



Town of Arlington Select Board

Meeting Agenda

March 30, 2020

7:15 PM

Conducted by Remote Participation

1. Executive Order on Remote Participation

TRAFFIC RULES & ORDERS / OTHER BUSINESS

2. Update on Town of Arlington Response to COVID-19 Pandemic
Adam W. Chapdelaine, Town Manager
3. Discussion and Vote: Postponement of Annual Town Election
Diane M. Mahon, Chair
Douglas W. Heim, Town Counsel

CORRESPONDENCE RECEIVED

4. Requesting Select Board to Accelerate Public Road Projects
Joseph Weihs via Request Answer Center
5. Dangerous Intersection @ Wachusett Avenue & Appleton Street
Mark Lepler, 7 Wachusett Avenue

NEW BUSINESS

EXECUTIVE SESSION

Next Scheduled Meeting of Select Board April 6, 2020

Adam Chapdelaine is inviting you to a scheduled Zoom meeting.

Topic: Select Board Meeting March 30, 2020

Time: Mar 30, 2020 07:15 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/728630311>

Meeting ID: 728 630 311

One tap mobile

+16468769923,,728630311# US (New York)

+13126266799,,728630311# US (Chicago)

Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

Meeting ID: 728 630 311

Find your local number: <https://zoom.us/u/aJ78ZrGGQ>

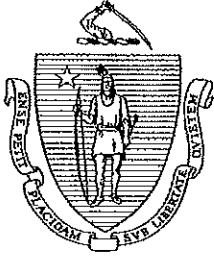


Town of Arlington, Massachusetts

Executive Order on Remote Participation

ATTACHMENTS:

| | Type | File Name | Description |
|---|--------------------|---------------------|-------------|
| ▢ | Reference Material | Executive_Order.pdf | Reference |



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

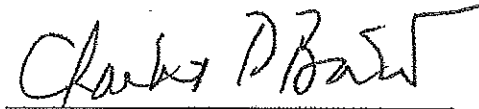
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



Town of Arlington, Massachusetts

Update on Town of Arlington Response to COVID-19 Pandemic

Summary:

Adam W. Chapdelaine, Town Manager



Town of Arlington, Massachusetts

Discussion and Vote: Postponement of Annual Town Election

Summary:

Diane M. Mahon, Chair

Douglas W. Heim, Town Counsel

ATTACHMENTS:

| Type | File Name | Description |
|----------------------|---|---|
| ▢ Reference Material | Chapter_45_of_the_Acts_of_2020.pdf | Chapter 45 of the Acts of 2020 |
| ▢ Reference Material | 2020_Municipal_Early_Ballot_Application.pdf | Municipal Election Early Ballot Application |
| ▢ Reference Material | 2020_Special_State_Elections_Early_Ballot_Application.pdf | Special State Election Early Ballot Application |
| ▢ Reference Material | Correspondence_from_P._Kraemer.pdf | Correspondence from P. Kraemer |

Chapter 45
of the Acts of 2020

T H E C O M M O N W E A L T H O F M A S S A C H U S E T T S

In the One Hundred and Ninety-First General Court

AN ACT GRANTING AUTHORITY TO POSTPONE 2020 MUNICIPAL ELECTIONS IN THE COMMONWEALTH AND INCREASE VOTING OPTIONS IN RESPONSE TO THE DECLARATION OF EMERGENCY TO RESPOND TO COVID-19.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the rescheduling of elections as a result of the governor's declaration of emergency to respond to COVID-19 and to increase voting options, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding section 9 of chapter 39, sections 26 and 28 of chapter 51 and chapters 53 and 54 of the General Laws or any other general or special law or by-law to the contrary, a city or town with a municipal caucus or annual or special municipal election scheduled between the effective date of this act and May 30, 2020, may postpone such municipal caucus or municipal election in accordance with this act.

The select board, town council, board of registrars or city council of the city or town may vote on any day prior to the date of their scheduled municipal caucus or municipal election to postpone the municipal caucus or municipal election to a date certain on or before June 30, 2020. Such rescheduled caucus or election shall be held in accordance with all applicable election laws except as otherwise provided in this act.

(b) The select board, town council or city council of a city or town postponing a municipal caucus or municipal election pursuant to this act shall, following consultation with the local election official and the chief operating officer of the municipality as to logistics and feasibility, vote to reschedule the municipal caucus or municipal election. A copy of this act, the vote of the select board, town council or city council and a sample ballot shall be placed on the official municipal website not later than 20 days before the date to which the rescheduled caucus or election has been postponed. Notice of such action shall be provided to the public in other ways reasonably calculated to enable eligible voters to learn of the rescheduled election date and to cast ballots therein. The notice may include, but shall not be limited to, a "reverse-911" call, municipal list-serve notifications, advertisement on local cable television or issuance of a press release sent to local news media.

(c) Consistent with section 107 of chapter 41 of the General Laws, an incumbent elected official whose term would have expired at a municipal annual town election if the election was not postponed pursuant to this act shall continue to serve in the official's position until a successor is elected and qualified.

(d) If this act does not take effect until after the date of a scheduled municipal caucus or municipal election during the state of emergency declared by the governor pursuant to executive order 591, declaration of a state of emergency to respond to COVID-19, the actions of the board of selectmen, town council, city council and local election officials to postpone a municipal caucus or municipal election shall be ratified, validated and confirmed as if this act had been in place prior thereto.

SECTION 2. The last day to register to vote for any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19 shall be 10 days before the date to which the rescheduled election has been postponed; provided, however, that the board of registrars shall hold a registration session on that date not less than from 2:00 PM to 4:00 PM and from 7:00 PM to 8:00 PM. The voting list to be used at such rescheduled election shall include all eligible voters registered as of that date.

SECTION 3. The caucus or election materials, including, but not limited to, absentee and official ballots, prepared for a municipal caucus or any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19 and bearing that date shall be used for the rescheduled caucus or election to the extent practicable. If additional ballots are required to be printed, the ballots shall be identical in form to those prepared for the original caucus or election.

SECTION 4. Absentee ballots cast in connection with the original election date for any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19, whether returned before the original election or otherwise, and received by the local election official before the close of polls on the date of the rescheduled election, shall be processed in accordance with applicable law; provided, however, that any voter who chooses to vote in person on the date of the rescheduled election may do so if their absentee ballot has not yet been counted. Completed applications to vote by absentee ballot in the rescheduled election shall be accepted by the board of registrars until 12:00 noon on the last business day before the rescheduled election.

For an election held on or before June 30, 2020 any person taking precaution related to COVID-19 in response to a declared state of emergency or from guidance from a medical professional, local or state health official, or any civil authority shall be deemed to be unable by reason of physical disability to cast their vote in person at a polling location.

SECTION 5. (a) Notwithstanding section 25B of chapter 54 of the General Laws or any other general or special law to the contrary, any eligible voter may vote early by mail for any annual or special municipal or state election held on or before June 30, 2020.

(b) Any qualified voter wanting to early vote by mail may file with their local election official an application for an early voting ballot. Any form of written communication evidencing a desire to have an early voting ballot be sent for use for voting at an election shall be given the same effect as an application made in the form prescribed by the state secretary. Local election officials shall send early voting by mail ballots to those who have applied as soon as ballots are available. No application shall be deemed to be seasonably filed unless it is received in the office of the local election official before noon on the last business day before the date on which the rescheduled election is held.

(c) Local election officials may substitute absentee ballots for early voting ballots for those voters requesting to vote early by mail in municipal elections. An early voting ballot or absentee ballot substituted for an early voting ballot, along with an envelope bearing an affidavit as set forth in section 25B of chapter 54 of the General Laws, shall be provided to each qualified voter who participates in early voting by mail.

(d) The local election officials shall cause to be placed on the voting lists opposite the name of a qualified voter who participates in early voting the letters "EV" designating an early voter.

(e) The counting of early voting ballots shall be consistent with section 25B of chapter 54 of the General Laws and implemented regulations to the extent practicable. All envelopes referred to in this section shall be retained with the ballots cast at the election and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

(f) All early voting ballots voted by mail shall be received by the town clerk before the hour fixed for closing the polls on the date on which the rescheduled election is held. Early voting ballots cast under the authority of this section shall be processed at the polls in a manner consistent with that set forth in said section 25B of said chapter 54.


House of Representatives, March 23, 2020.

Preamble adopted,

 Speaker.

In Senate, March 23, 2020.

Preamble adopted,

 , President.

House of Representatives, March 23, 2020.

Bill passed to be enacted,

Paul J. Donato Speaker.

In Senate, March 23, 2020.

Bill passed to be enacted,

JB EG, President.

March 23, 2020.

Approved,
at 4 o'clock and 57 minutes, P. M.

Charles D. Baker

Governor.

2020 Municipal Election Early Ballot Application



William Francis Galvin
Secretary of the Commonwealth

Voter Information

1

Name: _____

Legal Voting Residence:

Date of Birth: _____ Telephone Number: _____

E-mail Address: _____

Ballot Information

2

Mail Ballot to: _____

Special Circumstances (If applicable)

3

Voter required assistance in completing application due to physical disability.

Assisting person's name: _____

Assisting person's address: _____

Signed (under penalty of perjury): _____ Date: _____

Eligibility

Any registered voter may use this application to request an absentee ballot for a local election being held on or before June 30, 2020.

Completing the Application

1. Voter Information – Provide your name, legal voting address, and date of birth. Telephone number and e-mail address are optional fields.
2. Ballot Information – Provide the address where you want the ballot mailed.
3. Special Circumstances – If you are assisting a voter in completing this application, complete this section.
4. Sign your name. If you require assistance in signing the application, you may authorize someone to sign your name in your presence. That person must complete the assisting person's information in Section 3.

Submitting the Application

Send the completed application to the local election official at your city or town hall.

Applications can be mailed or hand-delivered. Applications may also be submitted electronically by fax or e-mail, as long as your signature is visible.

Please allow ample mailing time for this application and for the ballot. Ballots must be returned to your local election official by Election Day.

Find contact information for local election officials at www.sec.state.ma.us/ele or by calling 1-800-462-VOTE (8683).

2020 Special State Election Early Ballot Application



William Francis Galvin
Secretary of the Commonwealth

Voter Information

1

Name: _____

Legal Voting Residence:

Date of Birth: _____ Telephone Number: _____

E-mail Address: _____

Ballot Information

2

Mail Ballot to: _____

Special Circumstances (If applicable)

3

Voter required assistance in completing application due to physical disability.

Assisting person's name: _____

Assisting person's address: _____

Signed (under penalty of perjury): _____ Date: _____

Eligibility

Any registered voter in the **2nd Hampden & Hampshire Senate District or the Plymouth & Barnstable Senate District** may use this application to request an early ballot by mail for the **May 19, 2020 Special State Election** to be held in those districts.

Any registered voter in the **3rd Bristol Representative District or 37th Middlesex Representative District** may use this application to request an early ballot for the **June 2, 2020 Special State Election** to be held in those districts.

Completing the Application

1. Voter Information – Provide your name, legal voting address, and date of birth. Telephone number and e-mail address are optional fields.
2. Ballot Information – Provide the address where you want the ballot mailed.
3. Special Circumstances – If you are assisting a voter in completing this application, complete this section.
4. Sign your name. If you require assistance in signing the application, you may authorize someone to sign your name in your presence. That person must complete the assisting person's information in Section 3.

Submitting the Application

Send the completed application to the local election official at your city or town hall.

Applications can be mailed or hand-delivered. Applications may also be submitted electronically by fax or e-mail, as long as your signature is visible.

Please allow ample mailing time for this application and for the ballot. Ballots must be returned to your local election official by Election Day.

Find contact information for local election officials at www.sec.state.ma.us/ele or by calling 1-800-462-VOTE (8683).

From: "Patsy Kraemer" <PKraemer@town.arlington.ma.us>
To: "Marie Krepelka" <MKrepelka@town.arlington.ma.us>, "Fran Reidy" <FReidy@town.arlington.ma.us>
Date: Wed, 25 Mar 2020 08:23:14 -0400
Subject: new town elections

Hi Marie and Fran - just reading on Patch re the postponement of town elections to either June 6 or June 13 - obviously town business comes first! but for what's worth in the decision making - the event that had been scheduled for June 6th has already cancelled, leaving that date free and clear!

There is a wedding scheduled for June 13th that is still planning on that. So if the SelectBoard chooses the 13th I'll have to cancel them.

Thanks! Stay healthy!



Town of Arlington, Massachusetts

Requesting Select Board to Accelerate Public Road Projects

Summary:

Joseph Weihs via Request Answer Center

ATTACHMENTS:

| | Type | File Name | Description |
|---|-----------------------|---|-------------|
| ▢ | Reference Material | J._Weihs_Request_Answer_Center_Request.docx | Reference |

On 3/23/2020 7:37:14 AM, System Generated Message:

From:

System Generated Message

To:

Date:

3/23/2020 7:37:14 AM

Subject:

Arlington Request/Answer Center Request :: W120428-032320

Message Status:

Delivered

Body:

Thank you. Your request has been submitted to the Arlington Board of Selectmen. You will receive a response, in most cases, within one business day.

3/23/2020 7:37:11 AM

These times of business closures and highly reduced traffic present a golden opportunity to accelerate public projects that disrupt traffic. See for example <https://www.rgj.com/story/news/money/business/2020/03/20/covid-19-business-closures-speed-up-virginia-street-project-reno/2888485001/> ; I request that the select board consider this and put out a request to the relevant town bodies (Transportation advisory committee, DPW, Planning and Community Development) to review current set of projects and make recommendations to the select board on which projects to accelerate for the benefit of all.

joseph weih



Town of Arlington, Massachusetts

Dangerous Intersection @ Wachusett Avenue & Appleton Street

Summary:

Mark Lepler, 7 Wachusett Avenue

ATTACHMENTS:

| | Type | File Name | Description |
|---|--------------------|------------------|-------------------------------|
| ▢ | Reference Material | CR_M._Lepler.pdf | Correspondence from M. Lepler |

From: Town of Arlington, MA <do-not-reply@town.arlington.ma.us>
To: Mahon, Diane M. <DMahon@town.arlington.ma.us>
Sent: Thu, Mar 26, 2020 1:09 pm
Subject: Intersection danger to kids

Message submitted from the <Town of Arlington> website.

Site Visitor Name: Mark Lepler
Site Visitor Email: Marklepler@gmail.com

Hi Diane. My name is Mark Lepler and i live at 7 wachusett ave. You have been so helpful and responsive to issues in our area so i am reaching out to you to please help our street. 2 out of every 5 cars run right thru the stop sign on the corner of appleton(going west) crossing over wachusett. All of the kids in the area are outside and scramble when someone goes right thru the stop sign. I am watching it all day today. The police have been great and sitting at the intersection as much as they can and are effective. Unfortunately they cannot be there enough or every day. I would ask that we get a speed bump at that sign that can be removed in the winter time for snow plows. There is a liability to the town of Arlington now that i am reaching out and will get the towns attention. I put up a yellow marvin and everyone crossing the street thanked me as we all are worried about our kids. Can you please please help before someone gets hurt. Thank you
Mark Lepler [617-901-9852](tel:617-901-9852)



Town of Arlington, Massachusetts

NEW BUSINESS



Town of Arlington, Massachusetts

Next Scheduled Meeting of Select Board April 6, 2020

Summary:

Adam Chapdelaine is inviting you to a scheduled Zoom meeting.

Topic: Select Board Meeting March 30, 2020

Time: Mar 30, 2020 07:15 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/728630311>

Meeting ID: 728 630 311

One tap mobile

+16468769923,,728630311# US (New York)

+13126266799,,728630311# US (Chicago)

Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

Meeting ID: 728 630 311

Find your local number: <https://zoom.us/u/aJ78ZrGGQ>