



Select Board Meeting Minutes

Date: November 9, 2020

Time: 7:15 PM

Location: Conducted by Remote Participation

Present: Mr. Hurd, Chair, Mr. Curro, Vice Chair, Mrs. Mahon, Mr. DeCoursey, Mr. Diggins

Also Present: Mr. Chapdelaine, Mr. Heim, Ms. Maher

1. Exexutive Order on Remote Participation

Mr. Hurd opened the meeting by explaining that due to the current State of Emergency, to lower the risk of the spread of COVID-19, the Town has been advised and directed by the Commonwealth to suspend public gatherings, and as such the Governor's orders suspends the requirement of the Open Meeting Law to have all meetings in a public and accessible location. Public bodies may meet entirely remotely as long as the public can access the meeting. The meeting reference materials and how to access the remote meeting are posted on the Town's website. The Chair asked participants that would like to speak, to use their full name rather than a nickname.

Mr. Hurd wanted to go over some business ground rules for effective and clear conduct of the meeting and to ensure accurate meeting minutes:

The Chair will introduce each speaker on the agenda, after they conclude their remarks; Mr. Hurd will ask each member of the Board for their remarks or a motion. Please wait until your name is called. Please remember to mute your phone or computer when you are not speaking and to speak clearly. For any response, please wait until the Chair yields to you and state your name before speaking. Anyone wishing to speak to someone must do so through the Chair.

2. Quarterly Budget Update, First Quarter FY2021

Sandy Pooler, Deputy Town Manager/Finance Director

Ida Cody, Comptroller

Mr. Pooler appeared before the Board to detail the quarterly budget report. Mr. Pooler stated that that general fund revenue is on target for this year despite the pandemic. Mr. Pooler explained that the expenses have not gone up because of COVID. Mr. Pooler stated that we have submitted almost three million dollars for reimbursement through the CARES Act both actual expenses and anticipated expenses between now and December 30th which is the end of the CARES Act. Mr. Pooler stated that simultaneously they have also submitted reimbursement for FEMA for a lot of our COVID related expenses. Mr. Pooler stated that because of the coronavirus era they

have listed more of the spending changes than they usually would to be more comprehensive. Mr. Pooler referred to his memo submitted to the Board that is broken down into 3 parts: (1) explanations of spending and revenue variances from budgets, (2) a summary level report of the General Fund and Enterprise Fund expense and revenue budgets, and (3) a Munis printout of budget activity through the First Quarter.

The Board thanked Mr. Pooler and Ms. Cody for their work on this report. Mrs. Mahon questioned if they have money set aside to settle the contract between the Town and the Police Department. Mr. Pooler confirmed that the line item “salary reserve” is the money set aside for this. Mr. DeCoursey questioned the money that was submitted to the CARES Act for reimbursement and wanted to confirm that was for expenses incurred through September 30. Mr. Pooler stated that the three million dollars is a combination of what we have already expended and an estimate of what we will expend between now and December 30th. Mr. Curro noted that the service demand for AYCC is higher than normal and Mr. Pooler stated that it is more about when the money came in than collecting the actual money. Mr. Hurd made note that he thought the meals tax was high but Mr. Pooler confirmed that it is lower than past years and have reduced the expectation by a lot due to the pandemic.

Mr. Diggins moved receipt of the budget report.

A roll call vote was taken on the motion by Mr. Heim.

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Curro: yes
Mr. Hurd: yes

SO VOTED (5-0)

CONSENT AGENDA

3. Minutes of Meetings: October 5, 2020

4. Vote: Chapter 268A, Section 20(b)(3) Certification

a. David Gera

Michael Rademacher, Director, Department of Public Works

Mrs. Mahon moved approval.

A roll call vote was taken on the motion by Mr. Heim.

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Curro: yes
Mr. Hurd: yes

SO VOTED (5-0)

PUBLIC HEARINGS

5. 7:30 p.m. Verizon Petition/ 961 - 967 Massachusetts Avenue
Karen Levesque, Right of Way Manager
(all abutters notified)

Michael Krzcuik spoke on behalf of Verizon and the petition for 961-967 Massachusetts Avenue. Mr. Krzcuik stated that Verizon is requesting to place eight four inch PVC conduits from the existing telephone manhole labeled MH30/30 between Prentiss Road and Mount Vernon Street on Massachusetts Avenue. Mr. Kruzcuik stated that this new conduit will run approximately 87 feet southeasterly down the street to meet an existing conduit on the sidewalk. The new conduit will be placed in the same path as the exiting that was placed in 1975 and would like to complete this work as soon as possible. The reason for this new conduit is to expand the fiber network in the area and placing this new conduit will leave space for any future needs.

Mr. DeCoursey stated that in the petition it does mention the possibility of making connections with telephone poles and from the plans the conduit will extend from a manhole on Mass Ave onto the sidewalk. Mr. DeCoursey questioned if there will be more equipment added to the telephone pole as a result. Mr. Krzcuik stated that there are existing pipes that dead end under the sidewalk and the petition is to extend the existing conduits to the existing underground manhole structure and the overhead wires will not be affected. Mr. DeCoursey stated that one thing concerned him is the idea of double poles and when a new pole is put in the existing pole is supposed to be removed within 90 days. Mr. DeCoursey shared a photo and stated that this double pole is still in existing since May and feels this needs to be addressed with Verizon and the number of double poles is outpacing the replacements. Mrs. Mahon asked if they could amend their motion to include addressing the areas of double poles concurrent with this work. Mr. Heim stated that the most appropriate thing for the Board to do is accept the motion as Mr. DeCoursey has drafted. Mr. Heim stated that they have consistent contact with our liaison at Verizon and note that these two different schemes are related to each other but would add to the motion a severability clause for example subject to conditions as set forth to the extent prohibited from law. Mr. Heim stated that the Board is taking a vote to approve this on the basis of the application before us but the Board is asserting that this circumstance with respect to double poles is not acceptable to the Town and we will do what we can to hold them accountable to the lack of responsiveness on this issue. Mr. Heim stated that it cannot lawfully be applied in this circumstance but will send a message along with the approval. Mr. DeCoursey stated this is the lack of progress with double poles and confirmed there are over 100 in Arlington.

Mr. DeCoursey moved approval subject to the conditions recommend by the Engineering Department.

A roll call vote was taken on the motion by Mr. Heim.

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Curro: yes
Mr. Hurd: yes

SO VOTED (5-0)

OPEN FORUM

John Ward, Winslow Towers, spoke in regards to the pension obligation bonds and would like to know if they are incorporated within the budget report presented by Mr. Pooler. Mr. Ward stated that he is also concerned with the unfunded health benefits. Mr. Chapdelaine stated that he could contact his office and they would direct him to Mr. Pooler who would be happy to help him.

The following people spoke in regards to the Black Lives Matter Banner
Sanjay Newton, 32 Ottawa Road
Steve Revliak, 111 Sunnyside Avenue
Benjamin Moynihan, 7 Plymouth Street

FINAL VOTES & COMMENTS

Articles for Review:

Article 8 Acceptance of Legislation/Bylaw Amendment/Municipal Affordable Housing
Trust Fund

Article 25 Resolution/Black Lives Matter Banner at Town Hall

Mr. Heim would like to note a few typos in the Affordable Housing Trust Fund warrant article that he will be sure to take care of. Mr. Heim stated that all clerical errors will be corrected before the final report is published.

Mr. Curro stated that Article 25 captures their debate very well but made a comment regarding a sentence that says “the decision to display flags and banners on or at Town Hall is solely within the jurisdiction of the Select Board.” Mr. Curro states that he sees this as a shared jurisdiction where the Select Board affirm this but the facilities are strictly under the Town Managers control and feels this is a shared jurisdiction. Mr. Heim stated that his particular relationship is complicated but is happy to amend.

Mrs. Mahon moved approval of Article 8 and Article 25.

A roll call vote was taken on the motion by Mr. Heim.

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Curro: yes
Mr. Hurd: yes

SO VOTED (5-0)

DRAFT SELECT BOARD REPORT

6. For Discussion and Approval: Draft Select Board Report to Special Town Meeting

Douglas W. Heim, Town Counsel

Mr. Heim stated that he hopes to have a draft of this ready and does not feel there is anything that needs to be brought back to the Board after reviewing. Mr. Heim stated that having this as a place holder on the agenda is so if there are any items that need to be revisited by the Board they can. Mr. Heim stated that the Board has already voted on all the final votes and comments and the appendices that need to be added are clear. Mr. Heim stated that he will distribute to the Board individually so if there are any revisions they can be made before it is published. Mr. Heim stated that his does not need a vote of approval tonight.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

7. Vote: Date for 2021 Annual Town Election

Douglas W. Heim, Town Counsel

Mr. Heim stated that this is to set the date for the Annual Town Election. Mr. Heim stated that this year it is a little different because the typical date for the election is the first Saturday in April which falls on Easter weekend in 2021. Mr. Heim stated that in order for this date to be moved it needs a vote from the Select Board no later than February 1st.

Mrs. Mahon moved the election to be held on the second Saturday in April on April 10, 2021.

A roll call vote was taken on the motion by Mr. Heim.

Mrs. Mahon:	yes
Mr. DeCoursey:	yes
Mr. Diggins:	yes
Mr. Curro:	yes
Mr. Hurd:	yes

SO VOTED (5-0)

8. For Approval: Opening of Warrant for Annual Town Meeting 2021

Mr. Heim stated that this is straight forward; the bylaw requires us to open the warrant the first week in December. Mr. Heim stated that we have to issue a notice of the opening of the warrant. Mr. Heim stated that in the memo provided to the Board are the following dates:

Tuesday, December 1, 2020

Friday, January 29, 2021

Mr. DeCoursey moved approval to open the warrant on Tuesday, December 1, 2020 and close on Friday, January 23, 2021.

Mrs. Mahon:	yes
Mr. DeCoursey:	yes
Mr. Diggins:	yes

Mr. Curro: yes
Mr. Hurd: yes

SO VOTED (5-0)

9. Discussion & Approval: Economic Recovery Taskforce Requests

- a) Liquor License Permit Fee Waivers
- b) Parking Fee Waivers
- c) Heights Parklet Approval

Adam W. Chapdelaine, Town Manager

Mr. Chapdelaine stated that these are being brought forth by the Planning Department in consultation with the Economic Recovery Taskforce. The first request has been discussed for the past couple weeks and is recommending that the Select Board waive 50% of the licensing fees for beer and wine, all alcohol restaurants, clubs and waiving 100% of the fee for the 2 theatres in Town. Mr. Chapdelaine stated that the second request they are proposing is to extend the payment free waiver to the street meters for the last Saturday in November and the first three Saturday's in December in order to help business in Arlington. The third request is the installation of one additional parklet in Arlington Heights in the taxi stand space in front of the MBTA depot. Mr. Chapdelaine stated that whether or not they install this will depend on when they will receive the grant money and what the weather will be like.

Mrs. Mahon would like to know if the clubs are open and would like to recommend that if they are not open to have 100% of the fee waived. Mrs. Mahon also questioned the parking spaces that the parklet would use. Mrs. Mahon stated that it looks like one taxi stand and one public spot. Mrs. Mahon stated that a lot of the spaces in the heights are being repurposed and would recommend leaving the one open space available for the public. Mr. Chapdelaine stated that he is in favor of those recommendations.

Mrs. Mahon moved approval subject to all conditions as set forth.

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Curro: yes
Mr. Hurd: yes

SO VOTED (5-0)

NEW BUSINESS

Mr. Heim would like to introduce Michael Cunningham the new Deputy Town Counsel and workman's compensation attorney for the Town that started today. The Board thanked Mr. Cunningham for coming to the Town of Arlington and look forward to working with him.

Mr. Chapdelaine would like to provide the Board with an update regarding the people that will be on the Mass Ave and Appleton design review committee which they will work with to get up and running. Mr. Chapdelaine stated that they are on the finish line on selecting a spot to memorialize Mr. Procter with a ghost bike. Mr. Chapdelaine stated

that today municipalities in the region were given an opportunity to get a first look at the proposed cuts that the MBTA is considering. Mr. Chapdelaine stated that there are some proposed cuts that would significantly impact Arlington in terms of consolidation of routes or complete elimination.

Mr. Diggins stated that Mr. Chapdelaine encapsulated what he would like to say and explained that this is a complicated issue.

Mrs. Mahon stated that she has been receiving correspondence regarding the proposed changes from the MBTA and the effects it could have on Arlington. Mrs. Mahon asked the Chair to work with Mr. Chapdelaine and Mr. Diggins on the MBTA complaints and the routes impacted and when we do receive complaints if there is a template answer. Mrs. Mahon questioned the bench in memorialization for Ms. Rezendez's father which unfortunately did not fit the criteria for the Public Memorials Committee but was directed to a program under the Recreation Director. Mr. Chapdelaine confirmed that there is a long standing program through the Recreation Department where they will allow donated benches to be placed within parks. Mr. Chapdelaine stated that the problem with this bench is that where the family would like it placed is not under the jurisdiction of the Recreation Department but under the Manager's Office and is working on meeting the request with the family. Mrs. Mahon would like to comment on the superintendent finalist interviews and questioned if all members of the Select Board should sign up for the zoom interviews and feels one of the Members should be present.

Mr. DeCoursey stated that the paving on Lake Street is finished near bike path and is hoping in next week the lights will be installed and running. Mr. DeCoursey stated that this will be a big improvement.

Mr. Hurd thanked the Arlington Rotary Club for their flags for heroes' event that took place this last weekend. Mr. Hurd stated that due to the pandemic the Town is not having the traditional Veteran's Day celebration but they did film their individual portions of the event that will be available at 11:00a.m. on Veteran's Day via ACMI.

Mrs. Mahon moved to adjourn at 9:05p.m.

A roll call vote was taken on the motion by Mr. Heim.

Mrs. Mahon: yes

Mr. DeCoursey: yes

Mr. Diggins: yes

Mr. Curro: yes

Mr. Hurd: yes

SO VOTED (5-0)

Next Scheduled Meeting of Select Board November 16, 2020

A true record attest

Ashley Maher

Administrative Assistant

11/9/2020

Agenda Item	Document Used
1	Executive Order on Remote Participation
2	FY2021 First Quarter Budget Report
3	Draft 10.5.2020 Minutes
4	David Gera Reference
5	Engineering Recommendations Verizon Petition, Map, Order Verizon Representative Meeting Notice Abutter Meeting Notice
Final Votes & Comments	Draft Votes and Comments
6	
7	Bylaw Annual Town Election March and April 2020 Calendar
8	Opening of Warrant for ATM Reference Bylaw Opening of Warrant ATM
9	Memo from Planning Department