

GENERAL GOVERNMENT

TOWN CLERK

Kaari Mai Tari, Town Clerk
MaryLou Carney, Assistant Town Clerk
Arlene Fitzpatrick, Assistant to the Town Clerk

Customer Service and Staffing

Town Clerk's Office assisted the public from the basement of the Harvey Wheeler Community Center in West Concord for the first nine months of 2021. We thank the staff at the Council on Aging for the generosity in temporarily housing our operations. While town offices were still closed to the public, staff continued to help the public from the parking lot or entrance to the lower level of the building. Sally Williams stepped in to help in the office during peak times and we are grateful for her assistance.

Most office staff moved back to the Town House in September following renovation of the first floor. Due to space constraints, Municipal Archivist Nathaniel Smith's office moved to 55 Church Street. In addition to being on the move, 2021 saw significant change to staffing in the office. After 20 years of outstanding service to the Town Clerk's Office, Assistant Town Clerk Patricia Clifford retired in July. We will miss her clever quips and steadfast dedication to democracy in Concord, and we wish her well. In October, we were fortunate to welcome MaryLou Carney in the role of Assistant Town Clerk. Later that same month, Office Assistant Kathy Deschenes said her goodbyes and we wish her all the best. That position remained vacant through the end of 2021.

Recorded Vital Statistics for Concord 2011-2021 (Numbers include babies born to Concord parents at other Massachusetts hospitals) (# of Concord residents is in parenthesis)

Year	Births	Deaths	Marriages
2021	1,460 (144)	326 (157)	94 (33)
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)

Other Business

The Town Clerk's Office issued 20 flammable storage certificates that are renewed annually. Notary Public services (excluding real estate-related transactions) are offered 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.

ACTIVITIES	2017	2018	2019	2020	2021
Business Certificates	162	96	135	154	151
Cemetery Deeds	41	42	53	57	71
Public Meetings Posted	929	905	823	710	947
Raffle Permits Issued	17	18	18	5	11
RECORDINGS	2017	2018	2019	2020	2021
Board of Appeals Filings	34	46	34	40	30
Historic Districts Commission Filings	92	83	76	60	76

Vitals

The presence of Emerson Hospital in the community results in a high number of birth recordings Concord. Arlene Fitzpatrick who registers births and deaths reported that the total number of births registered increased by almost 9% over 2020 while resident births increased by 50% during the same period. Total deaths recorded dropped by roughly 8% while resident deaths recorded fell by 9%. MaryLou Carney who manages Marriage Intention filings and registration of marriages reported that the total number of marriages recorded fell by roughly 64% as other town and city clerk's offices resumed filing marriage intentions. Recorded marriages to couples where one or both are Concord residents fell by 50%.

In addition to registering vital records, staff processed 70 Affidavits & Corrections of Vital Records, and issued 281 burial permits. Online payment continued to be the primary method for obtaining birth, marriage, and death certificates as well as dog licenses.

Committee-related activities

During the year, the staff swore in new committee and board appointees and posted 947 public meetings and agendas. With continued social distancing obligations during the COVID-19 pandemic, the Open Meeting Law provision to allow full remote participation in meetings continued. Given that remote meetings don't carry the burden of finding physical space for meetings, the number of meetings happening concurrently increased sharply, with as many as 18 meetings happening on a given day. 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. In September the annual Effective Governance Training was presented in a virtual format.

Town Meeting

The Town Clerk and staff attended and recorded

the proceedings of the Annual Town Meeting in June. Town Meeting was again held outdoors on the Douglas White Soccer Fields at the Concord-Carlisle Regional High School on Sunday, June 13th, beginning at 1:00 pm. The meeting adjourned 2 ½ hours after starting, having no further business to take up. Town Meeting minutes are included elsewhere in this Report.

Information about the elections and town meeting functions of the Town Clerk are reported elsewhere in this Town Report, under the Board of Registrars.

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

TOWN RECORDS

Nathanial Smith,
Municipal Archivist/Records Manager

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 State 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 117 requests for access to public records. This does not include public records requests that Town Departments respond to individually.

Records Management

Town Archivist, Nate Smith, worked throughout the year with a variety of Town Departments to manage retention periods, inventory files, and digitize selected records. In September, several

departments moved back to the first floor of the Town House at the completion of renovations. Mr. Smith assisted these departments in moving back their files and managing the various temporary storage locations. The agreement between the Town and the Library Corporation for storage of critical and historical records in the vaults of the Fowler and Main Branches of the CFPL was extended until March 2022.

In addition, Nate began working with the Town CIO, Jason Bulger, to begin transferring the Town's active digital files to the Microsoft 365 platform. This included training, policy development, and research. Mr. Smith also met with staff members from the Minuteman Media Network and began discussions on creating a retention policy for meeting recordings and other video files which have increased in volume in the last couple of years.

At the request of the Trustees of Town Donations, Mr. Smith hired and managed an intern to review, digitize, and analyze their records from all Town sources. This project resulted in a summary and history of many of the funds which the Trustees manage.

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.

In February, the Final Preservation Assessment for the Town of Concord Archives was delivered by the Northeast Document Conservation Center (NEDCC). 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.

In May 2021, Nate participated in the Concord Stories from Special Collections series and was interviewed by Anke Voss, Curator for Special Collections about the Town Archives. Due to increased interest, a page was added to the Concord Town Archives webpage detailing the various collections in the Town Archives and Special Collections related to anniversary celebrations of the Town Birthday (1635) and the Concord Fight (1775).

The Town Archives launched a new Digital Repository in 2021 hosted on the Preservica platform. Initially using the free version, the Town was able to post and share digital records such as a video of the 1928 Memorial Day Parade (pictured below).

In the fall, the Town Archives upgraded to the paid version and will be adding additional content throughout the coming year.

For more information about Concord's Archives and for contact information, visit the Archives and Records Management webpage at concordma.gov/2610/Archives-and-Records.



Concord Memorial Day Parade 1928

BOARD OF REGISTRARS

Wendy Ann McNally, Chair (R)
Connell Benn (R)
Anne Fortier (D)
Kaari Mai Tari (U), Town Clerk

Membership

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 March, Joanne Mente resigned, and Anne Fortier (D) was appointed in her place. The Board wishes Joanne well.

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

Voter Registration

The Town Clerk's Office registers voters through the state's Voter Registration Information System. Voters are automatically registered to vote when they conduct business at the following agencies, unless they opt out: the Registry of Motor Vehicles, the Division of Medical Assistance and the Commonwealth Health Insurance Connector Authority.

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 mail-ings 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.

Nomination papers & Petitions signed refers to certification of signatures for candidates, ballot questions and town meeting articles, conducted by 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 2021 population based on census returns was 16,663. Note that the town census does not include inactive voters of the prison population, while the federal decennial census includes that in its population count.

Town Caucus—January 25, 2021

The Town Caucus of 2021 was held in the parking lot facing 55 Church Street in West Concord. The Caucus was broadcast through a radio transponder allowing voters to remain in their cars. Voters nominated, seconded, and voted for the Chair and Clerk of the Caucus as well as taking other votes, by flashing headlights. Nominators and Seconders of candidates spoke from an outdoor microphone and in this manner candidates for Moderator, Select Board, School Committee and Housing Authority were nominated on a cold winter evening. Special thanks to Caucus Chair Michael Lawson and Clerk Ruth Lauer, who managed the gavel and pen for the duration of the Caucus as temperatures dipped into the 20's. A total of 51 voters attended the Caucus. All participants in the Caucus and especially the candidates are applauded for their commitment to public service and the election process in Concord.

Annual Town Election—March 25, 2021

The 2021 Annual Town Election was held with COVID restrictions still in place, including the ability to vote early. A total of 1,880 or 13.55% of Concord's voters participated in the election. Election Officers are thanked for their ability and willingness to help voters in person during the pandemic.

TOWN OF CONCORD TOWN ELECTIONS		
Election Date	Total Turnout	% Turnout
3/25/2021	1,880	13.55%

Annual Town Meeting—June 13, 2021

The Annual Town Meeting was again held on the Douglas White Soccer Field behind the High School. Town Meeting featured 43 Warrant Articles and was conducted in one day, thanks to the careful planning of the Moderator and Town Staff. A total of 412 voters attended the outdoor meeting. Minutes are included elsewhere in this report.

Reprecincting

On December 2, 2021, the LEDRC approved Concord's 2021 Reprecincting Plan. Precinct lines are reviewed every 10 years following the Federal Census and adjusted to distribute the population equally among its precincts. The Registrars worked with the Town's GIS Analyst, Jill Moonheron to redraw precinct lines for the Select Board to review. Concord retained five precincts while also gaining a district line that now splits Concord into the 13th and 14th Middlesex State Representative Districts. Concord's population in 2020 according to Federal Census data was 18,491.

TOWN PROFILE			
as of January 1, 2021 census*			
POPULATION	15,611*	Registered Active Voters	
Adults (age 17 or over)	12,595	Political Party Affiliation:	
POPULATION BY AGE GROUP		Democrat	4,389
Under 20 years	3,711	Green Rainbow	5
20-29 years	1,410	Libertarian	25
30-39 years	1,117	Republican	1,026
40-49 years	1,851	Unenrolled	6,406
50-59 years	2,475	Other (Political Designations)	18
60-69 years	2,350	Total:	11,869
70 years and over	2,697		
TOTAL	15,611		
*Figures include 2021 Town Census respondents only, with responses received through July 15, 2021			

TOWN MEETING VOTER PARTICIPATION 2000-2021

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%
2021 ATM	1	412	412	412	3.0%

ATM = Annual Town Meeting; STM = Special Town Meeting

TOWN OF CONCORD VOTER REGISTRATION HISTORY -- 1960 TO 2021 (as of January 1)

YEAR	Democrats	%	Republicans	%	Unenrolled/ Independents	%	Other	%	Total
2021	4,513	36.42%	1,040	8.39%	6,782	54.73%	56	0.45%	12,391
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

TOWN OF CONCORD

Annual Town Election, March 25, 2021

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Total
Moderator						
Blanks	64	51	75	82	45	317
Carmin C. Reiss	327	349	327	394	159	1556
Write-Ins	1	0	1	2	3	7
TOTALS	392	400	403	478	207	1880
Select Board						
Blanks	94	89	121	147	52	503
Linda J. Escobedo	208	240	210	215	82	955
Henry J. Dane	156	140	164	232	110	802
Karlen J. Reed	168	173	164	162	91	758
Dean S. Banfield	158	156	146	200	79	739
Write-Ins	0	2	1	0	0	3
TOTALS	784	800	806	956	414	3760
School Committee						
Blanks	199	163	205	249	113	929
Courtland L. Booth	285	331	303	339	161	1419
Tracey Marano	284	296	280	351	138	1349
Write-Ins	0	1	2	1	0	4
Todd Benjamin	16	9	16	16	2	59
TOTALS	784	800	806	956	414	3760
Housing Authority-5 yrs						
Blanks	90	72	95	112	57	426
Stephan M. Bader	302	328	307	366	150	1453
Write-Ins	0	0	1	0	0	1
TOTALS	392	400	403	478	207	1880
Housing Authority-2 yrs						
Blanks	92	81	99	118	51	441
Charles T. Philips	300	319	304	360	156	1439
Write-Ins	0	0	0	0	0	0
TOTALS	392	400	403	478	207	1880
Housing Authority-1 yr						
Blanks	101	90	102	127	60	480
Stephanie Chrobak	291	310	300	351	147	1399
Write-Ins	0	0	1	0	0	1
TOTALS	392	400	403	478	207	1880
Total Registered Voters	2665	3320	2843	3087	1957	13872
Precinct Totals	392	400	403	478	207	1880
Total Voter Turnout	14.71%	12.05%	14.18%	15.48%	10.58%	13.55%

PERSONNEL BOARD

William Mrachek, Chair
Nancy Crowley
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 180 of the Town's 325 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. 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.

The Town started 2021 with the pandemic still under way, which had a meaningful impact on the approach to salary range adjustments and employee salary increases. The labor market experienced shifts in terms of which positions were in high demand and where labor shortages existed. Financial impacts of decreased revenue and increased costs requiring redirection of available fund were still being experienced. Given that it wasn't clear how long these emerging conditions would exist, the Town Manager recommended a conservative approach to FY22 salary increases. The use of salary reserve funds was limited with the hope of restoring funding as impacts of the pandemic lessened. This meant

that the Town's traditional approach to performance and merit increases was not adopted in FY22, but the Town Manager recommended adjustments when determined feasible.

Increasingly throughout 2021, the nation experienced one of the tightest labor markets in generations. In response to a labor shortage, salaries for in-demand positions were reported to be rising at staggering rates. Historically, municipalities have provided stability in challenging labor markets, but today's workforce is less interested in longevity than past generations were, making the inability to quickly adjust salaries and related structures particularly challenging in terms of attracting and retaining talent. The Town has taken steps in 2021 to conduct a comprehensive study of its classification and compensation plan in 2022; these changing workforce conditions will need to be taken into consideration when designing an updated plan.

FY22 Plan Structure Adjustments

The 2021 Town Meeting ratified three job title and classification actions. Furthermore, with adoption of the Classification and Compensation Plan effective July 1, 2021 (FY22) the following structural changes were made:

1. salary range minimums, midpoints and maximums were increased by 2.0%,
2. the minimums of any range with a rate below \$13.50 per hour were further increased in accordance with the new Massachusetts minimum wage and midpoints were adjusted accordingly,
3. the titles "Public Works & Engineering Director" and "Chief Information & Telecommunications Officer" were removed, and
4. the TM-4 grade was removed.

FY22 Salary Increase Policies

The adopted FY22 Salary Increase Plan provided a 2.0% increase effective July 1, 2021, contingent on satisfactory performance. Later in the year, after the Town Manager was able to assess impacts of the pandemic on revenues, he recommended and the Personnel Board approved an additional 2.0% adjustment retroactive to July 1, 2021 for those employees whose pay rate is still progressing through the salary range.

Personnel Bylaw – Proposed New Approach/Authority

The Personnel Board has been considering its role related to classification, compensation and the Personnel Bylaw for several years. The Board proposed changes via a 2020 warrant article but, as requested, discussion was put on hold after the Public Hearing due to the COVID outbreak and limited virtual meeting resources. Further, the Board was asked to recommend no action to Town Meeting due to pandemic protocols.

When it was feasible to resume discussions, the Board considered the feedback received at the 2020 Public Hearing and felt that opposition seemed focused on identifying new needs vs. the proposed change itself. The Personnel Board felt it needed to give priority to fixing a bylaw that is commonly agreed to be ineffective before exploring a future role; doing so would open the path to take further manageable and realistic steps toward updating the Town's personnel system and would be consistent with Goal 8 identified by Envision Concord in The Comprehensive Long Range Plan.

In 2021, in the interest of addressing a long-recognized concern, the Personnel Board renewed their sponsorship of a Personnel Bylaw Amendment via town meeting warrant article #7. After considering additional feedback, the Board developed an amended version of the article. The Board's recommendation was to comprehensively revise the Personnel Bylaw and change who has authority for adopting and approving certain personnel policies related to employee wages, paid leave, and job classification. In considering its recommendation, the Board noted the following reasons for making a change:

- The current process of obtaining Personnel Board and Town Meeting approval for non-union, Town employee compensation policies limits the Town's ability to adapt to rapidly changing workforce conditions, trends, and laws so that employees have a fair, attractive and competitive compensation package that is fiscally responsible.
- Employment laws are complex and ever-changing, and the Town's system is labor intensive and difficult to understand. Over the years, many board members have felt they

do not have the operational, systems, legal, or technical knowledge needed to make decisions regarding classification, compensation, benefits, and employment actions. Without such knowledge there is risk of personal bias or legal error.

- The fact that the Town Manager has authority to establish wages and benefits for some, but not all, employees adds a level of complexity to the goal of equitability. Further, public discussion of non-union compensation strategy impacts union contract negotiations.
- The classification and compensation plan has been addressed via the Consent Calendar for many years now, and amendments to the Bylaw have consistently been approved by Town Meeting as proposed. The Town Meeting process does not seem to be the most efficient method of maintaining a system that is transparent and accountable to citizens and employees.

The Personnel Board did not proceed with a motion at the 2021 Annual Town Meeting because the Moderator ruled that planned amendments to Article 7 were beyond the scope of the article printed in the Warrant. The Board planned to continue conversation regarding this matter with the goal of making a proposal at the next available Town Meeting. However, the Select Board opted to form a Personnel Study Task Force to provide an impartial study and proposal with regard to the future role and function of the Personnel Board. With the understanding that the Task Force will also make recommendations relative to the future make-up of the Personnel Bylaw and role of Town Meeting in compensation and leave for non-union positions, the Personnel Board has not continued to propose a restructure of authority at this time.

Acknowledgment 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.

HUMAN RESOURCES

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 2021:

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.

Employees with 20 or more Years of Service
Names noted with * are employees who retired in 2021

Finance

Carolyn Dee
 Patricia Clifford*

Fire

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

Human Resources

Amy Foley

Human Services

/Recreation
 T.J. Liakos
 Anita Stevanazzi-Hill

Library

Kemal Bounar
 Robin Demas*
 Cynthia DiRenzo
 Patricia Pluskal*
 Valerie Gay Weiss

Light Plant

Theodore Bartkus*
 Martin Boermeester
 Ann Breitenwischer
 Rhonda Buscemi
 James Coakley
 Jeffery Cosgrove
 Beverly McCaul
 Peter Hughes*
 John McGarry
 John Simeone
 David Wood

Planning & Land Mgmt

Karen Byrne
 Tracy LaPierre
 Marcia Rasmussen
 Stanley Sosnicki*
 Gabrielle White

Police

Robert Capone
 Denise Caruso
 Joseph Connell
 Brian Goldman
 Timothy Landers
 Gerard Mearn*
 Kevin Monahan
 Thomas Mulcahy
 Jeffrey Shelley*
 Sylvia Toumayan

Public Works

Alan Cathcart
 Scott Chalmers
 Susan Clark
 Thomas Ford
 Andrew Giles*
 Peter Hardy
 Richard Hathaway
 Michael Haynes
 John Hesdorff
 Adrian Hone
 Patricia Hopkins
 Timothy Jones
 Jeffrey Koranda
 Todd Manchuso
 Paul Reinhardt*
 Joel Stevens
 Anna Trout

Town Manager's Office

Robert Landry
 Jonathan Straggas

HR is called on to provide a wide variety of services in response to variable needs and situations that arise throughout each year. In 2021, HR priorities and initiatives were notably impacted by the ongoing COVID-19 pandemic combined with a significant shift in the labor force and market. HR staff spent considerable time addressing situations on a case-by-case basis and guiding staff relative to workplace protocols and policies designed to protect the well-being of employees and their families while also ensuring critical town services. HR assisted the Town Manager and senior managers in exploring ways to provide the increased workplace flexibility sought by employees, while maintaining services and accountability to the public. Further, HR staff guided 117 recruitment, hiring, and promotional processes (22 of which were recruitments for seasonal positions), and processed 2,580 applications for employment. Various forms of transitional support were provided related to changes in leadership in the Library Director and Town Manager positions.

In addition to COVID-related requests, 59 leaves of absence were administered in accordance with the Family and Medical Leave Act and/or medical leave policies. HR responded to numerous unemployment claims, processed 33 work-related injury cases, coordinated 51 random DOT-required drug and alcohol tests, and verified and processed personnel action forms for all employees.

HR arranged an ice cream truck visit enjoyed by 196 employees in July and hosted an employee appreciation picnic attended by approximately 187 employees in October. During the course of the year, 13 GEM (Go the Extra Mile) Certificates and 10 gift-certificate awards were processed in recognition of employee actions that were noted and appreciated by others.

The HR Director assisted in the negotiation and implementation of five 3-year union contracts, and the development of modified approaches to compensation plans and incentive pays for union and non-union positions in response to rapid shifts in the labor market and budget constraints. The HR team helped to implement the new salary increase provisions for all employees.

HR held virtual policy orientations for new employees (increasing frequency to monthly) and coordinated virtual harassment and workplace violence prevention trainings for new employees and supervisors. All employees were reminded of their biennial obligation to complete training on the Massachusetts conflict of interest law. Furthermore, the Town's harassment prevention policy and the Massachusetts conflict of interest law summary was distributed Town-wide, along with an advisory reminding employees of their obligation to remain aware of all Town policies.

HR staff continued work on Diversity, Equity, Inclusion and Belonging (DEIB) initiatives, including organizing and participating in a professional training for the Senior Management Team, reviewing and updating job descriptions through a DEIB lens to eliminate unnecessary barriers, proposing updates to the holiday schedule, continuing to review and recommend compensation actions with consideration to pay equity, and working to remove gendered language from communications and documents, including union contracts.

HR was pleased to hire an Administrative Systems Analyst in 2021, a position that was on hold for 1.5 years during the pandemic. This position provides critical support for our Human Resources Information System (HRIS) and other systems. With this position filled, HR staff have been able to resume work on planning and implementing workflows, improving business processes, and managing data in order to enhance efficiency and effectiveness.

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 2021 and handled by Town Counsel:

David Lyczkowski, et al. v. Keuka Road, LLC, et al. (Massachusetts Land Court).

Title action between private parties regarding access rights on private road. The plaintiffs named as defendants all persons owning land abutting a former paper street, Keuka Road, which includes the Town. The Town is a nominal defendant, and as in other quiet title actions where it is named as a nominal defendant, does not anticipate taking an active role.

Michele I. Mandrioli et al. v. Whitney S. Hamnet, II et al. (Massachusetts Land Court).

Action to remove cloud on title. 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 remaining parties. The Town expects to be formally dismissed from the case when final judgment enters.

Victor Rizzitano v. Lynn DeConto, et al. (Massachusetts Land Court).

Partition action concerning property located at 34X Rear Walden Avenue. The Court asked the plaintiff to join the Town of Concord as a defendant in the case because the Town owns most of the abutting property, and there is an access easement to the disputed property that passes over Concord-owned land. At the Court's request, the Town appeared at a status conference in the matter in September 2021, and agreed to file a confirmation that it did not seek any ownership rights over the land in dispute, as well as a memorandum further explaining ownership over the easement. The Town does not expect further involvement in the case.

Symes Development & Permitting, LLC v. Kristin Ferguson, et al., in their capacities as members of the Town of Concord Planning Board, and the Town of Concord ("Symes I") (Massachusetts Land Court).

Appeal of a decision of the Planning Board approving a conventional subdivision plan with conditions. Following limited discovery, the Town and the plaintiff cross-moved for summary judgment on the validity of certain conditions, particularly those placing reservations on certain lots in the subdivision for use for affordable housing and for a public park. In June 2021, the Land Court ruled that the reservations for affordable housing exceeded the Planning Board's authority under the Subdivision Control Law, but it upheld the reservations for park purposes. The Land Court also struck certain other minor conditions. The Town elected not to appeal the Land Court judgment in Symes I, and the Planning Board issued a revised decision consistent with the judgment, which was not appealed.

Symes Development & Permitting LLC v. Town of Concord, et al. (Symes II) (U.S. District Court for the District of Massachusetts).

Complaint against the Town for allegedly violating the Takings Clause of the Fifth Amendment to the U.S. Constitution. Shortly after filing Symes I, the plaintiff also filed suit in federal court alleging that the conditions imposed by the Planning Board effected a taking of Symes's property. The Town filed a motion to dismiss in May 2021, which was denied in January 2021. The case is pending.

Symes Development & Permitting, LLC v. James Smith, et al., in their capacities as members of the Town of Concord Zoning Board of Appeals (Symes III) (Massachusetts Land Court).

Appeal of a ZBA decision denying a special permit for earth removal. During the pendency of Symes I, the plaintiff filed its application for an earth removal special permit, which it requires to construct the subdivision as approved by the Planning Board (including as amended after remand from the Land Court in Symes I). That application was denied. Discovery is due to close in late March 2022.

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 seeks 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. 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. Trial took place in June 2021, and closing arguments took place in October 2021. The case is under advisement with the Court, which will make a determination and issue a written decision.