

**TOWN OF CONCORD
SELECT BOARD
AGENDA
JANUARY 25, 2021
4:00 PM
VIDEO CONFERENCE CALL**

Join Zoom Meeting

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1.	Call to Order
2.	Consent Agenda - Town Accountant Warrants – January 21, 2021
3.	Town Manager’s Report
4.	Chair’s Remarks
5.	Concord Housing Authority LLC Pilot Agreement
6.	Protection of Affordability Status for CHA Reposition Properties
7.	Select Board Submission for 2020 Annual Report
8.	Select Board Town Staff Appointments: Town Accountant, Mary Barrett, for a term set to expire May 31, 2023. Select Board Confirmation of Town Manager Staff Appointments: Town Clerk Kaari Tari, Chief Financial Officer Kerry Lafleur and Assistant Town Accountant Erin Mulcahy for terms set to expire May 31, 2021.
9.	Committee Nominations
10.	Committee Reappointments: Kate Yoder of 79 Deer Grass Lane, and Margot Kimball of 21 Winthrop Street to the West Concord Cultural District Committee for terms to expire on April 30, 2023.
11.	Committee Liaison Reports
12.	Miscellaneous Correspondence
13.	Public Comments
14.	Adjourn to Executive Session with respect to collective bargaining for Concord Public Works Highway & Grounds, as an open meeting may have a detrimental effect on the bargaining position of the Town, and the chair so declares.



TOWN OF CONCORD
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Stephen Crane, Town Manager

MEMORANDUM

To: Chair Escobedo and Members of the Board

From: Stephen Crane, Town Manager

Date: January 25, 2021

Re: Town Manager Report

Vaccine Clinic

The first responder vaccine clinic was held January 14-16 and accomplished the two primary goals set during the planning process: vaccinate the first responders and other eligible employees from the partner communities and establish a model that could be used for town-wide vaccinations. The clinic was conducted in partnership with 6 towns: Concord, Carlisle, Bedford, Lincoln, Maynard, and Sudbury. The effort resulted in 420 people vaccinated, including all First Responders (Police Fire, EMS), school nurses from all 6 towns, and Council on Aging Directors, social worker and outreach staff from Concord, Carlisle and Lincoln. Medical Reserve and Community Emergency Response Team (CERT) volunteers from Bedford and Sudbury were also vaccinated.

13B Commonwealth Avenue Wastewater Capacity Appeal:

The Public Works Commission reviewed a request from 13B Commonwealth Avenue LLC, owner of 13B Commonwealth Avenue for an allowance of over 2,600 gallons per day of wastewater capacity required for this mixed used development to move forward. 13B Commonwealth Avenue LLC has completed the conceptual review of a proposed building for 13B Commonwealth Ave. with the Planning Board and WCAC, as well as with the newly formed West Concord Cultural District Committee, and as a result of those reviews, there was a consensus to change the use of the proposed commercial building to a be mixed use business/residential use. The applicant was able to demonstrate that the project had significant support from West Concord groups and planning. The PWC approved this request.

Snow Plowing in Private Ways:

In 1964, the Town voted to accept the provisions of Mass General Laws Ch. 40, §6C that authorized the Town at its own expense to remove snow and ice from private ways open to public use. The Select Board endorsed a policy of plowing private ways open to the public, according to standards set by the Public Works Commission. Winter maintenance crews have identified that several of these private roads have suffered deterioration from lack of repairs making them extremely difficult and sometimes unsafe to plow. As a result, the department will be notifying the owners of those roads that repairs will need to be made to allow for continued snow plowing services. The PWC acknowledged the need to do this and expressed their interest in providing abutters with reasonable time to make such repairs.

Natural Resources Division

- Natural Resources Commission (NRC): At their January 20 meeting, the Commission reviewed a Notice of Intent (NOI) application for a new garage at 43 Old Bedford Road; an NOI for a pool and patio at 160 Old Range Road; and a NOI for an addition, spa pool, outdoor bar, and deck at 296 Bedford Street. All hearings were continued for additional information to be provided. A Minor Modification for additional tree removal and relocation of erosion controls was approved for new driveway construction at 141 Commerford Road.
- Route 2 Wildlife Underpass: As mitigation for the wildlife impacts associated with the Crosby' Corner Transportation Improvements Project, the NRC required that MassDOT install and monitor a fifth wildlife culvert under Route 2. (Four culverts were installed in the early 2000s as mitigation for the jersey barrier project between Tracy's Corner and Emerson Hospital.) The recently completed fifth and final year report on the tunnel use confirms safe passage by several wildlife species including beaver, mink, otter, woodchuck, deer, fisher, skunk, coyote, and red and grey fox. Bobcats continue to be observed using the tunnel, with increasing frequency.



Planning Division

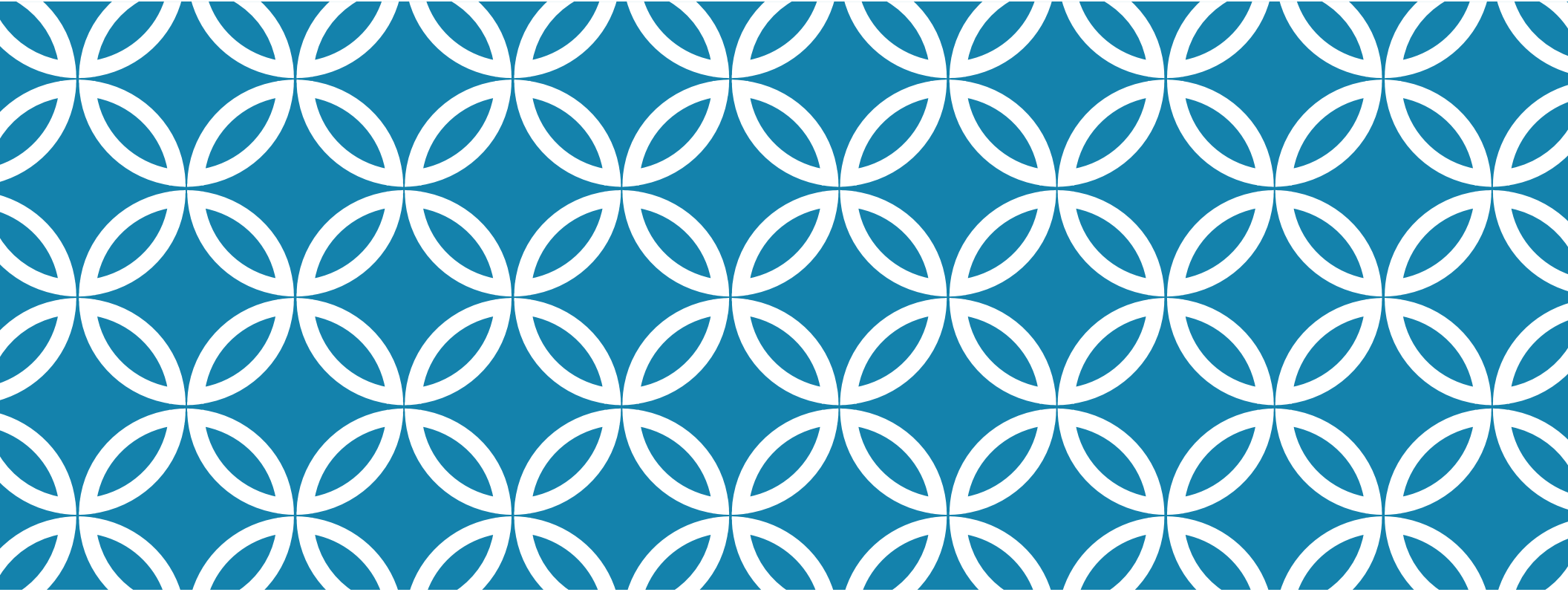
- NMI-Starmet Reuse Planning Committee: The latest draft report is now available on the committee web page for public review and comment (<https://concordma.gov/2446/NMI-Starmet-Re-use-Planning-Committee>). The next committee meeting will be Friday, February 5, 2021 at 8:00 a.m. via Zoom.
- Community Preservation Committee: At their January 19th meeting, the Committee voted on its final recommended funding in the amount of \$1,769,891.00 for 15 CPA applications for the 2021 Annual Town Meeting as follows:

Housing Production Plan Update-\$30,000	R.W. Emerson Conservation Restriction-\$210,000
Regional Housing Services Office-\$25,000	Wheeler-Harrington Park/House-\$20,000
Affordable Housing Buy-down-\$233,880	White Pond Beach-\$300,000
Emerson Field Flagpole-\$14,250	Bruce Freeman Rail Trail-\$25,000
Concord Home for the Aged-\$185,000	Warner's Pond Dredging-\$250,000
Masonic Lodge Roof-\$107,261	Old Rifle Range-\$34,500
Wright Tavern-\$260,000	Administrative Support-\$40,000
Chamberlin Park-\$35,000	

Police

The Police Department in its efforts to green the fleet has replaced another patrol vehicle with a new Ford hybrid Police Interceptor Utility. On-board electrical equipment (i.e. computers and emergency lights) are powered using the lithium-ion hybrid battery, allowing the gasoline engine to shut off – running only intermittently to charge the battery. It also offers significant improvements in fuel economy and reduced engine idle time (compared with the previous model). Of the 8 marked patrol vehicles 5 are now hybrid.

Officer Kevin Gena who was a School Resource Officer resigned from the Department after accepting a position with the Lynn Police Department.



TOWN RESPONSE TO FY22 GUIDELINE INFORMATION REQUEST

Stephen J. Crane, Town Manager
Kerry A. Lafleur, Chief Financial
Officer

January 14, 2021

AGENDA

Budget Performance

Litigation Expense & Update

Labor Cost Trends & Collective Bargaining Update

Headcount/ FTE

FY22 Revenue Update

FY22 Budget Drivers & Service Status/ Service Changes

OPEB

Capital

Benchmarking

FY19, FY20 AND FY21 BUDGET PERFORMANCE: IDENTIFY ANY SIGNIFICANT VARIANCES RELATIVE TO BUDGET FOR THE PREVIOUS TWO FISCAL YEARS AND ANY OTHER ITEMS WHICH HAVE A MATERIAL IMPACT ON FY22 FUNDING REQUESTS.

- closed both years with a small surplus appropriation of \$619,271 in FY19, or 2.5% and \$715,000 in FY20, or 2.7%.
- largest factor contributing to the surplus in FY19 was position vacancies. In FY20, both position vacancies and prolonged closures due to the pandemic contributed to the surplus.
- most significant variances relative to budget, defined as variances in excess of 5%, or greater than \$10,000 and/ or any deficits, include the following:

FY19:

- Legal Services: deficit of \$279,462, Estabrook Woods litigation (\$225,000 from Reserve Fund; \$54,462 from other inter-departmental transfers)
- Town Meetings & Reports: surplus of \$15,003, did not use automated voting as originally planned
- Police-Fire Station: surplus of \$14,656, lower than expected operating expenses, mainly utilities
- EMS: surplus of \$15,053, lower than expected operating expenses (no significant EOC event)
- Engineering: surplus of \$42,761, staffing vacancies
- Highway Maintenance: surplus of \$65,163, staffing vacancies
- Street Lighting: surplus of \$16,150, lower than anticipated maintenance and utility costs (permanent adjustment planned)
- 133/ 135 Keyes Road: surplus of \$17,294 lower than anticipated operating costs, mainly utilities
- Library: surplus of \$52,325, staffing vacancies
- Human Services: surplus of \$10,691, reduction of budgeted position
- Senior Services: surplus of \$32,251, staffing vacancies
- Veterans Benefits: surplus of \$10,863, reduction in number of beneficiaries
- Debt Service: surplus of \$291,822, larger than anticipated premium on new bond sale resulting in lower overall required debt service payment

Noted below are significant variances, not attributable to position vacancies and/ or prolonged closures as a result of the Covid-19 pandemic:

FY20:

- Facilities: deficit of \$119,117, pandemic response efforts, covered either by CARES Act or inter-department transfer
- Legal Services: deficit of \$287,450, Estabrook Woods litigation, covered by year-end transfer
- Public Safety: deficit of \$339,352, pandemic response efforts, covered by FEMA with 25% local match covered by CARES Act

LITIGATION EXPENSE

At this time, the Town is a party to two complicated lawsuits- Estabrook Woods and Nagog Pond. The costs associated with the Estabrook Woods suit are borne by the General Fund and the costs associated with the Nagog Pond suit are borne by the Water Enterprise Fund. A total of \$344,585 was appropriated in the General Fund for FY21 for legal expenses. Through November 30, 2020 (most recent billing) a total of \$253,058 has been expended as follows:

- Estabrook Woods Litigation \$152,880
- General Legal \$ 54,554
- Labor Counsel \$ 45,624

At the time the FY21 budget was drafted, we expected about \$150,000 – 200,000 would be needed for the Estabrook Woods litigation, and the balance would be for General Legal and Labor. Based upon spending to date, we expect the FY21 legal appropriation to be over-expended by \$100,000 – 200,000.

FY22 Budget: no decision has been made on the FY22 legal budget, but it is safe to assume that the recommended appropriation will be at least level with FY21.

LITIGATION UPDATE

Update on Estabrook Woods

- End of calendar year 2019, the estimate for remaining litigation costs = approx. \$150,000; expert discovery remaining & summary judgment motions (if any) were due in spring 2020; trial anticipated in summer or fall 2020.
- As a result of the COVID-19 pandemic, the Land Court postponed all deadlines in March 2020; trial delayed.
- April 2020, certain of the Estabrook Road defendants unilaterally closed public access to Estabrook trail; from April – July 2020, the Town incurred approximately \$80,000 in legal fees responding to the closure: first, Town Counsel spent significant time trying to negotiate a resolution with the defendants, and when that was unsuccessful, the Town was forced to seek a preliminary injunction. In that April – July 2020 period, only about \$10K in fees was for anticipated discovery work.
- Court granted Town’s motion for a preliminary injunction; trial date for late February 2021, and set pre-trial deadlines. From August - November 2020, Town counsel worked on the required pre-trial memorandum, responded to defendants’ arguments regarding the Harvard settlement (arguments that ultimately led Harvard to rejoin the case), filed motions and responded to Defendants’ motions.
- In total, the Town incurred approx. \$90,000 in fees for this work, which was much higher than budgeted. These costs were largely incurred as a result of positions the defendants took on the evidence – positions ultimately rejected by the Court – that required the Town to file several motions and to oppose several motions by defendants, and as a result of defendants’ efforts to question the Harvard settlement.
- In this July - November 2020 time period, the litigation bill also reflects nearly \$10,000 in fees to address complaints made by the defendants about enforcement of trail rules and to respond to concerns about defendants’ surveillance of trail users.
- December 2020, defendants seek continuance of the trial to early June
- Between now and June, the Town expects to incur the costs of trial (including trial preparation and post-trial briefing), and limited additional discovery from Harvard. Estimated fees for the trial work and limited Harvard discovery are in the \$80,000 range. This estimate must be conditioned, however, on the possibility that defendants may take further action that requires court intervention, as they have in the past, seek additional discovery, or otherwise try to run up costs pending trial. The Town raised this concern with the Court, and the Court has invited the parties to seek a status conference before any further unanticipated costs are incurred.

Update on Nagog Pond: SJC hearing has occurred. Regulatory review work, including required permitting, is ongoing.

LABOR COST TRENDS FOR FY22

COLLECTIVE BARGAINING: PROVIDE A SCHEDULE OF LABOR AGREEMENTS UP FOR RENEGOTIATION FROM FY22 THROUGH FY26 AND THE EXPECTED IMPACT ON LABOR COSTS

The Town has six- (6) unionized employee groups, as follows:

- Concord Firefighters Association, expires 06/30/2022
- Concord Highway & Grounds, expires 06/30/2021
- Concord Library, Non-Supervisory, expires 06/30/2021
- Concord Library, Supervisory, expires 06/30/2021
- Concord Police Association, expires 06/30/2021
- Concord Public Safety Dispatchers, expires 06/30/21

The Highway & Grounds and two- (2) Library CBA's are all one- (1) year agreements. While labor contracts typically cover a three- (3) year period, the uncertain economic climate and resulting budgetary constraints will likely continue to influence bargaining in FY22 and possibly beyond. At this time, it is unclear whether three- (3) year agreements will be negotiated or if we will continue on this pattern of one- (1) year agreements.

As in past years, we expect the overall salary increase in FY22 to be less than 3%.

Below is a summary of personnel expense for FY19, 20 and 21. Unfortunately due to delays in contract settlements, vacant positions and the effects of the pandemic, it is difficult to analyze trend. Taking these factors into account, and backing out their impacts, we have calculated the following:

- FY19: personnel expense up +2.20%
- FY20: personnel expense up +2.33%
- FY21: increase in personnel expense budgeted at +2.5%

Town Government Operating Budget												
No.	Department/Division	Fiscal 2019 Budget	Fiscal 2019 Actuals	Fiscal 2020 Budget	Fiscal 2020 Actuals	Fiscal 2021 Budget	FY19 B ⇒ FY20 B		FY20 B ⇒ FY21 B		FY19 A ⇒ FY20 A	
							% Δ	\$ Δ	% Δ	\$ Δ	% Δ	\$ Δ
	Personnel	20,317,181	18,415,160	21,857,101	20,232,284	21,329,602	7.6%	1,539,919	-2.4%	(527,499)	9.9%	1,817,124

HEADCOUNT: IDENTIFY EXPECTED CHANGES IN HEADCOUNT AND FTE'S ACROSS DEPARTMENTS, AND THE FULLY LOADED (BURDENED) DOLLAR IMPACT OF THESE CHANGES.

- Department Budget requests are not due until the end of this month, but at this time I am anticipating a request for additional staffing at the Library to support the expansion and in Facilities, which will be partially offset fee for service.
- The chart below shows the historical headcount by department/ division.
- As in past years, we continue to have an issue with recruitment and retention, and currently 15.41 FTE's are vacant, representing approximately 6.23% of the workforce.
- Over the past few years, we have consistently had a vacancy rate of 5 – 10% and a fair amount of turnover in employees with less than 5-year's tenure.
- Further, we have seen an increase in the number of retirements due to the pandemic.
- Department Managers and the Human Resources Director often speak of the difficulty they have in finding the right candidate who will accept the salary & benefits package offered by the Town.
- While we generally feel that our salaries are competitive, we offer a less generous health insurance benefit than peer communities.
- We had planned, and budgeted, to hire an outside consultant to assist in a detailed classification and compensation analysis in FY20, but this project was put on hold as a result of the additional demands placed upon the organization for pandemic response.
- Further, we are in the process of updating our diversity recruitment strategy giving particular emphasis to outreach to traditionally underrepresented candidates.

HISTORICAL FTE

Town Government Full-Time Equivalents (FTEs) 10-Year Budget History

Budget Unit	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	<i>FY20-FY21 Change</i>
sub-total: General Admn	13.23	13.23	14.86	15.41	16.22	16.94	17.44	22.99	28.26	29.65	1.40
sub-total: Finance	23.11	23.11	23.25	23.76	23.77	24.30	23.74	25.45	24.80	24.69	-0.11
sub-total: DPLM	18.46	18.46	18.32	18.34	18.41	19.18	19.37	19.37	18.87	19.17	0.30
sub-total: Human Services	35.30	35.30	37.39	39.03	40.50	41.62	42.46	42.66	44.88	42.93	-1.95
sub-total: Public Safety	84.80	84.80	85.70	89.70	90.23	90.23	91.23	91.03	95.86	96.83	0.97
sub-total: CPW	39.05	40.89	37.96	37.96	37.95	37.49	36.49	35.57	35.57	33.92	-1.65
Totals	213.95	215.79	217.48	224.20	227.08	229.76	230.73	237.07	248.24	247.20	-1.04
Δ to Previous Fiscal Year	3.59	1.84	1.69	6.72	2.88	2.68	0.97	6.34	11.17	-1.04	

FY22 REVENUE PROJECTIONS

- Initial FY22 Revenue Projections were provided to you by the CFO in November.
- These early projections remain unchanged at this time, but will be updated after the Governor releases his FY22 Budget, anticipated at the end of this month. Below is a recap of what was presented previously.
- The **worst case scenario** (Low) estimates an overall reduction of \$245,329 (-0.21%), assuming minimal New Growth (\$500k); a reduction in State Aid (-6.38%); significant decreases in Local Receipts due to loss of Meals, Rooms, and Jet Fuel excises (-12.07%); and no Free Cash to reduce the tax rate
- The **best case scenario** (High) estimates an overall increase of \$3,749,856 (+3.24%), assuming New Growth (\$900k) in an amount similar to FY21; a nominal increase in State Aid (+1.32%; Ch. 70 is generally held harmless); increases in Local Receipts with the assumption we return to a new normal (+11.48%); and a \$1M contribution from Free Cash to reduce the Tax Rate.
- The **moderate scenario** estimates an overall increase of \$2,272,682 (+1.97%), assuming a moderate level of New Growth (\$750k); no reduction in Ch. 70, but in other categories of State Aid (-3.09%); more moderate/ less severe reductions in Local Receipts (-4.90%); and a \$1M contribution from Free Cash to reduce the Tax Rate.

Revenue	Final Appropriated FY2020	All General Fund Spending:			Low		High		Moderate	
		FY21 Budget, After Recap 10.21.20	vs FY20 Dollar Change	FY20 Percent Change	FY22 Budget Estimate 11.13.20	Low Est. over PY	FY22 Budget Estimate 11.13.20	High Est. over PY	FY22 Budget Estimate 11.24.20	Over PY
		Property Tax	\$ 95,040,945	\$ 98,128,300	\$ 3,087,355	3.25%	\$ 101,098,325	\$ 2,970,026	\$ 101,658,525	\$ 3,530,226
State Aid	\$ 5,465,567	\$ 5,645,786	\$ 180,219	3.30%	\$ 5,285,316	\$ (360,470)	\$ 5,720,543	\$ 74,757	\$ 5,471,506	\$ (174,280)
Local Receipts	\$ 8,562,050	\$ 6,793,173	\$ (1,768,877)	-20.66%	\$ 5,973,173	\$ (820,000)	\$ 7,572,931	\$ 779,758	\$ 6,460,250	\$ (332,923)
Available Funds	\$ 4,948,859	\$ 5,013,885	\$ 65,026	1.31%	\$ 2,979,000	\$ (2,034,885)	\$ 4,379,000	\$ (634,885)	\$ 4,379,000	\$ (634,885)
total: Revenue	\$ 114,017,421	\$ 115,581,144	\$ (189,285)	-0.17%	\$ 115,335,815	\$ (245,329)	\$ 119,330,999	\$ 3,749,856	\$ 117,853,826	\$ 2,272,682

FY22 BUDGET DRIVERS

- We expect the traditional budget drivers to be less of an issue in FY22 as they have been in prior years.
- The FY22 Retirement and OPEB Assessments have already been set and both are favorably impacted by substantial investment performance and the Town's long standing commitment to fund the OPEB ADC.
- While we have yet to receive our FY22 health insurance renewal, we expect the increase to be minimal due to a favorable 2-year claims loss ratio and growing fund balance. The biggest challenge in projecting health insurance expense is future enrollment as only about 2/3rds of eligible employees are currently enrolled in health insurance plans.
- One main budget driver is revenue constraints. While property tax collections remain strong and State Aid was level funded in FY21, we have seen big decreases in local excises, such as Room Occupancy and Meals tax (-70 & -40% respectively), and investment income (-54%). Looking forward to FY22, we likely seem more of the same with respect to Local Receipts coupled with concern over potential reductions in State Aid. Under our current most likely revenue scenario, Guidelines spending could increase approximately 1.59%, but taking into account the CCRSD assessment shift, that estimated increase drops to 1.12%.

Other budget drivers include:

- Continuing effects of Covid-19: testing, monitoring & vaccine distribution; increased utility costs from running air purification systems and potential need to adjust building hours to comply with occupancy limits; and need to payout vacation time for essential (redefined for the purposes of Covid-19 response) employees who are unable to take time off
- Growth in the Facilities department: both planned and as a result of operational changes necessitated by Covid-19 protocols. Some of the increased cost may be offset by fee for service
- Library expansion: one or more additional FTE required for expanded service area
- Economic Vitality: the need to provide some level of support to the business community which existed pre-pandemic has only been increased as a result of Covid-19.

SERVICE STATUS & ANTICIPATED CHANGES

The next several years will prove to be both interesting and challenging times, and particularly in Concord with a number of new initiatives either already approved or under consideration, in addition to others which will be needed as we navigate the organization to its new normal. Some, but not all new initiatives, will have a budgetary impact, while others may only have a non-financial organizational impact. These include:

- Affordable housing: we should expect to see an annual appropriation request until such time as a renewable income stream has been approved by the State Legislature
- Library expansion: one or more FTE plus increased utility costs
- Transportation Advisory Committee: addressing a number of issues including safe routes to schools

The pandemic has impacted operations in a number of ways and will have long-standing impact to future operations. In the short-term, and until widespread vaccine distribution allows us to return to a normal state, we should expect to see impacts to:

- Public Health
- Fire
- Police
- Facilities
- Business Community

Further, across the organization, we should expect to see:

- modifications to building schedules to adhere to temporary state-imposed occupancy limitations
- continued need to offer remote work
- potential need to pay out unused vacation time to essential workers, and/ or see increased vacation time use, potentially increasing OT costs in certain departments.

One new initiative currently under review and consideration is a regional dispatch district with the Town of Acton. Over the past 10 years, a number of communities have considered establishing regional dispatch services, with a few even moving forward with formation such as WESTCOMM Regional Dispatch (Chicopee & Longmeadow) and Nashoba Valley Regional Emergency Communications (Berlin, Bolton, Devens, Harvard, Lancaster, Lunenburg & Townsend). The many benefits of regional dispatch must be weighed against the community's appetite for change.

OPEB

- On annual basis as of June 30, the Town, with the assistance of an actuary, updates its Other Post-Employment Benefits (OPEB) liability in accordance with GASB 74 & 75.
- From this report, an estimated funding schedule prepared and since FY07, the Town has been fully funding its Annual Required Contribution (ARC), now referred to as the Actuarially Determined Contribution (ADC).
- Because of the delay in the FY22 Budget development schedule, the Town is able to use its most recent valuation report- June 30, 2020, to estimate the FY22 ADC.
- This report estimates the FY22 ADC for the General Fund at \$1,611,000, which is \$111k higher than appropriated for FY21.
- The discount rate being used is 6.5%. The liability is expected to be fully amortized by 2039.
- The table below identifies the estimated annual contributions by FY. Note that the actual ADC for fiscal year is determined as of June 30 (last day of the FY), taking into account actual headcount, investment performance and any changes in assumptions.

Fiscal Year	Liability		Actuarially Determined Contribution	Required Payments PAYGO			Actual Payments Budgeted			
	Normal Cost	Amortization		Projected Annual Benefit Cost	FY Budget		Actual/ Proposed		Total	
					Required Appropriation	Year- End UAAL	from General Fund	from Enterprise	Annual Payment	Surplus/ (Deficit)
2020	\$ 1,504,010	\$ 2,636,358	\$ 4,140,368	\$ 2,190,734	\$ 1,949,634	\$ 35,477,587	\$ 1,697,850	\$ 95,838	\$ 1,793,688	\$ (155,947)
2021	\$ 1,564,170	\$ 2,715,449	\$ 4,279,619	\$ 2,428,878	\$ 1,850,741	\$ 35,237,551	\$ 1,500,000	\$ 98,233	\$ 1,598,233	\$ (252,508)
2022	\$ 1,626,737	\$ 2,796,912	\$ 4,423,649	\$ 2,708,153	\$ 1,715,496	\$ 34,895,747	\$ 1,611,000	\$ 105,000	\$ 1,716,000	\$ 504
2023	\$ 1,691,807	\$ 2,880,820	\$ 4,572,627	\$ 3,300,723	\$ 1,271,904	\$ 34,442,267	\$ 1,627,110	\$ 106,050	\$ 1,733,160	\$ 461,256
2024	\$ 1,759,479	\$ 2,967,244	\$ 4,726,723	\$ 3,581,991	\$ 1,144,732	\$ 33,866,406	\$ 1,643,381	\$ 107,111	\$ 1,750,492	\$ 605,760
2025	\$ 1,829,858	\$ 3,056,261	\$ 4,886,119	\$ 3,830,952	\$ 1,055,167	\$ 33,156,608	\$ 1,659,815	\$ 108,182	\$ 1,767,997	\$ 712,830
2026	\$ 1,903,052	\$ 3,147,949	\$ 5,051,001	\$ 4,185,528	\$ 865,473	\$ 32,300,396	\$ 1,676,413	\$ 109,263	\$ 1,785,676	\$ 920,203
2027	\$ 1,979,175	\$ 3,242,388	\$ 5,221,563	\$ 4,393,802	\$ 827,761	\$ 31,284,307	\$ 1,693,177	\$ 110,356	\$ 1,803,533	\$ 975,772
2028	\$ 2,058,342	\$ 3,339,659	\$ 5,398,001	\$ 4,456,791	\$ 941,210	\$ 30,093,816	\$ 1,710,109	\$ 111,460	\$ 1,821,569	\$ 880,359
2029	\$ 2,140,675	\$ 3,439,849	\$ 5,580,524	\$ 4,666,150	\$ 914,374	\$ 28,716,255	\$ 1,500,000	\$ 112,574	\$ 1,612,574	\$ 698,200
2030	\$ 2,226,302	\$ 3,543,045	\$ 5,769,347	\$ 4,896,041	\$ 873,306	\$ 27,125,733	\$ 1,500,000	\$ 113,700	\$ 1,613,700	\$ 740,394
2031	\$ 2,315,354	\$ 3,649,336	\$ 5,964,690	\$ 5,124,147	\$ 840,543	\$ 25,313,039	\$ 1,500,000	\$ 114,837	\$ 1,614,837	\$ 774,294
2032	\$ 2,407,968	\$ 3,758,816	\$ 6,166,784	\$ 5,281,560	\$ 885,224	\$ 23,255,545	\$ 1,500,000	\$ 115,985	\$ 1,615,985	\$ 730,761
2033	\$ 2,504,287	\$ 3,871,581	\$ 6,375,868	\$ 5,493,736	\$ 882,132	\$ 20,932,103	\$ 1,500,000	\$ 117,145	\$ 1,617,145	\$ 735,013
2034	\$ 2,604,459	\$ 3,987,728	\$ 6,592,187	\$ 5,468,774	\$ 1,123,413	\$ 18,319,926	\$ 1,500,000	\$ 118,317	\$ 1,618,317	\$ 494,904
2035	\$ 2,708,637	\$ 4,107,360	\$ 6,815,997	\$ 5,400,632	\$ 1,415,365	\$ 15,394,474	\$ 1,500,000	\$ 119,500	\$ 1,619,500	\$ 204,135
2036	\$ 2,816,983	\$ 4,230,581	\$ 7,047,564	\$ 5,484,122	\$ 1,563,442	\$ 12,129,318	\$ 1,500,000	\$ 120,695	\$ 1,620,695	\$ 57,253
2037	\$ 2,929,662	\$ 4,357,498	\$ 7,287,160	\$ 5,630,372	\$ 1,656,788	\$ 8,495,999	\$ 1,500,000	\$ 121,902	\$ 1,621,902	\$ (34,886)
2038	\$ 3,046,848	\$ 4,488,223	\$ 7,535,071	\$ 5,768,004	\$ 1,767,067	\$ 4,463,885	\$ 1,500,000	\$ 123,121	\$ 1,623,121	\$ (143,946)
2039	\$ 3,168,722	\$ 4,622,870	\$ 7,791,592	\$ 6,016,472	\$ 1,775,120	\$ -	\$ 1,500,000	\$ 124,352	\$ 1,624,352	\$ (150,768)

CAPITAL

In accordance with the Town's Financial Policies and Procedures, the annual capital plan is tied to the following spending guidelines:

- 2 – 3% of total tax levied on operating capital (cash purchases)
- No more than 5% on debt financed capital

In keeping with this guidelines, the following spending targets have been established for FY22:

- Cash outlay = \$1,887,837 - \$2,831,855
- Debt = \$4,719,592

Note that the debt target is for total annual (non-exempt) debt payments rather than new debt authorization. A debt capacity analysis is used to determine the estimated size of new debt authorization that can be supported. Based upon existing commitments and an assumed 2.5% increase in property tax revenue, the following (maximum) spending can be accommodated:

- FY22 = \$5.7M
- FY23 = \$5.4M
- FY24 = \$5.0M
- FY25 = \$4.6M
- FY26 = \$4.3M

The decrease in capacity over time assumes that not all projects that are approved will be ready for permanent financing the following year.

In FY21, these spending targets were not met due to the need to reduce budgets to match estimated revenue. Reduced capital spending may also be recommended in FY22 due to the continued economic impact of the pandemic.

A copy of the FY21 – 25 Capital Improvement Plan (cash & debt) is attached for your review. At present, we are reviewing the requests submitted for the FY22 – 26 CIP but have yet to make a recommendation. The recommendation will be provided to the Finance Committee as soon as it's available.

As has been discussed on several occasions, the Town has substantial capital needs including the need for new or substantially improved public safety and public works facilities. Further discussion of these projects may be deferred, pending the outcome of Middle School feasibility study and subsequent Town Meeting action.

BENCHMARKING

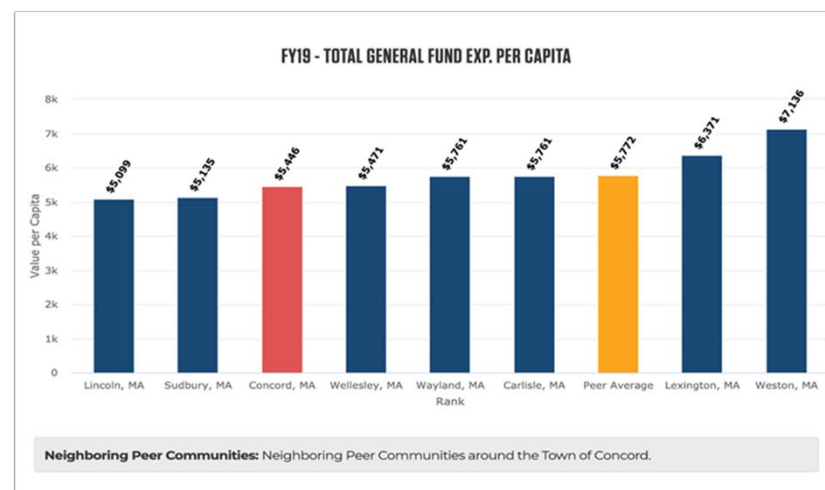
CONCORD'S FY19 PER CAPITA SPENDING = \$5,446

Concord has continued its partnership with ClearGov in an effort to help further citizen understanding, engagement & transparency

ClearGov offers a host of benchmarking tools that help compare peer communities

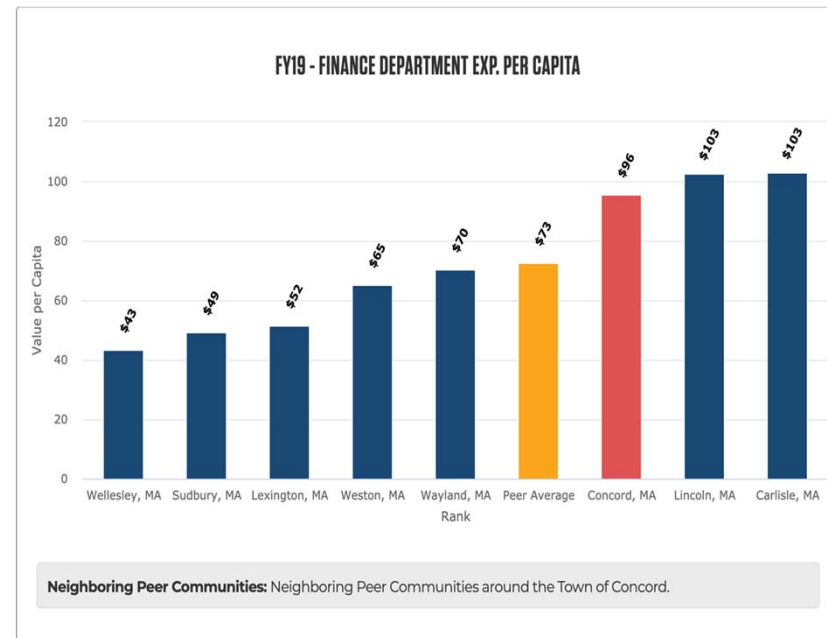
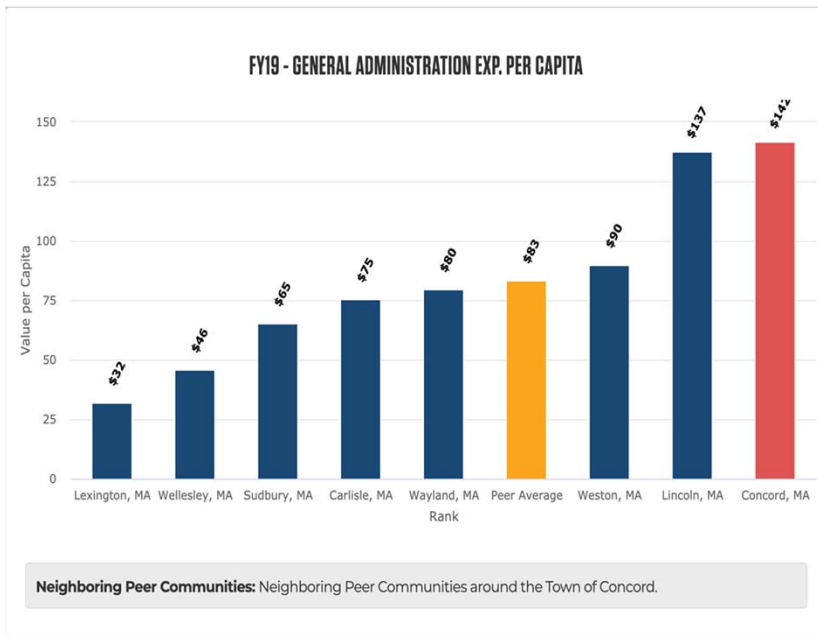
Data is derived from Schedule A, annual report submitted to DOR

FY19 is the most recent common data set available in ClearGov



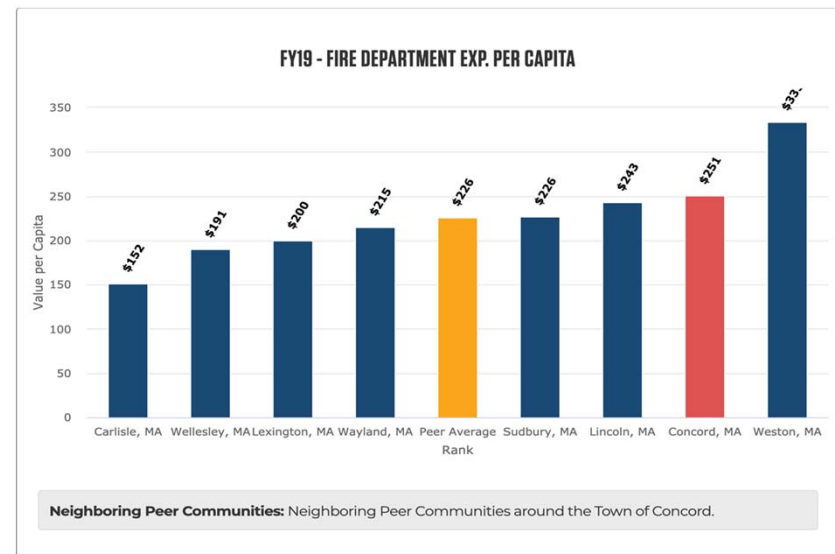
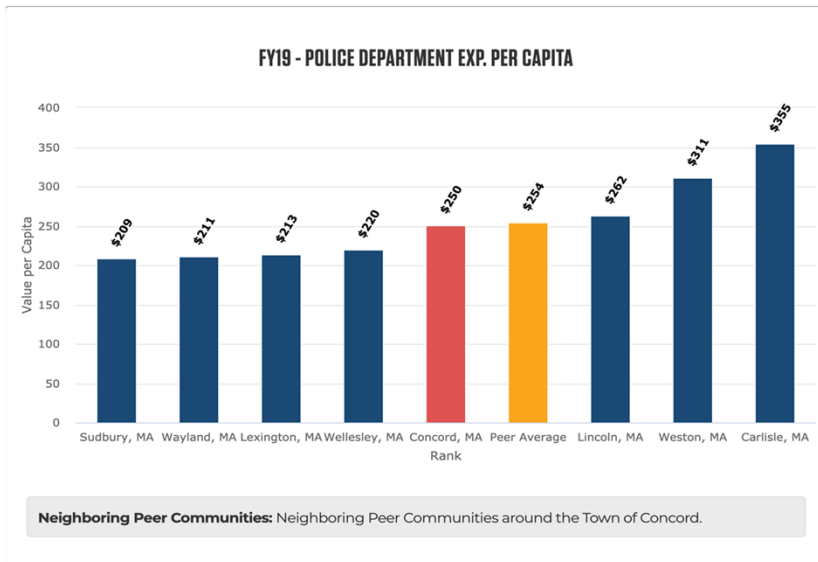
PER CAPITA SPENDING EXCEEDS PEERS

NOTES: GENERAL ADMN INCLUDES LEGAL & SALARY RESERVE; FAIR PORTION OF THIS SPENDING IS APPORTIONED TO ENTERPRISE FUNDS

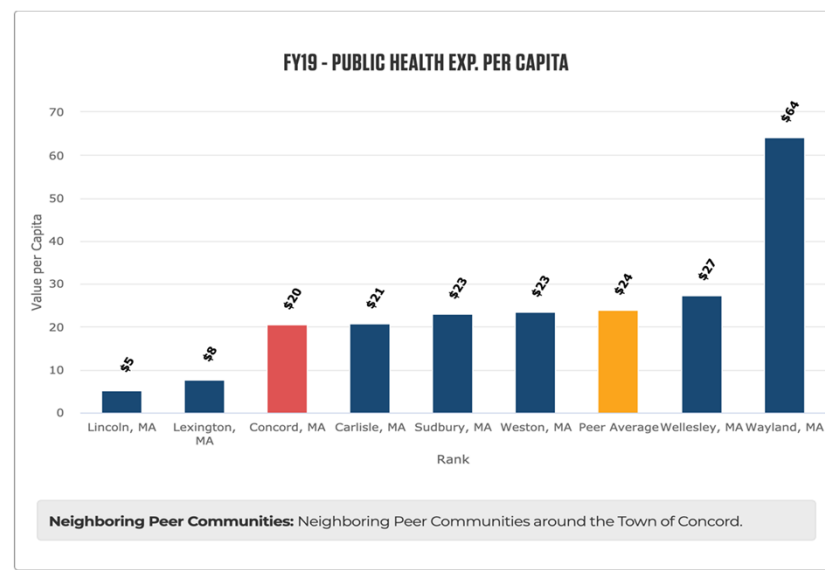
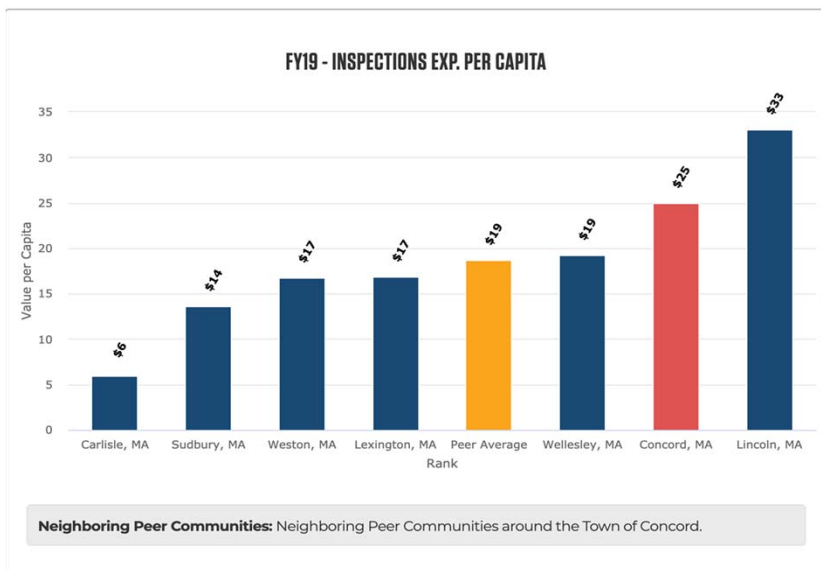


PER CAPITA SPENDING FOR FIRE IS HIGHER THAN PEERS

NOTE: TOWN RUNS 2 AMBULANCES, 7 X 24

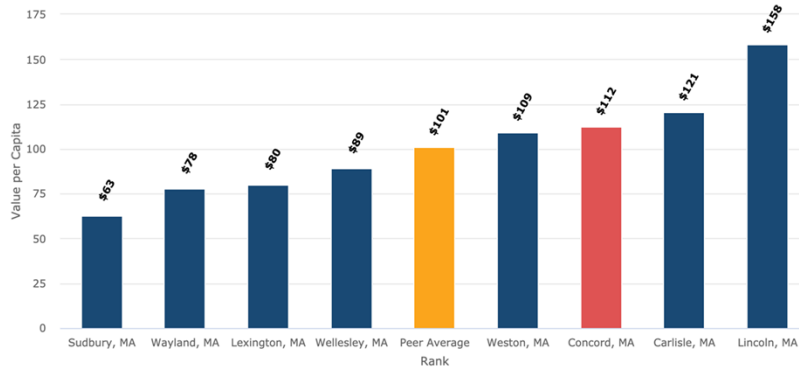


TOWN PROVIDES SOME CONTRACT SERVICES TO OTHER COMMUNITIES



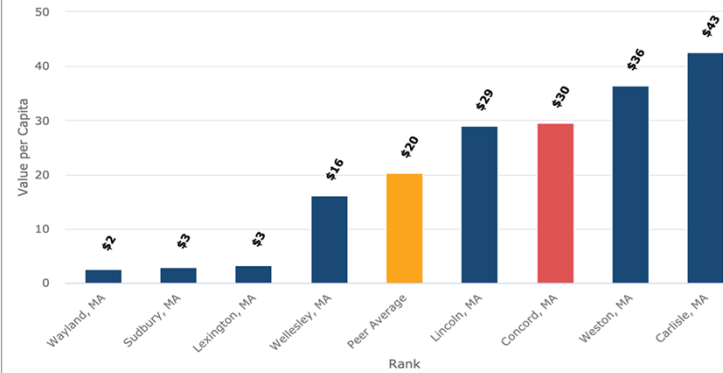
LIBRARY IS OPEN MORE HOURS THAN MOST

FY19 - LIBRARY EXP. PER CAPITA



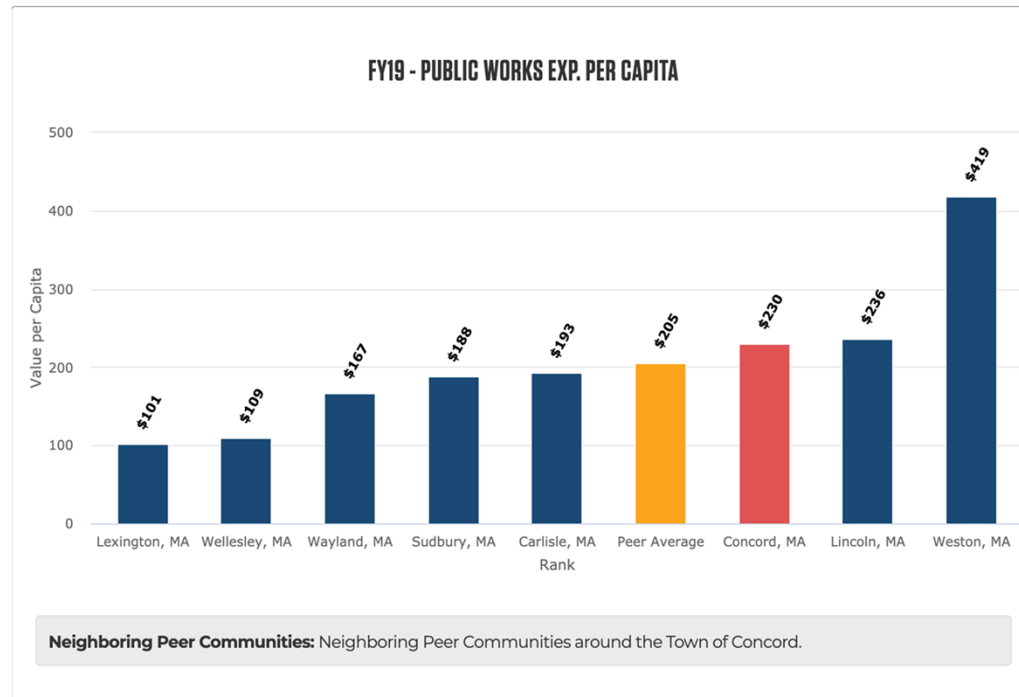
Neighboring Peer Communities: Neighboring Peer Communities around the Town of Concord.

FY19 - COMMUNITY SERVICES EXP. PER CAPITA



Neighboring Peer Communities: Neighboring Peer Communities around the Town of Concord.

PCI = 80; HIGHER THAN MOST COMMUNITIES





Department of Justice

**United States Attorney Andrew E. Lelling
District of Massachusetts**

FOR IMMEDIATE RELEASE

January 14, 2021

www.justice.gov/usao/ma/news.html

 twitter.com/dmanews1

CONTACT: CHRISTINA DiIORIO-STERLING

Phone (617) 748-3356

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HYDE PARK MAN INDICTED ON BANK ROBBERY CHARGE

BOSTON – A Hyde Park man was indicted today by a grand jury in Boston in connection with robbing a Citizen’s Bank in Concord.

Angel Robles, 36, was indicted on one count of armed bank robbery. Robles was charged by criminal complaint in November 2020.

According to the indictment, on Nov. 9, 2020, Robles entered the Citizen’s Bank in Concord, gave the teller a note that read “ROBBERY, ONLY READY TO DIE ON A DEATH WISH,” stole approximately \$358 and left the Bank.

The charge of bank robbery provides for a sentence of up to 20 years in prison, up to three years of supervised release and a fine of up to \$250,000. Sentences are imposed by a federal district court judge based upon the U.S. Sentencing Guidelines and other statutory factors.

United States Attorney Andrew E. Lelling; Joseph R. Bonavolonta, Special Agent in Charge of Federal Bureau of Investigation, Boston Field Division; Lynn Police Chief Michael Mageary; Concord Police Chief Joseph F. O’Connor; and Saugus Police Chief Michael Ricciardelli made the announcement today. Assistant U.S. Attorney Evan Gotlob of Lelling’s Major Crimes Unit is prosecuting the case.

This case is part of Project Safe Neighborhoods (PSN), a program bringing together all levels of law enforcement and the communities they serve to reduce violent crime and make our neighborhoods safer for everyone. The Department of Justice reinvigorated PSN in 2017 as part of the Department’s renewed focus on targeting violent criminals, directing all U.S. Attorney’s Offices to work in partnership with federal, state, local, and tribal law enforcement and the local community to develop effective, locally-based strategies to reduce violent crime.

The details contained in the charging document are allegations. The defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

###

A cohort of Officers received training which will be the next step in implementing the integrated in car/body worn camera system. The training had been delayed due to COVID related issues. It is expected the entire Department will be trained in the coming weeks.

Attached is a release from the Department of Justice regarding an indictment stemming from the Citizens Bank robbery.

FY22 Budget

At its January 21 meeting, the Finance Committee adopted guidelines for the FY22 budget:

	FY21 Budget	FY22 Tentative Guideline		
		FY22 Guideline Increment	% change	FY22 Guideline
Town Government	\$28,031,664	\$508,151	1.81%	\$28,539,815
CPS (K - 8)	\$40,777,193	\$739,172	1.81%	\$41,516,365
CCRSO Op Assessment	\$20,436,322	\$796,476	3.90%	\$21,232,798
	\$89,245,179	\$2,043,799	2.29%	\$91,288,978

2020 Town Government Survey Report

January 22, 2021

Jon Harris
Budget and Purchasing Director
Concord Finance Department
jharris@concordma.gov
978-318-3039

2020 Town Government Survey

Report

January 22, 2021

During the period from November 24, 2020 to December 18, 2020, the Town with the assistance from Pacific Market Research conducted a survey of Concord residents. For the biennial surveys from 2006 to 2012, the method used for sampling residents' opinions was a telephone poll: randomly selected Concord residents were called on their land-line telephones and guided through the process over the phone. Depending on the year, the total sample size was between 300 and 375 residents. Since residents were selected randomly, this sample could be generalized to the population as a whole within a certain margin of error. However, with the rapid increase of the use of cellular phones as the main household phone, this method no longer accurately captures the opinions of all Concord residents in a statistically meaningful way.

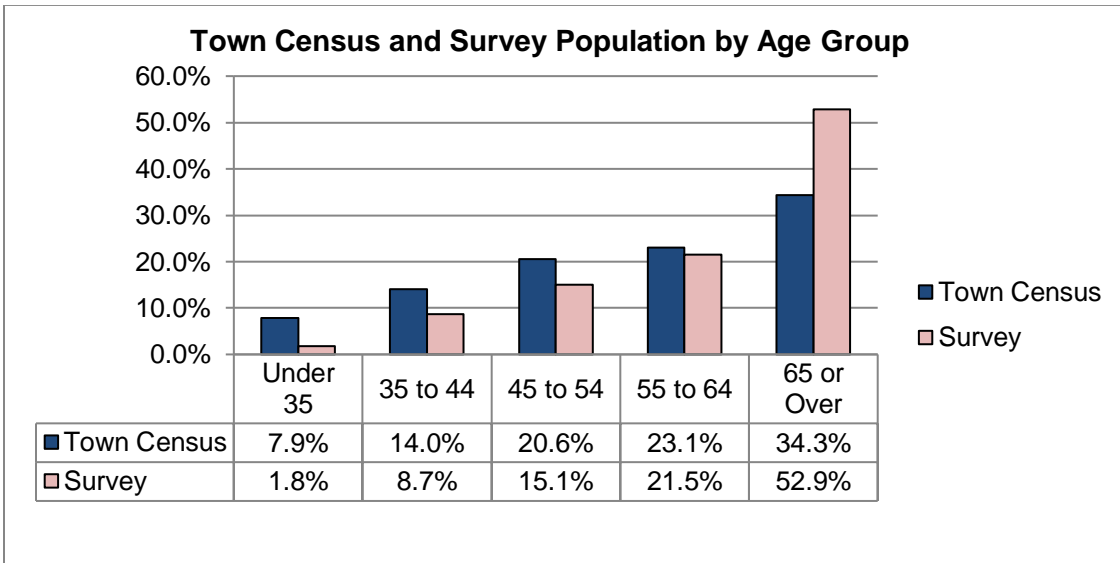
Accordingly, for the biennial surveys beginning in 2014, the Town has changed its method of sampling residents' opinions. With the new methodology, the Town mailed out a paper questionnaire to all 7,065 residences in Concord and requested that one respondent per residence complete the survey in one of three ways:

1. By visiting a website and taking the survey online,
2. By completing the paper questionnaire and mailing it to the Town House or dropping it in a Town drop box, or
3. By calling a toll-free number and taking the survey over the phone.

Of the 7,065 mailed out, 1,189 completed surveys were received. That is, 16.8% of Concord households took the time to answer the 46-question survey. The majority of residents (79.8% or 948 responses) used the online method of response. Other residents (20.2% or 241 responses) filled out the paper questionnaire and mailed it in or delivered it to a Town drop box. No residents phoned the call center.

The demographic distribution of the survey sample differs slightly from that of the Town's true population. On the graphs on the next page are the percentages of cohorts grouped by age as measured by the 2020 Town Census and as self-identified in this survey. As a note, in the Town Census, the cohort identified as Under 35 represents the

number of residents between the ages of 27 and 34 in order to exclude dependents from this category.



There may be several reasons for the differences in percentages between the true population and the survey sample. Younger residents with families may not have the discretionary time to take a 46-question survey. In a household, older family members may be more inclined to take the survey than the younger ones. In addition, older residents may have lived in Concord longer, may have more knowledge of how the Town government operates, and may be more willing to answer the questions.

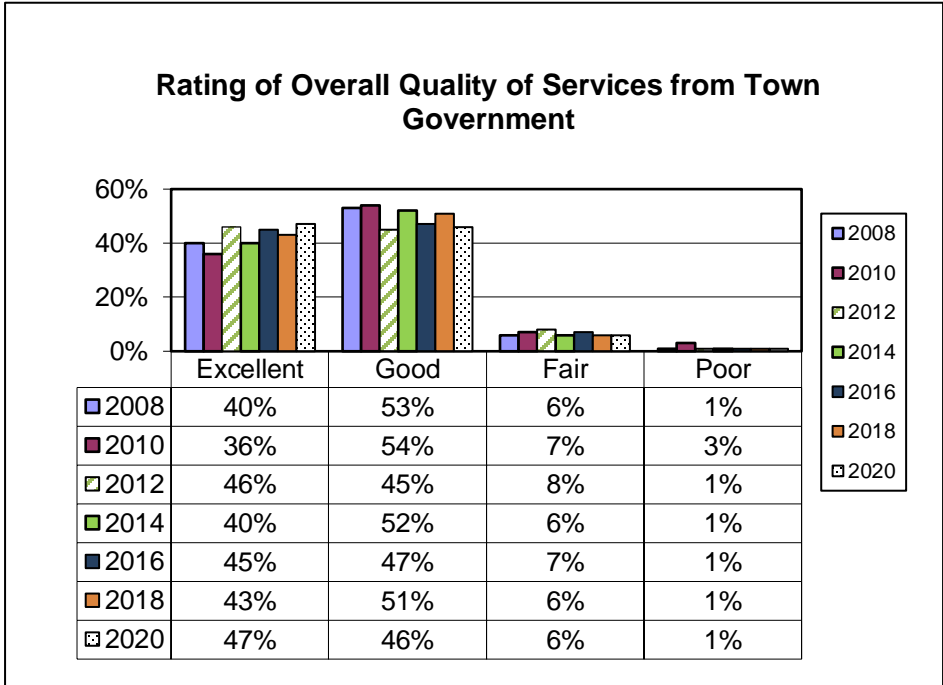
The method used to equalize these demographic groups is to weight the responses of each cohort by a specific factor. For example, the cohort between the ages of 45 and 54 represents 20.6% of the population but is 15.1% in the survey sample. Accordingly, a response from an individual between ages 45 and 54 would be increased by a factor of 1.36. The analysis below represents the weighted results.

With this methodology, the overall 2020 survey results of a sample of 1,189 completed questionnaires are accurate 95% of the time within a confidence interval of +/- 2.71%. The margin of error is larger for sub-groups within the sample.

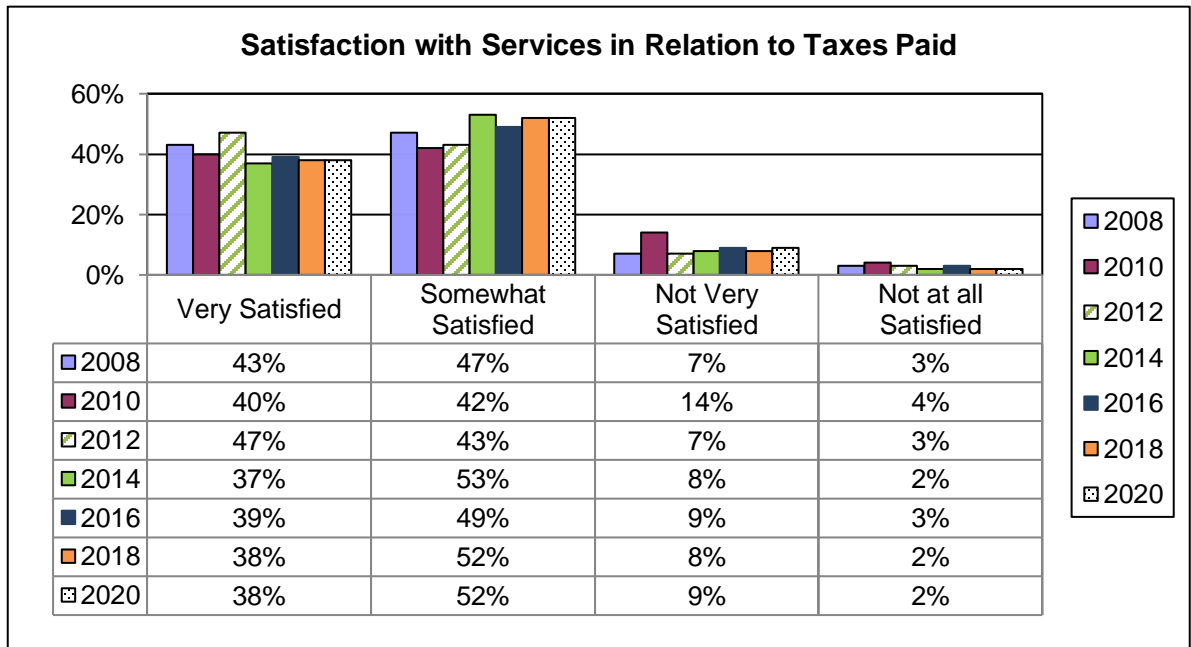
Town Services

The baseline question that has been asked since the 2008 Survey is: “How would you rate the overall quality of services provided by the Concord Town Government?”

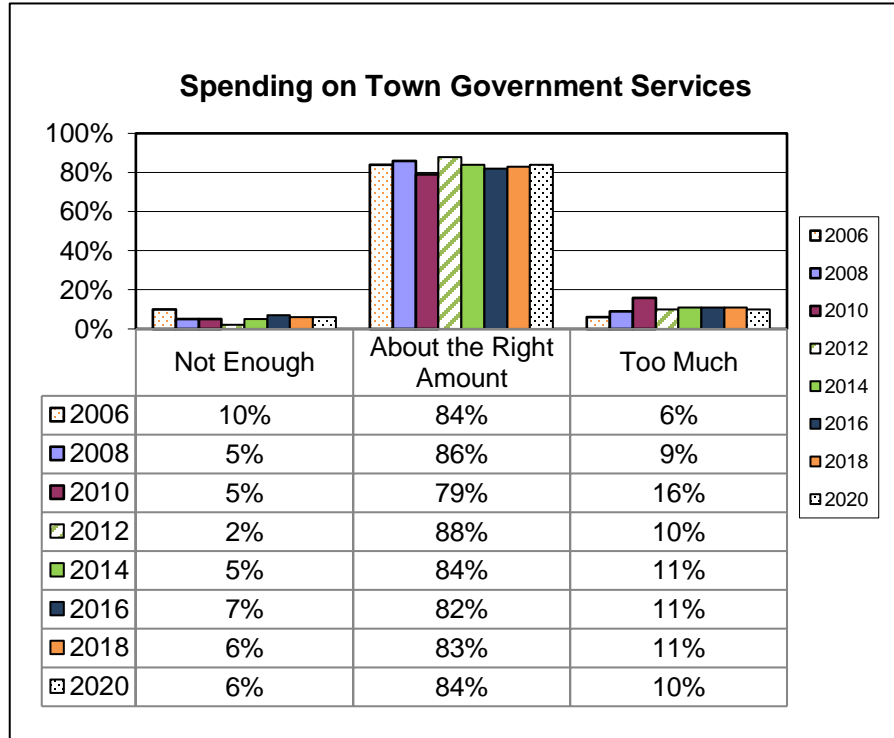
There is a trend in the responses that shows residents increasingly view Town Services being “Excellent”. In 2008, 40% of respondents felt that Town services are “Excellent”. This year, the percentage has jumped to 47%. Only 7% of respondents feel that these services are “Fair” or “Poor”.



When asked: “In relation to the property taxes you pay, how satisfied are you with the overall quality of Town Services?”, 90% of respondents feel “Very Satisfied” or “Somewhat Satisfied”.



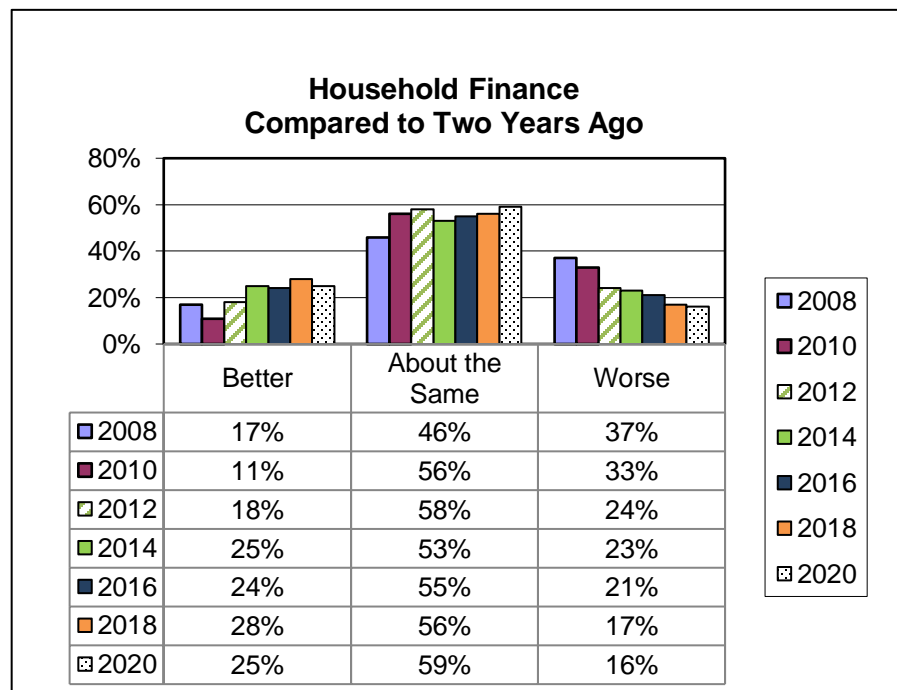
There continues to be a general consensus that the Town spends about the right amount of money on Town government services. For the last eight surveys, the “About the Right Amount” response has tracked between 79% and 88%. The low point was in 2010 as the effects of the recession were being felt by Concord residents. In 2020, 84% of respondents feel that the Town spends about the right amount on Town governmental services.



Household Finances

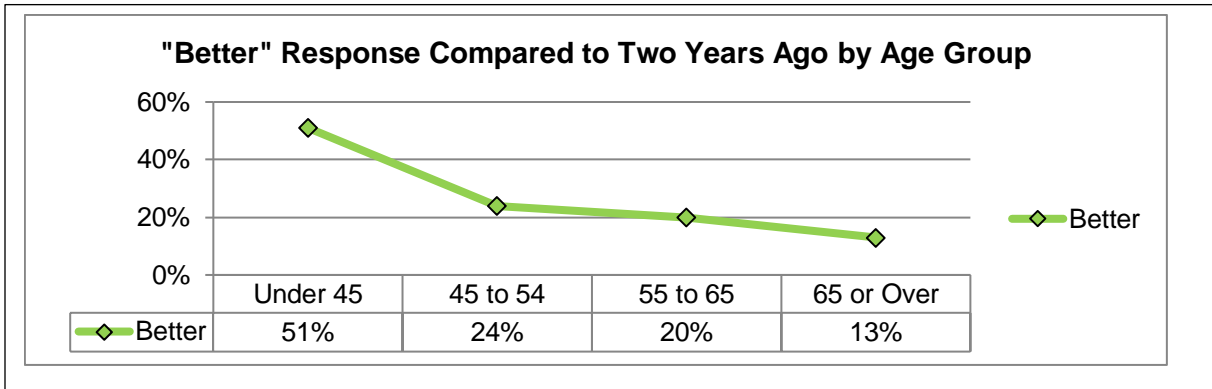
It is useful for the Town to have a fuller understanding of how Concord residents are doing financially, so to better guide the Town in providing services.

As for their own financial situation, less residents are feeling worse about their personal finances. With the beginning of the recession in the fall of 2008 and continuing through the fall of 2010, Concord residents had been greatly affected by the national economy. The attitude associated with the improvement in the economy is reflected in the response to the question: “In terms of your household finances, would you say that you are doing better than you were two years

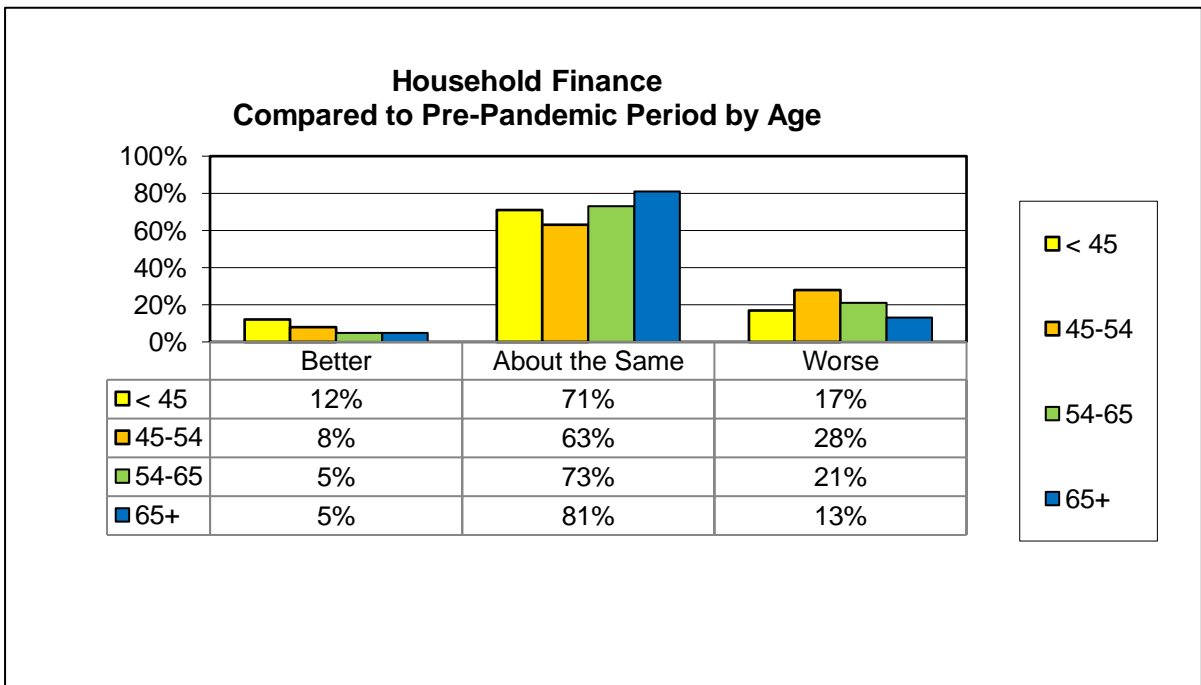


ago, worse, or about the same.” In 2020, 84% of respondents feel that they are doing “Better” or “About the Same” financially.

The 2020 survey results also show that there is a trend in terms of age group as to whether respondents feel like they are doing better than they were two years ago. Younger respondents are more likely to feel “Better” about how they are doing.

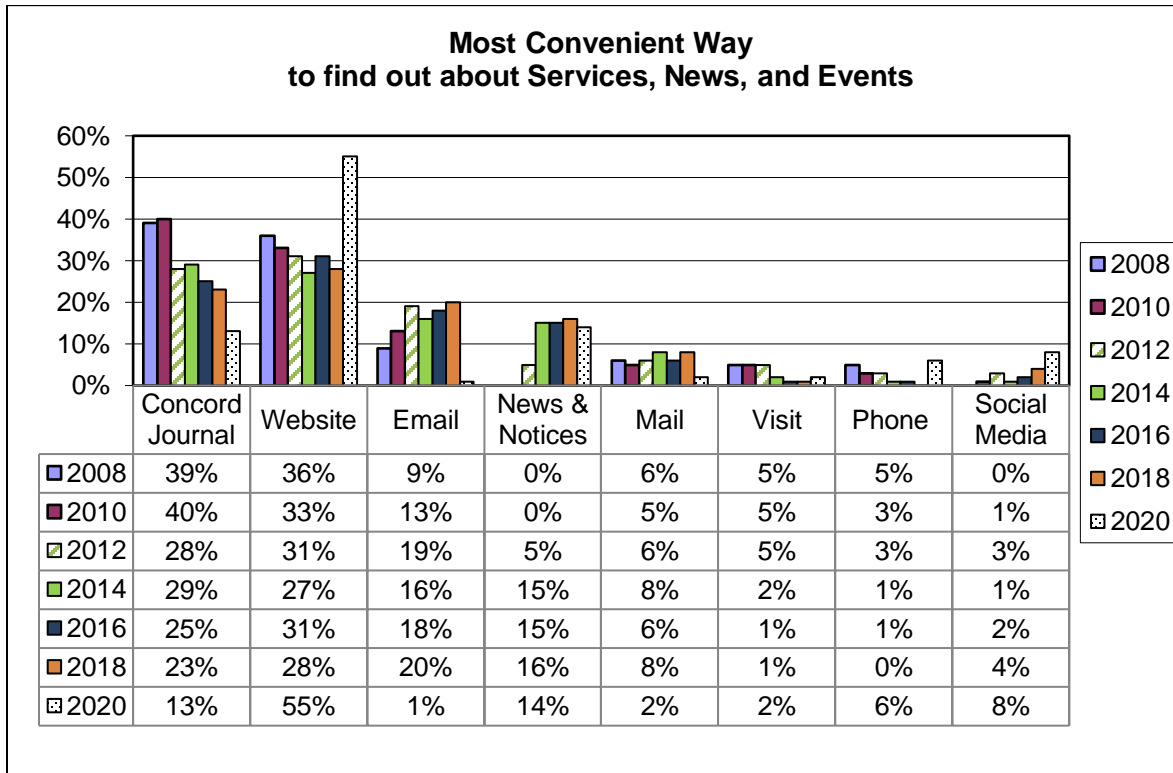


The impact on personal finances during the pandemic has had the most effect on those ages 45 to 54, possibly due to the demands of remote schooling from those who have children. For households with children, 25% feel that their personal finances are worse than before the pandemic, whereas only 15% of those without children feel this way. Financially, seniors seem to be the least impacted by the pandemic as 81% say their finances are the same as compared to 63% of the age group 45 to 54.



Communications

The Survey asked Concord residents their opinion on a variety of issues. Since communication with the public is very important for the Town, the following question was asked: “What would be the most convenient way for you to find out about Town services, news, and events?”

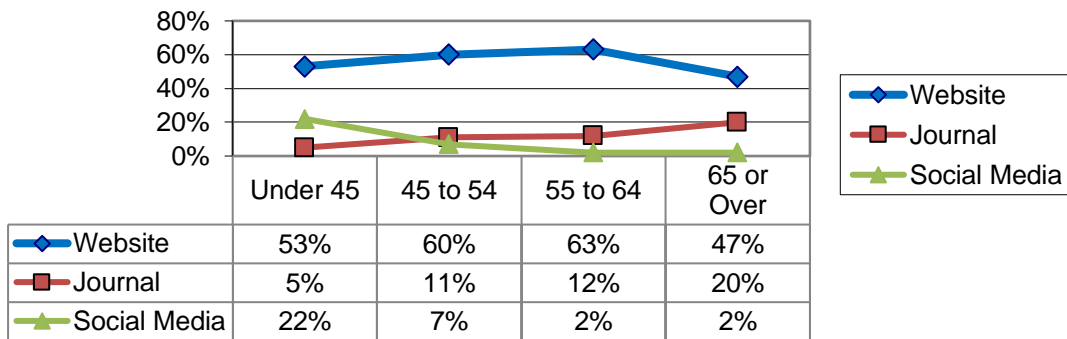


The major shift between 2018 and 2020 is in the number of respondents who say “Browsing the Town’s website” is most convenient with 55% choosing this method. If all of the digital media (e.g., Website, Email, News & Notices and Social Media) are combined, 78% of residents in 2020 are on a computer, tablet or phone to receive information from the Town, as compared to 68% in 2018.

It should be noted that the wording of the one of the response categories changed from 2018 to 2020. The Email response was revised from “By email” in 2018 to become “Email to Town Staff or committees directly” in 2020. This wording change could explain why 20% of respondents chose the Email response in 2018, while only 1% chose this response in 2020.

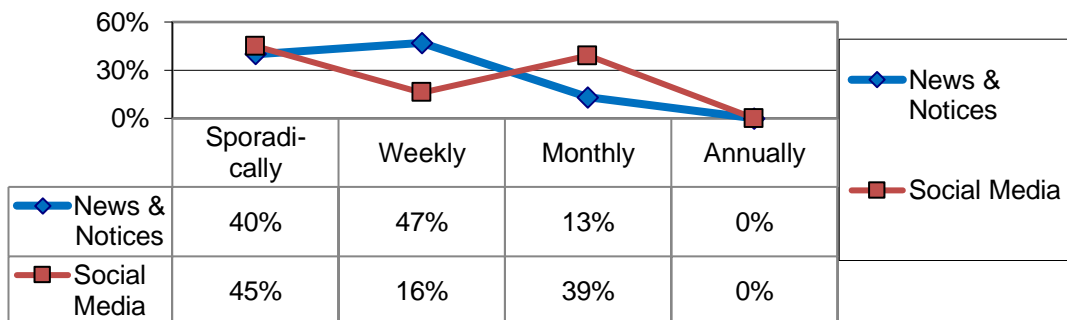
Various age cohorts prefer different methods of receiving Town information. Although a consistent 14% of respondents among all age groups prefer “Subscribing to News & Notices on the Town’s website”, a greater percentage of residents between the ages of 45 and 64 (as compared with other age groups) prefer going to the website, partially because 22% of younger residents choose social media and 20% of older respondents the Journal.

Preference of Website, Journal and Social Media by Age

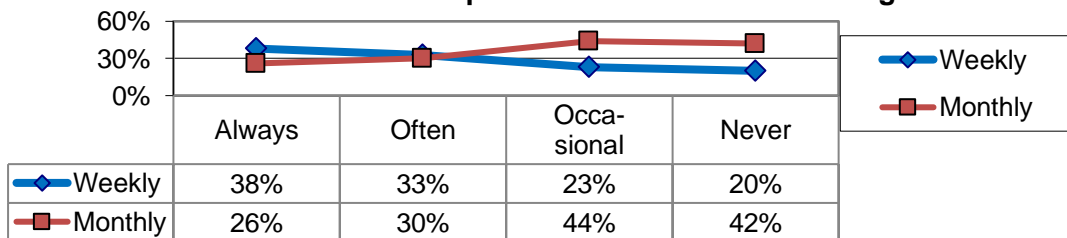


When asked, “What do you believe to be the ideal frequency for receiving communications from the Town?”, 40% respond “Monthly summary document with relevant news”, 34% “Sporadically; no specific schedule, news sent out as it happens”, 24% respond “Weekly, Similar to a condensed report with news/information from all departments” and 1% “The Town’s Annual Report only”.

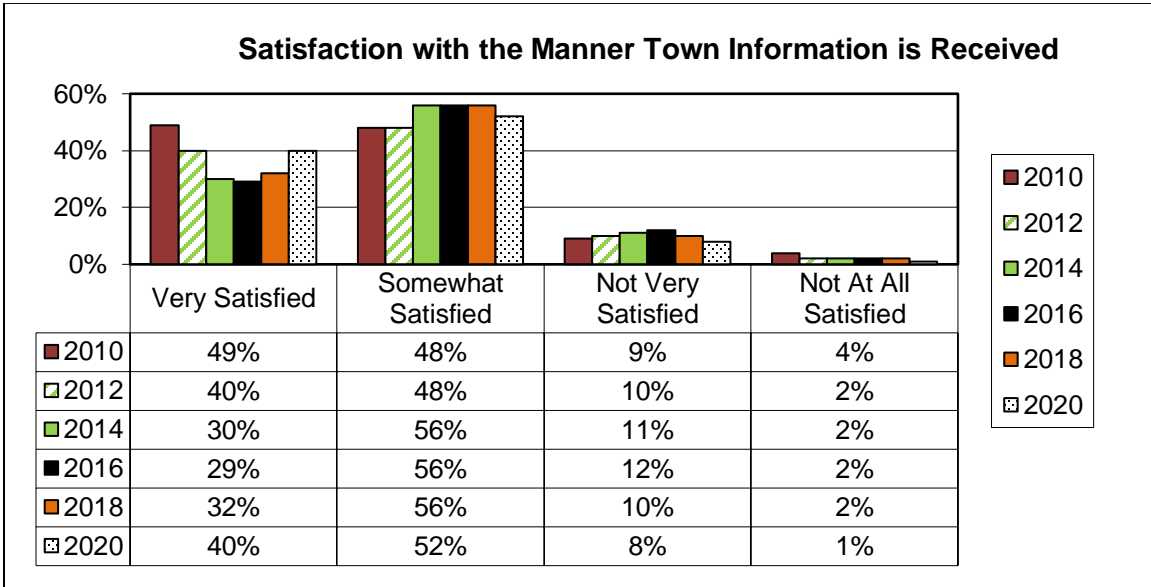
Ideal Frequency of Receiving Town Info by for those who prefer News & Notices and Social Media



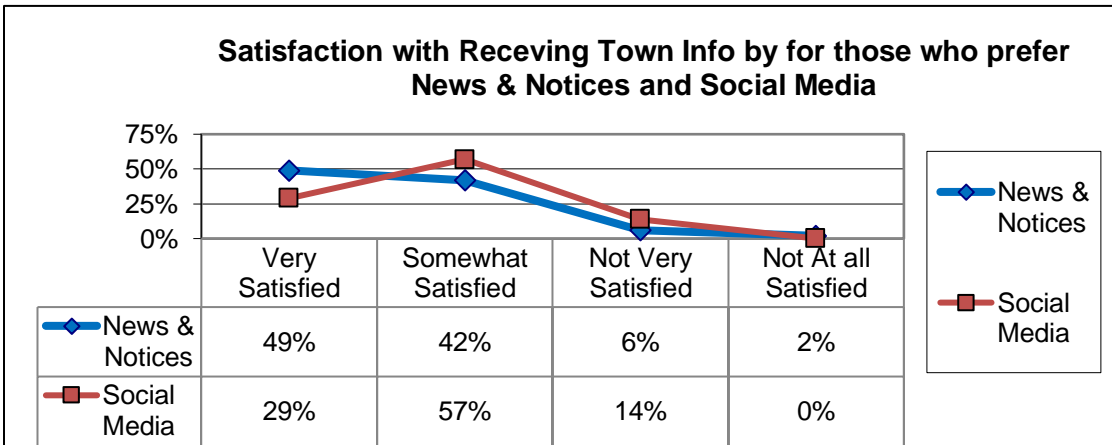
Ideal Frequency of Receiving Town Info by the Frequency of how often the Respondent attends Town Meeting



As shown in the graph below, during that last four years, respondents have been increasingly “Very Satisfied” when asked, “How would you rate your satisfaction with the manner in which you receive information from the Town?”

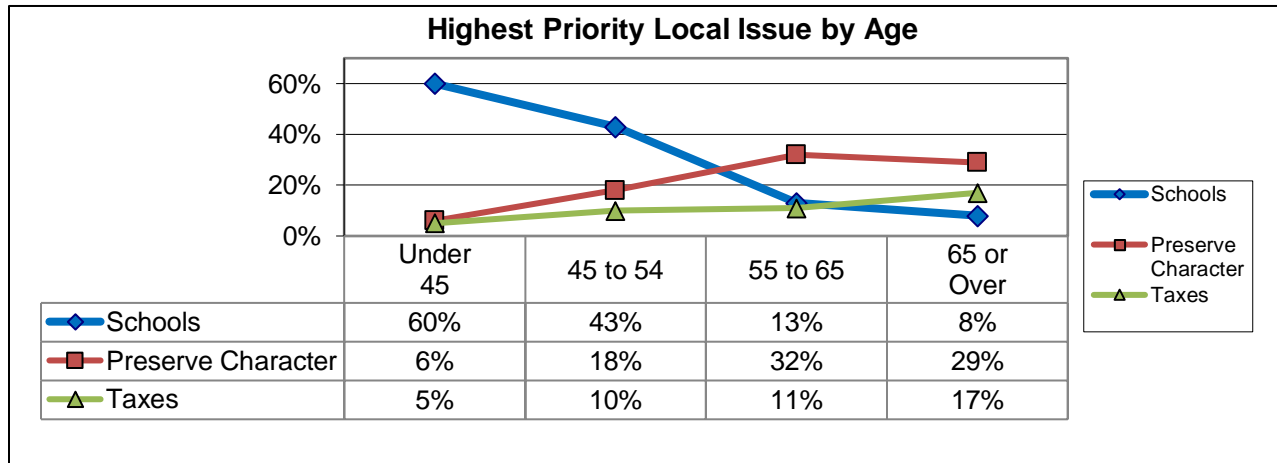
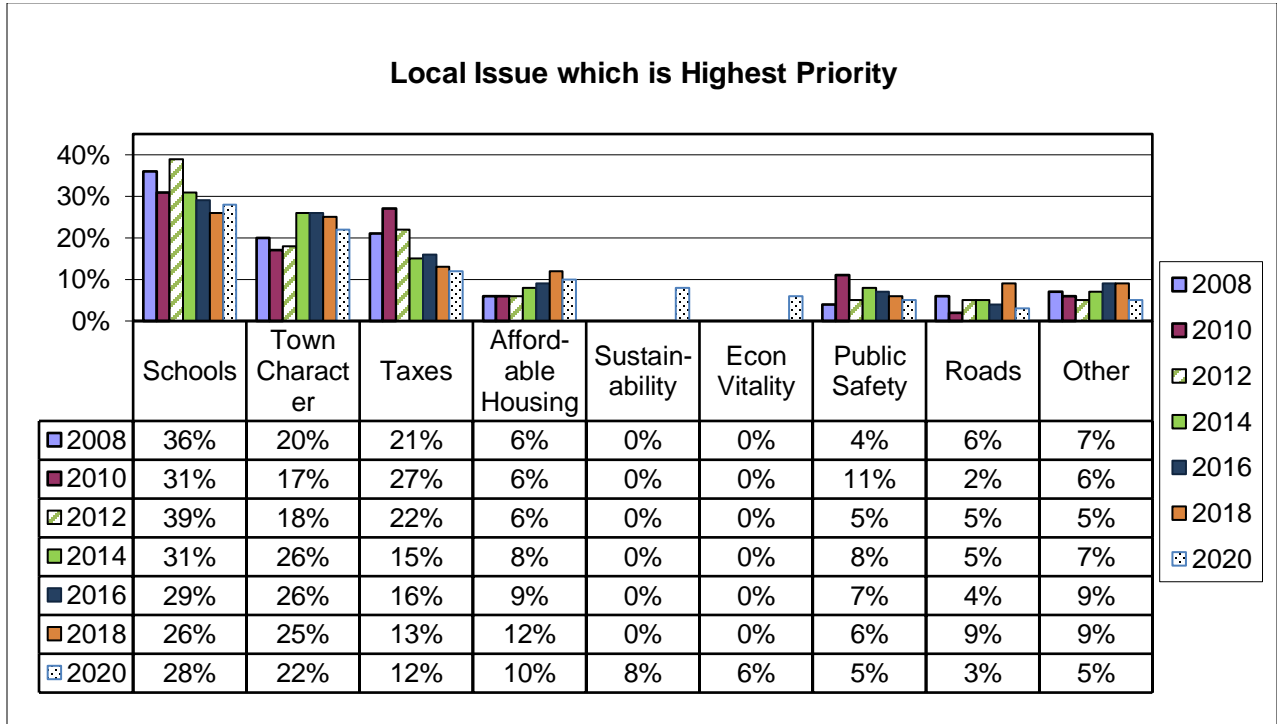


For the two types of media that the Town controls, News & Notices and Social Media, forty-nine (49%) percent are “Very Satisfied” with receiving information from News & Notices and twenty-nine (29%) are “Very Satisfied” with receiving information from Social Media.



Local Issues

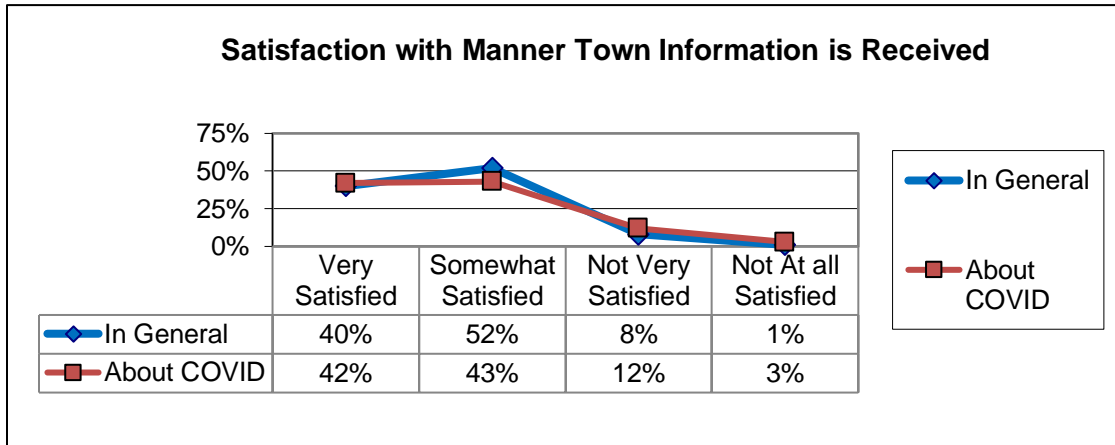
Concord residents continue to place the schools as their highest priority local issue. When asked “What local issue would you say is the highest priority for you?”, 28% of residents said “Schools”, 22% “Town Character”, and 12% “Taxes. It should be noted that starting in 2020, two additional responses were added: Sustainability (8%) and Economic Vitality (6%).



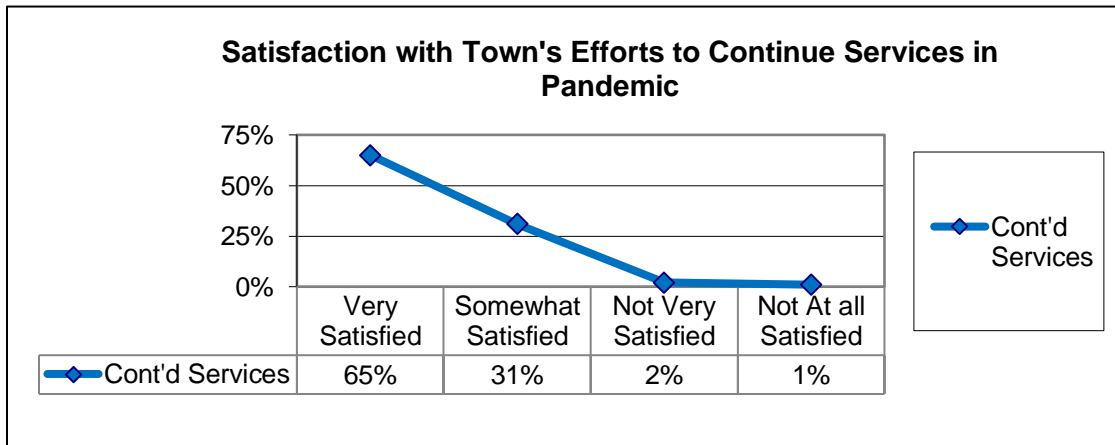
As could be expected, a majority of younger respondents prioritize the schools. For those households with children, 59% identified “Schools” as the highest priority. In the weighted sample population, 38% of the respondents identify themselves as having children in the household. With older respondents, “Preservation of Town’s character” and “Taxes” are more important.

COVID-19 – Related Questions

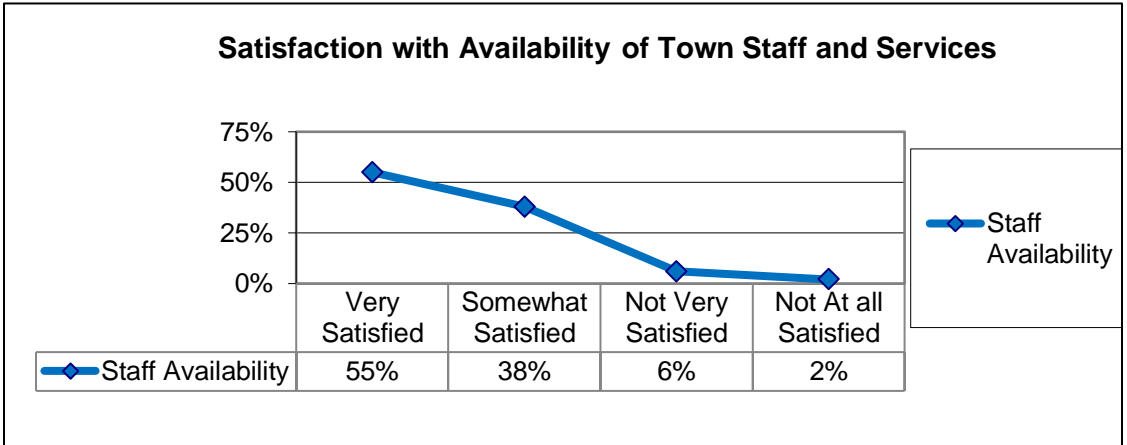
Due to the unprecedented pandemic, this year’s survey asked several questions related to COVID-19. One question was, “How satisfied have you been with Town communications related to COVID19?” The graph below compares the responses with the question that was asked, “How would you rate your satisfaction with the manner in which you receive information from the Town?”



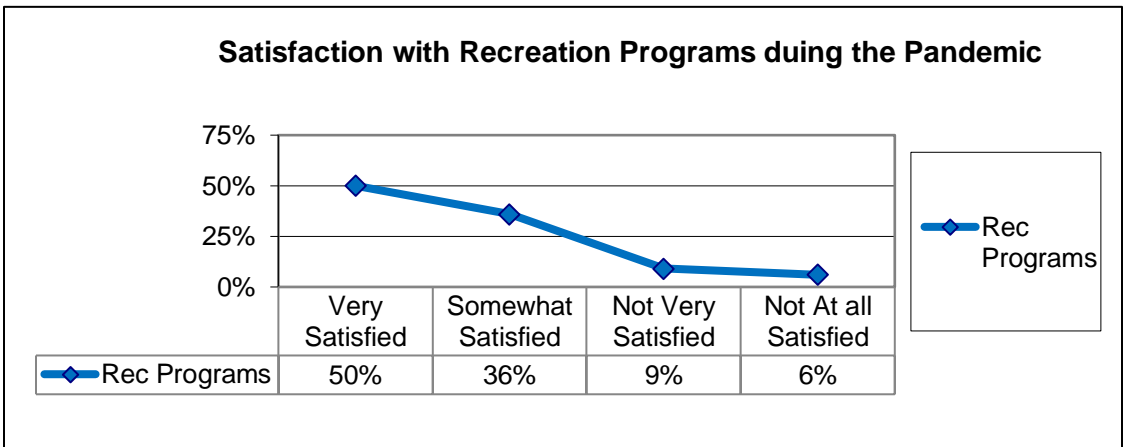
Another question that was asked was, “Given the current health climate, how satisfied have you been with the Town’s efforts to continue essential services for the public?”



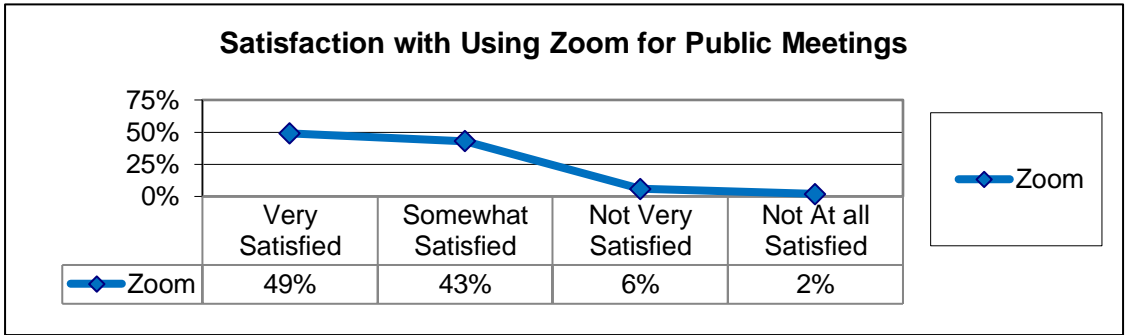
The 2020 Survey asked, “How satisfied are you with the availability of Town staff and services throughout the pandemic?”



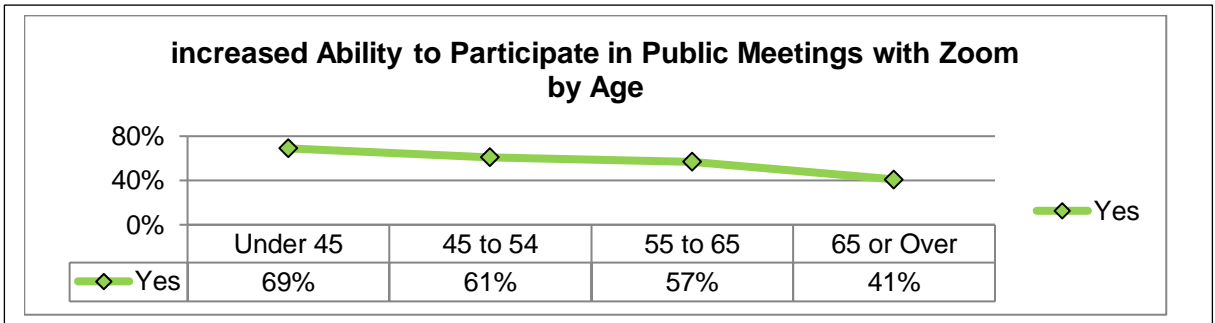
In an effort to determine how residents feel about Recreation programs offered during the pandemic, the question was asked, “If you have children under the age of 18 living in your home: How satisfied have you been with the programs offered by Concord Recreation including afterschool, childcare, and summer camps made available throughout the pandemic?” It should be noted that, out of the 1,189 sample population, 214 respondents answered this question, while 671 didn’t have children under the age of 18 and 303 chose the “Don’t Know / No Answer” response.



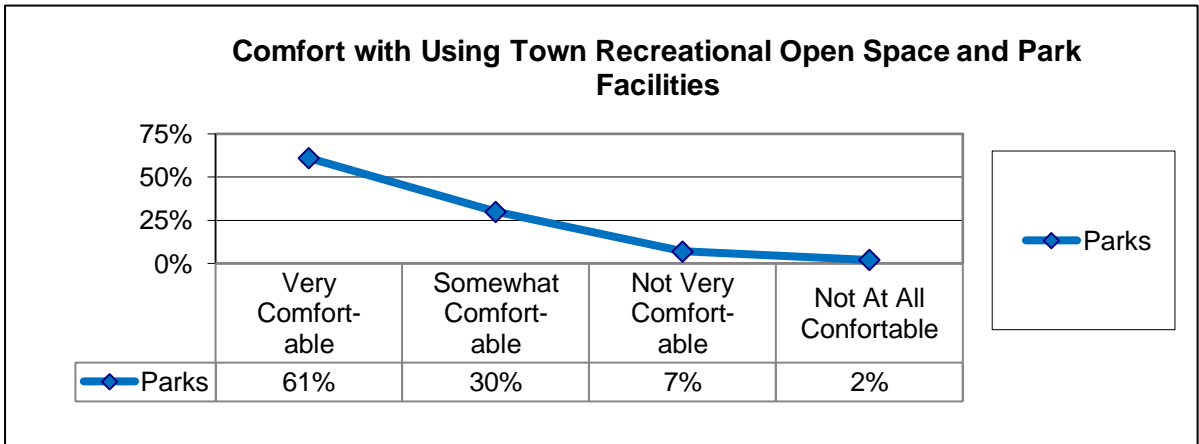
Given the reality that it is difficult to meet in person during the pandemic, the question was asked, “How satisfied are you with the experience of using Zoom meetings for public meetings, public forums and other community input sessions?”



In addition, the question was asked, “Has your ability to participate in Town government public meetings, public forums and other community input sessions increased with the online Zoom format?” As show in the graph below, ability to participate is influenced by age.

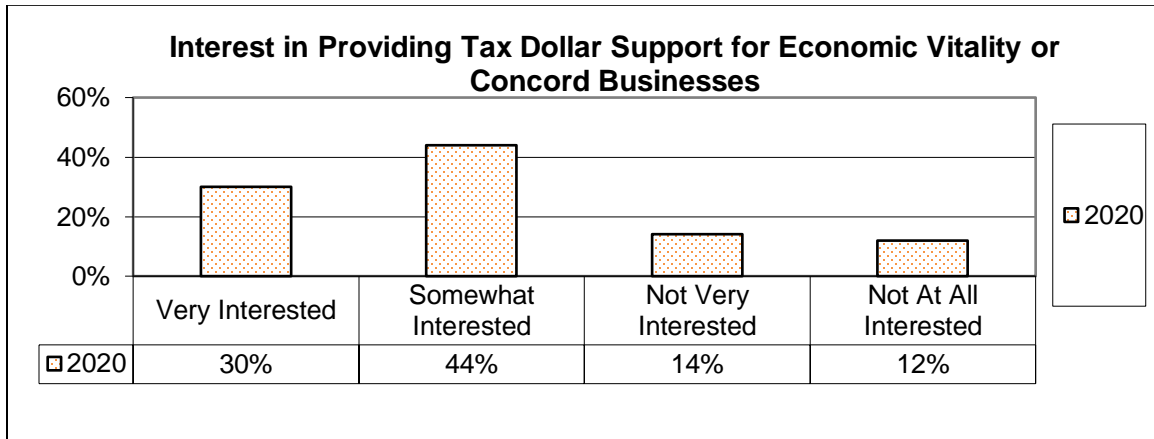


Outdoor activity is important during the pandemic. The question was asked, “Given the current health climate, are you comfortable using or accessing the Town recreational open space and park facilities?” Ninety-one (91%) of respondents feel they are “Very Comfortable” or “Somewhat Comfortable”.

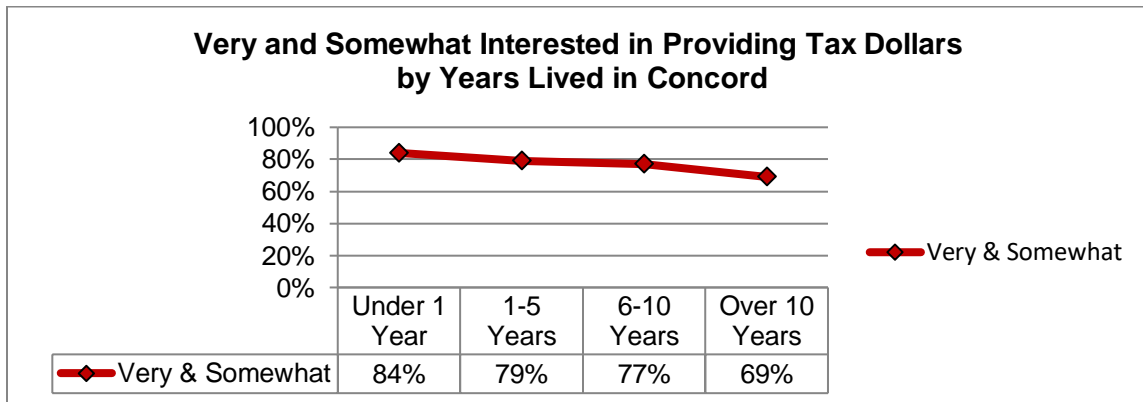


Tax Dollars Support for Economic Vitality or Concord Business

In the 2020 Survey, the question was asked, “How interested are you in providing General Fund (tax dollars) support for economic vitality or Concord businesses? Seventy-four percent of respondents are either “Very Interested” or “Somewhat Interested”.

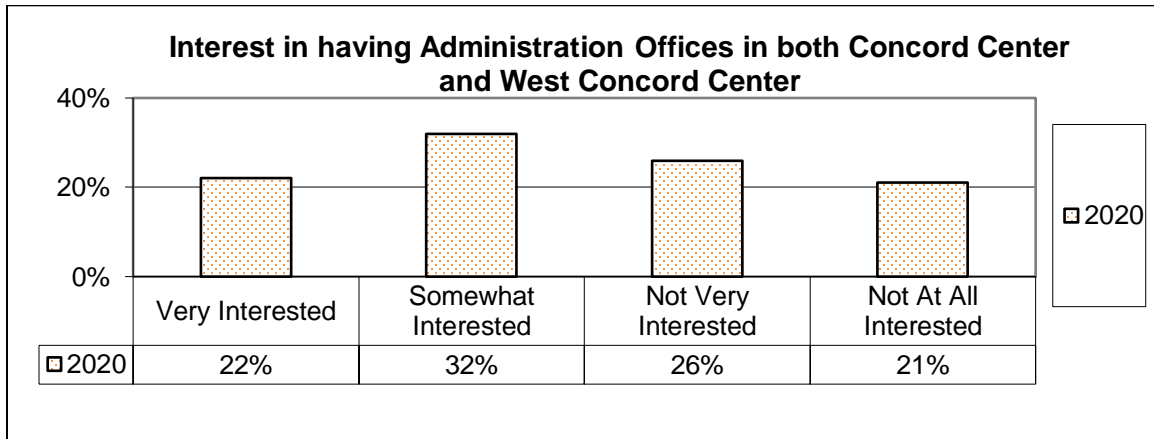


Interest in providing tax dollars for economic vitality or Concord businesses is slightly dependent on how long the resident has lived in Concord.

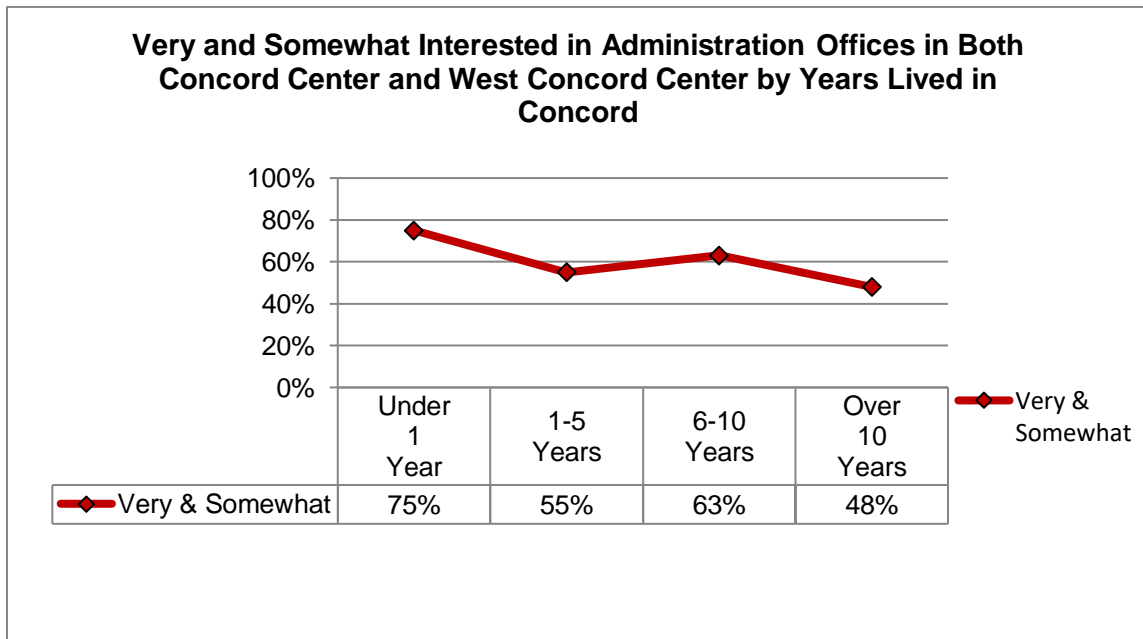


Administration Offices in Both Concord Center and West Concord Center

The 2020 Survey asked the question, “How interested would you be in having Administration offices open to the public for general business in both Concord Center and West Concord Center?” Sixty-two percent (62%) of respondents who identify that they vote at the Harvey Wheeler Community Center are “Very Interested” or “Somewhat Interested” in having both Administrative offices, as compared to 41% to 46% who vote at the other polling places.

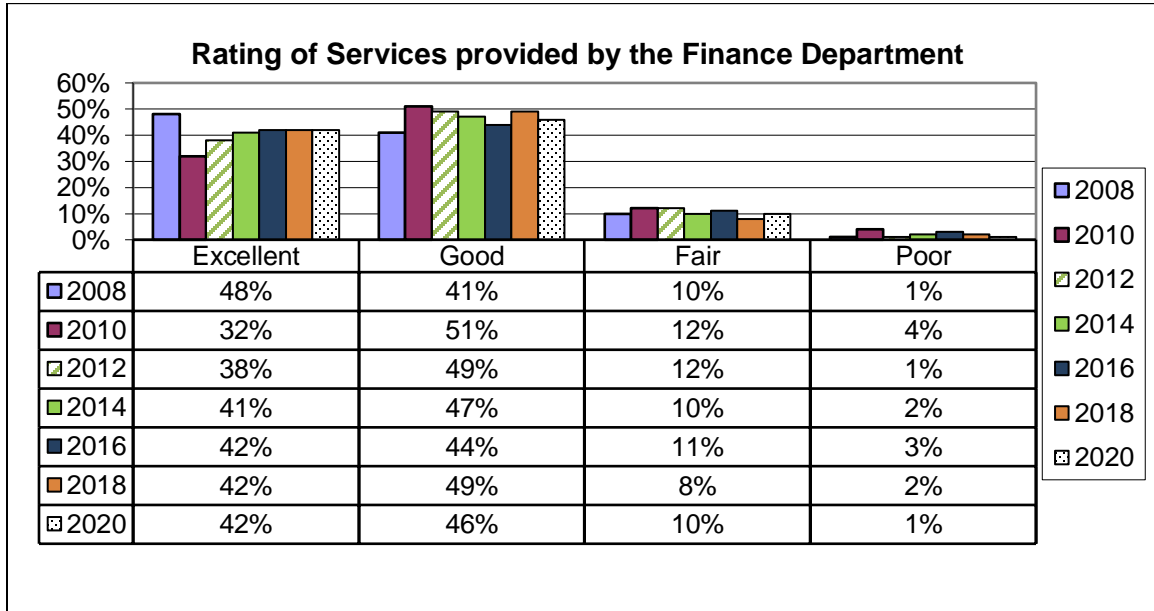


The graph below shows the percent Interest in having Administration offices in both Concord Center and West Concord Center by Years Lived in Concord.

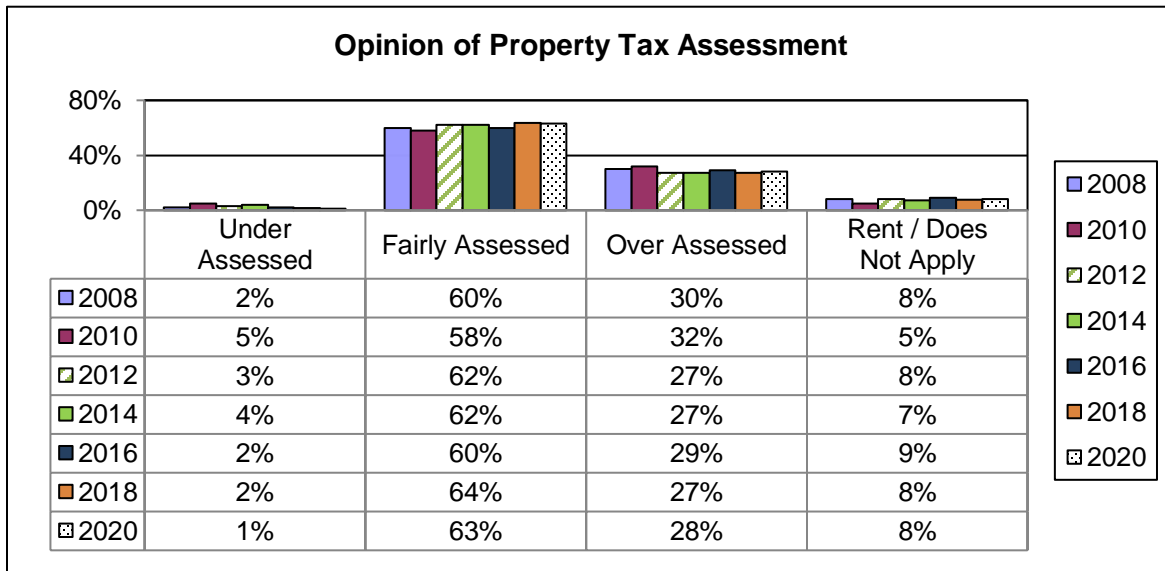


Finance Department

Two specific questions were asked about issues related to the Finance Department. For the last seven polls, the following question has been asked: “How would you rate the overall quality of services provided by the Finance Department, which includes services of the Town Clerk, Town Collector, and Town Assessor?”

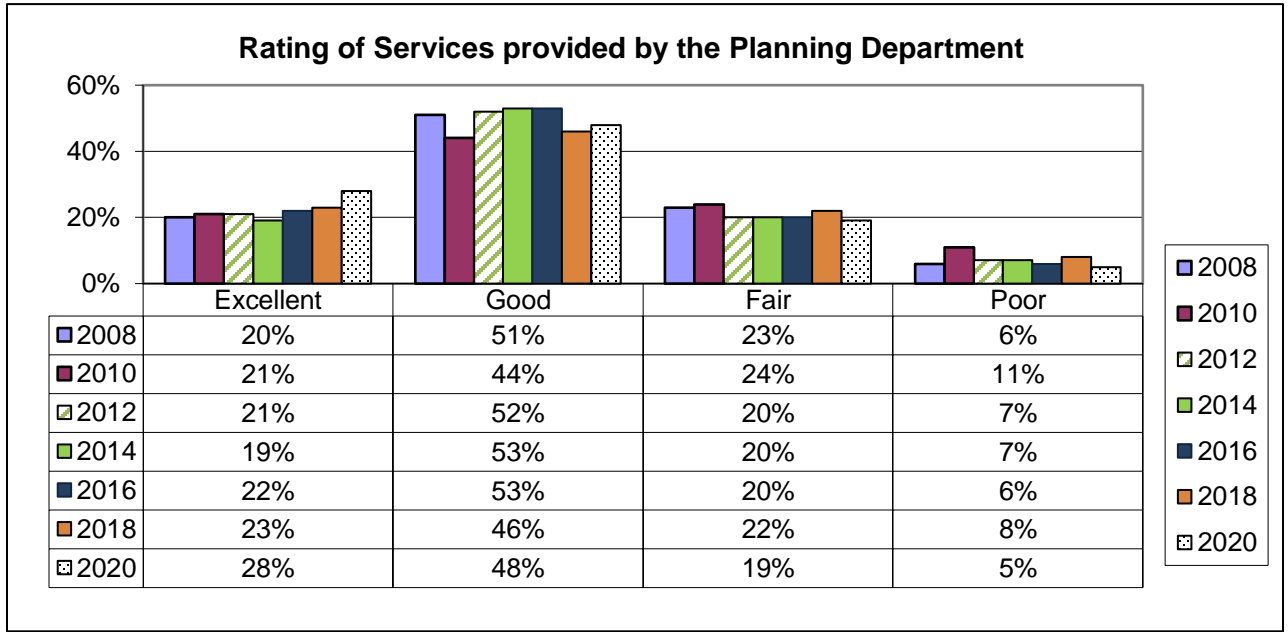


In addition, the following tax assessment question was asked: “In terms of the assessment of your property, do you believe that your property is over-assessed, under-assessed, or fairly assessed relative to others in Town?”

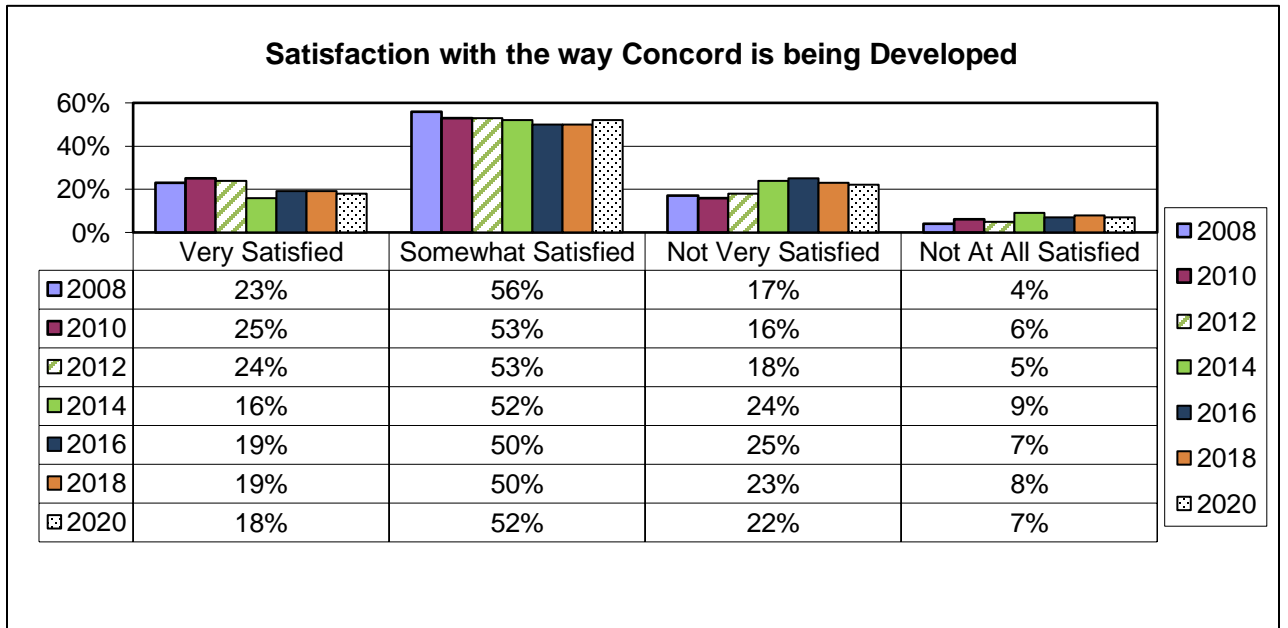


Department of Planning and Land Management

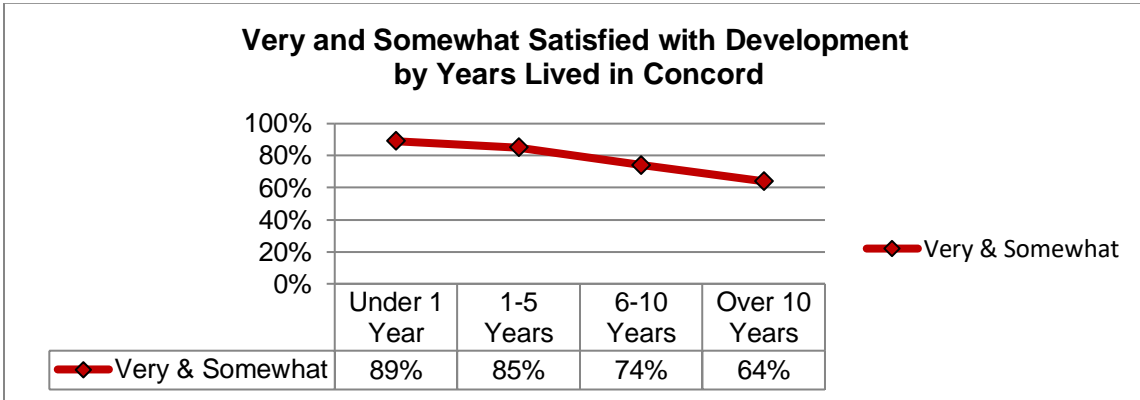
In the last seven Surveys, the question was asked: “How would you rate the overall quality of services that you receive from the Department Planning and Land Management, which regulates matters related to buildings, zoning, health, natural resource protection, and historic preservation.”



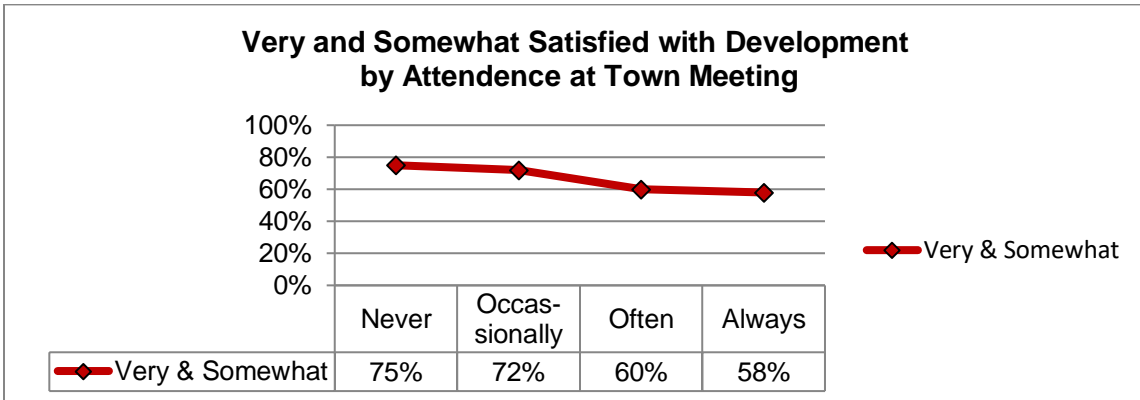
Satisfaction with the way Concord is developed is very important for the Town. Accordingly, the question was asked: “In terms of land-use and development, how would you rate your satisfaction with the way that Concord is being developed?”



There are slight differences in satisfaction level from respondents who live in general neighborhoods as determined by polling place. The percentage of respondents who are “Very Satisfied” or “Somewhat Satisfied” by location are as follows: Harvey Wheeler Community Center (67%), 141 Keyes Road (67%), Ripley Gym (72%), and Hunt Gym (75%). In addition, residents who have lived in Concord longer seem to be a little less satisfied.

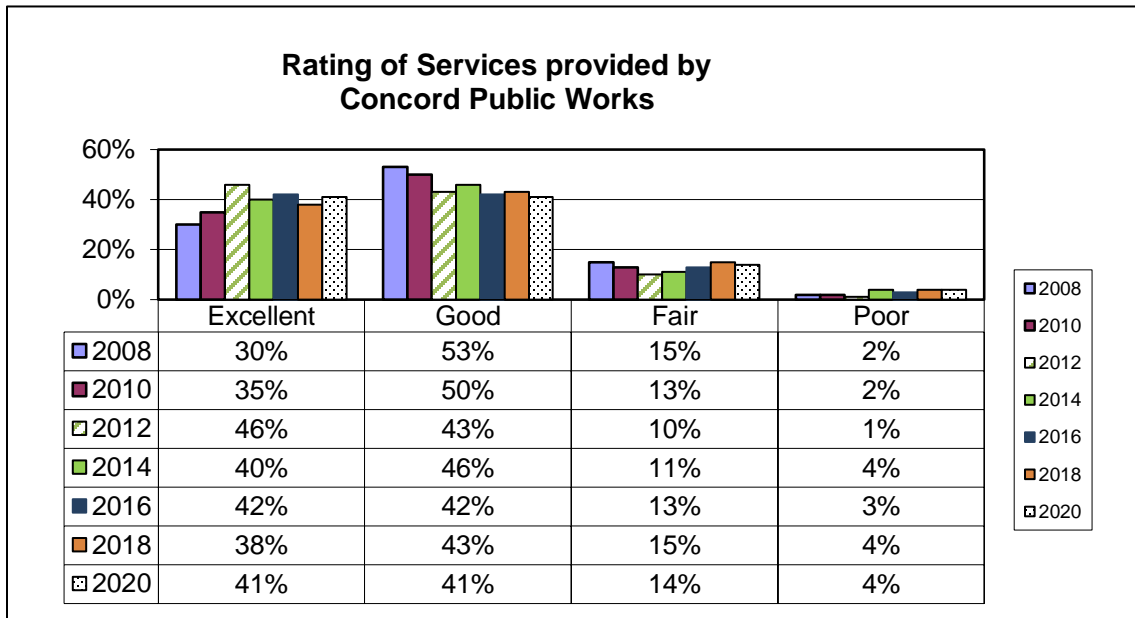


As a proxy for political involvement in the Town, the survey asked respondents: “How often do you attend Town Meeting?” When this question is cross-tabulated with the question on satisfaction with development, the results seem to show that the more one is politically involved, the less satisfied that person is. This trend is similar to that in previous surveys.

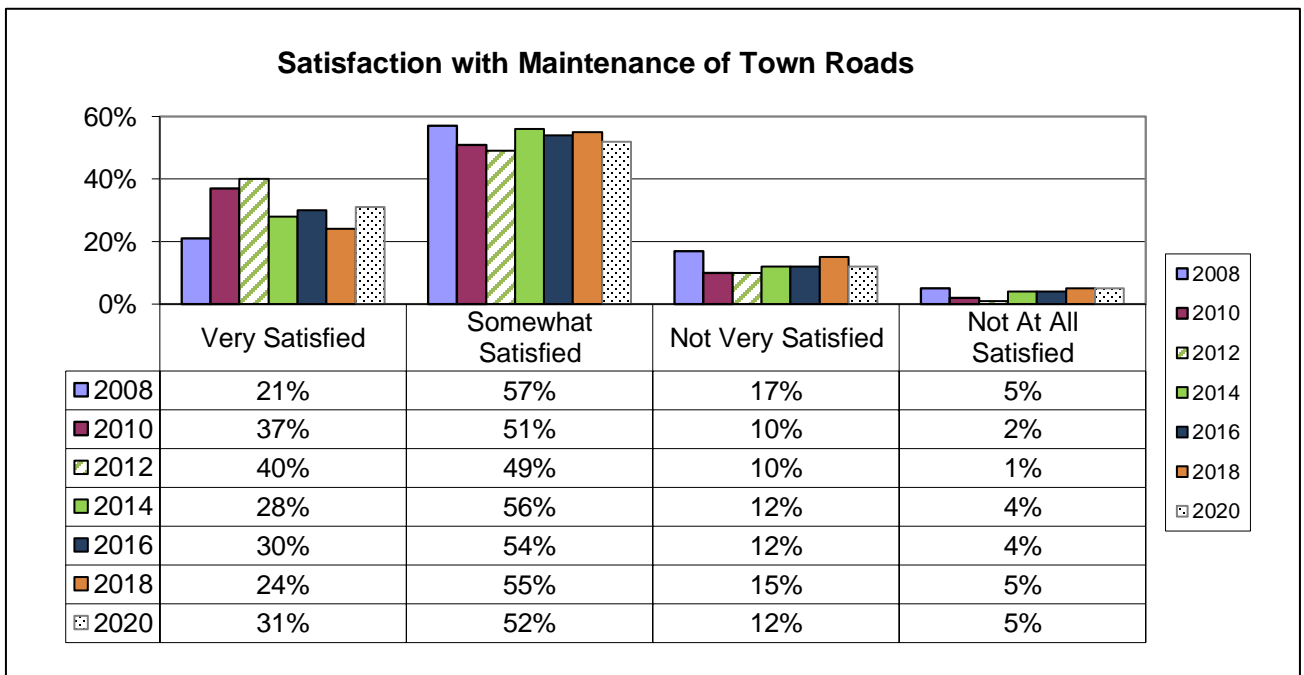


Public Works

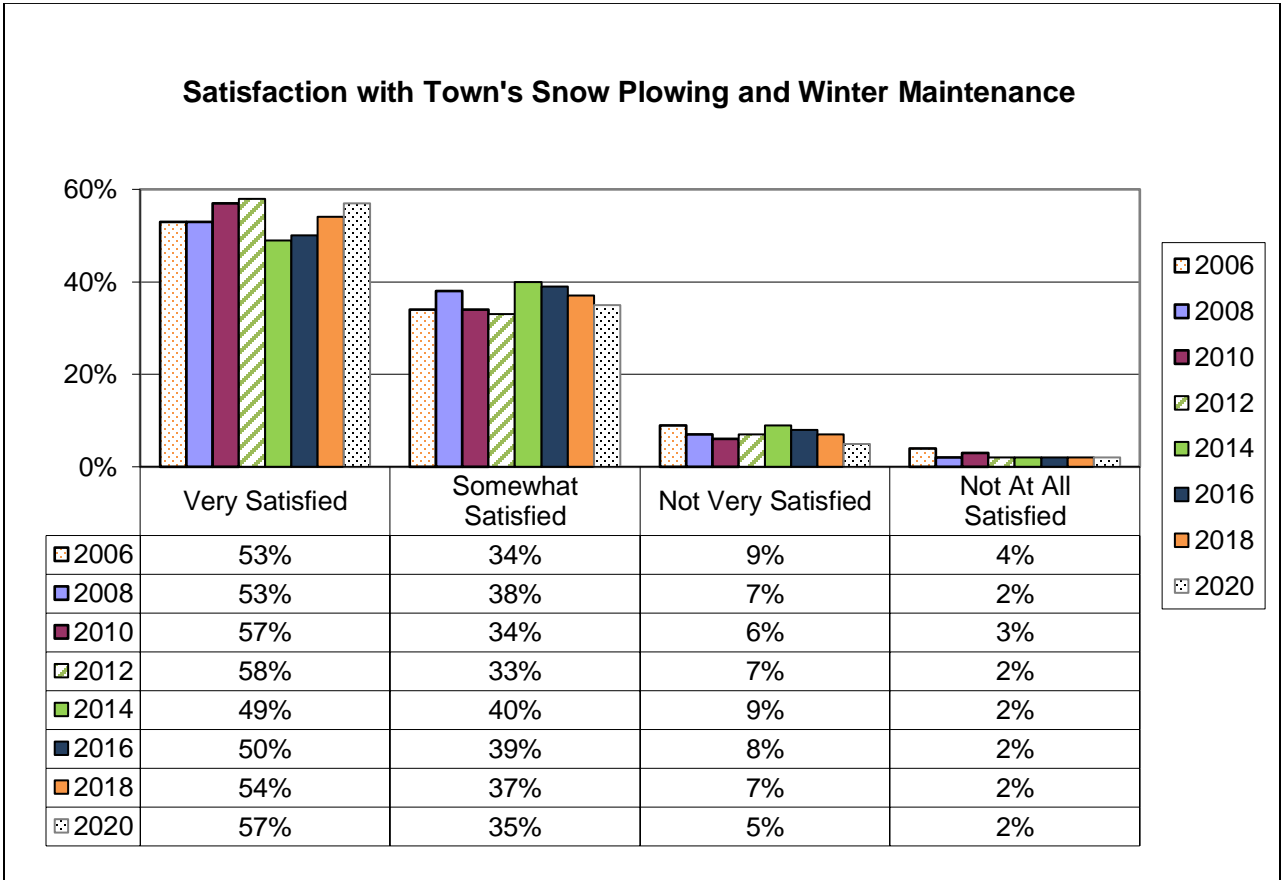
With the Surveys conducted in over a decade, the question was asked: “How would you rate the overall quality of services provided by Concord Public Works?”



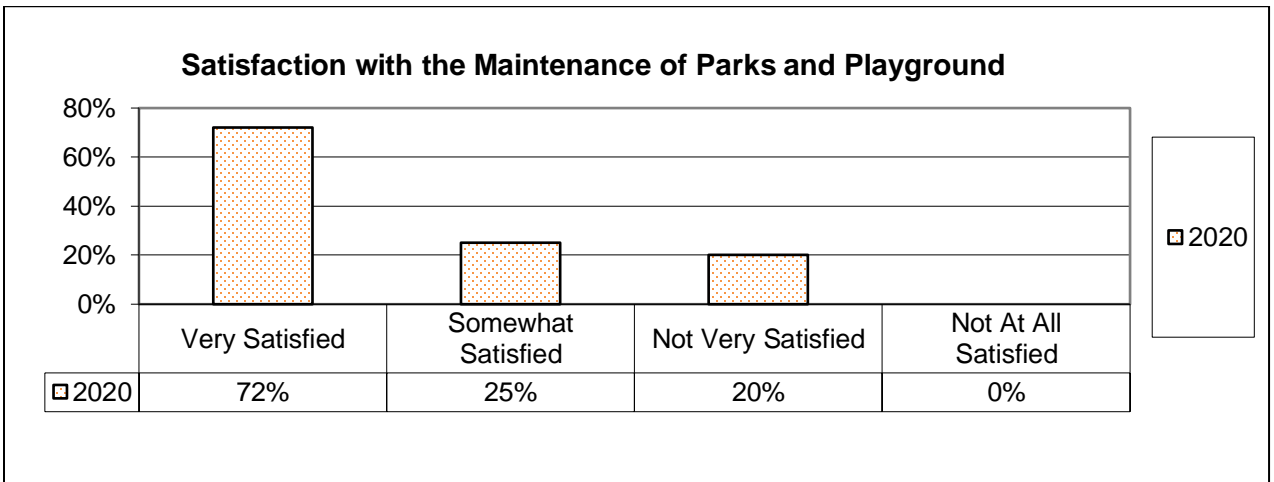
Only 3% of respondents in 2020 stated that “roads” are their highest local priority, down from 9% in 2018.



For the last eight surveys, the following question has been asked: “How would you rate your satisfaction with the Town’s snow plowing and winter maintenance?”

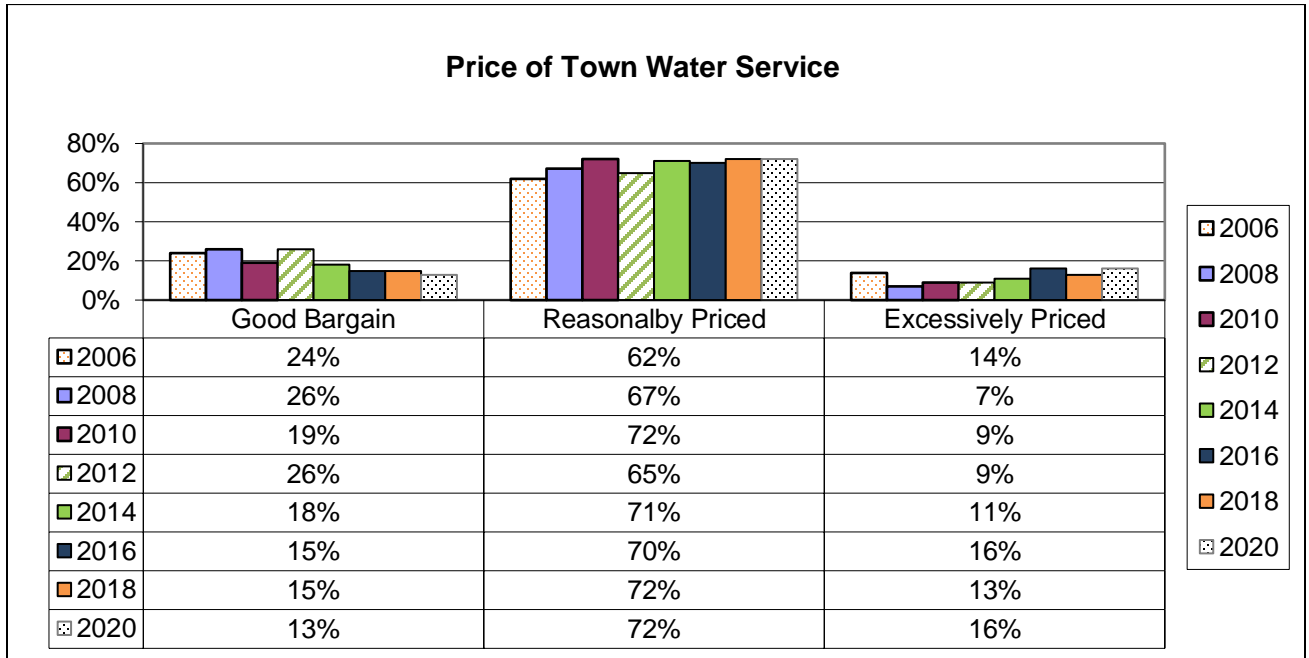


In the 2020 Survey, the question was asked, “How would you rate your satisfaction with the Town’s maintenance of parks and playgrounds?”

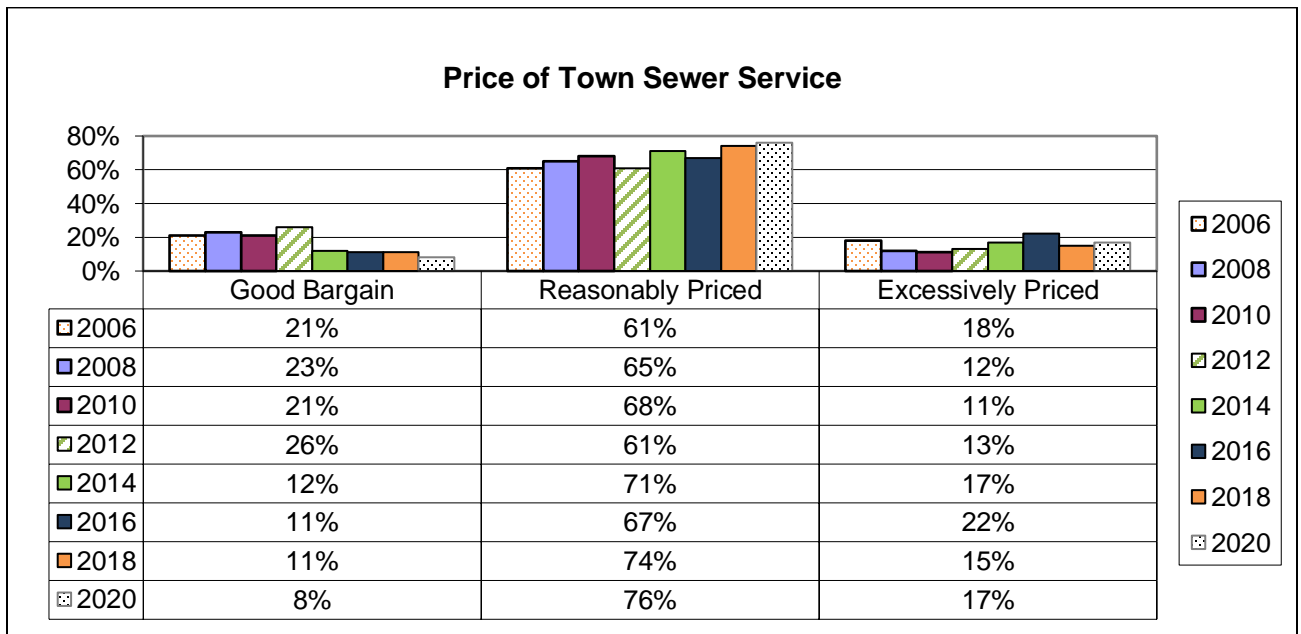


Water and Sewer Division

The Town is interested in how residents perceive the cost for service of its Enterprises. The last eight surveys included the question “With Town water service, please tell me whether you consider the price to be a Good Bargain, Reasonably Priced, or Excessively Priced?”

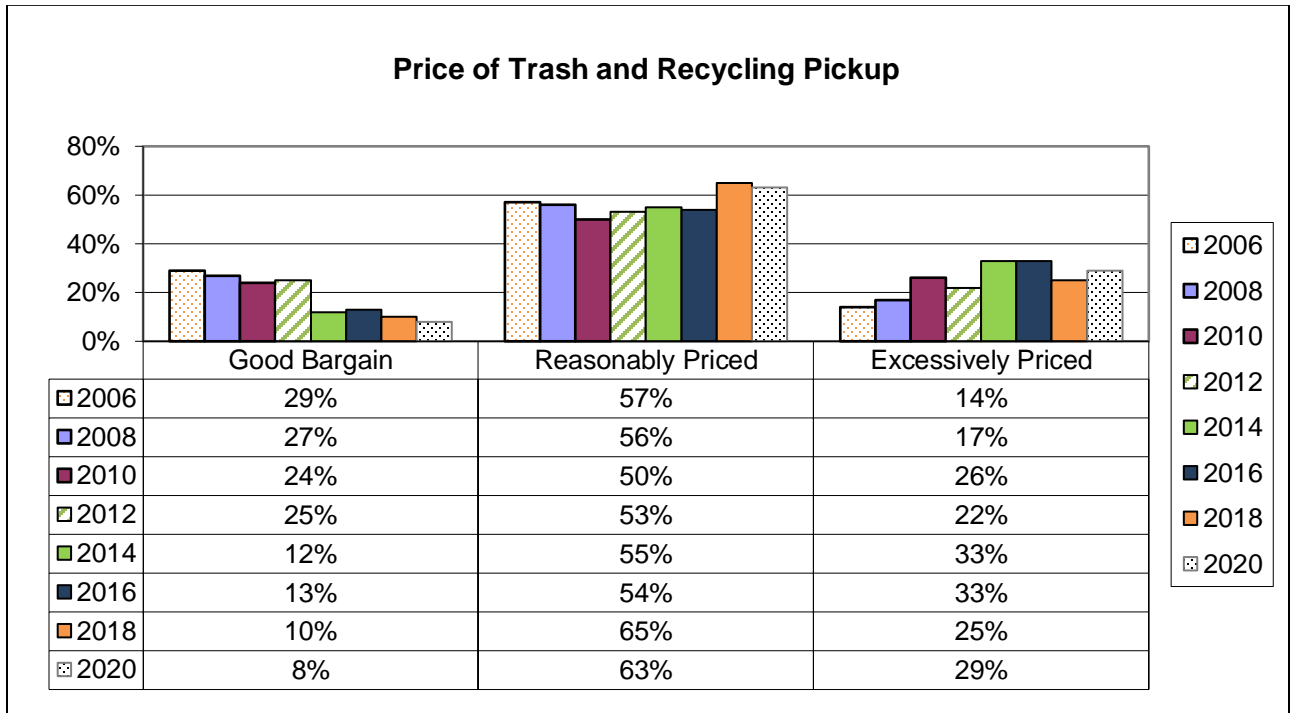


Of a total of 1,189 in the sample, 485 respondents said they use the Town sewer service and expressed an opinion. Eighty-four percent think that the price is a “Good Bargain” or “Reasonably Priced”.

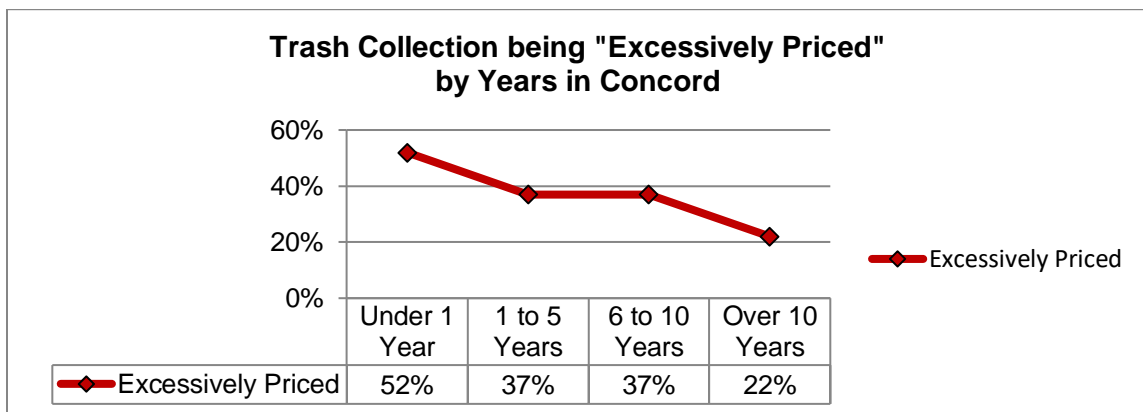


Solid Waste Division

The 2018 Survey amended this question about the price of trash and recycling collection to include the phase “provided by the Town”. Previous surveys did not have this language and the question may have been confusing with respondents who have collection services from outside haulers possibly responding.

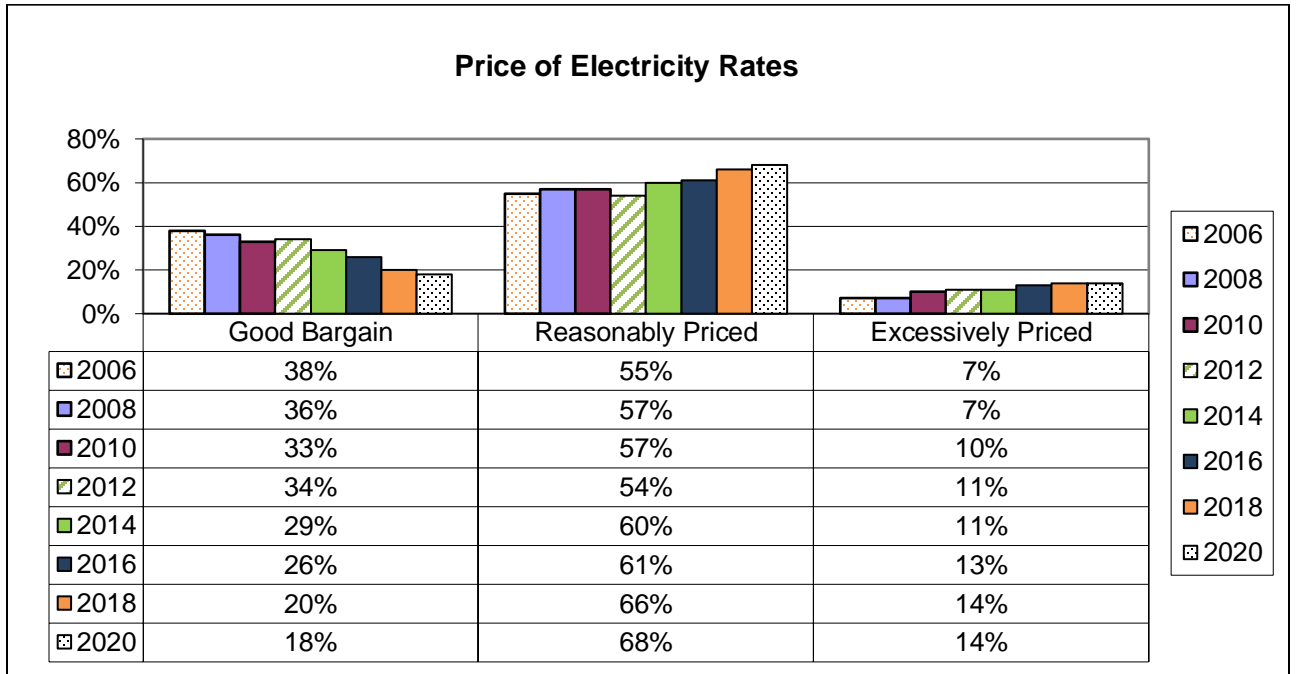


The graph below suggests that respondents who have recently moved from another community are more likely to feel that the trash collection fee is “excessively priced”.

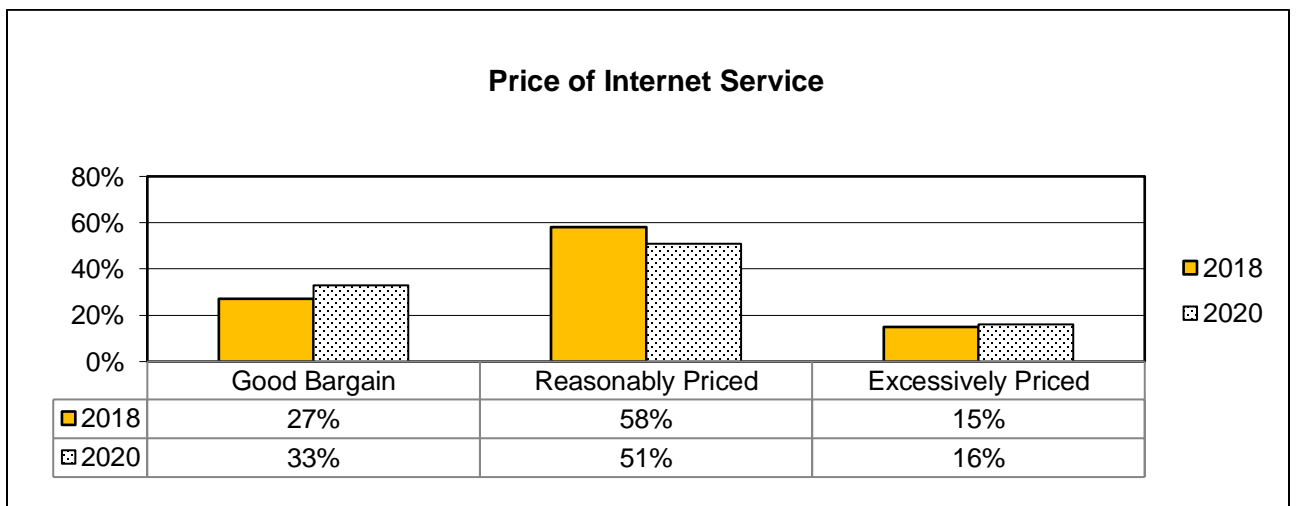


Light Plant

For the last eight Surveys, the question was asked about the price of electricity rates from the Light Plant.

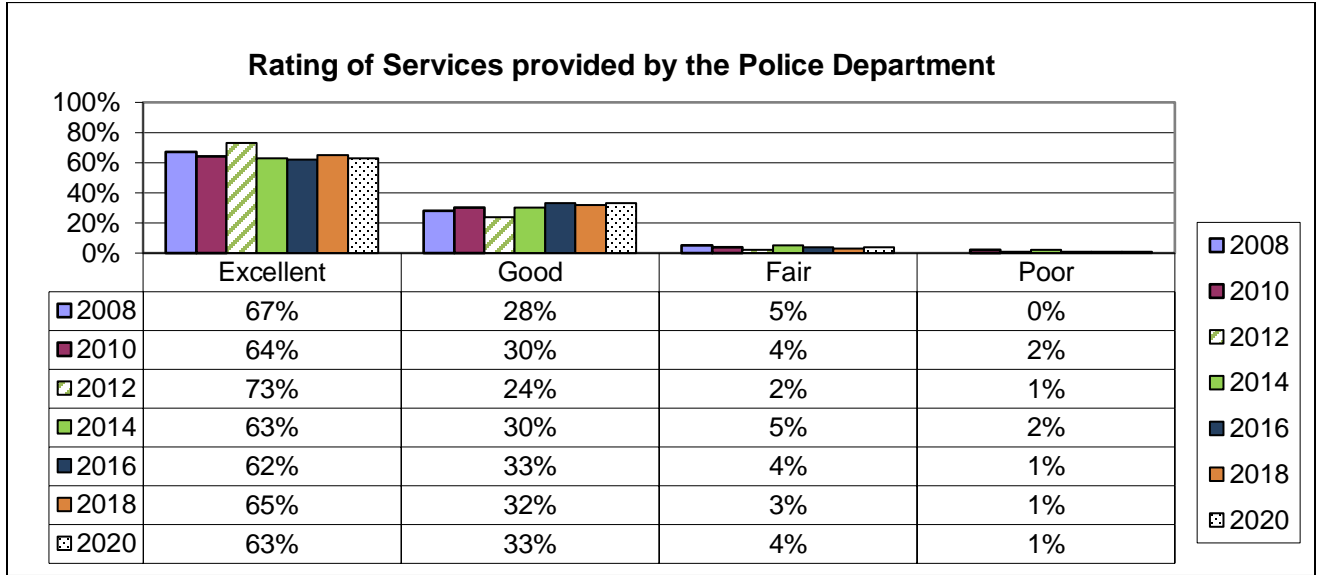


With the initiation of the Town providing telecommunication services to residents, a question was asked starting in 2018 about the fees for internet service provided by the Town through the Light Plant. Of the 1,189 respondents in 2020, 435 responded that they used the services and had an opinion about it.



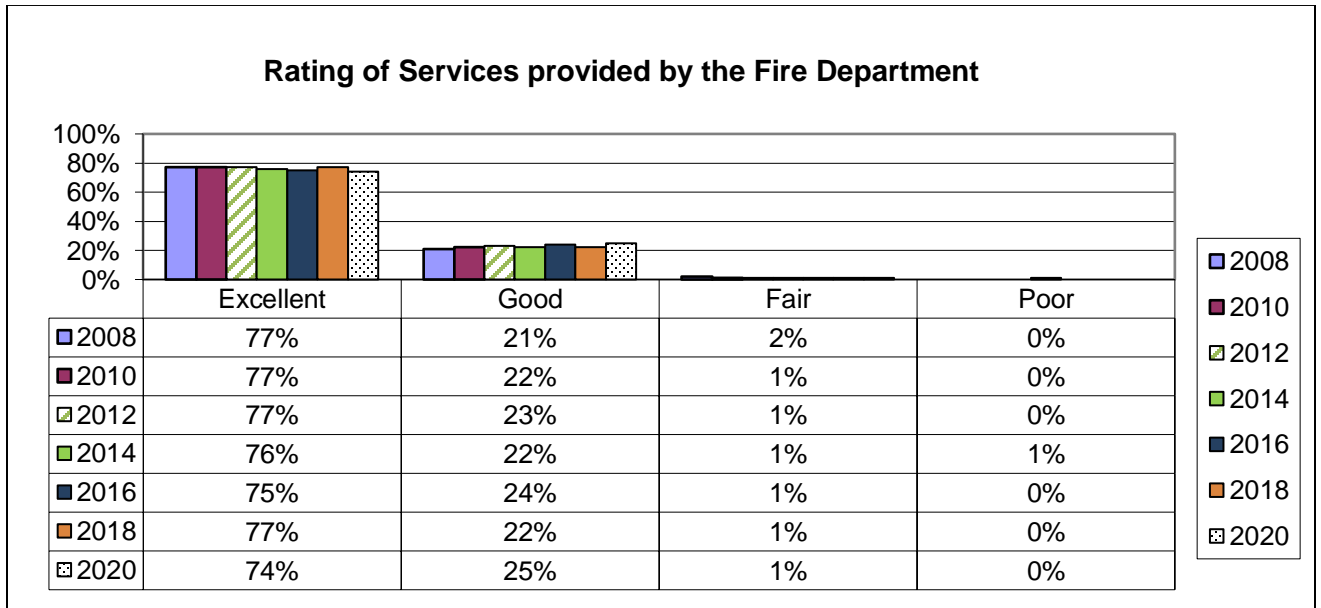
Police Department

For the Police Department, the question was asked: “How would you rate the overall quality of services provided by the Concord Police Department, which provides Police services, as well as Community Policing programs, School Resource Officer initiatives, and 911 Dispatching?”



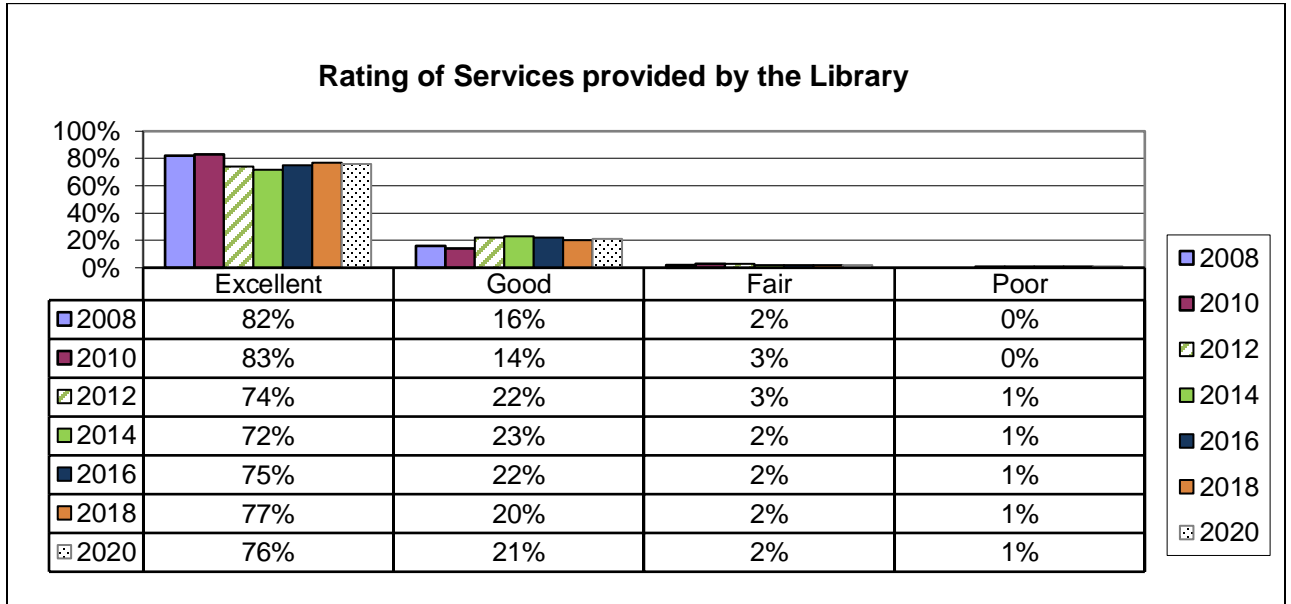
Fire Department

For the Fire Department, the question was asked: “How would you rate the overall quality of services provided by the Concord Fire Department, which provides Fire as well as Emergency Ambulance Service?”

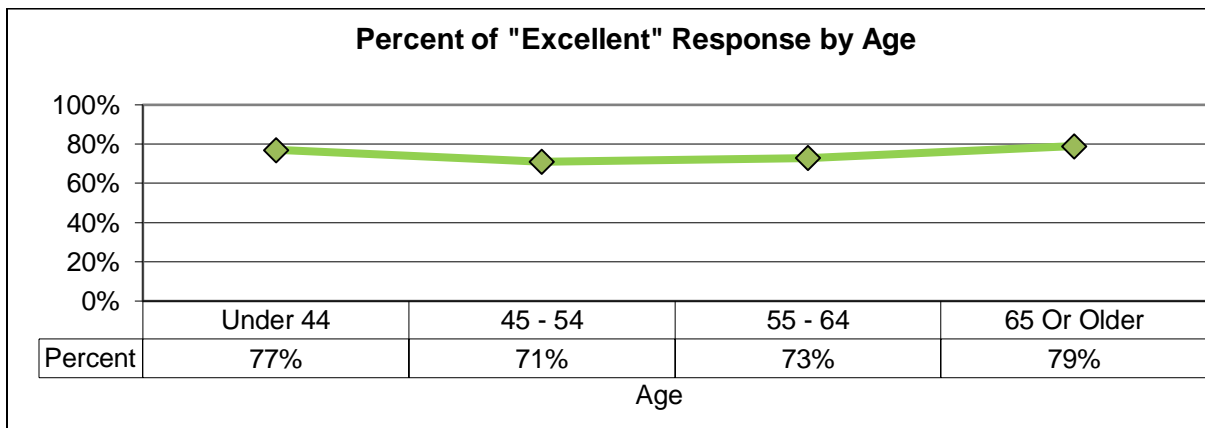


Library

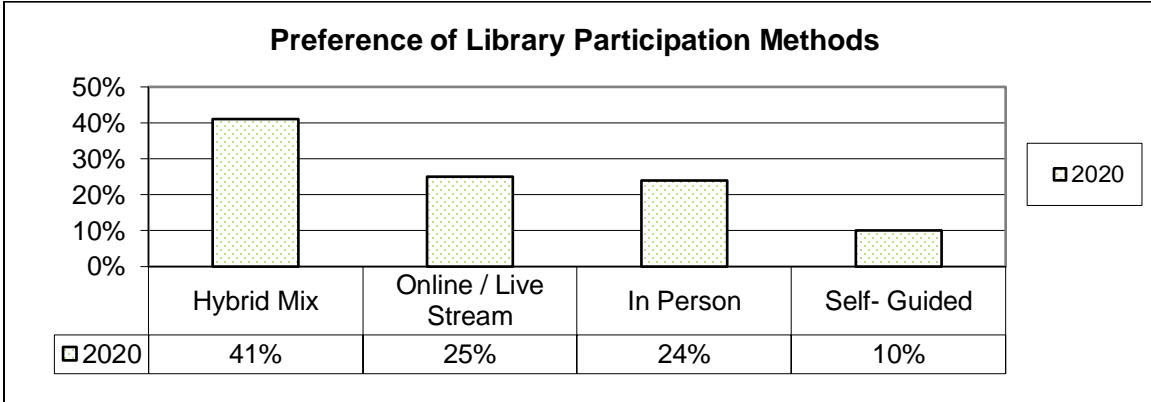
For the last seven Surveys, the following question has been asked: “How would you rate the overall quality of services provided by Concord Public Libraries?” In all surveys, there is a strong opinion that the quality is “excellent” or “good”.



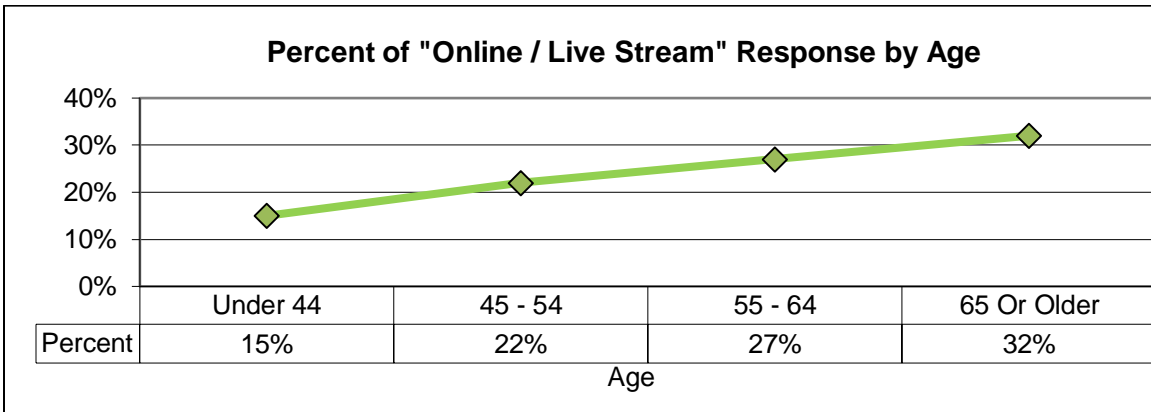
The graph below presents information on the percentage of each age group that responded “Excellent” to the quality question in the 2020 Survey. There is a slight trend which suggests that younger and older residents perceive the Library services to be of better quality. Also, it should be noted that 81% of residents who identify that they vote at Harvey Wheeler Community Center and are most likely to be patrons of the West Concord Library rate the CFPL as “Excellent”, as compared with between 72% and 75% of residents who identify that they vote at other locations.



The library-related question was asked in the 2020 Survey: “Within the next year, are you more likely to participate in programs or events that are: In Person, Online / Live Streams, Hybrid Mix, or Self-Guided (Not Live)?” Below are the results of four participation methods.

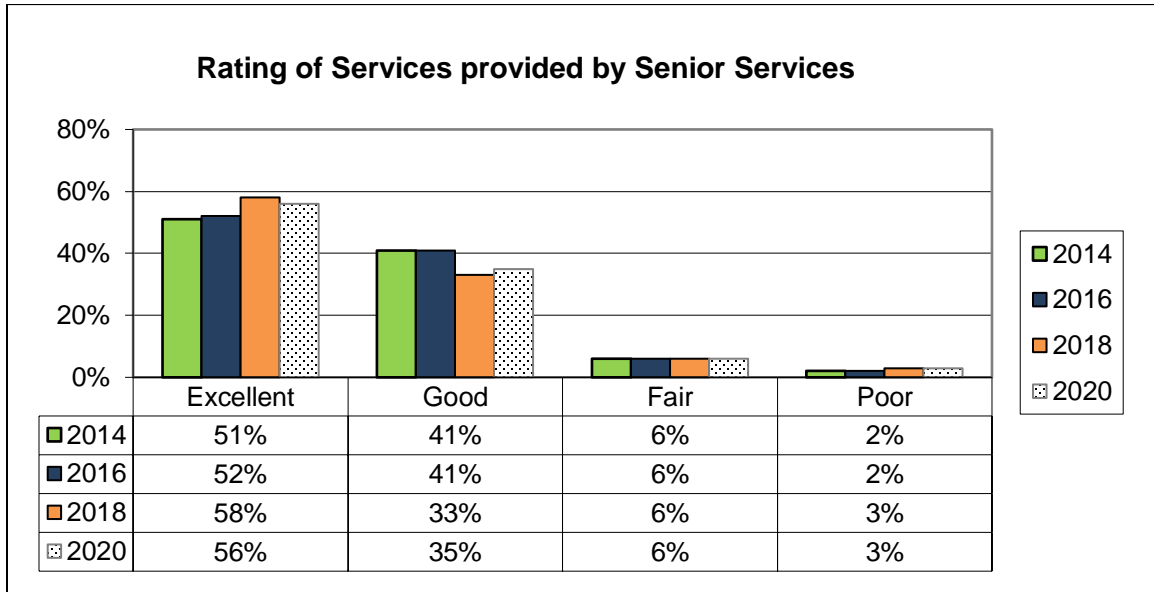


For the respondents who chose “Online / Live Stream”, there is a trend that age is a factor in the response.

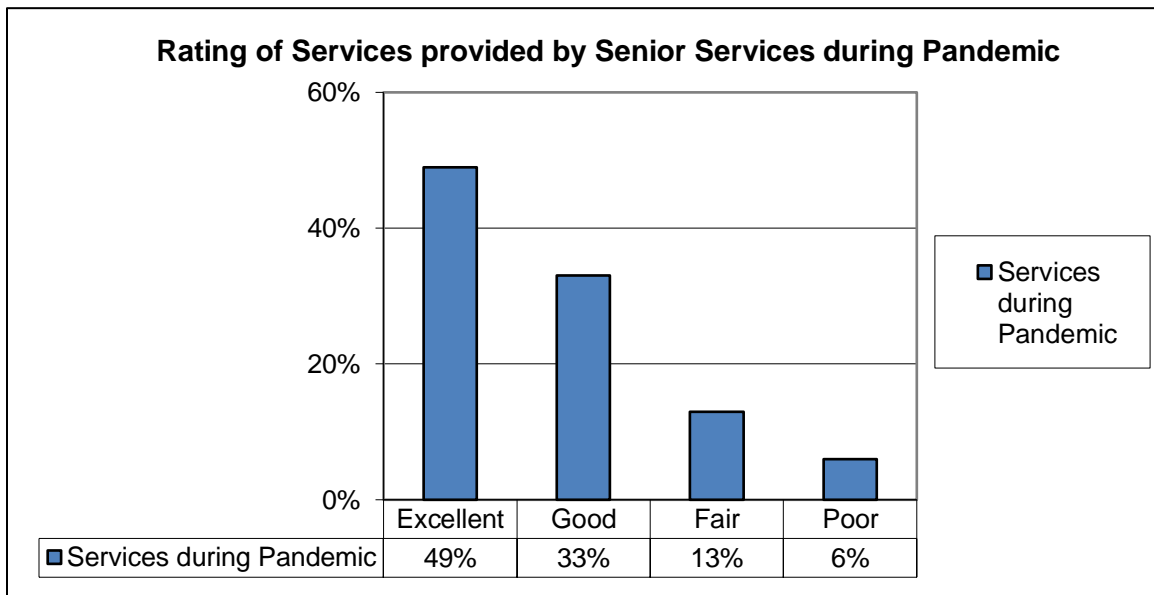


Senior Services / Council on Aging

In the last four Surveys, the question was asked: “How would you rate the overall quality of services provided by the Senior Service Division / Council on Aging, which includes social / recreational programming, nursing services, transportation services and clinical social work?”

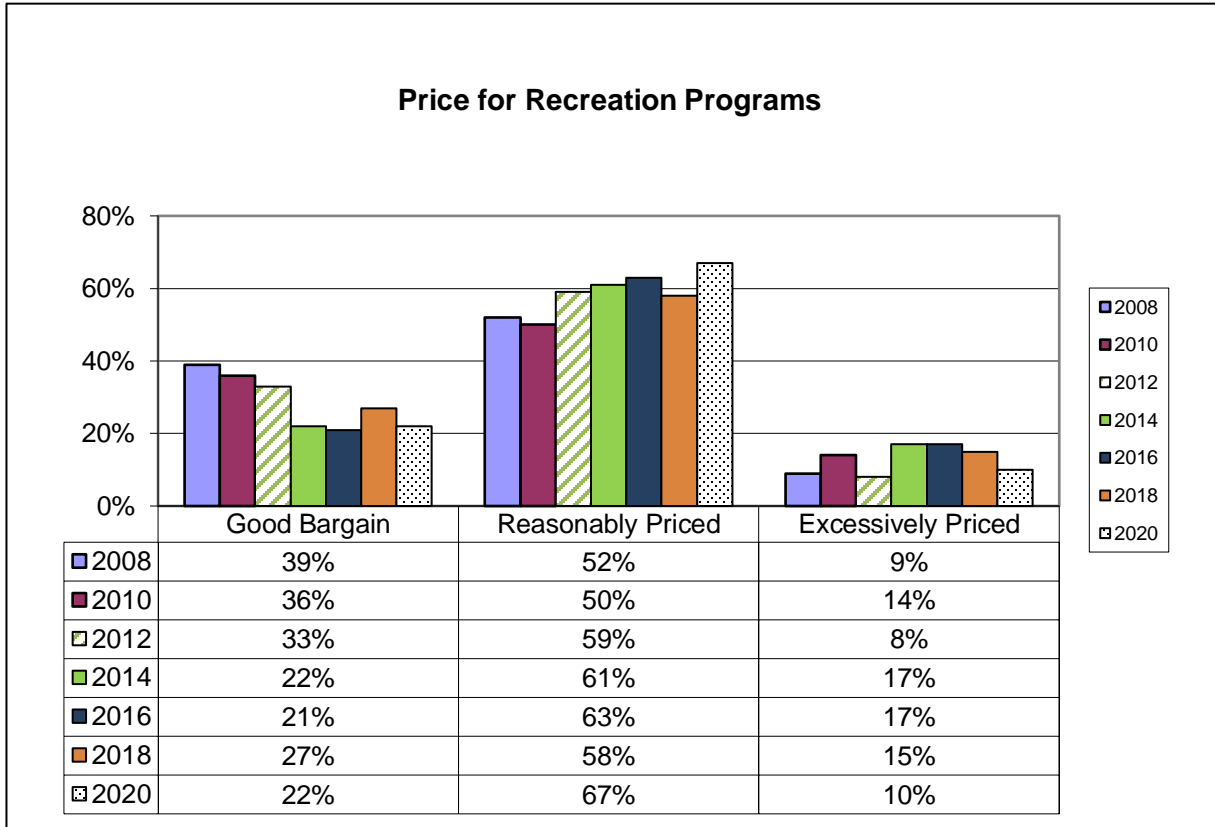


In addition, the question asked: How would you rate the amount of social, physical, or mental support provided to you by Senior Services / COA during the COVID19 Pandemic?”



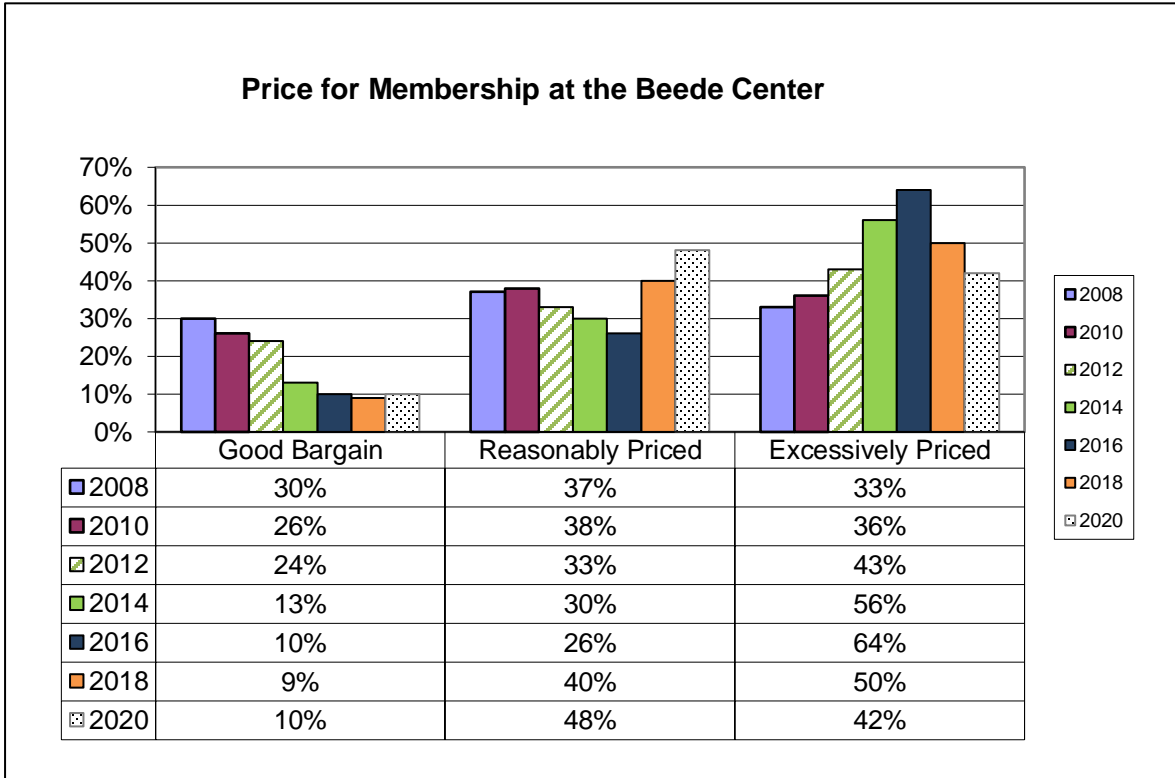
Recreation Programs

Of the 426 respondents (out of 1,189 surveyed) who expressed an opinion on the question regarding the price of Recreation Programs (such as after school programs, special events, programs and summer camp), 89% think these programs are a “Good Bargain” or “Reasonably Priced”.



Beede Swim and Fitness Center

The Beede Swim and Fitness Center has made progress in lessening the perception that its fees are “Excessively Priced”. In the 2016 Survey, 64% of respondents, who expressed an opinion on Beede’s fees, thought they were “Excessively Priced. By 2020, only 42% think so. It should be noted that there were 516 respondents answering the question from a total sample size of 1,189.





**MEMORANDUM
ATTORNEY-CLIENT PRIVILEGED**

To: Stephen Crane, Town Manager
Kerry Lafleur, Finance Director

From: Mina S. Makarious, Town Counsel
Anderson & Kreiger LLP

Re: FY2021 Legal Expenses

Date: January 11, 2020

Below is a summary of Anderson & Kreiger's share of legal expenses in the first half of Fiscal Year 2021, as well as anticipated future costs. We have divided the summary into two sections: general legal work and the Estabrook litigation given the size of that litigation over the years.

General Legal Expenses

Anderson & Kreiger's legal spending as Town Counsel on matters other than the Estabrook matter totaled just over \$54,000 between July 1 and November 30, 2020. We worked another approximately \$26,000 in December 2020, which has not yet been billed. These numbers are in line, and, as of early December, were slightly below, the amount in a typical rate at this point in the fiscal year. Note that this period included the unusually late annual town meeting, as well as additional advice regarding COVID-related issues (which we have tracked separately since the beginning of the pandemic so we can ensure they are reimbursed by federal or state funding if possible).

Our work during the first half of the fiscal year has included the following:

- Review of the Junction Village Tax Increment Finance Agreement prior to Town Meeting and ongoing consultation with CHDC and the Town on the ground lease and applicable affordable housing documents. A senior real estate associate at our firm leads this work, with Town Counsel's supervision.
- Finalizing settlement of the Concord Library litigation. The settlement was largely carried out by the Library and abutters, with minimal involvement from the Town, other than guidance as to the procedures for making sure the revisions to the proposal agreed in the settlement were properly reviewed by the HDC and ZBA. Notably, this was the only litigation Anderson & Kreiger handled for the Town this fiscal year other than the Estabrook case. This is a testament to the good advice and proactive-thinking of the Town's land use staff in particular offer boards and committees. They identify issues

early, and bring them to Town Counsel (with permission from the Town Manager) which helps narrow and address issues before they lead to appeals.

- To that end, much of our general work over the past few months has involved advising the Planning Board on two proposed subdivisions that have raised novel legal issues. One of these subdivisions, which was proposed at Center and Main St., raised a number of contested issues, and was approved in late December.

Among the issues the applicant raised in that matter is whether the Planning Board could apply the Town's Inclusionary Housing Bylaw, which requires land to be made available to the Town for acquisition for affordable housing in subdivisions of a certain size. The Bylaw was approved by the Attorney General in 1992, and has never been challenged. The approval is subject to conditions implementing the Inclusionary Housing Bylaw. The appeal period on the decision has not run, but I note that even if the subdivision approval is appealed, our involvement so far has helped guide the Board on a variety of issues, limiting those that remain in dispute.

- We have assisted the Town with a number of larger public records requests and associated appeals in the past year, including currently assisting on a far-reaching one from counsel with an unidentified client that seeks a combination of documents regarding the Estabrook matter, various personnel matters, and legal expenses. Through conversations with opposing counsel in this matter, we have been able to phase the work required for this production to minimize costs to the Town and effort on the part of Town staff. We took a similar approach with another broad request for records of the Board of Health regarding tobacco regulation in early 2020 to reach a similar result.

II. Estabrook Litigation

Near the end of calendar year 2019, the estimate for remaining litigation costs was in the \$150,000 range. At that time, Town Counsel was completing expert discovery, summary judgment motions (if any) were due in spring 2020, and trial was anticipated in summer or fall 2020. As a result of the COVID-19 pandemic, the Land Court postponed all deadlines in March 2020, and it became clear that trial would be delayed.

In early April, certain of the Estabrook Road defendants unilaterally closed public access to Estabrook trail. From April – July 2020, the Town incurred approximately \$80,000 in legal fees responding to the closure: first, Town Counsel spent significant time trying to negotiate a resolution with the defendants, and when that was unsuccessful, the Town was forced to seek a preliminary injunction. In that April – July 2020 period, only about \$10K in fees was for anticipated discovery work.

After the Court granted the Town's motion for a preliminary injunction, the Court set a trial date for late February 2021, and set pre-trial deadlines. From August through November 2020, Town

PRIVILEGED AND CONFIDENTIAL

January 11, 2020

Page 3

counsel worked on the required pre-trial memorandum, responded to defendants' arguments regarding the Harvard settlement (arguments that ultimately led Harvard to rejoin the case), filed motions *in limine* (a form of motions regarding evidentiary issues) and responded to Defendants' motions *in limine*. In total, the Town incurred approx. \$90,000 in fees for this work, which was much higher than budgeted. These costs were largely incurred as a result of positions the defendants took on the evidence – positions ultimately rejected by the Court – that required the Town to file several motions *in limine* and to oppose several motions *in limine* by defendants, and as a result of defendants' efforts to question the Harvard settlement. In this July through November 2020 time period, the litigation bill also reflects nearly \$10,000 in fees to address complaints made by some of the defendants about enforcement of trail rules and to respond to concerns about defendants' surveillance of trail users.

Just last month, a sub-group of the defendants sought a continuance of the trial to early June 2021 for personal reasons. Given this, the Town and the other parties agreed to the continuance. Between now and June, the Town expects to incur the costs of trial (including trial preparation and post-trial briefing), and limited additional discovery from Harvard. Estimated fees for the trial work and limited Harvard discovery are in the \$80,000 range. This estimate must be conditioned, however, on the possibility that defendants may take further action that requires court intervention, as they have in the past, seek additional discovery, or otherwise try to run up costs pending trial. The Town raised this concern with the Court, and the Court has invited the parties to seek a status conference before any further unanticipated costs are incurred.

AGREEMENT TO MAKE PAYMENTS IN LIEU OF TAXES

(277 and 279 Commonwealth Avenue, 405 Bedford Street, 23 Cottage Street, 1031 Main Street, 199, 203 and 205 Conant Street, 102 Upland Road, 156 Peter Spring Road, 14-16 Bedford Court, and 145, 147, 149, 151, 153 and 155 Powder Mill Road, Concord, Massachusetts)

THIS AGREEMENT TO MAKE PAYMENT IN LIEU OF TAXES (the "Agreement") is effective as of _____, 202_, by and between **CHA LOCAL PROPERTIES LLC**, a Massachusetts limited liability company, having an address c/o Concord Housing Authority, 34 Everett Street, Concord, Massachusetts 01742 (the "Owner"), and the **TOWN OF CONCORD**, a municipal corporation in the Commonwealth of Massachusetts, having a usual place of business at 22 Monument Square, Concord, Massachusetts 01742 (the "Town").

WHEREAS, the Concord Housing Authority, a public body politic and corporate organized under M.G.L. c. 121B (the "Housing Authority") is the present owner of the above properties (together, the "Property"); and

WHEREAS, the Property consists of eighteen (18) units of affordable rental housing which are regulated by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, the Housing Authority presently has an agreement with the Town to make voluntary payments to the Town in the form of a payment in lieu of taxes (the "PILOT Payments"); and

WHEREAS, in order to comply with applicable HUD regulations, the Housing Authority has created the Owner, of which the Housing Authority shall remain as the sole managing member, for the purpose of owning the Property and is conveying the Property to Owner; and

WHEREAS, the Owner offers to continue to make the PILOT Payments commencing as of the date the Owner takes title to the Property (the "Commencement Date"); and

WHEREAS, the Town agrees that, commencing on the Commencement Date and throughout the term of this Agreement, the Property will remain eligible for the tax exemption under the laws of the Commonwealth from local real estate and personal property taxes provided that the use of the Property remains consistent with the tax laws relative to such exemptions;

NOW, THEREFORE, in consideration of the mutual promises hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. PILOT Payments. Commencing upon the Commencement Date, the Owner will make PILOT Payments to the Town in an amount equal to the (x) the aggregate rental income from the Property minus all utility costs for the Property for each fiscal year (or any partial year) multiplied by (y) ten (10%) percent, payable on or before July 1st of each year.

2. Term. This Agreement shall commence on the Commencement Date and shall have a 30-year term, unless sooner terminated by the Town in accordance with the terms hereof.

3. Waiver of Rights. Other than as expressly set forth in this Agreement, Owner agrees that the PILOT Payments will not be reduced for any reason (including without limitation on account of a depreciation factor, revaluation or reduction in the Town's tax rate), and the Town agrees that the PILOT Payments will not be increased for any reason (including on account of an inflation factor, revaluation or increase in the Town's tax rate or assessment percentage beyond that anticipated by the parties). Owner hereby waives, during the term of this Agreement, any rights it may have otherwise had in the absence of this Agreement to seek, for any reason and in any forum, an abatement or reduction of taxes assessed for the Project, and therefore, hereby waives any such rights with respect to any payments in lieu of taxes assessed in accordance with the provisions of this Agreement.

4. Town's Right to Collect. In addition to such rights and remedies available in this Agreement, all statutory rights and remedies available to the Town for the collection of taxes shall also be available to the Town for the collection of PILOT Payments hereunder, including, but not limited to, the rights and remedies provided in G.L. c. 59 and G.L. c. 60, and all such rights and remedies are hereby reserved notwithstanding anything to the contrary herein. All late payments from Owner shall accrue interest at 14% per annum. Furthermore, if Owner breaches its payment obligations under this Agreement and fails to cure such breach following notice within the applicable cure period under Paragraph 12, Owner shall pay the reasonable attorneys' fees, court and other costs incurred by the Town in the collection of the unpaid amounts.

5. Assignment. Owner shall not assign this Agreement in whole or in part without the advance written consent of the Town, which shall not be unreasonably withheld or conditioned, except that Owner may (i) collaterally assign this Agreement to an entity providing financing for construction, operation or maintenance of the Project with advance written notice to the Town, provided that Owner shall not be relieved of its obligations hereunder; or (ii) with advance written notice to the Town, assign the Agreement to an affiliate or an unrelated entity no less creditworthy than Owner to whom Owner has sold or transferred all its interests in the Project (the "New Owner"), provided that, other than a collateral assignment under clause (i) above, Owner shall not assign this Agreement to any person or entity that is not eligible to enter into this Agreement under applicable law. Upon an assignment of this Agreement to a New Owner of the Project under clause (ii) above, provided the New Owner has agreed in writing to be bound by this Agreement, and Owner has cured any and all defaults of Owner under this Agreement and is not in breach of Owner's obligations, Owner shall not be liable for PILOT Payments or other obligations hereunder after the date of such assignment.

6. Invalidity. The parties understand and agree that this Agreement shall be void and unenforceable if (a) this Agreement, or any material portion of this Agreement, is determined or declared by a court or agency of competent jurisdiction to be illegal, void or unenforceable, and/or (b) Owner is determined or declared by a court or agency of competent jurisdiction to not be a limited liability company. In the event this Agreement is declared void in accordance with this Paragraph 6, any payments due and/or made to the Town before the date of such declaration shall be and remain property of the Town, and to the extent permitted by law, shall be deemed full satisfaction of the taxes in lieu of which they were made.

7. Notices. All notices, consents, requests, or other communications provided for or permitted to be given hereunder by a party must be in writing and will be deemed to have been

properly given or served upon the personal delivery thereof, via courier delivery service, or by mail in a manner of delivery that results in a confirmation of receipt, such as certified mail or federal express. Such notices shall be addressed or delivered to the Parties at their respective addresses shown below.

Owner:

CHA Local Properties LLC
c/o Concord Housing Authority
34 Everett St.
Concord, Massachusetts 01742
Attention: Executive Director

With a copy to:

KJP Partners LLP
175 Federal Street, Suite 1440
Boston, MA 02110
Attn: Kurt A. James, Esquire

Town:

Select Board
Town of Concord
22 Monument Square
Concord, Massachusetts 01742

With a copy to:

Anderson Kreiger LLP
50 Milk Street
Boston, Massachusetts 02110
Attn: Mina S. Makarious, Esquire

Any such addresses for the giving of notices may be changed by either party by giving written notice as provided above to the other party. Notice given as provided above by counsel to a party shall be effective as notice from such party.

8. Applicable Law. This Agreement will be made and interpreted in accordance with the laws of the Commonwealth of Massachusetts without regard to the law of “conflicts of laws.” The parties each consent to the jurisdiction of the Massachusetts courts or other applicable agencies of the Commonwealth of Massachusetts regarding any and all matters, including interpretation or enforcement of this Agreement or any of its provisions. Venue for all litigation brought hereunder shall be (solely) in the state courts of Middlesex County, Massachusetts. With respect to any period in which Owner does not have a registered agent for service of process in Massachusetts on file with the Secretary of the Commonwealth of Massachusetts, Owner agrees to accept service of process, including civil complaints, by certified mail at the address indicated in Paragraph 7.

{00065034 3}

9. Certification of Tax Compliance. Pursuant to G.L. c. 62C, §49A, Owner hereby certifies under pains and penalties of perjury that it has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

10. Covenants, Representations and Warranties of the Parties.

Owner represents and warrants:

- a. It is a limited liability company or other business entity duly organized, validly existing and in good standing under the laws of the state in which it was formed, and if a foreign corporation, is registered with the Massachusetts Secretary of State, and has full power and authority to carry on its business as it is now being conducted.
- b. This Agreement constitutes the legal, valid and binding obligation of Owner enforceable in accordance with its terms, except to the extent that the enforceability may be limited by applicable bankruptcy, insolvency or other laws affecting other enforcement of creditors' rights generally or by general equitable principles.
- c. It has taken all necessary action to authorize and approve the execution and delivery of this Agreement.
- d. The person executing this Agreement on behalf of Owner has the full power and authority to bind it to each and every provision of this Agreement.
- e. The performance of Owner's obligations under this Agreement will not violate or result in a breach or default of any agreement or instrument to which Owner is a party or to which Owner is otherwise bound.

The Town represents and warrants:

- a. It is a municipal corporation duly organized, validly existing and in good standing under the laws of Massachusetts.
- b. This Agreement constitutes the legal, valid and binding obligation of the Town enforceable in accordance with its terms, except to the extent that the enforceability may be limited by applicable laws.
- c. The Town has taken all necessary action to authorize and approve the execution of this Agreement.
- d. The persons executing this Agreement on behalf of the Town have the full power and authority to bind it to this Agreement.

11. Integration. The parties agree that this is the entire, fully integrated agreement between them with respect to payments in lieu of taxes for the Project, and that there are no third party beneficiaries to this Agreement.

12. Termination by Town. Notwithstanding anything to the contrary in this
{00065034 3}

Agreement, the Town may terminate this Agreement if:

- a. Owner fails to make timely payments (including any interest payments) required under this Agreement, which failure remains uncured for sixty (60) days following notice of such failure from the Town; provided, however, that the Town may nonetheless terminate this Agreement if such failure occurs more than three times in any rolling 365-day period, even if each such failure is cured within the 60-day notice period;
- b. Owner has filed, or has had filed against it, a petition in bankruptcy (and any such involuntary petition is not dismissed within sixty (60) days), or is otherwise insolvent;
- c. Owner otherwise materially breaches this Agreement, which breach remains uncured for sixty (60) days following notice of such breach from the Town; and/or
- d. Owner's representations set forth in Paragraph 10 were untrue, inaccurate, or incomplete in material respects at the time they were made, such misrepresentations have materially adversely affected the Town, and Owner has failed to remedy such adverse effect within sixty (60) days following notice from the Town.

13. Counterparts. This Agreement may be executed in one or more counterparts by the parties hereto each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

[Signature Page Follows]

IN WITNESS THEREOF, each of the parties has caused this Agreement to be executed as a sealed instrument by its officers duly authorized as of the day and year first above written.

CHA LOCAL PROPERTIES LLC
RESIDENCES LLC

TOWN OF CONCORD,
By Its Select Board

By: _____
Name:
Authorized Agent



Regional Housing Services Office

Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston

Office Address: 37 Knox Trail, Acton, MA 01720
Phone: (978) 287-1092

Website: WWW.RHSOhousing.org
Email: INFO@RHSOhousing.org

To: Stephen Crane
From: Liz Rust, RHSO
CC: Marianne Nelson, Marcia Rasmussen
RE: CHA Repositioning, Affordable Housing Restriction, revised 1.21.21

As you know, the Concord Housing Authority (CHA) is acquiring 18 units of housing across 9 properties from HUD through the Section 18 Disposition program. This means that that HUD will be conveying the properties to the Concord Housing Authority and HUD will support the properties by providing rental subsidies.

The CHA has been exploring this conversion initiative for some time as a way to bring in more funding to devote to needed capital improvement. The units are older, and need renovations and repairs. In terms of funding levels, currently (for tenant rents, rent subsidies and capital improvements) the CHA receives \$225K, and under the new program is expected to receive \$600-\$650K.

The Town of Concord has long valued the affordable housing units owned by HUD, managed by the Concord Housing Authority, and supports the application by the Concord Housing Authority to convert these properties. In the town support letter, the town requested a use restriction for 99-years, or perpetuity, for these units to maintain their affordability.

The RHSO recently learned, through discussions with the CHA and their attorney, that HUD will not be providing an affordable housing restriction as part of the conversion. We have worked together, and consulted DHCD, about the options for providing an affordability framework for these properties.

The project agreement between HUD and the CHA for this transaction will take the form of a 20-year Housing Assistance Payment contract (HAP), which operates similar to a Project-Based Section 8 contract. The HAP Contract, while in force, confirms the terms of affordability related to income eligibility, tenant selection, and rent determination. The HAP Contract is most often renewed by HUD after its 20-term. This HAP Contract is sufficient to keep the units eligible for the SHI under the 20-year affordability, through an expiration date. The HAP Contracts also allow for Local Preference in the waiting list preferences, a key consideration.

The question for Concord is whether to **also** include an Affordable Housing Restriction to preserve affordability of these properties into the future if the HUD HAP Contract is not be renewed.

While this is not currently the situation, HUD funding availability may change in the distant future, and an affordable housing restriction would continue the use as affordable housing irrespective of the HAP contract. If the HAP contract expires, and there is no restriction, the CHA would be able under no obligation to retain the properties as affordable housing.

This is a speculative scenario, and there is no reason to assume that HUD will not renew the contract, or that the CHA would dispose of the properties.

The local restriction, to be held by the Town, would be written to the DHCD standards, and might allow for release buy the Town upon justification by the CHA – to allow for an extraordinary circumstance. The CHA attorney can work out these details during the drafting of the restriction.

Another option, though not recommended, is to regulate the properties under the DHCD Local Initiative Program (LIP) program. This is a larger undertaking, with more regulatory oversight than needed, and would not allow local preference.

Select Board Submission for 2020 Annual Town Report

+++ Screenshot of Select Board Members taken January 11, 2021

General Business

The Select Board is the elected representative of Concord citizens. It is responsible for overseeing the development and implementation of Town policy for all Town matters other than the management of the schools, for which the elected School Committee has the responsibility and those issues mandated by State laws for various Commissions. The Board appoints the Town Manager and works closely with the incumbent to set annual goals and objectives. The Board implements the decisions of Town Meeting, sponsors Town Meeting Warrant articles, and makes recommendations on Town Meeting Warrants. The Board makes appointments to Town boards, committees and task forces, acts as the authority for granting of numerous licenses, and reviews the development of the operating and capital budgets. It also represents the Town in a variety of roles with Federal, State, regional and other local government agencies, as well as being the official point of acknowledgment for the many gifts, grants, and recognitions Concord gratefully receives. The Town Manager reports to and is annually evaluated by the Board.

Select Board Agenda and Goals

The Concord Select Board annually affirms its values and guiding principles to align its goals and objectives for improving government as it interacts with the Town Manager, committees, task forces, citizens and other units of government. In so doing, the Board aims to lead and establish strategic priorities, to provide support, guidance and encouragement where appropriate and to be collaborative, open and inclusive at all times.

Governance: Effective, Responsive and Transparent Governance

Public Health and Safety: Exemplary of Best Practices for the Safety of All

Financial Stability: Fiscal Responsibility and Financial Stability/Sustainability

Infrastructure: Sufficient and Sustainable, Well-maintained and reliable

Quality of Life: High Level Maintenance of Town Services for Town Citizens

Balance and Equity: Balance and Equity among divergent individual, neighborhood and town-wide interests.

Diversity: Conscious Decision Making to Support Economic and Social Diversity and Inclusion

Historical and Cultural Heritage: Preservation and Promotion of Historical Heritage

Agricultural and Natural Resources: Protection and Enhancement

Sustainability and Resilience: Sustainable Management of Energy Resources, Reduction of Carbon Emissions, and Regeneration of our Natural Environment

Economic Resilience: To Protect the Vitality of the Town and Businesses

Regional and State Interests: Advancement of Concord's Interest in the Region and the Commonwealth

The Board's goals and guiding principles help it maintain continuous and consistent progress while being mindful of the tax burden and expectations for Town services. Board actions are informed by the Town's long-range plan, **Envision Concord: Bridge to 2030**, among other important sources of information.

Communications

The Board changed its regular meetings from every other Monday at 7 p.m. to every Monday at 4 p.m. and from in person to remote meetings as a result of the pandemic. Additional meetings take place as required. To allow greater time for consideration of substantive matters, the Board employs a consent agenda for routine and non-controversial matters such as gift acceptances and special licenses. The Board strives for greater transparency on all matters of Town Policy.

Notices of Board meetings are posted with agenda items listed. Meetings are open to all interested Concord citizens and time is allotted for public comment. Copies of supporting materials for meetings of the Board are posted on the Town website. Minuteman Media Network records and broadcasts the Board meetings on Concord's local access cable channel 9 and online at minuteman.media. The **Concord Journal** (concord.wickedlocal.com) and **Concord Patch** (patch.com/Massachusetts/concord) both regularly report on the meetings of the Board. Erin Stevens, the Town's Public Information and Communications Officer, oversees regular postings on the Town's website and social media.

When necessary, the Board meets in Executive Session to discuss issues of litigation, land acquisition, and labor negotiations. Members of the Board also meet with neighboring officials and the Town's representatives in the Massachusetts legislature, as well as with representatives of the MBTA as necessary. Representative Tami Gouveia and State Senator Mike Barrett serve as our current legislative leadership.

Boards and Committees

A hallmark of Concord since its founding has been citizen participation. The Town has three elected boards: the Select Board, the School Committee and the Housing Authority. Citizens also annually elect the Town Moderator. The Town's elected officials, as well as citizen members of approximately 50 other boards, committees and commissions are all volunteers and demonstrate the extraordinary engagement town residents have with the democratic process of the Town. Volunteers indicate their interest in town committees by filling out a Green Card. Green Cards can be submitted in person at the Town Manager's Office in the Town House (when no pandemic restrictions apply) or online at the Town's website: concordma.gov/greencard. Over 270 citizens serve and annually donate hundreds of hours of personal time to benefit Concord. The Board hosts a monthly Chairs' Breakfast, which provides an overview of recent or planned activities from each of the Town's boards, committees and commissions in an informal information-sharing format that is an open and recorded meeting. To further engage citizens and to help ensure transparency, boards, committees and commissions hold public hearings and forums throughout the year on a variety of matters. When not constrained by pandemic conditions, the Town hosts a number of public events and celebrations each year.

Board Membership

In September following town meeting, Linda Escobedo succeeded Mike Lawson as Chair and Susan Bates became Clerk. Matthew Johnson joined the Board for his first term having been elected in June. Jane Hotchkiss continued to serve her second term and Terri Ackerman continued in her first term. At the end of Annual Town Meeting in September, Mike Lawson concluded his second term on the board with gratitude from Board members for his invaluable service to the town, serving as chair twice.

Notable Issues

COVID 19 appeared in February and caused a seismic shift in how Town business, and indeed all business, was conducted. The leadership of Public Safety departments, the Town Manager, the School Superintendent, the School Committee, and the Select Board developed new procedures for conducting Town business and new ways of communicating with each other and with citizens to ensure the safety of all. In March the Select Board began remote weekly meetings in compliance with State regulations which continued beyond the end of 2020. Agenda items were scheduled in response to evolving regulations, limiting public ceremonies and events, adjustments to scheduling Town Meeting and frequent updates from the Board of Health. Annual Town Meeting was held outdoors at Doug White Field on Sunday, September 13, 2020. 22 Articles were on the Consent Calendar, an additional 18 Articles were moved and 12 Articles were postponed. The Board has already adjusted the 2021 Annual Town Meeting calendar to reflect the continued pandemic.

Despite the circumstances, the Board continued to focus on the guidance of the long-range plan: ***Envision Concord: Bridge to 2030***. Progress was made in several areas. The Transportation Advisory Committee was seated, the Junction Village Open Space Task Force is nearly complete, as is the Affordable Housing Trust Committee. A subcommittee of the Board reviewed and amended the green card process and the Board approved a Fleet Electrification Policy. The newly formed Economic Vitality Committee quickly became very active in the face of COVID and the threats posed to the local economy. The Town Manager and Chair filed special legislation for Senior Means-Tested Property Tax Exemption and for Additional Liquor Licenses following approval of these articles at Town Meeting.

The Board continued to follow legislation filed last year related to affordable housing as well as local developments related to the Gerow acquisition and White Pond improvements. Collaboration between CHDC, Lowell Habitat for Humanity, and the Town resulted in the purchase of a Main Street property to develop into two affordable units. Junction Village/Christopher Heights ALF, an 85 unit affordable housing complex, has met most of the state and local statutory requirements and is expected to break ground in the next year.

Continuing land disputes over public access to the Estabrook Woods trail and challenged water rights for Nagog Pond are unfortunately still issues before the Town. The court ruled favorably in the Nagog Pond dispute but appeals are pending. The Town anticipates a trial date in June for the Estabrook Woods issue.

Gifts and Acknowledgements

Concord's citizens, visitors and organizations continued their history of remarkable generosity to the Town. Concord was very fortunate to receive numerous gifts and the Select Board formally acknowledges all gifts in excess of \$500.

The Board acknowledges, among many others, the following generous and greatly appreciated gifts in 2020: White Pond Associates, Inc. gift of \$1,692.03 to the White Pond Management Plan Gift Account; White Pond Associates, Inc. gift of \$201,690.00 to the White Pond Management Account; Concord Carousel Scholarship Fund Committee gift of \$6,649.68 to the Carousel Preschool Scholarship Fund; Middlesex Savings Bank gift of \$10,000 to the Concord Police Department; Middlesex Savings Bank gift of \$10,000 to the Concord Fire Department; Friends of the Concord Free Public Library gift of \$3,000 to the Library Staff Gift Account; David and Melissa Schoenfeld gift of a 2003 Volkswagen Jetta, valued at \$3,267.00, to the Fire Department; William & Maureen Kemeza gift of \$510.00 to the Memorial Trees Account; His Presence Christian Fellowship Inc. gift of \$1,000.00 to the Council on Aging Gift Account; Spaulding Management LLC, gift of a picnic table valued at \$898.00, to the Concord Visitor Center; Concord-Carlisle Community Chest gift of \$3,062.50 to the Volunteer Coordinator Account; Concord-Carlisle Community Chest gift of \$10,335.50 to the Outreach Worker Account; Concord-Carlisle Community Chest gift of \$4,427.00 to the Social Services Coordinator Account; Mrs. Mariann H Goslovich gift of \$4,000.00 to the Council on Aging Account; Concord-Carlisle Youth Baseball gift of \$7,700.00 to the Ripley Baseball Field Gift Account; Concord Free Public Library gift of \$500.00 to the Library Gift Account; Milltarry Market LLC gift of \$22,392.00 to the Keyes Road Street Lights Account; The Boston Foundation gift of \$2,500.00 to the Nanae Gift Account; Middlesex School gift of \$50,000 for emergency equipment purchases; Concord-Carlisle Community Chest gift of \$3,062.50 to the Volunteer Coordinator Account; Concord-Carlisle Community Chest gift of \$10,335.50 to the Outreach Worker Account; Concord-Carlisle Community Chest gift of \$4,437.00 to the Social Services Coordinator Account; Concord-Carlisle Community Chest gift of \$7087.50 to the Community Services Coordinator Gift Account; Concord-Carlisle Community Chest gift of \$7087.50 to the Community Services Coordinator Gift Account; Eric Green and Carmin Reiss \$25,000 to the Affordable Housing Trust Fund; Mr. and Mrs. John J. Langan \$800 to the Council on Aging.

The Select Board wishes to thank Town Manager Stephen Crane, Deputy Town Manager Kate Hodges, Administrative Manager Chris Carmody, Senior Administrative Assistant Jeremy Romanul, Chief Financial Officer Kerri Lafleur, and all of the employees of the Town of Concord for their professionalism and dedication in serving the residents of Concord. We also wish to acknowledge and thank the hundreds of citizen volunteers willing to devote their time and skills to Town affairs, without whom the Town could not function.