



Town of Arlington, Massachusetts
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Selectmen's Minutes 09-14-2009

TOWN OF ARLINGTON BOARD OF SELECTMEN

Meeting Minutes

Monday, September 14, 2009

7:15 p.m.

Present: Mr. Greeley, Chair, Mrs. Mahon, Vice Chair, Mr. Hurd, Ms. LaCourt and Ms. Rowe

Also present: Mr. Sullivan, Ms. Rice and Mrs. Krepelka

1. Proclamation: National Senior Center Month

Ann V. Fitzgerald, Chair, Council on Aging

Elisa Lopes, President, Seniors Association

Marge Scott, Director, Minuteman Senior Services Nutrition Program

Mr. Greeley read Proclamation officially proclaiming September 2009 as Senior Center Month, calling upon all citizens to recognize the special contributions of the senior center

participants and the special efforts of the staff and volunteers who work every day to enhance the well being of the older citizens of our community.

2. Donation: Leader Bank to Arlington Council on Aging, Inc.

Kathleen Darcy, Vice President, Leader Bank

Mrs. Darcy presented Arthur Budnik, President, Friends of the Arlington Council on Aging, Inc. with a check in the amount of \$500.00 to be used for the transportation program provided by the COA which is in financial distress.

3. Update: Town Day 2009

Kathleen Darcy, Town Day Committee Co-Chair

Mrs. Darcy presented a program of the upcoming events to be held on Friday, September 25th, Town Night, and Town Day, September 26th. Mrs. Darcy thanked Lt. Governor Timothy Murray, Senator Kenneth Donnelly and Representative Sean Garballey for their help in securing a stage for Town Day. Mrs. Darcy also thanked William Armstrong, Armstrong Ambulance, for undertaking the costs of erecting said stage.

FOR APPROVAL

4. CONSENT AGENDA (one vote required for approval of all items)

a. The Children's Room Annual Memories Walk, 10/4/09, 2:00 p.m.

John W. Hurd, Selectmen

b. Reappointment: Council on Aging

Harry McCabe

(term to expire 8/1/2012)

c. Reappointment: Arlington Cultural Council

Sharon Shaloo

(term to expire 8/2012)

d. Reappointment: Cyrus E. Dallin Art Museum, Board of Trustees

James McGough

(term to expire one year)

e. Contractor/Drainlayer License Renewal

Kelley Paving & Excavating, 13 Winter Street, Billerica, MA

Mr. Hurd moved approval.

SO VOTED (5-0)

5. Update: H1N1 Plans

Christine Connolly Sharkey, Director of Health and Human Services

The Board thanked Ms. Sharkey and her committee for an informative presentation.

Mrs. Mahon moved approval.

SO VOTED (5-0)

6. Appointments: Federal Census 2010. Complete Count Committee

Joey Glushko, Planner

Ms. Glusko stated that the Planning Department has appointed a "Complete Count Committee", with Selectmen approval, to work at the community level for local outreach and education in support of the Federal Census 2010. The committee will work to encourage the Hispanic and Asian communities along with other residents that might otherwise be reluctant to participate.

The Selectmen, in support of the Committee, approved a budget of \$4,000 for printing and postage.

Ms. Rowe moved approval.

SO VOTED (4-0)

Mrs. Mahon abstained from voting since she is on the Committee.

7:30 p.m. Public Hearing

7. Request: Common Victualler & Wine and Malt License Changes

Tom Yum Koong II, TYK Group Inc. d/b/a Tom Yum Koong II,

1377-1381 Mass. Ave.

Ms. Rowe moved approval subject to conditions as set forth.

SO VOTED (5-0)

LICENSES & PERMITS

8. Request: All Alcohol Club – Change of Manager

Thomas Caccavaro Jr., Alosia Club Inc. (Sons of Italy), 19 Prentiss Road

Mr. Hurd moved approval.

SO VOTED (5-0)

9. Request: Class I & Class II Licenses

Robert Mirak d/b/a Mirak Truck Center, LLC, 1151R Mass. Ave.

Mr. Hurd moved approval subject to conditions as set forth.

SO VOTED (5-0)

10. Request: Hanging of Banner Across Pleasant Street

Teresa Reis, Chair, 36th Annual St. Agnes Christmas Bazaar

Mr. Hurd moved approval.

SO VOTED (5-0)

11. **DOG HEARING**

Chris Gagliardi, 33 Boulevard Road

Ms. LaCourt moved to have Acting Captain Robert Bongiorno conduct a hearing with all parties involved and report back to the Board at their meeting on October 5th.

Mr. Hurd moves approval.

SO VOTED (5-0)

APPOINTMENTS

12. Appointments: Zoning Board of Appeals

Kevin F. Greeley, Chair

The Board of Selectmen, the Zoning Board of Appeals appointment authority, are looking to fill the vacant positions and

on a motion made by Mrs. Mahon asked Selectmen Rowe and Hurd to serve on a subcommittee to make the selections.

Mr. Greeley asked the subcommittee to interview all candidates and report back on October 5th with their recommendations.

Ms. Rowe moved approval.

SO VOTED (5-0)

13. **CITIZENS OPEN FORUM**

Any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established.

Mr. Jamieson, 163 Scituate Street, stated he would like to voice his support in favor of the local meal and hotel tax increase.

He also feels the Board should place a Warrant Article in the Special Town Meeting Warrant to get the process started of enacting a Community Preservation Act.

Mr. Jamieson spoke against the proposed water & sewer rate increase. His rationale was that until the grace period is shortened from the current 90 days (to calendar 45 days) and water and sewer billing is switched over to a quarterly billing cycle, there is no need to increase the rates at this time. Mr. Jamieson feels these simple changes would net in one time revenues somewhere between \$2.5 million and \$3.75 million based upon the current metered billing of calendar - \$10 million a year.

Mr. Jamieson stated that he was supportive of the Battle Road Scenic Byway and

Ms. Rowe stated that we could not have the support of a tourist bus line, similar to Liberty buses in Lexington, until we have more restrooms in Arlington.

Mr. John Belskis, 196 Wollaston Avenue, spoke regarding his work to overturn Chapter 40B. This proposed law would repeal an existing state law that allows a qualified organization wishing to build government-subsidized housing that includes low or moderate income units to apply for a single comprehensive permit from a city or town's Zoning Board of Appeals. This repeal would take effect on January 1, 2011, but would not stop or otherwise affect any proposed housing that had already received both a comprehensive permit and building permit for a least one unit. Mr. Belskis needs roughly 80,000 signatures to repeal 40B before the Legislature.

Elsie Fiore, 58 Mott Street, spoke in favor of the Battle Road Scenic Byway. She stated that she agreed with the Committee that we have many historical places along the way, but we do not have bus routes to accommodate our residents. She feels the bus routes and parking issues are a serious problem and would be willing to help the committee in anyway she can.

TRAFFIC RULES & ORDERS/OTHER BUSINESS

14. **Request: One Space On Street Overnight Parking @ 32 Central Street**

Rachel Schiller

(tabled from 8/10/09 meeting)

Ms. Rowe moved that Ms. Schiller's request for overnight parking is tabled until September 21st in order that Ms. Schiller had time to read the Police and Fire Department reports.

Mr. Hurd moved approval.

SO VOTED (5-0)

15. **Discussion: Jason Street School Bus Stops**

Ed Starr, Chair, TAC

Mrs. Mahon and Ms. Rowe asked Mr. Starr if he would make an appointment with Richard Iannelli, Director of Transportation, and find a solution to the school bus stop at Woodland and Jason Streets that would be agreeable to all concerned.

Mr. Hurd asked Mr. Starr if they could meet as soon as possible and come back to the Board at their next meeting on September 21.

Ms. LaCourt moved approval.

SO VOTED (5-0)

16. **Discussion: Scenic By Way/Tourism Committee**

Diane Mahon, Selectmen

Clarissa Rowe, Selectmen

Ms. Rowe stated that a Committee should be established for Arlington consisting of the designee from the Town Manager, Selectmen Mahon and Rowe, the Planning Director, three (3) citizens from the Town, and a designee from the School

Department. Ms. Rowe thanked Howard Winkler, member of the Arlington Historical Society, for all his hard work and his commitment to the Historical Society.

Mrs. Mahon moved approval.

SO VOTED (5-0)

17. Amend: Water & Sewer Rate Schedule

Brian Sullivan, Town Manager

Mr. Sullivan reported that over the past several years we have experienced a steady decline in our water usage averaging about 2% annually. This has resulted in a decline in the revenue generated. The operating budget for the water/sewer enterprise fund, which includes any MWRA assessments has been increasing about 4.5% each year. The Board has frozen the amount of debt that is shifted to the tax rate to \$5,593,112, thus causing any increases in the MWRA assessment to be collected in the rates. Mr. Sullivan recommended that the Board vote to increase the minimum charge by 10% on January 1, 2010 with a 3% increase each fiscal year thereafter. This will bring the rate from \$16.90 semi-annually to \$18.59 semi-annually beginning January 2010. This rate has not changed since it was first instituted in 1994.

Ms. LaCourt moved approval of the following motion:

To increase the water/sewer rates by 7.5% on January 1, 2010, July 1, 2010 and July 1, 2011, and increase the minimum charge by 10% on January 1, 2010 with a 3% increase each fiscal year thereafter. ~~~~~

SO VOTED (5-0)

18. Vote: Special Town Meeting 11/16/09

Kevin F. Greeley, Chair

The Board voted unanimously to hold a Special Town Meeting, Monday, November 16, 2009, to consider enacting a local-option tax on restaurant meals and raise the levy on hotel rooms. Town Manager Sullivan has estimated the Town could collect another \$200,000 than if the Town votes it to go into effect January 1, 2010; we would collect 5 months or \$83,000 assuming all months are equal. Mr. Sullivan stated that any money collected this year would be saved for emergencies such as another cut to local aid.

The Warrant will be opened on Thursday, September 24, 2009 from 8:00 a.m. until 7:00 p.m.

Ms. Mahon moved approval.

SO VOTED (5-0)

19. Discussion: Annual Town Election

Date Change from 4/3/10 to 4/10/10

Kevin F. Greeley, Chair

Ms. LaCourt moved approval.

SO VOTED (5-0)

20. Requests for Approval: a) Linden Tree Removal @ 123 Winchester Road

b) Tree Removal @ 54 Decatur Street

Brian Sullivan, Town Manager

After receiving a report from James Dodge, Operations Manager/Tree Warden regarding these two tree hearings, the Board voted unanimously to have both trees removed. Ms. LaCourt thanked James Dodge, for all his hard work and dedication to the Tree Department.

Mrs. Mahon moved approval.

SO VOTED (5-0)

21. Discussion: Appointment of Assistant Town Treasurer

Kevin F. Greeley, Chair

The Board unanimously voted to approve the request of Stephen J. Gilligan, Treasurer & Collector of Taxes to appoint Alfred B. Fantini as Assistant Treasurer.

Mr. Hurd moved approval.

SO VOTED (5-0)

Correspondence Received

Timothy Murnane
Comcast, Vice President

Comcast Customer Guarantee

Be Rec'd

Ms. Rowe moved approval.

SO VOTED (5-0)

New Business

Mr. Sullivan asked that the Board read over the Pay As You Throw Trash Plan that was in their packet.

Ms. Rowe thanked the Committee for their report regarding the Preliminary Commercial .Development Plan. She thinks Koff & Associates did a wonderful job preparing the report and asked the Board to submit any comments by the end of the week.

Mrs. Mahon asked the Manager to ask Corey Beckwith, Conservation Commission, what abutters Algonquin Gas notified because most residents of Sunnyside Avenue were not notified.

Mrs. Mahon received a request for signs from residents of Herbert Road and Fairmont Street regarding parking problems in East Arlington. The Board approved said request for parking signs to be installed.

Ms. Rowe moved approval.

SO VOTED (5-0)

Mr. Hurd stated that he had received a request from a resident on Acton Street regarding all day parking. She stated that between the Arlington Heights Nursery School and Ottoson Middle School staffers parking all day residents were unable to have visitors, etc. during the day and would like to have two-hour signs erected. Mr. Hurd asked if the Police Department would review and report back.

Ms.LaCourt thanked all the volunteers for all their work with the Energy Smack Down Program, a community outreach program to reduce energy consumption.

Ms. Lacourt thanked Acting Captain Bongiorno for working with the Summer Street neighborhood and recommending solutions to their concerns.

Mr. Greeley moved to adjourn at 9:00 p.m.

SO VOTED (5-0)

A true record: Attest

Marie A. Krepelka
Board Administrator

Executive Session

Next meeting of BOS September 21, 2009.