



**OFFICE OF THE TOWN CLERK**  
**Town of Arlington**  
**730 Massachusetts Avenue**  
**Arlington, MA 02476**

**Juliana H. Brazile**  
**Town Clerk**

**Telephone:**  
**781-316-3070**

**Email:**  
**TownClerk@town.arlington.ma.us**

**CONSENT TO SATELLITE ROOM**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 201 No: 4

Voted: That the duly elected Representative Town Meeting Members of the Town of Arlington hereby consent and agree to conduct this meeting and address all articles on the Warrant by in-person participation utilizing the Town Hall auditorium and a satellite room in the Town Hall complex via live audio and video.

I certify that the foregoing is a true account of the action taken by the Annual Town Meeting on 4/24/2024.

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**AUTHORIZED IN THE ENCLOSURE**

Majority Vote Required  
Motion PASSED  
UNANIMOUS

Voted: That the members of the Select Board and Elected Officials of the Town; Town Manager; Department Heads of the Town and staff; Superintendent of Schools and staff; Committees, Commissions and Boards of the Town; Minuteman Regional Vocational Technical School District Committee and Superintendent; members of the General Court representing Arlington; members of the Arlington Retirement Board; employees and volunteers supporting electronic voting; and also, any consultants who have been retained to work for the Town relative to articles to be acted on by this meeting, and representatives of the news media, be permitted to sit within the Town Meeting enclosure.

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**RECOMMENDED VOTES IN REPORTS**

Majority Vote Required  
Motion PASSED  
UNANIMOUS

Voted: That the recommended votes contained in the respective reports of the Finance Committee, Select Board, Redevelopment Board and other committees be before the meeting without further motion.

I certify that the foregoing is a true account of the action taken by the Annual Town Meeting on 4/24/2024.

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**CONSENT AGENDA**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the recommended votes for Articles 12, 13, 19, 34, 37, 38, 41, 46, 47, 51, 52, 58, 60, 61, 62, and 63 are accepted.

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**CONSENT AGENDA**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 206 No: 0

Voted: That the recommended votes for Articles 43 and 44 are accepted.

I certify that the foregoing is a true account of the action taken by the Annual Town Meeting on 4/24/2024.

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**ARTICLE 2**

**STATE OF THE TOWN ADDRESS**

Majority Vote Required  
Motion RECEIVED  
UNANIMOUS  
Yes: No:

Voted: That Mr. DeCoursey's address be received by the Meeting.

I certify that the foregoing is a true account of the action taken under Article 2 of the Annual Town Meeting on 4/24/2024.

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**ARTICLE 3**

**REPORTS OF COMMITTEES**

Majority Vote Required  
Motion RECEIVED  
UNANIMOUS

Voted: That the following reports were received by the Annual Town Meeting on the dates listed.

**April 24, 2024:**

Select Board Report  
Finance Committee Report  
Redevelopment Board Report

**April 29, 2024:**

Capital Planning Committee  
Community Preservation Act Committee

**May 1, 2024:**

Redevelopment Board Supplemental Report  
Arlington Public Schools FY25 Budget Report  
Hybrid Town Meeting Study Committee Report

**May 13, 2024:**

AHS Building Project Committee  
Permanent Town Building Committee  
Tree Committee  
Artificial Turf Study Committee  
Finance Committee Supplemental Report  
Select Board Supplemental Report

**May 15, 2024:**

Zero Action Committee  
Finance Committee Second Supplemental Report

I certify that the foregoing is a true account of the action taken under Article 3 of the Annual Town Meeting on 4/24/2024.

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**ARTICLE 4**

**APPOINTMENT OF MEASURER OF WOOD AND  
BARK**

Majority Vote Required  
Motion PASSED  
UNANIMOUS

Voted: That on a motion by Charles Foskett, Precinct 8, Mr. John L. Worden, III, Precinct 8 was elected the Measurer of Wood and Bark.

I certify that the foregoing is a true account of the action taken under Article 4 of the Annual Town Meeting on 4/24/2024.

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**ARTICLE 5**

**ELECTION OF ASSISTANT TOWN MODERATOR**

Majority Vote Required  
Motion PASSED  
UNANIMOUS

Voted: That on a motion by Eric Helmuth, Precinct 12, Mr. Adam Auster, Precinct 16, was elected to serve as the Assistant Town Moderator.

I certify that the foregoing is a true account of the action taken under Article 5 of the Annual Town Meeting on 4/24/2024.

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**ARTICLE 6**

**BYLAW AMENDMENT / VACANT STORE FRONT  
MAINTENANCE REGISTRY**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 215 No: 5

The language reflects amendments to the original motion

Voted: That the Town does and hereby amends Title V, Article 17 (“Registration and Maintenance of Vacant Commercial and Industrial Buildings”) of the Town’s Bylaws by clarifying the intent of the Article, streamlining legal definitions, removing the public art waiver option and making certain other clarifying revisions so that Article 17 reads as follows:

**Title V, Article 17  
VACANT STOREFRONT MAINTENANCE REGISTRY  
(ART. 6, STM – 10/19/16; ART. 11, STM – 5/02/18)**

**Section 1 Findings and Purposes.**

The purposes of this bylaw are to protect the welfare and economic vitality of the residents of the Town of Arlington by protecting property values, maintaining neighborhood integrity and accessibility, safeguarding against economic property blight, protecting Town resources, and ensuring the safe and sanitary maintenance of commercial and industrial vacant properties. Among other things, vacant commercial and industrial properties with frontage along one or more of the following streets, Massachusetts Avenue, Broadway, Lake Street, Medford Street, Mill Street, or Park Avenue, can degrade the vitality of Arlington's business districts, frustrate local planning and development efforts, create increased specific risks of fire damage, vandalism and unlawful entry or uses, and give rise to other public health and safety hazards. This bylaw is intended to promote the Town's public welfare and economic health by requiring all property owners to register and properly maintain vacant commercial and industrial properties.

**Section 2. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

"Building Inspector" - The Building Inspector of the Town of Arlington or the Inspector’s designee.

“Financial Hardship” – a showing of demonstrable undue economic hardship through the

presentation of evidence in such form as may be convincing and acceptable to applicable Town officials.

"Legally Occupied" - Occupied in accordance with the provisions of the Massachusetts Building Code.

"Owner" - A person or entity who, alone or severally with others:

- A. Has legal or equitable title to any building or has care, charge or control of any building in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title; or
- B. Is a tenant with a legal right to possess an entire building; or
- C. Is a mortgagee in possession of any building; or
- D. Is an agent, trustee, receiver or other person appointed by the courts and vested with possession or control of a building; or
- E. Is an officer or trustee of an association of unit owners of a condominium or cooperative which contains a vacant property.

"Planning Department" - The Department of Planning and Community Development.

"Planning Director" - The Director of Planning and Community Development for the Town of Arlington or the Director's designee.

~~"Public Art" - Works of art for public benefit and viewing, approved by the Department of Planning and Community Development, for which owners have agreed to the temporary display inside storefront windows or upon other safe, visible exterior surfaces of vacant properties for agreed upon time periods and other material terms.~~

"Street Storefront" - Any nonresidential commercial or industrial real property ground floor units with frontage along one or more of the following streets, Massachusetts Avenue, Broadway, Lake Street, Medford Street, Mill Street, or Park Avenue.

"Vacant Building" - Any unoccupied non-residential commercial or industrial real property which:

- A. Is not legally occupied, is abandoned, or is not used for a period of at least ninety (90) consecutive days or longer by occupants having custody or legal right of entry to such property; or
- B. Which is intermittently occupied by persons with legal right of entry, but exhibits in the opinion of the Building Inspector dilapidated walls, roof, or doors which fail to prevent the entry of a trespasser for a period of more than seven (7) days).

### **Section 3. Registration.**

- A. Prior to, or not more than seven (7) days after a ~~unit or any portion of a property~~ Street Storefront becomes Vvacant, as defined herein, the owner(s) must register the vacancy with the Department of Planning and Community Development and the Building Inspector on forms agreed upon and provided by such departments. All registrations must state the owner's name, phone number, and mailing address as well as an emergency contact, if not the same. None of the required addresses shall be a post office box. This registration must state if the ~~property~~ Street Storefront is Vvacant at the time of filing. The registration shall also state the owner's efforts to regain occupancy. Once the ~~building~~ Street Storefront is not longer Vvacant, ~~or is sold or leased, or disposed of in another legal manner,~~ the owner must provide proof of sale or written notice and proof of lawful occupancy to the Planning Department or Inspectional Service Department pursuant to the process outlined by such departments.

The Building Inspector will notify Police, Fire, Water and Sewer, and Health Departments of the submitted registration of ~~the~~ Vvacant ~~building~~ Street Storefront as well as ~~the~~ any re-occupancy of the ~~building~~ same.

- B. The Planning Director and the Building Inspector may jointly exempt a property owner from the provisions of this bylaw upon the presentation of evidence, in such form as may be convincing to them, that the failure to use or occupy a building for a period in excess of 90 days does not violate the purpose or intent of this bylaw.

#### **Section 4. Annual Registration Fee, Failure to Pay, Waiver.**

- A. The annual registration fee is due at the time of registration of the Vvacant ~~property~~ Street Storefront. The ~~property~~ Vacant Street Storefront owner will be invoiced on an annual basis until the ~~property~~ Street Storefront is leased, ~~or sold, or disposed of in another legal manner.~~ The annual registration fee shall be set by the Select Board pursuant to M.G.L c. 40, § 22F.
- B. The annual registration fee covers the administrative cost of monitoring and ensuring the security and proper maintenance of such ~~building~~ Vacant Street Storefront, as identified in said billing statement. Failure to pay the annual registration fee shall be a violation of this Bylaw, and the full fee shall be deemed an assessment resulting from a violation of this Bylaw. Such fee, and any fines issued for violations of this Bylaw, shall constitute a "municipal charges lien" on the property, to be collected in accordance with M.G.L. c. 40, §58.
- C. ~~Owners~~ Vacant Street Storefront may apply for a waiver of the annual registration fee at the time of registration of a Vvacant property and upon receipt of annual registration fee invoices each year thereafter, requesting waiver of some or the entire fee on grounds of demonstrable Financial Hardship, ~~or by agreeing in writing to display public art as defined herein for the term of a vacancy. Waivers for public art display will be granted only as sufficient public is available, appropriate to the location for display, and the Town, artist, owner agree to terms of exhibition as set forth by the Planning Department.~~ Waivers requested on the basis of Financial Hardship are subject to a thirty (30) -day review period. If a waiver based on Financial Hardship is granted, it will be reevaluated on a quarterly basis until ~~the~~ Vacant Street Storefront ~~property~~ is leased, ~~or sold, or disposed of in another legal manner.~~ If a waiver of the registration fee based on Financial Hardship

is denied, the registration fee is due within thirty (30) days of the decision.

## **Section 5. Maintenance Requirements.**

- A. The owner of a ~~V~~vacant ~~building~~ Street Storefront must maintain ~~the vacant building the same~~ in accordance with all applicable local and state Sanitary Codes, Building Codes and Fire Codes, pertaining to the external/visible maintenance ~~of the building~~ and major system maintenance of the Vacant Street Storefront ~~property~~.
- B. The owner of a Vacant Street Storefront ~~vacant building~~ must promptly repair all broken windows, doors, other openings and any unsafe conditions at ~~a vacant building the same~~. Boarding up of open or broken windows and doors is prohibited except as a temporary measure allowed by Title V, Article Seven of these ~~B~~bylaws, unless the Building Inspector determines that, due to vandalism or security reasons and due to circumstances out of the owner's control, the proper boarding of windows and doors is necessary for a determined period of time beyond such temporary measure. Boards or coverings must be fitted to the opening size and colored to blend with the existing ~~building~~ color scheme of the entirety of the building.
- C. The owner must maintain the Vacant Street Storefront ~~building and property~~ for the duration of the vacancy or abandonment. The owner shall maintain the condition of the Vacant Street Storefront ~~building and property~~ so as to appear not to be ~~V~~vacant. Upon notice by the Building Inspector, any accumulated trash and/or graffiti shall be removed from the Vacant Street Storefront ~~property~~ by the owner within seven (7) days. The Building Inspector and/or the Inspector's designee will document violations. The owner of any Vacant Street Storefront ~~building~~ ~~vacant~~ for a period exceeding six (6) months, whose utilities have been shut off, shall have those utilities removed or cut and capped to prevent accidents.
- D. The owner of a Vacant Street Storefront may include advertising materials in the ~~vacant space same~~ or displayed in ~~the property's~~ its street-facing windows. Such advertising materials must be approved by the Planning Director and must comply with the signage requirements of the Zoning Bylaw.
- E. Compliance with this ~~B~~bylaw shall not relieve the owner of any obligations set forth in any other applicable bylaw, regulations, codes, covenant conditions or restrictions and/or association rules and regulations. In case of a conflict with these rules and regulations, the stricter of the rules and regulations shall apply.

## **Section 6. Inspections**

The Building Inspector, Police Chief, Fire Chief and the Health Director, or their designees, shall have the authority to periodically inspect the exterior and interior of any building subject to this bylaw for compliance, as authorized under the terms of registration form filed with the Building Inspector and Planning Department. The Building Inspector shall have the discretionary authority to disconnect utilities immediately if a potential hazard that may be dangerous to life and limb is present.

## **Section 7. Violations and Penalties; Enforcement**

- A. Violations of any portions of this Bylaw shall be punishable by a fine of one hundred dollars (\$100) per day in total. However, the Building Inspector and Planning Director may waive the fine in total or in part upon the abatement of the violation(s).
- B. The Building Inspector or the Inspector's designee shall enforce all provisions of this Bylaw and shall institute all necessary administrative or legal action to assure compliance. Any owner found to be in violation of this bylaw shall receive a written warning and a minimum of seven (7) days to remedy all violations prior to the institution of any enforcement action by the Inspector.

The Building Inspector, acting on behalf of the Town of Arlington, may also bring a civil action in a court of competent jurisdiction seeking equitable relief to enforce this bylaw. This bylaw may also be enforced through non-criminal disposition in accordance with the provisions of the Town bylaws.

## **Section 8. Unsafe Buildings**

If the Building Inspector determines the building to be unsafe, the Inspector may act immediately in accordance with the Massachusetts State Building Code to protect public safety. Furthermore, nothing in this Bylaw shall abrogate the powers and/or duties of municipal officials to act pursuant to any general statutory authority including, without limitation, M.G.L c. 139, § 1 et seq. and M.G.L c. 143, § 6 et seq.

## **Section 9. Severability**

If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

I certify that the foregoing is a true account of the action taken under Article 6 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 7**

**BYLAW AMENDMENT / BETTERMENT BYLAW  
REVISION**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 196 No: 10

Voted: That the Town does and hereby amends Title III, Article 3 (“Repairs to Private Ways”) to revise the number or percentage of abutters required for a betterment petition when representing an association, by increasing the required deposit before work can commence and eliminating the deposit requirement for repairs to private ways when those repairs are financed by the Town through an instrument of borrowing or debt issuance, so that the amended bylaw reads in its entirety as follows:

**ARTICLE 3  
REPAIRS TO PRIVATE WAYS**

**Section 1. Classification**

The Town Engineer and the Director of Public Works upon request of the Select Board acting in its capacity as the Board of Public Works shall recommend the classification of private ways in the Town according to the state of their construction and repair. The Board may then adopt such classifications with any modifications it may deem appropriate.

**Section 2. Definition and Authorization**

**(ART. 20, ATM –05/04/92) (ART. 23, ATM – 04/28/04) (ART. 12, ATM –  
04/23/18)**

- A. The private property owners abutting private ways are responsible for the maintenance of such ways, which must be maintained so that there are no defects to impede the safe passage of emergency vehicles. This bylaw provides a means by which the Town may assist in the maintenance of such ways, primarily by providing a mechanism for private way abutters to fund repairs known as a “betterment.”
- B. The Board may vote to direct the Town Manager to make temporary repairs to private ways at the request of the Director of Public Works as provided below. Temporary repairs shall be limited to the filling of potholes and temporary patching.
- C. The Board may authorize a temporary or extensive repairs to private ways by abutter petition for a betterment. Extensive repairs shall include, but not be limited to, skim

- D. coating, armor coating, drainage work, and grading of gravel roadways. For all extensive repairs the petitioners agree to enter into a contract with a private contractor to repair and pave the roadway forthwith.

**Section 3. Criteria**  
(ART. 35, ATM – 05/18/05; ART. 12, ATM 04/23/18)

A. Abutter Criteria

The Board shall in making its determination as to the advisability of making temporary or extensive repairs by abutter petition take into consideration the following factors:

1. The accessibility of the properties on the private ways to emergency vehicles such as police, fire and rescue.
2. The volume of traffic that utilizes the private way i.e. dead end as opposed to feeder or connecting streets.
3. The percentage of abutters on the particular private way petitioning the Board for the repairs.
4. The number of years that the way shall have been open to public use.
5. Such other considerations that the Board deems appropriate.
6. Public Safety.

B. Town Criteria

The Board may authorize temporary repairs at the request of the Town whenever the Director of Public Works so advises the Board that repairs are required to abate an immediate hazard caused by a defect necessary for the safe passage of public safety vehicles.

**Section 4. Petition**  
(ART. 12, ATM 04/23/18)

The Select Board shall consider any private way, group of private ways, or portion thereof for temporary or extensive repairs after having been petitioned to do so by at least two-thirds of the total number of abutting property owners on the Private Way who directly abut the portion to be considered for temporary or extensive repairs. The Town shall only be considered an abutter for the purposes of this section, and assessment of costs in Section “6,” to the extent a private way is substantially used by Town staff or the public for the specific purpose of utilizing an abutting Town parcel.

The Select Board may after careful consideration, elect to do the entire portion which was petitioned for, or a lesser portion, provided at least two-thirds of the abutting property owners on the lesser portion to be done are in favor of such action. The Select Board shall upon receipt of a petition with at least two-thirds of the abutters' signatures affixed thereto shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All abutters shall be given written notice of the hearing not less than seven (7) days prior thereto.

**Section 5. Alternate Petition**

Notwithstanding the provisions of Section 4 above, the Board may also consider a number of private ways for repair as a whole project when these private ways are ways where a majority of



abutters are members of an association of abutters whose major purpose has been the maintenance and repair of those ways upon which these members' properties abut.

The Select Board may only consider these private ways to be repaired as a whole project when having been petitioned by two-thirds of the total number of abutters ~~who abut all of the ways represented by the association~~. The Select Board upon receipt of such a petition shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All of the abutters on all of the ways represented in the petition shall be given written notice of the hearing not less than seven days prior thereto.

**Section 6. Assessment of costs**  
**(ART. 23, ATM – 04/28/04) (ART. 35, ATM – 05/18/05) (ART. 12, ATM 04/23/18)**

The costs of all labor and materials and processing shall be assessed equally to all abutters on the private way, or portion thereof (except with respect to Town property as set forth in Section 4), or if the Select Board votes to order any repairs pursuant to a petition filed under Section 5 all the abutters on all the private ways to be repaired without regard to linear frontage.

A ~~one-third~~ fifty (50) percent deposit of the total estimated cost of the completion of the repair project shall be required before any work can be commenced. The deposit requirement shall not apply to petitions or alternate petitions for repairs to private ways to be financed by the Town through an instrument of borrowing or debt issuance. All remaining costs shall be apportioned, assessed and collected on a per-property basis pursuant to the procedures provided in Chapter 80 of the General Laws, the Betterment Act, including the placing of liens on the affected property and the collection of apportioned costs by means of property tax collection.

Any and all such deposits shall be deducted from the equalized share of the property owners actually paying.

**Section 7. Collection of Apportioned Share**  
**(ART. 35, ATM – 05/18/05)**

The Select Board before authorizing any repairs shall adopt a formal Betterment Order which shall require each abutter to pay their property's unpaid apportioned share of the repair cost over a five-year period to include interest at 5 percent or 2 percent above the cost (including Town oversight and administration costs) of any bond issued to fund the repair in question. The Assessors in conjunction with the Town Tax Collector will commit such amount to the respective abutter's property tax bill and the Engineering Division of the Public Works Department will cause same to be recorded at the Registry of Deeds so that same runs with the land.

**Section 8. Liability**  
**(ART. 35, ATM – 05/18/05) (ART. 19, ATM – 05/04/92) (ART. 11, ATM 04/23/18)**

There shall be a limitation of liability on the Town of Five Hundred (\$500.00) Dollars for any damages arising from any negligent repair of the private way which shall include damage from surface water run-off.

No repair shall be commenced until all the petitioners have signed an agreement with the Town holding the Town harmless from any additional damages arising from any negligent repair and providing evidence of insurance to the satisfaction of the Town. However, nothing in this paragraph shall excuse the Town from damages to property caused by the Town or agents thereof, during the repair process.

Temporary repairs made at the request of the Director of Public Works necessary to abate an immediate hazard caused by a defect shall not be considered as maintenance of the private way, nor shall the way be considered a public way. The Town shall not be liable for any damage incurred by the defect, subsequent repair or failure to make repairs to private ways.

**Section 9. Effect of Electronic Record**

Any petitions executed pursuant to this Article 3 may be executed electronically in accordance with applicable laws and shall be enforceable as if executed in writing.

I certify that the foregoing is a true account of the action taken under Article 7 of the Annual Town Meeting on 4/24/2024.

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**ARTICLE 8**

**BYLAW AMENDMENT / REVISED TOWN  
MEETING START TIME**

Majority Vote Required  
Motion NO ACTION  
UNANIMOUS

Voted: That no action be taken on Article 8.

I certify that the foregoing is a true account of the action taken under Article 8 of the Annual Town Meeting on 5/13/2024.

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**ARTICLE 9**

**BYLAW AMENDMENT / START TIME FOR  
ANNUAL TOWN MEETING**

Majority Vote Required  
Motion **FAILED**  
ELECTRONIC VOTE  
Yes: 58 No: 120

Voted: That the Town does and hereby amends Title I, Article 1, Section 1 (“Date of Annual Meeting and Adjournment”) of the Town’s Bylaws so as to change the start time of the Annual Town Meeting from 8:00 pm to 7:30 pm so that the bylaw reads in its entirety as follows:

**TITLE I  
ARTICLE 1  
TOWN MEETINGS**

**Section 1. Date of Annual Meeting and Adjournment  
(ART. 93, ATM – 05/23/88) (ART. 12, ATM – 05/09/04)**

The Annual Town Meeting for the purposes of conducting the regular Town Election of Town officers including Town meetings members, and for the submission of questions to the voters of the Town, if required to be submitted thereat, shall be held annually on the first Saturday of April unless the Select Board vote not later than February 1 to establish another date in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. Said election shall be considered part of the Annual Town Meeting held in that year. All articles in the warrant for any regular Town meeting to be acted upon and determined otherwise than by ballot shall be considered at a Town meeting to be held annually on the fourth Monday in April, at ~~eight o'clock~~ seven-thirty in the evening.

I certify that the foregoing is a true account of the action taken under Article 9 of the Annual Town Meeting on 5/13/2024.

Juliana H. Brazile  
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**ARTICLE 10**

**BYLAW AMENDMENT / ANNUAL TOWN  
MEETING START DATE**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 165 No: 16

Voted: That the Town does and hereby amends Title I, Article 1, Section 1 (“Date of Annual Meeting and Adjournment”) of the Town’s Bylaws so as to allow the Select Board discretion in the setting of the start date and time of Annual Town Meeting so that the bylaw reads in its entirety as follows:

**TITLE I  
ARTICLE 1  
TOWN MEETINGS**

**Section 1. Date of Annual Meeting and Adjournment  
(ART. 93, ATM – 05/23/88) (ART. 12, ATM – 05/09/04)**

The Annual Town Meeting for the purposes of conducting the regular Town Election of Town officers including Town meetings members, and for the submission of questions to the voters of the Town, if required to be submitted thereat, shall be held annually on the first Saturday of April unless the Select Board vote not later than February 1 to establish another date in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. Said election shall be considered part of the Annual Town Meeting held in that year. All articles in the warrant for any regular Town meeting to be acted upon and determined otherwise than by ballot shall be considered at a Town meeting to be held annually on the fourth Monday in April, at eight o’clock in the evening unless the Select Board votes not later than February 1 to establish another date and time in order to better suit the public convenience for reasons it shall determine including, but not limited to, conflicts with the observance of religious holidays. In no case shall the Annual Town Meeting begin later than the second Monday in May at eight o’clock in the evening.

I certify that the foregoing is a true account of the action taken under Article 10 of the Annual Town Meeting on 5/13/2024.

Juliana H. Brazile  
Town Clerk



**Juliana H. Brazile**  
**Town Clerk**

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Town Clerk**

**ARTICLE 11**

**BYLAW AMENDMENT / FOSSIL FUEL FREE  
BYLAW LANGUAGE CHANGES**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 195 No: 14

Voted: That the Town does and hereby amends Title VI, Article 10, Section 1 (“Prohibition on New Fossil Fuel Infrastructure in New Construction and Major Renovation”) of the Town’s Bylaws so update the definition of “major renovation” so that the bylaw reads in its entirety as follows:

**TITLE VI  
ARTICLE 10**

**PROHIBITION ON NEW FOSSIL FUEL INFRASTRUCTURE IN NEW  
CONSTRUCTION AND MAJOR RENOVATION**

**Section A. Definitions**

“Effective Date” shall mean 90 days following the date on which the Town is authorized by the Department of Energy Resources to regulate fossil fuel infrastructure.

“Fossil Fuel-Free Demonstration” shall mean the project codified by the entirety of 225 CMR 24.00, the Fossil Fuel- Free Demonstration.

“Major Renovation” shall mean a renovation project associated with a valid building permit application filed on or after the Effective Date of this article that is (a) a low-rise residential addition in which the Work Area exceeds 1,000 square feet or exceeds 100% of the conditioned floor area of the existing dwelling unit; (b) for all other building use types, an addition in which the Work Area exceeds 20,000 square feet or exceeds 100% of the conditioned floor areas of the existing building; (c) for low-rise residential buildings, a Level 3 Alteration as defined in the International Existing Building Code (IEBC 2021) in which the Work Area exceeds 50% of the existing conditioned floor area and exceeds 1,000 square feet; or that is, (d) for all other building uses, a Level 3 Alteration as defined in the International Existing Building Code (IEBC 2021) in which the Work Area exceeds 50% of the existing conditioned floor area or an alteration that exceeds 20,000 square feet-; (e) for low-rise residential use types, a change of use of over 1,000

square feet per International Energy Conservation Code (IECC 2021) Sections R505; or (f) for all building use types except low-rise residential, a change of use of over 20,000 square feet or change of use equal to 100% of the conditioned floor areas of the existing building per International Energy Conservation Code (IECC 2021) Sections C505.

“New Construction” shall mean a new building or new accessory building (a building devoted exclusively to a use accessory to the principal use of the lot) that is associated with a valid building permit application on or after the Effective Date.

“Specialized Energy Code” – Codified by the entirety of 225 CMR 22.00 and 23.00 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

“Work Area” shall mean the portions of a building affected by renovations for the reconfiguration of space and/or building systems, as indicated in the drawings associated with a building permit application. Areas consisting of only repairs, refinishing, and/or incidental work are excluded from the Work Area.

## **Section B. Purpose**

This Bylaw is adopted by the Town of Arlington, pursuant to “Act Driving Clean Energy and Offshore Wind” (St. 2022, c. 179, § 84) and 225 CMR 24.00, also referred to as the Fossil Fuel-Free Demonstration, the purpose of which is to restrict and prohibit new building construction and major renovation projects that are not fossil fuel-free in the interests of protecting health, safety, and the natural environment and reducing air pollution and greenhouse gas emissions, which cause climate change, thereby threatening the Town and its inhabitants. This bylaw is intended to work in conjunction with the Specialized Stretch Code, adopted by the 2023 Arlington Town Meeting and incorporated into Title VI Art. 3 of the Town Bylaws as well as the Town’s “Net Zero” goals.

## **Section C. Applicability**

1. The requirements of this bylaw apply to residential and non-residential buildings that qualify as New Construction or Major Renovation.
2. The requirements of this bylaw shall not apply to:
  - a. Research laboratories for scientific or medical research, hospitals and medical offices regulated by the department of public health as a health care facility as defined in 225 CMR 24.00.
  - b. Multi-family buildings over 12,000 square feet with permit applications filed prior to January 1, 2027, that utilize gas or propane for domestic water



- heating as the only combustion equipment.
- c. Utility service piping connecting the grid to a meter, or to a gas meter itself.
- d. Piping required to fuel backup electrical generators.
- e. Portable propane appliances for outdoor cooking and heating.
- f. The extension or modification of heating systems via HVAC system modification, or modification of radiator, steam, or hot water piping, so long as new fossil fuel piping is not installed.
- g. Repairs of any existing portions of a fuel piping system deemed unsafe or dangerous by the Plumbing and Gas Fitting Inspector.

#### **Section D. Fossil Fuel-Free Demonstration**

The Fossil Fuel-Free Demonstration, as codified by the entirety of 225 CMR 24.00, is herein incorporated by reference into Title VI, Article 3 of the Town of Arlington General Bylaws.

With adoption of the Fossil Fuel-Free Demonstration, and upon approval by DOER, the following amendments to the Specialized Energy Code (codified in Title VI Article 3 of the Town Bylaws) are adopted. These changes are enforceable by the Building Inspector and will go into effect for any project seeking a permit after the Effective Date.

1. Low-rise Residential Code (225 CMR 22 Appendix RC)
  - a. Sections RC102 and RC101 “Zero Energy Pathway” and “Mixed Fuel Pathway” shall not be permitted for use for new construction.
2. Commercial and All Other (225 CMR 23 Appendix CC)
  - a. Sections CC103 and CC105 “Zero Energy Pathway” and “Mixed-Fuel Pathway” shall not be permitted for new construction, with the following exceptions:
    - i. Research laboratories for scientific or medical research,
    - ii. Hospitals regulated by the department of public health as a health care facility,
    - iii. Medical offices regulated by the department of public health as a health care facility,
    - iv. Multi-family buildings over 12,000 square feet with permit application filed prior to January 1, 2027, may utilize gas or propane for domestic water heating as the only combustion equipment.
3. Equipment or appliances used for space heating, service water heating, cooking, clothes drying, and/or lighting that can utilize coal, oil, natural gas, other fuel hydrocarbons, including synthetic equivalents, or other fossil fuels may not be installed as part of any residential or non-residential Major Renovation, with the exception of C(2)(a – g) and D(2)(a)(i – iv) above. All Major Renovations associated with C(2)(a – g) and D(2)(a)(i –iv) must follow applicable stretch code requirements.

## **Section E. Waivers**

1. In the event that compliance with the provisions of this bylaw makes a project financially infeasible or impractical to implement, the Building Inspector may grant a waiver subject to reasonable conditions. Where appropriate, such waivers shall be issued narrowly for specific portions of a project that are financially infeasible or impractical to implement under the requirements of this Article. Waiver requests shall be supported by a detailed cost comparison, inclusive of available rebates and credits. A waiver request may be made at any time and may be based upon submission of conceptual plans. Particular consideration for waivers will be given to projects sponsored by non-profit or government- sponsored affordable housing entities.
2. Guidance regarding the granting of waivers and prescription of conditions shall be provided by the Select Board prior to the Effective Date and periodically extended or amended in the light of experience and changing circumstances.

Notwithstanding the foregoing, Compliance with this bylaw may be considered financially infeasible if:

- a. As a result of factors beyond the control of the proponent the additional cost of the project over the long term, including any available subsidies, would make the project commercially unviable; and/or
  - b. If technological or other factors would make the project unsuitable for its intended purpose.
3. The Building Inspector's decision with respect to the granting of a waiver, the scope thereof, and any conditions prescribed, shall be appealable to the Town Manager in accordance with procedures established by the Town Manager.

## **Section F. Appeals**

The Town Manager shall hear appeals from decisions by the Building Inspector on the applicability of this bylaw under section C in accordance with such procedural rules as may be adopted from time to time by the Town Manager

I certify that the foregoing is a true account of the action taken under Article 11 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 12**

**BYLAW AMENDMENT / JOHN J. BILAFER  
ARLINGTON CITIZENS' SCHOLARSHIP FUND –  
DOLLARS FOR SCHOLARS**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the Town does and hereby amends Title II, Article I (“The John J. Bilafer Arlington Citizens’ Scholarship Fund – Dollars from Scholars) of the Town’s Bylaws by adding “or their designee” to the end of the first sentence in Section 4 so that the bylaw reads in its entirety as follows:

**TITLE II  
COMMITTEES AND COMMISSIONS  
ARTICLE 1**

**THE JOHN J. BILAFER ARLINGTON CITIZENS' SCHOLARSHIP FUND –  
DOLLARS  
FOR SCHOLARS**

**(ART. 27, ATM – 05/01/89) (ART. 27, STM – 05/15/95) (ART. 58, ATM – 05/19/97) (ART.  
32, ATM – 05/02/07)**

**Section 1. Name**

The John J. Bilafer Arlington Citizens’ Scholarship Fund, formerly known as the Town of Arlington Scholarship Fund, and herein referred to as the Chapter, a local government tax check-off "Dollars For Scholars" program, is an affiliate of Citizens' Scholarship Foundation of America, Inc. hereinafter referred to as CSFA.

**Section 2. Purpose**

The purpose of the John J Bilafer Arlington Citizens’ Scholarship Fund is to establish and maintain a perpetual trust fund in order to expand the educational opportunities for residents of the Town who have been accepted to pursue education beyond the secondary school level by promoting the scholarship program, maintaining an operational structure, raising funds for student aid distribution and conducting an objective selection process for distributing awards on a fair, equitable and non-discriminatory basis. The Chapter shall operate in accordance with the

Bylaws, legal status and procedures of CSFA which are consistent with Chapter 405 of the Acts of 1983 as amended, the General Laws of Massachusetts and the Bylaws of the Town.

### **Section 3. Powers**

The Town is empowered to promote and encourage contributions to the scholarship fund and place a check-off box on the tax and other municipal bills. The Chapter can also raise and receive money and other property by gift, devise, subscription, dues and other legal means including the establishment of individual scholarship funds in a name specified by the Donor. The Collector of Taxes of the Town shall, at least as often as monthly, account and turn over to the Town Treasurer monies which have been checked off by the taxpayers as a contribution to the scholarship fund by increasing the amount otherwise due on the tax or other municipal bills.

All monies collected as a result of the voluntary check-off shall be transferred to the Principal of the fund by the Town Treasurer. The Town Treasurer is the custodian of the scholarship fund and shall deposit, disburse and invest the funds as empowered by law.

The Town Treasurer/Tax Collector shall give bond annually for the faithful performance of said duties in a form approved, and in an amount determined by the Commissioner of Revenue; the said Treasurer shall make and submit to CSFA such reports as CSFA may prescribe relative to Chapter finances. The John J. Bilafer Arlington Citizens' Scholarship Fund shall be audited by an outside auditing firm in conjunction with the audit of the books and records of the Town.

The said scholarship fund including the individual scholarship funds, shall be under the jurisdiction of the Board of Commissioners of trust funds and said Commissioners shall, at least as often as once each year, pay over not less than five percent and not more than seven percent of the market value of said funds as of December 31st of the prior calendar year, said percent to be determined by the Town Treasurer and the Commissioners; and the amount determined to be applied to student aid under the direction and control of the scholarship committee. The Chapter shall be operated solely for charitable purposes. No committee member, officer or employee of the Town shall be entitled to receive compensation from the scholarship fund for services to the Chapter. Annual recertification by CSFA is required for the Chapter Agreement and Charter to remain in effect. In the event that the Chapter Agreement and Charter between the Chapter and CSFA is terminated the John J. Bilafer Arlington Citizens' Scholarship Fund shall continue to operate in accordance with Chapter 405 of the Acts of 1983 as amended, the General Laws of Massachusetts and the Bylaws of the Town.

### **Section 4. Scholarship Committee and Officers**

**(ART. 13, ATM – 05/09/94)**

The following are permanent members of the scholarship committee as determined by Chapter 405 of the Acts of 1983 and amended by Chapter 256 of the Acts of 1993: the Principal of Arlington High School; the Principal of Arlington Catholic High School; the Superintendent-Director of Minuteman Regional Vocational School District and the Treasurer of the Town, or their designees. A registered voter of the Town who is interested in education shall be appointed to a three year term as the fifth member of the committee by the Town Moderator. The committee may elect from among its members a Chairperson, Vice Chairperson, Secretary and such other officers as it may designate for election. The scholarship committee shall make,

implement and supervise the policies of the Chapter, and shall elect all officers and fill vacancies as empowered by law. The Chairperson shall be the chief executive officer of the Chapter, shall preside at all meetings of the scholarship committee and shall implement Chapter policy as established by the scholarship committee.

The Secretary shall record and keep minutes of the meetings and shall prepare and transmit to CSFA such reports as may be required by CSFA pursuant to these Bylaws and to annual Chapter recertifications.

The Vice Chairperson and such other officers as the scholarship committee may from time to time designate and elect shall have such powers and shall perform such duties as the scholarship committee may determine.

### **Section 5. Standing Committees**

There shall be an Awards Committee, chaired by a member of the Scholarship Committee, which shall be comprised of not fewer than three members, who need not be Scholarship Committee members.

No person shall attend or take part in any meetings of the Awards Committee at which applications for student aid are to be discussed so long as there is pending before that committee an application for student aid from any blood relation of such person or spouse.

Each scholarship applicant shall be a legal resident of the Town and shall complete an application and submit financial and other supporting data which considers character, scholastic record and involvement in community work as well as extra-curricular school activities.

The application process is not considered complete until a financial assistance questionnaire is submitted by the person(s) obligated to pay applicant's educational costs. All scholarship information shall be received and processed with the Office of the Town Treasurer/Collector of Taxes, assigned a number and considered thereafter without reference to name until such time as the Awards Committee has completed its evaluation of each application. All completed applications shall be considered for student aid at a meeting of the Awards Committee called by the Chairperson. The award of student aid is based on merit in accordance with the prescribed evaluation criteria. The Awards Committee shall consider financial need in determining the amount of each award. Whenever possible, there shall be at least one scholarship recipient from each of the segments of the student population represented by the members of the Scholarship Committee. In making awards the Awards Committee shall apply such further rules and standards not inconsistent with the purposes of this Chapter as prescribed in these Bylaws and Charter between this Chapter and CSFA and, subject to such rules and approval of the Scholarship Committee, it shall implement and oversee all policy relative to awards and shall transmit to CSFA such reports as CSFA may provide relative to award procedures. The Scholarship Committee may from time to time seek to amend these Bylaws by adding other Standing Committees it may determine necessary to the Chapter's operation.

### **Section 6. Ceremonies and Meetings**

#### **A. Scholarship Award Ceremony**

The Scholarship Committee shall conduct an annual scholarship award ceremony for the recipients of student aid, their families and friends in the spring at such time and place as shall be fixed by the Chairperson.

Notice of the time, date and place of this ceremony shall be published in the local press and the public invited to attend.

### **B. Meetings**

Regular periodic meetings of the Scholarship Committee may be held from time to time pursuant to vote of the Scholarship Committee. Special meetings of the Scholarship Committee may be held from time to time upon the call of the Chairperson or upon written application to the Secretary or Chairperson of not less than one-third in number of the committee members. The Secretary or Chairperson shall make public announcement of the meetings and shall mail written notice of all the meetings of the Scholarship Committee to each member at least seven days prior to the meeting unless the time, date and place of such meeting has been previously fixed by vote of the Scholarship Committee, or unless waiver of the notice of the meeting is signed by every committee member and filed with the Secretary or the Chairperson. One-third of the Scholarship Committee members then in office shall constitute a quorum in the case of a meeting of the Scholarship Committee; and a majority of those present at a meeting, and entitled to vote, shall decide any matter properly brought before the meeting.

### **Section 7. Fiscal Year**

**(ART. 23, ATM – 05/04/98)**

The fiscal year of the Chapter shall be the twelve month period ending December 31 in each year.

### **Section 8. Amendment**

The Scholarship Committee may, from time to time bring before an Annual or Special Town Meeting proposed amendments to these Bylaws. Prior to insertion in the Warrant for the Annual or Special Town Meeting, proposed amendments to these Bylaws shall be voted upon by the Scholarship Committee at a scheduled or special meeting called for the purpose of acting upon a proposed amendment. This amendment and any subsequent amendment to this Article of the Town's Bylaws shall become effective upon the certification of the vote by the Town Clerk. Once certified this Article of the Town's Bylaws become the governing document of the John J. Bilafer Arlington Citizens' Scholarship Fund and shall be sent to CSFA for approval and placed on file in the Office of the Town Treasurer/Collector of Taxes in accordance with the Chapter Agreement entered into between the Chapter and CSFA.

I certify that the foregoing is a true account of the action taken under Article 12 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 13**

**BYLAW AMENDMENT / LEAF BLOWER DATES OF  
TRANSITION**

Majority Vote Required  
Motion NO ACTION  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That no action be taken on Article 13.

I certify that the foregoing is a true account of the action taken under Article 13 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 14**

**BYLAW AMENDMENT / FOCUSED RESIDENCE  
PICKETING**

Majority Vote Required  
Motion **FAILED**  
ELECTRONIC VOTE  
Yes: 87 No: 142

The language reflects amendments to the original motion

Voted: That the Town does and hereby amends Title I of the Town's Bylaws to add a new provision to prohibit and make it unlawful for any person to engage in picketing focused on, and taking place in front of or about, a particular residence in the Town of Arlington; or take any action related thereto, so that the new provision of Title I reads as follows:

**TITLE I  
ARTICLE 26  
FOCUSED RESIDENTIAL PICKETING**

It is unlawful for any person to engage in picketing focused on, and taking place before or about the residence or dwelling of any individual in the Town of Arlington between the hours of 9:00 P.M. and 9:00 A.M. This will not apply if the person engaged in picketing resides at the residence or dwelling, or has been invited to engage in picketing by a resident of that residence or building.

I certify that the foregoing is a true account of the action taken under Article 14 of the Annual Town Meeting on 4/29/2024.

Juliana H. Brazile  
Town Clerk





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Town Clerk**

**ARTICLE 15**

**BYLAW AMENDMENT / PROHIBITION OF FAIR-  
TRADE RESTRICTIONS - FUR PRODUCTS SALES**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 194 No: 18

Voted: That the Town does and hereby amends Title I of the Town's Bylaws to add a new provision to restrict the trade in and sale of new fur products by making it unlawful to sell, offer for sale, trade or otherwise distribute for monetary or nonmonetary consideration of a fur product; or take any action related thereto, so that the new provision of Title I reads as follows:

**TITLE I  
ARTICLE 24  
FUR PRODUCTS**

**Section 1. Purpose and Intent**

The Town of Arlington ("Town") finds that animals that are slaughtered for their fur endure tremendous suffering. Animals raised on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically use the cheapest killing methods available, including suffocation, electrocution, gas, and poison. Considering the wide array of alternatives for fashion and apparel, the Town finds that the demand for fur products does not justify the unnecessary killing and cruel treatment of animals.

Further, fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases, including SARS coronaviruses, that threaten public health, including in the Town of Arlington. In addition, the fur production process is energy intensive and has a significant environmental impact, including air and water pollution, and animals that are slaughtered for their fur endure tremendous suffering. Eliminating the sale of fur products in the Town of Arlington will decrease the demand for these cruel and environmentally harmful products and promote community health and wellbeing as well as animal welfare. The Town believes that eliminating the sale of fur products in the Town of Arlington will promote community awareness of animal welfare and, in turn, will foster a more humane environment in Arlington.

**Section 2. Definitions**

For purposes of this Article, the following words and phrases have the definitions set forth next to them:

- A. “Fur”: Any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.
- B. “Fur product”: Any article of clothing or covering for any part of the body, or any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys or trinkets, and home accessories and décor, that is made in whole or part of fur. “Fur product” does not include any of the following:
  - i. A dog or cat fur product, as defined in Section 1308 of Title 19 of the United States Code;
  - ii. An animal skin or part thereof that is to be converted into leather, or which in processing will have the hair, fleece, or fur fiber completely removed;
  - iii. Cowhide with the hair attached thereto;
  - iv. Lambskin or sheepskin with the fleece attached thereto; or
  - v. The pelt or skin of any animal that is preserved through taxidermy or for the purpose of taxidermy.
  - vi. “Non-profit organization”: Any corporation that is organized under 26 U.S.C. Section 501(c)(3) that is created for charitable, religious, philanthropic, educational, or similar purposes.
- C. “Retail transaction”: Any transfer of title of a fur product for consideration, made in the ordinary course of the seller’s business, to the purchaser for use other than resale or further processing or manufacturing.
- D. “Taxidermy”: The practice of preparing and preserving the skin of an animal that is deceased and stuffing and mounting it in lifelike form.
- E. “Ultimate consumer”: A person who buys for their own use, or for the use of another, but not for resale or trade.
- F. “Used fur product”: Fur in any form that has been worn or used by an ultimate consumer.

### **Section 3. Prohibitions**

It is unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product in the Town of Arlington.

### **Section 4. Exceptions**

The prohibitions set forth in Section 3 of this Bylaw do not apply to the sale, offer for sale, displaying for sale, trade, or distribution of:

- A. A used fur product by a private party (excluding a retail transaction), non-profit organization or second-hand store, including a pawn shop;
- B. A fur product required for use in the practice of a religion;
- C. A fur product used for traditional tribal, cultural, or spiritual purposes by a member of a federally recognized or state recognized Native American tribe; or
- D. A fur product where the activity is expressly authorized by federal or state law.

### **Section 5. Penalty**

In addition to any other remedy provided by law, this Article may be enforced by police officers and animal control officers through any means available in law or equity, including but not limited to noncriminal disposition in accordance with G.L. c. 40, § 21D. Any person violating this Bylaw shall be liable to the Town in the amount of \$300. Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

### **Section 6. Effective Date**

This Bylaw shall take effect on October 1, 2024.

I certify that the foregoing is a true account of the action taken under Article 15 of the Annual Town Meeting on 4/29/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 16**

**BYLAW AMENDMENT / PET SALE RESTRICTIONS  
/ RETAIL PET SALES**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 173 No: 42

Voted: That the Town does and hereby amends Title I of the Town's Bylaws to add a new provision to ban the sale of mammals, birds, reptiles, amphibians and fish in pet shops within the Town, by making it unlawful; or take any action related thereto, so that the new provision of Title I reads as follows:

**TITLE I  
ARTICLE 25  
RETAIL PET SALES**

**Section 1. Definitions**

For purposes of this Article, the following words and phrases have the definitions set forth next to them:

- A. "Animal Rescue Organization": Means a not-for-profit organization that is registered with the Massachusetts Department of Agricultural Resources, if required, and whose mission and practice is, in whole or in significant part, the rescue and placement of mammals, birds, reptiles or amphibians into permanent homes. The term "animal rescue organization" does not include any person or entity that breeds animals or obtains animals in exchange for payment or compensation from a person that breeds or brokers animals.
- B. "Offer for Sale": Means to advertise or otherwise proffer an animal for acceptance by another person or entity.
- C. "Pet Shop": Means a retail establishment where animals are sold or offered for sale as pets which is required to be licensed pursuant to MGL c. 129, § 39A, and 330 CMR 12.00. A person who only sells or otherwise transfers the offspring of animals the person has bred on their residential premises shall not be considered a "pet shop" for purposes of this section.
- D. "Public Animal Control Agency or Shelter": Means a facility operated by a governmental entity for the purpose of impounding seized, stray, homeless, abandoned, unwanted, or

- E. surrendered animals, or a facility operated for the same purposes under a written contract with a governmental entity.
- F. "Sell": Means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer for consideration.

## **Section 2. Prohibition of the Sale of Mammals, Birds, Reptiles and Amphibians**

- A. It shall be unlawful for a pet shop to sell or offer for sale a mammal, bird, reptile or amphibian.
- B. A pet shop may provide space for the display of mammals, birds, reptiles or amphibians available for adoption by a public animal control agency or shelter or an animal rescue organization so long as the pet shop receives no part of any fees associated with the display or adoption of the animals and has no ownership interest in any of the animals displayed or made available for adoption.

## **Section 3. Prohibition on the Sale of Pet Fish**

- A. It shall be unlawful for a pet shop to sell or offer for sale any fish that is intended to be kept as a pet in a tank, bowl or other water-filled enclosure in which living fish or other aquatic animals are kept.
- B. A pet shop may provide space for the display of fish available for adoption by a public animal control agency or shelter or an animal rescue organization so long as the pet shop receives no part of any fees associated with the display or adoption of the fish and has no ownership interest in any of the fish displayed or made available for adoption.
- C. This Section shall not be construed to prohibit the sale of fish meant for human consumption that is otherwise commercially available.

## **Section 4. Enforcement and severability**

- A. This Bylaw shall be enforced by the Town Manager or the Town Manager's designee pursuant to MGL c. 40, § 21D, according to the following schedule:

First offense: \$50;  
Second offense: \$100;  
Third and each subsequent offense: \$300.

Each unlawful sale or offer for sale shall constitute a separate violation.

- B. This Bylaw may also be enforced through any other means available in law or equity. Nothing in this Bylaw may be construed to alter or amend any other legal obligations applicable to the sale of fur, or any other entities, under any other law or regulation.

C. The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof.

I certify that the foregoing is a true account of the action taken under Article 16 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



**OFFICE OF THE TOWN CLERK**

**Town of Arlington  
730 Massachusetts Avenue  
Arlington, MA 02476**

**Telephone:  
781-316-3070**

**Email:  
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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 17**

**BYLAW AMENDMENT / RIGHT TO PET  
COMPANIONSHIP**

Majority Vote Required  
Motion NO ACTION  
DECLARED MAJORITY

Voted: That no action be taken on Article 17.

I certify that the foregoing is a true account of the action taken under Article 17 of the Annual Town Meeting on 5/13/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 18**

**BYLAW AMENDMENT / HISTORIC BUILDING  
DEMOLITION DELAY**

Majority Vote Required  
Motion NO ACTION  
UNANIMOUS

Voted: That no action be taken on Article 18.

I certify that the foregoing is a true account of the action taken under Article 18 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk





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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 19**

**VOTE / EXTEND TIME FOR ARTIFICIAL TURF  
STUDY COMMITTEE AND REPORT**

Majority Vote Required  
Motion NO ACTION  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That no action be taken on Article 19.

I certify that the foregoing is a true account of the action taken under Article 19 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 20**

**HOME RULE LEGISLATION / TOWN CLERK**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 173 No: 38

Voted: That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to amend the Town Manager Act to convert the Town Clerk from an elected to appointed position; or take any action related thereto, so that the Home Rule Legislation reads as follows:

**“AN ACT AMENDING THE TOWN MANAGER ACT OF ARLINGTON RELATIVE  
TO THE APPOINTMENT AND MANAGEMENT OF THE TOWN CLERK”**

**Section 1.** Chapter 503 of the Acts of 1952 (The Town Manager Act of Arlington) as subsequently amended, is hereby amended as follows:

First, by amending Section “8(a)” Election of Other Officers so as to strike the words and punctuation “Town Clerk, and” so as to read as follows (strike through text indicating words and punctuation to be deleted):

Section 8. Election of Other Officers.

(a) The election of ~~Town Clerk, and~~ assessors shall continue as presently provided. Notwithstanding the election of the officers named in this section, by voters of the town, they shall be subject to the call of the manager for consultation, conference and discussion on matters relating to their respective offices.

Second, by amending Section 15(a) to strike the words and punctuation “Town Clerk,” so as to read as follows (strike through text indicating words and punctuation to be deleted):

In addition to the specific powers and duties provided in this act the Town Manager shall have the general powers and duties enumerated in this section:

(a) The Town Manager shall supervise and direct the administration of all departments, commissions, boards and offices, except the Select Board, the School Committee, Moderator, ~~Town Clerk~~, Board of Assessors, Registrars of Voters, Election Officers, Boards of Appeal, the Finance Committee, the Capital Budget Committee and the Personnel Review and Appeals Board.

While the town manager shall not supervise the board of assessors as an elected body, the town manager shall supervise and direct the administration of the assessors' office and appoint the director of assessments in accordance with subsection (c). The director of assessments and all other assessors' office personnel, except for the board of assessors, employed or in office when this act takes effect shall continue in their respective positions subject to chapter 31 or 150E of the General Laws, or both such chapters, if applicable, but otherwise subject to removal by the town manager as provided in this section.

Nothing in this section shall otherwise abridge the authorities or responsibilities of the board of assessors as set forth in chapter 41 of the General Laws or any other general law.

Third, by amending Section 15(c) as follows to insert the Town Clerk as an appointee under said Section so as to read as follows (underscored text indicated new language and strike through text indicating words and punctuation to be deleted):

The Town Manager shall appoint upon merit and fitness alone the Town's Comptroller, who shall also be vested with the authorities of a town accountant, ~~and~~ the Town Treasurer and Collector, and the Town Clerk, subject to the approval of the Select Board. Appointment of the Town Clerk, Comptroller and the Town Treasurer and Collector shall become effective upon the approval of the Select Board. If the Select Board fails to act by approving, rejecting, or requesting additional reasonable time to consider a candidate however, appointment shall become effective on the thirtieth day following the day on which notice of the proposed appointment is filed with the Board. For the purposes of this section, notice of appointment shall be considered filed with the board when such notice is filed at an open meeting of the Select Board.

The Town Clerk, Comptroller or Town Treasurer and Collector may be removed by the town manager subject to the approval of the Select Board. Removal of the Town Clerk, Comptroller or Town Treasurer and Collector shall become effective upon approval of the Select Board. If the Select Board shall fail to act, by approving, rejecting, or requesting additional reasonable time to consider a termination however, removals made by the town manager shall become effective on the fifteenth day following the day on which notice of the proposed removal is filed with the Select Board. For the purposes of this section, notice of removal shall be considered filed with the Board when such notice is filed at an open meeting of the Select Board. Nothing in this paragraph shall supersede or abridge the Comptroller's employment rights afforded by state law.

Notwithstanding the foregoing section (c), the Town Clerk, Comptroller and the Town Treasurer and Collector shall be authorized to report directly to the Chairperson of the Select Board, or any Member of the Board, on any matter in the Town at any time, without the necessity of prior approval from the Town manager or any other official.

**Section 2.** Upon the effective date of this act, the incumbent elected to the office of town clerk shall continue to hold the office and to perform the duties thereof until the expiration of the term for which the individual was elected or until the individual otherwise vacates the office, whichever is sooner, at which time the elected office of town clerk shall be abolished and appointments to the position of town clerk shall be made in accordance with section 1.

**Section 3.** This Act shall take effect upon its passage.

I certify that the foregoing is a true account of the action taken under Article 20 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 21**

**HOME RULE LEGISLATION / TO AMEND THE  
SENIOR CITIZEN PROPERTY TAX EXEMPTION**

Majority Vote Required  
Motion NO ACTION  
UNANIMOUS

Voted: That no action be taken on Article 21.

I certify that the foregoing is a true account of the action taken under Article 21 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 22**

**HOME RULE LEGISLATION / LOWERING THE  
VOTING AGE TO 16 IN LOCAL ELECTIONS**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 161 No: 49

Voted: That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to allow Arlington to lower the voting age from 18 to 16 for municipal elections; or take any action related thereto; so that the Home Rule Legislation reads as follows:

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

**ORDERED:** That a petition to the General Court, accompanied by a bill for a special law relating to the Town of Arlington to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

**PETITION FOR A SPECIAL LAW RE:  
AN ACT GRANTING THE TOWN OF ARLINGTON, MA THE AUTHORITY TO  
PROVIDE LEGAL VOTING RIGHTS IN MUNICIPAL ELECTIONS FOR TOWN  
RESIDENTS AGED 16 and 17 YEARS OLD**

**SECTION 1.** Notwithstanding the provisions of section 1 of chapter 51 of the General Laws or any other general or special law, rule or regulation to the contrary, any individual aged 16 or 17 years old residing in the Town of Arlington, who is ineligible to vote due to age under state law, but who is otherwise eligible, may apply to have their names entered on a list of voters established by the Office of the Town Clerk for the Town of Arlington. Such individuals on the list of voters may vote in any election for local offices, local ballot questions, and Town Meeting in accordance with this Act. For the purposes of this Act, "local voters" are anyone who is eligible to vote pursuant to this Act in a local election or upon a local ballot question in the Town of Arlington.

**SECTION 2.** The Office of the Town Clerk shall establish a separate registration list for local voters who shall fill out an alternative registration form. Upon turning eighteen, each local voter

shall be taken off the separate list and notified that he or she must register as a regular voter in accordance with state law, regulations, and guidelines, in order to be eligible to vote.

**SECTION 3.** Said Office is hereby authorized to promulgate regulations, guidelines and forms to implement the purpose of this act.

**SECTION 4.** The Town of Arlington is hereby authorized to pass bylaws to implement the purpose of this act.

**SECTION 5.** Nothing in this act shall be construed to confer upon local voters the right to vote for any state or federal office, or on any state or federal ballot questions.

I certify that the foregoing is a true account of the action taken under Article 22 of the Annual Town Meeting on 5/8/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 23**

**ENDORSEMENT OF CDBG APPLICATION**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 211 No: 3

Voted: That the Town hereby endorses the application for Federal Fiscal Year 2025 prepared by the Town Manager and the Select Board under the Housing and Community Development Act of 1974 (PL 93-383), as amended.

I certify that the foregoing is a true account of the action taken under Article 23 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk





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Town Clerk**

**ARTICLE 24**

**REVOLVING FUNDS**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 211 No: 0

Voted: That the Town does hereby reauthorize the following Revolving Funds for FY 2025:

Cutter Gallery Rentals: Seeking authorization at 2024  
Annual Town Meeting to establish new revolving fund  
Expenditures not to exceed \$15,000

|                             |        |
|-----------------------------|--------|
| Beginning Balance, 7/1/2022 | \$0.00 |
| Receipts                    | 0.00   |
| Expenditures                | 0.00   |
| Ending Balance, 6/30/23     | \$0.00 |

Community Center Rentals: Seeking authorization at 2024  
Annual Town Meeting  
to establish new revolving fund  
Expenditures not to exceed \$50,000

|                             |        |
|-----------------------------|--------|
| Beginning Balance, 7/1/2022 | \$0.00 |
| Receipts                    | 0.00   |
| Expenditures                | 0.00   |
| Ending Balance, 6/30/23     | \$0.00 |

Private Way Repairs (3106): Originally established under Article 46, 1992 Annual Town Meeting expenditures not to exceed \$1,000,000

|                             |              |
|-----------------------------|--------------|
| Beginning Balance, 7/1/2022 | \$107,274.45 |
| Receipts                    | 261,647.01   |
| Expenditures                | 318,369.30   |
| Ending Balance, 6/30/23     | \$50,552.16  |

Public Way Repairs (3105): Originally established under Article 45, 1992 Annual Town Meeting expenditures not to exceed \$15,000

|                             |             |
|-----------------------------|-------------|
| Beginning Balance, 7/1/2022 | \$14,715.06 |
| Receipts                    | 0.00        |
| Expenditures                | 0.00        |
| Ending Balance, 6/30/23     | \$14,715.06 |

Fox Library Community Center Rentals (3109): Originally established under Article 49, 1996 Annual Town Meeting expenditures not to exceed \$20,000

|                             |         |
|-----------------------------|---------|
| Beginning Balance, 7/1/2022 | \$21.47 |
| Receipts                    | 0.00    |
| Expenditures                | 0.00    |
| Ending Balance, 6/30/23     | \$21.47 |

Robbins House Rentals (3110): Originally established under Article 77, 1997 Annual Town Meeting expenditures not to exceed \$75,000

|                             |             |
|-----------------------------|-------------|
| Beginning Balance, 7/1/2022 | \$7,601.62  |
| Receipts                    | 9,333.54    |
| Expenditures                | 6,848.39    |
| Ending Balance, 6/30/23     | \$10,086.77 |

Uncle Sam Fees (3101): Originally established under Article 31, 2000 Annual Town Meeting  
expenditures not to exceed \$2,000

|                             |            |
|-----------------------------|------------|
| Beginning Balance, 7/1/2022 | \$1,526.31 |
| Receipts                    | 0.00       |
| Expenditures                | 0.00       |
| Ending Balance, 6/30/23     | \$1,526.31 |

Life Support Services (Ambulance) Fees (3103): Originally established under Article 37, 2001 Annual Town Meeting  
Expenditures not to exceed \$800,000

|                             |              |
|-----------------------------|--------------|
| Beginning Balance, 7/1/2022 | \$410,670.94 |
| Receipts                    | 167,431.76   |
| Expenditures                | 470,145.99   |
| Ending Balance, 6/30/23     | \$107,956.71 |

Board of Health Fees (3111): Originally established under Article 30, 2005 Annual Town Meeting  
expenditures not to exceed \$150,000

|                             |              |
|-----------------------------|--------------|
| Beginning Balance, 7/1/2022 | \$238,299.63 |
| Receipts                    | 242,346.14   |
| Expenditures                | 60,297.31    |
| Ending Balance, 6/30/23     | \$420,348.46 |

Field User Fees (3115): Originally established under Article 78, 2004 Annual Town Meeting  
expenditures not to exceed \$80,000

|                             |             |
|-----------------------------|-------------|
| Beginning Balance, 7/1/2022 | \$17,740.26 |
| Receipts                    | 33,360.00   |
| Expenditures                | 35,104.64   |
| Ending Balance, 6/30/23     | \$15,995.62 |

Robbins Library Rentals (3114): Originally established under Article 35, 2006 Annual Town Meeting expenditures not to exceed \$8,000

|                             |             |
|-----------------------------|-------------|
| Beginning Balance, 7/1/2022 | \$36,892.82 |
| Receipts                    | 6,950.00    |
| Expenditures                | 1,387.50    |
| Ending Balance, 6/30/23     | \$42,455.32 |

Town Hall Rentals (3112): Originally established under Article 35, 2006 Annual Town Meeting expenditures not to exceed \$175,000

|                             |             |
|-----------------------------|-------------|
| Beginning Balance, 7/1/2022 | \$52,023.35 |
| Receipts                    | 91,764.07   |
| Expenditures                | 84,131.39   |
| Ending Balance, 6/30/23     | \$59,656.03 |

White Goods Recycling Fees (3107): Originally established under Article 35, 2006 Annual Town Meeting expenditures not to exceed \$80,000

|                             |             |
|-----------------------------|-------------|
| Beginning Balance, 7/1/2022 | \$58,073.86 |
| Receipts                    | 28,567.90   |
| Expenditures                | 36,850.58   |
| Ending Balance, 6/30/23     | \$49,791.18 |

Library Vending Fees (3113): Originally established under Article 34, 2009 Annual Town Meeting expenditures not to exceed \$25,000

|                             |             |
|-----------------------------|-------------|
| Beginning Balance, 7/1/2022 | \$9,859.31  |
| Receipts                    | 12,070.14   |
| Expenditures                | 4,693.56    |
| Ending Balance, 6/30/23     | \$17,235.89 |

Gibbs School Energy Fees (3102): Originally established under Article 45, 2010 Annual Town Meeting expenditures not to exceed \$120,000

|                             |            |
|-----------------------------|------------|
| Beginning Balance, 7/1/2022 | \$4,814.41 |
| Receipts                    | 0.00       |
| Expenditures                | 0.00       |
| Ending Balance, 6/30/23     | \$4,814.41 |

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

|                             |        |
|-----------------------------|--------|
| Beginning Balance, 7/1/2022 | \$0.00 |
| Receipts                    | 0.00   |
| Expenditures                | 0.00   |
| Ending Balance, 6/30/23     | \$0.00 |

Council On Aging Program Fees (3108): Originally established under Article 28, 2013 Annual Town Meeting Expenditures not to exceed \$100,000

|                             |            |
|-----------------------------|------------|
| Beginning Balance, 7/1/2022 | \$2,713.78 |
| Receipts                    | 13,215.00  |
| Expenditures                | 11,011.00  |
| Ending Balance, 6/30/23     | \$4,917.78 |

I certify that the foregoing is a true account of the action taken under Article 24 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 25**

**ZONING BYLAW AMENDMENT / BUILDING  
DEFINITIONS**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 2, Definitions, as follows:

Building, Attached: A building having any portion of one or more walls or roofs in common with another adjoining building or buildings or otherwise connected by a roof to another building or buildings.

Building, Detached: A building ~~with no physical connection to another building.~~ that does not meet the definition of Building, Attached.

I certify that the foregoing is a true account of the action taken under Article 25 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 26**

**ZONING BYLAW AMENDMENT /  
ADMINISTRATIVE CLARIFICATION**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 211 No: 1

Voted: That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.4.2.A. R District Yard and Open Space Requirements, as follows:

R District Yard and Open Space Requirements (see 5.4.2(~~B~~).B and 5.9.2.B.(1).e for exceptions).

I certify that the foregoing is a true account of the action taken under Article 26 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 27**

**ZONING BYLAW AMENDMENT /  
ADMINISTRATIVE CORRECTION**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 212 No: 1

Voted: That the Zoning Bylaw be and hereby is amended as follows:

Amend Section 5.9.2. Accessory Dwelling Units, Subsection B. (1), to replace bullets with letters as follows:

**B. Requirements**

(1) In any Residential District or Business District, an accessory dwelling unit is permitted as an accessory use to any single-family dwelling, two-family dwelling, or duplex dwelling, if all of the following conditions are met:

● **a)** An accessory dwelling unit shall be not larger in floor area than one-half the floor area of the principal dwelling or 900 square feet, whichever is smaller. For the avoidance of doubt, where an accessory dwelling unit is created by converting a portion of an existing principal dwelling to an accessory dwelling unit, the floor area of the resulting accessory dwelling unit shall be measured relative to the floor area of the resulting principal dwelling (as affected by or in connection with the conversion).

● **b)** Any alteration causing an expansion of or addition to a building in connection with an accessory dwelling unit shall be subject to the provisions of Section 5.4.2.B(6) if and to extent section 5.4.2.B(6) is otherwise applicable to such alteration or addition.

● **c)** An accessory dwelling unit shall maintain a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling, sufficient to meet the requirements of the State Building Code for safe egress.

● **d)** No more than one (1) accessory dwelling unit is allowed per principal dwelling unit.



- e) An accessory dwelling unit may be located in (i) the same building as the principal dwelling unit or as an expansion to such building; (ii) a building that is attached to the principal dwelling unit; or (iii) an accessory building, which accessory building shall not constitute a principal or main building by the incorporation of the accessory dwelling unit, provided that if such accessory building is located within 6 feet of a lot line then such accessory dwelling unit shall be allowed only if the Board of Appeals, acting pursuant to Section 3.3, grants a special permit upon its finding that the creation of such accessory dwelling unit is not substantially more detrimental to the neighborhood than the use of such accessory building as a private garage or other allowed use.

- f) An accessory dwelling unit shall not be used as a short-term rental, in accordance with Title V, Article 18, Section 3 of the By-Laws of the Town of Arlington.

- g) An accessory dwelling unit shall be subject to all applicable requirements of the State Building Code and State Fire Code (including any such requirements, if and as applicable, which prohibit openings, including windows, in exterior walls of dwellings located within a certain distance from the property line).

Amend Section 5.9.2, Accessory Dwelling Units, Subsection C., to delete subsection (3) and to renumber subsection (4) as subsection (3) as follows:

C. Administration

...

~~(3) — This Section 5.9.2 shall be effective as of the date on which it is enacted at Town Meeting in accordance with applicable law, except for clause (iii) of Section 5.9.2.B.(1), fifth bullet, which clause (iii) shall be effective as of the date occurring six (6) months after the date on which this Section 5.9.2 is enacted at Town Meeting.~~

~~(4)~~ (3) In the event of any conflict or inconsistency between the provisions of this Section 5.9.2 or Section 8.1.3.E, on the one hand, and any other provisions of this Bylaw, the provisions of this Section 5.9.2 and Section 8.1.3.E shall govern and control.

I certify that the foregoing is a true account of the action taken under Article 27 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 28**

**ZONING BYLAW AMENDMENT / DELETE INLAND  
WETLAND OVERLAY DISTRICT**

2/3 Majority Vote Required  
Motion **FAILED**  
ELECTRONIC VOTE  
Yes: 135 No: 78

Voted: **That the Zoning Bylaw be and hereby is amended as follows:**

**Delete SECTION 5.8, Inland Wetland District, as follows:**

**~~5.8 — INLAND WETLAND DISTRICT~~**

**~~5.8.1. Purpose~~**

~~The purpose of Section 5.8 is to:~~

- ~~A. — Preserve and protect the streams, water bodies, and other watercourses, including wetlands, in the Town of Arlington.~~
- ~~B. — Protect the health and safety of persons and property against the hazards of flooding and contamination.~~
- ~~C. — Preserve and maintain the groundwater table for potential water supply purposes.~~
- ~~D. — Protect the community against the detrimental use and development of lands adjoining such watercourses.~~
- ~~E. — Conserve the watershed areas in Arlington for the health, safety, and welfare of the public.~~

**~~5.8.2. Definition~~**

~~The Inland Wetland District is superimposed over any other district established by this Bylaw and includes the following areas:~~

- ~~A. — All lands within the elevations shown on the Wetland and Floodplain Overlay Map of the Zoning Map and designated as wetlands as defined by the Massachusetts Wetlands Protection Act, G.L. c.131 §40, and the implementing regulations, 310 CMR 10.00, as well as the Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8), and the Wetland Protection Regulations (Regulations) promulgated thereunder. These include lakes, ponds and swamps.~~
- ~~B. — All land area along all perennial rivers, brooks, and streams as defined by the Massachusetts Wetlands Protection Act, G.L. c.131 §40, and the implementing regulations, 310 CMR 10.00, as well as the Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8), and the Wetland Protection Regulations (Regulations) promulgated thereunder for a horizontal distance of 200 feet from the center line thereof are included in the Inland Wetland District.~~

C. — All lands designated on the zoning map as having a shallow depth to water table. These lands are the poorly and very poorly drained mineral soils, and very poorly drained soils formed in organic deposits. Poorly drained mineral soils have a water table at or near the surface for at least 7 to 9 months during the year. The water table remains at or close to the surface of very poorly drained mineral and organic soils throughout most of the year.

### **5.8.3. — Applicability**

Any proposed use to be located within the limits of the Inland Wetland District as determined by the Building Inspector under Section 3.1 of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

### **5.8.4. — Permitted Uses**

Municipal use, such as waterworks, pumping stations, and parks, is permitted under this section. Land in the Inland Wetland District may be used for any purpose otherwise permitted in the underlying district except that:

A. — No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs, and the like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section 8.1.8 of this Bylaw.

B. — Dumping, filling, excavating, or transferring of any earth material within the district is prohibited unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued. However, this paragraph does not prohibit ordinary gardening activities in lawn or garden areas which are used for such purposes at the time this Bylaw became effective.

C. — No ponds or pools shall be created or other changes in watercourses, for swimming, fishing, or other recreational uses, agricultural uses, scenic features, or drainage improvements or any other uses unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued.

### **5.8.5. — Procedures**

Applications for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority and G.L. c. 40A, as outlined in Section 3. Such conditions shall include, where applicable, approval by the Board of Appeals, Arlington Redevelopment Board, Conservation Commission, the Massachusetts Department of Environmental Protection, and/or the Massachusetts Department of Transportation under Chapter 131 of the General Laws, acts relating to the protection of the inland wetlands of the Commonwealth.

### **5.8.6. — Development Conditions**

A. — For the development of land within the Inland Wetland District, the following conditions shall apply:

(1) — A minimum of six test borings to a minimum depth of eight (8) feet shall be taken; three of which shall be within the area of the proposed structure and three within 25 feet of the outside

walls of the structure, but not closer than 10 feet. A report by a soil scientist or qualified engineer shall accompany the test data.

(2) — The floor level of areas to be occupied by human beings as living or work space shall be four (4) feet above the seasonal high water table and not subject to periodic flooding.

(3) — If the basement floor level is below the seasonal high water table and affords the possibility of human occupancy at some future date, although not originally intended, adequate perimeter drainage and foundation shall be installed to withstand the effect of pressure and seepage. Furnace and utilities are to be protected from the effects of leaching.

(4) — Safe and adequate means of vehicular and pedestrian passage shall be provided in the event of flooding of the lot(s) or adjacent lot(s) caused by either the overspill from water bodies or high runoff.

B. — The developer shall show that the proposed development will not endanger health and safety, including safety of gas, electricity, fuel, and other utilities from breaking, leaking, short-circuiting, grounding, igniting or electrocuting; shall not obstruct or divert flood flow; substantially reduce natural floodwater storage capacity; destroy valuable habitat for wildlife; adversely affect groundwater resources or increase storm water run-off velocity so that water levels on other land are substantially raised or the danger from flooding increased.

**Renumber subsequent Sections as appropriate.**

I certify that the foregoing is a true account of the action taken under Article 28 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



**OFFICE OF THE TOWN CLERK**

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Town Clerk**

**ARTICLE 29**

**ZONING BYLAW AMENDMENT / REDUCED  
HEIGHT BUFFER**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 131 No: 70

Voted: That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.3.19, Reduced Height Buffer Area, Subsection A, as follows:

- A. When two different maximum height limits are specified for the same zoning district in any Table of Dimensional and Density Regulations in this Section 5, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless the Board of Appeals, or Arlington Redevelopment Board, as applicable, finds that the height given as the upper limit would not be detrimental to it is determined as a specific finding of a special permit that the properties in the adjacent R0, R1, R2, or OS districts, would not be adversely affected due to existing use or topographic condition due to site-specific factors and criteria established in Section 3.3.3 and Section 3.3.4. A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land, not within a public way, in an R0, R1, R2 or OS district than the following:

| <b>Land in R0, R1, R2, OS is located</b>   | <b>Lower height shall apply</b>       |
|--|---------------------------------------|
| Between northwest and northeast  | Within <del>200</del> <u>100</u> feet |
| Easterly, between northeast and southeast, or westerly between northwest and southwest | Within <del>150</del> <u>75</u> feet  |
| Southerly, between southeast and southwest   | Within <del>100</del> <u>50</u> feet  |

I certify that the foregoing is a true account of the action taken under Article 29 of the Annual Town Meeting on 5/6/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 30**

**ZONING BYLAW AMENDMENT / SHADED  
PARKING LOTS**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 184 No: 18

The language reflects amendments to the original motion

Voted: That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 6.1.11, Parking and Loading Space Standards, Subsection D, as follows:

D. All parking and loading areas containing over five spaces which are not inside a structure shall also be subject to the following.

(6) Parking areas providing more than 25 spaces, including parking areas expanded to provide more than 25 spaces, shall include landscaped areas in at least 8% of the total paved portion of the parking area. Minimum required landscaped setbacks and buffers at the perimeter of the parking area shall not be counted toward the landscaping requirement of this paragraph. Individual strips of landscaping shall be at least four feet wide. In addition, pavement shade in such parking lots shall be provided by one or both of the following methods (for shading requirements in Industrial Districts, see 6.1.11.F.; the below Subparagraphs a. and b. are applicable to parking lots in the Residential and Business Districts):

- a. Install one shade tree for every eight parking spaces; such trees must be spaced so that some part of each parking space is not more than 32 feet from a tree. Tree planting areas shall be at least six feet in diameter, or in accordance with the USDA Forest Service Tree Owner's Manual standards. New trees shall be at least three inches DBH (diameter at breast height) at the time of planting and shall be selected from a large shade tree list for parking lots under this section prepared by the Tree Warden or the Tree Committee.

To the extent practicable, existing trees shall be retained and used to satisfy this section. New trees shall be maintained, including watering, by the installer or its designee in accordance with the USDA Forest Service Tree Owner's Manual standards, or other standards the Redevelopment Board may designate, for a period of no less than 36 months from the date of planting.

The Redevelopment Board or Board of Appeals, as applicable, may modify this requirement to take into account parking spaces that are currently shaded by off-property trees that are not planned for removal.

- b. Install solar panels over parking spaces allowing cars to park underneath to increase shade to a minimum of 50% of the parking lot surface.

I certify that the foregoing is a true account of the action taken under Article 30 of the Annual Town Meeting on 5/6/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 31**

**ZONING BYLAW AMENDMENT / ADD 5-7 WINTER STREET TO THE MBTA NEIGHBORHOOD DISTRICT**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 156 No: 20

The language reflects amendments to the original motion

Voted: That the Zoning Bylaw be and hereby is amended as follows:

Amend the District Parcel List for the Neighborhood Multi-Family (NMF) Subdistrict as follows:

That the Zoning Bylaw and Zoning Map/Table be and hereby is amended by making the following change to the MBTA Neighborhood Multi-Family (NMF) Subdistrict Parcel List, so as to add the address of 5-7 Winter St. to the NMF Subdistrict Parcel List table . Further that the Town’s Zoning Map as contained in the Bylaw is amended to add 5-7 Winter St. to the NMF District. Add a row to the Parcel List table to include the property at 5-7 Winter Street; so that said row reads as follows:

| <b>Address</b> | <b>Owner</b>     | <b>Existing Use Codes</b> | <b>Existing Use Description</b> | <b>Parcel Acres</b> | <b>Parcel Square Footage</b> |
|----------------|------------------|---------------------------|---------------------------------|---------------------|------------------------------|
| 5-7 Winter St. | AML Realty Trust | 104                       | Two Family Residential          | 0.42025             | 18,306                       |

I certify that the foregoing is a true account of the action taken under Article 31 of the Annual Town Meeting on 5/13/2024.

Juliana H. Brazile  
Town Clerk





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**ARTICLE 32**

**ZONING BYLAW AMENDMENT / TRAFFIC  
VISIBILITY**

2/3 Majority Vote Required  
Motion NO ACTION  
ELECTRONIC VOTE  
Yes: 171 No: 5

Voted: That no action be taken on Article 32.

I certify that the foregoing is a true account of the action taken under Article 32 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 33**

**ZONING BYLAW AMENDMENT / REAR YARD  
 SETBACKS IN BUSINESS DISTRICTS**

2/3 Majority Vote Required  
 Motion PASSED  
 ELECTRONIC VOTE  
 Yes: 123 No: 61

Voted: That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.5.2, Dimensional and Density Regulations, Subsection A:

**A. Tables of Dimensional and Density Regulations**

B District Yard and Open Space Requirements

| District Use | Minimum Requirement |                 |                 |
|--------------|---------------------|-----------------|-----------------|
|              | Front Yard (ft.)    | Side Yard (ft.) | Rear Yard (ft.) |

...

Note: L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section 5.3.15 for buildings of uneven alignment or height. H is the height of that part of the building for which the setback or yard is to be calculated.

- \* 0 feet when abutting an alley or rear right-of-way of at least 10 feet of width
- \* 10 feet when abutting a non-residential district
- \* 20 feet for three or fewer stories when abutting a residential district
- \* ~~30 feet for four and more stories when abutting a residential district~~
- \* For buildings of four or more stories: 20 feet for the first three stories and 30 feet for the fourth and higher stories when abutting a residential district
- \* If the rear yard abuts both a residential and non-residential district, the minimum requirement for the residential district shall apply.

I certify that the foregoing is a true account of the action taken under Article 33 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
 Town Clerk



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**ARTICLE 34**

**ZONING BYLAW AMENDMENT / RESIDENTIAL  
USES**

Majority Vote Required  
Motion NO ACTION  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That no action be taken on Article 34.

I certify that the foregoing is a true account of the action taken under Article 34 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 35**

**APPROPRIATION / PEG ACCESS BUDGET**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 182 No: 0

Voted: That the Town appropriate the cable revenues projected for Fiscal Year 2025 as follows:

| <b>2025 PEG Access Budget</b>   | <b>Amount</b>    |
|---|------------------|
| Total operating revenue anticipated from cable providers:                 | \$624,844        |
| Total capital revenue anticipated from cable providers:                   | \$83,814         |
| Misc. Income (including membership dues, workshops interest & donations): | \$12,920         |
| Fidelity Investment account:  | \$32,000         |
| ACMi Savings (Board Approved)   | \$45,054         |
| <b>Total Revenues</b>   | <b>\$798,632</b> |
|   |                  |
| Total Operating Expenses (including salaries and taxes)                   |                  |
| Salaries and Taxes:   | \$462,114        |
| Expenses:   | \$252,658        |
| Capital:  | \$83,860         |
| <b>Total Expenses</b>   | <b>\$798,632</b> |

I certify that the foregoing is a true account of the action taken under Article 35 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 36**

**ENDORSEMENT OF PARKING BENEFIT DISTRICT  
EXPENDITURES**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 180 No: 2

Voted: That the Town does hereby endorse the following expenditures from the Parking Fund:

|  |                  |
|--|------------------|
| Projected Fiscal Year 2025 Meter Revenue | \$422,034        |
| Offset to Parking Budget                 | \$ 10,800        |
| Offset to Parking Enforcement Budget     | \$114,148        |
| Parking Meter Operations                 | \$138,500        |
| Center and Plaza Improvements            | <u>\$268,760</u> |
| Projected Fiscal Year 2025 Expenditures  | <u>\$532,208</u> |

I certify that the foregoing is a true account of the action taken under Article 36 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 37**

**POSITIONS RECLASSIFICATION**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the Classification Plan, as established by Title 1, Article 6, Section 1, Schedule A of the By-Laws, be and hereby is amended as follows:

By reclassifying the following positions:

|   |                |         |         |
|---|----------------|---------|---------|
| A. Zoning Assistant<br>Inspections                            | OA4 to ATP4    |         |         |
| B. IT Administrative Assistant<br>Information Technology      | OA7 to ATP4    | FTE 1   | \$660   |
| C. After School Program Director<br>Recreation                | MTP2 to MTP5   |         |         |
| D. Assistant After School Director<br>Recreation              | MTP1 to MTP5   |         |         |
| E. Program Supervisor<br>Recreation                           | SEIU7 to SEIU8 | FTE 1   | \$2,505 |
| F. Admin. Asst./Billing Agent<br>Health & Human Services/AYCC | ATP4 to APT5   | FTE 1   | \$3,592 |
| G. Clinical Director<br>Health & Human Services/AYCC          | MTP10 to MTP12 | FTE 1   | \$2,393 |
| H. Director of Youth Services<br>Health & Human Services/AYCC | MTP13 to MPT14 |         |         |
| I. Working Foreman<br>Public Works/Pars Division              | MC7 to MC8     | FTE 1   | \$1,997 |
| J. Assistant Benefits Coordinator<br>Human Resources          | OA5 to OA6     | FTE 0.8 | \$739   |

*Remainder of page intentionally left blank.*

And that the sum of \$11,886 be and hereby is appropriated as indicated above, said sum to be raised by general tax and included in the budgets of the departments affected.

By adding the following positions:

|  |        |  |  |
|--|--------|--|--|
| A. Office Manager - Inspections<br>Inspections         | ATP4   |  |  |
| B. Office Manager - IT<br>Information Technology       | ATP4   |  |  |
| C. Kid Care Director - Operations<br>Recreation        | MTP5   |  |  |
| D. Kid Care Director - Curriculum<br>Recreation        | MTP5   |  |  |
| E. Kid Care Assistant Preschool Director<br>Recreation | MTP2   |  |  |
| F. Building Automation Systems Manager<br>Facilities   | MTP12  |  |  |
| G. Project Manager<br>Facilities                       | SEIU11 |  |  |
| H. Budget Coordinator<br>Town Manager's Office         | MTP10  |  |  |

*Remainder of page intentionally left blank.*

By deleting the following positions:

|  |        |  |  |
|--|--------|--|--|
| A. Zoning Assistant<br>Inspections                         | OA4    |  |  |
| B. IT Administrative Assistant<br>Information Technology   | OA7    |  |  |
| C. After School Program Director<br>Recreation             | MTP2   |  |  |
| D. Assistant After School Director<br>Recreation           | MTP1   |  |  |
| E. Sr. Clerk and Typist - COA<br>Health and Human Services | OA2    |  |  |
| F. Sr. Clerk and Typist - Library<br>Libraries             | OA2    |  |  |
| G. Superintendent of Building Maintenance<br>Facilities    | SEIU11 |  |  |
| H. Budget Director<br>Town Manager's Office                | MTP10  |  |  |
| I. Grants Accountant<br>Town Manager's Office              | AO5    |  |  |

I certify that the foregoing is a true account of the action taken under Article 37 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk





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**ARTICLE 38**

**AMENDMENTS TO FY24 BUDGETS**

Majority Vote Required  
Motion NO ACTION  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That no action be taken on Article 38.

I certify that the foregoing is a true account of the action taken under Article 38 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 39**

**APPROPRIATION / TOWN BUDGETS**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 194 No: 7

Voted: That the appropriations listed in Appendix B (attached) of the Report of the Finance Committee to the Annual Town Meeting 2024 are approved.

I certify that the foregoing is a true account of the action taken under Article 39 of the Annual Town Meeting on 5/6/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 40**

**CAPITAL BUDGET**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 205 No: 4

Voted:

- (1) That the sum of \$405,342.88 is hereby transferred from amounts previously appropriated and borrowed under the following warrant articles and for the purposes set forth below:

| Item | Amount to be Transferred | From <u>Original</u> Purpose | Meeting Date | Warrant Article |
|------|--------------------------|------------------------------|--------------|-----------------|
| 1.1  | \$205,652.15             | Community Safety Building    | 4/29/2015    | 24              |
| 1.2  | \$1,569.65               | Library HVAC Replacement     | 4/25/2018    | 30              |
| 1.3  | \$101,904.08             | Radio Upgrade Replacement    | 5/08/2019    | 58              |
| 1.4  | \$1,260.00               | Repointing Library           | 5/08/2019    | 58              |
| 1.5  | \$13,800.00              | Ottoson Elevator             | 6/15/2020    | 54              |
| 1.6  | \$5,483.23               | Ottoson HVAC Rooftop         | 6/15/2020    | 54              |
| 1.7  | \$30,607.61              | Engineering Study - Schools  | 5/17/2021    | 56              |
| 1.8  | \$40,776.16              | Backhoe - Cemetery           | 5/16/2022    | 51              |
| 1.9  | \$4,290.00               | Bleacher Lift                | 6/15/2020    | 54              |
|      | \$405,342.88             | TOTAL                        |              |                 |

which amounts are no longer needed to complete the projects for which they were initially borrowed, to pay costs of the following:

| Item | Amount to be Paid | For <u>New Purpose</u>         |
|------|-------------------|--------------------------------|
| 1.10 | \$75,000.00       | Town Hall Renovations          |
| 1.11 | \$100,000.00      | ADA Accessibility Construction |
| 1.12 | \$30,652.15       | School Weatherization Projects |
| 1.13 | \$8,312.88        | School Boilers                 |
| 1.14 | \$191,377.85      | Sidewalks and Curbstones       |
|      | \$405,342.88      | TOTAL                          |

as permitted by Chapter 44, Section 20 of the General Laws.

(2) That the sum of \$4,952,417 be and hereby is appropriated for various capital projects and equipment as shown below, and expended under the direction of the Town Manager:

| Item | Amount        | Project  | Department                   |
|------|---------------|--|------------------------------|
| 2.1  | \$<br>15,000  | Ballot Envelope Addressing System                    | CLERK'S OFFICE               |
| 2.2  | \$<br>14,000  | Ballot Opening System                                | CLERK'S OFFICE               |
| 2.3  | \$<br>39,000  | Firefighter Protective Gear                          | COMMUNITY SAFETY –<br>Fire   |
| 2.4  | \$<br>57,000  | Vehicle Replacement #1022 (2014 Ford<br>Interceptor) | COMMUNITY SAFETY –<br>Fire   |
| 2.5  | \$<br>160,000 | Vehicle Replacement Program                          | COMMUNITY SAFETY –<br>Police |
| 2.6  | \$<br>18,000  | Dust Collection System – Maintenance Shop            | FACILITIES                   |
| 2.7  | \$<br>75,000  | Town Hall – Renovations                              | FACILITIES                   |
| 2.8  | \$<br>100,000 | AHS – 1-to-1 Academic Device Program                 | INFORMATION<br>TECHNOLOGY    |
| 2.9  | \$<br>45,000  | Conference Room Presentation Technology<br>Program   | INFORMATION<br>TECHNOLOGY    |
| 2.10 | \$<br>70,000  | Modernizing Agenda and Minutes                       | INFORMATION<br>TECHNOLOGY    |
| 2.11 | \$<br>90,000  | Network Infrastructure                               | INFORMATION<br>TECHNOLOGY    |
| 2.12 | \$<br>80,000  | Schools – Admin Computers and Peripherals            | INFORMATION<br>TECHNOLOGY    |
| 2.13 | \$<br>400,000 | Schools – Districtwide Replacement<br>Academic PCs   | INFORMATION<br>TECHNOLOGY    |

|      |               |   |                                     |
|------|---------------|---|-------------------------------------|
| 2.14 | \$<br>23,000  | Schools – Software Licensing                  | INFORMATION<br>TECHNOLOGY           |
| 2.15 | \$<br>65,000  | Town Microcomputer Program                    | INFORMATION<br>TECHNOLOGY           |
| 2.16 | \$<br>30,000  | Town Software Upgrades and<br>Standardization | INFORMATION<br>TECHNOLOGY           |
| 2.17 | \$<br>54,700  | MLN Equipment Schedule                        | LIBRARY                             |
| 2.18 | \$<br>35,000  | Design and engineering consultants            | PLANNING                            |
| 2.19 | \$<br>100,000 | Townwide ADA accessibility upgrades           | PLANNING                            |
| 2.20 | \$<br>325,000 | Roadway Consulting Services                   | PUBLIC WORKS –<br>Engineering       |
| 2.21 | \$<br>220,763 | Accessibility Improvements (Override 2019)    | PUBLIC WORKS – Highway              |
| 2.22 | \$<br>50,000  | Asphalt Pavement Hot Box                      | PUBLIC WORKS – Highway              |
| 2.23 | \$<br>200,000 | Mobility Improvements (Override 2023)         | PUBLIC WORKS – Highway              |
| 2.24 | \$<br>560,000 | Roadway Reconstruction                        | PUBLIC WORKS – Highway              |
| 2.25 | \$<br>537,954 | Roadway Reconstruction (Override 2011)        | PUBLIC WORKS – Highway              |
| 2.26 | \$<br>18,000  | Sander Body                                   | PUBLIC WORKS – Highway              |
| 2.27 | \$<br>65,000  | Sidewalk Ramp Installation                    | PUBLIC WORKS – Highway              |
| 2.28 | \$<br>430,000 | Sidewalks and Curbstones                      | PUBLIC WORKS – Highway              |
| 2.29 | \$<br>12,500  | Snow Plow Replacement                         | PUBLIC WORKS – Highway              |
| 2.30 | \$<br>105,000 | Traffic Signal Upgrades                       | PUBLIC WORKS – Highway              |
| 2.31 | \$<br>81,000  | Utility Trucks (2)                            | PUBLIC WORKS – Highway              |
| 2.32 | \$<br>69,000  | 3/4 Ton Pickups (2 w/ liftgate, 1 w/ plow)    | PUBLIC WORKS – Natural<br>Resources |
| 2.33 | \$<br>78,000  | Stump Grinder                                 | PUBLIC WORKS – Natural<br>Resources |
| 2.34 | \$<br>80,000  | Utility Vehicles (2)                          | PUBLIC WORKS – Natural<br>Resources |
| 2.35 | \$<br>74,700  | Photocopier Replacement Program               | PURCHASING                          |
| 2.36 | \$<br>50,000  | ADA Study Implementation Program              | RECREATION                          |

|      |                 |  |            |
|------|-----------------|--|------------|
| 2.37 | \$<br>10,000    | Feasibility Study                        | RECREATION |
| 2.38 | \$<br>75,000    | Playground Audit and Safety Improvements | RECREATION |
| 2.39 | \$<br>100,000   | All Schools – Boilers                    | SCHOOLS    |
| 2.40 | \$<br>120,000   | All Schools – Photocopier Lease Program  | SCHOOLS    |
| 2.41 | \$<br>50,000    | All Schools – Security Updates           | SCHOOLS    |
| 2.42 | \$<br>15,000    | Communication Upgrades                   | SCHOOLS    |
| 2.43 | \$<br>84,800    | School Weatherization Projects           | SCHOOLS    |
| 2.44 | \$<br>70,000    | Thompson School – Generator Upgrade      | SCHOOLS    |
|      | \$<br>4,952,417 | Total Cash Expenditure                   |            |

(3) That the sum of \$20,000,879 be and hereby is appropriated for debt service of the Town, and expended under the direction of the Town Manager, \$19,016,618 of said sum to be raised by general tax and \$221,344 from the Antenna Fund, \$691,661 from capital carryforwards, \$15,000 from Recreation Enterprise Funds, and \$56,256 from Rink Enterprise Funds, for a total of \$984,261 to be raised by transfers and capital carry forwards:

|                                      |                         |
|--------------------------------------|-------------------------|
| <b>General Fund Debt Service</b>     |                         |
|                                      | \$                      |
| Total Non-Exempt Debt                | 7,478,172               |
|                                      | \$                      |
| Exempt Debt                          | <u>12,522,707</u>       |
| Total Debt Service                   | \$                      |
| Appropriation                        | 20,000,879              |
| Less                                 |                         |
|                                      | \$                      |
| <i>Antenna Fund</i>                  | <i>(221,344)</i>        |
|                                      | \$                      |
| <i>Capital Carryforwards</i>         | <i>(691,661)</i>        |
|                                      | \$                      |
| <i>Recreation Enterprise Funds</i>   | <i>(15,000)</i>         |
|                                      | \$                      |
| <i>Rink Enterprise Funds</i>         | <i>(56,256)</i>         |
|                                      | <u>\$</u>               |
| <i>Total Other Financing Sources</i> | <u><i>(984,261)</i></u> |
| NET General Fund Debt                | \$                      |
| Service                              | 19,016,618              |

|                                    |                  |
|------------------------------------|------------------|
| Cash Capital                       | \$<br>4,952,417  |
| TOTAL NET Capital<br>Appropriation | \$<br>23,969,035 |

(4) That the various capital projects and equipment purchases shown below shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Manager.

| Item | Amount          | Project  | Department                       |
|------|-----------------|--|----------------------------------|
| 4.1  | \$<br>32,000    | Parking Control Vehicle                            | COMMUNITY SAFETY –<br>Police     |
| 4.2  | \$<br>40,000    | Council on Aging Van Replacement                   | HEALTH & HUMAN<br>SERVICES       |
| 4.3  | \$<br>750,000   | Solid Waste Trash and Recycling Toters –<br>Grant  | PUBLIC WORKS –<br>Administration |
| 4.4  | \$<br>10,000    | Headstone Cleaning and Repair                      | PUBLIC WORKS –<br>Cemetery       |
| 4.5  | \$<br>760,000   | Chapter 90 Roadway                                 | PUBLIC WORKS –<br>Highway        |
| 4.6  | \$<br>100,000   | Install Sidewalk Ramps - CDBG                      | PUBLIC WORKS –<br>Highway        |
| 4.7  | \$<br>450,000   | Drainage Rehab – Regulatory Compliance<br>(Ch 308) | PUBLIC WORKS –<br>Water/Sewer    |
| 4.8  | \$<br>50,000    | Hydrant and Valve Replacement Program              | PUBLIC WORKS –<br>Water/Sewer    |
| 4.9  | \$<br>900,000   | Sewer System Rehabilitation                        | PUBLIC WORKS –<br>Water/Sewer    |
| 4.10 | \$<br>1,500,000 | Water System Rehabilitation                        | PUBLIC WORKS –<br>Water/Sewer    |
|      | \$<br>4,592,000 | Total Other Expenditure                            |                                  |

(5) That the sum of \$6,578,000 be and hereby is appropriated for extraordinary repairs to public facilities, acquisition of land and the purchase and installation of equipment and for costs incidental and related thereto as follows:

| Item | Amount        | Project  | Department                       |
|------|---------------|--|----------------------------------|
| 5.1  | \$<br>725,000 | Robbins Library – Main Entry Masonry<br>Renovation | FACILITIES                       |
| 5.2  | \$<br>750,000 | Solid Waste Trash and Recycling Toters             | PUBLIC WORKS –<br>Administration |
| 5.3  | \$<br>125,000 | 1 Ton Dump Truck w/ Plow Sander                    | PUBLIC WORKS –<br>Highway        |

|      |                 |  |                        |
|------|-----------------|--|------------------------|
| 5.4  | \$<br>230,000   | 44,000 lb GWV 4WD Truck w/ Dump Body                         | PUBLIC WORKS – Highway |
| 5.5  | \$<br>600,000   | Parallel Park  | RECREATION             |
| 5.6  | \$<br>300,000   | All Schools – Fire Alarm Upgrade                             | SCHOOLS                |
| 5.7  | \$<br>300,000   | All Schools – Roof Top Units HVAC Upgrade                    | SCHOOLS                |
| 5.8  | \$<br>350,000   | Bishop School – Front Office Reconfiguration                 | SCHOOLS                |
| 5.9  | \$<br>500,000   | Bishop School – Envelope: Windows, Masonry                   | SCHOOLS                |
| 5.10 | \$<br>150,000   | Brackett School – Exterior Door Replacement                  | SCHOOLS                |
| 5.11 | \$<br>800,000   | Brackett School – Playground Renovation                      | SCHOOLS                |
| 5.12 | \$<br>250,000   | Gibbs School – Additional Classrooms                         | SCHOOLS                |
| 5.13 | \$<br>600,000   | Hardy School – Roof Replacement                              | SCHOOLS                |
| 5.14 | \$<br>348,000   | Bishop School – Solar Array                                  | SCHOOLS                |
| 5.15 | \$<br>400,000   | Stratton School – Main Lobby Renovation and Office Additions | SCHOOLS                |
| 5.16 | \$<br>150,000   | Student Transportation Vehicle Replacement Program           | SCHOOLS                |
|      | \$<br>6,578,000 | Total Bond Expenditure                                       |                        |

and that the Treasurer, with the approval of the Select Board, is hereby authorized to borrow not exceeding the sum of \$6,578,000 under and pursuant to M.G.L. Chapter 44 and any other enabling authority, and to issue bonds or notes of the Town therefor, said sum to be expended under the direction of the Town Manager.

- (6) That the Town Manager is authorized and directed to apply for and accept any further federal, state or other grants that may be available for any one or more of the foregoing projects and equipment.
- (7) Notwithstanding the foregoing, in the event that monies are not expended for the purposes delineated above, then the Comptroller is authorized and directed not to transfer these excess funds to available funds, but said funds shall remain and be accounted for in the warrant article pending further vote of the Town Meeting, except as otherwise provided by law, and,



- (8) That any amounts appropriated under Sections (2 or 5) above for a particular purpose under any section of Chapter 44 and not needed for such purpose may be expended by the Town Manager, with the approval of the Capital Planning Committee, for any other purpose listed in Sections (2 or 5) above under the same section of Chapter 44.
- (9) That any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

I certify that the foregoing is a true account of the action taken under Article 40 of the Annual Town Meeting on 5/6/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile**  
**Town Clerk**

**ARTICLE 41**

**RESCIND            PRIOR**  
**AUTHORIZATIONS**

**BORROWING**

Majority Vote Required  
Motion NO ACTION  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That no action be taken on Article 41.

I certify that the foregoing is a true account of the action taken under Article 41 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 42**

**APPROPRIATION /  
INFRASTRUCTURE FUND**

**TRANSPORTATION**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 150 No: 33

Voted: That the Town appropriate the sum of \$23,615.20 received by the Town from the Commonwealth Transportation Infrastructure Fund to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town including, but not limited to, the Complete Streets Program, accepted by Town Meeting on May 4, 2015, established in Massachusetts General Laws Chapter 90I, Section 1 and other programs that support alternative modes of transportation.

I certify that the foregoing is a true account of the action taken under Article 42 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 43**

**APPROPRIATION / FINANCING OF  
CONSTRUCTION OR RECONSTRUCTION OF  
SEWERS AND SEWERAGE FACILITIES**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 206 No: 0

Voted: That the sum of \$800,000 be and hereby is appropriated for the purpose of financing the construction or reconstruction of sewers and sewerage facilities, inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow \$800,000 under and pursuant to Chapter 44, Section 7, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefor; and that the Select Board and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may become available from the Massachusetts Water Resources Authority or other sources.

I certify that the foregoing is a true account of the action taken under Article 43 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 44**

**APPROPRIATION / FINANCING OF  
CONSTRUCTION OR RECONSTRUCTION OF  
WATER MAINS AND WATER FACILITIES**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 206 No: 0

Voted: That the sum of \$1,400,000 be and hereby is appropriated for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow \$1,400,000 under and pursuant to Chapter 44, Section 8, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefor; and that the Select Board and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may become available from the Massachusetts Water Resources Authority or other sources.

I certify that the foregoing is a true account of the action taken under Article 44 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
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Town Clerk**

**ARTICLE 45**

**APPROPRIATION / MINUTEMAN REGIONAL  
VOCATIONAL TECHNICAL HIGH SCHOOL AND  
OUT OF DISTRICT VOCATIONAL PLACEMENTS**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 210 No: 2

Voted: That the sum of \$8,562,229.00 be and hereby is appropriated for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School District Budget; said sum to be raised by general tax and expended under the direction of the Minuteman Regional Vocational High School Committee.

I certify that the foregoing is a true account of the action taken under Article 45 of the Annual Town Meeting on 5/1/2024.

Juliana H. Brazile  
Town Clerk



I. Transportation Advisory Committee - \$2,000

J. Scenic By-Way - \$5,000 (15-1-0)

K. Open Space Committee - \$1,000 (13-0-1)

L. LGBTQIA + Rainbow Commission - \$4,000

M. Arlington Commission on Arts and Culture - \$35,000

(This appropriation will also fund Public Arts, Poet Laureate and Arlington Alive activities at the discretion and under the supervision of the Arlington Commission on Arts and Culture. The Commission will also be raising additional funds from their various activities).

Said sums to be raised by general tax and expended under the direction of the various commissions, committees, and boards. All consultant services shall be supervised under the direction of the Town Manager.

I certify that the foregoing is a true account of the action taken under Article 46 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile

Town Clerk





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Town Clerk**

**ARTICLE 47**

**APPROPRIATION / TOWN CELEBRATIONS AND  
EVENTS**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the sum of \$40,167 be and hereby is appropriated for the following celebrations and memorials in the amounts indicated:

- A. Patriots' Day Celebration, Veteran's Day Parade and the Memorial Day Observation - \$5,667
- B. Display of American Flags on Massachusetts Avenue - \$0
- C. Placing of American Flags on the Graves of Veterans - \$4,500
- D. Town Day Celebration - \$5,000
- E. 250<sup>th</sup> Anniversary Celebration - \$25,000 (15-0-1)

Said sums to be raised by general tax and expended under the direction of the Town Manager.

I certify that the foregoing is a true account of the action taken under Article 47 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 48**

**APPROPRIATION / MISCELLANEOUS**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 174 No: 2

Voted: That the sum of \$15,161.34 be and hereby is appropriated for the following purposes:

A. Legal Defense - To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13 of Title I of the Town By-Laws - \$0

B. Indemnification of Medical Costs – \$15,161.34

(To indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred during the previous calendar year that are the proximate result of the disability for which they were retired; and to defray the expenses of the Medical Panel required by law; provided, incurred expenses shall be considered for indemnification thereunder except only those such as are excess over covered benefits of any plan of Hospital, Surgical or other coverage which the retiree has or had available to him, either directly or through a member of his immediate family, which benefits shall be considered primary, and which must be disclosed by such plan, or by the physician, hospital or other medical personnel or facility with or without the consent of the retiree.)

Said sums to be raised by general tax and expended under the direction of the Town Manager.

I certify that the foregoing is a true account of the action taken under Article 48 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 49**

**APPROPRIATION / WATER BODIES FUND**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 184 No: 0

Voted: That the sum of \$85,000 be and hereby is appropriated to the Water Bodies Fund for the purpose of testing, maintaining, treating and oversight of the Town's water bodies. Said sum to be raised by the general taxes and expended under the direction of the Town Manager.

I certify that the foregoing is a true account of the action taken under Article 49 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 50**

**APPROPRIATION / COMMUNITY PRESERVATION  
FUND**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 160 No: 15

Voted: That the Town hereby endorses the application for Federal Fiscal Year 2025 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (PL 93-383), as amended.

I certify that the foregoing is a true account of the action taken under Article 50 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 51**

**APPROPRIATION / HARRY BARBER COMMUNITY  
SERVICE PROGRAM**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the sum of \$7,500 be and hereby is appropriated for the purpose of conducting the Harry Barber Community Service Program; said sum to be raised by general tax and expended under the direction of the Town Manager.

I certify that the foregoing is a true account of the action taken under Article 51 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 52**

**APPROPRIATION / PENSION ADJUSTMENT FOR  
FORMER TWENTY-FIVE YEAR/ ACCIDENTAL  
DISABILITY EMPLOYEES**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the sum of \$0 be and hereby is appropriated to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote, upon their retirement. This adjustment to be paid to those who qualify and administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; said sum to be expended under the direction of the Retirement Board.

I certify that the foregoing is a true account of the action taken under Article 52 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 53**

**APPROPRIATION / TAKINGS FOR STRATTON  
SCHOOL SAFE ROUTES**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 135 No: 35

The language reflects amendments to the original motion

Voted: That that the Town authorizes the Select Board to acquire land parcels and or rights in land parcels to obtain and secure a public right of way, including, as needed, by acquisition of permanent easements, temporary easements and fee takings, in and around the Stratton Elementary School area, for the purpose of placing sidewalks in connection with the Commonwealth's Safe Routes to School program. Further, the Select Board may acquire these parcels, or modification of these parcels, through all legal means, including, but not limited to, donation, purchase or eminent domain.

Further Voted: That the sum of \$0 be and hereby is appropriated to implement the provisions of the Commonwealth's Safe Routes to School Program; said sum to be raised by general tax and expended under the direction of the Town Manager.

I certify that the foregoing is a true account of the action taken under Article 53 of the Annual Town Meeting on 5/15/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 54**

**APPROPRIATION / PRIVATE WAY REPAIRS  
REVOLVING FUND**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 177 No: 0

Voted: That the sum of \$100,000 be and hereby is appropriated to the Private Ways Repairs Revolving Fund.

I certify that the foregoing is a true account of the action taken under Article 54 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk





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Town Clerk**

**ARTICLE 55**

**APPROPRIATION / MASSACHUSETTS PUBLIC  
LIBRARY CONSTRUCTION PROGRAM MATCH**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 178 No: 6

Voted: That the sum of \$75,000 be and hereby is appropriated to be expended by the Town for library assessment, planning, feasibility and design of the Fox Library, said sum to be raised by the general tax and expended under the direction of the Town Manager contingent on both the raising of an additional \$75,000 by the Board of Library Trustees and the receipt of a grant from the Massachusetts Public Library Construction Program.

I certify that the foregoing is a true account of the action taken under Article 55 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 56**

**LOCAL OPTION / ACCEPTANCE OF M.G.L.  
CHAPTER 203C THE PRUDENT INVESTOR RULE**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 137 No: 39

Voted: That the Town does and hereby accepts the provisions of Massachusetts General Laws, Chapter 203C and authorizes the trustee of the town's previously established Trust Funds, as authorized by Chapter 32B, Section 20, G.L. c. 44, s. 54, and G.L. c. 44, ss. 55, 55A and 55B of the General Laws, as amended, to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws.

I certify that the foregoing is a true account of the action taken under Article 56 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile**  
**Town Clerk**

**ARTICLE 57**

**APPROPRIATION / MASTER PLAN UPDATE**

Majority Vote Required  
Motion NO ACTION  
UNANIMOUS

Voted: That no action be taken on Article 57.

I certify that the foregoing is a true account of the action taken under Article 57 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 58**

**LOCAL OPTION TAXES**

Majority Vote Required  
Motion NO ACTION  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That no action be taken on Article 58.

I certify that the foregoing is a true account of the action taken under Article 58 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 59**

**APPROPRIATION / OTHER POST EMPLOYMENT  
BENEFITS (OPEB) TRUST FUND**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 175 No: 1

Voted: That the Town takes the following actions:

- a. appropriates into said Other Post-Employment Benefits (OPEB) Trust Fund, authorized by Chapter 161 of the Acts of 2005, for investment and expenses the sum of \$500,000 representing that amount of money that was previously appropriated for the Non-Contributory Pension when this funding program started; said sum to be raised by the general tax.
- b. appropriates into said fund the sum of \$155,000 representing the increased share of retiree HMO contributions as voted by the Select Board on November 6, 2006; said sum to be raised by the general tax.
- c. appropriate into said fund the sum of \$150,000 from monies raised by the November 2024 override vote and thus raised by the general tax.

I certify that the foregoing is a true account of the action taken under Article 59 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk



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Town Clerk**

**ARTICLE 60**

**TRANSFER OF FUNDS / CEMETERY**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the Town transfers \$240,000 to the Cemetery Commissioners for the care of Town cemeteries, and \$10,000 to the Capital Budget for headstone maintenance and repair, said sums to be taken from the Perpetual Care Fund.

I certify that the foregoing is a true account of the action taken under Article 60 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



**OFFICE OF THE TOWN CLERK  
Town of Arlington  
730 Massachusetts Avenue  
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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 61**

**APPROPRIATION / OVERLAY RESERVE**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the sum of \$750,000 be and hereby is appropriated, to be transferred from Overlay Reserve Surplus Accounts of previous fiscal years, said sum to be utilized to reduce the tax rate.

I certify that the foregoing is a true account of the action taken under Article 61 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 62**

**APPROPRIATION / LONG TERM STABILIZATION  
FUND**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the sum of \$100,000 be and hereby is appropriated to the Long-Term Stabilization Fund, said sum to be raised by general tax.

I certify that the foregoing is a true account of the action taken under Article 62 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk





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Town Clerk**

**ARTICLE 63**

**USE OF FREE CASH**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 208 No: 2

Voted: That the sum of \$8,941,936 be taken from available funds in the treasury, and that the Board of Assessors is instructed to use said amount to reduce the tax rate.

I certify that the foregoing is a true account of the action taken under Article 63 of the Annual Town Meeting on 4/24/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 64**

**APPROPRIATION / FISCAL STABILITY  
STABILIZATION FUND**

2/3 Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 179 No: 0

Voted: That the sum of \$4,374,790 be and hereby is appropriated from the Fiscal Stability Stabilization Fund, and that the Board of Assessors is instructed to use said amount in the determination of the tax rate.

I certify that the foregoing is a true account of the action taken under Article 64 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk



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**Juliana H. Brazile  
Town Clerk**

**ARTICLE 65**

**COLLECTIVE BARGAINING**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 174 No: 4

Voted: That the sum of \$534,251 is hereby appropriated, to be set aside for funding future collective bargaining agreements, said sum to be raised by general taxes and said sum shall not be expended without a future vote of Town Meeting;

AND FURTHER VOTED that the sum of \$573,031 is hereby appropriated and transferred into the following departmental budgets as indicated in this table, said sum to be raised by general taxes:

| <b>Department</b>          | <b>FY25 D</b> |
|----------------------------|---------------|
| Select Board               | \$ 6,988      |
| Town Manager               | \$ 21,787     |
| Finance Committee          | \$ 176        |
| Comptroller                | \$ 10,480     |
| Assessor                   | \$ 8,448      |
| Treasurer                  | \$ 19,351     |
| Postage                    | \$ 1,111      |
| Legal                      | \$ 13,614     |
| HR                         | \$ 9,532      |
| IT                         | \$ 28,706     |
| Town Clerk                 | \$ 8,188      |
| Registrars                 | \$ 1,506      |
| Planning/Comm. Development | \$ 23,184     |
| ZBA                        | \$ 2,541      |
| Parking                    | \$ 2,019      |
| Police                     | \$ 41,677     |
| Fire                       | \$ 21,911     |
| Inspections                | \$ 13,623     |
| DPW Natural Resources      | \$ 33,275     |
| DPW Engineering            | \$ 11,163     |

|               |            |
|---------------|------------|
| DPW Admin     | \$ 14,577  |
| DPW Highway   | \$ 43,041  |
| DPW Mechanics | \$ 12,930  |
| DPW Cemetery  | \$ 7,734   |
| Facilities    | \$ 13,800  |
| HHS           | \$ 19,307  |
| DEI           | \$ 6,672   |
| COA           | \$ 14,703  |
| Veterans      | \$ 2,381   |
| Library       | \$ 61,629  |
| Water/Sewer   | \$ 35,889  |
| AYCC          | \$ 38,551  |
| COA Transport | \$ 1,521   |
| Rink          | \$ 6,317   |
| Recreation    | \$ 14,699  |
|               |            |
| Total         | \$ 573,031 |

I certify that the foregoing is a true account of the action taken under Article 65 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk



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**ARTICLE 66**

**RESOLUTION / MBTA SERVICE**

Majority Vote Required  
Motion PASSED  
ELECTRONIC VOTE  
Yes: 155 No: 9

The language reflects amendments to the original motion

Voted: That Town Meeting does and hereby resolves as follows:

Whereas, the last streetcar from Arlington Heights to Harvard Square ran on November 18, 1955; and

Whereas, the last MBTA train from Arlington to North Station ran on January 10, 1977; and

Whereas, the last 79 bus from Arlington Heights to Alewife ran on March 12, 2021; and

Whereas, the MBTA eliminated the 84 bus route and the 79 bus route, reducing the number of bus routes between Arlington and the Alewife MBTA Station and eliminating the only one-seat ride to and from the Alewife MBTA Station for 1 ½ miles on Massachusetts Avenue, and

Whereas, the MBTA Better Bus Project reroutes the 67 bus off Pleasant Street, eliminating the only one-seat ride to and from the Alewife MBTA Station on Pleasant Street, and

Whereas, on December 18, 2022, six days after the Green Line Extension opened to Tufts-Medford, the MBTA reduced service on the 80 bus that connects Arlington Center with the Green Line Terminus, and

Whereas, the lack of frequent bus service from Arlington to Tufts-Medford prevented Arlington commuters from connecting to the Green Line or the Lowell Commuter Rail line as a viable alternative for travel to and from Boston during the recent shutdown of the Red Line, and

Whereas, despite challenges faced by Arlington commuters and student pass holders due to poor service, the MBTA reduced service on the 77 bus on December 18, 2022, and

Whereas, the deterioration of MBTA bus service has become extreme enough that, for the first time, the Arlington School Committee has been forced to run parallel bus service for Ottoson Middle School students beginning on January 29, 2024, and

Whereas, the Town of Arlington and the City of Cambridge have built bus lanes to facilitate the movement of buses along Massachusetts Avenue, at the same time the MBTA reduced bus service along this artery, and

Whereas, the Town of Arlington's projected FY25 MBTA assessment is three times the per-capita assessment of two municipalities categorized under the MBTA Communities ACT as Rapid Transit Communities, as well as 33 municipalities classified as Commuter Rail Communities, and

Whereas, the assessment multiplier used to determine Arlington's projected FY 25 MBTA assessment of \$3,403,415 is the fourth highest (along with 10 other cities and towns) among the 176 communities within the MBTA service territory. Of the 11 communities, Arlington is one of only two (along with Watertown) that do not host either a rapid transit or commuter rail station, and one of only three (along with Belmont and Watertown) that are not designated as Rapid Transit Communities in the MBTA Communities Act, and

Whereas, the Town of Arlington demonstrated its commitment to transit-oriented housing when Town Meeting voted 189-35 on October 25, 2023 to create a MBTA Communities Overlay District that significantly exceeds the town's requirement for permitting multifamily transit-friendly residential units by right, and

Therefore be it resolved, the Town of Arlington asks the MBTA to provide frequent, reliable service along Massachusetts Avenue with convenient connections to the Red Line, and

Be it also resolved that the Town of Arlington asks the MBTA for assurance that there will continue to be bus service on Pleasant Street for a one-seat ride to and from the Alewife MBTA Station, and

Be it also resolved, the Town of Arlington asks the MBTA to provide frequent, reliable service from Arlington Heights, through Arlington Center, and along Medford Street and Boston Avenue with convenient connections to the West Medford commuter rail station and the Tufts-Medford terminus of the Green Line Extension, and

Be it also resolved, the Town of Arlington seeks a partnership with the MBTA to plan significant improvements to the transit infrastructure in Arlington, and

Be it also resolved, the Town of Arlington invites Transportation Secretary Monica Tibbits-Nutt and MBTA General Manager Phillip Eng to conduct a community forum relative to the transportation needs and expectations for service in the Town, and

Be it also resolved, the Town Clerk of the Town of Arlington shall transmit a copy of this resolution to Governor Maura Healey, Lieutenant Governor Kim Driscoll, United States Senators Ed Markey and Elizabeth Warren, United States Representative Katherine Clark, State Senator Cindy Friedman, State Representatives Sean Garballey and Dave Rogers, Transportation Secretary Monica Tibbits-Nutt, Thomas P. Glynn, Chair, MBTA Board of Directors, and MBTA General Manager Phillip Eng.

I certify that the foregoing is a true account of the action taken under Article 66 of the Annual Town Meeting on 5/20/2024.

Juliana H. Brazile  
Town Clerk