

Town Manager's Report

Monday, May 9, 2011

To: Board of Selectmen
From: Christopher Whelan, Town Manager

Following are some of the matters reported on this week by various Town Departments:

FINANCE

Bond Sale Results: Bids were accepted on May 4 for an \$8.75 Million bond issuance. Ten bids were received, and the recommended award is to Fidelity Capital Markets at a "true interest cost" of 2.314489%. The Finance Director will attend the May 9 Selectmen's Meeting to present the bid results.

LIBRARY

Program Notes: Best-selling author Chris Bohjalian will speak of his newest novel, [The Night Strangers](#) and discuss his writing process and the origins of [Secrets of Eden](#) on Sunday, May 15, 2011 at 5:30 p.m. at the Main Library. A book signing and reception will follow. This event is funded by an L.S.T.A. Reader's Advisory grant.

The Library's youth advisory committee met on May 2 and discussed a number of programming initiatives, as well as some recent concerns that were raised regarding Library use by middle school students. As an outgrowth of that conversation, Concord's Youth Services Coordinator will be hosting a discussion for middle school parents on issues facing their children as they enter adolescence, such as alcohol, dating, stress, parties, and drugs. The discussion will take place on Monday, May 23 at 7:30 p.m. at the Fowler Branch Library.

LIGHT

Solar Renewable Energy Credits (SRECs): The solar photovoltaic system on the Willard School has qualified for Solar Renewable Energy Credits (SRECs), which the Town can sell to Investor-Owned Utilities that need credits to meet their Renewable Portfolio Standard obligations. NStar has agreed to purchase the Town's SRECs for the 4th quarter of 2010 and the 1st quarter of 2011, for a total of \$8,751. We expect to receive annual revenues of around \$15,000 from the SRECs in the first year of sales.

2011 Undergrounding Project: The 2011 Underground Electrical Conversion Project is currently underway. This past week Kobo Construction installed 1500' of conduit on Whittemore Street. The contractor's work on Whittemore is expected to take 2-3 weeks. Project updates can be found at: http://www.concordma.gov/pages/ConcordMA_LightPlant/ug%20conversion .

PLANNING & LAND MANAGEMENT

Health Division

Walden Grille Enforcement: Extensive compliance inspections have been conducted at Walden Grille over the past two weeks. During these inspections, progress was noted each time as the punch list for repairs continued to grow. A final punch list of repairs has been provided to Walden Grille staff, and all issues are to be resolved by May 10 or strict enforcement by the Board of Health will be initiated.

Building and Inspections Division

Arena Farm/Concord Academy: Last Wednesday, DPLM staff met with Concord Academy representatives to discuss CA's plans to develop the 14-acre Arena Farm land with 2 soccer/lacrosse fields, 6 tennis courts, a baseball diamond and a 1-story colonial style clubhouse/storage building. The current plan includes stepped natural grass fields, drainage bioswales, pervious parking lots, restoration of and landscaping around the pond, a perimeter jogging trail, and the intent to incorporate green features (solar, geothermal, etc.) into the design of the clubhouse. Concord Academy anticipates conducting outreach to abutters in July and making a formal submission to the Natural Resources Commission and the Planning Board in late summer 2011.

Longview Meadow 40B Project: There were some unsuitable soils found at Alexan that caused the contractor to dig 14'0" and bring in structural fill to support the foundation.



Natural Resources Division

Making Public Lands Accessible: Staff attended a workshop regarding the Department of Justice's revised regulation implementing Title II of the Americans with Disabilities Act which, among other things, requires that access to public trails be more available to people with disabilities requiring an array of mobility devices. The revisions, which went into effect on March 15, require that public and private land managers permit individuals with mobility

disabilities to use wheelchairs and manually-powered mobility aids in any areas open to pedestrian use. Also required is that land managers make reasonable modifications in policies, practices or procedures to permit the use of other power-driven mobility devices. Other power-driven devices include any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for the purpose of locomotion. This includes golf carts, ATVs, Segways, Jeeps and just about anything else. Land managers must allow for use of these devices unless they can demonstrate that the device cannot be operated in accordance with legitimate safety requirements based on an assessment. A complete fact sheet on the amended regulation may be found on the Department of Justice's web site at:

http://www.ada.gov/regs2010/factsheets/title2_factsheet.html

Beaver Symposium: In response to an unauthorized beaver dam removal at Lindsay Pond Road this past winter, Middlesex School and the Lindsay Pond Homeowners Association will be hosting a free beaver symposium featuring state biologist Laura Hajduk. The forum will be held at Middlesex School, 1400 Lowell Road on Wednesday, May 11, 2011, from 6:00 to 7:30PM. For further information, call Kathy Winslow at 978-837-0377.

Rogers Land: As part of the Town's due diligence before acquiring this 4.7-acre parcel of land off Harrington Ave, field work for an Environmental Site Assessment was completed this week. 2011 Town Meeting authorized \$260,000 to be expended toward the purchase price of \$450,000, including an additional \$50,000 for site restoration. The Concord Land Conservation Trust has committed to \$240,000 from fundraising efforts.

Planning Division

Solar Siting Committee: Friday morning, the Solar Siting Committee conducted site visits to the following Town-owned lands: the Deaconess Well (42B & 363 ORNAC), the Jenny Dugan Well (97A Old Marlboro Road) and Sanborn School (835 Old Marlboro Road), the Peabody School (1231 Old Marlboro Road) and associated playing fields (7B Old Pickard Road), the White Pond Reservation (48B Fitchburg Turnpike), the Riverdale Circle playing fields (10A Riverdale Circle), the Alcott School (91 Laurel Street) and Hugh Cargill Well (416 Walden Street), and the Concord Municipal Light Plant (1175 Elm Street). The Committee concluded that there may be potential for solar on the southeastern portion of the Sanborn School parcel, the western portion of the White Pond Reservation parcel, and on the westernmost and easternmost portions of the Concord Municipal Light Plant parcel. They will continue the discussion at their next meeting on Friday, May 20.

POLICE

Operational Services: On Tuesday, May 3, officers took a report of a missing female from Littleton who had a history of depression. A Concord officer subsequently located the woman at Walden Rehab, and determined that there were no issues at that time. The subject's daughter was contacted to and came to assist. On Wednesday May 5, Officers took another report regarding the female subject from Littleton to be missing again. This time officers located her on Thursday May 6 driving on Monument Street. This time the female subject agreed to go voluntarily to Emerson Hospital for evaluation.

On Saturday May 7, Officers responded to Emerson Hospital to take a report of a patient admitted with possible stab wounds. Officers determined that the subject involved, along with two other parties, had an altercation in Lowell, MA at a nightclub. Officers also determined that the wounds in questions were from broken pieces of glass. Officers took an initial report and forwarded to Lowell Police for follow up.

Community Services: On Saturday May 7, Officers assisted with the Minuteman Arc walk in West Concord. The annual event went off without any issues with the aid of dayshift officers and two detail officers.

Also on Saturday May 7, Officers assisted with Drop Off/Swap-Off Day. It is reported that all went well.

PUBLIC WORKS

Crosby's Corner Project Landscape Plan: MassDOT has announced that a meeting has been scheduled for June 8 beginning at 7:00 PM in the Donaldson Room at Lincoln Town Hall. The purpose of the meeting is to present the proposed landscape improvements associated with the Crosby's Corner Construction Project. Representatives from MassDOT and their landscape consultant will be on site beginning at 5:00 PM for an interactive session.

April 1 Business Recycling Event Results: The semi-annual business recycling event was held at 300 Baker Ave on Friday, April 1 from 9:00 AM -12:00 PM. This was a successful event, despite the snow and rain. Twenty Concord businesses attended the electronics collection portion of the event, and Doc Shredding Corp. collected more than 3,000 lbs. of paper for shredding.

Concord businesses brought 8,497 lbs. of electronics, 3,370 linear feet of fluorescent bulbs, and 141 lbs. of nickel cadmium & lead acid batteries. The next business recycling event is scheduled for September 30, 2011.

Drop Off – Swap Off Event: The spring 2011 Drop Off-Swap Off event took place on Saturday, May 7 at 133 Keyes Road. The event was staffed by upwards of 120 volunteers, in addition to CPW staff. The event included an unwanted medication & SHARPS collection.

An early Swap Off option was included in this year's event for residents on Friday, May 6, from 11:00AM – 3:00PM. Residents were able to bring items for Swap Off during this time (no browsing). This is a pilot program that was developed to help manage traffic flow with a goal of reducing some of the traffic on the Saturday's collection.

NPDES MS4 Stormwater Permit: CPW submitted the Year 8 annual report as required to maintain compliance prior to the May 1 deadline. This annual report is a

tool which the EPA uses to monitor the compliance of cities and towns in the Commonwealth and other states in meeting the Best Management Practices (BMP), minimum control measures outlined within the EPA's 2003 permit.

Concord continues to demonstrate excellent compliance in public education, illicit connection testing and monitoring, housekeeping, operations and construction site stormwater runoff control and post construction stormwater management minimum control measures. This was further advanced with the development of the Town of Concord Stormwater Regulations and Concord Public Works Design & Construction Standards and Details adopted at the March 2011 PWC hearing through the authority of the Private Digging of Roads Bylaw and MGL Chapter 83 Section 10.

2010/2011 Sidewalk Program: Work on the 2010 Sidewalk contract resumed during April with project contractor Allied Paving resuming sidewalk extension work on Lowell Road, the Ministerial Drive neighborhood and Upland Road.

Allied performed accessory drainage work, excavation, gravel sub-base placement and binder course pavement installation for the area from Westford Road to just beyond Lindsay Pond Road. Miscellaneous pavement improvements to the raveling shoulders are also being done in the sidewalk areas at the same time.

Work within the Ministerial Drive neighborhood began during the week of April 25 and was quickly halted after an abutting resident requested Town Manager intervention to remove the sidewalk within the neighborhood. Concord Public Works has stopped work on the sidewalk to give the sidewalk removal petitioner time to poll the neighborhood for support to remove the sidewalk. Given that the sidewalks are an existing roadway feature that the neighborhood is accustomed to utilizing, along with the fact that significant public and neighborhood outreach took place as part of the 2010 road and sidewalk program, it was communicated to the petitioner that it would be necessary to demonstrate overwhelming neighborhood support to remove the sidewalks and a threshold of 80% of the homes in the "area of influence" would be required indicating a desire for sidewalk removal. The petition was provided to the Town on Monday, May 2 at which time CPW received and documented numerous phone calls and emails from residents within the "area of influence" to have their names removed.

Based on the results of the petition, Ministerial Drive did not receive sufficient support (39%) to have the sidewalk removed.

Westford Road Open: Due to the delay in receiving potential FEMA funding for the Westford Road culvert and roadway repairs, CPW had a structural engineer assess the culvert condition to evaluate the possibility of reopening the road on an interim basis until the Hazard Mitigation Grant Proposal (HMGP) grant application results are made available. The culvert has been given a satisfactory rating for this interim period, so CPW Highway Division constructed the temporary embankment and pavement repairs as an internal project in April. Please note the road will again be closed in July of 2012 (for the low flow season) to begin the culvert replacement.

Fuel Management System: The installation of the new fuel management system is now complete, and the system is operational at both the CMLP and CPW locations. All vehicles (163) have had the necessary equipment installed which will allow for more reliable dispensing of fuel. The new fuel management system will also provide real time information relative to fleet efficiency and fuel use trends allowing for better resource management.

CPW Water System Award: The Massachusetts Drinking Water Program has once again recognized CPW's Water Division for its outstanding performance. Concord achieved one of the top compliance scores in the Medium/Large Communities System Category of the 2011 Public Water System's Award Program.

Nagog Pond Filtration Waiver: After receiving notification from MADEP relative to the Town's filtration waiver, a meeting was held with MassDEP to discuss compliance monitoring activities and their recent re-interpretation of a federally issued Surface Water Filtration Waiver. CPW has submitted its concerns in writing which contend that Concord's sampling and reporting activities conform to the requirements outlined within the federal regulations while maintaining operational flexibility which has served the long-term interests of the Town of Concord. While CPW does not expect EPA or MassDEP to willingly make concessions from their new and more rigid interpretation of these regulations, it is prudent that these concerns are documented in the event the Town determines a formal appeal process is warranted.