



Town of Arlington, Massachusetts
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Minutes 08/19/2013

TOWN OF ARLINGTON
BOARD OF SELECTMEN
Meeting Minutes
Monday, August 19, 2013

7:15 p.m.

Present: Mr. Dunn, Chair, Mrs. Mahon, Vice Chair, Mr. Greeley, Mr. Byrne and Mr. Curro

Also Present: Mr. Flanagan, Deputy Town Manager, Ms. Rice and Mrs. Krepelka

FOR APPROVAL

1. CONSENT AGENDA (one vote required for approval of all items)
 - a. Minutes of Meetings: July 22, 2013
 Mr. Curro moved approval. SO VOTED (3-0-2)
 Mr. Greeley and Mrs. Mahon abstained from voting.
 - b. For Approval: Paperwork Corrections/Updates-Transfer Issuance of Stock & New Stock Holder and
 Change of Manager
 Mary Parent d/b/a Menotomy Beer & Wine, 80 Broadway
 Joseph Fahey, Esq. (approved from 3/11/2013)
 - c. For Approval: Automatic Amusement Devices
 Philip Morris, Manager, VFW, 600 Massachusetts Avenue, Rear
 - d. Request: Waive Parking Restrictions-Tufts and Foster Streets, 2013-2014 School Year
 Deanne Benson, Lesley Ellis School
 - e. Requests: Arlington Center for the Arts 14th Annual Arlington Open Studios
 - (1) Arts Center to be open on Sunday, October 20 from 12N-5p.m.
 - (2) Waiver of 'resident only parking' restrictions on Tufts and Foster Streets for Saturday, October 19 and Sunday, October 20.
 - (3) Placement of sandwich board @ intersection of Mass. Ave. and Rte. 60 from Sunday,
 10/13 through Sunday 10/20.
 Pamela Shanley, Arlington Center for the Arts
 - f. For Approval: Annual Town Day Road Race, September 21
 Joe Connelly, Director of Recreation
 - g. REAPPOINTMENTS
 Tree Committee
 Mary Ellen Aronow
 Eliza Burden
 Lisa Decker
 Patti Muldoon
 Sally Naish
 Ed Trembly
 (terms to expire 06/2016)
 Mr. Greeley moved approval. SO VOTED (5-0)

2. Vote: Authorize Notices of Taking/Mass. Ave. Corridor Project

Juliana Rice, Town Counsel

The Selectmen voted the following:

VOTED: That the Board of Selectmen hereby approves the issuance of the Notices of Taking to be issued in connection with the Massachusetts Avenue Corridor Project and authorizes the use of its signature stamps by Board staff to execute said Notices.

Mr. Curro moved approval.

SO VOTED (5-0)

LICENSES & PERMITS

3. For Approval: Scugnizzi Revocation of Common Victualler and Wine & Malt Licenses

Lartino LLC d/b/a Scugnizzi, 450 Massachusetts Avenue

Francesco Martini, LLC Member and Giuseppe Guarino, Manager

Juliana Rice, Town Counsel

Mr. Greeley made motion to revoke the Common Victualler and Wine & Malt Licenses in the name of Scugnizzi. No one from the business appeared before the Board.

Mrs. Mahon moved approval.

SO VOTED (5-0)

The Board voted to close Scugnizzi after no one from the business showed up at a license hearing.

4. For Approval: Draft Liquor License Suspension Decision/Preventive Steps

a) Sung Jo Choe, Manna House, 9A Medford Street (Second Offense)

b) Chun Mei Tsai Lo, Shanghai Village Restaurant, 434-436 Mass. Ave. (First Offense)

c) Quan Le Luu, Szechuan's Dumpling, 1360 Massachusetts Avenue (First Offense)

d) John Forbush, Not Your Average Joe's, 645 Massachusetts Avenue (First Offense)

e) Mehran Khosrowdad, Sabzi, 352A Massachusetts Avenue (Second Offense)

f) Veeraded Kridaratikorn, Sweet Chili, 470-472 Massachusetts Avenue (Second Offense)

Mrs. Mahon made a motion to re-open the decision of the Board at their meeting of July 22nd regarding the suspension of the Shanghai Village Restaurant, Szechuan's Dumpling and Not Your Average Joe's. Mr. Curro seconded said motion for discussion only.

Selectmen Mahon and Greeley expressed concern that Not Your Average Joe's representatives were given a lighter punishment because they could express themselves better than the other restaurant owners who struggled communicating in English when the other Board members pressed them for plans to prevent future violations. Mr. Greeley stated that he felt that we should give Shanghai and Szechuan's Dumpling a little break when we add language as an issue. He also stated that this was Shanghai Village's first violation in 30 years of business in Arlington.

Mrs. Mahon stated she disagreed with the Board's decision to allow NYAJ to select the three days of its suspension. Mrs. Mahon stated in the past the suspension begins on the same weekday as the violation occurred. Mrs. Mahon stated she feels the Board gave Not Your Average Joe's more leeway after being impressed by what they saw as proactive preventative alcohol measures.

Mr. Byrne and Mr. Curro defended the board's ability to use its discretion and said their initial decision was based on commitment to change and not communication skills.

Mr. Dunn apologized to Ms. Lo for a misunderstanding at the hearing on July 22nd starting that when he asked her if she was willing to do any concrete steps to change things, Ms. Lo responded "no" which answer left him flabbergasted. He later realized that he hadn't understood the question. Mr. Dunn stated he regretted that miscommunication happened.

After further discussion the Board voted to change Shanghai Village and Szechuan's Dumpling to a three (3) day suspension and not four (4) days. The Board approved the three restaurant's, including Manna House, new policies which included contracts and training programs for all employees. The suspension does not affect the Licensee's Common Victualler permit so the Licensee may remain open for serving food and non-alcoholic beverages on those days.

Mrs. Mahon moved approval. SO VOTED (4-1)

Mr. Byrne voted in the negative.

5. Request: Common Victualler License-Transfer

Qing Xiong Pang, Dragon Pang's Inc. d/b/a Golden Taste Restaurant, 14 Medford St
Mr. Greeley moved approval. SO VOTED (5-0)

6. Request: Outside Seating/Sidewalk Cafe Permit

Aneesh Bhambri d/b/a Yummy's, 474 Massachusetts Avenue
Mrs. Mahon moved approval subject to conditions as set forth. Yummy's will meet with the Planning Department for final approval of placement of planters. SO VOTED (5-0)

7. Vote: Parking Regulations on Field Road, Bailey Road, Lockeland Avenue, Churchill Avenue and Newman Way

Corey Rateau, Traffic and Parking Officer
Mr. Greeley moved approval. SO VOTED (5-0)

8. Report: Bates Road Traffic

For Approval: Bates Road Signs
Corey Rateau, Traffic and Parking Officer
Mr. Greeley moved approval. SO VOTED (5-0)

9. Request: One Space On Street Overnight Parking @ 72 Newport Street

Omkar Vartak
Mrs. Mahon moved no action. Mr. Vartak did not meet the criteria of hardship.
SO VOTED (5-0)

10. Vote: Approve \$550,000 MWRA Loan and/or Assistance Grant from LWSAP Program as Portion of \$650,000 for Water Facilities - Overlook Rd. and Ronald Rd. Project - Authorization under Warrant Article 35 of the 2012ATM
Stephen Gilligan, Treasurer & Collector of Taxes

The Board voted the following:

VOTED: that the sale of the \$550,000 Water Bond of the Town dated August 26, 2013, to the Massachusetts Water Resources Authority (the "Authority"), as recommended by the Town Treasurer, is hereby approved and the Town Treasurer or other appropriate Town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on August 15 of the years and in the principal amounts as follows:

Year	Installment	Year	Installment
2014	\$ 55,000	2019	\$55,000
2015	55,000	2020	55,000
2016	55,000	2021	55,000
2017	55,000	2022	55,000
2018	55,000	2023	55,000

Mr. Greeley moved approval. SO VOTED (4-0)*

Mr. Curro left meeting for a minute.

7:15 p.m. Public Hearing

11. a) National Grid Petition/Sunnyside Avenue/Fremont Street

Dennis Regan, Permit Representative
(all abutters notified)

National Grid will install and maintain approximately 152 feet, more or less of 4 inch gas main to Sunnyside Ave from the existing 4 inch gas main at house #59 - #61 northerly to Fremont St. and approximately 78 feet more or less of 4 inch gas main in Fremont St. from the proposed 4 inch gas main in Sunnyside Ave. westerly to the existing 6 inch gas main.
Mr. Greeley moved approval. SO VOTED (5-0)

b) National Grid Petition/Grove Street Place
Dennis Regan
(all abutters notified)

National Grid will install and maintain approximately 188 feet, more or less of 2 inch gas main in Grove St. Place, from the existing 2 inch gas main at house #22, westerly to serve house #29. Arthur Ronayne, 28 Grove St. Place, appeared before Board in favor of petition but was concerned about roadway. Mr. Ronayne was advised to sit down with Mrs. Krepelka, Mr. Rademacher and Mr. Flanagan regarding his concerns about the roadway upon his return from vacation.
Mr. Greeley moved approval. SO VOTED (5-0)

APPOINTMENTS

12. Appointment: Historic District Commissions
Cynthia L. Hamilton
(term to expire 8/31/2016)

Mr. Greeley moved approval. SO VOTED (5-0)

13. Appointments: Zoning Board of Appeals
Walter Fey
Christian Klein
(terms to expire 8/31/2016)

Mr. Greeley moved approval. SO VOTED (5-0)

14. CITIZENS OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

Mr. Richard Langone, 12 Swan Place read a statement regarding parking issues on Swan Place that took place last June, 2012.

TRAFFIC RULES & ORDERS/OTHER BUSINESS

15. Update: Friends of Arlington Council on Aging Events
Art Budnik

Mr. Budnik stated the "Running with Friends 5K Run" Race benefits the Council on Aging and Arlington's senior citizens. The race begins at 10:00 a.m. on Sunday, Sept. 8th in front of Town Hall and it finishes at the Arlington Senior Center on Maple Street. Last years race provided \$10,000 in support for programs in direct aid to Arlington's elders. Ms. Susan Carp, Director Arlington Council on Aging, asked everyone to save the date - October 26th at the Hardy School for the "Living Well - 60 and Beyond" seminar. They will have a free lunch for all seniors 60 and older.

16. For Approval: Hanging of Banners in Arlington Center
a) Town Day, Saturday, September 21
Kathleen Darcy, Marie Krepelka; Committee Co-Chairs

Mr. Byrne moved approval. SO VOTED (5-0)

b) Taste of Arlington, Arlington Chamber of Commerce, Tuesday, October 22
Jennifer Tripp, Chamber Manager

*Mr. Greeley moved approval. SO VOTED (5-0)
 c) Arlington International Film Festival, Wednesday-Saturday, October 23-27
 April Ranck and Alberto Guzman

*Mr. Greeley moved approval. SO VOTED (5-0)

*Mr. Chapdelaine and Mrs. Krepelka will speak with Mr. Radmacher regarding cost of erecting and removing the banners. The Chamber and the International Film Festival will share the costs.

17. Vote: Thompson School Parking and Crosswalk
 Scott Smith, Transportation Advisory Committee

The Board voted to have the parking bans in affect during the school hours only
 7:00 a.m. - 4:00 p.m.

Mr. Greeley moved approval. SO VOTED (5-0)

18. Discussion: Future Board of Selectmen Meetings

September - 9 and 30th

October - 7 and 28th

November - 4 and 18th

Dec. 2 and 16th* - *Meeting to start at 6:00 p.m.

Correspondence Received

Carol Band	Traffic/Parking Concerns Relative to	Be Rec'd
57 Bartlett Avenue	Whole Foods Supermarket	
Mrs. Band stated she would like a traffic study done on Bartlett Avenue before Whole Foods open. Mr. Dunn stated that her request would be sent to TAC to do a study of the volume of cars using Bartlett Avenue. Mr. Dunn feels TAC would do said study after the store opens because there is nothing to compare it with since Johnnie's is now closed.		
Mrs. Mahon moved to refer to TAC.		SO VOTED (5-0)

Patsy Kraemer	Center Line Needed on Ridge Street	Be Rec'd
85 Columbia Road		
Mrs. Mahon moved to refer to TAC.		SO VOTED (5-0)

New Business:

Town Counsel Juliana Rice announced that after five years she will leave her position of Town Counsel to accept a position with the Attorney General's Office as Deputy Chief of the Government Bureau.

Mr. Greeley stated that it is truly the Attorney General's Office who is gaining but it's really a loss for the Town of Arlington.

Mr. Byrne stated that it is devastating news and he is very sad to see her leave.

Mrs. Mahon, Mr. Curro and Mr. Dunn conveyed the same sentiments as Mr. Greeley and Mr. Byrne.

Mrs. Mahon asked Mr. Flanagan when the new Animal Control Officer is hired if he/she could be introduced to the Board at a future meeting.

Mrs. Mahon stated NStar would be removing the double pole at the corner of Mass. Avenue and Egerton Road on Sept. 5th. She asked Mr. Flanagan if he would look into how long customers/businesses would be without power and report back to the Board by email or telephone.

Mrs. Mahon stated last July she, the Town Manager and Representative Garballey met with DCR regarding

Sunnyside Avenue and, at this time, the Town is still waiting for the work to be done. She is very frustrated with this project and wants to place it on the Agenda at our next Meeting. Mr. Flanagan stated that the Town Manager is making an effort to set-up a meeting with DCR.

Mr. Dunn stated he would arrange a meeting with the Long Term Planning Committee and Budget Revenue Task Force at the end of September or early October.

Mrs. Mahon moved to adjourn at 9:25 p.m.

SO VOTED (5-0)

A true record: Attest

Marie A. Krepelka
Board Administrator

Next schedule meeting of BOS September 9th.

8-19-13

Agenda Item Documents Used

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- 8 Report: Bates Road Traffic
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- 12 Appointment: Historic District Commissions
- 13 Appointment: Zoning Board of Appeals
- 14 Update: Friends of Arlington Council on Aging Events
- 15 (a) For Approval: Hanging of Banners in Arlington Center - Town Day
- (b) " " Taste of Arlington, Arlington Chamber of Commerce
- (c) " " Arlington International Film Festival
- 16 Vote: Thompson School Parking and Crosswalk
- 17 Future Board of Selectmen Meetings
- 18 Correspondence Received: Carol Band, 57 Bartlett Avenue, Patsy Kraemer, 85 Columbia Road

