



Town of Arlington, Massachusetts
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Selectmen Minutes 02-26-2001

TOWN OF ARLINGTON BOARD OF SELECTMEN

Meeting Minutes

Monday, February 26, 2001

7:15 p.m.

Present: Mr. Greeley - Chair, Mr. Lyons - Vice Chair, Mrs. Dias, Mr. Hurd, Mrs. Mahon

Also Present: Mr. Farrington, Mr. Maher, Ms. Cove

FOR APPROVAL

Minutes of Meetings:

Assessors Appointing Authority Meeting January 29, 2001

Mrs. Mahon moved approval. (4-0) SO VOTED

Selectmen's Meetings January 29, 2001 and February 12, 2001

Mrs. Mahon moved approval. (4-0) SO VOTED

APPOINTMENTS & REAPPOINTMENTS

Appointment – New Election Worker

Lee Demattia, 36 Lombard Ter., Pct. 6, U

Mrs. Mahon moved approval. (4-0) SO VOTED

Town Day 2001

Renee Tsoukalas and Kathleen Darcy, Co-Chairs

The Chairman congratulated them on the success of Town Day 2000. Mrs. Tsoukalas announced that the date of September 15th had been set for 2001 and asked the Board if they had any suggestions or changes. Ms. Darcy announced that Cambridge Savings Bank would again be the primary sponsor of Town Day. The Chairman appointed Mrs. Mahon to continue to serve as the Board liaison for Town Day. The Board thanked Mrs. Tsoukalas and Ms. Darcy for their time and effort.

Mr. Lyons arrived at 7:35 p.m.

LICENSES & PERMITS

License Renewals – Contractor/Drain Layer

Ayaz Zaffar, Environic Solutions Inc., 169 Elm St., Waltham

Clear-Way Sewer & Drain Service, 821 Strawberry Hill Rd., Concord

Mr. Lyons moved approval. SO VOTED

For Discussion: Regent Theatre - Hours of Operation/Noise Complaint

Robert Desjarlais & Tracy McGarry

Mr. Hurd moved to table the matter. SO VOTED

Request for One Day All Alcoholic Beverage License

Retired Men's Club, March 17th, St. Camillus Parish Hall

Mrs. Dias moved approval. SO VOTED

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.

Mary Rojo, 76 Henderson Street was present to speak about her concern about recent developments about the Henderson Street Bridge. It was reported at the last Selectmen's meeting that the MDC had decided that do not enter signs 7-9 a.m. be placed at the entrance to the bridge rather than what the Board had voted to request on behalf of the vast majority of the neighbors, which was a 24 hour do not enter sign at the entrance to the bridge from Alewife Brook Parkway.

Mr. Hurd moved to continue the effort to get the 24 Hour do not enter signs in a more aggressive manner.

Mr. Lyons thanked Mr. Hurd for his work on this matter as he had served as the liaison for the Board on the issue. He reported that he had a conversation with the Commissioner of the MDC and that he had agreed to put up 24 Hour do not enter signs as the Board had originally requested. The Board thanked Mr. Lyons for his efforts.

Mr. Hurd moved to send a letter to the MDC thanking them for their cooperation on the matter.
SO VOTED

Lyman Judd, 4 Winslow Street was present to inquire about the Town's future plans for trash disposal. The Chairman asked the Manager to please speak with Mr. Judd on the matter.

TRAFFIC RULES & ORDERS/OTHER BUSINESS

Request for Exemption of Overnight Parking

64 Cleveland St.

John Wilfret was present to request the exemption. Mrs. Dias moved to refer the matter to the parking subcommittee and to have reports from Fire and Police on the matter for a future agenda. SO VOTED

Mr. Lyons inquired if Mr. Wilfret is the owner of 60 Pleasant Street. Mr. Wilfret responded that he is. Mr. Lyons inquired as to the precarious conditions of his buildings elevators, referenced in a report received by the Board that evening from the Fire Chief.

Mr. Lyons also confirmed that Mr. Wilfret owned an inoperable vehicle that was stored in front of his home, for a number of years that was blight to the neighborhood. Mr. Lyons indicated that he would have a difficult time supporting favorable action on this item given Mr. Wilfret's level of consideration to the Arlington community at large.

For Approval: Payment of Bills

Cyrus E. Dallin Art Museum

Mrs. Mahon moved approval of the \$1200 expenditure. SO VOTED

For Discussion: Arlington Farmers' Market

Oakes Plimpton, 67 Coolidge Road was present and requested permission to have the farmer's market in the municipal lot.

Mr. Hurd moved approval of the permit through the month of August 2001, 2:30 to 6:30 p.m. and asked that the matter be brought up again for consideration in the month of August.

SO VOTED

Steven Andrew, representing the Chamber of Commerce was present and thanked the Board for their close monitoring of this permit.

8:00 p.m.

DOG HEARING

Alfred E. Wilder, 112 Fairmont St.

Larry Klaes, 95 Fairmont Street read a copy of his notarized testimony that had been submitted to the Board for their consideration. He outlined in detail how the dog known as "Charlie" had caused a hardship for he and his family including the fact that the dog had killed their pet cat "Buddy".

Mr. Lyons requested that the dog officer present make a recommendation to the Board. Mr. Catanzano reported that, after investigation and speaking with the neighbors, in his opinion the dog is a threat to the neighborhood.

Mr. Lyons moved that the dog (known as "Charlie") be banned from the Town of Arlington and that the dog should be contained within the residence at 112 Fairmont Street until the animal is removed permanently.

Town Counsel cautioned the Board to wait until all testimony is received before entertaining motions.

Alfred Wilder, 112 Fairmont Street gave an extensive personal history of the dog and its place in his family. He explained that separation from the dog could cause his daughter severe emotional distress. He responded to the statements made by Mr. Klaes.

Mr. Hurd and Mrs. Mahon reviewed the history of the dog including previous citations. Mr. Lyons stated that he would reconsider his motion based on Mr. Wilder's testimony but although the testimony was compelling, he stated that he stands by his earlier motion.

Kathleen Carey-Westwater, 131 Thorndike Street testified that her dog was attacked by "Charlie" while her husband and toddler son were out taking a morning walk. The Westwater dog was on a leash and "Charlie" jumped the fence of his yard and greatly frightened her husband and son. Mr. Westwater released his dog so that "Charlie" would chase the dog while he safely returned their son home.

Anna Dupont, 116 Thorndike Street testified that her dog was attacked by "Charlie" and she was also chased with her dog while out for walk.

Lisa Rameior, 94 Fairmont Street testified that she does not own a dog but "Charlie" had attacked her on two occasions. Once while getting out of her vehicle and once while in her yard.

Mr. Lyons moved to amend his motion to the following:

That the dog (known as "Charlie") be banned from the Town of Arlington and should be removed from the Town within seven days, effective immediately, and further that the dog should be contained within the residence at 112 Fairmont Street until the animal is removed permanently. SO VOTED

Town Counsel indicated that if the matter is appealed in court, the neighbors that testified in this matter would need to appear in court to support the statements made during the hearing.

For Discussion: Assessment for FY 2002 reference material

Minuteman School for Applied Arts & Sciences

Mr. Lyons moved: That the Town act favorably on the request of Minuteman to pay an assessment equal to the school's by-state-system calculation for Arlington with an additional 30.3665% of the difference between that and the Town's assessment by agreement figure, subject to the consent of the Finance Committee. SO VOTED

For Discussion: Special Request on S-266 and H-595

Minuteman School for Applied Arts & Sciences
Mr. Lyons moved favorable action. SO VOTED

For Discussion: Transportation Advisory Committee

Report of Selectman Hurd

Selectman Hurd asked that the matter be placed on the March 5th agenda.

Warrant Article Hearings

Article 4 – Measurers of Wood and Bark

Article 47 – Authority to file for Grants

Mr. Lyons moved favorable action on articles 4 and 47 and further to request that John Fitz Maurice serve in his late wife's place as measurer of wood and bark. SO VOTED

Lyman Judd requested that Mrs. FitzMaurice be memorialized and the Chair responded that the Board would take that request under advisement.

Mrs. Mahon moved to request that a small area around Schwamb Mill be considered as an area for a memorial to the late Patricia Fitz Maurice and to refer the matter to the public memorials committee and also to refer Ron Nigro's name for consideration of a memorial. SO VOTED

Article 48 – Early Retirement

Article 49 – Education Reform

Article 50 – Special Education

Mr. Lyons moved that the Board will report on these matters at Town Meeting. SO VOTED

Waiver of Resident Parking at Tufts & Foster Streets

Annual Town Election, Saturday, March 31, 2001

Mrs. Mahon moved approval. SO VOTED

Correspondence Received

Timothy Murnane 2001 Annual Notice Be Rec'd
AT&T

Paul Verbeseay Concerns relative to town not allowing sale of alcohol Be Rec'd
4 Chester St.

The Chairman commented that the Town has been quite deliberate in its alcohol beverage policies and practices.

Robert Sheehan Advanced Megaband Network RCN Be Rec'd
RCN

John F. Maher Henderson Street Be Rec'd
Town Counsel

Mrs. Dias moved receipt of correspondence. SO VOTED

New Busines

Ms. Cove reminded those present that the Selectmen would be again meeting on Saturday for the sole purpose of discussing warrant articles. She also informed the Board that the warrant had been sent to the printer for publication and distribution.

Mr. Maher informed the Board that he had changed his earlier position regarding the extraction of an article from the warrant. As of the time of the meeting the proponents of the article had not responded to the offer of extracting the article.

Mr. Lyons and Mr. Maher exited the meeting at 9:00 p.m. to attend a meeting the Redevelopment Board.

Mrs. Mahon indicated that funding for the Alewife Bridge had been secured and requested that the Town Manager look into the issue more closely.

Mrs. Dias announced that the last public meeting regarding the Cambridge CSO project would be held on Thursday, March 8th at 7:00 p.m.

Mr. Hurd moved to adjourn the meeting at 9:05 p.m. (4-0) SO VOTED

A true record.

Attest:

Caryn E. Cove
Board Administrator