

**TOWN OF CONCORD  
TOWN HOUSE  
CONCORD, MA 01742**

**BULK RATE  
U.S. POSTAGE PAID  
PERMIT No. 51**

**RESIDENTIAL CUSTOMER  
LOCAL 01742**

**WARRANT FOR SPECIAL TOWN MEETING**

**TUESDAY, APRIL 24, 2012**

**7:30 PM**

**CONCORD-CARLISLE REGIONAL HIGH SCHOOL**

**ADJOURNED SESSION IF NECESSARY**

**WEDNESDAY, APRIL 25, 2012**

**PUBLIC HEARINGS**

**7:00 PM TOWN HOUSE – HEARING ROOM**

**FINANCE COMMITTEE & BOARD OF SELECTMEN – MONDAY, APRIL 2**

**PLANNING BOARD – TUESDAY, APRIL 10, 2012**

**THE COMMONWEALTH OF MASSACHUSETTS  
WARRANT FOR SPECIAL TOWN MEETING  
Tuesday, April 24, 2012**

Middlesex, ss.

To any of the Constables of the Town of Concord, in said County,

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of said Town of Concord, qualified to vote at Town Meeting for the transaction of Town affairs, to meet at the Concord-Carlisle Regional High School at 500 Walden Street, in said town, on Wednesday, the twenty-fourth day of April, 2012, at 7:30 o'clock in the evening, by posting a printed copy of this Warrant by you attested, at the Town House and in at least one public location in each precinct in Concord, and by mailing a copy thereof to every household fourteen days, at least, before said 24<sup>th</sup> of April, 2012, then and there to act upon the following Articles:

**SALE OF CONSERVATION RESTRICTION – FORMER LANDFILL SITE**

**ARTICLE 1.** To determine whether the Town will vote to authorize the Board of Selectmen to convey to Walden Woods Project, a not-for-profit organization or a similar conservation organization, a conservation restriction pursuant to Chapter 184, §§ 31-33 of the Massachusetts General Laws, on terms and conditions agreeable to the Selectmen, on all or a portion of the parcel of land at 759 Walden Street identified on the Assessor's maps as parcel #4039, comprised of approximately 35.4 acres, said conservation restriction to permit solar energy generation and some public works activities at the site, and to authorize the Selectmen to accept the sum of \$2.8 million or any other sum as compensation for the conservation restriction, and further to see if the Town will vote to authorize the use of a portion of the proceeds of this sale to defray the cost of the acquisition of the W.R. Grace land at 214Y Main Street and identified on the Assessor's maps as parcel #2322 and record the balance of the proceeds in an account reserved for future appropriation to support sustainable energy production, or take any other action relative thereto.

*This article would authorize the Selectmen to sell a land-use restriction to the Walden Woods Project and make a commitment to limit future activities on the site which is located very close to Walden Pond. The proceeds from the sale of the conservation restriction would enable the Town to purchase other land in Concord for public works, solar power and other municipal uses. The preliminary agreement with the Walden Woods Project would allow a limited amount of solar power generation and some continued public works uses on the site in the future.*

**LAND ACQUISITION – 51 LAWS BROOK ROAD**

**ARTICLE 2.** To determine whether the Town will vote to authorize the Board of Selectmen to acquire by purchase, eminent domain, gift or otherwise, for municipal, housing, recreational and/or open space purposes, all or a portion of a parcel of land comprised of approximately 43,560 square feet, known by the address 51 Laws Brook Road and identified on the Assessor's maps as parcel #2243, together with any structures and improvements thereon, on such terms and conditions as the Board of Selectmen may determine, and further, to determine whether the Town will vote to raise and appropriate, appropriate from Community Preservation Act funds upon the recommendation of the Community Preservation Committee, transfer from available funds in the treasury, or authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow by the issuance of bonds or notes under the provisions of Chapter 44 of the Massachusetts General Laws and Acts, the sum of \$695,000, or any other sum, to be expended by the Board of Selectmen for said acquisition and matters related thereto, or take any other action relative thereto.

*Rideout Playground consists of 9 acres of open land in West Concord. The acquisition of this parcel would allow the Town to “square off” the park into a single rectangular shape. It would also provide some much-needed additional space to expand both active and passive recreational opportunities, as well as to modify the parking facilities, which can become overcrowded and unsafe for pedestrians on busy evenings and weekends in the spring and fall.*

### **RETAIN CURRENT SCHOOL TRANSPORTATION DEPARTMENT – By Petition**

**ARTICLE 3.** To determine whether the Town will vote to require the Concord Public School and Concord-Carlisle Regional School Committees to retain and operate the existing Bus Transportation Department, or take any other action relative thereto.

*PETITIONER’S COMMENTS: The Town of Concord, in 1957, voted to purchase their own school buses and operate a municipal-owned transportation department. The Town of Concord was the first city or town to buy their own buses and operate a transportation department within the State of Massachusetts. Concord has provided safe, dependable and financially responsible service ever since. There are now 62 cities and towns in the State that operate their own school transportation department (data obtained from the Massachusetts Registry of Motor Vehicles).*

### **CITIZEN COMMITTEE TO STUDY SCHOOL TRANSPORTATION – By Petition**

**ARTICLE 4.** To determine whether the Town will vote to ask the Concord-Carlisle Regional School Committee to search diligently for ways to maintain the existing Bus Transportation Department.

To assist in this search, a Citizen School Transportation Committee of 5 Concord citizens and 2 Carlisle citizens not currently holding any Town office shall be appointed – 4 members by the Town Moderator and 3 members by the Regional School Committee. Due to the urgency of this matter, the committee shall be appointed within 3 weeks of the close of the Special Town Meeting.

The committee shall serve for two months but such term may be extended by majority vote of the committee if more time is needed. The Regional School Committee shall take no action which would involve out sourcing the delivery of the existing bus transportation services until after it receives the Citizen School Transportation Committee’s Report.

The Citizen Committee shall among other things

Prepare a detailed analysis comparing costs associated with an in-house bus service with an outsourced one.

Consider the value of such intangibles as (a) widespread community trust in present system (b) confidence in local administrators, bus drivers and mechanics who know the Town well and can respond quickly in unusual circumstances.

Identify potential sites on school owned property, Town owned property or privately owned property within Concord or contiguous towns where the bus transportation activities might be relocated and estimate the cost.

Hold one or more hearings to solicit comments from the public and submit a final Report with recommendations to the Regional School Committee

or take any other action relative thereto.

**PETITIONER'S COMMENTS:** *The Concord Schools have run their own transportation system since 1958. Many of the drivers have worked there for 10 or more years and have earned high praise from the community for their reliability and their record of safe driving. This article seeks approval of a Citizen Committee to work with the School Committees to search for ways of keeping our local school bus transportation in-house rather than outsourcing it to a for-profit company.*

## **REINSTITUTE COMPREHENSIVE SCHOOL BUDGET INFORMATION – By Petition**

**ARTICLE 5.** To determine whether the Town will, in the interests of greater transparency for our school budgets, vote to request that both the Concord Public School Committee and the Concord-Carlisle High School Committee reinstitute their previous practice of preparing and publishing comprehensive annual budget books similar to the so-called “Rainbow” Books, which were last published in FY2001.

Related line-items in the budget shall be grouped together and, for each group, the budget books shall, as a minimum, include the following items, which were in the Rainbow Books:

1. Narrative for the group and the budget changes requested
2. Number of staff, full time equivalents, both certified and non-certified
3. Non-personnel expenses
4. Historical data for the previous three years
5. Budget and changes for the current year.

In addition the budget books shall, as a minimum, include the following items, which were also in the Rainbow Books:

- a. Data on the school enrollment, average class-size and projections of future enrollment
- b. Plans for future capital expenditures
- c. School expenses paid by the town, such as debt service, capital expenditures and the school’s share of joint accounts.

These budget books shall be published at least 90 days prior to the start of the Annual Town Meeting, or take any other action relative thereto.

**PETITIONER'S COMMENTS:** *This article asks the Concord Public Schools and the Concord-Carlisle Regional High School Committees to resume publishing detailed budgets annually to provide a transparent explanation of their expenditures with a format similar to the budget books they published up until 2001 called the “Rainbow” books which used different color paper for each major budget section. These books will give citizens a better understanding of how a major share of their taxes is being spent. The material currently available is not complete enough.*

## **HIGH SCHOOL DEBT STABILIZATION FUND CREATION AND FUNDING**

**ARTICLE 6.** To determine whether the Town will vote to establish a Stabilization Fund, pursuant to Massachusetts General Laws, Chapter 40, section 5B, for the purpose of reserving funds to be used to lower the tax levy impact of the Town’s assessed share of principal and interest payment on bonds to be issued by the Concord-Carlisle Regional School District for the new District High School construction project pursuant to a vote of the Regional School Committee on September 27, 2011, said Stabilization Fund to be invested by the Town Treasurer and to retain its own interest earnings as provided by law; and further, the sum of \$2,000,000 be appropriated from the certified free cash balance of June 30, 2011 and be transferred by the Town Treasurer into said Stabilization Fund at the earliest opportunity following the conclusion of the Town Meeting, or take any other action relative thereto.

*This article is a re-vote of Article 2 passed unanimously at the Special Town Meeting of Nov. 7, 2011. It recommends that \$2,000,000 of the existing Uncommitted Fund Balance ("Free Cash") be set aside in a Stabilization Fund to be separately invested for a period of years and then to be drawn upon beginning in FY2014 to mitigate the property tax increase that will otherwise occur due to payment of the Town's apportioned share of debt service on the Concord-Carlisle Regional School District bonds that may be issued in connection with the construction of a new high school building. The initial vote occurred prior to certification of the June 30, 2011 Free Cash balance by the state Department of Revenue, Division of Local Services (DOR/DLS). Although the text of the original vote specified that it was made contingent upon certification, nevertheless the DOR/DLS has advised that a re-vote is the appropriate course of action.*

**MINUTEMAN CAREER AND TECHNICAL HIGH SCHOOL**  
**FY12 SUPPLEMENTAL ASSESSMENT**

**ARTICLE 7.** To determine whether the Town will vote to appropriate from the certified free cash balance of July 1, 2011 the sum of \$24,822 as the Town's net assessed share of a capital expense assessment for the cost of certain improvements made at the Minuteman Career and Technical High School, bringing the total appropriation from the Town for the District's 2012 Fiscal Year to \$555,830, said assessment to be payable on or before June 30, 2012, or take any other action relative thereto.

*This article proposes to fund a supplemental current year assessment voted by the Minuteman School District to fund emergency capital expenditures incurred for improvements made to the Trades Hall and water service in the summer of 2011.*

**ZONING BYLAW AMENDMENT – LIMITED BUSINESS DISTRICT #7 – By Petition**

**ARTICLE 8.** To determine whether the Town will vote to amend the Zoning Bylaw, Table I – Principal Use Regulations, by adding the number "7" in the Limited Business Districts' column applicable to 4.2.3 Combined business/residence so that 4.2.3 Combined business/residence in the Limited Business Districts would be denoted as "Yes <sup>3 & 7</sup>" or take any other action relative thereto.

**PETITIONER'S COMMENTS:** *This amendment is intended to add Combined business/residence as a permitted use in Limited Business District #7 which district is located at 100 Main Street.*

Hereof fail not and make due return of this Warrant with your doings thereon, to the Town Clerk, at or before the time of said meeting aforesaid.

Given under our hands this 19<sup>th</sup> day of March in the year two thousand-twelve.

Elise F. Woodward

Commonwealth of Massachusetts  
Middlesex, ss.

Concord

Stanly E. Black

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(date)

Gregory P. Howes


By virtue of this Warrant I have notified the legal voters of the Town of Concord to meet at the times and places and for purposes within named as directed.

Carmin C. Reiss

Jeffrey S. Wieand

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CONSTABLE OF CONCORD

BOARD OF SELECTMEN

 Printed on 30% post consumer recycled paper

## **SPECIAL TOWN MEETING VOTER REGISTRATION INFORMATION**

THE DEADLINE FOR UNREGISTERED RESIDENTS TO REGISTER TO VOTE AT THE SPECIAL TOWN MEETING IS:

**FRIDAY, APRIL 13, 2012**

IN ADDITION TO REGULAR OFFICE HOURS, A SPECIAL EVENING REGISTRATION SESSION WILL BE HELD ON FRIDAY, APRIL 13, 2012 UNTIL 8:00 PM AT THE TOWN CLERK'S OFFICE, 22 MONUMENT SQUARE FOR RESIDENTS WHO ARE CURRENTLY NOT REGISTERED VOTERS IN CONCORD.

VOTER REGISTRATION CAN NOW BE DONE EITHER BY MAIL OR IN PERSON. FOR MAIL-IN REGISTRATION FORMS, CALL THE TOWN CLERK'S OFFICE AT (978) 318-3080. FOR REGISTRATION IN PERSON, THE TOWN CLERK'S OFFICE AT THE TOWN HOUSE, 22 MONUMENT SQUARE, IS OPEN MONDAY – FRIDAY 8:30 AM - 4:30 PM.