



## **Town of Arlington Select Board**

### **Meeting Agenda**

November 4, 2020

7:15 PM

Conducted by Remote Participation

1. Executive Order on Remote Participation

#### **CONSENT AGENDA**

2. Request: Contractor/Drainlayer License  
Green Site Services Group, Inc., 24 William Way, Bellingham, MA

#### **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

3. For Discussion and Vote: Authorization for Remote Special Town Meeting, November 16, 2020  
Douglas W. Heim, Town Counsel  
John Leone, Town Moderator

#### **WARRANT ARTICLE HEARINGS**

4. Articles for Review:  
Article 8 Acceptance of Legislation/Bylaw Amendment/Municipal Affordable Housing Trust Fund (tabled from 10.19.20 meeting)  
Article 25 Resolution/Black Lives Matter Banner at Town Hall (tabled from 10.19.20 meeting)

#### **FINAL VOTES & COMMENTS**

Articles for Review:

Article 5 Home Rule Legislation/Bylaw Amendment/Fossil Fuel Infrastructure  
Article 6 Vote/Establishment of Police Civilian Advisory Board Study Committee  
Article 10 Acceptance of Legislation/Gold Star Family Tax Exemption

#### **NEW BUSINESS**

#### **EXECUTIVE SESSION**

Next Scheduled Meeting of Select Board November 9, 2020

You are invited to a Zoom webinar.

When: Nov 4, 2020 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\\_r9do3DPWTUqCqcyItwdVHQ](https://town-arlington-ma-us.zoom.us/webinar/register/WN_r9do3DPWTUqCqcyItwdVHQ)

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](mailto:amaher@town.arlington.ma.us) by November 4, 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>



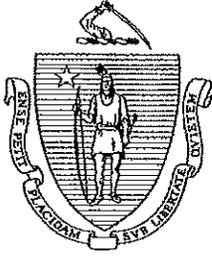
## Town of Arlington, Massachusetts

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### Executive Order on Remote Participation

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Executive_Order_on_Remote_Participation.pdf	Executive Order on Remote Participation



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.

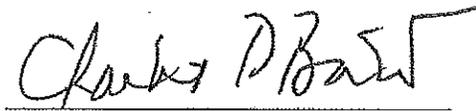
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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

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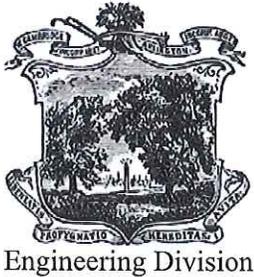
### Request: Contractor/Drainlayer License

#### Summary:

Green Site Services Group, Inc., 24 William Way, Bellingham, MA

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Green_Site_Services_Group__Inc.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: October 30, 2020

Dear Board Members,

Reference is hereby made to an application by Matthew C. Clark of Green Site Services Group, Inc., to be accepted as an Approved Contractor in the Town of Arlington.

Contact information is as follows:

Green Site Services Group, Inc.  
24 William Way  
Bellingham, MA 02019  
Matthew C. Clark  
Phone: 508-966-2020  
Email: ap@gssgi.com

Upon review of the provided references supplied by the contractor, we recommend approval and issuance of an Approved Contractor and Drainlayer license.

Regards,

William C. Copithorne, P.E.  
Assistant Town Engineer

cc: Wayne Chouinard, Town Engineer  
File



# 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: Green Site Services Group, Inc.  
 Select One:    
 Corporation    
 Partnership    
 Proprietorship    
 Other: \_\_\_\_\_  
 Street Address: 24 William Way    
 City/Town: Bellingham    
 State: MA  
 Primary Phone: 508-966-2020    
 E-mail: ap@gssgi.com  
 Length of Time in Business under the same Firm Name: Four Years  
 Full Name(s) of Principal(s): Matthew C. Clark, President and Thomas Clark, Vice-President  
 Primary Contact Person: Matthew Clark

### Experience/Previous Work

Nature of Typical/Standard Work: Site, Civil and Environmental Contractor  
 Have you ever performed this type of work in Arlington:    
 Yes    
 No  
 If Yes, Please provide Location: \_\_\_\_\_    
 Approximate Date: \_\_\_\_\_  
 Total Amount of such construction this year: \_\_\_\_\_  
 Total Amount of such construction last year: \_\_\_\_\_  
 Total Amount of such construction next previous year: \_\_\_\_\_

### Municipal References - Please Attach Written Reference Letters

Municipality: Town of Bellingham, MA  
 Primary Contact Name: Tim Arcardi    
 Email: tarcardi@bellinghamma.org  
 Municipality: Town of Wrentham, MA  
 Primary Contact Name: Rachel Benson    
 Email: rbenson@wrentham.ma.us  
 Municipality: Town of Bellingham, MA  
 Primary Contact Name: Don DiMartino    
 Email: ddimartino@bellinghamma.org

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

Bank Reference: Rockland Trust    
 Phone: 781-982-6160

Federal Tax ID or Social Security #: \_\_\_\_\_  
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.  
**Note to Town Staff: Redact Social Security # before releasing document**

### 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: \_\_\_\_\_

*Matthew C. Clark*

Date: \_\_\_\_\_

10/22/20

Reset Form

Print Form



## Town of Arlington, Massachusetts

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### For Discussion and Vote: Authorization for Remote Special Town Meeting, November 16, 2020

#### Summary:

Douglas W. Heim, Town Counsel  
John Leone, Town Moderator

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Memo_from_D._Heim_-_Remote_Town_Meeting.PDF	Memo from Town Counsel
▢ Reference Material	Moderator_Letter_to_Select_Board_for_VTM.pdf	Letter from Moderator, J. Leone



**Town of Arlington  
Legal Department**

Douglas W. Heim  
Town Counsel

50 Pleasant Street  
Arlington, MA 02476  
Phone: 781.316.3150  
Fax: 781.316.3159  
E-mail: [dheim@town.arlington.ma.us](mailto:dheim@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

To: Select Board

Cc: Adam Chapdelaine, Town Manager; John Leone, Town Moderator, Juli Brazile, Town Clerk

From: Douglas W. Heim, Town Counsel

Date: October 22, 2020

Re: Remotely Conducted Town Meeting

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Members of the Board, you receipt of the Town Moderator's request and recommendation to hold the November 16, Special 2020 Town Meeting via remote participation on a Zoom/ZPato Research platform. While it has been clearly communicated to residents and officials in Arlington that the Special Town Meeting will be held online via remote participation, permit me to confirm the subsequent steps the Board must take should you wish to fulfill the Moderator's recommendation under c. 92 of the Acts of 2020.

### **Moderator's Recommendation**

As an initial matter, the Moderator's request is required to confirm that he has, among other things:

- Identify the telephone or video conferencing platform being recommended for Town Meeting's use;
- 
- Confirm that he has consulted with the Disability Commission or ADA Coordinator; and
- Certify that the conferencing technology has been tested, and "enables the town meeting to be conducted in *substantially the same manner* as if the meeting occurred in person... in accordance with the operational and functional requirements of [c. 92 of the Acts of 2020]."

c. 92 of the Acts of 2020, sec. 8(a).

To be clear for the Board and the public, "substantially the same manner" does not mean that Town Meeting can or must be conducted in all of the same manner it is normally conducted in person. c. 92 of the Acts of 2020 outlines that the requirements of the law are similar to requirements for this Board's meetings via Zoom – that the Moderator, members, and town officials can identify each other and hear the Moderator and each participating Town Meeting Members; that a quorum may be determined; that participants can request recognition from the Moderator and be able to speak; that roll call votes can be conducted as necessary; and that the general public can witness the meeting and its deliberations and actions. Id.

### **Board Actions Required**

If the Board agrees with the Moderator's recommendation to engage Town Meeting via remote participation, you must:

- 1) Vote to determine that the Special Town Meeting shall be held remotely via the conferencing platform recommended by the Moderator;
- 2) Approve and issue a notice that expressly states that the Town meeting shall be held remotely as requested by the Moderator; the date and time of the meeting; as well as any information necessary for the moderator, town meeting members, town officials and interested members of the public to access and witness the deliberations and actions taken at the town meeting remotely;

- 3) Comply with posting requirements for the notice ten (10) days before the Meeting<sup>1</sup>;
- 4) Request the Town Clerk file a certified Copy of the Select Board's vote (along with the Moderator's letter) to conduct a remote Town Meeting with the Attorney General's Office within five (5) business days of said vote.

c. 92 of the Acts of 2020, sec. (b)-(e).

### **Town Meeting Vote to Proceed by Remote Participation**

Finally, it should be noted that Town Meeting itself must take a vote at the outset of its remote meeting to commence business via the conferencing platform selected by the Moderator. The Meeting does not vote in the affirmative, then Town Meeting is essentially dissolved.

### **Motions for the Board**

*That the Town of Arlington Select Board moves as follows:*

*First, pursuant to c. 92 of the Acts of 2020, and having received a written request of the Town Moderator John D. Leone, Esq. dated October 22, 2020, that the November 16, 2020 Special Town Meeting be conducted remotely via the "Zoom" telephone and video conferencing platform combined with the "ZPato Research" technology as recommended by the Moderator; and*

*Second, that a Notice consistent with the foregoing for a remote Special Town Meeting on November 16, 2020 at 8:00 be issued in compliance with Chapter 92 of the Acts of 2020 and c. 39 sec. 10A.*

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<sup>1</sup> A draft notice is attached hereto, but should also include a copy of the Moderator's letter requesting permission for a remote Town Meeting and be posted on the Town's website, outside the Town Clerk's Office, and outside Town Hall by no later than November 6, 2020.

**[SELECT BOARD LETTERHEAD]**

**NOTICE RE: NOVEMBER 16, 2020 SPECIAL TOWN MEETING**

Upon the request of Town Moderator John D. Leone (attached), and pursuant to Chapter 92 of the Acts of 2020, the Select Board of the Town of Arlington voted on November 4, 2020 to conduct the November 16, 2020 Special Town Meeting remotely.

- Special Town Meeting shall begin at 8:00 p.m. on November 16, 2020 on the “Zoom” App;
- The Moderator, Town Meeting Members, Town officials, and Town Officials who have made prior arrangements to participate in the Meeting may take part in the meeting by following instructions provided in advance by the Moderator and/or Select Board Office.
- Registered voters who are not Town Meeting members and wish to participate, must contact the Town Clerk at least forty-eight (48) hours prior to commencement of the Meeting in order to have participatory access to the meeting.
- All other members of the public may observe the deliberations, actions and proceedings of the Meeting via ACMI at: <https://acmi.tv/> or on ACMI Government Broadcast Channels: 22 (Comcast); 15 (RCN); or 26 (Verizon).

ATTEST: \_\_\_\_\_  
JULIANA BRAZILE  
TOWN CLERK



# Town of Arlington

John D. Leone, Moderator

51 Irving St., Arlington, Massachusetts 02476

Telephone: (781)-648-2345

(781)-641-3546

Facsimile: (781)-648-2544

JLeone@town.arlington.ma.us

October 27, 2020

Town of Arlington  
Attn: Select Board  
730 Massachusetts Avenue  
Arlington, MA. 02476

RE: 2020 Fall Special Town Meeting

Dear Select Board Members,

In view of the ongoing COVID-19 pandemic and the federal, state and local advisories to practice social distancing and avoid the congregation of crowds, I request approval to conduct Arlington's Special Town Meetings, scheduled to commence November 16, 2020, through remote participation. I propose to use a combination of: (1) the Zoom videoconferencing platform, and (2) an online queuing and voting function developed by ZPato Research of Lexington to facilitate the process of debate.

I certify that, with the assistance of Select Board member Leonard Diggins, Mr. Eric Helmuth, and members of Town staff, I have tested all components of the system described above and am satisfied that this system will enable our meetings to be conducted in substantially the same manner as if they had occurred in person at a physical location. I certify that the system (i) allows the moderator, town meeting members, town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the remote meeting, as well as any other individuals who participate in the meeting; (ii) provides the ability to determine whether a quorum is present; (iii) allows participants to request recognition by the moderator and makes such requests visible to the meeting participants and the public; (iv) allows the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, or raise a point of order or personal privilege; (v) enables the moderator to recognize a town meeting member, town official or other individual and enable that person to speak; (vi) provides the ability to conduct a roll call or electronically recorded vote; (vii) allows any interested members of the public to access the meeting remotely through ACMi for purposes of witnessing the deliberations and actions taken at the town meeting; (viii) allows members of the public to participate in debate through the submission of statements for or against a motion; and (ix) provides for the town meeting to be recorded and available for future viewing. I further confirm that I have consulted with Arlington's Commission on Disability regarding system accessibility.

If you have any questions, please feel free to contact me at your convenience.

Sincerely

John D. Leone



## Town of Arlington, Massachusetts

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### Articles for Review:

#### Summary:

Article 8 Acceptance of Legislation/Bylaw Amendment/Municipal Affordable Housing Trust Fund (tabled from 10.19.20 meeting)

Article 25 Resolution/Black Lives Matter Banner at Town Hall (tabled from 10.19.20 meeting)

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	W.A._Text_#8_#25.docx	Warrant Article Text
Reference Material	TC_Comments_WA_8_and_25.pdf	Town Counsel Comments W.A. 8 and 25
Reference Material	Article_8_Supplemental_Memo_from_Town_Counsel.pdf	Supplemental Memo from Town Counsel re Article 8
Reference Material	Memo_to_SB_from_DPCD_regarding_Warrant_Article_8_103020.pdf	Memo from DPCD re Article 8
Reference Material	11.04.20_mtg.pdf	Letter to 100 Registered Voters
Reference Material	BLM__Fact_Sheet.pdf	BLM Fact Sheet from K. Guellec
Reference Material	Does_Black_Lives_Matter_aim_to_destroy_the_nuclear_family.pdf	BLM Reference from K. Guellec
Reference Material	DTG_endorsement.pdf	BLM DTG Endorsement from K. Guellec

**ARTICLE 8**

**ACCEPTANCE OF LEGISLATION/BYLAW AMENDMENT/  
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

To see if the Town will vote to accept Massachusetts General Laws c. 44 § 55C, to authorize the creation of a Municipal Affordable Housing Trust Fund to support the development of affordable housing in Arlington, establish a new bylaw for the administration of same; or take any action related thereto.

(Inserted by the Select Board)

**ARTICLE 25      RESOLUTION/BLACK LIVES MATTER BANNER AT TOWN HALL**

To see if the Town will vote to or take any action related thereto: Be it hereby resolved, that it is the will of Town Meeting that the Town of Arlington continue to display a Black Lives Matter banner on Town Hall until such time as Town Meeting recommends its removal, or takes any action related thereto.

(Inserted at the request of Katell Gullec and 100 registered voters)



**Town of Arlington  
Legal Department**

Douglas W. Heim  
Town Counsel

50 Pleasant Street  
Arlington, MA 02476  
Phone: 781.316.3150  
Fax: 781.316.3159  
E-mail: [dheim@town.arlington.ma.us](mailto:dheim@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

To: Select Board

Cc: Adam Chapdelaine, Town Manager  
John Leone, Town Moderator  
Resident and Committee Petitioners

From: Douglas W. Heim, Town Counsel

Date: October 15, 2020

Re: STM Warrant Articles 8 and 25

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I write to provide the Select Board a summary of the above-referenced 2020 November Special Town Meeting warrant articles to assist in the Board's consideration of these articles at its upcoming hearings on October 19, 2020. Three of these articles represent matters which appeared in sum and substance on the 2020 Annual Town Meeting Warrant, but were not taken up due to the limitations upon the 2020 Town Meeting caused by the COVID-19 State of Emergency. Of those articles previously discussed to varying degrees by the Board, two (Articles 5 and 6) are presented with changes in form and substance to their prior iterations.

**ARTICLE 8**

**ACCEPTANCE OF LEGISLATION/BYLAWAMENDMENT/  
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

To see if the Town will vote to accept Massachusetts General Laws c. 44 § 55C, to authorize the creation of a Municipal Affordable Housing Trust Fund to support the development of affordable housing in Arlington, establish a new bylaw for the administration of same; or take any action related thereto.

(Inserted by the Select Board)

The Housing Plan Implementation Committee will report on this article, including with any recommended vote before the Board at its next meeting.

**ARTICLE 25**

**RESOLUTION/BLACK LIVES MATTER  
BANNER AT TOWN HALL**

To see if the Town will vote to or take any action related thereto: Be it hereby resolved, that it is the will of Town Meeting that the Town of Arlington continue to display a Black Lives Matter banner on Town Hall until such time as Town Meeting recommends its removal, or takes any action related thereto.

(Inserted at the request of Katell Gullec and 100 registered voters)

This new article for the Board’s consideration proposes to have Town Meeting resolve to support the continued display of a “Black Lives Matter Banner” on Town Hall until such time as Town Meeting recommends its removal. As the Board knows, the display of banners and flags on our outside Town Hall is a matter within the Select Board’s jurisdiction, and Town Meeting may not direct the Select Board or Town personnel on such a score. Town Meeting may however resolve to express its collective will or opinion on a subject outside of its powers and authorities.



adopted and the subsequent process for developing the Trust's plan and operating goals, as well as to provide a draft bylaw for the Board's consideration incorporating language recommended by the Finance Committee.

In brief, the Warrant Article before you proposes to adopt c. 44 sec. 55C and create a new bylaw to establish the governing body of the AHTF, enumerate its authorities and responsibilities, and set forth some further criteria for the proposed Board of Trustees. The first step is of course Town Meeting's acceptance of c. 44 sec. 55C. Thereafter, the bylaw proposed to Town Meeting must be approved by both the Meeting and later, the Attorney General's Office. If successful, the AHTF's Board of Trustees must be appointed and the "Declaration of Trust should be further developed and recorded by the Trustees.

The Declaration of Trust's primary purpose is to provide a record notice of the Trust's creation and the organization of the Board of Trustees for the purposes of exercising the Trusts' powers to hold and convey title to real estate, mortgages, etc. However, it also invites the Board of Trustees to develop a set of rules and regulations for the Trust's operation that are not well-suited for a bylaw's summary, and would benefit from a dialogue among the Board of Trustees.

Finally, of the 70 or more Massachusetts cities and towns with an affordable housing trust, under c. 44 sec 55C, the majority (including Arlington's frequent comparator communities like Andover) also adopt an "Action Plan" for the Trust for a period of up to five (5) years for the after finalizing the Declaration. The Action Plan can incorporate appropriate sections of other town planning documents such as the Master Plan and the Community Preservation Plan, and further provides an early opportunity for fresh and focused community engagement that incorporates perspectives from residents and other stakeholders on affordable housing. The overall goal of an Action Plan is to tailor the Trusts work and existing resources to the priorities and needs of Arlington.

If the Board is inclined to support the adoption of an Affordable Housing Trust, a vote to also establish a bylaw to outline the authorities of the Trust and outline its governance is recommended as follows:

VOTED, that the Town Bylaws, Title II: "Committees and Commissions" be and hereby is amended to add a new article as follows:

*Article 14. AFFORDABLE HOUSING TRUST FUND & BOARD OF TRUSTEES*

*Section 1. Name of the Trust*

*The Trust shall be called the "Arlington Affordable Housing Trust Fund."*

*Section 2. Purpose*

*The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Arlington as defined by the Arlington Zoning Bylaw for the benefit of households earning at or below 80 percent area median income.*

*Section 3. Board of Trustees*

- A. Composition. There shall be a Board of Trustees ("Trustees") of the Arlington Affordable Housing Trust Fund composed of one ex officio non-voting member and seven voting members. The Town Manager or the Town Manager's designee shall serve as the ex officio member. The voting members shall include: a member of the Select Board (designated by the Select Board) and six members appointed by the Select Board. The voting members shall be residents or representatives of local housing organizations who may have relevant experience in the fields of real estate, housing, banking, finance, law, architecture, social services, or other areas of expertise applicable to advancing the purpose and goals of the Trust. Of the Select Board appointees, at least one shall be a tenant who earns a low- or moderate-income, and resides in subsidized housing units as defined by G.L. c.40B or who receives state- or federally-sponsored rental subsidies and demonstrates knowledge of tenant issues, and at least two shall be representatives of local housing organizations such as a housing authority or housing corporation dedicated to the creation and maintenance of affordable housing.*
- B. Appointment of Trustees. Trustees shall serve for a term of two years, except that two of the initial Trustee appointments shall be for a term of one year, and may be re-appointed at the discretion of the Select Board.*
- C. Officers. The Trustees shall designate a chair, vice chair, treasurer, and clerk.*
- D. Removal. A Trustee may be removed by the Select Board for cause following a hearing.*
- E. Declaration of Trust. The Trustees are authorized to execute a Declaration of Trust and Certificate of Trust for the Arlington Affordable Housing Trust Fund, to be recorded with the Middlesex South Registry of Deeds and filed with the Middlesex South Registry District of the Land Court, following approval by the Select Board.*

*F. Trustees shall serve without compensation, except for expenses which shall receive prior approval from the comptroller.*

*G. Authority and Responsibilities.*

*1) The powers of the Trustees, all of which shall be carried on in furtherance of the purposes set forth in G.L. c.44, §55C, and inclusive of any future amendments, and pursuant to the provisions of a Declaration of Trust to be approved by the Select Board, shall include the following:*

- a) To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any ordinance or by-law or any general or special law or any other source, including money from chapter 44B; provided, however, that any such money received from chapter 44B shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of that chapter when expended by the Trust, and such funds shall be accounted for separately by the Trust; and provided further, that at the end of each fiscal year, the Trust shall ensure that all expenditures of funds received from said chapter 44B are reported to the Arlington Community Preservation Act Committee for inclusion in the community preservation initiatives report, form CP-3, to the Department of Revenue;*
- b) To purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;*
- c) To sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Trustees deem advisable notwithstanding the length of any such lease or contract;*
- d) To execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Trustees engage for the accomplishment of the purposes of the Trust;*
- e) To employ advisors and agents, such as accountants, appraisers and lawyers as the Trustees deem necessary;*
- f) To pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Trustees deem advisable;*
- g) To apportion receipts and charges between incomes and principal as the Trustees deem advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;*

- h) *Beginning in the fiscal year ending on June 30, 2023, all non-incident expenses incurred by the Town, as determined by the Town Manager, shall be reimbursed by the Trust.*
  - i) *The Trust shall carry sufficient insurance, as determined by the Town Manager, to protect the Town from any liability resulting from their operations.*
  - j) *To participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;*
  - k) *To deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Trustees may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Trustees may deem necessary and appropriate;*
  - l) *To carry property for accounting purposes other than acquisition date values;*
  - m) *With Select Board approval, to borrow money on such terms and conditions and from such sources as the Trustees deem advisable, to mortgage and pledge Trust assets as collateral. Any borrowing by the Trust may not exceed 80 percent of the Trust's total assets. Any debt incurred by the Trust shall not constitute a pledge of the full faith and credit of the Town of Arlington, and all documents related to any debt shall contain a statement that the holder of any such debt shall have no recourse against the Town of Arlington, with an acknowledgement of said statement by the holder*
  - n) *To make distributions or divisions of principal in kind;*
  - o) *To comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Trustees may deem appropriate;*
  - p) *To manage or improve real property and to abandon any property which the Trustees determine not to be worth retaining;*
  - q) *To hold all or part of the Trust property uninvested for such purposes and for such time as the Trustees may deem appropriate; and*
  - r) *To extend the time for payment of any obligation to the Trust.*
- 2) *The powers and duties enumerated above are intended to encompass all powers and duties of the Trustees. Any action, power or duty not enumerated above shall require prior approval of the Select Board.*

#### *Section 4. Acts of Trustees*

- A. *A majority of Trustees may exercise any or all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees, with the exception that any purchase, sale, lease,*

*exchange, transfer or conveyance of any interest in real property, borrowing, and mortgaging and pledging of assets must be approved by at least two-thirds of the appointed Trustees.*

*B. No Trustee shall be required to post bond.*

*C. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate.*

*D. Any purchase, sale, lease, exchange, transfer or conveyance of any interest in real property, borrowing, and mortgaging and pledging of assets must be approved by a majority of the Select Board.*

#### *Section 5. Funds Paid to the Trust*

*Notwithstanding any general or special law to the contrary, all moneys paid to the Trust in accordance with any zoning bylaw, exaction fee, or private contribution shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property and these funds need not be further appropriated to be expended. All moneys remaining in the Trust at the end of any fiscal year, whether or not expended by the Trustees within one year of the date they were appropriated into the Trust, remain Trust property set forth in G.L. c.44, §55C. All funds, property and other assets shall be accounted for by the comptroller of the Town of Arlington who shall issue quarterly reports to the Trustees, Select Board, Town Manager and the Finance Committee and an annual report to the Town Meeting.*

#### *Section 6. Meetings of the Trust*

*The Trust shall meet at least quarterly at such time and at such place as the Trustees shall determine. Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, G.L. c. 39, §§ 23A, 23B and 23C. A quorum at any meeting shall be a majority of the Trustees qualified and present in person.*

#### *Section 7. Custodian of Funds*

*The Arlington Treasurer/Collector shall be the custodian of Trust's funds and shall maintain separate accounts and records for such funds. Any income or proceeds received from the investment of funds shall be credited to and become part of the Trust Fund. In accordance with G.L. c. 44, § 55C, the books and records of the Trust shall be audited annually by an independent auditor, appointed by the Select Board, in accordance with accepted accounting practices or take any other action relative thereto. Upon receipt of the audit by the Trustees, a copy shall be provided forthwith to the Select Board. The Trustee designated as treasurer shall also liaise with the custodian of the funds on a monthly basis.*

## Section 8. Legal Status

- A. *The Trust is public employer and the Trustees are public employees for the purposes of G.L. c. 258.*
- B. *The Trust shall be deemed a municipal agency and the Trustees special municipal employees for the purposes of G.L. c. 268A.*
- C. *The Trust is exempt from G.L. c. 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any subdivision thereto.*
- D. *The Trust is a governmental body for purposes of Sections 23A, 23B and 23C of G.L. c. 39.*
- E. *The Trust is a board of the Town for purposes of G.L. c. 30B and G.L. c. 40 § 15A but agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the town shall be exempt from said Chapter 30B.*

## Section 9. Duration of the Trust

*This Trust shall be of indefinite duration, until terminated in accordance with applicable law. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Select Board for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Select Board, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.*

Finally permit me to note a few features of the draft bylaw as developed by the Housing Plan Implementation Committee and revised on recommendation of the Finance Committee;/ With respect to borrowing, which is a typical power of affordable housing trusts, both procedural and substantive checks have been installed to ensure responsible management of the Trust. Any borrowing by the Trust (which is distinct from the bonded borrowing placed before Town Meeting), must be approved by the Select Board even though such borrowing is not a general liability of the Town. Furthermore, the Trust may not borrow more than 80 percent of its total assets.

Permit me also to clarify some potential areas of misunderstanding. The aforementioned procedural and substantive safeguards do not however prevent the Trust from remaining a flexible and efficient entity for the purposes of taking advantage of affordable housing opportunities. Unlike other real estate acquisitions, sales, or conveyances, the Trust does not have to wait until Town Meeting to act, which is crucial to maximizing the Trust's efficacy.

Similarly, while Town Meeting has the ability to appropriate funds into the Trust through CPA grants and the power to determine if a real estate transfer fee or other similar tools would be available to the Trust, the Trust would have the ability to received grants from other sources, donations, and specific sources of revenue to expend on a rolling basis consistent with the powers enumerated in the bylaw.



## TOWN OF ARLINGTON

DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

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

### MEMORANDUM

Date: October 29, 2020

To: Select Board

From: Jennifer Raitt, Director of Planning and Community Development

cc: Housing Plan Implementation Committee  
Adam Chapdelaine, Town Manager

RE: Warrant Article 8 - Municipal Affordable Housing Trust Fund

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The Housing Production Plan (HPP), adopted in 2016 by the Select Board and Redevelopment Board and approved by the Massachusetts Department of Housing and Community Development, identifies establishing a Municipal Affordable Housing Trust (MAHT) per M.G.L. Chapter 44 Section 55C, as strategy 14 (see page 69). Under MGL Chapter 44, Section 55C, a MAHT creates a separate fund for local initiatives to create and preserve affordable housing. The HPP points out that a benefit of having a MAHT is that resources can be allocated to the Trust and can be expended by the Board of Trustees without a lengthy approval process. More information about MAHTs can be found in the 2018 Municipal Affordable Housing Trust Fund Guidebook published by the Massachusetts Housing Partnership: [https://www.mhp.net/writable/resources/documents/MAHTGuidebook\\_2018.pdf](https://www.mhp.net/writable/resources/documents/MAHTGuidebook_2018.pdf).

The Housing Plan Implementation Committee (HPIC) has discussed the benefits of a MAHT since the adoption of the HPP, and had more serious conversations about this tool since the fall of 2019. At its meeting on January 17, 2020, the HPIC voted to support the filing of a Warrant Article that would enable the Town to create a Municipal Affordable Housing Trust Fund for Arlington, which was refiled for this Special Town Meeting. If adopted by Town Meeting, the Trust would be governed by the bylaw and its authority would be limited by MGL Chapter 44 Section 55C. The Trust would be a public body and the Trustees would be "special municipal employees." The Trust and the Trustees would be subject to the Open Meeting Law and the Conflict of Interest Law. The Trust is required to work with the Arlington Treasurer/Collector as the custodian of funds, prepare an annual budget, and report annually on its activities. The HPIC voted on October 30, 2020, to submit the draft bylaw as amended by the Finance Committee to the Select Board.

The HPIC discussed possible uses for the MAHT including acquisition and preservation of market-rate affordable units, rental assistance for households at risk of homelessness, buy down assistance, and the ability for the Town to exercise the right of first refusal on existing affordable units. The HPIC believes that these actions are outside of the important housing options that the Arlington Housing Authority (AHA) and the private Housing Corporation of Arlington (HCA) provide for the community. Furthermore,

the MAHT would serve as a vehicle to aggregate existing resources as well as leverage new public and private resources to support the creation and preservation of affordable units by AHA, HCA, and others.

This is not the first time that a MAHT has been proposed. In 2008, a Warrant Article was advanced to Annual Town Meeting, but no action was taken on the article following the recommendation of the Select Board. The Select Board's 2008 Report to Town Meeting noted that MAHTs work well in concert with the Community Preservation Act (CPA), which Arlington had not yet adopted. Based on 2019 data from the Massachusetts Housing Partnership, 110 cities and towns have adopted MAHTs and 87 of those 110 cities and towns have also adopted the CPA. Arlington adopted the CPA at the 2014 Annual Town Meeting. If a Trust is established, the Board of Trustees may apply to the CPA Committee for funds based on the Trustee's goals.

The HPIC sees that one of the major benefits of a MAHT is to act quickly and nimbly particularly when a real estate opportunity becomes available that aligns with the Trust's goals. Currently, if the Town of Arlington wanted to acquire property in order to create or preserve affordable units, the Select Board and Town Meeting would need to approve the transaction. However, the long process to Town Meeting puts any transaction at risk, and therefore, is not ideal for the main goals of the HPIC in advancing a MAHT. The HPIC sees this level of autonomy as being crucial for a MAHT to be successful in its goals.

The HPIC recommendation included a Board of Trustees with 7 members who would bring a range of experiences. The Board would develop a reasonable action plan, with assistance from the HPIC, Select Board, Department of Planning and Community Development and input from the community. With a well-developed action plan, the Board can function without a dedicated staff person as do many MAHTs function. In the future, if the MAHT is well-capitalized, the Board may find that a coordinator is necessary, and that position could be funded through the Trust Fund.

Overall, the concerns of the Select Board in 2008 may have been addressed by actions of the Town has taken since 2008. The HPIC values input from the Select Board on the level of autonomy afforded to the Board of Trustees and the types of projects that may be funded. Specifically, the HPIC recommended that the Select Board have oversight on decisions sell, lease, exchange, transfer or convey any personal, mixed, or real property as well as borrowing, mortgaging, and pledging assets, as a way to retain the flexibility of the trust while ensuring accountability.

Adopting a MAHT is another way for the Town to support low- to moderate-income individuals and households to achieve housing stability. We hope that the Select Board would support this effort, and through a public process, a Board of Trustees would develop an action plan to identify its goals and strategies in operating the Trust.

Lastly, this proposal is a concrete step for the Town to take in advancing race and equity goals. Generally enabling the town to have more efficient and effective mechanisms for investing in affordable housing both helps to remove barriers to creating and preserving affordable housing and demonstrates and affirmative commitment by the Town to people who earn lower incomes.

## OFFICE OF THE SELECT BOARD

JOHN V. HURD, CHAIR  
JOSEPH A. CURRO, JR., 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

October 26, 2020

Dear Registered Voter:

The Select Board will meet virtually on Wednesday, November 4, 2020 at 7:15 p.m. to discuss the Warrant Article petition that you signed. The meeting will take place virtually via Zoom.

**Article Resolution/Black Lives Matter Banner at Town Hall**  
(tabled from 10/19/2020 meeting)

Information which includes the link to the Select Board meeting will be available at the bottom of the Select Board Agenda as well as on the Town Calendar when the meeting is posted Monday, November 2nd by 4:00 p.m.

Please feel free to contact my office at the above number to confirm or if you require any further information.

Thank you.

Very truly yours,  
SELECT BOARD

A handwritten signature in cursive script that reads "Marie A. Krepelka".

Marie A. Krepelka  
Board Administrator

MAK:lc

# BLACK LIVES MATTER: Frequently Asked Questions (FAQs)

## Endorsements for Town Meeting Warrant Article

Q: Who has endorsed putting the banner back up?

So far, the Arlington Diversity Task Group, Arlington Black Student Union, Arlington Helps Mutual Aid, and Arlington Fight Racism have endorsed this warrant article. Several other Town commissions and local groups/orgs are currently considering endorsement.

Q: Who else supports putting the banner back up?

A grassroots petition to town leaders to put the banner back up received 350 electronic signatures in just a few days. The warrant article received 209 in-person signatures in just two days. A demonstration at Town Hall in late September to protest the banner being removed had more than 50 attendees in person and 20 people spoke at a late September Select Board meeting to urge them to keep the BLM banner on Town Hall. These examples represent just a small portion of those in the town who support Black Lives Matter.

## Basic information about Black Lives Matter

Q: What is Black Lives Matter?

A: Black Lives Matter is a US-based international movement co-founded by three black women: Alicia Garza, Patrisse Cullors, and Opal Tometi. The #BlackLivesMatter movement began as a hashtag for Twitter, after George Zimmerman's acquittal for the murder of Trayvon Martin in 2013. It gained momentum after the 2014 shooting of Michael Brown, the death of Eric Garner, and subsequent events that continue to this day.

Q: What are the goals of Black Lives Matter?

A: Justice, an end to all forms of discrimination, and the full recognition of human rights for Black people. The movement calls upon the United States government to acknowledge structural violence and institutional discrimination and to recognize the full spectrum of human rights and obligations under international law. The focus is an end to police brutality and the murder of people of color and the oppressed, mass incarceration, and a call to demilitarize US police departments.

Other objectives from BlackLivesMatter.com include:

- Full, living wage employment;
- Decent and affordable housing fit for the shelter of human beings;
- An end to the school-to-prison pipeline by providing quality education for all;
- Aggressively work to dismantle laws and policies that disenfranchise any community from expressing themselves at the ballot.
- Ultimately, the goal is to address harm and conflict in our communities through community based, restorative solutions.

Source

- [www.BlackLivesMatter.com](http://www.BlackLivesMatter.com)

Q: But don't "All Lives Matter"?

A: Stating that "Black lives matter" does not insinuate that other lives don't matter. We say "Black Lives Matter" to recognize that Black lives are undervalued in our society and this must end. Black lives are threatened by systemic racism in criminal justice, education, healthcare, and many other aspects of American life. When the parts of society with the most pain and lack of protection are cared for, the whole system benefits. When Black lives matter, we will know that all lives truly matter.

Sources:

- [What Does "Black Lives Matter" Actually Mean? — Why Saying "All Lives Matter" Is Problematic](#)
- [Why saying 'All lives matter' misses the big picture](#)
- [Why you should stop saying "all lives matter," explained in 9 different ways](#)
- [Why saying "all lives matter" communicates to Black people that their lives don't](#)

Q. Why do we need to say that Black Lives Matter?

We need to affirm that Black lives matter because in so many ways, Black people are treated as if their lives don't matter in America. Here are some ways that institutional racism impacts peoples' lives today:

- At least 14 unarmed black people were killed by police officers last year. Only one of the officers was indicted.
- Eighty four percent of police officers interviewed from 100 departments across the country said they had seen colleagues use excessive force.
- In 2011-2012, the Montgomery County Police Department's arrest rate per 1000 residents was 65.2 for black residents and 16.8 for non-black residents.
- Nationwide, even though Black people and whites have similar levels of drug use, yet Black people are 10 times as likely to be incarcerated for drug crimes. In Maryland, African-Americans represent 90 percent of all those imprisoned for drug offenses.

- African-American youth are 9 times more likely than white youth to be sentenced as adults for the same crime. Prison sentences for Black men are about 20% longer than for white men for the same crime.
- There are more Black people under correctional control today — in prison or jail, on probation or parole — than were enslaved in 1850, a decade before the Civil War began.
- Only 2 states in the U.S. allow people serving time, on parole, or with criminal records to vote. All other states deny one or more of these groups the right to vote.
- As of 2004, more African American men were disenfranchised (due to felon disenfranchisement laws) than in 1870, the year the Fifteenth Amendment was ratified prohibiting laws that explicitly deny the right to vote on the basis of race.
- A national study of more than 90,000 schools found that although black children made up only 18 percent of preschoolers, 42 percent of preschoolers who were suspended were black.
- In a study of employment discrimination, resumes with the names Lakesha and Jamal were 50% less likely to get call backs than identical resumes with the names Emily and Brendan.
- The wealth of white households was 13 times the median wealth of black households in 2013, compared with eight times the wealth in 2010. The current gap between wealth for blacks and whites has reached its highest point since 1989.
- The Covid-19 pandemic has impacted Black people disproportionately. One in 1000 Black Americans have died of Covid-19, compared to 1 in 2100 white Americans.
- The Black unemployment rate reached a high of 16.6 percent in May 2020, and as of August 2020, it was still at 13.2 percent. Conversely, the white unemployment rate fell to 6.9 percent in August 2020 from a high of 12.8 percent in April, or nearly half of the Black unemployment rate. The ratio of Black-to-white unemployment went from 1.27 in April 2020 to 1.97 in August 2020—that is, the Black unemployment rate is currently double the white unemployment rate.

#### Sources

- <https://www.uufhc.net/BlackLivesMatterFAQs.pdf>
- <https://www.vox.com/coronavirus-covid19/2020/10/2/21496884/us-covid-19-deaths-by-race-black-white-americans>
- <https://www.americanprogress.org/issues/economy/news/2020/09/28/490702/persistent-black-white-unemployment-gap-built-labor-market/>

## Dispelling Myths about Black Lives Matter

Q. Is Black Lives Matter a violent organization?

No. About 93% of the 10,600-plus racial justice protests in the U.S. this summer [have been peaceful](#). Those that did become violent involved aggression by police or by counterprotesters from extremist groups, researchers noted. But one-off instances of violence, looting and

[aggressive demonstrators](#) have been conflated to suggest the Black Lives Matter movement employs and condones violence. The actions of these individuals are not aligned with the mission of the movement.

And often, the violence is provoked by outside provocateurs. For instance, the riots that took place in Minneapolis following the police killing of George Floyd were stoked by a [white supremacist](#). Additionally, two people were killed and a medic was wounded by a [white teenager with a semiautomatic rifle](#) at a Black Lives Matter protest in Kenosha, Wisconsin, last month.

Q. Is Black Lives Matter trying to “destroy the nuclear family”?

No. A page previously on the Black Lives Matter website about “disrupting the Western-prescribed nuclear family structure” has been taken out of context. Black Lives Matter’s full statements about family show that it wants people to support one another broadly *beyond* just the nuclear family (not destroy family units). They also wrote that they seek to make their spaces family-friendly and enable parents to fully participate with their children, which helps parents stay involved in the movement.

Source:

- <https://www.politifact.com/article/2020/aug/28/ask-politifact-does-black-lives-matter-aim-destroy/>

## Why the banner is necessary

Q: Why do we need to say “Black Lives Matter” in Arlington? This isn’t a racist town.

Unfortunately, Arlington is not immune to racism. Black people in Arlington have been harassed, racially profiled, and treated poorly in other ways by town residents and employees. Black people and other people of color in Arlington have spoken up about these concerns many times, one of the most recent being at the Community Conversation series this summer.

Students of color are also disproportionately disciplined in Arlington schools. A data analyst for the town found that in 2016-2017 Black, Hispanic, and disabled students made up 13 percent of Arlington High School’s enrollment, but received 80 percent of punishments like suspensions and detentions.

Overall, systemic racism is very much alive in the Greater Boston Area. According to a 2015 report by the Boston Federal Reserve, nonwhite households in Boston have only a fraction of the net worth attributed to white households. While a typical white household in Boston has total assets of \$256,500 and net worth of \$247,500, U.S.-born Black households have \$700 in total assets and median net worth of \$8. A study of housing discrimination in the Greater Boston area (including Arlington) conducted this summer found that “white market-rate testers were able to

arrange to view apartments 80% of the time. Similarly situated Black market-rate testers seeking to view the same apartments were only able to visit the property 48% of the time.”

The town leadership acknowledged the existence of systemic racism and pledged to fight systemic racism locally in their Black Lives Matter Proclamation on June 9.

#### Sources

- [The Color of Wealth in Boston](#)
- [Qualified Renters Need Not Apply: Race and Voucher Discrimination in the Metro Boston Rental Housing Market](#)
- <https://www.arlingtonma.gov/Home/Components/News/News/10288/3707?backlist=%2ftown-governance%2fall-boards-and-committees%2fboard-of-selectmen>
- [Arlington Select Board Adopts Black Lives Matter Proclamation | Diversity, Equity & Inclusion News](#)
- <https://www.bostonglobe.com/2020/07/11/metro/amid-national-reckoning-black-voices-c-hallenge-white-suburban-school-district-do-better/>

Q. The banner was up for three months. Why should it continue to stay up?

The problem of systemic racism has not gone away over these past few months since the banner was placed on town hall. In fact, if anything, the coronavirus pandemic has exacerbated racial disparities in our nation, state and town. Additionally, there has been a noted backlash against racial justice movements locally nationally (as is a common reaction to civil rights movements) and locally, with a recent uptick in vandalization and theft of Black Lives Matter signs in Arlington and increased incidences of harassment of and threats toward peaceful BLM vigil attendees in town.

Black Lives Matter every day, and it is important we continue to affirm that Black Lives Matter until real progress is made toward racial equity in Arlington and the US more broadly. Keeping up the banner is a gesture that indicates to all marginalized people in Arlington that their lives are valued, and affirms the town’s commitment to advancing racial equity.

In Somerville, a Black Lives Matter banner has been on their town hall since 2015. When the mayor Joe Curtatone was asked whether he thought it was appropriate to place the Black Lives Matter banner on a government building, he replied: "No one can sit out this conversation. Where this is happening is in cities. This is the grassroots level."

#### Sources:

- <https://patch.com/massachusetts/arlington/arlington-black-lives-matter-signs-vandalized-kkk-imagery>
- <https://www.wbur.org/news/2016/07/29/police-rally-somerville>

Q. Does keeping up the banner mean our town does not support the police force?

No. The Black Lives Matter movement is not about retaliation or eliminating police. Rather, it's about examining the structure of law enforcement and how it can better serve communities, especially Black and brown ones.

Putting up a banner that says, "Black Lives Matter" means that the town values the lives of Black people and other marginalized people and is committed to policies that will allow them to live and thrive in Arlington. Eliminating systemic racism in Arlington will require examining its presence in all town departments, including the APD, in order to better understand how to reform or restructure these departments to further equity and justice.

## ***Ask PolitiFact: Does Black Lives Matter aim to destroy the nuclear family?***

The Poynter Institute

- Critics of Black Lives Matter point to some of the statements on its website, including that it says "we disrupt the Western-prescribed nuclear family structure."
- Black Lives Matter's full statements about family show that it wants people to support one another broadly beyond the nuclear family.
- Black Lives Matter also calls for family-friendly spaces and equal rights for mothers.

At the Republican National Convention, former NFL player Jack Brewer [said](#) the organization "openly on their website calls for the destruction of the nuclear family. My fellow Americans, our families need each other. We need black fathers in the homes with their wives and children."

We found that while Black Lives Matter seeks change in how "family" is defined, especially with respect to public policy, it's a leap to conclude that it wants to eliminate traditional family structures.

### **What Black Lives Matter says**

First, Brewer's statement doesn't fully represent what the Black Lives Matter [website](#) says about families. "We disrupt the Western-prescribed nuclear family structure requirement by supporting each other as extended families and 'villages' that collectively care for one another, especially our children, to the degree that mothers, parents, and children are comfortable," it says on the page titled "What we believe."

The movement, which [was formed](#) in response to the 2013 [acquittal](#) of George Zimmerman, a neighborhood-watch volunteer who fatally shot teenager Trayvon Martin in Florida, also says:

"We make our spaces family-friendly and enable parents to fully participate with their children. We dismantle the patriarchal practice that requires mothers to work 'double shifts' so that they can mother in private even as they participate in public justice work."

### **What the critics say**

Some critics see the platform as evidence that Black Lives Matter wants to get rid of the mother-father-and-children model.

According to one criticism aired by a commentator in [The Federalist](#), a conservative online magazine, the logic of what Black Lives Matter has proffered suggests that children do better without parents and outside the home, and that the "'village' will raise them": "More than any other belief of BLM, this one against the nuclear family threatens the most harm to Americans of all races. Dismantling it leaves children extremely vulnerable to social ills."

### **What other observers say**

Other observers don't see Black Lives Matter as seeking to go that far. "I don't think there's any reasonable basis to claim" that the group's website "is promoting an actual reduction in the proportion of people actually living in a Western nuclear family structure — but rather, to imagine 'successful' families as more inclusive than this particular vision of family," said Davin L. Phoenix, a University of California, Irvine, political scientist who studies Black politics.

Phoenix said that the statement calling for "disruption" is most accurately interpreted as disrupting agendas that give benefits to people with middle-class family structures over those without. For example, zoning laws that prioritize single-family housing or tax credits for married homeowners leave out people who are single or rent their home.

"It is a call to disrupt the notion that the nuclear family structure is the only way to ensure neighborhood stability and vitality, and to affirm that neighborhoods that contain a high volume of non-traditional family structures (e.g. households with a single parent or grandparents / other familial figures as primary caregivers for kids) are just as capable of — and just as deserving of — policies and practices that contribute to neighborhood stability and vitality," he said.

Black Lives Matter has essentially said the nuclear family is untenable and that extended families provide the necessary support to take care of one another, said Nadia Brown, a political science and African American studies professor at Purdue University and co-editor of the book "The Politics of Protest: Readings on the Black Lives Matter Movement."

"For example, if both parents work outside the home and a child gets sick, who will care for the child while also earning an income? Having a grandparent or another adult in the home who assists with care responsibilities lessens the burdens on the parents to both work and care for the children."

Black Lives Matter "is focused on improving life outcomes and opportunities for Black-identifying people in the United States, regardless of sexual orientation," said Georgetown University government professor Jamil Scott, whose specialties include race and ethnicity in politics. - Source: <https://bit.ly/3j9K4be>



## Envision Arlington Diversity Task Group

DTG represents residents who are committed to making our town inclusive; fostering awareness, community, and action; and creating safe spaces where all voices are welcome.

All Arlington residents, as well as those who visit our town for work, recreation, and business, benefit from knowing that we do not **equivocate** when it comes to human rights. At this time in our nation's history and also in our town's history, we need to **lean into the tough issues** because, as Frederick Douglass reminded us, "*if there is no struggle, there is no progress.*" By placing the Black Lives Matter banner on our town hall, we don't say we are done with the struggle; we say we are ready to engage with each other from this starting place of human rights.

At its October 12, 2020, meeting, the Envision Arlington Diversity Task Group (DTG) voted to endorse the recently proposed warrant article to Town Meeting to **raise and leave lifted** the Black Lives Matter banner at town hall. The warrant article reads as follows:

*Be it hereby resolved, that it is the will of Town Meeting that the Town of Arlington continue to display a Black Lives Matter banner on Town Hall until such time as Town Meeting recommends its removal, or takes any action related thereto.*

For these and many other reasons, DTG formally endorses the BLM banner warrant article **and trusts that the Select Board will give it due consideration.**



## Town of Arlington, Massachusetts

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### Articles for Review:

#### Summary:

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

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

Article 10 Acceptance of Legislation/Gold Star Family Tax Exemption

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Final_Votes_and_Comments_re_Articles_5__6_and_10.pdf	Draft Final Votes and Comments 5, 6, 10



**Town of Arlington  
Legal Department**

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To: Select Board

Cc: Adam Chapdelaine, Town Manager  
John Leone, Town Moderator

From: Douglas W. Heim, Town Counsel

Date: November 3, 2020

Re: Draft Votes and Comments re: Nov. 2020 STM Articles 5, 6 and 10

I write to provide the Board Draft Votes and Comments regarding the above-referenced November 16, 2020 Special Town Meeting Warrant Articles, based upon your October 19, 2020 hearings. Each of these articles is either new to the Special Town Meeting Warrant or was materially changed from the 2020 Annual Town Meeting Warrant. Where a vote addresses a new bylaw or amendment to an existing bylaw, additional language is underscored and removed language is noted in “~~strikethrough~~.”

**ARTICLE 5**

**HOME RULE LEGISLATION/BYLAW  
AMENDMENT/ FOSSIL FUEL INFRASTRUCTURE**

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to allow the Town of Arlington to regulate fossil fuel infrastructure in new construction and/or major renovation and rehabilitation projects in Arlington for the purposes of reducing greenhouse gas emissions and encouraging renewable energy production and use, notwithstanding the State Building Code, the Gas Code, M.G.L. c. 164 or any other law of the Commonwealth regulating natural gas as a residential utility; and further to vote to establish a new section of Title VI of the Town Bylaws prohibiting or otherwise regulating the installation of fossil fuel infrastructure in new construction projects and/or major renovation and rehabilitation projects in Arlington, and to set forth the terms and scope of such prohibition, including exemptions or waivers to same; or take any action related thereto.

(Inserted by the Select Board and at the request of the Clean Energy Future Committee)

**VOTED: That the Town does hereby request and authorize the Select Board to file Home Rule Legislation to provide substantially as follows:**

**“AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO ADOPT AND ENFORCE LOCAL REGULATIONS RESTRICTING NEW FOSSIL FUEL INFRASTRUCTURE IN CERTAIN CONSTRUCTION”**

**Be it enacted as follows:**

**SECTION 1. Notwithstanding chapter 164 of the General Laws, section 13 of chapter 142 of the General Laws, the State Building Code, or any other general or special law or regulation to the contrary, the town of Arlington is hereby authorized to adopt and further amend general or zoning by-laws that restrict new construction or major renovation projects that do not qualify as fossil-fuel-free, as defined in section 4 of this act.**

**SECTION 2. Notwithstanding section 7 of chapter 40A of the General Laws, or any other general or special law or regulation to the contrary, the Building Inspector of the town of Arlington, or any designee thereof, shall be authorized to enforce restrictions on new construction and major renovation projects that do not qualify as fossil-fuel-free, as defined in section 3 of this act, including through the withholding of building permits.**

**SECTION 3. As used in this act, the term “fossil-fuel-free” shall refer to construction or renovation that results in an entire building or an entire condominium unit that does not utilize coal, oil, natural gas other fuel hydrocarbons (including synthetic equivalents), or other fossil fuels in support of its operation.**

**SECTION 4. This act shall take effect upon its passage and shall authorize any pending bylaw already approved by Arlington’s Town Meeting consistent with Sections 1 through 3 above.**

**SECTION 5.** If any provision or section of this act is invalidated, the remainder shall survive in full force and effect.

**AND FURTHER VOTED,** that at Title VI of the Town Bylaws be and hereby is amended to add a new Article 10 entitled “Prohibition on New Fossil Fuel Infrastructure in Major Construction” as follows:

**ARTICLE 10. PROHIBITION ON NEW FOSSIL FUEL INFRASTRUCTURE IN MAJOR CONSTRUCTION**

**Section 1 Purpose**

**This Bylaw is adopted by the Town of Arlington, under its home rule powers and its police powers under Massachusetts General Laws, Chapter 40, Sections 21 (clauses 1, 18) and 21D, and Chapter 43B, Section 13, to protect the health and welfare of the inhabitants of the town from air pollution, including that which is causing climate change and thereby threatens the Town and its inhabitants.**

**Section 2 Definitions**

**“New Building” 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.**

**“On-Site Fossil Fuel Infrastructure” shall mean piping for fuel gas, fuel oil, or other fuel hydrocarbons, including synthetic equivalent that is in a building, in connection with a building, or otherwise within the property lines of premises, extending from a supply tank or from the point of delivery behind a gas meter (customer-side of gas meter).**

**“Major Renovation” shall mean a renovation project associated with a valid building permit application on or after the Effective Date of this article that:**

**(1) For existing structures regulated by the current edition of the International Residential Code as amended by 780 CMR 51: Massachusetts Residential Code, includes the reconfiguration of space and/or building systems, in which the Work Area, not including any added space, is more than 75% of the Gross Floor Area, as defined in Section 2 of the Arlington Zoning Bylaw, prior to the project;**

**(2) For existing structures regulated by the current edition of the International Building Code as amended by 780 CMR 34: Massachusetts Commercial Code, includes the reconfiguration of space and/or building systems, in which the Work Area, not including any added space, is more than 50% of the building floor area prior to the project, as defined by the Massachusetts Building Code.**

“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.

“Effective Date” shall mean July 1, 2022, or six months following the date by which the Town is authorized by Special Act to regulate fossil fuel infrastructure by the Commonwealth of Massachusetts, whichever is later in time.

### Section 3 Applicability

The requirements of this article shall apply to all permit applications for New Buildings and Major Renovations proposed to be located in whole or in part within the Town, except that:

A. The requirements of this article shall not apply to utility service piping connecting the grid to a meter, or to a gas meter itself.

B. The requirements of this article shall not apply to piping required to fuel backup electrical generators.

C. The requirements of this article shall not apply to piping required for cooking appliances and related appliances.

D. The requirements of this article shall not apply to the use of portable propane appliances for outdoor cooking and heating.

E. The requirements of this article shall not apply to the piping required to produce potable or domestic hot water from centralized hot water systems in buildings with building floor areas of at least 10,000 square feet, provided that the Engineer of Record certifies that no commercially available electric hot water heater exists that could meet the required hot water demand for less than 150% of installation or operational costs, compared to a conventional fossil-fuel hot water system.

F. So long as new fossil fuel piping is not installed, the requirements of this article shall not apply to the extension or modification of heating systems via HVAC system modification, or modification of radiator, steam, or hot water piping.

G. The requirements of this article shall not apply to research laboratories for scientific or medical research or to medical offices regulated by the Massachusetts Department of Public Health as a healthcare facility.

H. The requirements of this Article shall not apply to repairs of any existing portions of a fuel piping system deemed unsafe or dangerous by the Plumbing and Gas Fitting Inspector.

#### Section 4 Enforcement

Upon the Effective Date, no permits shall be issued by the Town for the construction of New Buildings or Major Renovations that include the installation of new On-Site Fossil Fuel Infrastructure, except as otherwise provided in Sections 3, 5, and 6 of this bylaw

#### Section 5 Waivers

A. 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.

B. 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:

1. 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
2. If technological or other factors would make the project unsuitable for its intended purpose.

C. 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 6 Appeals

The Town Manager shall hear appeals from decisions by the Building Inspector on the applicability of this bylaw under section 3 in accordance with such procedural rules as may be adopted from time to time by the Town Manager.

(4 – 0) Mr. DeCoursey recused himself from discussion.

**COMMENT:** *\*This article returns to Town Meeting from the 2020 Annual Town Meeting with revisions.* The Select Board urges Town Meeting's support for this two-pronged effort to take firm action to reduce dependence on fossil fuels and reduce pollution in Arlington as recommended by Arlington's Clean Energy Future Committee. In short, this article would seek a Special Act to allow the Town to regulate the installation of fossil-fuel based infrastructure on new residential and commercial construction and major renovations (with major renovations for most projects defined in a manner consistent with special-permit triggering work) while also enacting a local bylaw detailing such regulations. It is likely that an approved bylaw would be put on hold until the requested special legislation were passed.

Substantively, the Town would seek to prohibit the installation of new fossil fuel pipe infrastructure (natural gas, propane, fuel oil) so as to require what are essentially new or significantly renovated buildings to use cleaner fuel sources in the interests of protecting both health and safety and the natural environment. It is important to highlight that the list of exemptions to the proposed bylaw is extensive, addressing common concerns and needs including:

- All cooking appliances;
- Backup generators;
- Outdoor cooking and heating;
- Large central hot water heaters;
- Labs and certain medical offices;
- Repairs to unsafe conditions

Furthermore, the proposal creates a system of waivers for qualifying projects where non-fossil fuel infrastructure are not feasible or would frustrate important goals such as the creation and maintenance of affordable housing. In sum, the Board believes this coordinated effort is a valuable incremental step in reducing pollution and investing in clean energy technologies for future generations, and highly recommends positive action.

## **ARTICLE 6**

### **VOTE/ESTABLISHMENT OF POLICE CIVILIAN ADVISORY BOARD STUDY COMMITTEE**

To see if the Town will vote to form a Committee to study the creation of an Arlington police civilian review board independent from the police department with the authority and resources to receive and investigate complaints, review police services and make recommendations for their improvement. The study committee shall be comprised of seven (7) voting members and three (3) non-voting members. The study committee will make its decisions based on the vote of a simple majority of the committee's voting members who shall be appointed to the committee by: the Envision Arlington Standing Committee (1); the Arlington Human Rights Commission (1); the LGBTQIA & Rainbow Commission (1); the Disability Commission (1); the Board of Youth Services (1); the Equal Opportunity Advisory Committee (1); and the Town Moderator (1). Non-voting members of the committee shall include one (1) representative from the Arlington Police Department, the Town's Diversity, Equity and Inclusion Coordinator, and the Town Counsel. The

membership of the study committee's voting members will include at least one Town Meeting member and shall reflect racial/ethnic and other forms of diversity of Town residents. The study committee will complete its work and recommendations and shall report to the 2021 Annual Town Meeting. Or take any action related thereto.

(Inserted by the Select Board at the request of Jordan Weinstein and ten registered voters)

**VOTED: That Town Meeting hereby establishes a "Civilian Police Advisory Board Study Committee" to be structured, organized, and charged as follows:**

### **Civilian Police Advisory Board Study Committee**

#### **I. Committee Membership and Organization**

**A. The Committee shall consist of fifteen (15) members; two (2) of whom shall be non-voting, ex-officio members, and thirteen (13) of whom shall be voting members as follows:**

*i. Ex-officio members:*

- **A member of the Select Board or their designee to be determined by such Board for the purposes of administering the organizational meeting only; and**
- **The Town Counsel or their designee.**

*ii. Voting members:*

- **One (1) member of the Envision Arlington Standing Committee as determined by such commission;**
- **One (1) member of the Arlington Human Rights Commission as determined by such commission;**
- **One (1) member of the LGBTQIA+ Rainbow Commission as determined by such commission;**
- **One (1) member of the Disability Commission as determined by such commission;**
- **One (1) member of the Board of Youth Services; as determined by such Board;**
- **One (1) designee of the Envision Arlington Diversity Task Group co-chairs;**

- **One (1) member of the Council on Aging as determined by such Council;**
- **One (1) member of the Menotomy Manor Tenants Association as determined by such Association;**
- **One (1) Arlington High School student, as recommended by the AHS Principal;**
- **One (1) graduate of the Citizens Police Academy, to be appointed by the Chief of Police, based on the recommendation of the program coordinator;**
- **Three (3) Town Meeting Members, to be appointed by the Town Moderator;**
- **The Chief of Police or their designee; and**
- **The Diversity, Equity & Inclusion Coordinator or their designee.**

**Appointing authorities shall be encouraged to designate representatives, who reflect racial, ethnic, and other forms of diversity to be found in Arlington.**

*iii. Quorum*

**A majority of voting members shall constitute a quorum, and decisions shall be based on the vote of a simple majority of those committee members present and voting.**

*iv. Organization and First Meeting*

**The initial meeting of the Study Committee shall be convened by the designee of the Select Board, and the first order of business shall be the self-organization of the study committee through the election of one or more chairs, whose responsibility shall be to convene and preside over all future meetings, as well as a clerk, whose duties shall include the proper posting of meeting agendas and minutes. The Study Committee shall designate any other officers as it sees fit.**

**II. Committee Charge & Reporting**

- A. The Study Committee shall study the creation of alternative mechanisms for civilians to file complaints regarding police interactions, considering various models including a police civilian review board independent from the police department with the authority and resources to receive and investigate complaints. Said committee shall also review police services,**

**examine the experience of comparable communities, and consider the potential impacts of pending legislation.**

- B. The Study Committee shall report its findings and any recommendations to the 2022 Annual Town Meeting, any earlier Annual or Special Town Meeting, and/or other appropriate administrative, management, or elected or appointed officials.**

### **III. Dissolution**

**The study committee will be dissolved concurrent with the dissolution of the 2022 Annual Town Meeting, unless there is a vote of Town Meeting to effectuate an earlier**

**(5 – 0)**

**COMMENT:** *\*This articles returns to the Warrant from the 2020 Annual Town Meeting in revised form.* The Select Board urges Town Meeting's support for the establishment of a study committee to evaluate the creation and use of alternative, civilian-based mechanisms to examine complaints about police interactions in Arlington. While there is not universal agreement on what kind of independent police review, if any, is appropriate in Arlington, it is the Board's collective view that a study committee informed by a diverse set of perspectives, equipped with data and information about the experiences of comparable communities, and advised of the potential impacts of pending statewide police accountability legislation can and should be entrusted with researching these matters and making recommendations to Town Meeting on this important issue.

It must be stressed that the Board supports this measure as parallel and complimentary to the Police Chief's development of a Chief's Advisory Board, the quality work of the Arlington Police Department's Professional Standards team, and related work of APD, Town staff, volunteers, community groups, and residents to advance dialogues and relationships on a range of policing issues. Moreover, neither the Board nor the Committee's charge presupposes an outcome. Rather, it is the Board's hope and expectation that this Study Committee will bring together representatives of dedicated stakeholders for earnest and thorough exploration of their mission to advance our understanding of the best ways for Arlington and its police department to facilitate mutual respect and shared confidence in the discharge of police duties.

**ARTICLE 10**

**ACCEPTANCE OF LEGISLATION/GOLD STAR  
FAMILY TAX EXEMPTION**

To see if the Town will vote to accept Massachusetts General Law Chapter 59 sec. 5(22H) to provide a local to surviving parents or guardians of members of the United States armed services who died on active duty tax exemption; or take any action related thereto

(Inserted at the request of the Town Manager)

**VOTED: That the Town of Arlington hereby accepts G.L. c. 59 sec. 5(22H) to provide a 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.**

**(5 – 0)**

**COMMENT:** The Select Board recommends acceptance of this local option to provide a full property tax exemption to the parents or guardians of those persons who have died in active service in the United States Armed Services. While the number of “Gold Star” families in the Town of Arlington is modest, it is the Board’s firm belief that that as a community, we hold the responsibility to recognize those who gave their lives to the service their country and help the bereaved meet their local property tax burdens in the stead of the support and love they would receive from those honorably departed.



**Town of Arlington, Massachusetts**

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**NEW BUSINESS**



## Town of Arlington, Massachusetts

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### Next Scheduled Meeting of Select Board November 9, 2020

#### Summary:

You are invited to a Zoom webinar.

When: Nov 4, 2020 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\\_r9do3DPWTUqCqcyItwdVHQ](https://town-arlington-ma-us.zoom.us/webinar/register/WN_r9do3DPWTUqCqcyItwdVHQ)

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](mailto:amaher@town.arlington.ma.us) by November 4, 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>