



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
 CONCORD, MASSACHUSETTS 01742

Select Board Agenda

Monday, April 1, 2024 at 6:00 PM

Town House, Select Board Room, 22 Monument Square

Join Zoom Meeting

<https://us02web.zoom.us/j/87954680229?pwd=MUttZ1NmeWZYVWpJcG1uUIF3QW5OQT09>

Meeting ID: 879 5468 0229

Passcode: 287044

Dial In Toll-Free: 833-928-4610

#	Time*	Agenda Item
I.	6:00 PM	Public Comment: Public Comment is limited to up to 15 minutes, with no more than 3 minutes allocated to any one speaker. Public Comment is limited to items that are not on the agenda.
II.	6:15 PM	<p>Consent Agenda</p> <ul style="list-style-type: none"> a. Meeting Minutes: March 25, 2024 b. Town Accountant Warrants: March 27, 2024 c. One Day Liquor Licenses: <ul style="list-style-type: none"> i. Tom Wilson of the Wright Tavern and Nancy Johnson of the First Parish for Wines and Malt Beverages Only for the Patriot’s Day Tasting hosted by Sam Adams on Monday, April 15, 2024 from 11:30 AM – 4:30 PM at the Wright Tavern, 2 Lexington Road ii. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Men’s Opening Dinner on Friday, May 3, 2024 from 4:00 PM to 11:00 PM at the Concord Country Club, 246 ORNAC iii. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Men’s Spring Member Guest Day 1 on Friday, May 31, 2024 from 11:00 AM to 11:00 PM at the Concord Country Club, 246 ORNAC iv. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Men’s Spring Member Guest Day 2 on Saturday, June 1, 2024 from 11:00 AM to 11:00 PM at the Concord Country Club, 246 ORNAC v. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Women’s Member Guest on Tuesday, June 11, 2024 from 1:00 PM to 11:00 PM at the Concord Country Club, 246 ORNAC vi. Sara Killelea of the Concord Country Club for All Alcoholic Beverages

		<p>for the Member 3-Guest on Wednesday, June 19, 2024 from 12:00 PM to 10:00 PM at the Concord Country Club, 246 ORNAC</p> <p>d. Proclamations:</p> <ol style="list-style-type: none"> i. Ellen Garrison Day – April 14, 2024 ii. Public Safety Telecommunicators Week – April 14 – April 20, 2024 <p>e. Gift Acceptances:</p> <ol style="list-style-type: none"> i. Donation of \$3,097.00 from the Concord Recreation Department’s Annual Shamrock Ball to the Concord Recreation Scholarship Gift Account ii. Donation of \$900.00 from the Concord Garden Club to the Concord Natural Resources Division Garden Club Gift Account
III.	6:15 PM	<p>Select Board Appointments</p> <ol style="list-style-type: none"> i. Seven (7) Election Workers on behalf of the Board of Registrars as included in the Select Board meeting packet ii. Elizabeth Leonard (current Associate Member) of 23 MacMillan Drive as a Full Member to the Zoning Board of Appeals for a term to expire May 31, 2027 iii. Reappoint Frank “Rich” Feeley of 347 Lexington Road for a third term (second term shortened to properly stagger terms) to the Concord Municipal Affordable Housing Trust for a term to expire May 31, 2026 <p>Town Manager Appointments with Select Board Approval</p> <ol style="list-style-type: none"> i. Reappoint Mera Tilley of 65 Woodland Road for a second term to the Board of Assessors for a term to expire May 31, 2027 ii. Reappoint Yannis Tsitsas of 33 Brook Trail Road for a second term to the Board of Assessors for a term to expire May 31, 2027
IV.	6:20 PM	Town Manager’s Report
V.	6:30 PM	Chair’s Report
VI.	6:35 PM	Select Board Liaison Reports
VII.	6:50 PM	<p>Request to Extend the Period of Notification to the Department of Telecommunications and Cable of the Preliminary Denial regarding the Comcast Franchise Contract Renewal</p> <p>Presenter: Jason Bulger, Chief Technology Officer</p>
VIII.	6:55 PM	<p>Review Concord Independent Battery Application for Permission to Fire the Town of Concord cannons at scheduled 2024 Town Celebrations and Ceremonies</p> <p>Presenter: Philip Kenney, President of the Concord Independent Battery</p>
IX.	7:00 PM	<p>Review Request to Install Public Art on Town-Owned Property in West Concord – Poetry Phone</p> <p>Presenter: Mimi Graney, Economic Vitality Manager</p>

X.	7:10 PM	Discussion regarding Special Town Meeting and Vote to Open the Special Town Meeting Warrant Presenter: Kerry Lafleur, Town Manager
XI.	7:20 PM	Review Updated Draft of MCI Concord Advisory Board Charge Presenter: Mary Hartman, Select Board Clerk
XII.	7:40 PM	Select Board to provide input on the Consent Calendar with Town Moderator Presenter: Carmin Reiss, Town Moderator
XIII.	7:50 PM	Adjournment

**Times are approximate and subject to change*

Upcoming Meetings:
Monday, April 22, 2024 Monday, April 29, 2024 (Pre-Town Meeting)



The Town of Concord endeavors to make public meetings accessible to all members of the community. To request a meeting accommodation or modification, please contact our ADA Coordinator Jessica Porter at jporter@concordma.gov or at 978-318-3028. Please make any requests for accommodation or modifications at least two (2) business days prior to the scheduled meeting.

**Town of Concord
Select Board
Minutes
March 25, 2024**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting both in-person at 22 Monument Square on the 2nd floor in the Select Board Room and via Zoom at 6:00 PM on March 25, 2024.

Present were: Henry Dane, Chair; Mary Hartman, Clerk; Terri Ackerman, Linda Escobedo, and Mark Howell

Call to Order

Select Board Chair Henry Dane called the meeting to order at 6:00 PM.

Ms. Hartman confirmed that all members were present.

Consent Agenda

- a. Meeting Minutes: March 18, 2024
- b. Town Accountant Warrants: March 20, 2024
- c. One Day Liquor Licenses:
 - i. Sarah Sweeney of the Military Friends Foundation for Wines & Malt Beverages Only for the Tough Ruck Marathon on Sunday, April 14, 2024 from 1:00 PM to 7:00 PM
 - ii. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Opening Cocktail Party on Friday, April 26, 2024 from 12:00 PM to 11:00 PM
 - iii. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Men's Opening Dinner on Friday, May 3, 2024 from 8:00 AM to 11:00 PM
 - iv. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Women's Opening Dinner on Tuesday, May 7, 2024 from 12:00 PM to 11:00 PM
 - v. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Member 3-Guest on Wednesday, May 8, 2024 from 12:00 PM to 10:00 PM
 - vi. Sara Killelea of the Concord Country Club for All Alcoholic Beverages for the Men's Spring Member Guest Day 1 on Friday, May 31, 2024 from 8:00 AM to 11:00 PM
- d. Committee Nominations:
 - i. Elizabeth Leonard (current Associate Member) of 23 MacMillan Drive as a Full Member to the Zoning Board of Appeals for a term to expire May 31, 2027

Ms. Escobedo asked to remove item a and items c. iii. and c. vi. from the Consent Agenda.

Upon a motion duly made and seconded, it was UNANIMOUSLY voted: to approve the Consent Agenda with the exception of item a and items c. iii. and c. vi.

Select Board Meeting Minutes from March 18, 2024

**Town of Concord
Select Board
Minutes
March 25, 2024**

Ms. Escobedo noted of two minor corrections to the March 18, 2024 meeting minutes for clarification, which were both within her Select Board Liaison Reports on page 5:

- Report for the CMAHT – insert the phrase, “for the 51 affordable housing units” following the phrase, “for the Sewer Improvement Fund”.
- Report for the Commission on Disability – insert the abbreviation “ADA” before the reference of the “Transition Plan”.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to approve the March 18, 2024 meeting minutes with the amendments proposed by Ms. Escobedo.

**One Day Liquor Licenses for Concord Country Club
(events on May 3, 2024 and May 31, 2024)**

Ms. Escobedo asked a question of clarification regarding the start times of the applications for One Day Liquor Licenses for Concord Country Club for events on May 3 and May 31, 2024, which were listed as 8:00 AM.

Executive Assistant to the Select Board Shannon McAndrew responded that she thinks this may be in error and would follow up with the Concord Country Club General Manager.

Appointments

a. Town Accountant

Town Manager Kerry Lafleur presented a memorandum to the Select Board regarding the appointment of a Town Accountant and noted that after a conducting a search to fill the position, it was felt that the most suited candidate was already with the Town, who was Rich Delorey, Concord resident and long tenure employee of the Town’s Finance Department.

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to appoint Rich Delorey to the position of Town Accountant for a term effective March 26, 2024 and to expire May 31, 2027.

b. Reappointment of Thomas Swaim of 28 Central Street as an Associate Member to the Zoning Board of Appeals for a second term to expire May 31, 2027

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to reappoint Thomas Swaim of 28 Central Street as an Associate Member to the Zoning Board of Appeals for a second term to expire May 31, 2027.

Town Manager’s Report

Town Manager Kerry Lafleur did not have a verbal report this week, but pointed to the most recent Weekly Operations Report for the week ending March 22, 2024. The full Weekly Operations Report can be viewed on the Town Manager’s webpage of the Town website here: <https://concordma.gov/3499/2024-Town-Manager-Weekly-Operation-Report>.

**Town of Concord
Select Board
Minutes
March 25, 2024
Chair's Report**

Chair Dane reported that the legal opinions received both by Town Counsel and from the School District Counsel regarding the renaming of the Concord Middle School are included in the Select Board meeting packet for this evening.

Select Board Liaison Reports

Ms. Hartman reported on:

- Finance Committee – Attended the Annual Town Meeting Public Hearings. Noted that it was unfortunate that the Select Board could not have an extension on the recommendations on the Annual Town Meeting Warrant Articles, but that the Select Board could always report at Town Meeting.
- Zoning Board of Appeals Site Review for the Residences at Thoreau – Many people in attendance, but the Board of Appeals and the developers did a good job at ensuring that the conversations taking place were only between them, and others in attendance were just bystanders. Noted that the developers would be asking for 10 waivers in order to receive the comprehensive permit.

Ms. Ackerman reported on:

- Finance Committee – Also attended the Annual Town Meeting Public Hearings and agreed with Ms. Hartman regarding tabling the Select Board's recommendations on Annual Town Meeting Warrant Articles that the Finance Committee have not yet taken position on.
- Attended the Public Ceremonies and Celebrations Committee Honored Citizen Ceremony in which the 2024 Honored Citizen was Mario Favorito, which was a great event.
- Environmental Impact Report for Hanscom North Airfield proposed development – The report has been published and would like to point the Board's attention to Chapter 14 of the report, which responds to the Select Board's comments, and many other stakeholders' comments. Noted that public comments regarding the report are due May 10, 2024, so is seeking a future agenda item on this matter.
- Bruce Freeman Rail Trail Advisory Committee – Both Co-Chairs plan to resign at the conclusion of this year's term (immediately following Annual Town Meeting), so the Committee is considering different paths for the future of its work.

Ms. Escobedo reported on:

- Finance Committee – Also attended the Annual Town Meeting Public Hearings.
- Historical Commission – Met with their consultants for the Historic Preservation Plan and members of the Historic District Commission also attended. Their work is at the very beginning stages and they are still gathering information.

Mr. Howell reported on:

**Town of Concord
Select Board
Minutes
March 25, 2024**

- Natural Resources Commission – the Commission met and discussed the Conflict of Interest Disclosure forms of certain Warners Pond Task Force members, in which the forms were accepted by the Commission without much discussion or issue.
- Warners Pond Task Force – Working to understand the Task Force’s knowledge gaps from the Water Pond Management Plan for Warners Pond.

Review Draft MCI Concord Advisory Board Charge

Ms. Hartman opened the discussion regarding the draft charge for the MCI Concord Advisory Board. Ms. Hartman continued that the purpose of the Board is to advise the Select Board on how to advocate and learn about what residents would like to see redeveloped at MCI Concord. Ms. Hartman noted that the process of the Board would be in two phases, with the first phase being a discovery phase with the Division of Capital Asset Management and Maintenance (DCAMM) and then, if the Governor’s Fiscal Year 2025 Budget Bill passes, a second phase in which the property becomes under the management of DCAMM and the Select Board will bring more residents onto the Board. Ms. Hartman noted that there is a lot of great talent amongst residents for the Board, but is still seeking a resident with experience with community outreach.

Ms. Ackerman asked if in the membership section if the “Select Board Liaison” is a voting member.

Ms. Hartman responded yes, that was her intent.

Ms. Ackerman suggested that this be stated more explicitly.

Chair Dane commented that he made some suggested edits to the first draft of charge, which were:

- The Chair of the Board will be determined by the Select Board
- Quorum will be determined by the actual number of appointed members, rather than the full potential number of members who may be appointed to the Board
- Add a statement allowing appointees to include people already members of other town boards or committees.
- Changes to the proposed membership structure to include:
 - o Municipal Finance
 - o Select Board Member or Designee
 - o Administrative and Regulatory Practice
- Explicitly state that appointments to the Board are to be made by the Select Board

Ms. Ackerman suggested that in the duration section, for the sentence “During the period which the disposition...”, place a period after the word negotiation. Ms. Ackerman continued and suggested that in the duration section, strike the sentence “on the other hand, if some version of Sec. 107...”. Ms. Ackerman also noted that in the membership section, the Concord Public Works Director or *his* Designee needs to be corrected. Ms. Ackerman lastly suggested that she would like a provision included in the duties section specific to community outreach, such as hosting one public forum annually.

**Town of Concord
Select Board
Minutes
March 25, 2024**

Ms. Howell noted that any references to the Governor’s Budget Bill should be clarified as the Fiscal Year 2025 Budget Bill.

Ms. Escobedo noted that in the background section, the DCAMM abbreviation needs to be corrected to include two M’s.

Mr. Howell asked Mr. Dane to clarify the member that is to have experience with “Administrative and Regulatory Practice”.

Mr. Dane clarified that this is someone who would have familiarity with administrative practices, like DCAMM regulations, Department of Corrections regulations, and other agencies.

Ms. Escobedo commented that in the last bullet point of the duties section, would like to add, “identify and recommend local stakeholders and community *experts that can be considered for advancement* to the next phase of the project, if applicable”. Ms. Escobedo asked if the Select Board could legally require that the Board’s quorum be based on the number of actual appointed members versus the number of potential members on the Board.

Chair Dane stated that he would follow up with the Town Clerk’s Office on this matter.

Mr. Howell suggested that in the second to last bullet point of the duties section that this be expanded to state, “*Review available traffic and transportation studies, including the Route 2 Corridor Study, and recommend other new studies if needed*”.

The Select Board is to send any further comments that they have on the draft charge and send them to the Executive Assistant to be compiled in an updated draft charge for the Select Board’s review at their next meeting on Monday, April 1, 2024.

Diane Proctor, 57 Sudbury Road, commented and asked if the Select Board could please publish the revised draft of the charge that Chair Dane brought to the meeting in the meeting packet for this evening so that the public could review it too.

Recommendation on Annual Town Meeting Warrant Articles

Article #	Article Name	Sponsor	Select Board Recommendation
13	Funding Public Safety during the Concord250 Celebrations in 2025 Commemorating the Beginning of the American Revolution, April 19, 1775	Concord 2025 Executive Committee	Affirm. Action – 5-0-0
14	Use of Free Cash	Finance Committee	Report at Town Meeting – 5-0-0
15	Establish a Permanent Senior Means Tested Property Tax Exemption	Board of Assessors	Affirm. Action – 5-0-0

**Town of Concord
Select Board
Minutes
March 25, 2024**

16	Create Stormwater Enterprise Fund	Public Works Commission	Affirm. Action – 5-0-0
17	Nagog Pond Improvements and PFAS Mitigation	Public Works Commission	Affirm. Action – 5-0-0
19	Minuteman Regional Technical High School District Budget	Minuteman Regional School Committee	Affirm. Action – 5-0-0
20	Concord-Carlisle Regional School District Budget	Concord-Carlisle Regional School Committee	Report at Town Meeting – 5-0-0
21	Amenities Building at Concord-Carlisle High School	Concord-Carlisle Regional School Committee	Report at Town Meeting – 5-0-0
24	Concord Public Schools Capital Budget	Concord Public School Committee	Report at Town Meeting – 5-0-0
25	Appropriation to Middle School Stabilization Fund	Finance Committee	Warrant Article withdrawn
29	Citizen Petition: Use of Hand-Held Electronic Voting at Town Meetings	Scott Gillis & Mark Martines	Affirm. Action – 4-0-1
33	In-Town Solar Expansion	Solar Implementation Task Force	Report at Town Meeting – 5-0-0
38	Citizen Petition: Citizen Support for a New Cell Tower Located at the Landfill at 755 Walden Street	Alisha Boyajian	Report at Town Meeting – 5-0-0
39	Citizen Petition: Citizen Support for a New Cell Tower Located at the Public Works Parcel on Keys Road	Alisha Boyajian	Report at Town Meeting – 5-0-0
40	Community Preservation Appropriation Recommendations	Community Preservation Committee	Affirm. Action – 5-0-0
43	Amend Departmental Revolving Funds Bylaw	Town Manager	Affirm. Action – 5-0-0
44	Authorize Expenditure of Revolving Funds under Mass. Gen. Laws 44 § 53 E1/2	Town Manager	Affirm. Action – 5-0-0

**Town of Concord
Select Board
Minutes
March 25, 2024**

45	Light Plant Expenditures and Payment in Lieu of Taxes	Town Manager	Affirm. Action – 5-0-0
46	Solid Waste Disposal Fund Expenditures	Town Manager	Affirm. Action – 5-0-0
47	Sewer System Expenditures	Town Manager	Affirm. Action – 5-0-0
48	Sewer Improvement Fund Expenditures	Town Manager	Affirm. Action – 5-0-0
49	Water System Expenditures	Town Manager	Affirm. Action – 5-0-0
50	Authorize Expenditure from PEG Access & Cable-Related Fund	Town Manager	Affirm. Action – 5-0-0
51	Beede Swim and Fitness Center Enterprise Fund Expenditures	Town Manager	Affirm. Action – 5-0-0
52	Unpaid Bills	Chief Financial Officer	Affirm. Action – 5-0-0
53	Debt Rescission	Chief Financial Officer	No Motion Expected

Adjournment

Upon a motion duly made and seconded, it was UNANIMOUSLY **voted:** to adjourn the meeting at 7:50 PM.

Meeting Materials:

[Select Board Meeting Packet for March 25, 2024](#)

[Select Board Meeting Recording for March 25, 2024](#)



TOWN OF CONCORD
Office of the Town Manager
Town House
P.O. Box 535
Concord, Massachusetts 01742

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: April 1, 2024

Re: One Day Liquor License for Tom Wilson of the Wright Tavern & Nancy Johnson
of the First Parish

Included in your meeting packet is an application for a One Day Liquor License for Tom Wilson of the Wright Tavern and Nancy Johnson of the First Parish. The application is for Wines and Malt Beverages Only for the Wright Tavern Patriot's Day Tasting event hosted by Sam Adams to be held at the Wright Tavern, 2 Lexington Road on Monday, April 15, 2024 from 11:30 AM to 4:30 PM.

This application is complete with payment and TIPS Certifications.

From: noreply@civicplus.com
To: [licensing board](#); [Town Manager's Office](#); jromanul@concordma.gov
Subject: Online Form Submittal: One Day Special Liquor Licenses
Date: Wednesday, March 27, 2024 9:57:22 AM

One Day Special Liquor Licenses

Company or Organization	The Wright Tavern and First Parish Church
Applicant Name	Tom Wilson for the Wright Tavern, Nancy Johnson for First Parish
Email Address	tom@mynextstage.org, njohnson2323@yahoo.com
Applicant Address	65 Whittemore Road
City	Concord
State	MA
Zip Code	01742
Phone Number	5085799097
Name of Event	Wright Tavern Patriot's Day beer tasting hosted by Sam Adams, with wine, beer, lunch and snacks for SaleS
Activity Is	Non-Profit
Event Type	Private Event in Rented Facility
Event Date & Start Time	4/15/2024 11:30 AM
End Time	4:30 PM
Premises to be Licensed	The Wright Tavern
City	Concord
State	MA
Zip Code	01742
License is for the Sale of:	Wines & Malt Beverages Only
Bartenders TIPS	Yes



TOWN OF CONCORD
Office of the Town Manager
Town House
P.O. Box 535
Concord, Massachusetts 01742

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: April 1, 2024

Re: One Day Liquor Licenses for Sara Killelea of Concord Country Club

Included in your meeting packet are five One Day Liquor License applications for Sara Killelea of Concord Country Club. These applications are all for All Alcoholic Beverages to be held at the Concord Country Club, 246 ORNAC for the following events:

- Men's Opening Dinner on Friday, May 3, 2024 from 4:00 PM to 11:00 PM
- Men's Spring Member Guest Day 1 on Friday, May 31, 2024 from 11:00 AM to 11:00 PM
- Men's Spring Member Guest Day 2 on Saturday, June 1, 2024 from 11:00 AM to 11:00 PM
- Women's Member Guest on Tuesday, June 11, 2024 from 1:00 PM to 11:00 PM
- Member 3-Guest on Wednesday, June 19, 2024 from 12:00 PM to 10:00 PM

Corrected from March 25, 2024 Select Board meeting

Sara Killelea (General Manager) keeps an active file of TIPS Certifications for Concord Country Club bartenders with the Town Manager's Office, which I have confirmed is up to date. These applications are complete with payment.

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone number	<u>978-371-1089</u>	Email	<u>skillelea@concordcc.org</u>		

SECTION 4 - MAILING ADDRESS

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone	<u>978-371-1089</u>				

SECTION 5 - HOURS OF OPERATION

To Sell: (Check One) Wines & Malts All Alcoholic

Note: Please indicate A.M. or P.M.

Day of Event	<u>05/03/24</u>	Hours of Operation	From	<u>4pm</u>	To	<u>11pm</u>
Activity	<u>Men's Opening Dinner</u>					
Approximate Number of Attendance	<u>100</u>					

SECTION 6- DECLARATION

I do hereby certify under the pains & penalties of perjury that the information provided above is true and correct.

Date 03/05/24

(Chapter 138, Section 14. General Laws of the Commonwealth of Massachusetts)

Indicates Mandatory Field.

Note: Please check the above checkbox to submit the form

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone number	<u>978-371-1089</u>	Email	<u>skillelea@concordcc.org</u>		

SECTION 4 - MAILING ADDRESS

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone	<u>978-371-1089</u>				

SECTION 5 - HOURS OF OPERATION

To Sell: (Check One) Wines & Malts All Alcoholic

Note: Please indicate A.M. or P.M.

Day of Event	<u>05/31/24</u>	Hours of Operation	From	<u>11am</u>	To	<u>11pm</u>
Activity	<u>Men's Spring Member Guest Day 1</u>					
Approximate Number of Attendance	<u>150</u>					

SECTION 6- DECLARATION

I do hereby certify under the pains & penalties of perjury that the information provided above is true and correct.

Date 03/05/24

(Chapter 138, Section 14. General Laws of the Commonwealth of Massachusetts)

Indicates Mandatory Field.

Note: Please check the above checkbox to submit the form

ONE-DAY LIQUOR LICENSE

APPLICATION DETAILS

Application #:	<u>ODL-24-47782</u>	Date Issued:	<u> </u>	Permit #:	<u> </u>	Date Paid :	<u> </u>
Fee Payable: (\$)	<u>0.00</u>	Fee Paid: (\$)	<u>0.00</u>	Receipt # :	<u> </u>		

SECTION 1 - SITE INFORMATION

Name of Organization Concord Country Club

Street Name OLD RD TO 9 ACRE COR Map Block Lot 3079

Street Number 246 Zone AA

Unit Number

On Premises

Description of Premises

SECTION 2 - OWNER / CORPORATION INFORMATION

Owner / Corporation Name CONCORD COUNTRY CLUB

Street Number 246 Street Name Old Road to Nine Acre Corner

City CONCORD State MA Zip Code 01742

Telephone 978-371-1089 Email skillelea@concordcc.org

SECTION 3 - APPLICANT INFORMATION

Applicant Name Sara Killelea

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone number	<u>978-371-1089</u>	Email	<u>skillelea@concordcc.org</u>		

SECTION 4 - MAILING ADDRESS

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone	<u>978-371-1089</u>				

SECTION 5 - HOURS OF OPERATION

To Sell: (Check One) Wines & Malts All Alcoholic

Note: Please indicate A.M. or P.M.

Day of Event	<u>06/01/24</u>	Hours of Operation	From	<u>11am</u>	To	<u>11pm</u>
Activity	<u>Men's Spring Member Guest Day 2</u>					
Approximate Number of Attendance	<u>150</u>					

SECTION 6- DECLARATION

I do hereby certify under the pains & penalties of perjury that the information provided above is true and correct.

Date 03/05/24

(Chapter 138, Section 14. General Laws of the Commonwealth of Massachusetts)

Indicates Mandatory Field.

Note: Please check the above checkbox to submit the form

 **ONE-DAY LIQUOR LICENSE**

APPLICATION DETAILS

Application #:	<u>ODL-24-47783</u>	Date Issued:	<u> </u>	Permit #:	<u> </u>	Date Paid :	<u> </u>
Fee Payable: (\$)	<u>0.00</u>	Fee Paid: (\$)	<u>0.00</u>	Receipt # :	<u> </u>		

SECTION 1 - SITE INFORMATION

Name of Organization Concord Country Club

Street Name OLD RD TO 9 ACRE COR Map Block Lot 3079

Street Number 246 Zone AA

Unit Number

On Premises

Description of Premises

SECTION 2 - OWNER / CORPORATION INFORMATION

Owner / Corporation Name CONCORD COUNTRY CLUB

Street Number 246 Street Name Old Road to Nine Acre Corner

City CONCORD State MA Zip Code 01742

Telephone 978-371-1089 Email skillelea@concordcc.org

SECTION 3 - APPLICANT INFORMATION

Applicant Name Sara Killelea

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone number	<u>978-371-1089</u>	Email	<u>skillelea@concordcc.org</u>		

SECTION 4 - MAILING ADDRESS

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone	<u>978-371-1089</u>				

SECTION 5 - HOURS OF OPERATION

To Sell: (Check One) Wines & Malts All Alcoholic

Note: Please indicate A.M. or P.M.

Day of Event	<u>06/11/24</u>	Hours of Operation	From	<u>1pm</u>	To	<u>11pm</u>
Activity	<u>Women's Member Guest</u>					
Approximate Number of Attendance	<u>120</u>					

SECTION 6- DECLARATION

I do hereby certify under the pains & penalties of perjury that the information provided above is true and correct.

Date 03/05/24

(Chapter 138, Section 14. General Laws of the Commonwealth of Massachusetts)

Indicates Mandatory Field.

Note: Please check the above checkbox to submit the form

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone number	<u>978-371-1089</u>	Email	<u>skillelea@concordcc.org</u>		

SECTION 4 - MAILING ADDRESS

Street Number	<u>246</u>	Street Name	<u>Old Road to Nine Acre Corner</u>		
City	<u>Concord</u>	State	<u>MA</u>	Zip Code	<u>01742</u>
Telephone	<u>978-371-1089</u>				

SECTION 5 - HOURS OF OPERATION

To Sell: (Check One) Wines & Malts All Alcoholic

Note: Please indicate A.M. or P.M.

Day of Event	<u>06/19/24</u>	Hours of Operation	From	<u>12pm</u>	To	<u>10pm</u>
Activity	<u>Member 3-Guest</u>					
Approximate Number of Attendance	<u>100</u>					

SECTION 6- DECLARATION

I do hereby certify under the pains & penalties of perjury that the information provided above is true and correct.

Date 03/05/24

(Chapter 138, Section 14. General Laws of the Commonwealth of Massachusetts)

Indicates Mandatory Field.

Note: Please check the above checkbox to submit the form

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONCORD
SELECT BOARD

PROCLAMATION

HONORING APRIL 14TH AS ELLEN GARRISON DAY

WHEREAS Ellen Garrison was born in Concord on April 14, 1823, granddaughter of Patriot of Color Ceasar Robbins, who served in the American Revolution and was most likely at the North Bridge on April 19, 1775; and

WHEREAS Ellen was the daughter of formerly enslaved man Jack Garrison and her mother, Susan Garrison, who became a founding member of the Concord Female Anti-Slavery Society; and

WHEREAS Ellen was educated in Concord Public Schools in Monument Square and her activism began early, learning about racial discrimination; and at age 12, in 1835 she marched in a Concord parade hand-in-hand with her white schoolmate "beneath the gaze of curiosity, surprise, ridicule, and admiration."

WHEREAS Ellen continued her mother's anti-slavery activism, as a teacher in the Freedman's Schools during Reconstruction and in her commitment demanding civil rights for all. In 1866, Ellen tested the nation's first Civil Rights Act in court. Ellen sat in a segregated waiting room in a Baltimore train station and was "forcibly ejected." Ellen felt it was her duty to test the new law. She said "I feel as though I ought to strive to maintain my rights... it will be a stand for others.... We contend against outrage and oppression wherever we find it"

WHEREAS Ellen lived a life dedicated to the struggle for civil rights until her passing in an anti-slavery community in Pasadena, California, where she is buried alongside other anti-slavery activists;

NOW THEREFORE We, as the Select Board of the Town of Concord, Massachusetts, on behalf of Concord's employees, committees, community partners, and citizens, do hereby recognize April 14, 2024 as Ellen Garrison Day, honoring this native daughter of Concord and her connection to all those who fought for freedom.

Proclaimed this 1st day of April 2024



Concord Select Board

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONCORD
SELECT BOARD

PROCLAMATION

**PUBLIC SAFETY TELECOMMUNICATORS WEEK
APRIL 14 - APRIL 20, 2024**

WHEREAS the second full week in April, has been declared "National Public Safety Telecommunicators Week" by the Senate and House of Representatives of the United States of America,

WHEREAS emergencies can occur at any time that require police, fire, or emergency medical services,

WHEREAS when an emergency occurs the prompt response of law enforcement, fire services, and ambulance services is critical to the protection of life and preservation of property,

WHEREAS the safety of our deputies, police officers, firefighters, and emergency medical personnel is dependent upon the quality and accuracy of information obtained and relayed from citizens who access the 9-1-1 emergency system,

WHEREAS Public Safety Telecommunicators are the single vital link for our first responding personnel by monitoring their activities by radio, providing them information, and ensuring their safety,

WHEREAS Public Safety Telecommunicators of the Town of Concord have contributed to the apprehension of criminals, suppression of fires and treatment of patients, and

WHEREAS our Public Safety Telecommunicators daily serve the public in countless ways without due recognition by the beneficiaries of their services.

**NOW
THEREFORE,** We do proclaim the week of April 14 – April 20, 2024 as Public Safety Telecommunicators Week.



CONCORD SELECT BOARD

Proclaimed this 8th day of April, 2024



Town of Concord
Finance Department
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742

To: Kerry A. Lefleur, Town Manager
From: Anthony M. Ansaldi, Jr, Chief Financial Officer
Subject: Recreation Scholarship Gift
Date: March 25, 2024

I am writing to request the inclusion of an item, with your acceptance on the upcoming Select Board's agenda. A gift donation to the Recreation Scholarship Gift account from the Concord Recreation Department's Annual Shamrock Ball Raffles/Donations.

Shamrock Ball Raffles/Donations	\$3,097.00
---------------------------------	------------

To be Deposited:
Recreation Scholarship Gift
45100158-4850

Accepted: _____
Clerk

Date: _____



Town of Concord
Finance Department
22 Monument Square
P.O. Box 535
Concord, Massachusetts 01742

To: Kerry A. Lefleur, Town Manager
From: Anthony M. Ansaldi, Jr, Chief Financial Officer
Subject: Donation to The Natural Resources Division on behalf of The Garden Club of Concord
Date: March 25, 2024

I am writing to request the inclusion of an item, with your acceptance on the upcoming Select Board's agenda. A gift donation to The Natural Resources Division from The Garden Club.

Garden Club of Concord
P.O. Box 1296
Concord, MA 01742
\$900.00

To be Deposited:
Garden Club
45100100-4850

Accepted: _____
Clerk

Date: _____



TOWN OF CONCORD
DIVISION OF NATURAL RESOURCES
141 KEYES ROAD, CONCORD, MA 01742
TEL: (978) 318-3285 FAX: (978) 318-3291

To: Laurie Giovino, Finance Administration

From: Karen Bockoven, Natural Resources *(KB)*

Re: **Gift Acceptance**

Date: February 29, 2024

The Natural Resources Division has received a generous donation of \$900 from the Garden Club of Concord.

In accordance with M.G.L. Chapter 44, Section 53A and APP#19, I am submitting the check for deposit and request that acceptance of the check be placed on an upcoming Select Board meeting agenda. Please deposit check into gift account MUNIS #45100100-4850.


Thank you.

GARDEN CLUB OF CONCORD 2708
53-7122/2113

FEBRUARY 17, 2024
Date

Pay to the Order of TOWN OF CONCORD \$ 900

NINE HUNDRED & 00/100 Dollars


Middlesex Savings Bank
CONCORD, MA 01742

For GRANT FROM GCC *Juan P. Redal*

⑆ 211371227⑆ 123408088⑆ 2708

CHECK ARMOR
Photo Safe Deposit
Details on back



Town Clerk's Office
22 Monument Square
Concord, MA 01742

Memo

To: Select Board
Cc: Kerry Lafleur, Town Manager
Board of Registrars
From: Kaari Mai Tari, Town Clerk
Date: March 25, 2024
Re: Election Officer Appointments

Pursuant to MGL Chapter 54: Section 12, I would like to request, on behalf of the Board of Registrars, appointment of the following 7 voters (list of appointees follows) as Election Officers for terms to expire July 31, 2024.

Party distribution among 108 Election Workers
Democrat: #54 / 50%
Republican: #8 / 7.4%
Unenrolled: #46 / 42.6%

Last Name	First Name	Voting Precinct	Party	Address
Beede	Susan	2	U	9 Shirley St
Copeland	Jay	2	D	9 Shirley St
Holdorf	Lise	5	D	449 Barretts Mill Rd
Mahnken	Brenda	2	D	86 Prairie St
Ramshaw	Lance	3	D	106 Alden Rd
Roddy	Susan	5	U	101 Barnes Hill Rd
Ten-Hove	Ron	1	U	187 Oak Hill Circle

Thank you for your consideration.

Kaari

Via email (dte.filing@mass.gov)

Ms. Shonda Green, Department Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 6
Boston, MA/ 02118-6500

Re: Motion for Extension of Time to File the Preliminary Assessment of Denial

Dear Ms. Green:

The Town of Concord is in the midst of the cable license renewal negotiations with Comcast. Comcast issued its Formal Renewal Proposal on December 15, 2023. The Concord Select Board voted on March 18, 2024 to preliminarily deny Comcast's proposal. The Town has conducted an extensive ascertainment process and has been in negotiations with Comcast but was not prepared to approve Comcast's proposal by the license expiration date of April 23, 2024. The Town and Comcast have been meeting regularly for preliminary negotiations and will continue to negotiate, and the Town is confident that with additional time the parties can come to an agreement. The Town hereby moves for one-hundred (120) days for the Town to file its preliminary assessment of denial, from April 23, 2024 to August 21, 2024. Comcast has provided its assent to this motion.

Thank you for your consideration of this matter.

Sincerely,

Town of Concord Select Board:

Henry Dane, Chair

Mark Howell

Mary Hartman, Clerk

Terri Ackerman

Linda Escobedo



TOWN OF CONCORD
Office of the Town Manager
Town House
P.O. Box 535
Concord, Massachusetts 01742

To: Concord Select Board

From: Shannon McAndrew, Executive Assistant to the Select Board

Date: April 1, 2024

Re: Request for Concord Independent Battery to fire cannons at 2024 Town
Ceremonies and Celebrations

Included in your meeting packet is a request from the Concord Independent Battery to fire cannons at the following 2024 Town Celebrations and Ceremonies:

- April 6, 2024 at 9:00 AM – Battery Test Fire, Old Manse Field
- April 6, 2024 at 1:00 PM – Meriams Corner Exercise
- April 15, 2024 at 9:00 AM – Patriot’s Day Parade
- April 19, 2024 at 6:00 AM – Dawn Salute, Old Manse Field
- May 30, 2024 at 9:00 AM – Memorial Day, Rideout Field
- May 30, 2024 at 11:00 AM – Memorial Day, Monument Square
- November 11, 2024 at 8:00 AM – Veterans Day, Sleepy Hollow Cemetery

If the Concord Independent Battery has any additional request for 2024, they will come back to the Select Board for approval.

The Town and the Concord Independent Battery maintain a contract in which the Concord Independent Battery is required to propose a request to the Select Board to fire cannons at Town events annually, and submit further compliance documentation as required by the contract. The Town’s Risk and Compliance Manager Chris Carmody is in receipt of the compliance documentation and has reviewed it with no issues.

A memorandum from Concord Independent Battery President Philip Kennedy is attached, but please note that I did not include the full compliance documentation in your meeting packet as outlined in the memorandum, though it is available upon request.



Concord, Massachusetts 01742

March 18, 2024

Town of Concord
22 Monument Square
PO Box 535
Concord, MA 01742
Attn: Kerry Lafleur, Town Manager

Re: Application for Permission to Fire the Town of Concord Cannons at the 2024 Town Celebrations and Ceremonies on the following dates:

- April 6th, 9 AM – Battery Test Fire, Old Manse Field
- April 6th, 1 PM - Meriam's Corner exercises
- April 15th 9 AM – Patriots Day Parade
- April 19th 6 AM - Dawn Salute, Old Manse Field
- May 30th - Memorial Day – 9AM – Rideout Field, 11AM – Monument Sq.
- Nov 11th – Veterans Day – 8AM -Sleepy Hollow Cemetery

Dear Kerry,

As is the process for the Concord Independent Battery, I am writing to you per the terms of the contract between the Town and the Battery to request the Select Board permission to fire the Towns Cannon at the various events for 2024.

As in the past, we will reach out to you for additional requests (when & if they come).

Enclosed with this request to fire the cannon are the documents as required by the contract.



Concord, Massachusetts 01742

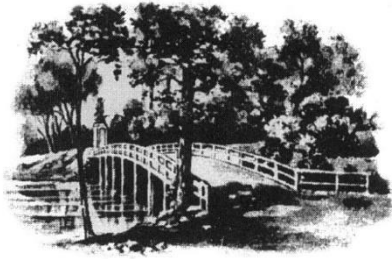
1. Master Training records for Active Battery Members from 1 April 2023 through March 18, 2024. (we will have 3 additional training sessions by April 13)
2. Copy of the Certificate of Liability Insurance showing the coverage for the Town of Concord and the Concord Independent Battery.
3. Concord Public Ceremonies and Celebrations Committee calendar to fire at the Town's 2024 events.
4. Copies of the Commonwealth of Massachusetts canon Firing Permits issued by the Town of Concord Fire Department & Fire Officials Contacts & DCR Permit
5. Copies of the signed Alcoholic Beverage and Controlled Substance Abstinence Agreements signed by each of the Active Battery Members and listed on the Master Training Record.
6. Listing of Active Battery Members with current Cannon Licenses issued by the Department of Public Safety.
7. Copy of the Borescope Inspections performed on 11 March 2021.
8. Listing of the current Indemnity agreement on file with and for the Town of Concord.

Give me a call or drop me an email if there are any questions.

Thank you and best regards,

Philip Kenney
President, Concord Independent Battery
phenney21@gmail.com

cc: Peter Myette – Captain, CIB
John Thompson – Secretary, CIB
Shannon McAndrew – Exec. Assistant to the Select Board, Town of Concord



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

To: Mary Hartman, Select Board Liaison to West Concord Junction Cultural District

From: Mimi Graney, Economic Vitality Manager

Date: March 22, 2024

Re: Public Art Proposal – **Poetry Phone**

Request for Approval to Install Public Art on town owned property in West Concord.

Installation in May 2024 for an anticipated period of three years.

Sponsor:

The West Concord Cultural District wishes to install a Poetry Phone Art project for West Concord. Jennifer Hurley-Wales is the project lead for the WCJCD, with the technical support of Mike Sprague and Ed Feather.

Purpose:

Like the much-loved murals throughout town, West Concord's Poetry Phone will be located in a visible community setting to give pedestrians of all ages a spontaneous opportunity to step off their route through town and spend a quiet moment with a poem or two. This art will enrich the quality of life for citizens and visitors by enhancing the beauty of West Concord and creating exciting public spaces through visual art. The commissions provide an opportunity to support emerging local artists. The Poetry Phone will advance the identity of West Concord as a cultural center and foster a unique sense of place. The format of the Poetry Phone allows for a large number of people to participate and share their creative expression in an engaging, public format. This art fits within the charge of the WCJCD to foster a vibrant cultural community to sustain West Concord as an enjoyable place to live, work and play.

The Poetry Phone structure is comparable to an old phone booth. It would be placed in West Concord along the Bruce Freeman Rail Trail, visible to passersby from the nearby streets and parking areas. The public would be invited to enter the booth, lift the handset of a repurposed payphone, use the keypad to hear a recording of an original poem. A number of other dial-a-poem projects across the country have been successful. The team was inspired by artist Ryan McGuire's creation, [The Smile Phone](#) in Granville, Ohio. McGuire is providing technical support to the Concord team.

Site:

On a triangle of grass off the Bruce Freeman Trail between 40 and 70 Beharrel. See site photo at end of this memo. The site was approved by Aaron Miklosko of Concord Public Works as an appropriate site for such a use.

Project Description:

Artist Selection: Jennifer Hurley-Wales enlisted local artists Mike Sprague to design and construct the booth and Ed Feather to construct the phone. Original poems by students and the general public will be solicited and selected by representatives of writing programs within local organizations, schools and the public library then passed on to the Poetry Phone team.

Poetry Selection Process: The Poetry Phone will not only highlight area poets but the organizations in the community running poetry programs and workshops, e.g. Concord Library, Gaining Ground's Annual Poetry Project, Concord Prison Outreach, and the writing clubs from the area schools. A committee of the WCJCDC will work closely with these programs to request their submissions. The poetry featured will reflect the diversity, styles and ages (encouraging youth submissions) of Concord area writers. The selected poems will be read by each author and recorded in a local studio before being loaded into the Poetry Phone for the public to hear them. The featured poems will be refreshed several times a year. The project will be promoted with the support of local press, social media and community events platforms. The unveiling of the phone will take place in the spring. The team anticipates the solicitation process to evolve over time. In general, they're planning for an annual outreach to the schools. The artistic team behind the Poetry Phone will retain final discretion on which poems are presented on the Poetry Phone and for how long. [Town website: Call for Poems and application](#)

Site constraints:

The Poetry Phone will be installed on a town-owned grassy median between 2 ½ feet and four feet off the paved edge of the Bruce Freeman Rail Trail. Concord Public Works and Police will be consulted to determine an appropriate means to maintain a safe workspace and pedestrian access.

As per specifications of Concord Public Works, base will be a pad of 4 inches of compacted gravel with 4 inches of concrete using concrete fabric for strengthening. This pad will be depressed with approximately 3 inches below grade to allow a 1 inch rise. A concrete ramp with a 1% pitch from the edge of the rail trail into the booth to provide access. Artist will coordinate date of pad installation with Public Works for CPW to allow CPW to be on site.

After 7 days for concrete to cure, installation of the booth may take place. Wedge anchors – 6 inches long - at each corner will attach the booth to the pad.

Immediately around the pad will be replanted.

Materials: The booth itself is a three-sided structure made of wood with plexiglass windows. Inside the pay phone is installed on a wooden mount against the back wall. A small solar panel on the roof will power the phone. A side on the outside plain-faced side of the booth will alert passersby to the artwork within.

Term & Maintenance: The intention is for the booth to remain for approximately three years with the recording to be changed periodically – roughly with each season. The agreement with Mike Sprague specifies the artwork can be removed at any time at the sole discretion of the Town. Maintenance, such as graffiti removal and technical repairs to the phone, will be the responsibility of the creative team. It is

expected, should maintenance of the artwork require more than a minor paint touch up, the WCJCD will contract with Mike Sprague or another appropriate contractor.

Artist Agreements: Mike Sprague is the contracted agent for the creative team.

- *Contract:* Contract was reviewed by Town Counsel and Town Staff (Deputy Town Manager Megan Zammuto, Risk & Compliance Manager Chris Carmody) to be signed by the Town Manager. Details the final approved design, permitted materials, copyright and ownership title, terms for use of the site to execute the design, maintenance of the artwork and other responsibilities.
- *Approvals:* Town Land Use Permit approved, CPW detailed review of site and installation specifications (Town Engineer Steve Dookran and Aaron Miklosko).
- *Funding:* \$2800 has been spent to-date securing materials. An additional \$4,000 has been allocated from the WCJCD FY24 budget for installation, insurance, poet honorarium and supplies. In addition, \$2,550 of West Concord Junction Cultural District Committee funds were approved to be held in reserve to cover maintenance and other costs to support the care and operating costs over the period of installation. Financial support provided by the Mass Cultural Council Cultural.

Schedule:

February 2024: Call for Poems sent to poetry groups at schools, libraries

March 2024: Working phone completed. Construction of the booth completed. Site installation specifications received from Public Works. Contract with Mike Sprague finalized.

April: Final Approval from Select Board.

May: First set of poems finalized and recorded. Poetry Phone installed.

May 18: Unveiling celebration on May 18 to correspond with Spring Into West Concord Day.

June: Community Celebration. Process for next round of poems begins

September: Second round of recordings made available on the Poetry Phone and another round of publicity to promote the art offering.

Community:

Collaborations with Concord partners will result in the poems that reflect the community. It is expected that these community partners will suggest appropriate themes and provide their curatorial judgment in selecting the individual poems.

The Poetry Phone is a project selected among a number of ideas reviewed by the West Concord Junction Cultural District, a Town Committee that operates within the guidelines set forth by the Massachusetts Cultural Council for cultural districts.

Poetry Phone will be available 24/7 for all to engage with art in a unique, enticing way.

Administration and Town Responsibilities:

Concord's model Artist Agreement to be executed with designer and builder Mike Sprague, with updates reflective of the specific considerations of the Poetry Phone. This document will be reviewed by Town Counsel. This contract, signed by the Town Manager, will be fully executed before any work may proceed. The agreement accompanied by the final approved design, certificate of insurance (\$1M

incident/\$2M aggregate) covering the artist with the Town of Concord listed as an additional insured, and written approval of Concord Public Works on their requirements.

Economic Vitality Manager Mimi Graney is the staff liaison to the WCJCD and will assist the committee with executing the artist contract and the pass-through of the MCC grant funding.

Steve Dookran of Engineering advises on installation requirements. Aaron Miklosko of Highway & Grounds will advise on any site and contract-related requirements.

When the artwork is scheduled for installation Public Works will be informed to ensure there are no negative impacts on other work happening in the area.

Attachments:

- **Budget**
- **Site map**
- **Final art design**
- **Installation details**
- **Sample signage design**
- **Insurance certificate**
- **Artist Contract**

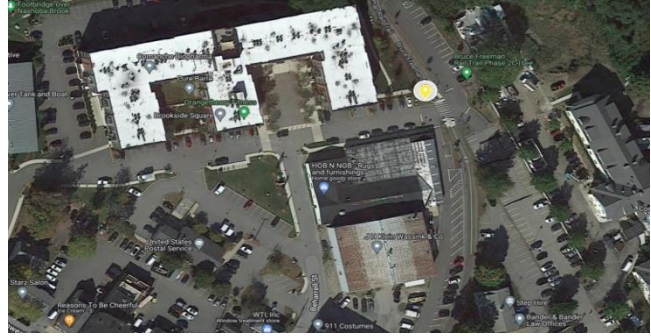
BUDGET

	Year One 2024 Installation	Year Two 2025	Year Three 2026
Payable by the Artist			
Artist Fee	\$950	\$150	\$150
Consultant Ryan McGuire	\$250		
Installation supplies and labor	\$1200		
Insurance	\$500		
Maintenance supplies	\$250	\$300	\$300
Subtotal - Artist	\$3,150	\$450	\$450
Payable by the Town			
Signage and printing	\$350	\$200	\$200
Event supplies	\$150	\$150	\$150
Recording Services	\$150	\$150	\$150
Stipends for selected poets	\$200	\$200	\$200
Subtotal - Town	\$850	\$700	\$700
PROJECT TOTAL	\$4,000	\$1,150	\$1,150

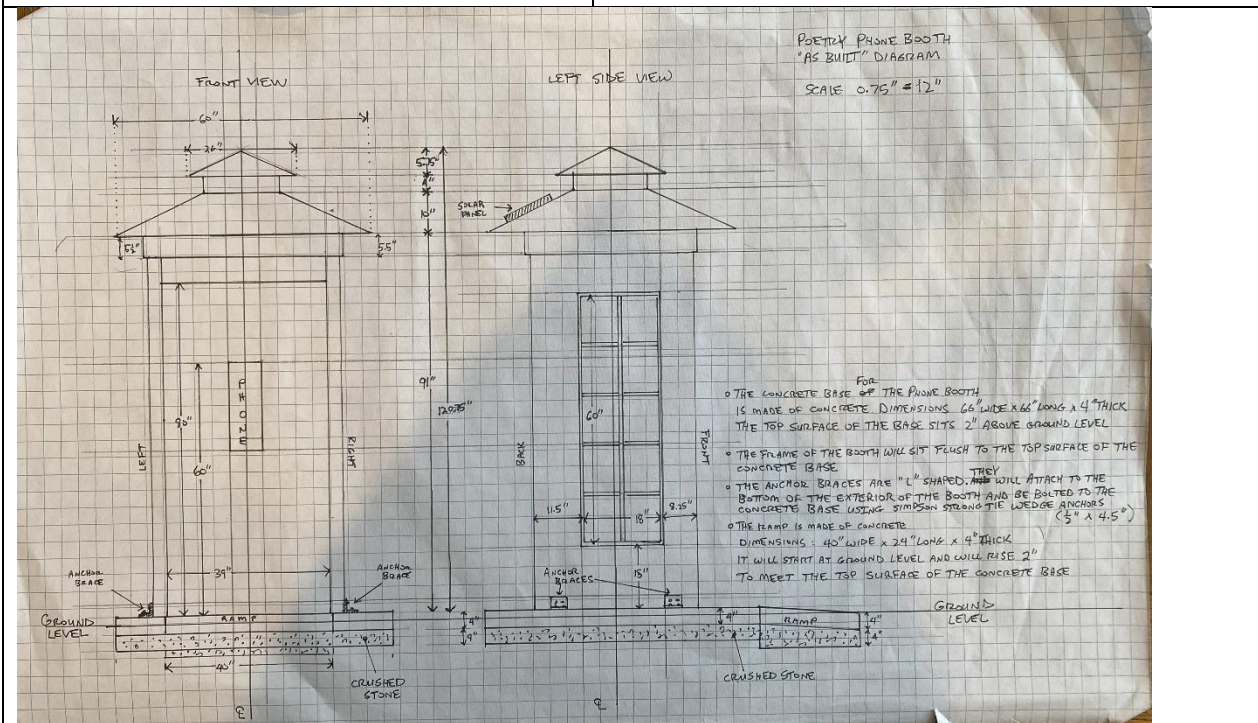
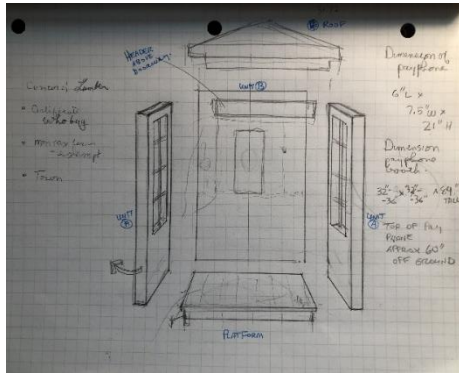
Design and Installation details:



Photo of site



Map showing location



PUBLIC ARTIST AGREEMENT

This Agreement is made effective December 15, 2023 by and between the Town of Concord, Massachusetts (hereinafter collectively referred to as "Town") and Mike Sprague, an individual residing at 76 Wright Road, Concord, MA 01742 (hereinafter referred to as "Artist") and Jennifer Hurley-Wales, an individual residing at 66 Old Marlboro Road, Concord MA 01742 (hereinafter referred to as "Curator").

PURPOSE: The Town of Concord, through its West Concord Junction Cultural District Committee, wishes to engage the Artist and Curator to execute the West Concord Poetry Phone. This Artwork is commissioned as part of a strategy to heighten public awareness of the unique cultural resources and resources of the district, boosting visitation to the district and thereby supporting local artists and cultural sites.

LICENSE: The Town provides a license to Artist and Curator for the purposes of final construction, installation, general maintenance and poetry curation of the public art "Poetry Phone," an interactive sculpture as detailed in Attachment A. This agreement excludes design and construction of the Artwork as was detailed in a separate agreement dated December 19, 2023.

TERM: The license shall commence on May 1, 2024. Installation shall be completed no later than May 31, 2024. The installation and operating period for the artwork is anticipated to be for a term of three (3) years to end January 30, 2027.

PAYMENT: The Town agrees to compensation in the amount of not more than \$7,100. (Seven thousand one hundred dollars) for installation, maintenance and curation of the artwork as detailed in Attachment A.

- a) Of the total allocation, not more than \$3,950 shall be payable to the Artist for installation. Artist shall be solely responsible for any and all compensation of other individuals providing installation services pursuant to this Agreement unless otherwise detailed in writing. Payment shall be distributed upon receipt of invoice and formal Notice of Acceptance issued by the Town acknowledging transfer of ownership and the artwork has been installed according to the terms of this agreement.
- b) Of the total allocation, not more than \$3,150 shall be payable to the Curator for maintenance and curation of the artwork according to the following schedule:
 - a. Not more than \$850 in calendar year 2024 in reimbursements upon presentation of receipts.
 - b. Not more than \$1,150 in calendar year 2024 in reimbursements upon presentation of receipts.
 - c. Not more than \$1,150 in calendar year 2026 in reimbursements upon presentation of receipts.

ARTIST RESPONSIBILITIES:

- a) Artist is responsible for furnishing all materials, paints, supplies, tools and equipment necessary for the installation of the Artwork unless otherwise mutually agreed in writing.
- b) Artist shall present the final design to the Town of Concord for its approval in its sole discretion prior to use of the Site and installation.
- c) Artist shall coordinate scheduling with Concord Public Works the date of installation of the concrete base for the artwork.
- d) Artist shall notify the Town of Concord upon completion of the installation.
- e) Artist shall certify that all mechanical components of the artwork are in working order.
- f) The Artist shall guarantee all workmanship and material used in the artwork and base for one year. This guarantee shall apply to any subcontractors engaged by the Artist.
- g) The Artist shall provide written instructions to guide the Town in maintenance of the work including but not limited to specifications on paint and electronic systems.
- h) Artist represents and warrants that the Artwork to be created is an original work of art and that the Artwork shall be a faithful rendition of the preliminary design submitted by Artist and approved by the Town.
- i) Artist hereby grants a non-exclusive license to Town capture the likeness of the Artwork and reproduce that likeness for all non-commercial purposes including specifically (but not limited to): websites, social media, handouts, brochures, and to authorize others to do the same.

CURATOR RESPONSIBILITIES:

- j) Curator is responsible for maintenance of the Artwork, furnishing all signage, printing, maintenance contractors and supplies, supplies for promotional events, audio content including recording services and poet honorarium. The Curator may be reimbursed for these expenses within the payment schedule as detailed within Attachment A.
- k) Curator shall coordinate all audio content for the Artwork including solicitation and selection of poems or other appropriate audio recordings, audio recording and presentation within the West Concord Poetry Phone Artwork.
- l) Curator shall oversee a schedule of maintenance to ensure the Artwork remains in working order.
- m) Curator represents and warrants that the Artwork to be created is an original work of art and that the Artwork shall be a faithful rendition of the preliminary design submitted by Artist and approved by the Town.
- n) Curator hereby grants a non-exclusive license to Town capture the likeness of the Artwork and reproduce that likeness for all non-commercial purposes including specifically (but not limited to): websites, social media, handouts, brochures, and to authorize others to do the same.

MATERIALS: Artist and Curator are solely responsible for all materials related to the Artwork installation and general maintenance.

MAINTENANCE: Artist and Town acknowledge that maintenance of the Artwork is essential to the integrity and appearance of the Artwork.

- a) The Artist shall attest the Artwork is in working order upon installation and shall guarantee all workmanship and material used in the Artwork and base for one year.
- b) During the term of this agreement, the Artist shall, at no charge to the Town, provide advice concerning problems relating to the maintenance and operating systems of the artwork.
- c) After the Town issues to the Artist the Notice of Acceptance the responsibility for general maintenance of the Artwork transfers to the Curator.
- d) The Curator agrees to execute routine maintenance and operating repairs in a timely way to ensure the Artwork is presented to the public in the manner in which it was intended upon installation.
- e) The Curator and Town mutually agree to communicate maintenance concerns to one another in a timely way.
- f) Should the Artwork be out of operation for a period of more than 15 (fifteen) days the Artist shall inform the Town immediately.
- g) Should the Artwork require substantial repairs not otherwise within the guarantee with the one year of installation or routine maintenance the Town will make a reasonable effort to consult with the Curator concerning restoration of the work. To the extent the Town in its sole discretion determines appropriate the Curator will be given opportunity to execute such repairs or restoration.

COPYRIGHT AND USE:

- a) Artist and Curator reserve all copyrights in the Artwork, the preliminary design, and any incidental works made in the creation of the Artwork as the sole author of the Artwork for the duration of the copyright.
- b) Both the Artist and Curator grant the Town permission to reproduce the Artwork for non-commercial purposes. The Artist and Curator may, at their discretion, enter into an agreement with the Town and any other entities, for release of the artwork for advertising/profit making purposes.
- c) Neither the Town nor the Artist nor Curator will intentionally use nor permit any use of the Artwork in any manner that would reflect discredit on the Artist, the Town, or would violate the spirit of the Artwork, should such use or misuse be within the Town's or the Artist's or the Curator's control.

TITLE AND OWNERSHIP: Upon completion and installation of the work and execution of a Notice of Acceptance title to the Artwork shall pass to the Town.

INSURANCE: For the period of work on site Artist shall obtain a certificate of insurance establishing general liability insurance in the amount not less than \$1,000,000 per occurrence identifying the Town of Concord as an additional insured. Such certificate

shall be obtained prior to the commencement of any work on the Artwork, with copies of the certificate submitted as Attachment B.

INDEMNITY: During the time that this Agreement is in effect, Artist and Curator agree to indemnify, defend, save, and hold harmless the Town, its officers, commissioners, agents, employees, grantees, and assigns, from and against all claims, actions, liabilities, damages, costs, expenses, and judgments, including attorneys' fees, which relate to, arise out of, or are in any way related to creation of the Artwork or Artist's or Curator's use of the Site on account of any injury to persons or damage to property. This indemnification clause shall not apply to any injury or damage caused by Town's own negligent, reckless, or willful actions, or that of its agents.

ARTWORK OR SITE ALTERATIONS: The parties agree that, to the extent allowed by law:

- a) It is the Town's intent to retain and publicly display the Artwork at the Site for a period of three (3) years.
- b) The Town agrees not to distort, mutilate or otherwise modify the artwork in a manner which is prejudicial to the artist's honor or reputation.
- c) All parties acknowledge that circumstances may arise that would make it prudent for the Town to not authorize installation and, once installed, to remove the Artwork from public display. The Town shall have sole discretion, as exercised by the Town Manager, whether to authorize installation, to remove from display or deaccession the Artwork at any time.
- d) If the Artwork should be damaged or destroyed the Town shall have sole discretion on if it shall be repaired.
- e) Upon the deaccession of the Artwork, the parties shall confer in good faith about the future status of the Artwork. All parties acknowledge the Town's right and sole discretion, as determined by the Town Manager, to disposal of the work in any means it sees fit.
- f) Consistent with the paragraphs above and in the case of removal, Artist and Curator agree to waive all rights with regard to the work while retaining copyright to the Artwork.

MODIFICATION: Any modification of the terms of this Agreement, including assignment of rights or obligations, shall be in writing and signed by all parties.

RELATIONSHIP OF THE PARTIES: Nothing set forth herein shall be deemed or construed by the parties, nor by any third party, as creating the relationship of principal and agent, partnership, or joint venture between the parties hereto; it being understood and agreed that no provision contained herein, nor any acts of the parties hereto, shall be deemed to create any relationship between the parties hereto other than the relationship of as set out between Artist and the Town.

CLEANLINESS OF THE SITE: Artist shall not store, use, or dispose of any toxic or hazardous materials in, on, or about the Site without the prior written consent of Town, and shall keep the premises and surrounding area free from accumulation of waste materials or rubbish caused by operations under this Agreement.

NOTICES: Each notice or request must be in writing and, addressed to the parties as set forth below:

To the Town:

Concord Town House
22 Monument Square
Concord, MA 01742
Attn: Mimi Graney and Megan Zammuto

To the Artist: Mike Sprague
76 Wright Road
Concord, MA 01742

To the Curator:
Jennifer Hurley-Wales
66 Old Marlboro Road
Concord, MA 01742

ENTIRE AGREEMENT: It is agreed between the parties that this Agreement, as written, is the full and complete Agreement between parties and that there are no oral agreements or understanding between the parties other than what is in writing herein.

This Agreement shall be governed and construed in accordance with the laws of the Commonwealth of Massachusetts, and shall take effect as a sealed instrument.

GOVERNMENTAL POWERS: It is agreed that, by executing this Agreement, Town does not waive or surrender any of its governmental powers or authority.

SEVERABILITY: If any section, sentence, clause, or phrase of this Agreement is found to be invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining provision of this Agreement.

Signed:

TOWN OF CONCORD, MASSACHUSETTS

By: _____

Kerry LaFleur
Town Manager

Date

ARTIST

Name: _____

Date: _____

CURATOR

Name:

Date:

ATTACHMENT A

BUDGET

	Year One 2024 - incl. Installation	Year Two 2025	Year Three 2026
Payable to Artist			
Artist Fee	\$950		
Consultant Ryan McGuire	\$250		
Installation supplies and labor	\$2000		
Insurance	\$500		
Maintenance supplies	\$250		
Subtotal - Artist	\$3,950		
Reimbursements payable to Curator			
Maintenance contractor (painting, minor repairs)		\$150	\$150
Maintenance supplies		\$300	\$300
Signage and printing	\$350	\$200	\$200
Event supplies	\$150	\$150	\$150
Recording Services	\$150	\$150	\$150
Stipends for selected poets	\$200	\$200	\$200
Subtotal - Curator	\$850	\$1,150	\$1,150
PROJECT TOTAL	\$4,800	\$1,150	\$1,150

ATTACHMENT B

Drawings and other schematics to detail the artwork including measurements, locations and materials

Specifications on installation as reviewed by Engineering Division, Concord Public Works

ATTACHMENT C

Certificate of Insurance listed Town of Concord as additional insured



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/22/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Next First Insurance Agency, Inc. PO Box 60787 Palo Alto, CA 94306	CONTACT NAME: PHONE (A/C. No. Ext): (855) 222-5919		FAX (A/C. No):
	E-MAIL ADDRESS: support@nextinsurance.com		
INSURER(S) AFFORDING COVERAGE			NAIC #
INSURER A: Next Insurance US Company			16285
INSURED Michael Sprague Michael Sprague Artist 76 Wright Rd Concord, MA 01742	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		
	INSURER G:		

COVERAGES

CERTIFICATE NUMBER: 335632972

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR VVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		NXTJ7PQXRQ-00-GL	04/06/2024	04/06/2025	EACH OCCURRENCE \$1,000,000.00
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000.00						
							MED EXP (Any one person) \$15,000.00
							PERSONAL & ADV INJURY \$1,000,000.00
							GENERAL AGGREGATE \$2,000,000.00
							PRODUCTS - COMP/OP AGG \$2,000,000.00
							\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y / N <input checked="" type="checkbox"/> N / A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liability	X		NXTJ7PQXRQ-00-GL	04/06/2024	04/06/2025	Each Occurrence: \$1,000,000.00 Aggregate: \$2,000,000.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is Town Of Concord. This Certificate Holder is an Additional Insured on the General Liability policy per the Additional Insured Automatic Status Endorsement. All Certificate Holder privileges apply only if required by written agreement between the Certificate Holder and the insured, and are subject to policy terms and conditions.

CERTIFICATE HOLDER
 Town Of Concord
 22 Monument Sq
 Concord, MA 01742
LIVE CERTIFICATE[Click or scan to view](#)**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

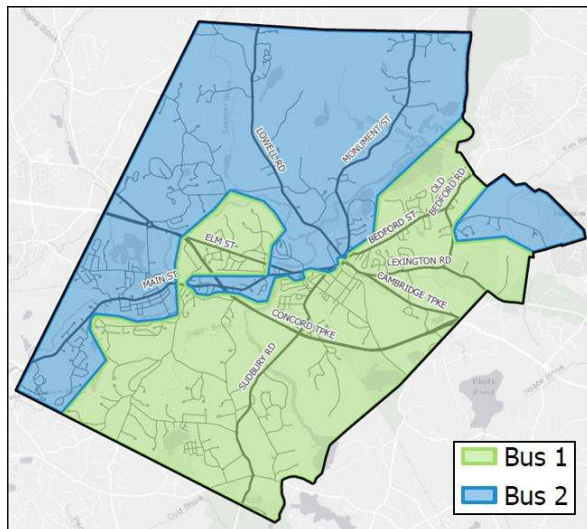
2024 Special Town Meeting Request

Objective

To request borrowing authorization to install a grid-scale battery in Town that will serve to both ensure the resilience of electricity distribution and allow for the continued addition of solar power generation within the Town of Concord.

Background

Concord Municipal Light Plant (CMLP) receives power on two separate transformers from Eversource. Each transformer is connected to a bus that allows you to draw power from it. Every location in Concord that receives power from CMLP is connected to bus 1 or bus 2.



It so happens that over time, the load on bus 2 has steadily decreased. The W.R. Grace solar site (approximately 4.5 megawatts (MW)) is also on this bus. When W.R. Grace is at full production during a hot day, that solar is used in Concord to provide local, renewable electricity to our customers.

But on bright sunny days when the weather is mild, this large amount of solar production drives our transmission low very low. Because of the current equipment used to transmit power, we need to maintain a minimum load for power protection, and we cannot, currently, generate more power than we use; that would result in the failure of the distribution system.

New Problems

Small solar installations have gradually been increasing in Concord. Since 2020, we have seen 1.15MW of new solar installations. Several other larger commercial, educational, and industrial locations in Concord have reached out to let CMLP know that they are interested in electrification, solar installation/expansion and the use of batteries.

At the end of January 2024, the state announced that MCI-Concord was going to be abruptly closed by June 30, 2024. MCI-Concord has a relatively steady large demand for electricity for their facilities and wastewater treatment plant. Their load may be anywhere from 0.6-1MW, and it is very predictable (i.e. they don't close on weekends or holidays like commercial buildings do).

This unexpected change greatly accelerates the time when this will become a critical issue and drop load too low for power protection to function correctly.

Solar Task Force

The Town of Concord has a group of dedicated citizen volunteers tasked by the Select Board to identify locations in town that could have a solar installation developed. They moved to a point where they felt they could recommend specific projects to advance to Town Meeting and chose the Concord-Carlisle High School roof and the landfill, both on Walden St, as the locations.

An article was submitted for the warrant, but because feasibility studies were not complete, they felt they could only bring forward a motion to borrow for battery storage and a feasibility study for a distributed energy resource management system. With the original solar project dictating location, the battery storage must be sited at either the high school or the landfill, both of which are on bus 1.

Solutions

CMLP has long planned and been making strides toward a system that would allow us to (1) see real-time, granular power usage information, (2) allow us to push back power to Eversource, our provider. But this project, known as establishing a metering domain, is still likely a couple years away.

Since the battery featured in Article 33 of the Annual Town Meeting warrant can only be located at properties on bus 1, where we don't face such critical power situations, we propose a new article, hopefully fully backed by both the Light Board and the Solar Task Force, to allow us to site the battery somewhere on bus 2.

With a battery development opportunity, we will consider its impact on the distribution of electricity, the amount of future solar development it will allow, and the economics of the project. Large grid-scale batteries like this allow us to reduce the ISO peak, which lowers our next year's transmission costs by significant amounts. A bigger battery helps with all of these factors. Everyone wins when we can allow the expansion of solar by those who want it.



Very soon the Town will be talking about the ways that the MCI-Concord property can be redeveloped, and in today's world, that development would be severely hampered by the solar saturation on bus 2.

Summary

In summary, we propose an article that allows CMLP to borrow funds to build a battery somewhere on bus 2 and larger than the initial scope in Article 33. The specifics of location, size, and cost are soon to follow. Such a battery will:

- Ensure that current solar production and lower loads do not cause failures of the grid, and do so much more quickly than any other option on the table
- Allow for the expansion of in-Town solar on both bus 2 and bus 1
- Save ratepayers money by shaving peaks from the ISO or through arbitrage

2024 Special Town Meeting (STM)

ACTION	TIMETABLE/CONSIDERATIONS	DATE
Open Warrant		Monday, April 1, 2024
Close Warrant & Approve Content & Order of Warrant	Town bylaw requires that the warrant be open for 10 days except in the case of emergency or other compelling circumstances when the Select Board shall state in writing that a situation exists which makes it undesirable to hold the warrant open for the entire 10 day period.	Friday, April 5, 2024, 12 noon Select Board states need to close warrant early to allow for planning public hearing should any zoning articles be presented.
Post Warrant & mail to all Concord households	At least 14 days prior to STM	Tuesday, April 9, 2024
Joint Public Hearing – Finance Committee and Select Board		Tuesday, April 16, 2024
Last Day to Register to Vote for STM	10 days prior to STM	Friday, April 19, 2024
Mailing of Finance Committee Report	No “hard” (statutory, bylaw) deadline; recommended at least 7 days before STM (Finance Committee bylaw Section 3: must be mailed at least 7 days prior to the meeting)	Friday, April 19, 2024
Public Hearing – Planning Board	<p>If there are any zoning articles, Planning Bd public hearing notice must be published in the newspaper twice; the first notice must appear at least 14 days prior to the public hearing date.</p> <p>A daily newspaper will need to be used, like the Lowell Sun for Legal Notice publication in order for there to be enough time to hold the Public Hearing two weeks after the first notice is published.</p>	<p>Tuesday, April 23, 2024</p> <p>Public Hearing posting in the Lowell Sun:</p> <p>April 9 April 16</p>
Special Town Meeting		May 1, 2024

**MOTION TO ADVANCE FOR CONSIDERATION AND TAKE ACTION ON
CERTAIN ARTICLES WITHOUT DEBATE
(2024 CONSENT CALENDAR)**

Mr. Patel moves: that the 2024 Annual Town Meeting advance for consideration the Articles in the table below and take action on such Articles without debate, provided, that upon the request of ten (10) voters at this Meeting, made before the vote is taken on this motion, an Article, or, in the Moderator's discretion, a portion thereof, shall be dropped from the Consent Calendar and shall be acted upon in the ordinary course of business at this Town Meeting.

<p>Article 2</p>	<p>HEAR REPORTS Affirmative Action Recommended By: Select Board Motion: That the Town receive the 2023 Annual Report. Reason: Routine, non-controversial action.</p>
<p>Article 3</p>	<p>MEETING PROCEDURE Affirmative Action Recommended By: Finance Committee, Select Board Motion: That in order to assure compliance with the requirements of the Mass. Gen. Laws c. 59, § 21C, the Meeting adopt the following Rule of the Meeting:</p> <p style="text-align: center;">RULE OF THE MEETING</p> <p>1. <u>Articles for appropriations supported from current taxation and/ or available funds.</u> Any motion made under a warrant article or a motion to amend that would increase the appropriation amount over the amount recommended by the Finance Committee and designated by it as the "allocation at levy limit," or that would provide for an appropriation where the Finance Committee is recommending NO ACTION, must specify the following:</p> <ul style="list-style-type: none"> a. the original motion or a motion to amend shall specify the amount of increase over the appropriation recommended by the Finance Committee and the source of funding- whether from available funds, taxation within the levy limit, or contingent upon approval of an override ballot vote following the conclusion of Town Meeting if such ballot is voted by the Board of Selectmen in accordance with state law; b. if the proposed increased appropriation is proposed to be funded from taxation within the levy limit, the original motion or motion to amend shall specify the source of funding as: <ul style="list-style-type: none"> o a reduction in the appropriation amount already voted under a previous article or within the article currently being considered; or o a maximum amount that may be appropriated within the levy limit under a subsequent article in the warrant. <p>2. <u>Articles for appropriations supported from borrowing.</u> The Finance Committee shall report to the Meeting summarizing its recommendations for new tax-supported borrowing authority to be offered at this Meeting and for which the debt service is proposed to be funded within the levy limit.</p> <p>Any motion made under a warrant article or a motion to amend that would increase the appropriation amount to be met by a borrowing authorization over the amount recommended by the Finance Committee or that would provide for an appropriation to be met by a borrowing authorization where the Finance Committee is recommending NO ACTION, must specify the following:</p> <ul style="list-style-type: none"> a. The original motion or a motion to amend shall specify the amount of increase over the appropriation recommended by the Finance Committee and shall make the increase contingent upon approval of a debt exclusion or capital outlay exclusion ballot vote following the conclusion of Town Meeting if such ballot is voted by the Select Board in accordance with state law; or b. The original motion or motion to amend shall include a corresponding and offsetting reduction in another borrowing authorization from among those listed by the Finance Committee, either by a reduction in the

	<p>amount already voted under a previous article or by setting a maximum amount of debt that may be authorized within the levy limit under a subsequent article in the warrant.</p> <p>3. <u>Articles making appropriations to be kept open</u>. Any Article making appropriations shall be kept open until the final adjournment of the Meeting.</p> <p>Reason: Routine and non-controversial at hearing; the motion is identical to Meeting Procedure motions passed annually and unanimously for more than fifteen years.</p>
Article 10	<p>OPEB TRUST FUND APPROPRIATION Affirmative Action Recommended by: Finance Committee, Select Board Motion: That the Town raise and appropriate \$1,364,608; and transfer \$85,275 from the Light Fund; \$17,698 from the Broadband fund, for a total appropriation of \$1,467,851 to fund the Town's FY25 contribution to the Other Post-Employment Benefits Liability Trust Fund (OPEB Trust) established under Mass. Gen. Laws c. 32B, § 20. Reason: Routine General Fund appropriation to meet the Town's OPEB obligations. This appropriation was made in prior years as part of the Town's Budget article, and is now being appropriated for all funds (General, Enterprise, and Other) in a stand-alone article consistent with best practice as recommended by the Town's auditors and the Massachusetts Department of Revenue; non-controversial at hearing.</p>
Article 11	<p>OPEB TRUST FUND EXPENSE Affirmative Action Recommended by: Finance Committee, Select Board Motion: That the Town appropriate from the OPEB Fund established under Mass. Gen. Laws c. 32B, § 20 \$275,000 for OPEB Fund expenses. Reason: Non-controversial at hearing; routine action to authorize payment of OPEB Fund expenses by direct payment from the Fund, instead of by deduction from earnings as was done in prior years, consistent with the recommendation of the Town's financial advisors.</p>
Article 12	<p>APPROPRIATION OF OPIOID SETTLEMENT FUNDS Affirmative Action Recommended By: Select Board, Finance Committee Motion: That the Town take affirmative action on Article 12 as printed in the Warrant. Reason: Non-controversial at hearing; necessary action to enable Town to use for permissible programs the sum of \$76,871.49 received from state opioid settlement fund.</p>
Article 18	<p>SELECT BOARD TO ACCEPT EASEMENTS Affirmative Action Recommended by: Select Board Motion: That the Town take affirmative action on Article 18 as printed in the Warrant. Reason: Non-controversial at hearing; one-year authorization for Select Board to acquire easements transferred to the Town without a fee for various access, passage, and utility purposes as required by permits, utility and infrastructure agreements, or memoranda of understanding.</p>
Article 30	<p>AUTHORIZE SELECT BOARD TO PETITION FOR CHANGES TO PREVIOUSLY APPROVED HOME RULE PETITION REGARDING A CHECK OUT BAG CHARGE Affirmative Action Recommended by: Select Board; Agriculture Committee Motion: That the Town take affirmative action on Article 30 as printed in the Warrant. Reason: Exemption of farmstands from home rule petition approved by 2022 Annual Town Meeting in recognition of practical impediments to compliance by farmstands; non-controversial at hearing.</p>
Article 32	<p>FOSSIL FUEL-FREE DEMONSTRATION: BYLAW AMENDMENTS FOR PROGRAM PARTICIPATION Affirmative Action Recommended by: Select Board Motion: That the Town take affirmative action on Article 32 as printed in the Warrant. Reason: Non-controversial at hearing; amendment of bylaw previously enacted by Concord Town Meeting as recommended by state program for all communities participating in Fossil Fuel-Free Demonstration Project.</p>
Article 36	<p>ZONING BYLAW AMENDMENT: FLOODPLAIN CONSERVANCY DISTRICT Affirmative Action Recommended by: Planning Board, Select Board Motion: That the Town take affirmative action on Article 36 as printed in the Warrant. Reason: Federally mandated changes to flood plain map necessary to ensure continued eligibility of Concord residents to obtain coverage under Federal flood insurance program.</p>

Article 37	<p>ZONING BYLAW AMENDMENT: GENERAL HOUSEKEEPING – MULTIPLE SECTIONS Affirmative Action Recommended by: Planning Board, Select Board Motion: That the Town take affirmative action on Article 37 as printed in the Warrant. Reason: Housekeeping amendment to correct various errors throughout the Zoning Bylaw in spelling, grammar, punctuation, etc.; non-controversial at hearing.</p>
Article 43	<p>AMEND DEPARTMENTAL REVOLVING FUNDS BYLAW Affirmative Action Recommended by: Finance Committee, Select Board Motion: That the Town take affirmative action on Article 43 as printed in the Warrant. Reason: Non-controversial at hearing; adds new Ambulance Revolving Fund for acceptance of program receipts and payment of program expenses.</p>
Article 44	<p>AUTHORIZE EXPENDITURE OF REVOLVING FUNDS UNDER MASS. GEN. LAWS C. 44, § 53E1/2 Affirmative Action Recommended By: Finance Committee, Select Board Motion: That the Town take affirmative action on Article 44 as printed in the Warrant. Reason: Routine authorization of annual spending limits for Revolving Funds, expenditures made pursuant to the Town's Revolving Fund Bylaw with the approval of the Town Manager; non-controversial at hearing.</p>
Article 45	<p>LIGHT PLANT EXPENDITURES & PAYMENT IN LIEU OF TAXES Affirmative Action Recommended by: Finance Committee, Select Board Motion: That the Town authorize the income from sales of electricity and broadband and from servicing and jobbing during the fiscal year ending June 30, 2025, together with the balance of operating cash in the Light Plant Fund, to be expended under the direction and control of the Town Manager, without further appropriation, for the expenses of the Light Plant for the fiscal year, as defined in Mass. Gen. Laws c. 164, § 57, and/or for other plant extensions, enlargements, additions, renewals, and reconstruction; and further to authorize a transfer of \$464,500 from the Operating Fund of the Light Plant to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2024. Reason: Routine annual action; non-controversial at hearing. Authorizes the Light Plant to expend its income for operations and provides for the transfer of \$464,500 from the Operating Fund of the Light Plant to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2024.</p>
Article 46	<p>SOLID WASTE DISPOSAL FUND EXPENDITURES Affirmative Action Recommended by: Finance Committee, Select Board, [Public Works Commission] Motion: That the Town take affirmative action on Article 46 as printed in the Warrant. Reason: Routine annual authorization; non-controversial at hearing; authorizes the Town Manager to expend user fee revenue from the fiscal year ending June 30, 2025 and cash on hand in the Solid Waste Disposal Fund to operate the Town's curbside solid waste and recycling collection and disposal program.</p>
Article 47	<p>SEWER SYSTEM EXPENDITURES Affirmative Action Recommended by: Finance Committee, Select Board, Public Works Commission Motion: That the Town take affirmative action on Article 47 as printed in the Warrant. Reason: Routine annual enterprise fund authorization; non-controversial at hearing; authorizes the Town Manager to expend user fee revenue for the fiscal year ending June 30, 2025 and cash on hand in the Sewer Fund for the operation, maintenance, and improvement of the Town's sewer system.</p>
Article 48	<p>SEWER IMPROVEMENT FUND EXPENDITURES Affirmative Action Recommended by: Finance Committee, Select Board, Public Works Commission Motion: That the Town take affirmative action on Article 48 as printed in the Warrant. Reason: Routine annual action; non-controversial at hearing. The Sewer Improvement Fund is a sub-fund of the Sewer Fund consisting of fees paid by certain properties connecting to the sewer system; the Article authorizes expenditure from the Fund for construction and expansion of sewer lines and treatment facility capacity.</p>
Article 49	<p>WATER SYSTEM EXPENDITURES</p>

	<p>Affirmative Action Recommended by: Finance Committee, Select Board, Public Works Commission]</p> <p>Motion: That the Town take affirmative action on Article 49 as printed in the Warrant.</p> <p>Reason: Routine annual action; non-controversial at hearing; authorizes the Town Manager to expend user fee revenue for the fiscal year ending June 30, 2025 and cash on hand in the Water Fund for the operation, maintenance, and improvement of the Town's water system.</p>
Article 50	<p>AUTHORIZE EXPENDITURE FROM PEG ACCESS AND CABLE-RELATED FUND</p> <p>Affirmative Action Recommended by: Finance Committee, Select Board, PEG Access Committee</p> <p>Motion: That the Town transfer from the PEG Access and Cable-Related Fund the amount of \$596,080 to be expended under the direction of the Town Manager for necessary and expedient cable-related purposes consistent with the Comcast licensing agreement during the fiscal year ending June 30, 2025.</p> <p>Reason: Routine transfer; non-controversial at hearing.</p>
Article 51	<p>BEEDE SWIM AND FITNESS CENTER ENTERPRISE FUND EXPENDITURES</p> <p>Affirmative Action Recommended by: Finance Committee, Select Board, Recreation Commission</p> <p>Motion: That the Town take affirmative action on Article 51 as printed in the Warrant.</p> <p>Reason: Routine authorization; non-controversial at hearing.</p>

DRAFT

2024 ANNUAL TOWN MEETING

Article #	Article Name	Sponsor	Select Board Recommendation
1	Choose Town Officers	Select Board	N/A
2	Hear Reports	Select Board	N/A
3	Meeting Procedure	Finance Committee	Affirmative Action – 5-0-0
4	Ratify Personnel Board Classification Actions	Personnel Board	Affirmative Action – 5-0-0
5	Ratify Personnel Board Classification & Compensation Plan	Personnel Board	Affirmative Action – 5-0-0
6	Personnel Bylaw Amendments	Personnel Board	Affirmative Action – 5-0-0
7	Fiscal Year 2024 Budget Line Item Adjustments	Chief Financial Officer	Report at Town Meeting – 5-0-0
8	Fiscal Year 2025 Town Budget	Town Manager	Affirmative Action – 5-0-0
9	Capital Improvement & Debt Plan	Town Manager	Affirmative Action – 5-0-0
10	OPEB Trust Fund Appropriation	Chief Financial Officer	Affirmative Action – 5-0-0
11	OPEB Trust Fund Expense	Chief Financial Officer	Affirmative Action – 5-0-0
12	Appropriation to the Opioid Prevention Programs Fund	Chief Financial Officer	Affirmative Action – 5-0-0
13	Funding Public Safety during the Concord250 Celebrations in 2025 Commemorating the Beginning of the American Revolution, April 19, 1775	Concord 2025 Executive Committee	Affirmative Action – 5-0-0
14	Use of Free Cash	Finance Committee	Report at Town Meeting – 5-0-0
15	Establish a Permanent Senior Means Tested Property Tax Exemption	Board of Assessors	Affirmative Action – 5-0-0
16	Create Stormwater Enterprise Fund	Public Works Commission	Affirmative Action – 5-0-0
17	Nagog Pond Improvements and PFAS Mitigation	Public Works Commission	Affirmative Action – 5-0-0
18	Select Board to Accept Easements	Public Works Commission	Affirmative Action – 5-0-0
19	Minuteman Regional Technical High School District Budget	Minuteman Regional School Committee	Affirmative Action – 5-0-0
20	Concord-Carlisle Regional School District Budget	Concord-Carlisle Regional School Committee	Report at Town Meeting – 5-0-0

21	Amenities Building at Concord-Carlisle High School	Concord-Carlisle Regional School Committee	Report at Town Meeting – 5-0-0
22	Authorize New Middle School Naming – Name the New Concord Middle School Ellen Garrison Middle School	DEI Commission	Affirmative Action – 4-1-0
23	Concord Public Schools Operating Budget	Concord Public School Committee	Affirmative Action – 5-0-0
24	Concord Public Schools Capital Budget	Concord Public School Committee	Report at Town Meeting – 5-0-0
25	Appropriation to Middle School Stabilization Fund	Finance Committee	Warrant Article withdrawn
26	Town Meeting Study Committee	Town Moderator	Affirmative Action – 5-0-0
27	Citizen Petition: Town Meeting Voting Reform	Dinos Gonatas	No Action – 5-0-0
28	Citizen Petition: Remote Participation at Annual and Special Town Meetings	Scott Gillis & Mark Martines	Affirmative Action – 3-1-1
29	Citizen Petition: Use of Hand-Held Electronic Voting at Town Meetings	Scott Gillis & Mark Martines	Affirmative Action – 4-0-1
30	Authorize Select Board to Petition for Changes to Previously Approved Home Rule Petition regarding a Check Out Bag Charge	Agriculture Committee	Affirmative Action – 5-0-0
31	Update Town Goals to Meet the Climate Challenge	Climate Action Committee	Affirmative Action – 5-0-0
32	Fossil Fuel-Free Demonstration: Bylaw Amendments for Program Participation	Select Board	Affirmative Action – 5-0-0
33	In-Town Solar Expansion	Solar Implementation Task Force	Report at Town Meeting – 5-0-0
34	Zoning Bylaw Amendment: Zoning Map & MBTA Communities Multi-Family Overlay District	Planning Board	Affirmative Action – 5-0-0
35	Zoning Bylaw Amendment: Two-Family Dwelling Unit in Residence B Zoning District	Planning Board	Affirmative Action – 5-0-0
36	Zoning Bylaw Amendment: Floodplain Conservancy District	Planning Board	Affirmative Action – 5-0-0
37	Zoning Bylaw Amendment: General Housekeeping – Multiple Sections	Planning Board	Affirmative Action – 5-0-0

38	Citizen Petition: Citizen Support for a New Cell Tower Located at the Landfill at 755 Walden Street	Alisha Boyajian	Report at Town Meeting – 5-0-0
39	Citizen Petition: Citizen Support for a New Cell Tower Located at the Public Works Parcel on Keyes Road	Alisha Boyajian	Report at Town Meeting – 5-0-0
40	Community Preservation Appropriation Recommendations	Community Preservation Committee	Affirmative Action – 5-0-0
41	Authorize a Task Force to Review and Update the Charges, Policies, and Protocols of the Historic Districts Commission and the Historical Commission	DEI Commission	Warrant Article withdrawn
42	Tourist Bylaw Amendments	Select Board	Affirmative Action – 5-0-0
43	Amend Departmental Revolving Funds Bylaw	Town Manager	Affirmative Action – 5-0-0
44	Authorize Expenditure of Revolving Funds under Mass. Gen. Laws 44 § 53 E1/2	Town Manager	Affirmative Action – 5-0-0
45	Light Plant Expenditures and Payment in Lieu of Taxes	Town Manager	Affirmative Action – 5-0-0
46	Solid Waste Disposal Fund Expenditures	Town Manager	Affirmative Action – 5-0-0
47	Sewer System Expenditures	Town Manager	Affirmative Action – 5-0-0
48	Sewer Improvement Fund Expenditures	Town Manager	Affirmative Action – 5-0-0
49	Water System Expenditures	Town Manager	Affirmative Action – 5-0-0
50	Authorize Expenditure from PEG Access & Cable-Related Fund	Town Manager	Affirmative Action – 5-0-0
51	Beede Swim and Fitness Center Enterprise Fund Expenditures	Town Manager	Affirmative Action – 5-0-0
52	Unpaid Bills	Chief Financial Officer	Affirmative Action – 5-0-0
53	Debt Rescission	Chief Financial Officer	No Motion Expected