

**TOWN OF CONCORD
SELECT BOARD
AGENDA**

April 1, 2019 – 6:15 p.m. – Select Board Room – Town House

1.	6:15 p.m. – Call to Order
2.	Executive Session for the purposes of discussing Litigation (Estabrook Road) and review draft Executive Session minutes
3.	7 p.m. – Reconvene in Open Session
4.	Vote to Approve Settlement Agreement with Harvard University Concerning Estabrook Road Litigation
5.	Consent Agenda: <ul style="list-style-type: none"> • Town Accountant Warrants • One Day Special Licenses <ul style="list-style-type: none"> · Concord Museum 6/16 3pm-5pm 2 Lexington Road Malt Only · 51 Walden Inc. 4/6 7pm-11pm 54 Walden Street Wine & Malt • Minutes – 2/26 PH, 3/4, 3/11 • Proclamations <ul style="list-style-type: none"> · National Library Week April 7-17
6.	Approve Executive Session Minutes
7.	Town Manager's Report
8.	Chair's Report
9.	Annual Request to Fire Town Cannons at Public Ceremonies – Concord Independent Battery
10.	Request to Fire Town Cannons at USS Constitution Event, Melvin Memorial Rededication & Meriam Corner Exercise – Concord Independent Battery
11.	Discuss Article 16 Concord-Carlisle Regional High School Capital Projects
12.	Take Positions on Warrant Articles #16, 23, 25, 26
13.	Review & Approve Concord Middle School Statement of Interest to Massachusetts School Building Authority for 2019
14.	Review & Approve Middle School Building Committee charge
15.	Discuss letter re: Route 2 Rotary Improvements
16.	Review Board plans for Town Meeting presentations and statements
17.	Public Comments
18.	Committee Liaison Reports
19.	Miscellaneous/Correspondence
20.	Committee Nominations: Katharine Mast of 38 Blueberry Lane to the Historic Districts Commission as Associate member; Kate McEaney of 30 Union Street to the Planning Board
21.	Committee Appointments:
22.	Adjourn

PENDING

April 8, 9, 10, 11		6:30 pm	Select Board Meeting	CCHS – Room 242
April 8, 9, 10, 11		7 pm	Town Meeting	CCHS – Gymnasium
Monday	April 15	All Day	Patriots Day	Town Offices Closed
Monday	April 22	7 pm	Select Board Meeting	Town House
Monday	May 6	7 pm	Select Board Meeting	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 – April 1, 2019

Applicant Name & License Number	Phone Number	Date	Location	Type of Alcohol	Event Details
19-40 51 Walden Inc.	978 369-7911	4/6	54 Walden Street	Wine & Malt	Event Coordinator: Carole Wayland Bartenders: Carole Wayland Under 21: No First License in Concord: No
19-41 Concord Museum	978 369-9763	6/16	2 Lexington Road	Malt Only	Event Coordinator: Allison Schilling Bartenders: Allison Shilling Under 21: Yes First License in Concord: No

**National Library Week 2019
Proclamation**

WHEREAS, today's libraries are not just about books but what they do for and with people;

WHEREAS, libraries of all types are at the heart of cities, towns, schools and campuses;

WHEREAS, libraries have long served as trusted and treasured institutions where people of all backgrounds can be together and connect;

WHEREAS, libraries and librarians build strong communities through transformative services, programs and expertise;

WHEREAS, libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy;

WHEREAS, libraries promote civic engagement by keeping people informed and aware of community events and issues;

WHEREAS, librarians and library workers partner with other civic organizations to make sure their community's needs are being met;

WHEREAS, libraries and librarians empower their communities to make informed decisions by providing free access to information;

WHEREAS, libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational resources that transform lives and strengthen communities;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

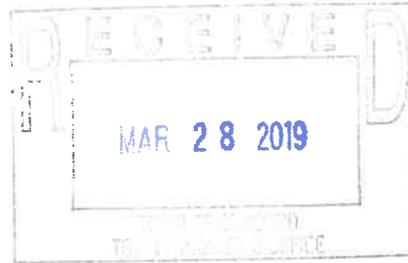
NOW, THEREFORE, be it resolved that we the Concord Select Board proclaim National Library Week, April 7-13, 2019. We encourage all residents to visit the Concord Free Public Library this week and explore what is new at your library, and engage with your librarian. Because of you and our library leaders, Libraries Transform.



CONCORD, MASSACHUSETTS 01742

March 28, 2019

Town of Concord
22 Monument Square
P. O. Box 535
Concord, MA 01742



Attn: Mr. Christopher Whelan
Town Manager

Re: Application for Permission to Fire Town of Concord Cannons at 2019 Town Celebrations and Ceremonies on April 6th, April 15th, April 19th, May 27th, November 11th and at the Battery Test Fire April 6th. Application to support the USS Constitution Vietnam War Ceremony on May 17th and the Melvin Memorial Rededication Ceremony on June 16th.

Dear Chris,

I am writing pursuant to the terms of the contract between the Town and the Battery to request Select Board permission to fire the cannons at this year's annual ceremonies: Meriam's Corner Exercise (April 6th), Patriots Day (April 15th), Dawn Salute (April 19th), Memorial Day (May 27th) and Veterans Day (November 11th). I seek the Board's permission to fire the cannons at our annual test fire exercise which will be held at the Old Manse property on Saturday morning April 6th. We further request permission to use the Town's cannon in conjunction with the USS Constitution ceremony honoring Vietnam War veterans to be held May 17th at Fort Independence, Boston and at the Rededication of the Melvin Memorial at Sleepy Hollow Cemetery to be held on June 16th.

Enclosed with these requests are the following documents required by the contract:

1. Master Training Record for Active Battery Members for the period of April 1, 2018 to March 27, 2019.
2. Copy of Certificate of Liability Insurance evidencing coverage for the Town and the Battery.



CONCORD, MASSACHUSETTS 01742

3. Invitation from the Concord Public Ceremonies and Celebrations Committee to fire at the above ceremonies.
4. Copies of Commonwealth of Massachusetts cannon firing permits issued by Concord Fire Department.
5. List of proposed demonstration sites.
6. Copies of Alcoholic Beverage and Controlled Substance Abstinence Agreements executed by all Active Members listed on the Master Training Record.
7. Copies of the Fire Chief and Police Chief packets outlining plans for each event for placements of cordons and field pieces. On file at their respective departments.
8. A copy of the letter of request from the USS Constitution Vietnam War Commemoration Staff
9. A copy of the Melvin Memorial Rededication planning memo.

Pursuant to discussions with your office, the Battery's request for permission to fire the Town's cannon is on the agenda for the Select Board meeting on Monday April 1st.

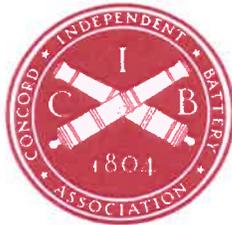
Please do not hesitate to call me if you have any questions. I can be reached at (508) 833-6156 or (508) 631-1277 (cell). You can email me at
Thank you for your assistance.

Sincerely,

James E. Finigan

President, Concord Independent Battery Association, Inc.

Cc: Cpt. Peter Myette, CIB
Philip Kenney, CIB

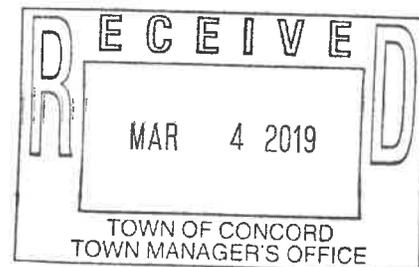


THE CONCORD INDEPENDENT BATTERY, INC.

Post Office Box 1804, Concord, Massachusetts 01742

February 27, 2019

Town of Concord
22 Monument Square
P. O. Box 535
Concord, MA 01742



Attn: Mr. Christopher Whelan
Town Manager

Re: Request for permission to support USS Constitution Vietnam War Period
Veterans Ceremony – May 17, 2019

Dear Chris,

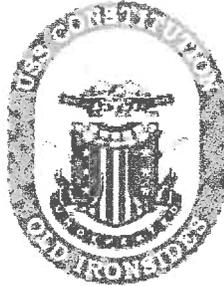
I am writing pursuant to the terms of the contract between the Town and the Concord Independent Battery to request Select Board permission to transport the Town's two historic cannon to Boston for participation in the ceremony scheduled for May 17, 2019. We have received the enclosed letter of request from the Department of the Navy and if approved, the Battery would fire from Fort Independence, Castle Island in Boston on May 17. The Battery has participated in events at this location including salutes to the USS Constitution, USS Mesa Verde, Vietnam Veterans and the commissioning of the USS Thomas Hudner.

Please do not hesitate to contact me if you have any questions. I can be reached at (508) 833 – 6156 or (508) 631 – 1277.

Thank you for your assistance.

Sincerely,

James E. Finigan
President, Concord Independent Battery Association



President, Concord Independent Battery Association,

Mr. Finigan, on behalf of the Vietnam War Commemoration and Director, Navy Staff, Ms. Stephanie Easter, I cordially extend an invitation for you and the Concord Independent Battery to participate in the first underway demonstration of the 2019 season with "Old Ironsides," USS CONSTITUTION. The purpose of this year's first underway is to say "THANK YOU" to Vietnam War Period Veterans for their sacrifice to the nation 50 years ago. The Concord Independent Battery's return salute from Fort Independence is continually one of the highlights for our guests onboard the ship, and I would be exceptionally grateful if you and your members could fill that role again this May. The ship will be transiting through Boston's Inner Harbor on Friday, 17 May, and passing Castle Island at approximately 1130. I would also invite you to participate alongside the Massachusetts's National Guard 101st Field Artillery, in our six additional underway demonstrations throughout the year. Thank you for your continued support to CONSTITUTION and our beloved city. We look forward to working with you in the coming sailing season!

Very Respectfully,


Nathaniel R. Shick
CDR USN
75th in Command

Andrew Mara

From: Michael Lawson
Sent: Thursday, March 28, 2019 10:32 AM
To: Thomas Mckean
Cc: Andrew Mara
Subject: Affordable housing

Tom

Alice and I would like to present changes in articles 25 and 26. I have included the changes we want to make before and would like to ensure that this is an agenda item for Monday.

Article 25: AUTHORIZE SPECIAL LEGISLATION – REAL ESTATE TRANSFER FEE FOR AFFORDABLE HOUSING

SECTION 2. The following transfers of real property interests shall be exempt from the fee established in Section 1:

Amendment 1: Remove (i) under Section 2.

Add in its place, "There is hereby imposed a real estate transfer fee, hereafter "the fee", equal to 1 per cent of the portion of the purchase price exceeding \$600,000 upon the transfer of (i) any real property interest in any residential property situated in the Town of Concord...."

Amendment 2: Add: transfers on properties with an affordable housing restriction that limits the resale value of the property.

Article 26: AUTHORIZE SPECIAL LEGISLATION – BUILDING PERMIT FEE SURCHARGE FOR AFFORDABLE HOUSING

SECTION 1.

Amendment: Remove "(ii) exceeds a minimum number of square feet to be determined from time to time by the Select Board of the Town."

Add: "Said surcharge shall be assessed based on the construction value of improvements to the land

Mike

Michael Lawson

Select Board Recommendations/Positions/Comments
Recommendations for inclusion in the FinCom Report - updated 3/19/19

Article #	Article Name	In Favor	Not In Favor	Report at TM	No Action
1	Choose Town Officers				
2	Hear Reports				
3	Meeting Procedure	X (5-0)			
4	Ratify Personnel Board Classification Actions	X (5-0)			
5	Classification & Compensation Plan for Regular Status Positions	X (5-0)			
6	Town Budget	X <i>(5-0) in the amount of \$49,052,504 as printed in warrant</i>			
7	Appropriate Funds -- Municipal Capital Projects	X <i>(5-0) in the amount of \$3,950,000 as printed in warrant</i>			
8	Authorize Expenditure of Revolving Funds under MGL Chapter 44, Section 53E ½	X (5-0)			
9	Authorization to Accpet M.G.L. ch.32B, §20 -- Other Post-Employment Benefits (OPEB) Liability Trust Fund	X (5-0)			
10	Minuteman Regional Technical High School District Budget	X <i>(3-0, AK & ML absent) in the amount of <u>\$1,073,368</u></i>			
11	Concord Public Schools Budget	X <i>(3-0, JH & ML absent) in the amount of \$39,390,163 as printed in warrant</i>			
12	Concord Public Schools Capital Projects	X <i>(5-0) in the amount of \$900,000 as printed in warrant</i>			
13	Authorization to Accept M.G.L. ch.71 §71E -- School Property Fund	X <i>(3-0, JH & ML absent)</i>			
14	Concord Middle School Feasibility Study	X <i>(5-0) in the amount of \$1,500,000 as printed in warrant</i>			

Select Board Recommendations/Positions/Comments
Recommendations for inclusion in the FinCom Report - updated 3/19/19

15	Concord-Carlisle Regional High School Budget	X (3-0, JH & ML absent) in the amount of \$23,344,987 as printed in warrant			
16	Concord-Carlisle Regional High School Capital Projects				
17	Use of Free Cash	X (5-0) in the amount of \$1,000,000 as printed in warrant			
18	General Bylaw Amendment - Sustainable Growth Rate	No Motion Expected			
19	General Bylaw Amendment - Town Meeting Notice	X (3-0, AK & ML absent)			
20	General Bylaw Amendment - Records Management	X (3-0, AK & ML absent)			
21	Acceptance of M.G.L. ch.54, §16A -- Election Vacancy Appointments	X (3-0, AK & ML absent)			
22	Community Preservation Committee Appropriation Recommendations	X (3-0, JH & ML absent) in the amount of \$1,811,419 as printed in warrant			
23	Appropriate Funds -- Affordable Housing Development				
24	Authorization to Accept M.G.L. ch. 44 § 55C -- Municipal Affordable Housing Trust Fund	X (5-0)			
25	Authorize Special Legislation -- Real Estate Transfer Tax for Affordable Housing	X (4-1, TM oppose AA)			
26	Authorize Special Legislation - Building Permit Fee Surcharge for Affordable Housing	X (5-0)			
27	Authorize Transfer of a Portion of the Property at 369 Commonwealth Avenue for Affordable Housing	X (3-0, AK & ML absent)			
28	PETITION: Adopt a Moratorium of Synthetic Turf on Town Property	X (3-0, AK & ML absent)			

Select Board Recommendations/Positions/Comments
Recommendations for inclusion in the FinCom Report - updated 3/19/19

29	Zoning Article Amendment - Formula Business				X (4-1, JH favor AA)
30	Zoning Article Amendment - Personal Wireless Communications Facility Overlay District Map	X (3-0, AK & ML absent)			
31	Zoning Bylaw Amendment - Handicapped Parking	X (3-0, AK & ML absent)			
32	Zoning Bylaw Amendment - Groundwater Conservancy District	X (3-0, AK & ML absent)			
33	Zoning Bylaw Amendment - Marijuana Establishment Temporary Moratorium	X (3-0, AK & ML absent)			
34	Zoning Bylaw Amendment - Nonconforming Single & Two Family Residential Structures	X (3-0, AK & ML absent)			
35	Zoning Bylaw Amendment - Fairs, Bazaars, Antique Shows etc.	X (3-0, AK & ML absent)			
36	Zoning Bylaw Amendment - Flood Plain Conservancy District Map	X (3-0, AK & ML absent)			
37	Zoning Bylaw Amendment - Large Ground-Mounted Solar Table of Uses	X (3-0, AK & ML absent)			
38	Light Plant Expenditures & Payment In Lieu of Taxes	X (5-0)			
39	Solid Waste Disposal Fund Expenditures	X (5-0)			
40	Sewer System Expenditures	X (5-0)			
41	Sewer Improvement Fund Expenditures	X (5-0)			
42	Water System Expenditures	X (5-0)			
43	Debt Authorization: Water Main Replacement	X (5-0)			
44	Authorize Expenditure from PEG Access and Cable-Related Fund	X (5-0)			

Select Board Recommendations/Positions/Comments
Recommendations for inclusion in the FinCom Report - updated 3/19/19

45	Beede Swim & Fitness Center Enterprise Fund Expenditures	X (5-0)			
46	Unpaid Bills	No Motion Expected			

REQUIRED FORM OF VOTE TO SUBMIT A STATEMENT OF INTEREST

REQUIRED VOTES

If the SOI is being submitted by a City or Town, a vote in the following form is required from both the City Council/Board of Aldermen **OR** the Board of Selectmen/equivalent governing body **AND** the School Committee.

If the SOI is being submitted by a regional school district, a vote in the following form is required from the Regional School Committee only.

**Current votes for each SOI submission are required.*

FORM OF VOTE

Please use the text below to prepare your City's, Town's or District's required vote(s).

Resolved: Having convened in an open meeting on **April 1, 2019** and March 26, 2019, prior to the SOI submission closing date, the Select Board and the School Committee of Concord, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 9th for the Concord Middle School located at 835 Old Marlboro Road and 1231 Old Marlboro Road which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for priorities #2, #5, and #7, with deficiencies as follows: Priority #2. Elimination of severe overcrowding, this condition has been addressed by use of an elementary school being converted to use as the second middle school building in 1967, Priority #5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility, the two buildings that serve as the Middle School have significant capital requirements with roofing, HVAC and other systems reaching obsolescence after nearly 50 years, Priority #7 Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; having two buildings located a mile apart requires duplication of many services and increases staffing costs significantly; these funds could be used to improve the direct educational experiences of the Middle School students housed in the Peabody and Sanborn buildings; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

DOCUMENTATION OF VOTE

Documentation of each vote must be submitted **in hard copy** to the MSBA as follows:

- 1) For the vote of the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body, a copy of the text of the vote must be submitted **with a certification** of the City/Town Clerk that the vote was duly recorded and the date of the vote must be provided.

- 2) For the vote of the School Committee, Minutes of the School Committee meeting at which the vote was taken must be submitted **with the original signature** of the Committee Chairperson.

**TOWN OF CONCORD
CONCORD MIDDLE SCHOOL BUILDING COMMITTEE**

A. Purpose

The Concord Middle School Building Committee is charged by the Select Board to undertake a Feasibility Study to explore the construction of a single new Middle School Building to replace the two existing facilities. The committee is also charged to begin the schematic design process for a new school building based on the findings of the Feasibility Study. Funding for the Feasibility and Schematic Design has been proposed in Article 14 of the 2019 Annual Town Meeting warrant. It is anticipated that the Town will be asked at a later time to approve full design and construction funding for the new school and, should such funding be approved, the Committee shall anticipate serving as the construction oversight body as well. The Committee has final authority on all design decisions and will make recommendations to the Town Manager on all financial, contractual and schedule matters. The Building Committee shall be the point of contact for all community groups for all issues regarding the project.

B. Membership and Operations

The Middle School Building Committee shall be appointed by the Select Board to coordinate and facilitate the design and possibly the eventual construction of a new Middle School. The committee shall have thirteen voting members. In accordance with School Building Authority requirements, which are subject to revision, the membership shall be as follows:

- One Member or designee of the School Committee
- One member of the Select Board
- the Town Manager
- the Superintendent of Schools
- the School Facilities Manager
- the Middle School Principal
- a Representative of the Finance Department/Committee
- One resident knowledgeable in field of sustainable building design and operation
- Five community residents at-large

The community members shall bring as many of the following areas of expertise as possible: general construction, HVAC expertise, architectural, financial, recreation, and education technology.

The Committee shall elect a chair, keep minutes of its deliberations, observe the Open Meeting and Public Records law, and comply with other laws and regulations fostering a free and open discussion of ideas.

Building Committee members shall serve through completion of the project. In the event that any Building Committee member is not able to serve through the completion of the project, the Select Board shall be notified, so an appropriate replacement can be found.

Staff assistance for the committee shall be coordinated through the Town Manager and the Superintendent of Schools.

Committee members will strive to avoid any conflict-of-interest or appearance of a conflict of interest. To this end, members are instructed to advise the Select Board immediately should they be considering employment with or a contract for services with any contractor or subcontractor working on the Willard School project.

C. Powers and Duties

The Middle School Building Committee shall coordinate the design and eventually will monitor the construction of the new Middle School building through occupancy, and including the demolition of the old Sanborn building, the construction of playing fields and landscaping, as appropriate. Specific duties will include:

During Design Phase:

- Assist with the Selection of a Project Manager, who will serve as the Owner's Representative for the project, during both design and construction;
- Issue a Request for Proposals for Design services; interview several designers and make a recommendation to the Town Manager for a contract for design services;
- Review the educational specifications as recommended by the School Committee;
- Solicit input from school staff, parents, neighbors of the school and the community as a whole concerning the design of the new building, including any public spaces.
- Foster a discussion of sustainable building design concepts as they may relate to this project and incorporate the concepts as the Committee deems appropriate into the final design;
- Consider any "lessons learned" or other useful experienced gained from earlier school construction projects;
- Ensure the development of an accurate construction cost-estimate to be used when recommending construction funding to Town Meeting and the voters;
- Develop a projected construction schedule to include estimated completion and occupancy dates, timing for the demolition of the existing Willard building, and full completion of the project.
- Understanding that state reimbursement is not a certainty and that the Willard project is proceeding during the moratorium on school building funding, the committee will monitor the substantive steps and actions set forth in 964 CMR 2.00, will work in the spirit of those regulations, following the model set forth therein of collaboration between the School building Authority and local community represented by the Town Manager and the School Committee, will notify the Authority in advance of each new step proposed, and seek, but not necessarily await, guidance from the Authority, all with a view towards maximizing the Town's opportunity to have the project deemed eligible under the School Building Assistance Program.
- Descriptively document, in writing and in photographs, the state of the existing Willard building, and review with and submit those materials to the Massachusetts School Building Authority.

During the Feasibility Study Phase

- Develop a process for the selection of the Owner's Project Manager and recommend to the Town Manager the awarding of a contract to the selected OPM;
- Review and approve the RFP for the selection of a qualified professional or firm to conduct the Feasibility Study.
- Review the responses to the RFP, select the person or firm most qualified to perform the work, and recommend to the Town Manager the award of a contract to the selected firm;
- Review the draft Feasibility Study Report and suggest changes and refinements to be incorporated in the Final Report;
- Implement a process for selecting a design firm to undertake schematic design for a new Middle School, based on the findings of the Feasibility Study. Interview firms responding to the RFP/RFQ for design services and recommend the selected firm for award of a contract by the Town Manager;

During Design and Construction Phase:

- Supervise architect(s) to prepare construction documents and all architectural services during construction;
- Assist the School and Finance Departments in development of documents for School Building Authority (SBA) reimbursement, if appropriate.
- Review construction bids and recommend a general contractor or contractors to the Town Manager who will approve and execute all contracts;
- Monitor the construction of the building;
- Evaluate for cost and effectiveness all proposed change orders and recommend to the Town Manager approval of change orders;
- Recommend to the Town Manager the payment of contractor requisitions;
- Manage the work of the architectural firm and its consultants and recommend action by the Town Manager as it relates to the firm's contract with the Town, including payments, negotiations and change-orders or contract modifications;
- Complete the project on schedule, within budget, and minimize the expenditure of contingency funds;
- Serve as the point of contact for all individuals and community groups for all issues regarding the project, including but not limited to safety policies and procedures for building and site users, an occupancy plan, communication, etc.;
- Establish regular communication channels with the Town, Middle School families, and neighbors regarding the project progress through periodic notices and public meetings. Actively solicit the comments of neighbors and interested parties by dedicating one meeting early in the design phase to hearing the concerns of neighbors and other interested individuals.
- Provide these same services as they relate to Phase 2, if any, for the removal of the existing Middle School, as appropriate;
- Make a final report to the Select Board and School Committee upon substantial completion of the project. The report shall include information concerning final costs for

the project, the status of SBA reimbursement applications, if any, and any recommendations the Committee may have concerning on-going operation and maintenance of the building. The report may also include any recommendations from the Committee concerning lessons learned from this project that may be applicable to future Town construction projects.

D. Other Considerations

The Committee will comply with the provisions of the Open Meeting Law, the Public Records Law the Conflict of Interest Law and all other applicable laws and regulations of the Commonwealth, as well as all relevant Bylaws and Administrative Policies of the Town.

Communications

In order to ensure a successful building project, the Committee will work with the following individuals and groups.

The Town Manager

The Town Manager has final approval regarding all financial matters and is responsible for all contracts related to the project. The Middle School Building Committee shall have primary responsibility for making decisions and recommendations related to the project. Therefore, the Committee will:

- Engage the Town Manager throughout project as needed.
- Recommend approval of all changes to schedule and cost to the Town Manager.
- Recommend the payment of all contractor requisitions to the Town Manager.
- Review construction bids and make recommendation of a general contractor to the Town Manager.
- Solicit bids and recommend appropriate consultants/contractors to the Town Manager, including Project Manager and owner representatives.
- Although the Town Manager is the official spokesman for the Town, the Building Committee will speak about the building project on behalf of the Town Manager by agreement and where appropriate.
- Expect the Town Manager through the Town Finance Director to maintain and monitor total project cash flow, balance sheet, and budget projections.
- Expect that the Town Manager will designate appropriate channels of communication between Town and School Departments regarding safety, operational, and other issues.
- Ensure that the Project Manager and architect maintain careful records of project activities in order to maximize the opportunity for the Town to secure State funding for a portion of the project costs if possible.
- Maintain regular contact with the Finance Department to ensure proper accounting of all expenditures and maximum opportunity to secure State reimbursement

Elected Officials and appointed Committees

The Committee will:

- Report on progress (i.e. budget, schedule, important decisions) to the Select Board and School Committee on a quarterly basis.
- Confirm the School Committee's recommendation on items such as the technology plan where appropriate and within the established budget.
- Update the Finance Committee concerning the financial aspects of the project from time to time. The Committee anticipates that a Finance Committee Observer will regularly attend meetings.

Town and School Staff

The Committee will:

- Expect that the School Superintendent will identify an appropriate interface between the school department and the construction project. The representative of the School Department will be present at Middle School Building Committee meetings and will attend construction meetings where appropriate.
- Expect that the Middle School Principal will attend Committee meetings and construction meetings where appropriate. The Principal will relay problems and issues from staff, families and neighbors for Committee consideration and resolution.
- Expect that the School Department will maintain an organized central file of original and substantive documents throughout the project sufficient to satisfy SBA auditing, if appropriate, as well as Town audit requirements.

The Project Management (PM) Firm

On behalf of the Town Manager, the Committee shall be responsible to supervise the work of the Project Manager. The Committee will have a designee available to receive questions and issues during site meetings and during normal working hours. Responsibilities for this task may rotate.

The PM will:

- Perform on a day-to-day basis the duties of an Owner's Representative including safety inspections, construction mitigation, dispute resolution, and move assistance.
- Represent the best interests of the Town of Concord and Middle School Building Committee on a day-to-day basis throughout the project.
- Keep the committee fully informed regarding all matters affecting the successful outcome of the building project, including change orders, missed dates, poor communications, etc., throughout the life of the project.
- Evaluate and make recommendations on requisitions and potential changes in cost and schedule.
- Organize and maintain construction records, shop drawings and files to supplement the Town files at the conclusion of the project. Upon completion, the PM will provide a digitized set of as-built plans to the Building Commissioner's Office, as well as a printed copy.
- Develop regular communications to the community.

The Architectural Firm

The Middle School Building Committee expects that the designer will:

- Attend all appropriate Middle School Building Committee meetings and communicate all necessary information on a timely basis to the Middle School Building Committee and PM firm.
- Evaluate Change Order requests.
- Provide requisition approval, construction clarifications and construction observation, among other services, consistent with its contractual requirements.

Construction Reform

The Middle School Building Committee shall keep abreast of any potential reform to construction laws at the State level. The committee shall review such reforms that may apply to the project and apply them if the committee determines that they are appropriate and they would reduce costs without causing delay in the schedule.

Thomas McKean, Chair
Select Board

Date

CONCORD PUBLIC WORKS
DIRECTOR'S OFFICE
133 Keyes Road
Concord, MA 01742

Tel: (978) 318 - 3201
Fax: (978) 287 - 4762



DATE: March 29, 2019

MEMORANDUM

TO: Christopher Whelan, Town Manager

FROM: Richard Reine, Public Works and Engineering Director

SUBJECT: Route 2 Rotary, Long Range Transportation Plan. Select Board Support

As we discussed, the Boston Region Metropolitan Planning Organization (MPO) is responsible for conducting the federally required transportation planning process for the Boston metropolitan area. The MPO region encompasses 97 communities, including Concord. The MPO has 22 voting members which cooperatively select transportation programs and projects and develop the Long Range Transportation Plan (LRTP) and TIP (Transportation Improvement Program). The MPO expects to program \$2.85 billion dollars in transportation programs and projects over the next 25 years.

Concord has benefited greatly through this program with funding provided for various roadway and bridge reconstruction project in Concord (Route 62 multiple Phases, Flint Bridge, Pine Street Bridge and Heath's Bridge) along with the larger MassDOT sponsored Crosby's Corner Project. The Rotary Reconstruction Project is also a larger project which was formerly on the Long Range Plan but due to budget constraints and funding limitations was removed.

Every 4 years the Boston MPO develops the next LRTP and is currently undertaking this process anticipating adopting the Destination 2040 Long Range Plan over the summer of 2019. The project selection process is the next phase in the LRTP development process. Central Transportation Planning Staff (CTPS) presented the "Universe of Projects" list to the MPO at their meeting in December 2018. This list includes all potential projects for funding that cost more than \$20 million and/or add capacity to the transportation system. These projects must be listed in the LRTP before they can be programmed for construction in the Transportation Improvement Program (TIP). The "Universe of Projects" list includes MassDOT approved projects as well as conceptual projects that have been identified by the public, municipal proponents, or through analysis in the LRTP Needs Assessment. CTPS have compiled information on each of the projects in this list based on feedback from project proponents, including Concord. This information is then used by the MPO in their deliberations on project selection for the recommended LRTP.

The MPO is scheduled to meet in April to review projects and has invited communities and project advocates to provide written or oral testimony relative to each project. In an effort to have the Route 2 Rotary Project relisted on the LRTP and then to move onto the TIP, I have drafted the attached letter for your and the Select Board's review and submittal to the MPO. In addition, I

CONCORD PUBLIC WORKS
DIRECTOR'S OFFICE
133 Keyes Road
Concord, MA 01742

Tel: (978) 318 - 3201
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DATE: March 29, 2019

MEMORANDUM

have attached the project overview spreadsheet for your review along with a news article published in the Sentinel Enterprise on March 5, 2019. The article reports on communities to our west, including Fitchburg and Leominster, which have developed a task force to investigate improvements to Route 2, with specific attention noted in the article around the traffic concerns with the current Route 2 Rotary. The support from this task force may be beneficial in urging the MPO to include the Rotary project in the LRTP and TIP.

Additionally I have reached out to the Town Manager's in both Lincoln and Acton (*both CAC member communities*) to make them aware of this process with a request to both Town's to also provide a letter of support or testimony to the MPO for the April meeting. Please let me know if I can provide any additional information.

Project Overview	Current Project Information	Updated Project Information <i>Please fill in all boxes shaded in red If current information is accurate, write "Confirmed"</i>
Municipality	Concord	
Project Proponent	Concord	
Project Name	Improvements and Upgrades to Concord Rotary (Routes 2/2A/119)	
Project Description	This proposed project will remove the rotary at the intersection of Route 2, Route 119, Barrett's Mill Road, and Commonwealth Avenue in Concord. All alternatives under consideration include grade separation of Route 2 and an auxiliary westbound lane on Route 2 approaching the proposed interchange. A bridge over Route 2 will connect Commonwealth Avenue with Route 119. The design will have a provision for the extension of the Bruce Freeman Rail Trail.	
Project Impacts by MPO Goal Area		
Safety	This project is located in a high-crash location. There were 202 crashes over the 1999-2001 period, 37 of which involved bodily injury, and the intersection ranked 99th on the list of the state's high crash locations.	
System Preservation	N/A	
Capacity Management and Mobility	This location is a heavily used radial commute route, and experiences significant peak period congestion.	
Clean Air/Sustainable Community	There will be provision for extension of the Bruce Freeman Rail Trail, a multi-use path.	
Transportation Equity	N/A	
Economic Vitality	N/A	
Project Details		
PROJIS #	602091	
MassDOT Highway District	4	
MAPC Subregion	MAGIC	
Design Status	25% design	
Cost Estimate	\$103,931,250	
LRTP Status		
CTPS Studies in Project Area		
MassDOT Studies in Project Area		
Relevant Municipal Studies or Plans		
Municipality Commitment and Actions Completed		
Municipality Actions Required and Next Steps		
Municipality's Desired Timeframe for the LRTP		
MassDOT Commitment and Actions Completed	District support/priority - Conceptual design study completed. Project design has not advanced since the project is not listed on the LRTP.	
MassDOT Actions Required and Next Steps	Consultant to be chosen by MassDOT to advance design following LRTP listing.	
MassDOT's Desired Timeframe for the LRTP		

Can Route 2 be fixed?

By Mina Corpuz, mcorpuz@sentinelandenterprise.com

Sentinel & Enterprise

Updated: 2019-03-05 06:05:45.893

FITCHBURG -- A task force dedicated to improving Route 2 met Monday to brainstorm ways to make the highway that powers North Central Massachusetts' economic development and links the region to Boston safer and more efficient to travel.

"Now it's time for us to come together to work on something big," said state Sen. Dean Tran, a Fitchburg Republican whose office coordinated the North Central Route 2 Transportation Task Force.

Its first meeting brought mayors of the region's three cities, staff from the Montachusett Regional Transit Authority and Montachusett Regional Planning Commission, and leaders of the area chambers of commerce to talk about benefits of and challenges to fixing the highway.

The issue

State and local leaders have been talking about what to do about Route 2 for more than a decade. Concerns have included the number of lanes, road infrastructure that slows traffic, and dangerous conditions.

A major fix would be at the Concord Rotary, which is known to create traffic jams, task force members said.

"Route 2 has always been a challenge," said Fitchburg Mayor Stephen DiNatale.

He and Leominster Mayor Dean Mazzarella said there needs to be a study to guide how to proceed with highway improvements.

Along with Gardner Mayor Mark Hawke, they noted problem areas along Route 2, like back-ups on Merriam Avenue in Leominster. Between the three cities there are 10 exits off of Route 2, the majority of which are in Leominster.

Securing funding

Money to study improvements for Route 2 and a project to carry them out would primarily come from the state Department of Transportation. Tran said the project needs to get on MassDOT's list of priority projects to secure funding.

Previous estimates studying Route 2 improvements estimated it would cost millions of dollars, DiNatale said.

As the department funds other transportation infrastructure like bike lanes and intersection fixes, task force members agreed they should put together plans to bring some of that money to the region to improve the highway.

"If (the state) can afford to put money into Assembly Square and Beantown, let's do it here," Hawke said.

Tran said he has reached out to U.S. Reps. Lori Trahan of the 3rd Congressional District and Jim McGovern of the 2nd District about opportunities for federal funding.

Benefits

Improving Route 2 would help transportation to Boston or to the western part of the state. MART Administrator Mohammed Khan said other than the Massachusetts Turnpike, the highway is the only way to get east to west across the state.

North Central Massachusetts is being marketed as a growth area and travel destination. Presidents from the area chambers of commerce support highway improvements to make that happen.

"If we want to get people to come to our area, we have to make it easier for them," said Carol Jacobson, president of the Greater Gardner Chamber of Commerce.

Short-term fixes

If money can't be secured for one project for area improvements on Route 2, successive smaller projects could be the way.

Nolan King, an aide for Gardner Rep. Jon Zlotnik, said better signage could help at parts of the highway where the number of lanes decreases.

Jacobson said flashing yield signs could help slow people down as they get onto Route 2. She often has to slam on her brakes to let people speeding drivers on.

Rep. Natalie Higgins, a Leominster Democrat, suggested incentives for people to use the commuter rail as another option for travelers to get to the Boston area.

Next steps

Tran plans to take feedback gathered from the task force to present it to MassDOT.

He also plans to bring department representatives to meet with the group to present design options for Route 2.

The next task force meeting has not yet been scheduled.

Follow Mina on Twitter @mlcorpuz

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Mr. David Mohler, Chairman
Boston Region, Metropolitan Planning Organization (MPO)
C/O Central Transportation Planning Staff
10 Park Plaza, Suite 2150
Boston, MA 02116

April 2, 2019

Dear Mr. Mohler,

The Town of Concord's Select Board met during its regularly scheduled public meeting on April 1, 2019 to discuss and restate the Town's position relative to the improvements and upgrades to the Concord Rotary (Routes 2/2A/119/BMR). The Select Board wishes to express its appreciation to the Boston MPO and Central Transportation Planning Staff (CTPS) for consideration of inclusion of this important regional highway project within the Destination 2040 Long Range Transportation Plan currently under development and scheduled for adoption this summer.

As you are aware, study data indicates that intersections along the existing Route 2 corridor in Acton and Concord, including the Concord rotary, exhibit a substantially higher crash rating than both the 3-year and 5- year MassDOT (*Formerly Mass Highway, MHD*) averages. This information was reaffirmed during a recently conducted Road Safety Audit (RSA) in which Town of Concord representatives participated in. The RSA took place on June 21, 2017 lead by MassDOT District 4, and assisted by Howard Stein Hudson Engineers (HSH). The purpose of the RSA was to develop safety improvements in an effort to address the Rotary's high crash location. During this study, crash data at the Rotary was compiled for the period between 2012 - 2015. During this period it was found that 174 crashes occurred. 36 of these crashes, or 21%, resulted in personal injury. Several recommendations and potential enhancements were identified as part of the RSA. One such recommendation included redesigning the Concord Rotary intersection whereby an overpass would be constructed to carry Route 2A, Barrett's Mill Road (BMR) and Commonwealth Avenue traffic over Route 2. This recommendation is in alignment with the Rotary designs completed to date and previously supported by the Town of Concord and the Corridor Advisory Committee (CAC), a committee comprised

of representatives from the neighboring communities of Acton, Lincoln and Concord with a vested interest in improving Route 2.

The Select Board is grateful for the MPO's continued support of the Concord Rotary project in the LRTP and eventual TIP, along with further progress in improving the existing conditions along this highway corridor.

The continued goal of the CAC will be to review and discuss design and operational issues within the corridor. In addition, the CAC will serve as a mechanism to solicit input from the committee and public regarding the resolution of issues in ways that are mutually agreeable to the Towns and MassDOT.

As stated in the 1996 Central Transportation Planning Staff (CTPS) long-range feasibility study, seven improvement goals and objectives for the corridor were identified by the CAC. The goals highlighted in the study are:

1. Safety
2. Traffic Capacity
3. Keep Through Traffic on Route 2
4. Minimize Barrier Effects (north-south access across the corridor)
5. Preserve Access to Existing Businesses and Institutions
6. Devise a Low-Impact Takings Program
7. Minimize Environmental Impacts to Abutters

The Town of Concord continues to support these project tenets and looks forward to a successful project outcome.

In closing, the Select Board is grateful for consideration of inclusion of the Concord Route 2 Rotary Project in the MPO's Long Range Transportation Plan and respectfully requests that the upgrades to the Concord Rotary (Routes 2/2A/119) project be included within the final LRTP in the earliest time band possible which will allow for design and permitting to be advanced. Thank you for the opportunity to provide these comments.

Sincerely,

Thomas McKean
Chair, Town of Concord Select Board

CC: Town of Concord, Select Board
Town of Concord, Public Works Commission
Mr. Christopher Whelan, Concord Town Manager
Mr. Richard Reine, Concord Public Works and Engineering Director
Mr. Christopher Olbrot, Concord Town Engineer
Ms. Marcia Rasmussen, Concord Planning Director

Draft – for Select Board Letterhead

Mr. Steve Poftak, General Manager
Massachusetts Bay Transportation Authority
State Transportation Building
10 Park Plaza
Boston, MA 02116

March 18, 2019

Re: MBTA Real Estate - Condition of West Concord Depot Building

Dear Mr. Poftak,

The Concord Select Board wishes to express its concern with the exterior condition of the West Concord Depot, located at 20 Commonwealth Avenue in Concord, MA; and bring to your attention the MBTA's agreement to maintain the Building *in sound structural condition and a good state of repair* in accordance with the Maintenance Agreement signed in 2007.

The West Concord Depot, or Union Station as it was originally named, was built in 1894 at the height of West Concord's boom as an agricultural and industrial center. Located at the intersection of three rail lines, it was constructed in the popular Queen Anne style of the day and ornately decorated with a wide overhanging slate roof, eyebrow dormers, and an exuberantly painted exterior of railroad red, chrome yellow, and bronze green. Over time, deferred maintenance and inappropriate alterations had taken its toll on the historic building.

In 2007, Town meeting allocated \$220,000 from the Town's Community Preservation Act funds towards the restoration and rehabilitation of the exterior of the building to its historic appearance. The terms of the grant stipulated that the Town of Concord and the MBTA each contribute 50% of the cost, with the MBTA also responsible for additional project supervision and assistance. An Interagency Agreement between the Town of Concord and the MBTA was signed in August 2007, which included a Maintenance Agreement to ensure the future preservation and protection of the structure.

On July 30, 2008, local officials and residents joined MBTA representatives in celebrating the successful restoration of the building. The project resulted in the West Concord Depot being restored to its original brilliance as an active train station for thousands of commuters and an important landmark for the West Concord Village. The project was featured in local and regional news articles; and received the Massachusetts Historical Commission's 2009 Preservation Award for Rehabilitation and Restoration.

Over the past eleven years, the West Concord Depot has continued to serve as an active commuter rail waiting room, a café restaurant, and a landmark building in the community; however, it has once again begun to show signs of disrepair. The building is in need of scraping, sanding and a fresh coat of paint; as well as an inspection and possible repair to the chimney, which was struck by lightning a few years ago.

The restoration of the Depot was the result of years of work and advocacy on the part of Concord residents for the preservation of this National Register of Historic Places listed structure. In a 2009 letter, Mark E. Boyle, Assistant General Manager for Development for the MBTA wrote, “We are extremely pleased and proud of the outcome. It preserves and protects an historic structure in a very central location in West Concord, and it provides a welcoming environment for our commuting passengers. The project also serves as a model “public-private partnership” whereby state and local taxpayers received the benefits of this successful collaboration.” It is our sincere hope that the MBTA will uphold their agreement to maintain the Building *in sound structural condition and a good state of repair*, and protect this historic structure from further deterioration.

We appreciate your attention to this issue and hope for timely resolution.

Sincerely,

Tom Mckean, Chair
Concord Select Board

Cc: **Senator Michael Barrett**
Representative

Boy Scout Troop 132 Concord MA

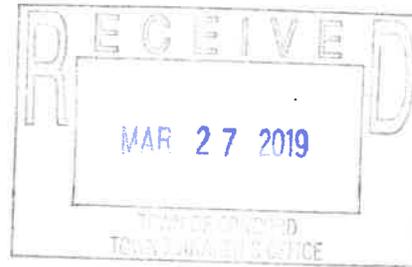
Curtis Gekle
Troop Committee Chair

committeechair@troop132.com • 339-234-0287
Concord Scout House, 74 Walden St., Concord, MA 01742



March 24, 2019

Tom McKean
Chair, Select Board
Town House, 22 Monument Square
Concord, MA 01742



Dear Chairperson McKean:

We are pleased to inform you that the following two young men from Massachusetts' Spirit of Adventure Council, Troop 132 in Concord, MA have recently attained the rank of Eagle Scout:

Logan A. Prewitt (Eagle Board of Review on 11/15/2018)
Benjamin Clarke (Eagle Board of Review on 12/20/2018).

We would be most grateful if you could write congratulatory letters to these outstanding young men. The letters should be addressed and sent to:

- 1- Logan A. Prewitt
571 Hayward Mill Rd, Concord, MA 01742
- 2- Benjamin Clarke
96 Blueberry Lane, Concord, MA 01742

We respectfully request that the letters be mailed to the scouts within 4 weeks of receipt from you.

Thank you for your help in commemorating this remarkable achievement.

Yours in scouting,

P.P. 

William Duggan, Scoutmaster Troop 132 and Curtis Gekle, Committee Chair Troop 132