

5/1/14

D R A F T

2014

ANNUAL TOWN MEETING

MOTIONS

**2014 ANNUAL TOWN MEETING MOTIONS
MAJORITY VOTE REQUIRED
UNLESS OTHERWISE SPECIFIED**

PRELIMINARIES

Sunday Motion

Mr. Wieand moves: to take up no new business after 5:30 PM and that when we adjourn, we adjourn and reconvene at 7:00 PM on May 5, 2014 in this hall.

Monday Motion

Mr. Wieand moves: to take up no new business after 10:00 PM and that when we adjourn, we adjourn and reconvene at 7:00 PM on May 6, 2014 in this hall.

CHOOSE TOWN OFFICERS

ARTICLE 1. Mr. Wieand moves: that Article 1 be left open for such other action thereunder as may be necessary and that the meeting take up Article 2.

HEAR REPORTS

ARTICLE 2. Mr. Wieand moves: that the Town accept the reports of the various Town Officers and Committees.

**ARTICLE 2
CONSENT CALENDAR**

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

Article 3	<p>MEETING PROCEDURE Affirmative Action Recommended By: Finance Committee and Board of Selectmen Motion: That the Town take affirmative action on Article 3 as printed in the handout applicable to the Article. Reason: Routine and noncontroversial; the motion will be identical to a motion passed annually and unanimously for more than thirteen years.</p>
Article 4	<p>RATIFY PERSONNEL BOARD CLASSIFICATION ACTIONS Affirmative Action Recommended By: Finance Committee, Board of Selectmen and Personnel Board Motion: That the Town take affirmative action on Article 4 as printed in the Warrant. Reason: Routine and noncontroversial.</p>
Article 5	<p>CLASSIFICATION & COMPENSATION PLAN FOR REGULAR-STATUS POSITIONS Affirmative Action Recommended By: Finance Committee, Board of Selectmen and Personnel Board Motion: That the Town take affirmative action on Article 5 as printed in the Warrant.</p>

	Reason: Routine; noncontroversial; 1.5% adjustment for AC, TCL, MP, EL and EM scales, 0% for SF and HS scales.
Article 6	PERSONNEL BYLAW - OTHER SPECIAL PAYS Affirmative Action Recommended by: Finance Committee, Board of Selectmen Motion: That the Town take affirmative action on Article 6 as printed in the Warrant. Reason: Noncontroversial at hearing. Update Bylaw to maintain competitive structure in municipal employment market.
Article 14	HIGH SCHOOL DEBT STABILIZATION FUND Affirmative Action Recommended by: Finance Committee, Board of Selectmen Motion: That the Town take affirmative action on Article 14 as printed in the Warrant. Reason: Noncontroversial at hearing. Place available monies into Stabilization Fund to help cushion future impact of high school construction debt service also use a portion to mitigate FY15 property tax increase.
Article 15	MINUTEMAN REGIONAL VOCATIONAL SCHOOL BUDGET Affirmation Action By: Finance Committee and Board of Selectmen Motion: That the Town raise and appropriate Concord's apportioned share of \$191,689 for the Minuteman Career and Technical School District assessment for the fiscal year ending June 30, 2015. Reason: Routine; noncontroversial. Concord sends seven of 431 member-town students, a 1.6% share by formula, less than our 2.2% share last year.
Article 19	FREE CASH USE Affirmative Action Recommended By: Finance Committee, Board of Selectmen Motion: That the Town take affirmative action on Article 19 to authorize and direct the Assessors to take \$850,000 from free cash to reduce the tax levy for the fiscal year ending June 30, 2015. Reason: Routine and noncontroversial; reduces future property tax rate; the specific amount is recommended by the citizen Finance Committee and is explained in the FinCom Report (p.44)
Article 21	PROPERTY TAX EXEMPTION Affirmative Action Recommended By: Finance Committee, Board of Selectmen and Board of Assessors Motion: That the Town take affirmative action on Article 21 as printed in the Warrant. Reason: Routine and noncontroversial (voted last year on Consent Calendar, passed unanimously annually since 2001).
Article 22	LIGHT PLANT PAYMENT IN LIEU OF TAXES Affirmative Action Recommended by: Finance Committee, Board of Selectmen and Light Board Motion: That the Town take affirmative action on Article 22 as printed in the Warrant in the sum of \$458,650. Reason: Routine and noncontroversial (on consent calendar past six years).
Article 23	LIGHT PLANT EXPENDITURES Affirmative Action Recommended By: Finance Committee, Board of Selectmen and Light Board Motion: That the Town take affirmative action on Article 23 as printed in the Warrant. Reason: Routine and noncontroversial (voted in previous years on consent calendar).
Article 24	ROAD REPAIR REVOLVING FUND EXPENDITURES Affirmative Action Recommended By: Finance Committee, Board of Selectmen and Public Works Commission Motion: That the Town take affirmative action on Article 24 as printed in the Warrant, in an amount not to exceed \$120,000. Reason: Routine and noncontroversial (revolving fund, voted last six years on consent calendar).
Article 25	SOLID WASTE DISPOSAL FUND EXPENDITURES Affirmative Action Recommended by: Finance Committee, Board of Selectmen, and Public Works Commission Motion: That the Town take affirmative action on Article 25 as printed in the Warrant. Reason: Routine and noncontroversial (enterprise fund, voted last six years on consent calendar).
Article 26	SEWER SYSTEM EXPENDITURES Affirmative Action Recommended by: Finance Committee, Board of Selectmen, and Public Works Commission Motion: That the Town take affirmative action on Article 26 as printed in the Warrant. Reason: Routine and noncontroversial (enterprise fund, voted last six years on consent calendar).
Article 27	SEWER IMPROVEMENT FUND EXPENDITURES Affirmative Action Recommended by: Finance Committee, Board of Selectmen, and Public Works Commission Motion: That the Town take affirmative action on Article 27 as printed in the Warrant. Reason: Routine and noncontroversial (enterprise fund, voted last six years on consent calendar).

Article 29	<p>BEEDE SWIM & FITNESS CENTER ENTERPRISE FUND; FY 2015 BUDGET AND FY2014 SUPPLEMENTAL APPROPRIATION</p> <p>Affirmative Action Recommended by: Finance Committee, Board of Selectmen</p> <p>Motion: that the Town appropriate \$2,747,441 for operating expenses and \$260,000 for capital expenditures including building improvements and equipment replacements of the Beede Swim and Fitness Center for the fiscal year beginning July 1, 2014, and further that the Town appropriate \$1,000,000 as a supplemental appropriation for the fiscal year that began July 1, 2013 to fund the purchase of capital equipment, including any necessary design, testing, engineering, planning and related expenses, to be expended under the direction of the Town Manager; and that to meet this appropriation the amount of \$2,525,804 is appropriated from the estimated fiscal year 2015 revenues and \$1,481,637 is appropriated from the certified undesignated fund balance as of July 1, 2013 of the Community Pool Enterprise Fund.</p> <p>Reason: Routine and noncontroversial (self-supporting enterprise fund, previously on consent calendar) plus replacing dehumidification system with more reliable and energy-efficient one.</p>
Article 31	<p>141 KEYES ROAD BUILDING IMPROVEMENTS</p> <p>Affirmative Action Recommended by: Finance Committee, Board of Selectmen</p> <p>Motion: That the Town take affirmative action on Article 31 as printed in the Warrant.</p> <p>Reason: Noncontroversial at hearing. Replace 20+ year old roof and HVAC system on 1899 building and relocate mechanical systems from wet basement area.</p>
Article 32	<p>PURCHASE AMBULANCE EQUIPMENT</p> <p>Affirmative Action Recommended by: Finance Committee, Board of Selectmen</p> <p>Motion: That the Town take affirmative action on Article 32 as printed in the Warrant.</p> <p>Reason: Noncontroversial at hearing. Purchase \$75,000 of life-saving and patient-care equipment necessary to operate the new \$200,000 West Concord ambulance being purchased with donated funds.</p>
Article 34	<p>HARVEY WHEELER COMMUNITY CENTER – HVAC SYSTEM AND INSULATION AND POLICE STATION IMPROVEMENTS</p> <p>Affirmative Action Recommended By: Finance Committee, Board of Selectmen</p> <p>Motion: That the Town take affirmative action on Article 34 as printed in the Warrant.</p> <p>Reason: Noncontroversial at hearing. Provides \$340,000 for Harvey Wheeler Community Center HVAC and insulation and \$85,000 for additional office space at the Walden St. Police Station.</p>
Article 35	<p>REGIONAL HOUSING SERVICES REVOLVING FUND</p> <p>Affirmative Action Recommended by: Finance Committee, Board of Selectmen</p> <p>Motion: That the Town take affirmative action on Article 35 as printed in the Warrant</p> <p>Reason: Noncontroversial at hearing. Creates a funding mechanism for Concord to take a three-year turn as lead community for five-town consortium started in 2011.</p>
Article 37	<p>GRANT OF RECREATION RESTRICTION AT 51 LAWS BROOK ROAD</p> <p>Affirmative Action Recommended by: Board of Selectmen</p> <p>Motion: That the Town take affirmative action on Article 37 as printed in the Warrant</p> <p>Reason: Noncontroversial at hearing. A housekeeping correction to conform 2012 Town Meeting CPA appropriation to state law by placing a permanent conservation restriction allowing for recreational use on playground parcel.</p>
Article 38	<p>AGRICULTURAL PRESERVATION RESTRICTION ON TOWN FARM LAND AT 449, 42A, 52A, AND 52X BARRETT'S MILL ROAD</p> <p>Affirmative Action Recommended by: Board of Selectmen</p> <p>Motion: that the Town take affirmative action on Article 38 as printed in the warrant, except that 52X Barrett's Mill Road be deleted from the article, and further authorize the Board of Selectmen and the Natural Resources Commission to grant said APR or CR and enter into all necessary agreements and take all necessary steps to effect said restriction.</p> <p>Reason: Noncontroversial at hearing. A housekeeping correction to conform 2013 Town Meeting CPA appropriation to State law by placing a permanent Agricultural Preservation or a Conservation Restriction on McGrath farmland.</p>
Article 41	<p>TRANSFER OF CUSTODY – PROPERTY AT 383 OLD BEDFORD ROAD</p> <p>Affirmative Action Recommended by: Board of Selectmen</p> <p>Motion: That the Town take affirmative action on Article 41 as printed in the Warrant</p> <p>Reason: Noncontroversial at hearing. A housekeeping action to transfer custody of an open space parcel from the Selectmen to the Natural Resources Commission, as required by the Zoning Board of Appeals in 2004.</p>

Article 47	<p>ZONING BYLAW AMENDMENT – FLOOD PLAIN CONSERVANCY DISTRICT Affirmative Action Recommended by: Board of Selectmen Motion: That the Town take affirmative action on Article 47 as printed in the Warrant Reason: Noncontroversial at hearing, where it was characterized as “almost housekeeping.” This keeps the Town in compliance with the National Flood Insurance Program requirements, keeping Concord eligible for disaster relief and avoiding Town suspension from the program.</p>
Article 49	<p>ZONING BYLAW AMENDMENT – REGISTERED MARIJUANA DISPENSARY Affirmative Action Recommended by: Board of Selectmen Motion: That the Town take affirmative action on Article 49 as printed in the Warrant Reason: Noncontroversial at hearing. Terminology modification to make Concord Bylaw consistent with State regulatory language.</p>
Article 51	<p>ZONING BYLAW AMENDMENT – HOUSEKEEPING/ CORRECTIONS Affirmative Action Recommended by: Board of Selectmen Motion: That the Town take affirmative action on Article 51 as printed in the Warrant Reason: Noncontroversial at hearing. Housekeeping changes to correct numbering, to conform to 2012 Town Meeting vote, and also allows future non-substantive numbering changes to be made without Town Meeting action.</p>
Article 52	<p>ZONING BYLAW AMENDMENT – WIRELESS FACILITY MODIFICATIONS Affirmative Action Recommended by: Board of Selectmen Motion: That the Town take affirmative action on Article 52 as printed in the Warrant. Reason: Noncontroversial at hearing. To reflect recent interpretations of the 1996 Telecommunications Act, Section 704, frees Zoning Board from reviewing non-substantial changes and equipment removal.</p>
Article 55	<p>2015 ROAD PROGRAM Affirmative Action Recommended by: Board of Selectmen, Finance Committee and Public Works Commission Motion: That the Town appropriate the sum of \$1,300,000 to be expended under the direction of the Town Manager for the design, repair, reconstruction or renovation of roads and streets within the town, including drainage and sidewalk improvements, and costs incidental or related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$1,300,000 under the provisions of Chapter 44, §7 of the Massachusetts General Laws, or any other enabling authority; and further to authorize the Town Manager to apply for, accept and expend state grants as may be available for the same purpose and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to the amount stipulated in such grant or grants under the provisions of Chapter 44, §§ 6 and/or 6A, of the Massachusetts General Laws, in anticipation of reimbursement of such amount; and that the Board of Selectmen and Town Manager are authorized to take any actions necessary or convenient to carry out this vote. Reason: Routine annual approval. Noncontroversial at hearing. Part of Town Manager five-year capital plan. Voted unanimously annually multiple years.</p>
Article 56	<p>STREET ACCEPTANCE – FINIGAN WAY Affirmative Action Recommended by: Board of Selectmen and Public Works Commission Motion: That the Town take affirmative action on Article 56 as printed in the Warrant. Reason: Noncontroversial at hearing. Authorizes the Public Works Commissioners to negotiate to accept this cul-de-sac and related utility, drainage and other easements, as a Town road.</p>
Article 58	<p>BY PETITION: TO SERVE ALCOHOLIC BEVERAGES Affirmative Action Recommended by: Board of Selectmen Motion: That the Town take affirmative action on Article 58 as printed in the Warrant. Reason: Noncontroversial at hearing. Authorizes the Board of Selectman to accept state law which provides for Sunday serving of alcoholic beverages after 10 am.</p>

Note to Moderator: 2/3 vote required.

MEETING PROCEDURE – Consent Calendar

ARTICLE 3. Mr. Hutchins moves: that the Town adopt a “Rule of the Meeting” Resolution as printed in the handout.

RATIFY PERSONNEL BOARD CLASSIFICATION ACTIONS – Consent Calendar

ARTICLE 4. Ms. Bates moves: that the Town take affirmative action on Article 4 as printed in the Warrant, with the understanding that no other changes were voted by the Personnel Board between January 2, 2014 and May 4, 2014.

CLASSIFICATION & COMPENSATION PLAN FOR REGULAR-STATUS POSITIONS – Consent Calendar

ARTICLE 5. Ms. Bates moves: that the Town take affirmative action on Article 5 as printed in the Warrant.

PERSONNEL BYLAW AMENDMENT – OTHER SPECIAL PAYS – Consent Calendar

ARTICLE 6. Ms. Bates moves: that the Town take affirmative action on Article 6 as printed in the Warrant.

TOWN BUDGET

ARTICLE 7. Mr. Wieand moves: that the Town raise and appropriate the Item Number amounts of money included in the column headed “Fiscal 2015 Proposal” and authorize the actions in the text following Item No. 41, as shown in Article 7 as printed in the Warrant beginning on page 11 and as printed in the Finance Committee report beginning on page 69, for the necessary and expedient purposes of the Town for the fiscal year ending June 30, 2015, and that the same be expended only for such purposes under the direction of the Town Manager.

PUBLIC SCHOOL BUDGET

ARTICLE 8. Ms. Gannon moves: that the Town raise and appropriate the sum of \$32,440,538 for the necessary and expedient purpose of the support of the public schools for the fiscal year ending June 30, 2015; and that the same be expended only for such purposes and under the direction of the Concord School Committee.

CONCORD PUBLIC SCHOOLS RENOVATIONS

ARTICLE 9. Mr. Benincasa moves: that the Town appropriate the sum of \$450,000 to be expended under the direction of the School Committee for remodeling, reconstructing or making extraordinary repairs, and related work, at various Concord Public School facilities; and that to meet this appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow \$450,000 under the provisions of Chapter 44, section 7(3A) of the Massachusetts General Laws or any other enabling authority.

Note to Moderator: 2/3 vote required

CONCORD PUBLIC SCHOOLS – SUPPLEMENTAL APPROPRIATION FOR CURRENT YEAR

ARTICLE 10. Ms. Snook moves: that the Town take affirmative action on Article 10 as printed in the Warrant in the sum of \$200,000, by transfer from Free Cash.

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

ARTICLE 11. Ms. Boynton moves: that the Town take affirmative action on Article 11 as printed in the Warrant in the sum of \$75,000

Note to Moderator: 2/3 vote required.

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

ARTICLE 12. Ms. Boynton moves: that the Town take affirmative action on Article 12 as printed in the Warrant in the sum of \$925,000.

Note to Moderator: 2/3 vote required

REGIONAL SCHOOL BUDGET

ARTICLE 13. Ms. Munn moves: that the Town raise and appropriate \$17,715,062 as the Town's apportioned share of the Concord-Carlisle Regional School District budget for the fiscal year ending June 30, 2015; and that the same be expended only for such purposes and under the direction of the Concord-Carlisle Regional School Committee.

HIGH SCHOOL DEBT STABILIZATION FUND – ADDITION AND USE – Consent Calendar

ARTICLE 14. Mr. Hutchins moves: that the Town appropriate the sum of \$750,000 from the certified Free Cash balance of June 30, 2013 and that the Treasurer transfer said funds into the Town of Concord's High School Debt Stabilization Fund established by vote under Article 2 of the November 7, 2011 Special Town Meeting and Article 6 of the April 24, 2012 Special Town Meeting, said transfer to occur at the earliest opportunity following the conclusion of the Town Meeting; and further that the Town appropriate the sum of \$500,000 from the High School Debt Stabilization Fund, to be expended under the direction of the Town Manager to pay a portion of Concord's share of debt service costs excluded from the property tax levy limit due and payable during fiscal year 2015.

Note to Moderator: 2/3 vote required

MINUTEMAN CAREER AND TECHNICAL HIGH SCHOOL BUDGET – Consent Calendar

ARTICLE 15. Ms. Flood moves: that the Town raise and appropriate the Town's apportioned share of \$191,689 for the Minuteman Career and Technical School District assessment for the fiscal year ending June 30, 2015.

AMENDMENTS TO THE DISTRICT AGREEMENT OF THE REGIONAL VOCATIONAL SCHOOL DISTRICT

ARTICLE 16. Ms. Flood moves: that the Town vote, consistent with Section VII of the existing "Agreement With Respect to the Establishment of a Technical and Vocational Regional School District" for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement as on file with the Town Clerk, which have been initiated and approved by a majority of the Regional School Committee and which have been submitted to the Board of Selectmen of each member town prior to its vote on this article.

BY PETITION RECALL BY TOWN MEETING

ARTICLE 17. No motion is expected.

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

ARTICLE 18. Mr. Benn moves: that the Town take affirmative action on Article 18 as printed in the handout.

FREE CASH USE – Consent Calendar

ARTICLE 19. Mr. Hutchins moves: that the Town authorize and direct the Assessors to take \$850,000 from free cash to reduce the tax levy for the fiscal year ending June 30, 2015.

UNPAID BILLS

ARTICLE 20. No motion is expected.
Note to Moderator: 4/5 vote required.

PROPERTY TAX EXEMPTION – Consent Calendar

ARTICLE 21. Mr. Sommers moves: that the Town take affirmative action on Article 21 as printed in the Warrant.

LIGHT PLANT PAYMENT IN LIEU OF TAXES – Consent Calendar

ARTICLE 22. Mr. Whelan moves: that the Town take affirmative action on Article 22 as printed in the Warrant in the sum of \$458,650.

LIGHT PLANT EXPENDITURES – Consent Calendar

ARTICLE 23. Mr. Whelan moves: that the Town take affirmative action on Article 23 as printed in the Warrant.

ROAD REPAIR REVOLVING FUND EXPENDITURES – Consent Calendar

ARTICLE 24. Mr. Whelan moves: that the Town take affirmative action on Article 24 as printed in the Warrant in an amount not to exceed \$120,000.

SOLID WASTE DISPOSAL FUND EXPENDITURES – Consent Calendar

ARTICLE 25. Mr. Whelan moves: that the Town take affirmative action on Article 25 as printed in the Warrant.

SEWER SYSTEM EXPENDITURES – Consent Calendar

ARTICLE 26. Mr. Whelan moves: that the Town take affirmative action on Article 26 as printed in the Warrant.

SEWER IMPROVEMENT FUND EXPENDITURES – Consent Calendar

ARTICLE 27. Mr. Whelan moves: that the Town take affirmative action on Article 27 as printed in the Warrant.

WATER SYSTEM EXPENDITURES

ARTICLE 28. Mr. Whelan moves: that the Town take affirmative action on Article 28 as printed in the Warrant.

**BEEDE SWIM & FITNESS CENTER ENTERPRISE FUND; FY 2015 BUDGET and FY2014
SUPPLEMENTAL APPROPRIATION – Consent Calendar**

ARTICLE 29. Mr. Whelan moves: that the Town appropriate \$2,747,441 for operating expenses and \$260,000 for capital expenditures including building improvements and equipment replacements of the Beede Swim and Fitness Center for the fiscal year beginning July 1, 2014, and further that the Town appropriate \$1,000,000 as a supplemental appropriation for the fiscal year that began July 1, 2013 to fund the purchase of capital equipment, including any necessary design, testing, engineering, planning and related expenses, said to be expended under the direction of the Town Manager; and that to meet this appropriation the amount of \$2,525,804 is appropriated from the estimated fiscal year 2015 revenues and \$1,481,637 is appropriated from the certified undesignated fund balance as of July 1, 2013 of the Community Pool Enterprise Fund.

FEASIBILITY STUDY AT 133, 135 AND 141 KEYES ROAD CAMPUS

ARTICLE 30. Mr. Whelan moves: that the Town appropriate the sum of \$150,000, to be expended under the direction of the Town Manager, for the purpose of undertaking a feasibility study and preliminary design for the renovation and expansion of facilities on the Keyes Road campus, including 133, 135, and 141 Keyes Road including the cost of design services consultants for engineering, surveying, geotechnical, architectural and related services; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$150,000 under the provisions of Chapter 44, section 7 of the Massachusetts General Laws, or any other enabling authority.

Note to Moderator: 2/3 vote required.

141 KEYES ROAD BUILDING IMPROVEMENTS – Consent Calendar

ARTICLE 31. Mr. Whelan moves: that the Town appropriate the sum of \$600,000, to be expended under the direction of the Town Manager, for the purpose of remodeling, reconstructing and making extraordinary repairs to the structure at 141 Keyes Road, including replacing the roof, heating cooling and ventilating systems, as well as original equipment and related work; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$600,000 under the provisions of Chapter 44, section 7 of the Massachusetts General Laws, or any other enabling authority.

Note to Moderator: 2/3 vote required.

PURCHASE OF AMBULANCE EQUIPMENT – Consent Calendar

ARTICLE 32. Mr. Whelan moves: that the Town appropriate the sum of \$75,000, to be expended under the direction of the Town Manager, for the purpose of purchasing equipment for a new ambulance donated to the Town and to be placed into service on or about July 1, 2014; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$75,000 under the provisions of Chapter 44, section 7 of the Massachusetts General Laws, or any other enabling authority.

Note to Moderator: 2/3 vote required.

WEST CONCORD INFRASTRUCTURE IMPROVEMENTS

ARTICLE 33. Mr. Whelan moves: that the Town appropriate the sum of \$100,000, to be expended under the direction of the Town Manager, for the purpose of reconstruction, renovation and improvement of streets, roads, sidewalks and related facilities in West Concord Center, including any necessary engineering design and surveying services; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$100,000 under the provisions of Chapter 44, section 7 of the Massachusetts General Laws, or any other enabling authority.

Note to Moderator: 2/3 vote required.

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

ARTICLE 34. Mr. Whelan moves: that the Town appropriate the sum of \$425,000, to be expended under the direction of the Town Manager, for the purpose of remodeling, reconstructing or making extraordinary repairs, including any necessary design services, original equipment and related work, to the Harvey Wheeler Community Center in West Concord and the Police Station on Walden Street; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$425,000, under the provisions of Chapter 44, section 7 of the Massachusetts General Laws, or any other enabling authority.

Note to Moderator: 2/3 vote required.

REGIONAL HOUSING SERVICES REVOLVING FUND – Consent Calendar

ARTICLE 35. Mr. Ng moves: that the Town establish a Regional Housing Services Revolving Fund in accordance with Massachusetts General Laws Chapter 44, Section 53E ½, and that the income from fees paid by member municipalities, in an amount not to exceed the sum of \$150,000, be expended under the direction of the Town Manager without further appropriation for the purposes of continuing the operation of a five-town consortium set up to assist member communities in managing affordable housing resources.

COMMUNITY PRESERVATION COMMITTEE APPROPRIATION RECOMMENDATIONS

ARTICLE 36. Mr. Toomey moves that pursuant to the recommendation of the Community Preservation Committee, the Town appropriate the sum of \$1,323,875 from the Concord Community Preservation Fund, of which up to \$75,875 shall be appropriated from unappropriated Fiscal Year 2014 Fund Revenues, and up to \$1,248,000 shall be appropriated from projected Fiscal Year 2015 Fund Revenues, in accordance with Chapter 44B of the Massachusetts General Laws, to be expended under the direction of the Town Manager as follows:

Item	Project/Description	Total Amount Recommended	Category	FY14 CPA Fund Revenues	FY15 CPA Fund Revenues
A	Town of Concord – Regional Housing Services Program	17,500	Community Housing		17,500
B	Concord Housing Development Corporation – Broadening Affordable Housing for Concord Program	125,000	Community Housing		125,000
C	Town of Concord – Heywood Meadow Stone Wall Reconstruction Project	88,000	Historic Preservation		73,000
			Open Space		15,000
D	The Trustees of Reservations - Old Manse Phased Interior Restoration and Preservation Program	45,782	Historic Preservation		45,782
E	Town of Concord – Rogers Land Slope Restoration	82,804	Open Space		82,804
F	Town of Concord - Bruce Freeman Rail Trail Phase 2B and 2C in Concord	250,000	Recreation		200,000
			Open Space		50,000

G	Concord Carlisle at Play, Inc. – Fields Renovation Project at Concord Carlisle High School	433,000	Recreation		433,000
H	Concord Children’s Center – Phase II Infrastructure and Accessible Elements for the Natural Playscape at Ripley	77,073	Recreation	75,875	1,198
I	Community Housing Reserve Fund	125,000	Community Housing		125,000
J	Historic Preservation Reserve Fund	15,000	Historic Preservation		15,000
K	Open Space Reserve Fund	34,716	Open Space		34,716
L	Town of Concord – Staff and Technical Support	30,000	Administrative		30,000
		\$1,323,875		\$75,875	\$1,248,000

GRANT OF RECREATION RESTRICTION AT 51 LAWS BROOK ROAD – Consent Calendar

ARTICLE 37. Ms. Woodward moves: that the Town take affirmative action on Article 37 as printed in the warrant.

Note to Moderator: 2/3 vote required.

AGRICULTURAL PRESERVATION RESTRICTION ON TOWN FARM LAND AT 449, 42A, 52A AND 52X BARRETT’S MILL ROAD– Consent Calendar

ARTICLE 38. Mr. Wieand moves: that the Town take affirmative action on Article 38 as printed in the warrant, except that 52X Barrett’s Mill Road be deleted from the article, and further authorize the Board of Selectmen and the Natural Resources Commission to grant said APR or CR and enter into all necessary agreements and take all necessary steps to effect said restriction.

Note to Moderator: 2/3 vote required.

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

ARTICLE 39. Ms. McGregor moves: That the Town take affirmative action under Article 39 as printed in the Warrant, except that the last paragraph as it appears in the Article shall be deleted and replaced by the following:

To the extent deemed possible and feasible by the Board of Selectmen: (a) there shall be no delay in the rail trail project, including actions for securing project funding and commencing construction on the current schedule; (b) missing studies or assessments, and the Work Plan, Implementation Plan and associated budget and schedule shall be attempted to be completed by assigned town staff prior to funding and construction deadlines; and (c) the partial or completed assessments/studies, Work Plan, Implementation Plan and associated budget and schedule shall be incorporated into specifications for, and be used to update, BFRT pre-construction site preparation, construction, post-construction and long-term user management and trail maintenance.

And further that the Town vote to raise and appropriate \$20,000 to be expended under the direction of the Town Manager for the specified purposes.

BY PETITION RESOLUTION ON FOSSIL FUEL DIVESTMENT

ARTICLE 40. Mr. Lawson moves: that the Town take affirmative action under Article 40, Resolution on Fossil Fuel Divestment, as printed in the handout, with changes from the Warrant shown in bold.

TRANSFER CUSTODY OF PROPERTY AT 383 OLD BEDFORD ROAD – Consent Calendar

ARTICLE 41. Ms. Kaufman moves: that the Town to take affirmative action on Article 41 as printed in the warrant.

Note to Moderator: 2/3 vote required.

SALE OF TOWN-OWNED LAND – 13B KEYES ROAD

ARTICLE 42. No motion is expected.

Note to Moderator: 2/3 vote required.

BY PETITION ZONING BYLAW AMENDMENT – FRONT YARDS

ARTICLE 43. No motion is expected.

Note to Moderator: 2/3 vote required.

BY PETITION ZONING BYLAW AMENDMENT – TRAILER AND MOBILE HOME

ARTICLE 44. No motion is expected.

Note to Moderator: 2/3 vote required.

BY PETITION ZONING BYLAW AMENDMENT – COMBINED BUSINESS/RESIDENCE

ARTICLE 45. No motion is expected.

Note to Moderator: 2/3 vote required.

ZONING BYLAW AMENDMENT – REVISE COMBINED BUSINESS/RESIDENCE USE

ARTICLE 46. Mr. Shipe moves: that the Town vote to take affirmative action on Article 46 as printed in the handout.

Note to Moderator: 2/3 vote required.

ZONING BYLAW AMENDMENT – FLOOD PLAIN CONSERVANCY DISTRICT – Consent Calendar

ARTICLE 47. Ms. Elden moves: that the Town vote to take affirmative action on Article 47 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

ZONING BYLAW AMENDMENT – TABLE III – DIMENSIONAL REGULATIONS

ARTICLE 48. Ms. Elden moves: that the Town vote to take affirmative action on Article 48 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

ZONING BYLAW AMENDMENT – REGISTERED MARIJUANA DISPENSARY – *Consent Calendar*

ARTICLE 49. Mr. Canally moves: that the Town vote to take affirmative action on Article 49 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

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

ARTICLE 50. Mr. Canally moves: that the Town vote to take affirmative action on Article 50 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

ZONING BYLAW AMENDMENT – HOUSEKEEPING/CORRECTIONS – *Consent Calendar*

ARTICLE 51. Mr. Canally moves: that the Town vote to take affirmative action on Article 51 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

ZONING BYLAW AMENDMENT – WIRELESS FACILITY MODIFICATIONS – *Consent Calendar*

ARTICLE 52. Mr. Shipe moves: that the Town vote to take affirmative action on Article 52 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

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

ARTICLE 53. Mr. Shipe moves: that the Town vote to take affirmative action on Article 53 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

BYLAW AMENDMENT – INCLUSIONARY HOUSING BYLAW

ARTICLE 54. No motion is expected.

2015 ROAD PROGRAM – *Consent Calendar*

ARTICLE 55. Mr. Smith moves: that the Town appropriate the sum of \$1,300,000 to be expended under the direction of the Town Manager for the design, repair, reconstruction or renovation of roads and streets within the town, including drainage and sidewalk improvements, and costs incidental or related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$1,300,000 under the provisions of Chapter 44, §7 of the Massachusetts General Laws, or any other enabling authority; and further to authorize the Town Manager to apply for, accept and expend state grants as may be available for the same purpose and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to the amount stipulated in such grant or grants under the provisions of Chapter 44, §§ 6 and/or 6A, of the Massachusetts General Laws, in anticipation of reimbursement of such amount; and that the Board of Selectmen and Town Manager are authorized to take any actions necessary or convenient to carry out this vote.

Note to Moderator: 2/3 vote required.

STREET ACCEPTANCE – FINIGAN WAY – Consent Calendar

ARTICLE 56. Mr. Fulman moves: that the Town take affirmative action on Article 56 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

DEMOLITION DELAY BYLAW AMENDMENT

ARTICLE 57. Ms. Kinkade moves: that the Town delete the existing bylaw in its entirety and to replace it with the bylaw as printed in the Warrant.

BY PETITION TO SERVE ALCOHOLIC BEVERAGES – Consent Calendar

ARTICLE 58. Mr. Krueger moves: that the Town take affirmative action under Article 58 as printed in the Warrant.

REVISED DOG BYLAW

ARTICLE 59. Mr. Macdonald moves: that the Town vote to adopt Article 59 as printed in the Warrant, with the following two changes:

- Section 3a – change the word “three” to “four”
- Section 3j – change to read as follows:

To be within the boundaries of the sections of Town cemetery property that are utilized and maintained for graves, including the paved roadways in the cemeteries, with the exception of a dog in attendance at an owner’s funeral service and held firmly on a leash;

AMENDMENT TO – REVISED DOG BYLAW

ARTICLE 59. Ms. Umphrey moves the following amendment to Mr. Macdonald’s motion:

To delete the proposed Section 3j and substitute the following:

To be within the boundaries of the Town cemetery property, except on the paved roadways of the Town cemetery property, which is allowed if the dog is held firmly on a leash of six feet or less. Appropriate signage shall be placed at all entrances to the cemetery that are visible from Bedford Street.