that the resubmitted application proposes to preserve the building or structure.
  - d) Due notice shall be given to parties in interest of the time and place of the proceedings when the resubmitted application will be considered.

3.8 Upon a determination by the CHC that a building or structure is not preferably preserved or upon the CHC's failure to make any determination within forty-five (45) days of the submission date, the Building Commissioner may grant a demolition permit for the building or structure.

3.9 Public notice of Demolition Review hearings shall provide the date, place and time of the hearing and the addresses of the properties to be considered at the hearing. Public notice shall include, at a minimum, posting with the Town Clerk and notification to the Director of Planning and Land Management, to the Building

Commissioner, to the applicant, to the owners of all abutting properties and to other property owners deemed by the CHC to be materially affected.

3.10 If the applicant is someone other than the owner or his designated agent, a demolition review application cannot be filed until the CHC receives written authorization from the owner that the applicant may apply for changes to their property.

#### **Section 4. Securing Historically Significant and Preferably Preserved Buildings and Structures**

4.1 If, following an application for a demolition permit, a building or structure has been determined to be historically significant, and the building or structure is subsequently destroyed by fire or other cause before any determination is made by the CHC as to whether the building or structure is preferably preserved, a rebuttable presumption shall arise that the owner voluntarily demolished the building or structure without obtaining a demolition permit in accordance with the provisions of this ordinance. In such cases, the Building Commissioner shall not issue any permit required under the State Building Code pertaining to the property on which the historically significant building or structure was located (except as necessary to secure public safety or health) for a period of two (2) years from the date of destruction of the building or structure, unless the owner can provide evidence satisfactory to the CHC that he took reasonable steps to secure the building or structure against fire or other loss or that the cause of the destruction was not otherwise due to the owner's negligence.

4.2. If during the period of demolition delay for a building or structure determined to be preferably preserved, such building or structure is destroyed through fire or other cause, the Building Commissioner shall not issue any permit required under the State Building Code pertaining to the property on which the preferably preserved building or structure was located (except as necessary to secure public safety or health) until the end of the period of demolition delay, unless the owner can provide evidence to the CHC that he took reasonable steps to secure the building or structure against fire or other loss or that the cause of the destruction was not otherwise due to the owner's negligence.

4.3 This section shall not apply, and a demolition permit shall be issued, if a building, structure or exterior architectural feature damaged or destroyed by fire, storm, or other disaster is reconstructed with an exterior design that is substantially similar to its previous appearance, provided that such reconstruction is begun within six (6) months thereafter and is carried forward with due diligence. This exception shall be limited to reconstruction of only that portion of the building or structure damaged by such catastrophic event.

#### **Section 5. Emergency Demolition**

If a building or structure poses an immediate threat to public health or safety due to its deteriorated condition, the owner of such building or structure may request issuance of an emergency demolition permit from the Building Commissioner. As soon as practicable after the receipt of such request, the Building Commissioner shall arrange to have the property inspected by a team consisting of himself or his designee; the town engineer or his designee; the fire chief or his designee; the chairman of the CHC or their designee; and one (1) disinterested person chosen by the Building Commissioner. After inspection of the building or structure and consultation with the other members of the inspection team, the Building Commissioner shall determine whether the condition of the building or structure represents a serious and imminent threat to public health and safety and whether there is any reasonable alternative to the immediate demolition of the building or structure which would protect public health and safety. If the Building Commissioner finds that the condition of the building or structure poses a serious and imminent threat to public health and safety and that there is no reasonable alternative to the immediate demolition of the building or structure, then the Commissioner may issue an emergency demolition permit to the owner of the building or other structure.

Whenever the Building Commissioner issues an emergency demolition permit under the provisions of this section of the bylaw, he shall prepare a written report describing the condition of the building or structure and the basis of his decision to issue an emergency permit with the CHC. Nothing in this section shall be inconsistent with the procedures for the demolition and/or securing of buildings and structures established by M.G.L. c. 143.

#### **Section 6. Enforcement and Remedies**

6.1 The CHC and/or the Building Commissioner are each specifically authorized to request that the Town Manager, with the approval of the Selectmen, institute any and all actions and proceedings, in law or in

equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent a threatened violation thereof.

6.2 Anyone who demolishes a preferably preserved building or other structure without first obtaining and complying fully with the provisions of the demolition review in accordance with this bylaw shall be subject to a fine as specified in Appendix A of the Regulations for the Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D and the Bylaw for Non-Criminal Disposition of Violations adopted under Article 47 of the 1984 Town Meeting, as amended.

6.3 No building permit for a new building or other structure shall be issued with respect to any premises upon which a preferably preserved building or other structure has been voluntarily demolished in violation of this bylaw for a period of two (2) years after the date of the completion of the demolition. As used herein "premises" includes the parcel of land upon which the demolished preferably preserved building or other structure was located, and all adjoining parcels of land under common ownership or control.

6.4 Nothing in this bylaw shall be deemed to exempt applicants from any requirements of the State Building Code.

### **Section 7. Local Historic Districts**

Nothing in this bylaw shall be deemed to conflict with the provisions of Chapter 345 of the Acts of 1960 as amended (the Historic Districts Act). This bylaw shall not apply to any proposed demolition of a building or other structure which is located within a Local Historic District established under the Local Historic Districts Act, unless the building or structure is not subject to view from any public street way or place, including public lands, parks or waterways as defined by the Local Historic Districts Act. The Historic Districts Commission shall have jurisdiction over any demolition proposals within a Local Historic District pursuant to all procedures, standards and requirements set forth therein.

### **Section 8. Severability**

In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

or take any other action relative thereto.

*The proposed changes to the Demolition Delay Bylaw require that any structure that is 75 years or older go through a review process when a demolition permit has been applied for. The revised Bylaw also establishes a clear process for reviewing structures, determining whether they are historically significant, and deciding whether a one year delay of demolition, or an eighteen month delay in the case of structures listed or eligible for listing on the National Register of Historic Places, should be imposed. The intent of the Bylaw is to encourage property owners to consider options other than demolition for their historically significant structures.*

**Board of Selectmen recommends affirmative action.**

## **BY PETITION TO SERVE ALCOHOLIC BEVERAGES**

**ARTICLE 58.** To determine whether the Town will vote to accept Chapter 138, Section 33B of the Massachusetts General Laws to authorize the Board of Selectmen to allow alcoholic beverages to be served by restaurants in Concord on Sundays starting at 10:00 AM instead of 12:00 Noon, or take any other action relative thereto.

**Board of Selectmen recommends affirmative action.**

## REVISED DOG BYLAW

**ARTICLE 59.** To determine whether the Town will vote to delete the existing Concord Dog Bylaw in its entirety, and replace it with the following:

### **DOG BYLAW**

#### **Section 1. Licensing**

The owner of a dog that is six months of age or older shall cause it to be licensed annually, in accordance with M.G.L. Ch. 140, §137 and §138. The license year is January 1 through December 31. Dogs over six months of age should be licensed within 30 days of moving to Concord. A late fee will be applied if a dog six months of age or older is not licensed by March 31. No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. Proof of valid rabies vaccination is required for licensing. The owner of a licensed dog shall keep affixed around the dog's neck or body, a collar or harness to which the license tag shall be securely attached. If the tag becomes lost, the owner shall immediately secure a substitute tag from the licensing authority.

#### **Section 2. Vaccination Requirement**

Whoever is the owner of a dog six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian, in accordance with the provisions of M.G.L. Ch. 140, §145B. An exemption from this requirement may be granted for any dog which has not yet attained the age of six months, or any dog declared exempt upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy, that inoculation is thereby deemed inadvisable.

#### **Section 3. Control of Dogs**

No owner of a dog shall permit such dog:

- a. to be outside the confines of the property of the owner unless the dog is held firmly on a leash or under effective and direct voice control of its owner or keeper; persons walking three or more dogs on public ways, sidewalks, trails or other Town-owned property shall have all their dogs leashed at all times;
- b. to disturb the peace or quiet of any neighborhood or endanger the safety of any person by biting, barking excessively, howling, chasing, or in any other manner;
- c. to run at large on Town-owned land, out of the owner's or keeper's direct control by voice or lead at any time;
- d. to be unleashed while walking or running on a public sidewalk or at a public gathering, including organized athletic events;
- e. to chase a vehicle on any way open to the public travel;
- f. to dig holes or otherwise cause damage to any Town-owned land or property, or to interfere with mowing or field maintenance activities;
- g. to worry, kill, maim or otherwise injure another's fowl, livestock or domesticated animal;
- h. to harass, kill, maim, or otherwise injure wildlife;
- i. to be in a school or municipal building, except at the invitation of school or municipal authorities, for educational or other purposes;
- j. to be within the boundaries of Town cemetery property, with the exception of a dog in attendance at an owner's funeral service and held firmly on a leash;
- k. to be within any public children's playground;

Dogs shall be held firmly on a leash while at Emerson Field on Mondays through Fridays, from 9:00 am to 4:00 pm, from late June through late August due to summer camp activities.

The provisions of Section 3, subsections i through k shall not apply to dogs properly trained as service animals to assist persons with disabilities.

#### **Section 4. Dog Litter**

Every dog owner or keeper is responsible for expeditiously removing any dog feces the dog deposits anywhere except on its owner's private property, or on other private property with the property owner's permission. Any owner or keeper walking a dog off the owner's property is required to have the means for removing any dog feces left by such dog and must properly dispose of such waste. This provision does not

apply to any assistance dog while it is performing its duties, if the owner of the assistance dog is unable to remove the dog litter. Depositing dog litter in a public catch basin, storm drain, or on public land is specifically prohibited.

**Section 5. Confinement of Dogs**

The Animal Control Officer may impound any dog found to be in violation of any section of this bylaw, and on doing so shall immediately notify the owner of such impoundment, if ascertainable from some device on the dog. The owner may redeem the dog upon reimbursing the Animal Control Officer for maintenance, and on licensing the dog if it is unlicensed. Any dog so impounded and unredeemed after seven days may be disposed of as provided in M.G.L. Chapter 140, §151A.

**Section 6. Non-Criminal Disposition of Violations**

The owner of a dog who violates any section of this bylaw shall be subject to a fine for each offense as specified in Appendix A of the Regulations for the Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D and the Bylaw for Non-Criminal Disposition of Violations adopted under Article 47 of the 1984 Town Meeting, as amended. The Enforcement Agency may issue a separate and additional fine each day for a continuing or recurring violation.

**Section 7. Definition of Owner**

As used herein, the word "owner" includes the owner of the dog or a person who has the care and custody of the dog (even temporarily). The latter includes a commercial dog walker or other person engaged in the business of exercising or handling dogs owned by another, using public land, and who receives compensation for this work.

(end of Dog Bylaw)

and to determine whether the Town will vote to amend Appendix A of the Regulations for the Enforcement of Town Bylaws and the Bylaw for Non-Criminal Disposition of Violations by changing the "Enforcement Agency" for the Dog Bylaw to read as follows:

Animal Control Officer, Police Officers or other Designees of the Town Manager  
or take any other action relative thereto.

*Changes to Concord's Dog Bylaw are being jointly proposed by the Cemetery Committee and the Recreation Commission to address issues about disposal of dog waste and dogs running freely on town property. Further information about the proposed changes is available on the Town's web site – [www.concordma.gov](http://www.concordma.gov) – click Town Meeting Info, then 2014 Annual Town Meeting.*

**Board of Selectmen recommends affirmative action.**

Hereof fail not and make due return of this Warrant with your doings thereon, to the Town Clerk, at or before the time of meeting aforesaid. Given under our hands this 10<sup>th</sup> day of February in the year two thousand-fourteen.

\_\_\_\_\_  
Jeffrey S. Wieand

\_\_\_\_\_  
Alice Kaufman

\_\_\_\_\_  
Steven Ng

\_\_\_\_\_  
Carmin C. Reiss

\_\_\_\_\_  
Elise F. Woodward

BOARD OF SELECTMEN

Commonwealth of Massachusetts Middlesex, ss.

Concord \_\_\_\_\_  
Date

By virtue of this warrant I have notified the legal voters of the Town of Concord to meet at the times and places and for the purposes within named as directed.

\_\_\_\_\_  
Constable of Concord

## ATTENTION CITIZENS

The Town of Concord depends upon the immense talent pool possessed by our citizens and we are always seeking interested townspeople to serve on citizen boards and committees, and also to carry out short-term projects. If you are willing to serve your Town on a voluntary basis and desire to participate in shaping the Town's future, please indicate your interest by filling out a "Green Card". Green cards are short forms for listing your areas of interest and any skills relevant to committee or project participation. The form is reproduced on the following page. You may fill it out, and return it to the Administrative Assistant to the Board of Selectmen in the Town House. Additional copies of the form are also available at the Town House, or will be mailed upon request (call 978-318-3001 or 978-318-3000).

You will find the Town Report useful for information on specific activities and responsibilities of the various boards and committees. For further information or to discuss your participation in town government in more detail, please feel free to talk with any member of the Board of Selectmen.

Please understand that, happily, we often have more interested citizens than vacancies on particular committees. For that reason, you may find that you may not be matched up immediately or matched up with a committee that is your top priority. Nonetheless, your indication of interest is strongly encouraged and appreciated.

## COMMITTEE LISTING

**KEY:** + APPOINTED BY MODERATOR  
 = APPOINTED BY BOARD OF SELECTMEN  
 # APPOINTED BY TOWN MANAGER WITH APPROVAL OF THE BOARD OF SELECTMEN  
 \* APPOINTED BY TOWN MANAGER

=	BOARD OF APPEALS
#	BOARD OF ASSESSORS
=	CABLE TV COMMITTEE
*	CEMETERY COMMITTEE
=	COMMUNITY PRESERVATION COMMITTEE
#	COMPREHENSIVE SUSTAINABLE ENERGY COMMITTEE
=	CONCORD CULTURAL COUNCIL
*	CONCORD MUNICIPAL LIGHT BOARD
*	COUNCIL ON AGING BOARD
+	FINANCE COMMITTEE
=	HANSCOM FIELD ADVISORY COMMISSION REPRESENTATIVE & ALTERNATE
*	BOARD OF HEALTH
#	HISTORICAL COMMISSION
=	HISTORIC DISTRICTS COMMISSION
=	HUGH CARGILL TRUST COMMITTEE
=	LIBRARY COMMITTEE
*	MAPC REPRESENTATIVE
=	MBTA REPRESENTATIVE
+	MINUTEMAN REGIONAL TECHNICAL HIGH SCHOOL REPRESENTATIVE
#	NATURAL RESOURCES COMMISSION
=	PERSONNEL BOARD
=	PLANNING BOARD
=	PUBLIC CEREMONIES & CELEBRATIONS COMMITTEE
*	PUBLIC WORKS COMMISSION
=	RECORDS & ARCHIVES COMMITTEE
*	RECREATION COMMISSION
=	BOARD OF REGISTRARS
*	RETIREMENT BOARD
=	TRUSTEES OF TOWN DONATIONS
=	WHITE POND ADVISORY COMMITTEE

<b>LAST NAME:</b>	<b>FIRST NAME:</b>	<b>PRECINCT #:</b>	<b>TOWN OF CONCORD COMMITTEE INTEREST</b>		
<b>STREET ADDRESS:</b>			<b>INDICATE COMMITTEE PREFERENCE</b>		
<b>E-MAIL ADDRESS:</b>			1.		
<b>PHONE – HOME:</b>		<b>OFFICE:</b>	2.		
<b>FAX #:</b>		<b>CELL#:</b>	3.		
<b>PLACE OF EMPLOYMENT:</b>			<b>DATE APP'T</b>	<b>COMMITTEE</b>	<b>TERM EXPIRED</b>
<b>PROFESSION/TITLE:</b>					
<b>RELEVANT EXPERIENCE, EDUCATION:</b>					
<b>RELEVANT DEGREES, PROFESSIONAL CERTIFICATES:</b>					

PLEASE CHECK THE ANNUAL TOWN REPORT FOR A COMPLETE LISTING OF COMMITTEES AND COMMITTEE REPORTS, THEIR APPOINTIVE AUTHORITIES, AND TERMS OF OFFICE.

ADDITIONAL COMMENTS:

CARDS WILL BE IN ACTIVE FILE FOR 5 YEARS.

MAIL COMPLETED CARD TO: ADMINISTRATIVE ASSISTANT  
 BOARD OF SELECTMEN  
 TOWN HOUSE  
 PO Box 535  
 CONCORD, MA 01742

### Assessed Valuation, Levy Limit, Tax Levy and Rates: FY1980-2014

Fiscal Year	Total Assessed Value	Absolute Levy Limit	Annual Levy Limit	Actual Levy		Uniform Tax Rate	Actual Tax Rates			Unused Levy Limit		
				Within Limit	Debt Exclusion		Residential	Open Space	Commercial	"CIP" ratio	\$	as % of Limit
1980	\$371,034,400			\$13,060,411		\$35.20						
1981	\$383,133,677			\$15,248,720		\$39.80						
1982	\$644,119,237	\$16,102,981	\$15,629,937	\$15,093,532		\$23.43	23.60	20.06	23.43	100.0	\$536,405	3.43%
1983	\$651,122,529	\$16,278,063	\$16,214,000	\$15,342,973		\$23.56	23.66	19.99	23.78	100.9	\$871,027	5.37%
1984	\$784,563,443	\$19,614,086	\$17,006,633	\$15,465,780		\$19.71	19.25	16.36	22.63	114.8	\$1,540,853	9.06%
1985	\$801,293,191	\$20,032,330	\$17,780,870	\$15,648,020		\$19.53	19.13	16.26	22.00	112.6	\$2,132,850	12.00%
1986	\$822,949,238	\$20,573,731	\$18,605,674	\$16,125,650		\$19.59	19.25	16.36	21.71	110.8	\$2,480,024	13.33%
1987	\$1,464,903,743	\$36,622,594	\$19,600,366	\$17,296,129		\$11.81	11.47	9.75	13.95	118.1	\$2,304,237	11.76%
1988	\$1,510,487,280	\$37,762,182	\$20,651,135	\$18,392,726		\$12.18	11.89	10.11	14.04	115.3	\$2,258,409	10.94%
1989	\$1,547,164,362	\$38,679,109	\$21,574,623	\$19,908,672		\$12.87	12.61	10.72	14.60	113.4	\$1,665,951	7.72%
1990	\$2,188,108,438	\$54,702,711	\$22,609,017	\$21,603,000		\$9.87	9.72	8.27	10.82	109.6	\$1,006,017	4.45%
1991	\$2,185,289,176	\$54,632,229	\$23,486,987	\$23,083,329		\$10.56	10.21	8.68	12.87	121.9	\$403,658	1.72%
1992	\$1,863,767,794	\$46,594,195	\$24,325,878	\$24,324,345		\$13.05	12.62	10.73	15.91	121.9	\$1,533	0.01%
1993	\$1,831,121,461	\$45,778,037	\$25,229,582	\$24,770,829		\$13.53	13.27	11.28	15.57	115.1	\$458,753	1.82%
1994	\$1,842,884,146	\$46,072,104	\$26,148,398	\$25,639,506	\$435,498	\$14.15	13.98	11.89	15.57	110.0	\$508,892	1.95%
1995	\$1,853,888,132	\$46,347,203	\$27,110,678	\$26,562,285	\$504,753	\$14.60	14.49	12.32	15.62	107.0	\$548,393	2.02%
1996	\$2,246,615,332	\$56,165,383	\$28,513,798	\$27,531,054	\$279,059	\$12.40	12.42	10.56	12.40	100.0	\$982,744	3.45%
1997	\$2,273,535,628	\$56,838,391	\$29,574,375	\$28,652,539	\$544,685	\$12.84	12.86	10.93	12.84	100.0	\$921,836	3.12%
1998	\$2,288,809,124	\$57,220,228	\$30,582,585	\$29,804,080	\$545,529	\$13.26	-----	all @ 13.26	-----		\$778,505	2.55%
1999	\$2,704,003,171	\$67,600,079	\$32,061,277	\$31,406,074	\$772,688	\$11.90	-----	all @ 11.90	-----		\$655,203	2.04%
2000	\$2,742,122,055	\$68,553,051	\$33,421,403	\$32,453,928	\$725,749	\$12.10	-----	all @ 12.10	-----		\$967,475	2.89%
2001	\$2,783,643,972	\$69,591,099	\$34,827,754	\$34,225,525	\$681,370	\$12.54	-----	all @ 12.54	-----		\$602,229	1.73%
2002	\$3,974,434,046	\$99,360,851	\$38,958,156	\$38,226,458	\$842,228	\$9.83					\$731,698	1.88%
2003	\$4,408,301,807	\$110,207,545	\$42,171,555	\$41,782,825	\$713,204	\$9.64					\$388,730	0.92%
2004	\$4,411,852,520	\$110,296,313	\$45,336,664	\$45,161,214	\$1,560,304	\$10.59					\$175,450	0.39%
2005	\$5,117,100,515	\$127,927,513	\$48,886,984	\$48,293,261	\$1,854,324	\$9.80					\$593,723	1.21%
2006	\$5,207,535,371	\$130,188,384	\$51,679,906	\$50,786,544	\$2,486,543	\$10.23					\$893,362	1.73%
2007	\$5,309,253,831	\$132,731,346	\$54,523,353	\$53,363,359	\$2,702,361	\$10.56					\$1,159,994	2.13%
2008	\$5,498,736,316	\$137,468,408	\$57,254,951	\$55,919,464	\$3,026,989	\$10.72					\$1,335,487	2.33%
2009	\$5,264,591,702	\$131,614,793	\$59,634,076	\$58,717,305	\$3,931,336	\$11.90					\$916,771	1.54%
2010	\$5,026,552,229	\$125,663,806	\$62,197,127	\$61,284,932	\$4,512,636	\$13.09					\$912,195	1.47%
2011	\$5,045,140,030	\$126,128,501	\$64,569,355	\$62,529,967	\$4,015,430	\$13.19					\$2,039,388	3.16%
2012	\$5,090,058,629	\$127,251,466	\$67,047,174	\$65,053,133	\$4,069,863	\$13.58					\$1,994,041	2.97%
2013	\$5,054,970,094	\$126,374,252	\$69,911,104	\$67,034,708	\$4,088,721	\$14.07					\$2,876,396	4.11%
2014	\$5,130,493,662	\$128,262,342	\$72,879,506	\$69,334,221	\$4,801,422	\$14.45					\$3,545,285	4.86%

Town of Concord  
Town House  
Concord, MA 01742

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RESIDENTIAL CUSTOMER  
CONCORD, MASSACHUSETTS  
01742

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# TOWN MEETING

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SUNDAY, MAY 4, 2014  
CONCORD-CARLISLE REGIONAL HIGH SCHOOL  
2 PM

## ADJOURNED SESSIONS AS NEEDED

<b>MONDAY</b>	<b>May 5, 2014</b>
<b>TUESDAY</b>	<b>May 6, 2014</b>
<b>WEDNESDAY</b>	<b>May 7, 2014</b>
<b>THURSDAY</b>	<b>May 8, 2014</b>

