



**Minutes of the
Town of Belmont
Warrant Committee Meeting
Wednesday, November 1, 2023
7:30pm**

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: December 12, 2023
TIME: 9:34 AM

To view the recording of the meeting, please click [HERE](#).

Call to Order: Mr. Lubien called the meeting to order at 7:30pm. There were 17 voting members present

Member	Present	Member	Present
Geoffrey Lubien, Chair	Yes	Robert McLaughlin	Yes
Paul Rickter, Vice-Chair	Remote	Melissa Morley	Yes
Conor McEachern, Secretary	Remote	Lynn Peterson Read	Remote
William Anderson	Yes	Matthew Taylor	Yes
Tom Caputo	Yes	Marie Warner	Yes
Fitzie Cowing	Yes	Jack Weis	Yes
Sue Croy	Yes	Roy Epstein, Ex-officio Designee, Select Board	Yes
Deepak Garg	Remote	Meghan Moriarty, Ex-officio, School Committee	Remote
Anne Helgen	Yes	Staff	
		Patrice Garvin, Town Administrator	Yes
		Jennifer Hewitt, Assistant Town Administrator & Finance Director	Remote
		Michael Widmer, Town Moderator	Remote

1. Review warrant articles and vote, as needed.

Mr. Lubien reviewed some overall changes that were made since the last review, and how the Committee should proceed on the various articles.

Article 2 – Community Preservation Committee Off-Cycle Requests:

- a) \$335,868 be appropriated from the Undesignated Fund Balance of the Community Preservation Fund for the Community Path Phase 1 Design.

Mr. Weis moved favorable action on Article 2a. Ms. Helgen seconded, and the motion passed unanimously by roll call vote.

- b) \$160,000 be appropriated from the Undesignated Fund Balance of the Community Preservation Fund for the Town Hall Retaining Wall

Mr. Weis moved favorable action on Article 2b. Ms. Helgen seconded, and the motion passed unanimously by roll call vote.

- c) \$200,000 be appropriated from the Undesignated Fund Balance of the Community Preservation Fund for the School Administration Building Roof Restoration.

Mr. Weis moved favorable action on Article 2c. Ms. Helgen seconded, and the motion passed unanimously by roll call vote.

Article 3 – Transfers to Stabilization Funds: Mr. Anderson asked if the word “raise” is the appropriate wording to use, and Ms. Garvin explained why it is correct.

Mr. Weis moved favorable action on Article 3. Ms. Helgen seconded, and the motion passed unanimously by roll call vote.

Article 4 – Capital Appropriation Security Cameras at Wellington & Chenery Schools: Ms. Moriarty reported that the School Committee unanimously supported this article.

Mr. Weis moved favorable action on Article 4. Ms. Helgen seconded, and the motion passed unanimously by roll call vote.

Article 5 – Replace General Bylaw §60-130 with Specialized Energy Code: Mr. Lubien explained the history of this article and said at League Night the enforcement issues were primarily discussed. He added that there is concern about the impact of this article on development in Town. If approved, this change would be implemented January 1, 2025.

The Committee discussed whether or not to take a position on this article.

Mr. Lubien moved that the Warrant Committee NOT take a position on Article 5. The motion passed 16-1, with Mr. McLaughlin opposing.

Article 6 – Amend Zoning Bylaw(s): Restaurants: Mr. Lubien reviewed the potential benefits and desired outcomes of this zoning change. The Committee discussed whether or not the Committee should take a position on this article.

Mr. Lubien moved that the Warrant Committee take a position on Article 6. The motion passed 15-0-1, with Mr. Anderson abstaining.

There was a discussion on whether the Committee should vote on Article 6 before discussing the amendments, or after. It was decided to review the amendments and then vote.

Mr. Epstein explained the 3 amendments he submitted:

- Amendment 1 is for drafting errors. Mr. Epstein explained the process for approving zoning amendments which triggered the need for this amendment.

Mr. Caputo moved favorable action on Amendment 1, Article 6. Ms. Warner seconded, and the motion passed unanimously by roll call vote.

- Amendment 3 addresses the negative tone of the article as related to formula-based restaurants, such as “formula-based restaurants have an adverse impact on the quality of Belmont”. He explained why he thinks this is inappropriate and unnecessary. He rewrote it to say “there is a potential adverse impact....”. There was a discussion of this suggested change. There was a brief discussion of this amendment.

Mr. Caputo moved favorable action on Amendment 3, Article 6. Ms. Warner seconded, and the motion passed unanimously by roll call vote.

- Amendment 2 is to redefine the threshold for defining a formula-based restaurant from 10 to 50 because he believes the number 10 was arbitrary. He chose 50 because there are many local brands that are desirable to Belmont but have more than 10 outlets. He provided some examples of local brands who would be affected by the 10 threshold and explained how he chose the number 50. There was a discussion of this amendment.

Mr. McLaughlin moved favorable action on Amendment 2, Article 6. Ms. Helgen seconded, and the motion passed 9-3-4 by roll call vote with Mr. Lubien, Ms. Cowing, and Ms. Reed opposing, and Mr. Weis, Mr. Taylor, Ms. Warner, and Ms. Moriarty abstaining.

Mr. Weis moved favorable action on Article 6. Ms. Helgen seconded, and the motion passed unanimously by roll call vote.

There was a discussion of when the Warrant Committee’s position on the main article and the amendments would be reported to Town Meeting. Mr. Widmer confirmed that he will ask for the Warrant Committees vote on the main motion, and then Town Meeting will discuss and vote on the amendments before voting on the main motion.

Mr. McLaughlin moved favorable action on Article 6 as amended by Amendment 2. Ms. Helgen seconded, and the motion passed 14-1-1 by roll call vote with Ms. Reed opposing and Ms. Moriarty abstaining.

Article 7 – Amend Zoning Bylaw(s): Off Street Parking: Mr. Lubien said this article will be dismissed.

Mr. Garg left the meeting at this point, and Mr. McEachern joined the meeting.

Article 8 – Removal from Civil Service: Police: Mr. Lubien explained that the Warrant Committee previously took a position on this recommendation, which was originally proposed at the September 2020 Special Town Meeting.

Ms. Cowing, who is married to a Police sergeant, said that she has submitted an ethics disclosure form to her appointing authority, which is Mr. Widmer. Mr. Widmer confirmed that if she does not speak for her spouse she is allowed to participate in the discussion. She is also the child of a Civil Servant.

The Committee discussed whether or not to take a position on this article for this Town Meeting.

Mr. Lubien moved that the Warrant Committee take a position on Article 8. The motion passed 15-0-1 with Mr. Anderson abstaining.

Ms. Cowing explained why she believes leaving Civil Service will not solve the hiring problem and pointed out salary differences between Belmont and neighboring communities. She then outlined what increased costs the Town might incur if it leaves Civil Service. She also spoke about the protection that Civil Service provides if a layoff is needed due to an override fail. There were questions and discussions about her comments.

The Committee discussed the proposal to leave Civil Service with various views being presented.

Mr. McLaughlin moved favorable action on Article 8. Mr. Rickter seconded, and the motion passed 12-2-2 by roll call vote with Ms. Cowing and Ms. Werner opposing, and Mr. Weis and Mr. Anderson abstaining.

Article 9 – Citizen Petition: Home Rule Legislation / 61B Exemption: Mr. Lubien explained that the article removes the property tax discount on recreational areas like golf courses. This is a recommendation but there is no action to be taken other than the Select Board propose it to the State Legislators.

Mr. Epstein explained that if this change occurred, the Town would collect more tax from the golf course but less from residents so the total amount collected would not change. It would, however, reduce residents tax bills. He also explained that it is very unlikely that this petition will be granted and explained why.

The Committee discussed whether or not to take a position on this article.

Ms. Helgen moved favorable action on Article 9. Mr. Rickter seconded, and the motion passed unanimously by roll call vote.

Article 10 – Citizen Petition: Transition from Elected to Appointed Board of Assessors: This article is to be withdrawn and will be presented at a Special Town Meeting in January.

Article 11 – Appropriation from the Opioid Stabilization Fund: Ms. Hewitt explained that there was an error in the original vote at the Spring Town Meeting although many towns made this error because of poor instructions. Therefore, the amount voted then will go to Free Cash, although it cannot be spent on anything other than the Opioid Settlement actions.

Ms. Hewitt then explained that one of the votes at Town Meeting on this topic was to establish the fund, and the second vote was to dedicate future proceeds of the Settlement to the Stabilization Fund. About \$18,577 has been received to date and she recommends that \$18,500 be appropriated via this article so the group doing the planning can use these funds for planning and other allowable purposes.

Ms. Hewitt explained that the the planning group currently includes the Health, Police, and Fire departments, and town residents. She has also reached out to the faith community, and other community groups.

Ms. Helgen moved favorable action on Article 11. Mr. McLaughlin seconded, and the motion passed unanimously by roll call vote.

2. Ongoing budget and override discussion: Postponed, but Mr. Weis suggested scheduling another meeting to discuss this before the next regular meeting on November 29th.

120 **3. Approve minutes (if any), including all outstanding subcommittee or working group minutes.**

121 October 12, 2023 Budget Summit 1: Mr. Lubien asked if there are any significant edits by the other
122 participants to let him know.

123 *Ms. Helgen moved to approve the minutes of the October 12, 2023 Budget Summit 1. Mr. McLaughlin*
124 *seconded, and the motion passed 12-0-3 by roll call vote with Ms. Morley, Ms. Cowing, and Mr. Rickter*
125 *abstaining.*

126 October 11, 2023 Regular Session: Ms. Helgen said line 17 should read "Structural Change Impact Group"
127 not Structural Change Committee. Also, on line 63 the motion indicates that Ms. Helgen moved and
128 seconded the motion. Ms. Croy indicated that she was in attendance.

129 *Ms. Helgen moved to approve the minutes of the October 11, 2023 Warrant Committee meeting as*
130 *amended. Mr. McLaughlin seconded, and the motion passed 15-0-1 by roll call vote with Mr. Rickter*
131 *abstaining.*

132 October 25, 2023: Mr. Weis said the language on line 49 should read "to have projected revenues and
133 match projected expenses" instead of "to set the tax rate". Mr. Rickter pointed out the Ms. Dionne should
134 also be identified as Chair of the Community Preservation Committee. He added that Mr. Clancy's name is
135 misspelled on line 28, and the title of Item 3 should read "Free Cash", not Free Case. Also, Ms. Morely was
136 attending remotely.

137 *Ms. Helgen moved to approve the minutes of the October 25, 2023 Warrant Committee meeting as*
138 *amended. Mr. McLaughlin seconded, and the motion passed unanimously by roll call vote.*

139 **Public Comment** – there was no public comment.

140 **Adjournment**

141 *Mr. McLaughlin moved to adjourn the meeting of the Warrant Committee. Ms. Helgen seconded,*
142 *and the motion passed unanimously. The meeting was adjourned at 9:29pm.*
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144

145 Respectfully submitted by,

146 Susan Peghiny
147 Recording Secretary
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