

RECEIVED  
TOWN CLERK  
BELMONT, MA

2020 JAN 17 AM 9:37

Minutes  
Town of Belmont  
Select Board

Select Board Meeting Room

Monday, September 23, 2019

7:00pm

APPROVED  
BOARD OF SELECTMEN  
DATE: 10/7/2019

CALL TO ORDER:

A regular meeting of the Select Board was called to order at 7:10pm by Chair Tom Caputo. Vice Chair Adam Dash and Selectman Roy Epstein were present. Town Administrator Patrice Garvin was present.

COMMUNITY ANNOUNCEMENTS:

- The Council on Aging has launched a volunteer driver program to augment its existing transportation services. To participate as a driver, or for more information, contact Martin Cloherty, (617)-993-2989.
- Belmont Religious Council is sponsoring its annual *Belmont Serves* event on October 14<sup>th</sup>. Meet at the Unitarian-Universalist Church at 8:30am to organize for various service projects – for more information visit <http://www.belmontserves.org>.
- Flu shots are now available for Belmont Town and School employees.
- Friends of the Belmont Council on Aging are hosting a ten year anniversary celebration of the Beech Street Center, October 6<sup>th</sup> from 2-4pm.
- Wes Chin (Director, Health Department) provided an update on the latest DPH report concerning mosquito borne illnesses in Belmont: risk of EEE remains low, West Nile is moderate. Residents urged to take precautions including use of EPA approved pesticides, covering up at dusk/dawn. Contact the Health Department with any questions.

COMMENTS FROM TOWN RESIDENTS:

[There were none]

ACTION BY CONSENT:

**Executive Session – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body, and the Chair so declares; All Unions**

*Motion: To enter into executive session as stated above. (Vote passed 3-0; Roll-call vote: Tom Caputo, Adam Dash, Roy Epstein)*

*Motion: To come out of executive session. (Vote passed 3-0; Roll-call vote: Tom Caputo, Adam Dash, Roy Epstein)*

03/09/2017  
**Acceptance of gift by Estate of Joan Campbell, endowment fund for Lone Tree Hill, Belmont conservation land**

Ellen O'Brien Cushman (Chair, Land Management Committee for Lone Tree Hill) gave background of Joan Campbell, a long-time Belmont resident. She had passed away in April, leaving \$330k to the establishment of a fund for conservation purposes and stewardship of the land. The IRS requires the Select Board to accept the gift, after which the Town Treasurer would be responsible for creation and management of the fund, with the Land Management Committee having authority to approve funds for projects.

*Motion: To accept the gift of \$330k from the estate of Joan Campbell for the establishment of an endowment fund for Lone Tree Hill. (Vote passed 3-0)*

**Vote to approve new Common Victualler License for Jamaica Jeff's (Jeffery Lasseter) 61 Leonard St.**

**Public hearing for request for all alcohol liquor license to Jamaica Jeff's, LLC, 61 Leonard St., Belmont**

[Caputo opened the public hearing.]

Jeffery Lasseter was present. Lasseter had been a Belmont resident since 2000. Professionally he had served as a diplomat with the State Department, including 6 years in the Caribbean. His vision was for authentic Caribbean/BBQ food and Caribbean themed drinks/cocktails. Lasseter explained he had been working on the space since the end of May – the Common Victualler and All Alcohol Licenses were the final hurdles before being able to open. Lasseter emphasized a commitment to the community including support for local sports teams and desire to set up a vocational training program in the future.

Dash confirmed that Lasseter had not pledged the liquor license for a loan; he also confirmed Lasseter understood the license was non-transferrable.

[Open for public comment – there was none.]

*Motion: To approve the new Common Victualler License for Jamaica Jeff's (Jeffery Lasseter) 61 Leonard Street. (Vote passed 3-0)*

*Motion: To approve the non-transferrable All Alcohol License for Jamaica Jeff's, LLC, 61 Leonard Street, Belmont. (Vote passed 3-0)*

**Discussion and possible vote on Rink Request for Proposals (RFP) and Lease**

Jeffery Wheeler (Senior Town Planner) and George Hall (Town Counsel) joined the meeting. Caputo noted the great public forum held the prior week and requested an update on the status of the RFP and lease.

Garvin provided an overview of updates to the RFP based on the feedback from the forum: RFP was sent to Vice Chair of the Energy Committee for review, resulting in added language on zero-net energy and related to the Town's Climate Road Map; scoring criteria adjusted to better account for meeting the programmatic needs of the School/Town; took out the 'unacceptable' scoring option; point person for the Town/School was identified; adjustments to the oversight committee.

In terms of the lease, Dash noted it had been beefed up considerably. Hall explained it was common to have negotiations over the lease in these types of deals, but he wanted to make sure all the important elements are incorporated so as to start negotiations from a desirable position.

Dash thought the documents were nearly ready for release, but proposed the timelines for the project should be extended – both to give developers more time to respond to the RFP and for consideration of the received applications by the School Committee. This was based on his experience professionally with similar type projects as well as the overwhelming feedback from the public forum. Pushing off the ultimate Town Meeting vote to the next Annual Town Meeting in the spring was advisable.

Epstein agreed that the timeline was too aggressive, citing the critical elements of the interview process and having confidence in receiving high quality bids. He proposed a Special Town Meeting could be held in the early New Year (Jan/Feb) to take up the matter if necessary.

Wheeler suggested that if the timelines were being pushed back, it would also make sense to push back the release date of the RFP in order to further refine the documents. Garvin would bring a new proposed schedule for the project to tomorrow's joint meeting with the School Committee.

The Board took up several items within the documents themselves:

- Clarify the definition of a 'large event' - clause aimed at limiting the number of events with high attendance that would impact the surrounding neighborhood in terms of traffic, parking, etc.
- Construction rent – should be tied to something concrete, e.g. lost property tax.
- Need a policy to describe right of first refusal by the Town/School for ice time.
- Liquidation damages, ensure language covers 501c3 (i.e. have some PILOT type language); also, ensure covers all necessary fees on the Town side, e.g. attorney fees.
- 'No assignment' clause had been slightly relaxed, only to allow financing options for the project.

[Open public comment.]

- *Jane Otte (Goden St.):* Congratulated Selectmen on expanding the timeline.  
Asked the Selectmen to visit other rinks done under a public-private partnership to observe the size and traffic.  
Asked if there had been follow-up discussion with Belmont Hill School or another non-profit to form a partnership for the rink.
  - o Caputo noted that non-profits can participate in the RFP process – the Board has to go through the RFP process in a careful way, can't solicit bidders specifically.
  - o Epstein indicated that all those involved shared concern over a potential developer having a limited scale project.
- *David Otte (Goden St.):* Thought the Board would regret adding a rink at this location, High School would be adding enough additional traffic to an already congested area. Felt the Board had already made the decision to move ahead with a public-private partnership.

Wheeler would incorporate additional comments to the RFP/lease in advance of tomorrow's joint meeting with the School Committee; Garvin would put together a proposal for an extended timeline, possibly including a winter Special Town Meeting.

**Information Technology Advisory Committee: a) Report on 5G; b) Discussion on forming a Website Committee.**

[Item postponed to a future meeting.]

### **Update on the FY18 Audit results**

Robert Keefe (Chair, Permanent Audit Committee) and Floyd Carman (Town Treasurer) were present. Keefe reviewed the charge and current composition of the Permanent Audit Committee. He noted it is the Town's practice to conduct a yearly audit to maintain status for receipt of certain federal funds, and to preserve its credit rating with Moody's. The last credit rating conducted by Moody's in April 2019 resulted in a continued AAA rating; Belmont was one of the few municipalities to receive such rating.

With respect to the FY18 audit, the Town side audit was conducted by Powers & Sullivan LLC. The Town received an unmodified opinion, dated January 22, 2019 on both its financial statements and reports on awards programs; no material control weaknesses identified. A separate audit of Belmont Light, conducted by Goulet, Salvidio & Associates, PC resulted in an unmodified opinion, dated May 7, 2019, with no material control weaknesses identified.

### **Discussion and possible vote on Age Friendly Advisory Council**

Nava Niv-Vogel (Director, Council on Aging) recalled that last March the Town had joined as a member of the AARP's Age Friendly network. One responsibility for maintaining status is to prepare an action plan, for which she was proposing a committee be formed. Vogel had suggested allocations for membership on the committee, modelling it after one in Brookline (Brookline had been a long time member of the Age Friendly network). The committee's charge would be to take the Age Friendly report from a year ago and drill down on a specific plan to implement its recommendations.

The Board suggested that allocations of member slots to Town Departments could be substituted, as representatives from the Departments could be asked to participate in meetings on an as-needed, non-voting basis. E.g. Dash proposed replacing the Community Development representative with one from Housing Trust; DPW and Town Clerk representatives with resident slots. Garvin thought the committee should have someone familiar with ADA issues.

Garvin would further refine the charge and member allocations for the along the lines discussed committee. Vogel noted that the deadline for producing an action plan was March 2020.

### **Review, vote and sign agreement to have the MWRA cover the costs of engineering, design, and construction services**

Garvin explained this item tied back to a vote at previous Annual Town Meeting, for which Town Treasurer Carman had recently brought forth the borrowing. The programs retrofitted manholes to reduce inflow of rainwater and removal of illegally connected sump pumps. Epstein suggested there be a suitable outreach program to homeowners whose sump pumps required replacement under the program.

*Motion: To approve and sign the agreement for \$3,525,000 for "Manhole Insert Project" and "Sump Pump Removal Project" with Stantec Consulting Services Inc., along the lines outlined in the packet. (Vote passed 3-0)*

## **Open Warrant for Fall Special Town Meeting**

Garvin noted the Articles were essentially placeholders at this point in time and not yet finalized. The list was as follows:

- AirBnB, ability for the Town to levy a tax.
- Appropriate the second half of funds for new fire pumper truck.
- Question on whether to rescind notice of withdrawal from the Minuteman regional school network.
- Roll-call vote by-law change.
- Rink, approval of lease (likely to be deferred, left in as placeholder).
- Removal of fire/police from civil service (unclear if it will be left on, Garvin meeting with unions).
- McLean article (not ready, left as placeholder).
- Cemetery landscaping request to use perpetual care fund interest.
- Non-binding citizen's petition regarding Board's vote of August 26, 2019 to enter into health insurance plan design negotiations.

*Motion: To open the 2019 Fall Town Meeting Warrant now, to close on Tuesday September 24 2019 at 5:00pm. (Vote passed 3-0)*

## **Committee Appointments**

### Community Path Project Committee

Recent appointee Andrew Wall had resigned – his term was set to expire in 2020.

*Motion: To appoint Ellen Sugarman to the Community Path Project Committee to fill the term of Andrew Wall expiring in 2020. (Vote passed 3-0)*

### Constable

The Board had recently renewed appointment of Richard Picceri, but missed the fact that the term of William Chemelli was also up in 2019.

*Motion: To reappoint William Chemelli as a Belmont Constable. (Vote passed 3-0)*

### Council on Aging

Assistant Town Administrator Marshall's review had shown there were actually five vacancies (previously it was thought to be four), with four members seeking reappointment. The Board had previously discussed appointing Mark Paolillo to replace a slot held by one of the longer serving members; it was agreed to assign Paolillo to a full term, and assign one of the reappointments to the slot associated with a shorter term.

*Motion: To reappoint Mary Ann Scali, Joel Semuels, and Ellen Sullivan to three year terms on the Council on Aging; to reappoint Phyllis Solomon to a two year term on the Council on Aging; to appoint Mark Paolillo to a three year term on the Council on Aging. (Vote passed 3-0)*

### Energy Committee

Candidate Jeremy Romanul had withdrawn from consideration due to involvement on TAC. Dash proposed Claus Becker; Epstein advocated for Kay Williams. The Board eventually settled on Williams due to the fact that her skill set would be valuable in helping the Committee when it came to implementation of initiatives.

*Motion: To appoint Kay Williams to the Energy Committee. (Vote passed 3-0)*

### Recreation Commission

Recent appointee Aaron Pikilingis had expressed desire to serve on the Vision 21 Implementation Committee instead, leaving an open spot. Caputo suggested Melissa Hart would be a good fit.

*Motion: To appoint Melissa Hart to the Recreation Commission. (Vote passed 3-0)*

### Vision 21 Implementation Committee

The vacancy had been re-advertised. In addition to Pikilingis, the Chair was recommending Justin Bakule from the new pool of applicants.

*Motion: To appoint Justin Bakule to the Vision 21 Implementation Committee to a term ending in 2020; to appoint Aaron Pikilingis to the Vision 21 Implementation Committee to a term ending in 2021. (Vote passed 3-0)*

[End of committee appointments.]

As a related matter, Epstein commented on the difficulty experienced by the Community Path Project Committee (CPPC) in attaining quorum, suggesting Garvin could be promoted to an ex-officio voting member in order to keep the project moving forward. It was agreed to wait and see how things go with the recent appointees and reevaluate later.

### TOWN ADMINISTRATORS REPORT:

Garvin reviewed the Town Administrator's Report:

- Belmont's MassPort CAC representative Myron Kassaraba is holding a public input session on airplane noise, October 1 at 7pm.
- Provided the department budget meeting schedule as well as a memo on capital requests.
- Need to reschedule the Monday November 4 Board meeting – it was agreed to move up to October 28.
- A recent Recreation Commission meeting saw discussion of a proposed alternative cost structure for the adult sports fee. Assistant Town Administrator / Recreation Director Marshall explained there had been a large drop-off in participation since switching from the fieldhouse to smaller venues – this was temporary due to the High School construction. The drop-off made it even more difficult to fully recover costs from running the adult sports programs. Marshall was looking into potential solutions, including finding programs for residents that would meet their needs during the construction period.
- League of Women Voters Warrant briefing information night scheduled for November 5 at the Beech Street Center.

- Garvin and Assistant Town Administrator Marshall would be attending the ICMA conference Saturday October 19 to Wednesday October 23.
  - *Motion: To appoint Glenn Clancy as acting Town Administrator from October 19 to 23, 2019. (Vote passed 3-0)*
- In anticipation of applying for ADA grants, Garvin asked the Board to review a set of policies that had been discussed in the past by a previous Board, but never actually adopted.
  - The potential grant of up to \$250k would cover ADA accessibility items such as sidewalks, ramps, etc., including projects that are already on the Complete Streets prioritization plan.

APPROVAL OF MEETING MINUTES:

- *August 12, 2019, Regular Session:*

*Motion: To approve the August 12, 2019 regular session minutes. (Vote passed 3-0)*

- *August 26, 2019, Regular Session:*

*Motion: To approve the August 26, 2019 regular session minutes. (Vote passed 3-0)*

BOARD OF SELECTMEN COMMITTEE LIAISON REPORTS:

Epstein:

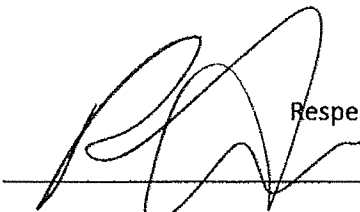
- CPPC met with Nitsch, making every effort to bring them up to speed – they are reviewing materials, walking the site, meeting with MBTA officials, etc. There are three senior people on the project; Epstein had high expectations.

Caputo:

- The FTFI reviewed and discussed a charge for the long-term capital planning committee – would be iterating with the Capital Budget Committee for feedback, ultimately bring to the Select Board for review.

ADJOURNMENT:

*Motion: To adjourn at 9:54pm. (Vote passed 3-0)*

  
 Respectfully Submitted,  
 \_\_\_\_\_  
 PATRICE GARVIN, Town Administrator