

# GENERAL GOVERNMENT

## TOWN CLERK

Kaari Mai Tari

Customer Service during the COVID-19 Pandemic  
Town Clerk's Office served the public in person until March 13th when the Town House closed to the public due to health and safety concerns associated with the COVID-19 Pandemic. From that time forward service continued, but the method of delivery changed greatly. Perhaps the greatest visible change we saw was with Marriage Intention filing resulting in a seven-fold increase in the number of filings. With so many town halls closed, this service was suspended in many communities. We offered curbside service allowing couples to complete their marriage intentions in their cars, administering the oath of legal impediments while wearing masks. The highest number of intentions were filed in June with 46 filings compared to six in 2019 during that same period. Assistant Town Clerk Patricia Clifford played a central role in managing this process to the delight and relief of couples from across the state.

### Vitals

The presence of Emerson Hospital in the community results in a high number of birth recordings in Concord. While the number of births remained fairly constant, there was an increase in deaths and marriages saw a sharp increase from previous years as illustrated in the table to the right. In addition, the staff processed 64 Affidavits & Corrections of Vital Records, and issued 294 burial permits. Our online offering for the purchasing of birth, death and marriage certificates continues to be very popular with customers, with 50% of our transactions being requested and completed online. From mid-March to the end of the calendar year, the primary method for obtaining birth, marriage, and death certificates as well as dog licenses was online. This was particularly helpful as we managed staffing limits due to COVID social distancing requirements.

### Dog Licenses

Dog licensing was very active again this year with

## Recorded Vital Statistics for Concord 2010-2020 (Numbers include babies born to Concord parents at other Massachusetts hospitals) (# of Concord residents is in parenthesis)

Year	Births	Deaths	Marriages
2020	1,340 (96)	354 (172)	217 (66)
2019	1,357(114)	286 (147)	65 (29)
2018	1,299 (89)	310 (154)	45 (14)
2017	1,301 (109)	351 (172)	62 (29)
2016	1,329 (113)	347 (164)	70 (30)
2015	1,215 (104)	356 (163)	83 (40)
2014	1,229 (100)	349 (160)	77 (32)
2013	1,194 (126)	397 (174)	81 (35)
2012	1,175 (103)	371 (169)	67 (32)
2011	1,213 (98)	360 (156)	80 (33)
2010	1,191 (107)	386 (159)	84 (32)

1,804 licenses issued during the year. There was no rabies clinic held due to the Pandemic.

### Town Meeting

The Town Clerk and staff attended and recorded the proceedings of the Annual Town Meeting in September. Town Meeting was held outdoors on the Douglas White Soccer Fields at the Concord-Carlisle Regional High School on Sunday, September 13th, beginning at 1:00 pm. The meeting adjourned and dissolved at 4:01 pm, having no further business to take up. Town Meeting minutes are included elsewhere in this Report.

### Recordings

The Department issued 156 Business Certificates, recorded 60 Historic Districts Commission decisions, and 40 Zoning Board of Appeals decisions during the year.

### Committee-related activities

During the year, the staff swore in new committee and board appointees and posted 710 public meetings and agendas. Due to social distancing obligations during the COVID-19 pandemic, the Open Meeting Law was relaxed to

allow full remote participation in meetings, which paved the way to virtual meetings via Zoom. The Town's website is the official posting location for meeting and agenda postings. The Office provided information to staff, boards and committees, and citizens on the issues of the Open Meeting, Public Records, Conflict of Interest, and Campaign & Political Finance Laws, and maintained records of completion of the mandatory state ethics training by committee and board members.

### **Other Business**

Department staff prepared and recorded 57 new cemetery deeds and continued to maintain the cemetery deed, burial permit, and lot records. Five raffle permits were issued to community non-profit organizations. The Town Clerk's Office offers Notary Public services for customers with proper identification. A nominal fee is charged, and appointments are recommended for complex documents. In addition, several staff members have been appointed by the Governor's Office to serve as "Commissioners to Qualify," which authorizes us to administer the Oath of Office to individuals appointed as a Notary Public or Justice of the Peace in Massachusetts. We continued to receive and process routine genealogical requests, referring the more complex ones to the Municipal Archivist.

Feel free to contact our office if you have any questions (978-318-3080). Visit the Town's web site ([www.concordma.gov](http://www.concordma.gov)), or contact us via e-mail at [townclerk@concordma.gov](mailto:townclerk@concordma.gov).

### **TOWN RECORDS**

Town Records form the institutional history/record/memory of the Town's actions through its departments, committees and boards. It is the responsibility of the Town Clerk's Office to preserve the Town's permanent records and schedule non-permanent records for destruction with approval. Town records are public records and access is governed by the Public Records Law. Public records access guidelines are available on the Town's website.

### **Public Records Requests**

Serving as Records Access Officers, the Town Clerk and Archivist registered or coordinated the town's

response for 102 requests for access to public records. This does not include public records requests that Town Departments respond to individually.

### **Records Management**

The Municipal Archivist/Records Manager, Nate Smith, worked throughout the year with a variety of Town Departments to manage retention periods, inventory files, and digitize selected records. In November, several departments moved from the first floor of the Town House for renovations. Over 400 boxes of records were moved in a three-week period with the majority being stored by an off-site storage company. Critical and historical records were moved to the vaults of the Fowler and Main Branches of the Concord Free Public Library (CFPL), thanks to an agreement between the Town and the Library Corporation. This part of the move was completed with the generous assistance of the Massachusetts State Archives.

In addition, Nate coordinated a Town department-wide shredding event with approval for destruction from the State that resulted in the destruction of approximately 100 boxes of records. Nate also worked with other Local and State Archivists and Records Managers on Email Archiving strategies as part of a planning grant application.

### **Archives Management**

Town Archives are stored in vaults located both at the Town House and the in the Special Collections vault by agreement with the Library Corporation. The Town Archivist and Special Collections Curator, Anke Voss, work collaboratively to provide access to Town records stored in the Special Collections archives.

As Nate continues to inventory the Town's Archives, he was able to locate the voter registration record for Louisa May Alcott. He also coordinated with the Concord Museum to provide digital versions of Town Records for exhibits.

In January, the Town of Concord Archives applied for a National Endowment for Humanities Grant (NEH) to hire the Northeast Document Conservation Center (NEDCC) to complete a

Preservation Assessment of the Town Archives. The \$8,405 Grant was awarded in August and the Draft Preservation Assessment was submitted in December, to be finalized in early 2021. This Preservation Assessment will guide future decisions regarding the preservation of all Town Records to ensure that they are not lost to deterioration or any other cause.

To begin the year, the Town Archives brought on a Simmons College intern who assisted with the archives inventory until mid-March when the internship was suspended due to the Pandemic. Nate also hosted an Outreach Class from Simmons College School of Library and Information Science that resulted in a proposal to enhance the webpage for outreach purposes. In August, a Concord Town Archives page was added to the website to provide contact information for the Municipal Archivist as well as details on the holdings and mission of the Town Archives. The goal for the coming years is to add a catalog of the resources available for research as well as integrating a portal for records that are digitized.

Nate initiated an effort to archive Town records related to COVID-19 and the Town's response and continues to ensure that records are collected and preserved to capture how the Town Government functioned in 2020.

## BOARD OF REGISTRARS

E. Joanne Mente, Chair (D)  
 Wendy Ann McNally (R)  
 Helen N.H. Brady (R) – resigned in July  
 Connell Benn (R)  
 Kaari Mai Tari (U), Town Clerk

The four-member Board of Registrars consists of not more than two members from each of the major political parties--three members appointed by the Select Board, plus the Town Clerk. By virtue of the position, the Town Clerk is a participating and voting member of the Board of Registrars. In July, Helen Brady resigned and Connell (Connie) Benn was appointed in her place. The Board wishes Helen well.

*Note: Detailed voter registration, election results, and town meeting minutes are reported elsewhere in this Report.*

### Voter Registration

The Town Clerk's Office saw a sharp increase in voter registrations through the state's Voter Registration Information System due to legislation signed into Law in 2018 (Chapter 205 of the Session Laws), paving the way for automatic voter registration beginning in January 2020. Automatic voter registration agencies include the Registry of Motor Vehicles, the Division of Medical Assistance and the Commonwealth Health Insurance Connector Authority.

TOWN OF CONCORD TOWN ELECTIONS							
Election Date	# Absentee	# Vote by Mail	# Early in person	# At polls in person	Total Turnout	Voters in Concord	% Turnout
3/3/2020	507	2	1228	6013	7750	13688	57%
6/11/2020	324	1518	0	562	2404	13761	17%
9/1/2020	402	5276	482	1120	7280	13993	52%
11/3/2020	775	6743	3146	1727	12391	14315	87%

*Total Voters:* includes active and inactive voters  
Voter registrations & changes include new voter,  
address, and name changes

*Change of party:* refers to party enrollment and  
is generally higher in even-numbered years when  
primaries are held.

*Inactivated:* voters who do not respond to the  
annual census must by law be inactivated.  
Confirmation mailings are sent annually to provide  
every opportunity for voters to respond. Inactive  
voters appearing at the polls or at town meeting  
need to sign an affirmation of continuous residence  
and show ID in order to be able to vote.

*Deleted:* voters who have moved or are deceased are  
deleted. Inactive voters are deleted after 4 years of  
inactivity.

*Petitions signed:* refers to certification of signatures  
conducted at the Town Clerk's Office.

## **Census**

The Annual Town Census is conducted exclusively  
by mail. Census forms were distributed to residents  
in late December. The 2020 population per the town  
census was 16,622. Note that the town census does  
not include inactive voters of the prison population,  
while the federal decennial census counts the  
prisoners (approximately 1,500 additional  
residents).

## **Town Caucus—January 29, 2020**

The Town Caucus was attended by 70 voters.  
Candidates were nominated for the offices of Town  
Moderator, Select Board, and School Committee.  
The Caucus nominated three candidates for two  
available seats on the Select Board. All participants  
in the Caucus and especially the candidates are  
applauded for their commitment to public service  
and the election process in Concord.

## **Presidential Primary—March 3, 2020**

Voter turnout for the Presidential Primary drew  
57% of the town's voters to the polls, voting early, or  
by absentee ballot. The Democratic Primary saw the  
highest turnout of the four parties holding  
primaries that day with 7,074 ballots cast. The  
Republican Primary drew 661 voters while 11 voters

participated in the Libertarian Primary and four  
voters chose Green Rainbow Party ballots.

## **Annual Town Election—June 11, 2020**

The 2020 Annual Town Election was postponed  
from its original date of March 31, 2020 due to the  
COVID-19 Pandemic. Emergency legislation was  
enacted to allow all voters to vote by mail in effort  
to ensure the safety of voters and election workers.  
Of the 1,825 ballots mailed early to voters, and 1,576  
were returned and tabulated electronically at the  
polls. All five precincts voted in the Concord-  
Carlisle Regional High School gymnasium for this  
election. A total of 2,404 or 17% of voters  
participated in the Town Election.

## **Annual Town Meeting—September 13, 2020**

The Annual Town Meeting was held on the  
Douglas White Soccer Field behind the High  
School, the first outdoor meeting of its kind in  
Concord. Town Meeting featured 52 Warrant  
Articles and was conducted in one day, thanks to the  
careful planning of the Moderator and Town Staff.  
A total of 381 voters attended the outdoor meeting.  
Minutes are included elsewhere in this report.

## **State Primary—September 1, 2020**

The State's Elections Division mailed vote by mail  
ballot applications to every voter in the State to  
encourage voting. In addition to vote by mail, early  
voting in person was added to further spread out  
voting opportunities during the Pandemic. The  
Town Clerk's Office staff mailed out 6,360 vote by  
mail applications. In total, 7,280 or 52% of  
Concord's voters participated in the State Primaries.  
The Democratic Primary had 6,627 voters  
participate, while the 644 ballots were cast for the  
Republic Primary. Six voters chose Librarian Party  
ballots and three voters chose Green Rainbow Party  
ballots.

## **Presidential Election—November 3, 2020**

Unlike the Presidential Election in 2016, the  
majority of voters had mailed in ballots or voted  
early in person before Election Day, leaving 1,727  
out of 12,391 who chose to vote in person on  
Election Day. This meant an enormous amount  
of work had to be done at the Town Clerk's Office  
in the weeks leading up to November 3rd. Town  
Clerk's Office staff led by Assistant Town Clerk

Patricia Clifford and Town Archivist Nathaniel Smith coordinated the mailing of 10,931 vote by mail ballots. Retired Town Clerk Anita Tekle coordinated a large group of volunteers to verify signatures for almost all of the incoming vote by mail ballot envelopes. Many Election Workers helped to prepare ballot packets for mailing. Facilities staff, the Police Dept. and Historic Districts Commission all played important roles in securing the location and ensuring the safety of using a ballot drop box and protecting the health and safety of voters and election staff during in-person voting.



*Anita Tekle with all the early voted ballots for the November 2020 Presidential Election*

**Post Election Audit – November 9, 2020**

Precinct 2 was among 3% of the State’s voting precincts to be randomly selected for a post election audit. The audit was successfully conducted in the gymnasium at Ripley School.

TOWN PROFILE			
as of January 1, 2020 census*			
<b>POPULATION</b>	16,091*	<b>Registered Active Voters</b>	<b>11,324</b>
Adults (age 17 or over)	12,998	<b>Political Party Affiliation:</b>	
<b>POPULATION BY AGE GROUP</b>		Democrat	4,494
Under 20 years	3,882	Green Rainbow	4
20-29 years	1,410	Libertarian	27
30-39 years	1,118	Republican	1,138
40-49 years	2,001	Unenrolled	6,445
50-59 years	2,620	Other (Political Designations)	21
60-69 years	2,383	<b>Total:</b>	<b>12,129</b>
70 years and over	2,677		
<b>TOTAL</b>	<b>16,091</b>		

\*Figures include 2020 Town Census respondents only, with responses received through September 15, 2020

TOWN MEETING VOTER PARTICIPATION 2000-2020

YEAR	# Nights	Highest One Night Attendance	Total Attendance all nights	Total Individual Voters	Registered Voters in Attendance
2000 ATM	4	925	2,613	1,290	11.0%
2000 STM (May)	1	923	923	923	7.9%
2001 STM (Jan)	1	448	448	448	3.9%
2001 ATM	5	1,277	3,416	1,727	15.0%
2002 ATM	4	930	2,321	1,215	10.5%
2003 ATM	6	912	3,109	1,368	12.2%
2003 STM (Aug)	1	883	883	883	7.9%
2004 STM (Mar)	1	405	405	405	3.5%
2004 ATM	4	1,330	3,524	1,977	17.2%
2005 ATM	3	816	1,616	1,032	9.0%
2006 ATM	5	888	2,537	1,297	11.0%
2007 ATM	3	1,390	2,402	1,568	13.6%
2007 STM (Apr)	1	565	565	565	4.9%
2007 STM (June)	1	1,819	1,819	1,819	15.8%
2007 STM (Nov)	1	1,283	1,283	1,283	11%
2008 ATM	3	816	1,509	925	7.7%
2009 ATM	3	539	1,382	802	6.7%
2010 ATM	4	528	1,926	946	7.9%
2011 ATM	3	843	1,904	1,147	9.5%
2011 STM (Apr)	1	514	514	514	4.3%
2011 STM (Nov)	1	1,664	1,664	1,664	13.6%
2012 ATM	4	831	2,311	1,183	9.7%
2012 STM (Apr)	1	651	651	651	5.4%
2013 ATM	3	1,352	2,878	1,795	14.2%
2013 STM (Dec)	1	1,043	1,043	1,043	8.2%
2014 ATM	3	684	1,589	894	7.0%
2014 STM (May)	1	684	684	684	5.4%
2015 ATM	4	840	2,001	1,171	9.4%
2015 STM (Apr)	1	842	842	842	6.7%
2016 STM (Feb)	1	168	168	168	1.5%
2016 ATM	3	416	1,093	595	4.9%
2016 STM (Dec)	1	220	220	220	1.6%
2017 ATM	4	921	1,959	1,110	8.4%
2018 ATM	4	524	1,791	955	7.0%
2018 STM (Oct)	1	387	387	387	2.9%
2019 ATM	3	927	1,849	955	7.1%
2020 ATM	1	381	381	381	2.8%

ATM = Annual Town Meeting; STM = Special Town Meeting

## TOWN OF CONCORD VOTER REGISTRATION HISTORY -- 1960 TO 2020 (as of January 1)

YEAR	Democrats	%	Republicans	%	Unenrolled/ Independents	%	Other	%	Total
2020	4,493	36.93%	1,133	9.31%	6,481	53.27%	60	0.49%	12,167
2019	4,744	35.74%	1,446	10.89%	6,998	52.72%	85	0.64%	13,273
2018	4,726	35.74%	1,447	10.94%	6,964	52.67%	85	0.64%	13,222
2017	4,586	34.90%	1,623	12.35%	6,858	52.19%	74	0.56%	13,141
2016	4,359	34.49%	1,672	13.23%	6,518	51.58%	88	0.70%	12,637
2015	4,331	34.42%	1,693	13.46%	6,506	51.71%	51	0.41%	12,581
2010	4,311	35.64%	1,774	14.66%	5,970	49.35%	42	0.35%	12,097
2005	3,988	34.47%	2,067	17.87%	5,425	46.89%	90	0.78%	11,570
2000	3,393	29.65%	2,110	18.44%	5,907	51.62%	34	0.30%	11,444
1995	3,268	31.61%	2,088	20.20%	4,975	48.12%	7	0.07%	10,338
1990	3,320	32.74%	2,335	23.03%	4,486	44.24%	0	0.00%	10,141
1985	3,446	32.67%	2,478	23.49%	4,624	43.84%	0	0.00%	10,548
1980	3,088	32.62%	2,393	25.28%	3,986	42.10%	0	0.00%	9,467
1975	2,863	31.58%	2,576	28.41%	3,628	40.01%	0	0.00%	9,067
1970	1,941	26.94%	2,724	37.81%	2,540	35.25%	0	0.00%	7,205
1965	1,391	20.01%	2,825	40.65%	2,734	41.85%	0	0.00%	6,950
1960	805	12.32%	2,574	39.40%	3,154	48.28%	0	0.00%	6,533

### PERSONNEL BOARD

Ellen Quackenbush, Chair  
Nancy Crowley  
William Mrachek  
Jim Richardson

The Personnel Board has responsibility for the administration of the Personnel Bylaw (Wage and Salary Classification Plan) of the Town and is supported by the staff of the Human Resources Department. The Town's Personnel Bylaw applies to approximately 200 of the Town's 330 budgeted regular-status positions and a few hundred temporary and limited-status employees. The Personnel Bylaw does not cover elected officers, employees with personal contracts, employees covered by collective bargaining agreements, and employees of the School Department.

### Classification and Compensation

The Town maintains a formal Classification and Compensation Plan that provides a uniform system for grouping regular non-union positions based on job requirements, and establishes salary ranges based on market and budget conditions. The Town Manager and Human Resources Director recommended amendments to the Plan based on multiple considerations including: current and anticipated workforce needs; compensation provided by similar municipalities, light plants, fitness facilities, and other employers with comparable positions to Concord's; and providing equal pay for comparable positions. The Personnel Board is responsible for recommending Plan amendments to Town Meeting. Structural adjustments and salary increases are intended to uphold Concord's tradition of maintaining total compensation rates (i.e., pay plus benefits) for most positions that are above average, but not top, among comparable municipal employers in order to keep the Town

competitive in attracting and retaining competent employees.

### **FY21 Plan Structure Adjustments**

The 2020 Town Meeting ratified three job title and classification actions. Furthermore, with adoption of the Classification and Compensation Plan effective July 1, 2020 (FY21) the following structural changes were made:

1. salary range minimums, midpoints and maximums were increased by 2.5%, except for the Swim & Fitness and Human Services ranges where no increase to the maximum was recommended; and
2. the minimums of the SF-1 and HS-A ranges were further increased in accordance with the new Massachusetts minimum wage.

### **FY21 Salary Increase Policies**

Funding for all General Fund salary increases is contained in the “Salary Reserve” line item of the Town Manager’s annual budget. This line funds structural and performance-based increases for non-union employees, and negotiated increases under collective bargaining contracts. Each fiscal year, the Town Manager and Personnel Board determine the actual salary increases to be received by non-union employees based upon the amount of money appropriated to the Salary Reserve.

One impact of the pandemic on the Town’s FY21 budget was a reduction in salary reserve, which the Town Manager recommended to ensure filled positions could be sustained despite economic hardships. This decrease in available funds altered plans to provide non-unionized staff with both a 2.5% wage adjustment on July 1, 2020 and, if not already at the maximum pay rate for their position, an increase to provide wage progression within their assigned salary range. Accordingly, a revised Salary Increase Plan was proposed by the Town Manager and Human Resources Director, and approved by the Personnel Board. The adopted FY21 Salary Increase Plan provided a 2.5% increase effective December 28, 2020 to employees hired before January 1, 2020, contingent on satisfactory performance. The pay rate of each employee hired on or after January 1, 2020 was individually considered and an increase up to 2.5% was granted where determined appropriate. By delaying the

salary adjustments for 6 months, the Town was better able to maintain its position in salary markets than would have been the case had a 1.25% increase been applied to the entire year.

### **Personnel Bylaw – Proposed New Approach/Authority**

The Personnel Bylaw’s stated purpose is to “establish an equitable and efficient system of personnel administration for Town employees,” and it strives to accomplish that by outlining compensation-related policies, including job titles, salary ranges, and paid leave benefits for non-unionized positions. For many years, the Personnel Board has contemplated whether the structure for approving, modifying, and administering the Personnel Bylaw remains effective and efficient. The Personnel Board and Town Manager administer the Bylaw, and Town Meeting must approve all changes. Responding to ever-changing employment laws, workforce trends, and new service demands (e.g., broadband, PEG access), presents challenges under the current authority structure.

In January 2020, the Board concluded that the Town’s system for approving wage and classification policy (the Personnel Bylaw) does not add value and inhibits the Town’s ability to maintain a responsive, creative, effective and efficient system of personnel administration. A new approach was unanimously recommended by the Personnel Board via Warrant Article 6.

Article 6 of the 2020 Town Meeting Warrant proposed to strike the text of the Personnel Bylaw in its entirety and replace it with language that defines elements of the personnel system that the Town Manager will be responsible for maintaining and adhering to. Required elements include:

- A lawful, equitable, and efficient system of personnel administration
- Personnel policies about employee rights, obligations, and benefits
- A job classification plan
- A compensation plan
- A method for appointing employees based on merit principles
- A record-keeping system



As proposed, adoption of the new Personnel Bylaw would have the following effects:

- Move administrative authority for the non-union personnel administration system to the Town Manager, while retaining the Personnel Board in an advisory role
- Eliminate the need to bring non-union personnel policy/system changes, including job titles, salary grades assignments, salary ranges, and paid leave paid leave policies to the Personnel Board and Town Meeting for approval
- Reduce the Personnel Board from 5 to 3 members

Due to the pandemic, Town officials strove to limit Town Meeting to essential items and those not likely to have amendments on the floor. Accordingly, the Personnel Board advised the Select Board that Article 6 should be considered non-essential and no action should be taken at Town Meeting. The

pandemic also inhibited the Personnel Board’s ability to meet, so there was no further discussion on this matter in 2020.

**Acknowledgement of Town Employees**

Concord is fortunate to have many employees who have worked for the Town for numerous years. Some employees work year-round, while others work on a sporadic, seasonal, or limited-hours basis. Regardless of their status, we benefit from the experience and dedication of long-term staff members. Accordingly, on behalf of all Concord citizens, the Personnel Board would like to express our sincere appreciation and gratitude to all such employees for their many contributions and efforts.

We would like to make special mention of the following employees, all of whom had served the Town for 20 or more years of regular service as of December 2020:

**Employees with 20 or more Years of Service**  
**Names noted with \* are employees who retired in 2020**

<p><b>Finance</b>  Carolyn Dee</p> <p><b>Fire</b>  John Bendel*  David Curran  Paul Domenichella  Bradford Ferrie  John Gower  Marcus Jackson  Thomas Judge  Brian Lefebvre  Jeffery Lex  Sean Murphy  Eric Nelson  William Noke  James Redmond  Arthur St. John  Brian Whitney</p> <p><b>Human Resources</b>  Amy Foley</p>	<p><b>Human Services /Recreation</b>  T.J. Liakos  Anita Stevanazzi-Hill</p> <p><b>Library</b>  Fayth Chamberland*  Robin Demas  Cynthia DiRenzo  Patricia Pluskal  Valerie Gay Weiss</p> <p><b>Light Plant</b>  Theodore Bartkus  Martin Boermeester  Ann Breitenwischer  Rhonda Buscemi  James Coakley  Beverly DuFresne  Peter Hughes  John McGarry  John Simeone  David Wood</p>	<p><b>Planning &amp; Land Mgmt</b>  Karen Byrne  Tracy LaPierre  Marcia Rasmussen  Stanley Sosnicki</p> <p><b>Police</b>  Robert Capone  Denise Caruso  Joseph Connell  Brian Goldman  Timothy Landers  Gerard Mearn  Kevin Monahan  Thomas Mulcahy  Jeffrey Shelley  Sylvia Toumayan</p>	<p><b>Public Works</b>  Alan Cathcart  Susan Clark  Thomas Ford  Andrew Giles  Peter Hardy  Stephen Harrington*  Richard Hathaway  Michael Haynes  John Hesdorff  Adrian Hone  Patricia Hopkins  Timothy Jones  Jeffrey Koranda  Todd Manchuso  Paul Reinhardt</p> <p><b>Town Manager’s Office</b>  Robert Landry  Jonathan Straggas</p>
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## HUMAN RESOURCES

Amy Foley, Human Resources Director

The Human Resources (HR) Department provided services to approximately 700 regular, limited, and temporary employees on issues relating to: administering the Personnel Bylaw, policies, and procedures; maintaining employee classification and compensation plans; monitoring personnel actions of all Town departments to ensure legal and policy compliance; managing employee recruitment and selection; coordinating orientation, training, and employee recognition activities; providing workers' compensation case management and administrative services; and designing and administering employee benefits programs. HR advised the Personnel Board and Town Manager on related issues; advised managers, supervisors, and employees on personnel matters; and assisted in labor negotiations and contract administration.

2020 was an extraordinarily unique and challenging year for all, and the impacts on human resource management were many. As the coronavirus outbreak began, the HR Director worked with other senior managers to develop plans and communications related to decreasing the potential for workplace exposure to the virus, lowering the impact on operations, addressing anticipated staff absences, and responding to anticipated employee benefit needs. New protocols and temporary pay provisions to address various pandemic-related situations were quickly put in place.

Within a few short weeks, non-essential operations were temporarily suspended and Town offices were closed to the public. The HR team developed methods of performing much of the department's work remotely and implemented new systems that enabled continued service, including implementation of a completely online open enrollment process for health benefits and the creation of electronic signature/approval procedures.

While executing new protocols for our own operations, early-pandemic activities for HR staff also included working with other departments to

determine which employees were considered essential for on-site work, addressing questions about remote work, and communicating with employees about impacts on their jobs. HR staff assisted with administration and communication related to the furlough of approximately 100 Recreation division employees, coordinated with benefit providers to implement temporary policy provisions that allowed employees and their families to obtain needed benefits, and implemented the provision of a new federal law, the Families First Coronavirus Response Act.

The pandemic created work barriers for many employees, including concerns about potential COVID-19 exposure, quarantine requirements due to actual COVID-19 exposure or travel, and issues related to caring for family members. These situations had to be considered on a case-by-case basis, balancing the Town's operational needs with the goal of providing a supportive workplace. HR staff worked to determine how to apply both the Town's traditional leave and pay policies, and those developed in response to circumstances created by the pandemic.

To ensure a safe workplace for all, HR staff worked with the Senior Management Team and the Town's Reopening Task Force to develop a new workplace safety policy, APP 64, in accordance with guidelines provided by the Commonwealth of Massachusetts and the CDC. The HR Department website and Employee Self-Service Portal were updated with COVID-related resources for employees.

Hiring was lower in 2020 due to the pandemic, but HR staff still managed 85 recruitments and new appointments and processed 1,798 applications for employment. HR staff managed 67 leaves of absence in accordance with the Family and Medical Leave Act and/or medical leave policies, in addition to COVID-related requests. HR responded to numerous unemployment claims, processed 26 work-related injury cases, and coordinated approximately 50 random DOT-required drug and alcohol tests. 16 GEM (Go the Extra Mile) Certificates and 12 gift-certificate awards were processed in recognition of employee actions that were noted and appreciated by others. The HR Director assisted in the negotiation of four 1-year

union contracts (all negotiated remotely) and the HR team helped to implement new salary increase provisions for employees covered by a collective bargaining agreement as well as non-unionized staff.

HR staff coordinated several training initiatives in 2020, including virtual policy orientations for 45 new employees, virtual harassment and workplace violence prevention trainings for 23 new employees. New supervisors, either newly hired or new to a supervisory role, received additional training on employment law and performance management. HR staff also ensured that all new employees were advised of required Massachusetts conflict of interest law training.

Although the pandemic left very little time for longer-term projects, progress was made toward two very important goals: a Diversity, Equity and Inclusion program and a Learning Management System. HR staff began the Diversity, Equity and Inclusion journey by attending several trainings and engaging in conversations with the Senior Management Team and professionals in the field. HR staff also coordinated and participated in training for the Cornerstone Learning Management System and launched a pilot learning course.

## TOWN COUNSEL

Mina S. Makarious, Anderson & Kreiger LLP

The following is a description of the lawsuits by or against the Town filed or pending during 2020 and handled by Town Counsel:

*Michele I. Mandrioli; Claudette Cavelier; Peter J. Mandrioli, Jr.; and Paul J. Mandrioli v. Whitney S. Hamnet, II; Fern Folz; Gregory and Sharlene Dorothy; David P. Smyth and Anne C. Piessens; Town of Concord; Heirs of Edward W. Sheehan and Kathryn A. Sheehan (Massachusetts Land Court)*  
Action to remove a cloud on the title of property. The Town determined that it does not have an interest in the property, and entered into an Agreement for Partial Judgment dismissing it from the case in April 2019. Case is pending among the remaining parties. The Town expects to be formally dismissed from the case when final judgment enters.

*Perry, et al. v. Concord Zoning Board of Appeals, et al. (Massachusetts Superior Court)*  
Appeal from the issuance of a special permit and site plan review to the Concord Free Public Library for renovations to the existing library at 129 & 151 Main Street filed in November 2019. The plaintiffs and the Library entered into a confidential settlement agreement to which the Town was not a party, and all parties then stipulated to the dismissal of the case in May 2020.

*Perry, et al. v. Concord Historic Districts Commission, et al. (Massachusetts Superior Court)*  
Appeal from a Certificate of Appropriateness issued by the HDC for renovations to the Concord Free Public Library. The plaintiffs and the Library entered into a confidential settlement agreement to which the Town was not a party, and all parties then stipulated to the dismissal of the case in May 2020.

*Town of Concord v. Neil E. Rasmussen, Anna W. Rasmussen, Brooks S. Read, Susannah Kay, Russell Robb III, Leslee Robb, and Thomas Wray Falwell, Trustees of the Pippin Tree Land Trust, President and Fellows of Harvard College, John K. Baker, Trustee of the Nielsen Realty Trust, and Nina I.M. Nielsen, Trustee of the Baker Realty Trust. (Massachusetts Land Court).*

The Town is seeking a declaration and judgment for the right of public access to Estabrook Road, as well as an injunction against the Defendants for interfering with the public's right to access the road. The Town obtained a preliminary injunction in July 2020 preventing the Defendants from interfering with public access while the case is pending, after the Defendants attempted to close the road.

Discovery in the case is complete. Trial is scheduled for early June 2021. The Rasmussens, Read/Kays, Robbs, and Harvard College remain as Defendants. The Town had settled with Harvard and the Baker/Nielsens, but Harvard chose to re-enter the case and participate in trial because its rights might be affected by the Court's ruling. The Town's case focuses on historical records regarding establishment of the Road. The Town voluntarily withdrew an alternative prescriptive easement claim to streamline discovery and trial, and successfully moved to exclude certain evidence offered by the Defendants, which should also streamline trial.