

**TOWN OF CONCORD
SELECT BOARD
AGENDA
July 6, 2020
4:00PM
VIDEO CONFERENCE CALL**

Join Zoom Meeting
<https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBlA21CczdQM0EvWVVFZz09>

Meeting ID: 840 9239 5810
Password: 865209

One tap mobile
+16465588656,,84092395810# US (New York)

Dial by your location
877 853 5257 US Toll-free
888 475 4499 US Toll-free
Meeting ID: 840 9239 5810

Find your local number: <https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBlA21CczdQM0EvWVVFZz09>

1.	Call to Order
2.	<p>Consent Agenda</p> <ul style="list-style-type: none"> - Minutes to approve: May 21, 2020; May 28, 2020; June 2, 2020 Open Session; June 2, 2020 Executive Session (not to be released; June 10, 2020; June 12, 2020 Open Session; June 12, 2020 Executive Session (not to be released); June 16, 2020 Open Session; June 16, 2020 Executive Session (not to be released) - Gift Acceptance <ul style="list-style-type: none"> -William & Maureen Kemeza \$510.00 Memorial Trees Account -His Presence Christian Fellowship Inc. \$1,000.00 Council on Aging Gift Account -Donation from David and Melissa Schoenfeld of 2003 Volkswagen Jetta, valued at \$3,267.00, to the Fire Department to be used for training
3.	Town Manager Update
4.	Chairs Remarks
5.	Discussion of Ag Day
6.	The Ability of Alexa Anderson to participate in Concord Public School Deliberation without voting Authorization
7.	Annual Town Meeting Update
8.	Committee Nominations: Nathaniel Welch of 141 Stow Street to the Bruce Freeman Rail Trail Advisory Committee for a term to begin August 1, 2020, set to expire April 30, 2023.
9.	Committee Appointments: Beth Kelly of 39 White Avenue to the White Pond Advisory Committee for a term to expire April 30, 2023. Jennifer McGonigle of 31 Highland Street to the Economic Vitality Committee for a term to expire April 30, 2023. Nancy Stone of 70 Beharrell Street to the Bruce Freeman Rail Trail Advisory Committee for a term to begin on the first day of the month following the 2020 Annual Town Meeting, to expire on April 30, 2023.

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10.	Committee Liaison Reports
11.	Miscellaneous Correspondence
12.	Public Comments
13.	Executive Session to discuss ongoing litigation regarding Estabrook Road. Doing so in Open Session would have a detrimental effect on the Town's litigation strategy, and the Chair so declares
14.	Adjourn

David W. Schoenfeld
34 Sidney Lane, Concord, MA 01742
Telephone: (617) 291-5606

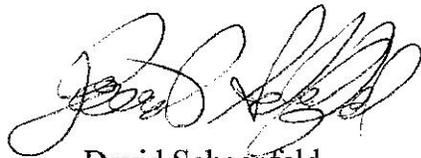
June 23rd, 2020

Chief Thomas M. Judge
Concord Fire Department
209 Walden Street
Concord MA 01742

Dear Chief Judge,

We are donating our vehicle, a 2003 Volkswagen Jetta, valued at \$3,267.00 to the Concord Fire Department to be used for training. The vehicle has served our family well and we hope that it can provide value to the Concord Fire Department and our community as a training tool.

Respectfully,

A handwritten signature in black ink, appearing to read "David Schoenfeld", written in a cursive style.

David Schoenfeld

A handwritten signature in black ink, appearing to read "Melissa Schoenfeld", written in a cursive style.

Melissa Schoenfeld

Town of Concord
Finance Department
memorandum

TO: Stephen Cran, Town Manager
FROM: Kerry A. Lafleur, Chief Financial Officer
SUBJ: Memorial Trees
DATE: November 8, 2018

Please place on the Select Board's agenda the following gift of two trees.

William J Kemeza
Maureen D Kemeza \$510.00
28 Davis Court
Concord, MA 01742

Account:
0023-410-410-0759-4850-0000
Memorial Trees

Accepted: _____
Clerk

Date: _____



Subject: Re: Reallocation of police funds

Date: Tuesday, June 30, 2020 at 4:45:46 PM Eastern Daylight Time

From: Michael Lawson

To: Naomi Waldron

CC: Joseph O'Connor, Jeremy Romanul

Dear Ms. Waldron

Many thanks for taking the time to write to me and for sharing your concerns. As you suggest, we are very fortunate to live in a peaceful community with a terrific police department dedicated to protecting the public's safety. I too, however, would be concerned about both police and public safety if police were disarmed, and especially so if that fact was widely known.

Mike

On 6/30/20, 4:24 PM, "Naomi Waldron" <nmwjuly@gmail.com> wrote:

Dear Mr. Lawson,

Hello! My name is Naomi Waldron, I am a Concord resident, and I wanted to share with you some insight about the budget and funding towards the Concord Police Department with the hope that some of the budget could be reallocated towards anti-racist measures in the public schools (ie, guest speakers), and/or low income housing.

I have been researching online in regards to police in Concord, and I have found some interesting and relevant information. I would also like to add that I spoke to Chief O'Connor on the phone who had some concerns about police officer safety if the police were to be disarmed and I found that;

- 1) no police officer has been killed in the line of duty in Concord or any of the surrounding towns since 1894
- 2) in 2019 there were 48 felonious police killings, and 1001 people killed by the police
- 3) none of the police killings in 2019 were in New England, the closest one being in New Jersey
- 4) according to the FBI in 50% of the cases where officers were killed in the line of duty, the officers did not even have time to draw their guns
- 5) crime in Concord is 6.5 times less than the national average

Chief O'Connor told me to look in the police logs about crimes in Concord, however after looking through numerous of them I found the things that appeared most on them were motor vehicle stops, traffic enforcements, and business/location checks. Since Concord has such a low violent crime rate, and there has never been a police killing in Concord, I think we need to rethink arming our police.

If we were to disarm the police, we could use the funds from the guns and other unnecessary expenses to go towards some of the things mentioned above.

Thank you very much for taking the time to read and consider this email regarding reallocating some of the Concord Police Department budget. Please don't hesitate to reach out should you want additional information or have any questions.

Sincerely,
Naomi Waldron

From: Brooks Read <brooksola@yahoo.com>

Date: Wednesday, July 1, 2020 at 3:22 PM

To: Terri Ackerman <tackerman@concordma.gov>, Michael Lawson <mlawson@concordma.gov>, Linda Escobedo <lescobedo@concordma.gov>, Susan Bates <sbates@concordma.gov>, Jane Hotchkiss <jhotchkiss@concordma.gov>, Stephen Crane <scrane@concordma.gov>

Cc: "neil@saveourheritage.com" <neil@saveourheritage.com>, "rr3at635@gmail.com" <rr3at635@gmail.com>, "anna@saveourheritage.com" <anna@saveourheritage.com>, "susannahkay1@gmail.com" <susannahkay1@gmail.com>, Howard Cooper <hcooper@toddweld.com>, Brooks Read <brooksola@yahoo.com>

Subject: Re: Wealthy People Blocking the Less-Wealthy

Dear Select Board members and Town Manager,

Please see the attached letter.

Brooks Read
Susannah Kay
366 Estabrook Road

On Monday, June 29, 2020, 7:38:28 PM EDT, Paul Jameson <paul_jameson@comcast.net> wrote:

Hello Selectpeople and also Abutters,

I believe that the social context of the legal case on the Estabrook Road is an important aspect of the situation. This opinion piece in the New York Times describes another example of wealthy people keeping less-wealthy people and the general public from a good time in nature, in this case at a beach. I have attached a copy of the article in today's Times and the URL of the piece is below:

<https://www.nytimes.com/2020/06/28/opinion/coronavirus-openings-summer-beaches.html?searchResultPosition=1>

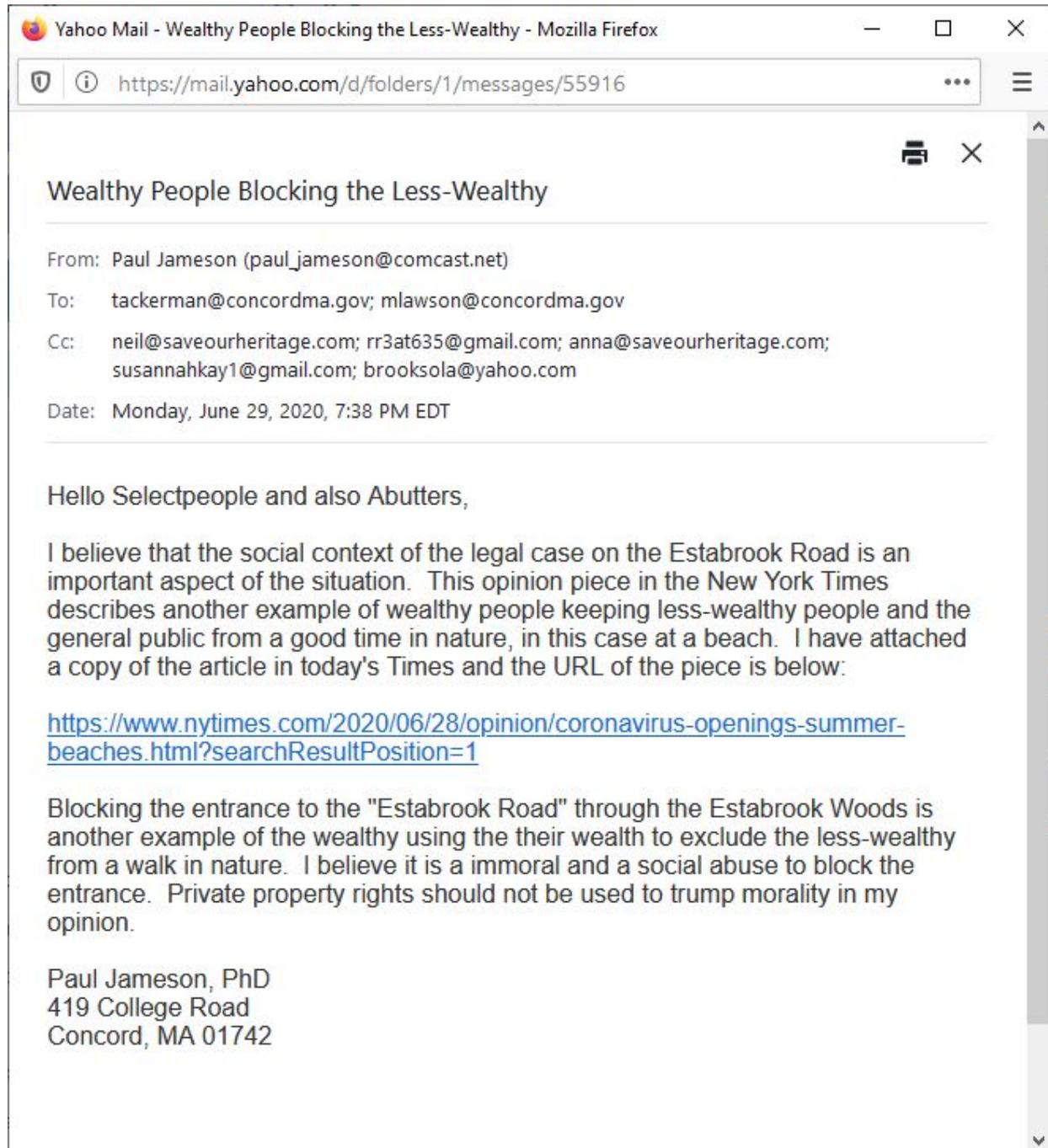
Blocking the entrance to the "Estabrook Road" through the Estabrook Woods is another example of the wealthy using their wealth to exclude the less-wealthy from a walk in nature. I believe it is an immoral and a social abuse to block the entrance. Private property rights should not be used to trump morality in my opinion.

Paul Jameson, PhD
419 College Road
Concord, MA 01742

July 1, 2020

Dear Town Manager and Select Board,

Paul Jameson of 419 College Road has sent to our personal email accounts the unwelcome email shown below:



The screenshot shows a Mozilla Firefox browser window with the title "Yahoo Mail - Wealthy People Blocking the Less-Wealthy". The address bar displays the URL "https://mail.yahoo.com/d/folders/1/messages/55916". The email content is as follows:

Wealthy People Blocking the Less-Wealthy

From: Paul Jameson (paul_jameson@comcast.net)
To: tackerman@concordma.gov; mlawson@concordma.gov
Cc: neil@saveourheritage.com; rr3at635@gmail.com; anna@saveourheritage.com; susannahkay1@gmail.com; brooksola@yahoo.com
Date: Monday, June 29, 2020, 7:38 PM EDT

Hello Selectpeople and also Abutters,

I believe that the social context of the legal case on the Estabrook Road is an important aspect of the situation. This opinion piece in the New York Times describes another example of wealthy people keeping less-wealthy people and the general public from a good time in nature, in this case at a beach. I have attached a copy of the article in today's Times and the URL of the piece is below:

<https://www.nytimes.com/2020/06/28/opinion/coronavirus-openings-summer-beaches.html?searchResultPosition=1>

Blocking the entrance to the "Estabrook Road" through the Estabrook Woods is another example of the wealthy using their wealth to exclude the less-wealthy from a walk in nature. I believe it is an immoral and a social abuse to block the entrance. Private property rights should not be used to trump morality in my opinion.

Paul Jameson, PhD
419 College Road
Concord, MA 01742

Mr. Jameson has been escalating his invasion into our lives. Mr. Jameson has previously stalked us and our across-the-street neighbor Neil Rasmussen at the bottom of our driveways.

In a January 11, 2020 letter to the Concord Journal, Jameson writes that his interpretation of the Bible supports and justifies trespass on our private property:

Landowners challenge Concord's heritage and Judeo-Christian morality

Most of us are proud of Concord's heritage. We are particularly proud that many Concordians led the fight against slavery in the U.S., a fight against one concept of private property at that time.

In Henry David Thoreau's time, people walked freely in the woods. He spoke about the joys of living in the woods and being one with nature. For more than a hundred years, Concordians traversed by cart or foot from Concord to Carlisle on Estabrook Road, the road from Concord to Carlisle through Estabrook Woods.

Now, three sets of landowners blocked the Concord entrance to the historic road, only 12 feet wide, and on the outermost edges of their property. The public can no longer get to the entrance of that historic road to Carlisle.

But consider two Bible-aged directives to landowners. According to Israelite law, the corners of agricultural fields were not to be harvested. The purpose of that law was to feed the poor, the orphans, the widows and the foreigners. Similarly in Leviticus 19:9-10: "When you reap the harvest of your land, do not reap to the very edges of your field or gather the gleanings of your harvest. Do not go over your vineyard a second time or pick up the grapes that have fallen. Leave them for the poor and the foreigners. I am the Lord your God."

But the three sets of landowners won't even allow those "other people" to walk on "the very edges of their fields."

"Private property rights" apparently supersede moral teachings like "love thy neighbor as thyself."

Paul Jameson, College Road

Now Mr. Jameson is sending us uninvited email regarding the *Town of Concord v. Neil Rasmussen et al* lawsuit, a lawsuit which you filed against us.

Mr. Jameson's intrusion into our lives is a problem the Town encouraged by conveying a false narrative about us and the lawsuit to the public, including Mr. Jameson. He now apparently feels it is appropriate to directly engage us regarding the lawsuit.

Over several years, from 2013 through 2017, the public became increasingly invasive into our lives, our homes, and our properties through their use with our permission of our trail into the Estabrook Woods. We documented this extensively with letters and many, many photographs documenting the unsafe conditions resulting from the abuse. We asked the Town for help in managing this invasiveness and abuse. That request resulted in the Town forming a committee: the EWASC (Estabrook Woods Access Study Committee) - which made a recommendation that the Town:

“Work with town counsel and direct abutters on Estabrook Road to resolve legal uncertainties regarding the current dirt road trail in order to secure permanent public access at this location.”

We asked you for help, and you responded by using this statement as justification to sue us. And you sued us without ever communicating with us even one single time about your intent to sue us.

The Town clearly had planned to sue us, having prepared and circulated a draft complaint well ahead of the date on which you served us with that complaint.

The Town worked with special interest group Concord Unleashed members to bring the suit, while keeping all other citizens, including the defendants, unaware of the upcoming filing.

Later the Town remained silent as it listened to a former Concord public official fabricate a false narrative of blame - which the Town knew to be false - claiming the defendants, including us, forced the Town to sue. The narrative of blame was presented using misquotations from a letter sent to the Town just days before you sued us. That letter was marked “*Confidential For Settlement Purposes Only*” on every page.

The Town has actively referred people to the highly inflammatory, derogatory and slanderous *Town of Concord v. Neil Rasmussen et al* complaint document, which has been posted on the public Town of Concord website, under “*Important Documents.*” No other similar complaint against citizens has ever been filed in Concord, nor has the Town of Concord website ever before been used to vilify citizens as you have vilified us. Your continued presentation of this false narrative is causing us ever increasing harm.

The Select Board has publicly accused us of placing poison in the woods *“to cause anxiety among those who walk their dogs in the vicinity of [our property].”* This claim is demonstrably false, and Chair McKean, who delivered the statement, knew it was false when he made the statement. Mr. McKean communicated about the matter of *“poison in the woods”* to special interest group ConcordUnleashed founder Jeff Young. ConcordUnleashed posted McKean’s false statement to its Facebook page, and effectively named us as the perpetrators of *“poison in the woods.”* The public backlash from this false narrative continues to harm us today.

After receiving a parking ticket on Estabrook Road, Mr. Geoff Edgers of Concord wrote an email to Select Board member Hotchkiss about wanting to *“start a war,”* apparently with us, and Ms. Hotchkiss replied to that email without addressing Edgers’s desire to *“start a war.”* His letter is in the April 16, 2020 public comments file. We wrote to you requesting clarification of Mr. Edgers’s intent over his desire to *“start a war,”* but we received no reply from any Town official, and our letter is being actively and unfairly suppressed from inclusion in the file of public comments into which other citizen’s emails were added when submitted around the same time.

Now we are asking you to help us deal with the increasingly bizarre and invasive actions of Mr. Jameson, which we directly attribute to your multifaceted false narrative about us and our trail. What will you do regarding our request for help in controlling Mr. Jameson’s increasingly intrusive and inappropriate invasion into our private lives?

Brooks Read
Susannah Kay, MD
366 Estabrook Road

From: Sutanuka Basu <tanu.basu@iagb.org>

Date: Wednesday, July 1, 2020 at 6:48 PM

To: Michael Lawson <mlawson@concordma.gov>

Cc: Jeremy Romanul <jromanul@concordma.gov>

Subject: Requesting your permission: Hoist the Indian Flag to Commemorate India's Independence Day

Respected Select Board Chair Michael Lawson,

Hope this letter finds your family, friends, and you in the best of health & spirits. As we all recognize, this COVID-19 pandemic has caught us all in our paths as we find new ways to adapt to this new normal for the foreseeable future.

One of the most challenging 'new norm' is the restriction on the number of people gathering in one place at the same time, thus adding a huge question mark on ways to celebrate various special milestone socio-cultural or historic occasions, which are traditionally and historically celebrated in a grand way welcoming a huge public gathering.

Who are we?

India Association of Greater Boston, known as IAGB is the oldest and one of the leading Indian American community organizations in New England. It is a non-profit, non-political, and non-religious organization, serving the Indian American communities in the New England region. IAGB strives to foster a strong Indian- American social, cultural and community presence in New England.

How have we commemorated Indian Independence Day in the past?

For the past 60+ years, IAGB has been celebrating August 15, as India Day to commemorate India's Independence and celebrate Indian Americans rich culture and traditions, with utmost vigor and grandeur. For more than 25 years, until 2017, we have celebrated India Day alongside Charles River at the Hatch Memorial Shell with a cheering crowd of over 12,000 people. From 2018 onwards, we have been doing the same in the heart of Boston – the City Hall Plaza, with an even larger crowd.

However, considering the current restriction, we have had to revisit our plan to commemorate this momentous day in a safe way following the 'new norm'. While we have done away with the traditional plan of bringing a huge gathering at one centralized place, we are planning to bring this celebration to as many Towns in New England as we can. This will not only help decentralize the celebration and but also allow people to take pride in the fact that their towns recognized and celebrated this historic event, while still being in the safe radar of their hometown and enjoy the cultural events we will conduct virtually.

We humbly seek your kind permission to hoist India's Flag at Concord Town Common to commemorate India's 74th Independence Day on Saturday August 15, 2020. Should Saturday not work and a weekday is preferred, Friday Aug. 14 will work as well.

How do we plan to do it?

✓ What will we do?

---On August 15, 2020: A few of the town residents will gather at town common, while following all social distancing guidelines

---Sing the U.S National Anthem and hoist the U.S flag

---Sing the Indian national anthem and hoist the Indian flag

- What time? Anytime between 8 – 10 am
- Who provides the flag? IAGB
- Who provides the pole?
- Who hoists the flag? IAGB member/representative in presence of one of the Town Selectmen
- What do we need? Your kind permission

While we take pride in originating from our native country, India, deemed the world's largest democracy, we are equally as proud and grateful for being able to call the United States of America our home, where democracy and personal freedom are held at utmost priority. We look forward to hearing back from you with a positive response to our request.

With sincere regards,

Tanu Basu

Director, IAGB

Ph. 781-608-2144

Email: tanu.basu@iagb.org

Tanu Debasri.....

"Let the beauty of what you love be what you do."

On 7/1/20, 7:30 PM, "Shelley Amster" <shelley@shelleyco.com> wrote:

Dear Michael-

I would like to schedule a call with you regarding the Towns Emergency Alert System.

I understood when we signed up that it was only to be used for Announcing Emergencies.

Please contact me why our new Town Manager is allowed this to be a voice message for other purposes. Announcing supporting our town economy is not an emergency.

These recommendations are wonderful but should be posted In The Journal or in a Mailing. Or place it on the bills sent to home owners.

Suggestion instead of the Town wasting money each month on sending separate invoices for water and electric, one bill per month for all fees yields smart business practices. Use these mails to make these announcements.

Please call me. Thank you.

Sent from my iPhone
Shelley Amster
978-239-1468 Mobile
Respond to Shelley@shelleyco.com