

**TOWN OF CONCORD
SELECT BOARD
AGENDA
September 12, 2016**

5PM – Select Board Room – Town House																																									
1.	Call to Order																																								
2.	Consent Agenda: <ul style="list-style-type: none"> • Town Accountant’s Warrants • Minutes: July 25, 2016 • Public Ceremonies and Celebrations Committee 2016-2017 Calendar of Events • Anthony Logalbo Proclamation to be presented and read at retirement celebration on September 15 • Gift Acceptance: Middlesex School \$50000 for the purpose of resurfacing the track at Emerson Field; Richard Presti of 66 Comm Ave LLC \$1500 to be used toward the future design and construction of the Bruce Freeman Rail Trail; Friends of Concord-Carlisle Fields \$50000 to be applied to the maintenance expenses of the artificial turf on the grounds of the Concord-Carlisle Regional School District; Carmin Jaquier-Laage \$1500 (estimated) in the form of Water Quality Instrument and accessories for White Pond and other water bodies • One Day Special License – Wine & Malt Beverages <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">480 Biomedical Co.</td> <td style="width: 20%;">September 27</td> <td style="width: 20%;">12PM – 4PM</td> <td style="width: 30%;">269 Monument Street (Old Manse)</td> </tr> <tr> <td>Emerson Umbrella</td> <td>September 23</td> <td>7PM – 11PM</td> <td>40 Stow Street</td> </tr> <tr> <td>Emerson Umbrella</td> <td>September 24</td> <td>7PM – 11PM</td> <td>40 Stow Street</td> </tr> <tr> <td>Emerson Umbrella</td> <td>September 25</td> <td>2PM – 6PM</td> <td>40 Stow Street</td> </tr> <tr> <td>Saltbox Farm</td> <td>September 22</td> <td>4PM – 9PM</td> <td>40 Westford Road</td> </tr> <tr> <td>Saltbox Farm</td> <td>September 23</td> <td>6PM – 10PM</td> <td>40 Westford Road</td> </tr> <tr> <td>Saltbox Farm</td> <td>September 26</td> <td>6PM – 10PM</td> <td>40 Westford Road</td> </tr> <tr> <td>Saltbox Farm</td> <td>September 28</td> <td>6PM – 10PM</td> <td>40 Westford Road</td> </tr> <tr> <td>Saltbox Farm</td> <td>October 1</td> <td>4:30PM – 8:30PM</td> <td>40 Westford Road</td> </tr> <tr> <td>Saltbox Farm</td> <td>October 4</td> <td>6PM – 10PM</td> <td>40 Westford Road</td> </tr> </table> • Sunday Entertainment License: Emerson Umbrella, 40 Stow Street, September 25, 3PM-6PM • Extension of Hours: Saltbox Kitchen, 84 Commonwealth Avenue, September 15, until 11PM, with last call at 10:30PM 	480 Biomedical Co.	September 27	12PM – 4PM	269 Monument Street (Old Manse)	Emerson Umbrella	September 23	7PM – 11PM	40 Stow Street	Emerson Umbrella	September 24	7PM – 11PM	40 Stow Street	Emerson Umbrella	September 25	2PM – 6PM	40 Stow Street	Saltbox Farm	September 22	4PM – 9PM	40 Westford Road	Saltbox Farm	September 23	6PM – 10PM	40 Westford Road	Saltbox Farm	September 26	6PM – 10PM	40 Westford Road	Saltbox Farm	September 28	6PM – 10PM	40 Westford Road	Saltbox Farm	October 1	4:30PM – 8:30PM	40 Westford Road	Saltbox Farm	October 4	6PM – 10PM	40 Westford Road
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3.	Town Manager’s Report																																								
4.	Debrief on August 22 Tornado – Fire Chief Mark Cotreau																																								
5.	Municipal Election for the Boston Region Metropolitan Planning Organization																																								
6.	5:10 PM Public Hearing: Change of Manager & Alternate Manager of Record – Concord Rod & Gun Club																																								
7.	5:20 PM Public Hearing: Comcast Pole Petition 1200 Main Street																																								
8.	Community Chest Proclamation – Karen Bechtel, Trish Siefer																																								
9.	Discuss Proposed December Special Town Meeting																																								
10.	Town Manager Goals																																								
11.	Discuss Potential Changes to Select Board Clipboard & Communications																																								
12.	Discuss Letter to Businesses Regarding Polystyrene Ban																																								
13.	Miscellaneous/ Correspondence																																								
14.	Committee Liaison Reports																																								
15.	Public Comments																																								
16.	Town Manager Appointment: Nora McShane of 32 Bradford Street to the Committee on Disability for a term to expire May 31, 2019; Janet Miller of 1647 Main Street to the Comprehensive Sustainable Energy Committee for a term to expire May 31, 2019																																								
17.	Committee Nominations: Scott Richardson of 260 Elsinore Street to the Polystyrene Education and Outreach Committee for a term to expire January 2017																																								
18.	Adjourn to reconvene in Acton Board of Selectman meeting (Location: 472 Main Street, Room 402, Faulkner Hearing Room, Acton, MA 01720)																																								

PENDING

Thursday	September 22	7:30 PM	Joint Coordination Meeting	Town House
Monday	September 26	7 PM	Select Board Meeting	Town House
Monday	October 10	All Day	Columbus Day	Town Offices Closed
Tuesday	October 11		Yom Kippur begins at sunset	No Evening Meetings
Monday	October 17	7 PM	Select Board Meeting	Town House
Monday	October 31	7 PM	Select Board Meeting	Town House
Friday	November 11	All Day	Veterans Day	Town Offices Closed
Monday	November 14	7 PM	Select Board Meeting	Town House
Thursday	November 24	All Day	Thanksgiving	Town Offices Closed
Friday	November 25	All Day	Thanksgiving Observed	Town Offices Closed

Gift Acceptance Log September 12, 2016

Gift received from:	Date of meeting:	For Gift Account:	Amount:
Middlesex School	September 12	Middlesex School – Emerson Track	\$50,000
Richard Presti – 66 Comm. Ave LLC	September 12	Rail Trail	\$1,500
Friends of Concord Carlisle Fields	September 12	Concord-Carlisle Fields Maintenance	\$50,000
Carmin Jaquier-Laage	September 12	Gift of Water Quality Instrument	\$1,500 (est.)

SELECT BOARD
MINUTES
JULY 25, 2016

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 7PM in the Select Board Room.

Present were Michael E. Lawson, Chair; Jane Hotchkiss, Clerk; Alice Kaufman, Tom McKean, and Steven Ng. Also present was Christopher Whelan, Town Manager.

Mr. Lawson called the meeting to order and announced that it is being recorded.

CONSENT AGENDA

- Town Accountant's Warrants
- One Day Special License: Wine & Malt Beverages License for Pfizer company BBQ on August 16, 2016, at the Old Manse from noon-5PM; Wine & Malt Beverages License for Tisdale Wedding on July 30, 2016 from 4PM – 10PM at the Old Manse;

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

VOTED: to approve the Consent Agenda as read.

TOWN MANAGER'S REPORT

1. Concord Light continues to seek responses to a citizen survey regarding LED street lighting. Test locations are on Central Street and Stow Street. Once preferences are determined, Concord Light intends to replace 1,500 streetlights with newer energy_saving LED models.
2. Tuesday and Wednesday are anticipated to be hot days with peak energy demands. Residents are urged to reduce electric power use between 3PM and 6PM. Reducing the peak lowers electric power cost throughout the year.
3. There was a power outage on Saturday at Main and Thoreau St. due to the electrical storm. 840 homes were affected from 11PM to 1:30AM.
4. The Knox Trail solar project is estimated to be 4.5 megawatts of power, not quite the 5 megawatts anticipated. Construction will begin immediately.
5. CPW summer road work is underway in several neighborhoods. Traffic will be reduced to a single lane during drainage and paving work on Powder Mill Rd. and Barrett's Mill Rd. Liberty St. is likely to be closed completely from Barnes Hill to Monument St.
6. National Grid has been working to repair a gas leak on Main St. at Keyes Rd. The work will take two days to complete.
7. The school bus facility kick-off meeting went well. They are installing erosion control measures and will begin the construction that is planned to take until June 2017 to complete.
8. The Attorney General has completed review of bylaw amendments approved by Town Meeting. Demolition Delay, Historic map, Sign Bylaw, and Polystyrene Bylaw were approved with comments on enforcement, but the zoning bylaws are on hold. They were not rejected, but will need more time for proper posting. Citizens were not advised where they could find the text of the bylaw. The Town Clerk will post that information.
9. There has been limited demand for Daily White Pond Beach passes. Those interested should contact the Recreation Department.

Call to Order

Consent Agenda

Town Manager's Report

SELECT BOARD
MINUTES
JULY 25, 2016

10. MPO will consider a TIP Amendment that would increase funding for the Bruce Freeman Rail Trail from \$6.5MM to \$9.2MM. Planning Director Marcia Rasmussen has suggested that the Board might send a letter urging support.
11. Boston Magazine has selected Concord as having the best downtown. Assistant Town Manager Kate Hodges submitted the nomination.

FINANCE DIRECTOR TREASURER COLLECTOR

Mr. Whelan provided the Board with the provision in the Town Charter that makes the Town Manager responsible for appointing the Treasurer and Collector subject to the approval of the Select Board. That position also holds the title of Finance Director. He introduced Kerry Lafleur and respectfully requested the Board's confirmation of her appointment. Once approved, her official start date will be September 12. Mr. Logalbo's appointment will continue until that time.

Ms. Lafleur summarized her work experience and résumé. She noted the variety of municipal experience that she has had in the past twenty-five years and noted the towns in which she has served in finance or administration. She stated that she looks forward to offering her experience to the Town.

Discussion included: Mr. Lawson noted that he had had the opportunity to read all of the applications received in this recruitment and clearly understood how Ms. Lafleur's application came to the attention of the selection committee. In response to a question from Mr. McKean regarding concerns she might have identified during the process, Ms. Lafleur stated that there are many components to the Town budget including the swim and fitness center where some have concerns whether it can be maintained without burdening the tax base. She stated that the Town is in great shape and perhaps there are ways to improve the accessibility of it for the public. In response to a question by Ms. Hotchkiss regarding what Ms. Lafleur looks forward to tackling, Ms. Lafleur stated that there are many layers to the Town. The Finance Director will get to work with them all. She has experience with Retirement at the county level and looks forward to learning more about the local level. In addition, Concord has a municipal light plant that she looks forward to learning about. Mr. McKean stated that he was impressed by the broad range of experience that Ms. Lafleur will bring to the post. Tony Logalbo will continue to work with the Retirement Board, Minuteman Nashoba Health purchasing group, and Trustees of Town Donations for a few months.

Upon a motion duly made and seconded, the Board UNANIMOUSLY
VOTED: to confirm the Town Manager's Appointment of Kerry Lafleur as Town Treasurer and Town Collector.

ACTING TOWN CLERK

Mr. Whelan stated that Town Clerk Anita Tekle will be taking a leave of absence and during that time recommends that Assistant Town Clerk Patricia Clifford serve as Acting Town Clerk. Similar to the Treasurer position, by Charter, appointments of Town Clerk are subject to the approval of the Select Board. During Ms. Tekle's absence, it is expected that additional staff time may be needed in the office. Ms. Tekle will return to service in time for the November election.

Upon a motion duly made and seconded, the Board UNANIMOUSLY
VOTED: to confirm the Town Manager's Appointment of Patricia Clifford as Acting Town Clerk from August 1 2016 through October 31, 2016.

CONCORD CENTER AND WEST CONCORD CULTURAL DISTRICTS UPDATE

Finance Director

Town Clerk

Cultural Districts

SELECT BOARD
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Stephanie Stillman was present to update the Board regarding recent Cultural District activities. Ms. Stillman distributed some brochures that she had not been able to share electronically. She stated that the West Concord Junction District was approved, one of the few towns with multiple designations. Since then, tourists to the visitor center have increased. A goal for the next year is to work with the Town to develop a policy regarding a public art space. It appears that several spaces may be available in West Concord, including Brookside Square, some in front of the Bradford building, and more in the future village space between Twin Seafood and Concord Teacakes. In addition, new maps will be developed and revised. The Chamber of Commerce is updating its website and will host information regarding the Cultural Districts. It is hoped that there will be increased coordination between the two districts. An inventory of artists in area is being done. Already it is time to renew the Concord Center District's designation and that will require updating the management agreement. 4 District signs will be added to entrances to West Concord.

Discussion included: West Concord is excited to be recognized; there is attention being added to the area from the district, the rail trail, new businesses and parks. Ms. Hotchkiss expressed her appreciation for all the effort that lead up to the designation which will allow the Junction to flourish. There are no town policies for public art at this time and it will take some care to develop. Mr. Lawson expressed the thanks of the Board.

EXTENSION OF THE CHARGE OF THE ENERGY FUTURES TASK FORCE

Mr. Lawson reported that the Energy Futures Task Force is hard at work, but believes that there will not be sufficient time to accomplish all the data gathering and analysis inherent in the Charge in the current timeframe. They have proposed increasing the term of the task force to mid-February 2017.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to amend the Charge of the Energy Futures Task Force substantially as discussed.

SELECT BOARD SCHEDULE OF MEETINGS FOR AUGUST AND SEPTEMBER

Mr. Lawson stated that the Board has added a meeting in August to enable it to act on a Bruce Freeman Rail Trail matter before attending a meeting in Acton. It had also cancelled a meeting. In the meantime, Acton Select Board has delayed its meeting until September 12. It was the consensus of the Board to continue with the August 15 meeting, but start at the regular time and have a regular business meeting and to start the September 12 at 5 PM to allow the Board to travel to Acton.

PUBLIC COMMENT

David Wiener of Bow St. stated that he objects to the Mill Brook Tarry development and has concerns for the lease of 400 square feet of land that would enable the project to include additional parking spaces without taking the matter to Town Meeting as required in the zoning by-law for longterm leases of town owned land. Mr. Whelan stated that the Town Manager is empowered to grant leases of up to ten years, but those longer than ten years must go before Town Meeting. His preference is for shorter leases to enable the Town to exit such arrangements if expedient. Mr. Whelan noted that Town Meeting has considered very few leases of 30 years or so –Concord Children's Center, Emerson Umbrella for example. In this case, it may be that the developer is amendable to a short term renewable lease as there is such an arrangement already on the property. Mr. Wiener agreed that the Planning Board has discretion and that "long term" is not well-defined. After further conversation, it was determined that as the matter was not on the evening's agenda, no further action could occur. Mr. Whelan agreed to put the matter on the August 15 agenda if the Board was interested.

EFTF

Meeting Schedule

Public Comment

SELECT BOARD
MINUTES
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COMMITTEE LIAISON REPORTS

Mr. McKean reported that the Historical Commission had a discussion of the Demolition Delay bylaw and using photographs to record current conditions. Further discussion regarded whether artifacts may be found to record a law enforcement gathering in West Concord in 1859. The Public Private Partnership Study Committee reviewed definitions and keys to success as well as the format of the upcoming public hearing. The Community Preservation Committee reviewed its allocation categories and whether funding should be reserved for a category if no applications for that category are received in a given year. The Committee also discussed streamlining the reimbursement and purchase order process. There was not a quorum for the Disability Committee, but the gathering talked about accessibility at the Ripley polling place and transportation for disable residents.

Ms. Hotchkiss reported that the Estabrook Woods Access Study Committee is continuing to study parking, signage, treatment of the woods itself, and concerns that recommendations of the committee will only regulate activities on Town-owned land. The Long Range Planning Committee is working on defining its goals. The Tax Relief Committee met with representatives of the Hugh Cargill Trust Committee to discuss coordinating fundraising. The Natural Resources Commission spent a great deal of time discussing culverts.

Mr. Lawson reported that he would participate in the Change of Command Ceremony at Hanscom, that he attended the Hugh Cargill Trust Committee meeting and informed them of the amendment to their charge to permit the Committee to manage the Silent Fund. The Municipal Light Board continues to work on the Strategic Plan and the Energy Futures Task Force sub-groups are working on preliminary reports. The Agriculture Committee had a very informative report by the NEC farmer on the history and current conditions at the 200 acre farm. The Financial Audit Advisory Committee reviewed the recently completed Light Plant Audit and will make its report to the Select Board on Town, School, and Light Plant audits.

Ms. Kaufman arrived at 8:15 PM.

MISCELLANEOUS/CORRESPONDENCE

1. The Town has been notified by the Lottery Commission of the request by a vendor to provide Keno-to-Go. The Board has 21 days to comment. This will be on the August 8 agenda.
2. The Town has received a request for the installation of Wild and Scenic River signs to be placed on the roadway where it crosses the rivers. Generally the Board has resisted the proliferation of signs, even to declining placement of signs for local non-profit and philanthropic groups. This matter will be on the August 8 agenda for discussion in the context of the recently amended sign bylaw.

COMMITTEE NOMINATIONS

Mr. Ng nominated Allen Sayegh of 131 Assabet Ave. to the Planning Board for a term to expire May 31, 2021 and Thomas Rarich of 315 College Rd to the Public Private Partnership Study Committee for a term to expire May 31, 2017

PROPOSED NATIONAL PARK SERVICE PROCLAMATION

Liaison Reports

Misc./Correspond.

Nominations

Proclamation

SELECT BOARD
MINUTES
JULY 25, 2016

Mr. Lawson disclosed that his spouse is Nancy Nelson, Superintendent of the Minuteman National Historical Park. The Ethics Commission has advised that he is able to participate on matters regarding the park without a conflict. Mr. Lawson noted that the National Park Service 100th Anniversary is in August. He proposed that the Town issue a proclamation acknowledging the celebration and the special relationship with the Park enjoyed by the Town.

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

VOTED: to approve drafting a Select Board Proclamation to recognize the National Park Service's 100th Anniversary and acknowledging the importance of Minuteman National Historical Park to the Town of Concord.

ADJOURNMENT

On a motion duly made and seconded, it was:

VOTED: To adjourn the Open Session and enter into Executive Session to consider matters of Land Acquisition not to return to Open Session.

Michael Lawson	Aye
Jane Hotchkiss	Aye
Alice Kaufman	Aye
Tom McKean	Aye
Steven Ng	Aye

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Jane Hotchkiss, Clerk

Adjourn

Weekly One Day License Log – September 12, 2016

Applicant Number & Name	Phone Number	Date of Event	Location of Event	Type of Alcohol	
16-101 480 Biomedical	617-393-4638	September 27	269 Monument St	W&M	Event Coordinator: Marion Imposimato Bartenders: Diane Maini, Allan J. Gray Under 21: No First license in Concord: Yes
16-102 Emerson Umbrella	978-371-0820	September 23	40 Stow St	W&M	Event Coordinator: Brian Boruta Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: Yes First License in Concord: No
16-103 Emerson Umbrella	978-371-0820	September 24	40 Stow St	W&M	Event Coordinator: Brian Boruta Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: Yes First License in Concord: No
16-104 Emerson Umbrella	978-371-0820	September 25	40 Stow St	W&M	Event Coordinator: Brian Boruta Bartenders: Brian Boruta, Lara Finn, Michael Lacey Under 21: Yes First License in Concord: No
16-105 Saltbox Farm	617-877-3859	September 22	40 Westford Rd	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No
16-106 Saltbox Farm	617-877-3859	September 23	40 Westford Rd	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No
16-107 Saltbox Farm	617-877-3859	September 26	40 Westford Rd	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No
16-108 Saltbox Farm	617-877-3859	September 28	40 Westford Rd	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No
16-109 Saltbox Farm	617-877-3859	October 1	40 Westford Rd	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No
16-110 Saltbox Farm	617-877-3859	October 4	40 Westford Rd	W&M	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No



TOWN OF CONCORD

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

OLD NORTH BRIDGE

Public Ceremonies and Celebrations Committee

Proposed 2016-2017 Calendar of Events

Veteran's Day Flag Retirement at Sleepy Hollow Cemetery
Friday, November 11, 2016 at 8:00 am

Honored Citizen Ceremony at the Town House
Sunday, March 19, 2017 at 1:30 pm

Meriam's Corner
Saturday, April 8, 2017 at 1:00 pm

Patriot's Day
Monday, April 17, 2017 at 9:00 am

Dawn Salute at Buttrick Hillside
Wednesday, April 19, 2017 at 6:00 am

Memorial Day
Monday, May 29, 2017 at
9:00 am – Rideout Field
11:00 am – Monument Square

John Arena III, Chair
Tom Valle

Robert Norton
Erin Logan

Edward Murray
Trish Ng



Benjamin T. Elliott
Proprietor, Saltbox Kitchen
84 Commonwealth Avenue
Concord, MA 01742

August 31, 2016

To the Board of Selectmen, Town of Concord:

I respectfully request permission for extension of our regular business hours until 11:00pm on Thursday, September 15th, 2016. Last call will be at 10:30pm, and all alcohol will be offered in addition to a special dinner menu.

Thank you for your consideration in advance,

Ben Elliott

A handwritten signature in blue ink, appearing to read "Ben Elliott", with a stylized flourish extending to the right.

Sunday Entertainment log September 12, 2016

Applicant Name	Phone Number	Date of Event	Location of Event	Type of Entertainment
Emerson Umbrella	978-371-0820	September 25	40 Stow Street	Theater Performance

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONCORD
SELECT BOARD

PROCLAMATION

TONY LOGALBO APPRECIATION

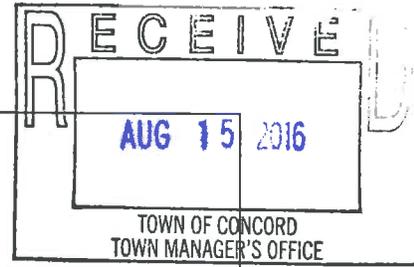
- WHEREAS** Tony Logalbo was recognized as a child prodigy in his home of Astoria Queens; and
- WHEREAS** Tony Logalbo was accepted into the prestigious, all male STEM exam school, Stuyvesant High School, a school whose admission acceptance rate rivals that of Harvard University; and
- WHEREAS** Tony Logalbo amassed multiple degrees from prestigious colleges and universities including Harvard; and
- WHEREAS** Tony Logalbo joined the hippie movement and headed west to Oakland, California to start his career in municipal finance; and
- WHEREAS** Tony Logalbo still hankered for the familiar Northeast and boomeranged back east; and
- WHEREAS** Tony Logalbo took the helm as Concord's Finance Director amidst a period of chaotic global and domestic economic strife; and
- WHEREAS** Tony Logalbo steered the Town of Concord to its first of a long and uninterrupted string of AAA bond ratings; and
- WHEREAS** Tony Logalbo attended countless Town Meetings and Special Town Meetings sitting in his reserved front row seat; and
- WHEREAS** Tony Logalbo managed to work with the ever changing yet persistent volunteers on the Town's Finance Committee; and
- WHEREAS** Tony Logalbo sought even greater financial oversight and accountability by setting up a Fiscal Audit Committee; and
- WHEREAS** Tony Logalbo never missed the opportunity to party with colleagues or impart his vast financial knowledge to whomever would listen; and
- WHEREAS** Tony Logalbo has been a loyal servant to the Town of Concord for 36 years (a number that may be disputed if one were to compute the total number of work hours estimated at nearly twice the average employee's work day);

NOW THEREFORE, let be resolved that Tony Logalbo, holder of the institutional memory of Concord's government and finance, will be forever missed from these hallowed halls, and remembered for his numerous contributions to the citizens of Concord.



CONCORD SELECT BOARD

2016 MPO Election Nomination Papers



Nominated Community	Name of Chief Elected Official	Signature
Town of Bedford	Michael Rosenberg Selectmen Chair	
Open MPO Seat Community is Running For (only check one)	<input checked="" type="checkbox"/> MAGIC Seat	<input type="checkbox"/> Inner Core Seat
	<input type="checkbox"/> MetroWest Seat	<input type="checkbox"/> South Shore Seat

Endorsers

Nominating Community	Name of Chief Elected Official	Signature
Town of Concord		

Individual endorsements may be attached as a separate letter but must specify the municipality and the official being nominated and must be signed by the chief elected official of the endorsing community.

**Please return in person or by mail
By 5 PM on Friday, September 30, 2016 to:
Metropolitan Area Planning Council
60 Temple Place
Boston, MA 02111**

Phone inquiries to
Eric Bourassa, MAPC (617) 933 -0740
Paul Regan, MBTA Advisory Board (617) 426-6054



MBTA Advisory Board

177 Tremont Street, Boston, MA 02111

Tel: (617) 426-6054 Fax: (617) 451-2054

July 14, 2016

TO: Chief Elected Officials

FR: Paul Regan, Executive Director, MBTA Advisory Board
Marc Draisen, Executive Director, Metropolitan Area Planning Council

RE: **Municipal Elections to the Boston Region Metropolitan Planning Organization**

IMPORTANT DATES:

- **Nomination Papers Due – Friday, September 30, 2016, at 5:00 PM, to MAPC;**
- **Election – MAPC Fall Council Meeting Wednesday October 26, 2016 at the Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169**

We are pleased to forward a copy of the election procedures for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO). The MPO is responsible for planning and programming financial resources for a multi-modal transportation system for the 101 municipalities in the Boston region. (An overview of MPO member responsibilities is included as Attachment C of the Official Notice of Elections.)

There are four seats on the MPO up for election. The MPO seat currently held by the Town of Framingham representing the Metro West Regional Collaborative (MetroWest) sub-region, the seat currently held by the Town of Bedford representing the Minuteman Advisory Group on Interlocal Coordination (MAGIC) sub-region, the seat currently held by the City of Somerville representing the Inner Core sub-region, and the seat currently held by the Town of Braintree representing the South Shore Coalition (SSC) sub-region, are up for election this year.

Any municipality located in the four above mentioned sub-regions may seek nominations to run for those respective open sub-regional seats.

The MPO has 22 voting members, which currently include:

State members

Massachusetts Department of Transportation (MassDOT) with three seats appointed by the Secretary of Transportation, at least one of which is from its Highway Division;
Massachusetts Bay Transportation Authority (MBTA);
Massachusetts Port Authority (Massport)

Regional members

Metropolitan Area Planning Council (MAPC);
MBTA Advisory Board;
Regional Transportation Advisory Council (RTAC)

Current municipal members

City of Boston with two seats

Twelve (12) elected municipalities, one seat each from the eight MAPC sub-regions.

Inner Core Committee: Somerville

Three Rivers Inter-local Council: Norwood

South West Area Planning Committee: Medway

MetroWest Regional Collaborative: Framingham

North Suburban Planning Council: Woburn

North Shore Task Force: Beverly

Minuteman Advisory Group on Inter-local Coordination: Bedford

South Shore Coalition: Braintree

Two (2) cities filling at-large seats: Newton and Everett

Two (2) towns filling at-large seats: Arlington and Lexington

All elected municipal seats (including the sub-regional seats) are elected by all of the 101 municipalities in the Boston Region MPO area. Each of the 101 municipalities may vote for one (1) municipality for each of the two (2) open sub-regional seats.

The election will be held at MAPC's Fall Council Meeting on October 26th, at the Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169. The usual process of mailing ballots and accepting absentee ballots will apply, as described in the procedures.

In order to qualify to be on the ballot, each chief elected official who wishes to be a candidate must secure the signatures of five chief elected officials in the region, including their own. **Chief elected officials may only sign nomination papers for one municipality per open sub-regional seat. Nominations are due to MAPC by 5:00 PM on Friday, September 30, 2016 and must be filed in person or by mail at the MAPC, 60 Temple Place, 6th Floor, Boston, MA 02111. Faxes or emails will not be accepted.**

A copy of the official notice and procedures for nomination and election to the MPO are attached. We appreciate your interest in this important matter and look forward to your participation. If you have questions, please call Eric Bourassa (617) 933-0740 or Paul Regan at (617) 426-6054.

Attachments

Official Notice, including Attachments A - C
Nomination Papers
Statement of Candidacy

Official Notice

2016 Boston Region MPO Municipal Election Procedures

At the MAPC Fall Council Meeting on Wednesday October 26, 2016 at the Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169, elections will be held for four (4) of the twelve (12) elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

At that time one municipality from each of the four sub-regional seats up for election, will be elected to the MPO by the chief elected officials of the 101 municipalities which constitute the Boston metropolitan region. Pursuant to the MPO Memorandum of Understanding, approved on July 7, 2011, MAPC and the MBTA Advisory Board (Advisory Board) administer the election of the municipal representatives to the MPO.

MPO Seats Up For Election in 2016:

One (1) municipality from the Minuteman Advisory Group on Interlocal Coordination (MAGIC) sub-region.

One (1) municipality from the Metro West Regional Collaborative (MetroWest) sub-region.

One (1) municipality from the South Shore Coalition (SSC) sub-region.

One (1) municipality from the Inner Core sub-region.

Terms of election on the MPO are for three years.

Nomination Process

Nominees for the elected municipal seats shall be the chief elected official of the municipality. In cities this is the Mayor or, if the city does not have the office of Mayor, then the Chairman of the Council, with the exception of Plan E cities (Cambridge) in which case it shall be the City Manager. In towns, the chief elected official is the Chairman of the Board of Selectmen. The MPO will accept the Chairman's nomination of a candidate whether or not the full Board of Selectman has voted it.

A nominee for an open municipal seat must receive five nominations made by any chief elected official from the Boston region, regardless of which sub-region they are from. A chief elected official may nominate his or her municipality and that nomination shall count as one of the five nominations needed to place a municipality on the ballot. Each chief elected official may only sign nomination papers for one municipality per open seat.

Nominations papers are due on Friday, September 30, 2016 to MAPC by 5:00 PM and must be filed in person or by mail at MAPC, 60 Temple Place, 6th Floor, Boston, MA 02111, Attn: MPO Elections. Faxes or emails will not be accepted. Nomination papers shall include a statement of candidacy (250 word limit) of the community, also due at this time.

Voting Process

Each of the 101 municipalities may vote for one (1) municipality for each of the four (4) open seats.

Ballot

A ballot will be prepared by MAPC and the Advisory Board based on the certification of nomination papers. The ballot shall contain a list of the nominated municipalities. Candidate communities shall appear on the ballot in an order drawn by lot by designated officers of MAPC and the Advisory Board. The subregion of each of the communities shall be identified on the ballot. A candidates' booklet shall

be issued that shall contain the statement of candidacy of the communities. The list of communities shall appear in the booklet in the same order that they appear on the ballot. In a second mailing, MAPC and the Advisory Board will include an absentee ballot and instructions for how municipalities can cast their vote.

Opportunities for Discussion with Representatives of the Candidate Communities

The Metropolitan Area Planning Council and the MBTA Advisory Board shall provide appropriate opportunity for the electorate to meet representatives of candidate communities. In 2016, this may be accomplished by holding a Candidates Forum at the State Transportation Building in mid-October (date and time TBD).

Election

The election will be held at MAPC's Fall Council Meeting on October 26th at the Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169. On that day, the designated officers of MAPC and the Advisory Board shall supervise the election to the municipal seats. Ballots shall be cast by the chief elected official of the municipality (as defined by the rules for nominees), or that person's designee. Designees shall present a letter signed by the chief elected official to the designated officers of MAPC and of the Advisory Board 30 minutes prior to the convening of the election on election day. This letter will appoint the designee and confirm his or her authority to cast the municipality's ballot. Such a designation shall be delivered in person or by mail. Designees may represent only one municipality in the election. The designation may require the designee to vote for specific individuals or may vest discretion in the designee.

If the chief elected official is unable to attend the election and does not designate another individual to attend, an absentee ballot may be filed. Such an absentee ballot must be filed by 5 PM the day before the election with the Metropolitan Area Planning Council, 60 Temple Place, Boston, MA 02111. No faxes will be accepted. This ballot is valid for any election (e.g. run off election in case of a tie) held on the day of the MPO election for which the candidates selected on the ballot are still eligible to receive votes.

The MPO seat is held by the municipality. The chief elected official (or their official designee) shall represent the municipality throughout the municipality's term of office.

The designated officers of MAPC and of the Advisory Board shall certify the results of the election to the chairman of the MPO by 12 noon on the Friday following the election.

MAPC Sub-regions

SUBREGION	COMMUNITIES
North Shore Task Force	Beverly, Danvers, Essex, Gloucester, Hamilton, Ipswich, Manchester-by-the-Sea, Marblehead, Middleton, Nahant, Peabody, Rockport, Salem, Swampscott, Topsfield, Wenham
North Suburban Planning Council	Burlington, Lynnfield, North Reading, Reading, Stoneham, Wakefield, Wilmington, Winchester, Woburn
Minuteman Advisory Group Interlocal Coordination (MAGIC)	Acton, Bedford, Bolton, Boxborough, Carlisle, Concord, Hudson, Lexington, Littleton, Lincoln, Maynard, Stow, Sudbury
MetroWest Regional Collaborative	Ashland, Framingham, Holliston, Marlborough, Natick, Southborough, Wayland, Wellesley, Weston
South West Advisory Planning Committee (SWAP)	Bellingham, Dover, Franklin, Hopkinton, Medway, Milford, Millis, Norfolk, Sherborn, Wrentham
Three Rivers (TRIC)	Canton, Dedham, Dover, Foxborough, Medfield, Milton, Needham, Norwood, Randolph, Sharon, Stoughton, Walpole, Westwood
South Shore Coalition	Braintree, Cohasset, Duxbury, Hanover, Hingham, Holbrook, Hull, Marshfield, Norwell, Pembroke, Rockland, Scituate, Weymouth
Inner Core	Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Everett, Lynn, Malden, Medford, Melrose, Milton, Newton, Quincy, Revere, Saugus, Somerville, Waltham, Watertown, Winthrop

Metropolitan Area Planning Council 101 Cities and Towns

Cities

Beverly	Lynn	Revere
Boston	Malden	Salem
Braintree	Marlborough	Somerville
Cambridge	Medford	Waltham
Chelsea	Melrose	Watertown*
Everett	Newton	Weymouth
Franklin*	Peabody	Woburn
Gloucester	Quincy	

**MAPC Legal Counsel has rendered an opinion that Franklin and Watertown are defined as cities for the purpose of the MPO Election.*

Towns

Acton	Hopkinton	Randolph
Arlington	Hudson	Reading
Ashland	Hull	Rockland
Bedford	Ipswich	Rockport
Bellingham	Lexington	Saugus
Belmont	Lincoln	Scituate
Bolton	Littleton	Sharon
Boxborough	Lynnfield	Sherborn
Brookline	Manchester	Southborough
Burlington	Marblehead	Stoneham
Canton	Marshfield	Stoughton
Carlisle	Maynard	Stow
Cohasset	Medfield	Sudbury
Concord	Medway	Swampscott
Danvers	Middleton	Topsfield
Dedham	Milford	Wakefield
Dover	Millis	Walpole
Duxbury	Milton	Wayland
Essex	Nahant	Wellesley
Foxborough	Natick	Wenham
Framingham	Needham	Weston
Hamilton	Norfolk	Westwood
Hanover	North Reading	Wilmington
Hingham	Norwell	Winchester
Holbrook	Norwood	Winthrop
Holliston	Pembroke	Wrentham

Overview of MPO Member Responsibilities

Background:

The Metropolitan Planning Organization is established as a required part of the transportation planning process under federal law. It is responsible for planning and programming financial resources for a multi-modal transportation system for the Boston region. The MPO was established in 1973.

The Boston MPO Memorandum of Understanding (MOU) that details the governing structure and process of the MPO can be viewed at www.bostonmpo.org/mou

Specific Responsibilities:

The MPO must prepare and approve several plans and programs on an annual basis. These include:

- The Unified Planning Work Program (UPWP), which programs funds for transportation planning programs in the region;
- The Transportation Improvement Program (TIP), which programs federal, state, and local funding for surface transportation projects (highway and transit).

The MPO also prepares and approves several other plans and programs as necessary. These include:

- The Regional Transportation Plan (RTP), which provides a 25-year plan for the Region's transportation needs and priorities and;
- The conformity of all surface transportation plans and programs with applicable federal laws (including air quality, and the Americans with Disabilities Act).

MPO Meetings:

Meetings are held as needed to accomplish the MPO's business. There are approximately two MPO meetings a month and all but four are held in Boston, during the day, at the state transportation building. Four MPO meetings will be held (one per quarter) outside of Boston. MPO meetings typically begin at 10 AM on the first and third Thursday of the month, and last approximately three hours. The MPO has the authority to establish necessary committees to accomplish its responsibilities. Recent experience suggests that the municipal members of the MPO or their designees attend at least two meetings per month to accomplish the work of the MPO.



OLD NORTH BRIDGE
1775

TOWN OF CONCORD

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

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

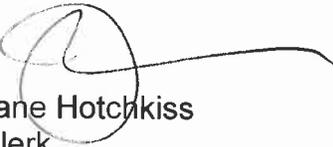
TOWN OF CONCORD SELECT BOARD

PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be held at the Town House in the Select Board's Meeting Room, 22 Monument Square, Concord, MA on **September 12, 2016 at 5:20 PM**, upon the petition of Comcast of Massachusetts III, Inc. to **install overhead coaxial cable at 1200 Main Street** in accordance with the plan Overhead Cable Placement Request dated August 3, 2016, filed with the Select Board.

Questions on this matter should be directed to Greg Franks, Senior Manager Government & Regulatory Affairs Comcast Cable, 508-647-1418.

By Order of the
Select Board



Jane Hotchkiss
Clerk

PETITION FOR INSTALLATION OF COAXIAL CABLE

Concord, Massachusetts

08/04/16

To the Board of Selectmen of Concord, Massachusetts:

Comcast of Massachusetts III, Inc. requests permission to install coaxial cable to be owned and used by your petitioner, along and across the following public way or ways:

- *1200 Main Street*

Wherefore they pray that after due notice and hearing as provided by law, they be granted permission to install coaxial cable over lashed to existing overhead strand coaxial cable as they may find necessary and in accordance with the plan filed herewith entitled, "**Overhead Caable Placement Request, Main St., pole 112 to pole 15, Concord, MA,**" dated **08/03/2016**.

1. **Comcast of Massachusetts III, Inc.**

By: *Gregory Franks*

Print name: Gregory Franks

Title: Sr. Manager of Government and Regulatory Affairs

Telephone or e-mail contact info: (617) 862-8437 cell ph
Gregory_Franks@cable.comcast.com

ORDER FOR INSTALLATION OF OVERHEAD COAXIAL CABLE

In Board of Selectmen of the Town of Concord, Massachusetts

Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED: that **Comcast of Massachusetts III, Inc.** be and they are hereby granted permission to install coaxial cable as said they deem necessary, in the public way or ways hereinafter referred to, as requested in the petition plan of said entitled, "**Overhead Caable Placement Request, Main St., pole 112 to pole 15, Concord, MA,**" dated **08/03/2016**.

All construction under this order shall be in accordance with the following conditions:

The new coaxial cable shall be attached to the poles using common industry standards, and shall be set substantially at the points indicated upon the plan entitled, "**Overhead Caable Placement Request, Main St., pole 112 to pole 15, Concord, MA,**" dated **08/03/2016**, filed with said petition. There may be attached to said poles by said Comcast of Massachusetts III, Inc. such coaxial cables as are necessary in its business and all of said coaxial cables shall be placed at a height that is in compliance of the National Electrical Safety Code.

The following are the public ways or parts of ways along which the above referred to may be installed thereon under this order:

- *1200 Main Street*

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectman of the Town of Concord, Massachusetts held _____ day of _____

Clerk of Board of Selectmen

We hereby certify that on _____, at _____ O'clock _____, at Concord, Massachusetts, a public hearing was held on the petition of **Comcast of Massachusetts III, Inc.** permission to install coaxial cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install coaxial cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Selectmen of the Town of Concord, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of Hearing with notice adopted by the Board of Selectmen of the Town of Concord, Massachusetts, on the _____ day of _____, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and additions thereto or amendments thereof.

Attest: _____
Town Clerk

Comcast Overhead Wire Request
Service to:

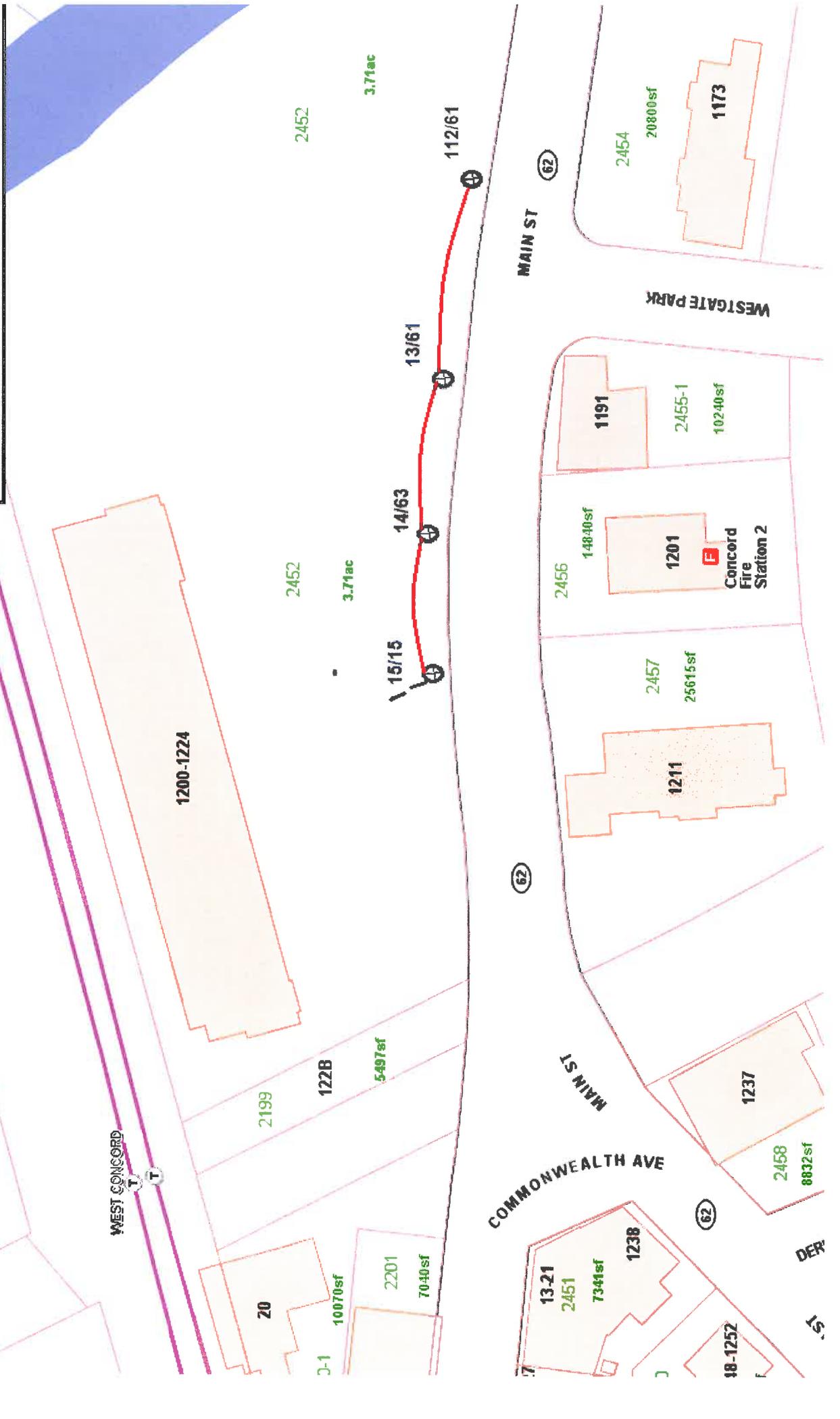
1200 Main St.
Concord, MA 01742

Overhead Cable Placement Request
Main St., pole 112 to pole 15
Concord, MA

⊗ Utility pole

— Existing Comcast strand

08/03/16



TOWN OF CONCORD
SELECT BOARD'S OFFICE

Memorandum

DATE: August 24, 2016
TO: Rich Reine, Concord Public Works
Dave Wood, Concord Municipal Light Plant
FROM: Andrew W. Mara, Senior Administrative Assistant
SUBJECT: Pole Petition

I am enclosing a copy of petition from **Comcast of Massachusetts III, Inc.** dated **August 4, 2016**, for the following work to be done on **1200 Main Street: install overhead coaxial cable.**

Although you may have seen this before, I am sending this memo to request information from you concerning this installation. Please make notations and return this form to me.

Thank you.

COMMENTS:

Please return your comments and approval to me by **September 2, 2016**.

I will (will not) attend the Hearing on September 12, at 5:20 p.m.

Date

Approved

Disapproved

WITH CONDITIONS NOTED IN ATTACHED

Reason



DATE: September 7, 2016

MEMORANDUM

TO: Andrew Mara, Senior Administrative Assistant

FROM: *Richard Reine*
Richard Reine, PWLF, Director of Public Works
9.7.16

CC: William Renault P.E., Town Engineer
Chris Olbrot P.E., Public Works Engineer
Jake Zwicker, Associate Engineer
Ian McKenzie, Asst. Public Works Engineer

RE: Comcast Conduit Petition – 1200 Main Street – Pole 112 to Pole 115, plan dated 08/03/2016

Concord Public Works (CPW) has reviewed the attached petition for Comcast of Massachusetts III, Inc. for the above referenced project and provides the following conditions and recommendations.

1. The proposed plan is to “install overhead coaxial cable” onto existing utility poles. No work is permitted prior to the issuance of a Class 1 Right-of-Way (ROW) Permit. The contractor/petitioner has indicated that no excavation in any Town right-of-way is needed. Should the contractor/petitioner find that excavation is necessary to complete the work; a Life Cycle Maintenance Fee LCMF will be assessed and applied to the ROW Permit. The work will then recommence once the fee has been paid.
2. Prior to work commencing, a traffic mitigation plan shall be provided and approved by the Concord Police Department Traffic Safety Officer. Alternatively, if no workers, equipment, or vehicles are anticipated to be in a Town roadway, a written statement from the contractor should be provided to the CPD and the CPW – Engineering Division demonstrating how the work will be completed without impacting existing vehicular and/or pedestrian traffic. The project proponent is directed to contact CPD to ensure proper traffic mitigation is utilized.
3. Contractors shall adhere to the (CPW) Construction and Tree Protection Standard Operating Procedures including the protection of public shade trees: “No person may plant, trim, cut or remove a public shade tree without the prior permission of the Tree Warden and Engineering Division. This control includes the cutting of roots during construction.” In addition, wooden tree guards with high visibility snow fencing shall be placed around the trunks of public shade trees in the work zone as identified by the CPW

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

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



DATE: September 7, 2016

MEMORANDUM

Engineering Division to protect bark from inadvertent damage and to alert the equipment operators of the importance of working cautiously around trees.

4. Prior to any work in the ROW commencing, the contractor must notify the CPW-Engineering Division.
5. As-built plans shall be provided to the CPW prior to the final closeout of the ROW permit.

TOWN OF CONCORD
SELECT BOARD'S OFFICE

Memorandum

DATE: August 24, 2016
TO: Rich Reine, Concord Public Works
Dave Wood, Concord Municipal Light Plant
FROM: Andrew W. Mara, Senior Administrative Assistant
SUBJECT: Pole Petition

I am enclosing a copy of petition from **Comcast of Massachusetts III, Inc.** dated **August 4, 2016**, for the following work to be done on **1200 Main Street: install overhead coaxial cable.**

Although you may have seen this before, I am sending this memo to request information from you concerning this installation. Please make notations and return this form to me.

Thank you.

COMMENTS:

" Please see attached (Word doc) "

Please return your comments and approval to me by **September 2, 2016.**

I will (will not) attend the Hearing on September 12, at 5:20 p.m.

Date 9/2/16

Approved

Disapproved

Reason

Re: Pole Petitions – Comcast – September 12, 2016

1200 Main St

- The applicant must complete a pre-Hearing site visit with the Concord Light Department to review work to be completed.
- The new aerial cable shall be installed using common industry standards, and shall be set substantially at the points indicated on the following plan titled “Overhead Cable Placement Request, Main St, pole 112 to pole 15, Concord, MA” and dated August 3, 2016. Specifically the new aerial cable must be over-lashed to the existing Comcast infrastructure installed on the following sequential utility poles: Main St pole #'s 112, 113, 114, and 115.
- Minimum separation and clearance requirements as described by the most recent National Electric Safety Code must be maintained between Comcast infrastructure and existing overhead facilities.
- The applicant must remove any infrastructure deemed obsolete as a result of this project.
- As-built plans must be provided to Concord Public Works and Concord Light Plant Engineering prior to the final closeout of the project.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONCORD
SELECT BOARD

PROCLAMATION
CONCORD-CARLISLE COMMUNITY CHEST MONTH

- WHEREAS** The Concord-Carlisle Community Chest was founded in 1947 to provide support for community human service agencies; and
- WHEREAS** Agencies and programs funded by the Concord-Carlisle Community Chest serve the needs of our neighbors from our youngest to our oldest; and
- WHEREAS** The Concord-Carlisle Community Chest has participated in partnerships with the Town of Concord including Domestic Violence Services, Concord Recreation Scholarships, Communities for Restorative Justice, Council on Aging, the Community Services Coordinator and Youth Coordinator, Concord Public Schools and CCHS, and Concord Cares emergency fuel disbursement program; and
- WHEREAS** The Concord-Carlisle Community Chest, carefully evaluates each funding request to ensure that donations are spent efficiently and effectively; and
- WHEREAS** The Concord-Carlisle Community Chest assists member agencies and the Town at large respond to needs identified by human service professionals and concerned citizens; and
- WHEREAS** The Concord-Carlisle Community Chest and its member agencies depend upon the generous contributions by thousands of individuals and businesses; and
- WHEREAS** The Concord-Carlisle Community Chest's Annual Campaign begins October 1, 2016 with a fund raising goal of \$650,000;

NOW THEREFORE, We, the Select Board of the Town of Concord, Massachusetts, do hereby proclaim the month of October 2016 as

CONCORD-CARLISLE COMMUNITY CHEST MONTH

In the Town of Concord to recognize the vital role the Community Chest plays in the life of our town and to wish members of the Community Chest success in reaching their Annual Campaign fund raising goal.



CONCORD SELECT BOARD

**TOWN OF CONCORD
2016 SPECIAL TOWN MEETING SCHEDULE
THURSDAY, DECEMBER 8, 2016 @ 7:00 PM**

EVENT	DATE/TIME	LOCATION
CALL MEETING AND OPEN WARRANT (WARRANT OPENED FOR 10 DAYS)	MONDAY, SEPTEMBER 12, 2016	TOWN HOUSE – SB MEETING
WARRANT CLOSES	THURSDAY, SEPTEMBER 22, 2016 @ 4:00 PM	TOWN HOUSE TOWN MANAGER'S OFFICE
MEETING WITH TOWN COUNSEL TO REVIEW WARRANT ARTICLE LANGUAGE <i>(IF NECESSARY)</i>	WEDNESDAY, OCTOBER 5, 2016 @ 3:30 PM	TOWN HOUSE SELECT BOARD ROOM
SELECTMEN FINALIZE LANGUAGE, ORDER OF WARRANT ARTICLES AND SIGN WARRANT.	MONDAY, OCTOBER 17, 2016	TOWN HOUSE
WARRANT GOES TO PRINTER	MONDAY, OCTOBER 24, 2016	
WARRANT RETURNED FROM PRINTER AND MAILED TO RESIDENTS	WEDNESDAY, NOVEMBER 2, 2016	
TOWN CLERK TO POST WARRANT	WEDNESDAY, NOVEMBER 16, 2016	VARIOUS LOCATIONS
LAST DAY FOR VOTER REGISTRATION FOR SPECIAL TOWN MEETING	MONDAY, NOVEMBER 28, 2016 @ 8:00 PM	TOWN HOUSE
PLANNING BOARD PUBLIC HEARING <i>(IF NECESSARY)</i>	TUESDAY, NOVEMBER 29, 2016 @ 7:00 PM	TOWN HOUSE
JOINT PUBLIC HEARING(S) – FINANCE COMMITTEE/ SELECT BOARD <i>(IF NECESSARY)</i>	THURSDAY, DECEMBER 1, 2016 @ 7:00 PM	TOWN HOUSE
SPECIAL TOWN MEETING MOTIONS DUE	MONDAY, DECEMBER 5, 2016 @ 4:00 PM	TOWN HOUSE
STM COORDINATION MEETING MOTION(S) REVIEW MEETING	TUESDAY, DECEMBER 6, 2016 @ 3:30 PM TUESDAY, DECEMBER 6, 2016 @ 4:00 PM	TOWN HOUSE
SPECIAL TOWN MEETING ADJOURNED SESSION/SNOW DATE	THURSDAY, DECEMBER 8, 2016 @ 7:00 PM MONDAY, DECEMBER 12, 2016 @ 7:00 PM	HIGH SCHOOL
HOLIDAYS RELEVANT TO THIS SCHEDULE		
ROSH HASHANAH	SUNSET OCTOBER 2 TO NIGHTFALL ON OCTOBER 4, 2016	
COLUMBUS DAY OBSERVED	MONDAY, OCTOBER 10, 2016	
YOM KIPPUR	SUNSET OCTOBER 11 TO NIGHTFALL ON OCTOBER 12, 2016	
VETERANS' DAY OBSERVED	FRIDAY, NOVEMBER 11, 2016	
THANKSGIVING DAY	THURSDAY, NOVEMBER 24 INCLUDING NOVEMBER 25, 2016	

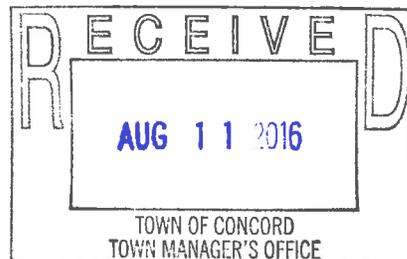


Advanced Built. Individually Inspired.

August 10, 2016

Concord Select Board
Town House
Concord, Massachusetts 01742

Re: Fall Town Meeting



Dear Members of the Board:

Thank you for the opportunity next Monday night to discuss consideration of a 2016 Special Town Meeting at which we would present our plans for a second phase of Black Birch (see attached summary of three proposed articles). We believe that our proposal offers a number of potential benefits for the Town including an option for Town Meeting to approve acceptance of a gift from Black Birch to the Town in the amount of one million dollars (\$1,000,000.00) to be placed in a fund earmarked to enhance affordable housing opportunities in Concord.

As you know the 2015 Annual Town Meeting approved the first phase of Black Birch which consists of a 25-unit age 55 or older Alternative Planned Residential Development (PRD) located on 15.57 acres off Forest Ridge Road. This phase of our work is progressing successfully with 14 of the 22 market-rate homes under contract or sold. In addition there are three affordable units. The first is scheduled for delivery at the end of August. The affordable units are restricted to persons earning 120% and 140% of area median income with sales prices of \$335,000 and \$399,000 respectively.

Our preliminary plans for a second phase of Black Birch consisting of 16 additional units were well received by the Planning Board at their July 12th meeting. A key element considered that night is that, based on discussions with Town Staff and others, we have incorporated into our proposal an alternative under which Town Meeting will be able to vote to approve Phase II subject to a condition which would establish a one million dollar (\$1,000,000.00) Town fund as stated above to enhance affordable housing opportunities in Concord. This option, which would be in lieu of constructing two (2) additional affordable units on site, would be available if the project is approved by Town Meeting this year followed by receipt of other necessary approvals and permits.

We have also had productive preliminary discussions with members of the Concord Housing Development Corporation and the Concord Housing Foundation regarding our proposal and expect that a consensus will develop before Town Meeting around one of the two options after further analysis and public discussion. We would then incorporate that consensus in our motion under the first Black Birch article.

In closing we also want to acknowledge that there is a cost associated with holding a Special Town Meeting and we want your Board to know that we will make an additional contribution to the Town in order to reimburse the Town for those expenses.

Sincerely,



Jack McBride

cc: Chris Whelan
Marcia Rasmussen
Elizabeth Hughes

PROPOSED WARRANT ARTICLES

Town Meeting approval is required for the following proposed Black Birch Phase II Warrant Articles:

1. Approval of a Preliminary Site Development and Use Proposal for Lot 4A and Parcel A Forest Ridge Road which will be based on:
 - a. The maximum number of units will not exceed sixteen (16) units and each unit will be occupied by at least one individual who is fifty-five (55) years or older.
 - b. The Common Open Space will not be less than 4.6 acres, 3.3 acres of which will be donated to the Town, and the balance will be owned and used in accordance with terms and conditions established by the Board of Appeals.
 - c. Two (2) of the 16 units will be deed-restricted in perpetuity to maintain their affordability and sold, leased or rented under terms and conditions established by the Board of Appeals.
 - d. As an alternative to the provision of two (2) affordable units in Phase II of Black Birch and in exchange for the right to build the proposed sixteen (16) units all as market-rate units, ABODE will agree to donate one million dollars (\$1,000,000.00) to the Town to be placed in a fund earmarked for affordable housing purposes. Such fund to be subject to the control and management of the Select Board with the objective of spending these funds in a manner which the Select Board determines is appropriate to enhance affordable housing opportunities in the Town of Concord.
2. Release of Lot 4A and Parcel A Forest Ridge Road from an existing Residential Restriction in the same manner as Town Meeting voted in 2007 for the Riverbend Alternative PRD and in the same manner as voted in 2015 for the first phase of the Black Birch Alternative PRD.
3. Amendment of the Zoning Bylaw Table III Dimension Regulations under Maximum Floor Area Ratio in the LIP #2 District by deleting after the word "Educational" the words "in the LIP #2" and substituting in place thereof the words "and Residential uses in the LIP #2, provided such Residential uses are located within an Alternative PRD," so that the first part of the provisions under Maximum Floor Area Ratio in the LIP District would read as follows
 - 6,000 sq. ft.
gross floor
area per acre
for Educational
and Residential
uses in the LIP #2,
provided such
Residential uses
are located
within an
Alternative PRD,

Special Town Meeting (STM) Calendar – December 8, 2016

ACTION	REFERENCE	REQUIRED TIMETABLE	Schedule for Meeting Thursday, December 8
Open Warrant	MGL Ch. 39, §10	---	Monday, October 17
Close Warrant	Art 3, 1974 STM	Open 10 days	Thursday, October 27 at 4:00 PM
Post Warrant	M.G.L. Ch. 39, §10	No later than 14 days prior to STM	Wednesday, November 16 (same day as mailing)
Mail Warrant to All Households	Art. 16, 1905; Art. 49, 1981; Art. 30, 2004	No later than 14 days prior to STM (mail to be received prior to public hearing)	Wednesday, November 16 (to be mailed ahead of Thanksgiving wk.)
Last Day to Register to Vote	M.G.L. Ch. 51, §§26 & 28	10 days prior to STM	Monday, November 28 at 8:00 pm
Notice of Planning Board Hearing (if any zoning articles are submitted)	M.G.L. Ch. 40A, §5	Publish at least twice in 2 successive wks.; 1st notice at least 14 days prior to hearing	1 st publication November 10 – send to newspaper by Nov. 4 at 5 pm
Planning Board Public Hearing	M.G.L. Ch. 40A, §5	Held within 65 days after submittal of article to PB by BOS	Tuesday, November 29
Report of Planning Board	M.G.L. Ch. 40A, §5	Must be given w/in 21 days of the public hearing, after receipt of which STM may act; may be done orally or in writing at STM	At Town Meeting – December 8
Board of Selectmen Public Hearing—required if any non-financial, non-zoning articles are on Warrant	Not Legally Required, but customary in Concord—may be held in conjunction with Fin Com Hearing		Thursday, December 1
Finance Committee Public Hearing--required if any articles propose an expenditure or appropriation of money	Finance Committee Bylaw	Prior to Town Meeting and in ample time to prepare a written report (distributed at Town Meeting, NOT mailed)	Thursday, December 1 (one week to prepare report)

Notes:

- The Finance Committee is required to have a public hearing on any articles where the expenditure or appropriation of money is being considered. The recommendations of the Finance Committee shall be reported in print to the Special Town Meeting (STM), but there is no obligation to mail the report to households prior to the meeting.
- The Planning Board must place its first advertisement for the public hearing at least 14 days prior to the hearing.
- I've allowed two weeks to prepare, approve and print Warrant following closing of Warrant
- Per Town Bylaw, STM Warrant must remain open for 10 days to allow for petition articles. Once a STM is called by the Select Board, any petition articles submitted for the STM must include signatures from 100 registered voters.
- Once a Special Town Meeting has been called and the Warrant is opened, it may only be cancelled if both of the following conditions are met: (1) no petition articles have been submitted; and (2) the Warrant has not been posted

TOWN MANAGER'S GOALS
And Action Plan for FY2017

Effective Governance, Organizational Effectiveness, and Communication

1. Support the Comprehensive Long Range Planning Committee in the development of a useful Planning document that reflects the community's aspirations through an open, informative and transparent planning process.
2. Promote open and transparent government through enhanced use of technology and increased public access television. Provide CCTV coverage to additional town committees; successful roll-out of new town website.
3. Appoint highly-qualified replacements for retiring long-serving staff members in key positions.
4. Negotiate a fair and effective new collective bargaining agreement for Highway employees and sound successor agreements Police, Fire and Library units.
5. Successfully implement decisions of 2016 Annual Town Meeting:
 - On-time/on-budget completion of new school bus maintenance facility;
 - Obtain requisite permits/approvals for Upgrading Nagog Pond Water Treatment facility;
 - Complete all necessary local actions to prepare for 2017 State start of construction of Bruce Freeman Rail Trail;
 - Complete purchase of Balls Hill Road land in collaboration with Land Trust;
 - Draft regulations or policy for Sign Bylaw implementation;
 - Implement Polystyrene ban and develop public information program

Financial Stability

1. Appoint and mentor an effective replacement for retiring Finance Director.
2. Prepare a no-override budget for FY2018 which supports core Town services and identifies opportunities to improve efficiency and maintains Concord's Aaa bond rating.
3. Secure financial contributions from tax exempt entities which have a significant impact on town services.

Balance, Equity and Diversity

1. Assist CHDC and town committees in effort to promote affordable housing in Concord.
2. Apply Sustainability Principles in town decision-making;
Complete construction of second utility-scale solar facility (Knox Trail)

- Complete construction of municipal roof-top solar installations on at least three locations;
- Increase fuel efficiency (MPG) for town's fleet of vehicles;
- Complete plan for conversion to LED street lights.
- 3. Complete installation of town fiber/broadband service to least 600 customers by June 30, 2017 Support proactive planning for wastewater infrastructure, water, telecommunications, energy, parking, traffic, outdoor lighting.
- 4. Complete Phase 1 of parking meter plan by June 30 with technology improvements.

Maintaining Concord's Unique Character, Historic and Cultural Heritage, Agriculture and Natural Resources

- 1. Take steps to ensure Commissioner of Capital Asset Management moves forward on legislation (Ch.209 of Acts of 2016) authorizing the transfer of parcel #2014 to the town for the Bruce Freeman Rail Trail.
- 2. Complete construction of recreational improvements at Rideout Field, including 51 Laws Brook Road property.
- 3. Enhance accessibility to recreation and conservation resources in Concord.
- 4. Continue Collaboration with White Pond Beach Association to improve water quality and enhance public access for swimming.
- 5. Review and act on recommendations from the Estabrook Woods Access Committee.
- 6. Pursue analysis of the condition of the Ball Benson barn and house, and work to identify potential relocation sites.

Regional and State Interests

- 1. Explore opportunities to collaborate with neighboring communities to enhance public services, including possible regional IT services and regional transportation initiatives currently under discussion.
- 2.

DRAFT

DRAFT

Dear Concord Business Owner,

You are likely aware that Concord residents voted at Town Meeting last April to enact a bylaw that prohibits polystyrene (Article 45). The new bylaw, which goes into effect on January 1, 2017, prohibits polystyrene (EPS foam a.k.a. Styrofoam™ and #6 Rigid Plastic) food service ware and packaging in Concord food establishments. The bylaw also pertains to Concord retail establishments that sell polystyrene products. Retail establishments are permitted to sell polystyrene products as long as environmentally friendly alternative products are displayed in the store.

EPS foam (Styrofoam™) products banned by the bylaw include but are not limited to: cups, bowls, plates, lunch trays, clamshells, meat trays, and egg cartons. Rigid #6 Plastic products banned by the bylaw include but are not limited to: clear clamshells, snack containers, beverage cups & lids, utensils, and straws.

Alternative products generally include reusable, recyclable, biodegradable / compostable and paper products. A copy of the bylaw is attached along with a separate sheet of Frequently Asked Questions (FAQS) to help you fully understand the bylaw. Below are some highlights of this new bylaw and some key definitions:

Highlights:

1. FOOD ESTABLISHMENTS are prohibited from providing prepared food to customers in Foam Polystyrene or Rigid Polystyrene (#6 Plastic) food service ware starting January 1, 2017.
2. All FOOD ESTABLISHMENTS using any disposable food service ware will use biodegradable, compostable, reusable or recyclable food service ware as of January 1, 2017. Where possible, food establishments are strongly encouraged to use reusable food service ware.
3. RETAIL ESTABLISHMENTS are prohibited from selling or distributing polystyrene or rigid polystyrene food service ware to customers unless equivalent biodegradable, compostable, reusable or recyclable food service ware products are available for sale and are clearly labeled as such.
4. Foods prepared or packaged outside Concord are exempt from the bylaw. Coolers and ice chests that are intended for reuse are exempt from the bylaw.
5. WAIVER. FOOD ESTABLISHMENTS and RETAIL ESTABLISHMENTS may seek an exemption from this bylaw by filing a request in writing to the Concord Board of Health. The Concord Board of Health may waive any specific requirement of the bylaw for a period of not more than one year if the FOOD ESTABLISHMENT or RETAIL ESTABLISHMENT seeking an exemption has demonstrated that strict application of the specific requirement would cause undue hardship.

Key Definitions:

1. FOOD ESTABLISHMENT: An operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any

establishment requiring a permit to operate in accordance with the State Food code, 105 CMR 590.000.

2. RETAIL ESTABLISHMENT: Any commercial business facility that sells goods directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, convenience stores, restaurants, retail stores and vendors selling clothing, food, and personal items, and dry cleaning services.

For questions, you can contact:

Scott Richardson, Petitioner (978) 337-6957 or via e-mail: scott@longwoodsoftware.com.

Rod Robison, Environmental Services Program Administrator (978) 318-3240 or via e-mail: rrobison@concordma.gov.

Lastly, I have asked my staff to schedule an informational meeting in the near future. The date of the informational meeting will be posted on the Town website when scheduled. Thank you for your attention to this new bylaw and for your assistance.

Sincerely,

Christopher Whelan
Town Manager

TOWN OF CONCORD

POLYSTYRENE EDUCATION AND OUTREACH COMMITTEE

Committee Charge

Background

In April 2016 Concord residents voted to support a petition article banning the sale and distribution of polystyrene in its many forms used in the food and restaurant industries. The full text of the regulatory framework is available online in the 2016 Town Meeting Warrant. Below is the preamble.

ARTICLE 45. To determine whether the Town will vote to amend the Town Bylaws by adding a Bylaw for the prohibition of polystyrene in food service ware and packaging, as follows:

Section 1. PURPOSE AND INTENT WHEREAS, the Town has a duty to protect the natural environment, the economy, and the health of its citizens;

and WHEREAS, styrene, a component of polystyrene, is a known hazardous substance, classified by the National Toxicology Program (NTP) as "reasonably anticipated to be a human carcinogen" and also recognized by the NTP as a potential food and beverage contaminant that may "leach from polystyrene containers used for food products";

and WHEREAS, polystyrene is made from fossil fuels, a non-renewable resource;

and WHEREAS, polystyrene manufacture, use, and disposal requires substantial energy consumption and contributes to greenhouse gases and other adverse environmental effects;

and WHEREAS, polystyrene is not biodegradable or compostable, and is generally not recyclable;

and WHEREAS, polystyrene is a common environmental pollutant that fragments into smaller pieces that harm or kill marine life and wildlife when they ingest them;

and WHEREAS, the EPA states "that such materials can also have serious impacts on human health, wildlife, the aquatic environment and the economy";

and WHEREAS, polystyrene is used as food service ware by food establishments operating in the Town;

and WHEREAS, disposable food service ware constitutes a portion of the litter in Concord's streets, parks and public places, which increases Town costs;

and WHEREAS, affordable and effective ways to reduce the negative environmental impacts of polystyrene products through the use of reusable, recyclable, biodegradable and/or compostable materials are available for food service applications;

and WHEREAS, over 100 municipalities throughout the United States, Canada, Europe, and Asia have banned polystyrene food service ware;

NOW THEREFORE, the Town of Concord hereby enacts this bylaw to prohibit the use and distribution of foam and rigid polystyrene in food service ware and require the use and distribution of biodegradable, compostable, reusable, or recyclable products or materials in their place.

Purpose

To conduct an outreach strategy and materials to effectively educate restaurant owners, grocery stores, retail outlets and residents about the intent and conditions of the polystyrene ban.

Specifically, the committee is will research alternative non-polystyrene products; determine the cost of the alternative products vs. polystyrene products; examine the life cycle cost and environmental benefits of alternative products vs. polystyrene; and conduct public outreach to food service establishments to inform establishments about alternative products; and

One provision of the warrant article allows businesses to request a waiver from the Board of Health when it is faced with an undue hardship in complying with the law. The committee will develop criteria to assist the Board of Health in determining what circumstances constitute undue hardship and are a valid basis for the granting of waivers. These criteria may include cost of alternative products relative to polystyrene; ease of availability of alternative products including supply chain limitations and the need for small restaurants to use multiple vendors to obtain alternative products; and existing inventories of polystyrene products.

The committee will hold a public meeting to gather information relevant to the purpose of the committee charge and the intent of the bylaw.

The committee will provide its research, determinations and outreach materials in its recommendations to the SB.

Membership

A representative from the Petitioners

A representative nominated by the Board of Health

A representative nominated by the Public Work Commission

2 Members at large

Term of Committee

It is anticipated that the committee's recommendations will be complete by January 2017 when the bylaw goes into effect.



Town of Concord

Office of the Town Clerk

22 Monument Square

P.O. Box 535

Concord, Massachusetts 01742-0535

ANNUAL TOWN MEETING

APRIL 4, 5 and 6, 2016

BYLAW PROHIBITING POLYSTYRENE IN FOOD SERVICE WARES

ARTICLE 45. On a **MOTION** made by Scott Richardson and duly seconded, the following was **VOTED**:

To amend the Town Bylaws by adding a Bylaw for the prohibition of polystyrene in food service ware and packaging, as follows:

Section 1. PURPOSE AND INTENT

WHEREAS, the Town has a duty to protect the natural environment, the economy, and the health of its citizens; and

WHEREAS, styrene, a component of polystyrene, is a known hazardous substance, classified by the National Toxicology Program (NTP) as “reasonably anticipated to be a human carcinogen” and also recognized by the NTP as a potential food and beverage contaminant that may “leach from polystyrene containers used for food products”; and

WHEREAS, polystyrene is made from fossil fuels, a non-renewable resource; and

WHEREAS, polystyrene manufacture, use, and disposal requires substantial energy consumption and contributes to greenhouse gases and other adverse environmental effects; and

WHEREAS, polystyrene is not biodegradable or compostable, and is generally not recyclable; and

WHEREAS, polystyrene is a common environmental pollutant that fragments into smaller pieces that harm or kill marine life and wildlife when they ingest them; and

WHEREAS, the EPA states "that such materials can also have serious impacts on human health, wildlife, the aquatic environment and the economy"; and

WHEREAS, polystyrene is used as food service ware by food establishments operating in the Town; and

WHEREAS, disposable food service ware constitutes a portion of the litter in Concord's streets, parks and public places, which increases Town costs; and

WHEREAS, affordable and effective ways to reduce the negative environmental impacts of polystyrene products through the use of reusable, recyclable, biodegradable and/or compostable materials are available for food service applications; and

WHEREAS, over 100 municipalities throughout the United States, Canada, Europe, and Asia have banned polystyrene food service ware;

NOW THEREFORE, the Town of Concord hereby enacts this bylaw to prohibit the use and distribution of foam and rigid polystyrene in food service ware and require the use and distribution of biodegradable, compostable, reusable, or recyclable products or materials in their place.

Section 2: DEFINITIONS

The following words and phrases shall, unless context clearly indicates otherwise, have the following meanings:

ASTM STANDARD Refers to materials meeting the standards of the American Society for Testing and Materials (ASTM) International Standards D6400 or D6868 for biodegradable and compostable plastics, as those standards may be amended D6400 is the specification for plastics designed for compostability in municipal or industrial aerobic composting facilities. D6868 is the specification for aerobic compostability of plastics used as coatings on a compostable substrate.

BIODEGRADABLE Materials that will completely degrade and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

COMPOSTABLE Materials that will completely degrade into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner. Compostable disposable food service ware must meet ASTM-Standards for compostability and any bio-plastic or plastic-like product must be clearly labeled, preferably with a color symbol, such that any customer or processor can easily distinguish the ASTM Standard compostable plastic from non-ASTM Specification compostable plastic.

DISPOSABLE FOOD SERVICE WARE All containers, bowls, plates, trays, cartons, cups, lids, straws, forks, spoons, knives, and other items designed for one-time or non-durable uses on or in which any food vendor directly places or packages prepared foods or which are used to consume foods. This includes, but is not limited to, service ware for takeout foods and/or leftovers from partially consumed meals prepared at food establishments.

FOOD ESTABLISHMENT An operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a "Food Establishment" for purposes of this ordinance.

POLYSTYRENE The term means and includes blown polystyrene and expanded and extruded foams (sometimes called "Styrofoam," a Dow Chemical Co. trademarked form of EPS insulation) also referred to as expanded polystyrene (EPS), which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene); and in this chapter is referenced as "Foam Polystyrene." Foam Polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

The term also means and includes clear or solid polystyrene which is also

known as "oriented," and referenced in this chapter as "Rigid Polystyrene." "Rigid Polystyrene" is generally used to make clear clamshell containers, and clear or colored straws, lids and utensils.

PREPARED FOOD Food or beverages, which are served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed or otherwise prepared on the food establishment's premises within the Town of Concord. Prepared food may be eaten either on or off the premises, also known as "takeout food."

RECYCLABLE Material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. "Recycling" does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

RETAIL ESTABLISHMENT Any commercial business facility that sells goods directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, convenience stores, restaurants, retail stores and vendors selling clothing, food, and personal items, and dry cleaning services

REUSABLE Materials that will be used more than once in its same form by a business establishment. Reusable food service ware includes: tableware, flatware, food or beverage containers, packages or trays, such as, but not limited to, soft drink bottles and milk containers that are designed to be returned to the distributor and customer that is provided take-out containers. Reusable also includes durable containers, packages, or trays used on- premises or returnable containers brought back to the food establishment.

Section 3. PROHIBITED USE AND DISTRIBUTION OF DISPOSABLE FOOD SERVICE WARE

- 3 (a) Food establishments are prohibited from providing prepared food to customers in Foam Polystyrene or Rigid Polystyrene food service ware.
- 4 (b) All food establishments using any disposable food service ware will use biodegradable, compostable, reusable or recyclable food service ware. All food establishments are strongly encouraged to use reusable food service ware in place of using disposable food service ware for all food served on-premises.
- 5 (c) Retail establishments are prohibited from selling or distributing foam polystyrene or rigid polystyrene food service ware to customers unless equivalent biodegradable, compostable, reusable, or recyclable food service ware products are available for sale and are clearly labeled such that any customer can distinguish easily the biodegradable, compostable, reusable, or recyclable food service ware products.

Section 4. EXEMPTIONS

- . (a) Foods prepared or packaged outside the Town of Concord are exempt from the provisions of this chapter.
- . (b) Food establishments and retail establishments will be exempted from the provisions of this chapter for specific items or types of disposable food service ware if the Town Manager or his/her designee finds that a suitable biodegradable, compostable, reusable, or recyclable alternative does not exist for a specific application and/or that imposing the requirements of this chapter on that item or type of disposable food service ware would cause undue hardship.

- (c) Any person may seek an exemption from the requirements of this chapter by filing a request in writing with the Town Manager or his/her designee. The Town Manager or his/her designee may waive any specific requirement of this chapter for a period of not more than one year if the person seeking the exemption has demonstrated that strict application of the specific requirement would cause undue hardship. For purposes of this chapter, an “undue hardship” is a situation unique to the food establishment where there are no reasonable alternatives to the use of expanded polystyrene disposable food service containers and compliance with this provision would cause significant economic hardship to that food establishment. A person granted an exemption must re-apply prior to the end of the one year exemption period and demonstrate continued undue hardship if the person wishes to have the exemption extended. The Town Manager’s or his/her designee’s decision to grant or deny an exemption or to grant or deny an extension of a previously issued exemption shall be in writing and shall be final.

(d) Coolers and ice chests that are intended for reuse are exempt from the provisions of this chapter.

Section 5. ENFORCEMENT: VIOLATIONS AND PENALTIES

Enforcement of this bylaw shall be the responsibility of the Town Manager or his/her designee. The Town Manager shall determine the inspection process to be followed, incorporating the process into other town duties as appropriate. On or after July 1, 2017, any food or retail establishment subject to this bylaw and found to be in violation of this bylaw shall be subject to a non-criminal disposition fine as specified in Appendix A of the Regulations for Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D and the Bylaw for Non-Criminal Disposition of Violations adopted under Article 47 of the 1984 Town Meeting, as amended. Any such fines shall be paid to the Town of Concord.

Section 6. SEVERABILITY: EFFECTIVE DATE

(a) Each section of this chapter shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of that chapter and all other chapters shall continue in full force.

(b) This Bylaw shall take effect January 1, 2017.

And to amend Appendix A of the Non-Criminal Disposition Bylaw by adding the following:

Bylaw	Fine Schedule	Fine Allowed	Enforcement Agency
Bylaw Prohibiting Polystyrene in Food Service Ware	1 st offense 2 nd offense 3 rd offense 4 th & each subsequent offense	Warning \$50.00 \$100.00 \$200.00	Town Manager’s Designee

Passed by a Declared Near Unanimous Vote
April 6, 2016
Approved by Attorney General

A True Copy Attest:
Anita S. Tekle

Town Clerk

LAST NAME:

McShane

FIRST NAME:

Nora

PRECINCT #:

TOWN OF CONCORD
COMMITTEE INTEREST

STREET ADDRESS:

32 Bradford St Concord

INDICATE COMMITTEE PREFERENCE

E-MAIL ADDRESS:

nmcshane@hotmail.com

1. Committee on Disability

PHONE - HOME:

978-369-6561

OFFICE:

2.

FAX #:

CELL#:

508-254-4609

3.

PLACE OF EMPLOYMENT:

Roche Brothers

DATE APP'T

COMMITTEE

TERM EXPIRED

PROFESSION/TITLE:

Service Clerk

RELEVANT EXPERIENCE, EDUCATION:

- On Minutemanarc board
for 6 years

- Citizens Advisory Board for PDS
Almost 2 years

RELEVANT DEGREES, PROFESSIONAL CERTIFICATES:

LAST NAME: <i>Miller</i>	FIRST NAME: <i>Janet</i>	PRECINCT #:	TOWN OF CONCORD COMMITTEE INTEREST		
STREET ADDRESS: <i>1647 Mam St</i>			INDICATE COMMITTEE PREFERENCE		
E-MAIL ADDRESS: <i>janetcmiller@mac.com</i>			1. <i>C-SEL</i>		
PHONE - HOME: <i>978-610-2524</i> OFFICE:			2. <i>Superintendent Search Committee</i>		
FAX #:			3. <i>NRC</i>		
CELL#: <i>781-820-2552</i>			DATE APP'T	COMMITTEE	TERM EXPIRED
PLACE OF EMPLOYMENT: <i>Mass General Hospital/ Harvard Med School (semi-retired)</i>					
PROFESSION/TITLE: <i>currently medical science writer and instructor, Harvard Med School</i>					
RELEVANT EXPERIENCE, EDUCATION:					
<i>Longstanding interest in environmental issues. Member, Union Concerned Scientists</i>					
<i>Teaching experience past school committee member, Lincoln-Sudbury Hs</i>					
RELEVANT DEGREES, PROFESSIONAL CERTIFICATES:					
<i>D.Phil (aka PhD) in biochemistry, Oxford England</i>					
<i>M.ED Tufts Medford</i>					

Andrew Mara

Subject: FW: Electronic Green Card
Attachments: Attach0.html

From: ConcordMA_EGreen [mailto:ConcordMA_EGreen@ma.virtualltownhall.net]
Sent: Sunday, August 21, 2016 8:19 PM
To: Ruth Lauer
Subject: Fwd: Electronic Green Card

Request From: Scott Richardson
Email: scott@longwoodsoftware.com
Source IP: 73.249.153.73
Address: 260 Elsinore Street
Place of Employment: Longwood Software
Profession: Software Executive
Home Phone: 978-287-4150
Office Phone: 978-897-2900
Cell Phone: 978-337-6957
Voting Precinct:

Town Committees & Boards
I'd like to help on a project. ,

Title

Mr.

Gender

Male

Relevant Experience/Education:

I was the petitioner for the Polystyrene Bylaw at Town Meeting 2016. Alice Kaufman tells me a committee is being formed for implementation of the Bylaw, and that I should be on the committee. I would like to do that.

Relevant Degrees/Professional Certificates:

MBA

Please indicate up to three committee preferences:

I would like to be on the Polystyrene implementation committee.

If you checked "I'd like to help on a project," please specify what kind of project you would be interested in working on.

I would like to be on the Polystyrene implementation committee.

TOWN OF ACTON

BOARD OF SELECTMEN

September 12, 2016
Executive Session 6:00 PM
Special Meeting 7:00 PM
Town Hall Room 204

6:00 PM There will be a need for an Executive Session to discuss the purchase, exchange, lease or value of real property at 51 River Street.

SPECIAL MEETING AGENDA **Amended**

Site Plan Special Permit/Use Special Permit #11/20/2015 –
459, Nagog Pond Water Treatment Plant (continued from
April 11 and July 18, 2016)

- Link to Nagog Pond Water Treatment Plant MEPA Full Report

<http://www.concordma.gov/1455/Nagog-Pond-Water-Treatment-Plant>

- Link to Site Plan Permit Application:

<http://doc.acton-ma.gov/dsweb/View/Collection-8176/Collection-8178>