

GENERAL GOVERNMENT

TOWN CLERK

Kaari Mai Tari, Town Clerk
 MaryLou Carney, Assistant Town Clerk
 Arlene Fitzpatrick, Senior Administrative Specialist
 Laurie Austin, Senior Administrative Specialist

Customer Service and Staffing

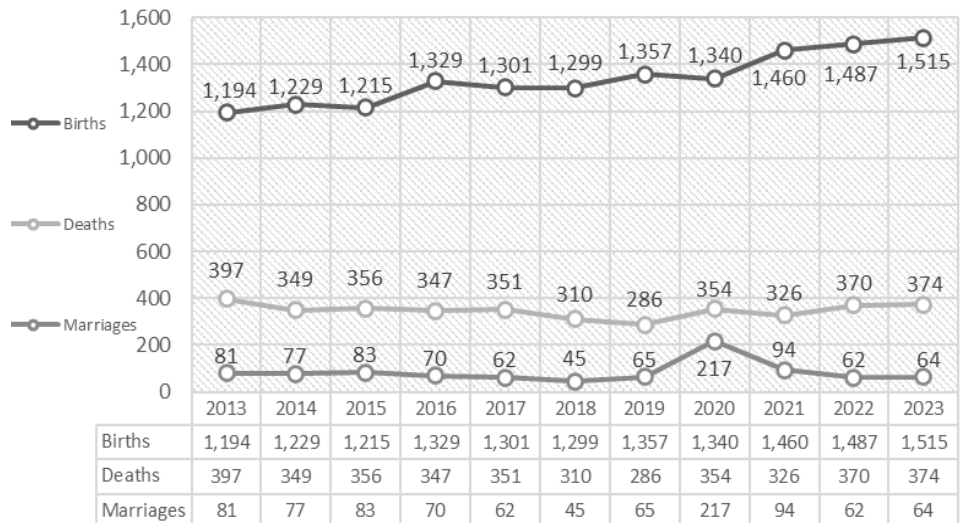
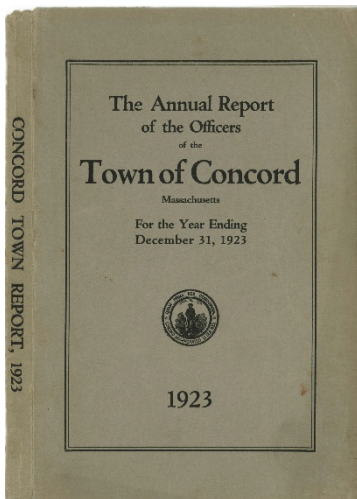
After nearly 15 years with the Town Clerk's Office, Arlene Fitzpatrick retired in August. We are grateful for her years of service and appreciate her particular care in registering thousands of births during her tenure.

Vitals

In addition to registering vital records, staff processed 25 affidavits & corrections of vital records and issued 313 burial permits. As custodians of vital records, the Town Clerk's Office issued certified copies of birth, marriage, and death records at the counter and by mail. Online orders for birth and marriage certificates continued to increase while death certificates were more frequently ordered for pick up.

Recorded Vital Statistics for Concord 2012-2023 (Numbers include babies born to Concord parents at other Massachusetts hospitals) (# of Concord residents is in parenthesis)

Year	Births	Deaths	Marriages
2023	1,515(72)	374 (150)	64 (28)
2022	1,487 (109)	370 (166)	62 (25)
2021	1,460 (144)	326 (157)	94 (33)
2020	1,340 (96)	354 (172)	217 (66)
2019	1,357(114)	286 (147)	65 (29)
2018	1,299 (89)	310 (154)	45 (14)
2017	1,301 (109)	351 (172)	62 (29)
2016	1,329 (113)	347 (164)	70 (30)
2015	1,215 (104)	356 (163)	83 (40)
2014	1,229 (100)	349 (160)	77 (32)
2013	1,194 (126)	397 (174)	81 (35)
2012	1,175 (103)		67 (32)



ACTIVITIES	2018	2019	2020	2021	2022	2023
Business Certificates	96	135	154	151	90	123
Dog Licensing	1,933	1,910	1,804	2,005	1,953	2,171
Public Meetings Posted	905	823	710	947	1,003	1,084
Raffle Permits Issued	18	18	5	11	8	14
RECORDINGS	2018	2019	2020	2020	2022	2023
Board of Appeals Filings	46	34	40	30	29	34
Historic Districts Commission Filings	83	76	60	76	65	54
	42	53	57	71	70	54

Committee-related activities

During the year, the staff swore in well more than 180 new committee and board appointees and posted 1,084 public meetings and agendas for 75 committees. The Town Clerk’s Office took over the task of managing committee appointments from the Town Manager’s Office. Laurie Austin, who manages committee-related activities, including appointments and legal compliance with ethics and open meeting law requirements worked with committees and appointing authorities to bring appointments and terms of office up to date.

Other Business

The Town Clerk’s Office issued 20 flammable storage certificates that are renewed annually. Notary Public services (excluding real estate-related transactions) are offered for customers with proper identification. A nominal fee is charged, and appointments are recommended for complex documents. In addition, several staff members have been appointed by the Governor’s Office to serve as “Commissioners to Qualify,” which authorizes us to administer the Oath of Office to individuals appointed as a Notary Public, Justice of the Peace, and various state committees or appointments in Massachusetts.

Dog licensing transitioned to an online permitting system in 2023 allowing dog owners to renew and pay for dog licenses online. Information about dog licensing is posted on the Town Clerk’s webpage: [Town Clerk | Concord, MA \(concordma.gov\)](http://Town Clerk | Concord, MA (concordma.gov))

Town Meetings and Elections

The Board of Registrars report includes information about elections and town meetings in Concord.

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

TOWN RECORDS

Nathanial Smith,
Municipal Archivist/Records Manager

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

Public Records Requests

2023 was the first full year that the Municipal Archivist/Records Manager served as the primary Records Access Officer (RAO) for the Town. The RAO tracked and responded to 415 public records requests (this does not include requests received by the Police or School departments as those are managed separately). The most popular topics for requests were Gerow Park/Warners Pond, the Concord Middle School Building project, procurement data, and building permits. Accordingly, Finance, Planning and Land Management, Town Clerk/Town Archives, and the Town Manager’s Office were the most frequently requested Departments/Divisions. Finally, of the 415 requests, 366 required the review of electronic records, 137 the review of physical records, and 25 the review of the Town’s email archive.

Records Management

The Municipal Archivist/Records Manager, Nate Smith, worked throughout the year with a variety of Town Departments to manage retention periods, inventory files, and digitize selected records. In addition, Nate and Town CTO, Jason Bulger, completed the migration of the Town’s active digital files to the Microsoft 365 platform. Completion of this project enables the Town to better and more securely manage digital records including managing

Vital record transactions	Births	Marriages	Deaths
At the register	1,201	89	2,366
Online orders	1,531	106	857

retention, enabling remote access, and providing collaboration opportunities across Departments/ Divisions. The focus for 2024 will be identifying and prioritizing digitization projects for physical files which should be added to the new platform.

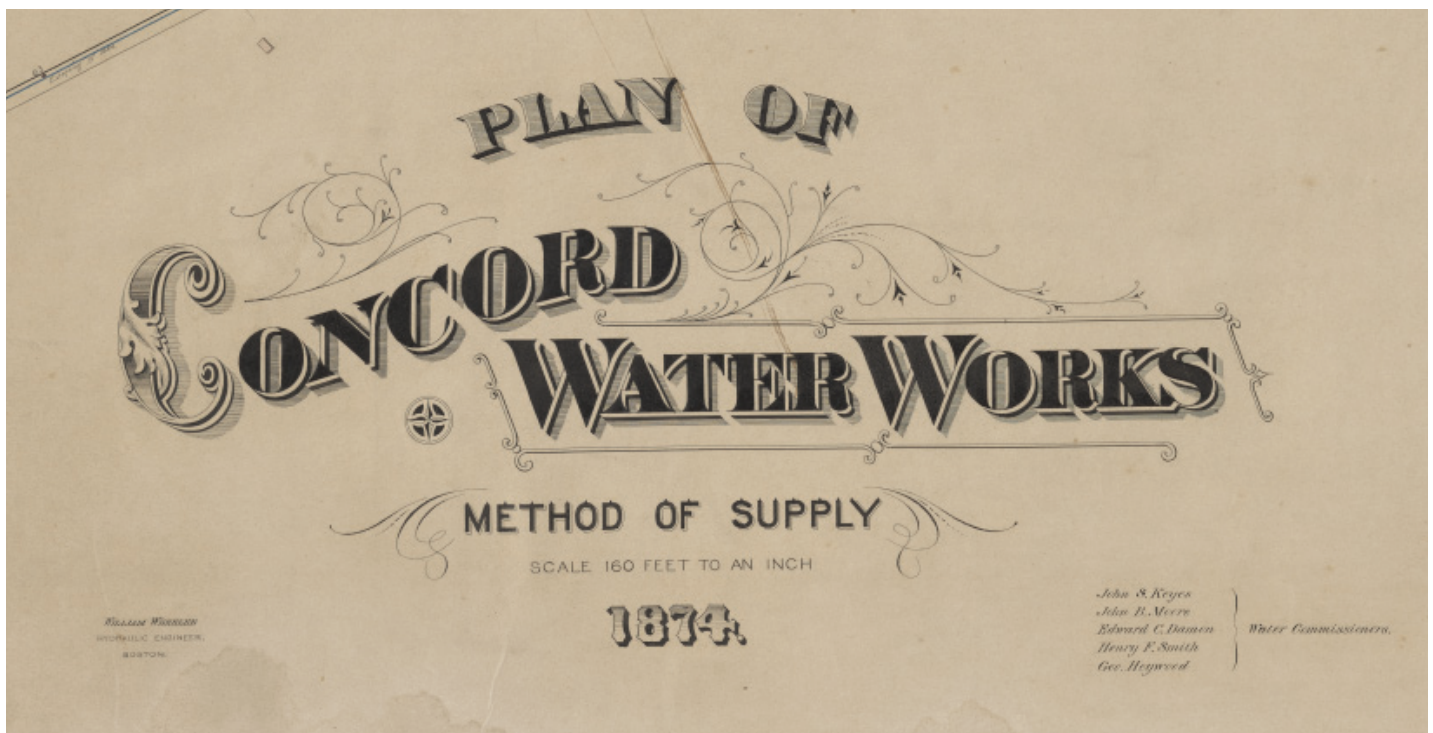
Archives Management

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

Additional content was added throughout the year to The Town Archives Digital Repository. Notable additions this year included historical and modern Town Reports ranging from 1840 to 2022. Most of the Town Reports are currently available digitally and we hope to post the remaining reports in the coming year. The Meeting Minutes of the Select Board from 1931 through 2000 were also digitized during 2023 and will undergo a quality control

review before being posted in Spring of 2024. In August, the Town Archives received funding from the Community Preservation Act for the conservation treatment and digitization of two plans of the Concord Water Works drawn by William Wheeler (1874 & 1875) and seven sheets comprising the Town Plans of Concord (1907-1910). The treated items and digital versions were received by the Town Archives in December. These items will be added to the Town Archives Digital Repository.

In September, the Town Archives submitted an application for Community Preservation Act funding for the conservation treatment, reproduction, and digitization of the Town's copy a broadside printing of the Declaration of Independence from 1776 and the Non-Importation Covenant dated June 27, 1774, which is signed by residents of the Town and declares their intent to suspend commercial dealings with Great Britain. These items were selected due to the expected increase of interest ahead of the 2025 Celebrations commemorating the Concord Fight.



TOWN OF CONCORD

Population Profile

December 31, 2023

Population based on annual census returns.....15,435

Adults Age 17 and Older12,907

Population by Age Group:

Under 20 years3,354

20-29 years1,487

30-39 years1,015

40-49 years1,851

50-59 years2,306

60-69 years 2,319

70 years +.....3,103

BOARD OF REGISTRARS

Connell Benn, Chair (R)
 Anne Fortier (D)
 Bart Littlefield (R)
 Kaari Mai Tari (U), Town Clerk

Membership

The four-member Board of Registrars consists of not more than two members from each of the major political parties--three members appointed by the Select Board, plus the Town Clerk. By virtue of the position, the Town Clerk is a participating and voting member of the Board of Registrars.

Voter Registration

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

Change of party refers to new voter, address, and name changes.

Inactivated: Annual census response was not received. Confirmation mailings are sent upon inactivation allowing us to keep our database up to date.

Deleted: In addition to voters who have moved or died, voters are deleted after 4 years of inactivity.

Nomination papers & Petitions signed refers to certification of signatures for candidates, ballot questions and town meeting articles, conducted by the Town Clerk's Office.

Town Caucus—January 30, 2023

The Town Caucus of 2023 was held in the Hearing Room of the Town House. The following nominations were made by the Caucus: for Moderator: Carmin Reiss; For Select Board: Mark Howell and Karlen Reed; and for School Committee: Carrie Rankin. The Housing Authority seat was transitioned from elected to a Select Board appointed tenant seat. Special thanks to Michael Lawson who presided as Chair of the Caucus and to Jean Nardi who was elected Clerk of the Caucus. A total of 47 voters attended the Caucus. All participants in the Caucus and especially the candidates are applauded for their commitment to public service and the election process in Concord.

Special Town Meeting—January 19, 2023

The Special Town Meeting was held at the Concord Carlisle Regional High School with Moderator Carmin Reiss presiding and featured five articles, including reauthorizations of three Special Acts of Legislature, Community Preservation Act housing reserve fund action and a debt exclusion request for additional funding for the Concord Middle School Building Project. Minutes of the meeting are included elsewhere in the report. A total of 1,107 voters participated as Concord's legislature that day.

Annual Town Meeting—May 1, 2023

The Annual Town Meeting was held at the Concord Carlisle Regional High School over two days, featuring 46 Warrant Articles. A total of 824 voters attended the meeting over two days.

Voter Registration Table

Total Voters	Voter registrations & changes	Inactivated	Deleted	Nomination papers & Petitions certified
13,820 12,160 (active) 1,660 (inactive)	791	1,344	892	3,246

Census

The Annual Town Census is conducted exclusively by mail. Census forms were distributed to residents in late December. The 2023 population based on census returns received through December 31, 2023, was 15,435. Note that the town census does not include inactive voters or the prison population, while the federal decennial census is a physical count of the population.

Party Enrollment Changes: Massachusetts had three official parties in 2023: Democrat (D), Republican (R), and Libertarian (L). The chart below shows the party change activity during 2023. This includes Unenrolled (U) voters, who made up the majority of voters in Concord.

U→R: 7	R→U: 29	D→U: 58	L→U: 2
U→D: 46	R→D: 2	D→R: 1	L→D: 0
U→L: 0	R→L: 0	D→R: 0	L→R: 0

Below is a snapshot of party enrollment for Concord voters in 2023.

A - Conservative	G - Green Party USA	N - New Alliance	T - Inter 3rd Party	Z - Working Families
B - Natural Law Party	H - We The People	O - MA Independent Party	U - Unenrolled	AA - Pizza Party
C - New World Council	J - Green Rainbow	P - Prohibition	V - America First Party	BB - American Term Limits
D - Democrat	K - Constitution Party	Q - American Independent	W - Veteran Party America	CC - United Independent Party
E - Reform	L - Libertarian	R - Republican	X - Pirate	DD - Twelve Visions Party
F - Rainbow Coalition	M - Timesizing Not Down	S - Socialist	Y - World Citizens Party	

Ward	Precinct	A	AA	CC	D	G	H	J	L	O	Q	R	S	T	U	X	Grand Totals
0	01	1		4	784			1	7	1	1	186			1388		2373
	02	1		2	1034				11		1	179	1	2	1608	1	2840
	03	1	1	1	945				1			228			1633		2810
	04	2	1		1058	1	1		7		1	206			1822		3099
	05			2	917	1		4	5			205			1564		2698
Ward 0 Totals		5	2	9	4738	2	1	5	31	1	3	1004	1	2	8015	1	13820
Grand Totals		5	2	9	4738	2	1	5	31	1	3	1004	1	2	8015	1	13820

Elections

Two Elections were held in 2023. Election results by precinct are included elsewhere in this report.

Voter Information Mailing

Voter information was mailed ahead of the February 16th Special Town Election and one ballot question committee was formed.

Date	Event	Voter Turnout/ %	Voted by mail	Absentee voters	In person on Election Day
February 16, 2023	Special Town Election	3,875 / 28%	1,407	56	2,412
March 28, 2023	Annual Town Election	1,918 / 14%	842	55	1,021

PERSONNEL BOARD

Bill Mrachek, Co-Chair
Liz Cobbs, Co-Chair
Kate Ryan
Joe Emerick
Pamela Talbot

The Personnel Board has responsibility for the administration of the Personnel Bylaw, which applies to approximately 174 of the Town's budgeted regular-status positions and a few hundred temporary and limited-status employees.

This year was a pivotal year for the Personnel Board, gaining approval for the new Compensation and Classification Plan at Town Meeting, and supporting its implementation. The Board worked with human resources staff on the creation of meaningful reports that assist in monitoring progress in recruitment and retention. Finally, the Board has produced an update to the Personnel Bylaw for inclusion in the upcoming Annual Town Meeting. With regards to its makeup, Pamela Talbot was welcomed to the Board in June 2023.

Classification & Compensation Plan Approval and Implementation

Consistent with the Personnel Bylaw's purpose of maintaining an equitable and efficient system of personnel administration, the Town engaged GovHR in August 2022 to undertake a comprehensive study and redesign of our Classification & Compensation Plan to ensure that 1) uniform salary ranges are based on responsibilities and requirements of each job; 2) equal pay is provided for equal work; and 3) employee compensation is both internally equitable and externally competitive. GovHR consultants worked with Concord staff to conduct a comprehensive process with employee, Personnel Board, and citizen input. A new scoring methodology for job classification was used to evaluate and analyze positions. Market data from comparable communities and light plants was gathered and analyzed to develop a compensation plan. The Classification and Compensation Plan developed by GovHR was reviewed and approved by the Personnel Board, and subsequently presented and approved at the 2023 Town Meeting.

The Plan was implemented July 1, 2023. Employees were placed in the appropriate new title and pay grade. Those whose salary was less than the minimum of the new pay grade received an increase to the minimum of their new pay grade.

FY24 Salary Increase Policies

Each fiscal year, the Town Manager and Personnel Board determine the actual salary increases to be received by non-union employees based upon the amount of money appropriated to the Salary Reserve. The adopted FY24 Salary Increase Plan provided a 3.0% increase effective July 1, 2022, and an additional 1.0% increase for those employees whose pay rate was still progressing through the salary range. All such increases were contingent on satisfactory performance.

Classification and Compensation – FY24 Structure Adjustments

Subsequent to the implementation of the new Classification and Compensation Plan, the following structural changes were approved by the Town Manager and the Personnel Board.

1. Added the title "Electrical Inspector" to Grade 8 effective August 9, 2023.
2. Added the title "Senior Producer and Education Coordinator" to Grade 6 effective August 9, 2023.
3. Deleted the title "Education Coordinator" Grade 4 effective August 9, 2023.
4. Updated the Miscellaneous Compensation Schedule – Recreation effective August 9, 2023.
5. Updated the Miscellaneous Compensation Schedule for Temporary and Limited Status Classifications effective September 13, 2023.
6. Changed the title "Facilities Director" in Grade 15 to "Facilities Manager" effective October 11, 2023. Subsequently adjusted qualifications effective November 8, 2023.
7. Change the title "Assistant Facilities Director" in Grade 12 to "Assistant Facilities Manager" effective December 18, 2023.

Policy Amendments

The Personnel Board approved updates to PPP #10.7-1, Stand-by Pay Policy.

Personnel Board Priorities

The Personnel Board worked with Town Staff to design useful reporting of key performance statistics to aid

in the monitoring of recruitment and retention. The following reports regarding non-union, regular full and part time employees, were included in the inaugural semi-annual Dashboard:

1. Filled Positions by Department
2. Filled Positions by Age, Gender and Race
3. Hires and Terminations by Department
4. Turnover
5. CompaRatio Summaries After Implementation of the New Compensation & Classification Plan

Suggestions have been received for future updates.

Additionally, the Personnel Board has spent considerable time and effort in crafting a proposed update to the Personnel Bylaw for review at the 2024 Annual Town Meeting.

Acknowledgement of Town Employees

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

We would like to make special mention of the following employees, all of whom had served the Town for 20 or more years of regular service as of December 2023:

Employees with 20 or more Years of Service
Names noted with * are employees who retired in 2023

<p>Facilities Robert Landry* Jonathan Straggas</p> <p>Finance Carolyn Dee Jonathan Harris*</p> <p>Fire Keith Cotoni David Curran* Kevin Fagerquist Bradford Ferrie Marcus Jackson Thomas Judge Brian Lefebvre Jeffery Lex Sean Murphy William Nelson Eric Pelkey James Redmond Brian Whitney</p>	<p>Human Resources Anita Stevanazzi-Hill</p> <p>Library Kamel Bounar Cynthia DiRenzo Caroline Nie Valerie Gay Weiss</p> <p>Light Plant Martin Boermeester Ann Breitenwischer Rhonda Buscemi James Coakley Jeffery Cosgrove Beverly McCaul John McGarry John Simeone David Wood</p>	<p>Planning & Land Mgmt Karen Byrne* Tracy LaPierre Marcia Rasmussen* Gabrielle White</p> <p>Police Robert Capone* Denise Caruso Joseph Connell* Brian Goldman Keith Harrington Richard Landers Timothy Landers Kevin Monahan Thomas Mulcahy Sylvia Toumayan*</p>	<p>Public Works Alan Cathcart Scott Chalmers Susan Clark Thomas Ford Peter Hardy* Richard Hathaway* John Hesdorff Adrian Hone* Patricia Hopkins Timothy Jones Jeffrey Koranda Todd Manchuso* Joel Stevens Jonathan Straggas Richard Weaver</p>
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HUMAN RESOURCES

Kimberly Crum, Interim HR Director

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

During 2023, the department was busy once again with recruitment efforts. HR staff posted 117 jobs and processed 3231 applications for employment. These numbers include recruitments for seasonal staff positions.

Our most significant project for 2023, was the rollout and implementation of the new Classification and Compensation Plan developed by our outside consultant, GovHR. The new pay plan ensures competitive salaries as compared to our municipal peers and will greatly assist in attracting candidates as well as retaining our dedicated and talented staff to best serve our residents.

In consultation with the Town Manager and the Personnel Board, progress was made during the year on the creation of meaningful reports that assist in monitoring progress in recruitment and retention, including pay equity reporting following the July implementation of the new Compensation and Classification Plan.

The Town's Insurance Advisory Committee was active during the latter part of the fall as it explored new health insurance options due to the planned dissolution of the Minuteman Nashoba Health

Group as of June 30, 2024. The group is well underway to securing new health insurance coverage for all active town and school employees as well as our eligible retirees.

HR staff worked closely with various stakeholders, including: the Select Board, through its liaison, Mark Howell; the Town Manager; and most importantly the September 2022 findings of the Personnel Study Task Force on a comprehensive proposed update to the Personnel Bylaw for non-union employees, which will be presented as part of the Annual Town Meeting Warrant for 2024. The Personnel Board also reviewed and approved numerous job description updates in conjunction with the new salary plan as well as PPP #10.7-1 Stand-by Pay.

HR staff continued work on Diversity, Equity, Inclusion and Belonging (DEIB) initiatives by attending professional training, reviewing and updating job descriptions through a DEIB lens to eliminate unnecessary barriers, continuing to review and recommend compensation actions with consideration to pay equity, removing gendered language from communications and documents, and exploring DEIB training options for employees and considering ways to make all employees feel welcome. We look forward to continued progress in this area.

Lastly, we would like to recognize former HR Director Amy Foley for her 30+ years of service to the Town of Concord's HR Department.

TOWN COUNSEL

Mina S. Makarious, Anderson & Kreiger LLP

The following is a description of the lawsuits by or against the Town filed or pending during calendar year 2023 and handled by Town Counsel:

Archstone Builders, LLC v. Town of Concord Historic District[s] Commission (Middlesex Superior Court). Applicant filed suit appealing denial of certificate of appropriateness by the Historic Districts Commission to construct a residence in the Barretts Mill Historic District in July 2022. Town Counsel negotiated with applicant's counsel to stay the litigation to permit the applicant to provide revised plans to the Historic Districts Commission. Those plans were filed, but the certificate was again denied. The litigation remains pending.

Carrette v. Mulcahy (Concord District Court): The Concord Police Department suspended the petitioner's Firearm Identification Card, in part because the petitioner had moved to Maynard without giving notice as required by G.L. c. 140, sec. 129B(11). He appealed the suspension. The Town moved to dismiss the petition on the grounds that the Chief was not only permitted but required to suspend the license after the petitioner moved and failed to give notice. The District Court granted the motion and dismissed the case.

Town of Concord v. Rasmussen, et al. (Massachusetts Appeals Court). The Town sought a declaration and judgment affirming the right of the public to access Estabrook Road, as well as an injunction preventing the Defendants from interfering with the public's right to access the road. The Town obtained a preliminary injunction in July 2020 from the Land Court preventing the Defendants from interfering with public access while the case is pending, after the Defendants attempted to close the road. Trial took place in June 2021, and closing arguments took place in October 2021. In November 2022, the Land Court issued a decision in the Town's favor on all issues in dispute, finding that the public retained a right to access Estabrook Road. Defendants in the case filed a

Notice of Appeal of the Land Court's decision in December 2022. The parties have briefed the case in the Appeals Court, and it is awaiting oral argument.

Kay, M.D. and Read v. Town of Concord (Massachusetts Appeals Court). Plaintiffs, who are both defendants in Town of Concord v. Rasmussen et al., filed suit in the Superior Court in March 2022 alleging that they were improperly denied production of records on the basis of attorney-client privilege, despite not having challenged the Town's assertion of privilege with respect to those same records in the Rasmussen litigation itself. Plaintiffs filed a similar suit with respect to additional records in May 2022. The cases were consolidated in July 2022. In May 2023, the Superior Court ruled in the Town's favor in both cases. The plaintiffs appealed and briefing is expected in the Appeals Court in early 2024.

Lyczkowski, et al. v. Keuka Road, LLC, et al. (Massachusetts Land Court). Title action between private parties regarding access rights on private road. The plaintiffs named as defendants all persons owning land abutting a former paper street, Keuka Road, which includes the Town. The Town is a nominal defendant, and as in other quiet title actions where it is named as a nominal defendant, did not take an active role. The actively-litigating parties filed cross-motions for summary judgment in the fall of 2020, which the Land Court denied in the fall of 2023. The actively-litigating parties are tentatively scheduled for a trial in early 2024 on the issue of whether the plaintiff can add a driveway to McCallar Lane under the Planning Board's 2018 subdivision decision, or whether a settlement agreement between those parties prevents that driveway from being added. Because the Land Court trial will focus on the terms of the private parties' settlement agreement, and not any argument concerning the Planning Board's subdivision decision, the Town does not expect to take an active role in the trial.

McMullen v. Mulcahy (Concord District Court): The Concord Police Department refused to issue a License to Carry ("LTC") to the petitioner, who was prohibited from holding a firearms license due to a prior misdemeanor conviction. The Town moved to dismiss the petition on the grounds that neither it

nor the Court had discretion to issue an LTC to a prohibited person. The District Court granted the motion and dismissed the case.

Rizzitano v. Lynn DeConto, et al. (Massachusetts Land Court). Partition action concerning property located at 34X Rear Walden Avenue. The Court asked the plaintiff to join the Town of Concord as a defendant in the case because the Town owns most of the abutting property, and there is an access easement to the disputed property that passes over Concord-owned land. At the Court's request, the Town appeared at status conferences for the matter and noted its interest in purchasing the property following the Court's determination that it would be sold. The property was sold by auction to a private purchaser at a price that exceeded the Town's maximum purchase price, in August 2022. The lawsuit was wound up, with judgment entered in March 2023.

Symes Development & Permitting LLC v. Town of Concord, et al. (Symes II) (U.S. District Court for the District of Massachusetts). Complaint against the Town for allegedly violating the Takings Clause of the Fifth Amendment to the U.S. Constitution in connection with Planning Board's approval, with conditions for a conventional subdivision. Shortly after filing a separate case in the Land Court ("Symes I" which was decided in the applicant's favor in 2021), the plaintiff also filed suit in federal court alleging that the conditions imposed by the Planning Board effected a taking of Symes's property. The matter was stayed by agreement of the parties for over a year until the District Court set a deadline for litigation to resume. At that point, the plaintiff agreed to dismiss the case, which the Town assented to.

Symes Development & Permitting, LLC v. James Smith, et al., in their capacities as members of the Town of Concord Zoning Board of Appeals (Symes III) (Massachusetts Land Court). Appeal of a ZBA decision denying a special permit for earth removal. During the pendency of Symes I, the plaintiff filed its application for an earth removal special permit, which it requires to construct the subdivision as approved by the Planning Board (including as amended after remand from the Land Court in Symes I). That application was denied. The parties conducted discovery in 2022, and exchanged expert reports in early 2023. The Town deposed two of the plaintiffs' experts this fall. The plaintiff declined to depose the Town's expert. We anticipate the matter will be schedule for trial in 2024.

THE EXECUTIVE COMMITTEE OF CONCORD250

Gary Clayton, Chair...Permanent Memorial
Rob Munro, Vice-Chair...Diversity, Equity, and Inclusion
John J. Arena, Secretary...Parade Planning
Henry Dane...Select Board
Diana Clymer...Art, Literature, and Music
Holly Cratsley...Community Participation
Patricia Hopkins...Hospitality and Invitations
Richard Loughlin, Treasurer...Finance
Geoffrey Love...Air national Guard...At-Large
Sue McCrory...Public ceremonies and Celebration
Diane Proctor...Communications and Publicity
Frederick Ryan...Public Safety
David Wood...History and Education

The Concord250 celebration is not a single event. It is an idea, an idea that honors the creation of a republic and its ideals. Concord was central to the creation of our nation, and the Executive Committee and its many subcommittees are working to bring 1775-1776 to life. Our effort transcends, however, the "Shot heard round the world" by focusing on how (as our tagline asserts) Concord is "Still Heard Round the World." Acknowledging that our village has changed, as has our town's impact on the world—through authors, philosophers, educators, and artists—the committee recognizes that Concord's history is not monosyllabic. We seek, therefore, to also remember those underrepresented in the past: women, Black, Indigenous, and people of color whose contributions were and are significant. In other words, we hope to tell the full story of Concord.

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 and other historical events leading to the founding of our Country which includes reference to new historical research and the contributions of native and black Concordians in that history;
2. identify funding needs and a plan for both Town and private funding (which would require a 501(c)3 entity);

3. develop a plan for a permanent memorial and recommend its placement;
4. appoint subcommittees, where necessary, to carry out specific tasks and in so doing may appoint members of the Executive Committee and/or other residents of the Town;
5. identify opportunities for individuals or organizations to participate in celebrations of the anniversary;
6. ensure that activities represent a commitment to diversity and inclusiveness, and create opportunity at all levels and activities for citizen participation;
7. hold public hearings from time to time in order to gain input from the residents of Concord, including at least three in the first eighteen months of the committee's formation;
8. report its activities to the Select Board on a periodic basis, but no less often than on a quarterly basis; and,
9. file a final summary report of committee activities and events with the Select Board on/ or before December 31, 2026, and subsequently with the Town Municipal Archives including associated celebration memorabilia.

The Committee will also:

1. evaluate and make recommendations on how the Town should manage the commemoration of these historic events;
2. oversee subcommittees created for their various purposes, and to supervise and assist them in their functions;
3. sponsor activities which commemorate and celebrate the place of Concord in the history of our nation; local, state, regional, and federal agencies, musical, performing and historical re-enactment groups.”
4. recognize the influence that the Town and its residents have had on the ideals of liberty, the unity of mankind and our co-existence with the

natural and social environment which we inhabit. As the custodians of this place and heritage, it is our responsibility to host a celebration worthy of the events which took place in our Town 250 years ago. The Executive Committee will coordinate the Town's events with our sister communities of Lincoln, Bedford, Lexington, and Arlington (Battle Road 2025); Minuteman National Historical Park; Hanscom Air Force Base, the Massachusetts National Guard, as well as other local, state, regional, and federal events.

In July, The Concord 250 Executive Committee voted to approve the Communication Committee's IMA and sent the recommendation to the Town Select Board and Town Manager for their approval. Town leadership from the four towns involved: Arlington, Concord, Lexington, and Lincoln, finalized the language and parameters of the IMA throughout the fall. All towns agreed and signed the agreement and in December, the town of Concord, the lead municipality, signed the agreement. In late December an IMA committee was convened with two members from each of the four towns to serve as its members. Concord's Procurement Manager will serve, ex officio as a member of the committee. The committee will work throughout 2024 to solicit individuals and firms to support the 250's transportation, event coordination, and crisis communication needs.

Many active sub committees this year launched several events and programs dedicated to the objectives of Concord250. These volunteers developed a comprehensive plan of events for celebrating and promoting the 250th anniversary and other historical events, which includes reference to newhistorical research and the contributions of Indigenous and Black Concordians as well as all those who have come before but whose voices were not always heard, honored, or remembered.

Specifically, they created events around the progress we have made and continue to make to preserve, protect and expand the foundational principles of self-determination, equality, and liberty for all people. In keeping with our overall goal of community involvement and inclusion they identified opportunities for individuals or organizations to participate in celebrations and

events while ensuring that activities represent a commitment to diversity and inclusiveness and create opportunity at all levels and activities for citizen participation.

Other subcommittees have worked vigorously to plan events throughout the coming thirteen months, leading up to April 19, 2025. For example: to properly document the men who fought for Concord during the American Revolution; to plan community events that include an Essay Contest, flags marking Revolutionary and Witness Houses, and a quilting show; to provide musical concerts, a curated art exhibit, and theater engagement; to develop a permanent memorial; and attend to the myriad budgetary constraints facing the Executive Committee and its over 100 Concord volunteers already participating.

The parade in 2025 will be dedicated to the sacrifice of all those who fought for independence, with an aim to tell two stories that historically are interwoven and inextricable yet distinct:

- 1.) the history and civic growth of our nation, and
- 2.) the history and civic growth of Concord.

With an expectation of over 250,000 spectators in attendance, at the April 2025 Patriot's Day Parade, the need for public safety is considerable. Therefore, coordination with police, fire, emergency folks and others will—if we get this right—provide a safe and enjoyable celebration for all.

