



## Select Board Meeting Minutes

Date: Monday, September 23, 2024

Time: 7:15PM

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

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

Also Present: Mr. Feeney, Mr. Cunningham, Ms. Maher

Absent: Mr. Helmuth

### 1. Legislative Provision for Remote Participation

Mr. Hurd opened the meeting by stating that tonight's meeting is being conducted via Zoom, is being recorded and is also being simultaneously broadcasted on ACMI. Because all members are present, votes will be taken by voice unless a roll call is required. 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.

## **FOR APPROVAL**

### 2. Permission to Plant Daffodils on Town Properties

Beth Locke, Executive Director

Chamber of Commerce

Ms. Locke appeared before the Board and stated that the Chamber of Commerce is requesting permission to plant 4500 daffodils on Town properties along the historic reenactment route in the heart of Arlington, as part of the town's 250th Commemorations in April 2025. Ms. Locke noted that the Chamber has identified key sites:

- Fire Station & Veteran's Memorial Park - 500 bulbs
- Mass Ave. Median Strip @ Fire Station - 400 bulbs
- Mass Ave. Median Strip @ Legacy Apartments - 100 bulbs
- Mass Ave. Median Strip @ Caffe Nero - 150 bulbs
- Mass Ave. Median Strip @ Starbucks - 150 bulbs
- Mass Ave. Median Strip @ Kickstand Cafe - 150 bulbs
- Whittemore Park - 600 bulbs

- Uncle Sam Plaza - 400 bulbs
- Russell Common Parking Lot - 800 bulbs
- Mass Ave. Median Strip @ Tatte - 500 bulbs
- Robbins Library - 600 bulbs

Ms. Locke stated that in addition, they will be requesting permission from the Arlington Historical Society, Cemetery Commission, School Committee, private property owners, and local businesses for planting in other areas along the route.

Mr. Diggins moved to approve.

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

Mrs. Mahon:           yes

Mr. Hurd:             yes

Mr. DeCoursey:     yes

Mr. Diggins:         yes

Mr. Helmuth:                 yes

SO

VOTED (5-0)

**CONSENT AGENDA**

3. Minutes of Meeting: August 19, 2024
4. Acceptance of MassDOT Shared Streets & Spaces Grant Funds  
John Alessi, Senior Transportation Planner
5. Acceptance of Boston MPO Bluebikes Grant Funds & Approval of  
Arlington/Watertown MOA  
John Alessi, Senior Transportation Planner
6. Vote: Authorizing In Person Early Voting and Police Details for the State Election,  
November 5, 2024  
Juli Brazile, Town Clerk
7. Request: Contractor/Drainlayer License  
M3 Masonry  
Marcos Bruplin  
Winthrop, MA 02152  
  
Uneed Home Improvements  
Myles Cash  
Burlington, MA 01803
8. Request: Special (One Day) Beer & Wine License, 10/27/2024 @ Ed Burns Rink  
for Dan Kelley Foundation Halloween Skate and Beer Garden  
Dan Kelley Foundation and Kelley Grealish

9. Request: Special (One Day) Beer & Wine License, 09/28/2024 @ Robbins Memorial Town Hall for a Private Event  
Margaret Banasik

10. Request: Special (One Day) Beer & Wine License, 10/13/2024 @ Community Center for a Private Event  
Freddy Widmer/Stephen Easley

Mrs. Mahon moved to approve.

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

Mrs. Mahon: yes

Mr. Hurd: yes

Mr. DeCoursey: yes

Mr. Diggins: yes

Mr. Helmuth: yes

SO

VOTED (5-0)

### **APPOINTMENTS**

11. ACAC Grants Committee (formerly Arlington Cultural Council)

Eric Stange (term to expire: 06/30/2027)

Mr. Stange appeared before the Board and stated that he is an Arlington resident for over 30 years. Mr. Stange is a documentary filmmaker by profession and has had many years of experience applying for grants. The Board thanked Mr. Stange 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. Cunningham.

Mrs. Mahon: yes

Mr. Hurd: yes

Mr. DeCoursey: yes

Mr. Diggins: yes

Mr. Helmuth: yes

SO

VOTED (5-0)

Sandra Mostajo (term to expire: 6/30/2027)

Ms. Mostajo appeared before the Board and stated that she is a longtime Arlington resident and has served in many different capacities and different roles. Ms. Mostajo stated that she believes she can bring something to the committee and help it grow and expand. The Board thanked Ms. Mostajo for her willingness to serve and look forward to working with her in the future.

Mr. Hurd moved to approve.

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

Mrs. Mahon: yes

Mr. Hurd: yes



Mrs. Mahon: yes  
Mr. Hurd: yes  
Mr. DeCoursey: yes  
Mr. Diggins: yes  
Mr. Helmuth: yes SO  
VOTED (5-0)

Howard Herman (term to expire: 1/31/2027)  
The Board noted that Mr. Herman would need to attend a future Select Board Meeting.

**OPEN FORUM**

No members of the public spoke.

**TRAFFIC RULES & ORDERS / OTHER BUSINESS**

12. Discussion and Approval: Town Manager / Select Board Goals

Mr. Feeney stated that the Board and the Town Manager met on August 5<sup>th</sup> in the Town Manager’s Conference Room where they discussed in detail the joint goals. Mr. Feeney noted that he collapsed what was eight categories to six which are broken down into:

- Organizational, Strategic and Long-Range Financial Planning
- Capital Projects and Maintenance
- Community Planning and Development, Land Use, Economic Development
- Transportation and Parking
- Public Communications, Customer Service & Resident Engagement
- Information Technology

Mr. Feeney noted that his style for the goals to be written in a manner that was specific, concrete and actionable. Mr. Feeney noted that since the Board met in August, he has added a number of goals including:

- Financial Policies- Update and expand Internal Controls Manual; incorporate fraud risk assessment; create integrated financial policy manual for Town & Schools in conjunction with Supt. & Asst. Supt. to formally document practices and processes
- ZEV Policy- Operationalize new policy in capital planning process for FY26; provide checklist for requests.
- Host Community Agreements - Review existing HCAs for compliance with current terms of the agreements, and the need to revise for compliance with new Cannabis Control Commission regulations; consider whether marijuana-related zoning provisions should be revisited.
- Alewife Brook - Communicate and coordinate with neighboring communities to identify issues that have regional impacts.
- Alcohol Regulations- Consider if any existing alcohol licensing polices warrant updates or revisions to aid economic development.
- Parking Policy - Consider if any other existing parking policies or regulations warrant updates or revisions.

- Special Speed Regulations- Work with the Transportation Advisory Committee and staff to rescind all Special Speed Regulations above the townwide statutory 25 MPH Speed Limit.
- Apply for OMST cybersecurity health-check services; implement cybersecurity awareness training grant for all users; continue implementation of MFA through grant from State; roll-out end point detection and response platform on computers and servers across Town; implement new password policy; implement Barracuda email protection/threat defense modules; roll-out simulated attacks on users; identify additional IT security needs in coordination with Finance Committee.

The Board thanked Mr. Feeney for the summary of the added goals and noted that at the joint meeting there were no votes taken. The Board had a detailed discussion regarding the joint goals with the additions and noted the hard work of the document.

Mrs. Mahon moved to approve.

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

Mrs. Mahon:           yes

Mr. Hurd:             yes

Mr. DeCoursey:     yes

Mr. Diggins:         yes

Mr. Helmuth:                 yes

SO

VOTED (5-0)

### 13. Discussion: Town Manager Evaluation Time Table

Stephen W. DeCoursey, Chair

Mr. DeCoursey updated the Board members stating that Mr. Feeney’s one year anniversary as Town Manager was on July 31, 2024. Mr. DeCoursey had discussions with Mrs. Malloy, Director of Human Resources where the start of this process would take place sometime in October. The process starts with the Town Manager producing a self evaluation document that is then received by each Board member and evaluated independently. Each Board member then submitted their evaluation to Mrs. Malloy who produces a compilation and appears on an agenda as a Public Hearing. Mr. Feeney noted that in years prior the start of this process is to take place in mid October where the members of the Board would have one month to complete their evaluation and would be placed for a hearing sometime in December.

### 14. Update: Litigation Against Itron, Inc

James Feeney, Town Manager

Michael Cunningham, Town Counsel

Mr. Feeney provided the Board with an update in regard to the 2021 lawsuit the Town brought against Itron, Inc, a vendor that was used in the provision of our local water utility. Mr. Feeney noted that the Board authorized himself and Mr. Cunningham during an executive session to participate in a mediated settlement conference that took place in Dallas, Texas on May 31, 2024. Mr. Feeney stated that they were able to reach a mutually agreeable resolution based on the specific facts and circumstances of the case it was

determined that in the best interests of the Town to resolve. Mr. Feeney reported that the Town is in receipt of a \$350,000 settlement check. Mr. Cunningham thanked the Board and the Town Manager for their support and time that they have invested in this process.

15. Update: Property Redemption 62-64 Brooks Avenue

James Feeney, Town Manager

Michael Cunningham, Town Counsel

Mr. Feeney updated the Board on 62-64 Brooks Avenue, which is a two-family home in East Arlington. As members recall, this property had fallen into arrears with property taxes starting in 2011. At the Board's January 8, 2024, meeting it was voted to provide the opportunity for the prior owner to redeem the property. That vote resulted in the homeowner conducting a private sale to a third-party developer. As a result of that sale, the Town was paid a total of \$345,539.61 for all the amounts due, including property and excise taxes, interest, water and sewer charges and expenses arising from the eviction proceedings, legal costs associated with the tax lien, foreclosure and any other costs that were incurred while the town was in care, custody and control of the property. Mr. Feeney noted that subsequently, the town has issued and recorded at the Registry of Deeds an instrument of redemption as well as taken all necessary steps to vacate the tax lien foreclosure judgement and have withdrawn the foreclosure in Mass Land Court. Mr. Feeney noted that building permits for a gut renovation have been pulled for this property which means the property is again back on the tax rolls after having become exempt while under the Town's custody. Mr. Feeney thanked the Board, and the individuals involved during this process.

16. Select Board and Arlington Redevelopment Board Joint Meeting Follow-Up

Stephen W. DeCoursey, Chair

Mr. DeCoursey noted that the joint meeting between the Redevelopment Board and the Select Board took place on September 16, where 9 matters were discussed:

- Arlington Heights Business Districts
- Overnight Parking
- Potential Expansion of Parking Benefits Districts
- Affordable Housing Overlay
- Liquor License Control
- Signage Enforcement
- Cannabis Licensing
- Master Plan Update Advisory (AmpUp!) Committee Select Board Seat
- Vacant Storefronts

The Board noted that it was a productive joint meeting and noted that it was very helpful and stated that in particular relevance to the Board was the liquor license control issue. Specifically, the terms and restrictions that the Town has on liquor licenses both the requirement to purchase food after two drinks but also the number of seats that are required. The Board noted that having a subcommittee to review these proposed changes would be encouraged.

## 17. Discussion: Host Community Agreements

James Feeney, Town Manager

Michael Cunningham, Town Counsel

Mr. Feeney gave the Board a brief update in respect to specific host agreements that the Board has issued. Mr. Feeney stated that the Select Board has issued three host community agreements to date. The first was issued to Apothca in 2019 who operates in the heights, the second was issued to Escar in 2019 who operates on Broadway in East Arlington and the third was issued to Calyx Peak in 2022 where they had planned to open and operate on Summer Street. Mr. Feeney noted that following Calyx Peak's approval from the Board they subsequently applied for a special permit from the redevelopment Board in May of 2023 and was set to have a hearing in June. That hearing was continued one a number of occasions until it was closed without a review on November 1, 2023, due to the result of the applicant and landlord needing to resolve issues with the site plan and the use of the parking lot as it serves as an alternative use as well. Mr. Feeney noted that following the joint meeting he reached out to Calyx Peak directly for an update and there has been a change in their CEO where it was stated that they developed a new site plan and architectural drawings on September 13, which would be reviewed by the landlord and if approved a new submission for environmental design review forthcoming to the Select Board. Mr. Feeney stated that is the Planning Department has not received an application from Calyx Peak on or before November 1, 2024, that it would be appropriate for the Board at that time to request the applicant to appear at a future Board meeting and provide a formal status update. Mr. Feeney noted that the Town is limited via our Zoning Bylaw three special permits and the Board has issued three host community agreements.

Mr. Cunningham noted that the state statute was amended in 2022 enabling Chapter 94g which allows communities to enter these agreements, and the regulations were subsequently amended to be consistent with the statute in 2023. Mr. Cunningham noted that the Town entered into all three host community agreements prior to those changes and the Town is on good putting in terms of asserting our rights under the original host community agreements that we entered into.

## **NEW BUSINESS**

Mr. Diggins thanked citizens, staff and volunteers for Town Day which despite the rain had a great turnout. Mr. Diggins noted that he is the Town Manager's designee to the Poet Laureate Selection Committee.

Mr. Hurd thanked town staff and all those involved for another great Town Day.

Mr. DeCoursey thanked town staff and members of the public including Congresswoman Catherine Clark for attending Town Day. Mr. DeCoursey noted that he attended the Council on Aging meeting as the liaison and offered to bring back the two new members



to offer thanks for their service and they noted they did not want to return before the Board.

Next Scheduled Meeting of Select Board October 7, 2024

Mrs. Mahon moved to adjourn at 8:47p.m.

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

Mrs. Mahon: yes

Mr. Hurd: yes

Mr. DeCoursey: yes

Mr. Diggins: yes

Mr. Helmuth: yes

SO

VOTED (5-0)

A true record attest.

Ashley Maher

Board Administrator

9/23/2024

Agenda Item	Documents Used
1	
2	Chamber Memo Town Property Planting Map
3	08.19.2024 draft minutes
4	SSS Grant Acceptance of Funds Memo
5	Boston MPO Grant Acceptance of Funds Memo
6	Police Detail – Town Clerk Memo
7	Contractor/Drainlayer Reference
8	Special One Day Beer & Wine Reference
9	Special One Day Beer & Wine Reference
10	Special One Day Beer & Wine Reference
11	Appointments Reference
12	FY25-26 Town Manager / SB Goals
13	

14	
15	
16	
17	