

**TOWN OF CONCORD
SELECT BOARD
AGENDA
August 13, 2018**

7 PM – Select Board Meeting Room – Town House

1.	Call to Order
2.	Consent Agenda: <ul style="list-style-type: none"> • Town Accountant Warrants • Minutes • Gift Acceptance <ul style="list-style-type: none"> · Concord-Carlisle Community Chest \$17,090.50 Council on Aging Gift Accounts · Concord-Carlisle Community Chest \$15,266 Community Services Coordinator Gift Account • One Day Special Licenses <ul style="list-style-type: none"> · Gaining Ground 9/9 3pm-5pm 341 Virginia Road Wine & Malt · Concord-Carlisle Youth Hockey 10/13 5pm-11pm 246 ORNAC All Alcohol · Saltbox Farm 8/29 6pm-9pm 40 Westford Road Wine & Malt · Fidelity Investments 8/30, 9/6, 9/12, 9/13 5pm-8pm 40 Westford Road Wine & Malt <li style="padding-left: 40px;">9/19, 9/20, 9/26
3.	Town Manager's Report
4.	Chair's Report
5.	7:05pm Public Hearing – Change Alternate Manager: Papa Razzi Trattoria of Concord, Inc. d/b/a Papa Razzi, located at 768 Elm Street
6.	CCTV Update
7.	Review & Approve Business Recognition Program
8.	Reschedule Adjourned Session/Snow Date for October 1 Special Town Meeting & Confirm Location for September 12 Public Hearing
9.	Review Draft Warrant & Set Order of Articles for October 1 Special Town Meeting
10.	Review & Approve 2019 Annual Town Meeting Calendar
11.	Review List of Proposed Community Preservation Act Municipal Projects
12.	Review Draft Town Manager Job Description
13.	Review & Approve 2018-2019 Board Goals
14.	Public Comments
15.	Committee Liaison Reports
16.	Miscellaneous/Correspondence
17.	Committee Nominations:
18.	Committee Appointments:
19.	Adjourn to Executive Session for the purpose of discussing Litigation (Estabrook Road)

PENDING

Monday	August 27	7pm	Select Board Meeting	Town House
Monday	September 3	All Day	Labor Day	Town Offices Closed
Tuesday	September 4		State Primary	All Precincts
Sunday	September 9		Rosh Hashanah	No evening meetings
Monday	September 10	7pm	Select Board Meeting	Town House
Wednesday	September 12	7pm	Joint Public Hearing Select Board, Finance Committee, Planning Board	Town House
Tuesday	September 18		Yom Kippur	No evening meetings
Monday	September 24	7pm	Select Board Meeting	Town House
Mon	October 1	7pm	Special Town Meeting	CCHS

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

Weekly One Day License Log – August 13, 2018

Applicant Name & License Number	Phone Number	Date	Location	Type of Alcohol	Event Details
18-122 Gaining Ground	978 610-6086	9/9	341 Virginia Road	Wine & Malt	Event Coordinator: Allison Goodwin Bartenders: Tina Ghikas, Kim Parker Under 21: Yes First License in Concord: No
18-123 Concord-Carlisle Youth Hockey	508 517-8477	10/13	246 ORNAC	All	Event Coordinator: Kevin Jones Bartenders: Liza Leach Under 21: No First License in Concord: No
18-124 Saltbox Farm	617 877-3859	8/29	40 Westford Road	Wine & Malt	Event Coordinator: Ben Elliott Bartenders: Ben Elliott Under 21: No First License in Concord: No
18-125 Fidelity Investments	781 272-3600	8/30	40 Westford Road	Wine & Malt	Event Coordinator: CJ Jayasekera Bartenders: Ben Elliott Under 21: No First License in Concord: Yes
18-126 Fidelity Investments	781 272-3600	9/6	40 Westford Road	Wine & Malt	Event Coordinator: CJ Jayasekera Bartenders: Ben Elliott Under 21: No First License in Concord: Yes
18-127 Fidelity Investments	781 272-3600	9/12	40 Westford Road	Wine & Malt	Event Coordinator: CJ Jayasekera Bartenders: Ben Elliott Under 21: No First License in Concord: Yes
18-128 Fidelity Investments	781 272-3600	9/13	40 Westford Road	Wine & Malt	Event Coordinator: CJ Jayasekera Bartenders: Ben Elliott Under 21: No First License in Concord: Yes
18-129 Fidelity Investments	781 272-3600	9/19	40 Westford Road	Wine & Malt	Event Coordinator: CJ Jayasekera Bartenders: Ben Elliott Under 21: No First License in Concord: Yes
18-130 Fidelity Investments	781 272-3600	9/20	40 Westford Road	Wine & Malt	Event Coordinator: CJ Jayasekera Bartenders: Ben Elliott Under 21: No First License in Concord: Yes
18-131 Fidelity Investments	781 272-3600	9/26	40 Westford Road	Wine & Malt	Event Coordinator: CJ Jayasekera Bartenders: Ben Elliott Under 21: No First License in Concord: Yes

Gift Acceptance Log – August 13, 2018

Gift Received From:	For Gift Account:	Total Amount:
Concord-Carlisle Community Chest	Council on Aging Gift Accounts	\$17,090.50
Concord-Carlisle Community Chest	Community Services Coordinator Gift Account	\$15,266.00

**TOWN OF CONCORD
2018 SPECIAL TOWN MEETING SCHEDULE**

MONDAY, OCT. 1, 2018 @ 7:00 PM

EVENT	DATE/TIME	LOCATION
CALL MEETING AND OPEN WARRANT (WARRANT OPENED FOR 10 DAYS)	MONDAY, JULY 30, 2018	TOWN HOUSE – HWCC
WARRANT CLOSES	FRIDAY, AUG.10, 2018 @ 4:00 PM	TOWN HOUSE TOWN MANAGER'S OFFICE
SELECT BOARD TO REVIEW DRAFT WARRANT & SET ORDER OF ARTICLES.	MONDAY, AUG. 13, 2018	TOWN HOUSE
SELECT BOARD FINALIZE & APPROVE WARRANT	MONDAY, AUG. 27, 2018	TOWN HOUSE
TOWN CLERK TO POST WARRANT	MONDAY, SEPT. 10, 2018	VARIOUS LOCATIONS
JOINT PUBLIC HEARING(S) – FINANCE COMMITTEE, SELECT BOARD, AND PLANNING BOARD	WEDNESDAY, SEPT. 12, 2018 @ 7:00 PM	TOWN HOUSE – HEARING ROOM
MOTIONS DUE	THURSDAY, SEPT. 13, 2018 @ 4:00 PM	TOWN HOUSE
LAST DAY FOR VOTER REGISTRATION FOR SPECIAL TOWN MEETING	FRIDAY, SEPT. 21, 2018 @ 8:00 PM	TOWN HOUSE
SPECIAL TOWN MEETING ADJOURNED SESSION/SNOW DATE	MONDAY, OCT. 1, 2018 @ 7:00 PM TUESDAY, OCT. 2, 2018 @ 7:00 PM	HIGH SCHOOL AUDITORIUM
HOLIDAYS RELEVANT TO THIS SCHEDULE		
STATE PRIMARY ELECTION	TUESDAY, SEPTEMBER 4, 2018	
ROSH HASHANAH	SUNSET SEPTEMBER 9 TO NIGHTFALL ON SEPTEMBER 11, 2018	
YOM KIPPUR	SUNSET SEPTEMBER 18 TO NIGHTFALL ON SEPTEMBER 19, 2018	
COLUMBUS DAY OBSERVED	MONDAY, OCTOBER 8, 2018	

**TOWN OF CONCORD
2018 – 2019 ANNUAL TOWN MEETING & ELECTION CALENDAR**

EVENT	DATE	LOCATION
ELECTION SCHEDULE		
STATE PRIMARY	SEPTEMBER 4, 2018	VARIOUS
TOWN CAUCUS – 7:30 PM	MONDAY, JANUARY 28, 2019 SNOW DATE: TUESDAY, JANUARY 29	TOWN HOUSE
TOWN ELECTION	TUESDAY, MARCH 26, 2019	VARIOUS
SPECIAL TOWN MEETING – STARTS AT 7 P.M. OCT. 1, 2018 (SEE 2018-2019 CALENDAR ADDENDUM FOR RELATED DEADLINES)		
RELATED MEETINGS & DATES		
JOINT MEETING – CONCORD AND CARLISLE SELECT BOARDS, SCHOOL COMMITTEES, FINANCE COMMITTEES	THURSDAY, SEPTEMBER 20, 2018	TOWN HOUSE - HEARING ROOM
TOWN MEETING PREVIEW MEETING	SATURDAY, DECEMBER 1, 2018	TOWN HOUSE – HEARING ROOM
TOWN MEETING WARRANT INFORMATION		
OPEN WARRANT AT TOWN MEETING PREVIEW MEETING	SATURDAY, DECEMBER 1, 2018	TOWN HOUSE
DRAFT WARRANT ARTICLES DUE	MONDAY, DECEMBER 10, 2018	TOWN HOUSE
WARRANT CLOSES AT 4 P.M.	THURSDAY, JANUARY 3, 2019	TOWN HOUSE
LEGAL DEADLINE FOR MAILING OF TOWN MEETING WARRANT TO RESIDENTS (AT LEAST 10 DAYS PRIOR TO PUBLIC HEARING)	FRIDAY, FEBRUARY 15, 2019	
PUBLIC HEARINGS: ALL HEARINGS START AT 7:00 PM		
FINANCE COMMITTEE – TOWN BUDGET & ARTICLES INCLUDING CAPITAL	*MONDAY, FEBRUARY 11, 2019	TOWN HOUSE – HEARING ROOM
FINANCE COMMITTEE – SCHOOL BUDGET & ARTICLES COMMUNITY PRESERVATION COMMITTEE ARTICLE(S)	***MONDAY, FEBRUARY 25, 2019	TOWN HOUSE – HEARING ROOM
SELECT BOARD	**TUESDAY, FEBRUARY 26, 2019	TOWN HOUSE – HEARING ROOM
PLANNING BOARD	****TUESDAY, MARCH 5, 2019	TOWN HOUSE – HEARING ROOM
FINANCE COMMITTEE – ENTERPRISE FUND BUDGETS & ARTICLES	*****MONDAY, MARCH 11, 2019	TOWN HOUSE – HEARING ROOM
* ** *** **** *****	THE SNOW DATE FOR THESE DATES WILL BE WEDNESDAY, FEBRUARY 13, 2019 THE SNOW DATE FOR THIS DAY WILL BE WEDNESDAY, FEBRUARY 27, 2019 THE SNOW DATE FOR THIS DAY WILL BE THURSDAY, FEBRUARY 28, 2019 THE SNOW DATE FOR THIS DAY WILL BE THURSDAY, MARCH 7, 2019 THE SNOW DATE FOR THIS DAY WILL BE TUESDAY, MARCH 12, 2019	
MOTIONS		
DRAFT TOWN MEETING MOTIONS DUE	TUESDAY, MARCH 12, 2019	TOWN MANAGER'S OFFICE
FINANCE COMMITTEE REPORT INFORMATION		
LEGAL DEADLINE FOR MAILING OF FINANCE COMMITTEE REPORT TO RESIDENTS (AT LEAST 10 DAYS PRIOR TO TOWN MEETING)	FRIDAY, MARCH 29, 2019	
ANNUAL TOWN MEETING – ALL SESSIONS START AT 7:00 PM		
	MONDAY, APRIL 8, 2019	CONCORD-CARLISLE

TUESDAY, APRIL 9, 2019	REGIONAL HIGH SCHOOL
WEDNESDAY, APRIL 10, 2019	
THURSDAY, APRIL 11, 2019	
HOLIDAYS RELEVANT TO THIS SCHEDULE	
ROSH HASHANAH	SUNSET SEPTEMBER 9 TO NIGHTFALL ON SEPTEMBER 11, 2018
YOM KIPPUR	SUNSET SEPTEMBER 18 TO NIGHTFALL ON SEPTEMBER 19, 2018
COLUMBUS DAY OBSERVED	MONDAY, OCTOBER 8, 2018
VETERANS' DAY OBSERVED	MONDAY, NOVEMBER 12, 2018
THANKSGIVING DAY	THURSDAY, NOVEMBER 22 INCLUDING NOVEMBER 23, 2018
HANUKKAH	SUNSET DECEMBER 2 TO NIGHTFALL ON DECEMBER 10, 2018
CHRISTMAS DAY	TUESDAY, DECEMBER 25, 2018
NEW YEAR'S DAY	WEDNESDAY, JANUARY 1, 2019
MARTIN LUTHER KING, JR. DAY	MONDAY, JANUARY 21, 2019
PRESIDENT'S DAY	MONDAY, FEBRUARY 18, 2019
SCHOOL VACATION	FEBRUARY 18 – 22, 2019
ASH WEDNESDAY	WEDNESDAY, MARCH 6, 2019
GOOD FRIDAY	FRIDAY, APRIL 19, 2019
PASSOVER	SUNSET APRIL 19 TO NIGHTFALL ON APRIL 27, 2019
EASTER	SUNDAY, APRIL 21, 2019
SCHOOL VACATION	APRIL 15 – 19, 2019
PATRIOTS' DAY OBSERVED	MONDAY, APRIL 15, 2019



TOWN OF CONCORD
Department of Planning & Land Management
141 Keyes Road ~ Concord MA ~ 01742
Phone: 978-318-3290

To: Christopher Whelan, Town Manager
From: Marcia Rasmussen, Director of Planning and Land Management
Kate Hodges, Assistant Town Manager
Delia Kaye, Natural Resources Director
Re: **Potential Town Projects for Community Preservation Funds 2019**
Date: July 19, 2018

Kate, Delia and I met today to discuss potential Town projects that could be eligible for Community Preservation funding. We've identified ten potential projects from the perspective of the Concord Recreation and Planning & Land Management (Natural Resources and Planning), out of a list of fourteen known projects, due to the limited CPA funds available. The projects outlined below fall within one of four categories or multiple categories including: Open Space (acquisition, creation, preservation, rehabilitation, restoration); Historic Preservation (acquisition, preservation, rehabilitation, restoration); Community Housing (creation, preservation, support, rehabilitation, restoration); and Public Recreation (passive and active recreation including: trails, community gardens, parks, playgrounds and athletic fields).

1. **Development of Gerow Park adjacent to Warners Pond and the Bruce Freeman Rail Trail (\$300,000) (Open Space, Recreation)** – acquisition of the Gerow land in July 2018 included the concept of developing the property with a community park for picnics, concerns and other outdoor activities. These funds would be combined with a potential additional matching amount that is being sought through an environmental bond bill.

With future plans to dredge a portion of Warners Pond to improve the health of the pond and expand recreational opportunities (results of the study expected this summer), the water front aspect of this land could provide a community beach for swimming or boat access.

2. **Town support for CHDC Junction Village Assisted Living project (\$300,000) (Community Housing)** – This year's funding request of \$300,000 is to be combined with \$700,000 granted over the past two years for a total of \$1,000,000. These funds contribute toward the "Town's share" of \$2,400,000 for the construction of an 83-unit fully affordable assisted living facility (estimated at \$16,992,000) on land owned by the Concord Housing Development Corporation (CHDC) at 6X Winthrop Street. This project was approved by the Zoning Board of Appeals under Chapter 40B in 2016. The project site is located within walking distance of the West Concord Village District and Fitchburg commuter railroad line, as well as directly adjacent to the future Bruce Freeman Rail Trail.

3. **Warner's Pond dredging project (\$250,000)(Open Space, Recreation)** – Prior CPA funds have been used to study Warner's Pond and ways to improve the ecological health of the pond. After the initial study that determined dredging to be the most effective way to control weeds and resulting eutrophication, with costs ranging from \$1,000,000 to \$3,000,000 depending on the quality of silt, the Town sought additional CPA funds to study the silt material to better estimate the cost of dredging. Concurrently, the Town included \$500,000 for Warner's Pond dredging in its Capital Improvement Plan for 2020. This application would seek the first half of funds as a match to the Town's capital funds.
4. **Land Acquisition of a parcel from the Ralph Waldo Emerson Memorial Association (\$100,000)(Open Space, Historic Preservation?)** – The RWEMA has offered two to three parcels of land around the existing Emerson House to the Town of Concord. This is the first of two (and possibly 3 applications) to purchase a 3.4 acre parcel of land located between the house and access from Walden Street. The Emerson-Thoreau Amble is located over this parcel, which includes the Mill Brook. An estimate will be prepared by Avery Associates for the actual value of this first parcel later this summer.
5. **Regional Housing Services Office (\$19,000) (Community Housing)** – the RHSO has been funded in part by the Town and by the CPC over the past 8 years; this request represents half of the funds needed. The RHSO provides critical support to the Town's affordable housing initiatives. The Regional Housing Services Office (RHSO) was established in 2011 to oversee the administration of affordable housing programs in Concord and six neighboring communities (including Acton, Bedford, Burlington, Lexington, Sudbury and Weston). The RHSO provides professional staff support to all seven communities in meeting the administrative and monitoring needs of their existing affordable housing programs, while also working with each community to develop additional programs and further regional housing efforts and goals.
6. **Bruce Freeman Rail Trail Phase 2B (\$50,000) (Recreation and Open Space)** - The Bruce Freeman Rail Trail is envisioned as a non-motorized, ADA accessible, multi-use trail serving as a recreational and transportation resource for residents and visitors of all ages and abilities. Phase 2B is in design with an anticipated bid date of fall 2019; this Phase will connect the Acton section of the trail with the Concord section of the trail. The design and construction of the BFRT is consistent with the goals outlined in the Community Preservation Plan, the Concord Open Space and Recreation Plan and the 2005 Comprehensive Long Range Plan. These additional funds requested will be used for additional design that will connect existing trails near Route 2 with the Bruce Freeman Rail Trail Bridge over Route 2, historical interpretive panels and site development near the Nashoba Brook crossing at Route 2 and other items that may be desired but determined ineligible for State funding.
7. **Wheeler-Harrington Master Plan (\$20,000)(Open Space, Historic Preservation?)** – funds were provided from the Community Preservation Fund in 2014, which allowed completion of a historic structures report; a cultural landscape report and a natural resources/environmental report. Unfortunately, a final management plan integrating the three reports was not completed. This funding request will include review of the completed reports, further research of the flora/fauna on the property, public outreach meetings to obtain input and generate consensus on a vision for the property (house and park) and final documentation of recommended actions,

including consideration of whether the Ball-Benson Barn and/or house might be located on this site and how this property may be integrated with other adjacent town-owned land (i.e., Marshall Farm and former Rogers land).

8. **Heywood Meadow stone wall (\$20,000) (Open Space)** – The recently restored stone walls at Heywood Meadow, construction of steps into the meadow, and installation of native pollinator plantings have enhanced this asset for the community. Replacing the unsightly bollards at the intersection of Heywood Street and Lexington Road with approximately 70 feet of fieldstone wall will provide an important visual connection between the two sides of the meadow at this well-travelled intersection.
9. **Old Calf Pasture invasive species removal (\$15,000)(Open Space)** – This conservation land supports the largest regional population of the state-listed Britton’s violet (*Viola brittoniana*), which has been diminishing in the presence of the invasive glossy buckthorn (*Frangula alnus*). DNR has been working with local conservation organizations and individuals to control glossy buckthorn and monitor the violet populations at the meadow since 2008. This request represents one more year of funding; the Natural Resources Division will be seeking alternative funding sources in the future for continued efforts.
10. **Junction Village Open Space (\$50,000)(Open Space)** – a task force is being formed to work with the Concord Housing Development Corporation to design the open space along the Assabet River associated with the Junction Village affordable housing project. The task force will work with a landscape architect to design a community walking trail that will loop around the Junction Village project and along the Assabet River connecting to two points along the Bruce Freeman Rail Trail. The CHDC will be funding the consultant services required to prepare an engineered survey and the landscape architectural design. Matching funds, in the form of earth moving/invasive species removal, will be provided during construction by the Grantham Group.

As noted at the beginning, this memo does not include any other application that may be submitted by other Town departments.



TOWN OF CONCORD

Office of the Town Manager
22 Monument Square
Concord, MA 01742

To: Christopher Whelan, Town Manager
From: Kate Hodges, Assistant Town Manager
Re: Additional Project for Community Preservation Funds, 2019
Date: August 9, 2018

Approximately one month Director of Planning and Land Management Marcia Rasmussen, sent you a memo outlining several potential CPA Projects for the 2019 Program. At the time that memo was written, the news regarding the White Pond Gift to the Town had not yet been made public. Because of that, one additional project related to those parcels was not initially represented. Now that the news of the generous gift of the White Pond Beach and Land has been made public, I would like to add one additional project proposal to the 2019 list, bringing the total number of projects outlined by our office and DPLM to eleven.

11. White Pond ADA Access & Facilities Updates (\$250,000) (Recreation & Open Space) –

The request is for accessibility improvements to the newly acquired White Pond beach area. Currently, White Pond's waterfront and green space areas are not accessible to those with mobility barriers and have several non-complaint amenities which pose safety and accessibility hazards for the public. The Town will soon begin a phased construction and renovation program which will work to increase accessibility and usefulness for the amenities at the Park. The overall project calls for: repaving and striping the parking lot to include a minimum of three van-accessible ADA spaces; creation of a sloped and accessible walking pathway connecting the parking area to the waterfront, replacement of the existing restrooms with a fully accessible and shared bathhouse-first aide facility, and improving site drainage and access slope grades for open space preservation and erosion control. The particular phase of work specific to the 2019 CPA request will include funding for a portion of Phase 1 which will partially supplement the construction of the new access path and the renovation of the current restroom facilities.

As noted in Marcia's July memo, the list compiled by she and I does not include other applications which may be submitted by other Town departments. Please let me know if you need any additional information. Thank you.

Additional Municipal CPA Projects to supplement DPLM list and TMO list

12) Concord Public Works - Phase 2 Funding – Improvements at Emerson Field - \$400,000

In fiscal year 2019 CPW was granted \$200,000 of its \$600,000 request.

This funding along with capital funding encumbered from prior fiscal years will allow many of the park improvements to take place. The Department has partnered with the Town of Concord's Recreation Department and has previously had discussions with field user groups in an effort to gain their support and potential financial contributions toward this project. CPW will maximize the use of professional CPW staff for portions of the engineering design and project management services to leverage this investment.

Examples of the Emerson/Rideout project scope include 1) upgrade of the infield and outfield areas 2) replacement of backstops, netting and fencing systems as needed 3) renovations to team areas including safety improvements 4) reduction in infield skinned areas at the little league fields 5) correction of improper grades at outfield and infield interface that have developed over time 6) reconstruction of pitcher's mound, base areas and batter's area 7) installation of code compliant spectator seating 8) improvements to the irrigation systems and water supply 9) improvements to splash pad water system to include sustainable water recirculation system 10) evaluation of alternatives and potential improvements to the seasonal Emerson ice skating area and 11) supplemental survey to support final design.

In November of 2010 CPW retained playing field design and engineering consultant, JJA Sports to assist in the evaluation and assessment of the existing baseball and recreational fields at the Emerson and Rideout parks. The objective of this evaluation was to determine the general quality of turf and soil conditions, inspect and assess the general condition of the facility, including team areas, backstops, skinned infield and outfield playing areas, warning tracks, irrigation systems, water supply, ADA accessibility, spectator areas, fencing and access. The report was completed in October of 2012 and included preliminary cost estimates which served to provide a planning level budget to identify the substantial funding requirements to accomplish these field improvements. Based on the level of this funding requirement it became clear that a prioritized and phased approach over time would be necessary to accomplish these renovations and overall improvements. Furthermore it was evident that identifying a supplemental funding source to augment any general fund investments, would be necessary to expedite these improvements and bring these fields up to current standards.

TOWN OF CONCORD

TOWN MANAGER

JOB DESCRIPTION

1. The Town Manager (the “Manager”) is the Chief Executive Officer of the Town, responsible for its resources, its operations, and the general conduct of its affairs. The Manager has the powers and duties set forth in the Town Charter which include: the appointment of the members of various committee and all town employees; supervising and training town employees, serving as Chief Procurement Officer and contract-awarding authority; preparing the annual town budget and annual town report; and proposing policies for consideration by the Select Board (the “Board”). The Manager is expected to comply with the requirements of the Town Charter, applicable laws of the Commonwealth, and the established policies and traditions of the Town. The Manager is appointed by and responsible to the Select Board (the “Board”).
2. The Town is a complicated organization comprised of citizen boards and committees, town officers, and employees organized by departments. Many town committees and officials exercise authority granted under state law or local bylaw. The goals of town committees and departments can at times be in conflict, and it is the role of the Manager to encourage constructive dialogue and the respectful exchange of views.
3. Within the above context, the Manager shall perform the roles of leader, manager and administrator.

As Leader:

- (a) The Manager shall continually work with the Senior Management Team and other staff to hire, train, motivate, review, promote, discipline and dismiss employees. One of the Manager’s highest priorities shall be to develop an enthusiastic, motivated and well-trained staff committed to serving the Town’s citizens and its policy-making boards and committees with respect and without personal bias or preference. The Manager shall be committed to the free exchange of information, ideas and opinions and will foster transparency in the decision-making and openness in helping employees and citizens understand how decisions are made.
- (b) The Manager shall be a planner, with long-term vision, continually seeking improvements the in organization and opportunities to improve Town government and its efficiency, effectiveness and responsiveness; the Manager shall encourage a philosophy of continuous improvement across all departments and anticipating the community’s needs.
- (c) The Manager shall formulate policies to assist the Board in identifying and addressing issues before they become critical and in developing policy options for the Board’s consideration.

As Manager:

The Manager shall, with appropriate staff, prepare annually a Town budget consistent with the guidelines of the Finance Committee and present it to the Board and the Town Meeting. The Manager shall consider the community's financial well-being to be of paramount importance. The Manager shall manage the Town's activities within the budget as approved by Town Meeting. The Manager shall stay informed about both external and internal events and trends which could impact the Town's fiscal situation in both the short term and longer term and shall keep the Board informed of such events.

As Administrator:

The Manager shall work to ensure that the activities of the Town are smoothly administered and that administrative policies and procedures are clear, up-to-date, and revised as conditions change. The Manager shall coordinate actions among town department, and between boards and committees to provide a smooth, seamless Town government.

4. The Manager should be an excellent communicator, with strong verbal and writing skills.
5. The Manager will serve as a spokesperson for the Town with entities such as local, state and federal agencies, business and community groups and citizens.
6. The Manager shall demonstrate the highest ethical standards and shall require ethical conduct for all Town employees.

Qualifications:

1. Personal Qualifications

- Integrity.
- Dedication the position and to the long-term welfare of the community.
- Ability to respect and appreciate differing opinions and perspectives.
- A collegial approach to solving complex problems and sharing information.
- Physical health necessary to perform the duties of the job.

2. Managerial Knowledge and Skills

- Comprehensive knowledge of local government structures, services, financing and administration.
- Ability to develop and implement long and short-term planning processes.
- Innovative problem-solving ability.
- Ability to empower and strengthen the skills of subordinates, to organize and to delegate effectively, to motivate subordinates and to foster teamwork.
- Acceptance of responsibility for acts and decisions of subordinates.
- Ability to develop, explain, and adhere to complex budgets.
- Strong analytical and decision-making skills.
- Ability to prepare well-written persuasive letters, memoranda and formal reports.
- Ability to make effective oral presentations, both prepared and extemporaneous.
- Competence in public relations techniques.
- Effective negotiation skills.

- Ability to develop consensus among a wide range of individuals with diverse backgrounds, interests and concerns.

3. Training and Experience

- Any combination of education and experience that provides the knowledge and abilities referred to above. Typical will be: a Master's Degree in Public Administration and at least seven (7) years of experience in positions of broad responsibility in municipal administration.
- Experience in budget analysis and preparation.
- Experience with open town meeting form of government is desirable.

Town Charter Sections

- Section 1. Elected Officials
- Section 2. Appointed Officials
- Section 3. Membership; Terms; Powers, Duties, Responsibilities; Termination
- Section 4. Multiple Officers
- Section 5. Appointment of Town Manager
- Section 6. Appointment of a Temporary Town Manager
- Section 7. Removal of Town Manager
- Section 8. Compensation of Town Manager
- Section 9. Powers and Duties of Town Manager
- Section 10. Investigation by Town Manager
- Section 11. Relative to Duties of Boards and Officers Appointed by Town Manager
- Section 12. Vacancies to be Filled by Town Manager
- Section 13. Oath of Office of Town Officials
- Section 14. Warrants
- Section 15. Receipts Paid to Treasury
- Section 16. Estimates of Expenditures
- Section 17. Annual Budget
- Section 18. Duties of Certain Town Officials Relative to Election
- Section 19. Submission of Act and Time of Taking Effect
- Section 20. Bylaws, Rules, and More
- Section 21. Revocation of Acceptance
- Notes on Charter Amendments

Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same, as follows:

Section 1. Elected Officials

At the town election following the acceptance of this act the registered voters of the town of Concord shall elect the following officials:

A. A moderator for a term of 1 year;

B.2 selectmen for terms of 3 years each, 2 selectmen for terms of 2 years each and 1 selectman for a term of 1 year;

C. 2 members of the school committee for terms of 3 years each, 2 members for terms of 2 years each, and 1 member for a term of 1 year. At each annual town election thereafter a moderator shall be elected for a term of 1 year and selectmen and members of the school committee for terms of 3 years to replace those whose terms expire. When a vacancy or vacancies occur in the membership of the board of selectmen, the board of selectmen shall call a special town election to fill the vacancy or vacancies for the unexpired term or terms, except that if such vacancy or vacancies occur less than 100 days prior to the annual election and not less than 3 members of such board remain in office, the vacancy or vacancies shall remain unfilled until such annual election (See note number 1, Amendments). When a vacancy or vacancies occur in the membership of the school committee, the board of selectmen shall call a special town election to fill the vacancy or vacancies for the unexpired term or terms, except that if such vacancy or vacancies occur less than 100 days prior to the annual election and not less than 3 members of such committee remain in office, the vacancy or vacancies shall remain unfilled until such annual election (See note number 2, Amendments). The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable statutes and bylaws and votes of the town, except as herein otherwise provided.

Section 2. Appointed Officials

A. The selectmen shall appoint a town manager as provided in Section 5, who may thereafter be removed as provided in Section 7.

B. The selectmen shall appoint a library committee, a planning board, a board of appeals, a town accountant, trustees of town donations, a personnel board, a public ceremonies and celebrations committee (see note number 3, Amendments), election officers, registrars of voters other than the town clerk and such other officers, boards and committees as they shall hereafter be directed to appoint by bylaw or vote of the town, and such temporary or ad hoc committees as in their judgment shall from time to time be necessary or desirable (see note number 3, Amendments). The selectmen may, by majority vote, undertake an investigation of the affairs of any committee, board or official appointed by them or by the town manager, and they shall have access to all records and other documents which they may deem necessary or desirable for this purpose. The selectmen may remove, after such hearing as the selectmen may deem advisable, any of the officers, boards or committees appointed by them under the provisions of this paragraph B, or any member thereof, other than the town clerk.

The selectmen shall, at the respective times specified in clauses 1 and 2 herein and at intervals of not more than 10 years thereafter appoint the following special committees:

- Within one year after this paragraph takes effect, a committee for the purposes of reviewing and recodifying the existing zoning bylaw and revising the building code of the town; and
- Within one year after this paragraph takes effect, a committee for the purpose of reviewing and recodifying all other existing bylaws of the town.
- (Clause 3 deleted, see note 8, Amendments) Within 1 year following its appointment, each such committee shall submit a report to the selectmen with specific recommendations for action to be taken to accomplish the purpose of such committee. (See note 5, Amendments)

C. The moderator shall appoint a finance committee and such other officers, boards and committees as he shall herein after be directed to appoint by bylaw or vote of the town.

D. The town manager shall appoint, upon merit and fitness alone, and may remove for cause:

- A town clerk, a town treasurer, a town collector and a board of five assessors (see Note No. 7, Amendments), subject however, in each instance, to the approval of the selectmen;
- All other officers, boards, committees and employees of the town, with the exception of the elected officials specified in Section 1, officials, boards and committees appointed by the school committee and by the selectmen and moderator as herein before in this Section 2 provided and employees of the same.

Section 3. Membership; Terms; Powers, Duties, Responsibilities; Termination

The membership of boards and committees appointed as provided in Section 2, the length of the term of each member thereof and of officers so appointed, and the powers, duties and responsibilities of the same shall be as now or hereafter provided by applicable statutes and bylaws and votes of the town, except as herein otherwise provided. Upon appointment and qualification of the various officials as provided for in Section 2, the term of office and all powers and duties of each person theretofore holding each such office shall cease and be terminated.

Section 4. Multiple Officers

Neither the moderator nor any member of the board of selectmen, the school committee, or the finance committee may, during the term for which he was elected or appointed, be elected or appointed to any other town office, except as otherwise provided herein. Any person appointed by the town manager to any town office under the provisions of this act or of any other statute of the Commonwealth shall be eligible during the term of said office to appointment to any other town office, except the town accountant shall not be eligible to hold the position of town treasurer or town collector. Subject to the approval of the selectmen, the town manager may assume the powers, duties, and responsibilities of any officer, board or committee which he is authorized to appoint, such assumption to be evidenced by and effective upon the filing with the town clerk of a written declaration of such assumption signed by the town manager, and thereupon each officer, board or committee whose powers, duties and responsibilities are so assumed by the town manager shall be discharged and shall have no further powers, duties or responsibilities as such.

Section 5. Appointment of Town Manager

The selectmen elected as provided herein shall appoint, as soon as practicable, for a term of three years, a town manager who shall be a person especially fitted, in their opinion, by education, training and experience to perform the duties of the office. The town manager shall be appointed without regard to his political beliefs. (Sentence deleted. See Note No. 9, Amendments). No holder of elective office in the town shall within two years of holding of such office be eligible for appointment as town manager. The town manager may be appointed for successive terms of office. Before entering upon the duties of his office, he shall be sworn, in the presence of a majority of the selectmen, to the faithful and impartial performance thereof by the town clerk or by a justice of the peace or notary public. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such sureties as may be fixed or approved by the selectmen.

Section 6. Appointment of a Temporary Town Manager

In the event of the temporary absence or disability of the town manager, he may appoint, subject to the approval of the selectmen, a suitable person to perform the duties of the manager during such absence or disability. If the town manager fails to make such appointment or the person so appointed fails to serve, the selectmen may appoint a suitable person, who may be a selectman, to perform such duties. In the event of any vacancy in the office of town manager or the suspension of the town manager as hereinafter provided, the selectmen shall, within seven days, appoint the person to perform such duties.

Section 7. Removal of Town Manager

The selectmen may remove the town manager by the affirmative vote of at least three members of the board. At least thirty days before such proposed removal shall become effective, the selectmen shall file a preliminary written resolution with the town clerk setting forth the specific reasons for his proposed removal. The town clerk shall forthwith deliver a copy of such resolution to the town manager or mail the same to him by registered mail at his last known address. The manager may file with the selectmen, within seven days after receipt of such copy, a written request for a public hearing not earlier than ten days nor later than twenty days after the filing of such request. After such public hearings, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution and after full consideration, the selectmen, by the affirmative vote of at least three members of the board may adopt a final resolution of removal. In the preliminary resolution, the selectmen may suspend the manager from duty, but shall in any case cause to be paid to him forthwith any unpaid balance of his salary for the then current month and, at the discretion of the selectmen, such additional amount not in excess of three months' salary, as the selectmen shall deem proper.

Section 8. Compensation of Town Manager

The town manager shall receive such compensation for all services performed by him as the selectmen shall determine, but it shall not exceed the amount appropriated therefore by the town.

Section 9. Powers and Duties of Town Manager

In addition to specific powers and duties provided elsewhere in this act the town manager shall have the general powers and duties enumerated in this section:

- A. The town manager shall supervise and direct and shall be responsible for the efficient administration of all officers, boards and committees appointed by him and their respective departments.
- B. He may, with the approval of at least three of the selectmen, establish, combine, reorganize, or discontinue departments under his supervision; and, with the approval of both the selectmen and the finance committee, he may transfer all or part of the appropriation of a discontinued department to any other department, any balance not so transferred to be returned to the town treasury.
- C. With respect to the wage or salary and classification of employees appointed by the town manager, he shall be governed by the provisions of the "Wage and Salary Classification Plan - Town of Concord, Massachusetts," as the same may be amended from time to time and for so long as the same may remain in force.
- D. The town manager shall keep full and complete records of his office, and shall render as often as may be required by the selectmen a full report of all operations during the period reported on.
- E. With the exception of property under the jurisdiction of the school committee, the town manager shall have full and exclusive jurisdiction over the rental and use of all town property, and shall be responsible for the proper maintenance and repair thereof; and, upon request by the school committee, he shall be responsible for the maintenance and repair of property under its jurisdiction, but only to such extent and for such period as the school committee shall from time to time specify. He shall be responsible for the preparation of plans and the supervision of work on existing and on new buildings and grounds, unless a special committee of the town is created for such purpose.
- F. The town manager shall purchase all supplies and materials and equipment and award all contracts for all departments of the town, but he shall make purchases for departments not under his supervision only upon requisition duly authorized by the head of such department.
- G. The town manager shall administer either directly or through a person or persons appointed by him in accordance with this act all provisions of general and special laws applicable to the town and bylaws and votes of the town, within the scope of his duties, and all rules and regulations made by the selectmen.

H. The town manager, subject to the approval of the board of selectmen, shall have authority to prosecute, defend and compromise all litigation to which the town is a party, and to employ counsel whenever in his judgment it may be necessary.

I. The town manager shall perform such other duties consistent with his office as may be required by bylaw or vote of the town or by vote of the selectmen.

Section 10. Investigation by Town Manager

The town manager may without notice cause the affairs of any committee, board, or official under his control or the conduct of any officer or employee thereof to be examined. The town manager shall have access to all town books and papers for information necessary for the performance of his duties.

Section 11. Relative to Duties of Boards and Officers Appointed by Town Manager

Except as otherwise herein provided, each committee, board and officer appointed by the town manager shall, in the performance of their duties, be subject to the general supervision and direction of the town manager. Such committees and boards shall promptly organize for the proper conduct of their respective offices. Each committee and board member and each officer appointed by the town manager shall hold office until his successor has been appointed and qualifies, unless his office shall have become vacant by reason of his resignation or removal.

Section 12. Vacancies to Be Filled by Town Manager

Any vacancy in an office or committee or board over which the town manager has power of appointment shall be filled by the town manager, as herein before provided.

Section 13. Oath of Office of Town Officials

All elected officials shall be sworn to the faithful performance of their respective duties by the town clerk or a justice of the peace or notary public, except that the town clerk shall be sworn to the faithful performance of his duties by the chairman of the Select Board or by a justice of the peace or notary public.

Section 14. Warrants

A copy of each warrant for the payment of town funds prepared by the town accountant shall be submitted to the town manager who shall make recommendation to the selectmen with respect to the approval or disapproval by them of each such warrant or of any item or items in any such warrant.

Section 15. Receipts Paid to Treasury

Every official shall pay into the treasury of the town all amounts received by him on behalf of the town and all fees received by him in accordance with the provisions of any general or special law and shall make a full and true return thereof to the town accountant.

Section 16. Estimates of Expenditures

Not less than 90 days before the annual town meeting each year (See note number, Amendments), the town manager shall submit to the selectmen a careful detailed estimate in writing of the probable expenditures of the town government for the ensuing fiscal year, stating the amount required to meet the interest and maturing bonds and notes or other outstanding indebtedness of the town, and showing specifically the amount necessary to be provided for each fund and department, together with a statement of the expenditures of the town for the same purposes in the 2 preceding years and an estimate of the expenditures for the current year. He shall also submit a statement showing all revenues received by the town in the 2 preceding fiscal years together with an estimate of the receipts of the current year and an estimate of the amount of income from all sources of revenue exclusive of taxes upon property in the ensuing year. He shall report the probable amount required to be levied and raised by taxation to defray all expenses and liabilities of the town together with an estimate of the tax rate necessary to raise said amount. For the purpose of enabling the town manager to make up the annual estimates of expenditures, all boards, officers, and committees of the town shall, upon his written request, furnish all information in their possession and submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments during the next fiscal year.

Section 17. Annual Budget

The selectmen shall consider the tentative budget submitted by the town manager and make such recommendations relative thereto as they may deem expedient and proper in the interests of the town. Not less than 60 days before the annual town meeting each year the selectmen shall transmit a copy of the budget together with their recommendations relative thereto to each member of the finance committee. (See note number 6, Amendments)

Section 18. Duties of Certain Town Officials Relative to Election

It shall be the duty of the selectmen and the town clerk in office and any other town official upon whom by reason of his office a duty devolves under the provisions of their act, when this act is accepted by the registered voters as herein provided, to comply with all the requirements of law relating to elections, to the end that all things may be done necessary for the nomination and election of the officers first to be elected under this act.

Section 19. Submission of Act and Time of Taking Effect

This act shall be submitted to the qualified voters of the town of Concord for acceptance at the first annual town election occurring not less than 30 days after the passage of this act. The vote shall be taken by ballot in answer to the question which shall be printed on the official ballot: "Shall an act passed by the General Court in the year 1952 entitled 'AN ACT ESTABLISHING A SELECTMEN-MANAGER FORM OF GOVERNMENT FOR THE TOWN OF CONCORD' be accepted?" If this act shall be so accepted by a majority of the qualified voters voting thereon it shall become and be in full force and effect immediately after the final adjournment of the annual town meeting held in the year following the year in which this act is so accepted, provided, however, that said annual town meeting shall be held in conformance with the provisions of this act. If this act is rejected by the qualified voters of the town of Concord when first submitted to said voters under this section, it shall be submitted for acceptance in like manner to such voters at the next following annual town election in said town, and if it is not accepted at said annual election, it shall again be submitted for acceptance in like manner to such voters at the next following annual election and, if accepted by a majority of such voters voting thereon at either of said elections, shall take effect as herein before provided.

Section 20. Bylaws, Rules, and More

All laws, bylaws, votes, rules and regulations in force in the town of Concord when this act takes effect, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, bylaw, or vote; all other laws, bylaws, votes, rules and regulations, so far as they refer to the town of Concord, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

Section 21. Revocation of Acceptance

At any time after the expiration of three years from the date on which this act is accepted, and not less than sixty days before the date of an annual meeting, a petition, signed by not less than twenty percent of the registered voters of the town, may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters at the next annual town meeting. At said election the question shall be printed on the official ballot: "Shall the acceptance by the town of Concord of an act passed by the General Court in the year 1952 entitled 'AN ACT ESTABLISHING A SELECTMEN-MANAGER FORM OF GOVERNMENT FOR THE TOWN OF CONCORD' be revoked?" If such revocation is favored by a majority of the qualified voters voting thereon, the acceptance of this act shall be revoked and this act shall become null and void beginning with the annual town meeting next following such vote, provided that all town officers holding office under this act shall continue to hold office until their successors have been duly qualified. At the first annual town election following such vote of revocation the registered voters of the town shall elect by ballot all elective officers, boards, and committees whose election to office was required immediately prior to the acceptance of this act, provided however, that the town does not vote to accept other plans which provide for a different arrangement from that existing immediately prior to the acceptance of this act. It shall be the duty of the selectmen and the town clerk in office and any other town official upon whom by reason of his office a duty devolves when this act is revoked, to comply with all of the requirements of this section relating to elections to the end that all things may be done necessary for the nomination and election of the officers required to be elected following the revocation of this act. The said revocation shall not affect any contract then existing or any action at law or any suit in equity or any other proceedings then pending, with the exception of any contract made by the town with the town manager then in office, whose contract shall be terminated immediately upon such vote, but who shall receive three months' compensation from the date following such vote. The board of selectmen shall be charged with all the powers and duties of the town manager which duties and responsibilities may be discharged by themselves or by a temporary town manager appointed by them. Any special laws relative to said town which are repealed by this act shall be revived by such revocation. All laws, bylaws, votes, and rules and regulations repealed and annulled, as provided in Section 20, shall be revived by such revocation. Bylaws, votes and rules and regulations in force when said revocation takes effect, so far as consistent with the general laws respecting town government and town officers and with special laws, shall not be affected thereby.

Approved May 5, 1952

Notes on Charter Amendments

Section Amended Noted Below

1. Article 2, Town Meeting, October 10, 1972; passed by the General Court, Acts 1973, Chapter 179 (Section 1C amended)
2. Article 3, Town Meeting, October 10, 1972; accepted by the Town of Concord at Town Election 1973 (Section 1C amended)
3. Article 4, Town Meeting, October 10, 1972; accepted by the Town of Concord at Town Election 1973 (Section 2B amended)
4. Article 5, Town Meeting, October 10, 1972; accepted by the Town of Concord at Town Election 1973 (Section 16 amended)
5. Article 18, Town Meeting, March 6, 1973; accepted by the Town of Concord at Town Election 1974 (Section 2B amended)
6. Article 8, Town Meeting, May 6, 1974; accepted by the Town of Concord at Town Election 1975 (Section 17 amended)
7. Article 39, Town Meeting, April 4, 1978; accepted by the Town of Concord at Town Election 1979 (Section 2D amended)
8. Article 48, Town Meeting, April 9, 1984; accepted by the Town of Concord at Town Election 1985 (Section 2B amended)
9. Article 69, Town Meeting, May 8, 2003; passed by the General Court, Acts 2004, Chapter 347, September 16, 2004; (Section 5 amended)