



## Select Board Meeting Minutes

Date: April 13, 2020

Time: 7:15 PM

Location: Conducted by Remote Participation

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

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

### 1. Executive Order on Remote Participation

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

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

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

### 2. Organizational Meeting for the Purpose of Electing a Chair and Vice Chair

Diane M. Mahon, Chair

Mr. Heim explained that we are in very unusual circumstances. He stated that Marie Krepelka, Board Administrator was unable to be with them at this meeting. Under the organizational meeting typically the Board Administrator would serve as chair of the meeting only for the purpose of the organizational meeting. Mr. Heim stated that if the Board is comfortable he would proceed as the pro tem chair for the purposes of this limited discussion. Mr. Heim asked each member of the Board if they had any comment on Mr. Heim serving as the chair during this agenda item. Mr. Curro made a motion for

the Town Counsel to serve as chair pro tem in the absence of the Board Administrator and a roll call vote was taken on the motion by Mr. Heim.

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

Mr. Heim explained that the Select Board's policy is that the chair and vice chair of the Board serve for one year. It is also the Board's policy that the organizational election of a new chair and vice-chair happens following the Annual Town Election; the Annual Town Election has been postponed to June. Mr. Heim stated that the Board can either elect a new chair until the election happens or the Board can take a vote to maintain the current chair and vice chair until such time as the Town Election is held.

Mr. DeCoursey stated that Mr. Heim laid out the conflict in the Select Board handbook very well and explained that he feels the one year requirement needs to give way to the Annual Town Election and he would be in favor of maintaining the current chair and vice chair until the Town Election occurs. The remainder of the Board was in agreement with maintaining the current chair and vice chair until the election occurs.

Mr. Curro moved to suspend the Select Board Policies for the purpose of deferring our organizational meeting until the first meeting following the Annual Town Election.

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

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

SO VOTED (5-0)

Mr. Curro moved to take an additional vote to close the organizational meeting and return to the regular meeting. Mr. Heim noted that Mrs. Mahon and Mr. Dunn continue to serve as chair and vice-chair of the Select Board respectively.

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

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

SO VOTED (5-0)

## **CONSENT AGENDA**

3. Minutes of Meetings: March 23, 2020; March 30, 2020  
Mr. Curro moved approval.

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

Mr. DeCoursey:     yes

Mr. Hurd:           yes

Mr. Curro:          yes

Mr. Dunn:           yes

Mrs. Mahon:         yes

SO VOTED (5-0)

## **CITIZENS OPEN FORUM**

Sean Harrington, 16 Lafayette Street, wanted to address the Health Department's notice in regards to masks being worn in grocery stores and convenience stores and he feels it is important to note that individuals are still touching their masks with their hands as well as individuals not knowing how to properly take masks off. Mr. Harrington stated that it is important that the Town take action to try and educate the public on how to properly take off masks, not to touch your face with a mask on and if you are using a scarf or alternative to clean thoroughly after each wear.

Mr. Harrington also stated that as a member of the Election Modernization Study Group they have received a lot of feedback from citizens about the dates and precincts in regards to voting areas. He strongly suggests that the Board keeps as many of the polling locations as possible open as having one or two locations open makes it a lot easier for one individual to contract COVID-19.

Lynette Martyn, 18 Eustis Street, stated that she participated in the Election Modernization meeting where there was a lot of concern and anxiety about how the elections are going to be held. She explained that there were a lot of creative ideas to be explored and asked if there would be a place where citizens can collaborate with the Select Board Members on how the poll workers will be protected as well as the hours. She stated there was some conversation about extending the day so there is less crowding as well as getting the message out to people. Lastly she wondered if Arlington has any plans to protect our low-wage workers employed in Arlington as essential businesses.

Elizabeth Dray, 130 Jason Street, explained that we have less than 8 weeks to develop a new way for Arlington to vote. She stated that we have to marshal all of our resources including all of the employees whose job descriptions have been made temporarily irrelevant to build the network we need to reach out to voters beyond the traditional

ways to develop a creative way to ensure a smooth well-run inclusive election that focuses equally on education access to absentee ballots and a safe way to return the ballot or vote at the polls. Mrs. Dray stated that it could be expensive and asked if there is money from the State that could help pay for this or money that could be reallocated within the Town. She stated that her biggest concern is that Arlington will fall back on their traditional channels of communication and that the result will be disenfranchisement of the Arlington voters.

James O'Connor, 63 Overlook Road, Chair of the Election Modernization Group stated that with the help of someone he would be able to make the meeting they had last week public for people to be able to view. He stated that it was constructive overall and wanted the Board to be made aware of the fact people have asked if there would be another meeting and some participants wanted to know if they had any authority over the upcoming election.

Beth Melofchik, 20 Russell Street, would like to give a shout out to James O'Connor who ran a very excellent meeting last week for the Election Modernization Group and stated that the public at that meeting was very appreciative of the opportunity to speak. She recommends to the Board as well as the public to watch the meeting when it is made available.

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

##### **4. COVID-19 Response Update**

Adam W. Chapdelaine, Town Manager

Mr. Chapdelaine explained that he knows some of the residents who spoke in citizens open forum raise concerns specific to our preparation or our response to the COVID-19 pandemic. Mr. Chapdelaine stated that they have been managing this from a public health point of view right from the start and what they do when they receive requests for consideration is they discuss those with our leadership team who consists of the Director of Health and Human Services, Director of Public Health, Police Chief, Fire Chief, Town Manager, and we also have representation from the Economic Development Coordinator as well as other members of the Planning and IT staff and the Deputy Town Manager and the Human Resources Director. Mr. Chapdelaine stated that in regards to tonight's education about proper wearing of a face mask as well as sanitization of certain areas in Town he will bring this up with the leadership team tomorrow and from the public health point of view determine what the right approach may be.

Mr. Chapdelaine added that our Board of Health Staff continues to work seven days a week and nearly 12 hour days in managing the response to this crisis. Mr. Chapdelaine

stated that as of today there are 87 positive cases in the town. The Board of Health Staff is not only advising us in terms of the restrictions and enforcing those restrictions with businesses across Arlington but they are contact tracing people who may have been in contact with those positive cases. Mr. Chapdelaine stated that they meet virtually at 12 o'clock every day to discuss what the message will be that day. He stated that they announced today the requirement of grocery store workers, pharmacy workers and convenience store workers to wear masks while working and also issuing a strong recommendation for residents to wear masks whenever they're outside. They are also asking residents of senior housing that whenever they are coming to congregate areas in those senior housing complexes that they wear masks as well. Mr. Chapdelaine stated that they will continue to issue guidance as things go forward and will continue to determine whether further restrictions are necessary on a daily basis. They are continuing to monitor the use of the bike path under the recreational paths and whether or not based on the intensity of usage if it's a safe thing to keep it open. Finally they are trying to continue to find ways to connect with people in Town and answer questions and concerns they have about this pandemic. Tomorrow they are going to launch their first virtual town forum at 2:00 p.m. which will focus on small businesses and nonprofits.

Mr. Dunn spoke in regards to the Annual Town Election and stated that there are two possible tracks, one being the regular track which is people show up at the polling locations and they vote. He explained that there will have to be some alternative locations to some of the regular locations and he spoke with Marie Krepelka, Board Administrator who is on top of the possible location changes and is already thinking about the alternatives and she feels like she will be able to get enough poll workers to staff the locations. Mr. Dunn stated that the second track would be the absentee ballot version where the ballots would all be mail in. Mr. Dunn feels like the Town Manager's office is uniquely suited to help us with that as well as the IT Department and also some of the other offices such as Town Counsel. Mr. Dunn stated that he feels it is appropriate to ask the Town Manager to help with what he calls the second lane of voting.

Mr. Curro stated that his remarks are similar to Mr. Dunn's and he feels that the first issue that has been raised is getting out the word about the Election. Mr. Curro refers to this as a public-private partnership between the Town where we set the election date and we're administering the elections and using those traditional communications channels to get out the word to the media. Mr. Curro stated that the administration of the election itself, which is traditionally a partnership within Town government, is also very important. Mr. Curro agrees that appointing the Town Manager and his office as the point person to help coordinate between the parties makes sense. Mr. Curro also recommends keeping as many of the polling locations open as possible to help mitigate

contamination. Mr. Curro stated that the Select Board has precedent for sending out postcards with special notifications to each registered voter when their polling locations have changed.

Mr. Hurd stated that to him the number of polling locations is determined on how many poll workers we can get to staff the locations. Mr. Hurd believes that if we can keep as many open as possible it would be a safer option because there is a lot less contact individually.

Mr. DeCoursey stated that he is in agreement with his colleagues but is focusing more on the second aspect of remote voting which we know is going to be new and we can work with the Clerk's Office to provide assistance if it is welcome and through our IT Department to get the links to the absentee ballot applications. Mr. DeCoursey stated that Chapter 45 that allowed us to move the election actually allows for any form of communication expressing a desire to vote to be used in the same manner as an absentee ballot application. Mr. DeCoursey explained that notifying the public and making sure people know whether it's the absentee ballot application or it is a request that they can obtain a ballot. Also in Chapter 45 is providing notice to the public that we have changed the date and if there are changes to the number of polling locations we should get that word out.

Mr. Heim stated that citizens can email a request for an absentee ballot. He explained that the problem is that there is supposed to be some kind of signature affixed to it. You may email, fax or write but under the law they are requiring there to be some form of a signature. The Assistant Town Clerk has been recommending that people fill out the form and attach it as a PDF. Mr. Heim stated that the other legal constraint that we are trying to get some flexibility and clarity on is that last year we sent out some communications that were candidate statements by Town Meeting Members. That issue was vetted with the Office of Campaign and Political Finance who gave us an okay because they were Town Meeting Members and a lot of the ethics and campaign finance laws don't apply as clearly for the Town Meeting Offices as they do to other elected offices. As a general rule the Town is not allowed to expend the Town's money in support of a political candidate. Mr. Heim stated that the dilemma is figuring out how much latitude the Office of Campaign and Political Finance will give us.

Mr. Curro moved to direct the Town Manager be the liaison between the Departments in regards to the Town Election.

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

Mr. DeCoursey:     yes

Mr. Hurd:            yes

Mr. Curro: yes  
Mr. Dunn: yes  
Mrs. Mahon: yes

SO VOTED (5-0)

5. Discussion & Vote: An Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID-19, Chapter 53 of the Acts of 2020

Diane M. Mahon, Chair

Adam W. Chapdelaine, Town Manager

Douglas W. Heim, Town Counsel

Mr. Chapdelaine briefed the Board. He explained that this was a municipal relief bill that was championed by some of our local legislators which the Governor signed recently that provides relief for municipal government ranging from Town Meeting postponement powers being expanded for the Town Moderator; budgetary flexibility being provided to cities and towns as well as the ability to push back certain tax payment dates as well as the ability to waive the penalties and interest for certain payments due to the Town. Mr. Chapdelaine stated that there may be a time in the future that the Board would like to come back and talk about certain parts of the budgetary flexibility that this relief bill has granted. Mr. Chapdelaine stated that it is premature to talk about, if we are able to have Town Meeting before June 30<sup>th</sup> and put a budget in place much of those pieces of flexibility will not be needed. If we are not able to conduct a Town Meeting before June 30<sup>th</sup> we may need to come back and visit some areas. However the Town would like to recommend certain areas of relief in terms of tax payment dates, penalties and interest. Mr. Chapdelaine stated that this was put together by Deputy Town Manager Sandy Pooler in consultation with Treasurer and Collector Phyllis Marshall.

Deputy Town Manager, Sandy Pooler stated that there is a comprehensive bill that provided relief on many areas. Mr. Pooler stated that we would be talking about Sections 10 and 11 in Chapter 53. Section 10 allows us to change the due date of our fourth quarter property tax bills and make that due date June 1<sup>st</sup> and recommend and request that the Board approve this. Mr. Pooler stated that this would give people time to get their tax payments made within a reasonable time and we would receive them by the end of the Fiscal Year. Section 11 is the waiver of payment of interest or other penalties in the event of a late payment is made. This would include excise tax, general assessments, water rate or annual sewer rate charges. Mr. Pooler stated that they are recommending that the Board approve this section as it applies to water and sewer bills, which would make their due date essentially June 29<sup>th</sup>. Mr. Pooler stated that they are not looking to extend the due date for the tax bills or excise bills at this time mostly because of cash flow issue; they want to make sure we get enough revenue in before the end of the year. Mr. Pooler stated that they have already received an email from the largest mortgage company payer asking if we are going to postpone the two dates

either to June 1<sup>st</sup> or the end of June. He stated that they think there is a chance that the mortgage companies will delay payment. Mr. Pooler stated that expanding that farther didn't seem like it was going to help a lot of people.

Mrs. Marshall stated that they have already started to discuss what needs to happen out of the Treasurer's Office. She stated that they are working on how these matters can be addressed and how they can meet their needs.

Mr. DeCoursey moved to extend the fourth quarter payment deadline for real estate and property taxes from May 1<sup>st</sup> to June 1<sup>st</sup>.

Mr. DeCoursey moved to extend the application filing deadline from April 1<sup>st</sup> to June 1<sup>st</sup> for the purpose of Chapter 59 Section 59.

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

Mr. DeCoursey:     yes

Mr. Hurd:            yes

Mr. Curro:           yes

Mr. Dunn:            yes

Mrs. Mahon:          yes

SO VOTED (5-0)

Mr. DeCoursey moved to waive the penalties and interest for the late payment of water and sewer charge through June 30<sup>th</sup>.

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

Mr. DeCoursey:     yes

Mr. Hurd:            yes

Mr. Curro:           yes

Mr. Dunn:            yes

Mrs. Mahon:          yes

SO VOTED (5-0)

6. For Approval: Letter of Support for All-America Road Designation from the Federal Highway Administration's National Scenic Byways Program

Adam W. Chapdelaine, Town Manager

Mr. Chapdelaine explained that this is simply a letter of support to consider signing. They are asking the Board to be part of nominating the Battle Road Scenic Byway for the All-America Road Designation. Mr. Chapdelaine stated that the Scenic Byway which runs through several communities was designated as a Scenic Byway in 2006 and now there is an opportunity for the Battle Road Scenic Byway to be designated as an all-America Road and they are looking for the Board's support.

Mr. Curro moved approval.

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



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

SO VOTED (5-0)

#### 7. Discussion: May 2020 Select Board Meetings

Mrs. Mahon recommended May 4<sup>th</sup> and May 18<sup>th</sup> as future Board meetings. Mr. Dunn stated that the Board still has a handful of Town Meeting warrant articles that need to be heard and trying to figure out how to get those in may be hard. Mrs. Mahon stated that the CDBG public meeting needs to be held by May 15<sup>th</sup> and then we will have the subsequent Federal Cares Act CDBG funding, which would be heard on the same night. Mrs. Mahon stated that the next scheduled meetings of the Select Board will be May 4<sup>th</sup> and May 18<sup>th</sup>.

### **NEW BUSINESS**

Mr. Heim stated that he wanted to thank the people who are working so hard in the Health Department as well as our first responders. He would also like to thank his workers compensation staff who are responsible for line of duty claims and have been doing a terrific job trying to stay on top of things to make sure that any of our injured workers are still getting paid.

Mr. Chapdelaine stated that from the federal stimulus bill that was passed several weeks ago there is a pretty significant influx of additional CDBG money the Town will be receiving approximately \$600,000 to help in the response to this crisis. They will be meeting with the CDBG Sub-Committee on Wednesday morning at 10:00 a.m. any recommendations from that Committee will be brought before this Board.

Mr. DeCoursey would like to thank our Health Department, our first responders and healthcare workers in general for all the work that they are doing during this crisis. Mr. DeCoursey shared a quote from Governor Cuomo who was quoting President Roosevelt "Courage is not the absence of fear but rather the assessment that something else is more important than fear"

Mr. Hurd wanted to thank everyone that has been working so hard to keep people safe and just to remind people that a lot of our restaurant establishments are still working hard to provide takeout and delivery services we've been using a number of them and they have been doing a great job to continue to provide food services throughout the Town but in a healthy and safe way.

Mr. Curro wanted to remind everyone that we won't have the marathon, the Red Sox, the Patriots Day Parade, the reenactment, or the visits by Paul Revere and William

Dawes but we do have a lot of people that are working hard to defend our community against this new virus. Mr. Curro shared that his brother is a first responder in another community who tested positive for COVID-19 and stated the very real risk our first responders, grocery workers and our health care workers are taking. He wanted to thank them as well as the residents who are working hard to follow the social distancing guidelines.

Mrs. Mahon reiterated in regards to the Federal Cares Act of CDBG money and she anticipates they will have conversations around the guidelines that they have to follow. Mrs. Mahon also spoke regarding assistance to low-income renter businesses here in Arlington that are impacted. Mrs. Mahon would like to thank ACMI who have been going through this process with the Select Board and other departments and committees. She stated that they have candidate profiles available on their website that citizens can view for the upcoming Election on June 6<sup>th</sup>. Mrs. Mahon also thanked all the first responders and reminded the citizens at home to continue to practice social distancing.

Next Scheduled Meeting of Select Board April 27, 2020

Mr. Dunn moved to adjourn at 8:48 p.m.

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

Mr. DeCoursey:     yes

Mr. Hurd:            yes

Mr. Curro:           yes

Mr. Dunn:            yes

Mrs. Mahon:          yes

SO VOTED (5-0)

A true record attest

Ashley Maher  
Administrative Assistant

4/27/2020

Agenda Item	Documents Used
1	Executive Order
2	
3	Draft Minutes 3.23.2020 Draft Minutes 3.30.2020
4	

5	H4598 Final Bill summary Reference Delayed Tax Payment Reference
6	Scenic Bylaw Committee All-American Road Designation Request
7	May 2020 Calendar