



## Weekly One Day License Log – November 19, 2018

<b>Applicant Name &amp; License Number</b>	<b>Phone Number</b>	<b>Date</b>	<b>Location</b>	<b>Type of Alcohol</b>	<b>Event Details</b>
18-176 Concord Museum	978 369-9763	11/30	200 Lexington Road	All	Event Coordinator: Caite McGrail Bartenders: Kim Parker, Thomas Ryan Under 21: No First License in Concord: No
18-177 Middlesex School	978 371-6582	12/20	40 Westford Road	Wine & Malt	Event Coordinator: Meg McLaughlin Bartenders: Ben Elliott Under 21: No First License in Concord: No
18-178 Development Strategy Consultants	617 733-6633	11/23	57 ORNAC	Wine & Malt	Event Coordinator: Wendy Jacobs Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: Yes First License in Concord: No
18-179 Development Strategy Consultants	617 733-6633	11/24	57 ORNAC	Wine & Malt	Event Coordinator: Wendy Jacobs Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: Yes First License in Concord: No
18-180 Development Strategy Consultants	617 733-6633	11/27	57 ORNAC	Wine & Malt	Event Coordinator: Wendy Jacobs Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: No First License in Concord: No
18-181 Development Strategy Consultants	617 733-6633	12/11	57 ORNAC	Wine & Malt	Event Coordinator: Wendy Jacobs Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: Yes First License in Concord: No
18-182 Development Strategy Consultants	617 733-6633	11/25	57 ORNAC	Wine & Malt	Event Coordinator: Wendy Jacobs Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: Yes First License in Concord: No

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF CONCORD  
SELECT BOARD

***PROCLAMATION***

***“Crucolo Day”***

***WHEREAS*** The Concord Cheese Shop, founded in 1967, is known throughout the Town as a purveyor of fine cheeses, foods and wines and is emblematic of outstanding local and independent businesses in the Town;

***WHEREAS*** At 3:30 PM on December 6, 2018, the Concord Cheese Shop will receive delivery of a wheel of Crucolo, an artisanal cow’s milk cheese from Rifugio Crucolo in Trentino, Italy;

***WHEREAS*** This wheel of cheese will reportedly be the largest wheel of Italian cheese anywhere in the Western Hemisphere;

***WHEREAS*** This historic event should not go unrecognized;

**Now therefore, We, the Concord Select Board, do hereby proclaim December 6, 2018 to be “Crucolo Day” in the Town of Concord.**

Proclaimed this 19<sup>th</sup> day of November 2018

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**CONCORD SELECT BOARD**

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF CONCORD  
SELECT BOARD

**PROCLAMATION**

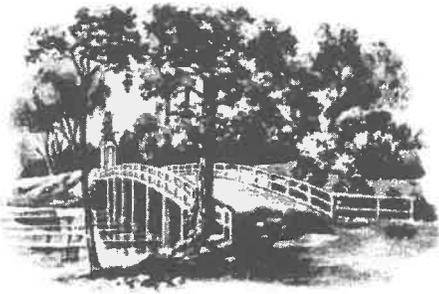
**Honoring Veterans Services Agent Richard 'Dick' Krug in Recognition  
of his 50 Years of Public Service to the Town of Concord**

- WHEREAS** Richard 'Dick' Krug began his distinguished career with the Town of Concord Police Department in November of 1968 as a Special Police Officer and was promoted to the rank of Patrol Officer in July of 1971; and
- WHEREAS** Mr. Krug showed a keen interest in community based policing and was appointed Concord's Crime Prevention Officer in 1992 and subsequently assigned as Concord's first Drug Abuse Resistance Education (DARE) Officer in 1993 where he served with distinction until his 2001 retirement; and
- WHEREAS** Mr. Krug continued to uphold his commitment to Concord Community Services by functioning as a Parking Clerk immediately following his retirement and as Concord's Veterans' Services Officer since his appointment in 2002; and
- WHEREAS** Mr. Krug has worked tirelessly throughout his fifty year tenure with the Town of Concord to identify and respond to the needs of local Citizens, Officials and Veterans living and serving in our community by representing Concord at the local, state and federal levels and as a member of the Northeast Veterans' Service Officers Association where he currently holds the position of Sergeant at Arms; and
- WHEREAS** Due to Mr. Krug's years of distinguished service, Concord's Veterans' Services Division has grown and flourished, establishing itself as a model of professionalism and effectiveness which other Towns work to emulate; and

**NOW, THEREFORE, BE IT PROCLAIMED** that the members of the Select Board of the Town of Concord, on behalf of the citizens of Concord, do hereby recognize Mr. Richard 'Dick' Krug's many contributions to the Town during these past fifty years of his notable service. We extend our personal best wishes and hopes for your continued success in life's pursuits.

**PROCLAIMED THIS 19<sup>TH</sup> DAY OF NOVEMBER, 2018**

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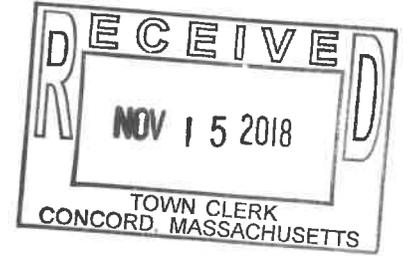


OLD NORTH BRIDGE 1775

## TOWN OF CONCORD

SELECT BOARD'S OFFICE  
22 MONUMENT SQUARE – P.O. BOX 535  
CONCORD, MASSACHUSETTS 01742

TELEPHONE (978) 318-3001  
FAX (978) 318-3002



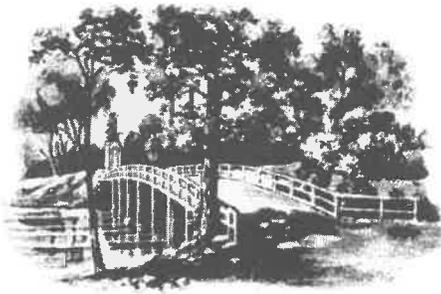
### TOWN OF CONCORD SELECT BOARD

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at the Town House, 22 Monument Square, Concord, MA in the Select Board Meeting Room on November 19, 2018 at 7:05 PM upon the application from 99 Restaurants of Boston, LLC d/b/a 99 Restaurant and Pub, located at 13 Commonwealth Avenue, for Change of Manager.

By order of the SELECT BOARD

Michael Lawson, Clerk

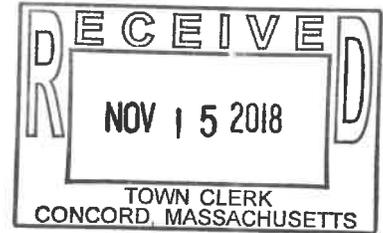


OLD NORTH BRIDGE  
1775

# TOWN OF CONCORD

SELECT BOARD'S OFFICE  
22 MONUMENT SQUARE – P.O. BOX 535  
CONCORD, MASSACHUSETTS 01742

TELEPHONE (978) 318-3001  
FAX (978) 318-3002



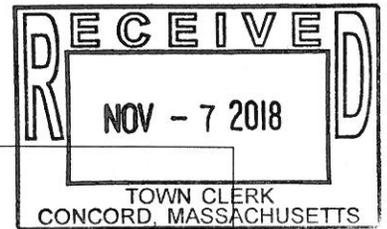
TOWN OF CONCORD  
SELECT BOARD

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at the Town House, 22 Monument Square, Concord, MA in the Select Board Meeting Room on November 19, 2018 at 7:07 PM upon the application from Colwen Management, Inc. d/b/a Residence Inn by Marriott Concord, located at 320 Baker Avenue, Change of Manager and Change of Officers.

By order of the SELECT BOARD

Michael Lawson, Clerk



**NOTICE OF PUBLIC HEARING  
TOWN OF CONCORD  
SELECT BOARD  
Monday November 19, 2018  
7:10 P.M.**

The Select Board will hold a public hearing in the Select Board Meeting Room at the Concord Town House, to determine the allocation of the FY 2019 tax levy among the four classes of real property and of personal property. The tax policy decisions include a split tax rate, an open space discount, a residential exemption, and a small commercial exemption. The Board of Assessors presentation will be available on the town's website [www.concordma.gov](http://www.concordma.gov). Public comment may be submitted prior to the hearing in writing to the Select Board and/or orally at the hearing. Sometime following the hearing the Select Board will vote on these tax policies for FY 2019.

**Andrew Mara**

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**From:** Lane Partridge  
**Sent:** Friday, November 09, 2018 3:35 PM  
**To:** Andrew Mara  
**Subject:** CLASSIFICATION HEARING

Hi Andrew

We are not going to be able to have the exact tax rate and the implications of shifting the rate to have a single rate by next week. Could you call me when you have a chance to discuss how to postpone the hearing. We should be ready by the 3<sup>rd</sup> of December.

Lane

*Lane Partridge*

Lane Partridge, MAA  
Assessor Town of Concord  
P.O. Box 535  
Concord, Ma 01742  
978-318-3070

TOWN OF CONCORD  
COMMON VICTUALLER'S LICENSE APPLICATION

New License Application Fee: \$50.00

The undersigned hereby applies for a Common Victualler License in accordance with the provisions of the State relating thereto:

Name of Applicant: Natrina Sloan

Name of Business: Caffe Hero Americas, Inc.

Business d/b/a: Caffe Hero

Address: 55 Main St. Concord, MA 01773

Applicant Signature: Natrina Sloan

Business Phone: 508-808-4037 Home/Cell Phone: 508-808-4037

In accordance with the rules and regulations made under authority of said statute

Fee Paid: \$ 50 Date: 11/6/18

**APPROVAL:** Prior to design, construction or renovation to any establishment requiring a Common Victuallers license, the applicant must receive approval from each of the departments listed below. Only then will consideration of the license be put on the Select Board's agenda.

Building Commissioner: Laurie Lewis Approved:  Disapproved:

Number of Approved Seats 59 seats - Zoning Board of Appeals

Remarks: 4 employees on the largest shift

Public Health Director: [Signature] <sup>11/11/18</sup> Approved:  Disapproved:

Remarks: \_\_\_\_\_

CPW - Water & Sewer Superintendent: [Signature] <sup>11-7-18</sup> Approved:  Disapproved:

Remarks: \_\_\_\_\_





# TOWN OF CONCORD

Department of Planning & Land Management  
141 Keyes Road – Concord, MA - 01742

**TO:** Christopher Whelan, Town Manager  
**FROM:** Marcia Rasmussen, Director of Planning & Land Management  
**DATE:** October 26, 2018  
**RE:** Affordable Housing projects in Acton, Maynard and Sudbury.  
Powder Mill Place and Quarry North

There are two affordable housing projects proposed in adjacent communities that may have impacts on Concord and its residents. This memo is intended to provide background information, current status of these two projects and potential positions or actions that the Select Board may want to consider. The first project is **Powder Mill Place** located on the Maynard/Acton town line off Route 62. The second project is **Quarry North** located in Sudbury off Route 117. A portion of the property is located in Concord.

## **Powder Mill Place in Acton and Maynard**

In July 2018, the Boards of Selectmen in Acton and Maynard received an Application for Comprehensive Permit under the Local Initiative Program (LIP) for Powder Mill Place, a proposed 254-unit mixed-income apartment development on land that lies both in Acton and Maynard. The Developer is seeking support from each Board of Selectmen. If the project goes forward, the development would be permitted under G.L. c. 40B, §§ 20-23 (“Chapter 40B”), requiring approval from the Zoning Board of Appeals in each town. As currently conceived, Powder Mill Place would create 81 new apartments in Maynard and 173 new apartments in Acton. A majority of the Powder Mill Place land lies within Maynard and the site entrance is also within Maynard, from Powder Mill Road (Route 62) that extends along the southern boundary of the site. The Assabet River is located along the northern edge of the property.

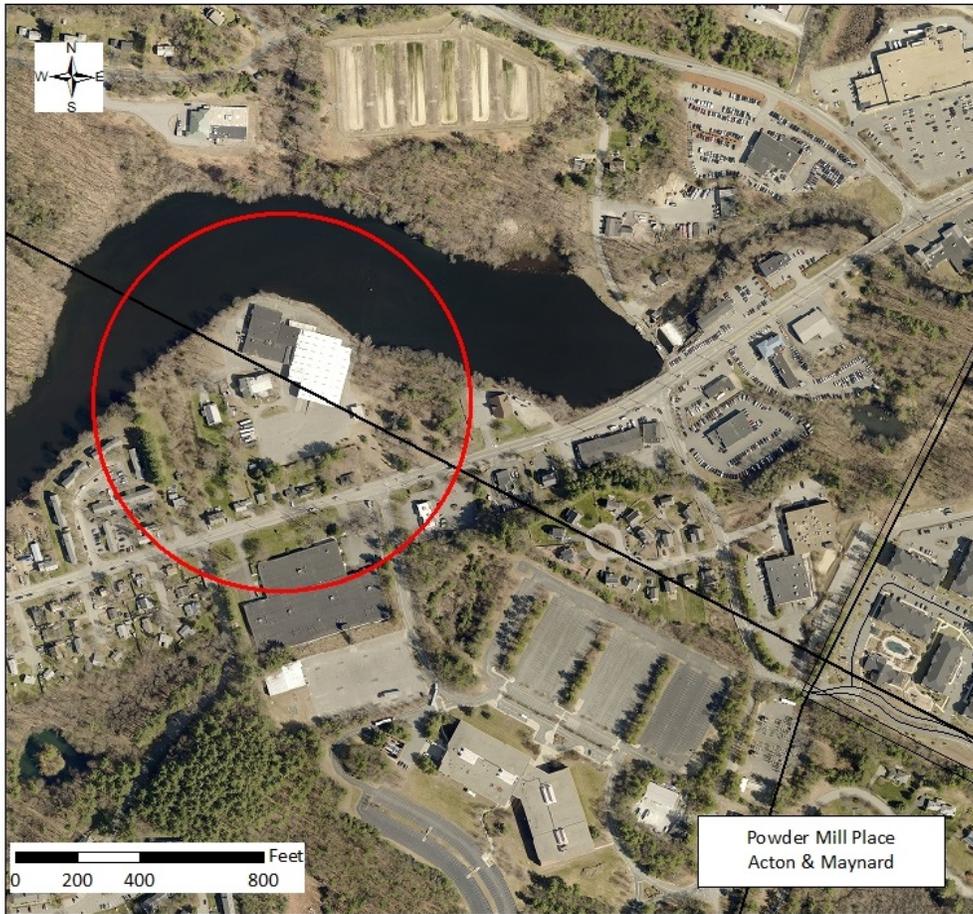
The Acton/Maynard town line is located through the site, including proposed buildings, which raises questions about responsibility for providing services to the entire project, i.e., residents and non-residents alike. The communities of Acton and Maynard are considering the trade-offs of sharing service delivery (emergency/public safety response) as well as sharing utilities. The Developer is seeking an agreement for Acton to provide public water and for Maynard to provide sewer service for the entire site. However, the provision of sewer service is of concern to Maynard residents and there is some discussion that the Town of Acton will supply sewer service to at least the Acton portion of the project.

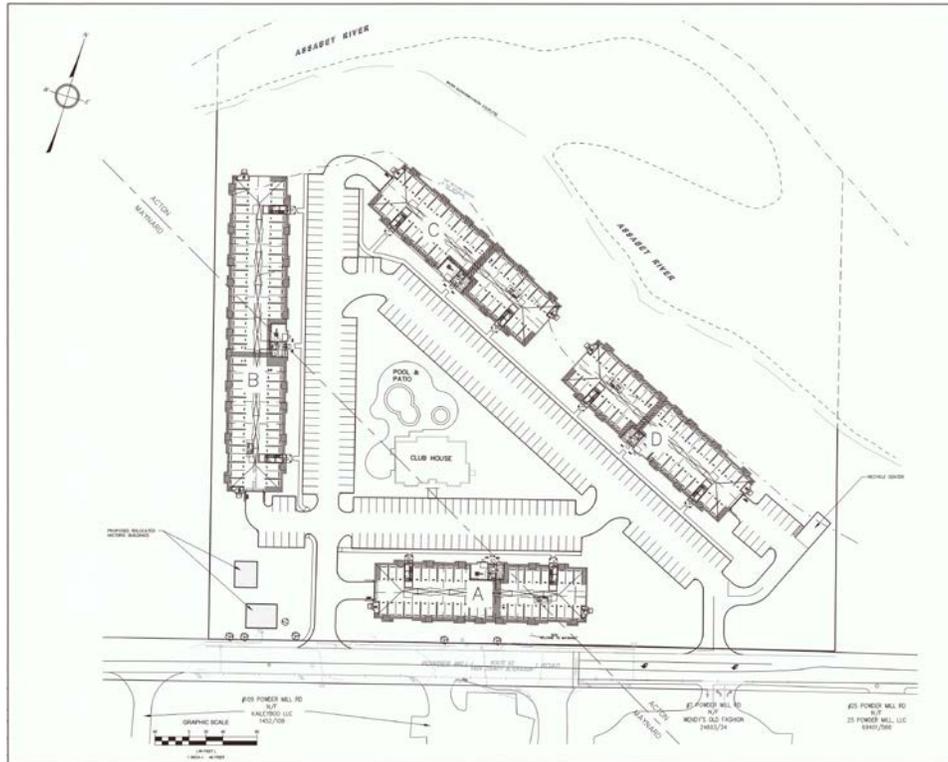
Traffic is likely the highest concern that Concord residents may have regarding this proposed development. According to an FAQ document on the Town of Maynard website, a traffic study of the area was commissioned by the Developer and reviewed by VHB, an engineering firm selected by the Town of Maynard. Both the commissioned traffic study and the review by VHB concluded that Powder Mill Road (Route 62) is capable of handling the added traffic volumes anticipated. Each study also makes recommendations for improvements including locations of turnouts, added traffic signals or turning lanes, and providing sidewalks in the area.

The Acton Board of Selectmen has signed the LIP agreement. The Maynard Board of Selectmen will be discussing its position regarding the LIP agreement with the Developer at its November 7<sup>th</sup> meeting.

**Issues that Concord Select Board may want to raise:**

- Traffic concerns with eastbound traffic on Route 62 and the potential to require ride-sharing services or annual participation in CrossTown Connect by the rental management company so that the residents of this development have alternative transportation options to using a private vehicle.
- Management of stormwater run-off from the site to prevent future flooding impacts on the Assabet River.
- Questions about mutual aid when responding to emergency/public safety calls.





**Quarry North in Sudbury (with land in Concord)**

The Sudbury Board of Selectmen called a Special Town Meeting for December 11 to consider the disposition of the Melone property and zoning changes that will be necessary to allow the Quarry North housing project as currently proposed. The Developer has agreed to pay for the Special Town Meeting. The Melone property is a 46.6 acre parcel located on North Road (Route 117), of which 16.4 acres of the property are located in the Town of Concord. Sudbury purchased this property in 1992 and has operated a gravel operation on the parcel since the 1990s. Estimates from the Sudbury Department of Public Works indicate that nearly all the gravel has been removed from the parcel.

The entire project is located within the Zone 2 of the Town of Concord’s White Pond Well and the groundwater resources that contribute to White Pond (a kettle pond). The number of units for the Quarry North project at the Melone property has been negotiated down to 274 units from 333 units, with all of the residential units proposed to be constructed in Sudbury (no development is proposed in Concord). Sixty of the 274 units will be senior age-restricted units. The number of non-age restricted units has been reduced from 300 to 214.

The 274 units will be comprised of 100 40B units and 174 market rate units. Seventy percent, the maximum number allowed, of the 40B units will be allocated for local preference housing, which includes Sudbury Town and School employees. The Selectmen also negotiated the minimum number allowed by law of three bedrooms units in the 40B project, which is ten percent. Less than ten percent of the market rate units will be comprised of three bedrooms.

The Developer has agreed to pay for the Town to undertake its own traffic study and school capacity study. Both are being conducted by the Town and are currently underway. The Developer has also agreed to maintain the existing berm and tree-lined landscape buffer of at least 100 feet along Route 117, and to work with residential abutters on mutually beneficial landscape buffering options. In addition, the Developer has committed to operating a shuttle service to public transit and to local amenities and Sudbury businesses.

Concord concerns:

- Groundwater impacts from a large-scale on-site treatment plant and from stormwater run-off that may negatively affect groundwater resources that flow toward White Pond and Concord's White Pond Well.
- Quarry North land in Concord that is left as open quarry; a degraded condition that may not be suitable as an open space amenity for the future residents of Quarry North.
- Residents of Quarry North will be encouraged to use Concord's open space resources rather than providing suitable open space resources on the 16 acres owned by the Town of Sudbury but located in Concord.
- Traffic impacts on Route 117 that affect Nine-Acre Corner and the intersection at Sudbury Road.

**Issues that Concord Select Board may want to raise:**

- The need to locate on-site treatment facilities in Sudbury rather than in Concord so that such facilities will not impact the groundwater flows/resources.
- The need for modeling and monitoring groundwater quality to ensure there is no degradation of groundwater serving Concord's White Pond Well and White Pond.
- The expectation that the 16.4 acres in Concord will be suitably improved to provide habitat for wildlife and park-like amenities for future residents (e.g., walking trails, ponds, picnic facilities, etc.).
- The opportunity to review potential traffic impacts at Nine Acre Corner and require improvements as may be recommended to mitigate such impacts.
- Questions about mutual aid when responding to emergency/public safety calls.





Board of Selectmen  
Town of Acton  
472 Main Street  
Acton, MA 01720

November 19, 2018

Re: Powder Mill Place Comprehensive Permit

Dear Members of the Acton Board of Selectmen,

The Town of Concord's Select Board wants to raise its concerns with regard to the affordable housing development, known as Powder Mill Place, proposed at the Acton/Maynard town line on Powder Mill Road and requests that these concerns be addressed during the permitting process or as conditions of the Comprehensive Permit that may be issued. Our concerns are focused on traffic impacts on Route 62 and mitigation thereof, stormwater management from the site to prevent future flood impacts on the Assabet River and adequate resources for emergency/public safety response to the project as it impacts mutual aid agreements.

In reviewing the Department of Housing and Community Development (DHCD) Local Initiative Program Application for Comprehensive Permit dated July 23, 2018, we note that there is no discussion or study provided of traffic impacts or of additional emergency/public safety resources that will be needed and no engineering data provided to support the discussion of stormwater management improvements. We ask that these be required to be provided and addressed in the comprehensive permit application.

During review of the Comprehensive Permit, we suggest that any traffic study for the development be extended to include the intersection of Route 62 and Route 2, as well as the intersection of Sudbury Road/Powder Mill Road and Route 117 in Sudbury and Route 117 and Sudbury Road in Concord because traffic moving along both Route 62 and 117 already experience significant delays during the morning and evening peak commute times. Further, consideration should be given to address ways to mitigate traffic impacts, such as requiring that the rental management company participate in CrossTown Connect (a public-private transportation management association) and offer ride-sharing options and other alternatives to private vehicle use for residents of the development and that the developer provide for sidewalks and other pathways on- and off-site to provide safe connections for pedestrians and bicyclists to various destinations (for transportation, school, shopping, recreation, etc.).

With regard to emergency/public safety response, the Concord Fire Chief notes that the proposed project is in the mutual aid response area for Concord's Station 2 apparatus (A3 located in West Concord) which currently has an ambulance that is staffed only 12 hours per day. When EMS mutual aid is requested during the hours that A3 is not staffed, that response will come from Station 1, which is located in Concord Center. This is the current practice now for these communities; additional housing development of this magnitude this will increase the demand for emergency/public safety services and we suggest that sufficiency and adequacy of emergency/public safety resources be addressed during project review.

Further, the July 23<sup>rd</sup> application to DHCD identifies only general concepts to improve stormwater management at this site. A complete engineering study should be included with the application to demonstrate and ensure that stormwater is effectively managed on-site and to reduce potential flood impacts on the Assabet River.

We will continue to follow the review of this application as it moves forward and would appreciate consideration of the concerns outlined herein.

Sincerely,

Thomas McKean, Chair  
Concord Select Board

Cc: Senator Michael Barrett  
Representative Cory Atkins  
Massachusetts Department of Housing & Community Development (DHCD)

Mr. Chris DiSilva, Chairman  
Maynard Board of Selectmen  
195 Main Street  
Maynard, MA 01754

November 19, 2018

Re: Powder Mill Place Comprehensive Permit

Dear Chairman DiSilva,

The Town of Concord's Select Board wants to raise its concerns with regard to the affordable housing development, known as Powder Mill Place, proposed at the Acton/Maynard town line on Powder Mill Road and requests that these concerns be addressed during the permitting process or as conditions of the Comprehensive Permit that may be issued. Our concerns are focused on traffic impacts on Route 62 and mitigation thereof, stormwater management from the site to prevent future flood impacts on the Assabet River and adequate resources for emergency/public safety response to the project as it impacts mutual aid agreements.

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During review of the Comprehensive Permit, we suggest that any traffic study for the development be extended to include the intersection of Route 62 and Route 2, as well as the intersection of Sudbury Road/Powder Mill Road and Route 117 in Sudbury and Route 117 and Sudbury Road in Concord because traffic moving along both Route 62 and 117 already experience significant delays during the morning and evening peak commute times. Further, consideration should be given to address ways to mitigate traffic impacts, such as requiring that the rental management company participate in CrossTown Connect (a public-private transportation management association) and offer ride-sharing options and other alternatives to private vehicle use for residents of the development and that the developer provide for sidewalks and other pathways on- and off-site to provide safe connections for pedestrians and bicyclists to various destinations (for transportation, school, shopping, recreation, etc.).

With regard to emergency/public safety response, the Concord Fire Chief notes that the proposed project is in the mutual aid response area for Concord's Station 2 apparatus (A3 located in West Concord) which currently has an ambulance that is staffed only 12

hours per day. When EMS mutual aid is requested during the hours that A3 is not staffed, that response will come from Station 1, which is located in Concord Center. This is the current practice now for these communities; additional housing development of this magnitude this will increase the demand for emergency/public safety services and we suggest that sufficiency and adequacy of emergency/public safety resources be addressed during project review.

Further, the July 23<sup>rd</sup> application to DHCD identifies only general concepts to improve stormwater management at this site. A complete engineering study should be included with the application to demonstrate and ensure that stormwater is effectively managed on-site and to reduce potential flood impacts on the Assabet River.

We will continue to follow the review of this application as it moves forward and would appreciate consideration of the concerns outlined herein.

Sincerely,

Thomas McKean, Chair  
Concord Select Board

Cc: Senator Michael Barrett  
Representative Cory Atkins  
Massachusetts Department of Housing & Community Development (DHCD)

Mr. Robert C. Haarde, Chairman  
Sudbury Board of Selectmen  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

November 19, 2018

Re: Quarry North Comprehensive Permit

Dear Chairman Haarde,

The Town of Concord's Select Board wants to raise its concerns with regard to the affordable housing development, known as Quarry North, proposed at the Concord/Sudbury town line on Route 117 and requests that these concerns be addressed during the permitting process or as conditions of the Comprehensive Permit that may be issued. Our concerns are focused on: traffic impacts on Route 117 that affect Nine-Acre Corner and the intersection at Sudbury Road (and Route 2) and mitigation thereof; groundwater impacts from a large-scale on-site treatment plant and from stormwater run-off that may negatively affect groundwater resources that may be drawn towards Concord's White Pond Well when in use; Quarry North land in Concord that is left as open quarry in a degraded condition that may not be suitable as an open space amenity for the future residents of Quarry North; and, adequate resources for emergency/public safety response to the project as it impacts mutual aid agreements.

During review of the Comprehensive Permit, we recommend that any traffic study for the development be extended to include the intersection of Sudbury Road at Nine Acre Corner and at Route 2 in Concord because traffic moving along Route 117 already experiences significant delays during the morning and evening peak commute times. Further, consideration should be given to address ways to mitigate these traffic impacts, such as requiring that the rental management company participate in CrossTown Connect (a public-private transportation management association) and offer ride-sharing options and other alternatives to private vehicle use for residents of the development and that the developer provide for sidewalks and other pathways on- and off-site to provide safe connections for pedestrians and bicyclists to various destinations (for transportation, school, shopping, recreation, etc.).

Concerning groundwater impacts from an on-site treatment plant and from stormwater run-off, the Town of Concord requests that the Comprehensive Permit application include modeling of existing groundwater conditions and a requirement for ongoing monitoring to ensure there is no degradation of groundwater resources serving Concord's White Pond Well. Any on-site treatment facility should be located so that there

is no adverse impact to Concord's active water supply well and associated groundwater flows/resources.

With 16+ acres of land in Concord included in the Quarry North project, where that land has been subject to extensive earth removal operations, we strongly encourage the developer to suitably restore and improve the land as habitat for wildlife and to provide park-like amenities for future residents of Quarry North, such as walking trails, ponds, picnic facilities, etc.

With regard to emergency/public safety response, the Concord Fire Chief notes that the proposed project is in the mutual aid response area for Concord's Station 2 apparatus (A3 located in West Concord) which currently has an ambulance that is staffed only 12 hours per day. When EMS mutual aid is requested during the hours that A3 is not staffed, that response will come from Station 1, which is located in Concord Center. This is the current practice now for these communities; additional housing development of this magnitude this will increase the demand for emergency/public safety services and we suggest that sufficiency and adequacy of emergency/public safety resources be addressed during project review.

We will continue to follow the review of this application as it moves forward and would appreciate consideration of the concerns outlined herein.

Sincerely,

Thomas McKean, Chair  
Concord Select Board

Cc: Senator Michael Barrett  
Representative Cory Atkins  
Massachusetts Department of Housing & Community Development (DHCD)



**TOWN OF CONCORD**  
**Department of Planning & Land Management**  
141 Keyes Road ~ Concord MA ~ 01742  
Phone: 978-318-3290

To: Community Preservation Committee  
Christopher Whelan, Town Manager

From: Marcia Rasmussen, Director of Planning and Land Management  
Kate Hodges, Assistant Town Manager  
Delia Kaye, Natural Resources Director

Re: **Prioritized Town Projects for Community Preservation Funds 2019**

Date: November 16, 2018

Assistant Town Manager Kate Hodges, Natural Resources Director Delia Kaye and I met to discuss prioritizing the various Community Preservation fund applications that have been submitted by Planning, Natural Resources and Recreation to the Community Preservation Committee (11 out of the 15 the CPC received). We met because the Chair and other members of the CPC have asked for our priorities due to the requests exceeding the amount available. Our list is as follows:

- Gerow Park – **full request** of \$300,000 because design will be completed this winter and the project will be ready to go in July 2019.
- White Pond Beach – **full request** of \$250,000 because improvements will be needed to support a swim program at the beach in the summer 2019.
- Junction Village community housing – **full request** of \$300,000 because this is the final amount needed toward the \$1,000,000 recommended from CPA.
- Regional Housing Services program – **full request** of \$19,000 (half of the \$38,000 budget needed to support the program) – RHSO provides support to all community housing efforts.
- Heywood Meadow Stone Wall Extension – **full request** of \$21,619
- Old Calf Pasture Habitat Restoration – **reduce request** from \$15,000 to \$5,000 (Natural Resources received notice of a gift of \$10,000 related to filming of ‘Little Women’, which is being directed to this project).
- Warner’s Pond Dredging Project – **reduce request** from \$250,000 to \$75,000 to fund permitting.

- Emerson Land Acquisition – **reduce request** from \$200,000 to \$90,000 (Concord Land Conservation Trust has indicated support in the amount of \$50,000; the Town’s Capital Plan includes \$60,000 for acquisition of this land)
- Bruce Freeman Rail Trail Phase 2C and 2B – **reduce request** from \$60,000 to \$30,000 for additional design, study and construction of elements that may not be funded by MassDOT such as wildlife studies, landscaping, bike shelters, additional furniture and signage
- Harrington Park Master Plan – **withdraw** request for \$20,000 (we believe alternative sources may be found)
- Junction Village Open Space – **withdraw** request for \$50,000 (to be resubmitted once plan is developed and construction of Junction Village housing is commenced).

Note: We did not opine on the remaining four requests since they were not submitted by our Departments. These projects include:

- Expansion and Renovation of the Main Library and Heywood-Benjamin House for \$500,000
- Emerson Field Improvements for \$510,000
- 110 Walden Street Preservation (a.k.a. Timothy Wheeler House) for \$20,800
- Community Preservation Staff and Technical Support for \$30,000



## Community Preservation Applications for Funding in FY20

1-18 White Pond Beach Access Improvements, Town of Concord

The Town of Concord requests funding for accessibility improvements to the newly acquired White Pond beach area. The project includes the creation of a sloped and accessible walking pathway connecting the parking area to the waterfront, and renovation of the current restroom facilities to make them fully accessible.

Requested Funding: \$250,000

Category: Open Space and Recreation

2-18 Gerow Recreation Area Improvements, Town of Concord

The Town of Concord requests funding for Phase I of the Gerow Recreation Area Improvements project. The project includes recycling the existing single family home and the preparation of the site for a new public restroom and changing facility; design and engineering of a new park entrance driveway and parking areas; construction of new walking paths and connecting pathways from the Rail Trail to the parking areas and amenities; design and construction of fishing and canoeing launch areas; development of a waters-edge dock system; and the creation of accessible paths through densely wooded areas of the park with new drainage and filtration systems for stormwater runoff.

Requested Funding: \$300,000

Category: Community Housing, Open Space and Recreation

3-18 Bruce Freeman Rail Trail Phase 2C and 2B, Town of Concord

The Town of Concord requests funding for additional design work that will connect existing trails near Route 2 with the Bruce Freeman Rail Trail Bridge over Route 2; historical interpretive panels and site development near the Nashoba Brook crossing at Route 2; and other items that may be desired but determined ineligible for State funding.

Requested Funding: \$60,000

Category: Open Space and Recreation

4-18 Regional Housing Services Program, Town of Concord

The Town of Concord requests funding for the Town's participation in the Regional Housing Services Office, an inter-municipal organization which provides professional housing staff for the administration of the affordable housing programs in Concord and six neighboring communities.

Requested Funding: \$19,000

Category: Community Housing

5-18 Junction Village Assisted Living Housing, Town of Concord  
The Town of Concord requests funding to contribute toward the “Town’s share” of \$2,400,000 for the construction of an 83-unit fully affordable assisted living facility on land owned by the Concord Housing Development Corporation at 6X Winthrop Street. The project site is located within walking distance of the West Concord Village District and Fitchburg commuter railroad line, as well as directly adjacent to the future Bruce Freeman Rail Trail.

Requested Funding: \$300,000 Category: Community Housing

6-18 Junction Village Open Space, Town of Concord (WITHDRAWN)  
The Town of Concord requests funding for consulting services required to prepare an engineered survey and the landscape architectural design for the open space along the Assabet River associated with the Junction Village affordable housing project. A task force will work with a landscape architect to design a community walking trail that will loop around the Junction Village project and along the Assabet River connecting to two points along the Bruce Freeman Rail Trail.

Requested Funding: \$50,000 Category: Open Space

7-18 Harrington Park Master Plan, Town of Concord (WITHDRAWN)  
The Town of Concord requests funding to prepare a Master Plan for Harrington Park. The project includes hiring a consultant to help develop a community specific plan for the site based on both expert survey and analysis and community input so that this property can reach its true potential as a one of a kind recreational and open space resource for West Concord.

Requested Funding: \$20,000 Category: Open Space, Recreation and Historic Preservation

8-18 Warner’s Pond Dredging Project, Town of Concord – Division of Natural Resources  
The Town of Concord Natural Resources Division requests funding to study the silt material to better estimate the cost of dredging of Warner’s Pond. The initial CPA funded study of Warner’s Pond, determined dredging to be the most effective way to control weeds and resulting eutrophication, with costs ranging from \$1,000,000 to \$3,000,000 depending on the quality of silt.

Requested Funding: \$250,000 Category: Open Space and Recreation

9-18 Emerson Land Acquisition, Town of Concord – Division of Natural Resources  
The Town of Concord Natural Resources Division requests funding to purchase a 3.4 acre parcel of land located between the Ralph Waldo Emerson House and the access from Walden Street. The Emerson-Thoreau Amble is located over this parcel, which includes the Mill Brook.

Requested Funding: \$200,000 Category: Open Space

- 10-18 Heywood Meadow Stone Wall Extension, Town of Concord – Division of Natural Resources  
The Town of Concord Natural Resources Division requests funding to replace the bollards at the intersection of Heywood Street and Lexington Road with approximately 70 feet of fieldstone wall. This will provide an important visual connection between the two sides of the meadow at this well-travelled intersection.

Requested Funding: \$21,619

Category: Open Space

- 11-18 Old Calf Pasture Habitat Restoration, Town of Concord – Division of Natural Resources  
The Town of Concord Natural Resources Division requests funding for the continued removal of the invasive species glossy buckthorn, in an effort to protect the largest population of the state listed Britton's violet at the Old Calf Pasture.

Requested Funding: \$15,000

Category: Open Space

- 12-18 Expansion and Renovation of the Main Library and Heywood-Benjamin House, Concord Free Public Library Corporation

The Concord Free Public Library Corporation requests funding to preserve the exterior of the Heywood-Benjamin House and to ensure that the new interior spaces comply with ADA accessibility regulations as they relate to bathrooms, corridors, ramps, elevator, and adjacent handicap parking. The Concord Free Public Library acquired the Heywood-Benjamin House at 151 Main Street, with the idea of enlarging the library to meet the growing demand for its services. This project is in relation to the Library's \$8.5 million building project to create new and expanded Children's Center, Teen Zone, workshop, and meeting spaces, as well as enhancing the Special Collections.

Requested Funding: \$500,000

Category: Historic Preservation

- 13-18 110 Walden Street Preservation Architectural Design Project, Concord Home for the Aged  
The Concord Home for the Aged requests funding for architectural design work needed to preserve the historic Timothy Wheeler House and implement the recommendations set forth in the recently completed Historic Structures Report. The work needed includes structural repairs, masonry repairs, site drainage, roofing, gutters, flashing, bird control, windows and door replacement and repair, and building envelope insulation.

Requested Funding: \$20,800

Category: Historic Preservation

- 14-18 Emerson Field Improvements, Concord Public Works

The Town of Concord Public Works Department requests funding for infrastructure improvements at Emerson Field. The proposed improvements include irrigation system upgrades, on-site water supply well redevelopment or replacement, infield and outfield renovations of the two baseball fields and one softball field, and sustainability and operational improvements to the spray fountain. In addition, the

project scope will include pathway installation and ADA upgrades, replacement of fencing, backstops, and player bench areas, and potential improvements/enhancements to the seasonal winter ice skating rink.

Requested Funding: \$510,000

Category: Recreation

ADM Staff and Technical Support, Town of Concord

The Town of Concord requests funds to support the CPA in Concord by providing staff support from the Dept. of Planning and Land Management; legal, technical, and consulting assistance for the Town's CPA funded projects; and supplies and associated administrative requirements including legal ads, copying, etc.

Requested funding: \$30,000

**The total amount requested for 2019 CPA Funding Applications is \$2,546,419**

Town of Concord

**TO: Dean Banfield, Chair, Guidelines Subcommittee, Concord Finance Committee**  
**FROM: Christopher Whelan, Town Manager**  
**SUBJECT: Annual Budget Data Request – Response to July 31 Request for Information**

**DATE: October 11, 2018**

**1. FY19 Budget Performance:** *The Finance Committee receives regular updates regarding budget performance. A budget vs actual discussion should cover challenges that were encountered and how those challenges are informing the FY20 budget development.*

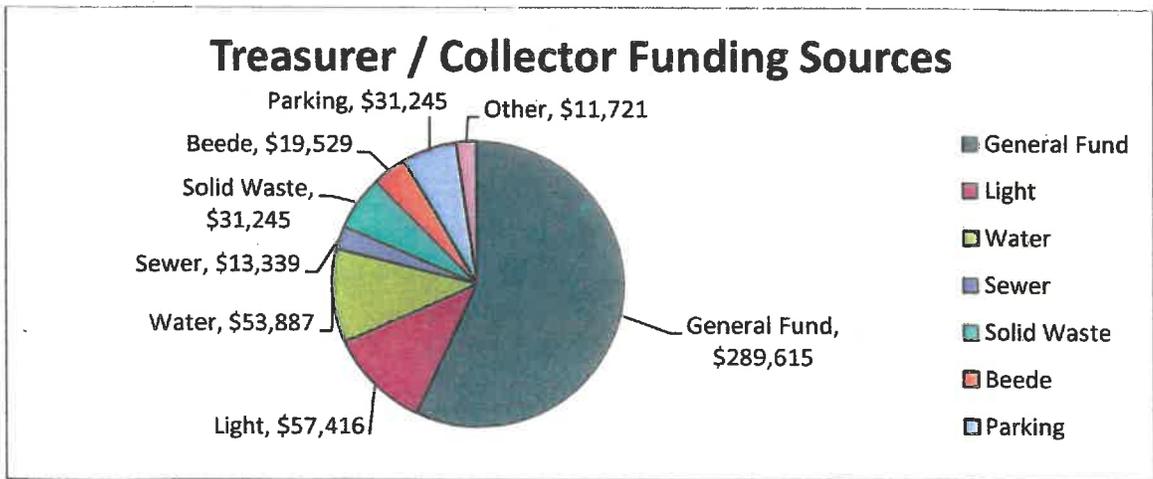
Three months into fiscal 2019, most General Fund budgeted accounts are in good shape. I am not aware of any account, other than the Legal Services Account discussed at the October 1 Special Town Meeting, where a deficit is currently projected.

Nevertheless, there are several items that are worth noting that are likely to influence the FY2020 budget development.

Warrant Presentation

The Town’s audit firm, Melanson Heath & Co., has requested a change in the format in how the Town Meeting Warrant Article presents the budget appropriation. In the past, the appropriation authorization for each department has been solely the General Fund portion and has excluded inter-fund transfers or other credits used to fund a department. For example, the Treasurer / Collector Division provides collections services for the Light Plant, and the Light Plant supplements the Treasurer / Collection Division’s budget with an inter-fund transfer to cover its cost, but the Division does not include this inter-fund transfer as part of its appropriation.

Beginning in FY2020, Town Meeting will be required to approve a department’s total budget (General Fund portion and all inter-fund transfers and other credits). The purpose for this change is to allow Town Meeting to authorize all of a department’s spending inclusive of amounts funded by the Enterprise Funds. Although this change is purely cosmetic, it will require a larger authorization. Using the Treasurer / Collector Division as an example, the amount Town Meeting appropriated in FY19 was \$289,615, but the total budget was \$507,997, which includes an inter-fund transfer of \$57,416 from the Light Plant, \$53,887 from the Water Fund, \$13,339 from the Sewer Fund, \$31,245 from the Solid Waste Fund, \$19,529 from Beede, \$31,245 from the Parking Meter Fund, and \$11,721 in other credits.



**2. Services Status and Anticipated Changes:** Please present a portrait of the Town's current programs and services, with your perceptions of how those offerings should change in the next 1-5 years in response to any perceived current needs but also anticipating any possible changes in the makeup of the Town's residential population and commercial environment.

I believe the current program of services provided by town departments reflects the needs and interests of Concord residents, as supported financially at Town Meeting each year and as indicated by the favorable feedback residents provide through the biennial citizen survey and other feedback mechanisms. There are some discernable trends to consider in the next five years.

#### Demographics

Compared to the State, Concord has a higher percentage of seniors. According to the latest US Census estimates, 17.9% of Massachusetts residents are age 60 or older. In Concord, the 2018 Town Census estimates that there are 31.8% of residents in this age group. In fact, 17.0% of Concord's residents are 70 years old or older. In anticipating any service changes in the next 1-5 years, the Town should be cognizant of Concord's demographics.

To serve the elderly population as well as the rest of Concord's population, the Fire Department is requesting increasing the daytime ambulance service out of the West Concord Fire Station to be available throughout the night.

#### Economic Development

The health of Concord's villages is crucial to the vitality of the Town. With pressure from online retailers like Amazon, many local retail stores are struggling. One of the recommendations of the Envision Concord – Bridge to 2030 Comprehensive Long Range Plan is that the Town consider hiring a Town economic development staff person, who would oversee the implementation of the Economic Vitality component of Concord's long-range plan and serve as a liaison to the business and non-profit cultural and arts communities.

With the pending completion of the Bruce Freeman Rail Trail through West Concord, and the redevelopment of many properties in the village, increased visitation and business activity is expected. In the same way Concord Center has a Visitors Center and Restroom Facility, the Department of Planning & Land Management requests funds for the purchase and renovation of a West Concord Visitors Center and Restroom Facilities. An amount of \$412,800 is proposed in debt financing for such a facility in FY20.

#### New Public Parks

The Town Meeting has recently authorized the Town to acquire two new public parks. With the passage of Article 25 of the 2018 Annual Town Meeting, the Town was authorized to acquire the beach and surrounding land at 369 Commonwealth Avenue to be referred to as Gerow Park. At the 2018 Special Town Meeting on October 1, 2018, Article 4 authorized the Town to accept the gift from the White Pond Association of the beach and surrounding land known as White Pond. Both Gerow Park and White Pond will require some capital improvement in the near future, so that they will be operate effectively as public recreational facilities.

**3. Collective Bargaining:** Please provide a financial portrait of anticipated labor costs, and any step being taken to actively manage those costs. What is the schedule of bargaining units which will be negotiating new agreements in FY20-24?

The Town negotiates collective bargaining agreements with the following unions:

- o Police (Effective July 1, 2017 to June 30, 2020)

- o Dispatch – Currently in Negotiations – contract expired June 30, 2018
- o Fire (Effective July 1, 2016 to June 30, 2019)
- o Library (Effective July 1, 2017 to June 30, 2020)
- o Public Works – Currently in Negotiations

I believe that our recent union wage settlements have been reasonable and consistent with market conditions. We have been delayed settling several contracts in recent years, and have utilized labor counsel more during recent negotiations, as we try to remain competitive in our compensation without getting ahead of market conditions.

Unemployment is very low in Massachusetts and nation-wide, and there is considerable competition for trained, experienced workers. Competition is especially keen for technical and financial positions. Positions we have had considerable difficulty filling include: Light Plant Financial Manager/Accountant, Assistant Light Plant Director, Line-worker, Highway Division Operations Manager, and civil engineer.

Recent salary increases have been in the area of 2.5%, plus merit increases for those employees not yet at the top of the salary scale. The HR Director has suggested we consider providing a 3% adjustment to reflect both the low competitive labor market and Concord’s comparatively low employer contribution to employee health insurance. Health insurance costs increased 10% last year and are likely to increase by a similar amount next year. Employees frequently express concern that much of the annual salary increase is consumed by higher health care costs.

The Massachusetts Pay Equity Act took effect on July 1, 2018 and requires employers to pay workers equitably, without taking into account market conditions. We are in the process of evaluating what changes will be needed, but it is likely that the town will be required to grant pay increases to some employees, either male or female, if the analysis shows that there are gender-based differences in compensation.

The Massachusetts Minimum Wage Law requires that the minimum wage paid by employers increase steadily until it reach \$15.00 per hour by January of 2023. Municipalities are exempt from the requirements of the Act, but it will be very challenging to recruit van drivers, library pages and camp counsellors if the town is paying below the state-mandated minimum wage.

***4. Funding Levels:*** Please highlight any programs and services which should continue, but require adjustments in funding levels to conform to community expectations. Funding may either be needed to increase or scaled back.

The town has made some decisions recently to augment our inventory of public parks and recreation facilities, including the expansion of Rideout Playground, the purchase of the Gerow property on Commonwealth Avenue, and the potential gift of 18 acres at White Pond and the operation of a public bathing beach on the property. These new park acres, along with the development of the Bruce Freeman Rail Trail, make it necessary to supplement that our grounds maintenance staff. While the bathing beach users should generate enough revenue to provide the cost of lifeguards and other beach staff, General Fund support will be needed to maintain these new facilities in a condition the community has come to expect.

Also, the Fire Chief is requesting that the second ambulance housed in West Concord and operated 12 hours per day, seven days per week, be operated 24/7 beginning next July 1. He proposes partial funding of the four new firefighter positions necessary to accomplish this increase in service through the Emergency Response Stabilization Fund, which has a balance of about \$625,000. In addition, given the addition of four firefighter positions several years ago, together with the proposed additional four positions, the fire chief requests that funding be allocated to increase the number of fire lieutenant deployed on each shift. These new officers would not be new positions, but rather *promotions* for existing personnel. Funding is requested for the higher compensation paid to supervisory positions.

And the Police Chief has renewed his request for additional police staffing to meet needs in several different areas, including the School Resource Officer discussion at the October 1 Special Town Meeting, as well

as an addition day-time uniformed officer to help with added call volume and a detective to assist with the ongoing opioid crisis and other substance abuse problems.

**5. Capital Program:** *Discuss the 5 year capital plan, and highlight any items that might require excluded debt.*

The Capital Program is categorized into four groups: General Fund Capital Outlay, General Fund Debt, Enterprise Debt, and Excluded Debt.

General Fund Capital Outlay

The Capital Outlay Plan consists of capital item that are paid for with current year funds. These items include funds for building improvements, technology equipment, departmental vehicles, police cruisers, sidewalk and drainage improvements, and CPW heavy equipment. The FY20 funding level is at \$2,020,000, which represents 2.0% of the total budget minus excluded debt. See the attached schedule.

General Fund Debt

The Debt Authorization Plan lists the larger capital items, which require approval by a two-thirds vote of Town Meeting. This Debt Plan includes funding for building renovations, land acquisition, an Road and Parking Lot reconstruction. See the attached schedule.

Enterprise Debt

The only proposed addition to the Enterprise Debt Schedule in FY20 is for the installation and set-up of a 125kW cogeneration system to reduce energy consumption and costs at the Beede Center. The total cost for this system is approximately \$600,000, with \$400,000 to be borrowed and \$200,000 to come from a Massachusetts Green Communities Grant.

Excluded Debt

The two major excluded debt projects under consideration are the planned construction of a single new Middle School to replace the two existing buildings, and the likely need to make a major investment in other municipal buildings. Funding was approved in 2017 for a Comprehensive Municipal Facilities Study, and that study will be completed in the Spring of 2019. It is likely the study will identify the need for several significant capital projects, such as a new public safety complex, a new municipal office building to consolidate several existing buildings, and the modernization of the Public Works complex at Keyes Road.

**6. OPEB:** *What is the anticipated contribution for FY2020, and does this continued Concord's commitment to meeting the annual required contribution (ARC)? What are the planned future contributions to maintain that status?*

The Annual Required Contribution (ARC) is the yearly amount that the Town would need to set aside to cover the Actuarial Accrued Liability. In further defining the ARC, the Net OPEB Cost is then calculated by factoring several adjustments. The change in Net OPEB Obligation (NOO), which is the measure of whether the Town is meeting its commitments, is derived by taking the Annual OPEB Cost (the amount required) and subtracting premiums and implicit subsidies paid (the "pay-as-you-go" amount that is already contributed by the Town for health care benefits for current retirees, spouses, and survivors) and cash contributions (the amount that

is contributed by the General Fund and Enterprise Funds). The Net OPEB Obligation is the accumulation of the Annual OPEB Cost minus the contributions.

The latest OPEB Actuarial Valuation Report is for the period ending June 20, 2017 and report shows the following:

Net OPEB Cost	\$3,626,918
Premiums and Implicit Subsidies	\$1,690,387
Cash Contributions (General Fund)	\$1,400,000
Cash Contributions (Enterprise Funds)	<u>\$380,000</u>
Total Contributions	\$3,470,387
<b>Change in Net OPEB Obligation</b>	<b>\$156,531</b>
Net OPEB Obligation (Beginning of Year)	\$7,226,768
Net OPEB Obligation (End of Year)	\$7,383,299

As shown above, the Town's FY17 OPEB contributions were \$156,531 short of the OPEB costs. Accordingly, for FY19, the General Fund OPEB contribution was increased by \$217,000 to \$1,617,000. By this December, we should have a revised OPEB Actuarial Valuation Report as of June 30, 2018 and may need to make adjustments to the General Fund contribution.

**7. Town Meeting Directives:** *Please provide the Finance Committee with insight into the ways that Town Meeting Citizen Petition efforts are influencing budget development. Recent articles include – sustainability, resiliency, energy futures and CCTV.*

Recent citizen petition articles have indeed had a financial impact. In the case of the Sustainability Director, the impact is on-going, as opposed to the more common one-off petitions such as the funding for an Energy Study or some other study. Even the new bylaw proposals submitted by petition can have some financial impact, such as the enforcement requirements for the bans on plastic water bottles or polystyrene food containers.

However, so far, the financial impact of the citizen petitions has been relatively minimal, and the process of petitioning one's government is a cherished right in Concord. In the end, these grass roots initiatives often demonstrate that there is a need that has been unmet or undiscussed, and the petition process is an important safety valve that prevents frustration and cynicism about local government.

**8. Land Acquisition:** *The Town has been an active participant in land acquisition. Please provide an overview of steps being taken to build financial reserves for land purchases, and also for post-closure development and maintenance, both for current active projects (2229, Warner's Pond, White Pond) and future needs.*

It is a challenge to develop a post-closure and maintenance plan at the time a land acquisition opportunity arises, in part because the future use of the property can be uncertain. In the case of both the Warner's Pond land purchase and the discussion of the White Pond land gift, town administration provided the estimated cost of future capital needs in the discussion leading up to a decision. And there was a discussion of routine maintenance cost. But the community determines the level of investment in properties and facilities, which then determines the on-going maintenance requirements. In the case of open land acquisition, the on-going maintenance costs are relatively minor. In the case of an active recreation space, such as the expanded Rideout Playground, Warner's Pond and White Pond, the costs are higher but not unmanageable. For example, if the portion of the White Pond

land that is not used for a beach continues to be actively farmed, the town's cost of maintenance will be virtually nothing. But if the donor prohibits agriculture and requires instead an annual mowing regime, there will be modest spending necessary which might already be available in the existing Natural Resources budget.

Because the 2229 Main Street acquisition has been proposed, it provides a good opportunity to do planning for re-use of the property and budgeting for improvements and on-going maintenance. Fortunately, EPA has offered to provide funding for re-use planning for the 45-acre site. It is the hope of USEPA that the town will acquire the property and manage the "institutional controls" needed to ensure that encapsulated areas are not disturbed and other protective measures are respected.

In the five-year Debt Authorization Plan, there is the following funding allocation for land acquisitions: \$230,000 in FY20, \$230,000 in FY21, \$730,000 in FY22, \$350,000 in FY23, and \$350,000 in FY24. The funding proposed for the first three years is for the purchase of Emerson Land from The Ralph Waldo Emerson Memorial Association. With the estimated price to be \$1,376,000 and funded equally by the Town and the Community Preservation Committee, the Town's portion spread over three years is approximately \$230,000 annually. The amounts of \$350,000 in FY23 and FY24 are for other potential land that might become available.

***9. Succession Planning:*** *Outline for the Finance Committee your plans for transition to the next Town Manager. The FinCom is encouraged by the potential which a bottom up, "zero based" budgeting (ZBB) approach may yield. Please offer your view regarding a ZBB.*

I announced my plans to retire in June 2019 providing the town 12 months to prepare for the transition. I suggested a recruitment and transition plan which the Select Board is implementing. I expect a Town Manager Search Committee will be appointed by the end of October and that an executive search consultant will be selected by the Select Board by the end of November. That consultant will assist in the public in-put process and will work with the Search Committee to advertise the position, to recruit widely and screen all candidates and to recommend 3 to 5 highly qualified finalists for interviews with the board. I plan to participate in the April Annual Town Meeting in the normal fashion and will take my final weeks of vacation in mid-May through June. I have recommended that the Select Board endeavor to have the next Town Manager under contract some time around May 1 with a start-date in early June. In the event there is any delay selecting the new town manager or having that person start working, the Assistant Town Manager is fully capable of standing in as Acting Town Manager as she has many times in the past during my vacations. We have a very seasoned and collaborate Senior Management Team, and I don't anticipate any problems transitioning to a new chief executive. I will make myself available to assist that person in any way possible, although, in my experience, a new Town Manager will have little need for assistance from the outgoing manager.

I plan to watch and have the Finance Department staff watch very closely how Zero-Based Budgeting is implemented by the School Department. After the next Annual Town Meeting, we will evaluate whether this budgeting methodology should be applied to the Town Government and, if it should, how to do so.

***10. Benchmarking:*** *The Town has recently subscribed to the ClearGov service. Help the Finance Committee understand how you hope this will inform budget development this year, and in future years.*

In its current iteration, the ClearGov software is very useful software product that allows the Town Government to provide greater transparency of our financial operations. For budget development, each department will have a clearer idea of how our costs compare with those in other municipalities.

Several town departments have already included comparative information in their budget documents. We hope to expand on that in the coming year. During the fall, the Finance Department staff will be working on adding comments to various screens for the purpose of better describing the meaning of the specific data. In the future, we would like to incorporate ClearGov's Budget Builder Module into our budget process. This module

would provide us with a comprehensive software product that would electronically manage the budget process and would replace the linked excel files that are currently being used.

**11. Public – Private Partnerships:** *Please provide information on any significant public/private partnerships and describe how private entities are helping the Town achieved its objectives while the Town retains public process and oversight.*

Perhaps the most significant and active public-private partnership we have in Concord is the partnership that we have with the Concord Free Public Library Corporation. The corporation owns and maintains the two library buildings and grounds, as well as significant special collections or important papers and artwork. The town provides an operating budget of more than \$2.1 million, which pays for the employees, equipment and utilities. The library corporation spends in excess of \$400,000 annually maintaining the buildings and grounds and contributing to the purchase of books and materials. The corporation is currently undertaking a significant capital campaign to raise private funds to expand the Main Library to incorporate the property at 51 Main Street. This is an exciting project that will create wonderful new space for public events and children’s services. There will be a significant focus on utilizing technology to enhance the user experience. The debt plan includes an allocation for \$500,000 for furniture, fixtures and equipment as part of this \$10 million effort. Together, the Town and the library corporation have built an exceptional library program that offers services far beyond what might expect for a community of Concord’s size.

Another major P3 is the Umbrella (formerly Emerson Umbrella for the Arts). The town leases land a surplus town building to the Umbrella which operates a center for the arts on a non-profit basis. The community supports local artists musicians and enjoys the benefit of having a vibrant arts community. 51 Walden is a similar arrangement. Other P3’s that enhance the community include: the Center for Restorative Justice, Friends of CC Fields (which continues to provide \$50,000 per year for maintenance of the HS turf fields), Concord Housing Development Corporation, the Center for Domestic Violence Prevention, the Garden Club, the Concord Land Conservation Trust, the Concord Rotary Club and others.

The Town has traditionally maintained control and oversight either through written agreements, such as with the library corporation, or with leases and licenses, such as with the Umbrella and 51 Walden. The P3 Committee recommended that greater oversight and public access to information be provided through more publicity about the P3 relationships and pro-active management of the relationship by a committee when a major project involving town property or funding is under consideration. We will be following up on the committee’s recommendations this fall.

**12. Additional Information:** *Please let us know anything else which you think would help the Guidelines Subcommittee as it deliberates the level of this year’s guidelines recommendation.*

Although the close deadline for the Citizen Survey is not until Friday, October 12<sup>th</sup>, we have preliminary results. As of Tuesday, October 8<sup>th</sup>, a total of 1,075 residents have taken the survey. For the question: “Please indicate whether you think the Town is spending not enough money, about the right amount of money, or too much money for Town Government Services. This includes the Police Department, Fire Department, Public Works, Planning and Land Management, and General Government Services”, the results are as follows:

<u>Response</u>	<u>Amount</u>	<u>Percentage</u>
Not enough money	53	4.9%
About the right amount of money	696	64.7%
Too much money	92	8.6%
Don’t Know / No Answer	234	21.8%
Total	1,075	100.0%

Moreover, if you filter out the responses of those who do not have an opinion (excluding the Don't Know / No Answer response), 82.8% of respondents (696 / 841) feel that the Town is spending about the right amount of money on Town Government services.

Departmental Funding Request Overview

The following is a table showing an overview of the FY2020 requests that I have received from the Departments. If there is not a good estimate for a particular request, a "N/A" for not currently available is placed in the amount column.

<i>Town Manager &amp; Human Resources: Full-Time Clerk</i>	\$40,000
<i>Resource Sustainability: Full \$100,000 Sustainability Director's Salary</i>	\$52,000
<i>Facilities Maintenance: HVAC Technician</i>	\$95,000
<i>White Pond: Supplement Operating Costs</i>	\$20,000
<i>Legal Services: Supplement Legal Expenses</i>	\$25,000
<i>Planning: Enhance Local Transportation</i>	\$34,800
<i>Natural Resources: Land Manager</i>	\$57,000
<i>Town Clerk: Archivist</i>	\$65,000
<i>Police: Assume part of the School Resource Officer's Salary</i>	\$15,000
<i>Police: Two Additional Officers</i>	\$115,000
<i>Fire: Staffing 2<sup>nd</sup> Ambulance 24 – 7</i>	\$89,131
<i>Fire: Promote 4 Firefighters to Lieutenant</i>	\$40,000
<i>IT: Communications and IT position for the Library</i>	\$58,000
<i>Library: Part-Time Custodian Maintenance Supervisor (TL-4 – 20 hrs/wk)</i>	\$30,000
<i>COA: Expand Senior Services Support Staff (drivers, active coordinator)</i>	\$40,000
<i>COA Additional Van Expenses (Fuel, tires, etc)</i>	\$10,000
<i>Recreation – Park Maintenance Staff (2)</i>	\$100,000
<i>Capital Outlay: Planned Increase</i>	\$75,000
<i>Salary Reserve Fund: Union and Non-Union Increases</i>	\$1,027,000
<b>TOTAL</b>	<b>\$1,987,931</b>
<i>Percent Increase from FY19 Town Government Budget of \$24,050,513</i>	<b>8.27%</b>

## Town Manager's Office

**FY20 Revised Requests to the Finance Committee  
November 8, 2018**

	<u>Requested</u>	<u>Necessary</u>	<u>Needed</u>	<u>Unfunded</u>	<u>Comments</u>
Town Manager & Human Resources <i>New Receptionist / Clerk</i>	\$40,000		\$26,000		Handle high traffic for TM & HR
Resource Sustainability <i>100% Sustainability Director's Salary</i>	\$52,000	\$41,000			Previously Covered by 51ATM2018
Facilities Management <i>New HVAC Technician</i>	\$95,000			\$95,000	Savings from Building Budgets
Parks and Playgrounds <i>2 New Park Maintenance Staff</i>	\$100,000		\$100,000		Maintain White, Gerow & Emerson
<i>White Pond Operations</i>	\$20,000		\$20,000		Supplement User Fees
Legal Services <i>Supplemental Legal Expenses</i>	\$25,000			\$25,000	Current Budget of 250K Sufficient
Planning and Land Management <i>Local Transportation Planner</i>	\$34,800			\$34,800	Unfunded
<i>Land Manager Assistant</i>	\$57,000			\$57,000	Covered by Park Maintenance Staff
Town Clerk <i>Municipal Archivist</i>	\$65,000			\$65,000	Savings from Library Positions
Information Technology <i>IT Position for Library</i>	\$58,000		\$72,000		Add'l IT and Library Workload

	<u>Requested</u>	<u>Necessary</u>	<u>Needed</u>	<u>Unfunded</u>	<u>Comments</u>
Police					
100% School Resouce Officer's Wages	\$15,000	\$75,000			Previously covered by 9STM2018
2 New Police Officers	\$115,000			\$115,000	Unfunded
Fire Department					
4 New Firefighters for 2nd Ambulance	\$89,131		\$89,131		\$229,240 from Emerg. Stab. Fund
4 Promotions to Lieutenant	\$40,000			\$40,000	Unfunded
Library					
1 New PT Custodial Maint. Supervisor	\$30,000			\$30,000	Unfunded
1 New Social Media / IT Trainer					\$57,000 from Other Sources
Senior Services					
Senior Services Support Staff	\$40,000	\$40,000			Soc. Svs. Coord. Promoted
Additional Van Expenses	\$10,000	\$10,000			Gas & Repairs for Purchased Van
Capital Outlay					
Planned Increase	\$75,000	\$75,000			Maintain Capital Infrastructure
Salary Reserve Fund					
Union and Non-Union Increases	\$1,027,000	\$950,000			Non-Union 2.5%/2.5%; Police Settled
<b>Total</b>	<b>\$1,987,931</b>	<b>\$1,191,000</b>	<b>\$307,131</b>	<b>\$461,800</b>	
<b>Increase from FY19 \$24,050,513 Budget</b>	<b>8.27%</b>	<b>4.95%</b>	<b>1.28%</b>		
<b>Cumulative Increase</b>		<b>4.95%</b>	<b>6.23%</b>		

# Town Manager's Office

**FY20 Revised Requests to the Finance Committee  
November 8, 2018**

	<u>Amount</u>	<u>Explanation</u>
Town Manager & Human Resources <i>New Receptionist / Clerk</i>	\$26,000	There is a large amount of foot traffic on the second floor of the Town House at the Town Manager's Office and Human Resources Department. A receptionist is needed to manage this traffic.
Resource Sustainability <i>100% Sustainability Director's Salary</i>	\$41,000	In Article 51 at the 2018 Annual Town Meeting, \$100,000 was appropriated to hire a Resource Sustainability Director. Kate Hanley started work in December 2017 and \$59,000 of her \$90,000 salary was covered by this appropriation in FY18. The remaining \$41,000 was applied to her FY19 salary. Accordingly, an additional \$41,000 needs to be appropriated from the General Fund in FY20 for her salary.
Facilities Management <i>New HVAC Technician</i>	\$0	The request for a new HVAC Technician will be funded from a transfer of the HVAC maintenance accounts in the budgets of the individual Town buildings.
Parks and Playgrounds <i>2 New Park Maintenance Staff</i>	\$100,000	With the acquisition of White Pond and Gerow Park and the management of other Town parks and playgrounds, there is a request for a new Parks and Playgrounds Department, which will be staffed by 2 new Park Maintenance employees.
<i>White Pond Operations</i>	\$20,000	For the start-up operating costs for White Pond, \$20,000 is requested from the General Fund in FY20.

	<u>Amount</u>	<u>Explanation</u>
Legal Services <i>Supplemental Legal Expenses</i>	\$0	The request for an additional \$25,000 is being deferred.
Planning and Land Management <i>Local Transportation Planner</i>	\$0	A request for a Local Transportation Planner, a position recommended by the Comprehensive Long Range Plan, is being deferred.
<i>Land Manager Assistant</i>	\$0	During the non-summer months, the new Park Maintenance Staff will perform the tasks that would have been done by the Land Manager Assistant.
Town Clerk <i>Municipal Archivist</i>	\$0	A Municipal Archivist will be funded through savings from a re-organization at the Library.
Information Technology <i>IT Position for Library</i>	\$72,000	With the increased volume for IT services and need for technical expertise at the Library, this position, which will be located at the Library, will assist with both needs.
Police 100% School Resource Officer's Wages	\$75,000	Article 9 of the 2018 Special Town Meeting appropriated \$48,000 from the Emergency Response Stabilization Fund for a new School Resource Officer at the Middle School to begin mid-year in FY19. The wages for the Officer is \$75,000 and this amount needs to be appropriated in FY20 from the General Fund.
2 New Police Officers	\$0	The request for 2 new Officers has been deferred.
Fire Department <i>4 New Firefighters for 2nd Ambulance</i>	\$89,131	The cost in wages and overtime to staff the second ambulance at the West Concord Fire Station during the night shift is \$318,371, of which \$89,131 is requested to come from the General Fund and \$229,240 from the Emergency Response Stabilization Fund.
<i>4 Promotions to Lieutenant</i>	\$0	The request for the promotion of 4 firefighters is being deferred.

	<u>Amount</u>	<u>Explanation</u>
Library		
<i>1 New PT Custodial Maint. Supervisor</i>	\$0	The request for a new Custodial Maintenance Supervisor is being deferred.
<i>1 New Social Media / IT Trainer</i>	\$0	Funding for the first year of this position will come from grant money.
Senior Services		
<i>Senior Services Support Staff</i>	\$40,000	With the promotion of the Social Services Coordinator to a regular, full-time position and the need for additional staff hours for other coordinator positions, the Senior Services Division is requesting an additional \$40,000 from the General Fund in FY20.
 <i>Additional Van Expenses</i>	 \$10,000	 This request is for funds to cover fuel and maintenance for the additional van.
Capital Outlay		
<i>Planned Increase</i>	\$75,000	This annual increase is to insure the proper maintenance of the Town's capital equipment and infrastructure.
Salary Reserve Fund		
Union and Non-Union Increases	\$950,000	With a change in the cost-of-living adjustment from 3.0% to 2.5% and with the soon-to-be completion of the Police Union Collective Bargaining Agreement, the amount need from Salary Reserve has decreased from \$1,027,000 to \$950,000. The saving from the lower COLA increase is approximately \$27,000 and the savings from not having to carry enough funds over two years to cover an unknown resolutions of the CBA is about \$50,000.
<b>Total</b>	<b>\$1,498,131</b>	

**Increase from the FY19 Town Government**

**Budget of \$24,050,513 is**

**6.23%**



## **SUMMARY OF THE FCC'S SECOND FURTHER NOTICE OF PROPOSED RULEMAKING ON CABLE FRANCHISE FEES AND MIXED-USE NETWORKS**

On September 25, 2018, the FCC released a [Second Further Notice of Proposed Rulemaking](#) proposing new rules that, if adopted, likely will have a significant impact on cable franchise fees, PEG channels and other common cable-related obligations in cable franchise agreements. The proposed rules also would preempt local regulations of non-cable services provided by certain incumbent cable operators, potentially creating disparities between cable operators and non-cable operators in the applicability of these regulations.

Specifically, the FNPRM proposes new rules that would:

- Allow all cable-related, in-kind contributions, other than PEG capital costs and build out requirements, to be treated as “franchise fees” subject to the 5% franchise fee cap.
  - This holding would appear to allow cable operators to deduct from their cable franchise fee payments the value of franchise requirements such as PEG channel capacity, connections to programming origination points, and complementary cable services to schools and other public buildings.
  - The FNPRM proposes that the value to be deducted would be the fair market value of these “contributions,” though the Commission requests comment on whether it instead should be the cable operators’ costs.
- Prohibit local franchising authorities from regulating the non-cable services offered over cable systems, other than I-Nets, and prohibit LFAs from regulating the facilities and equipment used in the provision of these non-cable services.
  - This holding would apply to incumbent cable operators that are common carriers, and the FNPRM seeks comment on whether it should also apply to cable operators that are not common carriers.
  - Though it is ambiguous, the proposed rule can be read to allow certain cable operators to construct and install facilities and equipment for non-cable services in the rights of way without any local regulation or compensation, which raises safety considerations and potential disparities in the application of regulations among competing providers.
- Potentially apply to state-level franchising actions. Unlike the draft FNPRM, which expressly excluded state-leveling franchising actions, the final FNPRM seeks comment on whether the new rules should apply to both state and local franchising actions.

Comments on the proposed rules will be due 30 days after the FNPRM is published in the Federal Register. Reply comments will be due 60 days after such publication.

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Implementation of Section 621(a) of the Cable  
Communications Policy Act of 1984 as  
Amended by the Cable Television Consumer  
Protection and Competition Act of 1992

MB Docket No. 05-311

FCC 18-131

**REPLY COMMENTS OF THE CONCORD SELECT BOARD**

The Concord Select Board of the Town of Concord, Massachusetts (Town) respectfully submits these reply comments regarding the Second Further Notice of Proposed Rulemaking (FNPRM) released by the Federal Communications Commission (FCC) on September 25, 2018. In the FNPRM, the FCC seeks comment on two tentative conclusions: 1) that cable-related in-kind contributions required by a franchising agreement should be treated as franchise fees and subject to the 5% statutory cap of cable gross revenues set forth in Section 622 of the Communications Act of 1934, as amended; and 2) that local franchising authorities (LFAs) such as the Concord Select Board should be prohibited from using their franchising authority to regulate non-cable services, such as broadband Internet access service, over a cable operator's cable system.

The Concord Select Board concurs with the comments filed in this docket by the Massachusetts Municipal Association (MMA), numerous town and city governments, PEG access providers, PEG access committees, and individuals who strongly oppose these tentative conclusions. Adopting the tentative conclusions will reduce revenues and services to the Town of Concord and will restrict the Town's authority to reasonably regulate their rights of way. Furthermore, adopting the tentative conclusion that cable-related, in-kind contributions should be valued at their fair market value for purposes of the franchise fee cap will inject a significant level of unnecessary regulatory uncertainty, as the Town will find itself debating with its cable operator over the value of those in-kind contributions now and during the franchise agreement negotiation process.

The Town of Concord, Massachusetts, incorporated in 1635 and known for its American Revolutionary war battles at the North Bridge, home of Walden Pond, and home of authors Henry David Thoreau, Ralph Waldo Emerson, Nathaniel Hawthorne and Louisa May Alcott, is

located in the Greater Boston area. Concord has a population of 15,500 residents who are served by one cable TV operator, Comcast, and whose basic tier rates are regulated by the Massachusetts Department of Telecommunications and Cable.

Approximately 5500 Concord households and businesses subscribe to the cable provider's cable TV service, and the cable provider received roughly \$8 million in gross revenues from Concord in 2017. The Town's franchise fee, 4.8%, generated approximately \$396,000 as revenues in 2017 for use by the Town-operated public, education and government (PEG) public access station, Minuteman Media Network (MMN). The Town's franchise agreement with its cable operator expires in 2024.

The Town provides valuable PEG services to the community through local broadcasts over Channels 8, 9, and 99 and on-line through MMN and its YouTube channel. The Town covers the meetings of Town boards and committees, Town Meeting, School Committee and other municipal meetings; candidate forums and local programs by civic groups, non-profits, Council on Aging and other community forums; and educational, musical and local sports programs. Concord shares its head-end cable TV facilities and PEG services with the neighboring Town of Carlisle. Funding for these valuable community-based programs comes from PEG revenues, and any reduction in funding levels will lower the quality of programming and coverage for the Town's citizenry.

The FCC seeks comment on its proposed definition of the types of in-kind contributions that LFAs like Concord have received under the franchise agreement. In-kind contributions would include non-monetary contributions related to cable services, such as free or discounted cable services, the use of cable facilities or equipment, institutional networks (I-nets), PEG channels and PEG channel capacity, complementary cable service to schools and other government buildings, fiber optic networks, local customer service, electronic programming guide services, ..... and ..... These contributions may or may not be spelled out in the franchise agreement, would be subject to the 5% statutory cap on PEG revenues, be valued at a fair market value price, and could be provided directly to the LFA (the Town / Select Board) or to any entity designated by the LFA.

Examples of in-kind contributions provided to the Town and its designees that could have been included in this new definition are: ....., ....., and ..... These contributions have provided valuable assistance to Concord citizens, businesses, and those who wish to visit and learn about Concord, and should not be limited by the 5% cap.

Equally disturbing is the FCC's proposal that the contributions would be calculated at "fair market value." As the MMA correctly noted on page 2 of their comments, "the fair market value assessments of these invaluable programs would lead to arbitrary deductions from franchise fees by cable operators, opening the door to legal challenges." The City of Lowell asserted in its comments that the PEG channels have no commercial value as they are dedicated for public use – a view some cable operators may contest, if the fair market value proposal is adopted. The Foxborough Board of Selectmen concisely and accurately framed the issue:

permitting a cable operator to deduct the value of the PEG channel is problematic, vague, and subject to wide interpretation.

The Town of Marshfield accurately observed in their comments that reclassification of in-kind contributions will reduce franchise fees without any corresponding increase in services. The Town of North Andover, like the Town of Concord, sees that changing these regulations will upset the stability of franchise negotiations and Town operations. This leads the Concord Select Board to conclude that using a fair market value approach is not in the public interest, and that this industry-led proposal should be rejected.

For these reasons, the Concord Select Board strongly opposes the tentative conclusions in the FNPRM and encourages the FCC to not adopt the proposed changes.

Respectfully submitted,

**CONCORD SELECT BOARD**

\_\_\_\_\_  
Thomas McKean, Chair, Select Board

\_\_\_\_\_  
Michael Lawson, Clerk, Select Board

\_\_\_\_\_  
Alice Kauffman, Select Board

\_\_\_\_\_  
Jane Hotchkiss, Select Board

\_\_\_\_\_  
Linda Escobedo, Select Board

22 Monument Square, Concord, MA 01742  
December \_\_, 2018

**Andrew Mara**

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**From:** Elizabeth Hughes  
**Sent:** Wednesday, November 14, 2018 2:05 PM  
**To:** Jane Hotchkiss  
**Cc:** Chris Whelan; Heather Gill; Heather Carey; Nancy Hausherr; Nea Glenn; Andrew Mara  
**Subject:** L.Berrizbeitia - HDC nomination

Good afternoon Jane,

At the Planning Board meeting last night, the Board voted unanimously to nominate to the Select Board the appointment of Luis Berrizbeitia from Associate Historic District Commission Member to Full Member for a term to start on 1/1/19.

Mr. Berrizbeitia has been an Associate Member for 5 years and has the experience needed to be a full member.

Please let me know if you have any questions or need additional information.

Sincerely,  
Elizabeth

Elizabeth Hughes, Town Planner  
Concord Planning Division  
Town of Concord  
141 Keyes Road  
Concord, MA 01742  
978-318-3290

