



Select Board Meeting Minutes

Date: Monday, March 6, 2023

Time: 7:15PM

Location: Members of the public may access the hybrid meeting via the Select Board Chambers, Zoom, or ACMI

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

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

1. Executive Order on Remote Participation

Mr. Diggins opened the meeting by stating the Commonwealth passed on February 15, 2022, an act relative to extending certain COVID-19 measures adopted during the state of emergency, which among other things, allows public meetings to be conducted remotely until July of 2022. Tonight's meeting is being conducted via Zoom, is being recorded and is also being simultaneously broadcasted on ACMI. As such, all business will be conducted by roll call vote. Persons wishing to join the meeting by Zoom may find information on how to do so on the Town's website. Persons participating by Zoom are reminded that they may be visible to others and then if you wish to participate, you are asked to provide your full name in the interest of developing a record of the meeting. Further, all participants are advised that people may be listening who do not provide comment, and those persons are not required to identify themselves. Finally, both zoom participants and people watching on ACMI can follow the posted agenda materials, also found on the Town's website using the Novus agenda platform.

2. Land Acknowledgment

Mr. Diggins read the land acknowledgement that the Board supported last Spring in Town Meeting approved through a resolution and which is also contained on the Town's website. We acknowledged that the Town of Arlington is located on the ancestral lands of the Massachusetts tribe, the tribe of indigenous peoples from whom the colony, province and Commonwealth have taken their names. We pay our respects to the ancestral bloodline of the Massachusetts tribe and their descendants who still inhabit historic Massachusetts territories today.

3. Update: Town Manager Search Process

Lenard T. Diggins, Select Board Chair

Douglas Heim, Town Counsel

Mr. Heim noted that he has transmitted a formal letter to the Division of Open Government outlining the process the Select Board engaged in to retained Mr. Lynch and appoint a preliminary screening committee. The process detailed that the Screening Committee engaged in to develop a list of three finalists and one alternate. The predicament that the Board finds itself in so far is that three out of the four finalists that were selected for the public interview process have withdrawn from consideration. Mr. Heim noted that at this point there is nothing the Board needs to do, however it was explained that the Division of Open Government is not required to provide comment but the Town would appreciate any comment they may have. Mr. Heim noted that he did ask for comment back by March 20, 2023.

CONSENT AGENDA

4. Minutes of Meeting: February 6, 2023
5. 2023 Farmers' Market
 - a. Farmers' Market Approval
 - b. Farmers' Market / Arlington EATS Merger
Andi Doane, Director Arlington EATS
Patsy Kraemer, Manager, Arlington Farmers' Market

Mrs. Mahon moved to approve.

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

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

SO VOTED (5-0)

APPOINTMENTS

6. Zoning Board of Appeals
Adam LeBlanc
(Term to expire 3/31/2026)

Mr. LeBlanc appeared before the Board and stated that he is a registered architect in the state of Massachusetts and has worked a lot of public affordable housing. Mr. LeBlanc stated that when he saw the committee opening, he was interested.

The Board thanked Mr. LeBlanc for his willingness to serve and look forward to working with him in the future.

Mr. Helmuth moved to approve.

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

Mr. Hurd: yes
Mr. Diggins: yes
Mr. Helmuth: yes

Mrs. Mahon: yes
Mr. DeCoursey: yes

SO VOTED (5-0)

7. Transportation Advisory Committee
James Stubbe
(Term to expire 12/31/2024)

Mr. Stubbe appeared before the Board and stated that he has been an Arlington resident for 8 years and explained that he does a lot of walking in the Town. Mr. Stubbe stated that it was natural for him to look into the Transportation Advisory Committee and was interested to understand the issues with crosswalks and traffic. Mr. Stubbe is retired and has time to give back to his community and is looking forward to serve as a full time member on this committee.

The Board thanked Mr. Stubbe for his willingness to serve and look forward to working with him in the future.

Mrs. Mahon moved to approve.

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

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

SO VOTED (5-0)

WARRANT ARTICLE HEARINGS

8. Articles for Review:

Article 6 Bylaw Amendment/Conversion of Gas Station Dispensing Pumps to Self Service Operation

Susan Stamps, proponent of the Article was accompanied by John Leone, attorney, and owner of Eli's Gas Station. Ms. Stamps stated that she was originally against this warrant article when it was before Town Meeting last year but feels the change that she was looking for has been made. Attorney Leone noted that there are many benefits to allow self-service operation in Arlington. The bylaw the way it is drafted this year would require at least one of the pumps to be attendant service. An additional benefit of this bylaw change would be that in order to do this that they would upgrade and rehabilitate the stations at a cost of \$200,000 - \$300,000 because they would have to upgrade the islands, pumps and canopies to meet the standards and regulations for such pumps imposed by state law.

The following members of the public spoke:

Susan Stamps, 39 Grafton Street

The Select Board unanimously supports this follows up effort to Article 17 of the 2022 Annual Town Meeting to allow for a form of self-service gasoline in Arlington. In the previous discourse the primary concern with allowing for self-service was the potential impact on disabled or elderly patrons. The new proposal would require at least one full-

service attendant on site at all hours of operation. In addition to the benefit of allowing residents to pump their own gas the primary benefit in affording the choice to provide for self-service for businesses will be to owner-operated stations.

Mr. Hurd moved favorable action.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (5-0)

Article 7 Bylaw Amendment/Parking Disclosure Requirement

Steve Berczuk, proponent of this warrant article appeared before the Board and stated that the goal of his bylaw is to set a standard so people are informed of the parking regulations when they come to the Town of Arlington. Mr. Berczuk explained that this would add a requirement for residential leases and real estate professionals of informing future residents of the on and off street available parking to them.

The Board acknowledges the goals of this article is to advise residents of the parking available to them before they enter into purchases or leases of homes. However, the Board holds concerns both about adding to the state regulated list of mandatory disclosures to tenants and buyers in real estate transactions and about the enforceability of a Town Bylaw of this nature. The Select Board agrees with the petitioner that more can be done to advise the public of the present lack of on-street overnight parking on public ways and endeavors to make the information available to residents.

Mr. Hurd moved favorable action.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (5-0)

Article 17 Special Legislation/Allow Digital Legal Notices

Mr. Helmuth recused himself from this discussion.

Larry Slotnick, proponent of this warrant article appeared before the Board and stated that the diminishing of locally owed printers that has affected MAS has affected Arlington with the merger of the Arlington Advocate and the Winchester Star. Mr. Slotnick provided the Board with information regarding cost estimates and what various Town Departments and committees have spent to place an ad in the paper. The purpose of this article is to relieve the Town of various requirements under state law to advertise hearings with a notice in the newspaper. Mr. Slotnick noted that these advertising requirements were put in place in a pre-digital world and more people are getting their news from the Town's

website and on an online publication. Mr. Heim noted that the law currently does not allow us to solely advertise digitally and is required to advertise in a newspaper.

The following members of the public spoke regarding this warrant article:

Susan Stamps, 39 Grafton Street

Susan Webber, 1 Watermill Place

The Board acknowledges the concept of this proposed warrant article but is hesitant to vote in favor while the Arlington Advocate is still in business. The Board noted that although the world is turning more digital there is still a portion of the Town that gets their information from the newspaper in a printed version. The Board questioned if the Town Departments had commented in favor of this proposal and asked if Mr. Pooler could pull the department heads thoughts and report back to the Board.

Mr. DeCoursey moved favorable table.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth:

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (4-0)

Mr. Helmuth recused himself.

Article 63 Resolution/File and Accept Grants with and from EOEEA for Land and Water Conversion Fund Grant Program

Mr. Heim noted that this is a requirement of the Executive Office of Energy Environmental Affairs to affirm the Town Manager's authorization to accept grants as a condition of participation in the EOEEA land and water conservation fund program. Mr. Heim noted that with the Board's positive action he will draft something to put forward at Town Meeting.

Mr. Hurd moved favorable action.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (5-0)

Article 67 Resolution/Affordable Housing Overlay

Guillermo Hamlin, proponent of this warrant article appeared before the Board and stated that he is seeking the Board's approval to support the creation and use of affordable housing overlay in zoning districts. Mr. Hamlin explained that this would provide for affordable housing by special permit or right subject to qualifications and regulations in designated areas.

The Select Board supports this resolution affirming a recommendation of the Arlington Housing Production Plan. The Board noted that the Affordable Housing Overlay District is an effect measure to encourage the development of affordable housing within identified areas in Town. The majority of this Board recommends this resolution as a means of affirming that this tool is important for achieving the Town's goals.

Mr. Hurd moved favorable action.

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

Mr. Hurd: yes

Mr. Diggins: abstain

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (4-0-1)
Mr. Diggins abstained.

Article 68 Resolution/In-State Tuition

Guillermo Hamlin, proponent of this warrant article appeared before the Board and stated that he is looking for the state of Massachusetts to become as progressive on this issue as the state of Texas. Mr. Hamlin states that when it comes to in-state tuition for high school students of mixed status should not be disqualified from pursuing higher education. Mr. Hamlin expressed that he did this as a form of a resolution because he believes Town Meeting can scrutinize, amend, and advocate for this so we can enable the state legislature to act in a formal and an affirmative fashion rather than compelling them to demonstrate our values.

The Select Board agrees with the tenure of this resolution but recommends no action on this resolution because the issue – ensuring in-state tuition rates for all Massachusetts high school graduates regardless of immigration status - is both beyond the scope of Town Meeting's authority and without a direct target audience.

Mr. Hurd moved no action.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (5-0)

UPDATE

9. Possible Update: Expansion of Overnight Permitted Parking Pilot

Lenard T. Diggins, Select Board Chair

Stephen W. DeCoursey, Select Board

Mr. Diggins stated that they are working on the idea to limit the number of permits given to match the number of available spaces in the municipal lot. Mr. Diggins stated that this would cap the number of permits and it allows people a place to park when they have to

remove their cars off the roads for either street sweeping or snow emergencies. The rate that they are proposing would be \$365/year. The Board noted that this is in response to the parking forum that was held and the number of concerns regarding the number of people that would participate in the pilot.

CORRESPONDENCE RECEIVED

10. Crosswalk Concerns near Jason Street, Hillsdale Road, Pleasant View Road
Thomas Gorin

11. Need for Periodic Facilities Department Reports
Barbara Thornton

Mr. Hurd moved receipt and referred 10 to TAC and 11 to the Chair and Town Manager. A roll call vote was taken on the motion by Mr. Heim.

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

SO VOTED (5-0)

NEW BUSINESS

Mr. Pooler announced that Alex Magee, Deputy Town Manager and Finance Director started today. Mr. Pooler will designate a time for the Select Board to be formally introduced to him.

Mr. DeCoursey noted that over the weekend Robbins Library has a program 'Arlington Reads Together'. This month's book was by an author of Judy Heumann who was due to come to talk about her book unfortunately passed away on Saturday at the age of 75.

Mr. Hurd congratulated the boy's and girl's hockey team for a great season.

Mr. Helmuth noted that he has made updates to the Select Board Handbook and is hoping to have the redline version on an upcoming Select Board Meeting.

Next Scheduled Meeting of Select Board March 13, 2023

Mr. Helmuth moved to adjourn at 9:36p.m.

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

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

SO VOTED (5-0)

A true record attest

Ashley Maher
Board Administrator

3/06/2023

Agenda Item	Documents Used
1	Executive Order on Remote Participation
2	Land Acknowledgment
3	
4	Draft Minutes 2.6.2023
5	Farmers' Market Reference
6	A. LeBlanc Reference
7	J. Stubbe Reference
8	Warrant Article Text Memo from Town Counsel Article 6 Reference Article 7 Reference Article 17 Reference Article 67 Reference Article 68 Reference
9	
10	T. Gorin CR
11	B. Thornton CR