

INFORMATION TECHNOLOGY ADVISORY COMMITTEE (ITAC)

ENABLING REMOTE COMMITTEE WORK

REPORT FOR BELMONT SELECT BOARD (Revised)



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Belmont Information Technology Advisory Committee

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Executive Summary

Belmont's Information Technology Advisory Committee prepared this report to support its recommendation that the Select Board take two actions related to remote meeting participation under Massachusetts Open Meeting Law. These actions are:

1. Vote to allow Town committees the option of remote meeting participation, as provisioned under existing Open Meeting Law ([Attorney General's Regulations on Remote Participation, 940 CMR 29.10](#)¹);
2. Draft, ratify, and submit to the State Legislature via Belmont's representatives a set of suggested changes to Open Meeting Law that allow more permissive and flexible remote meeting participation.

Both of these recommended actions are designed to give our Town's public bodies the *option* of continuing remote meeting participation even after the current State of Emergency ([declared by Governor Baker on March 10, 2020, in response to the global COVID-19 pandemic](#)²) or the [Executive Order Suspending Certain Provisions of the Open Meeting Law](#)³ are no longer in effect.

The first action we recommend is for the Select Board to authorize remote participation by Belmont Town bodies as allowed under the current Open Meeting Law. Town bodies (including the Select Board itself) are unable to offer remote participation to board and committee members until the Select Board votes to allow this option. During our last discussion of this proposal, the Select Board expressed a desire to see "how it goes." The past 9 months have provided an ample "test run" of remote participation and remote meeting technology and most town bodies have embraced both. Clearing the way for the continued option of remote participation after the expiration of Governor Baker's Executive

¹ <https://www.mass.gov/doc/attorney-generals-regulations-940-cmr-2900-2911/download>

² <https://www.mass.gov/info-details/covid-19-state-of-emergency>

³

<https://www.mass.gov/service-details/updated-guidance-on-holding-meetings-during-the-covid-19-state-of-emergency>

Order will ensure a smooth transition of Town committees from COVID to post-COVID conditions.

Our second recommendation is for the Select Board to endorse and communicate specific changes related to remote participation under Open Meeting Law to our state legislators. In particular, we encourage the Select Board to support the following changes to remote participation under Open Meeting Law:

- I. Relax the current OML guidelines that specify the need for a physical quorum and for the meeting chairperson to be physically present.
- II. Expand the permitted reasons for remote participation in OML beyond the five currently allowed reasons: personal illness, personal disability, emergency, military service, and geographic distance.

We understand that these changes will take some time to be negotiated and that nothing moves quickly on Beacon Hill. However we feel that eyes have been opened to the possibilities and benefits of remote participation, as evidenced by the recent Boston Globe editorial, "[Coronavirus could revitalize local democracy](https://www.bostonglobe.com/2020/05/03/opinion/coronavirus-could-revitalize-local-democracy/)."⁴ Accordingly, we feel it would be best to make the feelings of the Select Board known and to encourage our representatives in the Senate and House to start the process of updating the outdated Open Meeting Laws as soon as possible.

Introduction

The initial version of this report was presented on March 16, 2020. During that presentation, IT Advisory Committee recommended that the Select Board vote to approve remote participation authorization for public Town bodies as allowed under the [Attorney General's guidance 940 CMR 29.10 for Open Meeting Law](https://www.mass.gov/doc/attorney-generals-regulations-940-cmr-2900-2911/download)⁵.

However, just a few days prior to this meeting (on March 12, 2020), Governor Baker issued an [Executive Order](https://www.mass.gov/service-details/updated-guidance-on-holding-meetings-during-the-covid-19-state-of-emergency)⁶ suspending certain provisions of the Open Meeting Law to allow public

⁴ <https://www.bostonglobe.com/2020/05/03/opinion/coronavirus-could-revitalize-local-democracy/>

⁵ <https://www.mass.gov/doc/attorney-generals-regulations-940-cmr-2900-2911/download>

⁶

<https://www.mass.gov/service-details/updated-guidance-on-holding-meetings-during-the-covid-19-state-of-emergency>

bodies to continue operating during the State of Emergency declared on March 10, 2020, due to the COVID-18 pandemic. As a result, remote participation in public meetings during the State of Emergency did not require Select Board authorization. Also, the Select Board, Town Clerk, and Executive Director of the Belmont Media Center expressed concerns in implementing remote participation, and hence recommended (and the Select Board decided) to delay the vote until greater operational guidelines were developed.

Now, with nine months of remote meeting experience across a variety of Town committees and departments, the Information Technology Advisory Committee (ITAC) recommends that the Select Board revisit this issue again. Furthermore, because the current practices allowed under Governor Baker's Executive Order exceed what is allowed by Massachusetts Open Meeting Law (OML), we further suggest that the Select Board draft, ratify, and submit to the state legislature changes to OML remote meeting participation which reflect current practices in Belmont.

Representatives Looking for Input

During the summer months, members of ITAC reached out to Senator Will Brownsberger and Representative Dave Rogers and learned that, while no legislation to change OML remote participation is being actively discussed, both acknowledged that allowing more remote participation would be important in the future and were very interested in getting specific recommendations on expanding access. Rather than reply directly, we felt that as an advisory committee, ITAC should encourage and advise the Select Board to make such recommendations formally to our state legislators. ITAC's report to the Select Board could inform such recommendations, as could the experiences of committees and boards in Town since the onset of the COVID 19 pandemic.

As a reminder, this revised report is a successor to our [July, 2019 report to the Select Board](#)² by the ITAC 21st Century Government Subcommittee, which called for the Select Board to "green light" remote participation by Belmont committee members. This report is intended to inform the Select Board about technology-enabled remote participation in Town committee meetings (aka "virtual" meetings). Additionally, we wish to relay the experiences

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<https://www.belmont-ma.gov/information-technology-advisory-committee/agenda/belmont-information-technology-advisory-12>

of ITAC which has live-streamed its monthly meetings for more than two years, and to address concerns related to implementation of virtual meeting technology compliance with the State's Open Meeting Law, and so on. We have included feedback we gathered from the chairs of a number of important Town committees on the use and practice of remote meetings during the current State of Emergency. We hope this report goes some way toward answering Select Board questions and informing your final decision. We thank you for your attention to this important issue!

Recommendation on Remote Committee Meetings

The Information Technology Advisory Committee recommends and asks the Select Board to **exercise its authority under MA OML to permit Belmont elected and appointed bodies to allow members to participate remotely in public meetings using video conferencing or similar technology.**

It is important to note that the current suspension of OML Remote Meeting requirements, as per the [Governor's March 12, 2020 Executive Order](#)⁸, was "effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first." Hence all remote meeting options, including remote participation for Select Board members themselves, will become unavailable as soon as the Governor's State of Emergency ends (if not sooner), unless the Select Board exercises its authority to permit Belmont public bodies to allow remote participation under existing OML rules.

Furthermore, we suggest that the Select Board recommend the following changes to MA OML to our state legislators:

- Maintain the requirement for an in-person, physical meeting, but remove the requirement that a quorum of the public body and the meeting chair be physically present at the specified meeting location.
- Either greatly expand the list of permitted reasons for participating remotely in meetings or remove it entirely. The current conditions by which remote participation are allowed are: personal illness, personal disability, emergency,

⁸ <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

military service, and geographic distance. We feel that this list omits a wide range of valid circumstances under which a member may want to participate remotely (family or child care obligations, professional obligations, etc.).

Survey finds strong support inside- and outside Belmont Town government

Our recommendation is informed by the findings of surveys our Committee did with both members of the public and committee members. The findings of those surveys were incorporated into ITAC's July, 2019 report to the Select Board. By a wide margin, both the elected and appointed officials we surveyed, and members of the public, expressed support for two proposals:

- Members of the public should be free to “virtually” attend and participate in government meetings using remote meeting technologies and other tools.
- Committee members should be free to “virtually” attend committee meetings when circumstances demand and should be able to deliberate as a member of the committee.

Specifically: 64% of elected and appointed board and committee members “agreed” or “strongly agreed” that the public should be able to virtually attend meetings of their committee. Around 77% supported the right of fellow committee members to participate remotely in committee business. As for the public: 73% agreed or “strongly agreed” that members of the public should be able to remotely attend town committee meetings.

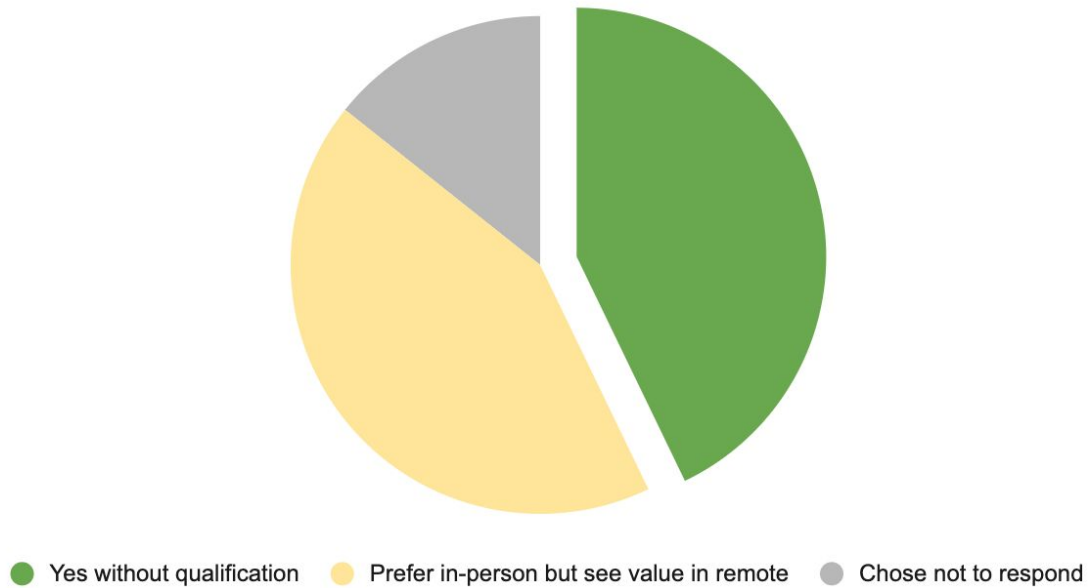
More recently, we solicited feedback from the chairs of several important Town committees⁹ on their experience with remote meetings during the current State of Emergency. Below is a summary of key responses:

- The pie chart below shows the responses from the question, “If we were ‘back to normal’ tomorrow, would you like the option to allow remote meeting participation similar to what is allowed during the State of Emergency?” Note that 86% of the responses were in favor of remote, with half of those (43%) in favor *(without*

⁹ Community Preservation Committee, Community Path Project Committee, Belmont Middle and HS Building Committee, Capital Budget Committee, DPW/BPD Building Committee, Planning Board, School Committee, and the Warrant Committee.

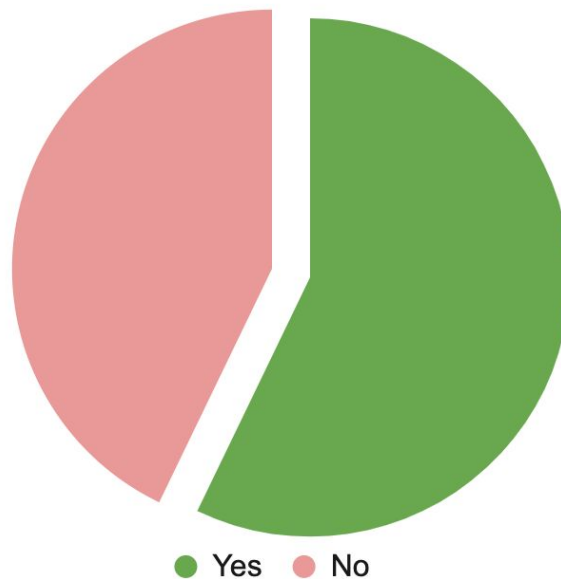
qualification) of remote options similar to what is available now during the State of Emergency.

Continue using remote meetings after the pandemic?



- Just under half (43%) of respondents said they have no knowledge of what is or is not possible for remote participation under OML; the majority of committee chairs surveyed are familiar with the OML rules in this regard.

Familiar with OML rules for remote participation?



- Technology-wise, most of the committees use normal Zoom meetings and get the links from the Town Administrator's office; some committees, such as the Select Board, Warrant Committee, and Planning Board, use Zoom webinar using links provided by the Belmont Media Center.
 - While the webinar option provides better control in large group settings, at least one respondent expressed dislike for it *"since folks are shut out and we can't see everyone on the video"*.
- Meetings using Town Zoom accounts are not recorded (by the Town directly); Belmont Media records and makes publicly available a specific subset of committee meetings.
- Initial adoption of remote meetings had a few snags (wifi bandwidth, camera issues) and at least one respondent cited a committee member without computer/webcam access that had to call in to the meeting by phone. However, the overall sentiment is that adoption has been easy.
- Additional comments on remote meetings:

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- remote meetings have improved efficiency (e.g., no pre/post meeting socializing, chairs have to be a bit more organized).
 - easier for the public to attend and participate in meetings; especially useful to include committee members that may be out of town.
 - certain interactions are more difficult when remote (e.g., viewing building plans in a group, reading the non-verbal cues of committee members).

ITAC Remote Meeting Experiment

Before describing ITAC's experience with remote meeting protocols and technology, a few definitions are helpful:

About Virtual Committee Meetings

In this report, the terms "virtual" meetings or "remote" work will refer to the use of ubiquitous and low-cost technology, including consumer laptops and tablets, IP-enabled cameras ("webcams") and microphones, as well as web-based or on-premises software applications to make Town committee meetings accessible over the Internet for both committee members and the public.

Types of Virtual Meetings

There are a number of different permutations of virtual committee meetings. These include:

- A. Traditional "in person" meetings that are streamed over the Internet for remote viewing by the public, but not remote participation.
- B. Traditional "in person" meetings that are streamed over the Internet for remote viewing and participation by the public.
- C. Hybrid virtual/physical meetings in which a physical quorum of committee members is present, but other committee members attend and participate "virtually" using an audio or video conferencing application, as allowed under OML remote participation guidelines.¹⁰
- D. Hybrid virtual/physical meetings in which no physical quorum of committee members is present, but a quorum is achieved by virtue of committee members who attend "virtually" using an audio or video conferencing application.
- E. Virtual meetings in which no physical gathering of committee members takes place. All committee members and the public attend and conduct the meeting via an Internet-enabled video conferencing application. This type of meeting was/is illegal

¹⁰ <https://www.mass.gov/files/documents/2017/09/25/2017%20Guide%20only.pdf>

under the current Massachusetts Open Meeting Laws, but it has been the norm in Belmont and other communities under the terms of the Executive Order issued by Governor Baker when he declared a State of Emergency on March 12, 2020.

Our History with Remote Meetings

For the past three years, IT Advisory Committee has been piloting remote streaming of our monthly meetings. Many of these can be viewed online on the [Committee's YouTube channel¹¹](#). Our goal in streaming our meetings was simply to lead by example, as the Town's premiere, technology-focused committee.

Referring to the list of [Types of Virtual Meetings](#) above, all ITAC meetings have been Type B: traditional in-person committee meetings with physical quora but in which the public was invited to view and participate remotely.

ITAC began streaming its monthly meetings in 2017 on a recommendation by the committee's Chair and with the consent of committee members. We have endeavored to live-stream each of our meetings although circumstances have, on occasion, prevented us from streaming our gatherings.

Similarly, while many of our gatherings were recorded, not all were.



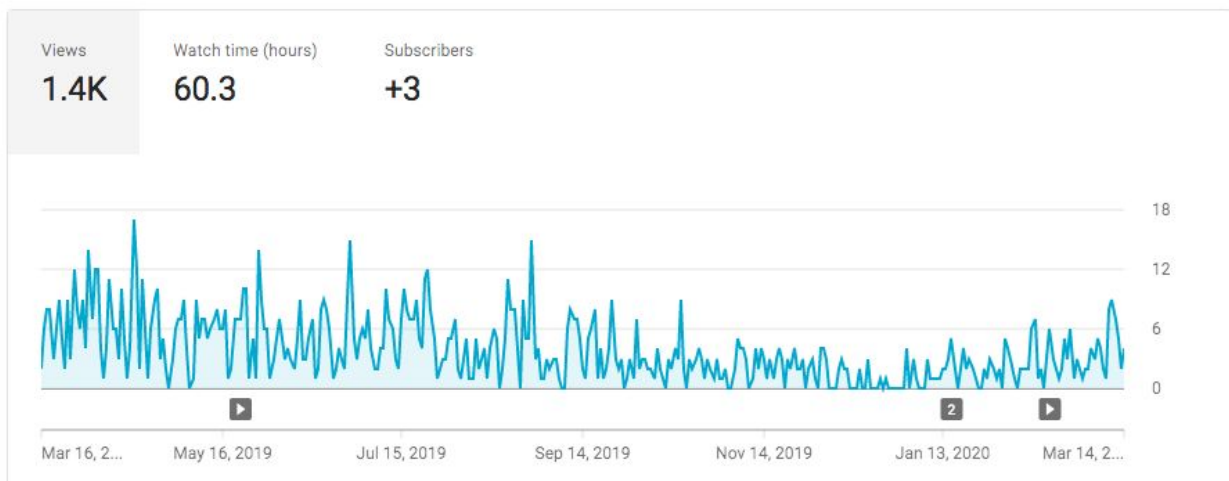
¹¹ https://www.youtube.com/channel/UCbXNdO209IRCLLy-Bh_YeVw/videos?view_as=subscriber

Depending on policies adopted by Belmont, live streaming and recordings of committee meetings could be either mandatory or the decision of each committee. It is important to reiterate that approving the use of remote meeting technology for Belmont committees does not mandate remote participation. Rather, it is an option available to any committee to elect to use (or not) as its membership chooses.

Public Response

The public has been supportive of our efforts. ITAC has announced and promoted our monthly meetings via Facebook and streamed them via both Zoom and Facebook Live. We have had remote attendees to our meetings and participants who joined via Facebook Live. Data from our YouTube channel records 1,400 video downloads and more than 8,000 impressions over the last year.

Your channel got 1,398 views in the last 365 days



While engagement on the part of the public has not been overwhelming, that is beside the point. The objective of remote meetings is not to create compelling video moments, but to facilitate the work of committees and make it easier for both committee members and the public to participate in Town business. ITAC's streaming program has undoubtedly done the latter. With approval by the Select Board, we can begin doing the former as well.

Problems & Caveats

ITAC's video streaming project has gone ahead largely without mishaps or interruptions. However, there have been bumps along the way and ITAC has some cautionary notes to committees undertaking any similar effort. They are:

Extra time is needed for setup

No surprise: committees that wish to allow remote participation by committee members or the public need to allot a small amount of time before the meeting for set-up of the equipment. For coverage of in-person gatherings, technology like the Meeting Owl greatly simplifies setup, but committees should expect to encounter some snags in setup and plan accordingly.

Integrating remote participants and in-person participants

ITAC's bare-bones setup has meant that we don't have an easy way to display remote participants. This has made it hard for in-person attendees to monitor or interact with remote viewers. See our section on [Meeting Room Set-Up](#) for ideas on how to remedy this.

A designated moderator may be needed for larger meetings

For ITAC meetings our committee Chair has doubled as the AV/Video conferencing technician and the moderator...while still fulfilling his duties as committee Chair. Going forward, having one person fulfill all these roles may not be practical. Instead, committees may want to designate a permanent or rotating moderator to monitor remote committee members and members of the public, field questions, etc. Alternatively, a member of the public or BMC might occupy this role for larger virtual gatherings.

Mind the dynamics

It goes without saying that the introduction of virtual streaming of meetings and virtual participation by committee members will alter the dynamics of committees compared with the norm of in-person, face-to-face meetings. For ITAC, the committee was initially reluctant to speak freely with "cameras rolling."

The reality today is that many Belmont committee meetings take place without any members of the public present. This gives them a kind of de-facto privacy, even if they are

observing the letter of OML by posting their meetings and minutes, and keeping the meeting room open and accessible. Streaming and virtual participation change that indelibly. In ITAC's experience, however, committee members soon adjusted to the presence of the "camera" (more so with the inconspicuous Meeting Owl) and engaged in full-throated debate and discussion without any noticeable reduction in candor.

Promote public engagement and participation

Merely streaming meetings and opening them to remote participation isn't enough to improve public engagement. Committees and the Town need to promote Town meetings via platforms and channels that Belmont residents currently use to stay informed. ITAC has leveraged Facebook to make residents aware of its meetings and used Facebook Live to allow Facebook users to attend virtually. A dedicated program to promote Town business online will help increase public awareness and engagement with committee work.

Voting and Vote Recording

As we initially prepared this report, we wrestled with the issue of recording committee votes. Prior to the onset of COVID, Belmont committees met only in person and most conducted vote by voice. Belmont's nine month experiment in all-remote meetings has put this issue to rest, for the most part. However, we expect that specific guidelines will need to be developed by the Town and promulgated for hybrid in-person and remote member votes tabulation and reporting should the Select Board approve remote participation and the Governor's Executive Order lapse.

Open Meeting Law Considerations

Massachusetts Open Meeting Law permits remote participation. The Attorney General's Regulations, [940 CMR 29.10](https://www.mass.gov/regulations/940-CMR-29.10)¹², permit remote participation and give public bodies the responsibility to ensure that "remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based."

Executive permission needed

According to the Massachusetts Secretary of State's Office: remote participation by members of a public body is possible only if it has first been adopted by the chief executive officer of the municipality for local public bodies. In Belmont, that body is the Select Board.

Once the Select Board authorizes remote participation, that authorization applies to all public bodies in the municipality. However, the Select Board determines the amount and source of payment for any costs associated with remote participation, and may decide to fund the practice only for certain public bodies. In addition, the Select Board can authorize public bodies in that municipality to "opt out" of the practice altogether.

No mandate for remote participation

It is important to note that a Select Board vote to allow remote participation in Belmont public meetings would simply enable members of public bodies to participate remotely if the practice has been properly adopted. It *does not require that a public body permit members of the public to participate remotely*. Furthermore, it is our understanding that the Open Meeting Law already permits a public body to allow individuals who are not part of that body to participate remotely in a meeting.

¹² <https://www.mass.gov/regulations/940-CMR-2900-open-meetings>

Remote public participation already allowed

In other words, ITAC's meetings, streamed to the public and open to public participation (options A and B from our list of [Types of Virtual Meetings](#)) are already allowed as they are not impacted by OML in any way. **Option C would become an option for Belmont should the Select Board vote to allow remote participation.** Options D and E are currently not permitted under Massachusetts Open Meeting Law, with the exception of the [temporary emergency order issued by Governor Baker in response to the Corona Virus/COVID 19 outbreak](#)¹³. That order has effectively enabled options D and E on a temporary, emergency basis. Changes to the OML would be needed to allow virtual quorums and entirely virtual meetings going forward.

¹³ <https://willbrownsberger.com/wp-content/uploads/2020/03/03-12openmeeting.pdf>

Technical Requirements

While it is possible to spend tens- or hundreds of thousands of dollars on “telepresence” systems, the hardware and software needed to enable remote committees is readily available for only hundreds of dollars. ITAC, for example, has supported its remote meetings using consumer grade hardware and software already owned by members and an inexpensive (\$15/month) subscription to the Zoom conferencing platform.

In other words: the cost of equipment and software is no obstacle to remote meetings. Here is a run-down of the tools ITAC used.

Hardware

For much of the three years we have streamed ITAC meetings, our streaming setup has been the same. It consists of:

- A 13” Apple Macbook Pro Laptop
- A Logitech HD 1080 USB webcam
- A Blue Yeti USB Condenser Microphone
- A tripod
- Wireless Internet Connection

In recent months, Belmont Media Center has obtained an Owl Labs Meeting Owl video conferencing hardware. ITAC has made use of that equipment, which greatly simplifies streaming. With the Meeting Owl, our setup is:

- A 13” Apple Macbook Pro Laptop
- Owl Labs Meeting Owl
- Wireless Internet Connection

With our old set-up, getting ready to record required approximately 5-10 minutes to set up, including unpacking and connecting the laptop and associated hardware, connecting to the wireless network, launching the Zoom virtual session, and initiating recording.

With the Meeting Owl hardware, setup is far more efficient, requiring less than 5 minutes to unpack and connect the laptop and Meeting Owl, connect to the wireless network, launch the Zoom virtual session, and initiate the recording.

Software

ITAC has used mostly the [Zoom video conferencing platform](https://zoom.us)¹⁴ for its meetings. Our group benefits from a subscription owned by ITAC Chair Paul Roberts and used for professional purposes. This account allows a single hosted meeting for up to 100 participants and unlimited length of time, which is ample for ITAC's purposes. However, this particular subscription option would not work for Belmont as a whole, which may need to host many, simultaneous meetings on any given day.

Regardless, Belmont has many (many) options to choose from should it adopt remote participation by committees. Zoom and Skype for Business (which is being replaced by Microsoft Teams) [are the most popular choices in video conferencing platforms](#)¹⁵, followed by Google Hangouts and GoToMeeting.

Zoom offers a small business package that allows up to 10 simultaneous meetings and supports virtual gatherings of up to 300 people. The cost is \$19.95 per user per month, or around \$200/month for Belmont. (This assumes that Belmont does not qualify for a discount as a non profit organization, which it may well.)

As an Office365 user, Belmont may look to Microsoft's Teams platform, as it may be entitled to discounts as an Office365 shop. Belmont's IT Director, Dave Petto, can help the Town determine which virtual meeting platform best suits the needs of the Town.

¹⁴ <https://zoom.us>

¹⁵ <https://www.owllabs.com/state-of-video-conferencing>

Other Considerations

Meeting Room Set-Up

ITAC has used a number of meeting rooms to stream its proceedings including Town Hall, Meeting Room 1, Meeting Room 4, and from a conference room in the Homer Building. No special accommodations are needed to support streaming. Power outlets and wireless Internet access are sufficient.

However, to maximize the experience for both in-person committee members and members of the public, the Town should give some thought to equipping meeting rooms to enhance the remote meeting and streaming experience for both the public and committee members.

The addition of a wall mounted video display would permit in-person meeting attendees to view remote participants easily and interact with them when they ask questions. Cords would also be needed to connect laptops running the video conferencing software to the video monitor.

User Education

ITAC is uniquely well qualified to conduct remote meetings, given the background of its members. That said: many professional men and women staffing Belmont's elected and appointed bodies likewise have experience using and even setting up remote meetings in the workplace. By one (albeit vendor-sponsored) survey: [50% of U.S. employees work remotely at least once per week.](#)¹⁶ Especially among younger workers, remote teams and teleconferencing are standard practice and, in fact, expected.

Still, committee members will need to be trained on the use of the hardware and software, how to integrate remote committee members, how to manage questions from the public, appropriate use of messaging features and tools, compliance with OML provisions, and protocol around unique circumstances such as "Executive Session." Belmont's IT

¹⁶ <https://www.owllabs.com/state-of-remote-work>

professionals, ITAC members and Belmont Media Center could coordinate to provide such training as needed.

Meeting Recordings & Video

Should the Select Board vote to allow remote committee work, the Town Clerk should consider developing a procedure for collecting and storing recordings of any streamed meetings. Recording of online meetings is not a requirement for OML. In terms of compliance with OML, the documentary requirements of virtual vs. physical meetings are the same. Namely: a meeting agenda and meeting minutes need to be archived. However, to the extent that recordings are made of virtual or virtual/physical meetings, Belmont has an interest in collecting and maintaining those as public records, also.

Note: creation of meeting video or audio is an option for committees, not a requirement under OML (at least at this point). As a result, custody and storage of any video, audio or other media resulting from those meetings is an important issue for the Town to consider, but not a reason to postpone allowing remote participation.

Accommodating Committee Members and the Public

In our experience, the transition to allowing remote participation by the public and committee members will not place an undue burden on committee members, Town staff nor the public. This is especially true as Belmont makes provisions for remote participation by committee members and the public: outfitting meeting rooms with the necessary hardware to support virtual attendees and educating committee members on their proper use. Belmont's very capable IT professionals, under the leadership of Dave Petto, are more than capable of supporting this roll out. ITAC members as well as staff at Belmont Media Center are also available to help train and educate committees on the proper use of remote meeting technology.

Conclusion

In our experience from three years of streaming our monthly IT Advisory Committee meetings, and as all our recent experience during the current COVID-19 pandemic have demonstrated, remote participation by the public is cheaply and easily attainable by any Belmont committee today.

While there is no doubt that in-person meetings are highly desirable, we believe -- and the surveys we've conducted support the idea -- that having options for remote participation is in the public interest and would not be difficult to implement. The remote participation rules as they exist in OML today should at minimum be authorized by the Select Board; and if they agree that the benefits of fully remote meetings during the State of Emergency should be extended (in part) to post-pandemic OML, then the Select Board should also suggest OML changes to our state legislators that loosen the restrictions on remote participation.