

**TOWN OF ARLINGTON  
MASSACHUSETTS**

**REPORT OF THE  
SELECT BOARD**



**TO THE  
TOWN MEETING  
MONDAY APRIL 25, 2022**

**8:00 P.M.**



## INTRODUCTION

The Select Board is pleased to present its report to Town Meeting of its main motions under the following articles. These votes are the result of hearings the Board conducted between February 23<sup>rd</sup> and April 4<sup>th</sup>, during which time the Board heard from proponents and opponents of the various articles.

The objective of Select Board Warrant Article Hearings is to develop the Board's recommendations on each article before it by majority vote, to be set forth with the comments in the Select Board Report in advance of Town Meeting. Where the Board supports taking some action contemplated by an article, regardless of how it appears before the Board, the Select Board, with assistance of Town Counsel, shall develop a motion for Town Meeting to take a specific action. Where the Board opposes an article, it will recommend a vote of "no action" to Town Meeting in its report.

The Board would like to welcome back Stephen W. DeCoursey to serve as Arlington's newly re-elected member of the Board. The Board thanks Town Meeting members for their service and for their willingness to give fair and serious consideration to all of the important issues raised by the various articles. The Board wishes Town Meeting well in its deliberations and stands ready to respond to any questions or comments concerning these articles.

Please note that where necessary for clarity, new or additional language in an amended Town Bylaw has been underlined, while removed language is denoted by strikethrough.

ARTICLE 6

BYLAW AMENDMENT/UPDATING HUMAN RIGHTS  
COMMISSION BYLAW

**VOTED:** That Title II, Article 9 of the Town Bylaws (“Human Rights Commission”) be and hereby is amended for the purposes of updating the substance and language of its mission, definitions, organization, policy and processes as follows:

**FIRST**, that Section 1 (“Preamble”) be stricken in its entirety and replaced with a simplified statement reflecting the origins of the Commission so to read as follows:

*Section 1. Preamble*

~~*The Town of Arlington has formed Vision 2020, a long range planning vehicle; and Vision 2020 has established the Diversity Task Group; and the goal statement of the Diversity Task Group provides:—*~~

~~*"We value the diversity of our population. Our Town's mix of race, color, race, ethnic, religious` and cultural backgrounds, as well as economic and personal circumstances, enriches us all. We will be known for the warm welcome and respect we extend to all;"*~~

~~*One of the Diversity Task Group's recommendations is the formation of a Human Rights Commission;*~~

~~*The Vision 2020 Standing Committee, the Fair Housing Advisory Committee, the Affirmative Action Advisory Committee, and others support the creation of such a Commission to foster the policies described in Section 2 below;*~~

~~*The Town of Arlington does hereby create a Human Rights Commission as provided for in this Bylaw.*~~

~~*Growing out of the original Vision 2020 effort and the Diversity Task Group’s vision, the Town of Arlington created a Human Rights Commission as provided for in this Bylaw.*~~

**SECOND**, that Section 2 (“Policy of the Town of Arlington”) be amended to update and clarify terms by substituting the words “equal” with “equitable” throughout, clarifying the bylaw applies to all persons in Arlington, and making further administrative changes so as to read as follows:

*Section 2. Policy of the Town of Arlington*

*A. It is the intention of the Town of Arlington ("Town") to establish a Commission to advance issues related to the fair and equal equitable treatment of individuals, and to create a mechanism for addressing complaints arising out of these issues.*

*B. It is the policy of the Town to protect every individual in the enjoyment and exercise of their human and civil rights and to encourage and bring about mutual understanding and respect among all people who live, work, visit, and travel within the Town.*

*C. It is the intention of this Bylaw that all persons be treated fairly and equally. The purpose of this Bylaw is to bring about the elimination of prejudice, intolerance, bigotry, bias, unlawful discrimination, threats, coercion or intimidation based upon an individual's race, color,*

*religious views, national origin, sex, gender identity or expression, citizenship, age, ancestry, family/marital status, sexual orientation, disability, source of income, or military or veteran status, and the disorder occasioned thereby. Nothing in this Bylaw shall be construed as supporting or advocating any particular religious or political view or lifestyle.*

*D. It shall be considered an unlawful practice under this Bylaw for any person to withhold, deny, interfere with, threaten or subject an individual to coercion or intimidation concerning equal equitable access to and/or discrimination in employment, housing, education, recreation, services, public access and accommodation and public areas where such denial, interference, threats, coercion, intimidation or unlawful discrimination against a person is based upon race, color, religious views, national origin, sex, gender identity or expression, citizenship, age, ancestry, family/marital status, sexual orientation, disability, source of income, or military or veteran status.*

**THIRD**, that Section 3 (“Establishment of a Human Rights Commission”) be amended to clarify the Commission’s ability to self-initiate programs and investigations of incidents, add diversifying Town staff to its goals, and making further administrative changes so as to read as follows:

### *Section 3. Establishment of a Human Rights Commission*

*A. Scope: There is hereby established a Town board to be known as the Arlington Human Rights Commission ("Commission") which may implement the policy of this Bylaw by:*

- 1. Improving the life of the Town by developing on its own and enlisting community based groups in educational programs and campaigns to increase mutual respect, harmonious intergroup relations and the peaceful enjoyment of life in our community by all;*
- 2. Working with Town Government, the School Department, Town Commissions and Boards to increase diversity in the Town and among those employed by the Town, as well as awareness and sensitivity to those human and civil rights issues which may arise within our Town while Town employees fulfill the duties of their positions ;*
- 3. Responding to incidents and complaints by persons in the Town who believe that their human or civil rights, as defined in this Bylaw or in state or federal law, have been violated in the Town;*
- 4. Initiating investigations into circumstances which appear to the Commission to be the result of unlawful discrimination against any person(s) in the Town.*

### *B. Appointment & Terms of Office of Commission Members*

- 1. The Commission shall consist of thirteen (13) members, five of whom will be appointed by the School Committee, four by the Town Manager subject to the approval of the Select Board and four by the Town Moderator. The term of office shall be for three years. ~~except two of the initial appointments of the school committee shall be for a term of one year, one of the initial appointments of the Manager and Moderator respectively shall be for one year, two of the initial~~*

~~appointments of the School Committee shall be for two years, one of the appointments of the Manager and Moderator respectively shall be for two years.~~

*The members shall be sworn to the faithful performance of their duties, and shall serve until their successors are appointed and sworn. There may be an Executive Director, who may also be known as the Diversity, Equity and Inclusion Director, if determined necessary by the Commission, appointed by the Town Manager with consultation by the Commission.*

2. *The Commission shall include among its membership individuals publicly solicited by the appointing authorities and be and representative of the diversity of the Town.*
3. *If a member shall fail to attend three or more consecutive meetings of the eCommission, the eCommission by vote, may so advise the appropriate appointing authority, who may remove such member, and appoint a successor for the unexpired term of the member so removed.*

*C. Residency Requirement: All members of the Commission shall be residents of the Town at the time of their appointment and throughout their tenure. A Commissioner who is no longer a resident of the Town shall promptly notify the Chair(s) of the Commission who shall then notify the appointing authority.*

*D. Executive Director: Before appointing an Executive Director, the Town Manager shall consider the recommendation of the Commission. The Executive Director shall be an employee of the Town and report to the Town Manager. The prospective Executive Director shall have demonstrable experience in human and civil rights, as well as proven ability to work cooperatively in a diverse community.*

*At the request ~~Subject to the direction~~ of the Commission, the Executive Director shall be ~~responsible for~~ support the overall administration of the Commission's activities ~~and shall serve as its executive officer~~. The Executive Director shall have the power and duty to initiate activities designed to educate and inform the Town about the effects of prejudice, bias, intolerance, and bigotry; to receive and/or initiate complaints and investigations of discriminatory practices as defined by local, state, and federal law; to report their findings to the Commission; and to attempt mediation of any complaint alleging discrimination under applicable local, state, and federal law when there is cause for such complaint.*

#### *E. Officers, Quorum, and Adoption of Rules and Regulations*

1. *The Commission shall elect a Chairperson or two from among its members at the first meeting each year in January. The Commission shall endeavor to rotate the election of a Chairperson(s) each year thereafter. The Chairperson(s) shall preside over the meetings of the Commission.*
2. *Seven (7) members shall constitute a quorum for the purpose of conducting the business of the Commission and all decisions shall be by a majority vote of the Commission members present and voting.*
3. *The Commission shall adopt rules and regulations consistent with this Bylaw and*

*the laws of the Commonwealth of Massachusetts to carry out the policy and provisions of this Bylaw and the powers and duties of the Commission in connection therewith. The rules shall ensure the due process rights [as defined by state law] of all persons involved in investigations and hearings.*

4. *Members of the Commission shall serve without compensation.*
5. *Members of the Commission may be removed by the appointing authority for just cause [after notice and opportunity to be heard].*

**FOURTH**, amending Section 4 (“Definitions”) to amend the term “military status” in subpart “G” to add the words “or veteran” between “military” and “status,” and further to add new definitions for “incident” and “complaint” as subparts “H” and “I” so as to read in relevant parts as follows:

*G. The term "military or veteran status" refers to the actual or supposed condition being, not being, having been or not having been in the service of the military.*

*H. The term “incident” refers to as an occurrence within the Town which the reporter alleges is motivated, in whole or in part, by prejudice, bias, intolerance, and/or with the intent to threaten, harm, coerce, or intimidate. Incidents may include, but are not limited to: removal or stealing of items promoting diversity, equity and inclusion; the placement of signs or graffiti promoting prejudice, intolerance or bigotry; biased statements or slurs; acts with animus to a protected class.*

*I. The term “complaint” refers to a formal written report filed with the Commission in which the complainant seeks a formal investigation of allegation(s) over which the Commission may exercise jurisdiction.*

**FIFTH**, that Section 5 (“Functions, Powers, & Duties of the Commission) be amended to include updated definitions and terms consistent with the foregoing, clarify the Commission’s duties and ability to engage in proactive incident responses (as well as complaints), further clarify the informal nature of Commission mediations, and remove references to the administration of oaths in testimony, so as to read as follows:

*Section 5. Functions, Powers & Duties of the Commission*

*The function of the Commission shall be to implement the policy of this Bylaw by the exercise of the following powers and duties:*

*A. To initiate activities designed to educate and inform the Town about the effects of prejudice, bias, intolerance, and bigotry through the following actions:*

1. *To hold public hearings and public forums, make studies and surveys and to issue such publications and such results of investigations and research as, in its judgment, will tend to promote good will and minimize or eliminate discrimination because of race, color, religious views, national origin, sex, gender identity or expression, citizenship, age, ancestry, family/marital status, sexual orientation, disability, source of income, ~~or~~ military or veteran status.*
2. *Develop and/or recommend courses of instruction for presentation in public and*

*private schools, public libraries and other suitable places, devoted to identifying, educating, eliminating prejudice, bias, intolerance, bigotry and discrimination and showing the need for mutual respect and fair and equitable treatment in the Town and the achievement of harmonious relations among various groups in the Town.*

3. *Create such subcommittees from the members of the Commission as, in the Commission's judgment, will best aid in effectuating the policy ~~and goals~~ of this Bylaw.*
4. *Enter into cooperative working agreements with federal, state and town agencies, and enlist the cooperation of the various racial, religious and ethnic groups, civic and community organizations and other groups in order to effectuate the policy and goals of this Bylaw.*
5. *Monitor, publicize and, where necessary, act to increase the diversity on appointed Town boards and committees.*
6. *Render each year to the Select Board, Town Manager, School Committee and Superintendent of Schools a full written report of all the Commission's activities and recommendations regarding this Bylaw for inclusion the Town Report.*

*B. To receive and investigate incidents and complaints of and to initiate its own complaints and/or investigations of any incidents as that term is defined and other violations of this Bylaw.*

*C. To attempt by informal mediation to resolve any complaint over which it has jurisdiction and to recommend to the Town Manager, the Select Board, the Superintendent of Schools or the School Committee, as appropriate, such action as it feels will resolve any such complaint.*

*D. In the case of any unresolved complaint or in the case of any investigation which would be aided thereby, to hold hearings, ~~administer oaths, take the testimony of any person under oath~~ and, in connection therewith, to require production of any evidence relating to any matter in question or under investigation before the Commission.*

**SIXTH, that Section 6(D) (“Relations with Town Agencies”) be amended in relevant part to emphasize that Commission members are entitled to representation and indemnification for claims arising from the discharge of their duties:**

*Section 6. Relations with Town Agencies*

*D. The Town Counsel shall provide for representation of the Commission or a Commissioner upon the Commission's request. For liability issues, Commissioners shall be considered as Town employees and not liable personally for actions undertaken in their role of Commissioner.*

**SEVENTH, that Section 7. (“Complaint Resolution Procedures”) parts D and E be amended in relevant parts to add “report of an incident” as a prompt for an investigation, strike the term “Executive Director” throughout, provide for “co-chairs” of the Commission, and add the term “informal” before “mediation” where such term appears, so to read as follows:**



*D. After the report of an incident or the filing of any complaint, the Chairperson the chairs or co-chairs of the Commission shall designate ~~the Executive Director or~~ one or more of the Commissioners to oversee a prompt investigation thereof with the assistance of the staff of the Commission.*

*E. After such investigation, ~~the Executive Director or~~ the designated Commissioner(s), as the case may be, shall promptly file a report of such findings with the Commission, which shall determine whether ~~or not whether~~ to dismiss the complaint. The Commission shall, within ten working days from such determination, notify the complainant in writing of such determination...*

*The Commission and its staff shall not disclose the terms of informal mediation when the complaint has been disposed of in this manner pursuant to G.L. c.233 Section 23C unless both parties agree to the disclosure. The Commission may issue orders consistent with its findings during the mediation process...*

- 2. In the case of such a finding under Section VII.E.1., as part of the informal mediation process the Commission may issue an informal admonition to the respondent. Such a finding shall not be published or made public, pursuant to G.L. c.233 Section 23C.*

**AND, EIGHTH, that Section 8 (“Contributions to the Commission”) be amended to explicitly authorize the Commission to apply for grants and to add the words “and goals” as set forth below to as to read as follows:**

#### ***Section 8. Contributions to the Commission***

*The Commission may apply for and accept contributions, grants, and appropriations from other governmental agencies and from civic and charitable foundations, trusts and other organizations, private or public, to effectuate the policy and goals of this Bylaw.*

**(5 – 0)**

**COMMENT:** The Select Board unanimously urges Town Meeting to support and adopt this suite of updates to the Human Rights Commission Bylaw as developed and requested by the Commission itself. The proposed amendments do not alter the mission or orientation of the Commission. Rather, the amendments reflect administrative and modest substantive alterations primarily aimed toward three goals:

1. Simplifying language and/or eliminating unnecessary provisions;
2. Adding definitions and/or clarifying Commission processes for receiving, investigating, and resolving complaints as well as initiating proactive responses to incidents; and
3. Updating provisions regarding the Commission’s purpose, powers, roles, and resources to better reflect and aid the Commission with modernized presentation of equity concerns.

The Board trusts the Commission’s recommendations for these updates and welcomes the tenor of same, which is not a critique of the Commission or the original bylaw, but rather reflects an effort to strengthen the Commission and reinforce its operations using the experience of its members over the last several years.

**ARTICLE 7**

**BYLAW AMENDMENT/YOUTH AND YOUNG ADULT  
ADVISORY BOARD**

**VOTED:** That Title II of the Town Bylaws (“Committees and Commission”) be and hereby is amended to add a new “Article 15 ‘The Young Arlington Collaborative’” as follows:

**Article 15. The Young Arlington Collaborative**

*Section 1. Establishment and Purpose of the Young Arlington Collaborative*

- A. The Young Arlington Collaborative shall strive to engage with all of the youth and young adults that reside, attend school, or work in Arlington with the purpose of increasing their awareness of their local government and their participation in all aspects of it. The Young Arlington Collaborative shall also act as a conduit of issues and concerns of the youth and young adult population to Town Meeting, the Select Board, the School Committee, and the Town Manager.**
- B. The Young Arlington Collaborative shall be composed of a “Standing Committee” which shall serve as the coordinating and policy-making body and any number of working groups which will work with and report to the Standing Committee. The working groups, as well as any necessary ad hoc committees, may be established and disbanded by a vote of the majority of the Standing Committee members (or as consistent with Section 2 of this bylaw).**

*Section 2. Standing Committee Membership, Quorum, Administration & Organization*

- A. The Standing Committee shall consist of up to twenty-one (21) voting members appointed pursuant to subsection (1) below and a liaison from the Select Board who is the Secretary and non-voting member.**

**A quorum shall consist of a majority of the current voting Standing Committee Members, and all actions shall be made pursuant to a majority vote of members in attendance. The Committee shall organize for the conduct of its affairs and shall elect its own officers.**

**1. Standing Committee Membership**

- a. Two (2) Standing Committee members shall be selected from among the respective residents of each of the Town’s twenty-one (21) precincts**
  - i. One (1) Standing Committee member from each precinct shall range in age from twelve (12) years through twenty (20) years (21 years minus 1 day). That Standing Committee member shall be recognized as the “Youth Member” for that precinct.**
  - ii. One (1) Standing Committee member from each precinct shall range in age from twenty-one (21)**

years through thirty-nine (39) years (40 years minus 1 day). That Standing Committee member shall be recognized as the “Young Adult Member” for that precinct.

- b. The first selection of representatives from each precinct shall be conducted by lottery from all names submitted directly to the Select Board office by any youth or young adult from their respective precinct or by any Town Meeting Member on their behalf.
- c. Terms shall be for two (2) years.
- d. Within eighteen (18) months of the first meeting of the Standing Committee, a presentation will be made to the Select Board seeking its approval for the process determined by the Standing Committee for selecting its subsequent cohort of members.
- e. For one (1) year of a Standing Committee member’s term that member will be designated as the alternate, and that member shall vote in the Standing Committee meeting only when the other Standing Committee from the same precinct is absent.
- f. Voting members of the Standing Committee
  - i. In odd-numbered years, the voting members for Standing Committee shall include the “Youth” representatives from precincts 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, and the “Young Adult” representatives from precincts 2, 4, 6, 8, 10, 12, 14, 16, 18, 20.
  - ii. In even-numbered years, the voting members for Standing Committee shall include the “Youth” representatives from precincts 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 and the “Young Adult” representatives from precincts 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21.
- g. Only the voting members are required to attend Standing Committee meetings.
- h. The Select Board liaison, which need not be a member of the Select Board, shall be chosen by the Select Board by September 1 after the passage of this Bylaw .
- i. If Town Meeting Members of a given precinct fail to present candidates by September 1 after the passage of this Bylaw, the Secretary shall work with the Select Board staff to fill the vacancies with a residents from the respective precinct(s).
- j. If no representative from a precinct attends a Standing

Committee for six (6) months, the Secretary shall notify the Town Meeting Members from the respective precinct and being the process of replacing the absent representatives with two (2) other representatives for either the rest of the term, if over one (1) year, or for two (2) years plus the remainder of the term, if under one (1) year,

2. **Standing Committee Quorum** A quorum requires eleven (11) representatives from eleven (11) of the twenty-one (21) precincts. Only one (1) representative from each precinct may participate in the meeting as a voting member of the Standing Committee. Both representatives may attend any Standing Committee meeting, and both may speak when called upon by the Chair.
3. **Voting at a Standing Committee meeting**, each precinct shall have only one vote that is cast by the either representative of that precinct as set forth in Section 1(e) & (f) above.
4. **Chair and Vice Chair**
  - a. Upon convening the first meeting and on the anniversary of that meeting, thereafter, the first order of business shall be the selection of two (2) Co-Chairs.
  - b. One (1) chair shall be a Youth representative, and one (1) chair shall be a Young Adult representative.
  - c. The term for each Co-Chair shall be one (1) year.
5. **Required Meetings** For the first two (2) years, the Standing Committee shall meet at least six (6) times per year at the dates of its choosing.
6. **Open Meeting Law Standing Committee Meetings** shall comply with Massachusetts' Open Meeting Law

### *Section 3. Task Groups*

- A. The Standing Committee may authorize the creation of Task Groups on any subject at any time of its choosing.
- B. Tasks Groups participants shall range in age between 12-39.
- C. Groups participants may or may not be members of the Standing Committee and may or may not be Youth or Young Adult representatives from the precincts.
- D. One (1) Youth and one (1) Young Adult member of the Standing Committee shall function as Co-Chairs for the first three (3) meetings of a Task Group, and they shall administer the election of the first Chair or Co-Chairs of Task Group at the Task Group's fourth meeting.
- E. Eligibility of participants to vote on administrative and procedural matters

shall require a minimum attendance at three (3) meetings within the previous twelve (12) months or since the inception of the task group (whichever is shorter).

**F. Task Groups function as forums for the exchange of ideas with no requirement of membership, quorums or authority to make reports or recommendations.**

**Nonetheless, Task Groups shall:**

**1. Post announcements of their meeting at least two (2) business days before the meeting;**

**2. Keep minutes of their meetings for presentation to the Standing Committee.**

**G. Votes on non-administrative or non-procedural matters by a Task Group shall require review by the Standing Committee or an Ad Hoc Committee of the Standing Committee. Examples of such votes include endorsements of warrants articles, and letters presented by other parties.**

**H. At least annually, following the election of its Co-Chairs, one or both Co-Chairs shall submit a report that includes the minutes and anything else of note to the Standing Committee. I. If a Task Group does not meet for twelve (12) consecutive months and does not submit a report to the Standing Committee, it shall be considered inactive and defunct.**

**(5 – 0)**

**COMMENT:** The Select Board unanimously recommends to Town Meeting the creation of the Arlington Youth Collaborative as developed by the Youth and Young Adult Advisory Board, Commission, or Committee Study Committee established under Article 17 of the 2021 Annual Town Meeting. The purpose of the Collaborative will be to cultivate the perspective of youth and young adults on issues affecting the Town. While purely advisory in nature, the Collaborative will serve to enhance representation of youth and young people, harness youth activism, and establish a pathway and resource for further engagement in and with the Town’s government.

The proposed structure of the Collaborative is modeled on Envision Arlington – a standing committee which may also utilize more flexible and informal forums for discussion and idea development known as “Task Groups.” As presented, the bylaw would authorize appointment of one youth (ages 12 and up) and one young adult (up to age 39) from each of the Town’s 21 precincts in order to garner a wide base of participation and viewpoint. Only half of the membership will be voting members at any given time. Paired with modest quorum requirements, the Collaborative will be able to efficiently conduct its business while benefitting from the collective wisdom a larger public body.

**ARTICLE 8 BYLAW AMENDMENT/CIVILIAN POLICE ADVISORY COMMISSION**

**VOTED: That Title II of the Town Bylaws (“Committees and Commissions”) be and hereby is amended by inserting a new article to provide for the creation of the Arlington Civilian**

Police Advisory Commission under Article 15 as follows:

**Article 15: Arlington Civilian Police Advisory Commission**

***Section 1. Arlington Civilian Police Advisory Commission Established***

**There is hereby established an Arlington Civilian Police Advisory Commission, charged with serving as a civilian resource and forum for Arlington residents and visitors and members of the public, the Arlington Police Department, and other appropriate Town personnel.**

***Section 2. Purpose***

**The purpose of the Arlington Civilian Police Advisory Commission is to provide an opportunity for increased understanding and trust between the community and the Arlington Police Department, assist members of the public as a resource in the event they have complaints, concerns, or commendations about policing in Arlington or specific police personnel, and to provide the Arlington Police Department and Town management with a public forum for feedback about police personnel, policies, procedures and data.**

***Section 3. Commission Composition, Eligibility, Qualification & Terms***

**A. Appointment of the Commission**

**The Commission shall consist of nine (9) members, appointed by the Town Manager. To be considered for appointment members shall be nominated by the following public bodies, persons, or community entities:**

- 1. One (1) member nominated by the Arlington Human Rights Commission;**
- 2. One (1) member nominated by the LGBTQIA+ Rainbow Commission;**
- 3. One (1) member nominated by the Disability Commission;**
- 4. One (1) member nominated by the Board of Youth Services;**
- 5. One (1) member nominated by the Envision Arlington Diversity Task Group co-chairs with the approval of the Envision Arlington Standing Committee;**
- 6. One (1) member nominated by the Council on Aging;**
- 7. One (1) member nominated by the Menotomy Manor Tenants Association;  
and**
- 8. Two (2) members nominated by the Select Board**

**Nominating authorities are not required to nominate a member of their own body. The Manager shall notify the above “nominating bodies” of vacancies and expiring terms. If any nominating body fails to act upon a notification from the Manager within ninety (90) days or in the event a nominating body is inactive, the Manager may request the Select Board to make a nomination in their place.**

**B. Eligibility to Serve**

- 1. All members of the Commission shall be Arlington Residents and as a total body, shall reflect racial, ethnic, gender, sexual, age, and other forms of diversity in Arlington. Additionally, the Town Manager shall appoint at least one member respectively with experience in one or more of the following areas:**
  - a. Criminal defense or civil rights relative to police searches, arrests, or detentions;**
  - b. Data Analysis; and**
  - c. Working with underserved communities such as, but not limited to social workers, mental health counselors, or civil forms of legal aid.**
- 2. The following persons are not eligible to serve on the Commission:**
  - a. Current compensated employees of the Town, including Arlington Police Department police officers and employees;**
  - b. Actively employed municipal police officers (defined herein as “peace officers” employed by a municipal police department subject to certification under Massachusetts Law, including “An Act Relative to Justice, Equity and Accountability in Law Enforcement);”**
  - c. Former Arlington Police Department law enforcement officers; and**
  - d. Immediate family members of current or former Arlington Police Department employees.**

**C. Qualifications for Service**

- 1. In addition to all other requirements for appointment on the Commission under the general laws of the Commonwealth, members must receive initial and continuing training in the following subjects:**
  - a. Arlington Police Department complaint and discipline procedures;**
  - b. Arlington Police Department policy and operations;**
  - c. Relevant State Laws regarding law enforcement accountability including “An Act Relative to Justice, Equity and Accountability in Law Enforcement;”**
  - d. Filing civilian complaints and commendations about police conduct with the Commonwealth of Massachusetts and the Arlington Police Department;**
  - e. Data handling and privacy;**
  - f. Analysis of policing data; and**
  - g. Other topics the Commission deems relevant.**

2. Commission members, as deemed appropriate by the Commission may also be required to participate in the Citizen Police Academy when offered, and participate in Arlington Police Department ride-along opportunities at intervals established by the Commission.
3. The Commission shall affix a reasonable period of time for appointed members to complete initial and follow-up training. Failure to meet training requirements within such period shall be grounds for removal.
4. The original Commission appointees shall be deemed qualified upon completion of requirements for all committees and commissions under the laws of the Commonwealth, and be afforded a reasonable time period to establish and complete training requirements for the Commission consistent with the foregoing.

**D. Initial & Subsequent Terms**

Member terms shall be for three (3) years, except that initial appointment terms of members shall be staggered such that three (3) initial appointees shall serve a one (1) year term; three (3) a two (2) year term; and three (3) a three (3) year term as designated by the Town Manager.

Members shall serve until their successors have completed training and been sworn in to service.

**E. Removal of Members**

At the request of the Manager, members may be removed for cause by a vote of the nominating body.

*Section 4. Administration and Operation*

The Arlington Civilian Police Advisory Commission shall not meet or conduct business without the presence of a quorum, which shall require a majority of the members of the Commission at any given time. The Commission shall approve its actions by majority vote of the quorum, but in no event shall action be approved by fewer than 4 members.

*Section 5. Duties and Responsibilities*

**A. General Duty**

It shall be the duty of the Arlington Civilian Police Advisory Commission to serve as qualified advisors to the general public, the Arlington Police Department, and other Town staff with respect to policing in Arlington from a civilian perspective. The Commission shall serve as a technical resource for persons wishing to file specific complaints against or commendations of Arlington Police Department personnel, a forum for both positive and negative feedback about police conduct and policy in Arlington, and collaboratively engage the Arlington Police Department in its development or revision of police policies.



## **B. Specific Responsibilities**

To fulfill its duties, the Commission shall specifically be charged with:

- 1. Establishing a process for community members to provide information about police interactions, both positive and negative, to the commission anonymously and non-anonymously;**
- 2. Guiding community members through the civilian complaint or commendation process, including:**
  - a. Providing education to a community member about options for filing complaints and commendations about police conduct;**
  - b. Providing complaint and commendation forms to a community member;**
  - c. Connecting a community member with appropriate town officials and committees;**
  - d. Accompanying a community member to meetings**
  - e. Following up with both the APD and the community member on any resultant investigation;**
  - f. Providing periodic updates to a community member;**
  - g. Collecting information about a community member's satisfaction with complaint processes'**
  - h. However, at no point in time shall Commission members individually or as a public body provide legal advice or representation, mental health counseling, or social services advocacy to community members engaging commission members for the purpose of filing complaints;**
- 3. Working with the Arlington Police Department to regularly publish and analyze data which can offer insight into the quality and effectiveness of the department, especially in its interactions with the public, including but not limited to:**
  - a. Complaints, including their nature, status and disposition;**
  - b. Police use of force incidents, including all use of firearms;**
  - c. Vehicle pursuits and traffic collisions;**
  - d. Injuries and deaths in custody;**
  - e. Stops, searches, citations and arrests, including demographic data;**
  - f. Civil lawsuits and other claims brought against the town or department**
  - g. Database of training; and**
  - h. Database of awards and commendations;**

4. Regularly reviewing Arlington Police Department complaint, investigation, and discipline policies and procedures, comparing them with the latest practices in other communities locally and nationally;
5. Regularly reviewing other Arlington Police Department policies and procedures, especially new or changing policies, and make recommendations to the Chief of Police, Town Manager, and the public;
6. Regularly reviewing the by-law creating this commission and make recommendations to Town Meeting;
7. Providing a yearly report to Town Meeting covering the work and findings of the commission as well as priorities for the upcoming year; and
8. Providing education to the public about policing and the Arlington

Police Department, their options for filing complaints and commendations, the complaint process and the various data they are charged with analyzing.

*Section 6. Effective Date*

**Following Town Meeting approval of this bylaw, this Title shall take effect upon the approval by the Attorney General of the Commonwealth and compliance with bylaw advertising and notice requirements.**

(5 – 0)

**COMMENT:** The Select Board unanimously supports the thoroughly researched and carefully developed recommendation of the Police Civilian Advisory Board Study Committee to establish a standing commission which will serve as a civilian resource for the public to file complaints, raise concerns, or recommend commendations about Arlington police officers, as well as a forum examine Arlington policing policies and practices. The purpose of the recommended commission bears highlighting:

*The purpose of the Arlington Civilian Police Advisory Commission is to provide an opportunity for increased understanding and trust between the community and the*

*Arlington Police Department, assist members of the public as a resource in the event they have complaints, concerns, or commendations about policing in Arlington or specific police personnel, and to provide the Arlington Police Department and Town management with a public forum for feedback about police personnel, policies, procedures and data.*

The Board agrees with the Study Committee that a Civilian Police Advisory Commission with this purpose (and the recommended commission composition, duties and responsibilities of the proposed bylaw to achieve such a purpose) is well-customized to fit the needs of Arlington. Generally, the Arlington Police Department, including its internal investigation of complaints against its officers, has provided very high quality, modern, community-centric policing throughout the Town. However, the Study Committee identified specific areas of community concern, including unfamiliarity with how to file complaints (or commend exemplary officer conduct), confidentiality questions, anxiety about filing complaints against the police with the police, and specific stories where personal trust in the police department was eroded. Germane to



**"Demolition" - Any act of, or commencing the work of, destroying, pulling down, removing or razing a building ~~or commencing the work of total or substantial destruction of a building;~~ or removing the roof structure, or removing two exterior walls, of a building.**

**"Protected Tree" - Any existing healthy tree on private land with a DBH of ~~eight (8)~~ six (6) inches or greater located in the setback area, which does not pose an immediate hazard to persons or property or is not under imminent threat of disease or insect infestation.**

**"Tree Plan" - A site plan drawn and stamped by a certified land surveyor or engineer, and stamped by a certified arborist or landscape architect, showing all Protected Trees ~~in the setback areas as defined herein and~~ public shade trees near the property, and indicating, on the site plan or in a separate document, which Protected Trees will be retained, which will be removed, and, how critical root zones of each Protected Tree and public shade tree will be protected from damage during site work.**

**B. In all instances of construction or demolition as defined and applicable herein, the owner of the property shall submit a Tree Plan accompanied by a fee of \$50, to the Tree Warden prior to or concurrent with an application for a building or demolition permit. Additionally, if any Protected Trees were removed during the 12 months preceding the application for a building or demolition permit, such trees shall be accounted for on the Tree Plan to the best of the owner's ability and shall be mitigated pursuant to paragraph 4.C. If no Tree Plan is required, the owner shall sign an affidavit on the Building Permit Application that no Tree Plan needs to be filed per the Tree Bylaw.**

(5 – 0)

**COMMENT:** The Select Board unanimously endorses the suite of Tree Protection Bylaw updates recommended by the Tree Committee. In brief, the updates and alterations to the current Tree Protection Bylaw will optimize the Town's efforts to identify, and where possible, discourage unnecessary tree removal and/or damage to trees during construction activities. The proposed changes will:

- Expand the definition of "protected trees" under the bylaw to include trees smaller in diameter;
- Expand the definitions of "demolition" to encompass a wider range of construction activities; and
- Clarify and strengthen tree plan requirements by requiring plan certification by arborists or landscape architects; and requiring owner's affidavits where applicants represent no tree plan is needed.

## **ARTICLE 11**

## **BYLAW AMENDMENT/DOMESTIC PARTNERSHIPS**

**VOTED:** That Title I, Article 23 of the Town Bylaws ("General Government"), "Domestic Partnerships" is hereby amended as set forth below:

## TITLE I

### ARTICLE 23

#### DOMESTIC PARTNERSHIPS

##### *Section 1. Purpose and Intent*

The Town of Arlington (“Town”) recognizes the diverse composition of its citizenry and realizes that a perpetuation of the traditional meaning of “family” can exclude a segment of the Town’s population by: (1) depriving them of recognition and validation; and (2) denying them certain rights and responsibilities that should be afforded to persons who share their ~~homes~~, hearts and lives. Recognizing its commitment to fair treatment of its citizens, the Town adopts this Bylaw that acknowledges domestic partnerships. People in committed relationships who meet the criteria established by the Town as constituting a domestic partnership are provided an opportunity by this Bylaw to register at the office of the Town Clerk, obtain a certificate attesting to their status, and share in certain rights and benefits conferred under this Bylaw.

##### *Section 2. Definitions*

A. “Domestic partnership” shall mean two or more persons who meet all of the following requirements and who register their domestic partnership in accordance with Title I, Article 23, Section 3.

(1) They have made a commitment of mutual support and caring for their domestic partners;

~~(2) They reside together and intend to do so indefinitely;~~

~~(3) They share basic living expenses;~~

(2) They are at least eighteen (18) years of age;

(3) They are competent to enter into a contract; and

(4) They are not ~~married to anyone or related to each other by blood~~ closer than would bar marriage in the Commonwealth of Massachusetts.

B. “Dependents” shall mean a child or step-child of any domestic partner.

##### *Section 3. Registration, Amendment and Termination*

A. Registration

(1) Statement of Domestic Partnership

(a) Domestic partners who meet the requirements set forth in Title I, Article 23, Section 2(A) of this Bylaw may make an official record of their domestic partnership by completing, signing and submitting to the Town Clerk a statement of domestic partnership. Persons submitting a statement of domestic partnership must declare under penalty of perjury that they meet the

requirements set forth in Title I, Article 23, Section 2(A) of this Bylaw.

(b) The domestic partnership statement shall be on a form prescribed by the Town Clerk, which form shall include, but shall not be limited to, the names of the domestic partners and the date on which they became each other's domestic partners.

(e) and The the names and dates of birth of any dependents of the domestic partnership.

(c) If any member of the prospective domestic partnership is married or in another domestic partnership, a notarized Affidavit of Consent is needed from all other current domestic partners or spouses.

## B. Amendments

(1) To change an address, Domestic partners may file a Domestic Partnership Amendment Form, with the Town Clerk. The to add or delete dependents or change an address. Any amendment shall be signed, under the pains and penalties of perjury, by both all of the domestic partners whose addresses are changing.

(2) To add or remove dependents, domestic partners may file a Domestic Partnership Amendment Form with the Town Clerk. The amendment shall be signed, under the pains and penalties of perjury, by all of the domestic partners.

(3) To add domestic partners, the prospective domestic partners may file a Domestic Partnership Amendment Form with the Town Clerk. If any member of the prospective domestic partnership is married or in another domestic partnership, a notarized Affidavit of Consent is needed from all other current domestic partners or spouses in order to add additional partners to an already established domestic partnership. The amendment shall be signed, under the pains and penalties of perjury, by all of the current and new domestic partners.

## C. Withdrawal and Termination

(1) Any member of a domestic partnership may withdraw from the domestic partnership by filing a withdrawal statement with the Town Clerk. Withdrawal from a domestic partnership shall become effective immediately when the withdrawal statement is filed with the Town Clerk. Any person filing a withdrawal statement must declare under the pains and penalties of perjury that they have withdrawn and that all other domestic partners have been notified of such withdrawal either personally or by mailing a copy of the withdrawal statement to the other domestic partner's last and usual address by certified mail.

(2) (1) If only one or zero domestic partner(s) remain(s) after a withdrawal goes into effect, then the domestic partnership is considered terminated immediately. If there are two or more persons remaining in a domestic

partnership after a withdrawal goes into effect, then the withdrawal does not terminate the domestic partnership as to the remaining persons in the domestic partnership. ~~Domestic partners shall notify the Town Clerk of the termination of their domestic partnership. Any member of a domestic partnership may terminate the domestic partnership by filing a termination statement with the Town Clerk. Termination of a domestic partnership shall become effective ninety days (90) days after the termination statement is filed with the Town Clerk. Any person filing a termination statement must declare under the pains and penalties of perjury that the domestic partnership is thereby terminated and that the other domestic partner has been notified of such termination either personally or by mailing a copy of the termination statement to the other domestic partner's last and usual address by certified mail.~~

(3) (2) The death of a domestic partner functions as an automatic withdrawal from the domestic partnership as to that partner, but not as to the remaining persons in the domestic partnership. Such automatic withdrawal will be effective immediately. No person may file a new statement of domestic partnership until any previous domestic partnership of which he or she was a member has been effectively terminated.

#### *Section 4. Town Clerk*

- A. The Town Clerk shall maintain records of the registration, amendment, withdrawal and termination of domestic partnerships as permanent records. The Town Clerk shall provide appropriate forms for a Statement of Domestic Partnership, for the registration of the Statement and for the amendment, withdrawal and termination of a domestic partnership.
  
- B. The Town Clerk shall charge a fee for filing a domestic partnership equal to the fee charged to file a marriage license. Payment of the filing fee shall entitle the person filing the statement on behalf of the domestic partnership to receive one copy of the statement certified by the Town Clerk. The fee for additional certified copies of the statement, or for copies of amendment, withdrawal, or termination statements, shall be the same fee charged for additional certified copies of a marriage license.

#### *Section 5. Rights of Domestic Partners*

Persons who have registered their domestic partnership with the Town Clerk pursuant to Title I, Article 23, Section 3 are entitled to the following rights:

- A. Visitation at health-care facilities.
  - (1) A domestic partner shall have the same visitation rights as a spouse or parent of a patient at all health-care facilities operated and maintained by the Town, except to the extent that doing so would conflict with federal or state law. A dependent shall have the same visitation rights as a patient's child.

- (2) The term "health care facilities" includes hospitals, convalescent facilities, mental health care facilities, nursing homes, and other short and long term care facilities operated and maintained by the Town.
- B. Visitation at correctional facilities.
  - (1) A domestic partner shall have the same visitation rights at all correctional facilities operated and maintained by the Town—as a spouse or parent of a person in custody, except to the extent that doing so would conflict with federal or state law. A dependent shall have the same visitation rights afforded to the child of a person in custody.
  - (2) The term "correctional facilities" includes, but is not limited to, holding cells, jails and juvenile correction centers operated and maintained by the Town.
- C. Access to children's school records and personnel.
  - (1) A domestic partner who is also the custodial parent or legal guardian of a child may file a school authorization form at, or send a letter to, the child's school to indicate that the parent's domestic partner shall have access to the child's records, access to school personnel in matters concerning the child and access to the child, including the right to remove such child from the school for sickness or family emergency. The school shall afford such person access as directed by the child's existing parent or guardian, except to the extent that doing so would conflict with federal or state law.
  - (2) When a domestic partnership is withdrawn or terminated pursuant to Title I, Article 23, Section 3(C), it is the responsibility of the parent or guardian to notify the school, in writing, of the termination of rights of the former domestic partner.
  - (3) As used herein, the term "school" shall ~~only~~ include facilities owned and operated by the Town and shall include, but shall not be limited to, high schools, vocational schools, junior high and middle schools, elementary schools, preschools and preschool programs, after-school programs and day-care programs, ~~provided that such are owned and operated by the Town.~~

**SECTION 6. *Employment Benefits***

- A. Town employees shall be granted bereavement leave, with pay, for the death of a domestic partner or family member of a domestic partner to the same extent as for a spouse or family member of a spouse. Use of the term "in-law" in employee handbooks shall include the relatives of a domestic partner.
- B. Town employees shall be granted sick leave to care for a domestic partner to the same extent permitted to care for a spouse, and to care for a dependent of a domestic partnership to the same extent permitted to care for a child.
- C. Town employees in domestic partnerships shall be entitled to take parental leave, as provided for under the Town's by-laws, to the same extent as married employees.

**SECTION 67. *Interpretation and Limitation of Liability***

- A. It is the intention of this Bylaw that its provisions shall be enforceable to the maximum extent permitted by law.



**B. Nothing contained in this chapter shall be construed to impose liability upon a domestic partner for the health or medical expenses of their domestic partner, with the sole exception of the medical insurance contributions assumed by a Town or School Department employee who is a member of a domestic partnership.**

**C. Nothing in this chapter shall be construed to create additional legal liabilities greater than those already existing under law or to create new private causes of action.**

***SECTION 78. Reciprocity***

**All rights, privileges and benefits shall be extended to domestic partnerships registered pursuant to similar laws enacted in other jurisdictions.**

***SECTION 89. Non-Discrimination***

**No person who seeks the benefit of this Bylaw, registers pursuant to its provisions, or assists another person in obtaining the benefits of this Bylaw shall be discriminated against in any way for doing so.**

***SECTION 910. Severability***

**The provisions of this Bylaw are severable. If any of its provisions are held invalid by the Attorney General, a court of competent jurisdiction or other reviewing authority, all other provisions shall continue in full force and effect.**

**(5 – 0)**

**COMMENT:** The Select Board unanimously supports this recommendation of the LGBTQIA+ Rainbow Commission to update the Domestic Partnership bylaw. The proposed amendments include changes aimed at meeting the following goals:

1. To eliminate the requirement that domestic partners reside together or share basic living expenses. The proposed amendments also eliminate the requirement that domestic partners are not married;

2. To establish certain employment benefits for town employee domestic partners, including bereavement leave, sick leave to care for a domestic partner or dependent of a domestic partnership, and parental leave; and

3. To set out limitations of liability so that nothing in the bylaw should be construed to impose liability upon a domestic partner for the health or medical expenses of their domestic partner, with the sole exception of the medical insurance contributions assumed by a Town or School Department employee who is a member of a domestic partnership.

The Board unanimously supports these amendments to the original bylaw that was passed by the 2021 Annual Town Meeting and approved by the Massachusetts Attorney General's Municipal Law Unit in a decision set forth in correspondence dated December 23, 2021. The Board recognizes that the proposed amendments to the bylaw, if adopted by the 2022 Annual Town Meeting, will be subject to review by the Massachusetts Attorney General's Municipal Law Unit.

**ARTICLE 12**

**BYLAW AMENDMENT/SINGLE USE PLASTIC WATER BOTTLE REGULATION**

**VOTED:** That Title VIII, Article 9 of the Town Bylaws (“Public Health and Safety”) be and hereby is amended to add a new Article 10, “Single Use Plastic Water Bottle Regulation” as set forth below:

**ARTICLE 10**

**SINGLE USE PLASTIC WATER BOTTLE REGULATION**

**SECTION 1. Purpose and Intent**

The Town of Arlington (“Town”) recognizes that the use and disposal of single use plastic water bottles have significant negative impacts on the marine and land environment, and to public health, including but not limited to:

1. Contributing to the plastic pollution of the land environment, waterways and oceans;
2. Contributing to the harm and premature death of marine animals through ingestion of microplastics;
3. Posing a health risk to humans, including through ingestion of hormone disruptors such as phthalates that leach into plastic water bottles, inhalation of toxic emissions from burning plastic bottles in incinerators, and ingestion of microplastics in the food chain;
4. Exacerbating climate change through the use of millions of gallons of oil every year for the manufacture of single use water bottles in the U.S.

The purpose of this bylaw is to protect the environment and public health through reducing solid waste and unnecessary strains on recycling resources, minimizing litter, reducing the Town’s carbon footprint and climate change impacts, preserving local waterways, and protecting the health of Arlington residents and visitors by reducing the sale and disposal of single use plastic water bottles.

**SECTION 2. Definitions**

- A. “Single use plastic water bottle”: Any single serving container, whether sold individually or in bulk, containing non-carbonated, unflavored drinking water with a volume of one liter or less, that is made in whole or in part of plastic material, excluding the cap, with any designated resin codes 1 through 6.
- B. “Department”: The Arlington Department of Health and Human Services.
- C. “Director”: The Director of the Arlington Department of Health and Human Services.
- D. “Retail Establishment”: Any commercial enterprise, whether for or not for profit, including but not limited to the following: restaurants, pharmacies, convenience stores, grocery stores, gas stations, liquor stores, seasonal and temporary businesses, retail stores, and any other businesses that sell single

use plastic water bottles to the public.

**SECTION 3.           *Regulation of Single Use Plastic Water Bottles***

- A. No retail establishment, as defined in Section 2, shall sell any single use plastic water bottle, as defined in Section 2. The sale of single use plastic water bottles is unlawful and any such sale is subject to the enforcement and penalties set forth in Section 4 of this Article.**
  
- B. No person shall sell single use plastic water bottles, as defined in Section 2, in any Town owned building.**

**SECTION 4.           *Enforcement and Penalties***

- A. Each retail establishment, as defined in Section 2, located in the Town, and every person using a Town owned building, shall comply with this bylaw.**
  - 1. If it is determined that a violation has occurred, the Director or their designee shall first issue a warning notice to the retail establishment for a first time violation.**
  
  - 2. If, after 14 days from receipt of the warning notice, the retail establishment continues to violate this bylaw or commits a second violation, the Director or their designee shall issue a notice of violation and shall impose a penalty against the retail establishment.**
  
  - 3. The penalty for each violation that occurs after the issuance of the warning notice shall be: no more than:**
    - (i) \$100 for the first offense;**
    - (ii) \$150 for the second offense;**
    - (iii) \$200 for the third and all subsequent offenses.**
  
  - 4. Retail establishments shall have 15 calendar days after the date that a notice of violation is issued to pay the penalty or request a hearing in writing to the Director.**
  
- B. The Director may promulgate additional guidelines and regulations necessary for the effective enforcement of this bylaw, consistent with the foregoing.**

**(5 – 0)**

**COMMENT:** The Select Board unanimously supports this recommended addition to the Town’s Public Health and Safety Bylaws brought forth by the Zero Waster Arlington Committee to prohibit the sale of single use plastic water bottles, as defined in the recommended amendment.

The Board expressed support for the concept of state wide legislation on this issue as a way to minimize any potential impact on small businesses. However, in light of the stalled efforts at the





hereby is amended to provide for a notice provision for application of exemptions for certain roadway and utility projects, to read as follows:

**3. Authorized Exemptions for Public and Private Way Projects**

a. Following transmission of an “abutter notice” as set forth herein Arlington Department of Public Works, public utilities, and/or their contractors may perform non-emergency work in and/or on public and private ways within the Town of Arlington outside of the operating hours set forth in this Section with the permission of the Town Manager.

i. “Abutter notice,” shall be required for non-emergency public works or utility projects in or on public or private ways outside of allowed day-time hours under this bylaw, and may be satisfied by a mail, hand, or electronic delivery of a notice setting forth the date, time, and expected nature of work being permitted by the Town Manager under this section to each residential unit within 500 feet of anticipated work, two (2) business days in advance of such work commencing.

**COMMENT:** The Select Board recommends this resident-petitioner-proposed adjustment to the Town’s “Noise Bylaw,” which presently permits the Department of Public Works, its agents, and certain public utilities to perform work during restricted hours which would otherwise violate the Town’s noise bylaw with the permission of the Town Manager. The purpose of the already existing exemption is to recognize that some road and utility projects are better and more safely performed under night-time or early morning traffic conditions. However, the consequential noise from such work, while unavoidable impacts surrounding abutters. By providing advance notice of these Noise Bylaw-exempt activities, such residents can prepare for and mitigate such impacts, or provide further input to the Town Manager.

**ARTICLE 16 BYLAW AMENDMENT/ NOISE REGULATION FOR GAS POWERED LEAF BLOWERS**

**VOTED:** That Title V, Article 12 of the Town Bylaws (“Regulations Upon the Use of Private Property”), “Noise Abatement” Section 3(D) “Use of Leaf Blowers Powered By Internal Combustion Engines” is hereby amended as set forth below:

**TITLE V  
ARTICLE 12  
NOISE ABATEMENT**

...

*Section 3. Daytime-Only Activities*

...

**D. Use of Leaf Blowers Powered By Internal Combustion Engines and Transition to Electric Powered Leaf Blowers**

**1. ~~For purposes of Paragraphs 1-5 of this subsection, the term, “leaf blowers” shall~~**

mean “~~gas-powered leaf blowers used for commercial or municipal purposes.~~” For purposes of this subsection, the following terms shall be defined as follows:

- (a) “Leaf blower”- Any powered machine used to blow leaves, dirt and other matter by forced air for landscape maintenance.
- (b) “Gas powered leaf blower” – A leaf blower powered by gas or gas and oil.
- (c) “Electric leaf blower” – A leaf blower powered by attaching a cord to an electricity source or rechargeable batteries.
- (d) “Commercial landscaper” – A person or entity that receives compensation to utilize landscaping equipment on another’s property.
- (e) “Resident” – The legal owner of record of real property, as listed by the tax assessor’s records, operating on their own property; tenants operating on the property for which they hold a lease; and condominium associations operating on condominium property.
- (f) “The Town” – Town of Arlington municipal employees, operating on municipal property.

2. The use of gas-powered leaf blowers is prohibited between June 15th and September 15th except in accordance with the ~~following restrictions~~, transition and phase out schedule as set forth below. ~~which shall not apply to the use of leaf blowers to perform emergency operations or for clean-up associated with storms, hurricanes and the like:~~

(a) Commercial and Municipal Users Transition Period

During the transition period from May 31, 2022 – March 15, 2025, gas powered leaf blowers may be operated by commercial landscape companies and the Town during the following times:

- (i) Monday-Friday, 7:30 am – 5:30 pm;
- (ii) Saturdays, 8 am – 4 pm;
- (iii) Use is prohibited on Sundays and Legal Holidays.

Electric powered leaf blowers may be operated by commercial landscape companies and the Town during the following times:

- (i) The full calendar year;
- (ii) Monday-Friday, 7:30 am – 5:30 pm;
- (iii) Saturdays, 8 am – 4 pm;
- (iv) Use is prohibited on Sundays and Legal Holidays.

(b) Commercial and Municipal Users Phase Out

As of March, 15, 2025, all use of all gas powered leaf blowers by commercial landscape companies and the Town shall be prohibited, but for the following exemptions:

- (i) The Town may use wheeled leaf blowers powered by four-stroke engines for the purposes of clearing the Minuteman Bikeway and other municipal property;
- (ii) The Town may use gas powered leaf blowers under emergency conditions.

(c) Resident Users Transition Period

During the transition period from May 31, 2022 – March 15, 2025, gas powered leaf blowers may be operated by residents while on their own property during the following times:

- (i) March 15th – May 31<sup>st</sup> and September 15<sup>th</sup> – December 30th;
- (ii) Mondays through Fridays, 7:30 am – 6 pm;
- (iii) Saturdays, Sundays and Legal Holidays, 8 am – 4 pm.

Electric powered leaf blowers may be operated by residents while on their own property during the following times:

- (i) The full calendar year;
- (ii) Monday – Friday, 7:30 am – 6 pm;
- (iii) Saturdays, Sundays and legal holidays, 8 am – 4 pm.

(d) Resident Users Phase Out

As of March, 15, 2026, all use of all gas powered leaf blowers by residents shall be prohibited.

(a) The use of leaf blowers is prohibited on:

- (i) Sundays and legal holidays;
- (ii) Mondays through Fridays except between the hours of 7:30 a.m. and 5:30 p.m.; and
- (iii) Saturdays except between the hours of 8:00 a.m. and 4:00 p.m.

~~(b)~~ (e) No more than one leaf blower may be used on any lot of 6,000 square feet or smaller. One additional leaf blower may be used for each additional 6,000 square feet or portion thereof comprising one lot.

~~(c)~~ (f) Gas powered ~~L~~leaf blowers may be used for no more than 30 minutes at a time with shut down time of 15 minutes in between operation.



3. At no time shall any leaf blower be used in such a way as to permit the distribution of leaves, dust, or other debris beyond the vertically extended lines of the property on which the leaf blower is being used.

4. Leaf blowers shall at all times be operated at the lowest possible practical speed necessary to accomplish the task for which they are being used.

5. As of June 15, 2014, or one year after the effective date of this Bylaw, whichever is later, no commercial landscaper, commercial landscape company, or other entity engaged in the business of providing home and yard repair, clean-up, and maintenance services for a fee shall use any leaf blower within the Town in the exercise of that business unless the manufacturer specifies that the sound emitted from said leaf blower is no greater than 74 dB(A) at 50 feet at full throttle.

(ART. 2, STM – 4/24/13)

~~6. The restrictions set forth herein shall not apply to homeowners and residents using leaf blowers to perform private home and yard repair, clean-up, and maintenance on residential property they own or control. Such residential use of leaf blowers of any kind shall be subject to Section 3(A) of this Bylaw (“Daytime-Only Activities”).”~~

## 6. Enforcement

(a) This bylaw shall be enforced by the Board of Health;

(b) Violations of this bylaw shall be subject to the following penalties:

- (i) For the first violation in a calendar year, a written warning shall be issued and education on the bylaw will be provided to resident and commercial landscaper, if applicable;
- (ii) For the second violation, a fine of \$100 shall be given to both the resident and commercial landscaper, if applicable;
- (iii) For each subsequent violation in a calendar year, a fine of \$200 shall be given to the resident and commercial landscaper, if applicable;

(c) Reporting of Violations – Violations may be reported by any person who observes a gas-powered leaf blower in use in the Town, in violation of this bylaw, with appropriate evidence to support the claim. Witnesses to violations of this bylaw may submit a complaint to the Board of Health that must include:

- (i) The name of the commercial landscaper or resident alleged to have violated this bylaw;
- (ii) The location of the alleged violation;
- (iii) The date and time of the alleged violation;

**(iv) Any additional identifying information regarding the use of the gas-powered leaf blower.**

**All complaints must be submitted within seven days of the alleged violation. All complaints must be signed by the complainant before an investigation can be initiated. Photographic and recorded evidence in support of the complaint is permitted, but not required.**

(5-0)

**COMMENT:** The Select Board unanimously supports this resident petition article to transition from, and eventually phase out the use of gas-powered leaf blowers in Town. The Board recognizes the adverse impact that gas powered leaf blowers have on the environment and appreciates that advancing technology continues to make electric powered leaf blowers more efficient, effective and affordable.

The Board expressed concern with the phase out timeline, especially as applied to residents, originally set out by the bylaw amendment proponents, but the current timelines are more feasible for residents and also more consistent with transition and phase out timelines already adopted by some surrounding communities. Accordingly, the Board unanimously supports this proposed bylaw amendment.

**ARTICLE 17 BYLAW AMENDMENT/CONVERSION OF GAS STATION DISPENSING PUMPS TO SELF SERVICE OPERATION**

**VOTED:** That Title 5, Article 5 (“Self-Service Gas Dispensing”), be stricken in its entirety and to note its removal so as to read as follows:

**ARTICLE 5  
This Article Removed**

**~~SELF SERVICE GAS DISPENSING~~**

**~~Section 1. Restriction on Sale~~**

**~~No filling station shall allow the pumping of gasoline for retail sale by any person other than an authorized attendant employee of said filling station.~~**

**~~Section 2. Customer Pumping Prohibited~~**

**~~No attendant at any gasoline station shall permit any non-employee to pump gasoline or engage in any distribution of gasoline within the station.~~**

(5 – 0)

**COMMENT:** The Select Board recommends termination of Arlington’s prohibition on self-serve gasoline with interest in Town Meeting’s collective perspective. Arlington is the only community in the area which *prohibits* self-serve gasoline service (gas stations may continue as full-service under the proposed revision), which poses a variety of challenges for Arlington station operators, including maintaining adequate staffing, providing security for all potential staff, and providing competitive operating hours. The proponent of the article noted that attracting and retaining attendants has been a persistent challenge.



- D. The Town finds that all its citizens, particularly children, have every right to protection from exposure to hazardous chemicals and from rodenticides in particular.**
- E. The Town finds that a balanced and healthy ecosystem is vital to the health of the town and its citizens, and as such it is also in need of protection from exposure to hazardous chemicals including rodenticides.**

### *Section 2. Definitions*

**The following terms shall, for the purpose of this article, have the following meanings, unless the context otherwise requires.**

**“Rodenticides” are a subclass of pesticides, defined under the Massachusetts Pesticide Control Act, M.G.L. c. 132B and/or 333 CMR 10.00, as substances or mixtures of substances intended to prevent, destroy, repel, or mitigate rodents that are declared to be pests by the Massachusetts pesticide board.**

**“Integrated Pest Management” is a decision-making strategy and record-keeping process for managing pests that monitors to determine pest population levels, and combines biological, cultural, mechanical, physical, and chemical tools and other management practices to control pests in a safe, cost effective, and environmentally sound manner that contributes to the protection of public health and sustainability. It prioritizes the use of non-chemical pest control methods and the careful use of least-toxic chemical methods when non-chemical methods have been exhausted or are not feasible, and the selection of rodenticides that are the least toxic product that will be effective on a target pest.**

**“Second-generation anticoagulant” is a rodenticide that was developed to control rodents that are resistant to first-generation anticoagulants, including but not limited to brodifacoum, bromadiolone, difenacoum, and difethialone.**

**“Certified applicator”, an individual who is certified under the provisions of 333 CMR 10.00 as authorized to use or supervise the use of any pesticide (including rodenticides) which is classified by the Massachusetts Department of Agriculture as being for restricted use.**

**“Commercial applicator” is a certified applicator under the provisions of 333 CMR 10.00, whether or not they are a private applicator with respect to some users, who uses or supervises the use of any pesticide (including rodenticides) which is classified by G.L. c. 132B, the Massachusetts Department of Agriculture or any agency of the Commonwealth of Massachusetts being for restricted use for any purpose or on any land other than as provided in the preceding paragraph.**

### *Section 3. Integrated Pest Management Education*

- A. Both commercial applicators and the general public are encouraged to utilize Integrated Pest Management strategies on all properties throughout the Town.**

- B. Integrated Pest Management shall be encouraged during licensing and permitting processes, including common victualar, demolition, and building permit application processes.**

#### ***Section 4. Registration of Applicators***

- A. All certified and commercial pesticide applicators operating within the Town of Arlington must register with the Town of Arlington Department of Health and Human Services prior to the application of any second generation anti-coagulant rodenticides within the Town of Arlington.**
- B. The applicator must provide proof of licensure for each employee who will be applying second generation anti-coagulant rodenticides within the Town of Arlington.**
- C. The Department of Health and Human Services shall be authorized to enact regulations to effectuate this section, including a method to indicate registration by certified and commercial applicators**
- D. Failure to produce a Town-issued proof of registration upon request shall be considered a violation of this bylaw, subject to the penalties set forth herein.**
- C. Each applicator who registers shall be given a copy of this bylaw as well as any resources highlighting the dangers of second-generation anticoagulants in Arlington and benefits of Integrated Pest Management, and recommend alternatives deemed appropriate by the Department of Health and Human Services.**

#### **Section 5. Notification of Deployment of Second Generation Anti-Coagulant Rodenticides**

- A. All licensed certified and commercial applicators shall provide written notification to the Department of Health and Human Services within forty-eight (48) hours any time second-generation anticoagulant pesticides are utilized or deployed for proactive or reactive pest management services in Arlington.**
- B. The Department of Health and Human Services is authorized to enact regulations to effectuate this section, including processes for coordinating the other Town departments, State agencies, and commercial applicators to enable tracing placement, cleanup, and unintended impacts of second generation anti-coagulant rodenticide on non-targeted wildlife and domestic animals.**

#### **Section 6. Fees & Penalties for Non-Compliance**

- A. A fee sufficient to cover the costs of implementing registration, notification, and education systems may be levied by the Department of Health and Human Services.**
- B. Any commercial pesticide applicator who fails to register with the Department of Health and Human Services and dispenses or uses second generation anti-coagulant rodenticides in the Town without being registered shall be subject to the following penalties:**

- a. A fine of fifty dollars (\$100.00) for the first offense;
  - b. A fine of two hundred dollars (\$200) for the second offense;
  - c. Any subsequent failure to register paired with use of second generation anti-coagulant rodenticide shall be punishable by a fine of three hundred dollars (\$300); and/or prohibition from applying pesticides of any kind in Arlington for a period of one year.
- C. Any commercial pesticide applicators' failure to timely notify the Department of Health of use of second generation anti-coagulant rodenticides within the Town regardless of registration status shall be subjected to the following separate penalties:
- a. A fine of fifty dollars (\$100.00) for the first offense;
  - b. A fine of two hundred dollars (\$200) for the second offense;
  - c. Any subsequent failure to register paired with use of second generation anti-coagulant rodenticide shall be punishable by a fine of three hundred dollars (\$300); and/or prohibition from applying pesticides of any kind in Arlington for a period of one year.

*Section 6. Severability*

The invalidity of any section, provision, paragraph, sentence, or clause of this bylaw shall not invalidate any other section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any determination or finding of a violation under this bylaw which has been issued.

**AND FURTHER VOTED:** That the Town does hereby request and authorize the Select Board to file Home Rule Legislation to provide substantially as follows:

**“AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO PROHIBIT USE OF SECOND GENERATION ANTI-COAGULANT RODENTICIDES BY COMMERCIAL PESTCIDE APPLICATORS”**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

**SECTION 1.** Notwithstanding any general or special law to the contrary, including G.L. c. 132B, the Town of Arlington may regulate through local bylaw or Board of Health regulation or ordinance the use of second generation anti-coagulant rodenticides within the Town of Arlington, including prohibiting the use of such pesticides by licensed commercial applicators as defined in 333 C.M.R. 10.00.

**SECTION 2.** This act shall take effect upon its passage.

(5 – 0)

**COMMENT:** The Select Board respectfully requests Town Meeting's support for a three-pronged approach to address the many dangers posed by use of second-generation anti-coagulant rodenticide (“SGARs”) poisons to address the rodent population in Arlington:







**ARTICLE 24** HOME RULE LEGISLATION/FINANCIAL ESTIMATES & BUDGET DOCUMENTS

*The Select Board will report under Article 24 at Town Meeting.*

**ARTICLE 25** HOME RULE LEGISLATION/EARLY VOTING FOR TOWN ELECTIONS

**VOTED:** *That the Town does hereby request and authorize the Select Board to file Home Rule Legislation to provide substantially as follows:"*

***"AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO OFFER EARLY VOTING IN TOWN ELECTIONS"***

*Section 1: Notwithstanding any general or special law to the contrary, the Town of Arlington shall allow any qualified voter, as defined in section 1 of chapter 51 of the general laws, to vote early in person for any regular or special town election. Any voter wishing to vote early in person may do so at the time, manner, and location prescribed in this section.*

- (a) The early voting period shall be set by the Select Board in consultation with the Arlington Town Clerk. The early voting period shall include a minimum of three business days during the regular hours of the Arlington Town Clerk's office, and may include additional days, so long as it ends no later than the date determined by the Town Clerk as necessary to prepare a final voting list for the polls on Election Day. At least one early voting weekday shall extend until at least 7 p.m. For any Town Election held on a weekday, at least one weekend day shall be included in the Early Voting Period.*
- (b) The Select Board, in consultation with the Town Clerk, shall establish an early voting site for early in-person voting under this section that is centrally-located, suitable, and in a convenient public building. The early voting site shall be accessible to persons with disabilities. The designation of an early voting site shall be made not less than 14 days prior to the beginning of the voting period established in section (a). Notice of the early voting location, dates, and hours shall be posted in the office of the Town Clerk and on the Town's website not less than 7 days before the early voting period begins.*
- (c) The voting, processing, and counting procedures for early voting ballots shall be consistent with section 25B of chapter 54 of the General Laws and the regulations promulgated by the State Secretary for the administration of early voting appearing at 950 CMR 47.00, to the extent practicable.*

*Section 2: This act shall take effect upon its passage.*

(5 - 0)

**COMMENT:** The Select Board requests Town Meeting's support for this authorization to file Home Rule Legislation permitting early voting options for Town of Arlington elections as recommended by the Election Modernization Committee ("EMC"). If approved by the Commonwealth, this legislation would permit registered voters in Arlington to vote early in any regular or special Town election on terms to be set by the Select Board, in consultation with the Town Clerk.

Per the EMC's recommendation, at a *minimum*, early voting hours would include:

- Three (3) business days during the Town Clerk’s regular office hours;
- At least one (1) early voting day extended to at least 7 p.m.; and
- At least one (1) weekend day.

The Board notes that efforts on the State level to pass a local option statute to a similar effect appear to have stalled for the time being. As such, the Board strongly supports this measure to enhance voting access and convenience in Town elections as soon as possible which should not preclude the Town from taking advantage of any local option early voting legislation at some point in the future.

**ARTICLE 26    ENDORSEMENT OF CDBG APPLICATION**

**VOTED:**      **That the Town hereby endorses the application for Federal Fiscal Year 2023 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (PL 93-383), as amended.**

**(6 – 0)\***

**COMMENT:** This article represents the annual vote to endorse the annual application for Community Development Block Grant funds.

\*Includes vote of Town Manager for CDBG purposes.

**ARTICLE 27    REVOLVING FUNDS**

**VOTED:**      **The Town does hereby reauthorize the following Revolving Funds for FY 2023:**

**Private Way Repairs (3410): Originally established under Article 46, 1992 Annual Town Meeting expenditures not to exceed \$300,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$62,223.01</b>
<b>Receipts</b>	<b>25,290.04</b>
<b>Expenditures</b>	<b>32,000.00</b>
<b>Ending Balance, 6/30/21</b>	<b>\$55,513.05</b>

**Public Way Repairs (3400): Originally established under Article 45, 1992 Annual Town Meeting expenditures not to exceed \$5,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$14,715.06</b>
<b>Receipts</b>	<b>0.00</b>
<b>Expenditures</b>	<b>0.00</b>
<b>Ending Balance, 6/30/21</b>	<b>\$14,715.06</b>

**Fox Library Community Center Rentals (3990): Originally established under Article 49, 1996**

**Annual Town Meeting  
expenditures not to exceed \$20,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$1,221.47</b>
<b>Receipts</b>	<b>0.00</b>
<b>Expenditures</b>	<b>0.00</b>
<b>Ending Balance, 6/30/21</b>	<b>\$1,221.47</b>

**Robbins House Rentals (4060): Originally established under Article 77, 1997 Annual Town Meeting  
expenditures not to exceed \$75,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$19,435.94</b>
<b>Receipts</b>	<b>100.00</b>
<b>Expenditures</b>	<b>15,651.66</b>
<b>Ending Balance, 6/30/21</b>	<b>\$3,884.28</b>

**Conservation Commission Fees (5290): Originally established under Article 44, 1996 Annual Town Meeting  
expenditures not to exceed \$10,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$1,343.03</b>
<b>Receipts</b>	<b>0.00</b>
<b>Expenditures</b>	<b>931.00</b>
<b>Ending Balance, 6/30/21</b>	<b>\$412.03</b>

**Uncle Sam Fees (2440): Originally established under Article 31, 2000 Annual Town Meeting  
expenditures not to exceed \$2,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$1,526.31</b>
<b>Receipts</b>	<b>0.00</b>
<b>Expenditures</b>	<b>0.00</b>
<b>Ending Balance, 6/30/21</b>	<b>\$1,526.31</b>

**Life Support Services (Ambulance) Fees (3210): Originally established under Article 37, 2001 Annual Town Meeting  
Expenditures not to exceed \$800,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$385,824.16</b>
<b>Receipts</b>	<b>325,691.02</b>
<b>Expenditures</b>	<b>462,886.53</b>
<b>Ending Balance, 6/30/21</b>	<b>\$248,628.65</b>

**Board of Health Fees (4120): Originally established under Article 30, 2005 Annual Town Meeting**

expenditures not to exceed \$100,000

<b>Beginning Balance 7/1/2020</b>	<b>\$165,953.52</b>
Receipts	59,216.71
Expenditures	71,080.41
<b>Ending Balance, 6/30/21</b>	<b>\$154,089.82</b>

**Field User Fees (5275):** Originally established under Article 78, 2004 Annual Town Meeting  
expenditures not to exceed \$80,000

<b>Beginning Balance 7/1/2020</b>	<b>\$106,942.01</b>
Receipts	29,119.25
	100,841.73
	<i>***Includes FY20</i>
Expenditures	<i>Encumbrances \$28,680</i>
<b>Ending Balance, 6/30/21</b>	<b>\$35,219.53</b>

**Robbins Library Rentals (4250):** Originally established under Article 35, 2006 Annual Town Meeting  
expenditures not to exceed \$8,000

<b>Beginning Balance 7/1/2020</b>	<b>\$38,379.82</b>
Receipts	(REFUND) (600.00)
Expenditures	1,037.00
<b>Ending Balance, 6/30/21</b>	<b>\$36,742.82</b>

**Town Hall Rentals (4150):** Originally established under Article 35, 2006 Annual Town Meeting  
expenditures not to exceed \$175,000

<b>Beginning Balance 7/1/20</b>	<b>\$105,902.38</b>
Receipts	(REFUNDS) (13,754.46)
Expenditures	28,877.23
<b>Ending Balance, 6/30/21</b>	<b>\$63,270.69</b>

**White Goods Recycling Fees (3510):** Originally established under Article 35, 2006 Annual Town Meeting  
expenditures not to exceed \$80,000

<b>Beginning Balance 7/1/2020</b>	<b>\$42,567.12</b>
Receipts	38,560.96
Expenditures	38,119.26
<b>Ending Balance, 6/30/21</b>	<b>\$43,008.82</b>

**Library Vending Fees (4220):** Originally established under Article 34, 2009 Annual Town

**Meeting**  
**expenditures not to exceed \$25,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$6,259.76</b>
<b>Receipts</b>	<b>311.25</b>
<b>Expenditures</b>	<b>2019.04</b>
<b>Ending Balance, 6/30/21</b>	<b>\$4551.97</b>

**Gibbs School Energy Fees (2790): Originally established under Article 45, 2010 Annual Town Meeting**  
**expenditures not to exceed \$120,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$4,814.41</b>
<b>Receipts</b>	<b>0.00</b>
<b>Expenditures</b>	<b>0.00</b>
<b>Ending Balance, 6/30/21</b>	<b>\$4,814.41</b>

**Cemetery Chapel Rentals (3435): Originally established under Article 52, 2011 Annual Town Meeting**  
**Expenditures not to exceed \$15,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$0.00</b>
<b>Receipts</b>	<b>0.00</b>
<b>Expenditures</b>	<b>0.00</b>
<b>Ending Balance, 6/30/21</b>	<b>\$0.00</b>

**Council On Aging Program Fees (3840): Originally established under Article 28, 2013 Annual Town Meeting**  
**Expenditures not to exceed \$100,000**

<b>Beginning Balance 7/1/2020</b>	<b>\$19,337.36</b>
<b>Receipts</b>	<b>50.00</b>
<b>Expenditures</b>	<b>16,014.21</b>
<b>Ending Balance, 6/30/21</b>	<b>\$3,373.15</b>

(5 – 0)

**COMMENT:** The above summary represents the annual vote to receive reports on expenditures and receipts of the various Town revolving funds and to authorize and reauthorize such funds in accordance with state law. These funds must be reauthorized annually in order to enable expenditures from them, and as such, must be included in our abbreviated Town Meeting session. Additional materials regarding the Revolving Funds have also been included in the Appendix to this report for further consideration.

**ARTICLE 47**

**ENDORSEMENT OF PARKING BENEFIT DISTRICT EXPENDITURES**

**VOTED:** That the Select Board approves the operating and capital expenditures proposed by the Town Manager and Parking Implementation Governance Committee and recommends Town Meeting’s endorsement of the votes of the Finance and Capital Planning Committee’s respectively.

(5 – 0)

**COMMENT:** Pursuant to Title I, Article 11 of the Town Bylaws, “Parking Benefit District Expenditures,” proposed Parking Benefit District Operating and Capital Expenditures are prepared by the Town Manager and the Parking Implementation Governance Committee (“PICG”) before submission for endorsement by the Finance Committee and Capital Planning Committee respectively; and subsequently Town Meeting. The Select Board approves the Manager and PICG’s proposal to the Capital Planning and Finance Committees and urges Town Meeting’s support as well.

**ARTICLE 73**

**RESOLUTION/TRUE NET-ZERO OPT-IN CODE FOR CITIES AND TOWNS**

**VOTED:** That Town Meeting hereby resolves as follows:

**A True Net Zero Opt-In Code for Massachusetts Towns and Cities**

**WHEREAS,**

- A. Global warming is an existential planetary crisis.**
- B. On June 2, 2021, Arlington’s Town Meeting adopted a resolution declaring a climate emergency and calling for an immediate urgent mobilization to protect the climate, reducing the pace of warming and slowing down ecological collapse to the maximum extent possible. Among other things, the resolution committed the town to use all of its influence to encourage climate action by other government authorities including the state in order to support rapid greenhouse gas reductions. This is important not just for the environment but the economy as well. In December 2021, the U.S. Financial Stability Council reported to Congress that climate change was an “emerging threat” to the United States financial system.**
- C. Global warming is not only an environmental issue, or even an economic one. It is also a profound moral issue. Almost every disaster brought about or exacerbated by climate change disproportionately affects the poor and marginalized. This is true on a global scale, but also within countries, and states, and towns and cities. As the Climate Emergency Resolution approved by Town Meeting in 2021 stated: “the marginalized populations in Arlington, the Commonwealth of Massachusetts and worldwide, including people of color, immigrants, indigenous communities, low-income individuals, homeless persons, and people with disabilities, are already disproportionately affected by climate change, and will continue to bear an excess burden as temperatures increase.”**
- D. There is no time to lose. Global warming is not a future catastrophe. It is here already. It is causing hurricanes, fires, floods, and droughts. The sea is rising as polar ice melts.**

Massachusetts is not immune from any of this. Indeed, reports in early 2022 suggest that the consequences of global warming are more severe in New England than they are elsewhere in the United States. As science writer Bill McKibbin puts it, “If we don’t act quickly, and on a global scale, then the problem will literally become insoluble.” Or, more simply, “winning slowly is the same as losing.”

- E. The fight against global warming requires action at every level. We must act globally, but we must also act locally.
- F. Massachusetts has adopted legally binding policies for achieving net zero greenhouse gas emissions by 2050. This target is unattainable without a radical reduction in fossil fuel use in the Massachusetts building sector. Emissions from buildings account for 27% of greenhouse gas emissions in the Commonwealth, a contribution that is second only to the transportation sector.
- G. In March 2021, the Massachusetts Legislature enacted the Next Generation Road Map on Climate Change, reasserting the Commonwealth’s commitment to leadership in the fight against global warming. Among the many features of that legislation was the requirement that the Department of Energy Resources (DOER) develop an opt-in specialized stretch building code aimed at achieving net-zero greenhouse gas emissions in buildings. This provision was passed by a large majority in the legislature, despite an earlier veto. A strong code will give towns and cities that choose to adopt it – hopefully the great majority - the tools they need to achieve their own net-zero objectives in a timely way. A weak code, however, will not only be ineffective in itself but also stand in the way of stronger actions at the local level. The “net zero stretch code” provided for in the Road Map is a critical step in the Commonwealth’s strategy to meet net zero by 2050.
- H. DOER must promulgate an opt in specialized stretch code by late December 2022. It is required to engage in extensive public consultation, including at least 5 hearings within 18 months after the Roadmap becomes effective. The hearings must be held in various locations in the state, including urban, suburban, and rural settings, and at least one hearing must be held in an underserved community or one with a high percentage of low income households. As of January 2022, DOER had not published a draft code or conducted any of the required hearings.
- I. Arlington has been a leader in the fight against global warming. In December 2020, it became the second town in the Commonwealth to enact a “Clean Heat” Bylaw limiting the adoption of fossil-fuel infrastructure in newly constructed buildings and major renovations. That bylaw requires approval by the state legislature through a “home rule petition” because it is thought to be preempted by the existing state building code. The necessary legislation has been filed and subjected to a hearing, but it has not been reported out of committee. In the absence of the Clean Heat bylaw approved by Town Meeting, new construction and major renovations in the town have continued to install fossil fuel infrastructure, usually for natural gas, frustrating the Town’s net zero policy
- J. In early 2021, the town adopted a comprehensive Net Zero Action Plan that called for strong action to control building emissions in the town and ensure that the town will achieve net-zero in the building sector by 2050. And in November 2021, Arlington was a leader in organizing 30 Massachusetts municipalities to encourage DOER to adopt a strong, true net-zero stretch code.
- K. Adoption of a strong opt-in specialized net zero stretch code is essential if Arlington is to achieve the net zero objectives that its residents need and demand.

**THEREFORE BE IT RESOLVED BY TOWN MEETING OF THE TOWN OF ARLINGTON, MASSACHUSETTS,**

- 1. Town Meeting calls upon the DOER to promulgate a true net-zero opt-in building code that will allow towns that are willing to do so to pursue aggressive policies in controlling greenhouse gas emissions in the building sector in order to achieve net zero emissions by 2050 or before. In this connection, Town Meeting considers a net-zero building to be an all-electric, highly energy-efficient building that uses renewable sources to generate at least as much energy as it uses each year, so that operations are carbon neutral and emissions of embodied carbon are minimized.**
- 2. The Net Zero Opt-In Code must cover both commercial and residential construction and both new construction and major renovations.**
- 3. The Net Zero Opt-In Code must --**
  - a. Achieve energy efficiency by prescribing leading standards, such as Passive House, New Buildings Institute, or Living Building standards, to reduce greenhouse gas emissions operational expenses, and grid load.**
  - b. Require primary heating/cooling and other systems to be 100% electric.**
  - c. Require buildings to be powered by 100% renewable energy, which can be on- or off-site, generated or purchased, providing associated grid and other emissions are fully offset.**
  - d. Effectively address the challenge of minimizing embodied carbon in the use, production and transportation of building materials.**
  - e. Require appropriate monitoring, disclosure, and correction to ensure that buildings systems are operating as designed.**
  - f. Require the selection of low-impact refrigerants and refrigerant recycling (prohibiting disposal) to limit ozone depletion and carbon emissions.**
  - g. Ensure that any exemptions are narrowly defined, fully justified and last only as long as the justification exists. Waivers, if any, should be available in limited instances, based on a clearly defined process.**

**(5 – 0)**

**COMMENT:** The Select Board joins the Clean Energy Future Committee (“CEFC”) in seeking Town Meeting’s support for support for a Resolution that would call for the Massachusetts Department of Energy Resources (“DOER”) to promulgate a true Net-Zero Opt-In Code that will better allow municipalities, like the Town of Arlington, to aggressively pursue policies to control greenhouse gas emission in the building sector related to projects involving new construction or significant renovation. The Board looks forward to a member of CEFC providing further education for the Meeting and the public about forward-thinking ways our community and state can take action on climate change.

**ARTICLE 74**

**RESOLUTION/SUPPORT OF THE MASS. FAIR  
SHARE CONSTITUTIONAL AMENDMENT**

**VOTED:** That Town Meeting hereby resolves as follows:

**WHEREAS, the best way to build a stronger economy for all of us is to make sure that we have quality public schools for our children starting with pre-K continuing through affordable public higher education, and a reliable transportation system; and**



**WHEREAS, students need a well-rounded education, founded on a rich and varied curriculum that includes science, technology, engineering, and math (STEM), music, art, and athletics; and**

**WHEREAS, the COVID-19 pandemic has only heightened the need for major investments in pre-K through 12 education to help students get on track academically, socially, and emotionally; and**

**WHEREAS, tuitions and fees at our public colleges are among the highest in the country, and too many students are forced to take on debt that may take years for them to repay and that may consequently limit their ability to afford good housing, raise a family, and otherwise spend and participate in our economy; and**

**WHEREAS, for Massachusetts to compete against other regions around the nation and the globe, we need modern, reliable transportation and safe ways to drive, walk, and bike; safe public transportation that works, and safe roads, bridges, tunnels, and sidewalks; more climate resilient transportation options; and**

**WHEREAS, we have a large backlog of neglected and structurally compromised bridges, tunnels, roads, and public transportation infrastructure in need of repair; and**

**WHEREAS, now more than ever to lift our economy into an equitable and long-lasting recovery we need new investments to fix our transportation system and improve our public schools, make public higher education affordable again; and**

**WHEREAS, our Commonwealth’s highest-income residents—who have seen their collective net worth rise dramatically in recent years—pay the lowest percentage of their annual earned income in state and local taxes, and have the ability to pay more for the investments we need to build a strong economy;**

**THEREFORE, let it be resolved that the Arlington Town Meeting supports the proposed Fair Share Amendment to the Constitution of the Commonwealth of Massachusetts that would create an additional predictable, annual tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges and universities, and for the repair and maintenance of roads, bridges, and public transportation.**

**(5 – 0)**

**COMMENT:** The Select Board strongly recommends this resolution to Town Meeting to consider support the “Fair Share” Constitutional Amendment. While the Board is mindful that neither the Select Board nor Town Meeting can or should weigh in on every statewide ballot question, it is the Board’s overall view that this particular issue merits the opportunity to locally amplify residents’ consideration of the important issues at stake.

In brief, the Massachusetts Constitution prohibits a graduated income tax, and as such, all residents regardless of income level pay the same overall tax rate. The Fair Share Amendment however proposes to amend the state constitution to specifically create an additional tax or “surtax” of four percentage points on the portion of an individual’s annual income above \$1 million. Funds

from the surtax would be earmarked specifically for “quality public education and affordable public colleges and universities, and for the repair and maintenance of roads, bridges and public transportation.” All Massachusetts voters will have their opportunity to vote directly on this proposal on the November 2022 statewide election ballot. However, the Board believes that this specific measure is of both statewide and local concern. Thus, in addition to holding the personal support of many Board members, the Select Board as a body unanimously and enthusiastically supports the use of Town Meeting for public education and forum for discourse on this ballot question.

**ARTICLE 75**                                   **RESOLUTION/COMMITMENT TO INCREASE DIVERSITY IN TOWN APPOINTMENTS**

**VOTED:**       **That Town Meeting hereby resolves as follows:**

**WHEREAS, Arlington is deeply committed to the principles of diversity, equity and inclusion (DEI) and building a community where everyone is heard, respected, and protected; and**

**WHEREAS, the Select Board has shown its commitment to identifying and eliminating barriers to access and engagement with the goal of bringing unheard voices to the table by supporting the Town Manager’s creation of a DEI division and by voting to support and approve a Community Equity Audit: and**

**WHEREAS, the Select Board recently voted to approve a reprecincting map which included the specific goal of increasing the diversity of Town Meeting; and**

**WHEREAS, the Diversity, Equity and Inclusion Division has identified barriers of outreach, engagement and education that inhibit applicants from underrepresented groups from applying for open position on our public bodies: and**

**WHEREAS, the Town is committed to being more welcoming and an important component of that is making the Town’s public bodies more accessible to, and representative of, the full diversity of Arlington’s residents; and**

**WHEREAS, increasing the diversity in teams adds new perspectives and experiences that have been shown to increase problem solving, innovation, productivity and personal growth;**

**BE IT THEREFOR RESOLVED, that the Arlington Town Meeting votes to deepen Arlington’s commitment to diversity, equity and inclusion; and**

**BE IT URTHER RESOLVED, that Town Meeting urges and invites the Town’s appointing authorities to prioritize and center the communal goal of increasing the diversity of Town boards and committees by intentionally working to identify and break down barriers, such as education, engagement and outreach, that inhibit applicants from underrepresented groups from applying for positions on Arlington’s public bodies and to commit to appointing qualified applicants from underrepresented groups to fill openings such that the Town’s Boards and Committees reflect the diversity of Arlington residents including race, ethnicity,**

**color, religious views, national origin, sex, gender identity or expression, citizenship, age, sexual orientation, disability, housing tenure, military status and other forms of diversity.**

**(5 – 0)**

**COMMENT:** The Select Board unanimously supports this resident submitted resolution and seizes the opportunity to reaffirm the Board’s continuing commitment to diversity, equity and inclusion in all Town matters. The Board unanimously supports this resolution and hopes that it leads to an increase in applicants and appointments of persons from underrepresented groups to Town committees and boards.

**ARTICLE 76 RESOLUTION/ALEWIFE BROOK IS A VALUABLE NATURAL RESOURCE**

**VOTED:** That Town Meeting hereby resolves as follows:

**WHEREAS, the Alewife Brook in East Arlington is a valuable natural resource area for Arlington residents, but degraded by sewage contaminated discharges from the Combined Sewer Outfalls (CSO) from the MWRA, Cambridge, and Somerville; and**

**WHEREAS, the MWRA, Cambridge, and Somerville, are in the late stages of completing required benchmarks directed by a series of Court Orders known as the “Boston Harbor Case;” and**

**WHEREAS, despite meeting many benchmarks and improving water quality in the Boston Metro Area, the Somerville CSO is not yet in compliance and the Alewife Brook is not sufficiently meeting water quality standards following CSO events; and**

**WHEREAS, contaminated waters from the Alewife Brook can flood onto Arlington lands and houses; and**

**WHEREAS, the MWRA, Cambridge, and Somerville are required to submit action plans to address these concerns and renew their water quality variance with the Massachusetts Department of Environmental Protection (“MA DEP”) and other state and federal regulatory authorities;**

**THEREFORE; Town Meeting declares the Alewife Brook to be a valuable natural resource deserving of equal commitment to rehabilitate and restore to the highest water quality standards feasible for wildlife, resident abutters, and recreation; and**

**FURTHER, that Town Meeting also resolves to encourage and support all Town officials in engaging the MWRA, Cambridge, Somerville, and the Department of Conservation and Recreation as well as state and federal regulators, legislators, and officials to garner the actions necessary to eliminate CSO discharges into the Alewife Brook and render the Brook a safe resource to live near and beautiful water resource to enjoy for the public.**

**(5 – 0)**

**COMMENT:** The Select Board strongly urges Town Meeting’s support for this resolution (advanced by “Save the Alewife Brook” organization) which would declare the Alewife Brook as a valuable natural resource, and urge Town officials to engage the Massachusetts Water Resource Authority (“MWRA”), Cambridge and Somerville decision makers, as well as Massachusetts Department of Environmental Protection (“MADEP”) and Environmental Protection Agency (“EPA”) regulators to take further actions to reduce, and wherever possible eliminate Combine Sewer Outfall (“CSO”) discharges into the Alewife Brook.

In short, CSOs – events in which heavy rains or other saturations result in sewage being directly released into waterways from combined sewer and storm water pipes rather than funneling through wastewater treatment infrastructure – have historically been a serious source of local and regional water pollution. The MWRA, along with municipal sources of CSOs like Somerville and Cambridge were charged under orders from the federal court with eliminating or significantly reducing CSO discharges and their negative impacts on water quality. While the MWRA has been highly successful in meeting benchmarks and requirements set by the Court over the course of thirty five years, it has not eliminated CSO discharges entirely or ensured that every body of water meets state and federal water quality standards. This is especially true for the Alewife Brook, which experienced significant CSO discharge events in recent years even as the MWRA closed many of its CSO sources and completed infrastructure improvements as directed.

Given continued water quality problems in the Alewife, the MWRA, Somerville and Cambridge are still required to maintain “variances” for state and federal water quality standard deficiencies from MADEP. The current variance extension runs through August, 31, 2024, but the process for seeking further variances begins this year. The MWRA, Cambridge and Somerville must issue an updated “Long Term Control Plan,” which will ultimately require MADEP’s review and approval to extend the variance beyond August of 2024. The Control Plan sets forth both what the MWRA, Cambridge and Somerville believe they must continue to work on, and how they believe they can make progress. The Board strongly believes that this resolution is helpful to supporting Arlington’s demand that CSOs be sufficiently addressed in the Alewife and that water quality standards are met such that the Alewife can be enjoyed by wildlife and the public without exposure to dangerous levels of bacteria and other contaminants.

**ARTICLE 77                    RESOLUTION/ ESTABLISHING AN INTEGRATED PEST MANAGEMENT POLICY FOR TOWN LAND, PROHIBITIONS, AND PUBLIC EDUCATION ABOUT RODENTICIDE HAZARDS**

**VOTED:            That Town Meeting hereby resolves as follows:**

**WHEREAS, Town Meeting wishes to protect the health and welfare of Arlington, its residents and visitors, and local wildlife, by reducing the use of second-generation anticoagulant rodenticides and promoting Integrated Pest Management strategies; and**

**WHEREAS, second-generation anticoagulants are more likely than first-generation anticoagulants to kill non-target animals after feeding on poisoned prey or carcasses, and remain longer in animal tissues; and as such, second-generation anticoagulants pose greater risks to non-target species including pets and wildlife, and children are at risk of poisoning when coming into contact with highly toxic second-generation anticoagulants; and**

**WHEREAS, it is in the best interest of public health to eliminate the use of toxic rodenticides on town land, ponds and waterways, to encourage the reduction and elimination of the use of toxic rodenticides including on Town-owned properties, and**

**WHEREAS, the Town finds that a balanced and healthy ecosystem is vital to the health of the Town and its residents and visitors, and as such it is also in need of protection from exposure to hazardous chemicals including rodenticides, including and especially on Town-owned and managed properties;**

**THEREFORE, BE IT RESOLVED THAT:**

- A. Town Meeting urges the Town and all its property-holding or managing entities, including departments, commissions, boards and other subdivisions, to introduce and promote management practices known commonly as “Integrated Pest Management” for the remediation of rodent infestations; and further**
- B. The Town continue its current work to develop and implement an Integrated Pest Management Policy and/or set of practices with the goal of eliminating use of second generation anticoagulant rodenticides by or on behalf of municipal property owning or managing entities; and further**
- C. The Town engage in public education and outreach efforts about the benefits of Integrated Pest Management policies and practices on Town-owned land and in general.**

**(5 – 0)**

**COMMENT:** See Comment set forth under Article 18.

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#### **APPENDIX ITEMS**

**ARTICLE 8: RECOMMENDATION OF POLICE CIVILIAN ADVISORY BOARD STUDY  
COMMITTEE**

**ARTICLE 27: REVOLVING FUND DETAILS**

**ARTICLE 47: PARKING BENEFIT DISTRICT REPORT**

To: Arlington Select Board  
From: Laura Gitelson and Susan Ryan-Vollmar, Co-Chairs, Civilian Police Advisory Board Study Committee  
Date: February 17, 2022  
Re: Warrant Article hearing on proposed Bylaw Amendment/Civilian Police Advisory Commission

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We are writing to provide you with background information and reference material in advance of your warrant article hearing on Wednesday, February 23, 2022. This memo outlines the charge given to the Civilian Police Advisory Board Study Committee (the Study Committee) by the 2020 Town Meeting and the process by which the Study Committee fulfilled that charge. It concludes with key findings from the Study Committee's work. These key findings are the foundation for the Study Committee's strong recommendation to the 2022 Town Meeting that a permanent Civilian Police Advisory Commission be created in Arlington to provide opportunities to increase trust between residents—particularly, though not solely, those who belong to historically marginalized groups—and police.

Over 11 months, beginning on March 18, 2021, the Study Committee met 16 times. Between October 27 and November 17, 2021, the Study Committee held 14 listening sessions with residents and town employees to solicit feedback on interactions (positive, negative, and/or neutral) with Arlington police. Throughout the month of November 2021, the Study Committee collected feedback from residents via an online Google form. The Study Committee Co-Chairs and Clerk met with members of Police Chief Julie Flaherty's command staff, as well as the presidents of both police unions.

The Study Committee drew six key findings from this work:

- The Arlington Police Department is professional, proactive, and conducts its business in accordance with the principles of 21st-century policing.
- Some residents who are BIPOC, LGTBQIA+, and/or living with a disability and who experience negative interactions with Arlington police are deeply reluctant to report those experiences to police.
- The official process for sharing complaints and/or commendations about resident interactions with police does not meet the needs of all residents.
- Feedback collected during the listening sessions with residents was overwhelmingly positive toward Arlington police with the stipulation that trust needs to be improved between residents and police.
- Feedback given to the Study Committee Co-Chairs following the listening session held for town employees indicates that some town employees, particularly those who also reside in Arlington, do not feel comfortable offering constructive criticism of Arlington police in public.
- Permanent civilian advisory boards created with local needs in mind can be a powerful tool for building and sustaining trust between residents and police.

Based on these key findings, the Study Committee unanimously voted on November 15, 2021 to recommend to Town Meeting that alternative mechanisms for residents to file complaints regarding police interactions be created. On December 7, 2021 the Study Committee voted 11-1 to recommend to Town Meeting that a permanent Civilian Police Advisory Commission be created. Following those votes, the Study Committee drew upon its new knowledge to create a document outlining the duties and responsibilities of a proposed Civilian Police Advisory Commission. The Study Committee worked closely with Town Counsel Doug Heim to turn this document into a proposed bylaw for the Select Board's consideration. Those bylaws are appended to this memo.

Additionally, you will also find the following information appended to this memo after the proposed bylaws:

- Police Chief Julie Flaherty's letter to Town Meeting attesting to the thoroughness of the Study Committee's work and supporting its recommendations
- DEI Director Jill Harvey's letter to Town Meeting attesting to the thoroughness of the Study Committee's work and supporting its recommendations
- DEI Director Jill Harvey's October 9, 2021 memo to the Study Committee about her experiences working with town residents as they navigated the current complaints/commendations process for the Arlington Police Department

In soliciting feedback for the proposed bylaws governing the creation of a Civilian Police Advisory Commission, the Study Committee received many questions about the process outlined for selecting prospective members for the Civilian Police Advisory Commission. You may have similar questions so we will address them here.

The proposed bylaw language recommends a nominating process among town commissions for finding prospective members of the Civilian Police Advisory Commission. This process mirrors the one created by the Select Board to populate the Study Committee. As a result of that process, the Study Committee enjoyed representation from people who are historically marginalized and do not often lead municipal efforts to improve public policy. Such people include those who are BIPOC, LGBTQIA+, and/or living with disabilities. Additionally, all members of the Study Committee brought a range of professional skills to this work including experience in criminal law, labor law, engineering, mental and behavioral health, and communications. We strongly believe that this rich diversity of personal and professional experience is the primary reason why the Study Committee was able to work so effectively and efficiently studying the complicated issue of civilian oversight of law enforcement over a relatively short period of time.

## **CHARGE FROM TOWN MEETING**

The Study Committee was created by the 2020 Town Meeting with the following charge:

A. The Study Committee shall study the creation of alternative mechanisms for civilians to file complaints regarding police interactions, considering the various models including a police civilian review board independent from the police department with the authority and resources to receive and investigate complaints. Said committee shall also review police services, examine the experience of comparable communities, and consider the impact of the pending legislation.

B. The Study Committee shall report its findings and any recommendations to the 2022 Annual Meeting, any earlier Annual or Special Town Meeting, and/or other appropriate administrative, management or elected or appointed officials.

## **PROCESS FOR FULFILLING CHARGE**

### **Learning the issues**

Over 11 months, beginning on March 18, 2021, the Study Committee met 16 times. In the first few months, Study Committee members worked individually or in pairs to study relevant issues and report findings back to the full Study Committee. In an effort to understand important, relevant issues in more depth, the Study Committee also invited outside experts and town staff to present to the Study Committee on the following issues:

- history and best practices of civilian oversight of law enforcement
- how existing civilian boards in Massachusetts work in practice
- how the state's new criminal justice law (the JEAL Act) will affect civilian oversight boards
- Arlington Police Department policies and procedures related to investigating complaints from residents
- how the Arlington Human Rights Commission handles information from residents related to negative interactions with Arlington police
- the ways in which any authority given to a town commission would potentially impact current employment practices

### **Outside experts:**

- Pittsfield Police Chief Michael Wynn. Pittsfield is one of four municipalities in Massachusetts with a Civilian Oversight Board and Chief Wynn is one of Governor Charlie Baker's three appointees to the Massachusetts Peace Officer Standards and Training Commission, known as the POST Commission, which was created as part of the state's new public safety law.
- Brian Corr, executive secretary for Cambridge's Police Review and Advisory Board and member of the leadership of the National Association for Civilian



Oversight of Law Enforcement. Corr consults with municipalities around the country on how to build trust between residents and law enforcement.

**Town experts:**

- Police Chief Julie Flaherty
- Director of Diversity, Equity and Inclusion Jill Harvey
- Town Counsel Doug Heim
- Deputy Town Manager Sandy Pooler
- Director of Human Resources Caryn Malloy

**Soliciting feedback from town residents and employees**

- Between October 27 and November 17, 2021, the Study Committee held 14 listening sessions with residents and town employees to solicit feedback on interactions (positive, negative, and/or neutral) with Arlington police as well as feedback from residents on the Study Committee’s work. Four of these sessions were open to all residents. One session was held for town employees. The remaining sessions were held for students and parents, residents of public housing, and residents who are BIPOC, LGBTQIA+, living in public housing, living with disabilities, members of faith communities, veterans, and/or immigrants/refugees.
- Throughout the month of November 2021, the Study Committee collected feedback from residents via an online Google form that included an option for providing feedback confidentially.

**Soliciting feedback from Arlington law enforcement**

- The Study Committee Co-Chairs and Clerk met with members of Chief Flaherty’s command staff, Captain Sean Kiernan and Captain Richard Flynn, as well as the president of the Ranking Officers Association, Lt. Greg Flavin, and the president of the Officers Association, Officer Neil Simard.

**KEY FINDINGS**

**The Arlington Police Department (APD) is professional and proactive.** APD is one of just 103 of the more than 450 law enforcement agencies in Massachusetts that is accredited by the Massachusetts Police Accreditation Commission. Successful accreditation is a significant achievement and considered to be a measure of best practices in policing. APD routinely partners with community-based organizations to provide safety education to residents and hear community members’ concerns. APD’s long-running Citizens Police Academy fosters deep community engagement between officers and residents. Additionally, APD has launched and/or joined a number of campaigns and initiatives to increase public safety and build community trust. In 2021, APD signed on to the NYU School of Law Policing Project [30X30 Campaign](#), which is a pledge to have women account for 30 percent of the APD’s sworn staff by the year 2030. In

2020, just weeks after the murder of George Floyd by a police officer, the “8 Can’t Wait” campaign launched. The campaign urges police departments to adopt eight policy proposals that have been shown to reduce use of force during police interactions with civilians. APD had already adopted seven of the eight policies and within days had [adopted the eighth](#), making it the only law enforcement agency in the state to have adopted all eight. In 2018, APD was one of just 14 law enforcement agencies nationwide selected by the [Council of State Governments Justice Center to be a Law Enforcement Mental Health Learning Site](#). In that capacity, APD provides resources, guidance and materials for other police agencies across the country that are developing or growing a Police-Mental Health Collaboration approach, such as a crisis intervention team or co-response team, to more effectively respond to people with mental health concerns. In 2015, APD launched the Opiate Outreach Initiative which aims to provide a public health response to people who are at-risk for and/or have already survived an overdose. In 2010, APD launched its Jail Diversion Program to provide alternatives to arrest, booking, and jail detention for people who come into contact with police and have behavioral health needs.

**Some residents who are BIPOC, LGTBQIA+, and/or living with a disability and who experience negative interactions with Arlington police are deeply reluctant to report those experiences to police.** From three different sources (Arlington's [DEI Director Jill Harvey](#), the representative on the Study Committee from the the Arlington Human Rights Commission, and through stories shared by residents in our listening sessions) the Study Committee learned that residents who are reluctant to report negative interactions with law enforcement to the police are almost always those who belong to historically marginalized groups.

The following story, shared with the Study Committee, is illustrative: A resident who is a lesbian and in her 70s shared that when her wife was dying, her wife’s medical condition would sometimes cause her to fall to the floor from a standing or seated position. The resident was unable to lift her wife back up on her own so she would call 911 for assistance. Sometimes police were sent in response, sometimes the fire department was sent in response, and sometimes both departments were sent. One time when an individual police officer responded, he initially refused to help the wife get back up. He instead badgered the woman asking her why she was refusing to get up and demanding that she get up on her own. Both the resident and her wife were powerless to intervene. They had to wait until the officer stopped badgering the wife and agreed to help her get back up. The resident never considered filing a complaint because she knew she was going to have to continue calling 911 for assistance with her wife and she did not want to risk retaliation from the officer in question or from other officers. Going forward, when the resident called 911, she specified that she was not experiencing an emergency and that she would prefer that the fire department respond to the call even if it meant she would need to wait longer for a response. Of note, this same resident also shared a moving story of how Arlington police responded when her father-in-law died, staying with surviving family members for hours and following up in later days.

**The official process for sharing complaints and/or commendations about resident interactions with police does not meet the needs of all residents.** Currently, the ways to file a complaint about a police interaction is by calling the department, visiting the department in

person, or sending a letter ([official forms are available for download](#)). There is no option available for filing a complaint confidentially. In the absence of this option, an ad hoc process has developed over the years by which residents, who do not feel comfortable bringing their complaints directly to the police, have sought assistance instead from the Arlington Human Rights Commission which tries to assist these individuals with their concerns within the limits of the Commission's authority. Since 2020, when the town hired a Director of Diversity, Equity, and Inclusion, residents have occasionally brought their complaints directly to that office.

**Feedback collected during the listening sessions with residents was overwhelmingly positive toward Arlington police with the stipulation that trust needs to be improved between residents and police.** Nearly everyone who provided feedback during the sessions for residents mentioned a desire for improved communication and trust between residents and police. A number of residents expressed a strong desire that action be taken to improve things, with that action being the creation of a permanent Civilian Police Advisory Board. These sentiments were also reflected in the written feedback provided via the Google form as the representative samples provided below show:

- “I would like our town’s families and students to feel that members of the Police are allies, not adversaries.”
- “Establish a process [for filing complaints about interactions with police] that is fair, equitable, and outside the influence of favoritism or retaliation.”
- “One of my top priorities of a Police Civilian Review Board would be ensuring that folk who typically are fearful of police or who don’t believe that the police have their best interested [*sic*] in mind will start to feel differently because of the existence of a Police Civilian Review Board.”
- “I hope that any solution builds a partnering model rather than an adversarial one—one can have independence without an adversarial mindset.”
- “I think most cops in Arlington are good hearted people. I would like to see more diversity on the force, though.”

**Feedback given to the Study Committee Co-Chairs following the listening session held for town employees indicates that some town employees, especially those who also reside in Arlington, do not feel comfortable offering constructive criticism of Arlington police in public.** The listening session held for town employees was well attended, with approximately 50 employees logging onto the Zoom, including members of the police department. The most vocal voices in the town employee group repeated the refrain that they did not want to see Arlington pursue “a local solution to a national problem.” After the meeting, the Study Committee Co-Chairs heard from a town employee who attended the meeting and did not speak, as they originally intended to, because they felt too intimidated to do so in front of police. This employee reported that they had discussed the matter with other town employees afterward who also shared their disappointment at not feeling as if they could speak freely. A second town employee, who did speak during the meeting of the need for more humility to be shown by police in their non-emergency interactions with residents, also followed up with correspondence to the Study Committee Co-Chairs. In the note, the employee said that while

they sympathized with police department employees who might be uncomfortable with public scrutiny, it was the town employee’s belief that police should welcome public scrutiny given that police have the authority to wear a badge, carry a gun, and employ both to take away a resident’s liberty. This employee also added that “many Town employees who were on the call and did not speak at the time told me afterward and via Zoom chat that they 100% shared my sentiments.”

**Permanent civilian advisory boards created with local needs in mind can be a powerful tool for building and sustaining trust between residents and police.** During their presentations to the Study Committee, Pittsfield Police Chief Michael Wynn and Brian Corr, the executive secretary for Cambridge’s Police Review and Advisory Board and the immediate past president of the National Association for Civilian Oversight of Law Enforcement, each separately emphasized the ways in which Civilian Police Advisory Boards can be a powerful tool in building trust between residents and police. Chief Wynn recounted his efforts over many years to get Pittsfield’s political leaders to back the creation of a civilian advisory board. The political will to create such a group did not coalesce until 2018 when a Pittsfield resident experiencing a mental health crisis was fatally shot by Pittsfield police. A commission was created relatively quickly after the shooting, and Wynn reported that the Commission has become an important way for him to collaborate with members of the public on matters of police policy. He also reported that he learns valuable information about public concerns. Brian Corr shared similar sentiments during his presentation to the Study Committee and shared how such civilian boards can become an important voice for people who live in neighborhoods and/or belong to groups that have been simultaneously under-protected and over-policed by law enforcement such as people who are BIPOC, LGBTQIA+, and/or living with a disability. Corr noted that this dynamic played out in urban, suburban, and rural communities as well as municipalities of all sizes. Corr also emphasized the importance of understanding current needs among residents and prioritizing them in any proposed solution.

## **IMPORTANT ACKNOWLEDGEMENTS**

The work required to make an informed recommendation to Town Meeting was not insignificant and the time given to do so was short—the Study Committee has been working together for just 11 months. As Co-Chairs, we are incredibly grateful for the contributions made by each member of the Study Committee, who studied the complex issue of civilian oversight of law enforcement and applied this knowledge to the needs of Arlington.

Police Chief Julie Flaherty was an indispensable partner to the Study Committee. She explained police procedure, made seemingly unintelligible police jargon easy to understand, and ensured that the Study Committee received all of the documents it requested relating to arrest, citation, use of force, and officer complaints and commendations data. She was incredibly generous with her time, knowledge, wisdom, and insight. Her thoughtful participation in our meetings with guest experts in policing and civilian oversight of law enforcement brought the conversation to

places we would not have gotten to otherwise, yielding valuable information that has been incorporated into the Study Committee's final recommendations.

Director of Diversity, Equity and Inclusion Jill Harvey made the Study Committee's work possible. First, it is hard to imagine how we could have convened the numerous small group conversations held with residents on the sensitive topic of resident-police engagement without the foundational work completed by Director Harvey over the past few years in holding community conversations on issues of race, policing, and other highly charged topics. The information shared by Director Harvey about her work with residents who have experienced difficult interactions with Arlington police was invaluable to the Study Committee's understanding of the strengths of the current complaints process as well as areas where that process could be improved.

The Study Committee would have never gotten started without the support of Town Counsel Doug Heim. His early presentation on how the state's new criminal justice law (commonly referred to as the JEAL Act) might overlap with civilian oversight functions was illuminating and likely saved the Study Committee weeks of work. His valued counsel ranged from suggestions of how to organize our work to how to navigate the Town Meeting warrant process. His edits and suggestions to the proposed bylaws to create a Civilian Police Advisory Board vastly improved the document.

The Study Committee also benefited from the expertise of Deputy Town Manager Sandy Pooler and Director of Human Resources Caryn Malloy who provided important information on the collective bargaining process and how it might intersect with the duties of a Civilian Police Advisory Commission. All town staff who worked with the Study Committee provided support that was consistent in its excellence and we are grateful for the talent and expertise of Arlington's public servants.

# ARLINGTON POLICE DEPARTMENT

**JULIANN FLAHERTY**  
Chief of Police



*Town of Arlington*  
MASSACHUSETTS 02474

**POLICE HEADQUARTERS**  
112 Mystic Street  
781-316-3900

February 15, 2022

Dear Town Meeting Members,

I am writing this letter in support of the recommendations made by the Civilian Police Advisory Study Committee. The committee has worked tirelessly over the past year to study and develop the best model for a civilian advisory board that will foster a more trusting relationship between community members and the Arlington Police Department. I would like to thank each committee member for their dedication, passion and thoughtfulness and I would also like to thank all community members who participated in the committee meetings and discussions.

At APD, we pride ourselves on providing our community members with professional, respectful and equitable services. We are committed to continuous progress, building partnerships and working with our community members to enhance the safety, security and well-being of all community members. The recommendations made by the committee will assist us in furthering our mission.

I am grateful that I have had the opportunity to work on this committee as a non-voting member and I look forward to working with a civilian advisory board that will be formed based on the recommendations of the study committee.

Respectfully,

A handwritten signature in blue ink that reads "Juliann Flaherty".

Juliann Flaherty  
Chief of Police



Town of Arlington  
Diversity, Equity & Inclusion Division  
Department of Health and Human Services

27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3250  
Fax: (781) 316-3175

To: 2022 Town Meeting  
From: Jillian Harvey, PCABS Study Committee Member, DEI Division Director  
Date: 14 February, 2022  
Re: Civilian Police Advisory Board Study Committee Letter of Support

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I am writing to you to express my gratitude and support for the work that the Civilian Police Advisory Board Study Committee has conducted over the last 12 months. I am impressed by the passion, tenacity and thoughtfulness that the Study Committee has exemplified in every step it has taken to fulfill the charge it was given from Town Meeting.

The Study Committee was strategic in its process of approaching its charge—which included in depth conversation about the interpretation of exactly what the Study Committee should and should not be focused on. Time and effort went into collecting information to properly inform the group's thinking, individuals volunteered to research specific topic areas and bring their findings back to the full group, and outside experts in the field of civilian oversight of law enforcement were invited to present to the Study Committee on relevant topics.

The Study Committee gained insight from Pittsfield Police Chief Michael Wynn, who established and works with a civilian review board in Pittsfield, but also is an appointee to the POST Commission. The Study Committee also heard from Brian Corr, the Executive Secretary of the Police Review and Advisory Board for the City of Cambridge and a leadership member of the National Association for Civilian Oversight of Law Enforcement who consults with municipalities across the country on ways to build stronger relationships between civilians and law enforcement. I also had the opportunity to share with the Study Committee my experiences working with the police department and handling complaints from community members. I am appreciative that after careful consideration, discussion and deliberation, the Study Committee voted to adopt the recommendations I offered to improve the current complaint/commendation process for our community members and police department.

The Study Committee also sought input from residents and employees of Arlington, and this outreach was vital to the process the group established. I applaud the efforts the Study Committee took to reach historically underrepresented groups within the Arlington community including residents who are BIPOC, LGBTQIA+, veterans, living with disabilities, living in public housing, and students and parents. Numerous focus groups were held, open public meetings focused on soliciting feedback were held, a survey was available to community members as well, and members of the group made themselves available to talk with anyone who was interested in sharing additional information in one-on-one settings. I am confident that community concerns and suggestions have been incorporated into the recommendations that the Study Committee will present to Town Meeting.

As the Director of Diversity, Equity and Inclusion, I support the recommendations the Study Committee will put forth to Town Meeting, and I believe that the Study Committee has prioritized

the town of Arlington's diverse needs in crafting the warrant article and their recommendations. Please contact me if you have any additional questions or concerns.

Best,



Jillian Harvey  
Diversity, Equity & Inclusion Division Director  
jharvey@town.arlington.ma.us





**Town of Arlington  
Civilian Police Advisory Board  
Study Committee**

TO: All Committee Members  
FROM: Jillian Harvey, Member, DEI Division Director  
DATE: 9 October , 2021

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I was originally scheduled to discuss my experiences supporting town residents through the process of filing complaints about their interactions with police during the Wednesday, October 13, 2021 meeting of the Civilian Police Advisory Board Study Committee. Unfortunately, I will need to leave the Wednesday meeting early in order to attend the Select Board meeting in time for its discussion of the town's reprecincting process. So I have prepared this memo for your review in advance of your meeting and hope to answer any questions you may have in the short time we have together on Wednesday.

To date, I have assisted two town residents, both Black, in bringing their complaints about experiences they had with Arlington police to the attention of Police Chief Julie Flaherty. Based on these experiences, each of which consumed many hours of work time over several weeks, I have formed opinions about the seriousness with which the Arlington Police Department takes complaints from residents, the areas in which Arlington's processes are particularly strong, and the areas in which Arlington's processes could be improved for the benefit of both residents and police. As these ideas relate directly to the committee's charge to "consider alternative ways for residents to file complaints about police interactions," I will share them with you in this memo.

But first I would like to briefly outline both incidents for you.

My first experience with a resident who had a complaint about their interactions with Arlington police occurred within my first month as Arlington's Director of Diversity, Equity and Inclusion. Not only was the job new to me, but the position was also a first for Arlington, which had never before employed anyone whose sole responsibility would be handling matters of diversity, equity and inclusion regarding race, ethnicity, language, ability, sexual orientation, gender identity, and religion in town business and town life. So when I received this complaint, I had no prior knowledge or understanding of how such complaints are handled, or what my role should be in the process. As I worked with this resident, I truly played the role of a neutral third party.

The resident was advised by a neighbor to contact the Arlington Human Rights Commission (AHRC) about their experience with an Arlington police officer who had responded to a 911 call made by the resident because of a neighbor. The resident did

not want to complain directly to police because they had a fear of police officers based on prior experiences they had had with police in other jurisdictions.

My office number is publicly listed for residents who wish to call AHRC, the Disability Commission, and the LGBTQIA+ Rainbow Commission. So when this resident called AHRC, I am the person who picked up. This initial phone call lasted well over an hour. During our call, the resident shared what had happened, their belief that the responding officer had treated them disrespectfully because of their race, their prior experiences with police and why they did not trust police, and their concerns about how the dispute with the neighbor would play out given they felt the police was siding with the neighbor.

After speaking with the resident, I was in touch with Chief Flaherty to talk about what to do next, because I did not know what options were available for the resident to file a complaint or what options were available for resolving the complaint.

Chief Flaherty offered to meet with the resident. I set that meeting up and also attended, at the resident's request. This meeting was originally scheduled for 30 minutes but lasted two hours. During that time, Chief Flaherty explained options for filing a complaint, but mostly listened to the resident, who ultimately expressed their gratitude for the opportunity to not just share their concerns directly with the Chief of Police, but to also have them taken seriously by the town's Chief of Police.

After that first, in-person meeting, during which the Chief and I did our best to make the resident feel comfortable, the resident seemed more open about putting some trust in the process. I believe this occurred due to the initial efforts that had been made to help the resident feel safe in talking with Chief Flaherty given the resident's existing fear of police.

The next step in this process was to assign a commissioner from AHRC to this case, as that is the protocol AHRC follows when a resident reports an incident of bias, regardless of whether the report is made about a business, another resident, or the police.

Concurrently with AHRC's involvement, Chief Flaherty provided the resident with information about how to file a formal complaint of bias against the officer whom the resident believed had treated them with racial bias. I assisted the resident with completing and submitting the form. The police department's Office of Professional Standards then moved forward with an extremely thorough investigation that resulted in a final report of over 50 pages.

During the investigation, I coordinated with the AHRC commissioner on the case to accommodate the needs and preferences of the resident and to support the resident through the process. For example, Captain Flynn at times had difficulty reaching the resident. Given the rapport I'd established with the resident, I was able to help coordinate calls and meetings required for the Office of Professional Standards to do its investigation. At the resident's request, I joined these calls and meetings to support the resident, who wanted someone they were familiar with to be present.

When the investigation was completed, I was in touch with the resident to let them know, as the police again had difficulty reaching the resident. Throughout this process, I was able to support the resident. But I was also able to share some of my observations with Chief Flaherty and Captain Flynn. Based on the knowledge and qualifications I bring to my position as Director of Diversity, Equity, and Inclusion, which necessarily includes some of my own lived experiences as a woman of color, I was able to help them more easily see the situation from the resident's perspective. Official interactions between a white, male older police officer and a younger Black person can easily become fraught, especially if the officer does not fully appreciate how body language, tone of voice, and choice of language are being perceived. With other white people, especially men, such body language, vocal intonation, and language would likely be received as routine behavior. But with younger Black people, the very same behavior may be interpreted as aggressive and threatening.

Ultimately, the resident was satisfied with the investigation. Since its close, the resident has actually called the APD on other matters as they now trust that they will be treated with respect given how seriously Chief Flaherty and the Office of Professional Standards took the original complaint.

The second time I supported a resident with a complaint about an Arlington police officer took place during June of 2020. At this time, the entire country was grappling with police violence in wake of George Floyd's murder and town residents were turning out nightly in Arlington Center and along Mass Ave for Black Lives Matter vigils. Many residents displayed Black Lives Matter signs on their lawns, in their windows, and on their doors. A Black Lives Matter sign was hung in front of Town Hall, on the fence in front of Arlington High School, and in many other public places in town. At the same time, Black Lives Matter signs were being torn down and AHRC was receiving numerous complaints of stolen signs.

In this tense racial climate, I listened to a voicemail from a resident who had had an experience with an officer and wanted to talk with someone to process the incident and help them decide whether or not to file a complaint. I called the resident back and learned the following:

The resident, who is Black, had been out walking their dog and passed some construction in the neighborhood with an officer detail. The resident walked by the officer's car (the officer's personal car, not their police vehicle) and could clearly hear the radio station that the officer had been listening to. (The officer was not in the car at that time; they were getting ready for the detail but the car radio was on and the driver's side door was open.)

The car radio was tuned into a talk radio show. The resident could clearly hear the content, which related to Black Lives Matter vigils, calls to defund police, and George Floyd. The resident described the discussion coming from the radio as racist. The resident was deeply concerned that an Arlington police officer was 1) choosing to listen

to such racially offensive content, 2) doing so while working, and 3) apparently unconcerned that anyone around them might overhear the show.

After this phone call, I went online to find the radio show in question and listened to the exact segment myself. The content was racist and representative of right-wing media that spreads misinformation and lies about BIPOC people, LGBTQIA+ people, and COVID-19. I immediately understood why anyone who does not subscribe to right-wing media would have been upset and troubled to come across a police officer listening to such content.

In my discussion with the resident, they wanted to talk through their options. They understood that it is impossible to dictate what a police officer can and cannot listen to in their personal vehicle. But they wanted to know if there were any standards regarding an officer's conduct in public? They also wondered if it was culturally acceptable, within the APD, to openly consume racist right-wing media? Did officers understand how this kind of behavior eroded trust? If they understood, would they care? Would a complaint achieve anything? Was a conversation even possible?

Once again, I was in touch with Chief Flaherty and set up a meeting with the resident, Chief Flaherty, and an AHRC commissioner. Each of us listened to the radio segment before we met, and we went into the meeting knowing in advance that Chief Flaherty had asked the officer in question if they would be willing to speak with the resident, which they declined. So when we met, we discussed the resident's concerns, we discussed how other residents of Arlington might have reacted if they had come across an Arlington police officer openly listening to a radio show with racist content, and we discussed how this incident could impact the police department's reputation if it became more widely known.

In our discussion, the resident's primary goal was for the Chief to communicate to the officer the impact of their actions. The resident wanted the officer to understand that while they may not have intended to offend anyone, by openly broadcasting a racist right-wing talk show while they were working, they had, in fact, offended a resident to such an extent that it made the resident question whether the department could be trusted at all on matters of race.

We ultimately decided to record a discussion between the resident and Chief Flaherty. In this discussion, Chief Flaherty was a stand in for the officer and the resident shared what they experienced when they were out walking their dog and overheard the radio show with the racist content. The recording started with a segment of the radio clip and then a discussion between Chief Flaherty and the resident.

The officer in question subsequently watched the video and had a follow up conversation with Chief Flaherty. The Chief reported back to the resident, and I also followed up. The resident said they wanted to file a complaint just so that it would be on the officer's personnel record, but ultimately decided not to do so. The resident did recommend—and gave permission—for the video to be used in training scenarios.

Ultimately, the resident said that recording the video and hearing from Chief Flaherty about how it was used assured the resident that their complaint had been taken seriously. The resident expressed appreciation that we were open to doing the video to meet their request that the harm caused by the officer—even though it was unintentional—was communicated back to them.

From both of these experiences, I came away impressed by Chief Flaherty's resolve to deliver restorative justice and her willingness to do whatever it took to do so. I shared non-identifying details of the first case with some of my colleagues who work in other cities and towns. All were impressed—a few to the point of disbelief—of the thoroughness of the investigation conducted by the Professional Standards Unit. I also shared non-identifying details of the second case with colleagues and they had a similar reaction to Chief Flaherty's participation in the video and her follow up with the officer and the resident.

But both experiences showed there is room for improvement in the complaints process and I hope that this committee will seriously consider and recommend alternative ways for residents to file complaints about police interactions. I have four recommendations based on my experiences:

- Create a mechanism for filing complaints anonymously
  - Some residents fear police and fear retaliation by police. They have come by this fear honestly, through their own life experiences or those of their loved ones.
- Create a mechanism for triaging incidents
  - An initial conversation with someone in the police department, an AHRC commissioner, or someone from the town's Office of Diversity, Equity, and Inclusion would help the resident understand their options
- Assess what outcomes the complainant would like and work with them
  - People want their complaints to be taken seriously. It is important to ensure that residents with complaints have the opportunity to express what they ultimately want from the situation. As with the second incident described above, filing an official complaint about the officer's conduct was far less important to the resident than being assured that the officer would be made aware of how their actions had impacted the resident and negatively harmed the department's reputation (as the resident shared the story with family and friends and so on).
- Assign someone who is not an employee of the police department to support residents who become involved in Professional Standards Investigations.
  - The process can be confusing and intimidating for residents, and including a third party in discussions to explain procedures, identify cultural differences, and clear up miscommunication, would be helpful.

FY2021 REVOLVING FUNDS: EXPENDITURE DETAIL

Revolving Fund	Amount
<u>Private Ways Repairs:</u>	
- Contracted Services	\$ 32,000.00
Total Expenditures	\$ 32,000.00
<u>Public Way Repairs:</u>	
- Contracted Services	\$ -
Total Expenditures	\$ -
<u>Fox Library Community Center Rentals:</u>	
- Maintenance	\$ -
Total Expenditures	\$ -
<u>Robbins House Rentals:</u>	
- Personnel	
- Supplies	
- Maintenance	
- Utilities	\$ 6,907.90
- Contracted Services	\$ 8,743.76
Total Expenditures	\$ 15,651.66
<u>Conservation Commission Fees:</u>	
- Other Expense	\$ 931.00
Total Expenditures	\$ 931.00
<u>Uncle Sam Fees:</u>	
Total Expenditures	\$ -
<u>Life Support Services (Ambulance) Fees:</u>	
- General Fund Offset (Personnel)	\$ 248,531.00
- Contracted Services	\$ 214,355.53
- Emergency Vehicle	\$ -
- Capital Offset	\$ -
Total Expenditures	\$ 462,886.53
<u>Board of Health Fees:</u>	
- Personnel	\$ 19,859.21
- Supplies	\$ 2,668.52
- Contracted Services	\$ 18,502.86
- Other Expenses	\$ 30,049.82
Total Expenditures	\$ 71,080.41

Revolving Fund	Amount
<u>Field User Fees:</u>	
- Contracted Services	\$ 21,553.52
- Maintenance	\$ 79,288.21
-	
Total Expenditures	\$ 100,841.73
<u>Robbins Library Rentals:</u>	
- Personnel	\$ -
- Contracted Services	\$ 1,037.00
Total Expenditures	\$ 1,037.00
<u>Town Hall Rentals:</u>	
- Supplies	\$ 2,726.40
- Personnel	\$ 2,875.00
- Utilities	\$ 6,068.39
- Contracted Services	\$ 17,207.44
Total Expenditures	\$ 28,877.23
<u>White Good Recycling Fees:</u>	
- Transfer to General Fund	\$ 35,000.00
- Equipment and Materials	\$ 3,119.26
Total Expenditures	\$ 38,119.26
<u>Library Vending Fees:</u>	
- Supplies	\$ -
- Equipment	\$ -
- Contracted Services	\$ 2,019.04
Total Expenditures	\$ 2,019.04
<u>Gibbs School Energy Fees:</u>	
-	
- Utilities	\$ -
Total Expenditures	\$ -
<u>Cemetery Chapel Rentals:</u>	
Total Expenditures	\$ -
<u>Council on Aging Program Fees:</u>	
- Supplies	\$ 1,057.74
- Contracted Services	\$ 14,956.47
Total Expenditures	\$ 16,014.21

**Arlington Parking Fund and Arlington Center Parking Benefit District Statement of  
Revenues & Expenditures**

**Expenditures**

	<b>Projected FY22</b>		<b>Projected FY23</b>
Maintenance and Operation			
IPS,CC, Coin Collection	\$115,188		\$111,800
Lease Payments	\$29,280		\$6,000
Share of Parking Enforcement	\$104,660		\$105,000
Multi-Space Meters	\$50,070		\$64,740
Multi-Space Meters			
Parking Benefit District	\$20,000		\$200,000
<b>Total</b>	<b>\$319,198</b>		<b>\$487,540</b>

**Revenues**

	<b>Projected FY22</b>	<b>FY22 Actual 3/23/22</b>	<b>Projected FY23</b>
Single Space Meters	\$59,166.67	\$44,375	\$60,350
Multi-Space Meters	\$147,945.53	\$110,959	\$150,904
Charging Station	\$8,013.33	\$6,010	\$8,174
Pay by Phone	\$83,793.33	\$62,845	\$85,469
Interest	\$4,320.00	\$3,240	\$4,363
<b>Total</b>	<b>\$303,239</b>	<b>\$227,429</b>	<b>\$309,260</b>

**Proposed FY22 Parking Benefit District Budget**

**FY 23 Parking Benefit District**

Arlington Center Sidewalk and Broadway Plaza Improvements		Chestnut Street Safety Improvements	\$50,000
Russell Common Lot Improvements		Russell Common Lot	\$65,000
Snow Removal	\$10,000		
Seasonal Planting in Center	\$20,000	Seasonal Plantings	\$20,000
Planter and Tree Watering		Sidewalk on Old Mystic St. west of Mystic/Pleasant St.	\$40,000
Sidewalk Cleaning		RR Lot Blue Bike Station	\$25,000
<b>Total</b>	<b>\$30,000</b>	<b>Total</b>	<b>\$200,000</b>

**Revenue History**

	<b>FY20 Actual</b>	<b>FY21 Actual</b>	<b>FY22 Actual YTD March 23, 2022</b>
Single Space Meters	\$259,798.57	\$64,725.93	\$44,375
Multi-Space Meters	\$139,985.67	\$31,037.24	\$110,959
Charging Station	\$5,317.92	\$6,124.22	\$6,010
Pay by Phone		\$28,738.18	\$62,845
Interest	\$11,824.39	\$10,998.61	\$3,240
<b>Total</b>	<b>\$416,927</b>	<b>\$141,624</b>	<b>\$227,429</b>

Carry Forward SOY 7.1.21

\$472,723



**LENARD T. DIGGINS, CHAIR**  
**DIANE M. MAHON, VICE CHAIR**  
**JOHN V. HURD**  
**STEPHEN W. DECOURCEY**  
**ERIC D. HELMUTH**