



Town of Arlington Select Board

Meeting Agenda

November 16, 2020

7:00 PM

Conducted by Remote Participation

1. Exeutive Order on Remote Participation
2. Reconsideration of Warrant Article 13 Home Rule Legislation/Ranked Choice Voting
Douglas W. Heim, Town Counsel

CONSENT AGENDA

3. Minutes of Meetings: October 19, 2020; Emergency Addendum October 19, 2020

NEW BUSINESS

Next Scheduled Meeting of Select Board November 30, 2020

You are invited to a Zoom webinar.

When: Nov 16, 2020 07:00 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_stdKVblTRLignjBAmzOP5g

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.

Members of the public are asked to send written comment to amaher@town.arlington.ma.us by November 16, 2020 at 3:00 p.m.

Documents regarding agenda items will be made available via Novus Agenda and the Town's Website.

<https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

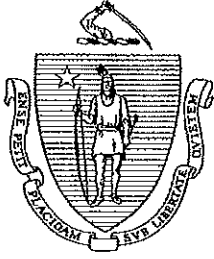


Town of Arlington, Massachusetts

Exexutive Order on Remote Participation

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Executive_Order_on_Remote_Participation.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.

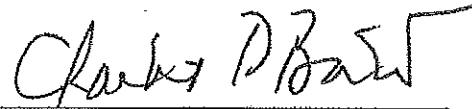
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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

Reconsideration of Warrant Article 13 Home Rule Legislation/Ranked Choice Voting

Summary:

Douglas W. Heim, Town Counsel



Town of Arlington, Massachusetts

Minutes of Meetings: October 19, 2020; Emergency Addendum October 19, 2020

ATTACHMENTS:

	Type	File Name	Description
▣	Reference Material	10.19.2020_draft_minutes.pdf	Draft 10.19.2020 Minutes
▣	Reference Material	10.19.2020_Emergency_draft_minutes.pdf	Draft 10.19.2020 Emergency Addendum Minutes



Select Board Meeting Minutes

Date: October 19, 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. Executive 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.

CONSENT AGENDA

2. Request: Contractor/Drainlayer License

New England Pipe Restoration, Inc., 157 Lincoln Street, Leominster, MA

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)

3. Appointment of New Election Workers: (1) Margaret Eskridge, 121 Appleton Street, D, Pct. 16; (2) Jeffrey Zimmer, 40 Grandview Road, R, Pct. 16

Mr. Curro recused himself due to a conflict of interest.

Mr. Diggins 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 (4-0)

Mr. Curro rejoined the meeting.

PUBLIC HEARINGS

4. Kennel License Petition @ 59 Thesda Street
Alyssa O'Rourke, 65 Thesda Street

Mr. Heim stated that when citizens have a complaint regarding a kennel and they write to the Select Board, there is a statutory process that requires the Select Board to have an opening of a discussion regarding the kennel complaint. Mr. Heim explained that the Board has two options regarding the license. One option is to refer the matter for investigation to the Police Department where they will get a report and recommendation back or the second option is the Board can attempt to hear complaint and make a decision to either take no action, modify or suspend the license or revoke a license. Mr. Heim stated that the Police Department has done some preliminary investigation and has given some time for complaints.

Richard Flynn, Captain of the Arlington Police Department appeared before the Board to state that over the past month he has overseen the Animal Control Officer. Mr. Flynn stated that on August 19, 2020 the Animal Control Officer and a member of the Board of Health had gone to 59 Thesda Street to do a kennel license inspection for 8 dogs, later that afternoon the dogs at this address got loose, where there was a report of a potential bite to another dog but the Animal Control Officer confirmed that this was in fact not a bite. Mr. Flynn along with the Animal Control Officer went to the site where they met with the owners and did a walk-through of the property. At that time they saw the fence was an issue, there was a lot of brush and debris in the back yard as well as abandoned vehicles. Mr. Flynn informed the owner at this time that the fence and gate were subpar and if he would like to move forward with his license he would need to address the fence, gate and debris in the yard. Mr. Flynn went back to inspect the home on October 9, 2020 at this time the owners had put a lot of work into the backyard. They put a brand new fence enclosing their property. Mr. Flynn explained that this property also abuts McLennan Park and is a double lot. At this time they encouraged the owner

to continue cleaning up the yard as it still had debris. Mr. Flynn stated that the property owner has done more work to their yard than they have asked. They not only put up a new fence they put up a material at the base of the fence to keep the dogs from digging underneath the fence. The owners have also put up a barrier like material to keep the dogs from viewing the neighboring yard and have gone above and beyond what they have asked them to do at this point. Mr. Flynn stated that they have a final inspection scheduled for October 30, 2020. Mr. Flynn stated that there has been back and forth between the neighbors and at this point it seems that most of that has subsided.

The Board thanked Mr. Flynn for his time and the report he has provided.

Dan O'Rourke, 65 Thesda Street, the property abutting the kennel license appeared before the Board and stated the history of their relationship since they moved in and the reasoning of the petition. The Board had some question regarding the noise level surrounding the kennel license. Mr. O'Rourke stated that they are not looking to cause harm to these dogs and are looking for a remedy. Mr. O'Rourke stated that there should not be a kennel license in a densely populated town. Mr. Heim stated that under the Town bylaws a personal kennel license is mandatory for any one that has more than 5 dogs that are 3 months old or older. Mr. Heim stated that if the Board were to revoke the kennel license the dog owner is still permitted to hold 4 dog licenses by right. Mr. Flynn stated that a remedy for noise may be training as well as devices that help with training.

Scott Graziano, 59 Thesda Street, the owner of the kennel license appeared before the Board and explained his property along with the number of dogs and how they are controlled on a day to day basis. Mr. Graziano informed the Board that all dogs are spayed and neutered. The Board had some question regarding the kennel license, the dogs and the property as a whole. Mr. Graziano stated that they have done a lot of work to the property to ensure that the dogs don't escape anymore. Mr. Graziano explained that two of the dogs are with him day to day during the work week while the other 6 dogs remain at home. Mr. Graziano stated that the other dogs are cared for by his brother when he is not there. The dogs are all in the house at nightfall and sleep inside the house. Mr. Graziano stated that they abide by all of the noise bylaws of the Town and are trained. The Board had some concerns regarding the excessive barking and further training.

Mrs. Mahon moved to refer to Arlington Police Department and the Animal Control Officer for further investigation with a preliminary report at 3 months and a final report at 6 months. With the condition that the Animal Control Officer work with Mr. Graziano on further steps training or other humane measures for barking.

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)

TRAFFIC RULES & ORDERS / OTHER BUSINESS

5. Request: One Space, On Street Overnight Parking @ 43 Thorndike Street
Matt O'Connor

Mr. O'Connor stated that he and his wife recently just moved back to Arlington from Cambridge. The house has a driveway but upon moving in they realized that both cars do not fit in the driveway. Mr. O'Connor stated that the driveway is not wide enough and he was unaware of the overnight parking ban in Arlington. Mr. O'Connor stated that they park their car on the street in front of their house and he knows there is a ban but is unsure of why there is. Mr. O'Connor's son has a difficult medical history and he and his wife both need their cars. Mr. DeCoursey stated that we have very strict standards for the hardship for overnight parking and its requests. Mr. DeCoursey stated that he does understand the difficulties of widening his driveway and usually when there is a parking spot on the property it is usually not a hardship. Mr. Diggins stated that the Town has tried to overturn it multiple times and it has failed overwhelmingly. Mrs. Mahon stated that the overnight parking ban has been in effect for many years. The Board is in agreement that the overnight parking ban has been in effect for many years and it has been placed in front of the voters multiple times and has not succeeded.

Mrs. Mahon moved no action but recommends the petitioner utilize the nearby parking lots.

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)

6. Discussion and Approval: CDBG-CV3 Program Activities Recommended by
CDBG
Subcommittee
Adam W. Chapdelaine, Town Manager

Mr. Chapdelaine stated that the subcommittee met and has received an additional \$320,485 dollars and supplemental CDBG monies to help provide relief during these times. The committee reviewed recommendations that were made by staff from the Planning and Community Development, they provided some feedback and those recommendations were slightly tweaked and brought before the Board tonight. Mr. Chapdelaine stated that what they learned through the sub-committee meeting is that the faster they can ask for approval from the Select Board the faster they can start the process with the Federal Government with HUD, to then be able to put the money in the hands of the people that we want to get them to base on their demonstrated need. Mr. Chapdelaine stated that they are recommending \$200,000 towards further business

assistance program envisions potentially giving grants up to 20 businesses in the amounts of \$10,000 but they ask that the Board also accept there being some flexibility in making grant amounts higher or lower. Mr. Chapdelaine stated that the remaining \$120,485 will be towards public services which they are asking be equally split between the School Department and Health and Human Services. Mr. Chapdelaine explained that they are looking for a vote of approval from the Select Board which will then start a five day public comment period and then lead to the rest of the process with HUD hoping to make these dollars available before the end of the calendar year.

Mrs. Mahon moved approval the CDBG-CV3 Program Activities Recommended by the CDBG Subcommittee.

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)

7. For Approval and Update: Shared Streets @ Brooks Avenue
Adam W. Chapdelaine, Town Manager
Daniel Amstutz, Senior Transportation Advisor

Mr. Hurd stated that this should have been a move for receipt.

Mr. Curro moved receipt.

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. Discussion and Approval: Reinstatement of Parking Meters on November 1st
Adam W. Chapdelaine, Town Manager

Mr. Chapdelaine stated that they had talked about this over the summer but they wanted to have pay by phone app before they reinstated the meters. Mr. Chapdelaine explained that they are looking to reinstate the meters on November 4th after the Presidential Election. Mr. Chapdelaine stated that they are also looking to suspend the meter in the lots on the last Saturday in November and the first three Saturday's in December which is the standard request from the Chamber of Commerce to help support businesses during the holiday season.

Mr. Diggins 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)

9. Discussion and Vote: Extension of Local State of Emergency

Douglas W. Heim, Town Counsel

Mr. Heim stated that the State of Emergency on both the state level and from a Board of Health perspective continues. Mr. Heim stated that he has put together a draft extension of the prior declaration of emergency both the original and the continuation because the declaration expired in October. Mr. Heim explained that this declaration would extend the Local State of Emergency to a new proposed date. The Board had some discussion in regards to making the declaration concurrent with the Commonwealth of Massachusetts with the language that we can lift it earlier if need be. Mr. Heim stated that he did not see any legal downside to having it sync with the Commonwealth so that the Board doesn't have to keep renewing.

Mrs. Mahon moved approval to extend the local state of emergency concurrent with the states declaration or any action set to.

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)

10. Discussion and Vote: Marijuana Establishment Host Community Agreement

License Applicants

a) Calyx Peak of MA, Inc., 2 Hampshire Street, Suite 100-B, Foxborough, MA

Edward Schmults

b) The Human Connection LLC, 29 Florence Avenue, Arlington, MA

Jared Glamz-Berger

Mr. Diggins stated that he is in favor with the Human Connection as it is in East Arlington and this location is close to Cambridge and Somerville and feels it will be a great opportunity for Arlington to have competition with the surrounding towns. Mr. Diggins stated that he feels this location is far superior even though it is in close proximity to the other retail marijuana location. Mr. DeCoursey feels that both presentations were good last week and appreciated both applicants. Mr. DeCoursey stated that there is no way to waive the 2000 square feet from the Zoning Bylaw and Caylx Peak had the same problem when they applied last and it seems unfair to change the standard from a year ago. Mr. DeCoursey stated that he understands there are some challenges with the neighborhood that will have to be addressed with the

Arlington Redevelopment Board but feels there is only one application that is sufficient before the Board and is in support of the Calyx Peak Application. Mrs. Mahon stated that she is in agreement with her colleague regarding the Human Connection. Mrs. Mahon stated that the 2000 foot buffer zone for the Human Connection as well as not having an exact location does not meet the requirements for granting a license and feels that Calyx Peak has a full application. Mr. Heim stated that we don't have a limit on the number of HCA but we do have a limit on the total number of special permits or licenses that can be granted for retail marijuana establishments. Mr. Heim explained that there are two HCA for retail marijuana in Arlington and one of them is in the license application process before the Arlington Redevelopment Board and the other one has their license. Mr. Heim stated that realistically there is only room for one more HCA or the Board would be giving out more HCA's than there are licenses from the Arlington Redevelopment Board but it is up to the Board's discretion. Mr. Curro feels that the Human Connection had a far more superior application for the Town of Arlington but knows that the zoning issue is a road block and does not feel comfortable with the location chosen by Calyx Peak. Mr. Curro feels the intersection is very complicated and is close to youth congregation as well as school routes. Mr. Curro does not see the harm in holding off supporting either of the applications. Mr. Hurd stated that he was very impressed by the Human Connections application and likes the idea of having a locally owned shop. Mr. Hurd stated that location is an integral part of the application and feels like it cannot be given to the Human Connection due to the fact they do not meet the buffer zone requirement. Mr. Hurd feels that the location for Caylx Peak is workable and would be inclined to approve their application.

Mr. DeCoursey moved approval of the Host Community Agreement for Calyx Peak.

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

Mrs. Mahon:	no
Mr. DeCoursey:	yes
Mr. Diggins:	no
Mr. Curro:	no
Mr. Hurd:	yes

SO VOTED (2-3)
The motion does not carry.

Mr. Hurd declared a 10 minute break at 9:48p.m.

WARRANT ARTICLE HEARINGS & VOTES

11. Articles for Review:

- Article 3 Bylaw Amendment/Regulation of Outdoor Lighting - Uplighting
- Article 4 Bylaw Amendment/Minuteman Bikeway Hours
- Article 5 Home Rule Legislation/Bylaw Amendment/Fossil Fuel Infrastructure
- Article 6 Vote/Establishment of Police Civilian Advisory Board Study Committee

Article 7 Vote/Bylaw Amendment/Envision Arlington Updated Language
Article 8 Acceptance of Legislation/Bylaw Amendment/Municipal Affordable Housing Trust Fund
Article 9 Vote/Election Modernization Committee
Article 10 Acceptance of Legislation/Gold Star Family Tax Exemption
Article 11 Home Rule Legislation/Justin Brown
Article 12 Home Rule Legislation/Consolidation of Town Meeting Member Elections
Article 13 Home Rule Legislation/Ranked Choice Voting
Article 14 Home Rule Legislation/Senior Water Discount
Article 15 Home Rule Legislation/Retired Police Officer Details
Article 25 Resolution/Black Lives Matter Banner at Town Hall

Mr. Hurd stated that these are a unique set of warrant article hearings. Mr. Hurd stated that a number of these warrant articles were proposed for the Annual Town Meeting in April but were pushed due to the global pandemic. Mr. Hurd stated that there are five warrant articles that are new or have been substantially changed since they were originally proposed to the Board. The remaining warrant articles 3,4,7,9,11,12,13,14,15 had hearings and are placed on the agenda under final votes and comments because they had public comment and warrant article hearing in the spring and have not substantially changed. Mr. Heim stated that as a reminder the focus of the Special Town Meeting is to take up business that was tabled from the Annual Town Meeting due to the pandemic. Mr. Heim explained that the Board has two sets of warrant article actions, the following warrant articles 5,6,8,10,25 were slated for hearings because they are new or have substantially changed and will need to be reheard. The second set of warrant articles numbered 3,4,7,9,11,12,13,14,15 both have had hearings and are voting on draft final votes and comments.

The Board voted the following votes and comments:

Article 3 – no additional comments or revisions.

Article 4 – no additional comments or revisions.

Article 7 – no additional comments or revisions.

Article 9 – no additional comments or revisions.

Article 11 – Mr. DeCoursey stated that in the recommended vote there was a time set forth and wants to know if we have added time for the time lost. Mr. Heim stated that he will change the vote from December 31, 2020 to add six months and check on his age to make sure it is accurate in the vote.

Article 12 – no additional comments or revisions.

Article 13 – Mr. Diggins wants more substance but does not think it will change the vote. Mr. Hurd feels it does not need to be reheard. Mr. Curro feels we should be consistent and stated that commission had thoughts about tabling this article but feels we should move forward. Mr. DeCoursey feels that this does not need to be heard.

Article 14 – no additional comments or revisions.

Article 15 – Mr. Curro would like to thank Mr. Heim for adding the good standing and minimal qualifications. Mr. Curro stated that Mr. Heim added some language and feels it would be beneficial to adding that to the warrant article vote. Mr. Heim stated that in addition to the good standing requirement signifying that an officer has not been

involuntarily suspended from employment or have outstanding administrative discipline or disciplinary charges levied against them at the time of retirement they would not be eligible if they have been subject to duty restrictions or assignment modifications as a result of a disciplinary action for misconduct, within whatever time period the Board feels appropriate. Mr. Curro would like to move that that be added to our recommended vote with the time requirement of ten years.

Mr. Heim stated that Mr. Diggins has the option to add his vote to have these articles reflect a 5-0 vote, or what they have sometimes done in the past is keep the vote and add a notation that he is a newly elected Select Board Member. Mr. Diggins would like to give credit to Mr. Dunn for his votes and the work he has done. Mr. DeCoursey stated that the Boards votes were listed and then at the time of Town Meeting the chair noted his votes, but feels we could add that in the comments as well. Mr. Diggins stated that he is in agreement with these and would like to add that to the comments.

Mr. Curro moved favorable action on all final votes and comments with all conditions as set forth.

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)

Mr. Curro moved to table Article 8 and Article 25 to the next scheduled Select Board Meeting.

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)

Article 5 Home Rule Legislation/Bylaw Amendment/Fossil Fuel Infrastructure

Mr. DeCoursey stated that he is recusing himself from this discussion. At this time Mr. DeCoursey has muted his mic and shut off his video.

Mr. Hanlon stated that at the time of the March 9th meeting they presented the detail of the policy that's involved and the Board had a discussion where they moved to support this warrant article. Mr. Hanlon stated that they have made some minor changes to the warrant article which includes a prohibition of new fossil fuel piping in new construction and gut rehabilitation with a fairly large number of exemptions all of which are designed to make this an entirely realistic policy which is laid out in the memo. Mr. Hanlon stated that in the home rule petition the language that Mr. Heim has provided the Board focuses primarily on the authorization for future action that they would like to see from the state legislature.

Mr. Curro moved favorable action.

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

Mrs. Mahon: yes

Mr. DeCoursey: recused

Mr. Diggins: yes

Mr. Curro: yes

Mr. Hurd: yes

SO VOTED (4-0)

Mr. DeCoursey rejoined the meeting.

Article 6 Vote/Establishment of Police Civilian Advisory Board Study Committee

Mr. Weinstein appeared before the Board to discuss his changes from the original proposal. Mr. Weinstein would like to point out a few of the changes to the warrant article. Mr. Weinstein stated that they clarified the language in the text to include what the purpose of the Police Civilian Advisory Board is and what they would do. They tried to clarify that the purpose of this would board would be independent from the Police Department and it would have the authority to receive and investigate complaints and make recommendations for improvement. Mr. Weinstein stated that they removed the requirement that the study committee actually submits a warrant article to create a civilian review board at the end of its work; instead the study committee in its current text would report its findings and recommendations to Town Meeting next year. Mr. Weinstein stated that they moved the text “or take an action related thereto” to the end of the warrant.

Mr. Curro stated that he is glad that some of the technical issues with the original warrant article have been addressed. Mr. Curro encouraged people to review the agenda and read the extensive report that the Police Department has given for this meeting and past meetings. Mr. Curro stated that a lot of times people can't resolve a dispute and they go to an intermediary and believes this is why this is being brought forward. Mr. Curro noted that there are well established procedures for filing a complaint through the Police Departments mechanisms and expects that those would continue but recognizes that some people don't feel comfortable and would like to have an alternative mechanism. Mr. Curro suggested the following that he feels would make this a stronger proposal. He feels it is important that any study committee examine the experience of comparable communities to Arlington and how these kinds of complain mechanisms work. Mr. Curro would like to consider the potential impacts of pending legislation which could be significant. Although the warrant article envisions bringing recommendations forth to the 2021 Annual Town Meeting he feels this was pre COVID standards and as a practical matter they would be lucky to have the committee up and running before then and suggests if a study committee is put together that id develops its recommendations for consideration by the 2022 Annual Town Meeting or any earlier Special or Annual Town Meeting. Mr. Curro has some question regarding the membership of the Board; he feels that there is a solid group of proposed members but suggested that the Diversity Task Group replace the Equal Opportunity Advisory Committee. Mr. Curro feels it is important that they reach out to have a designee from the Council on Aging, the Menotomy Manor Tenants Association, a graduate from the Citizens Police Academy and three town meeting members. Mr. Curro also stated they

should specify the way the decisions are made and should specify the quorum and how the committee is going to come together initially. Mr. Curro's recommendation is that the nonvoting members of the committee include that one member of the Select Board be designated and that it's on the member of the Select Board to convene the initial meeting of the study committee so that it can self-organize.

Mrs. Mahon stated that the initial Board vote was to vote no action because the Police Chief indicated that she would be compiling the stake holders of the original warrant article and it is Mrs. Mahon's understanding that she has done that. Mr. Chapdelaine stated that in the spring the Chief had proposed a Chiefs Advisory Committee and is now moving forward with putting this committee together. Mr. Chapdelaine has given his approval on a letter she plans to send out to all the stake holders that were outlined in her proposal. Mrs. Mahon's inclination would be to allow the chief to continue on with her Chief's Advisory Committee and ask that Chief Flaherty ask that someone from Council on Aging and the other people outlined be added to her committee.

Mr. DeCoursey appreciates the work that Mr. Weinstein has done to fix his warrant article. Mr. DeCoursey stated that he appreciates the fact he moved the language "or take any action related thereto" to the end. Mr. DeCoursey stated that a big issue that he had earlier this year was that the committee would be coming back to Town Meeting with the creation of the Board and he was not comfortable with that because he thought the work should be done and then when the work is done the recommendation would be made and is glad to see that was addressed. Mr. DeCoursey commented on the additional language and what a review board would look like and would like to see this be included among the alternatives that a study committee would look at and feels it may be limiting in terms of the scope of what's going to be studied. Mr. DeCoursey stated that he is in agreement with the individuals that Mr. Curro has laid out but feels the Police Chief should be a voting member and the Town Council should not be a member. Mr. DeCoursey feels if the Diversity Inclusion Coordinator is on the committee she should also be a voting member. Mr. DeCoursey stated that he is now at a point where he feels that both these committees can be done in parallel.

Mr. Hurd questioned the change in the motion giving this committee to review policing policies in general and come up with recommendations for Town Meeting rather than specifically to review board or advisory committee. Mr. Curro feels it is an alternative complaint mechanism and could add that as a clause. Mr. Curro confirmed that it is not policing in general. Mr. Diggins thought it was more of a review board opposed to a complaint board. Mr. Diggins stated that he is excited that the Police Chief is moving forward with her board and that will move forward regardless of what happen with this board.

Mr. Curro moved the 11:00p.m. to 11:45p.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)

The following people spoke in regards to the warrant article:

Elizabeth Dray, 130 Jason Street,
Judith Garber, 130 Massachusetts Avenue
Rajeev Soneja, 13 Mary Street
Rebecca Gruber, 215 Pleasant Street
Anna Henkin, 11 Marion Road
Sandra Mostajo, 191 Park Avenue
Lynette Martyn, 18 Eustis Street
Ed Trembly, 76 Wright Street,
Laura Kiesel, 260 Massachusetts Avenue

Doug will compile one motion with all the comments and work with Mr. Weinstein.

Mr. Curro moved favorable action.
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)

Mr. Curro moved the 11:45p.m. meeting rule to 12:00a.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)

Article 10 Acceptance of Legislation/Gold Star Family Tax Exemption

Mr. Chapdelaine stated that is filed at the request of Director of Veteran's Services, Jeff Chunglo. It provides local property tax exemption to the surviving parents or guardians of members of the United States armed services who died on active duty in service of their country.

Mr. DeCoursey moved favorable action.
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)

CORRESPONDENCE RECEIVED

12. Lower Washington Street Safety Concerns

Regina Tavani and Lower Washington Street Abutters

Mrs. Mahon moved receipt. Mr. Chapdelaine stated that he would ask Assistant Town Manager, Ray Santili to work with them for problem solving.

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)

NEW BUSINESS

Mr. DeCoursey would like to wish his son Mark DeCoursey a happy birthday.

Mr. Curro stated that he applied and appointed for the municipal representative to the superintendent search screening committee. Mr. Curro stated that they will be conducting interviews and expect to do deliberations on November 2nd and report out finalists to the School Committee for the next superintendent.

Mrs. Mahon moved to adjourn at 11:50p.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 9, 2020

A true record attest

Ashley Maher
Administrative Assistant

10/19/2020

Agenda Item	Document Used
1	Executive Order on Remote Participation
2	New England Pipe Restoration Reference
3	Election Worker Master Records
4	Citizen Petition Notice to Petitioner Town and State Bylaw Regarding Kennel Licenses Reports from Arlington Police Department

5	Memo from Police Department On Street Overnight Parking Request
6	CDBG Subcommittee Memo
7	Memo from Planning Department re: Shared Streets @ Brooks Ave
8	
9	Renewal Declaration of Local and State of Emergency
10	Calyx Peak Application Calyx Peak Letter The Human Connection LLC Letter The Human Connection LLC Application Department of Planning and Community Development Memo Marijuana Study Group Memo
11	Warrant Article Text TC Memo STM Articles 5,6,8,10,25 Draft Arlington Fossil Fuel Bylaw Letter to 100 Registered Voters BLM Fact Sheet BLM Reference BLM DTG Endorsement Draft Votes and Comments
12	Lower Washington Street Concerns Reference



Select Board Meeting Minutes

Date: October 19, 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

EMERGENCYADDENDUM

1. Executive 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. Appointment of New Election Workers: (1) Sierra Curro, 21 Millett Street, U, Pct. 13; (2) Carol Cohen, 256 Renfrew Street, D, Pct. 12; (3) Charlotte Doud, 182 Palmer Street, U, Pct. 5; (4) Katherine Geusz, 38 Johnson Road, U, Pct. 11; (5) Hannah Faith Kelnhofer, 489 Summer Street #10, D, Pct. 19; (6) Matthew Maes, 126 Warren Street, D, Pct. 10; (7) Julie Powers, 10 Mayflower Road, D, Pct. 12

Mr. Curro recused himself due to a conflict of interest.

Mr. Diggins 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 (4-0)



Town of Arlington, Massachusetts

NEW BUSINESS



Town of Arlington, Massachusetts

Next Scheduled Meeting of Select Board November 30, 2020

Summary:

You are invited to a Zoom webinar.

When: Nov 16, 2020 07:00 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_stdKVbITRLignjBAmzOP5g

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.

Members of the public are asked to send written comment to amaher@town.arlington.ma.us by November 16, 2020 at 3:00 p.m.

Documents regarding agenda items will be made available via Novus Agenda and the Town's Website.

<https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>