



Town of Arlington Select Board

Meeting Agenda

March 23, 2020

7:15 PM

Conducted by Remote Participation

1. Executive Order on Remote Participation

CONSENT AGENDA

2. Minutes of Meetings: March 9, 2020
3. Request: AHS Ice Cream Fundraiser for Dana-Farber Cancer Institute (DFCI)
Jefferson Cutter House Lawn, May 23, 2020 (rain date May 24th), 10:00 a.m. to 6:00 p.m.
Sagar Rastogi
The AHS Scoops Club
4. Appointment of New Election Workers: (1) David R. Morrisette, 225 Waverly Street, U, Pct. 18

TRAFFIC RULES & ORDERS / OTHER BUSINESS

5. Vote: Acceptance of Gift/Donation of JJ Gardner
Douglas W. Heim, Town Counsel
6. Discussion & Vote: Postponement of Annual Town Election
Diane M. Mahon, Chair
Douglas W. Heim, Town Counsel
7. Discussion: Postponement of Annual Town Meeting
Diane M. Mahon, Chair
Douglas W. Heim, Town Counsel
8. Discussion & Vote: Declaring a Local State of Emergency
Douglas W. Heim, Town Counsel

CORRESPONDENCE RECEIVED

9. 2020 Patriots' Day Parade Cancelled
Laura Munsey, Parade Committee

NEW BUSINESS

EXECUTIVE SESSION

Next Scheduled Meeting of Select Board April 6, 2020

Adam Chapdelaine is inviting you to a scheduled Zoom meeting.

Topic: Arlington Select Board Meeting 3/23/2020

Time: Mar 23, 2020 07:15 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/3448232175>

Meeting ID: 344 823 2175

One tap mobile

+16468769923,,3448232175# US (New York)

+13126266799,,3448232175# US (Chicago)

Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

Meeting ID: 344 823 2175

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

Members of the public are asked to send written comment to mkrepelka@town.arlington.ma.us

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

Executive Order on Remote Participation

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Executive_Order.pdf	Reference



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
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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", written in dark ink. The signature is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



Town of Arlington, Massachusetts

Minutes of Meetings: March 9, 2020

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	3.9.2020_draft_minutes.pdf	Draft Minutes 3.9.2020



Select Board Meeting Minutes

Date: March 9, 2020

Time: 7:15 PM

Location: Select Board Chambers, 2nd Floor, Town Hall

Present: Mrs. Mahon, Chair, Mr. Dunn, Vice Chair, Mr. Curro, Mr. Hurd, Mr. DeCoursey
Also Present: Mr. Chapdelaine, Mr. Heim, Ms. Maher

Mrs. Mahon held a moment of silence for Lieutenant Paul Dooley who passed away suddenly on February 29th. She stated that he always had a smile on his face and will be greatly missed.

Mrs. Mahon gave an update to the Coronavirus due to the current events that are happening. Mrs. Mahon stated that regarding the Stratton Elementary School decision to close, the Town Manager along with members of the Board of Health and the Superintendent met to decide on exactly what to do. She stated that they are working on what Town Meeting may be at the end of April and there have been many discussions about different possibilities that may occur.

Mr. Chapdelaine read a prepared statement to the Board in regards to the Coronavirus that had just been released to the public. He states that he met alongside his colleagues about the COVID-19 Virus. The Stratton School was closed to as a result of a student that tested positive for the virus. The Health Department today has informed all faculty and staff and the families of any students who are considered by the MA Department of Public Health as being in close contact with the infected student. Those individuals have been advised to self-quarantine for 14 days and not report to school on Tuesday. If you have not been notified by the Arlington Health Department that you need to be quarantined then you do not need to self-quarantine. The Town of Arlington has opened a call center this evening which will be staffed by members of the Health Department until midnight. Arlington school families may call 781-316-3170 with questions. This number is only available to Arlington school families and our staff cannot provide information to the media or the general public via this hotline.

1. Introduction of New Permanent Police Chief, Juliann Flaherty

Mrs. Mahon stated that she was extremely excited to be able to introduce our new Police Chief, Julie Flaherty who has been the best law enforcement person that is at the Police Department, who has been committed to the Arlington community, residents and businesses. Julie Flaherty thanked the Board for having her at the meeting. She wanted to thank the Town Manager for appointing her to this position and for having the faith in

her to lead the Arlington Police Department. She would also like to thank the Board for the support they have shown her over the years. Police Chief, Julie Flaherty feels very fortunate to lead this department where they have an amazing group of passionate and professional officers who deliver quality services who follow through the mission of the Police Department. Chief Flaherty stated that she has had the opportunity to work with a lot of the community members over the past year and looks forward to continuing to develop partnerships.

CONSENT AGENDA

2. Minutes of Joint Select Board and Arlington Redevelopment Board Meeting:
January 13, 2020
3. Minutes of Meetings: February 24, 2020
4. Request: Special (One Day) Beer & Wine License, 3/14/20 @ Unitarian
Universalist Church for 'Dance With Dignity'
Sheri A. Baron

Mr. Curro read a statement prepared by Ms. Baron in regards to her event on March 13th from 7:00p.m. – 10:30p.m. Ms. Baron states that she did not know there were immigrant families and individuals needing housing and other help in our community. She became part of ArCS where they began to plan a fundraiser to help families in Arlington to start their life here. They are hoping to raise \$25,000 and hope that the Board will drop in Saturday night to support this fundraiser.

5. Request: Special (One Day) All Alcohol License, 3/24/20 @ Robbins Memorial
Town Hall for 'Chamber of Commerce Annual Dinner'
Beth Locke, Arlington Chamber of Commerce
6. Request: Special (One Day) Beer & Wine License, 3/27/20 @ Robbins Memorial
Town Hall for 'Music in Bloom Fundraiser'
Patsy Kraemer, Arlington Garden Club
7. Request: Special (One Day) Beer & Wine License, 3/28/20 @ Robbins Memorial
Town Hall for 'Beats for Eats Fundraiser'
Andi Doane, Arlington Eats
8. Request: Contractor/Drainlayer License
Borselli, Inc., 110 Winn Street, Woburn, MA
9. Request: Contractor/Drainlayer License
Steve & Sons Contracting, Inc., 156 North Street, Medford, MA 02155
10. Request: Contractor/Drainlayer License
Straightline Excavation Corp., 86 Lee Street, Tewksbury, MA

11. Appointment of New Election Workers: (1) MaryAnne Fitzgerald, 54 Medford Street #310, U, Pct. 10; (2) Doris M. Hutchinson, 28 Thesda Street, D, Pct. 14; (3) Karen M. Kramer, 63 Fremont Street, D, Pct. 3; (4) Marjorie J. Moores, 147 Warren Street #2, U, Pct. 9; (5) James R. Munsey, 215 Massachusetts Avenue #25, U, Pct. 1; (6) Helen Lee Simonowitz, 34 Hamilton Road #410, D, Pct. 6; (7) Joyce B. Stuart, 37 Drake Road #401, U, Pct. 20; (8) Laurence C. Weber, 11 Baker Road, D, Pct. 20

Mr. Curro moved approval.

SO VOTED (5-0)

APPOINTMENTS

12. Zoning Board of Appeals, Associate Members (no term expiration)

Aaron A. Ford

Stephen A. Revilak

Mr. Ford stated that he is a structural engineer that moved here in 2013. He is excited to be a part of the Zoning Board of Appeals and looks forward to representing Arlington. Mr. Dunn stated that this is the Board that is hearing the Mugar Property and what happens to it will be one of the most significant issues to happen. He stated not to be shy to raise your hand and ask questions. Mr. Dunn thanked him for volunteering to be on the Board.

Mr. Revilak stated that he has been an Arlington Resident since 2007 and served on the Town Zoning Recodification Working Group. He has since been a member of the Zoning Bylaw Working Group. Mr. Revilak stated that he has an interest in land use and housing. He enjoys helping people that are coming before the Zoning Board and helping them understand the process.

Mr. Curro moved approval.

SO VOTED (5-0)

TRAFFIC RULES & ORDERS / OTHER BUSINESS

13. Vote: Water/Sewer Rate Changes to Mitigate MWRA Debt Shift

Adam W. Chapdelaine, Town Manager

Mr. Chapdelaine stated that this matter has been discussed by the Board over the past couple of years. He stated that they discussed this at a past meeting to get a sense of the Board's tolerance for how much of the shift to roll off in this fiscal year and then going forward. Mr. Chapdelaine explained that the Board's consensus from the last meeting was rolling off about 1/3 of the shift which wouldn't be the full amount of high school debt that is coming on the tax rate at the end of this year but would get fairly close to that. He stated that the Board is in receipt of a memo from Public Works Director, Michael Rademacher laying out in various ways what the rates would be for all the tiers for water and sewer in FY21 as well as what the percentage increases would be and also what the annual cost increases would be and the quarterly cost increases. The average annual bill right now for water/sewer would be \$753 if these rates were adopted on an annual basis that would increase to \$877 and on a quarterly basis the average would be \$188 and if these rates were to be adopted it would be \$219 a quarter. Mr. Chapdelaine wanted to be very clear that moving this means that tax increases will be mitigated, so the tax increases that were expected based on the high school debt exclusion will be mitigated based on moving this bill. Mr. Chapdelaine

stated that to be able to offer a senior water discount as expansive as the senior tax deferral and the senior circuit breaker tax exemption, which was passed by Town Meeting last year, Town meeting will need to approve the filing of Home Rule Legislation to create a program that reaches the higher income limits like the property tax deferral and the circuit breaker program. He stated that a smaller less expansive program can be adopted by July 1st to be able to provide relief to qualifying seniors. The Board is in agreement with this debt shift and thanks the Manager and the Public Works Department for their hard work.

Mr. Curro moved approval.

SO VOTED (5-0)

14. Discussion: 2025 Semiquincentennial Patriots' Day Celebration

John V. Hurd, Select Board

Mr. Hurd stated that he attended a meeting about a month and a half ago with representatives from surrounding communities about the 2025 Semiquincentennial Patriots' Day Celebration which will be held on Patriots Day weekend 2025. He stated that they had discussed for the then President of the United States to attend. Mr. Hurd said that they had to submit a plan to the committee and the Department of Interior in the next year. He stated that the recommendation is to create a committee to start getting things ready for the planning of this event. He confirmed that the event would be held on the Saturday and Monday of Patriots Day weekend in 2025. Mrs. Mahon stated that they would assign Mr. Hurd to continue working with the Town Manager to come back at a future meeting as an agenda item where they will be in receipt of what the committee will consist of. Mr. Chapdelaine asked if Board members have constituents or people they think should serve on this committee to let Mr. Hurd or himself aware before the next meeting so they can build that into what they propose to the Board.

15. Discussion: April 2020 Select Board Meetings

After some discussion the Board set their meetings for April as the following:

April 6th

April 13th tentative date if needed

April 27th with Town Meeting to follow.

WARRANT ARTICLE HEARINGS

16. Articles for Review:

Article 13 Bylaw Amendment/Fossil Fuel Infrastructure

Mr. DeCoursey recused himself from this warrant article.

Mr. Chapdelaine briefly told the Board that this has been worked on for some time now by the Clean Energy Future Committee. He stated that this Committee started talking about this after Brookline adopted a very similar measure in December. This was something that was already being looked at as part of our net zero planning. The Clean Energy Future Committee is working on a net zero plan by 2050. Ken Pruitt, Energy Manager for the Town of Arlington gave some background on how they got to where they are in this process. Mr. Pruitt stated that Arlington has a long history of leadership on sustainability as well as in the area of reducing greenhouse gas emissions and carbon pollution. Amos Meeks, Co-Chair for Sustainable Arlington explained his

presentation in detail. Mr. Meeks stated that Arlington is already feeling the effects of climate and it will only get worse. Fortunately as a state and as a community we have made strong commitment to try and deal with this. In 2008 the State Legislature passed the Global Warming Solution Act which committed the state to reducing emissions by 80% by 2050. In 2018 the Arlington Select Board voted to commit Arlington to the goal of net zero by 2050. In order to reach this net zero goal by 2050 we have to reduce this as close to nothing as we can get; of these building emissions, space heating and water heating are the vast majority of them. We have built a lot of infrastructure that has a long lifetime that burns fossil fuels and we need to start getting out of that and towards the net zero targets. The proposed bylaw prohibits new fossil fuel piping in new construction and gut renovations. Existing buildings are entirely unaffected unless they are undergoing a gut renovation as well as kitchen renovations, bathroom renovations and additions. The proposed bylaw includes a variety of practical and commonsense exceptions. This affects the customer side only and has no effect on utilities, all gas cooking appliances, back-up generators, portable appliances such as grills, hot water for large buildings, research and medical facilities, repair of existing and unsafe piping. Mr. Meeks explained that they have built in a waiver process to handle any unforeseen issues. Heat pumps are a practical and economic solution. They are efficient and work in our climate; they also add minimal cost to new construction. Affordable housing is leading the way on heating electrification. All of Arlington Housing Corporation's currently planned projects are planning to use heat pump heating. Electrification is the only way to reach net zero, but it also provides immediate emissions benefits. Mr. Meeks stated that outreach is ongoing but engagement so far has been positive. Overall the proposed bylaw is necessary, practical, economical and feasible. Mr. Meeks introduced the following people that have been influential on this: Coralie Cooper, Jeremy Ku, Karen Kelleher and Kathleen Scanlon. The Board wanted to commend the people and groups that have worked on this. Mr. Curro had some questions about heating oil tanks and why fossil fuel infrastructure only concentrated on piping and didn't include oil supply tanks. Mr. Meeks stated that his understanding is that you have a tank but you will still have a pipe from that tank to your boiler, so that pipe however short will still be prohibited effectively prohibiting oil. There was some question in regards to the appeals process and how that would look as well as solar panels. After discussion the Board is in agreement.

Mr. Dunn moved favorable action.

SO VOTED (4-0)

Mr. DeCoursey returned to the meeting after the vote was taken.

Article 16 Vote/Establishment of Town Committee on Auto and Property Insurance Claims and Losses

Mr. Fischer stated that he is looking for Town Meeting's support to form a committee of volunteers who would canvas Arlington residents without the cost of their insurance premiums and claims. He stated that if he could get their support he could organize a formal precinct by precinct survey. The project is completely focused on gathering information and would not change the Town's operations which would not incur any cost to the Town. Mr. Fischer stated that we have little to no knowledge about our insurance costs that are specific to our town. Mr. Fischer stated most of the information we do have is in the form of gross estimates and averages. He explained that his goal is at the

next Town Meeting the committee would report back their findings. The Board had some question in regards to the make-up of the committee as well as to why he feels like this should be in Town Meeting. The Board stated that insurance agents are regulated under the state and suggested that he work with Envision Arlington to create a survey that is worth including in their annual survey.

Mr. Dunn moved no action.

SO VOTED (5-0)

Article 17 Vote/Establishment of Police Civilian Advisory Board Study Committee

Jordan Weinstein appeared before the Board to explain his warrant article which would establish a committee to study and craft a warrant article for next year's Town Meeting that if passed would create a Police Civilian Advisory Board. Mr. Weinstein stated that the need for such a Board comes from the recent experiences that have happened with the Arlington Police Department. Mr. Weinstein feels that the Town's approach to apply restorative justice was wrong and the result of the officer's misconduct was poorly handled. He stated that civilian review boards have been adopted in surrounding communities. Mr. Weinstein explained that the details of this article would be to establish a study committee that brings in a variety of very diverse cross-sections of Arlington bodies that would have a stake in the creation of such a board. The Board would include representatives from Envision Arlington, Arlington Human Rights Commission, LGBTQIA+ and Rainbow Commission, Disability Commission, the Board of Youth Services, Equal Opportunity Advisory Committee and the Town Moderator as voting members and non-voting members from the Police Department, Diversity Equity and Inclusion Coordinator and Town Counsel. Mr. Weinstein stated that he is aware that there is a proposal to create a Police Chiefs Advisory Committee which he supports and feels that this proposal will work well with it. Julie Flaherty, Police Chief read a prepared statement in regards to her proposal on implementing a Police Chiefs Advisory Committee she believes that this would be extremely beneficial to the Town. In an effort to further their mission of building and maintaining community relations, building trust, fostering cooperation and increasing transparency. She would like to form this committee to involve residents of Arlington in the overall mission of the Police Department. Chief Flaherty envisions this committee to consist of 11-13 community leaders, including members from the Human Rights Committee, Diversity Task Group, Arlington Public Schools, Student Council Leadership as well as others that would provide a forum for discussion and would present the Chief of Police with a diverse spectrum of viewpoints represented by community members. The mission of this committee would be to foster open communication and cooperation among community members in the Police Department and the commission would be tasked with advising and making recommendations to the Chief of Police, enhancing public community relations by serving as a liaison between the Police Department and the community in reviewing and making recommendations on policies, procedures, recruitment training, culture and programs. It would have many areas of focus including homelessness, the opioid crisis, immigration, police officer safety and wellness and best practices as well as any other issues in law enforcement. This committee would continue to move the Town forward as a 21st century policing department. The following people spoke in favor of the warrant article:

Louise Popkin, Rhinecliff Street

Rajeev Saneja,
Lynette Culverhouse, 24 Draper Avenue
Laura Keisel, 262 Massachusetts Avenue #9
Elizabeth Dray, 130 Jason Street
Kate Tranquada, 108 Park Avenue Extension
Adam MacNeill, 19 Melrose Street
Emily
Robin Bergman, 320 Park Avenue
Christa Kelleher, 153 Medford Street
Kasper Kasparian, 285 Renfrew Street
John Gannell,
Beth Melofchik, 2 Russell Street
Peter Katzin, 83 Beverly Road
Damon Bosetti, 22 Yale Road

Mr. Dunn had some questions for the proponent in regards to the use of advisory and review; he feels as though they mean different things but is looking for clarification. Mr. Weinstein stated that the study committee will determine what kind of powers a civilian advisory review board will have. He stated that it was a judgement call on what kind of language to use. Mr. Dunn stated that he had a question on the membership itself and the way it is written right now is very prescriptive. Mr. Dunn stated that this warrant article cannot be amended as written and usually on Town Meeting floor there is room for amendment. Mr. Weinstein stated that this is a study committee and they wanted to create a small enough body that could function so they chose seven members. The Board questions that these may not be the right seven people for this committee as well as the way it was written Town Meeting cannot change the members listed. Mr. Dunn stated that Mr. Weinstein's proposal set the boundaries so narrowly that they won't be able to amend it. The rest of the Board is in agreement with the technical error of the placement of ";or take any action related thereto". The Board feels that there are a number of stakeholders that are missing from this committee. There was some question for the Police Chief as to when the committee would be established. Chief Flaherty stated that she would like to move forward with it as soon as possible. The Board notes that the proposal by the Chief includes a lot of the same organizations. The proponent was advised to work with the Police Chief on the makeup of the committee and a proposal that could be brought back to the Board. Mrs. Mahon clarified that the Chiefs proposal is sited as a sister committee, where she could begin the course of establishing this committee. Mr. Chapdelaine stated that they want to rebuild trust and want to restore trust in the community and this warrants a conversation with the proponent of the warrant article.

Mr. Curro moved no action.

SO VOTED (5-0)

Article 21 Vote/Election Modernization Committee

Mr. O'Connor and Mr. Denis appeared before the Board presenting some modifications to their report that the Board is in receipt of. Mr. O'Connor stated that they would like to continue their mission until 2022. One of the issues that were addressed before was the ex-officio status of some of the members. They would like to add two members to their

committee, one from the Arlington League of Women Voters and the addition of a new member under the age of 25 to be chosen by the Select Board.

Mr. Dunn moved favorable action.

SO VOTED (5-0)

Article 23 Home Rule Legislation/Consolidation of Town Meeting Member Elections

Mr. O'Connor stated that this article is asking the Select Board to submit Home Rule Legislation to change the way we elect Town Meeting Members. Mr. Denis explained that this would change and consolidate Town Meeting Member elections when there is a vacancy and an unexpired term to be filled during the Annual Town Election. He stated that if there were a one year or two year seat those would appear at a separate election. He stated that there is often confusion and this would help simplify the process. Mr. Dunn stated that they are not trying to change the interim appointment, he clarified that it is appointed by the remaining members of the precinct. Mr. Dunn stated that when we redraw the precincts all 12 people get chosen at the same time on the same ballot and it does it in order of a vote. Mr. Denis clarified that the top voters get the longest terms. He stated that they prefer if the person with the most votes wins.

Mr. Dunn moved favorable action.

SO VOTED (5-0)

Article 24 Home Rule Legislation/Ranked Choice Voting

Mr. O'Connor stated that this article is pertaining to ranked choice voting for Town Elections. Mr. Denis stated that this would apply to any Town wide office. They are going to exclude Town Meeting because we have they have another concurrent change that they would like to make to Town Meeting. Mr. Denis explained that for single winner election, where there are 3 or more candidates in the race or any multi-seat election they would use rank choice voting to determine which people would serve in those seats. Rank choice voting is used in 20 other states and they feel it makes sense for Arlington in terms of encouraging new and diverse voice to seek office. Mr. DeCoursey asked about a situation where there are multiple seats available and some voters may not elect to use all three votes. He questioned in a three-person race is it one-third the threshold before you move to rank choice voting. Mr. Denis clarified that this is correct and a lot of people do use the ranks around the country. He stated that you eliminate the lowest vote. If no candidate reaches the threshold then you would eliminate the lowest vote and all of those votes would transfer to those voters' second choices. Mr. Curro stated that he supports this but the biggest issue he envisions is voter confusion and the need for a lot of education. Mr. Curro questioned that if you go through the first tabulation and no one meets the threshold so you drop off the lowest vote, you then go to another tabulation what then happens if you continue to go through and you receive votes for candidates who have already been dropped off. Mr. Dennis clarified that the voter's next preference is then chosen. He stated that the experience for the voter whether it is a multi-seat election or not is identical.

Mr. Curro moved favorable action.

SO VOTED (5-0)

Article 25 Home Rule Legislation/Financial Estimates & Budget Documents

Mr. Tosti stated that the Finance Committee is strongly opposed to this article; they voted unanimously a motion of no action. Mr. Tosti explained that it takes time to crank up once the budgets are going. The budgets are obtained by most of the Finance

Committee and someone has to hand deliver them the third week in January. Following that they have to set aside time to study and meet with the people that are dealing with that department. After that they have to set up an appointment with the department head to go over the numbers in their budget, where it then goes through the process of presenting it to the Finance Committee. He stated that they put together the Finance Committee Report by the end of March which will be sent out to different departments in April. Mr. Tosti explained that they try and get the numbers from the Long Range Planning Committee on what the numbers are going to be from the state. We received the numbers at the end of January. He stated that that is just the start of it and there are a number of things that follow that. Mr. Tosti stated that the only flexible part is the override stabilization fund, which is the last thing on the Town Meeting Warrant before resolutions. He explained that with these changes we don't have to go back and redo all of the budgets. The override stabilization fund either gets less money put in or less money taken out. Mr. Tosti feels for those reasons that it would put a strain on the Committee. Mr. DeCoursey stated that he would like to meet with Mr. Tosti and Mr. Chapdelaine before the next meeting and would like to come back for discussion.

Mr. DeCoursey moved to table.

SO VOTED (5-0)

Article 26 Home Rule Legislation/Senior Water Discount

Mr. Heim stated that the Select Board has clear authority as water commissioners to offer discounts under section 17d in section 41c for property tax exemption criteria. He explained that those are the kinds of water discounts that we can offer and they have a limitation on how much that can be. In order to offer further water discounts and including water discounts that may capture a larger portion of the population. We must file this Home Rule Legislation in order to clarify the Board's authority to offer this discount to seniors. Mr. Heim stated that the two things you would be getting out of this Home Rule Legislation are potentially additional water discounts and a potentially broader pool of people that are eligible. This would expand the Select Board's authority as well as make it very clear they have the authority to offer greater discounts to a wider range of seniors.

Mr. Curro moved favorable action.

SO VOTED (5-0)

Article 27 Home Rule Legislation/Retired Police Officer Details

Mr. Chapdelaine stated that this was brought before the Board based on an agreement that the Town reached with the police bargaining units on offering details to retired officers. Mr. Chapdelaine stated that this would be beneficial for the Town because during summer months coinciding with high construction periods we sometimes struggle to fill details. We often go outside of Town and use officers from other communities and sometimes we can't fill details. Mr. Chapdelaine stated that has limited our ability to allow more crews to work from the gas company to do main replacements as well as fix gas leaks. He stated that this would be a benefit to the town in getting important work done while keeping that work safe with the presence of a Police Officer. There is no added cost to the Town if it is a Town project detail costs are paid by the Town and if it is a private project the private entity is paying for the detail. Retired officers would be required at their own cost to participate in the in-service training that we require of them as well as furnish themselves with uniforms and equipment. Officer, Bryan Gallagher

stated that is bolstering public safety at no cost of the Town. Elizabeth Dray and Lynette Culverhouse are concerned about the qualifications of an officer and would like to propose officers that have any record be exempt from this. Police Chief, Julie Flaherty confirms that only officers in good standing would be eligible to work details upon retirement.

Mr. Hurd moved favorable action.

SO VOTED (5-0)

Article 52 Endorsement of Parking Benefit District Expenditures

Mr. Chapdelaine referred to the memo that was in front of the Board. He stated that we have our projected FY21 expenditures from the parking fund which is that statutory fund that allows us to pay for the cost of leasing the parking meters as well as administering the districts. Also included are the revenue projections, what we had collected \$282,000 half way through this fiscal year. Mr. Chapdelaine stated that we are far past our projections for this year so we have increased our projections for FY21 \$525,000. Also included in the memo is where we have allocated our funds out of the Parking Benefit Districts. The FY21 proposed budget they are requesting to set aside another \$50,000 for the sidewalk and Broadway Plaza improvements as well as \$100,000 to start considering the improvements that have been recommended to Russell Common and the continuation to put \$10,000 aside for snow removal. An additional \$20,000 has been set aside to fund the seasonal planting along the sidewalks located in Arlington Center as well as \$10,000 to support DPW efforts to water the planters as well as trees and \$10,000 for sidewalk cleaning. There may be an adjustment to account for \$40,000 to be included in the capital budget for the replacement of the parking kiosks in the lots in FY21. Mr. Chapdelaine stated that if that change were to be made he would bring a final version of that under final votes and comments.

Mr. Curro moved favorable action.

SO VOTED (5-0)

FINAL VOTES & COMMENTS

Articles for Review:

Article 9 Bylaw Amendment/Canine Control Fees and Fines

Article 10 Bylaw Amendment/Display of Notice Fines

Article 11 Bylaw Amendment/Street Performance Definitions

Article 12 Bylaw Amendment/Stormwater Management

Article 14 Vote/School Committee Member Stipends

Article 15 Vote/Establishment of Town Committee on Residential Development

Article 18 Vote/Bylaw Amendment/Envision Arlington Updated Language

Article 22 Home Rule Legislation/Justin Brown

Article 66 Vote/Community Preservation Plan

Mr. Curro requested that the title and bylaw of Article 11 be changed to outdoor performances, although open air performances may make more sense because we're not just talking about street but more so parks and other locations. Mr. DeCoursey had some minor grammatical changes that needed to be made. Mr. Heim stated that the Board would have a chance to vote on the finalized Final Votes & Comments as a whole document where they would have the chance to go through an editorial process to try and capture more of those typos as well as give the Board Members the

opportunity that didn't vote on that they want to support to make those votes reflect 5-0.
Mr. Curro moved approval. SO VOTED (5-0)

CORRESPONDENCE RECEIVED

17. Concerns Regarding the Intersection of Minuteman Bikeway and Lake Street

Alessandro Drake, 32 Columbia Road

Mr. Chapdelaine stated that he received this letter and has already referred it to Dan Amstutz in the Planning Department to respond. Mr. Curro asked about the status of this crosswalk as Town Meeting appropriated funds for this. Mr. Chapdelaine stated that these have been received contract awarded, finalizing start date and they are assuming a July 1st start date, after school has ended.

18. Request for Traffic Calming on Huntington Road

Mandy Ellenwood, 11 Huntington Road

Mr. Chapdelaine stated that this also could be referred to Dan Amstutz for triage and then he can decide whether or not it needs to go to TAC.

Mr. Hurd moved receipt.

SO VOTED (5-0)

NEW BUSINESS

Mr. DeCoursey informed the Board that the Arlington Boys Hockey Team sailed through the winner's bracket and will be playing this Sunday, March 15th in the Super 8 at the Boston Garden. He would like to wish them good luck in the game!

Mr. Curro stated that he attended the kickoff for the Arlington Reads Together which the Library puts on. He stated that it is a great community program that had a great turnout. Mr. Curro added that there are three community reads this year that are targeted for adults, teens and children.

Mrs. Mahon stated that she forwarded an email to Mr. Chapdelaine in regards to the lights in the heights and would like to know the status of them. Mr. Chapdelaine confirmed that it would be a gradual process; he stated that Mr. Feeney had gone out and assessed the poles after they received the email. There are approximately 5 or 6 lights that are out, a few them are waiting on parts to be replaced and the other few have structural damage from being hit.

Mrs. Mahon stated that there was a group of people that held a fundraiser, led by a woman named J.J. Gardner where they collected proceeds that they would like to donate to one of Arlington's domestic violence funds for domestic violence victims. In order to receive the fund they must present it to the Board, where we would then accept it. She explained that there is a time restraint on this check, and needs to put this as an agenda item at their next meeting on Monday, March 23rd.

Mr. Curro moved to adjourn at 10:46p.m.

SO VOTED (5-0)

Next Scheduled Meeting of Select Board March 23, 2020

A true record attest

Ashley Maher
 Administrative Assistant
 3/9/2020

Agenda Item	Documents Used
1	
2	Draft Joint Minutes 1.13.2020
3	Draft Minutes 2.24.2020
4	Special Beer and Wine Application – Dance for Dignity
5	Special Beer and Wine Application – Chamber of Commerce
6	Special Beer and Wine Application – Music in Bloom Fundraiser
7	Special Beer and Wine Application – Beats for Eats Fundraiser
8	Contractor Drainlayer Reference – Borselli
9	Contractor Drainlayer Reference – Steve & Sons Contracting, Inc.
10	Contractor Drainlayer Reference – Straightline Excavation Corp.
11	Election Workers Master Records Reference
12	A. Ford Resume – Zoning Board of Appeals S. Revilak Resume – Zoning Board of Appeals
13	FY21 Rate Recommendations – Memo from M. Rademacher
14	
15	April 2020 Calendar
16	Warrant Article Text Town Counsel Comments Town Counsel Reference W.A. #13 Memo from K. Pruitt W.A. #13 Draft Bylaw from K. Pruitt W.A. #13 Slideshow A. Meeks W.A. #13 Reference from A. Meeks W.A. #13 Reference from C. Cooper W.A. #16 Reference from A. Fischer W.A. #17 Reference from J. Flaherty W.A. #17 from J. Weinstein, Boston Ombudsman Panel W.A. #17 from J. Weinstein, Brookline Police Dept. Complaint Procedures W.A. #17 from J. Weinstein, Cambridge Civilian Review Board W.A. #17 from J. Weinstein, Cambridge Code of Ordinances
Final Votes & Comments	Draft 2.24.2020 Final Votes and Comments
17	Correspondence from A. Drake
18	Correspondence from M. Ellenwood



Town of Arlington, Massachusetts

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

Summary:

Jefferson Cutter House Lawn, May 23, 2020 (rain date May 24th), 10:00 a.m. to 6:00 p.m.

Sagar Rastogi

The AHS Scoops Club

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	AHS_Scoops_Club.pdf	Request from AHS Scoops Club

To,
The Arlington Selectmen,
730 Massachusetts Ave,
Arlington, MA-02476

SUB: Request for permission to use 611 Mass. Ave.,
on May 23rd (rain date May 24th), from 10:00-6:00, as a venue for a fundraiser

Dear Selectmen,

For the past several years, multiple groups of proactive students at Arlington High School have committed to raising money with the Jimmy Fund for cancer research by putting on a town-wide ice cream fundraiser. The event, inspired by Boston's own Scooper Bowl, has consisted of a day-long ice cream festival in the Jefferson Cutter House lawn, during which we scooped our hearts out to raise money for research and care at the Dana-Farber Cancer Institute (DFCI) in Boston. The majority of our donation to DFCI has come from the \$5 entry fee for children and \$7 for adults to the all-you-can-eat event. Our goal has been to inspire community support for the cause and to raise money for DFCI, especially since several members of our community are currently battling cancer. In the past five years we have raised a sum of \$17,000 for the Jimmy Fund.

This year, we are hoping to put on the same fundraiser, so we can continue uniting Arlington in the fight against cancer. We request that you allow us a permit to use the Jefferson Cutter House lawn from 10:00AM - 6:00PM, on May 23rd (rain date May 24th) as the venue for our event, as the lawn is ideal due to its easy visibility through traffic. We thank you greatly for your support and consideration!

Most Sincerely,
Sagar Rastogi
The AHS Scoops Club



Town of Arlington, Massachusetts

Appointment of New Election Workers: (1) David R. Morrissette, 225 Waverly Street, U, Pct. 18

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Election_Worker.pdf	Reference

Date: 3/12/2020

Check One: ✓ New Employee
 Change to Existing Employee

Vendor #		Position	inspector
Name:	David R. Morrisette	Democrat	
Address:	225 Waverly Street	Republican	
	Arlington, MA	Unenrolled	✓
Zip Code	02476	Precinct	18
Alpha/ Last Name		Phone #	

Position Codes:

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	



Town of Arlington, Massachusetts

Vote: Acceptance of Gift/Donation of JJ Gardner

Summary:

Douglas W. Heim, Town Counsel



Town of Arlington, Massachusetts

Discussion & Vote: Postponement of Annual Town Election

Summary:

Diane M. Mahon, Chair

Douglas W. Heim, Town Counsel

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	T.C._reference_ATE_ATM.DOCX	Town Counsel Reference
▢	Reference Material	M.Marcinkiewicz_A.I._6.pdf	M. Marcinkiewicz comments



**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
Website: www.arlingtonma.gov

To: Select Board

Cc: Adam Chapdelaine, Town Manager; John Leone, Town Moderator , Janice Weber,
Assistant Town Clerk

From: Douglas W. Heim, Town Counsel

Date: March 19, 2020

Re: COVID-19 Emergency and Postponing Town Election and Town Meeting

Members of the Board, as you may recall, I have previously written to provide the Town's limited options for the conduct of Town Meeting during the present Coronavirus/COVID-19 State of Emergency. I write now to provide further updates on that score, and to outline the Town's options for postponing the Town Election, presently scheduled for April 4, 2020.

Town Meeting

As you may recall, both State law and Title I Article 1, Section 6 of our Town Bylaws present a variety of challenges to safely holding Town Meeting in the context of our present public health emergency. Among other things, a quorum of 25 % Town Meeting Members (62 members) must be present to do any business at Town Meeting, and a minimum of 85 persons

must be present to vote on substantive matters that require a 2/3rds vote. While some consideration has been given to the legality of a “virtual” town meetings, operational challenges in conducting such a meeting of more than 252 persons are significant.

A. Postponing the Meeting

The Town Moderator has the authority under G.L. c. 39 sec. 10A to declare a recess of Town Meeting to a time, place, and date certain of up to thirty (30) days without convening Town Meeting where he determines that a public safety emergency renders Members unable to attend the Meeting after consultation with public safety officials and the Select Board. I anticipate that the Moderator will engage in such consultation with you at your March 23, 2020 meeting.

B. Legislative Relief

As noted in my March 11, 2020 Memorandum to you, postponement for a lengthy period presents its own challenges given the legal mandates for the timeline for Town Meeting and appropriations and dissolution. Governor Baker has introduced “An Act to Address Challenges in Town Governance Resulting from COVID-19,” H.4572, to provide relief from many of these constraints during the State of Emergency. If passed, the Act would:

- Resolve any ambiguity regarding the application of c. 39 sec. 10A to the COVID-19 Emergency.
- Authorize the Select Board to extend Town Meeting beyond the statutory deadline of June 31st where a State of Emergency is ongoing;
- Authorize the Select Boards to temporarily lower Town Meeting quorum rules set forth in both State law and the Town Bylaws *for the duration of this State of Emergency only*;

- Allow continued month-to-month spending into Fiscal Year 2021 based on the prior fiscal year budget with approval of the Division of Local Services during a State of Emergency, so long as the emergency prevents the adoption of Town and School budgets;
- Allow access to the “free cash” balance for Fiscal Year 2021 spending with approval of the Division of Local Services. This would be based on the July 2019 certified balance and could continue until a Fiscal Year 2021 Budget is adopted;
- Allow municipal spending from revolving funds at the level set by their Fiscal Year 2020 appropriation until a Fiscal Year 2021 Budget is adopted; and
- Authorize a three-year amortization period for deficit spending incurred as a result of the COVID-19 crisis.

As of this writing, the Legislature is holding hearings on H.4572 today, and there is optimism that it will pass, providing Arlington significant relief from choosing between holding a Town Meeting to maintain operating budgets and optimally protecting Town Meeting Member health.

Town Election

In brief, at present the only mechanism for postponing the Town’s April 4, 2020 Election is a Court Order. To date, two communities obtained such orders in Norfolk County – Wellesley and Braintree.¹ Secretary of State Galvin requested legislation last week that would authorize the Secretary in consultation with Town officials to postpone or suspend a local election for up to forty-five days (or longer under certain circumstances). Such legislation sets forth details for how such a postponement would work and affords both courts and communities a degree of

¹ Wellesley sought and obtained an Order on March 16, 2020, one-day before their scheduled March 17, 2020, almost certainly due to the rapidly evolving nature of this emergency. For obvious reasons, I do not advise such a narrow window if we are to seek such an Order for Arlington.

certitude of process. Similarly, municipal advocacy organizations are also pursuing special legislation to authorize all local officials to postpone 2020 municipal elections to a date certain in a uniform fashion without the Secretary's approval.

It is this Office's opinion after engaging in dialogue with other municipal counsel throughout the Commonwealth, that a uniform approach to postponing municipal elections presents a superior option to seeking a Court Order community-by-community. However, if the Legislature does not pass either form of election relief by the middle of next week, Arlington will have little choice but to act in such a fashion to provide sufficient time to obtain an Order from Middlesex Superior Court under the Court's modified rules during this State of Emergency, and engage in the necessary public messaging to provide the public, poll workers, and candidates the clarity and assurance they deserve.

Understanding that there is little precedent for the instant circumstance, a postponement request to the Court would likely require the Board of Registrars for the Town of Arlington in consultation with the Town Clerk's Office to vote to authorize and request that the Town Counsel file a complaint and request for an injunction postponing Town Election to a date to be determined no later than June 30th. In an abundance of caution however, I also request your vote to support such a discussion and vote by the Board Registrars in tandem with the contemplated Declaration of a State of Emergency in the Town of Arlington. If such action were to become necessary, I would hope the Board of Registrars could convene no later than March 26, 2020. If they were inclined to pursue a request for an injunction, I would hope to file such a complaint with the Court the same day.

From: Mary Ann Marcinkiewicz <mmarcinkiewicz@rcn.com>
To: mkrepelka@town.arlington.ma.us
Date: 03/23/2020 11:53 AM
Subject: Comments on Agenda Items for Select Board Meeting of March 23, 2020

Comments for the Select Board of Arlington on agenda items for the meeting of March 23, 2020--

#6--The reference material for this agenda Item is confusingly written which makes it unclear whether the June 30th date represents a date by which the new election date must be determined--so it could be held at any time afterwards--or whether the postponed election must actually be held by June 30th.

I would favor the item if the latter interpretation is correct, but not in the case of the former, which would mean there's no date by which the election must actually be held and it could theoretically be postponed indefinitely. Obviously the election can't be held safely in the usual way on April 4th, but in the interests of preserving democracy, the election should be rescheduled for as early a date as possible which would allow providing every registered voter with mail-in ballots.



Town of Arlington, Massachusetts

Discussion: Postponement of Annual Town Meeting

Summary:

Diane M. Mahon, Chair

Douglas W. Heim, Town Counsel

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	T.C._reference_ATE_ATM.DOCX	Town Counsel Reference
▢ Reference Material	Draft_Moderator_s_Coronavirus_and_Town_Meeting_Statement.pdf	Town Moderator Memo



**Town of Arlington
Legal Department**

Douglas W. Heim
Town Counsel

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Arlington, MA 02476
Phone: 781.316.3150
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Town of Arlington

John D. Leone, Moderator

Town Moderator's Statement Regarding Coronavirus and Town Meeting

March 24th, 2020

Greetings Arlingtonian:

As many of us know, State law requires that we complete our Annual Town Meeting 10 days before July 1st, and our Bylaw provides that Town Meeting shall begin on the fourth Monday in April, which this year is April 27, 2020. The Warrant for the meeting has been posted.

On March 23rd I met, virtually, with the Select Board, Town Manager, Mr. Chapdelaine and Town Counsel, Attorney Heim. Prior to that I conferenced with the Chair of the Finance Committee, Alan Tosti, and the Director of Health and Human Services, Christine Bongiorno.

Massachusetts General Law (M.G.L. c. 39, Sec. 10A) provides that the Moderator may "recess and continue" Town Meeting to a date within 30 days of the Declaration of Recess and Continuation. That is a decision that I intend to make only after further consulting with the Select Board and Director Bongiorno. If I determine that it is warranted, I will post the Declaration of Recess and Continuation at the Town Clerk's office, have the Constable post it as is done with the Warrant, request that the Town Manager post it on the Town's website, various list serves and perhaps through use of the Town's reverse 911 system. But, because I can only postpone the meeting for up to 30 days, although I can postpone more than once, I do not intend to make the formal Declaration of Recess and Continuation until April 27th, 2020.

At this point following the joint March 23rd Select Board/Moderator's Meeting, it seems certain that I, in all likelihood, will Recess and Continue Town Meeting, until May 27, 2020. I am not making the formal declaration now in order to preserve as much time as possible to allow for the Coronavirus pandemic to subside prior to holding Town Meeting and also to maintain our progress with the normal planning and preparation for Town Meeting. If, after the required consultations, in the third week of April, I determine that it is in the best interest of public health and safety I will formally Recess and Continue Town Meeting. Given the level of uncertainty, the best thing for us to do as a community is to continue moving forward to the April 27/May 27 meeting date, monitor the situation, and be prepared to adjust as circumstances and guidance dictate.

I have faith in all of our Town's public officials, institutions, and our Health and Human Services Department as they continue to monitor the spread of the coronavirus and make the best decisions for the safety of all our residents. We all understand that these actions and decisions will have a tremendous impact on all members of our community. By taking all necessary precautions now we can all do our part to slow the spread of the virus, reduce the number of people infected, and avoid overwhelming our health care system.

John D. Leone
Town Moderator
Jleone@town.arlington.ma.us



Town of Arlington, Massachusetts

Discussion & Vote: Declaring a Local State of Emergency

Summary:

Douglas W. Heim, Town Counsel

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	TOA__SOE.DOCX	Draft Declaration
▢	Reference Material	Revised_Declaration.DOCX	Revised Draft Declaration
▢	Reference Material	M.Marcinkiewicz_A.I._8.pdf	M. Marcinkiewicz comments
▢	Reference Material	P._Worden_Comments_AI_8.pdf	P. Worden Comments

ARLINGTON SELECT BOARD



TOWN OF ARLINGTON, MASSACHUSETTS DECLARATION OF EMERGENCY

WHEREAS, the COVID-19 virus (also known as “coronavirus”), is a novel, acute respiratory disease, which poses an immediate public health risk and has been deemed a pandemic by the World Health Organization as of March 11, 2020;

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts declared a State of Emergency throughout the Commonwealth, directing the agencies of the State government among other measures, take appropriate actions to mitigate transmission of the COVID-19 virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a “National Emergency Concerning the Novel Coronavirus Disease” and authorized and directed the agencies of the Federal Government to take appropriate actions; and

WHEREAS, COVID-19 is a highly contagious disease, and as of March 18, 2020, there have been five (5) confirmed cases of COVID-19 infection within the Town of Arlington; and

WHEREAS, the Select Board of the Town of Arlington, upon the advice of the Town Manager, Director of Health and Human Services, and other advisors, has determined that COVID-19 poses a present, reasonable and imminent danger to public health, safety, or general welfare of the people of Arlington and/or their property such that it has become necessary for the Town Manager, with such assistance and staff as he deems necessary, to utilize and coordinate the services, equipment, supplies, and facilities of existing departments, offices, and agencies or the community, both locally, regionally, statewide and nationally, if necessary, including the taking of ordinary and extraordinary actions for the purposes of emergency management and emergency functions to protect the public;

NOW THEREFORE, the Select Board of the Town of Arlington, Massachusetts, pursuant to powers conferred under c. 639 of the Acts of 1950 (the “Civil Defense Act”) hereby declares that as of **March 23, 2020** a State of Emergency is declared to exist in the Town of Arlington; and authorizes and directs to full extent permitted and required under the Arlington Town Manager Act and the General Laws of the Commonwealth, the Town Manager, and all Town personnel and agents to take action appropriate to respond to this emergency, and ratifies, confirms and adopts any related action taken prior to the formal adoption of this Declaration. This Declaration of Emergency shall remain in effect until notice is given, pursuant to the Town Manager’s judgment that the State of Emergency no longer exists.

Diane M. Mahon, Chair

Daniel J. Dunn, Vice-Chair

Joseph A. Curro, Jr.

John V. Hurd

Stephen W. DeCoursey

Arlington Select Board

March 23, 2020

ARLINGTON SELECT BOARD



TOWN OF ARLINGTON, MASSACHUSETTS DECLARATION OF EMERGENCY

WHEREAS, the Coronavirus Disease 2019 (COVID-19), is a novel, acute respiratory disease, which poses an immediate public health risk and has been deemed a pandemic by the World Health Organization as of March 11, 2020;

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts declared a State of Emergency throughout the Commonwealth, directing the agencies of the State government among other measures, to take appropriate actions to mitigate transmission of the COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a “National Emergency Concerning the Novel Coronavirus Disease” and authorized and directed the agencies of the Federal Government to take appropriate actions; and

WHEREAS, COVID-19 is a highly contagious disease, and as of March 18, 2020, there have been six hundred and forty-six (646) confirmed cases of COVID-19 infection within the Commonwealth of Massachusetts, including eight (8) confirmed within the Town of Arlington; and

WHEREAS, the Select Board of the Town of Arlington, upon the advice of the Town Manager, Director of Health and Human Services, and other advisors, has determined that COVID-19 poses a present, reasonable and imminent danger to public health, safety, or general welfare of the people of Arlington and/or their property such that it has become necessary for the Town Manager, with such assistance and staff as he deems necessary, to

- utilize the services, equipment, supplies, and facilities of existing departments, and offices;

- coordinate with agencies of the community, the region, the Commonwealth and the Federal government; and if necessary,
- take both ordinary and extraordinary actions for the purposes of emergency management and emergency functions to protect the public;

NOW THEREFORE, the Select Board of the Town of Arlington, Massachusetts, pursuant to powers conferred under c. 639 of the Acts of 1950 (the “Civil Defense Act”) hereby declares that as of **March 23, 2020** a State of Emergency is declared to exist in the Town of Arlington; and authorizes and directs to the full extent permitted and required under the Arlington Town Manager Act and the General Laws of the Commonwealth, the Town Manager in consultation with the Chair of the Select Board, and all Town personnel and agents to take action appropriate to respond to this emergency, and ratifies, confirms and adopts any related action taken prior to the formal adoption of this Declaration. This Declaration of Emergency shall remain in effect until notice is given, pursuant to the Town Manager’s judgment that the State of Emergency no longer exists.

Diane M. Mahon, Chair

Daniel J. Dunn, Vice-Chair

Joseph A. Curro, Jr.

John V. Hurd

Stephen W. DeCoursey

Arlington Select Board

March 23, 2020

From: Mary Ann Marcinkiewicz <mmarcinkiewicz@rcn.com>
To: mkrepelka@town.arlington.ma.us
Date: 03/23/2020 11:53 AM
Subject: Comments on Agenda Items for Select Board Meeting of March 23, 2020

Comments for the Select Board of Arlington on agenda items for the meeting of March 23, 2020--

#8--The fifth paragraph of this item is also ambiguously written in a way that should concern Arlington residents, especially in combination with the sixth paragraph. There are no examples given of what "extraordinary actions" might be considered or any limits to what might be done, and there is not yet enough of a crisis to grant an unelected town manager such extraordinary powers, especially given that there is neither a sunset provision nor a requirement that the Select Board renew this power, which remains in effect until the Town Manager declares the State of Emergency no longer exists.

This is an anti-democratic measure, and I see nothing in the way this item is written that would prevent the Town Manager suspending the governance of the Select Board or Town meeting indefinitely as an extraordinary action.

We should not democratically vote away democracy!

From: Patricia Worden <pbworden@hotmail.com>
"JCurro@town.arlington.ma.us" <JCurro@town.arlington.ma.us>, "JHurd@town.arlington.ma.us"
<JHurd@town.arlington.ma.us>, "DMahon@town.arlington.ma.us" <DMahon@town.arlington.ma.us>,
To: "DDunn@town.arlington.ma.us" <DDunn@town.arlington.ma.us>, "SDeCoursey@town.arlington.ma.us"
<SDeCoursey@town.arlington.ma.us>, "arlington-request@arlingtonlist.org" <arlington-
request@arlingtonlist.org>
Cc: "achapdelaine@town.arlington.ma.us" <achapdelaine@town.arlington.ma.us>,
"mkrepelka@town.arlington.ma.us" <mkrepelka@town.arlington.ma.us>
Date: 03/23/2020 03:14 PM
Subject: Tonight's Select Board Meeting - whither DEMOCRACY?

Dear Members of the Select Board and Arlington List Members;

Regarding the tonight's Select Board remote meeting alarming Agenda item concerning the Town of Arlington's Declaration of Emergency the final sentence is totally unacceptable. It should be amended so that it reads:

"The Declaration of Emergency remains in effect until the Select Board votes on a recommendation by the Town Manager that the State of Emergency no longer exists or after 60 days whichever first occurs."

The unelected town manager should not be allowed to make important policy decisions without the scrutiny and approval of the elected Select Board. The role of the Town Manager is to be advisory to the Select Board – see the Town Manager Act, Section 15 (f).

It is surprising that the Chair of the Select Board (who has the major responsibility for setting the Agenda) allowed this Agenda item without a correction which should certainly be made prior to a vote.

Patricia B. Worden



Town of Arlington, Massachusetts

2020 Patriots' Day Parade Cancelled

Summary:

Laura Munsey, Parade Committee

ATTACHMENTS:

	Type	File Name	Description
▯	Reference Material	CR_L._Munsey.pdf	Reference

From: "Laura Munsey" <LMunsey@town.arlington.ma.us>
To: "Fran Reidy" <FReidy@town.arlington.ma.us>
Date: 03/19/2020 12:02 PM
Subject: Patriots Day Parade Cancelled - Correspondence to Selectboard

Good Afternoon:

Due to the Coronavirus Pandemic and the restriction on all large group activities and gatherings (including parades), the Parade Committee in consultation with Health and Human Services Director, Christine Bongiorno, and Town Manager Adam Chapdelaine, have made the decision to cancel the 2020 Patriots' Day Parade scheduled for Sunday, April 19th at 3:00 pm. Although this is very disappointing, the decision has been made with the best interest of Public Health and our most vulnerable citizens in mind.

Sincerely,

Laura Munsey

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Laura A. Munsey
Office Manager
Health & Human Services
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Arlington, MA 02476
781-316-3172

lmunsey@town.arlington.ma.us

Please visit Arlington's Website at www.arlingtonma.gov



Town of Arlington, Massachusetts

NEW BUSINESS



Town of Arlington, Massachusetts

Next Scheduled Meeting of Select Board April 6, 2020

Summary:

Adam Chapdelaine is inviting you to a scheduled Zoom meeting.

Topic: Arlington Select Board Meeting 3/23/2020

Time: Mar 23, 2020 07:15 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/3448232175>

Meeting ID: 344 823 2175

One tap mobile

+16468769923,,3448232175# US (New York)

+13126266799,,3448232175# US (Chicago)

Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

Meeting ID: 344 823 2175

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

Members of the public are asked to send written comment to mkrepelka@town.arlington.ma.us

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>