

Correspondence received by the Concord Select Board
Week Ending – June 10, 2024

1. Attorney Robert Meltzer – 33 Bradford Street
2. Joe Palumbo – 90 Blackhorse Place
3. Andrea Foncerrada – 41 Commonwealth Avenue
4. Elizabeth More – 105 Blueberry Lane
5. Sue St. Croix – 32 Center Village Drive
6. Leslie Fisher – 43 Middle Street
7. Kathy Gasperine – 1461 Main Street
8. Pat Brewer – 132 Wright Road
9. Ted Bayne and Lea Delacour – 71 Assabet Avenue
10. Marilyn Lowitt – 5 Westvale Drive
11. Liz Rust – 201 Commonwealth Avenue

Robert N. Meltzer

Attorney At Law

June 4, 2024

Mary Hartman, Chair
Board of Selectmen
Town of Concord
22 Monument Square
Concord, MA 01742

re: "Flag" Request—June 3, 2024 Agenda—"DEI Commission"

Dear Ms. Hartman:

I am a resident of Concord in the 3rd precinct.

I'm sorry that I was unable to attend the June 3, 2024 Select Board meeting which discussed the issue of private banners on public property in Concord. From an observer who was there, I understand that there are questions that I could have answered for you, and so I offer this letter as a follow-up.

First, I suggest that you review the flag policy from the town of Holliston. The Holliston policy recognized that public/government buildings are spaces which reflect the commonality of a town as opposed to a specific free speech zone; the public square is a zone of convergence of what we, as a community, share in common, and is not to be a place in which we display that which drives us apart. Holliston was concerned that opening communal spaces to private banners from each group who requested such use was not just divisive, but a potential forum for endless squabbling amongst diverse interests and philosophies, and which also raised serious issues of denial of constitutional protection. An example of that would be the inclusion of religious banners, which raise serious questions of violation of both the Establishment Clause and the Free Exercise Clause of the First Amendment. Of equal concern, Holliston was operating under the U.S Flag Code, which specifically defines what flags may be flown in conjunction with or in relation to the American flag. The "Juneteenth" banner does not meet that standard, and the law establishing that holiday did not carve out an exception for display under the Flag Code.

For this reason, Holliston identified a location which was not the public square for approved use of private banners. In approving such a site, Holliston was conscious of the need to identify a site which had accessibility, but which did not convey the sense that the town was endorsing the content. Similarly, Concord should not allow these flags or banners on public buildings, inside or outside, or on Monument Square. Further, these banners should not be located on school buildings or other town facilities. I would hope that a policy like this would address two problems that already exist in the town of Concord. The first consists of the placement of a "pride" banner in the teen

room of the Concord library, which has deterred many Concord families of various religious faiths from using that room and has served to exclude children from what is supposed to be taxpayer funded common areas. The second issue is the prominent placement of a flag of Ukraine inside the Town House. Both of these should be removed as permanent displays.

Second, you asked about the episode in Philadelphia in which a “pride” parade clashed with a pro-Hamas demonstration. The take away from that incident is that even within the same coalition of allies there are differences of opinion as to how to operate concurrently for their varying private agendas in a shared space. Additionally, there are complications with interpreting these ambiguous symbols. (See the attached photo.) Another take away is that it is imperative to avoid these kinds of conflicts by restricting these demonstrations to less public areas and by requiring proscriptive measures of security, and perhaps a bond, for potential harm from contact between diverse groups even within the same coalition. For the purpose of a town flag/banner policy, the episode in Philadelphia demonstrates that the meaning of the “pride” flag is contested and divisive at this moment in time. It also demonstrates that the clashes based on claimed-turf is not a Democrat/Republican divide, or a Biden/Trump divide, but oftentimes within factions within one affinity group.

Finally, please note that the Holliston flag/banner policy is flawed in one important respect. As any former Boy Scout or Girl Scout likely remembers, the federal government has specific policies and protocols in place for use of public flag poles which are not enshrined in the Holliston policy. When a head of state is present at a formal state dinner at the White House, for example, the flag of the nation of the head of state is flown to recognize that the leader is present in his official capacity. Equally, during World War II, President Roosevelt established the protocol that the flag of an allied nation at war whose leader is making an address to a Joint Session of Congress should be prominently displayed at the federal, state and local level. Hence, the British flag flew in Concord, ironically, when Winston Churchill addressed a Joint Session of Congress, and the town of Concord should be planning to fly the flag of Israel in Monument Square on June 13, 2024 when the Prime Minister of Israel is addressing a Joint Session of Congress without being formally asked by any citizen. I would expect that the town of Concord plans to do so in a manner consistent with the U.S Flag Code.

If you have any further questions about flag or banner policy that I can answer for you, please do not hesitate to contact me.

Very truly yours,



Robert N. Meltzer



From: [Joe Palumbo](#)
To: [Mark Howell](#); [Mary Hartman](#); [Terri Ackerman](#); [Wendy Rovelli](#); [Cameron McKennitt](#)
Cc: [Andrea Foncerrada](#); [Kerry Lafleur](#); [Megan Zammuto](#); [Donna McIntosh](#); [Shannon McAndrew](#); [Joseph Palumbo](#)
Subject: PRIDE Flag Raising in other communities
Date: Tuesday, June 4, 2024 11:30:16 AM

To All Concord Select Board Members

One of the questions you had last night related to what other communities were doing flag raisings.

This is in no way an exhaustive list but a quick search identified roughly 20 local communities in our state who are holding public flag raising ceremonies in support of PRIDE.

Joe Palumbo

Newburyport

<https://www.newburyportpride.com/events/event-three-haxds>

Beverly

<https://patch.com/massachusetts/beverly/beverly-host-pride-month-flag-raising-event>

Dedham

<https://www.dedham-ma.gov/Home/Components/Calendar/Event/9650/17?npage=163&toggle=next7days>

Framingham

<https://www.framinghamma.gov/pride>

Woburn

<https://woburnma.gov/events/event/pride-flag-raising/>

Gloucester

<https://www.gloucester-ma.gov/Calendar.aspx?EID=7779>

Melrose

<https://www.cityofmelrose.org/events/pride2024>

Lowell

<https://www.lowellma.gov/1410/Flag-Raising>

Marblehead

<https://www.marblehead.org/home/events/123101>

Wakefield

<https://www.wakefield.ma.us/home/news/progress-pride-flag-raising-on-june-3>

Danvers

<https://patch.com/massachusetts/danvers/danvers-glbtc-pride-community-celebrations-set-june>

Belchertown

<https://www.wwlp.com/news/local-news/hampden-county/belchertown-honors-pride-month-with-flag-raising-ceremony/>

Pittsfield

<https://www.wamc.org/news/2024-05-31/pittsfield-to-kick-off-this-years-pride-celebration-with-flag-raising-at-city-hall>

Hamilton

<https://www.hamiltonma.gov/events/event/pride-flag-raising-patton-park/>

Holyoke

<https://www.westernmassnews.com/2024/06/03/pride-flag-raising-holyoke-city-hall/?outputType=amp>

Amherst

BE IT FURTHER PROCLAIMED, this proclamation will be recognized by raising the Progress Pride flag from June 1 to June 30, 2024 with a formal flag raising celebration and proclamation reading on June 13th at 3:00 pm to coincide with the Amherst Celebration of Queer Identity and Progress.

<https://amherstma.gov/DocumentCenter/View/72760/6b-Pride-Month-Proclamation-2024?bidId=>

Worcester

<https://www.facebook.com/events/1106321187140846/>

Boston

<https://www.necn.com/news/local/boston-kicks-off-pride-month/3249529/>

Somerville

<https://www.somervillema.gov/events/2024/06/04/pride-flag-raising>

Chelsea

<https://www.nbcboston.com/news/local/chelsea-other-mass-towns-celebrate-start-of-pride-month/3386637/>

From: [Andrea Foncerrada](#)
To: [Mark Howell](#); [Mary Hartman](#); [Terri Ackerman](#); [Wendy Rovelli](#); [Cameron McKennitt](#); [Shannon McAndrew](#)
Cc: joe.frank.palumbo@gmail.com; rose.cratsley@gmail.com; jimi2f@gmail.com; [Ji Orloff](#); robert.munro8914@gmail.com; [Josh Lee](#); [Kristen Hagerty](#); [Nancy Brown](#)
Subject: Urgency of Pride Flag Raising Ceremony in Concord
Date: Tuesday, June 4, 2024 1:14:58 PM

Dear Select Board Members,

I am writing to you as the co-chair of Concord's Diversity, Equity, and Inclusion (DEI) Commission to express my strong support for hosting a public Pride flag-raising ceremony in our town this month. I was disappointed and surprised to learn that the vote on this matter has been postponed until June 17th, well into Pride Month. I urge you to reconsider this delay and approve the ceremony as soon as possible.

Visible symbols of support, such as raising the Pride flag, are critical in fostering an inclusive community. These actions go beyond mere symbolism; they have tangible impacts on the well-being and sense of belonging for our LGBTQ+ residents.

The tradition of raising Pride flags in public spaces is not new or radical. In fact, it's a well-established practice across the United States:

1. Philadelphia, PA (1999): One of the earliest adopters, Philadelphia first raised the Pride flag at City Hall to recognize the 30th anniversary of the Stonewall riots.
2. San Francisco, CA (2011): The city began its tradition of raising the Pride flag over Harvey Milk Plaza in the Castro district.
3. New York City, NY (2015): The Pride flag was raised over the Stonewall Inn, marking the site's designation as a national monument.
4. Boston, MA (2016): Our state capital has been raising the Pride flag at City Hall Plaza for years, setting a precedent in Massachusetts.

Since then, countless towns and cities across the nation have followed suit, recognizing the importance of this gesture in affirming their commitment to equality and inclusivity. Concord has a storied history of being at the forefront of social progress let's not change that today. From our role in the American Revolution to our legacy as a hub for transcendentalist thought that championed individual rights, we have always stood for freedom and equality. Raising the Pride flag is a natural extension of this heritage.

Moreover, this act is particularly important now. In 2022, the FBI reported that hate crimes based on sexual orientation were the third most common type, after race and religion. In such times, silence or hesitation can be perceived as indifference or even hostility. Our LGBTQ+ community members are our neighbors, friends, family, and colleagues. They contribute immensely to the rich tapestry of

Concord's community life. By raising the Pride flag, we send a clear message: In Concord, you are seen, you are valued, you belong.

Some may argue that this is a divisive act. On the contrary, it is a unifying one. It demonstrates that our town's commitment to "liberty and justice for all" is not just a phrase but a lived reality. It shows that Concord is a place where everyone can feel safe and respected, regardless of who they love or how they identify.

I've dedicated my career to ensuring that all individuals feel a sense of belonging in their communities. As Co-Chair of the DEI Commission of the Town of Concord, I can state unequivocally that visible signs of support, like flag-raising ceremonies, have a profound impact. They boost mental health, increase community engagement, and even improve academic and professional performance among marginalized groups.

I urge you to approve the Pride flag-raising ceremony without further delay. Each day we wait, we miss an opportunity to reaffirm our values and support our LGBTQ+ community. Let's not wait until June 17th. Let's act now, in the spirit of Concord's long-standing commitment to liberty and equality.

I am happy to provide any additional information or support you may need. My expertise in DEI is at your disposal, as is my commitment to making Concord a beacon of inclusivity.

Thank you for your consideration.

Sincerely,
Andrea Foncerrada
Co-Chair, Diversity, Equity, and Inclusion Commission
Town of Concord, MA

CC: Members of the DEI Commission

From: Elizabeth More <elizajj@msn.com>

Sent: Tuesday, June 4, 2024 8:20:06 AM

To: Mary Hartman <mhartman@concordma.gov>; Mark Howell <markhowell@concordma.gov>; Terri Ackerman <tackerman@concordma.gov>; Cameron McKennitt <cmckennitt@concordma.gov>; Wendy Rovelli <wrovelli@concordma.gov>

Cc: 250 Celebration <250celebration@concordma.gov>

Subject: Public Comments on Select Board 250 Charge edits

Some people who received this message don't often get email from elizajj@msn.com. [Learn why this is important](#)

Dear Select Board,

For the purposes of focus, historical accuracy, community/visitor unity and broad appeal for funding efforts, please consider the following edits to the 250 Concord Committee Charge.

1. Adding the term "**American Revolution**" to the first paragraph. "**As the birthplace of the American Revolution, Concord...**"
2. Removing "2026 will mark the 250th anniversary of the signing of the Declaration of Independence" in the first paragraph.
3. Adding the term "American Revolution" to duties section, removing race-based language and adding objective neutral language. For example: "**As part of its duties, the committee shall: 1. develop a comprehensive plan for celebrating and promoting the 250th anniversary of the Battle of Concord, Concord's role as the birthplace of the American Revolution and other historical events leading to the founding of our Country, which includes reference to both a traditional, historical perspective as well as new merit based historical research.**"
4. Adding "unity" and "accessibility" language to 6. "**As part of its duties, the committee**

shall:", ensure that activities and opportunities represent a commitment to welcome all visitors with inherent regard to unity, diversity, equity, inclusion and accessibility.

5. Adding a duty-based statement in regard to historical research, **"As part of its duties, the committee shall:", "consult with other Concord based and/or other interrelated revolutionary war based historical organizations with Concord involvement such as Old Concord Chapter of the National Society of Daughters of the American Revolution, MA Society of Sons of the American Revolution, Concord 250 Corporation, MA250 and Revolution 250".**

Thank you for your consideration,
Elizabeth More
105 Blueberry Lane

From: sue@suestcroix.com
To: [Shannon McAndrew](#)
Subject: Concord Pride Flag
Date: Tuesday, June 4, 2024 2:03:43 PM

You don't often get email from sue@suestcroix.com. [Learn why this is important](#)

Dear Select Board,

Throughout Concord we are celebrating PRIDE this month. Joyous events as well as educational opportunities abound. I'm delighted to be able to participate in several of these. In the next year we are expecting visitors to join in the 250th celebration.

As our Concord community strives to become more welcoming, **please** raise the Pride flag. Concord needs to reflect that Pride is an official sentiment of our town.

Sue StCroix
32 Center Village Dr
Concord MA

From: [Leslie Fisher](#)
To: [Shannon McAndrew](#)
Subject: Fwd: Raising the Pride flag on Concord's Pride Day
Date: Tuesday, June 4, 2024 3:36:03 PM

You don't often get email from leslifisher@treitman.com. [Learn why this is important](#)

----- Forwarded message -----

From: **Leslie Fisher** <leslifisher@treitman.com>
Date: Tue, Jun 4, 2024 at 3:33 PM
Subject: Raising the Pride flag on Concord's Pride Day
To: <afountain@concordma.gov>

Dear Select Board Members,

I hope those opposed will change their minds and vote to raise the Pride Flag in honor of Concord's Pride Day on June 22nd. Acknowledging the presence and humanity of our LGBTQ citizens is a worthy enough reason to do so; it doesn't have to be seen as a "lifestyle endorsement" which some other citizens may object to. Be brave!

Sincerely,

Leslie Fisher
43 Middle St.

From: [Kathy Gasperine](#)
To: [Shannon McAndrew](#)
Subject: Nuanced Town policy for flags/ Pride Flag
Date: Wednesday, June 5, 2024 9:22:18 AM

[You don't often get email from kathy@gasperine.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello Select Board,

Thank you for your service to our community!

I live at 1461 Main Street, Concord MA. I would like to voice my support for the select board to propose a thoughtful policy to allow select board members to propose any inclusive flag to be flown on town property. The select Board is chosen by the community and has the inherent accountability to suggest flags that honor our history, diversity and inclusive community.

The research showed increased feelings of acceptance and inclusion for our young people with a pride flag. Additionally, we have in favor of flying an inclusive flag like the Pride flag in June.

thank you-
Kathleen

From: [Pat Brewer](#)
To: [Shannon McAndrew](#)
Subject: Fly the Pride Flag with pride
Date: Wednesday, June 5, 2024 11:10:11 AM

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Dear Select Board,

It is my understanding that on June 17th you will be voting on a decision to fly (or not fly) the Pride Flag. Concord has embraced its first recognized Pride Month with numerous events running throughout the month of June. The events are educational, inclusive, and fun. I have already participated in some and look forward to attending more.

Please fly the Pride Flag as a show of our commitment to further support these efforts for creating an inclusive and welcoming community!

Thank you,
Pat Brewer
132 Wright Rd

From: [Lea Delacour](#)
To: [Shannon McAndrew](#)
Subject: Pride
Date: Wednesday, June 5, 2024 1:33:04 PM

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*As our Concord community strives to become more welcoming, **please** raise the Pride flag. Concord needs to reflect that Pride is an official sentiment of our town. The people we are celebrating are our sons and daughters, our mothers and fathers, our dear friends and neighbors!*

*As a long time Concord citizen, I will feel **pride** as we raise the flag. Please do the right thing here.*

Thank you,

*Lea Delacour and Ted Bayne
71 Assabet Avenue*

From: [Regina Corrao](#)
To: [Shannon McAndrew](#)
Date: Wednesday, June 5, 2024 11:39:55 PM

You don't often get email from reginacorraoconsulting@gmail.com. [Learn why this is important](#)

Select Board,

We support, without reservation, raising the PRIDE flag in June.

Sincerely,
Regina Corrao
Jeff Clanon
151 Hubbard Street

From: [Marilyn Lowitt](#)
To: [Shannon McAndrew](#)
Subject: Concerning gay pride month
Date: Thursday, June 6, 2024 8:20:21 AM

[You don't often get email from marilyn.lowitt078@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To our esteemed board of select people,

Pleas find a way to proclaim your support of Gay Pride month and honor the hanging of a pride flag to commemorate same. Many towns have achieved this support. I can't imagine, other than a procedural cautionary approach, that you would deny your support.

You represent the people of Concord. We are enlightened and openly welcoming to all. Please reflect that in your response to this important matter.

Sincerely, and appreciatively,

Marilyn Lowitt
5 Westvale Drive
Concord, Massachusetts
Sent from my iPad

From: [Liz](#)
To: [Shannon McAndrew](#)
Subject: Pride flag raising
Date: Friday, June 7, 2024 8:24:48 PM

Dear Select Board,

I wanted to voice my support for raising the pride flag for one day to demonstrate the town's support for the broad coalition of community groups involved in Concord pride. This strong show of support has a huge impact on the LGBTQ community, and shows leadership at the most senior level in town.

I was impressed by all the events and groups participating in town, and it seems only fitting to have the town raise the flag in a sign of support.

I agree with Mark Howell that the analysis of what other towns are doing seems to delay, which is difficult so close to the event, putting doubt and uncertainty into the plans.

It seems that no one expected this to be such an issue from the board. And to come right on the heels of the Ellen Garrison - is unfortunate.

Sincerely,

Liz Rust
201 Commonwealth Avenue