

BOARD OF SELECTMEN  
MINUTES  
AUGUST 7, 2006

Pursuant to notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held at 7:30 p.m. in the Selectmen's Room.

Present were Virginia McIntyre, Chair; Anne D. Shapiro; Margaret B. Briggs; Gregory P. Howes; and Philip Benincasa, Clerk. Also present was Christopher Whelan, Town Manager.

**CONSENT AGENDA:**

Consent Agenda

- Town Accountant's Warrants
- Minutes: March 20, 2006, May 1, 2006, June 5, 2006, June 7, 2006, June 12, 2006, June 19, 2006, June 26, 2006, July 10, 2006
- Gift Acceptances:
  - DiGiovanni Family \$12,000 to the 2006 Concord Open Golf Tournament
  - James W. Flett Co., Inc. \$5,000 to the 2006 Concord Open Gold Tournament
  - Anonymous Donor \$50,000 to the Beede Swim Center Gift Account in honor of Paul Whiting
  - Concord-Carlisle Community Chest \$1,250 to the Fire Department Gift Account
  - Concord-Carlisle Community Chest \$2,500 to the Council on Aging Volunteer coordinator Gift Account
  - Concord-Carlisle Community chest \$5,300 to the Community Services Coordinator Gift Account
  - Concord-Carlisle Community Chest \$1,250 to the Restorative Justice Gift Account
  - Susan H. Curtin \$1,000 to the Restorative Justice Program Gift Account

On a motion duly made and seconded, it was unanimously:

**VOTED:** To approve the consent agenda.

**One Day Special License:**

Concord-Carlisle Youth Hockey, Parents Social and Fundraiser, October 21, 2006  
Paul Long was present to represent Concord-Carlisle Youth Hockey. The organization plans a social and fundraiser at the Concord Country Club, 246 ORNAC. Although they have gathered elsewhere in the past, this will be the first time for the event in Concord. Mr. Long reported that the bartenders are TIPS trained and only adults have been invited.

One Day Special  
License

**On a motion duly made and seconded, it was unanimously:**

**VOTED:** To grant Concord-Carlisle Youth Hockey a One Day Special License for the sale of all alcoholic beverages for the Parent Social and Fundraiser to be held on October 21, 2006 from 7PM—12AM at the Concord Country Club, 246 ORNAC. The alcoholic beverages are to be consumed on the premises.

**TOWN MANAGER'S REPORT:**

Town Manager's  
Report

1. The Town Manager reported that he had attended a meeting with Massachusetts School Building Authority (MSBA) representatives in Boston. The purpose of the meeting, which was also attended by Ms. McIntyre, Finance Officials, and School Department personnel, was to get input on the Statement of Interest, the first step in securing reimbursement for school building construction costs. Katherine Craven, MSBA Executive Director, recommended that the Town submit the Statement of Interest for Willard, Thoreau and the regional high school. She also recommended that the Willard School building

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Committee (WSBC) focus immediately on the Statement of Interest before proceeding any further on the selection of a Project Manager or Architect. Mr. Whelan stated that the Authority anticipates being a full partner in the decision-making regarding school construction and seems interested in completing the review of the schools built by Concord, Wellesley, and Chelmsford during the moratorium on construction. It is likely that the decision on the amount of reimbursement for Thoreau would take place within the six months after the July 2007 submittal deadline. Town Finance Director Tony Logalbo stated that he will bond \$10million of the \$17million project in September before the notes come due and continue to hold the remaining seven million for another year.

2. The Thoreau School Parent Teacher Group will host a ribbon cutting ceremony at the school on September 17<sup>th</sup> at 2PM.
3. Concord Municipal Light Plant (CMLP) began offering a low income and senior citizen discount rate beginning July 1<sup>st</sup>. Fifteen households have already signed up.
4. CMLP is pursuing options for replacing the Town's wholesale power contract that expires in 2009. The contract may include purchasing some generation capacity.
5. CMLP is also exploring the feasibility of offering Broadband internet services over its existing power lines. The few communities that have tried this found it to be cost effective.
6. The Department of Planning and Land Management has issued draft copies of the Heritage Landscape Inventory to the Selectmen, Planning Board, Natural Resources Commission and Historic Districts Commission. Comments are due September 15<sup>th</sup>.
7. Senator Fargo reported that the Senate has passed the bill creating the Concord Housing Corporation; the House had acted on this earlier. It will go to the Governor for his signature.
8. The Town Manager reported that Plumbing Inspector Jim Gagnon has died after a long illness. He served the Town for more than eight years and will be missed.
9. Regarding the no override budget that had been discussed by the Board in an earlier meeting, Senior Managers urge the Selectmen to consider this as part of the budgeting process rather than before the budget process begins. During the process, services might be identified as included or eliminated in a levy limit budget. The Board asked to be kept informed of the variety of approaches being considered throughout the process rather than at the end.

Regarding the Housing Corporation legislation, Mr. Howes asked whether this could be a vehicle for securing land for housing, perhaps using funds from CPA. The Town Manager confirmed that the Corporation would be an independent agency that would have new tools to allow action between Town Meetings. Town Meeting would still need to vote to make the funds available to be expended.

Ms. Shapiro stated that the Town Manager's meeting with Eastern Development LLP of Woburn to discuss Hanger 24, the Crosspoint development, was very productive. The Chairman of the HATS Committee was present and very impressed by discussion and the staff presentation of data regarding the Zone II aquifer, fuel tank configuration, planned and current fuel delivery, and fire suppression capacity. Concern was raised regarding any loss of firefighters on Hanscom Air Force Base during current Defense Department Budget cuts.

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**Committee Liaison Reports**

Committee  
Liaison Reports

Mr. Benincasa reported that he had attended the monthly meeting of the Concord Business Partnership at which a panel of farmers spoke on the challenges of their profession in Concord. He suggested that they and the Agriculture Committee make a presentation to the Board in the fall.

Mr. Benincasa reported that the Willard School Building Committee had met and toured the Willard site. The Committee agreed to ensure that all the parts of the MSBA process are completed in order to ensure that the building remain eligible for reimbursement.

Mr. Benincasa reported that the Alliance for Teen Safety was exploring a teen drop-in center to help youngsters make good choices.

Mr. Howes reported that there had been a recent meeting of the Library Trustees, Library Committee, and the Friends. The focus is now turning to the Fowler Branch.

Ms. McIntyre reported that the Finance Director had prepared an interesting presentation on debt and long term debt timing for the Finance Committee. She had asked that the Board receive copies in their packets.

**Presentation by Town Auditor, Melanson and Heath**

Presentation by  
Town Auditor

Finance Director Tony Logalbo stated that all Town activities depend upon the continued financial health of the Town for success. Mr. Logalbo distributed a memo regarding the Town's Net Assets and Statement of Activities for 2003, 2004, and 2005 to give a context to the auditors' report. In 2005, the period of this audit, the Town had \$155.4MM in assets net of depreciation and net of related debt. In 2005 there were \$84.5MM dollars in expenses in governmental activities and Town Enterprise activities.

Mr. Logalbo introduced Gail Eagan-Henry the new Town Accountant who will take the lead on the next Town audit. Mr. Logalbo introduced Eric Demas of Melanson Heath and Co. who made the annual report to the Board of Selectmen. Mr. Demas stated that this was the first year the Town used the new VADAR accounting system which was a challenge during the conversion. However, the audit went well.

This is the third year of GASB 34 that requires a report on a cash and accrual basis. The new balance includes assets and debt. Unrestricted net assets are the available resources that have not already been reserved for the Town to meet its obligations. The trends are positive with unrestricted net assets rising over three years, \$3.4MM over the prior year.

Statement of Activities lists the governmental revenues and expenses including primary and secondary education and both Operating and Capital grants and contributions. Funding for these activities comes primarily through the tax levy. For the year ended June 30, 2005, net assets rose approximately \$6MM.

Rating agencies and financial advisors learn about the Town's financial health by examining the undesignated fund balance within the general fund; they hope for approximately 5% - 10% of general fund expenditures. The unreserved, undesignated fund balance increased approximately \$1MM in 2005, 9% of general fund expenditures. This is one reason that the Town has been receiving very positive bond ratings over the past few years. The Town budgets very conservatively and monitors expenditures well.

The two major funds within governmental activities are the Alcott School Project and the Thoreau School project. GASB requires these to be reported separately. Neither project is over-expended. The Town will issue permanent bonds and/or receive MSBA payments to pay off the projects.

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In response to questions, it was stated that: 1) the Town has begun to record post-employment benefits as required by GASB 45; 2) the enterprise funds smaller increase in net assets relative to governmental assets reflect a tightened margin due to adjusted rates and major capital projects; 3) governmental revenues were above expectations, partly due to a land sale; 4) recommendations from the audit field work this year suggest strengthened controls on cash receipts policy; 5) next year the audit report will be earlier in the year; 6) the Town has very commendable financial staff.

**Preservation of the West Concord Depot**

Resident Dorrie Kehoe appeared before the Board to urge support for the preservation of the West Concord Depot, an historic structure owned by the MBTA. The interior of the structure was rehabilitated in the 1980's and continues to serve as a train station. An informal consortium of West Concord residents, merchants, Town Committees, and Town staff has successfully implemented some aesthetic improvements in the village center over the past few years. The consortium approached the MBTA about the possibility of restoring and rehabilitating the structure and found representatives very enthusiastic. MBTA is willing to impose a preservation restriction and maintain the restored structure, but wants the Town to share the cost.

The Board is being asked to send a letter of interest to Dan Graubaskas, MBTA General Manager, indicating its interest in partnering with MBTA on this project. The MBTA will then hire a design consultant who will develop a scope of work and cost estimate. The estimated cost is likely to be \$250,000 and it is the intent of the residents to apply for Community Preservation Act funds for the matching funds. The Historic Committee supports this effort.

Upon a MOTION duly made and Seconded the Board

**VOTED:** (4 yes-0 -1 abstain Briggs) to authorize the Chair to sign and transmit a letter substantially as drafted to Daniel Graubaskas of the MBTA indicating the Town's interest in partnering on the preservation of the West Concord Depot.

**Preliminary Discussion of Playing Fields Plan**

Town Manager Chris Whelan reported to the Board on the activities of the playing fields study group and proposed plans for addressing the shortage of playing fields in Concord. The last new field created in Concord occurred 45 years ago when Alcott School was built. Since that time, the number and variety of sports and the number of girls and adults playing has increased. The condition of Concord fields had deteriorated due to the constant use, which has increased the opportunities for injury and the cost of maintenance and repair. In addition to Town fields, teams play at Sentry Center, 300 Baker Ave, coaches' homes, and Carlisle fields. The 1987 Long Range Plan and the 2004 Open Space Plan both recommend the creation of new playing fields.

The study group is proposing three new multi-purpose playing fields at Concord-Carlisle High School, two 60-foot Little League-size baseball diamonds on Walden St. near Alcott School, and one multi-purpose field on the Ammendolia land. Of the high school fields, two will be artificial turf, one grass turf and all lighted for night-time use. Of the Walden Street fields, both will be grass turf and use school parking. Ripley Building parking will be used for the Ammendolia field. The high school fields will be used by the school until 5PM, after which they will be available for Town use. No pesticides or herbicides will be used in the upkeep of the natural turf fields.

West Concord  
Depot

Playing Fields

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The cost of the plan, over three years is \$5.5MM. Mr. Whelan proposed that to finance the new playing fields an application be made to use CPA funds, in addition to \$1.5MM from the five year Capital Improvement Plan, and private donations of \$900,000.

Committee discussion included: 1) The Town cannot issue debt for the State share of CPA funds; 2) meetings are scheduled with neighbors of the sites to seek input; 3) the focus of the plan is on community playing fields in a variety of places, there is no intention in this plan to renovate the high school football field in artificial turf; 4) there is less wear on a baseball field due to the cut-outs for the baselines, therefore artificial turf is not cost-effective; 5) the Town has depended on private philanthropy for playing fields for many years; 6) the Town has lost fields since the study was commissioned; 7) the life expectancy of artificial turf fields is 12-20 years depending upon usage; 8) the pool of likely donors for the playing fields is already being tapped for other popular projects; 9) building three fields at once is very aggressive; 10) youth baseball and soccer clubs support the proposal; 11) the playing fields group hopes to return early in the new year with a plan that reflects funding support; 12) the plan takes advantage of possible layout changes at the high school due to reconstruction there in the future; 13) Carlisle will be encouraged to buy into the plan since their youngsters play on many of the same teams; 14) the Town already takes responsibility for field upkeep; 15) the deadline for CPA applications is September 29<sup>th</sup>; 16) a user fee is proposed to create a fund to build and maintain fields; 17) more discussion is needed. The Board thanked the study group for its input and encouraged further planning on playing fields.

**Community Preservation Act** – Discussion of preliminary project list

The Town Manager distributed a memo regarding ideas for the use of CPA funds that had been mentioned in various committee and public meetings and added a note on the funds anticipated to be available for the range of ideas. In 2007 there is anticipated to be approximately \$3MM in CPA funds. Ms. McIntyre was reluctant to consume a large portion of that for playing fields. She wanted working funds to acquire parcels that come on the market at inconvenient times.

Gary Clayton, Chair of the Concord Community Preservation Committee (CCPC) stated that the Committee has announced its hope to set aside a significant amount of that sum for land acquisition for a range of purposes.

If there is support for using some of that for playing fields, it could be spread over a period of years, as is done in neighboring towns. This appears to be permitted using Town funds, but not with the State matching funds. Mr. Whelan reported that given the increasing number of communities participating in the CPA and increasing real estate activity in Massachusetts, the State will continue its matching grants.

Discussion included: 1) the playing fields group should be encouraged to make application to the Carlisle CPA for funding regional high school fields; 2) Warners Pond rehabilitation and management plan is potentially eligible for CPA funding under open space, recreation, and historic preservation; 3) Secretary of Interior standards potentially allow preservation and rehabilitation of historic resources; 4) CPC could find the West Concord Depot proposal eligible; 5) maintenance of existing recreational fields is not eligible for CPA funds; 6) a recreational field created with CPA funds might, under the statute, continue to be eligible for future support; 7) regarding the Bruce Freeman Rail Trail, the Committee might ask for additional funds in future years; 8) playing fields and the rail trail may fit either the recreation or open space categories; 9) funds must be carefully allocated, tracked, and reported; 10) the maximum amount of CPA funding is available this year; 11) CPC considers all applications, regardless of past success in securing a grant; 12) proposals from Town Boards

CPA

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and Committees should come to the CCPC through the Town Manager's office; 13) determination of funding will be based on quality of proposal and needs of the Town; 14) the Town Manager will generate cost estimates for some of the proposals, others might not be ready for consideration at this time. The Board will discuss the prioritized list at the next meeting in conjunction with the Five Year Capital Plan.

**Economic Development Committee**

Economic  
Development  
Committee

One Long Range Plan recommendation was for the Board to charge an Economic Development Committee. Another, separate and distinct recommendation was the Tourism Committee charged to study the Town's role in supporting or managing tourism.

Mr. Benincasa stated that their report of findings would be ready shortly and cautioned the Board not to blend the findings into the notion of economic development before hearing the report.

The Board discussion of model committee charge included: 1) categories of membership; 2) whether the mission should be policy versus action; 3) how to create a public voice for private business interests; 4) outreach, resource for committees that might touch on business interest; 5) Selectmen prioritizing actions of Committee; 6) analyze info from all committees to inform Selectmen decisions; 7) pitching a plan for a parcel is private sector role; 8) private sector should make case to Committee on how an outcome would benefit Town; 9) timing committee work with the village overlay activities is appropriate, but how to coordinate is to be determined; 10) regional planning issues with implications for Concord is another appropriate focus; 11) the Committee should advocate for the economic perspective in the same way that land and housing committees do; 12) a strong business community will generate taxes without requiring the same service needs as residential land use; 13) interested residents should submit green cards and possibly provide feedback on the Charge for the committee.

Nick Michael, Chair of the Tourism Committee, reported that the committee will present its Phase I findings in September and then spend the next year discussing if there is a role for the Town, what form it takes and who implements it. In his opinion, as a travel and tourism professional, management of the tourist product is usually not part of economic development. It would be represented with other groups impacting the economy.

The Board decided to seek input from peer towns that have similar committees and to investigate State legislation regarding comprehensive permitting for business activity that generates employment. In addition, local business interests will be asked for input into the Charge and mission of the proposed committee. The timetable for action includes soliciting green cards, consulting with local interests, confirming the interface of Economic Development and Village Overlay activities, host a breakfast meeting after Labor Day to take the pulse of interest.

**Review/Approve Easement -- 129 Old Bedford Road**

129 Old Bedford  
Rd.

The Board had studied both the map and narrative regarding the proposed easement to the Concord Housing Trust that had been reviewed by Town Counsel.

Upon a Motion duly made and seconded, the Board

**VOTED:** to approve the easement off Old Bedford Road to the Concord Housing Trust.

**MISCELLANEOUS:**

Misc.

1. Mr. Benincasa reported that the work on the Lowell Road boat launch was excellent.

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**COMMITTEE APPOINTMENTS:**

On a motion duly made and seconded, it was unanimously:

**VOTED:** To appoint Elise B. Stone, of 288 Old Marlboro Rd to the Planning Board, term to expire May 31, 2011.

Committee  
Appointment

**EXECUTIVE SESSION RE:**

On a motion duly made and seconded, it was:

**VOTED:** To adjourn the Open Session and to enter into Executive Session to discuss matters of Land Valuation, not to return to Open Session.

Executive Session

Anne D. Shapiro	Aye
Virginia McIntyre	Aye
Philip H. Benincasa	Aye
Gregory P. Howes	Aye
Margaret B. Briggs	Aye

The meeting adjourned to Executive Session at 10:20 p.m.

Respectfully submitted,

Philip H. Benincasa, Clerk