



Town of Arlington, Massachusetts
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Selectmen's Minutes 12-17-2007

TOWN OF ARLINGTON
BOARD OF SELECTMEN

Meeting Minutes
 Monday, December 17, 2007
 6:00 p.m.

Present: Ms. LaCourt, Chair, Mrs. Mahon, Vice Chair, Mr. Greeley, Mr. Hurd, and Ms. Rowe.
 Also present: Mr. Sullivan, Mr. Maher, and Mrs. Krepelka.

FOR APPROVAL

1. CONSENT AGENDA (one vote required for approval of all items)
 - a. Minutes of Meeting: December 3, 2007
 - b. Appointments
 - New Election Workers
 - Kathleen Walters, 17 Mill St. #303, Pct. 9, U
 - David McKenna, 77 Sunset Rd., Pct. 21, U
 - c. Reappointments
 - Arlington Bicycle Advisory Committee
 - Jack Johnson
 - Ted Packard
 - Stephan Miller
 - Ron Sender
 - Scott Smith
 - Christopher Tonkin
 - (terms to expire 11/10)
 - d. Contractors/Drain Layers
 - Macone Brothers Excavation, Inc., 1030 Concord Rd., Sudbury
 - Pitt Pipeline Company, 318 Bear Hill Rd. #1, Waltham
 - E. Murphy Contracting Company, 8 Edwards Rd., Burlington
- Mrs. Mahon moved approval. SO VOTED (5-0)

LICENSES & PERMITS

2. Request: Common Victualler License
 Gerard Iskenderian d/b/a Corner Grille, 86 Mass. Ave.
 Mrs. Mahon thanked Mr. Iskenderian for his maintenance program regarding trash and also thanked him for coming to Arlington.
 Mr. Greeley moved approval subject to conditions as set forth. SO VOTED (5-0)
3. Request: Wine & Malt/Change of Manager
 Binay Manandmar d/b/a Kathmandu Spice Restaurant, Inc., 166 Mass. Ave.
 Mrs. Mahon moved approval subject to conditions as set forth. SO VOTED (5-0)

4. Request: All Alcohol Restaurant/Change of Manager
 Bruce Jangro d/b/a Not Your Average Joe's, 645 Mass. Ave.
 Mr. Hurd moved approval subject to conditions as set forth. SO VOTED (5-0)
5. License Renewals
 Contractor/Drain Layer
 Wine & Malt Beverages Only Restaurant
 All Alcohol Restaurant
 All Alcohol Club
 Wine & Malt Package Store
 Common Victualler
 Food Vendor
 Hackney Carriage & Public Automobile
 Class I
 Class II and Non-Premise Wholesale
 Lodging Houses
 Public Entertainment
 Automatic Amusement
 Second Hand Dealer

Mr. Hurd once again asked about trash maintenance at Broadway Plaza. He feels the issue needs to be addressed as soon as possible.

Ms. Rowe stated that the City of Boston has an excellent maintenance program for their outdoor restaurants. Mr. Maher said he would get a copy of the policy from the City of Boston Licensing Department.

Mrs. Mahon called attention to different sign violations and asked that they be addressed.

Mr. Greeley moved approval subject to conditions as set forth. SO VOTED (5-0)

CITIZENS OPEN FORUM

There were no matters presented for consideration of the Board.

TRAFFIC RULES & ORDERS/OTHER BUSINESS

7. Discussion: Town Counsel Replacement Process
 Brian Sullivan, Town Manager
 Mr. Sullivan stated currently the Town uses in-house counsel and outside counsel.
 Presently we have only one attorney to handle all the Town's general and routine legal services. Our Benefits Attorney does allocate a small portion of his time to handle litigation and claims work. Mr. Maher is available 24/7, reviews all contracts and is available to meet with any department heads and town officials at all times. Mr. Sullivan feels that the Town's legal services needs are best served by retaining in-house counsel (supplemented by outside counsel when necessary). To engage outside counsel for all the services currently provided by Town Counsel would be prohibitively expensive. Relying on a combination of in-house counsel for all of the Town's routine, daily legal work for all departments, boards, commissions, and town meeting and outside counsel for specialty work provides the Town with the most cost effective legal services. Mr. Sullivan stated that most area communities of Arlington's size and complexity rely on in-house counsel. The only town of Arlington's size and complexity that has outside counsel is Framingham and they spend approximately \$500,000. for general legal services. Area town's that use outside counsel spend between \$135,000. to

\$500,000. a year for general legal services and include the following

Towns: Lexington, Belmont, Winchester, Billerica and Framingham.

Mr. Maher feels it should be kept in house and he strongly endorses the Manager's recommendation. He feels it is extremely important to have an in house Town Counsel and feels the Town Counsel needs to be available for every Selectmen's Meeting, Town Meeting, etc.

Ms. Rowe stated that there are several well-known attorneys in Town that would be willing to participate on a committee and ease the perception that the Manager controls the Town Counsel. Also, Ms. Rowe feels that someone with an environment knowledge would be an asset.

Mr. Hurd stated that he supports Mr. Sullivan's recommendations and thanked Mr. Maher for sharing his ideas regarding the next Town Counsel.

Mr. Sullivan will proceed with the recruitment process after January 1st and will report back to the Board of Selectmen at a later date.

Mr. Greeley asked Mr. Sullivan what was our entire budget last year.

Mr. Sullivan stated it was approximately \$200,000. vs. \$500,000.

Mr. Hurd moved to support the Manager's recommendations SO VOTED (5-0)

New Business

Mr. Sullivan passed out a memo from Director of Public Works to Board members regarding recent snowstorm.

Mrs. Mahon stated that there would be a meeting of the Snow & Ice Committee in January and they would meet with Director Bean. Mrs. Krepelka was asked to set up a meeting for early January.

Mrs. Mahon stated that at the height of the storm she called the Manager and was very impressed that he was at the Town Yard. She stated she appreciated that he was there and thanked him for driving around Town and checking on the roadways.

Mr. Greeley thanked Mr. Sullivan and Mr. Bean for a job well done.

Mr. Greeley stated the Selectones are alive and well and they will be singing once again at the Senior Center on Saint Patrick's Day.

Mrs. Mahon moved to authorize Annie LaCourt, Chairman of Board, as spokesman at the Annual MMA Meeting on January 12th. SO VOTED (5-0)

Mrs. Mahon stated that the Pop Warner D Squad is the National Champions once again for 2007.

Mrs. Mahon spoke briefly on the legal costs regarding the Ottoson matter and once again requested a breakdown of all legal costs.

Mr. Hurd stated the plowing during the recent storm was outstanding and also wanted to thank the entire Public Works Department.

Ms. Rowe stated she would like to thank the entire department for an excellent job.

Ms. LaCourt stated that the Department of Public Works is under staffed and also under a lot of pressure but thinks we have prepared residents that we are doing the best we can.

Ms. Rowe moved to adjourn at 7:00 p.m. SO VOTED (5-0)

A True Record: Attest:

Marie A. Krepelka
Board Administrator

Next meeting of BOS Monday, January 7, 2008

