



Select Board Meeting Minutes

Date: January 4, 2021

Time: 7:15 PM

Location: Conducted by Remote Participation

Present: Mr. Hurd, Chair, Mrs. Mahon, Mr. DeCoursey, Mr. Diggins

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

Absent: Mr. Curro, Vice Chair

1. Executive Order on Remote Participation

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

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

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

CONSENT AGENDA

2. Minutes of Meetings: December 21, 2020

3. Minutes of Meetings: September 21, 2020 Joint Meeting with Arlington
Redevelopment Board

4. Minutes of Meetings: December 9, 2020 Joint Meeting with Arlington Housing
Authority

Mr. DeCoursey moved approval.

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

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Hurd: yes

SO VOTED (4-0)

5. For Approval: Arlington Public Art Youth Banner Initiative on Massachusetts Avenue in Arlington Center, April 1, 2021 - July 1, 2021
Adria Arch, Arlington Commission for Arts and Culture

Mr. DeCoursey stated that his concern was the timeline listed in the application. Mr. DeCoursey stated that the request is for April 1 through July 1 and he is concerned about the month of June in terms of both Pride month as well as banners that were hung for the Arlington High School Seniors. Mr. DeCoursey stated that this could be the case again this year and for the purpose of this approval would like to recommend the banners to be approved from April 1 through May 31 and revisit later if need be. Mrs. Mahon noted that in the Youth Banner Initiative the even dates are April to May so this recommendation makes sense.

Mr. DeCoursey moved approval through May 31, 2021.

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

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Hurd: yes

SO VOTED (4-0)

LICENSES & PERMITS

6. For Approval: Food Vendor License
Maruichi Japanese Food and Deli, 1398 Massachusetts Avenue, Joshua Nakama

Mr. Nakama appeared before the Board and stated that he is the manager of this business and is excited to bring his Japanese grocery store to Arlington. Mr. Nakama stated that Arlington has one of the highest percentages of Japanese populations in Massachusetts outside of the Boston and Somerville community. Mr. Nakama stated that this is a great way to help support these immigrant residents and become a part of the larger community. The Board is excited for this to come to Arlington especially in the Heights and is looking forward to trying it out. The Board wishes Mr. Nakama and his team success and welcomes him to Arlington.

Mr. Diggins moved approval subject to all conditions as set forth.

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

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Hurd: yes

SO VOTED (4-0)

OPEN FORUM

No participants appeared before the Board.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

7. For Approval: Advance of Funds in Lieu of Borrowing

Phyllis Marshall, Town Treasurer

Ms. Marshall appeared before the Board and stated that she submitted these forms for the Boards review and consideration. Ms. Marshall stated that they are requesting for an advance of funds in lieu of borrowing. The department is in process of putting together the bond issue that they will have in February. Ms. Marshall stated that the sale is planned for February 18th and she will be back in front of the Board on February 22nd for a vote on the bonds. Ms. Marshall stated that the two projects that are going to be included in that borrowing are the first installment of the department of public works project for renovation and the amount that is requested is advance of the borrowing is \$300,000. Ms. Marshall stated that the second project that they are requesting an additional \$300,000 in advance of borrowing is for the work that is being done out front of the Town Hall. The state requires that if we are going to borrow in advance of the borrowing then we need to demonstrate the balances that we have on hand, the unappropriated free cash is \$5,416,980 and we only need \$600,000. Ms. Marshall stated they are looking for the Board to sign off and approve that.

Mrs. Mahon moved approval subject to all conditions as set forth.

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

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Hurd: yes

SO VOTED (4-0)

8. For Discussion: Arlington Refunding Opportunity

Phyllis Marshall, Town Treasurer

Ms. Marshall appeared before the Board and stated that this is an opportunity that comes to us on occasion. Ms. Marshall stated that this was a \$7,258,000 bond issue in August of 2010. Bond issues have a period of time where there is an opportunity to refund or refinance them. Ms. Marshall stated that what would be eligible for refunding is about 40% of the original issue which is approximately \$2,945,000. Ms. Marshall stated that those are items that were within that borrowing. The bond life of some of

them is five more years and three of them have ten years remaining on them. The current interest rates that we are seeing could reduce our debt service over the remaining term of the bond for ten years by approximately \$250,000. Ms. Marshall stated that 60% of the bond has already been paid off and the amount that remains outstanding is \$2,945,000.

Mr. Diggins moved approval subject to all conditions as set forth.

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

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Hurd: yes

SO VOTED (4-0)

9. Vote: Police Civilian Advisory Board Study Committee Select Board Designee
John V. Hurd, Chair

Mr. Hurd stated that there was some questions as to if they had to be a Select Board member or a designee chosen by the Board. Mr. Heim stated that the way the vote is articulated it does allow for a designee as set forth by the Select Board. Mrs. Mahon noted that the proponents of this committee designated the member of the Select Board or its designee, Town Council and the Police Chief to all be ex-officio non-voting members. Mrs. Mahon noted that from the language proposed the Select Board designee would be the administrative person to schedule the first meeting and at the meeting the committee members which include the three non-voting members would call a structural meeting to appoint who should do that going forward.

Mrs. Mahon nominated Mrs. Krepelka as their designee to the Police Civilian Advisory Board solely for the purpose of setting up the first meeting and after the first meeting will no longer have any oversight.

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

Mrs. Mahon: yes
Mr. DeCoursey: yes
Mr. Diggins: yes
Mr. Hurd: yes

SO VOTED (4-0)

10. Presentation by Calyx Peak

Mr. Hurd stated that a few months back we had a few presentations regarding our last remaining community host agreement special permit. Mr. Hurd stated that at that meeting the Board did not approve either of the community host agreements. In the time since that meeting Mr. Hurd has had a few conversations with the council from Calyx Peak where they have done some community outreach. Mr. Hurd stated that they wanted the opportunity to come and present to the Board what if any progress they have made. Mr. Hurd explained after their presentation it will turn to the Board to

determine what if any motion they want to take, which could also be not to take any action. Mrs. Mahon stated that when the Board opens the process for the community host agreements they afforded each applicant ample time to make their presentation and her concern is by engaging in this process the Board is setting a precedent that when they take a vote and it does not go for an approval that this could be a way to circumvent the process. Mrs. Mahon stated that she does not like that this does not allow the other applicants the opportunity that also were not successful to come back in front of the Board.

Mr. Chapdelaine stated that he spoke to Mr. Curro prior to the meeting who had asked him in lead up to the meeting to request of the Arlington Police Department any calls for response for congregating at Nora Brown Park, Addie Symmes Park or Hills Hill. Mr. Chapdelaine stated that he has not been able to collect those reports yet. Mr. D'Agostino appeared before the Board and stated that the cover letter they submitted to the Board states exactly what they are looking for. Mr. D'Agostino stated that when they attended the previous Select Board Hearings they were given feedback as mentioned in their letter relative to traffic concerns. They hired a firm to do the work that they thought the Board would need to further consider their application. Mr. D'Agostino commented that the Board had recommended them to get community feedback and Mr. D'Agostino stated that the community feedback was incredibly targeted based on people they were able to determine have been active in the community. Mr. D'Agostino stated that this was not a broad-based community outreach meeting. Mr. D'Agostino stated that the process of the Board is that this is license is still available and due to the 2000 square foot buffer the other applicant was unable to be considered. They are hopeful that the Board is still willing to reconsider their application. Mr. D'Agostino stated that he believes the Board could meet in a middle ground and authorize them to conduct community outreach meeting.

The Board asked if the traffic count data would change when the pandemic is over. Mr. D'Agostino stated that this traffic data is based on a historic data number. Mr. D'Agostino stated that it could cue more at a busier time or less at a slower time and they would certainly need to consider that. Mrs. Mahon encouraged Caylx Peak and Mr. D'Agostino to keep this information and perhaps study traffic cueing when we get back to a post COVID world. Mr. Hurd stated that the Board has the ability to approve as many Community Host Agreements as they feel as well as the ability to not approve them. Mr. DeCoursey stated that if there was to be a vote of reconsideration he feels out of fairness the other applicant that was heard that evening should be notified that there is reconsideration and if there is anything they would like to present.

Mrs. Mahon moved receipt.

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

Mrs. Mahon: yes

Mr. DeCoursey: yes

Mr. Diggins: yes
Mr. Hurd: yes

SO VOTED (4-0)

11. For Discussion and Approval: Black Lives Matter Banner Display

Joseph Curro, Select Board

Stephen DeCoursey, Select Board

Mr. DeCoursey stated that this follows from discussions the Board has had since last June in regards to a banner policy and plan and recommends the following:

- Development of a policy incorporating the longstanding precedent of displaying banners and other symbols and adornments on Town Hall in a temporary, recurring manner, in conjunction with specific observances, events, or Town initiatives, and in a way that respects the shared nature of public space.
- Customization of any Black Lives Matter banner with the seal of the Town and any additional language clarifying this as a statement of values, rather than an endorsement of a particular organization.
- Prioritization of the annual display of a newly customized Black Lives Matter banner from a date in January preceding the Rev. Dr. Martin Luther King, Jr. Birthday Observance and continuing through the February observance of Black History Month.
- Continuing to hear public comment about what other steps Arlington could take to reflect the spirit of these actions.

Mr. Diggins stated that trying to figure out what to do and the procedures that follow are going to take a while. Mr. Diggins questioned the third proposal regarding the whereabouts of the banner that will be displayed from MLK Day through February. Mr. DeCoursey stated that for the period the recommendation is to display the banner on Town Hall but is open to discussion before the Board. Mr. Diggins stated that his position on banners being hung from Town Hall has not changed and fears the Board will find themselves in a similar situation as before. Mr. Hurd stated that if this passes they would not have to take another vote to put the banner up or take the banner down. Mrs. Mahon stated that she agrees with Mr. Diggins and stated that before this the only banners that were displayed at Town Hall were announcing Town Day and the Strawberry Festival that the High School would put on as well as the Pride Flags. Mrs. Mahon stated that she was upset that these banners did not get to be hung this year and suggested earlier in the year that the Black Lives Matter Banner be moved to an alternate location. Mrs. Mahon recommended the following "Customization of any Black Lives Matter banner with the seal of the Town and or additional language clarifying this as a statement of values, rather than an endorsement of a particular organization. Instead of the word any replace it with or. Mrs. Mahon stated that she would need to have more conversation with regards to changing the Town Seal to recognize Black Lives Matter. Mr. Hurd stated that that this would not be amending the Town Seal but rather including the seal on the banner with the addition of a clarifying statement of values. Mr. DeCoursey stated that this is not to place a permanent banner on Town Hall but rather to show support during the months of January and February. Mr. Hurd stated that without the full Board maybe we should push this discussion to the next meeting.

Mrs. Mahon moved receipt.

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

Mrs. Mahon: yes

Mr. DeCoursey: yes

Mr. Diggins: yes

Mr. Hurd: yes

SO VOTED (4-0)

NEW BUSINESS

Mr. Heim stated that he spoke with Representative Sean Garballey about the Senior Means Tax Relief warrant article. Mr. Heim stated that it has passed the House and is keeping a close eye on the Senate but it is expected to pass.

Mr. Chapdelaine stated that our local health department has partnered with the health departments in Lexington, Belmont and Watertown to collectively be able to distribute vaccine to first responders. Starting next week Arlington as the lead, we will be setting up clinics and we will start providing vaccines to our police officers, firefighters and public safety dispatchers. Mr. Chapdelaine stated that over that weeks' time we will hopefully be vaccinating 580 employees across all four of the towns.

Mrs. Mahon would like to thank Mr. Heim in regards to the seniors means tested tax relief and is keeping her fingers crossed that the Governor signs it. Mrs. Mahon questioned the vaccine distributed and if it is something we are doing within our own framework or something we are doing in concert with the state Department of Public Health. Mr. Chapdelaine stated that is the program mentioned in coordination with the DPH. Mrs. Mahon would like to thank Mr. Chapdelaine and Mrs. Bongiorno, Director of Health and Human Services and is looking forward to the next steps going forward for vaccinations.

Mr. Diggins would like to thank Public Works Department on a job well done regarding the sidewalks on Sunnyside Avenue. Mr. Diggins would like to have on the next meeting a discussion regarding a proposed warrant article to create a committee to study how we go about creating the youth and young adult advisory committee.

Mr. DeCoursey stated yesterday there are people out on the ice in Menotomy Rocks Park and would like to remind citizens of the danger surrounding it. Mr. DeCoursey would encourage people if you see someone out there to remind them that it is not cold enough for people to be on the ice and to please stay off of it.

Mr. Hurd stated that for the next item on the agenda, we have executive session for the purpose of conducting a strategy session with respect to impending litigation a public

discussion of which would be detrimental to the Town's position. Mr. Hurd stated that before the Board takes a motion to such effect he notes that upon the advice of counsel, providing detail on the subject of this executive session would be itself detrimental to the Board's discussion of its posture and further unless otherwise moved by a member of the Board they will adjourn this meeting from our executive session and shall not return to open session.

Mrs. Mahon moved to enter executive session and to adjourn the meeting from executive session.

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

Mrs. Mahon: yes
 Mr. DeCoursey: yes
 Mr. Diggins: yes
 Mr. Hurd: yes

SO VOTED (4-0)

Next Scheduled Meeting of Select Board January 25, 2021

A true record attest

Ashley Maher
 Administrative Assistant

1/4/2021

| Agenda Item | Document Used |
|-------------|--|
| 1 | Executive Order on Remote Participation |
| 2 | Draft Minutes 12.21.2020 |
| 3 | Joint ARB Meeting Minutes |
| 4 | Joint AHA Draft Minutes 12.9.2020 |
| 5 | APA Youth Banner Request |
| 6 | Maruichi Inspection Reports Maruichi Food Vendor Application |
| 7 | Memo from Town Treasurer Town Hall Facility Advance DPW Facility Advance |
| 8 | Memo from Town Treasurer |
| 9 | |
| 10 | Calyx Peak Presentation |
| 11 | Memo Regarding Banner Display |