



## Select Board Meeting Minutes

Date: May 26, 2022

Time: 7:15PM

Location: Conducted by Remote Participation

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

Also Present: Mr. Chapdelaine, Mr. Heim, Ms. Maher

### 1. Executive Order on Remote Participation

Mr. Diggins opened the meeting by stating the Commonwealth passed on February 15, 2022, an act relative to extending certain COVID-19 measures adopted during the state of emergency, which among other things, allows public meetings to be conducted remotely until July of 2022. Tonight's meeting is being conducted via Zoom, is being recorded and is also being simultaneously broadcasted on ACMI. As such, all business will be conducted by roll call vote. Persons wishing to join the meeting by Zoom may find information on how to do so on the Town's website. Persons participating by Zoom are reminded that they may be visible to others and then if you wish to participate, you are asked to provide your full name in the interest of developing a record of the meeting. Further, all participants are advised that people may be listening who do not provide comment, and those persons are not required to identify themselves. Finally, both zoom participants and people watching on ACMI can follow the posted agenda materials, also found on the Town's website using the Novus agenda platform. Mr. Diggins acknowledged the passing of Elsie Fiore a long time Arlington resident and a Town Meeting member for 56 years. Mr. Diggins also noted the tragic events that happened in Texas and noted that during this time that we try to understand one another in the hopes to make a difference in the world/

### 2. FY2022 Third Quarter Financial Report

Sandy Pooler, Deputy Town Manager

Ida Cody, Comptroller

Mr. Pooler and Ms. Cody appeared before the Board to detail the third quarter budget report. Ms. Cody explained that this report covers nine months from July 1, 2021 – through March 31, 2022. Ms. Cody stated that this report has three parts which were described in detail. First is narrative, where they explain the variances between the estimated and actual expenses. The second, is a summary of the total expenditures and the expense rate of the revenue collection by department. The final part is the Munis report, which is

a direct printout with more detail. Ms. Cody detailed each part of the budget by line explaining the discrepancies if any. After some questions from the Board, members thanked Mr. Pooler and Ms. Cody for the report.

Mrs. Mahon moved receipt.

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

Mr. Hurd:               yes  
Mr. Diggins:           yes  
Mr. Helmuth:           yes  
Mrs. Mahon:           yes  
Mr. DeCoursey:       yes

(SO VOTED 5-0)

### **FOR APPROVAL**

#### 3. LGBTQIA+ Rainbow Commission Pride Proclamation

Andy Rubinson and Lisa Krinsky, Rainbow Commission Co-Chairs

Ms. Ryan-Vollmar appeared before the Board and explained that in years past, the pride proclamation highlighted the close partnership that the Rainbow Commission enjoys with the Human Rights Commission and the Disability Commission. This year, for the first time they are highlighting the very close work relationships that they have developed with the Town's diversity, equity and inclusion department as well as the Police Department. Ms. Ryan-Vollmar explained the history as to why they decided to include them this year. Mr. Diggins read the pride proclamation out loud to the members and the public. The Board thanked Ms. Ryan-Vollmar for her work on putting this together and acknowledge the hard work the Rainbow Commission does for the Town.

Mr. Helmuth moved approval.

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

Mr. Hurd:               yes  
Mr. Diggins:           yes  
Mr. Helmuth:           yes  
Mrs. Mahon:           yes  
Mr. DeCoursey:       yes

(SO VOTED 5-0)

### **CONSENT AGENDA**

4. Minutes of Meetings: April 20, 2022; May 16, 2022

5. For Approval: Boston Women's Market @ Whittemore Park, Saturday, August 13, 2022, 11:00am - 4:00p.m.

Cara Loffredo, Directing Organizer, Boston Women's Market

6. Request: Special (One Day) Beer & Wine License, 5/28/2022 @ Robbins Library for a Private Event

Robert & Juli Brazile

7. Request: Special (One Day) Beer & Wine License, 6/3/2022 @ Robbins Memorial Town Hall for a Private Event  
Tom Gennis for Arlington High School Class of 1972 (50th Reunion Committee)
8. Request: Special (One Day) Beer & Wine License, 6/4/2022 @ Robbins Memorial Town Hall for a Private Event  
Catarina Manney

Mr. Hurd moved approval.

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

Mr. Hurd:               yes  
 Mr. Diggins:         yes  
 Mr. Helmuth:         yes  
 Mrs. Mahon:         yes  
 Mr. DeCoursey:      yes

(SO VOTED 5-0)

## **APPOINTMENTS**

9. LGBTQIA+ Rainbow Commission (term to expire 1/31/2025)  
Laura Gitelson

Ms. Gitelson gave a brief introduction about herself explaining that she has lived in Arlington for the past 8 years with her husband and two children. Ms. Gitelson explained that she is deeply committed to working on behalf of the LGBTQIA+ community and is excited about working with the Arlington Rainbow Commission. The Board thanked Ms. Gitelson for dedicating her time and is looking forward to working with her in the future.

Mr. DeCoursey moved approval.

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

Mr. Hurd:               yes  
 Mr. Diggins:         yes  
 Mr. Helmuth:         yes  
 Mrs. Mahon:         yes  
 Mr. DeCoursey:      yes

(SO VOTED 5-0)

10. Board of Health (term to expire 1/31/2025)  
Laura White

Dr. White appeared before the Board and stated that she has been a member of the Town since 2010 where she has raised her three kids. Dr. White explained that her interest in the Board of Health stems from her professional involvement. Dr. White works at the Boston University School of Public Health in the Department of Biostatistics where she specializes in infectious disease research. The Board thanked Dr. White for dedicating her time and is looking forward to working with her in the future.

Mrs. Mahon moved approval.

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

Mr. Hurd:            yes  
Mr. Diggins:        yes  
Mr. Helmuth:        yes  
Mrs. Mahon:         yes  
Mr. DeCoursey:     yes

(SO VOTED 5-0)

## **LICENSES & PERMITS**

### 11. Outdoor Restaurant and Retail Permit Application

Kickstand Cafe, 594 Massachusetts Avenue, Emily Shea

Ms. Shea stated that she resubmitted her application for outdoor seating for the Board to consider a specific issue related to the exact perimeter of the patio. Ms. Shea stated that in years past they have used both the parking lot that is privately owned by her landlord and then part of the plaza that from her understanding through talking with Town Departments is owned by the MBTA. Ms. Shea is asking for permission to use the plaza as years past to be able to further utilize her outdoor dining license that they rely heavily on. The Board thanked Ms. Shea for resubmitting and asked Mr. Heim if they had any concerns regarding the allowance of Kickstand Café to use the plaza due to the MBTA having ownership. Mr. Heim explained that the MBTA is a wonderful partner but does not engage in respect to any portion of land that may be theirs and it may be difficult to navigate. The Board feels as though they can support this revision and look forward to utilizing the plaza.

Mr. Helmuth moved to clarify permit to include the use of the plaza during the summer months.

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

Mr. Hurd:            yes  
Mr. Diggins:        yes  
Mr. Helmuth:        yes  
Mrs. Mahon:         yes  
Mr. DeCoursey:     yes

(SO VOTED 5-0)

## **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

### 12. Discussion & Approval: Letter to Mass Housing re: Proposed 40B, 1021-1025

Mass Ave Condominiums

Jennifer Raitt, Director of Planning and Community Development

Kelly Lynema, Assistant Director of Planning and Community Development

Douglas W. Heim, Town Counsel

Jennifer Raitt, Director of Planning and Community Development gave a brief overview explaining that on April 29, the Town received a letter from Mass Housing regarding the proposed 40B for Mass Ave condominiums. Ms. Raitt stated that they were seeking

comments from the Town as part of the eligibility process. This project would be 50 ownership units located at 1021 – 1025 Mass Ave. Ms. Raitt has coordinated a site visit with representatives from the Conservation Commission, The Zoning Board of Appeals, Mass Housing, the developer, and members of the public attended where they were able to walk through the site and understand the plans better. They also request comment from town departments, commissions and others and are now seeking the Select Board's comments and are asking for them back by June 17<sup>th</sup>. Mr. Heim explained that the proponents have worked proactively with the Town to try and understand what some of the issues are in advance including with the Conservation Commission. The Board thanked Ms. Raitt for the presentation and appreciate the proactive steps that the Town is taking towards this project.

Mr. Hurd moved approval subject to any objections by Attorney Heim.  
A roll call vote was taken on the motion by Mr. Heim.

Mr. Hurd:               yes  
Mr. Diggins:           yes  
Mr. Helmuth:           yes  
Mrs. Mahon:           yes  
Mr. DeCoursey:       yes

(SO VOTED 5-0)

13. Discussion: Mass Ave Parking Study Near the Appleton St & Mass Ave Intersection

Daniel Amstutz, Senior Transportation Planner

Mr. DeCoursey recused himself from this discussion.

Mr. Amstutz appeared before the Board and stated that this was a request of the Select Board from the fall that was related to the Mass Ave and Appleton Street Intersection. Mr. Amstutz stated that staff collected data from that intersection and reviewed the map that was submitted prior to the meeting, which details a number of streets that were studied. The report is broken into a number of sections which include, background, the existing condition and the data collection methodology, the data analysis about utilization and turnover, the impacts from the short-term implementation and then a conclusion. Mr. Amstutz stated that they collected roughly 22 hours' worth of parking data in October where they surveyed 136 parking spaces and 97 of those spaces were on Mass Avenue. Mr. Amstutz stated that what the data showed was that 50% of the parking was being used on Mass Avenue and there was low parking utilization on the immediately adjacent side streets.

The Board thanked Mr. Amstutz for the presentation of the parking study and find this will be helpful when making the long-term safety improvements to that intersection.

Mrs. Mahon moved receive the report.

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

Mr. Hurd:               yes  
Mr. Diggins:           yes  
Mr. Helmuth:           yes

Mrs. Mahon: yes

Mr. DeCoursey:

(SO VOTED 4-0)

#### 14. Discussion: Mass Ave & Appleton MassWorks Grant Application

Daniel Amstutz, Senior Transportation Planner

Mr. DeCoursey recused himself from this discussion.

Mr. Amstutz stated that the Town has retained the services of Stantec Consulting for looking at this project and explained that they are looking at the possibility of a full reconstruction of this corridor not just Mass Avenue and Appleton Street. Mr. Amstutz explained that the MassWorks Grant has to have a housing economic component to it and we are able to connect the 1165R Mass Ave project and the Hotel project to this grant application in order to apply for this funding through the State. Mr. Amstutz explained that we would be asking for roughly \$300,000 and the application is due next Friday. Mr. Amstutz stated that they are looking for a support letter from the Board to include in their application.

The Board thanked Mr. Amstutz and made some minor changes to the letter which would include the connection to the Ottoson Middle School.

Mr. Helmuth moved approval of letter

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey:

(SO VOTED 4-0)

#### 15. Discussion & Approval: Town-wide Forum on Overnight Parking Pilot

Lenard T. Diggins, Chair

Stephen W. DeCoursey, Select Board

Mr. Diggins stated that he along with Mr. DeCoursey met with Chief Flaherty and Officer Rateau on how to move forward with the overnight parking pilot. Initially when this was discussed the pilot was going to be only for East Arlington. After meeting with the civic engagement group and Officer Rateau it was strongly suggested that the pilot be open to the whole Town in order to see how we can make it more equitable in respect to overnight parking to all parts of the Town. Mr. DeCoursey stated that what they envisioned after the forum would be to develop a proposal to bring back to the Board for the parameters of a pilot program where the Board would then make recommendations. Mr. DeCoursey noted that they would like to have input from the public before they come back to the Board in the form of a subcommittee. The Board thanked Mr. Diggins and Mr. DeCoursey for all their time that has gone into this. It was clarified that the intention of this parking pilot would be to temporarily suspend the Town wide overnight parking ban that is currently in effect. The Board believes that having a public forum on this matter will help them move forward on this important issue.

## **DISCUSSION**

### 16. Future Select Board Meetings

Lenard T. Diggins, Chair

Mr. Diggins provided a brief explanation of how future Select Board meetings would be held and explained that even if one of the other members would like to be present in the Chambers that he would also be there. The Board spoke about their options in regard to remote meetings as well as the option of testing and masking for individuals before meetings.

## **CORRESPONDENCE RECEIVED**

### 17. Traffic Concerns at the Intersection of Wachusett Ave & Appleton Street

Mr. Helmuth asked that the Town Manager reach out to the appropriate staff to coordinate with the residents.

Mr. DeCoursey moved receipt.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

(SO VOTED 5-0)

## **NEW BUSINESS**

Mr. Chapdelaine would like to celebrate the good work of the Planning Department and the Engineering Division on submitting a shared streets grant application which was awarded for Chestnut and Mystic Street in the amount of \$150,000. Mr. Chapdelaine also shared that the DPW had also applied for a shared street program, and they received \$50,000 to buy a piece of snow removal equipment.

Mr. DeCoursey asked the Town Manager if he could send a letter of thanks to Ken Kohlberg, who served several terms on the Board of Health. Mr. DeCoursey highlighted the Arlington High School Boys and Girls Tennis Teams for having one of the best records in the Middlesex League. Mr. DeCoursey congratulated their coaches on a great season and noted that both teams made it to tournament this year.

Mrs. Mahon discussed the upcoming Memorial Day Events that will be held on May 30<sup>th</sup>. Mrs. Mahon stated that she is going to work with Attorney Heim on sending a separate letter to EPA.

Mr. Diggins noted that 13 Forest reopened in East Arlington.

**EXECUTIVE SESSION**

A. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements: Approval and/or Release of Executive Session Minutes of:

Executive Session Minutes for Approval: February 7, 2022

Approved Executive Session Minutes to be Released or Kept Confidential: September 27, 2021; October 25, 2021; November 1, 2021; November 8, 2021; November 29, 2021; December 6, 2021; December 15, 2021; December 20, 2021; January 10, 2022

B. To conduct a strategy session in preparation for contract negotiations with nonunion personnel, Sandy Pooler applicant for Town Manager pursuant to section 12(b) of the Manager Act, and/or conduct contract negotiations with same.

Mrs. Mahon moved to enter executive session and to adjourn at 10:10 p.m.  
A roll call vote was taken on the motion by Mr. Heim.

Mr. Hurd:               yes  
Mr. Diggins:           yes  
Mr. Helmuth:           yes  
Mrs. Mahon:           yes  
Mr. DeCoursey:       yes

SO VOTED (5-0)

Next Scheduled Meeting of Select Board June 13, 2022

A true record attest

Ashley Maher  
Office Manager

5/26/2022

Agenda Item	Documents Used
1	Executive Order on Remote Participation
2	Q3 Report
3	2022 Pride Proclamation
4	Draft Minutes 4.20.2022 Draft Minutes 5.16.2022
5	Boston Women’s Market Proposal
6	Special (One Day) Application
7	Special (One Day) Application
8	Special (One Day) Application
9	L. Gitelson Reference
10	L. White Reference



11	Kickstand Café ORRPA Planning Department Memo
12	1021-1025 Mass Ave – Staff Memo
13	Report of the Mass Ave / Appleton Parking Study Map Spreadsheet
14	Planning Department Memo
15	
16	
17	Planning Department Memo



Select Board  
Executive Session Meeting Minutes

Date: May 26, 2022

Time: 7:15PM

Location: Conducted by Remote Participation

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

Also Present: Mr. Chapdelaine, Mr. Heim, Ms. Maher

**EXECUTIVE SESSION**

- A. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements: Approval and/or Release of Executive Session Minutes of:

Executive Session Minutes for Approval: February 7, 2022

Approved Executive Session Minutes to be Released or Kept Confidential: September 27, 2021; October 25, 2021; November 1, 2021; November 8, 2021; November 29, 2021; December 6, 2021; December 15, 2021; December 20, 2021; January 10, 2022

Mr. Helmuth moved to approve the February 7, 2022, Executive Session Minutes.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (5-0)

- B. To conduct a strategy session in preparation for contract negotiations with nonunion personnel, Sandy Pooler applicant for Town Manager pursuant to section 12(b) of the Manager Act, and/or conduct contract negotiations with same. Mr. Diggins stated that this meeting will give the Board an opportunity to discuss some of the proposed terms Mr. Pooler provided to the Board regarding his contract. Mr. Diggins noted that going forward they will be having conversations with outside counsel. Mr. DeCoursey gave a brief overview of the process so far, stating that Mr. Pooler has a retirement date of July 28, 2023, and it is very important to him that he work for the Town until that date. If the Board decides to move faster with the hiring of a permanent Town

Manager, Mr. Pooler is requesting job security and to be paid under this contract until his retirement date. Mr. DeCoursey suggested that the Board look into other communities and what they have done when naming an interim and what that position was paid. Each board member spoke individually sharing their thoughts and concerns on the proposed terms of Mr. Pooler's contract. The Board discussed the Town Manager Act and what would happen after September 17, 2022, if they did not come to an agreement with Mr. Pooler. The Board requested that Mr. Diggins and Mr. DeCoursey speak with Mr. Pooler regarding some of the proposed terms of his contract.

No vote was taken at this time.

Mrs. Mahon moved to adjourn executive session at 11:05p.m.

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

Mr. Hurd: yes

Mr. Diggins: yes

Mr. Helmuth: yes

Mrs. Mahon: yes

Mr. DeCoursey: yes

SO VOTED (5-0)

Next Regularly Scheduled Meeting of Select Board June 13, 2022

A true record attest

Ashley Maher  
Office Manager