



2013 CONCORD ANNUAL TOWN REPORT

2013 Annual Town Meeting

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April 22, 23, and 24, 2013

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The 2013 Annual Town Meeting minutes printed below are excerpted from the official minutes of this Meeting. For the complete text of all votes taken at this Meeting, contact the Town Clerk's Office.

Pursuant to the Warrant signed by the Selectmen on February 6, 2013, Town Moderator Eric E. Van Loon called the 2013 Annual Town Meeting to order at 7:00 pm at the Concord-Carlisle High School Auditorium and Cafeteria. Mr. Van Loon reminded those present of the purpose and significance of Town Meeting, which serves as the legislative body for our Town, approving expenditures and enacting Town policy and bylaws. Individual voters can attend Town Meeting in person, speak their views, and vote their convictions on the financial and policy matters that shape the quality of life in Concord. He thanked those present for taking the time to attend and participate.

Mr. Van Loon declared that he had inspected the Return of Service of the Warrant, finding it to be in order, and that a sufficient number of voters were present to permit the meeting to be opened.

Upon a Motion made by Carmin Reiss and duly seconded, it was Voted that this meeting be held in the CCHS Auditorium, Cafeteria, and if necessary the Upper Gymnasium; that the halls be connected by a public address system and speakers so that the proceedings in each can be heard and participated in by all voters present in any hall, and that the proceedings in all three halls constitute parts of one and the same Meeting, all as authorized by §10 of Ch. 39 of the M.G.L.

Mr. Van Loon reported that he had appointed Margaret B. Briggs, Gary R. Clayton, Carolyn C. Flood and James A. Smith to serve as Assistant

Moderators.

Upon a Motion by Carmin Reiss and duly seconded, it was Voted that this Meeting elect Margaret Briggs as Deputy Moderator to preside over this meeting if the Moderator elected by the Town is unable to serve in that position.

Mr. Van Loon reported that he had appointed Abraham Fisher as Head Teller, to be assisted by Gregory Englund and Thomas Curtin. In the event the Meeting votes to take a written ballot on a Motion, the ballot counting procedure and certification of the vote will be supervised by David Karr who is assisted by Cynthia Rainey. The Tellers and Ballot Counters were duly sworn to faithfully and impartially perform their duties.

Johanna R. Glazer was introduced as the Town Meeting Procedures Resource Person.

Mr. Van Loon urged those present to review the key procedural documents available at the entrance to both rooms. Mr. Van Loon pointed out a clarification of the Town's "Reconsideration Bylaw," which has had a long tradition of non-usage in Concord (prior to 2012 Town Meeting, it was used only once in the previous 24 Town Meetings). Town Meeting Time, Concord's parliamentary procedure for the conduct of Town Meeting, urges that it be limited to instances of "compelling circumstances." Attendees were urged to review the "Concord Town Meeting Traditions & Procedures" document, updated 19th Edition.

Mr. Van Loon introduced Leslie Koplow as the staff person available to provide technical presentation assistance. Fire Chief Mark Cotreau reviewed evacuation procedures in the event of an emergency. Voters were reminded to check in with Election Officers to pick up a Voting Slip, which will be used to identify those present as entitled to vote.

Concord Girl Scouts and Boy Scouts brought the flags forward. Mr. Van Loon recognized Tina Labadini, who shared a moment of reflective thought and tribute to the 20 first graders and 6 professionals who died at Sandy Hook Elementary School, as well as those who died and suffered from the Marathon bombings. She urged all to show kindness by listening to others' opinions, especially those opposite our own, with open hearts and minds. Mr. Van Loon asked attendees to stand in a moment of silence to reflect on how, through this Town Meeting, we and our neighbors are gathered to provide for our common good. As we deliberate and vote, may we remember that the passions of the moment are not always the best guide for our conduct in the future. And if a Town Meeting action requires sacrifice by some, may it be only where the common goal is worthy of the sacrifice. Let us approach each issue, no matter how difficult or divisive, with an open heart and with an open mind. And above all, may each of us maintain a saving sense of humor,

so that the debates at this Town Meeting will not be a source of division among us when our business here is concluded.

Mr. Van Loon thanked the many citizens and Town and School employees who worked long hours to prepare the reports and background materials that will guide us through the Meeting. He expressed gratitude to CCHS Principal Peter Badalament, the Regional School Committee, and the faculty, students and staff of CCHS for accommodating us. He noted that the minutes of the Meeting will be kept by Town Clerk Anita Tekle, who was thanked along with Assistant Town Clerk Pat Clifford in the cafeteria, and the Election Officers and staff in the lobby. He noted that the person who is responsible for making Town Meeting run smoothly is Town Meeting Coordinator Laurel Landry.

Mr. Van Loon brought to the assembly's attention the 2012 Town Report and the presence of Green Cards. Residents were encouraged to participate in the governance of the Town. He noted that more than 250 residents are serving on 43 committees in Concord, helping to improve and preserve our community. Mr. Van Loon reviewed the anticipated schedule for the meeting, noting that he does not anticipate a Motion on 11 articles, and 24 articles are included on the Consent Calendar. He noted the prescheduling of Article 30, which will be taken up around 7:30 pm on Wednesday. He also noted that to keep discussion flowing and facilitate participation by as many as possible, initial article presentations will be limited to five minutes, and citizen commentary to two minutes each, with a few exceptions previously sought and granted. He announced that CCTV was telecasting the meeting.

Upon a Motion by Carmin Reiss and duly seconded, it was Voted that the reading of the Warrant and the Return of Service thereon be omitted.

Article 1. Choose Town Officers

Under Article 1, Mr. Van Loon reported the results of the Annual Town Election held on March 19, 2013.

Upon a Motion by Carmin Reiss and duly seconded, it was Voted that Article 1 remain open for such other action thereunder as may be necessary and that the Meeting take up Article 2.

Article 2. Hear Reports

Upon a Motion by Lynn Salinger and duly second, it was Voted to accept the reports of the various Town Officers and Committees.

Lynn Salinger made the following Motion that was duly seconded: that the 2013 Annual Town Meeting advance for consideration Articles 3, 4, 5, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 45, 47, 50, 54 and 63, and take action on such Articles without debate on any of such

Articles, provided that upon the request of five voters at this Meeting, made before the vote is taken on this Motion, an Article shall be dropped from the Consent Calendar and shall be acted upon in the ordinary course of business at this Town Meeting.

After reading the Motion and giving a brief explanation of each Article, the Moderator inquired as to whether there was a request to drop any of the Articles from the Consent Calendar Motion. No objections were raised. The Consent Calendar was accordingly Voted by a two-thirds majority as follows:

Consent Calendar

(Articles 3, 4, 5, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 45, 47, 50, 54, and 63)

Article 3. Meeting Procedures

Upon a Motion by Lynn Salinger and duly seconded, it was Voted that the Town adopt a “Rule of the Meeting” Resolution governing requirements on Motions and amendments to Motions made under articles concerning expenditures, in order to assure compliance with the requirements of Proposition 2½.

Article 4. Ratify Personnel Board Classification Actions

Upon a Motion by Judith Terry that was duly seconded, it was Voted to ratify the Personnel Board’s actions to Amend the Classification and Compensation Plan.

Article 5. Classification & Compensation Plan For Regular Status Employees

Upon a Motion by Judith Terry that was duly seconded, it was Voted to Amend the Classification & Compensation Plan for all regular-status Town positions effective July 1, 2013.

Article 16. Minuteman Career and Technical High School Budget

Upon a Motion by Carolyn Flood and duly seconded, it was Voted to raise and appropriate the Town’s apportioned share of \$227,033 for the Minuteman Career & Technical School District assessment for the fiscal year ending June 30, 2014.

Article 17. Free Cash Use

Upon a Motion by Lynn Salinger and duly seconded, it was Voted to authorize and direct the Assessors to take \$850,000 from free cash to reduce

the tax levy for the fiscal year ending June 30, 2014.

Article 18. Elementary School Debt Stabilization Fund Use

Upon a Motion by Lynn Salinger that was duly seconded, it was Voted to appropriate the amount of \$735,000 from the Elementary School Debt Stabilization Fund for a portion of the debt service due during fiscal year 2014 on the bonds issued for the Alcott, Thoreau and Willard elementary school buildings.

Article 21. Property Tax Exemptions

Upon a Motion by David Karr and duly seconded, it was Voted to accept the provisions of §4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, and further to act under the aforesaid statutes to increase by 100% the amount of property tax exemption granted to persons who qualify for said exemption under clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, and 41C of §5 of Chapter 59 of the MGL.

Article 22. Light Plant Payment in Lieu of Taxes

Upon a Motion by Christopher Whelan and duly seconded, it was Voted to authorize a transfer of \$447,800 from the Operating Fund of the Light Plant to be used by the Board of Assessors to reduce the tax levy for the fiscal year ending June 30, 2014.

Article 23. Light Plant Expenditures

Upon a Motion by Christopher Whelan and duly seconded, it was Voted that the income from sales of electricity and from servicing and jobbing during the ensuing fiscal year together with the balance of operating cash in the Light Plant Fund, be expended without further appropriation for the expenses of the Light Plant.

Article 24. Road Repair Revolving Fund Expenditures

Upon a Motion by Christopher Whelan and duly seconded, it was Voted that the income from fees paid by applicants to the Town for permits to dig up, alter, or disturb a public way, in an amount not to exceed \$120,000 be expended without further appropriation for the purpose of repairing, restoring, maintaining and inspecting public ways.

Article 25. Solid Waste Disposal Fund Expenditures

Upon a Motion by Christopher Whelan and duly seconded, it was Voted that the income from user fees for solid waste disposal services, associated services, and jobbing services by Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Solid Waste

Disposal Fund, be expended without further appropriation.

Article 26. Sewer System Expenditures

Upon a Motion by Christopher Whelan and duly seconded, it was Voted that the income from user fees, special service fees and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Sewer Fund be expended without further appropriation.

Article 27. Sewer Improvement Fund Expenditures

Upon a Motion by Christopher Whelan and duly seconded, it was Voted that the income from sewer improvement fees during the ensuing fiscal year, together with the balance of operating cash in the Sewer Improvement Fund, be expended without further ap-propriation.

Article 28. Water Systems Expenditures

Upon a Motion by Christopher Whelan and duly seconded, it was Voted that the income from user fees, special services fees, and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Water Fund, be expended without further appropriation.

Article 29. Beede Swim & Fitness Center Enterprise Fund; fy2014 Budget

Upon a Motion by Christopher Whelan and duly seconded, it was Voted to appropriate \$2,524,938 for the operating expenses and \$325,000 for capital expenditures of the Beede Swim and Fitness Center for the fiscal year beginning July 1, 2013; and that to meet this appropriation the amount of \$2,430,364 be appropriated from the estimated fiscal year 2014 revenues and \$419,574 from the certified undesignated fund balance of June 30, 2012.

Article 31. Zoning Bylaw Amendment—Frontage Definition

Upon a Motion by John Shipe and duly seconded, it was Voted to Amend Section 6.2.3 of the Zoning Bylaw to relate the measurement of frontage to the definition of frontage in Section 1.3.11.

Article 32. Zoning Bylaw Amendment—Table III Dimensional RegulationsS

Upon a Motion by John Shipe and duly seconded, it was Voted to change the Zoning Bylaw Table III Dimensional Regulations to add the new districts adopted by Town Meeting since 2007 and codify the Building Commissioner's interpretation of building side yard setbacks.

Article 33. Zoning Bylaw Amendment—Limited Industrial Park #2

Upon a Motion by John Shipe and duly seconded, it was Voted to Amend the Zoning Bylaw to allow educational uses the greater floor area ratio as defined for R&D and light manufacturing uses in the Limited Industrial Park District #2, which is located along Rt. 62 at the Acton-Concord town line.

Article 34. Zoning Bylaw Amendment—Accessory Use Table

Upon a Motion by Matthew Capofreddi and duly seconded, it was Voted to Amend the Zoning Bylaw Table II Accessory Use Regulations to add the new districts adopted by Town Meeting since 2007, to provide for conformance of the “yes” and “no” designations in the table to the convention used in Table I.

Article 35. Zoning Bylaw Amendment—Special Home Occupation

Upon a Motion by Matthew Capofreddi and duly seconded, it was Voted to Amend the Zoning Bylaw to delete the sole example provided to define Special Home Occupation, which is “the sale of antiques.”

Article 45. 2014 Road Program

Upon a Motion by Arthur Fulman and duly seconded, it was Voted to appropriate the sum of \$900,000 for the design, repair, reconstruction or renovation of roads and streets within the town; and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, be authorized to borrow \$900,000.

Article 47. Authorization of 10-year Term for Acturial Services Contract

Upon a Motion by Christopher Whelan and duly seconded, it was Voted to authorize the procurement of professional actuarial services for the purpose of valuation of post-retirement health insurance liabilities for the contractual term of up to 10 years.

Article 50. 51 Laws Brook Rd. and Rideout Playground site improvements

Upon a Motion by Christopher Whelan and duly seconded, it was Voted to appropriate the sum of \$100,000 to be expended under the direction of the Town Manager for the purpose of preparation of the property at 51 Laws Brook Road to be incorporated into the adjacent Rideout Field property for recreation purposes; and that the Treasurer, with approval of the Selectmen, be authorized to borrow \$100,000.

Article 54. Land Acquisition—Stetson/Spinelli easements at 121 and 131 Harrington Ave.

Upon a Motion by Christopher Whelan and duly seconded, it was Voted to appropriate the sum of \$38,800 from the projected FY14 Fund Revenues of

the Concord Community Preservation Fund, for the purpose of acquiring easements over parcels located at 121 & 131 Harrington Ave, to be held as permanently protected open space adequate to establish a continuous public trail system and access along the Assabet River from Second Division Brook to Harrington Park.

Article 63. Debt Rescission

Upon a Motion by Christopher Whelan and duly seconded, it was Voted to rescind \$900,000 of unused borrowing authorizations from Article 20 of the 2009 Annual Town Meeting, and Articles 33 and 42 of the 2011 Annual Town Meeting.

End of Consent Calendar