

**TOWN OF CONCORD
SELECT BOARD
AGENDA**

February 4, 2019 – 7 p.m. – Select Board Room – Town House

1.	Call to Order
2.	Consent Agenda: <ul style="list-style-type: none"> • Town Accountant Warrants • Minutes • One Day Special Licenses <ul style="list-style-type: none"> · The Nature Connection 3/13 6pm-10pm 54 Walden Street Wine & Malt · Open Table 3/29 6pm-10pm 275 Forest Ridge Rd Wine & Malt
3.	Town Manager's Report
4.	Chair's Report
5.	Cell Tower RFP update
6.	FY2020 Budget Discussion
7.	Discuss SD.1817, An Act to combat climate change
8.	Amend Pollinator Health Advisory Committee Charge
9.	Discuss Middle School Building Project
10.	Public Comments
11.	Committee Liaison Reports
12.	Miscellaneous/Correspondence
13.	Committee Nominations:
14.	Committee Appointments:
15.	Adjourn

PENDING

Monday	February 11	6:30 pm	Select Board Meeting	Town House
Monday	February 11	7 pm	Finance Committee – Public Hearing	Town House
Monday	February 18	All Day	Presidents Day	Town Offices Closed
Tuesday	February 19	7 pm	Select Board Meeting	Town House
Monday	February 25	6:30 pm	Select Board Meeting	Town House
Monday	February 25	7 pm	Finance Committee – Public Hearing	Town House
Tuesday	February 26	6:30 pm	Select Board Meeting	Town House
Tuesday	February 26	7 pm	Select Board – Public Hearing	Town House

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

Weekly One Day License Log – February 4, 2019

Applicant Name & License Number	Phone Number	Date	Location	Type of Alcohol	Event Details
19-28 The Nature Connection	978 369-0116	3/13	54 Walden Street	Wine & Malt	Event Coordinator: Jennifer Albanese Bartenders: Corinne Kinsman Under 21: No First License in Concord: Yes
19-29 Open Table	978 808-4103	3/29	275 Thoreau Street	Wine & Malt	Event Coordinator: Jeanine Calabria Bartenders: Leo Lafarge Under 21: Yes First License in Concord: No

From: Brandon Roberts
Sent: Friday, February 1, 2019 4:30 PM
To: Andrew Mara
Cc: Jonathan Harris
Subject: (Uploaded) FY20 Town Manager Budgets

Hi Andrew,

The FY20 Town Manager Budget Book has been uploaded and split into sections on the Town website.

You can find it by following the mapping below, clicking [here](#), or clicking on this link (<https://concordma.gov/2322/FY2020>).

Town Home Page -> Government -> Department -> Finance -> Budget Books -> General Fund Budgets -> FY2020

Have a great weekend.

Regards,

Brandon

Brandon Roberts | Budget Analyst
Town of Concord, 22 Monument Square
P.O. Box 535, Concord, MA 01742
978-318-3094 | broberts@concordma.gov

Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and it is therefore subject to the Massachusetts Public Records Law, MGL c. 66, § 10.

Subject: FW: On climate change, YOU can make a difference

From: Berger, Brendan (SEN) <Brendan.Berger@masenate.gov>

Sent: Monday, January 21, 2019 5:59 PM

To: Berger, Brendan (SEN) <Brendan.Berger@masenate.gov>

Subject: On climate change, YOU can make a difference

Dear Friends,

This is your chance to have a major impact in the fight against climate change. My boss, State Sen. Mike Barrett, has just filed his carbon pricing bill, **SD.1817, An Act to combat climate change.**

Over the next two weeks, legislators will look over thousands of bills and choose some to co-sponsor.

The more State Representatives and State Senators who co-sponsor SD.1817 by February 1st, the better. It's up to you to make your voice heard!

[Call or email your legislators, in both the House and the Senate.](#)

SD.1817 is based on carbon pricing language that in June 2018 earned the unanimous approval of the Mass. State Senate. It gives the governor considerable flexibility in pricing carbon, from revenue-neutral to revenue-positive to cap and trade, but does ask him to make a choice -- in the case of transportation, by Dec. 31, 2021.

If the governor opts for a "revenue-neutral" carbon fee -- which, of the three approaches, Mike continues to prefer -- the bill sets fairness rules for returning funds to citizens. If the governor opts for a "revenue-positive" approach, the bill requires most of the money be spent on public transportation. Some of the money also goes to electric vehicle incentives, environmental justice initiatives, and especially chapter 70 school aid.

Please spread the word on social media and forward this email to your friends and colleagues.

Many thanks,

Brendan
Chief of Staff

From: Kate Hanley
Sent: Thursday, January 31, 2019 12:34 PM
To: Andrew Mara
Subject: RE: Sen Barrett Bill

Sen. Barrett also has some resources about carbon pricing on his website:
<https://senatormikebarrett.com/carbonpricing/>

From: Kate Hanley
Sent: Wednesday, January 30, 2019 4:19 PM
To: Andrew Mara
Subject: Sen Barrett Bill

<https://malegislature.gov/Bills/191/SD1817>

Kate Hanley
Director of Sustainability
Town of Concord
978-318-3008
concordma.gov/Sustainability



@concordclimate

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Barrett

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to combat climate change.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/18/2019</i>
<i>Carmin Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/22/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/22/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/28/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/24/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/24/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>1/24/2019</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/24/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/28/2019</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>1/29/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/28/2019</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>1/31/2019</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>1/25/2019</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/28/2019</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/29/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/30/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/28/2019</i>

<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/28/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/30/2019</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/30/2019</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/30/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/29/2019</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/30/2019</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>1/30/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/30/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/30/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/30/2019</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>1/31/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>1/30/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/31/2019</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>1/31/2019</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>1/31/2019</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>1/31/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/31/2019</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>1/31/2019</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/31/2019</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>1/31/2019</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>1/31/2019</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>2/1/2019</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/1/2019</i>

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1821 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to combat climate change.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 21N of the General Laws, as amended by sections 7
2 through 10, inclusive, of chapter 209 of the Acts of 2018, is hereby amended by inserting after
3 the definition of “Greenhouse gas emissions source” the following definition:-

4 “Greenhouse gas-emitting priority”, natural gas, petroleum, coal, and any solid, liquid or
5 gaseous fuel derived therefrom, and any other matter that both emits, or is capable of emitting, a
6 greenhouse gas when burned and is designated a priority by the department for the purposes of
7 this chapter.

8 SECTION 2. Said section 1 of said chapter 21N, is hereby further amended by striking
9 out the definition of “Market-based compliance mechanism”, and inserting in place thereof the
10 following definition:-

11 “Market-based compliance mechanism”, any form of price compliance system imposed
12 on sources or categories of sources or any form of pricing mechanism imposed on greenhouse
13 gas-emitting priorities that is designed to meet a statewide greenhouse gas emissions limit
14 established pursuant to this chapter, including but not limited to: (i) a system of market-based
15 declining annual aggregate emissions limitations for sources or categories of sources that emit
16 greenhouse gases; (ii) greenhouse gas emissions exchanges, banking, credits and other
17 transactions governed by rules and protocols established by the secretary or a regional program
18 that results in the same greenhouse gas emissions reduction, over the same time period, as direct
19 compliance with a greenhouse gas emissions limit or emission reduction measure adopted by the
20 executive office pursuant to this chapter; or (iii) a system of charges or exactions imposed to
21 reduce statewide greenhouse gas emissions in whole or in part.

22 SECTION 3. Said section 1 of said chapter 21N, is hereby further amended by inserting
23 after the definition of “Person” the following definition:-

24 “Rural municipality”, a city or town in which residents drive, on average, 130% or more
25 per year than the statewide average number of miles driven per household in the commonwealth.

26 SECTION 4. Said chapter 21N, as appearing in the 2016 Official Edition, is hereby
27 further amended by inserting after section 7 the following section:-

28 Section 7A. The secretary shall promulgate regulations establishing a market-based
29 compliance mechanism or combination of such mechanisms for: (i) the transportation sector;
30 provided, however, that the regulations shall, at a minimum, be designed to reduce passenger
31 vehicle and light duty truck emissions; (ii) the commercial, industrial and institutional sectors,

32 including but not limited to buildings and industrial, manufacturing and other business processes;
33 and (iii) the residential building sector.

34 Proceeds realized by a market-based compliance mechanism established pursuant to this
35 section shall be treated or disbursed as follows: (i) as rebates or refunds to residents and
36 employers of the commonwealth in proportion to the aggregate monies collected from residents
37 and employers; or (ii) as monies credited to the carbon pricing trust fund established in section
38 2WWW of chapter 29 of the General Laws, which monies shall be expended pursuant to said
39 section; provided, that the secretary may allocate a reasonable amount of proceeds to reimburse
40 the commonwealth for any direct costs incurred in the administration of activities authorized by
41 this section.

42 A market-based compliance mechanism or combination of mechanisms established
43 pursuant to this section (i) shall, by means of emissions containment reserves and other
44 appropriate program features, maximize the ability of the commonwealth to achieve the
45 greenhouse gas emissions limits established pursuant to this chapter; provided, that any charges,
46 exactions, allowances, or permits shall be set, imposed, allocated, auctioned, sold or authorized
47 so as to maximize the likelihood that, beginning in the first year of implementation, said charges,
48 exactions, allowances or permits shall result in a cost of emissions per metric ton of carbon
49 dioxide equivalent of not less than 15 dollars; provided, further, that said charges, exactions,
50 allowances, or permits shall be set, imposed, allocated, auctioned, sold or authorized so as to
51 maximize the likelihood that the cost of emissions per metric ton of carbon dioxide equivalent
52 will increase by five dollars each year, up to a ceiling of 60 dollars per metric ton of carbon
53 dioxide equivalent; (ii) shall allocate proceeds, rebates, refunds and monies so as to mitigate, or
54 avoid altogether, any net financial burden that would otherwise be imposed by said mechanism

55 on low- income residents, whether in urban, rural, or suburban municipalities; (iii) shall allocate
56 proceeds, rebates, refunds and monies so as to mitigate, or avoid altogether, any disproportionate
57 financial burden that would otherwise be imposed by said mechanism on residents of rural
58 municipalities who are not low-income; (iv) shall allocate proceeds, rebates, refunds, and monies
59 so as mitigate, or avoid altogether, any disproportionate and unreasonable financial burden that
60 would otherwise be imposed by said mechanism upon an economic subsector of the
61 commonwealth.

62 The secretary may promulgate regulations to enable and facilitate coordinated efforts
63 with other states or Canadian provinces to implement, join or expand market-based compliance
64 mechanisms involving multiple jurisdictions.

65 Section 7B. (a) The secretary shall make reasonable efforts to ensure that any charges,
66 exactions, allowances or permits created pursuant to section 7A of this chapter are set, imposed,
67 allocated, auctioned, sold or authorized at the earliest possible point in the supply or distribution
68 chain within the commonwealth.

69 (b) The secretary shall consider various calendar schedules for distributing any rebates,
70 refunds, proceeds and monies generated pursuant to section 7A of this chapter, including partial
71 or complete distributions early in a relevant revenue cycle.

72 (c) The secretary shall make all reasonable efforts to ensure that any charges, exactions,
73 allowances or permits created pursuant to section 7A of this chapter are set, imposed, allocated,
74 auctioned, sold or authorized prior to the occurrence of any fugitive emissions or any leaks due
75 to suboptimal storage or transmission within the commonwealth.

76 SECTION 5. Section 2ZZZ of chapter 29 of the General Laws, as so appearing, is
77 hereby amended by adding the following subsection:-

78 (f) In addition to those revenues credited annually to the fund under subsections (a) and
79 (c), and in addition to those revenues credited to the fund under subsection (e) for fiscal years
80 2015 through 2020, inclusive, there shall be credited to the fund any monies received from the
81 carbon pricing trust fund established by section 2WWWW of chapter 29 of the general laws. In
82 addition to expenditures made pursuant to appropriation and disbursements required by
83 subsection (d), all monies received from the carbon pricing trust fund shall be annually
84 distributed to the Massachusetts Bay Transportation Authority or a fund controlled by the
85 Authority and to regional transit authorities organized under chapter 161B or predecessor
86 statutes.

87 SECTION 6. Chapter 29 of the General Laws, as so appearing, is hereby amended by
88 adding the following 2 sections:-

89 Section 2WWWW. There shall be established and set up on the books of the
90 commonwealth a separate fund to be known as the carbon pricing trust fund, in this section
91 referred to as the fund, to be administered by the executive office of energy and environmental
92 affairs. There shall be credited to the fund any monies realized by a market-based compliance
93 mechanism established pursuant to section 7A of chapter 21N and not distributed as rebates or
94 refunds to residents and employers of the commonwealth. Such monies shall be annually
95 disbursed as follows: (i) 60 per cent to the Commonwealth Transportation Fund; (ii) 30 per cent
96 to be expended in the form of school aid in partial satisfaction of amounts due under chapter 70
97 of the General Laws; (iii) 5 per cent to the environmental health and justice trust fund established

98 in section 2XXXX of this chapter; and (iv) 5 per cent to support electric vehicle incentives,
99 including but not limited to rebates provided under the Massachusetts Offers Rebates for Electric
100 Vehicles program, also known as MOR-EV, or any successor or similar electric vehicle rebate
101 program. All monies allocated to the Commonwealth Transportation Fund pursuant to this
102 section shall be used to facilitate, directly or indirectly, reductions in greenhouse gas emissions
103 through investment in new public transportation infrastructure or other forms of clean
104 transportation.

105 Section 2XXXX. (a) There shall be established and set up on the books of the
106 commonwealth a separate fund to be known as the environmental health and justice trust fund, in
107 this section referred to as the fund, to be administered by the executive office of energy and
108 environmental affairs. There shall be credited to the fund certain sums disbursed by the carbon
109 pricing trust fund authorized by this chapter, as well as any appropriations made by the
110 legislature and any investment income earned on assets of the fund. The fund shall expend its
111 monies to assist communities identified as having significant pollution impacts and population
112 vulnerabilities compared to other communities in the commonwealth. Amounts remaining in the
113 fund at the end of the fiscal year shall not revert to the General Fund and shall be available for
114 expenditure in succeeding fiscal years.

115 SECTION 7. The regulations required pursuant to clause (i) of the first paragraph of
116 section 7A of chapter 21N of the General Laws shall be promulgated and in effect not later than
117 December 31, 2021.

118 SECTION 8. The regulations required pursuant to clause (ii) of the first paragraph of
119 section 7A of chapter 21N of the General Laws shall be promulgated and in effect not later than
120 December 31, 2022.

121 SECTION 9. The regulations required pursuant to clause (iii) of the first paragraph of
122 section 7A of chapter 21N of the General Laws shall be promulgated and in effect not later than
123 December 31, 2023.

Town of Concord
Pollinator Health Advisory Committee
Committee Charge

A. Background

Beekeepers and environmentalists are concerned about a possible link between neonicotinoids and the loss of honeybee populations and the decline in other pollinators. Many large-scale farmers praise the chemical as both effective and less toxic than many of the alternatives.

The science is still evolving on the toxicity and risks associate with the use of neonicotinoids. Several insecticides containing neonicotinoids have been found to be potentially toxic to honey bees and bumblebees, and other pollinators causing Colony Collapse Disorder (CCD).

Some studies suggest that CCD-mortality may be caused by bees' reduced resistance to mites or parasites that may also be related to exposure to pesticides.

The responsible use of neonicotinoid compounds is supported by many in the agricultural community in Concord as an appropriate way to deal with some insects and pests. There are differences of opinion, however, about the value of these compounds in comparison to their potential risk to the environment.

B. Purpose

The purpose of Pollinator Health Advisory Committee is to understand the regulatory framework for pesticide registration and use, to examine the issues and concerns surrounding the use of neonicotinoids, and to advise the Select Board on plan for a communications strategy for educating citizens, lawn care companies and farmers about the risks of these compounds to pollinators and advising on alternative best practices. The committee will review and / or revise town policies regarding the use of neonicotinoids on town owned land and review and / or propose town policies, if any, for the protection of pollinator habitats.

C. Membership

The Committee shall be comprised of seven members appointed by the Select Board. ~~The term of office shall be for one year,~~ and it is expected the Committee's work will be completed ~~within two years by~~ [May 2020](#). The members shall represent a diversity of perspectives relating to matters of public interest. The membership shall be as follows:

- One representative from the Agricultural Committee;
- One representative from the Natural Resources Commission or their designee;
- One representative from the Board of Health
- One citizen with knowledge of pollinators, entomology or similar field
- One citizen representing the beekeeping community
- Two citizens at-large

D. Duties and Responsibilities

1. To become familiar with the issues concerning the use of neonicotinoids and the current science involving pollinators;
2. To fully understand local, state and federal regulatory roles regarding the use of neonicotinoids;
3. To solicit public input on the subject through a variety of methods, including holding at least one public hearing early in the fact-finding process;
4. To determine whether any other communities have adopted policies concerning neonicotinoids and whether those policies might be beneficial for Concord;
5. To prepare a draft report by ~~February~~ September 2019, including recommendations for policies or actions the Town may take.
6. To submit a final report to the Select Board for possible future implementation.
7. To perform such other duties as the Select Board may request, including such tasks as the committee may propose to the Board as modifications to this committee charge.

E. Other Considerations

The Study Committee is responsible for conducting its activities in a manner that is in compliance with all relevant State and local laws and regulations, including but not limited to, the Open Meeting Law, Public Records Law and Conflict of Interest Law. The Committee shall consult with the Town Manager concerning the allocation of town staff or financial resources toward this effort.

F. Attachments

- A. Certified Vote taken on Article 48 of 2016 Annual Town Meeting.