

**TOWN OF CONCORD
SELECT BOARD
AGENDA
March 9, 2020
5:30PM – REGULAR MEETING
Select Board Room – Town House**

1.	Call to Order
2.	<p>Consent Agenda:</p> <ul style="list-style-type: none"> • Town Accountant Warrants • Minutes to approve: January 27, 2020; February 27, 2020; October 15, 2019 Executive Session (not to be released); February 10, 2020 Executive Session (not to be released); February 24, 2020 Executive Session (not to be released); November 14, 2016 Executive Session (to be released); January 9, 2017 Executive Session (not to be released); July 17, 2017 Executive Session (not to be released); February 5, 2018 Executive Session (to be released); February 9, 2018 Executive Session #1 (to be released); February 9, 2018 Executive Session #2 (to be released); March 26, 2018 Executive Session #1 (to be released); March 26, 2018 Executive Session #2 (to be released) • One Day Special Licenses <ul style="list-style-type: none"> · Concord Museum 53 Cambridge Turnpike 3/14/20 7:30-10:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 3/17/20 6:30-9:30pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 3/18/20 5:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 3/25/20 6:30-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 4/3/20 7:00-10:30pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 4/21/20 6:30-9:30pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 4/24/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 4/25/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 4/26/20 2:00-6:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 4/30/20 6:30-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/1/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/2/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/3/20 2:00-6:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/7/20 6:30-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/8/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/9/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/10/20 2:00-6:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/12/20 6:30-9:30pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/14/20 6:30-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/15/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/16/20 7:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 5/29/20 6:00-11:00pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 6/16/20 6:30-9:30pm Wines & Malt Beverages Only · Concord Film Project 40 Stow Street 6/19/20 6:30-11:00pm Wines & Malt Beverages Only · Pappas & Pappas 40 Westford Rd 4/9/20 4:00-10:00pm Wines & Malt Beverages Only · Concord Country Club 246 Old Rd to Nine Acre Corner 5/2/20 5:00-11:00pm All Alcoholic Beverages
3.	Town Manager's Report
4.	Chair's Remarks
5.	APP 10 Announcement
6.	Capital Planning Task Force – Extension of Charge
7.	Nomination of Financial Audit Advisory Committee representative
8.	Discussion of Affordable Housing Home Rule Petitions – Charles Parker and Frank Feely
9.	6:05 Public Hearing: Review Application by Suburban Propane for the Storage of Inflammable Fluids at 1400 Lowell Road
10.	Amend the Middle School Building Committee membership

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

11.	Review Transportation Advisory Committee Draft Charge
12.	Review Concord 250 Committee Draft Charge
13.	Town Counsel Bylaw Directive
14.	Committee Liaison Reports
15.	Miscellaneous/Correspondence
16.	Committee Nominations:
17.	Committee Appointments:
18.	Public Comments
19.	Adjourn to Finance Committee Public Hearing at 7:00pm

PENDING

Monday	March 23	7 pm	Select Board Meeting	Town House
Monday	April 6	7 pm	Select Board Meeting	Town House
Tuesday	April 21	7 pm	Select Board Meeting	Town House
Monday	May 4	7 pm	Select Board Meeting	Town House
Monday	May 18	7 pm	Select Board Meeting	Town House
Monday	June 1	7 pm	Select Board Meeting	Town House
Monday	June 15	7 pm	Select Board Meeting	Town House
Monday	June 29	7 pm	Select Board Meeting	Town House

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

Select Board
Minutes
January 27, 2020

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in the Select Board Room of the Town House on January 27, 2020 at 7PM.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, Susan Bates, and Jane Hotchkiss. Also present was Stephen Crane, Town Manager.

1. Call to Order

2. Consent Agenda

- Town Accountant Warrants
- Gift Acceptance:
 - White Pond Associates, Inc. \$201,690.00 White Pond Management Account
 - Concord Carousel Scholarship Fund Committee \$6,649.68 Carousel Preschool Scholarship Fund
- One Day Special Licenses
 - Concord Market 77 Lowell Road 2/1/20 6:00-10:00pm All Alcoholic Beverages
 - Concord Market 77 Lowell Road 2/14/20 5:00-8:00pm Wines Only

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the Consent Agenda as amended.

3. Town Manager's Report

Town Manager Stephen Crane reported that the Planning Department is working on a grant application to apply for three districts to be designated as Business Improvement Districts (BID). The districts would be Concord Center, The Concord Depot, and West Concord.

Middlesex Savings Bank is generously donating \$10,000 to the Fire Department to help with thermal imagery cameras, so each vehicle that responds to an incident will have one. This will help us get two additional vehicles covered.

The report also included a Residential Electric Vehicle Rate Study which mentioned the Concord Municipal Light Plant. Mr. Crane stated that being included in the report was a good acknowledgement of CMLP's work.

4. Chair's Remarks

Chair Michael Lawson reminded the audience that the Town Caucus was being held that night in the Public Hearing room at 7:30pm. The Town Election is March 31.

Mr. Lawson stated that the purpose of tonight's warrant discussion to not a substantive one. It is exclusively to set the order of the warrant articles.

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At the next meeting on February 10th, the Select Board will hear a report from the Starmet Reuse and 2229 Main Street Committee. Additionally, the Select Board will have a more in-depth discussion about the Junction Village TIF proposal.

Mr. Lawson stated that the Town Manager wanted a 6 month evaluation included as part of his contract. The Select Board members will be filling out the evaluation in the coming weeks.

5. Vote to place School Committee vacancy on the ballot for Town Election

School Committee member Yuval Erlich has resigned. In order to get this on the ballot for the Town Election on May 31, the Select Board needs to vote to do so.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: To place the following on the Tuesday, March 31, 2020 Annual Town Election ballot: School Committee, vacancy for 2 years, vote for one.

6. Consideration of Carbon Pricing Resolution H. 2810

Select Board member Jane Hotchkiss stated that endorsing this resolution would align with our Envision Concord goals.

Bouzha Cookman of 94 Hubbard Street thanked the Select Board for considering this resolution, and noted the efforts of Mothers Out Front in pushing for support for this resolution. Select Board member Terri Ackerman noted her support, stating that she was happy to see that lower and moderate income households were included in this resolution.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: that the Select Board go on record in strong support of H.2810, "An Act to promote green infrastructure and reduce carbon emissions," and urge the Legislature to pass the bill in the 2019-2020 session.

7. Review Town Manager's Budget

Mr. Crane commended the work of the Finance Director Kerry Lafleur and the rest of the Finance Department. Mr. Crane reported that the most notable aspects of the FY21 budget is that they have met the Finance Committee's budget guidelines, and have been able to expand services in key areas.

Personnel wise, the town is looking to add a Land Manager, consolidate the Facilities Department in the spirit of fiscal responsibility, and reorganize the Fire Department reporting structure. Mr. Crane noted that we are expanding the responsibilities of our Tourism Manager to take on issues of economic vitality, given the needs described in the Envision Concord plan. Mr. Crane's draft budget takes 39 line item appropriations and consolidates them into 15. Ms. Ackerman asked what difference this change makes. Ms. Lafleur answered that line item transfers have to be approved by Town Meeting, and that the proposed consolidation would allow for further flexibility in how the money is able to be spent. Mr.

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Crane commented that the amount of money being spent and what we are spending money on remains virtually unchanged. The draft budget will be online on February 4, 2020.

8. Review and Approve Town Meeting Warrant

The purpose of this conversation is to set the order of the Town Meeting Warrant. The Select Board reviewed the Planning Board's request to have the order of their items rearranged in the Warrant, and determined that this was an appropriate request.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to approve the 2020 Annual Town Meeting Warrant as discussed, subject to minor edits as deemed necessary by the Select Board Chair, Town Manager, and/or Town Counsel.

9. Committee Liaison Reports

Ms. Bates attended the Middle School Building Committee forum, which was an opportunity for interested citizens to make comments. The first Economic Vitality Committee meeting took place on January 22nd, and they will continue to meet on the fourth Wednesday of each month.

Ms. Escobedo attended a meeting at First Parish with Tammy Gouveia and Jonathan Hecht. Additionally, she attended the 2229 Main Street Committee, where de maximis outlined the summary of remedial design work plan and the remedial design schedule. We will be discussing this further on February 10, when the committee is scheduled to present to the select Board. Ms. Escobedo attended the Planning Board meeting, where they discussed the empty building at 59 Walden Street.

Ms. Ackerman attended the Capital Planning Task Force meeting on January 14. The task force will be holding a public hearing on March 2nd, where they are seeking public input. Ms. Ackerman attended the League of Women Voters on January 18th, where they discussed women's suffrage. The Bruce Freeman Rail Trail Committee will be looking for new members in the spring.

Ms. Hotchkiss attended the Climate Action Advisory Board on January 15th, where they are working on the conclusion of their report. The Board of Health voted to wait until June 1st in order to evaluate Concord's goals as it relates to regulating vaping and tobacco products. Ms. Hotchkiss attended the Natural Resources Committee meeting as well.

Mr. Lawson attended the Martin Luther King Jr. celebration at the high school.

10. Miscellaneous/Correspondence

There was not any correspondence to report.

11. Committee Nominations

There were no nominations.

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12. Committee Reappointments

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to reappoint Jim Terry of 368 College Road, Lee Smith of 1836 Main Street, Linda Miller of 300 Main Street, Holly Darzen of 155 Heath's Bridge Road, and Keith Bergman of 56 White Avenue to the Affordable Housing Trust Study Committee for terms to expire May 31, 2020.

13. Public Comments

14. Adjourn to the Town Caucus for 7:30 p.m.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to adjourn to the Town Caucus for 7:30 p.m.

Respectfully Submitted,

Linda Escobedo, Clerk

Approved:

Meeting Documents:

<https://concordma.gov/DocumentCenter/View/23639/1-27-20-Packet>

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=c7LhI6FAaGY>

Select Board
2-27-20
Minutes

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in the 2nd Floor Conference Room of the 141 Keyes Road on February 27, 2020 at 4PM.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, Susan Bates, and Jane Hotchkiss.

1. Call to Order

2. Consent Agenda

One Day Special Licenses

The Concord Scout House 74 Walden Street 3/7/20 7:00-10:00pm Wines & Malt Only

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda

3. Adjourn

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to adjourn

Respectfully Submitted,
Linda Escobedo, Clerk
Approved:

Adopted:	2/27/79
REVISED:	1/12/98
REVISED:	6/18/12
REVISED:	10/21/19
REVISED:	11/18/19

Town of Concord APP #10

Town Board, Committee, and Task Force Appointment Policy

The Select Board and Town Manager have jointly adopted this policy concerning the appointment of members to Town boards, committees, and task forces. Please refer to this policy when considering or suggesting an individual for appointment to a Town board, committee, or task force.

Distribution: All Department Heads
All Committee, Board and Task Force Chairs
Town Clerk

I. General

This policy has been jointly adopted by the Select Board and Town Manager, and is intended to cover all committees, boards, commissions and task forces (each, a "Committee") appointed by the Town Manager and Select Board (each, an "Appointing Authority"). This policy does not apply to Town employees.

II. Powers and Duties

Effective local government requires that all Committees respect the duties and responsibilities of other Committees and coordinate their activities to the greatest extent possible. It is in the overall best interest of the Town that each Committee carries out its responsibilities in a consistent and professional manner that is in harmony with the general policies promulgated by the Select Board.

The powers and duties of some Committees appointed by the Select Board or Town Manager are governed by State statute. These include: the Board of Appeals, Planning Board, Historic District Commission, Board of Health, Natural Resources Commission, and others. Once appointed by the Select Board or Town Manager, these Committees operate with a high degree of autonomy. However, it is in the best interests of the Town that these Committees be guided by the general policies promulgated by the Select Board to the extent possible.

Other Committees appointed by the Select Board or Town Manager serve as, among other things, advisors to the Select Board or Town Manager in the performance of their respective duties to the public. These Committees have the powers and duties delegated to them in their specific charges. Committees may be called upon to represent the Town in dealing with other local, regional, or State agencies to the extent requested by their Appointing Authority. When doing so, they shall take positions on all issues consistent with the views of the Select Board and Town Manager, and they shall keep their Appointing Authority fully informed concerning their activities.

III. Officers of Committees, Boards, and Task Forces

Each Committee shall annually elect from among its members a Chair and a Clerk. Certain Committees may also find it desirable to elect a Vice-Chair who may act in the absence of the Chair. In the case of new Committees, or Committees that have become inactive, the Appointing Authority may appoint a chair pro-tem to serve until the Committee itself elects a Chair for the balance of the current year.

Except in unusual circumstances, the chairmanship and the clerkship should rotate yearly amongst the Committee membership.

IV. Open Meeting Law and Minutes

All Committees shall operate in accordance with the Open Meeting Law (MGL Ch. 39, sect. 23a-c) and shall keep minutes of their proceedings. Each Committee shall establish its own procedures for approval and submission of minutes to the Town House on a timely basis. Committees are strongly urged to prepare, review and approve minutes as expeditiously as possible in order to maximize the public's access to information concerning Committee activity. In most instances, Committee minutes should be reviewed and approved within six weeks of the original meeting date. All Committees shall submit electronically a copy of approved minutes to the Town Clerk and to the Select Board immediately upon approval.

Committees are reminded that "draft" copies of the Committee's minutes are considered a public record and must be made available to the public upon request, even when the Committee has not yet had the opportunity to review and adopt the minutes.

Upon the dissolution of any Committee, either by action of the Appointing Authority, or pursuant to an expiration date provided in the Committee's charge, all records, documents, correspondence and files concerning the Committee's work shall be promptly turned over to the Town Clerk for appropriate filing and archival storage.

V. Participation in Town Government

Effective Town government requires active and informed citizen participation. The work of every Committee is inter-dependent with that of others. To foster informed decision making in the Town, the Select Board and Town Manager believe it appropriate that every Committee have as full representation of its membership as possible at the following regular governmental functions:

- Town government Coordination Meetings (September & December)
- Finance Committee budget hearings
- Planning Board hearings on Town Meeting warrant articles
- Select Board's hearings on Town Meeting warrant articles
- Town Meeting

The objective is not to enforce uniformity or adherence to a majority view, but to assure understanding of all issues relating to the work of the Committee on which an individual serves and an understanding of Town government in general. Broad participation is essential to maintain an open Town Meeting and to avoid domination by those having only a limited range of knowledge or special interests.

VI. Conflict of Interest

All Committee members are subject to the requirements of Massachusetts General Laws, Chapter 268A, Conduct of Public Employees. The statute covers:

- (a) Gifts or receipt of compensation or gratuities from anyone other than the Town
- (b) Offers or promises to influence official acts
- (c) Financial interest in contracts or other particular matters
- (d) Acting as agent or attorney before a Town Committee
- (e) Unfair advantage in relation to a particular matter

If a prospective Committee member has any question concerning a potential conflict of interest under MGL ch. 268A, the member shall raise the question in advance of appointment. Those members currently serving should discuss questions of conflict with the Committee chair and the Appointing Authority as soon as possible. The State Ethics Commission is a useful resource for information concerning the application of the law, and Committee members are expected to follow guidance provided by the State Ethics Commission. Subject to review by the State Ethics Commission, the Appointing Authority will make the final determination concerning conflict of interest, with the assistance of Town Counsel as appropriate.

In addition, all Committee members must avoid the appearance of conflict of interest in all matters coming before the Committee. Committee members shall seek guidance from the State Ethics Commission as appropriate, and file with their Committee chair and the Appointing Authority written notice of facts potentially creating the appearance of a conflict of interest as required.

VII. Appointment Policy and Procedures

(a) General

It is the policy of the Select Board and Town Manager to seek the best qualified persons to serve on each Committee. The Select Board and Town Manager will endeavor to develop a pool of persons interested in serving on each such Committee from at least the following sources:

1. Green cards on file
2. Personal knowledge
3. Recommendations from Town organizations or individuals
4. Suggestions from the Committee having a vacancy
5. Suggestion by prospective appointee(s)
6. Research of skills available in Town
7. Individual responses to publicity regarding vacancies (new green cards)

It is the policy of the Select Board and Town Manager to enlarge the general pool of applicants through active solicitation of Town organizations and through publicity in the press and on community access television. The timing and extent of specific active solicitations shall be determined by the Appointing Authority based on its judgment as to appropriateness and need.

In accordance with the vote on Article 47 of the 1978 Annual Town Meeting, the Select Board and Town Manager shall make a special effort to seek out roughly equal numbers of women and men as candidates for appointments over which they have authority, and will make appointments in accordance with the Massachusetts Equal Rights Amendment which states, in part, that "Equality under the law shall not be denied or abridged because of sex, race, color, creed, sexual orientation or national origin."

Term of Office

8. Unless otherwise prescribed by statute, Town Meeting vote, or specific Committee charge, three years shall be the standard term of office for Committee members.
9. Except as provided in section VII(c) below, those appointed to a three-year term as a full member of a Committee shall be limited to two (2) full consecutive terms.
10. Except as provided in section VII(c) below, those appointed to a full-member Committee term of five (5) years or longer shall be limited to one (1) full term.
11. A partial term to fill a vacancy shall not be considered to be a full term.
12. Before reappointment to a second term, the individual contribution of the member's value to the Committee and his or her attendance record shall be reviewed by the Committee chair. Attendance of less than 75% of all Committee meetings shall prejudice reappointment.
13. All terms, unless prescribed by statute, shall terminate at the end of the month following Town Meeting, or May 31st, whichever is earlier.
14. The terms of office on Committees shall be set on a staggered basis in the interest of fostering continuity of knowledge and experience on all Committees. The Appointing Authority shall determine the year in which a given term expires at the time of appointment.
Exception: *Ad hoc* committees appointed for a specific responsibility, at which time the charge to the Committee should include a specific time frame for submission of the Committee's final report and dissolution of the Committee.
15. With the consent of the Committee chair, a Committee member may take a leave of absence from Committee meetings and responsibilities not to exceed 90 days. For an absence longer than 90 days, the Committee member should resign and otherwise face removal under section VII(l) below.
16. Each Committee member shall hold office until his or her successor has been appointed and qualifies, unless his or her office shall become vacant by reason of resignation or removal.

(b) Appointments for Additional Terms

Members who have served a three-year term on the Records & Archives Committee may be re-appointed to additional terms indefinitely. For other Committees, the Appointing Authority may re-appoint a Committee member to serve one or more terms on the Committee beyond what is permitted under section VII(b) above where one or more of the following obtains:

1. Through service on the Committee, the member has developed extensive and valuable background knowledge and experience concerning specific matters before the Committee that are expected to be ongoing Committee matters in the future and which will be difficult adequately to pass on to new members.
2. A Committee member has skills and expertise, (such as an uncommon advanced degree in a field directly relevant to the Committee's charge) that make the member's continued service on the Committee of special value to the Town.
3. The departure of the member from the Committee will result in an absence of important institutional knowledge or know-how regarding the ongoing activities of the Committee that will not be furnished by other Committee members, such as where all members of the Committee would be new appointees if the member in question is not reappointed.

It is intended that re-appointments under this section VII(c) shall be rare. In each such case, the appointment shall specifically reference this section of this Appointment Policy.

(c) Dual Committee Appointments

In general, individuals shall be limited to service on only one Committee at a time, especially in the case of a statutory or regulatory Committee. Exceptions shall be made for instances in which, by law or specific Committee charge, a Committee member serves as a representative on another Committee (e.g. the Board of Health representative on the Council on Aging), or serves on a joint Committee formed from other Committees.

(d) Committee Transfers

In general, a member of one Committee shall only be considered for appointment to another Committee upon completion of the current Committee term of office.

(e) Eligibility for Appointment

All residents of the Town of Concord aged 18 and over are eligible for appointment, except the following:

1. Town employees whose service on a given Committee, in the judgment of the Appointing Authority, would create the appearance of a conflict of interest. Example: an employee of the Public Works Department should not be appointed to the Public Works Commission, but may, however, be appointed to the Council on Aging, Recreation Commission, or other Committee where appointment would not create an appearance of conflict.
2. The Town Manager, Concord Public School and CCRHS Administrators, and Town department heads (these individuals exert a significant influence over public policy by virtue of their positions, but may be eligible for ad hoc Committees where such representation is required by the charge). Additionally, municipal officials may serve on a committee where their office is specified as a member by the committee charge.
3. Elected Municipal Officials (Select Board, School Committee members, Town Moderator, Housing Authority Commissioners), except that elected officials may serve on temporary, ad hoc Committees.
4. Relatives, spouses, or business associates of existing Committee members whose appointment, in the judgment of the Appointing Authority, would create the appearance of a concentration of power or viewpoint or a conflict of interest.

(f) Criteria for Selection

Actual appointments from the pool of applicants shall be made by the Select Board and Town Manager on the basis of:

1. the level of applicant's interest in serving and interest in the work of the Committee;
2. the need for diversity on the Committee, taking into account the educational and professional background of the applicant, as well as the need for diversity among all committee members in terms of neighborhood representation, gender, age, and other demographic characteristics.
3. special skills needed by a particular Committee.

(g) Residency

In most instances, Committee members should be residents of the Town of Concord. There may be occasional exceptions when an individual's unique skill or experience supports the appointment of a non-resident and would be beneficial to the Committee's work; however, this should be relatively rare. Non-residents shall not be eligible for appointment to any Committee responsible for exercising statutory or regulatory authority.

In the event a Committee member becomes a resident of another community, the member or the Committee chair shall promptly notify the Appointing Authority. The Appointing Authority may, upon the request of the Committee chair, permit the non-resident member to continue to serve until the subsequent May 31, except in the case of statutory and regulatory Committees.

(h) Role of Committee in Appointments

Each Committee is expected to:

1. Encourage individuals to complete green cards
2. State the qualifications they are looking for in appointments
3. Make suggestions to the Appointing Authority on potential members

Committees may invite prospective members to attend meetings to familiarize themselves with the work of the Committee. Committees shall not make any representation to candidates concerning the likelihood of appointment nor provide their suggestions on candidates to the Appointing Authority with any rank order, nor take any vote with respect to candidates.

(i) Selection Procedures

1. The individual member and the Committee chair shall notify the Appointing Authority in writing as soon as a vacancy occurs.
2. A notice will be prepared for release to the press and for public posting pursuant to the 1996 Town Meeting vote under Article #12.
3. No action will be taken on a vacancy for at least two weeks after the announcement of the vacancy.
4. For Select Board appointments, nominations shall be made at one Board meeting, and formal action will not be taken until a subsequent Board meeting.
5. For Town Manager appointments that are approved by the Select Board, the request for appointment shall be made at one Board meeting, and action on the request shall be taken not later than the next Board meeting.
6. Except in unusual circumstances, the Appointing Authority shall endeavor to make appointments within two months of the announcement of a vacancy.

(j) Orientation Procedure

Upon appointment, all Committee members shall present themselves at the Town Clerk’s office in order to take the oath of office. The Town will provide the new Committee member with an informational packet referred to as the “Committee Handbook” which shall include: a copy of the Committee charge or relevant administrative code, and copies of the Open Meeting, Public Records, and Conflict of Interest laws.

It shall be the responsibility of the Committee chair to provide for the orientation of new members to familiarize them with the work of the Committee, current projects, and Town government operations in general as they may impact the Committee’s work.

(k) Removal from Committees

As provided in the Town Charter, the Select Board may remove, after such hearing as the Select Board deem advisable, any Committee members appointed by the Board. Further, the Town Manager may remove any Committee member appointed by the Town Manager for cause, with or without a hearing. “Cause” shall include, for example, the repeated failure to attend Committee meetings, the commission of an ethical violation (as found by the State Ethics Commission) or a violation of the Open Meeting Law, as found by the Office of the Attorney General, if the Town Manager believes such action to be necessary to preserve public confidence in Town government.

VIII. Conflicts with Law

In case of a conflict between any provision of this Appointment Policy and the laws of The Commonwealth of Massachusetts or the Town Charter, Massachusetts law or the Town Charter, as the case may be, shall take precedence.

APPROVED JULY 29, 2019

Charge
Concord Capital Planning Task Force

A. Purpose and Background

The purpose of the Concord Capital Planning Team is to develop a process for town-wide capital planning. This process will then be used annually to develop a 10-year capital plan, including all foreseeable Town and Concord Public School capital projects.

The major objectives of capital planning are to provide a comprehensive view of the expected capital costs and to help integrate fiscal policies among the Select Board, the School Committee, and the Finance Committee, with the offices of Town Manager, School Superintendent, and their staffs. Integrated fiscal policy among these officials is essential because the Town and Schools desire to:

- Build and maintain high quality infrastructure
- Manage Concord citizens' tax burden, with minimal reliance on Proposition 2-1/2 Overrides and Exclusions
- Maintain Concord's Aaa bond rating
- Have a transparent process for capital planning, with input from the public.

Currently, Capital Planning in Concord has three distinct funding layers;

- Minor capital items are funded within the operating town and CPS budgets, as recommended by the Town Manager and the School Superintendent.
- Intermediate and large capital expenditures for the Town and CPS are generally funded within the Levy Limit via an annual Capital Plan article at Town Meeting, as recommended by the Town Manager.
- Very large projects are each funded in a distinct article(s) at Town Meeting and usually funded via debt exclusions to Proposition 2 ½.

The current process for the first two layers is fairly well-developed and transparent. The Capital Planning Task Force is charged with developing a process for the third layer of funding, the very large projects.

B. Membership

The Capital Planning Committee shall be comprised of nine members appointed by the Select Board. The term of office shall be 6 months.

Membership shall be as follows:

- One member of the Select Board, or their designee
- One member of the CPS and CCHS School Committee, or their designee
- Town Manager, or their designee

- Town Finance Director, or their designee
- Superintendent of Schools, or their designee
- School Director of Finance & Operations, or their designee
- One citizen with a background in architecture
- One citizen with a background in capital budget planning
- One citizen at large

In addition, the Finance Committee shall appoint a representative to be a liaison to the Task Force.

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

C. Duties and Responsibilities

The Concord Capital Task Force shall develop a process for town-wide capital planning:

- Determine and define specifically what constitutes a “very large” project to be included in the annual Capital Plan
- Develop a template format for the Town and Concord Public Schools to complete annually. The template shall include all the information that will be needed for a transparent and effective process, such as (but not limited to) projected project location(s), demonstrated need, estimated construction cost, potential offsets/savings, estimated annual operating cost, climate impacts and vulnerabilities.
- Determine the process for evaluation, timing, and prioritization of projects, balancing the priorities of different stakeholders, and balancing service demand with affordability.
- Recommend specific policies and practices to ensure that planning of capital projects will take into account protection from climate impacts. This includes evaluation of the vulnerability of capital assets, such as drinking water, wastewater systems, communications and utility systems, buildings and other structures.
- In developing this process, the Task Force should seek to apply “best practices” used in other towns’ and states’ capital plans.
- The Task Force should also study the 2002-3 report of the Concord Facilities Planning Committee and explore why the report’s recommendations were not implemented. In some cases, the committee will want to incorporate elements of that report; in other cases they will recommend improvements for the new process.

The Capital Planning Task Force shall encourage input from the public, including at least one public hearing. It is also recommended that task force members meet with groups such as the Tax Fairness Committee to understand the “affordability” component of capital projects.

The Task Force shall report their recommendations to the Select Board no later than March 1, 2020.

D. Other Considerations

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



OLD NORTH BRIDGE

TOWN OF CONCORD

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

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 Meeting Room, 22 Monument Square, Concord, MA on **March 9, 2020**, at 6:05 p.m. upon the application by Suburban Propane for the Storage of Inflammable Fluids at 1400 Lowell Road (Middlesex School).

Questions on this matter should be directed to Tim McGinn, Suburban Propane representative, 508-481-1000.

By order of the
SELECT BOARD

Linda Escobedo, Clerk

BELOW THIS LINE FOR OFFICE USE ONLY

Date of application Receipt _____

Fee paid \$ _____

APPROVED BY _____ FIRE CHIEF

Ray Mett _____ BUILDING COMMISSIONER

[Signature] _____ HEALTH DIVISION

Leha Kaye _____ NATURAL RESOURCES DIVISION

COMMENTS:

TOWN OF CONCORD
STORAGE OF INFLAMMABLE FLUIDS
APPLICATION FOR LICENSE



Date: _____
License # _____
Fee: \$ _____

1. Name of Applicant: Suburban Propane
Please print
Address of Applicant: 100 Cedar Hill St. Marlborough MA 01752
Please print
Name & Address of Property Owner: Middlesex School; 1400 Lowell Rd
Please print
(If different): _____
2. Type of Fluid Propane Number of Gallons 2960
3. Address of storage facility: 1400 Lowell Rd

Check appropriate overlay areas:

- ____ Wetland Conservancy District
____ Floodplain Conservancy District
____ #1 Groundwater Area
____ #2 Groundwater Area
____ #3 Groundwater Area
____ #4 Groundwater Area

Depth to seasonal high groundwater level _____
Date of test _____
Distance to nearest known well _____
Distance to nearest known septic system _____
Distance to nearest building _____

4. Dates of past known fuel leaks or spills _____
Amount of material lost _____
Number and age of existing tanks on property _____
5. Plot plan prepared by: _____
Plot plan dates: _____
Spill prevention control and counter measures plan (SPCC), IF APPLICABLE.
Prepared by: _____
Dated: _____
6. Proposed date of installation March 2, 2020
Purpose for which license is requested: Permit to store greater than 2000 gal
Number of buildings or other structures to which this application applies SIX
Occupancy or use of such building Residences, ice rink, library

This application is made pursuant to the provisions of the MGL, Chapter 148, and 527 Code of Massachusetts Regulations issued by the State Fire Marshall and Town of Concord Administrative Policy and Procedure #22.

[Signature]
Signature of Applicant

Date: 1/30/2020

LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 960

List sizes and capacities of all aboveground containers used for storage: Seven 120 gal, One 60 gal, Six 10 gal

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: 2000

List sizes and capacities of all underground containers used for storage: Two 1000 gal

Total aggregate quantity of all LP-gas to be stored: 2960

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.2: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.3: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.5: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.6: _____ Number of magazines used for storage: _____

I, Keith A Bardsley, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Keith Bardsley Date _____ Name Keith Bardsley

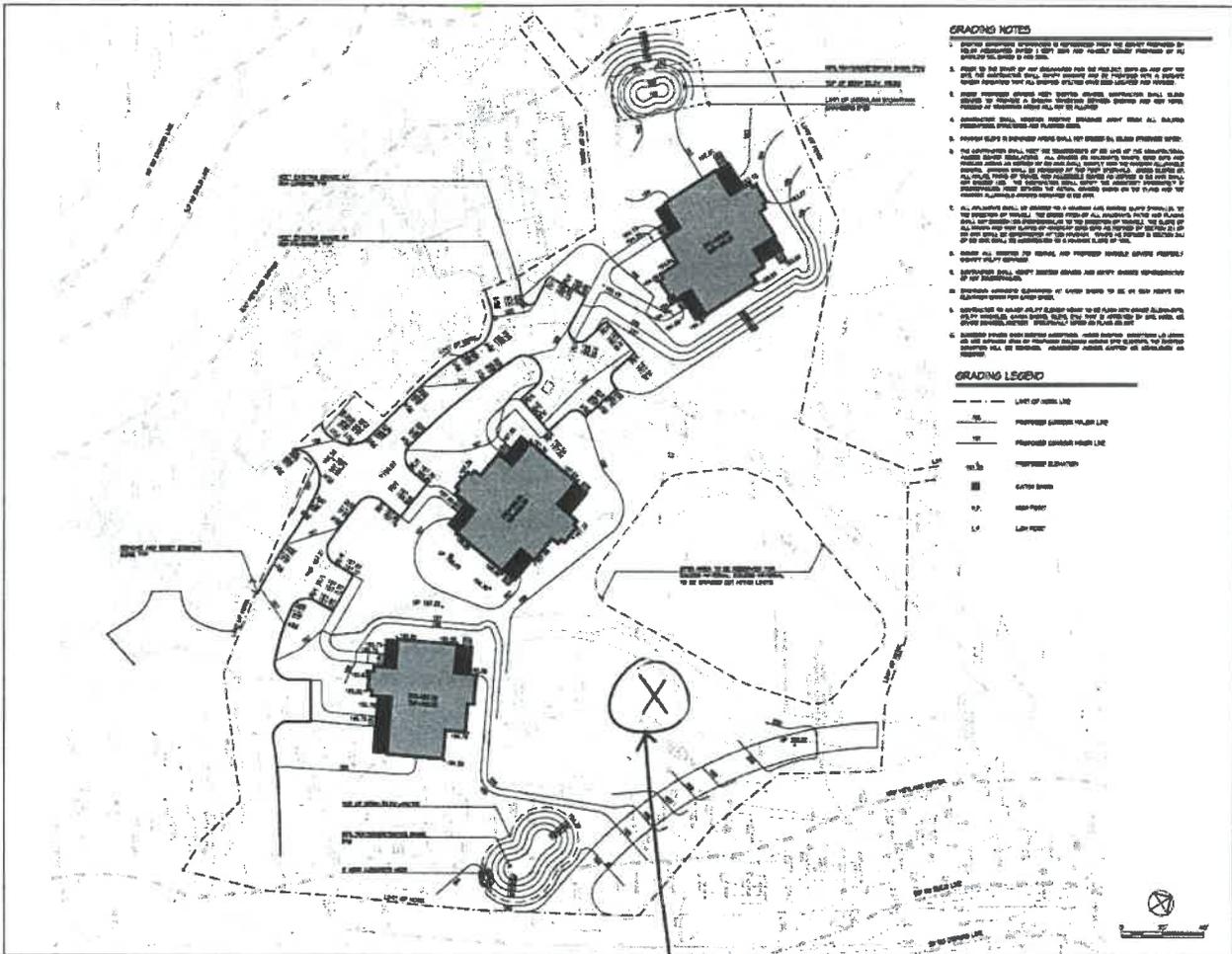
Fire Department Use Only

I, THOMAS JUDGE, Head of the Concord Fire Department endorse this application with my

Approval Disapproval

Signature of Head of the Fire Department Thomas M. Judge Date 2/6/2020

Recommendations: ANY ABOVEGROUND COMPONENTS OF EITHER THE UNDERGROUND OR ABOVEGROUND TANKS MUST BE PROTECTED FROM VEHICLES IN A MANNER ACCEPTABLE TO THE FIRE DEPARTMENT.



- GRADING NOTES**
1. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 2. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 3. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
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 14. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 15. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 16. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 17. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 18. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 19. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.
 20. GRADE SHALL BE GRADUATED TO MATCH EXISTING GRADE AT ALL POINTS UNLESS OTHERWISE NOTED.

GRADING LEGEND

---	LOT LINE
---	PROPOSED CURB LINE
---	PROPOSED ELEVATION
---	GARDEN BED
---	LAWN AREA

PROJECT	GATES LANE FACULTY RESIDENCES
DATE	08/14/2014
SCALE	AS SHOWN
DESIGNER	STANTEC
CHECKER	STANTEC
APPROVER	STANTEC

GATES LANE FACULTY RESIDENCES
 1000 GATES LANE
 GATEWAY, ON 4700
 Middlesex
 cbt
 Stantec

GRADING PLAN
 SCALE: AS SHOWN PROJECT: GATES LANE DATE: 08/14/2014
L201

Two 1000 gal UG tanks



FP-002A
(Rev. 1.1.2015)

The Commonwealth of Massachusetts
City/Town of Concord

Application For License

Massachusetts General Law, Chapter 148 §13

New License Amended License

GIS Coordinates

LAT.

LONG.

License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 1400 Lowell Rd
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Middlesex School

Address of Land Owner: 1400 Lowell Rd, Concord MA 01742

Use and Occupancy of Buildings and Structures: Residences, ice rink, library

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments
Aug 6, 2019
Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
<u>Propane</u>	<u>II</u>	<u>2960</u>	<u>gal</u>	<u>UST & AST</u>

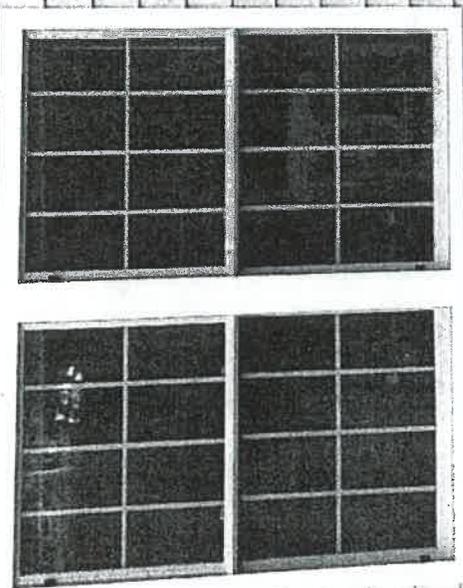
Total quantity of all flammable liquids to be stored: 2960 gal

Total quantity of all combustible liquids to be stored: _____

Total quantity of all flammable gases to be stored: _____

Total quantity of all flammable solids to be stored: _____

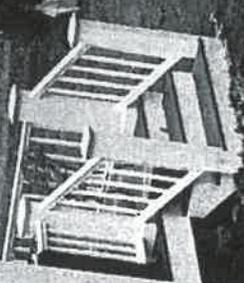
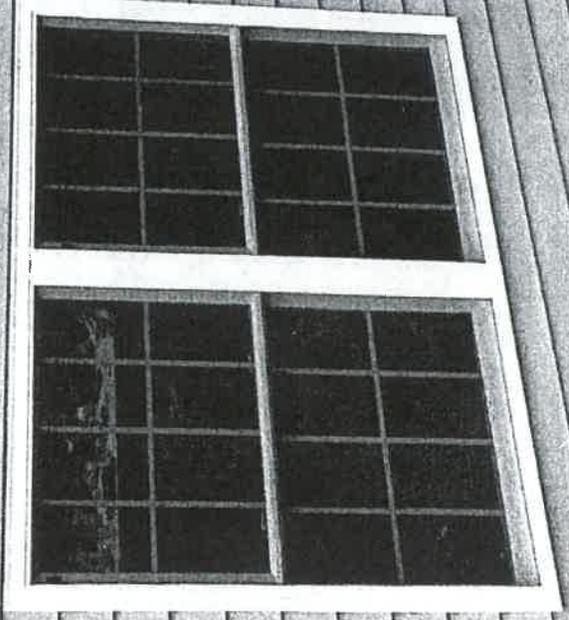
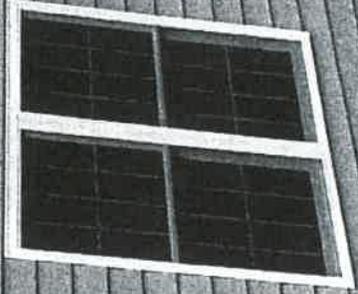
PLEASE

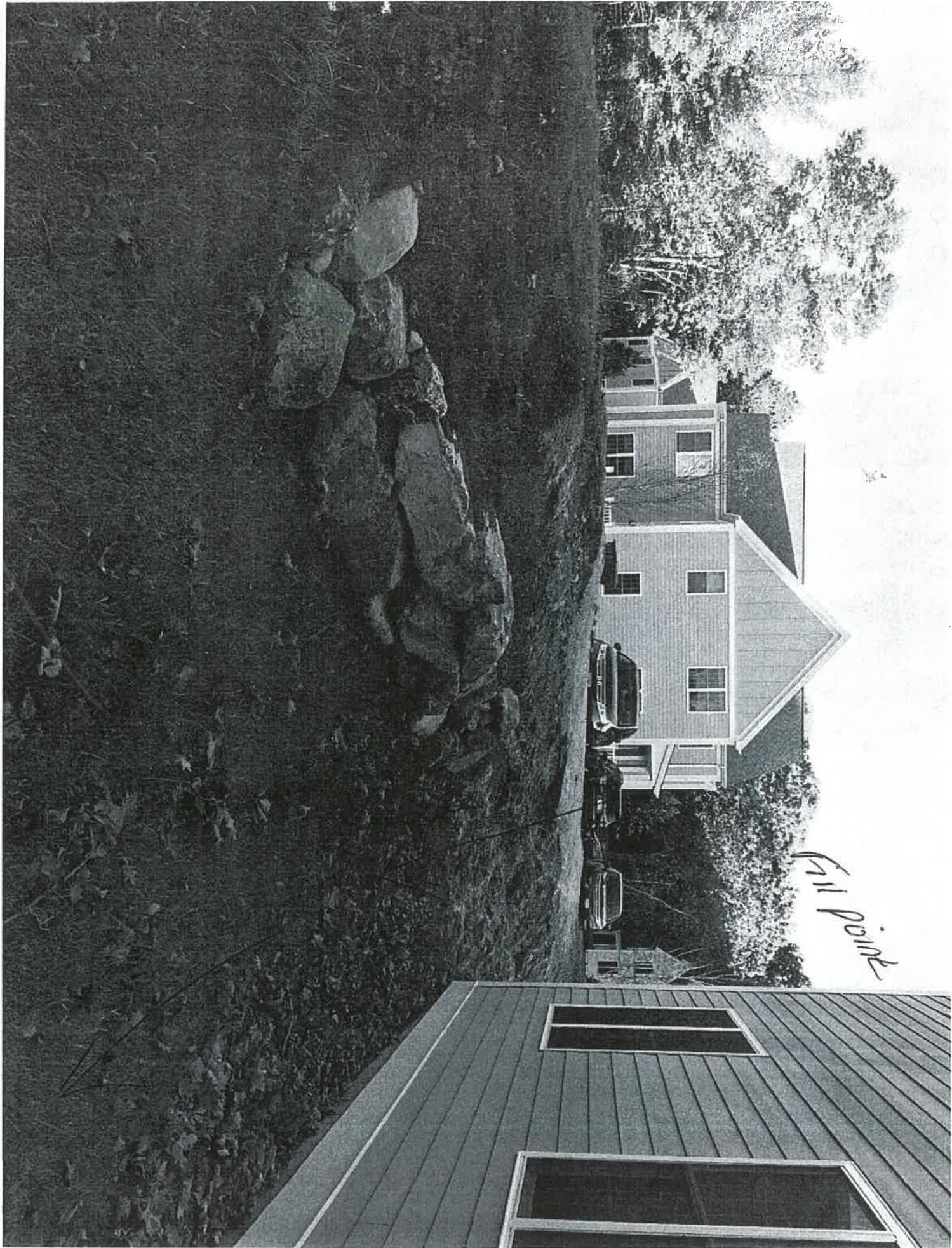


Needs to be
10ft away from
Direct vent
for FP
TANK
Here
↓



Stand alone.
FR/SMD
TOSKA.
this would
* will most likely be
wanted here





Fall paint





Concord Fire Department

209 Walden Street

Concord, Massachusetts 01742

978-318-3488

(See other side for instructions and restrictions)

FD Use Only
PERMIT # _____

TYPE OF PERMIT: Only one type per permit

- | | | |
|---|---|--|
| <input type="checkbox"/> AGST REMOVAL* | <input type="checkbox"/> BLASTING | <input type="checkbox"/> TANK TRUCK INSPECTION |
| <input type="checkbox"/> DUMPSTER > 6 YARDS | <input type="checkbox"/> TENT | <input type="checkbox"/> GUN POWDER |
| <input checked="" type="checkbox"/> PROPANE STORAGE* | <input type="checkbox"/> HOOD EXTINGUISHER* | <input type="checkbox"/> FLAMMABLE GAS/LIQUID* |
| <input type="checkbox"/> FIRE ALARM/SPRINKLER* | <input type="checkbox"/> FOG/MOVIE SMOKE | <input type="checkbox"/> SPILL PROTECTION - UGST |
| <input type="checkbox"/> WELDING & CUTTING | <input type="checkbox"/> SALAMANDER | <input type="checkbox"/> TAR KETTLE OPEN FLAME |
| <input type="checkbox"/> OTHER (Specify in Scope of Work) | | |

LOCATION OF WORK:

Address: 1400 Lowell Rd Telephone#: (978)371-6566
 Property Owner: Middlesex School
 Date(s) of activity requiring permit: January 1, 2020 - December 31, 2020

SCOPE OF WORK: Attach separate page if necessary.

Summarizing aggregate storage on the property which includes two, 1000 gal underground tanks at 34 Oates Lane, proposed above ground storage cylinders at 34 Oates Lane, and above ground cylinders at 3 other locations on the property that equal 229 gallons.

APPLICANT INFORMATION: If detail is required, billing contact must be provided.

Company Name: Suburban Propane
 Address: 100 Cedar Hill St., Marlborough, MA 01752
 Phone #: 508-481-1000
 Email Address: tmcginn@suburbanpropane.com
 Name of Person Certified to Complete Work: Keith A. Barakley
 License or Certificate #: 911
(AS IT APPEARS ON THE LICENSE)

Billing Person Contact Info:
 Name: TIM MCGINN
 Phone #: 508-481-1000
 Email: tmcginn@suburbanpropane.com

This application does not imply approval of the proposed work. The applicant shall be responsible for confirming final approval of the proposed work prior to starting any work which requires a permit from the Concord Fire Department. All work shall be in compliance with NFPA standards, State and Local Regulations. The applicant shall be responsible for scheduling final tests and inspections for any work performed immediately upon completion. Any changes to the previously approved conditions must also be approved by the Concord Fire Department. Failure to provide the requested information will result in denial of the permit. All sections must be completed.

APPLICANT SIGNATURE: [Signature] DATE: 1/31/2020
 PROPERTY OWNER SIGNATURE: [Signature] DATE: 1/31/2020
(Required for Welding/Cutting)

FIRE DEPARTMENT USE ONLY

Detail Required: Yes No (IF YES, VERIFY BILLING INFORMATION)
 Payment Method: Cash Check #: _____ Online #: _____

Signature & Title of Official Issuing Permit	Date of Issue	Date of Expiration
Signature & Title of Inspecting Official	Date of Final Inspection	<input type="checkbox"/> Pass <input type="checkbox"/> Fail

ANY RESTRICTIONS WILL BE LISTED ON OTHER SIDE

➔ THIS PERMIT MUST BE CONSPICUOUSLY POSTED ON THE PREMISES ←



Concord Fire Department

209 Walden Street
Concord, Massachusetts 01742
978-318-3488



TYPE OF PERMIT

- Any permit denoted with an asterisk requires an inspection. There should be a signed Concord Fire Department Certificate of Completion given to the Assistant Chief either prior to or at the time of inspection.
- Fire Alarm/Sprinkler permits will not be issued for any installations or major renovations, or work that falls under a current building permit. Work of this nature should be submitted using the Concord Fire Department Plan Review Form along with two copies of the plans to be reviewed.
- A Concord Fire Department Detail is required for all Welding/Cutting/Hot Work permits. Details should be scheduled in advance with the Captain at 978-318-3460. Allow enough time for firefighter assignment.

SCOPE OF WORK

- Include a detailed description of what the permit is covering.
- For Blasting permits, include the dig safe number
- For Tank Truck Inspections, include the vehicle type, make, year, registration, VIN #, and tank capacity.

APPLICANT INFORMATION

- Signed permits may be returned by email if received by email or if an email address is provided in the applicant information.
- Billing information must be completed for all Welding/Cutting/Hot Work permits.

PAYMENT

- All checks should be made out to the TOWN OF CONCORD.
- Applications for permits that are filed electronically may be held until payment is received.

FIRE DEPARTMENT USE ONLY – PERMIT RESTRICTIONS

Town of Concord
CONCORD MIDDLE SCHOOL BUILDING COMMITTEE
Committee Charge

A. Purpose

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

B. Membership and Operations

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

- Two members or designees of the School Committee
- One member of the Select Board
- Town Manager
- Town Finance Director or designated representative
- Superintendent of Schools
- School Director of Finance & Operations
- School Facilities Manager
- Middle School Principal
- One resident knowledgeable in field of sustainable building design and operation
- Six community residents at-large including at least one with a current school-age child
- Concord Sustainability Director
- **One resident knowledgeable in building construction, e.g., general contractor**

The community members shall bring as many of the following areas of expertise as possible: general or industrial construction; project management; HVAC, architectural, financial, recreation, environmental sustainability and/or education technology expertise; and a familiarity with green building design.

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

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

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

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

C. Powers and Duties

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

During the Feasibility Study Phase:

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

During Design Phase:

- Assist with the Selection of a Project Manager, who will serve as the Owner's Representative for the project, during both design and construction;
- Issue a Request for Proposals for Design services; interview several designers and make a recommendation to the Town Manager for a contract for design services;
- Review, with a lens of sustainability, the educational specifications as recommended by the School Committee;
- Solicit input from school staff, parents, neighbors of the school and the community as a whole concerning the design of the new building, including any public spaces;
- Foster a discussion of Net Zero construction, and educational and environmental sustainable building design concepts for schools and incorporate, to the extent possible, the Town's goals for Greenhouse Gas Emissions reductions;
- Consider any "lessons learned" or other useful experience gained from earlier school construction projects;
- Ensure the development of an accurate construction cost-estimate to be used when recommending construction funding to Town Meeting and the voters;

- Develop a projected construction schedule to include estimated completion and occupancy dates, timing for the demolition of the existing buildings, and full completion of the project.

During Construction Phase:

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

D. Other Considerations

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

Communications

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

The Town Manager

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

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

Elected Officials and appointed Committees

The Committee will:

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

Town and School Staff

The Committee will:

- Expect that the School Superintendent will identify an appropriate interface between the school department and the construction project. The representative of the School Department will be present at Middle School Building Committee meetings and will attend construction meetings where appropriate.
- Expect that the Middle School Principal will attend Committee meetings and construction meetings where appropriate. The Principal will relay problems and issues from staff, families and neighbors for Committee consideration and resolution.

- Expect that the School Department will maintain an organized central file of original and substantive documents throughout the project sufficient to satisfy SBA auditing, if appropriate, as well as Town audit requirements.

The Owners Project Management (OPM) Firm

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

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

The Architectural Firm

The Middle School Building Committee expects that the designer will:

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

Construction Reform

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

Select Board Chair

Date

Attachments:

1. Article 14 - Concord Middle School Feasibility Study - Warrant Article & Vote from 2019 Town Meeting
2. Key Design Principles Middle School - School Feasibility and Design Study



Town of Concord

Office of the Town Clerk
22 Monument Square
Concord, Massachusetts 01742-0535

ANNUAL TOWN MEETING APRIL 8, 9, and 10, 2019

CONCORD MIDDLE SCHOOL FEASIBILITY STUDY

ARTICLE 14.

WARRANT ARTICLE

To determine if the Town will vote to raise and appropriate, or transfer from available funds, or authorize the Town Treasurer with the approval of the Select Board to borrow money by the issuance of bonds or notes under the provisions of Massachusetts General Laws c. 44, the sum of \$1,500,000, or any other sum, to be expended under the direction of the School Committee for a feasibility study to consider the construction of a new middle school, which may be located at 835 Old Marlboro Road, Concord, Massachusetts (the present site of the Sanborn Middle School), provided, however, that this approval shall be contingent upon passage of a Proposition 21/2 debt exclusion referendum under Massachusetts General Laws c. 59, § 21C(k), and further that any premium received by the Town upon the sale of any bonds or notes approved by the vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any other action relative thereto.

VOTE

Upon a **MOTION** made by Ms. Bout and duly seconded, the following was **VOTED**:

That the Town appropriate the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) to be expended under the direction of the Town Manager, in consultation with a Concord Middle School Building Committee to be appointed by the Select Board in compliance with M.G.L. c. 71 § 68, to study the feasibility of constructing a new middle school, which may be located at 835 Old Marlboro Road, Concord, Massachusetts (the present site of the Sanborn Middle School), including the schematic design of one or more options and the payment of all costs incidental or related to the feasibility study; and further, that to meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow the appropriated amount pursuant to M.G.L. c. 44, § 7(1), or any other enabling authority; provided, however, that this approval shall be contingent upon passage of a Proposition 2 1/2 debt exclusion referendum under M.G.L. c. 59 § 21C(k), and that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount and further, that the feasibility and resulting design specification should be consistent with Concord's sustainability goals and principles.

Passed by an overwhelming margin over two-thirds vote
April 8, 2019

A True Copy Attest: _____


Kaari Mai Tari
Town Clerk

Key Design Principles¹ (Final) Middle School School Feasibility and Design Study

These Design Principles are a distillation of the key elements of the design approach that was referenced in the Town Meeting Amendment to the Feasibility and Design Study Article and was communicated to the Concord School Committee at Town Meeting. The purpose of these Principles is to provide a sustainability framework that should be followed in the design process.

Text of Amendment to Article 14 at Town Meeting and Implications for Design:

'The feasibility and resulting design specification shall be consistent with Concord's sustainability principles and with Concord's goals for reducing greenhouse gas emissions, requiring both an all-electric design and Zero Net Energy-ready building and site capabilities. While the Town urges the School Building Committee to conduct its feasibility study with all-electric/ZNE-ready as the preferred design, other alternatives may be considered. The third-party hired to perform this feasibility study and school design should have demonstrated competencies and experience in all-electric/ZNE building design.'

The implications are twofold: First, the new school building should be fossil-free (all electric). Second, the amount of energy consumed by the school building should be matched by an equivalent amount of energy produced on site ('Net Zero'). Annual kWh consumption on the site = annual PV production from the site (roof, parking lot canopies, etc.).

Best In Class Energy Efficiency:

Net Zero buildings meet the most stringent energy efficiency standards. As such, Net Zero buildings are in a class by themselves, performing significantly better than buildings that simply meet 'code' or which are designated as 'high-performance'. The Energy Use Index (EUI), which measures the energy consumption per square foot, should be used to establish metrics for the design process and distinguishes net zero from 'code' and high performance buildings.² The highest, best-in-class efficiency, *as measured by EUI*, is required in order to meet these fundamental Net Zero requirements in a cost effective way.

Efficiency Through Passive Solar Design:

While efficiency in the mechanical systems is important, efforts to reduce building energy requirements start with optimizing the building design to take advantage of the sun for day-lighting and passive heating/cooling. And, the building should be oriented and designed to maximize the exposure of the roof for PV.

High-End Building Envelop (Thermal Control Layer):

The envelope needs to incorporate the highest standards for doors, windows, slab, and roof. Minimizing heat loss is far less expensive than building additional PV capacity on-site to compensate for heat loss.

¹ Our Thanks to William Maclay, and Mcclay Architects, from whose concepts we have liberally borrowed.

² Maclay, William, *The New Net Zero*, Chelsea Green Publishing, 2014. Typical Existing 'pre-code' schools at 83 EUI, Code schools at 45-55 EUI, High-Performance at 25-45 EUI, and Net Zero at 10-25 EUI.

Heating:

In a fossil-free building, heating is accomplished through air-source and/or ground source heat pump technology.

Ventilation:

Given the high efficiency of the thermal control layer in a Net Zero building and the resulting lack of air infiltration, a ventilation system to provide fresh air to the building is required. In order to provide the desired fresh air while minimizing the heating load, the ventilation system needs to be separated from the heating system. This allows for the use of a heat/energy recovery system to conserve energy as air from the building is exchanged for outside air. This approach has the advantage of fine-grained control over the fresh air volume and allows for exceptional air quality, while conserving the energy in the building's heat.

Energy Loads:

In Net Zero design, energy loads (plug loads, heating/cooling, hot water heating, ventilation, and lighting) are modeled to achieve the EUI metric. This includes 100% reliance on outdoor light when it is available and sufficient control of fresh air ventilation to allow for adjustment to the level of occupancy expected for each room. As load increases, the PV requirement also increases.

Hot Water (and water in general):

Hot water is typically 4-5% of overall load for an educational facility. The best practices involve solar hot water collectors (i.e. roof-top Domestic Hot Water (DHW)) or electric resistance DHW with PV collector. But, as with many other of the Net Zero principles, reducing hot water demand is the first and most important requirement – high efficiency dishwasher, low flow faucets, and showers, and the use of heat recovery for gray water. Likewise, technology needs to be leveraged to reduce overall water consumption.

Site Design

The site design should allow for the reuse of storm-water runoff for irrigation.

Net Zero-Ready:

Net zero-ready allows for an end-to-end design of a 100% Net Zero building, including all of the PV capacity required for fully compliant net-zero building. However, this approach allows for a limited initial build-out of the PV system that includes roof-ready enhancements, conduits, and site improvements with a commitment to add the necessary capacity for 100% net-zero. Initial design and specification needs to include costing of both the PV infrastructure and the PV panels/arrays.

Embodied Energy

Embodied energy is the remaining energy required for the remaining elements of the lifecycle. Design should assume best practices in selecting use of low-carbon building materials (foundation, structural, windows, etc.). And, best low-carbon practices should be followed in disposing of the existing school buildings.

Charge
Transportation Advisory Committee
March 9, 2020

Background

Our long-range plan, **Envision Concord Bridge to 2030**, lists as Big Idea 3, *a strong need to increase the physical and social connectivity of isolated residents, including seniors, and those living in denser housing areas outside of easy walking distance (1/2 mile) of the village centers. There is also a need to expand non-automobile options for students and teens to get around town to reduce congestion and carbon emissions while increasing their connection to the town's cultural, recreational, and commercial resources. The decentralization of residents, the need to support the village centers to retain independent businesses, and the desire to provide environmentally sustainable low-carbon mobility choices for residents and visitors all create opportunities to consider transportation across multiple needs and strategies. Innovative mobility solutions may also address transportation needs of visitors to Concord and the increased congestion and parking demand resulting from visitors and through-town commuter traffic. Town-owned vehicles could be multi-purpose serving different needs and different segments of the population at different times.* (**Envision Concord Bridge to 2030**, pages 79-81)

Transportation is a federal, state, regional and local issue, and all have impact on Concord. However, this Committee will focus on local sustainable transportation policy. As such it will be a Transportation Advisory Committee (TAC) appointed by the Town Manager and working closely with the Select Board to develop policies which support innovative multi-model actions. The TAC will collect transportation relevant data available from town and school departments, developing policies supporting identified annual actions. The TAC will annually incorporate the goals reflected at Town Meeting in all its planning recommendations.

Because transportation solutions will evolve over time as technologies, town resources, and town and school needs evolve, this committee will annually adjust, initiate and report out policies which reflect changes and growth. There may be important subcommittees focused on specific modes of local transportation, such as bicycle policies, which may include education and safety, recreational and commuter bike-path planning, roadway bicycle use, Bruce Freeman Rail Trail initiatives and other bicycle access issues. Pedestrian issues, will also be addressed including sidewalk planning and priorities, creating pedestrian-friendly areas, including the needs of students, seniors, and those with disabilities. The TAC has the authority to establish subcommittees as needed.

As a first step in this process, the Select Board suggests the formation of a Transportation Advisory Committee (TAC) as a committee of the Town Manager to

- 1) Review the and evaluate application of tools (e.g. Rail Trail Initiatives, Complete Streets, Parking Studies, Cut Through Study, Traffic Management Group determinations, School Transportation Needs..) in meeting **Envision Concord Bridge to 2030's** local transportation goals (See Section 3, pages 80-81)

<https://concordma.gov/DocumentCenter/View/15250/Final-Envision-Concord-Plan-7-30-18-Full-Version-79MB>.

- 2) Assess the transportation concerns and ideas identified by existing town committees
- 3) Explore and recommend innovative approaches and revenue sources for both new ways of local mobility as well as maintaining and enhancing existing infrastructure. such as state, regional and federal funds, public-private partnerships, grants, etc.
- 4) Explore multi-model transportation options within and through Concord.
- 5) Balance the opportunities for transportation throughout Concord with our goals for, environmental sustainability, stewardship of town historic and cultural resources, support for economic vitality, and the needs of a population of diverse incomes and ages, including public and private school communities.
- 6) Make recommendations as to how the Town can enhance local transportation actions with existing resources
- 7) Explore ways to benefit from neighboring communities, regional and state efforts to achieve similar goals.
- 8) Develop a public education and input process

Membership

The Transportation Advisory Committee shall be comprised of (9-11) members appointed by the Select Board. The term of office shall be three years. Membership shall be as follows:

Town Manager or his designee

School Superintendent or her designee

Director of Planning and Land Management or her designee

Town Traffic Committee member

Public Works Representative

Public Safety Representative

Council on Aging Representative

Disability Commission Representative

Town Residents (with specialized knowledge of transportation planning; recreational and organized bicycling activities, business and transit-oriented issues

The Committee shall elect a chair, keep minutes of its deliberations, observe the Open Meeting and Public Records law, the Conflict of interest Law and all other applicable laws and regulations of the Commonwealth as well as all relevant Bylaws and Administrative Policies of the Town fostering a free and open discussion of ideas.

Duties and Responsibilities Analyze goals and report to the Town Manager and Select Board with specific recommendations that can be implemented to support the goals. Report progress with a draft report to Select Board in November 2020 and annually thereafter.

Concord 2025 Executive Committee

Purpose and Duties:

The year 2025 will mark the 250th anniversary of the battles of Lexington and Concord. 2026 will mark the 250th anniversary of the signing of the Declaration of Independence. To mark these anniversaries, the Town Manager and the Select Board will create the Concord 2025 Executive Committee. The purpose of the Committee is to evaluate and make recommendations as to how the Town should organize for this event and to serve as the Executive Committee to oversee other committees to be created to assist with this effort; and, to oversee activities to be held to commemorate the 250th Anniversary of the Battle of Concord and other historical events related to the founding of our Country.

The Executive Committee will also coordinate the Town's events with our sister communities, Minuteman National Historical Park as well as other local, state, regional and federal events.

As part of its duties, the committee shall:

1. develop a comprehensive plan for celebrating and promoting the 250th anniversary of the Battle of Concord;
2. develop a plan for a permanent memorial and recommend its placement;
3. appoint subcommittees, where necessary, to carry out specific tasks and in so doing may appointment members of the Executive Committee and/or other residents of the Town;
4. identify opportunities for individuals or organizations to participate in celebrations of the anniversary;
5. ensure that activities are diversity, inclusiveness, and create opportunity at all levels and activities;
6. shall hold public hearings from time to time in order to gain input from the residents of Concord.
7. shall report their activities to the Select Board on a periodic basis, but no less often than on a quarterly basis.

Membership:

What organizations should be represented: MMNHP, The Museum, the Library, the Umbrella, the Chamber of Commerce, The Concord Business Partnership.

Citizens at Large: How many?

Town Government representation: who and how many

Other Issues:

How should fundraising be handle – as part of this committee, a separate committee?