

# Town Manager's Report Monday, May 7, 2012

**To: Board of Selectmen**  
**From Christopher Whelan, Town Manager**

**Following are some of the matters reported on this week by various Town Departments:**

## **FINANCE**

### **Town Clerk's Office**

**Nomination Papers & Primary Races:** The Town Clerk's Division has been busy the past week certifying nomination papers for the various State-wide and district party nominees that will be selected at the September 6 State Primary. With four Concord candidates on the Primary ballot, and the opportunity for many to gather signatures at last week's Town Meeting, Concord received more than its normal share of papers for certification.

The submittal deadline has now passed for the district positions, and we have completed the certification process. The deadline for submitting State-wide signatures is Tuesday, May 8. To date, we have certified 2,036 signatures (and unfortunately had to reject an additional 247 for various reasons). The Town Clerk reminds those who sign nomination papers to sign legibly, using your legal name and voting address.

The result of this process means that we will have many active races in September with 7 individuals running for State Senate (including local candidates Greg Howes, Mara Dolan and Joe Goodwin); 3 running for U.S. Congress; and 4 running for U.S. Senate. In addition, there will be primary races for Register of Deeds and Governor's Councillor. One local Republican candidate (Michael Benn) is running against Democrat Cory Atkins for State Representative, which will add to the races in November. Hopefully the more contested races will result in higher voter turnout in both September and November!

**Water Bottle Bylaw:** The "Drinking Water in Single-Serving PET Bottles Bylaw" that was passed under Article 32 of the Annual Town Meeting has been submitted to the Attorney General for review and approval/disapproval. The Attorney General has 90 days to render her opinion, which is expected by August 2, 2012. If approved, then the Bylaw will go into effect in Concord on January 1, 2013.

The Town Clerk's Office received several inquiries this week as to whether this bylaw should have had an opportunity to come before the voters at the polls rather than at Town Meeting. Concord's legislative body is Town Meeting, so that is the forum for bylaws to be enacted or rescinded. Only non-binding public opinion advisory questions may be placed on the Annual Town Election ballot (either by the Board of Selectmen or by petition of 10% of the registered voters).

## **Assessors Division**

**Abatement Activity:** The Board of Assessors has concluded review of 155 abatement applications filed by the deadline of February 1, 2012 (of a total of 6,510 bills issued). These applications were submitted based upon taxpayer assertion of erroneous or disproportionate assessment. The enclosure mailed with the tax bills on January 1 directed all taxpayers to the Town's website or the Assessor's Office for a copy of "Guidelines for Preparing an Abatement Application". This guide, prepared by staff, provides background and instruction information for taxpayers seeking review of their property valuation. Each tax year has an application deadline in accordance with State law. The Board of Assessors has no legal discretion to review a disputed valuation if an abatement application was not filed by the deadline.

117 parcels have been granted a partial abatement, totaling a tax reduction of \$183,232. This represents about one-quarter of one percent of the Town-wide tax levy. Taxpayers who are not satisfied with the decision by the Board of Assessors on their abatement application have three months from the date of the Board's decision to file with the State Appellate Tax Board.

## **Treasurer's Office**

**Bond Issue Scheduled:** A bond issue of \$2,785,000 has been scheduled for bids from underwriters to be accepted until Wednesday, May 16, 2012. The underwriter purchases the entire issue and then may resell the bonds to individual or institutional investors in increments of \$5,000 at coupon rates set by the underwriter. The bonds are scheduled to mature serially from May 15, 2013 through May 15, 2020.

The issuance will cover projects authorized at the 2010 and 2011 Annual Town Meetings, including \$800,000 for the new Fire Department Ladder Truck and \$250,000 for the improvements at the Rideout Playground. The Preliminary Official Statement dated May 4, 2012 describes the bond sale and reports on various aspects of the town's financial condition. This document is available online at:

[concordma.gov/Pages/ConcordMA\\_Finance/os-and-credit-ratings](http://concordma.gov/Pages/ConcordMA_Finance/os-and-credit-ratings)

A conference has been scheduled for Monday, May 7 with Moody's Investors Service for review of the Town's credit rating, in connection with this bond sale. The Town currently (and since 1987) holds a Aaa (highest possible) rating from Moody's on its outstanding debt. The rating review report should be available and posted online by Friday, May 11.

Town of Concord bonds are sold in a competitive bidding process to the underwriter (or syndicate group) offering the lowest interest cost to the Town measured on a present value ("true interest cost") basis. Concord bonds usually are presold – meaning orders have been placed before the sale date. Usually six or more underwriters bid for the Town's bonds. As only one bidder wins, most of the pre-sales from individual investors had not been placed with the winning bidder and thus are not fulfilled. Only orders placed with the winning

underwriter actually receive Town of Concord bonds. The Town does not sell bonds directly to individual investors as the administrative costs would be prohibitive.

A true interest cost under 3% is anticipated for this bond issue. Interest earned on Concord bonds is exempt from federal and State income taxes, in the opinion of the Town's bond counsel. Interest received by individual investors from tax-exempt sources may, however, be subject to the Alternative Minimum Tax for federal income tax purposes. Interested investors should consult with their financial advisor.

## **FIRE**

**Unusual Emergency Responses:** On Saturday April 28 at 3:37 pm CFD responded to a smoke condition at the Rivercrest Nursing Home section of the Deaconess Abundant Life Communities at 80 Deaconess Road. On arrival, firefighters struck a second alarm. They quickly extinguished a fire in a commercial laundry dryer; however, a substantial smoke condition existed which necessitated evacuation of 36 patients to an area of refuge in another portion of the building. One Deaconess staff member was transported to Emerson Hospital for smoke inhalation. She was treated and released. Smoke was removed and air conditions monitored.

**Personnel:** Lt Brian Whitney will be spending the next week at the National Fire Academy in Emmitsburg, MD taking part in an intensive course focused on honing one's Command and Control skills at emergency operations. The National Academy utilizes a state-of-the-art fire simulator system, and also reimburses most course expenses.

**Emergency Management:** Deputy Director Steve Telsey represented CEMA at a communications interoperability conference in Worcester last Thursday. The goal was to learn about the latest improvements to local, regional and State public safety communications across the state, and how we can better communicate with each other.

## **LIGHT DEPARTMENT**

**Alternative Technology Regulation:** Earlier this year, Concord Light completed a project funded in part with a grant from the American Public Power Association's Demonstration of Energy-Efficient Developments (DEED) Program. The "Alternative Technology Regulation Using Electric Thermal Storage" project was conducted in Concord to identify ways to keep energy prices down by providing best in class regulation to the New England Power Grid and reducing energy demand. Concord Light's project was one of fourteen highlighted in a recent, nationally distributed DEED publication.

## **PLANNING & LAND MANAGEMENT**

### **Health Division**

**THRIVE/Concord's Healthy Community Collaborative:** The Steering Committee met to discuss its role and responsibility concerning the implementation of the grant from CHNA 15 of \$15,000 to undertake a healthy communities planning process. The project is intended to

promote health in its broadest meaning: not simply access to healthcare and the absence of disease, but strengthening positive social, mental, physical, economic, and environmental conditions. Health Director Susan Rask announced that she would be meeting with a Public Health Intern this week, who would use health status indicator data to help inform the discussion. Public outreach and input is expected to occur in September/October 2012.

### **Building and Inspections Division**

**W.R. Grace Property:** Town staff met this past week to discuss the purchase of the W.R. Grace land off of Knox Trail in West Concord. The discussion centered on how to meet the frontage requirements of Concord and Acton as provided under the Subdivision Control Law, from Knox Trail in Acton. Also discussed were the permitting requirements of the Acton zoning bylaw for various potential Concord Municipal uses for the site.

**Concord Carlisle Regional High School Project:** Marcia Rasmussen and John Minty met with representatives for the new high school project to discuss proposed changes to the high school building and site. Based on this meeting it was determined that the changes were substantial enough for the school to postpone their hearings with the Planning Board, Natural Resources Commission and the Board of Appeals until such time as the building plans can be revised to show the new scope of work. The project is now scheduled for the Board of Appeals meeting on June 14.

### **Planning Division**

**Facility Managers:** The Town Facility Managers met last Tuesday to hear a presentation on water conservation measures and the seasonal water demand management plan that the Water & Sewer Division has developed. The Facility Managers then discussed the available rebate money from the CMLP for lighting in municipal buildings, and reviewed the first series of MassEnergyInsight reports on energy consumption trends in Town buildings.

**Parking Management Plan Public Outreach/Forum:** Jason Schreiber of Nelson Nygaard provided an agenda for the May 9 public outreach/community forum regarding parking in Concord Center and Thoreau Depot, West Concord and playing fields/ponds. The forum will be held at the Town House from 4:30 to 7:00 p.m. on Wednesday. All are invited to attend.

### **Natural Resources Division**

**Natural Resources Commission:** At the May 2 NRC meeting, the Commission heard the following matters: a Notice of Intent to construct a perimeter road at Hanscom Field; a Notice of Intent to restore agricultural use of Marabello Farm at 874 Barrett's Mill Road; a Request for Determination of Applicability to install a fence at 34 Tanglewood Drive; a Request for Determination of Applicability for invasives removal and restoration at 887 Lowell Road; a Notice of Intent for the construction of two addition and parking lot improvements at Millbrook Tarry, 91-107 Lowell Road; and a Request for Determination of Applicability for the installation of an underground propane tank at 8 Jonas Brown Circle. Negative Determinations of Applicability were issued to 34 Tanglewood Drive and 8 Jonas Brown Circle. It is anticipated that Orders will be issued at the May 16 NRC meeting for Hanscom Field and Marabello Farm, and a Negative Determination for 887 Lowell Road.

Orders were also issued for the construction of a deck, patio and lawn at 39A Pope Road and to demolish and reconstruct a single family house at 925 Lowell Road.

New Applications received last week for the May 16 NRC meeting include: a Notice of Intent for demolishing and reconstructing a single family house at 42 Ridgeway Road, and the Concord Carlisle High School filed to amend their Order of Conditions for the sewer installation project to also include the installation of a water line. Other matters to be discussed at the May 16 meeting include: a presentation by the Thoreau 5<sup>th</sup> Grade Class regarding their investigation of the Cousins Field pond; a Notice of Intent for 1112 Main Street to redevelop the existing Mobile gas station into a TD Bank. The continued hearings for constructing two single family houses at 445 and 41A Lowell Road, constructing a single family house at Lot 10A Martin Road; and Millbrook Tarry are also scheduled for this meeting.

**Thoreau Farm-Battle Road Trail Project:** DNR staff walked the proposed Thoreau Farm-Battle Road connector trail this week with representatives from the Thoreau Farm Trust, National Park Service, Elm Brook Condominium Association, and Mass Audubon to develop a Feasibility Study for construction of a trail to connect the Thoreau Birth House with the Battle Road.

**Wood Turtle Sighting:** A wood turtle, a State-listed Species of Special Concern and quite rare in Concord, was sighted near Elm Brook in Concord this week. It was taken to Tufts Veterinary School for respiratory issues but will be fitted with a radio transmitter to track its movement once released, pending approval from the landowner.

## **POLICE**

**Operational Services:** A report was received that a small fire may have been attempted to be lit in the middle of the new turf fields at CCHS. No damage was located and the incident is under investigation.

On Saturday May 5, a Sudbury resident was arrested on Old Marlboro Rd after his vehicle crashed off the roadway at the intersection of Old Pickard Rd. He was charged with operating under the influence of liquor and operating to endanger.

During the week, there were 7 domestic violence incidents and restraining order violations reported, which resulted in 3 arrests. After a decrease in calendar year 2011 in reported domestic violence cases, calendar year 2012 has seen a 25% increase in domestic violence-related calls over the first 4 months. In addition, the number of arrests related to domestic violence incidents has also increased.

**Community Services:** On Saturday March 5, officers were assigned to assist with pedestrian and vehicle traffic during the CPW Drop Off/Swap Off. The Department did not experience any unusual incidents during the event. In addition to this event, officers assisted Minuteman Arc with their annual walk.

**Administrative Services:** Interviews with the Chief continue for candidates eligible to participate in the Community Safety Inspector recruitment. The Chief anticipates completing the interviews by the middle of this week.

Annual firearms qualification training was held during the week of April 30. All officers successfully completed the training with both their handgun and the M-4 rifle. The training was held at the Lexington Police Department firearm range, and Sgt. Chris Troiano and Officer Jeff Shelley were the instructors.