



**Town of Arlington  
Legal Department**

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**MEMORANDUM**

TO: Board of Selectmen  
FROM: Douglas W. Heim  
DATE: March 18, 2016  
RE: **Votes and Comments for Articles: 21 and 60**

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I write to provide the Board the following as draft Final Votes and Comments for your consideration at the March 21, 2016 Board of Selectmen meeting regarding the previously heard, above-referenced warrant articles.

**ARTICLE 21                      BYLAW AMENDMENT/ARLINGTON COMMISSION ON  
ARTS & CULTURE MEMBERSHIP**

**VOTED:**     *That Title II, Article 8, Section 1 be and is hereby amended by striking the word “seven” and replacing it with “nine” in the first paragraph; and further, by striking the word “Six” and replacing it with “Eight” in the second paragraph of Section 1 so as to read in relevant parts as follows:*

**ARTICLE 8: ARLINGTON COMMISSION ON ARTS AND CULTURE**

***Section 1. Establishment of Arlington Commission on Arts and Culture***

***There is hereby established an Arlington Commission on Arts and Culture, which shall consist of ~~seven~~ nine members all of whom shall be residents of the Town.***

***~~Six~~ Eight members, one of whom shall be a member of the Vision 2020 Culture and Recreation Task Group, shall be appointed by the Town Manager subject to the approval of the Board of Selectmen and one member shall be appointed by the School Committee.***

**(5-0)**

**COMMENT:** The Board of Selectmen supports ACAC's request to amend its authorizing bylaw to provide for additional members appointed by the Town Manager, particularly as they further efforts to obtain a Cultural District designation for Arlington. ACAC reports that that the requested additional members would render its everyday workload and long-range plans more manageable and provide the benefit of additional perspectives and insights. We respectfully urge Town Meeting support these endeavors through the proposed motion.

**ARTICLE 60            RESOLUTION/RETURN OF PRECINCT 17 TO HIGHLAND  
FIRE STATION**

**VOTED:**        That no action be taken under Article 60.

**(5-0)**

**COMMENT:** The Board of Selectmen recognizes and appreciates the passion with which the proponent has advocated for the instant resolution. However, overall the resolution is not supported by the record before us. Voter turnout has not been adversely impacted by the change in polling locations; use of the fire station for polling was discontinued because the Commonwealth advised the Town of accessibility issues for voters; and there is at least some concern by the Fire Department about the efficacy and general suitability of using a working fire station as polling location. Determination of voting locations is explicitly vested in the Board of Selectmen under G.L. c. 54 sec. 24. While this article presents a resolution and therefore is non-binding, given the discretion vested in the Board and more importantly, the facts as we understand them, the Board does not believe the resolution is productive. The Board has committed to examining whether a different, feasible polling location would better suit Precinct 17 than the Stratton School, but are confident the Highland Fire Station is not such an option. Thus, we respectfully recommend no action under this article.