



Town of Arlington Select Board

Meeting Agenda

March 18, 2024

7:15 PM

Members of the public may access the hybrid meeting via Select Board Chambers, Zoom, or
ACMI

1. Legislative Provision for Remote Participation

CONSENT AGENDA

2. Arlington Farmers' Market Banners
Johanna Niles, Arlington EATS
3. Reappointment: Board of Registrars
William Logan (term to expire: 03/31/2027)
4. For Approval: Memorial Day Ceremony, May 27, 2024
Philip J. McGovern, Director of Veterans Services
5. Request: Special (One Day) Beer & Wine License, 03/30/2024 @ Robbins Memorial Town Hall
for Private Event
Jodie Parmer
6. Request: Special (One Day) Beer & Wine License, 04/06/2024 @ Lesley Ellis for Private
Event
James Bethel
7. Request: AHS Ice Cream Fundraiser for Dana-Farber Cancer Institute (DFCI)
Whittemore Park, May 18, 2024, 10:00 a.m. - 6:00 p.m.
The AHS Scoops Club
8. Request: Contractor/Drainlayer License
Champion Environmental Services
Yaphank, New York
Steve Lampasona

PUBLIC HEARINGS

9. Eversource Petition/ Central St. at Mass Ave.
Jacqueline Duffy, Eversource
10. Eversource Petition/ Medford St. at Mass Ave.
Jacqueline Duffy, Eversource

APPOINTMENTS

11. Commission for Arts and Culture
Greta Mastro
(term to expire: 01/31/2025)

LICENSES & PERMITS

12. For Approval: Common Victualler License
Boston Pizza & Gyro, 1323 Massachusetts Avenue, Ismail Beyaztas

TRAFFIC RULES & ORDERS / OTHER BUSINESS

13. Arlington Community Electricity Contract Renewal
Talia Fox, Sustainability Manager

WARRANT ARTICLE HEARINGS

14. Articles for Review:
Article 6 Bylaw Amendment/Vacant Store Front Maintenance Registry
Article 8 Bylaw Amendment/Revised Town Meeting Start Time
Article 9 Bylaw Amendment/Start Time for Annual Town Meeting
Article 10 Bylaw Amendment/Annual Town Meeting Start Date
Article 11 Bylaw Amendment/Fossil Fuel Free Bylaw Language Changes

FINAL VOTES & COMMENTS

Articles for Review:

Article 7 Bylaw Amendment/Betterment Bylaw Revision
Article 12 Bylaw Amendment/ John J. Bilafer Arlington Citizens' Scholarship Fund
Article 13 Bylaw Amendment/Leaf Blower Dates of Transition
Article 23 Endorsement of CDBG Application
Article 24 Revolving Funds
Article 36 Endorsement of Parking Benefit District Expenditures
Article 56 Local Option/Acceptance of M.G.L. Chapter 203C the Prudent Investor Rule
Article 66 Resolution/MBTA Service

NEW BUSINESS

Except in cases of emergency, the Board will neither deliberate nor act upon topics presented in New Business.

Next Scheduled Meeting of Select Board Tuesday, March 26, 2024

You are invited to a Zoom webinar.

When: Mar 18, 2024 07:15 PM Eastern Time (US and Canada)

Topic: Select Board Meeting

Register in advance for this webinar:

https://town-arlington-ma-us.zoom.us/webinar/register/WN_cJRFiaCIQWOajoROwBp9Mw

After registering, you will receive a confirmation email containing information about joining the webinar.

Notice to the Public on meeting privacy In the interests of preventing abuse of videoconferencing technology (i.e. Zoom Bombing) all participants, including members of the public, wishing to engage via the Zoom App must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone dial-in information provided above.



Town of Arlington, Massachusetts

Legislative Provision for Remote Participation



Town of Arlington, Massachusetts

Arlington Farmers' Market Banners

Summary:

Johanna Niles, Arlington EATS

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Application.pdf	Banner Application
▢	Reference Material	Banner_Design.pdf	Banner Designs
▢	Reference Material	Banner_Location.pdf	Banner Locations
▢	Reference Material	Banner_Schedule.pdf	Banner Schedule

**TOWN OF ARLINGTON
TEMPORARY BANNER PERMIT APPLICATION**

Applicant and Sponsoring Organization Information

Name of Organization / Sponsor: _____

Address: _____ City: _____ State: _____ Zip: _____

Applicant Name: _____ Tel#: _____

E-mail: _____

Banner Information

Event Name: _____ Event Date(s): _____

Request Installation Date: _____ Date Removed: _____

Requested Location: Street (specify): _____

Other (specify): _____

Banner Message: _____

Banner Material: _____

Required Attachments

Banner Design, Color, Wording and Dimensions ☐

Banner Location Site Map ☐

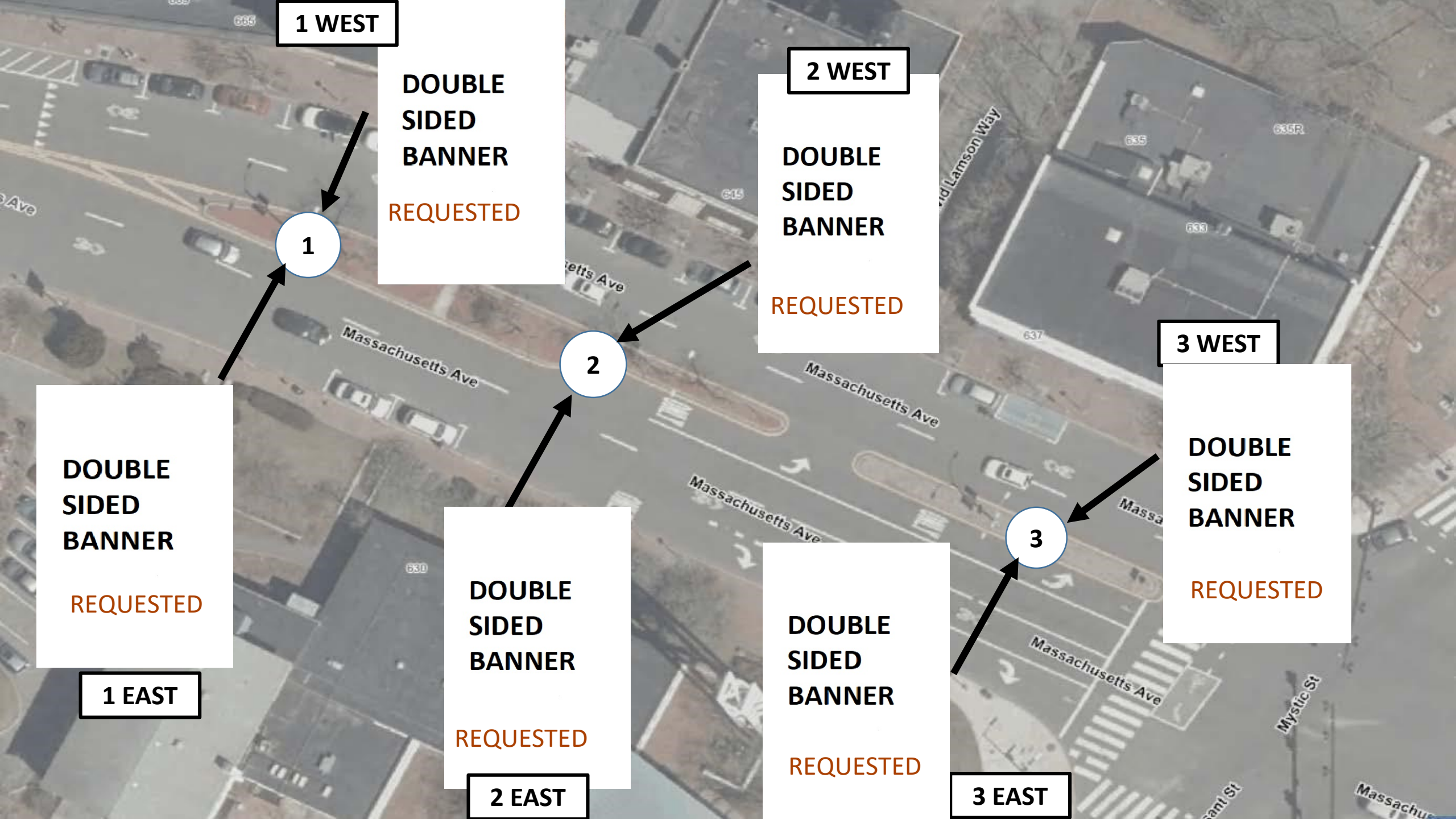
After banner has been approved at a Select Board Meeting, you are responsible for having the banner made and getting it out to the Public Works Department a week prior to the installation date. They are located at 51 Grove Street, 781-316-3100.

Approved by the Select Board ☐

Date Approved: _____

36" x 60" Double Sided Vinyl Pole Banners with 2 Bracket Hardware





1 WEST

DOUBLE
SIDED
BANNER

REQUESTED

2 WEST

DOUBLE
SIDED
BANNER

REQUESTED

3 WEST

DOUBLE
SIDED
BANNER

REQUESTED

1

2

3

DOUBLE
SIDED
BANNER

REQUESTED

1 EAST

DOUBLE
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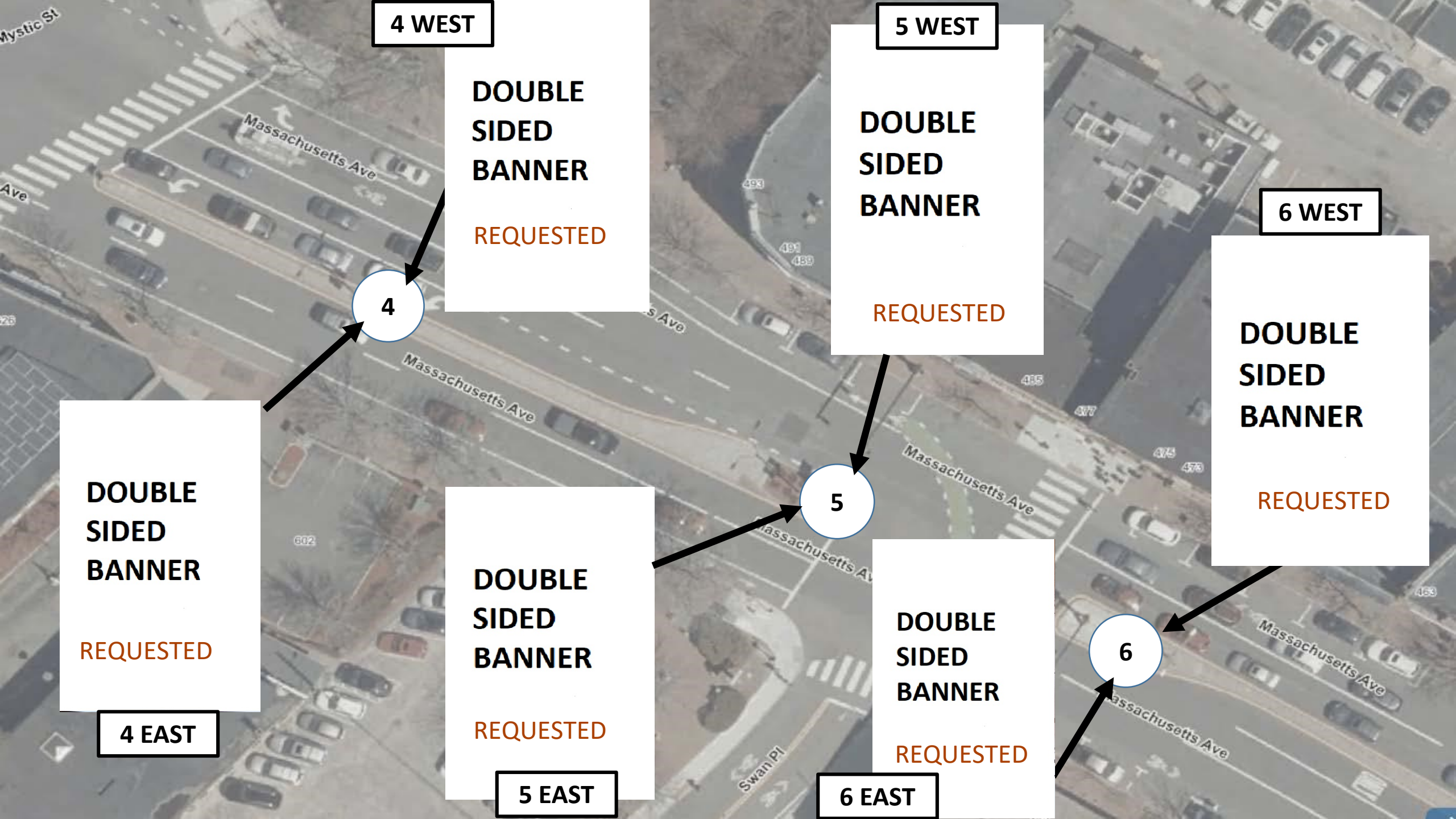
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2 EAST

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3 EAST



4 WEST

DOUBLE
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BANNER

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4

5 WEST

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BANNER

REQUESTED

5

6 WEST

DOUBLE
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BANNER

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6

DOUBLE
SIDED
BANNER

REQUESTED

4 EAST

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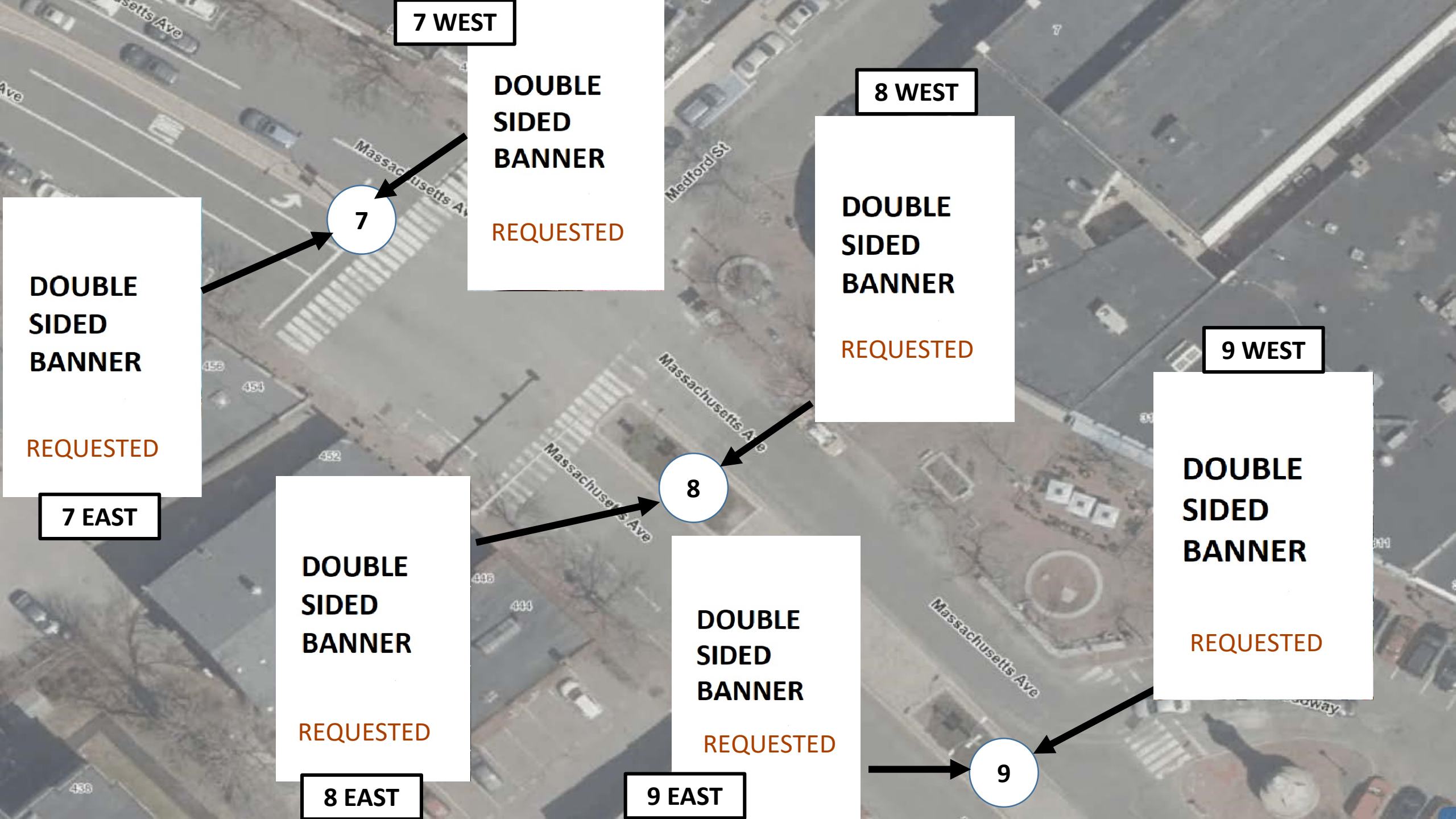
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6 EAST



7 WEST

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9 EAST

10 WEST

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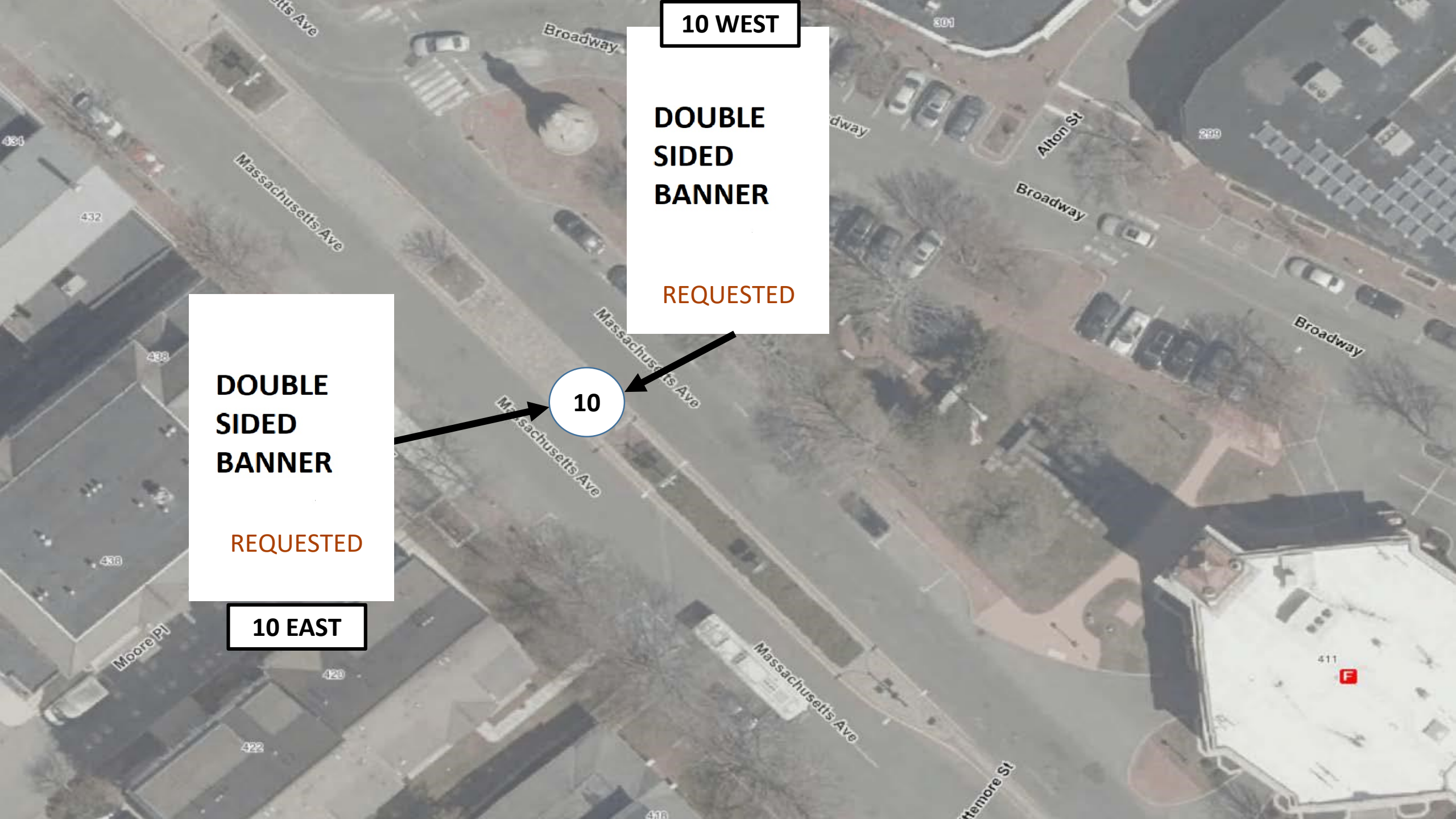
REQUESTED

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BANNER

REQUESTED

10 EAST

10



Banner Schedule - 2024

MONTH	EVENT	EVENT	EVENT	EVENT	EVENT
January	Chamber of Commerce - ends January 31				
February	Black History Month				
March	Black History Month				
April	Commision for Arts and Culture April 1 - May 31				
May	Commision for Arts and Culture April 1 - May 31				
June					
July					
August	Famers Market				
September	Farmers Market				
October					
November					
December					



Town of Arlington, Massachusetts

Reappointment: Board of Registrars

Summary:

William Logan (term to expire: 03/31/2027)

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	W._Logan_Reapp_Ref.pdf	Reference

OFFICE OF THE SELECT BOARD

ERIC D. HELMUTH, CHAIR
JOHN V. HURD, VICE CHAIR
DIANE M. MAHON
STEPHEN W. DECOURCEY
LENARD T. DIGGINS



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

March 13, 2024

William Logan
Arlington, MA 02476

Re: Reappointment: Board of Registrar of Voters

Dear William:

Please be advised that the Select Board will be discussing your reappointment to the above-named at their meeting conducted via hybrid format on Monday, March 18th at 7:15pm. Although it is not a requirement that you attend this meeting, you are invited to do so.

The meeting will take place in the Select Board Chambers. The link to the meeting and other information will be available at the bottom of the Select Board Agenda as well as on the Town Calendar when the meeting is posted Thursday, March 13, by 7:00pm.

Please contact this office by e-mail, bmallard@town.arlington.ma.us, if you have any questions.

Thank you.

Very truly yours,
SELECT BOARD

Britton Mallard
Administrative Assistant

Re: Upcoming Term Expiration of Board of Registrars of Voters - William Logan
(03/31/2024)

Stephanie Swanson

Thu 2/29/2024 10:00 AM

To: Britton Mallard <bmallard@town.arlington.ma.us>

Cc: Ashley Maher <amaher@town.arlington.ma.us>; Lauren Costa <lcosta@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Britton - We'd like to reappoint Bill Logan. Thank you!

Best,
Stephanie

On Tue, Feb 27, 2024 at 9:10 AM Britton Mallard <bmallard@town.arlington.ma.us> wrote:
Good Morning,

On March 31st, 2024, William Logan's term on the Board of Registrars of Voters will expire. If you'd like to move forward with his reappointment, let this office know and we will place the reappointment on a March Select Board meeting. If not, we would just require 3 names (with letter of interests/resumes) to be submitted to the Select Board to replace William Logan's spot.

Let me know how would you like to move forward.

Best,
Britton

Britton Mallard (He/Him)
Office of the Select Board
Town of Arlington, MA
781-316-3020

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

--
Stephanie L. Swanson



Town of Arlington, Massachusetts

For Approval: Memorial Day Ceremony, May 27, 2024

Summary:

Philip J. McGovern, Director of Veterans Services

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Memorial_Day_Request.pdf	Memorial Day Request
▢	Reference Material	Memorial_Day_Procession_Map.png	Map

Town of Arlington
Department of Health and Human Services
Department of Veterans' Services
27 Maple Street, 2nd Floor
Arlington, MA 02476

Philip J. McGovern
Director of Veterans Services

Tel: 781 316-3166
Fax: 781 316-3175

March 12, 2024

Select Board
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

Re: Permit for Memorial Day, May 27, 2024

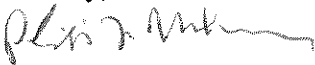
Dear Members of the Select Board:

The Department of Veterans Services respectfully requests a permit for the Town's 2024 Memorial Day observance, scheduled for the morning of Monday, May 27, 2024.

Planned activities include a community convocation of remembrance and reflection at the Robbins Memorial Town Hall Auditorium beginning at 9:00 AM, followed by decoration of memorial sites at the Old Burying Ground and Mount Pleasant Cemetery. The convocation will be scheduled to last one hour. At its completion those gathered will be invited to move across the Town Hall Garden to the Old Burying Ground, then to assemble in the driveway between the library and the Congregational Church for a procession down Massachusetts Avenue, up Medford Street, then into and through Mount Pleasant Cemetery. The procession is expected to begin at 10:30 AM and will require police support to ensure safe movement along public ways. A draft route map is attached for your reference.

Thank you in advance for your consideration of this request. If you have any questions or require further information, please contact me at (781)316-3166 or pmcgovern@town.arlington.ma.us.

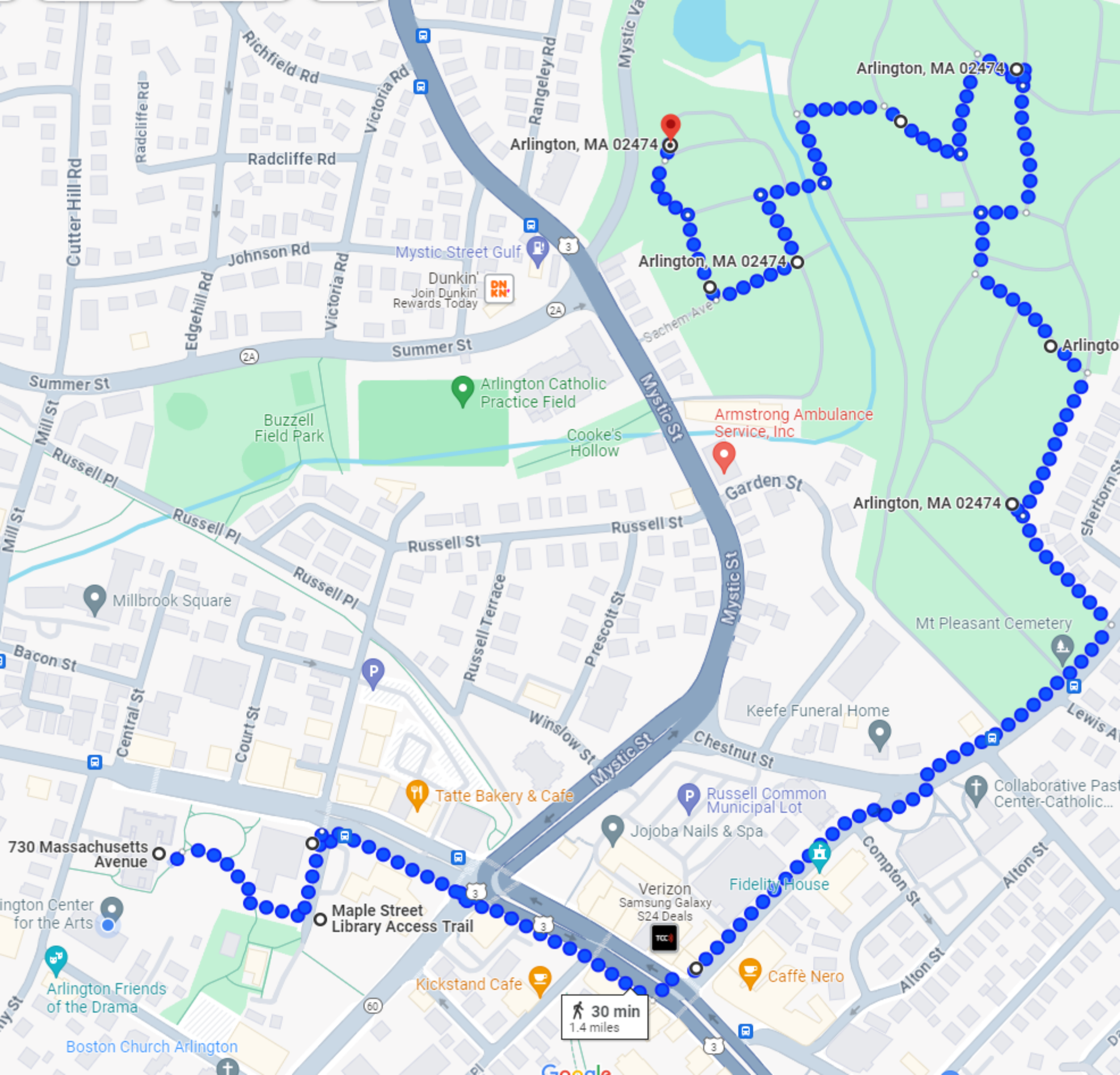
Sincerely,



Philip J. McGovern

Cc: Jim Feeney, Town Manager
Christine Bongiorno, Deputy Town Manager – Operations
Colleen Leger, Director, Department of Health & Human Services
Julie Flaherty, Chief of Police
Kevin Kelly, Fire Chief
Members, Arlington Veterans Council

Attachment: Draft Procession Route Map





Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 03/30/2024 @ Robbins Memorial Town Hall for Private Event

Summary:

Jodie Parmer

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	1_Day_Ref_03.30.24_Town_Hall.pdf	Reference

OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: _

Jodie Parmer

Address, phone & e-mail contact information:

Name & address of Organization for which license is sought:

Beaujolais Catering Michelle Noska

Does this Organization hold nonprofit status under the IRS Code? _____ Yes _____ ☒ No

Name of Responsible Manager of Organization (if different from above):

Address, phone & e-mail contact information:

207 Broadway, Arlington, Ma. 02474

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? _____ no _____ If so, please give date(s) of Special Licenses and/or applications and title of event(s). _____

Is this event an annual or regular event? If so, when was the last time this event was held and at what location? _____ One time event _____

24-Hour contact number for Responsible Manager of Alcohol Event date:

Title of Event: Bat Mitzvah

Date/time of Event:

Saturday, March 30, 2024 4:00 pm to 12 midnight

Location of Event: Arlington Town Hall

Location/Event Coordinator: Julie McDaniel

Method(s) of invitation/publicity for Event: private invite

Number of people expected to attend: 140

Expected admission/ticket prices: n/a

Expected prices for food and beverages (alcoholic and non-alcoholic):

n/a

Will persons under age 21 be on premises? yes

If "yes," please detail plan to prevent access of minors to alcoholic beverages. _____

Bartenders will ask for ID for all party go-ers

Have you consulted with the Department of Police Services about your security plan for the Event? YES

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Off. Corey L. Balian
Printed name/title

Date: 3/7/2024

POLICE COMMENTS:

What types of food and non-alcoholic beverages do you plan to serve at the Event?

Full dinner including appetizers, main course, sides, dessert, waters and seltzers

Who will be responsible for serving alcoholic beverages at the Event?

Beaujolais Bartending staff

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

TIPs certification

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

attached

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)

Kappy's Everett

Date of Delivery: Saturday, March 30, 2024

Alcohol Serving Time (s):

5:00 pm – 9:00 pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

Kappy's will pick up excess alcohol

Date of Pick-Up: Monday, April 1, 2024

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.) attached

Please submit this completed form and filing fee to the Select Board at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: _____

Printed name: _____ Jodie Parmer _____

Printed title & Organization name: _____

Email: Jodie-parmer@gmail.com _____





ROBBINS MEMORIAL TOWN HALL AUDITORIUM
730 Massachusetts Avenue, Arlington, Ma. 02476

3 March 2024

SECURITY PLAN FOR PARMER BAT MITZVAH

The Parmer family is holding a Bat Mitzvah event for their daughter Natanya. The event is to be held Saturday March 30, 2024, at the Arlington Town Hall. The party time is 5:00pm – 11:00 pm. A One-Day Permit has been submitted to the Select Board.

This is the Security Plan.

We anticipate approximately 140 people to attend including both adults and youth.

Julie McDaniel will be the event coordinator for the event. Food and bartending service will be provided by Beaujolais Catering. Greg Stathopoulos will be the custodian for the event. The Parmer family will be responsible for ensuring that the party runs smoothly. A fire services detail will be hired for the event.

Parking for the event will be available in the Town Hall parking lot, the parking lot at the Central School office building directly behind Town Hall, and on the side streets, as well as Mass. Ave.

Please advise if there are other items that we need to consider.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Prescott and Son Insurance Agency, Inc. 963 Eastern Avenue Malden MA 02148		CONTACT NAME: Commercial Lines PHONE (A/C, No, Ext): (781) 322-2350 FAX (A/C, No): E-MAIL ADDRESS:	
INSURED Michelle C Noska Beaujolais Catering 207a Broadway Arlington MA 02474		INSURER(S) AFFORDING COVERAGE INSURER A: Twin City Fire Ins Co INSURER B: Safety Insurance Co INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 29459 39454	

COVERAGES**CERTIFICATE NUMBER:** 23-24 All Lines**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		08SBAAA8353	04/09/2023	04/09/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPI/OP AGG \$ 2,000,000 Liquor Liability \$ 1,000,000
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			6227097	01/21/2023	01/21/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Medical payments \$ 5,000
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A	N/A			04/09/2023	04/09/2024	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ Each Occurrence \$1,000,000 Aggregate \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Per written contract, the Town of Arlington is an additional insured with respect to general liability.

CERTIFICATE HOLDER**CANCELLATION**

Town of Arlington 730 Mass Ave Arlington MA 02476	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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eTIPS On Premise 3.1

CERTIFIED

Issued: 6/22/2021

Expires: 6/22/2024

ID#: 5495585

Aldo G De Oliveira



For service visit us online at www.gettips.com



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 04/06/2024 @ Lesley Ellis for Private Event

Summary:

James Bethel

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	1_Day_Leslie_Ellis_Ref.pdf	Reference

OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

RECEIVED BY THE
SELECT BOARD OFFICE
FEB 20 PM 12:19

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: James Bethel

Address, phone & e-mail contact information: 34 Winter St, Arlington, MA 02474

Name & address of Organization for which license is sought: The Lesley Ellis School
34 Winter St. Arlington, MA 02474

Does this Organization hold nonprofit status under the IRS Code? ☒ Yes ☐ No

Name of Responsible Manager of Organization (if different from above): Deanne Benson

Address, phone & e-mail contact information: 34 Winter St.
Arlington, MA 02474

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? NO If so, please give date(s) of Special Licenses and/or applications and title of event(s). N/A

Is this event an annual or regular event? If so, when was the last time this event was held and at what location? Back to the Future Spring Party

34 Winter St. Arlington, MA 02474

24-Hour contact number for Responsible Manager of Alcohol Event date: James Bethel

Title of Event: Cosmic Saree

Date/time of Event: Saturday, April 6th; 6:00 pm - 10:00 pm.

Location of Event: The LESLEY ELLIS School Gymnasium

Location/Event Coordinator: James Bethel

Method(s) of invitation/publicity for Event: constant contact & The school website

Number of people expected to attend: Approximately 150

Expected admission/ticket prices: \$ 0.00

Expected prices for food and beverages (alcoholic and non-alcoholic): Food is free
\$ 8.00 for beer (12oz serving)
\$ 12.00 for wine (5oz serving)

Will persons under age 21 be on premises? NO

If "yes," please detail plan to prevent access of minors to alcoholic beverages. _____

N/A

Have you consulted with the Department of Police Services about your security plan for the Event? *safety plan attached to application*

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Printed name/title

Date:

POLICE COMMENTS:

Request one safety detail (police)

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.) _____

Beer and wine

What types of food and non-alcoholic beverages do you plan to serve at the Event? _____

we plan to cater a cheeseboard, various appetizers, and entrées
at the event, as well as serve water, seltzer, non-alcoholic beer,
sparkling cider, and other non-alcoholic beverages.

Who will be responsible for serving alcoholic beverages at the Event? James Bethel

and Matt Ozeilus (Bar worker by Trade) (non-confirmed)

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event. *TIPS certification Attached to application*

TIPS On-Premise Alcohol Server Training (exp 1/24/2027)

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age. JAMES Bethel

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc) JACK'S ABBY Brewery

Date of Delivery: Friday, ^{error - JB} ~~April~~ April 5th, 2024

Alcohol Serving Time (s): 7:00 pm to 9:30 pm (2.5 hours)

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of? (Jacks Abby)

Excess alcohol will be picked-up by the distributor
the day after the event

Date of Pick-Up: Sunday, April 7th, 2024

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.) Our parent organization, Schools for children, Inc.

has a commercial liability policy with Philadelphia Indemnity

Insurance company with a \$1,000,000 policy per occurrence, and a
\$2,000,000 aggregate limit.

Please submit this completed form and filing fee to the Select Board at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: James Bethel

Printed name: James Bethel

Printed title & Organization name: Director of development & Family Engagement

Email: - The Lesley Ellis School



CERTIFICATE OF COMPLETION

This certifies that

James Bethel

is awarded this certificate for

TIPS On-Premise Alcohol Server Training



Hours
3.00



Completion Date
01/25/2024



Expiration Date
01/24/2027



Certificate #
ON-000030702023

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | www.360training.com

(CUT HERE)

(CUT HERE)

FOLD

TIPS On-Premise

Issued: 01/25/2024

Certificate #: ON-000030702023

James Bethel

CERTIFIED

Expires: 01/24/2027



Phone: 800-438-8477

www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature



SCHOO-1

OP ID: AC

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/19/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER S. B. Goddard & Son Co. 7 Winn Street Woburn, MA 01801-2828 Richard Mahoney	781-933-0076	CONTACT NAME: Ann Marie Chaulk PHONE (A/C, No, Ext): 781-933-0076 FAX (A/C, No): 781-932-0364 E-MAIL ADDRESS: annmarie@goddardinsurance.com
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Philadelphia Insurance Co.		
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED Schools For Children, Inc. 8 Winchester Place Suite 202 Winchester, MA 01890

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		PHPK2571026	07/01/2023	07/01/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10000			PHUB870131	07/01/2023	07/01/2024	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Property			PHPK2571026	07/01/2023	07/01/2024	Property Deduct 1,000,000 1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: 25586-001 - Certificate holder is included as additional insured/loss payee with respects to leased equipment/values as required per written agreement. Property Listing next page. Cancellation notice 30 days except for nonpayment which is 10 days.

CERTIFICATE HOLDER

CANCELLATION

SUMMI-2 Summit Funding Group, Inc. and It's Successors and/or Assigns ISAOA 4680 Parkway Drive, Suite 300 Mason, OH 45040	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	---



The Journey Is as Important as the destination

Security plan for Special Alcohol License Application

Lesley Ellis School holds our spring fundraising event annually. Our community is excited to gather once again to raise money for tuition assistance. Our staff and parent community discourages overindulgence of alcohol while encouraging an environment where people watch out for one another.

Plan for the evening:

- Deanne Benson, Emily Roos, Dave Casanave, and James Bethel will keep a general eye on the crowd, and will be the go-to people if concern arises. As administrators, both know everyone in attendance at the event.
- Double doors to the school building at 34 Winter Street remain unlocked/accessible through the entire event.
- Staff working at the event are informed of all exits, while exit signage is clearly marked and visible.
- Food and non-alcoholic beverages will be served at the event.
- The parking lot adjacent to the school provides the majority of the parking. On street parking in designated areas will also be used.
- The bar will close one-half hour (at 9:30 p.m.) before the event ends (at 10:00 p.m.).

This event is an internal LES community event including parents, grandparents, teachers, and staff for the purpose of raising a total of \$80,000 for Tuition Assistance. The event is 21+.

The following administrators are present and working at the event:

- Deanne Benson, Head of School
- Dave Casanave, Director of Communications and Marketing
- Emily Roos, Director of Auxiliary Programs
- James Bethel, Director of Development and Family Engagement

A Crowd-Manager Detail has been requested from the Arlington Fire Department from 6:00pm - 10:00pm on Saturday, April 6th, as we are expecting near 150 attendees.

For more information on our event, please visit: <https://lesleyellis.org/spring-fundraiser/>



Town of Arlington, Massachusetts

Request: AHS Ice Cream Fundraiser for Dana-Farber Cancer Institute (DFCI)

Summary:

Whittemore Park, May 18, 2024, 10:00 a.m. - 6:00 p.m.
The AHS Scoops Club

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Scoopermainia_Ref.pdf	Reference

**TOWN OF ARLINGTON
SPECIAL EVENT PERMIT APPLICATION**

Applicant and Sponsoring Organization Information

Name of Organization / Sponsor: Arlington High School
Address: 869 Massachusetts Ave City: Arlington State: MA Zip: 02476
Applicant Name: Ellie Kachoria Tel#: _____
E-mail: _____
Event Manager: Jayce McG Contact Info: jmcg@arlington.k12.ma.us
Other Contact Person/s: _____ Contact Info: _____

Event Information

☐ Run/Walk ☐ Parade ☒ Event
Event Title: Scoopermania All-You-Can-Eat Ice-Cream Fundraiser
Start Date & Time(s): 12 pm 5/18/24 End Date & Time(s): 4 pm 5/18/24
Estimated Attendance: # 600 Admission Fee: \$5 for kids, \$7 for adults
Open to the Public: ☒ Yes ☐ No
Requested Location: Street (specify): 611 Mass Ave
Other (specify): The Cryrus E. Dallin Lawn
Set Up Date/Time & Description: Set up would begin at 10 am
Breakdown Date/Time & Description: Everything would be cleaned up by 6 pm

NOTE: ATTACH DIAGRAM OF ROUTE WITH SPECIFICS

Event Details

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Will you set up table(s) and/or chair(s)? Approximate number : <u>8 tables w/ chairs</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Booth(s), Exhibit(s), Display(s) and/or Enclosure(s): _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Canopy(ies) and/or Tent(s)- describe dimensions: <u>8 10x10 tents</u>

The following is required by your organization to insure the safety and health of all participating in this event: *Note: You do not need to contact the departments below if it is not required.*

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Police Detail: _____ (contact police)

Venue Permit Request for 611 Mass. Ave

Ellie Kachoria

Sun 2/25/2024 5:41 PM

To: SBadmin <SBadmin@town.arlington.ma.us>

Cc: Jayce McG <jmcg@arlington.k12.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Select Board,

For the past few years, multiple groups of proactive students at Arlington High School have committed to raising money with the Jimmy Fund for cancer research by putting on a town-wide ice cream fundraiser. The event, inspired by Boston's own Scooper Bowl, has consisted of a day-long ice cream festival in the Cyrus E. Dallin Lawn, during which we scooped our hearts out to raise money for research and care at the Dana-Farber Cancer Institute (DFCI).

The majority of our donation to DFCI has come from the \$5 entry fee for children and \$7 for adults to the all-you-can-eat event. Our goal has been to inspire community support for the cause and to raise money for DFCI, especially since several members of our community are currently battling cancer. Each year, we raise over \$5,000 for the Jimmy Fund.

This year, we are hoping to put on the same fundraiser so we can continue uniting Arlington in the fight against cancer. We request that you allow us a permit to use the Cyrus E. Dallin lawn from 10:00AM - 6:00PM on May 18th (rain date May 19th) as the venue for our event, as the lawn is ideal due to its easy visibility through traffic. We thank you greatly for your support and consideration!

Most Sincerely,
Ellie Kachoria
The AHS Scoops Club



Town of Arlington, Massachusetts

Request: Contractor/Drainlayer License

Summary:

Champion Environmental Services
Yaphank, New York
Steve Lampasona

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Champion_Services_Ref.pdf	Reference



Engineering Division

TOWN OF ARLINGTON
Department of Public Works
51 Grove Street
Arlington, Massachusetts 02476
Office (781) 316-3320 Fax (781) 316-3281

MEMORANDUM

To: Select Board
From: Engineering Division
Re: Approved Contractor License
Date: March 13, 2024

Dear Board Members,

Reference is hereby made to an application by Steven Lampasona of Champion Environmental Services, to be accepted as an Approved Contractor in the Town of Arlington.

Contact information is as follows:

Champion Environmental Services
Steven Lampasona
Yaphank, NY 11980

Email: slampasona@championssc.com

As a previously approved contractor in good standing, we recommend approval and issuance of an Approved Contractor and Drainlayer license.

Regards,

Wolfgang G. Kirstein, E.I.T.
Civil Engineer

CC: File

OFFICE OF THE SELECT BOARD

ERIC D. HELMUTH, CHAIR
JOHN V. HURD, VICE CHAIR
DIANE M. MAHON
STEPHEN W. DECOURCEY
LENARD T. DIGGINS



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

March 13, 2024

Steve Lampasona
Champion Environmental Services

Yaphank, New York

Dear Steve:

The Select Board will be discussing your request for a License to do Drainlaying in the Town of Arlington by hybrid format on Monday, March 18, 2024 at 7:15 p.m. Although it is not a requirement that you attend this meeting, you are invited to do so.

The meeting will take place in the Select Board Chambers. The link to the meeting and other information will be available at the bottom of the Select Board Agenda as well as on the Town Calendar when the meeting is posted Thursday, March 14 by 7:00 p.m.

Please contact this office by email, bmallard@town.arlington.ma.us, if you have any questions.

Very truly yours,
SELECT BOARD

Britton Mallard
Administrative Assistant



TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS

APPLICATION FOR TOWN OF ARLINGTON DPW CONTRACTOR LICENSE

Directions: Please complete ALL fields below and deliver the completed application to the Department of Public Works Engineering Department at 51 Grove Street for Processing and Submission to the Board of Selectmen. Please also include in your submission a \$75.00 application fee in the form of a check payable to the "Town of Arlington". Any questions regarding this application form or procedure should be directed to the Town of Arlington Engineering Department at 781-316-3386.

Scope of Work

Please indicate the scope of work you intend to perform as a DPW Approved Contractor in the Town of Arlington (check all that apply):

☐ Water ☐ Sanitary Sewer ☐ Stormwater Drainage ☐ Sewer/Drain Inspection ☐ Driveway Work ☐ Curb/Sidewalk Work

Applicant Information

Applicant/Firm Name: CHAMPION ENVIRONMENTAL SERVICES

Select One: ☐ Corporation ☐ Partnership ☐ Proprietorship ☐ Other: _____

Street Address: _____ City/Town: YAPHANK State: NY

Primary Phone: _____ E-mail: SLAMPASONA@CHAMPIONSSC.COM

Length of Time in Business under the same Firm Name: 30 +

Full Name(s) of Principal(s): CARLOS HERNANDEZ

Primary Contact Person: STEVE LAMPASONA

Experience/Previous Work

Nature of Typical/Standard Work: VACUUM EXCAVATE TEST PITS TO INSPECT GAS LINES

Have you ever performed this type of work in Arlington: ☒ Yes ☐ No

If Yes, Please provide Location: REGIS RD, BAILY RD, ELIOT RD Approximate Date: 6/23

Total Amount of such construction this year: 10 TO 15 TEST PITS

Total Amount of such construction last year: 10 TO 15 TEST PITS

Total Amount of such construction next previous year: 10 TO 15 TEST PITS

Municipal References - Please Attach Written Reference Letters

Municipality: _____

Primary Contact Name: _____ Email: _____

Municipality: _____

Primary Contact Name: _____ Email: _____

Municipality: _____

Primary Contact Name: _____ Email: _____

Banking/Financial References - Please Attach Written Reference Letters if Available

Bank Reference: _____ Phone: _____

Federal Tax ID or Social Security #: _____

Note to Town Staff: Redact Social Security # before releasing document

Your social security number or federal identification number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

Signature/Endorsement

By signing below, I certify that under the penalties of perjury that to the best of my knowledge and belief all information on this application is true and correct. I also certify by signature below that I/we have filed all state tax returns and paid all state taxes as required by law. I also hereby agree to conform in all respects to the conditions governing such license as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen and/or Department of Public Works may establish.

Applicant Signature: _____ Date: 5/7/24

Reset Form

Print Form



Town of Arlington, Massachusetts

Eversource Petition/ Central St. at Mass Ave.

Summary:

Jacqueline Duffy, Eversource

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	GOL_Central_St.pdf	Reference



TOWN OF ARLINGTON
Department of Public Works
51 Grove Street
Arlington, MA 02476

Phone: 781-316-3320
Fax: 781-316-3281

ENGINEERING MEMORANDUM

Type: Grant of Location
Date: February 16, 2024
Applicant: Eversource
Site Location: Central St. at Mass Ave.

The Engineering Division has reviewed the petition provided by Eversource for consideration of a Grant of Location for the installation of conduit detailed on the plan titled "Plan of Massachusetts Ave. showing Proposed Conduit Installation" and dated January 8, 2024. This work is proposed to support the existing electric network and provide increased reliability. The following recommendations and conditions are provided for consideration by the Select Board should the Grant of Location be approved for this request.

Recommendations and Conditions

1. Notification shall be provided to all abutters prior to the commencement of construction activities. This notification should summarize the activities of the project, detail the potential impacts, provide an estimated schedule as well as provide instructions on how to contact Eversource should abutters wish to ask questions or provide concerns regarding the project. A copy of this notification shall be provided to the Town Engineer for approval prior to distribution to the public. The final distribution list shall include the Arlington DPW Dispatch Office, Arlington Public Safety Dispatch Office, Town Manager's Office, and the Engineering Division.
2. The proposed conduit installation shall be located/installed so as not to impact existing or impede future roadway improvements (i.e. curb adjustment, guardrail installation, water and sewer rehabilitation etc.) and where possible shall be located in the nearest proximity as possible with other Eversource infrastructure. If possible, the proposed duct banks shall be installed at a suitable elevation to allow additional electric conduits on top of the proposed duct bank without impacting surrounding infrastructure.
3. During construction, uninterrupted pedestrian access (or temporary pedestrian facilities) shall be provided at all times in compliance with current MUTCD requirements and/or as further directed by the Arlington Police Department.
4. Please be aware that there may be on-site utility infrastructure that is not shown or available on Record Plans provided by the Town and may be encountered in the field. If a conflict occurs between the proposed conduit installation and existing Town-owned utility infrastructure, the contractor shall contact the Engineering Division to discuss an appropriate resolution.
5. All traffic pavement markings that are disturbed by the proposed construction activities, shall be replaced/restored in-kind to the satisfaction of the Engineering Division.

6. The installation of the conduit will require additional permitting (Trench Permit and/or Street Occupancy Permit) through the Town of Arlington Engineering Division prior to the start of construction.
7. All disturbances to curbing, grass strips, sidewalk and roadway surfaces should be repaired in kind and to the satisfaction of the Town of Arlington Engineering Division. Any disturbance to sidewalks shall be replaced in full-width and in accordance with all current ADA, AAB, & Town of Arlington Standards/Regulations.
8. The proposed work area has been recently paved and is under a moratorium for proposed work. In order to proceed with this proposed work, Eversource must commit to address pavement restoration requirements above and beyond traditional trench repair requirements required by the Department of Public Utilities DTE-88. Final restoration requirements will be determined after the trench inspection of the project area following the first winter season. Requirements may include a grind and inlay of the pavement area, so as to reduce the impacts of the work on future road maintenance.
9. All trenching in existing pavement shall be saw-cut and roadway trenches shall be reconstructed in accordance with the Standard Details and Specifications of the Arlington Engineering Division and the guidelines issued in Massachusetts DTE 98-22 Street Restoration Standards.
10. All work within the right of way shall require the contractor to schedule and coordinate a police traffic detail. Traffic control and safety measures shall be instituted in adherence to applicable OSHA requirements, Massachusetts DOT Work Zone Safety Guidelines and Part VI of the Manual on Uniform Traffic Control Devices. A pre-construction meeting is recommended to coordinate with other on-going projects in Town.
11. All material stockpiled on roadways and/or roadway shoulders shall be protected with erosion control devices, such as silt fence and/or straw waddles. Any sediment that enters the Town drainage system as a result of this work will be the sole responsibility of the contractor to remove.
12. Equipment, staging, and stockpiles shall not be located or stored so as to interfere with intersection sight lines. The Town prefers that all materials & equipment be located no closer than 50' to an intersection where practical.
13. Areas to be utilized for the stockpiling of material or equipment shall be reviewed by the Engineering Division and/or the Police Department. Any location proposed for daytime or overnight storage of material or equipment shall be included in a work zone traffic management plan and provided to the Police Department for review. Plan may be required to be adapted during construction as work progresses.

EVERSOURCE
101 Linwood Street
Somerville, MA 02143

February 13, 2024

Town of Arlington
Town Hall
720 Massachusetts Avenue
Arlington, MA 02476

RE: Central Street
Arlington
W.O. #9621362

Dear Members of the Board:

The NSTAR Electric Company d/b/a Eversource Energy respectfully requests a Grant of Location for the installation of conduit in Central Street.

The purpose of this work is for capital improvements to support the network and increase reliability in the area.

If you have any questions or concerns, please call Jacqueline Duffy at 617-629-3204.

Very truly yours,

Kelly-Ann Correia

Kelly-Ann Correia, Supervisor
Rights and Permits

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR CONDUITS AND
MANHOLES**

To the **SELECT BOARD** of the Town of Arlington , Massachusetts:

Respectfully represents **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY**
a company incorporated for the transmission of electricity for lighting, heating or power, that
it desires to construct a line for such transmission under the public way or ways hereinafter
specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by
law, the Select Board may by Order grant to your petitioner permission to construct, and a
location for, such a line of conduits and manholes with the necessary wires and cables
therein, said conduits and manholes to be located substantially as shown on the plan made
by, T. Thibault dated January 8, 2024 and filed herewith, under the following
public way or ways of said Town:

CENTRAL STREET -

**Northerly from manhole MH8274, at Massachusetts Avenue, to MH 20759, install
approximately 13 feet of conduit.**

W.O. #9621362

NSTAR ELECTRIC COMPANY

By: Kelly-Ann Correia
Kelly-Ann Correia, Supervisor
Rights and Permits

Dated this February 12 day of 2024.

Town of Arlington, Massachusetts

Received and filed _____, 2024

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

Town of Arlington, Massachusetts

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

CENTRAL STREET -

Northerly from manhole MH8274, at Massachusetts Avenue, to MH 20759, install approximately 13 feet of conduit.

W.O. #9621362

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on a plan made by T. Thibault dated January 8, 2024 on file with said petition.
2. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____ Select Board
3 _____ the Town of
4 _____ Arlington
5 _____

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Select Board to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____, 2022 in said Town.

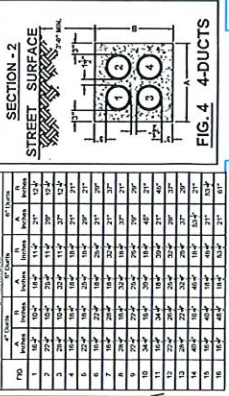
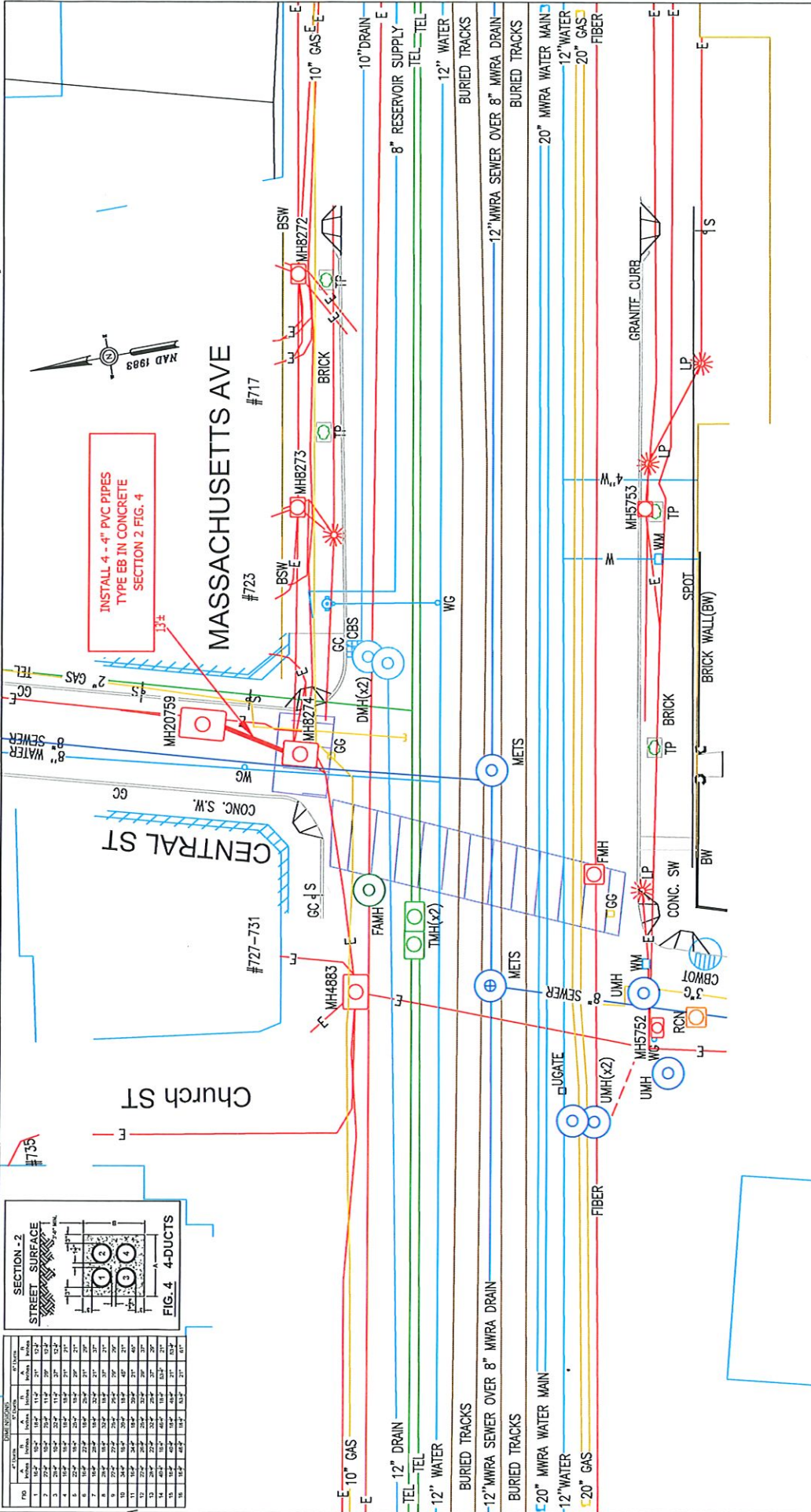
1 _____
2 _____ Select Board
3 _____ the Town of
4 _____ Arlington
5 _____

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Select Board of the Town of Arlington, Massachusetts, duly adopted on the _____ day of _____ 2024 and recorded with the records of location Orders of said Town, Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____

Clerk of the Town of Arlington, Massachusetts



ASTAR EVERSOURCE
1115 MASSACHUSETTS AVE. DORCHESTER, MASS. 02124

Plan of MASSACHUSETTS AVE
ARLINGTON, MA

Showing PROPOSED CONDUIT INSTALLATION

Scale: 1"=20'
Date: JANUARY 08, 2024

SHEET 1 of 1

CH 9-24

Ward #

Work Order # 9821382

Surveyed by: GC/BP

Research by: BP

Plotted by: TL/ZA

Proposed Structures: TL

Approved: T. THIBAUT

PH

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. THE INFORMATION IS PROVIDED AS IS, WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND FOR OBTAINING NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES. THE INFORMATION MAY NOT BE COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DUGGING BY ANYONE. CALL 800-SAFE-1888-344-7233

NOTICE TO ABUTTERS

February 27, 2024

Dear Abutter:

You are hereby notified that a public hearing will be held, **conducted via hybrid format at the Select Board Chambers at Arlington Town Hall and via Zoom**, on the **18th of March, 2024 at 7:15 p.m.** upon the Petition of **NSTAR Electric Company d/b/a Eversource Energy** for permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by T. Thibault, dated January 8, 2024 and filed herewith, under the following public way or ways of said Town:

W.O. #9621362

Central Street:

Northerly from manhole MH8274, at Massachusetts Avenue, to MH20759, install approximately 13 feet of conduit.

Information which includes the link to the meeting will be available at the bottom of the Select Board Agenda as well as the Town Calendar when the meeting is posted on Thursday, March 14, 2024 by 7:00 pm.

By: Ashley Maher
Board Administrator



Town of Arlington, Massachusetts

Eversource Petition/ Medford St. at Mass Ave.

Summary:

Jacqueline Duffy, Eversource

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	GOL_Medford_St.pdf	Reference



TOWN OF ARLINGTON
Department of Public Works
51 Grove Street
Arlington, MA 02476

Phone: 781-316-3320
Fax: 781-316-3281

ENGINEERING MEMORANDUM

Type: Grant of Location
Date: February 16, 2024
Applicant: Eversource; WO# 9544676
Site Location: Medford St. at Mass Ave.

The Engineering Division has reviewed the petition packet provided by Eversource for consideration of a Grant of Location for the installation of conduit detailed on the plan titled "Plan of Massachusetts Ave. showing Proposed Conduit Installation" and dated January 4, 2024. This work is proposed to support the existing electric network and provide increased reliability.

It should be noted that the area of the proposed work was recently reconstructed during the Broadway Plaza Project, which included all sidewalk, curbing, tree wells, lamp posts and underground electric conduits. Any work proposed should consider the potential impacts to the businesses and residents of the area that have already withstood a significant amount of construction activity in this area.

The following recommendations and conditions are provided for consideration by the Select Board should the Grant of Location be approved for this request.

Recommendations and Conditions

1. Notification shall be provided to all abutters prior to the commencement of construction activities. This notification should summarize the activities of the project, detail the potential impacts, provide an estimated schedule as well as provide instructions on how to contact Eversource should abutters wish to ask questions or provide concerns regarding the project. A copy of this notification shall be provided to the Town Engineer for approval prior to distribution to the public. The final distribution list shall include the Arlington DPW Dispatch Office, Arlington Public Safety Dispatch Office, Town Manager's Office, and the Engineering Division.
2. The proposed conduit installation shall be located/installed so as not to impact existing or impede future roadway improvements (i.e. curb adjustment, guardrail installation, water and sewer rehabilitation etc.) and where possible shall be located in the nearest proximity as possible with other Eversource infrastructure. If possible, the proposed duct banks shall be installed at a suitable elevation to allow additional electric conduits on top of the proposed duct bank without impacting surrounding infrastructure.
3. During construction, uninterrupted pedestrian access (or temporary pedestrian facilities) shall be provided at all times in compliance with current MUTCD requirements and/or as further directed by the Arlington Police Department.

4. There may be on-site utility infrastructure that is not shown or available on Record Plans that may be provided by the Town and may be encountered in the field. If a conflict occurs between the proposed conduit installation and existing Town-owned utility infrastructure, the contractor shall contact the Engineering Division to discuss an appropriate resolution.
5. There is a significant amount of buried utilities in the immediate vicinity, including but not limited to traffic signal and plaza lighting conduits, as well as an expanded subsurface area surrounding the tree pits includes a structural soil designed for improved tree growth. There stamped and colored accent bands within the Plaza Area. Each of these items will need to be addressed carefully during construction. The Engineering Division should be contacted to request plans, details and specifications for each of the previously described items.
6. All traffic pavement markings that are disturbed by the proposed construction activities, shall be replaced/restored in-kind to the satisfaction of the Engineering Division.
7. The installation of the conduit will require additional permitting (Trench Permit and/or Street Occupancy Permit) through the Town of Arlington Engineering Division prior to the start of construction.
8. All disturbances to curbing, grass strips, sidewalk and roadway surfaces should be repaired in kind and to the satisfaction of the Town of Arlington Engineering Division. Any disturbance to sidewalks shall be replaced in full-width and in accordance with all current ADA, AAB, & Town of Arlington Standards/Regulations.
9. All trenching in existing pavement shall be saw-cut and roadway trenches shall be reconstructed in accordance with the Standard Details and Specifications of the Arlington Engineering Division and the guidelines issued in Massachusetts DTE 98-22 Street Restoration Standards.
10. All work within the right of way shall require the contractor to schedule and coordinate a police traffic detail. Traffic control and safety measures shall be instituted in adherence to applicable OSHA requirements, Massachusetts DOT Work Zone Safety Guidelines and Part VI of the Manual on Uniform Traffic Control Devices. A pre-construction meeting is recommended to coordinate with other on-going projects in Town.
11. All material stockpiled on roadways and/or roadway shoulders shall be protected with erosion control devices, such as silt fence and/or straw wattles. Any sediment that enters the Town drainage system as a result of this work will be the sole responsibility of the contractor to remove.
12. Equipment, staging, and stockpiles shall not be located or stored so as to interfere with intersection sight lines. The Town prefers that all materials & equipment be located no closer than 50' to an intersection where practical.
13. Areas to be utilized for the stockpiling of material or equipment shall be reviewed by the Engineering Division and/or the Police Department. Any location proposed for daytime or overnight storage of material or equipment shall be included in a work zone traffic management plan and provided to the Police Department for review. Plan may be required to be adapted during construction as work progresses.
14. There are MWRA water lines in the immediate vicinity of the proposed work area. The MWRA should be contacted to determine if an MWRA 8M permit will be required.

EVERSOURCE
101 Linwood Street
Somerville, MA 02143

February 12, 2024

Town of Arlington
Town Hall
720 Massachusetts Avenue
Arlington, MA 02476

RE: Medford Street
Arlington
W.O. #9544676

Dear Members of the Board:

The NSTAR Electric Company d/b/a Eversource Energy respectfully requests a Grant of Location for the installation of conduit in Medford Street.

The purpose of this work is for capital improvements to support the network and increase reliability in the area.

If you have any questions or concerns, please call Jacqueline Duffy at 617-629-3204.

Very truly yours,

Kelly-Ann Correia

Kelly-Ann Correia, Supervisor
Rights and Permits

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR CONDUITS AND
MANHOLES**

To the **SELECT BOARD** of the Town of Arlington , Massachusetts:

Respectfully represents **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY**
a company incorporated for the transmission of electricity for lighting, heating or power, that
it desires to construct a line for such transmission under the public way or ways hereinafter
specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by
law, the Select Board may by Order grant to your petitioner permission to construct, and a
location for, such a line of conduits and manholes with the necessary wires and cables
therein, said conduits and manholes to be located substantially as shown on the plan made
by, **T. Thibault** dated January 4, 2024 and filed herewith, under the following
public way or ways of said Town:

MEDFORD STREET -

**Northeasterly from MH 13007, at Massachusetts Avenue, to MH 13013, install
approximately 10 feet of conduit.**

W.O. #9544676

NSTAR ELECTRIC COMPANY

By: Kelly-Ann Correia
Kelly-Ann Correia, Supervisor
Rights and Permits

Dated this February 12 day of 2024.

Town of Arlington, Massachusetts

Received and filed _____, 2024

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

Town of Arlington, Massachusetts

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

MEDFORD STREET -

Northeasterly from MH 13007, at Massachusetts Avenue, to MH 13013, install approximately 10 feet of conduit.

W.O. #9544676

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on a plan made by T. Thibault dated January 4, 2024 on file with said petition.
2. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____ Select Board
3 _____ the Town of
4 _____ Arlington
5 _____

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Select Board to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____, 2024 in said Town.

1 _____
2 _____ Select Board
3 _____ the Town of
4 _____ Arlington
5 _____

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Select Board of the Town of Arlington, Massachusetts, duly adopted on the _____ day of _____ 2022 and recorded with the records of location Orders of said Town, Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____

Clerk of the Town of Arlington, Massachusetts

NOTICE TO ABUTTERS

February 27, 2024

Dear Abutter:

You are hereby notified that a public hearing will be held, **conducted via hybrid format at the Select Board Chambers at Arlington Town Hall and via Zoom**, on the 18th of March at **7:15 p.m.** upon the Petition of **NSTAR Electric Company d/b/a Eversource Energy** for permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by T. Thibault, dated January 4, 2024 and filed herewith, under the following public way or ways of said Town:

W.O. #9544676

Medford St. at Mass Ave.:

Northeasterly from MH 13007, at Massachusetts Avenue, to MH 13013, install approximately 10 feet of conduit.

Information which includes the link to the meeting will be available at the bottom of the Select Board Agenda as well as the Town Calendar when the meeting is posted on Thursday, March 14, 2024 by 7:00 pm.

By: 
Board Administrator



Town of Arlington, Massachusetts

Commission for Arts and Culture

Summary:

Greta Mastro

(term to expire: 01/31/2025)

ATTACHMENTS:

	Type	File Name	Description
▯	Reference Material	G._Mastro_App_ref.pdf	Reference



Town of Arlington
Office of the Town Manager

James Feeney
Town Manager

730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010

MEMORANDUM

DATE: March 11, 2024

TO: Board Members

SUBJECT: Appointment to the Commission for Arts and Culture

This memo is to request the Board's approval of my appointment of Greta Mastro, Arlington, MA, to the Commission for Arts and Culture, with a term expiration date of 01/31/2025.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

Town Manager

OFFICE OF THE SELECT BOARD

ERIC D. HELMUTH, CHAIR
JOHN V. HURD, VICE CHAIR
DIANE M. MAHON
STEPHEN W. DECOURCEY
LENARD T. DIGGINS



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

March 13, 2024

Greta Mastro
Arlington, MA 02476

Re: Appointment: Arlington Commission for Arts and Culture

Dear Greta:

As a matter of the standard appointment procedure, the Select Board requests that you attend the Select Board meeting conducted by hybrid format, on Monday, March 18, 2024, at 7:15 p.m.

It is a requirement of the Select Board that you join this hybrid meeting. This will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

You may attend the meeting in-person or virtually. The meeting will take place in the Select Board Chambers. The link to the meeting and other information will be available at the bottom of the Select Board Agenda as well as on the Town Calendar when the meeting is posted on Thursday, March 14, at 7:00 p.m.

Please contact this office by e-mail, bmallard@town.arlington.ma.us, if you have any questions.

Thank you.

Very truly yours,
SELECT BOARD

A handwritten signature in cursive script that reads "Ashley Maher".

Ashley Maher
Board Administrator

Greta Mastro

EXPERIENCE

Writer

I started my first novel when I was 10. I continued to write and edit for four long years before sending it to literary agents. Though they rejected my novel, I still received personalized letters that told me to continue writing. So I started another novel and have continued to work on it every day. I am currently trying to get both books published.

Community Service

Over the pandemic I helped start a free composting service in Arlington called Full Circle Compost Service. The service grew, and we have been featured in local town events and newspapers. Our goal is to help Arlington become more eco-friendly while remaining equitable for all.

Internship

I participated in the Climate Futures Arlington Internship, which was recognized by two Massachusetts state senators in which we received state awards for our service. Despite the project being over, I was one of three of the original twelve interns to continue working on the project, and helped with a mural, major interviews, and a [website](#).

Artist

I draw every day. I focus on Western Animation and Anime styles, and I hope to improve my talents with every sketch. Someday I want to illustrate the books I've written. I also am an art camp counselor and enjoy helping my campers hone their own artistic styles.

Athlete

I am a varsity runner on Arlington High School's XC team. My PR is 21:00 for a 5k. I am in the top eight of my team. Running motivates me, and this year I hope to go to states with my team. I am both an XC captain and a track captain.

EDUCATION

Senior at Arlington High School

SKILLS

Writing, Art, Running,
Activism, Violin

AWARDS

Makayla Fund Award 2020
and 2021

YAWP Semi-Finalist Teen
Fellowship Competition

Blue Lake Violin Scholarship
Award

Green Team State Eco-Stars
Award 2018

Climate Futures Arlington
State Award

Featured violinist in Eric
LaRue, Michael Shannon's
directorial debut



Town of Arlington, Massachusetts

For Approval: Common Victualler License

Summary:

Boston Pizza & Gyro, 1323 Massachusetts Avenue, Ismail Beyaztas

ATTACHMENTS:

	Type	File Name	Description
▣	Reference Material	Boston_Pizza___Gyro_CV_Application.pdf	Application
▣	Reference Material	Inspection_Reports_- _Boston_Pizza_Gyro.pdf	Original - Inspection Reports
▣	Reference Material	ISD_Report.pdf	ISD - Follow up Report
▣	Reference Material	ISD_Update.pdf	ISD - Update
▣	Reference Material	Board_of_Health_Conditional_Report.pdf	BOH - Follow up Report

RECEIVED BY THE
SELECT BOARD OFFICE
ARLINGTON, MA 02476

OFFICE OF THE SELECT BOARD

730 Massachusetts Avenue
Town of Arlington
Massachusetts 02476-4908

2024 FEB -8 AM 10:50

(781) 316-3020
(781) 316-3029 fax

\$60.00 Filing Fee

Inspections Dept. at 51 Grove St. must review completed application before returning to this office.

APPLICATION

To the Licensing Authorities of the Town of Arlington

The Undersigned hereby makes application for a

☒ **COMMON VICTUALLER LICENSE (Eat In)**

☐ **FOOD VENDOR LICENSE (Take Out Only)**

Location 1323 MASS AVE Arlington MA 02478

Name of Applicant Boston Pizza & Gyro Ismail Beyaztas

Corporate Name (if applicable) _____

D/B/A Boston Pizza & Gyro

Date 02.08.2024

I/We hereby agree to conform in all respects to the conditions governing such License as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen may establish. With the signing of this application, the applicant acknowledges that:

- A. It is understood that the Board is not required to grant the license.
- B. no work is to commence at the premises of the proposed location which is the subject matter of this application until the license is approved by the Select Board, and, furthermore, any work done is done at the applicant's risk, and
- C. in the event of a proposed sale of a business requiring a Common Victualler License, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Select Board a thirty-day notice of his intention to sell same before such application will be acted upon by the Select Board.
- D. That the license is subject to revocation if the holder of the license does not comply with Town By-Laws or the Rules and Regulations of the Board.

Print Name Ismail Beyaztas

Signature Name 

Phone (Home), _____ (Business) _____

Email m

INFORMATION RELATIVE TO APPLICATION

Breakfast _____

Yes _____ No ☒

Lunch _____

Yes ☒ No _____

Dinner _____

Yes ☒ No _____

Do you own the property? Yes _____ No ☒ Tenant at Will ☒ Lease 15 (years)

Hours of Operation:

Day M-S Hours 10-12 (AM)

Day _____ Hours _____

Day _____ Hours _____

Floor Space 800 Sq. Ft. Seating Capacity (if any) 12

Parking Capacity (if any) _____ spaces Number of Employees 0

List Cooking Facilities (and implements)

Pizza oven, Flat top, gyro, oven, stove top, Fryer

Will a food scale be in use for sale of items to the public? Yes ☒ No _____

Will catering services be provided by you? Yes ☒ No _____

The following items must be submitted with the application:

- | | |
|--|---------------------|
| 1. Layout Plan of Facility & Fixtures | Date Received _____ |
| 2. Site Plan (obtained at Bldg. Dept., 51 Grove St.) | Date Received _____ |
| 3. Outside Facade and Sign Plan (dimensions, color) | Date Received _____ |
| 4. Menu | Date Received _____ |
| 5. Maintenance Program | Date Received _____ |

If the facilities are not yet completed, provide estimated cost of work to be done \$ _____

FOR OFFICE USE ONLY

Scheduled Hearing when Application will be presented to Select Board for approval:

Date _____ Time _____

Board Action: Approved Yes _____ No _____

APPLICANT'S RESUME

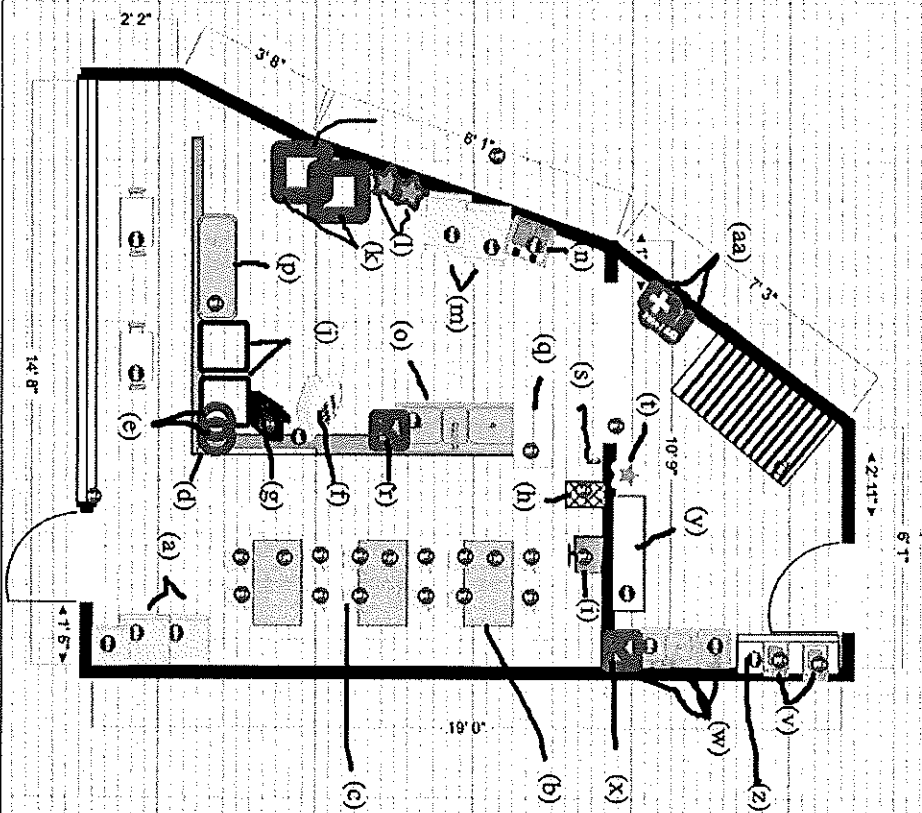
Food Business Experience of Applicant

From <u>Cape cod cafe</u>	to _____
Employee <u>manejer</u>	D/B/A _____
Sole Owner _____	Location <u>279 Main St Brockton MA 02301</u>
Partnership _____	Type Food <u>Pizza and bar</u>
Corporation _____	Number of Employees <u>150</u>

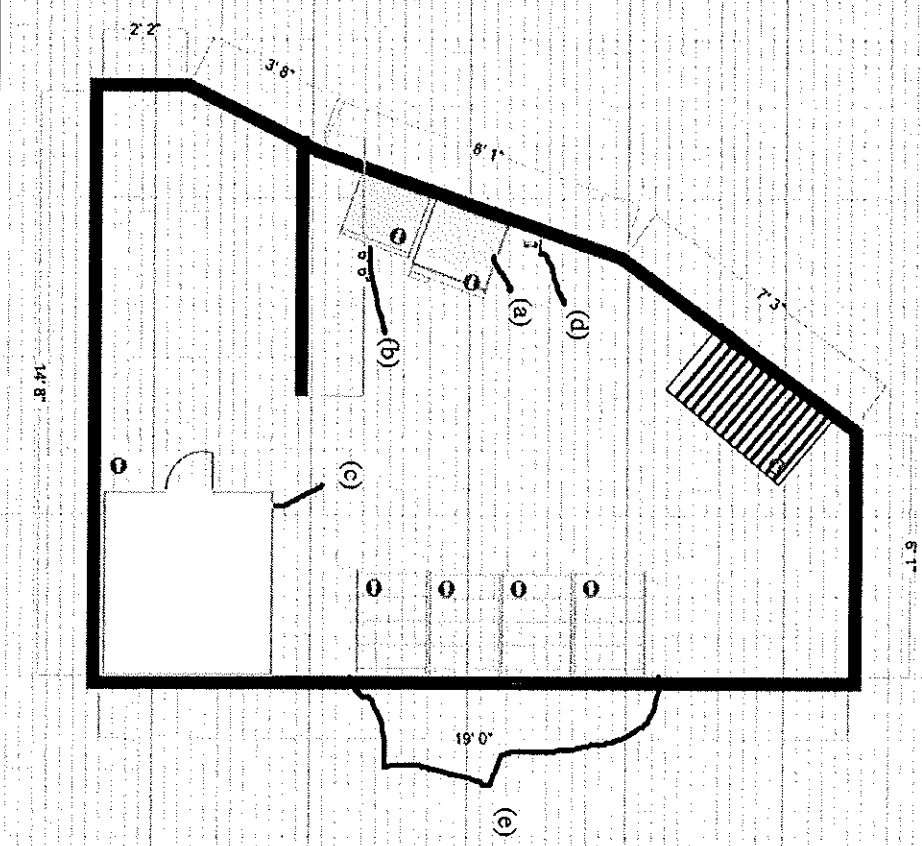
From _____	to _____
Employee _____	D/B/A _____
Sole Owner _____	Location _____
Partnership _____	Type Food _____
Corporation _____	Number of Employees _____

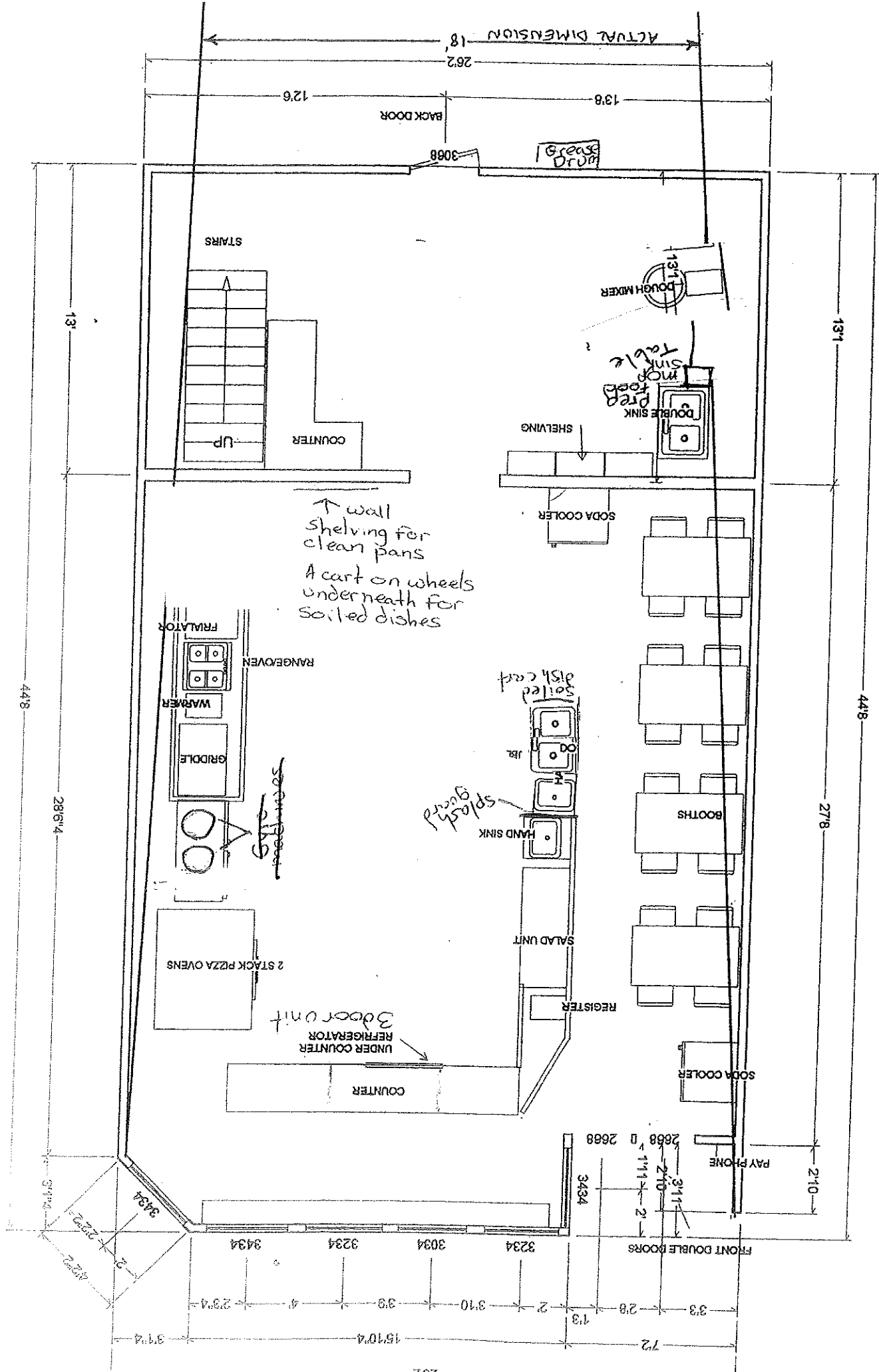
List any other information that you feel will assist in the review of this application.

First Floor



Basement

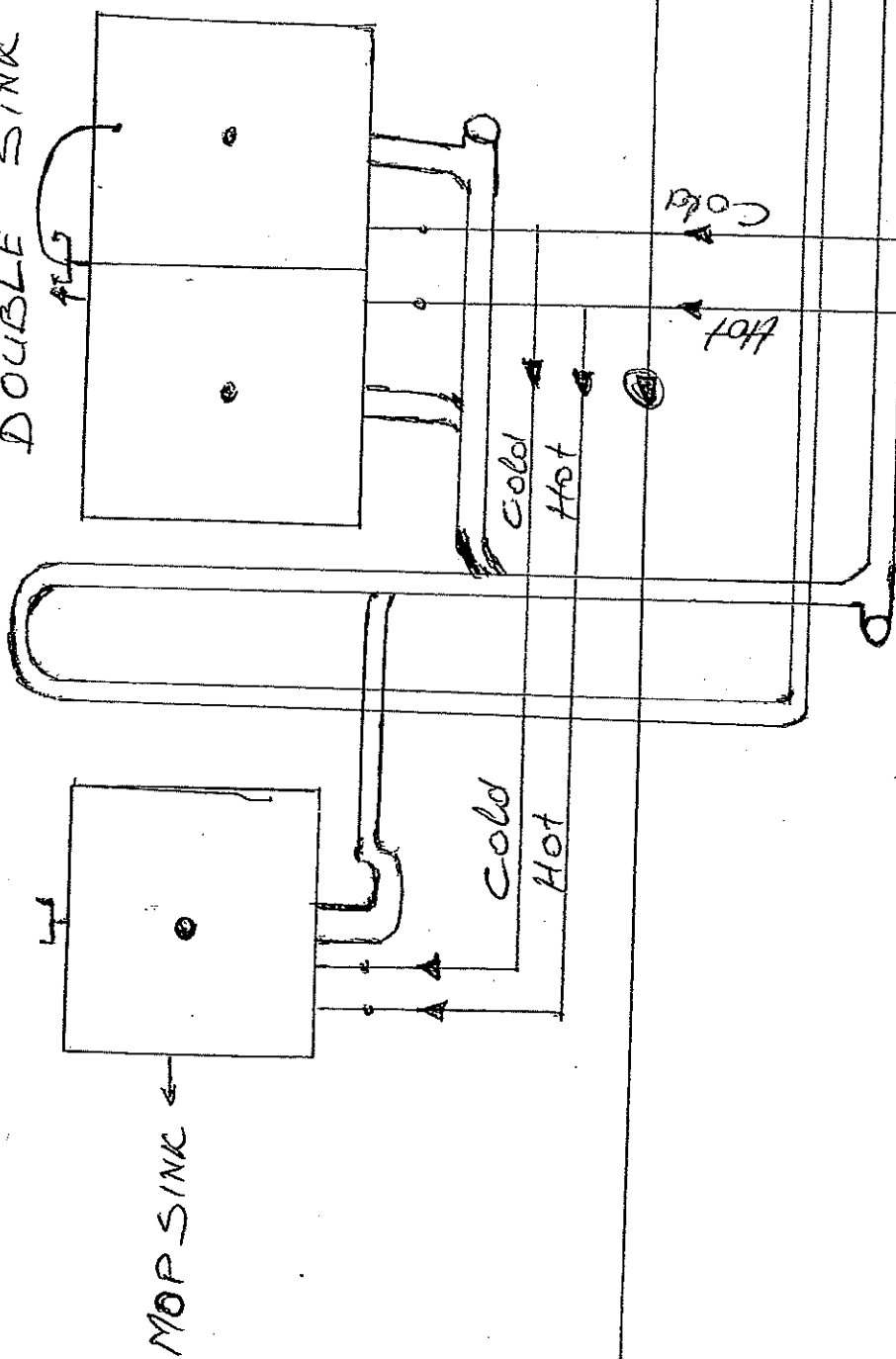




FIRST FLOOR

DOUBLE SINK

MOP SINK

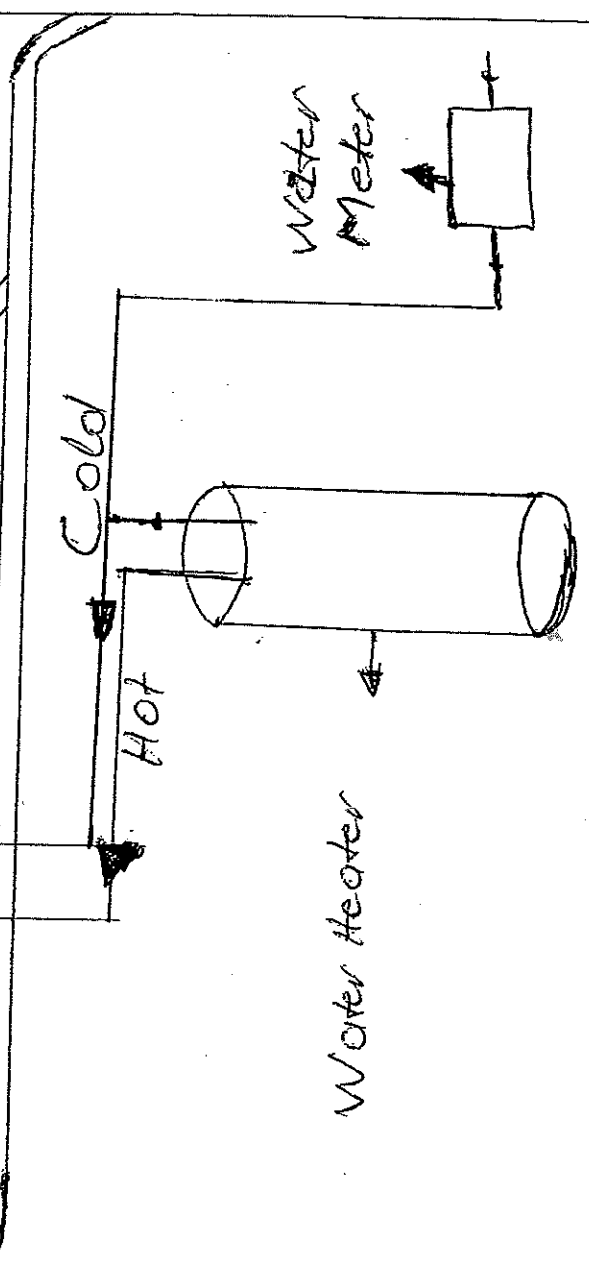


Basement.

Cold
Hot

Water
Meter

Water Heater



PARK

209.1

B

15111

248.81

MILL BROOK

2388

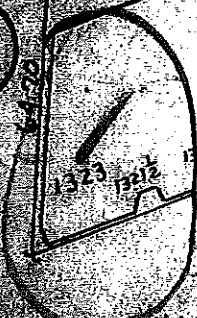
7525

9839

1299

1305

60



322.94

277.25
40.0

31.0

6.95

62.70

62.43

89.78
189.53

MILL

99.3

133.0

1317

1319

1315

1315

1313

1309

1311

140.0

1323

1322

1321



ITALIAN PIZZAS AND CALZONES

All made with homemade tomato sauce, mozzarella cheese, and cheddar Cheese.

	sm 14"	lg 18"
Cheese	9.50	13.00
Pepperoni	11.00	15.00
Meatball	11.00	15.00
Ground Beef	11.00	15.00
Sausage	11.00	15.00
Buffalo Chicken	12.00	16.00
Chicken BBQ	12.00	16.00
Pork Gyro	13.00	17.00
Beef Gyro	12.00	16.00
Smoked Ham	11.00	15.00
Salami	11.00	15.00
Bacon	11.00	15.00
Steak	11.00	15.00
Mushroom	11.00	15.00
Pepper	11.00	15.00
Onion	11.00	15.00
Tomatoes	11.00	15.00
Anchovies	11.00	15.00
Broccoll	11.00	15.00
Spinach	11.00	15.00
Kalamata Olives	11.00	15.00
Pineapple	11.00	15.00
Feta Cheese	11.00	15.00
Linguica Pizza	11.00	15.00
Prosciutto	12.00	17.00
Extra Cheese	1.50	2.00
Extra Topping	1.50	2.00



SPECIALTY PIZZAS AND CALZONES

	sm 12"	lg 16"
Special	14.99	18.99
Pepperoni, Bacon, Mushrooms, Peppers, Onions and Tomatoes		
Meat Lover's	14.99	18.99
Sausage, Pepperoni, Ham, Bacon and Meatball		
Yassou	14.99	18.99
Gyro, Meatball, Pepperoni, Peppers, Tomato and Parmesan		
Veggie	14.99	18.99
Onions, Peppers, Mushrooms, Spinach, Broccoli, Tomato, Kalamata Olives		
Mediterranean Pizza	13.99	17.99
Spinach, Feta Cheese, Kalamata Olives, and Tomatoes		
Hawaiian Pizza	13.99	17.99
Ham, bacon & pineapple.		
Margarita	14.99	18.99
Fresh Mozzarella, Basil and Tomatoes		
Extra Cheese	1.50	2.00
Extra Topping	1.50	2.00



SUBS

Sub roll with lettuce, tomato, onions and mayonnaise.

	small	large
Steak & Cheese	8.00	9.00
Mushrooms, peppers and onions		
Pepper Steak	8.50	9.50
Mushroom Steak	8.50	9.50
Onion Steak	8.50	9.50
Steak Bomb	9.00	10.50
Homemade Meatball sub	8.00	9.00
Cheeseburger	8.00	9.00
Greek Sausage	8.50	9.50
Chicken Cutlet	8.00	9.00
Chicken-Parm sub	8.00	9.00
Italian	8.00	9.00
Tuna Fish	8.00	9.00
Turkey	8.00	9.00
Roast Beef	9.00	10.00
Prosciutto	9.50	11.00



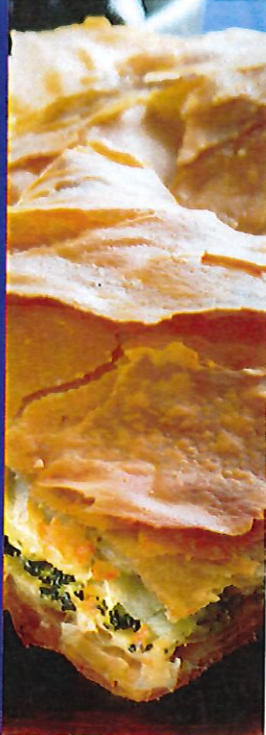
HOMEMADE DAILY SPECIALS

Mousaka Dinner 13.99
Eggplant and potato-based dish topped with ground meat and thick bechamel sauce. Served with salad and grilled pita.

Pastitsio Dinner 13.99
Baked pasta dish with ground meat and bechamel sauce. Served with salad and grilled pita.

Spanakopita (Spinach Pie) 6.00
Greek pie made of crispy layers of phyllo dough and filling of spinach and feta cheese.

Egg lemon Chicken Soup
Medium 5.99 Large 8.99



SPAGHETTI

Both our marinara and alfredo sauces are home made using fresh ingredients,

Spaghetti with marinara sauce 7.99

Spaghetti with alfredo sauce 8.99

Spaghetti 10.99
with meatballs and marinara sauce

Spaghetti 10.99
with grilled chicken and alfredo sauce

Spaghetti 11.99
with grilled chicken, broccoli and alfredo sauce

Spaghetti 10.99
with chicken cutlet and marinara sauce



PLATTERS / MIXED GRILL

For 2-4 people.

Served with Greek salad, grilled pita bread, tzatziki, french fries or rice. Contains the following :

Pork Gyro, Beef Gyro, Chicken Souvlaki (2),

Loukaniko (sausage) (2), and Soutzoukaki (ground beef) (2)

48.00



APPETIZERS

Onion Rings 5.99

French fries (homemade) 4.99

Rice 4.99

Dolmades (stuffed grape leaves) 5.99

HOMEMADE DESSERTS

Galaktoboureko (custard pie) 5.99

Baklava 4.99



BEVERAGES

Coca-Cola

Coca Cola, Sprite: 20oz. \$2.00

Water Bottle: \$2.00

Assorted Drinks: \$2.50



**Gift Certificates Available
Catering Service Available**



*CONSUMER ADVISORY WARNING FOR RAW FOODS
IN COMPLIANCE WITH THE DEPARTMENT OF PUBLIC HEALTH,
WE ADVISE THAT EATING RAW OR UNDERCOOKED MEAT,
POULTRY, OR SEAFOOD POSES A RISK TO YOUR HEALTH.

*TO ALL OUR CUSTOMERS:
BEFORE PLACING YOUR ORDER PLEASE INFORM YOUR SERVER
IF ANYONE IN YOUR PARTY HAS A FOOD ALLERGY

ADD STATE MEAL TAX TO ALL PRICES. PRICES, ITEMS & OFFERS
ARE SUBJECT TO CHANGE WITHOUT NOTICE

PRSR STD
ECRWS
U.S POSTAGE
PAID

*****ECRWS*****

DINNERS

Served with a side Greek salad, tzatziki, grilled pita bread, French fries or rice.

Pork Gyro	13.99
Beef Gyro Strips	13.99
Lamb Souvlaki (2)	16.99
*Beef Souvlaki (2)	15.99
Chicken Souvlaki (2)	13.99
Pork Souvlaki (2)	13.99
Lamb Paidakia (chops) (4)	20.99
Beef Sirloin Strips (2 pcs)	20.99
Beef Steak T-Bone (2 people)	25.99
Grilled Soutzoukaki	13.99
Soutzoukaki with greek marinara sauce	13.99



SANDWICHES

Wrapped in pita bread or sub roll, contains homemade tzatziki sauce, french fries, onions and tomatoes.

Gyro Pork	9.50
Gyro Beef	9.50
Souvlaki Pork	9.50
Souvlaki Chicken	9.50
*Souviaki Beef	10.50
Souvlaki Lamb	11.50
Loukaniko (Greek sausage)	9.50
Soutzoukaki (ground beef)	9.50



FRIED CHICKEN TENDERS & WINGS

Served with honey mustard or buffalo sauce.

	Medium	Large
Chicken tenders	8.99	12.99
Chicken wings	9.50	13.99

SALADS

Greek Salad	7.99
Made with tomatoes, feta cheese, olives, cucumber, peppers, onions, pepperoncini, parsley, scallions, and iceberg lettuce	
Greek salad with Grilled Chicken	11.99
Garden Salad	6.99
Made with iceberg lettuce, tomato, onion, cucumber, and pepperoncini.	
Yassou Salad	9.99
Made with steamed vegetables: broccoli, cauliflower, Brussel sprouts, stuffed grape leaf, fresh squeezed lemon juice and olive oil.	
Greek Spread Mix	9.99
Traditional homemade hot feta spread, tzatziki and eggplant salad. Served with grilled pita bread	
Tuna salad	10.99
tuna, lettuce, tomato, onions, pepperoncini, olives and pita bread	



COUPON 1

MONDAY-TUESDAY

**BUY ANY
2 LARGE PIZZAS
GET A 3RD
FREE**

OF EQUAL OR LESSER VALUE

YASSOU PIZZA

Upon presentation of this coupon.

Not to be combined with other

offers. Limited time only

COUPON 1

**10%
OFF
ANY ORDER
OVER \$100**

YASSOU PIZZA

Upon presentation of this coupon.

Not to be combined with other

offers. Limited time only

Boston Pizza and Gyro

1323 Massachusetts Ave

Arlington, MA 02476

Maintenance Program

1. The restaurant will be equipped with receptacles so that all rubbish may be disposed of properly.
2. Each night receptacles will be emptied into dumpster located in back of restaurant.
3. Dumpster will be emptied once a week every Tuesday.
4. The present dumpster service is provided Waste Management.
5. ^{Twice} ~~Once~~ a month, an exterminator will treat the premises for pesticide control.
6. Employees will be obligated to ensure that the interior of the restaurant is kept clean. The exterior will be routinely checked, so that there is no rubbish deposited on the front sidewalk or the rear of the restaurant.

**OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Select Board by Wednesday, February 28, 2024
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT

Location: 1323 Massachusetts Avenue

Applicant's Name: Ismail Beyaztas

D/B/A: Boston Pizza & Gyro

Telephone: 857-999-1177

Department: Sent Via E-mail

Date: February 13, 2024

MEETING DATE: March 4, 2024

RE: COMMON VICTUALLER LICENSE

Inspected By:

Police

Fire

Board of Health

Building

Planning

The Departments listed above have submitted comments to the Office of the Select Board regarding the issuance of a Common Victualler License.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature:  _____

Date: 03.01.2024

ARLINGTON POLICE DEPARTMENT

Juliann Flaherty
Chief of Police



POLICE HEADQUARTERS
112 Mystic Street
Telephone 781-316-3900

Town of Arlington
MASSACHUSETTS 02474

February 29, 2024

After conferring with other Detectives and conducting a check of the business address and the owner, the Police Department finds no issues with granting a license for Boston Pizza & Gyro, 1323 Mass Ave.

Please call me with any questions.

Thank You,

Bryan Gallagher
Detective Lieutenant
Arlington Police Department

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: _____

03.01.2024

"Proactive and Proud"



Arlington Fire Department Town of Arlington

Administrative Office
411 Massachusetts Ave, Arlington, MA 02474
Phone: (781) 316-3803 Fax: (781) 316-3808
Email: rmelly@town.arlington.ma.us

Ryan Melly
Deputy Fire Chief

Checklist for food sales ownership conversion

- All exit signs and emergency lights must be tested and in good working order
- FACP **must** have annual test paperwork on hand and be free of trouble and alarm signals
- Sprinkler system (if present) shall have current inspection tag
- All extinguishers must be hung with signs and a current inspection tag
- "K" extinguisher mounted and tagged in the kitchen area if using fat to cook
- All exits and exit paths must be in proper working order and free from storage
- No storage of excess combustibles allowed inside building or near exit ways
- Hoods must have current inspection/cleaning sticker attached
- Kitchen extinguishing systems must have current inspection tags
- If Ansul or Sprinklers present FACP must report to monitoring company
- Address must be clearly visible from the street
- Electrical panels must be accessible from floor to ceiling for the entire width
- Call for inspection after all has been completed 781-316-3803

The Arlington Fire Department requests that an inspection be scheduled as this address has not had an inspection by the Fire Department since June 21, 2021.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: _____

03.01.2024



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Select Board
From: Padraig Martin, Lead Health Compliance Officer
Date: February 28, 2024
RE: Board of Health Comments for Selectmen's Meeting on March 4, 2024

Please accept the following as comments from the Office of the Board of Health:

**Boston Pizza & Gyro: 1323 Massachusetts Avenue
Common Victualler License**

- This establishment was permitted by our department on January 4, 2023. Since their opening, our department has conducted several inspections, during which we have observed multiple violations of the FDA Food Code, including some repeat priority and priority foundation items. Priority and priority foundation items are critical to ensuring food safety. As of their last routine inspection conducted on January 12, 2024, there were still two repeat violations noted.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: 03.01.2024



Town of Arlington
Inspectional Services Department
51 Grove Street
Arlington, MA 02476
781-316-3390

Inspectionalservices@town.arlington.ma.us

To: Office of the Select Board
From: Michael Ciampa, Building Commissioner
Date: February 27, 2024
RE: Common Victualler License

Please accept the following as comments from the Inspectional Services Department regarding the license application for Boston Pizza & Gyro.

Building

- All building changes need permits.
- All sign changes need approval and a sign permit.
- Window signs cannot exceed 25% of the window.
- Certificate of Occupancy is required.

Plumbing

- All plumbing and gas fitting work requires licensed contractors to obtain permits from this office for their respective trades.

Electrical

- All electrical work requires that permits be obtained from this office for their respective trades by licensed contractors, and any new wiring must conform to the Mass. Electrical Code. Notify the Inspector of Wires in accordance with Chapter 143, Section 3L.

The Inspectional Services Department has no objection to the issuance of this license. Boston Gyro & Pizza is operating under a Temporary Certificate of Occupancy that expires on March 15, 2024. This certificate was issued contingent upon obtaining their Common Victualler License and bringing their signage into compliance. Compliance has been an issue for this business, so we ask that signage compliance be a condition of this license if it is issued.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: 03.01.2024

**OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Select Board by Wednesday, February 28, 2024
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT

Location: 1323 Massachusetts Avenue
Applicant's Name: Ismail Beyaztas
D/B/A: Boston Pizza & Gyro
Telephone: 857-999-1177
Department: Sent Via E-mail

Date: February 13, 2024

MEETING DATE: March 4, 2024

RE: COMMON VICTUALLER LICENSE

Inspected By:

Police
Fire
Board of Health
Building
Planning – Katie Luczai, Economic Development Coordinator

INSPECTION REPORT SECTION:

This application is for a change of management for Boston Pizza and Gyro, formerly known as Yassou. The proposed use is a 12-seat restaurant. Located in the B3 Village Business zone, this business is an appropriate use for the neighborhood.

The existing signage is out of compliance with the Town of Arlington Zoning Bylaw and must be brought within compliance. The business is located at the corner of Massachusetts Avenue and Park Avenue. Its central location makes it highly visible in the Arlington Heights business district. The applicant must apply for a sign permit through the Building Department for their existing signage and during that process will be asked to remove all nonconforming signage from the exterior of the building.

The Department has no objection to the issuance of a Common Victualler license to this business, however, we ask the Select Board to consider not issuing any license, if approved, until the applicant has applied for a Sign Permit. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: 03.01.2024



Town of Arlington
Inspectional Services Department
51 Grove Street
Arlington, MA 02476
781-316-3390

inspectionalservices@town.arlington.ma.us

To: Office of the Select Board
From: Michael Ciampa, Building Commissioner
Date: March 14, 2024
RE: Common Victualler License

Please accept the following as comments from the Inspectional Services Department regarding the license application for Boston Pizza & Gyro.

Following the field inspection that was conducted on March 6, 2024, below is the list of the items discussed that must be corrected prior to the Select Board's meeting on March 18, 2024.

1. Rear Egress

The attached photos 1 and 2 show your rear egress door. This door opens directly into the middle of the exterior stairs with no landing, as is required. Photos 3 and 4 show the exit signs indicating that staff and patrons may exit the building through this door. You must remove the exit sign in photo 3 and the combination emergency light/exit sign in photo 4. You must replace the combination emergency light with an emergency light-only device. The rear door is to be temporarily secured to prevent its use until it may be used safely.

2. Basement

The basement stairs are not illuminated. A light must be installed to provide illumination for those using these stairs. You must also install a combination emergency light/exit sign in the basement.

3. Signage

The large sign on the front of the building shown in photo 5 exceeds the maximum allowable size and must be removed. Additionally, you are only allowed one wall sign per street frontage. Removing this sign will resolve this violation as well. The window signage exceeds the maximum allowable coverage. You must remove signage so that no more than 25% of any window is covered.

4. Obstructed Fire Alarm Pull Station

Provide clearance for the fire alarm pull station at the entry door to allow for visibility and operation of the pull station.

Photo #1



Photo #2



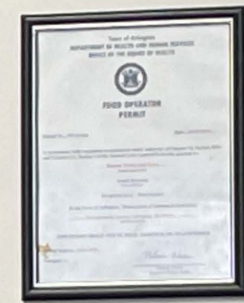


Photo #3

Photo #4



Photo #5



781-777-2770

GYRO

SALADS

BOSTON PIZZA

2 Large
CHEESE
PIZZA
+ 2L SODA

\$19.99

Special
Promo

SHISH

CHICKEN

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Town of Arlington
Inspectional Services Department
51 Maple Street
Arlington, MA 02476

Tel: (781) 316-3390
www.ArlingtonMA.gov

Address: 1323 Mass Ave

Permit Number: N/A

The Commonwealth of Massachusetts

Town of Arlington

In accordance with the 9th Edition of the Massachusetts State Building Code,

Section 120.0, this

TEMPORARY CERTIFICATE OF USE AND OCCUPANCY

Void after 11 days of Issue Date

Is issued to: Ismail Beyaztas

Description of Structure: Boston Pizza & Gyro

First Floor - Restaurant

Use Group: A-2

The undersigned hereby certifies the premises known as PARCEL 059.0-0001-0011.0 located at 1323 Mass Ave in the Town of Arlington, County of Middlesex, Commonwealth of Massachusetts have been inspected and are in compliance with the code for the purpose stated above.

A handwritten signature in blue ink, appearing to read "Michael Ciampa", is written over a horizontal line.

Michael Ciampa
Inspector of Buildings

Issue Date: 3/7/24

The Building Official shall be notified of any changes in the above information

1323 Mass Ave

Michael Ciampa <mciampa@town.arlington.ma.us>

Mon 3/18/2024 2:22 PM

To:ismailbeyaztas94@gmail.com <ismailbeyaztas94@gmail.com>

Cc:Ashley Maher <amaher@town.arlington.ma.us>

Good afternoon,

When we arrived at 10:00 a.m. for our scheduled follow-up inspection, the restaurant was closed, and no one was there to let us in. We could see from the sidewalk that the fire alarm pull station was still obstructed, and the exit sign indicating egress through a noncompliant exit door had yet to be removed. We also saw that efforts had yet to be made to bring your signage into compliance.

The fire alarm and egress violations still visible today create unsafe conditions for staff and customers. Your temporary Certificate of Occupancy expires today, and we will only provide an extension or reinstate your original Certificate of Occupancy once all safety violations are rectified.

Sincerely

Michael Ciampa
Director of Inspectional Services
Town of Arlington
781-316-3386

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

March 7, 2024

Hand Delivered
Ismail Beyaztas
1323 Massachusetts Avenue
Arlington, MA 02476

RE: Outcome of Administrative Hearing Held on March 7, 2024

Dear Ismail:

An administrative hearing was held on March 7, 2024, in response to repeat Food Code violations observed at Boston Pizza & Gyro. A routine inspection of Boston Pizza & Gyro was performed on January 12, 2024, during which 1 priority and 2 priority foundation violations were observed. Of those 3 violations, 2 were repeat violations from your previous routine inspection on September 27, 2023. The September 27, 2023, inspection had 3 priority violations, 2 priority foundation violations. Of those 5 violations, all were repeat violations from your previous routine inspection on June 28, 2023. Under previous ownership while you were managing the establishment, a consultant was hired to address many of the same issues. These issues include, but are not limited to, active managerial control, temperature control of TCS foods, and time as a public health control.

The outcomes of today's hearing are as follows:

1. A food consultant must be hired on or before April 5, 2024. Trainings and inspections must begin by April 12, 2024.
2. Boston Pizza & Gyro must receive approval from this Office to hire a food consultant.
3. Boston Pizza & Gyro is required to hire a food consultant who is able to communicate to the food workers in an appropriate language if English is not the primary language spoken by the food workers. If the food consultant cannot effectively communicate with all food workers then an interpreter must be hired to translate.
4. The food consultant must conduct on-site trainings with all food workers and comprehensive food inspections of the establishment.
5. The food consultant should conduct at least three (3) training sessions lasting two (2) hours per session with one (1) session per week.
6. There should be at least two (2) comprehensive inspections conducted of the establishment, one before the commencement of trainings and one after trainings have been completed.

7. Training topics should include, but should not be limited to:

- Active managerial control
- Temperature control requirements for TCS foods
- Time as a public health control requirements
- Proper hand washing and glove-wearing procedures
- Procedures regarding when to change gloves and wash hands
- Sanitary practices to reduce pest activity

8. Copies of all training and inspection reports must be sent to the Health Department within twenty-four (24) hours of completion. Reports may be faxed to 781-316-3175 or emailed to Pmartin@town.arlington.ma.us

9. It is the expectation that all violations identified in the 1/12/2024, 9/27/2023, and 6/28/2023 inspections will be addressed by the owner/food workers promptly and will not be repetitive from week to week.

10. Upon completion of this order, it is the expectation that Boston Pizza & Gyro will be in full compliance with the Food Code.

11. Boston Pizza & Gyro must also provide this Office with written action plans describing how each of the repeat violations observed on 1/12/2024, 9/27/2023, and 6/28/2023 will be brought into compliance. Written procedures should include, in part, how active managerial control will prevent future violations, Time as a Public Health Control for pizza, and temperature control requirements for TCS foods. Written action plans must be completed and submitted to this Office by April 12, 2024. These written action plans must be reviewed and approved by the hired food consultant.

For your reference, included in this letter please find a list of Food Consultants in the area.

Failure to comply with any part of this order will result in a hearing with the Board of Health. Please note that serious and/or repeated violations of the State Sanitary Code, Chapter X 105 CMR 590.000 may result in the suspension or revocation of your permit to operate a Food Establishment.

Please do not hesitate to contact the undersigned with any questions or concerns you may have regarding this matter.



Ismail Beyaztas

Sincerely,



Padraig Martin
Lead Health Compliance Officer
(781) 316-3169

03.07.2024

Date

Boston Pizza and Gyro Inspection Summary Report

[illegible]



Town of Arlington, Massachusetts

Arlington Community Electricity Contract Renewal

Summary:

Talia Fox, Sustainability Manager

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Memo-ACE_Contract_Renewal.pdf	ACE Memo - T. Fox
▢	Reference Material	ACE_SelectBoard_Presentation_-_Update.pdf	ACE Presentation Updated



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Jim Feeney, Town Manager
Cc: Claire Ricker, Director, Planning and Community Development
Ryan Katofsky, Chair, Clean Energy Future Committee
Ashley Maher, Select Board Administrator
From: Talia Fox, Sustainability Manager, Planning and Community Development
Date: March 13, 2024
RE: 2024 Arlington Community Electricity Contract Renewal Default Level

The Town's current, two-year supply contract for the Arlington Community Electricity (ACE) program expires in November 2024. The Town is preparing to solicit bids for a renewal contract in early April 2024. As with all prior ACE supply contracts, the Town seeks to procure levels of renewable energy above the minimum required by state law. The purpose of this memorandum is to share context that enables the Select Board to provide the Town Manager guidance on the target level of additional renewable energy.

Summary of ACE Program & Benefits

ACE is a municipal aggregation program that provides several electricity supply options to Arlington residents and businesses. The majority of residential accounts participate in ACE, and over 90% of participating accounts are enrolled in the ACE default product, which currently provides 30% additional renewable energy, above and beyond the renewable energy required by the state Renewable Portfolio Standard (RPS).¹ The additional renewable energy that the Town procures qualifies as Class I.² The primary program benefits include:

- *Environmental impact.* ACE customers currently purchase more than 33,300 megawatt-hours (MWh) per year of renewable energy above state requirements, roughly equal to the output of more than seven land-based wind turbines.
- *Price stability.* While the Eversource Basic Service rates change every six months, ACE rates are fixed for the duration of the supply contract, typically two to three years, insulating participants from market volatility.
- *Competitive rates.* Since its inception in 2017, ACE has provided cumulative savings of over \$10 million compared to Eversource Basic Service (required disclaimer: future savings cannot be guaranteed).
- *Consumer choice.* The current program offers four options: three with different percentages of renewable energy above state standards, including a default product, and one with no additional renewable energy above state standards. Customers may change options or leave ACE with no penalty.
- *Continuity:* Discounts for income-qualified customers, net metering benefits for solar generators, and budget billing programs are unaffected by the ACE program, and customers still receive a single electricity bill via the utility, Eversource.

¹ The RPS is the Massachusetts policy that sets minimum renewable energy standards for all electricity suppliers.

² Class I includes solar, wind, low-impact hydroelectric, and anaerobic digestion sources located in New England and operating beginning in 1998 or later. See Massachusetts Department of Energy Resources, *Program Summaries*, 2024, <https://www.mass.gov/service-details/program-summaries>

Contract Renewal Considerations for ACE Default Product

- *Increasing the default renewable energy content is an important step toward the Town's goals.* Since the inception of the ACE program, the Town has increased the level of additional renewable energy in the ACE default product from RPS +5% (2017-2019) to RPS +11% (2019-2022) to RPS +30% (2022-2024). Arlington's Net Zero Action Plan³ prioritizes "[increasing] renewable energy in the ACE program so the default level is 100% renewable by 2030." Under the current RPS +30% default, a total of 54% of participants' electricity supply is matched by Class I sources (this includes 24% Class I required by the RPS in 2024).
- *To meet its 100% goal, the Town will need to increase the ACE default level significantly by 2030.* State standards will increase Class I renewable energy content to 40% by 2030, so an RPS +30% default would achieve a total of 70% Class I renewable energy by 2030. An RPS +60% default will be required to achieve the 100% goal in 2030. The Town will likely have one (1) additional supply contract prior to 2030 in which it can increase the level of additional renewables further.
- *ACE enrollment has remained high throughout the program.* As of December 2023, 15,221 accounts were enrolled in ACE. Approximately 1,230 of these participants (8%) have opted up to the RPS +100% renewable option, 246 (2%) have opted up to the RPS +50% option, and 747 (5%) have opted down to the ACE Basic (no additional renewable energy) option. Notably, the program did not see a significant drop in enrollment at the beginning of the current contract, despite substantial price increases in ACE rates due primarily to surging natural gas prices at the time of the last renewal in 2022, alongside a small increase in price due to the increase in the default percent of additional renewables from 11% to 30%.

Identifying ACE Default Renewable Level for Next Contract

Underlying electricity prices will likely decrease slightly for the next contract (required disclaimer: future savings cannot be guaranteed), as natural gas prices, the primary driver of electricity prices in New England, have settled since the previous contract renewal. At the same time, the price of Class I renewable energy and the percentage of renewable energy required by the RPS have increased slightly. While it is not possible to predict the rates the Town will receive in the bids, based on where the market is today, it is reasonable to assume the cost of underlying electricity will decrease \$0.01 to \$0.02/kWh compared to the current ACE contract. Using that potential range of decrease, the table below presents estimated *ranges* of total bill change to the average Arlington residential customer for different amounts of additional renewable energy in the default product. For example, if the Town were to increase the level of renewable energy in the default product to RPS +40%, the average residential customer would see annual bill reduction compared to the current ACE contract of \$21 if the price of the underlying electricity fell by \$0.01/kWh or \$76 if the price of the underlying electricity fell by \$0.02/kWh.

³ Town of Arlington, *Net Zero Action Plan*, 2021, <https://www.arlingtonma.gov/home/showpublisheddocument/55139/637507913474030000>

Additional MA Class I for ACE Default	Estimated Change in Annual Electric Bill Compared to Current Contract for ACE Default Product (calculation for the Average Arlington Resident*)	Total Class I Renewables in 2027** (likely end year of next contract)
30% (current level)	-\$43 to -\$98	63%
35%	-\$32 to -\$87	68%
40%	-\$21 to -\$76	73%
45%	-\$10 to -\$65	78%
50%	+\$1 to -\$54	83%
55%	+\$12 to -\$43	88%
60%	+\$23 to -\$32	93%
65%	+\$35 to -\$20	98%
70%	+\$46 to -\$9	103%

Note: *Based on average consumption of 5,550 kWh per year per regular residential (R-1) household, and reduction in the underlying electricity price of \$0.01-0.02/kWh from current contract. Also assumes slightly higher prices for Class I renewable energy relative to current contract.

**Assumes level of Class I renewable energy in MA RPS for year 2027: 33%.

It is important to highlight that the more additional Class I renewable energy the Town includes in the ACE default, the higher the cost of the ACE default is relative to the ACE Basic option and likely other options in the market, including Eversource Basic Service. For example, in the current contract, the ACE default costs about \$0.011/kWh more than ACE Basic, which equates to about \$62 per year for the average residential customer. Price competitiveness may be important, as participants have the option to leave the ACE program at any time. Nevertheless, the ACE program does offer the ACE Basic option (no additional renewable energy) for participants that may need or prefer lower rates. Customers may switch their product at any time with no penalty via phone call or online form. The Town markets the availability of the options in a variety of ways, including:

- 1) The ACE program website,⁴ which prominently advertises all ACE options;
- 2) The notification letter that will announce the new prices this fall and will include all ACE options; and
- 3) Presentations and community events, through which Town staff routinely advertise the availability of these options.

Contract Renewal Considerations for ACE Optional Products

The Town could consider changes to the voluntary (opt-up) ACE products in its next contract. If the Town were to increase the level of additional renewable energy in the ACE default product to close or equal to 50%, this would render the current RPS +50% product duplicative, and so it could be eliminated. Furthermore, the ACE RPS +100% product currently yields a product with a total Class I renewable content well above 100% (124% in 2024). As the RPS levels are increasing every year, the Town could redefine this product such that the combination of mandatory and voluntary renewable energy equals 100%. This would make the product slightly cheaper (approximately \$55/year) and might make it easier to explain, potentially encouraging additional customers to choose the 100% product. It would also, however, reduce the amount of additional renewable energy purchased through the 100% product.

⁴ Town of Arlington, Arlington Community Electricity, accessed March 15, 2024, <https://ace.arlingtonma.gov/>

Arlington Community Electricity (ACE)

Contract Renewal Considerations

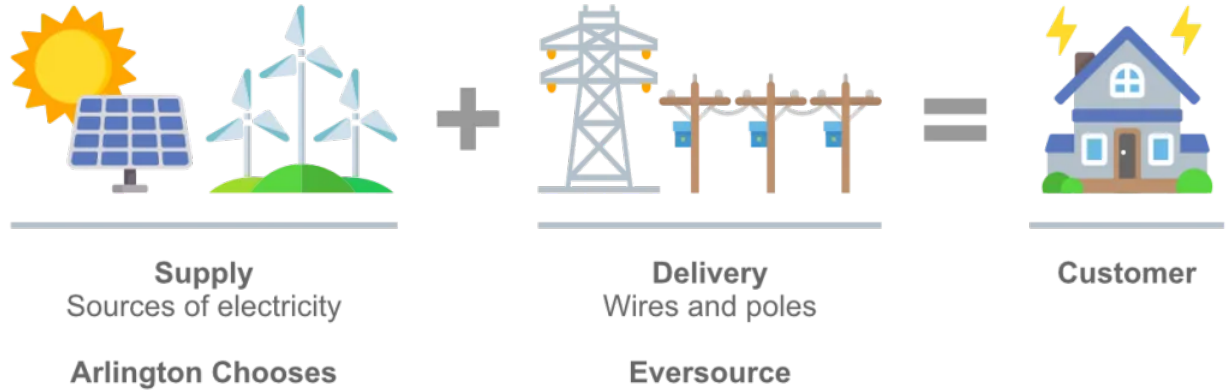
Arlington Select Board Meeting, March 18, 2024

Talia Fox, Sustainability Manager, Planning & Community Development



ACE Program Overview

- Arlington's municipal aggregation program, active since 2017



- Program goals and benefits:

**Environmental
impact**

Stability

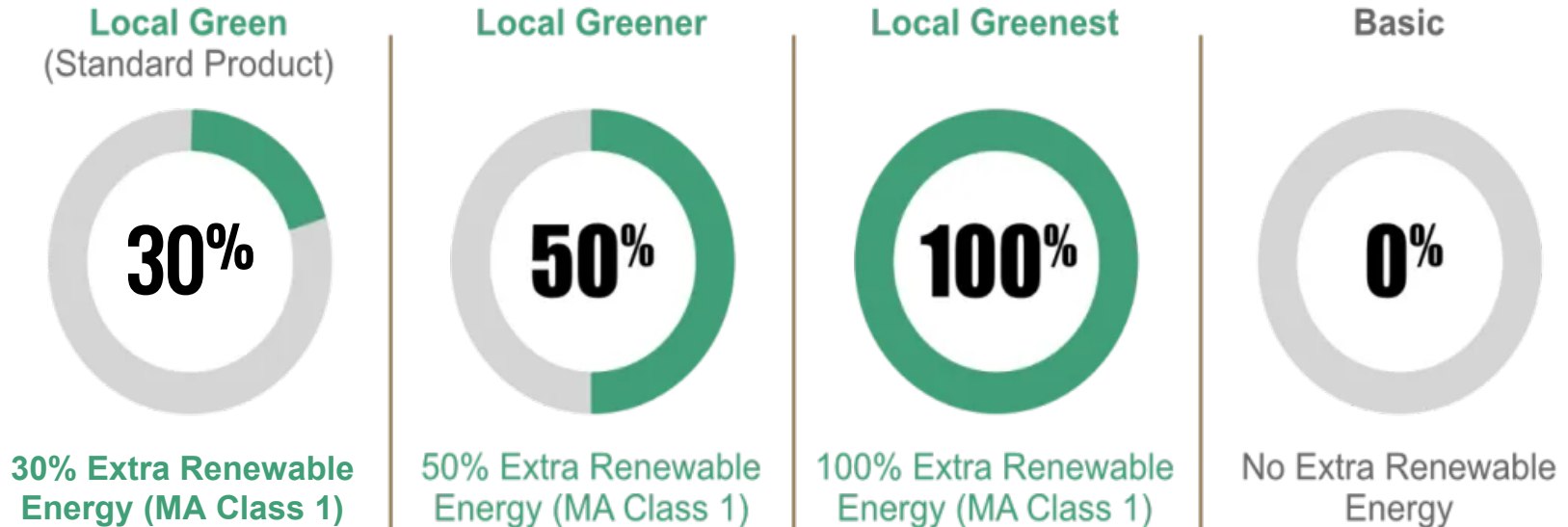
**Competitive
rates**
(future savings
not guaranteed)

**Consumer
choice**

Continuity

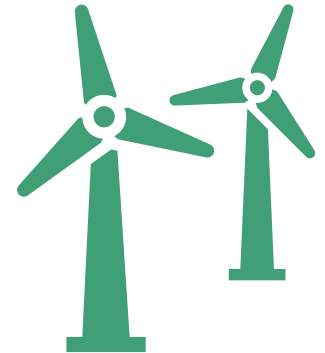
Current ACE Contract and Products

- Two-year contract with NextEra Energy Services Nov 2022 – Nov 2024
- Default product adds 30% Class I renewable energy to state requirements, from New England solar, wind, anaerobic digestion, and low-impact hydro



Program Accomplishments (as of Dec 2023)

- 15,221 accounts enrolled (~73% of ~21,000 eligible accounts)
- 1,230 accounts in 100% product (~8% of enrolled accounts)
- Cumulative savings of ~\$10 million since ACE launch, or **\$672 saved per account** (future savings not guaranteed)
- ACE customers collectively purchase more than 33,300 MWh of additional renewable energy annually, equal to the output of more than **7 land-based wind turbines!**



Considerations: Increase Default Level of Renewables

- Net Zero Action Plan has a **goal of 100% renewables in ACE default by 2030**
- **Current ACE default yields 54% total Class I** (30% + 24% State required)
- State **requirement increases ~3% per year**
- **By 2030, need 60% additional renewables in default to get 100% total** (60% + 40% State required in 2030 = 100%)
- Likely **1 more contract after this one** to increase default to 100% total before 2030



Considerations: Cost Increases for Residents


- **Cost of electricity with no additional renewables (ACE Basic) may *decrease* slightly in the next contract**, due to market conditions (savings not guaranteed)
- *If* current market projections hold, **Town could increase the default to ~45–50% additional renewables without increasing the average Arlington resident's bill**
- **Increasing default to more than ~55–60% additional Class I *may* yield increase** (on the order of up to ~\$45/year for the average resident) compared to current contract




Estimated Change in Annual Electric Bill for ACE Default

Additional MA Class I for ACE Default	Estimated Change in Annual Electric Bill Compared to Current Contract for ACE Default Product (calculation for the average Arlington resident, assumes decrease in underlying electricity of \$0.01 to \$0.02/kWh)	Total Class I Renewables in 2027 (likely end year of next contract)
30% (current level)	-\$43 to -\$98	63%
35%	-\$32 to -\$87	68%
40%	-\$21 to -\$76	73%
45%	-\$10 to -\$65	78%
50%	+\$1 to -\$54	83%
55%	+\$12 to -\$43	88%
60%	+\$23 to -\$32	93%
65%	+\$35 to -\$20	98%
70%	+\$46 to -\$9	103%

Halfway to goal



Achieves 100% total in 2026



Considerations for Contract Renewal: Product Definitions

- If the default goes as high as 45% or 50%, the Town may want to eliminate the 50% product
 - Current ACE 50% product is 50% additional Class I renewables (50% + 24% State required Class I renewables = 74% total)
- **Option in this contract to redefine the ACE 100% as 100% total Class I renewables (76%+24%=100%)**
 - Current ACE 100% product is 100% *additional* Class I renewables (100% + 24% State required Class I renewables = 124%)
 - Redefining would decrease the cost of the 100% product by ~\$55/year and would also decrease the amount of renewables purchased

Next Steps

March 2024

- Select Board provides guidance to Town Manager (tonight) on approach to procurement



April 2024

- Target for procurement
- Finalize contract



Oct-Dec 2024

- Marketing and outreach for renewal
- Transition to new rates and supplier



Town of Arlington, Massachusetts

Articles for Review:

Summary:

Article 6 Bylaw Amendment/Vacant Store Front Maintenance Registry

Article 8 Bylaw Amendment/Revised Town Meeting Start Time

Article 9 Bylaw Amendment/Start Time for Annual Town Meeting

Article 10 Bylaw Amendment/Annual Town Meeting Start Date

Article 11 Bylaw Amendment/Fossil Fuel Free Bylaw Language Changes

ATTACHMENTS:

Type	File Name	Description
Reference Material	Warrant_Article_Text.pdf	Warrant Article Text
Reference Material	Warrant_Article_Memos_3.18.pdf	Memo from Town Counsel
Reference Material	Article_6_Memo.doc	Article 6 Memo
Reference Material	Article_6_Presentation.pptx	Article 6 Presentation
Reference Material	Article_6_Changes.docx	Article 6 Bylaw Changes
Reference Material	Article_10_Reference.pdf	Article 10 Reference
Reference Material	2023_TMM_Survey_Results.pdf	Article 10 Survey Results
Reference Material	Article_11_Reference.pdf	Article 11 Reference
Reference Material	Article_11_Presentation.pdf	Article 11 Presentation

Warrant Article Text

ARTICLE 6 BYLAW AMENDMENT / VACANT STORE FRONT MAINTENANCE REGISTRY

To see if the Town will vote to amend Title V, Article 17 of the Town Bylaws ("Registration and Maintenance of Vacant Commercial and Industrial Buildings") to change certain definitions, registration requirements and maintenance requirements to increase the Bylaw's effectiveness and clarity; or take any action related thereto.

(Inserted at the request of the Director of Planning and Community
Development and the Town Manager)

ARTICLE 8 BYLAW AMENDMENT / REVISED TOWN MEETING START TIME

To see if the Town will vote to amend the Town Bylaws to: begin future Town Meetings at 7:30 pm and continue until 10:30 pm; to commence Spring Town Meeting on the 4th Monday in April, except when determined to conflict with a holiday or special event, at the discretion of the Select Board; or take any action related thereto.

(Inserted at the request of Phil Goff and ten registered voters)

ARTICLE 9 BYLAW AMENDMENT / START TIME FOR ANNUAL TOWN MEETING

To see if the Town will vote to amend Title 1 "General Government" in Article 1, Section 1 of the Bylaws of the Town of Arlington ("Date of Annual Meeting and Adjournment") by striking in the last sentence "at eight o'clock in the evening" and inserting "seven thirty in the evening."

(Inserted at the request of Christa Kelleher and ten registered voters)

ARTICLE 10 BYLAW AMENDMENT / ANNUAL TOWN MEETING START DATE

To see if the Town will vote to amend Title I, Article 1, Section 1 of the Town Bylaws to allow the Select Board to set alternative dates and times for the beginning of the Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Meeting Procedures Committee)

ARTICLE 11 BYLAW AMENDMENT / FOSSIL FUEL FREE BYLAW LANGUAGE CHANGES

To see if the Town will vote to amend Title VI, Article 10 of the Town Bylaws by altering certain definitions and provisions so that they are more consistent with the Massachusetts Department of Energy Resources' Fossil Fuel Free Demonstration Project Model Rule and related language set forth in 225 CMR 24.00 (a copy of which is on file with the Town Clerk); or take any action related thereto.

(Inserted at the request of the Director of Planning and Community
Development and the Town Manager)



Town of Arlington
Legal Department

Michael C. Cunningham
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mcunningham@town.arlington.ma.us
Website: www.arlingtonma.gov

To: Arlington Select Board

Cc: James Feeney, Town Manager

From: Michael C. Cunningham, Town Counsel
Jaclyn Munson, Deputy Town Counsel

Date: March 15, 2024

Re: Annual Town Meeting Warrant Articles: 6, 8, 9, 10 and 11

The Legal Department writes to provide the Select Board a summary of the above referenced warrant articles to assist in your consideration of these articles at your upcoming hearing on March 18, 2024.

**ARTICLE 6 BYLAW AMENDMENT / VACANT STORE FRONT
MAINTENANCE REGISTRY**

To see if the Town will vote to amend Title V, Article 17 of the Town Bylaws ("Registration and Maintenance of Vacant Commercial and Industrial Buildings") to change certain definitions,

registration requirements and maintenance requirements to increase the Bylaw's effectiveness and clarity; or take any action related thereto.

**(Inserted at the request of the Director of Planning and
Community Development and the Town Manager)**

This Article was inserted by the Town Manager and the Director of Planning and Community Development with proposed amendments to Title V, Article 17 of the Town's Bylaws ("Article 17"), which governs the Vacant Storefront Maintenance Registry. The proposed amendments seek to clarify the intent of Article 17 enforcement against vacant ground-level Main Street storefronts with frontage along Massachusetts Avenue and/or Broadway. The amendments further seek to remove the public art waiver option as a result of its ineffectiveness and lack of upkeep. Instead, any waiver(s) permissible under Article 17, as amended, would not include the public art waiver option. Next, the Article 17 proposed amendments include a definition of 'financial hardship' for clarification purposes. Finally, the proposed amendments to Article 17 streamline defined terms within the Article itself and contemplate that legal dispositions of the buildings and/or properties subject to the Bylaw may exist beyond a sale or lease thereof. The specific proposed language changes are set forth below in the draft vote language, included if the Select Board is inclined to act favorably on this matter. Accordingly, if the Select Board approves favorable action, a draft motion that could be sent to the Town Meeting may read as follows:

VOTED: that the Town does and hereby amends Title V, Article 17 ("Registration and Maintenance of Vacant Commercial and Industrial Buildings") of the Town's Bylaws by clarifying the intent of the Article, streamlining legal definitions, removing the public art waiver option and making certain other clarifying revisions so that Article 17 reads as follows:

Title V, Article 17
VACANT STOREFRONT MAINTENANCE REGISTRY
(ART. 6, STM – 10/19/16; ART. 11, STM – 5/02/18)

Section 1 Findings and Purposes.

The purposes of this bylaw are to protect the welfare and economic vitality of the residents of the Town of Arlington by protecting property values, maintaining neighborhood integrity and accessibility, safeguarding against economic property blight, protecting Town resources, and ensuring the safe and sanitary maintenance of commercial and industrial vacant properties. Among other things, vacant commercial and industrial properties with frontage along Massachusetts Avenue, Broadway or both, can degrade the vitality of Arlington's business districts, frustrate local planning and development efforts, create increased specific risks of fire damage, vandalism and unlawful entry or uses, and give rise to other public health and safety hazards. This bylaw is intended to promote the Town's public welfare and economic health by requiring all property owners to register and properly maintain vacant commercial and industrial properties.

Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

"Building Inspector" - The Building Inspector of the Town of Arlington or the Inspector's designee.

"Financial Hardship" – a showing of demonstrable undue economic hardship through the presentation of evidence in such form as may be convincing and acceptable to applicable Town officials.

"Legally Occupied" - Occupied in accordance with the provisions of the Massachusetts Building Code.

"Owner" - A person or entity who, alone or severally with others:

A. Has legal or equitable title to any building or has care, charge or control of any building in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title; or

B. Is a tenant with a legal right to possess an entire building; or

C. Is a mortgagee in possession of any building; or

D. Is an agent, trustee, receiver or other person appointed by the courts and vested with possession or control of a building; or

E. Is an officer or trustee of an association of unit owners of a condominium or cooperative which contains a vacant property.

"Planning Department" - The Department of Planning and Community Development.

"Planning Director" - The Director of Planning and Community Development for the Town of Arlington or the Director's designee.

~~*"Public Art" - Works of art for public benefit and viewing, approved by the Department of Planning and Community Development, for which owners have agreed to the temporary display inside storefront windows or upon other safe, visible exterior surfaces of vacant properties for agreed upon time periods and other material terms.*~~

"Main Street Storefront" - Any unoccupied nonresidential commercial or industrial real property ground floor units with frontage along either Massachusetts Avenue or Broadway.

"Vacant Building" - Any unoccupied non-residential commercial or industrial real property which:

A. Is not legally occupied, is abandoned, or is not used for a period of at least ninety (90) consecutive days or longer by occupants having custody or legal right of entry to such property; or

B. Which is intermittently occupied by persons with legal right of entry, but exhibits in the opinion of the Building Inspector dilapidated walls, roof, or doors which fail to prevent the entry of a trespasser for a period of more than seven (7) days.

Section 3. Registration.

A. Prior to, or not more than seven (7) days after a ~~unit or any portion of a property~~ Main Street Storefront becomes Vacant, as defined herein, the owner(s) must register the vacancy with the Department of Planning and Community Development and the Building Inspector on forms agreed upon and provided by such departments. All registrations must state the owner's name, phone number, and mailing address as well as an emergency contact, if not the same. None of the required addresses shall be a post office box. This registration must state if the ~~property~~ Main Street Storefront is Vacant at the time of filing. The registration shall also state the owner's efforts to regain occupancy. Once the ~~building~~ Main Street Storefront is not longer Vacant, ~~or is sold or leased, or disposed of in another legal manner,~~ the owner must provide proof of sale or written notice and proof of lawful occupancy to the Planning Department or Inspectional Service Department pursuant to the process outlined by such departments.

The Building Inspector will notify Police, Fire, Water and Sewer, and Health Departments of the submitted registration of the Vvacant ~~building~~ Main Street Storefront as well as ~~the~~ any re-occupancy of the ~~building~~ same.

B. The Planning Director and the Building Inspector may jointly exempt a property owner from the provisions of this bylaw upon the presentation of evidence, in such form as may be convincing to them, that the failure to use or occupy a building for a period in excess of 90 days does not violate the purpose or intent of this bylaw.

Section 4. Annual Registration Fee, Failure to Pay, Waiver.

A. The annual registration fee is due at the time of registration of the Vvacant ~~property~~ Main Street Storefront. The ~~property~~ Vacant Main Street Storefront owner will be invoiced on an annual basis until the ~~property~~ Main Street Storefront is leased, ~~or~~ sold, or disposed of in another legal manner. The annual registration fee shall be set by the Select Board pursuant to M.G.L c. 40, § 22F.

B. The annual registration fee covers the administrative cost of monitoring and ensuring the security and proper maintenance of such ~~building~~ Vacant Main Street Storefront, as identified in said billing statement. Failure to pay the annual registration fee shall be a violation of this Bylaw, and the full fee shall be deemed an assessment resulting from a violation of this Bylaw. Such fee, and any fines issued for violations of this Bylaw, shall constitute a "municipal charges lien" on the property, to be collected in accordance with M.G.L. c. 40, §58.

C. ~~Owners~~ Vacant Main Street Storefront may apply for a waiver of the annual registration fee at the time of registration of a Vvacant property and upon receipt of annual registration fee invoices each year thereafter; requesting waiver of some or the entire fee on grounds of demonstrable Financial Hardship, ~~or by agreeing in writing to display public art as defined herein for the term of a vacancy. Waivers for public art display will be granted only as sufficient public is available, appropriate to the location for display, and the Town, artist, owner agree to terms of exhibition as set forth by the Planning Department.~~ Waivers requested on the basis of Financial Hardship are subject to a thirty (30) -day review period. If a waiver based on Financial Hardship is granted, it will be reevaluated on a quarterly basis until the Vacant Main Street Storefront ~~property~~ is leased, ~~or~~ sold, or disposed of in another legal manner. If a waiver of the registration fee based on Financial Hardship is denied, the registration fee is due within thirty (30) days of the decision.

Section 5. Maintenance Requirements.

A. The owner of a Vvacant ~~building~~ Vacant Main Street Storefront must maintain ~~the vacant building~~ the same in accordance with all applicable local and state Sanitary Codes, Building

Codes and Fire Codes, pertaining to the external/visible maintenance ~~of the building~~ and major system maintenance of the Vacant Main Street Storefront property.

B. The owner of a Vacant Main Street Storefront ~~vacant building~~ must promptly repair all broken windows, doors, other openings and any unsafe conditions at ~~a vacant building~~ the same. Boarding up of open or broken windows and doors is prohibited except as a temporary measure allowed by Title V, Article Seven of these Bylaws, unless the Building Inspector determines that, due to vandalism or security reasons and due to circumstances out of the owner's control, the proper boarding of windows and doors is necessary for a determined period of time beyond such temporary measure. Boards or coverings must be fitted to the opening size and colored to blend with the existing ~~building~~ color scheme of the entirety of the building.

C. The owner must maintain the Vacant Main Street Storefront ~~building and property~~ for the duration of the vacancy or abandonment. The owner shall maintain the condition of the Vacant Main Street Storefront ~~building and property~~ so as to appear not to be Vvacant. Upon notice by the Building Inspector, any accumulated trash and/or graffiti shall be removed from the Vacant Main Street Storefront ~~property~~ by the owner within seven (7) days. The Building Inspector and/or the Inspector's designee will document violations. The owner of any Vacant Main Street Storefront ~~building~~ ~~vacant~~ for a period exceeding six (6) months, whose utilities have been shut off, shall have those utilities removed or cut and capped to prevent accidents.

D. The owner of Vacant Main Street Storefront may include advertising materials in the ~~vacant space~~ same or displayed in ~~the property's~~ its street-facing windows. Such advertising materials must be approved by the Planning Director.

E. Compliance with this Bylaw shall not relieve the owner of any obligations set forth in any other applicable bylaw, regulations, codes, covenant conditions or restrictions and/or association rules and regulations. In case of a conflict with these rules and regulations, the stricter of the rules and regulations shall apply.

Section 6. Inspections

The Building Inspector, Police Chief, Fire Chief and the Health Director, or their designees, shall have the authority to periodically inspect the exterior and interior of any building subject to this bylaw for compliance, as authorized under the terms of registration form filed with the Building Inspector and Planning Department. The Building Inspector shall have the discretionary authority to disconnect utilities immediately if a potential hazard that may be dangerous to life and limb is present.

Section 7. Violations and Penalties; Enforcement

A. Violations of any portions of this Bylaw shall be punishable by a fine of one hundred dollars (\$100) per day in total. However, the Building Inspector and Planning Director may waive the fine in total or in part upon the abatement of the violation(s).

B. The Building Inspector or the Inspector's designee shall enforce all provisions of this Bylaw and shall institute all necessary administrative or legal action to assure compliance. Any owner found to be in violation of this bylaw shall receive a written warning and a minimum of seven (7) days to remedy all violations prior to the institution of any enforcement action by the Inspector.

The Building Inspector, acting on behalf of the Town of Arlington, may also bring a civil action in a court of competent jurisdiction seeking equitable relief to enforce this bylaw. This bylaw may also be enforced through non-criminal disposition in accordance with the provisions of the Town bylaws.

Section 8. Unsafe Buildings

If the Building Inspector determines the building to be unsafe, the Inspector may act immediately in accordance with the Massachusetts State Building Code to protect public safety. Furthermore, nothing in this Bylaw shall abrogate the powers and/or duties of municipal officials to act pursuant to any general statutory authority including, without limitation, M.G.L c. 139, § 1 et seq. and M.G.L c. 143, § 6 et seq.

Section 9. Severability

If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

ARTICLE 8 BYLAW AMENDMENT / REVISED TOWN MEETING START TIME

To see if the Town will vote to amend the Town Bylaws to: begin future Town Meetings at 7:30 pm and continue until 10:30 pm; to commence Spring Town Meeting on the 4th Monday in April, except when determined to conflict with a holiday or special event, at the discretion of the Select Board; or take any action related thereto.

(Inserted at the request of Phil Goff and ten registered voters)

This Article is the first of three Articles that seek to amend the Town's Bylaw regarding the start date or time of our Annual Town Meeting. This is a citizen petition and it is expected

that the petitioner will appear to present further information on this Article, but it is my understanding that the intention of this Article, and the next two Articles, is to provide the Select Board with flexibility regarding the setting of the date of the commencement of the Annual Town Meeting. This proposed Article also seeks to change the start time of Annual Town Meeting from 8:00 pm to 7:30 pm.

Pursuant to Title I, Article 1, Section 1 of the Town's Bylaws, all articles in the Warrant for the Annual Town Meeting, "shall be considered at a Town meeting to be held annually on the fourth Monday in April, at eight o'clock in the evening." As the Board will recall, this year, the fourth Monday in April fell on the first night of Passover for the first time since 1967. The first night of Passover will fall on the fourth Monday in April again in 2035. Arguably, G.L. c. 39, §9 may permit a town to delay its Annual Town Meeting despite the existing Bylaw, but if an amendment to provide the Select Board with explicit discretion is approved, the conflict between the state statute and the Town's Bylaw and the legal uncertainty that accompanies that conflict will be eliminated. The proposed change would allow the Select Board discretion similar to that which it already has relative to the setting of the date of the regular Town Election, something that is explicated provided in the language of the existing Bylaw.

Accordingly, if the Select Board is inclined towards favorable action, a motion before Town Meeting may be in the following form:

VOTED: That the Town does and hereby amends Title I, Article 1, Section 1 ("Date of Annual Meeting and Adjournment") of the Town's Bylaws so as to allow the Select Board discretion in the setting of the start date and time of Annual Town Meeting so that the bylaw reads in its entirety as follows:

TITLE I

ARTICLE 1
TOWN MEETINGS

Section 1. *Date of Annual Meeting and Adjournment*
(ART. 93, ATM – 05/23/88)(ART. 12, ATM – 05/09/04)

The Annual Town Meeting for the purposes of conducting the regular Town Election of Town officers including Town meetings members, and for the submission of questions to the voters of the Town, if required to be submitted thereat, shall be held annually on the first Saturday of April unless the Select Board vote not later than February 1 to establish another date in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. Said election shall be considered part of the Annual Town Meeting held in that year. All articles in the warrant for any regular Town meeting to be acted upon and determined otherwise than by ballot shall be considered at a Town meeting to be held annually on the fourth Monday in April, unless the Select Board votes not later than February 1 to establish another date in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. at ~~eight o'clock~~ seven-thirty in the evening.

ARTICLE 9 BYLAW AMENDMENT / START TIME FOR ANNUAL TOWN MEETING

To see if the Town will vote to amend Title 1 “General Government” in Article 1, Section 1 of the Bylaws of the Town of Arlington (“Date of Annual Meeting and Adjournment”) by striking in the last sentence “at eight o’clock in the evening” and inserting “seven thirty in the evening.”

(Inserted at the request of Christa Kelleher and ten registered voters)

This Article differs from Article 8 because it does not seek to amend the Bylaw in a way that would give the Select Board discretion to set the first session of Annual Town Meeting on a night other than the fourth Monday in April. Instead, it only seeks to alter the start time of Annual Town Meeting from 8:00 pm to 7:30 pm. That is the same time alteration sought by the proponents of Article 8. Article 9 is also a citizen petition and it is expected that the petitioner will appear to present further information on this Article, including the reasoning for seeking the time change.

It seems prudent for the Select Board to consider this Article, Article 8 and Article 10 together, and if included to vote favorable action, to come up with one draft motion that it prefers. However, if the Select Board is inclined towards favorable action on this Article alone, a motion before Town Meeting may be in the following form:

VOTED: That the Town does and hereby amends Title I, Article 1, Section 1 (“Date of Annual Meeting and Adjournment”) of the Town’s Bylaws so as to change the start time of the Annual Town Meeting from 8:00 pm to 7:30 pm so that the bylaw reads in its entirety as follows:

TITLE I

ARTICLE 1 TOWN MEETINGS

Section 1. Date of Annual Meeting and Adjournment

(ART. 93, ATM – 05/23/88)(ART. 12, ATM – 05/09/04)

The Annual Town Meeting for the purposes of conducting the regular Town Election of Town officers including Town meetings members, and for the submission of questions to the voters of the Town, if required to be submitted thereat, shall be held annually on the first Saturday of April unless the Select Board vote not later than February 1 to establish another date in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. Said election shall be considered part of the Annual Town Meeting held in that year. All articles in the warrant for any regular Town meeting to be acted upon and determined otherwise than by ballot shall be considered at a Town meeting to be held annually on the fourth Monday in April, at ~~eight o'clock~~ seven-thirty in the evening.

ARTICLE 10 BYLAW AMENDMENT / ANNUAL TOWN MEETING START DATE

To see if the Town will vote to amend Title 1, Article 1 of the Town Bylaws to allow the Select Board to set alternative dates and times for the beginning of the Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Meeting Procedures Committee)

Article 10, inserted at the request of the Town Meeting Procedures Committee, is the third and last of the Town Meeting start date/start time Warrant Articles before this Board for its consideration. Article 10 is similar to Article 8 because it also seeks to provide the Select Board with discretion to set the start date for Annual Town Meeting for a day other than the fourth Monday in April, if deemed to “better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays.”

The Town Moderator or his designee is expected to appear to better explain the reasons the Town Meeting Procedures Committee submitted this Article and the changes it seeks. The language of this proposed amendment differs slightly from the language suggested by Article 8 in that it would change the Bylaw so that the Annual Town Meeting could be set to start no later than second Monday in May at 8:00 pm.

Once again, it is recommended that the Select Board to consider this Article, Article 8 and Article 9 together, and if included to vote favorable action, to come up with one draft motion that it prefers. However, if the Select Board is inclined towards favorable action on this Article alone, a motion before Town Meeting may be in the following form:

VOTED: That the Town does and hereby amends Title I, Article 1, Section 1 ("Date of Annual Meeting and Adjournment") of the Town's Bylaws so as to allow the Select Board discretion in the setting of the start date and time of Annual Town Meeting so that the bylaw reads in its entirety as follows:

TITLE I

ARTICLE 1 TOWN MEETINGS

Section 1. Date of Annual Meeting and Adjournment (ART. 93, ATM – 05/23/88)(ART. 12, ATM – 05/09/04)

The Annual Town Meeting for the purposes of conducting the regular Town Election of Town officers including Town meetings members, and for the submission of questions to the voters of the Town, if required to be submitted thereat, shall be held annually on the first Saturday of April unless the Select Board vote not later than February 1 to establish another date in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. Said election shall be considered part of the Annual Town Meeting held in that year. All articles in the warrant for any regular Town meeting to be acted upon and determined otherwise than by ballot shall be considered at a Town meeting to be held annually on the fourth Monday in April, at eight o'clock in the evening unless the Select Board votes not later than February 1 to establish another date and time in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. In no case shall the Annual Town Meeting begin later than the second Monday in May at eight o'clock in the evening.

ARTICLE 11 BYLAW AMENDMENT/FOSSIL FUEL FREE BYLAW LANGUAGE CHANGES

To see if the Town will vote to amend Title VI, Article 10 of the Town Bylaws by alerting certain definitions and provisions so that they are more consistent with the Massachusetts Department of

Energy Resources' Fossil Fuel Free Demonstration Project Model Rule and related language set forth in 225 CMR 24.00 (a copy of which is on file with the Town Clerk); or take any action related thereto.

(Inserted at the request of the Director of Planning and Community Development and the Town Manager)

This Article was inserted by the Director of Planning and Community Development and the Town Manager and proposes to update the definition of major renovations as set forth in the Town's Fossil Fuel-Free Bylaw (Title VI, Article 10). The Fossil Fuel-Free Bylaw was added by Arlington's Special Town Meeting in October, 2023. The aim of the Bylaw was to update the Town's previously approved Clean Heat Bylaw, enabling the Town's participation in the Municipal Fossil Fuel-Free Building Demonstration Program. The Massachusetts Department of Energy Resources (DOER) formally accepted the Town into the Demonstration Program on February 21, 2024.

Through its passage of the Bylaw, a prerequisite for participating in the Demonstration Program, the Town will restrict the use of fossil fuel infrastructure in new building construction and major renovations, in furtherance of the Town's goal to reach net zero greenhouse gas emissions by 2050.

This Article seeks to update the definition of major renovations in the existing Bylaw in part because upon consideration of the proposed change, initially recommended by DOER, and then contemplated by the Town's Clean Energy Futures Committee, it was determined that alignment with DOER's recommendation, as well as the opportunity to apply the Bylaw to more projects in Arlington, given the urgency of climate change, were goals that supported the filing of this Article.

The impact of the proposed changes to the definition of major renovations in the Bylaw will be explained in full at the hearing by the Town's Sustainability Manager, Talia Fox. However, in brief, the change in the definition will impact a slightly increased number of projects based on a reduced threshold percentage of the work area considered as a part of the total conditioned floor area. It is noted that the proposed Bylaw amendment does not eliminate the available exemptions or the option to pursue a waiver in cases where compliance with the Bylaw renders a project financially infeasible or impractical to implement.

If the Select Board is inclined towards favorable action, a motion before Town Meeting may be in the following form:

VOTED: That the Town does and hereby amends Title VI, Article 10, Section 1 ("Prohibition on New Fossil Fuel Infrastructure in New Construction and Major Renovation") of the Town's Bylaws so update the definition of "major renovation" so that the bylaw reads in its entirety as follows:

TITLE VI
ARTICLE 10

***PROHIBITION ON NEW FOSSIL FUEL INFRASTRUCTURE IN NEW
CONSTRUCTION AND MAJOR RENOVATION***

Section A. Definitions

"Effective Date" shall mean 90 days following the date on which the Town is authorized by the Department of Energy Resources to regulate fossil fuel infrastructure.

"Fossil Fuel-Free Demonstration" shall mean the project codified by the entirety of 225 CMR 24.00, the Fossil Fuel- Free Demonstration.

"Major Renovation" shall mean a renovation project associated with a valid building permit application filed on or after the Effective Date of this article that is (a) a low-rise residential addition in which the Work Area exceeds 1,000 square feet or exceeds 100% of the conditioned floor area of the existing dwelling unit; (b) for all other building use types, an addition in

which the Work Area exceeds 20,000 square feet or exceeds 100% of the conditioned floor areas of the existing building; (c) for low-rise residential buildings, a Level 3 Alteration as defined in the International Existing Building Code (IEBC 2021) in which the Work Area exceeds 50% of the existing conditioned floor area and exceeds 1,000 square feet; ~~or that is,~~ (d) for all other building uses, a Level 3 Alteration as defined in the International Existing Building Code (IEBC 2021) in which the Work Area exceeds 50% of the existing conditioned floor area or an alteration that exceeds 20,000 square feet; (e) for low-rise residential use types, a change of use of over 1,000 square feet per International Energy Conservation Code (IECC 2021) Sections R505; or (f) for all building use types except low-rise residential, a change of use of over 20,000 square feet or change of use equal to 100% of the conditioned floor areas of the existing building per International Energy Conservation Code (IECC 2021) Sections C505.

“New Construction” shall mean a new building or new accessory building (a building devoted exclusively to a use accessory to the principal use of the lot) that is associated with a valid building permit application on or after the Effective Date.

“Specialized Energy Code” – Codified by the entirety of 225 CMR 22.00 and 23.00 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

“Work Area” shall mean the portions of a building affected by renovations for the reconfiguration of space and/or building systems, as indicated in the drawings associated with a building permit application. Areas consisting of only repairs, refinishing, and/or incidental work are excluded from the Work Area.

Section B. Purpose

This Bylaw is adopted by the Town of Arlington, pursuant to “Act Driving Clean Energy and Offshore Wind” (St. 2022, c. 179, § 84) and 225 CMR 24.00, also referred to as the Fossil Fuel-Free Demonstration, the purpose of which is to restrict and prohibit new building construction and major renovation projects that are not fossil fuel-free in the interests of protecting health, safety, and the natural environment and reducing air pollution and greenhouse gas emissions, which cause climate change, thereby threatening the Town and its inhabitants. This bylaw is

intended to work in conjunction with the Specialized Stretch Code, adopted by the 2023 Arlington Town Meeting and incorporated into Title VI Art. 3 of the Town Bylaws as well as the Town's "Net Zero" goals.

Section C. Applicability

- 1. The requirements of this bylaw apply to residential and non-residential buildings that qualify as New Construction or Major Renovation.*
- 2. The requirements of this bylaw shall not apply to:*
 - a. Research laboratories for scientific or medical research, hospitals and medical offices regulated by the department of public health as a health care facility as defined in 225 CMR 24.00.*
 - b. Multi-family buildings over 12,000 square feet with permit applications filed prior to January 1, 2027, that utilize gas or propane for domestic water heating as the only combustion equipment.*
 - c. Utility service piping connecting the grid to a meter, or to a gas meter itself.*
 - d. Piping required to fuel backup electrical generators.*
 - e. Portable propane appliances for outdoor cooking and heating.*
 - f. The extension or modification of heating systems via HVAC system modification, or modification of radiator, steam, or hot water piping, so long as new fossil fuel piping is not installed.*
 - g. Repairs of any existing portions of a fuel piping system deemed unsafe or dangerous by the Plumbing and Gas Fitting Inspector.*

Section D. Fossil Fuel-Free Demonstration

The Fossil Fuel-Free Demonstration, as codified by the entirety of 225 CMR 24.00, is herein incorporated by reference into Title VI, Article 3 of the Town of Arlington General Bylaws.

With adoption of the Fossil Fuel-Free Demonstration, and upon approval by DOER, the following amendments to the Specialized Energy Code (codified in Title VI Article 3 of the Town Bylaws) are adopted. These changes are enforceable by the Building Inspector and will go into effect for any project seeking a permit after the Effective Date.

- 1. Low-rise Residential Code (225 CMR 22 Appendix RC)*
 - a. Sections RC102 and RC101 "Zero Energy Pathway" and "Mixed Fuel Pathway" shall not be permitted for use for new construction.*

2. *Commercial and All Other (225 CMR 23 Appendix CC)*
 - a. *Sections CC103 and CC105 “Zero Energy Pathway” and “Mixed-Fuel Pathway” shall not be permitted for new construction, with the following exceptions:*
 - i. *Research laboratories for scientific or medical research,*
 - ii. *Hospitals regulated by the department of public health as a health care facility,*
 - iii. *Medical offices regulated by the department of public health as a health care facility,*
 - iv. *Multi-family buildings over 12,000 square feet with permit application filed prior to January 1, 2027, may utilize gas or propane for domestic water heating as the only combustion equipment.*
3. *Equipment or appliances used for space heating, service water heating, cooking, clothes drying, and/or lighting that can utilize coal, oil, natural gas, other fuel hydrocarbons, including synthetic equivalents, or other fossil fuels may not be installed as part of any residential or non-residential Major Renovation, with the exception of C(2)(a – g) and D(2)(a)(i – iv) above. All Major Renovations associated with C(2)(a – g) and D(2)(a)(i – iv) must follow applicable stretch code requirements.*

Section E. Waivers

1. *In the event that compliance with the provisions of this bylaw makes a project financially infeasible or impractical to implement, the Building Inspector may grant a waiver subject to reasonable conditions. Where appropriate, such waivers shall be issued narrowly for specific portions of a project that are financially infeasible or impractical to implement under the requirements of this Article. Waiver requests shall be supported by a detailed cost comparison, inclusive of available rebates and credits. A waiver request may be made at any time and may be based upon submission of conceptual plans. Particular consideration for waivers will be given to projects sponsored by non-profit or government- sponsored affordable housing entities.*
2. *Guidance regarding the granting of waivers and prescription of conditions shall be provided by the Select Board prior to the Effective Date and periodically extended or amended in the light of experience and changing circumstances.*

Notwithstanding the foregoing, Compliance with this bylaw may be considered

financially infeasible if:

- a. As a result of factors beyond the control of the proponent the additional cost of the project over the long term, including any available subsidies, would make the project commercially unviable; and/or*
 - b. If technological or other factors would make the project unsuitable for its intended purpose.*
3. *The Building Inspector's decision with respect to the granting of a waiver, the scope thereof, and any conditions prescribed, shall be appealable to the Town Manager in accordance with procedures established by the Town Manager.*

Section F. Appeals

The Town Manager shall hear appeals from decisions by the Building Inspector on the applicability of this bylaw under section C in accordance with such procedural rules as may be adopted from time to time by the Town Manager.



TOWN OF ARLINGTON

MASSACHUSETTS 02476

781 - 316 - 3090

DEPARTMENT OF PLANNING and COMMUNITY DEVELOPMENT

MEMORANDUM

To: Eric Helmuth, Chair, Select Board
Jim Feeney, Town Manager
CC: Claire V. Ricker, Director, DPCD
Michael Cunningham, Town Counsel
Jaclyn Munson, Deputy Town Counsel
From: Katie Luczai – Economic Development Coordinator
Date: March 13, 2024
RE: Warrant Article 6: Proposed Amendments to the Vacant Storefronts Bylaw

This memorandum summarizes the request to amend the ARTICLE 17 VACANT STOREFRONT MAINTENANCE REGISTRY (ART. 6, STM – 10/19/16; ART. 11, STM – 5/02/18) for reasons of bylaw clarification and to remove the public art waiver option.

The Vacant Storefronts Bylaw was passed at Annual Town Meeting in 2016. The program was officially launched in 2017 to reduce commercial vacancy rates. The program was placed on pause during the COVID-19 pandemic. Beginning in December 2023, the Bylaw was enforced once again. From September 2023 to January 2024, I have been made aware of 22 vacant commercial, office or industrial units in Arlington. Compared to neighboring communities our vacancy rate remains relatively low. Despite our relatively low vacancies our business districts take great pride in running businesses in active, vibrant communities and are hurt when their neighboring storefronts remain empty and neglected. Since enforcing the bylaw once again it has become clear that a few adjustments should be made to clarify the language and intention for the desired goals.

25% of the current vacant “storefronts” are office spaces. Given the current state of work in 2024 it is no longer relevant or productive to target those types of spaces for policy intervention. The way the language of the Bylaw was written it does not explicitly call out storefronts as spaces that are commercial or industrial spaces with ground floor frontage along Mass Ave or Broadway. Amending this language will rectify confusing notions around the “storefronts” aspects of the Vacant *Storefronts* Bylaw and reassert efforts around the town’s main commercial corridors.

Secondly, after speaking with the Arlington Commission for Arts and Culture, I’ve decided to propose removing the public art waiver from the Bylaw. The waiver is currently not serving the purpose of providing public art as a public good to offset alternatively paying the fee. When in effect, the public art waiver did not product high quality public art. Though well intentioned it was a difficult program to manage. Other communities, like Cambridge, have solely focused on generating public art in vacant storefronts with great success. Contrary to this approach since we have a robust public art program thanks to ACAC and their Public Art Curator, I am suggesting removing the public art waiver from the Bylaw completely. This is following a discussion with ACAC. Without either funding for a formal curatorial program nor paying artists through the Vacant Storefront Bylaw Fee there is no financial incentive to support this option. There was also belief that public art was seen as a lesser value use of space.

The proposed amendments in the attached bylaw include my edits (in red) as well as the proposed tracked changes from Deputy Town Counsel, Jaclyn Munson. Thank you.

Vacant Storefront Bylaw

PROPOSED AMENDMENTS – CLARIFYING INTENTION



Bylaw Background

This bylaw is intended to promote the Town's public welfare and economic health by requiring all property owners to register and properly maintain vacant commercial and industrial properties.

Passed at Town Meeting 2016


\$400 annual registration fee per vacant storefront

Vacant = No tenancy for 90 days or more

Fee can be waived for property owners who either demonstrate financial hardship or who choose to display art or otherwise activate their storefront

Bylaw was “on pause” during the COVID-19 pandemic and was resumed in December 2023

Impact of Bylaw

- Greater awareness of vacant commercial spaces
 - Closer relationship with commercial property owners
 - Tool for intervention
 - Has increased public discourse about vacant storefronts in other communities including similar bylaws and programs
 - Since 2018 has generated \$9,200 in revenue (to cover ISD affiliated costs)
- 

Amendment #1: Clarifying Intention

- As it reads the bylaw affects “Any unoccupied non-residential commercial or industrial real property”
- Currently applies to all vacant non-residential spaces including second story office space, for example.
- Clarifies focus – visible storefronts along major commercial corridors

Proposed change:

Change Bylaw title to "Registration and Maintenance of Vacant Commercial and Industrial **Main Street Storefronts Buildings.**"

Add definition

“Main Street Storefront” – Any unoccupied nonresidential commercial or industrial real property ground floor units with frontage along either Massachusetts Avenue or Broadway.

Examples of current “vacant storefronts” under bylaw



Amendment #2: Removing Old Signage

- Call out the specific requirement to remove previous tenant signage. Property owners have kept tenant signage up for years following tenant lease termination. Signs are left neglected, are misleading, and degrade the appearance of the area.
- Prior tenant signage will need to be removed regardless.

Proposed change:

(Add under Section 5. Maintenance Requirements)

The owner of a vacant building must remove existing signage from previous tenants within 30 days of tenant departure, proof of lease termination may be requested by the Planning Director or Building Inspector.

Amendment #3: Remove Public Art Waiver

Removing the public art waiver - Well intentioned, not well executed

Without a formal program in place, it is difficult to ensure well curated displays of public art that mutually benefit the artist community.

Seen as taking advantage of artist community (unpaid opportunity but requires work) and as promoting art as a less valued use of space

No organization willing to volunteer to manage this program

Fees designed to cover ISD costs



That Title V of the Town Bylaws Article 17 “Registration and Maintenance of Vacant Commercial and Industrial **Main Street Storefronts Buildings**” be amended as follows:

ARTICLE 17

VACANT STOREFRONT MAINTENANCE REGISTRY

(ART. 6, STM – 10/19/16; ART. 11, STM – 5/02/18)

Section 1 Findings and Purposes.

The purposes of this bylaw are to protect the welfare and economic vitality of the residents of the Town of Arlington by protecting property values, maintaining neighborhood integrity and accessibility, safeguarding against economic property blight, protecting Town resources, and ensuring the safe and sanitary maintenance of commercial and industrial vacant properties. Among other things, vacant commercial and industrial properties **with frontage along Massachusetts Avenue, Broadway or both**, can degrade the vitality of Arlington's business districts, frustrate local planning and development efforts, create increased specific risks of fire damage, vandalism and unlawful entry or uses, and give rise to other public health and safety hazards. This bylaw is intended to promote the Town's public welfare and economic health by requiring all property owners to register and properly maintain vacant commercial and industrial properties.

Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

"Building Inspector" - The Building Inspector of the Town of Arlington or the Inspector's designee.

“Financial Hardship” – a showing of demonstrable undue economic hardship through the presentation of evidence in such form as may be convincing and acceptable to applicable Town officials.

"Legally Occupied" - Occupied in accordance with the provisions of the Massachusetts Building Code.

"Owner" - A person or entity who, alone or severally with others:

A. Has legal or equitable title to any building or has care, charge or control of any building in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title; or

B. Is a tenant with a legal right to possess an entire building; or

C. Is a mortgagee in possession of any building; or

D. Is an agent, trustee, receiver or other person appointed by the courts and vested with possession or control of a building; or

E. Is an officer or trustee of an association of unit owners of a condominium or cooperative which contains a vacant property.

"Planning Department" - The Department of Planning and Community Development.

"Planning Director" - The Director of Planning and Community Development for the Town of Arlington or the Director's designee.

~~"Public Art" - Works of art for public benefit and viewing, approved by the Department of Planning and Community Development, for which owners have agreed to the temporary display inside storefront windows or upon other safe, visible exterior surfaces of vacant properties for agreed upon time periods and other material terms.~~

~~"Main Street Storefront" - Any unoccupied nonresidential commercial or industrial real property ground floor units with frontage along either Massachusetts Avenue or Broadway.~~

"Vacant" - Any unoccupied non-residential commercial or industrial real property which:

A. Is not legally occupied, is abandoned, or is not used for a period of at least ninety (90) consecutive days or longer by occupants having custody or legal right of entry to such property;

or

B. Which is intermittently occupied by persons with legal right of entry, but exhibits in the opinion of the Building Inspector dilapidated walls, roof, or doors which fail to prevent the entry of a trespasser for a period of more than seven (7) days.

Section 3. Registration.

A. Prior to, or not more than seven (7) days after a Main Street Storefront becomes Vacant, as defined herein, the owner(s) must register the vacancy with the Department of Planning and Community Development and the Building Inspector on forms agreed upon and provided by such departments. All registrations must state the owner's name, phone number, and mailing address as well as an emergency contact, if not the same. None of the required addresses shall be a post office box. This registration must state if the Main Street Storefront is Vacant at the time of filing. The registration shall also state the owner's efforts to regain occupancy. Once the Main Street Storefront is no longer Vacant, is sold or leased, or disposed of in another legal manner, the owner must provide proof of sale or written notice and proof of lawful occupancy to the Planning Department or Inspectional Service Department pursuant to the process outlined by such departments.

The Building Inspector will notify Police, Fire, Water and Sewer, and Health Departments of the submitted registration of the Vacant Main Street Storefront as well as any re-occupancy of the

same.

B. The Planning Director and the Building Inspector may jointly exempt a property owner from the provisions of this bylaw upon the presentation of evidence, in such form as may be convincing to them, that the failure to use or occupy a building for a period in excess of 90 days does not violate the purpose or intent of this bylaw.

Section 4. Annual Registration Fee, Failure to Pay, Waiver.

A. The annual registration fee is due at the time of registration of the Vacant Main Street Storefront. The Vacant Main Street Storefront owner will be invoiced on an annual basis until the Main Street Storefront is leased, sold, or disposed of in another legal manner. The annual registration fee shall be set by the Select Board pursuant to M.G.L c. 40, § 22F.

B. The annual registration fee covers the administrative cost of monitoring and ensuring the security and proper maintenance of such Vacant Main Street Storefront, as identified in said billing statement. Failure to pay the annual registration fee shall be a violation of this Bylaw, and the full fee shall be deemed an assessment resulting from a violation of this Bylaw. Such fee, and any fines issued for violations of this Bylaw, shall constitute a "municipal charges lien" on the property, to be collected in accordance with M.G.L c. 40, §58.

C. Vacant Main Street Storefront owners may apply for a waiver of the annual registration fee at the time of registration of a Vacant property and upon receipt of annual registration fee invoices each year thereafter, requesting waiver of some or the entire fee on grounds of Financial Hardship, ~~or by agreeing in writing to display public art~~ as defined herein for the term of a vacancy. ~~Waivers for public art display will be granted only as sufficient public is available, appropriate to the location for display, and the Town, artist, owner agree to terms of exhibition as set forth by the Planning Department.~~ Waivers requested on the basis of Financial Hardship are subject to a thirty (30) day review period. If a waiver based on Financial Hardship is granted, it will be reevaluated on a quarterly basis until the Vacant Main Street Storefront is leased, sold or disposed of in another legal manner. If a waiver of the registration fee based on Financial Hardship is denied, the registration fee is due within thirty (30) days of the decision.

Section 5. Maintenance Requirements.

A. The owner of a Vacant Main Street Storefront must maintain the same in accordance with all applicable local and state Sanitary Codes, Building Codes and Fire Codes, pertaining to the external/visible maintenance and major system maintenance of the Vacant Main Street Storefront.

~~B. The owner of a vacant building must remove existing signage from previous tenants within 30 days of tenant departure, proof of lease termination may be requested by the Planning Director or Building Inspector.~~

B. The owner of a Vacant Main Street Storefront must promptly repair all broken windows, doors, other openings and any unsafe conditions at the same. Boarding up of open or broken

windows and doors is prohibited except as a temporary measure allowed by Title V, Article Seven of these Bylaws, unless the Building Inspector determines that, due to vandalism or security reasons and due to circumstances out of the owner's control, the proper boarding of windows and doors is necessary for a determined period of time beyond such temporary measure. Boards or coverings must be fitted to the opening size and colored to blend with the existing color scheme of the entirety of the building.

C. The owner must maintain the Vacant Main Street Storefront for the duration of the vacancy or abandonment. The owner shall maintain the condition of the Vacant Main Street Storefront so as to appear not to be Vacant. Upon notice by the Building Inspector, any accumulated trash and/or graffiti shall be removed from the Vacant Main Street Storefront by the owner with seven (7) days. The Building Inspector and/or the Inspector's designee will document violations. The owner of any Vacant Main Street Storefront for a period exceeding six (6) months, whose utilities have been shut off, shall have those utilities removed or cut and capped to prevent accidents.

D. The owner of Vacant Main Street Storefront may include advertising materials in the same or displayed in its street-facing windows. Such advertising materials must be approved by the Planning Director.

E. Compliance with this Bylaw shall not relieve the owner of any obligations set forth in any other applicable bylaw, regulations, codes, covenant conditions or restrictions and/or association rules and regulations. In case of a conflict with these rules and regulations, the stricter of the rules and regulations shall apply.

Section 6. Inspections

The Building Inspector, Police Chief, Fire Chief and the Health Director, or their designees, shall have the authority to periodically inspect the exterior and interior of any building subject to this bylaw for compliance, as authorized under the terms of registration form filed with the Building Inspector and Planning Department. The Building Inspector shall have the discretionary authority to disconnect utilities immediately if a potential hazard that may be dangerous to life and limb is present.

Section 7. Violations and Penalties; Enforcement

A. Violations of any portions of this Bylaw shall be punishable by a fine of one hundred dollars (\$100) per day in total. However, the Building Inspector and Planning Director may waive the fine in total or in part upon the abatement of the violation(s).

B. The Building Inspector or the Inspector's designee shall enforce all provisions of this Bylaw and shall institute all necessary administrative or legal action to assure compliance. Any owner found to be in violation of this bylaw shall receive a written warning and a minimum of seven (7) days to remedy all violations prior to the institution of any enforcement action by the Inspector.

The Building Inspector, acting on behalf of the Town of Arlington, may also bring a civil action

in a court of competent jurisdiction seeking equitable relief to enforce this bylaw. This bylaw may also be enforced through non-criminal disposition in accordance with the provisions of the Town bylaws.

Section 8. Unsafe Buildings

If the Building Inspector determines the building to be unsafe, the Inspector may act immediately in accordance with the Massachusetts State Building Code to protect public safety. Furthermore, nothing in this Bylaw shall abrogate the powers and/or duties of municipal officials to act pursuant to any general statutory authority including, without limitation, M.G.L c. 139, § 1 et seq. and M.G.L c. 143, § 6 et seq.

Section 9. Severability

If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

Re: Warrant Article submission from TM Procedures Committee

Greg Christiana <gchristiana@town.arlington.ma.us>

Sat 2/10/2024 12:02 PM

To: Ashley Maher <amaher@town.arlington.ma.us>; Eric Helmuth <ehelmuth@town.arlington.ma.us>; SBadm
<SBadm@town.arlington.ma.us>

Cc: Michael Cunningham <mcunningham@town.arlington.ma.us>

Hi Eric and Ashley,

Here's the suggested language that that Town Meeting Procedures Committee approved for sharing with the Select Board as a starting point for the Select Board's discussion on the Warrant Article for alternative Town Meeting start dates:

Proposed addition to Title I, Article 1, Section 1

ARTICLE 1

TOWN MEETINGS

Section 1. Date of Annual Meeting and Adjournment

(ART. 93, ATM – 05/23/88) (ART. 12, ATM – 05/09/94)

The Annual Town Meeting for the purposes of conducting the regular Town Election of Town officers including Town meeting members, and for the submission of questions to the voters of the Town, if required to be submitted thereat, shall be held annually on the first Saturday of April unless the Select Board vote not later than February 1 to establish another date in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. Said election shall be considered part of the Annual Town Meeting held in that year. All articles in the warrant for any regular Town meeting to be acted upon and determined otherwise than by ballot shall be considered at a Town meeting to be held annually on the fourth Monday in April, at eight o'clock in the evening unless the Select Board votes not later than February 1 to establish another date and time in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. In no case shall the Annual Town Meeting begin later than the second Monday in May at eight o'clock in the evening.

Of course, the Select Board is free to take as much or as little of this suggested vote language as they wish. I'm happy to attend the Select Board's hearing on this article to provide any background or context.

Regards,

Greg Christiana
Arlington Town Moderator
781-819-2781

From: Greg Christiana <gchristiana@town.arlington.ma.us>

Sent: Tuesday, January 9, 2024 7:20 PM

To: Ashley Maher <amaher@town.arlington.ma.us>; Eric Helmuth <ehelmuth@town.arlington.ma.us>; SBadm

From: Greg Christiana, Arlington Town Moderator

Date: March 18, 2024

Subject: Summary of Special Town Meeting 2023 Survey responses concerning Town Meeting start time

To: Arlington Select Board

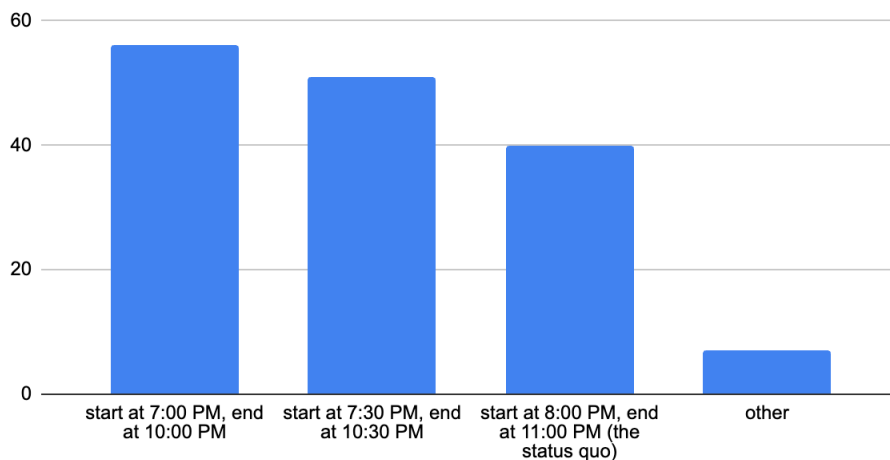
A survey was sent to Town Meeting Members in December 2023 as a follow up to the Special Town Meeting in October. A more complete publication of results is forthcoming. I am sharing limited results at this time in the event that they are relevant to the Select Board's hearing on articles in the 2024 Town Meeting Warrant related to the start time of Town Meeting.

Note that the survey question was intended to gauge preferences among Town Meeting Members for the start time of Town Meeting, and not for the purpose of gauging support for changes to the Town Bylaws. I leave it to the Select Board to decide on the relevance of these results to their hearing on the related articles.

Question 13 of the survey read as follows:

Q13. Assuming each night of Town Meeting remains 3 hours in length, and with the understanding that the Town Bylaws currently require the first night of Annual Town Meeting to start at 8 PM, which times do you prefer?

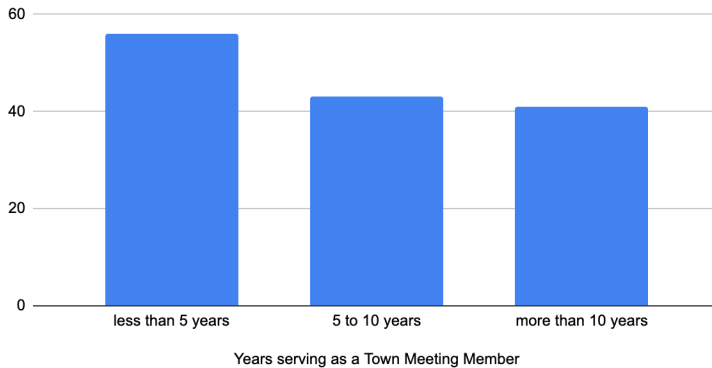
Q13. Assuming each night of Town Meeting remains 3 hours in length... which times do you prefer? (154 responses)



Question 16 asked Town Meeting Members about their length of tenure:

Q16. Total number of years (rounded up) as a Town Meeting Member

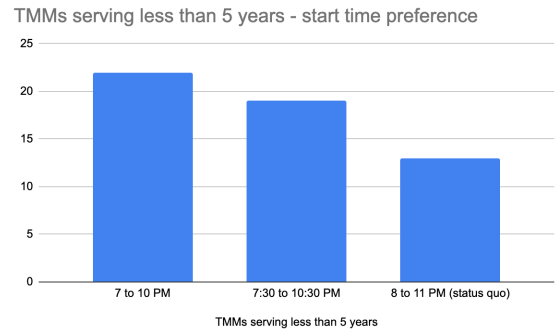
Q16. Years serving as a Town Meeting Member
(141 responses)



The following is a breakdown of preferences of start time by length of tenure according to the ranges above:

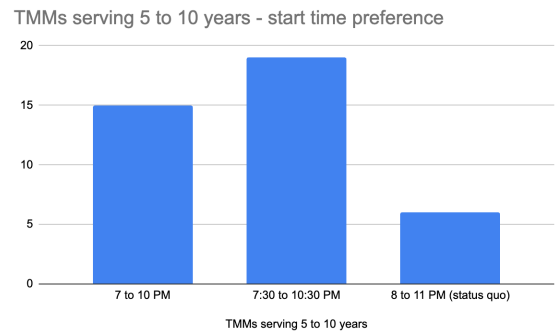
Among TMMs serving less than 5 years:

- 41% preferred 7 to 10 PM
- 35% preferred 7:30 to 10:30 PM
- 24% preferred 8 to 11 PM (status quo)



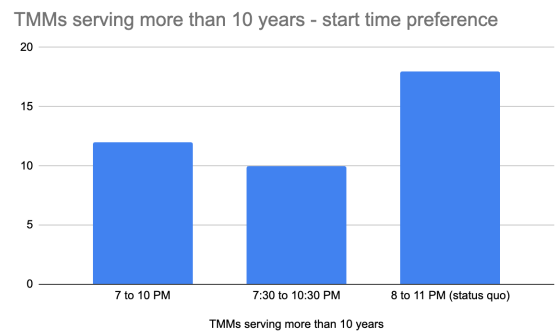
Among TMMs serving 5 to 10 years:

- 38% preferred 7 to 10 PM
- 47% preferred 7:30 to 10:30 PM
- 15% preferred 8 to 11 PM (status quo)



Among TMMs serving more than 10 years:

- 30% preferred 7 to 10 PM
- 25% preferred 7:30 to 10:30 PM
- 45% preferred 8 to 11 PM (status quo)





TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Jim Feeney, Town Manager
Cc: Claire Ricker, Director, Planning and Community Development
Michael Cunningham, Town Counsel
Michael Ciampa, Director, Inspectional Services
Ryan Katofsky, Chair, Clean Energy Future Committee
Ashley Maher, Select Board Administrator
From: Talia Fox, Sustainability Manager, Planning and Community Development
Date: March 13, 2024
RE: Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

Warrant Article 11, Fossil Fuel-Free Bylaw Changes, proposes to update the current definition of major renovations in the Town's Fossil Fuel Free-Bylaw ("Bylaw") to include additions and changes of use. This memorandum provides the following information to guide the Select Board's discussion and vote on Article 11:

1. Background on the Fossil Fuel-Free Bylaw & Municipal Fossil Fuel-Free Building Demonstration Program
2. Description of the Current Definition & Proposed Updates to the Definition of Major Renovations
3. Expected Impact of Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

Background on the Fossil Fuel-Free Bylaw & Municipal Fossil Fuel-Free Building Demonstration Program

Arlington Special Town Meeting voted in October 2023 to amend Title VI of the Town Bylaws to add a new section entitled "Fossil Fuel-Free Demonstration." This new Bylaw restricts the use of fossil fuel infrastructure in new building construction and major renovations and enables the Town to participate in the Municipal Fossil Fuel-Free Building Demonstration Program ("Demonstration Program"). The Massachusetts Department of Energy Resources (DOER) formally accepted the Town into the Demonstration Program on February 21, 2024.

On December 22, 2023, DOER notified the Town of its likely acceptance into the Demonstration Program, conditional upon the Town meeting one of the Housing Eligibility Thresholds detailed in the regulations for the Demonstration Program, 225 CMR 24.05(2). Alongside the conditional acceptance notification, DOER recommended that the Town revise the definition of major renovations in its Bylaw to encompass additions and changes of use, aligning it with the Model Rule that DOER released alongside the Demonstration Program regulations. DOER expressed "[concern] that exempting these types of renovations from the requirement to be fossil fuel-free will provide an incomplete picture of the impact of banning the use of fossil fuels in major renovations."

The Town's 2023 Bylaw initially excluded additions and changes of use in the definition of major renovations in order to maintain consistency with the Town's 2020 Clean Heat Bylaw. However, the Town's Clean Energy

Future Committee determined that alignment with DOER’s recommendation, as well as the opportunity to apply the Bylaw to more projects in Arlington, given the urgency of climate change, were goals justifying the update.

Description of the Current Definition & Proposed Updates to the Definition of Major Renovations

The current definition of major renovations in the Bylaw mirrors the definition of Level 3 Alterations in the International Existing Building Code (IEBC 2021) and includes significant alterations to existing space:

- Low-rise residential alterations in which the work area exceeds 50% of the conditioned floor area of the existing dwelling unit AND exceeds 1,000 square feet (sq ft).
- For all other building uses except low-rise residential, alterations in which the work area exceeds 50% of the existing conditioned floor area OR exceeds 20,000 sq ft.

The proposed amendment would *add* the following to the definition of major renovations:

- Low-rise residential additions in which the work area exceeds 1,000 sq ft OR exceeds 100% of the conditioned floor area of the existing dwelling unit.
- For all other uses, additions in which the work area exceeds 20,000 sq ft OR exceeds 100% of the existing conditioned floor area of the building.
- Low-rise residential changes of use exceeding 1,000 sq ft.
- For all other uses, changes of use exceeding 20,000 sq ft or equal to 100% of the existing conditioned floor area of the building.

In the revised Bylaw, all alterations, as well as additions and changes of use that exceed the thresholds listed above, would be subject to the requirements of the Bylaw for major renovations. The Bylaw states that equipment or appliances using fossil fuels may not be installed for space or service water heating, cooking, clothes drying, and/or lighting as part of a major renovation. There remain several exemptions detailed in the Bylaw as well as an option to pursue a waiver in cases where compliance with the Bylaw renders a project financially infeasible or impractical to implement.

Expected Impact of Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

The updated definition is expected to increase slightly the number of projects to which the Bylaw applies. In the past two years, a total of six (6) changes of use have occurred which surpass the thresholds outlined in the proposed amendments to the definition. Per conversations with the Director of Inspectional Services, these numbers are generally representative of recent trends in Arlington.

In 2023:

- Four (4) residential additions exceeded 1,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) commercial additions exceeded 20,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) residential or commercial changes of use exceeded the thresholds for these uses.

In 2022:

- Two (2) residential additions exceeded 1,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) commercial additions exceeded 20,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) residential or commercial changes of use exceeded the thresholds for these uses.



Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

Select Board Hearing, March 18, 2024

Talia Fox, Sustainability Manager

Department of Planning & Community Development



Warrant Article 11

|| “To see if the Town will vote to amend Title VI, Article 10 of the Town Bylaws by **altering certain definitions** and provisions so that they are **more consistent** with the **Massachusetts Department of Energy Resources’ Fossil Fuel Free Demonstration Project Model Rule** and related language set forth in 225 CMR 24.00



Background: Fossil Fuel-Free Bylaw & Demonstration Program

- Arlington Special Town Meeting (Oct 2023) voted to adopt new Fossil Fuel-Free Bylaw ("Bylaw")
- Bylaw **enables Arlington's participation in Municipal Fossil Fuel-Free Building Demonstration Program** ("Demonstration Program")
- Massachusetts Department of Energy Resources (DOER) formally accepted Arlington into Demonstration Program on February 21, 2024
- **Bylaw will take effect on May 21, 2024**



Background: Fossil Fuel-Free Bylaw & Demonstration Program

- DOER recommends Arlington **revise definition of “Major Renovation” in Bylaw to include additions and changes of use**
- Revision would **align Arlington’s definition** with **DOER’s Model Rule** and Demonstration Program regulations
- DOER is “concerned that **exempting these types of renovations ...will provide an incomplete picture of the impact of banning the use of fossil fuels in major renovations.**”



Requirements for Major Renovations in Existing Fossil Fuel-Free Bylaw

- **Equipment or appliances** used for space heating, service water heating, cooking, clothes drying, and/or lighting **that utilize fossil fuels may not be installed as part of major renovations**
- **Exemptions exist** in the Bylaw for: research/medical facilities; hot water for large buildings; utility-side connections; backup generators; portable propane appliances; extension or modification of existing fossil fuel heating systems; and repair of existing, unsafe piping
- Provisions for **waivers and appeals** exist in Bylaw



Current Definition of Major Renovations in Fossil Fuel-Free Bylaw

- Low-rise **residential alterations** exceeding 50% of the existing conditioned floor area AND exceeding 1,000 square feet (sq ft)
- **Commercial alterations** exceeding 50% of the existing conditioned floor area OR exceeding 20,000 sq ft



Proposed Amendments to Definition of Major Renovations in Bylaw

Add the following to the existing definition in the Fossil Fuel-Free Bylaw:

- **Low-rise residential additions** exceeding 1,000 sq ft OR exceeding 100% of the existing conditioned floor area
- **Commercial additions** exceeding 20,000 sq ft OR exceeding 100% of the existing conditioned floor area
- **Low-rise residential changes of use** exceeding 1,000 sq ft
- **Commercial changes of use** exceeding 20,000 sq ft or equal to 100% of the existing conditioned floor area



Expected Impact of Update to Definition

In 2023:

- **4** residential additions >1,000 sq ft or >100% of conditioned floor area
- **0** commercial additions >20,000 sq ft or >100% of conditioned floor area
- **0** residential or commercial changes of use over thresholds

In 2022:

- **2** residential additions >1,000 sq ft or >100% of conditioned floor area
- **0** commercial additions >20,000 sq ft or >100% of conditioned floor area
- **0** residential or commercial changes of use over thresholds





Thank you!

Talia Fox, Sustainability Manager

Department of Planning & Community Development

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Town of Arlington, Massachusetts

Articles for Review:

Summary:

Article 7 Bylaw Amendment/Betterment Bylaw Revision

Article 12 Bylaw Amendment/ John J. Bilafer Arlington Citizens' Scholarship Fund

Article 13 Bylaw Amendment/Leaf Blower Dates of Transition

Article 23 Endorsement of CDBG Application

Article 24 Revolving Funds

Article 36 Endorsement of Parking Benefit District Expenditures

Article 56 Local Option/Acceptance of M.G.L. Chapter 203C the Prudent Investor Rule

Article 66 Resolution/MBTA Service

ATTACHMENTS:

	Type	File Name	Description
▣	Reference Material	Draft_Votes_and_Comments_2.21.pdf	Final Votes 2.21
▣	Reference Material	Draft_Votes_and_Comments_3.4.24_(1).pdf	Final Votes 3.4



Town of Arlington
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To: Arlington Select Board

Cc: James Feeney, Town Manager

From: Michael C. Cunningham, Town Counsel
Jaclyn Munson, Deputy Town Counsel

Date: March 15, 2024

Re: Draft Votes and Comments Warrant Articles: 23, 24, 36, 66

The Legal Department writes to provide the Select Board draft votes and comments for Warrant Articles 23, 24, 36 and 66, considered before this board at its hearing on February 21, 2024.

ARTICLE 23

ENDORSEMENT OF CDBG APPLICATION

VOTED: That the Town hereby endorses the application for Federal Fiscal Year 2025 prepared by the Town Manager and the Select Board under the Housing and Community Development Act of 1974 (PL 93-383), as amended.

**(5-0)* Mr. Hurd was
absent.**

COMMENT: This Article represents the vote to endorse the annual application for the Community Block Development Grant funds, a summary of which Town Meeting may find attached to this report. A motion to re-vote was made to permit public comment, at which time the vote was again called and remained the same.

*Includes vote of Town Manager for CDBG purposes.

ARTICLE 24 REVOLVING FUNDS

**VOTED That the Town does hereby reauthorize the following Revolving Funds for FY
2025:**

REVOLVING FUNDS FOR WARRANT ARTICLE

Cutter Gallery Rentals: Seeking authorization at 2024 Annual Town Meeting
to establish new revolving fund
Expenditures not to exceed \$15,000

Beginning Balance,	7/1/2022	\$0.00	*Seeking establishment
Receipts		0.00	
Expenditures		0.00	
Ending Balance, 6/30/23		\$0.00	

Community Center Rentals: Seeking authorization at 2024 Annual Town Meeting
to establish new revolving fund
Expenditures not to exceed \$50,000

Beginning Balance,	7/1/2022	\$0.00	*Seeking establishment
Receipts		0.00	
Expenditures		0.00	
Ending Balance, 6/30/23		\$0.00	

Private Way Repairs (3106): Originally established under Article 46, 1992 Annual Town Meeting
expenditures not to exceed \$1,000,000

Beginning Balance,	7/1/2022	\$107,274.45
Receipts		261,647.01
Expenditures		318,369.30
Ending Balance, 6/30/23		\$50,552.16

Public Way Repairs (3105): Originally established under Article 45, 1992 Annual Town Meeting
expenditures not to exceed \$15,000

Beginning Balance,	7/1/2022	\$14,715.06
Receipts		0.00
Expenditures		0.00
Ending Balance, 6/30/23		\$14,715.06

Fox Library Community Center Rentals (3109): Originally established under Article 49, 1996 Annual Town Meeting
expenditures not to exceed \$20,000

Beginning Balance,	7/1/2022	\$21.47
Receipts		0.00
Expenditures		0.00
Ending Balance, 6/30/23		\$21.47

Robbins House Rentals (3110): Originally established under Article 77, 1997 Annual Town Meeting
expenditures not to exceed \$75,000

Beginning Balance,	7/1/2022	\$7,601.62
Receipts		9,333.54
Expenditures		6,848.39
Ending Balance, 6/30/23		\$10,086.77

Uncle Sam Fees (3101): Originally established under Article 31, 2000 Annual Town Meeting
expenditures not to exceed \$2,000

Beginning Balance,	7/1/2022	\$1,526.31
Receipts		0.00
Expenditures		0.00
Ending Balance, 6/30/23		\$1,526.31

REVOLVING FUNDS FOR WARRANT ARTICLE

Life Support Services (Ambulance) Fees (3103): Originally established under Article 37, 2001 Annual Town Meeting
Expenditures not to exceed \$800,000

Beginning Balance,	7/1/2022	\$410,670.94
Receipts		167,431.76
Expenditures		470,145.99
Ending Balance, 6/30/23		\$107,956.71

Board of Health Fees (3111): Originally established under Article 30, 2005 Annual Town Meeting
expenditures not to exceed \$150,000

Beginning Balance,	7/1/2022	\$238,299.63
Receipts		242,346.14
Expenditures		60,297.31
Ending Balance, 6/30/23		\$420,348.46

Field User Fees (3115): Originally established under Article 78, 2004 Annual Town Meeting
expenditures not to exceed \$80,000

Beginning Balance,	7/1/2022	\$17,740.26
Receipts		33,360.00
Expenditures		35,104.64
Ending Balance, 6/30/23		\$15,995.62

Robbins Library Rentals (3114): Originally established under Article 35, 2006 Annual Town Meeting
expenditures not to exceed \$8,000

Beginning Balance,	7/1/2022	\$36,892.82
Receipts		6,950.00
Expenditures		1,387.50
Ending Balance, 6/30/23		\$42,455.32

Town Hall Rentals (3112): Originally established under Article 35, 2006 Annual Town Meeting
expenditures not to exceed \$175,000

Beginning Balance,	7/1/2022	\$52,023.35
Receipts		91,764.07
Expenditures		84,131.39
Ending Balance, 6/30/23		\$59,656.03

White Goods Recycling Fees (3107): Originally established under Article 35, 2006 Annual Town Meeting
expenditures not to exceed \$80,000

Beginning Balance,	7/1/2022	\$58,073.86
Receipts		28,567.90
Expenditures		36,850.58
Ending Balance, 6/30/23		\$49,791.18

REVOLVING FUNDS FOR WARRANT ARTICLE

Library Vending Fees (3113): Originally established under Article 34, 2009 Annual Town Meeting expenditures not to exceed \$25,000

Beginning Balance,	7/1/2022	\$9,859.31
Receipts		12,070.14
Expenditures		4,693.56
Ending Balance, 6/30/23		\$17,235.89

Gibbs School Energy Fees (3102): Originally established under Article 45, 2010 Annual Town Meeting expenditures not to exceed \$120,000

Beginning Balance,	7/1/2022	\$4,814.41
Receipts		0.00
Expenditures		0.00
Ending Balance, 6/30/23		\$4,814.41

Cemetery Chapel Rentals (INACTIVE): Originally established under Article 52, 2011 Annual Town Meeting Expenditures not to exceed \$15,000

Beginning Balance,	7/1/2022	\$0.00
Receipts		0.00
Expenditures		0.00
Ending Balance, 6/30/23		\$0.00

Council On Aging Program Fees (3108): Originally established under Article 28, 2013 Annual Town Meeting Expenditures not to exceed \$100,000

Beginning Balance,	7/1/2022	\$2,713.78
Receipts		13,215.00
Expenditures		11,011.00
Ending Balance, 6/30/23		\$4,917.78

(4 -0) Mr. Hurd was absent.

COMMENT: The above summary represents the annual vote to receive reports on expenditures and receipts of the various Town revolving funds and to authorize and reauthorize such funds in accordance with state law, M.G.L. ch. 44 s. 53 ½. These funds must be reauthorized annually in order to enable expenditures from them, and as such, must be included in our abbreviated Town Meeting session. Additional materials regarding the Revolving Funds have also been included in the Appendix to this report for further consideration.

**ARTICLE 36 ENDORSEMENT OF PARKING BENEFIT DISTRICT
EXPENDITURES**

VOTED: That the Select Board approves the operating and capital expenditures proposed by the Town Manager and Parking Implementation Governance Committee and recommends Town Meeting's endorsement of the votes of the Finance and Capital Planning Committees', respectively.

(4 -0) Mr. Hurd was absent.

COMMENT: Pursuant to Title I, Article 11 of the Town Bylaws, “Parking Benefit District Expenditures,” proposed Parking Benefit District Operating and Capital Expenditures are prepared by the Town Manager and the Parking Implementation Governance Committee (“PIGC”) before submission for endorsement by the Finance Committee and Capital Planning Committee, respectively; and subsequently Town Meeting. The Select Board approves the Manager and PIGC’s proposal to the Capital Planning and Finance Committees and urges Town Meeting’s support as well.

ARTICLE 66 RESOLUTION/MBTA SERVICE

VOTED: That Town Meeting does and hereby resolves as follows:

Whereas, the last streetcar from Arlington Heights to Harvard Square ran on November 18, 1955; and

Whereas, the last MBTA train from Arlington to North Station ran on January 10, 1977; and

Whereas, the last 79 bus from Arlington Heights to Alewife ran on March 12, 2021;
and

Whereas, on December 18, 2022, six days after the Green Line Extension opened to Tufts-Medford, the MBTA reduced service on the 80 bus that connects Arlington Center with the Green Line Terminus, and

Whereas, the lack of frequent bus service from Arlington to Tufts-Medford prevented Arlington commuters from connecting to the Green Line or the Lowell Commuter Rail line as a viable alternative for travel to and from Boston during the recent shutdown of the Red Line, and

Whereas, despite challenges faced by Arlington commuters and student pass holders due to poor service, the MBTA reduced service on the 77 bus on December 18, 2022, and

Whereas, the deterioration of MBTA bus service has become extreme enough that, for the first time, the Arlington School Committee has been forced to run parallel bus service for Ottoson Middle School students beginning on January 29, 2024, and

Whereas, the Town of Arlington and the City of Cambridge have built bus lanes to facilitate the movement of buses along Massachusetts Avenue, at the same time the MBTA reduced bus service along this artery, and

Whereas, the Town of Arlington's projected FY25 MBTA assessment is three times the per-capita assessment of two municipalities categorized under the MBTA Communities ACT as Rapid Transit Communities, as well as 33 municipalities classified as Commuter Rail Communities, and

Whereas, the assessment multiplier used to determine Arlington's projected FY 25 MBTA assessment of \$3,403,415 is the fourth highest (along with 10 other cities and towns) among the 176 communities within the MBTA service territory. Of the 11 communities, Arlington is one of only two (along with Watertown) that do not host either a rapid transit or commuter rail station, and one of only three (along with Belmont and Watertown) that are not designated as Rapid Transit Communities in the MBTA Communities Act, and

Whereas, the Town of Arlington demonstrated its commitment to transit-oriented housing when Town Meeting voted 189-35 on October 25, 2023 to create a MBTA Communities Overlay District that significantly exceeds the town's requirement for permitting multifamily transit-friendly residential units by right, and

Therefore be it resolved, the Town of Arlington asks the MBTA to provide frequent, reliable service along Massachusetts Avenue with convenient connections to the Red Line, and

Be it also resolved, the Town of Arlington asks the MBTA to provide frequent, reliable service from Arlington Heights, through Arlington Center, and along Medford

Street and Boston Avenue with convenient connections to the West Medford commuter rail station and the Tufts- Medford terminus of the Green Line Extension, and

Be it also resolved, the Town of Arlington seeks a partnership with the MBTA to plan significant improvements to the transit infrastructure in Arlington, and

Be it also resolved, the Town of Arlington invites Transportation Secretary Monica Tibbits-Nutt and MBTA General Manager Phillip Eng to conduct a community forum relative to the transportation needs and expectations for service in the Town, and

Be it also resolved, the Town Clerk of the Town of Arlington shall transmit a copy of this resolution to Governor Maura Healey, Lieutenant Governor Kim Driscoll, United States Senators Ed Markey and Elizabeth Warren, United States Representative Katherine Clark, State Senator Cindy Friedman, State Representatives Sean Garballey and Dave Rogers, Transportation Secretary Monica Tibbits-Nutt, and MBTA General Manager Phillip Eng.

(3-1)

Mr. Diggins voted in the negative and Mr. Hurd was not present.

COMMENT: The majority of the Select Board supports the resolution in spirit, but Mr. Diggins questioned the utility and impact of the resolution. Mr. DeCoursey and Mrs. Mahon viewed the resolution as part of a larger worthwhile discussion regarding the fairness of the MBTA assessment process and its disproportionate impact upon Arlington. The members voting in favor of the proposed resolution support the movement to revisit the historical statutory formula by which assessments are determined so that all current MBTA communities pay their fair share.

Further, the Board members in attendance were unanimous in their questioning regarding whether the Select Board is the best forum for voting on such resolutions, with Mr. Diggins and Ms. Mahon noting that the Town Meeting may be better suited to develop its language. Mr. Decoursey and Mrs. Mahon suggested that it should be considered whether resolutions should be sent directly to Town Meeting so that petitioners are not faced with the prospect of having to submit a substitute motion at Town Meeting if their resolution language is amended by the Select Board. Mrs. Mahon noted that such a change may “streamline the process” and Mr. Helmuth suggested that the resolutions are properly the “voice of Town Meeting.”



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To: Arlington Select Board

Cc: James Feeney, Town Manager

From: Michael C. Cunningham, Town Counsel
Jaclyn Munson, Deputy Town Counsel

Date: March 15, 2024

Re: Draft Votes and Comments Warrant Articles: 7, 12, 13 and 56

The Legal Department writes to provide the Select Board draft votes and comments for Warrant Articles 7, 12, 13 and 56, considered before this Board at its hearing on March 4, 2024.

ARTICLE 7 BYLAW AMENDMENT / BETTERMENT BYLAW REVISION

VOTED: That the Town does and hereby amends Title III, Article 3 (“Repairs to Private Ways”) to revise the number or percentage of abutters required for a betterment petition when representing an association, by increasing the required deposit before work can commence and eliminating the deposit requirement for repairs to private ways when

those repairs are financed by the Town through an instrument of borrowing or debt issuance, so that the amended bylaw reads in its entirety as follows:

ARTICLE 3 REPAIRS TO PRIVATE WAYS

Section 1. Classification

The Town Engineer and the Director of Public Works upon request of the Select Board acting in its capacity as the Board of Public Works shall recommend the classification of private ways in the Town according to the state of their construction and repair. The Board may then adopt such classifications with any modifications it may deem appropriate.

Section 2. Definition and Authorization

(ART. 20, ATM –05/04/92) (ART. 23, ATM – 04/28/04) (ART. 12, ATM – 04/23/18)

A. The private property owners abutting private ways are responsible for the maintenance of such ways, which must be maintained so that there are no defects to impede the safe passage of emergency vehicles. This bylaw provides a means by which the Town may assist in the maintenance of such ways, primarily by providing a mechanism for private way abutters to fund repairs known as a “betterment.”

B. The Board may vote to direct the Town Manager to make temporary repairs to private ways at the request of the Director of Public Works as provided below. Temporary repairs shall be limited to the filling of potholes and temporary patching.

C. The Board may authorize a temporary or extensive repairs to private ways by abutter petition for a betterment. Extensive repairs shall include, but not be limited to, skimcoating, armor coating, drainage work, and grading of gravel roadways. For all extensive repairs the petitioners agree to enter into a contract with a private contractor to repair and pave the roadway forthwith.

Section 3. Criteria

(ART. 35, ATM – 05/18/05; ART. 12, ATM 04/23/18)

A. Abutter Criteria

The Board shall in making its determination as to the advisability of making temporary or extensive repairs by abutter petition take into consideration the following factors:

1. The accessibility of the properties on the private ways to emergency vehicles such as police, fire and rescue.
2. The volume of traffic that utilizes the private way i.e. dead end as opposed to feeder or connecting streets.

3. The percentage of abutters on the particular private way petitioning the Board for the repairs.
4. The number of years that the way shall have been open to public use.
5. Such other considerations that the Board deems appropriate.
6. Public Safety.

B. Town Criteria

The Board may authorize temporary repairs at the request of the Town whenever the Director of Public Works so advises the Board that repairs are required to abate an immediate hazard caused by a defect necessary for the safe passage of public safety vehicles.

Section 4. Petition **(ART. 12, ATM 04/23/18)**

The Select Board shall consider any private way, group of private ways, or portion thereof for temporary or extensive repairs after having been petitioned to do so by at least two-thirds of the total number of abutting property owners on the Private Way who directly abut the portion to be considered for temporary or extensive repairs. The Town shall only be considered an abutter for the purposes of this section, and assessment of costs in Section “6,” to the extent a private way is substantially used by Town staff or the public for the specific purpose of utilizing an abutting Town parcel.

The Select Board may after careful consideration, elect to do the entire portion which was petitioned for, or a lesser portion, provided at least two-thirds of the abutting property owners on the lesser portion to be done are in favor of such action. The Select Board shall upon receipt of a petition with at least two-thirds of the abutters' signatures affixed thereto shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All abutters shall be given written notice of the hearing not less than seven (7) days prior thereto.

Section 5. Alternate Petition

Notwithstanding the provisions of Section 4 above, the Board may also consider a number of private ways for repair as a whole project when these private ways are ways where a majority of abutters are members of an association of abutters whose major purpose has been the maintenance and repair of those ways upon which these members' properties abut.

The Select Board may only consider these private ways to be repaired as a whole project when having been petitioned by two-thirds of the total number of abutters ~~who abut all of the ways represented by the association~~. The Select Board upon receipt of such a petition shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All of

the abutters on all of the ways represented **in the petition** shall be given written notice of the hearing not less than seven days prior thereto.

Section 6. Assessment of costs
(ART. 23, ATM – 04/28/04) (ART. 35, ATM – 05/18/05) (ART. 12, ATM 04/23/18)

The costs of all labor and materials and processing shall be assessed equally to all abutters on the private way, or portion thereof (except with respect to Town property as set forth in Section 4), or if the Select Board votes to order any repairs pursuant to a petition filed under Section 5 all the abutters on all the private ways to be repaired without regard to linear frontage.

A ~~one-third~~ fifty (50) percent deposit of the total estimated cost of the completion of the repair project shall be required before any work can be commenced. The deposit requirement shall not apply to petitions or alternate petitions for repairs to private ways to be financed by the Town through an instrument of borrowing or debt issuance. All remaining costs shall be apportioned, assessed and collected on a per-property basis pursuant to the procedures provided in Chapter 80 of the General Laws, the Betterment Act, including the placing of liens on the affected property and the collection of apportioned costs by means of property tax collection.

Any and all such deposits shall be deducted from the equalized share of the property owners actually paying.

Section 7. Collection of Apportioned Share
(ART. 35, ATM – 05/18/05)

The Select Board before authorizing any repairs shall adopt a formal Betterment Order which shall require each abutter to pay their property's unpaid apportioned share of the repair cost over a five-year period to include interest at 5 percent or 2 percent above the cost (including Town oversight and administration costs) of any bond issued to fund the repair in question. The Assessors in conjunction with the Town Tax Collector will commit such amount to the respective abutter's property tax bill and the Engineering Division of the Public Works Department will cause same to be recorded at the Registry of Deeds so that same runs with the land.

Section 8. Liability
(ART. 35, ATM – 05/18/05) (ART. 19, ATM – 05/04/92) (ART. 11, ATM 04/23/18)

There shall be a limitation of liability on the Town of Five Hundred (\$500.00) Dollars for any damages arising from any negligent repair of the private way which shall include damage from surface water run-off.

No repair shall be commenced until all the petitioners have signed an agreement with the Town holding the Town harmless from any additional damages arising from any negligent repair and providing evidence of insurance to the satisfaction of the Town. However, nothing in this paragraph shall excuse the Town from damages to property caused by the Town or agents thereof, during the repair process.

Temporary repairs made at the request of the Director of Public Works necessary to abate an immediate hazard caused by a defect shall not be considered as maintenance of the private way, nor shall the way be considered a public way. The Town shall not be liable for any damage incurred by the defect, subsequent repair or failure to make repairs to private ways.

Section 9. Effect of Electronic Record

Any petitions executed pursuant to this Article 3 may be executed electronically in accordance with applicable laws and shall be enforceable as if executed in writing.

(5-0)

COMMENT: The Board engaged in a robust debate regarding the utility and impact of the change proposed in Section 6 (Assessment of costs) from requiring one-third deposit of the total estimated cost of the project to two-thirds. The Board considered the impact of this increased fee on residents and moved to amend the proposed language from two-thirds to fifty percent. Further, the Board requested that the proposed amendment be further revised to clarify the last sentence in Section 5 to reflect abutters who had petitioned the Board. Finally, the Board moved to further amend the proposed changes by requesting that the permissibility of electronic petitions be incorporated into the amendment.

ARTICLE 12

BYLAW AMENDMENT/JOHN J. BILAFER ARLINGTON CITIZENS' SCHOLARSHIP FUND – DOLLARS FOR SCHOLARS

VOTED: That the Town does and hereby amends Title II, Article I (“The John J. Bilafer Arlington Citizens’ Scholarship Fund – Dollars from Scholars) of the Town’s Bylaws by adding “or their designee” to the end of the first sentence in Section 4 so that the bylaw reads in its entirety as follows:

TITLE II COMMITTEES AND COMMISSIONS

ARTICLE 1

THE JOHN J. BILAFER ARLINGTON CITIZENS' SCHOLARSHIP FUND – DOLLARS FOR SCHOLARS

(ART. 27, ATM – 05/01/89) (ART. 27, STM – 05/15/95) (ART. 58, ATM – 05/19/97) (ART. 32, ATM – 05/02/07)

Section 1. Name

The John J. Bilafer Arlington Citizens' Scholarship Fund, formerly known as the Town of Arlington Scholarship Fund, and herein referred to as the Chapter, a local government tax check-off "Dollars For Scholars" program, is an affiliate of Citizens' Scholarship Foundation of America, Inc. hereinafter referred to as CSFA.

Section 2. Purpose

The purpose of the John J Bilafer Arlington Citizens' Scholarship Fund is to establish and maintain a perpetual trust fund in order to expand the educational opportunities for residents of the Town who have been accepted to pursue education beyond the secondary school level by promoting the scholarship program, maintaining an operational structure, raising funds for student aid distribution and conducting an objective selection process for distributing awards on a fair, equitable and non-discriminatory basis. The Chapter shall operate in accordance with the Bylaws, legal status and procedures of CSFA which are consistent with Chapter 405 of the Acts of 1983 as amended, the General Laws of Massachusetts and the Bylaws of the Town.

Section 3. Powers

The Town is empowered to promote and encourage contributions to the scholarship fund and place a check-off box on the tax and other municipal bills. The Chapter can also raise and receive money and other property by gift, devise, subscription, dues and other legal means including the establishment of individual scholarship funds in a name specified by the Donor. The Collector of Taxes of the Town shall, at least as often as monthly, account and turn over to the Town Treasurer monies which have been checked off by the taxpayers as a contribution to the scholarship fund by increasing the amount otherwise due on the tax or other municipal bills.

All monies collected as a result of the voluntary check-off shall be transferred to the Principal of the fund by the Town Treasurer. The Town Treasurer is the custodian of the scholarship fund and shall deposit, disburse and invest the funds as empowered by law.

The Town Treasurer/Tax Collector shall give bond annually for the faithful performance of said duties in a form approved, and in an amount determined by the Commissioner of Revenue; the said Treasurer shall make and submit to CSFA such reports as CSFA may prescribe relative to Chapter finances. The John J. Bilafer Arlington Citizens' Scholarship Fund shall be audited by an outside auditing firm in conjunction with the audit of the books and records of the Town.

The said scholarship fund including the individual scholarship funds, shall be under the jurisdiction of the Board of Commissioners of trust funds and said Commissioners shall, at least as often as once each year, pay over not less than five percent and not more than seven percent of the market value of said funds as of December 31st of the prior calendar year, said percent to be determined by the Town Treasurer and the Commissioners; and the amount determined to be applied to student aid under the direction and control of the scholarship committee. The Chapter shall be operated solely for charitable purposes. No committee member, officer or employee of the Town shall be entitled to receive compensation from the scholarship fund for services to the Chapter. Annual recertification by CSFA is required for the Chapter Agreement and Charter to remain in effect. In the event that the Chapter Agreement and Charter between the Chapter and CSFA is terminated the John J. Bilafer Arlington Citizens' Scholarship Fund shall continue to operate in accordance with Chapter 405 of the Acts of 1983 as amended, the General Laws of Massachusetts and the Bylaws of the Town.

Section 4. Scholarship Committee and Officers **(ART. 13, ATM – 05/09/94)**

The following are permanent members of the scholarship committee as determined by Chapter 405 of the Acts of 1983 and amended by Chapter 256 of the Acts of 1993: the Principal of Arlington High School; the Principal of Arlington Catholic High School; the Superintendent-Director of Minuteman Regional Vocational School District and the Treasurer of the Town, or their designee. A registered voter of the Town who is interested in education shall be appointed to a three year term as the fifth member of the committee by the Town Moderator.

The committee may elect from among its members a Chairperson, Vice Chairperson, Secretary and such other officers as it may designate for election. The scholarship committee shall make, implement and supervise the policies of the Chapter, and shall elect all officers and fill vacancies as empowered by law. The Chairperson shall be the chief executive officer of the Chapter, shall preside at all meetings of the scholarship committee and shall implement Chapter policy as established by the scholarship committee.

The Secretary shall record and keep minutes of the meetings and shall prepare and transmit to CSFA such reports as may be required by CSFA pursuant to these Bylaws and to annual Chapter recertifications.

The Vice Chairperson and such other officers as the scholarship committee may from time to time designate and elect shall have such powers and shall perform such duties as the scholarship committee may determine.

Section 5. Standing Committees

There shall be an Awards Committee, chaired by a member of the Scholarship Committee, which shall be comprised of not fewer than three members, who need not be Scholarship Committee members.

No person shall attend or take part in any meetings of the Awards Committee at which applications for student aid are to be discussed so long as there is pending before that committee an application for student aid from any blood relation of such person or spouse.

Each scholarship applicant shall be a legal resident of the Town and shall complete an application and submit financial and other supporting data which considers character, scholastic record and involvement in community work as well as extra-curricular school activities.

The application process is not considered complete until a financial assistance questionnaire is submitted by the person(s) obligated to pay applicant's educational costs. All scholarship information shall be received and processed with the Office of the Town Treasurer/Collector of Taxes, assigned a number and considered thereafter without reference to name until such time as the Awards Committee has completed its evaluation of each application. All completed applications shall be considered for student aid at a meeting of the Awards Committee called by the Chairperson. The award of student aid is based on merit in accordance with the prescribed evaluation criteria. The Awards Committee shall consider financial need in determining the amount of each award. Whenever possible, there shall be at least one scholarship recipient from each of the segments of the student population represented by the members of the Scholarship Committee. In making awards the Awards Committee shall apply such further rules and standards not inconsistent with the purposes of this Chapter as prescribed in these Bylaws and Charter between this Chapter and CSFA and, subject to such rules and approval of the Scholarship Committee, it shall implement and oversee all policy relative to awards, and shall transmit to CSFA such reports as CSFA may provide relative to award procedures. The Scholarship Committee may from time to time seek to amend these Bylaws by adding other Standing Committees it may determine necessary to the Chapter's operation.

Section 6. Ceremonies and Meetings

A. Scholarship Award Ceremony

The Scholarship Committee shall conduct an annual scholarship award ceremony for the recipients of student aid, their families and friends in the spring at such time and place as shall be fixed by the Chairperson.

Notice of the time, date and place of this ceremony shall be published in the local press and the public invited to attend.

B. Meetings

Regular periodic meetings of the Scholarship Committee may be held from time to time pursuant to vote of the Scholarship Committee. Special meetings of the Scholarship Committee may be held from time to time upon the call of the Chairperson or upon written application to the Secretary or Chairperson of not less than one-third in number of the committee members. The Secretary or Chairperson shall make public announcement of the meetings and shall mail written notice of all the meetings of the Scholarship Committee to each member at least seven days prior to the meeting unless the time, date and place of such meeting has been previously fixed by vote of the Scholarship Committee, or unless waiver of the notice of the meeting is signed by every committee member and filed with the Secretary or the Chairperson. One-third of the Scholarship Committee members then in office shall constitute a quorum in the case of a meeting of the Scholarship Committee; and a majority of those present at a meeting, and entitled to vote, shall decide any matter properly brought before the meeting.

Section 7. Fiscal Year

(ART. 23, ATM – 05/04/98)

The fiscal year of the Chapter shall be the twelve month period ending December 31 in each year.

Section 8. Amendment

The Scholarship Committee may, from time to time bring before an Annual or Special Town Meeting proposed amendments to these Bylaws. Prior to insertion in the Warrant for the Annual or Special Town Meeting, proposed amendments to these Bylaws shall be voted upon by the Scholarship Committee at a scheduled or special meeting called for the purpose of acting upon a proposed amendment. This amendment and any subsequent amendment to this Article of the Town's Bylaws shall become effective upon the certification of the vote by the Town Clerk. Once certified this Article of the Town's Bylaws become the governing document of the John J. Bilafer Arlington Citizens' Scholarship Fund and shall be sent to CSFA for approval and placed on file in the Office of the Town Treasurer/Collector of Taxes in accordance with the Chapter Agreement entered into between the Chapter and CSFA.

(5-0)

COMMENT: The Board recognized the need for flexibility with permanent membership of the Scholarship Committee and unanimously acted in favor of the amendment.

ARTICLE 13

BYLAW AMENDMENT/LEAF BLOWER DATES OF TRANSITION

That no action be taken on Article 13.

(5-0)

COMMENT: The Board voted unanimously to take no action following the Town Manager's testimony that subsequent to publishing the warrant articles describing the potential changes, the Town thereafter did not seek to pursue the change.

ARTICLE 56

LOCAL OPTION/ACCEPTANCE OF M.G.L. CHAPTER 203C THE PRUDENT INVESTOR RULE

VOTED: That the Town does and hereby accepts the provisions of Massachusetts General Laws, Chapter 203C and authorizes the trustee of the town's previously established Trust Funds, as authorized by Chapter 32B, Section 20, G.L. c. 44, s. 54, and G.L. c. 44, ss. 55, 55A and 55B of the General Laws, as amended, to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws.

(5-0)

COMMENT: The Board inquired into the type of risk that acceptance of this law would invoke, and how much Town monies would be impacted. The Board agreed that this local option allows Treasurers to broaden the options available to “balance safety, liquidity, and yield when investing public funds – in this case, trust fund monies. The Board then voted unanimously in favor of accepting the state law.



Town of Arlington, Massachusetts

NEW BUSINESS

Summary:

Except in cases of emergency, the Board will neither deliberate nor act upon topics presented in New Business.



Town of Arlington, Massachusetts

Next Scheduled Meeting of Select Board Tuesday, March 26, 2024

Summary:

You are invited to a Zoom webinar.

When: Mar 18, 2024 07:15 PM Eastern Time (US and Canada)

Topic: Select Board Meeting

Register in advance for this webinar:

https://town-arlington-ma-us.zoom.us/webinar/register/WN_cJRFiaCIQWOajoROwBp9Mw

After registering, you will receive a confirmation email containing information about joining the webinar.

Notice to the Public on meeting privacy In the interests of preventing abuse of videoconferencing technology (i.e. Zoom Bombing) all participants, including members of the public, wishing to engage via the Zoom App must register for each meeting and will notice multi-step authentication protocols.

Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone dial-in information provided above.