

Approved by Select Board:
September 18, 2023

Minutes of the
Town of Belmont
REGULAR SESSION
of the
SELECT BOARD
September 7, 2023

RECEIVED
TOWN CLERK
BELMONT, MA

DATE: October 10, 2023
TIME: 8:59 AM

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

Call to Order: Mr. Epstein called the meeting to order at 7:00pm.

Select Board Members	Present	Staff Members	
Roy Epstein, Chair	Yes	Patrice Garvin, Town Administrator	Yes
Elizabeth Dionne, Vice-Chair	Remote	James MacIsaac, Chief of Police	Yes
Mark Paolillo, Member	Yes	Cory Taylor, Belmont Police Patrol Association	Yes
		Al Garabedian, Belmont Superior Officers Association	Yes

Public Input Session on the removal of all Belmont Police Officers from Civil Service

Chair Epstein explained the purpose of the session. He pointed out that the agenda should have said "removal of the Belmont Police Department from Civil Service for New Hires going forward". He emphasized that those already in Civil Service will remain in Civil Service for the duration of their employment.

Chief MacIsaac explained that leaving Civil Service has been a goal since he was hired in 2020, and shared the history of how he has spoken about this throughout Town.

He then explained the history of the problems the department has faced trying to hire officers, especially minority officers through Civil Service. He also explained how leaving Civil Service and the unions would work regarding grievances and promotions.

Chief MacIsaac explained the benefits of leaving Civil Service and shared the experience of Chiefs of Police in other communities that have left.

Mr. Epstein explained the history of Civil Service in Belmont, pointing out that for Belmont to leave Civil Service there would need to be a Town Meeting vote. He then explained the problems with hiring in Belmont through Civil Service.

Mr. Epstein explained how this move was identified by the Structural Change Impact Group and complements other important structural changes in Town. He clarified that Civil Service does not address the main conditions of employment (compensation, vacation, retirement, etc.) and that the vast majority of Town employees (not including Schools) do *not* belong to Civil Service. He went on to present problems with hiring through Civil Service and the benefits of leaving it. He pointed out that there are strong non-nepotism laws which address that concern and reviewed Belmont's "Strong Police Chief" law.

Mr. Epstein explained why a Town meeting vote is critical to leaving Civil Service.

Mr. Paolillo strongly endorsed leaving Civil Service and explained his reasons for this position.

Ms. Dionne explained that she is concerned about pressure to reduce the size of the police force although she does support a fully staffed police department. She also spoke about increasing diversity.

- Aaron Pikilingis asked for clarification of the timeline if Town Meeting approves the change, and what systems would be put in place.

Before addressing this question, Chief MacIsaac clarified that officers who choose to take a promotional exam and are promoted would leave Civil Service.

Chief MacIsaac then explained what the Town would negotiate should Town Meeting vote yes and outlined the timing of the change.

- Kathy Keohane asked if an alternative to leaving would be to change some of the factors of Civil Service. Chief MacIsaac reiterated the effort by the previous Chief to add diversity to the department, which was

never acted on by the Legislature. He shared efforts made by other communities to make changes, which also were unsuccessful.

- Dave Webster asked for clarification of the hiring process, which Chief MacIsaac provided. Mr. Webster said he hopes diversity can be improved and made some suggestions about this and made some recommendations on how to present at Town Meeting, which was discussed.
 - Judith Feinleib expressed concern about expenses that will be assumed by Belmont that are currently covered by Civil Service. Chief MacIsaac said there are no costs that Belmont will have to take on, which they discussed. Ms. Feinleib asked that a list of any costs that might be associated with this change be provided before a vote.
 - Kayleen Chen asked if the Belmont Police Union has taken a stance, and Chief MacIsaac said they have had discussions, and he believes they would like to have a say in the issue and see some benefit for leaving Civil Service.
 - Paul Roberts asked if withdrawing from Civil Service would require the town to negotiate with the unions on the terms of the withdrawal. He also asked if the Town's position would be stronger to withdraw whether or not there is support from the unions. And, would a withdrawal plan be in place before a Town Meeting vote. Ms. Garvin explained that there would be union negotiations, and if there was an impasse the Town would work with Counsel to resolve the issue. This does not have to be complete before a Town Meeting vote. Mr. Roberts also expressed concern about the costs of withdrawal, especially related to possible union pay increases to withdraw.
- Mr. Roberts asked what had been done to address the concerns of union officers about preserving the protections provided through Civil Service and have specific offers been proposed to the unions. Chief MacIsaac explained that there are no protections provided by Civil Service, and Ms. Garvin outlined what efforts had been made to talk with the union regarding withdrawal. There was a discussion of what protections Civil Service does or does not provide and the issue of negotiating with the union.
- Office Taylor confirmed Chief MacIsaac's explanation of protections in Civil Service and added that there are some benefits for during a discipline dispute. He then explained that the union spoke with the Town on a whole package of issues including leaving Civil Service. Mr. Paolilli pointed out that the Town is committed to protecting its employees to the fullest extent of the law, including protections around employment.
- Calista Reagan asked how leaving Civil Service would affect the Police's liability, accountability, and their role in the structure of government. Chief MacIsaac said leaving Civil Service would affect these things very little and spoke to each of Ms. Reagan's items and explained that the only time he interacts with Civil Service is during the hiring process. Ms. Reagan then asked if he foresaw any changes to the promotion, hiring, and discipline processes. Chief MacIsaac said the processes will be easier and explained why.
 - Bill Anderson asked what "Post" is and asked some clarifying questions about grandfathering and the pool of candidates available for open positions. Chief MacIsaac explained that POST is the Police Officers Standard in Training and explained what that means. He also answered Mr. Anderson's other questions.
 - Roger Fussa spoke about the Diversity Task Force, and the non-diverse nature of the Belmont Police Department. He expressed support for leaving Civil Service.
 - Angus Davidson asked where the Fire Department stands on this issue. Mr. Epstein said only the Police Department is considering this change. Ms. Garvin explained that Police is the top priority because of critical on-going staffing shortages. Mr. Davidson then asked about handling grievances outside of Civil Service, which Chief MacIsaac addressed.
 - Dylan Callahan asked what the effects of the current Police vacancies are on the Town, which Chief MacIsaac explained.
 - Angus Abercrombie asked about changes in the diversity of police departments that have left Civil Service, and Chief MacIsaac explained that it had not changed much but that this will time and would not be possible at all without a larger candidate pool. There was a discussion of this issue.

- 90 • Marie Warner asked if the unions favor remaining in Civil Service. Ms. Garvin said it's not possible to know
91 since this has not been negotiated. She asked if the officers present would speak about whether or not
92 they wish to stay in Civil Service. Mr. Paolillo said this discussion should take place during union
93 negotiations. This was discussed.
- 94 Ms. Warner asked where Belmont ranks in compensation and Ms. Garvin said this would have to be
95 studied and negotiated. There was a discussion of how the union negotiations might happen.
- 96 Mr. Taylor said the Patrolman's Association is open to discussion, but the Supervisor's are currently in
97 negotiations so cannot comment.
- 98 • Kim Haley-Jackson expressed support for leaving Civil Service in order to increase diversity. She then
99 asked if there were other options to increase the applicant pool without leaving Civil Service. She asked if
100 the benefits package would be different for Civil Service vs non-Civil Service. Chief MacIsaac addressed
101 these issues.
- 102 • Roger Fussa explained that in 2021 Belmont employees were 96.5% white which could open the Town to
103 discrimination charges.
- 104 • Judith Feinleib asked about the negotiation process, which Ms. Garvin addressed. Ms. Feinleib then
105 shared her concern about leaving Civil Service without knowing what would replace it. Mr. Epstein
106 reiterated that these details have to be negotiated with the Police unions. This was discussed with Mr.
107 Epstein explaining that there are procedures from other towns that can be followed and offered to collect
108 some examples for Ms. Feinleib to review.
- 109 • Vince Stanton suggested that a high-level description of what the Town hopes to achieve and a high-level
110 description of what the Town's approach will be for negotiations be provided to Town Meeting members.
- 111 • Aaron Pikilingis asked if a Town Meeting vote required before voting, and have other towns negotiated
112 before or after voting. Ms. Garvin explained that the negotiations are not required before a Town Meeting
113 vote because the contracts are closed. The contracts will not open again until 2025 but the issue of staffing
114 is so critical that there is a desire to act on this before the next contracts are negotiated. Ms. Garvin
115 emphasized that the Town would present the best collective bargaining agreement possible.
- 116 Mr. Paolillo spoke about the importance of ensuring that Town Meeting members understand the issues
117 that have been brought up during the meeting.
- 118 • Priya Licht spoke about the challenges of finding employees in all sectors, and that the long-standing
119 vacancies in Belmont indicate an unhealthy employment situation.
- 120 • Angus Davidson agreed with Ms. Licht's views on the employment situation. He then suggested that a
121 salary study needs to be done, and that there could be a cost associated with increasing salaries to
122 compete on the open market.
- 123 • Dorothy Stoneman expressed support for leaving Civil Service in order to hire the best candidates and
124 have a more diverse police force.
- 125 • Paul Roberts asked if Town Meeting votes yes, does that strengthen the Town's position during
126 negotiations with the unions. Ms. Garvin explained that all the people who will be negotiating will be staying
127 in Civil Service so any issues must be resolved and reiterated that non-Civil Service employment will be for
128 new hires only.
- 129 Mr. Epstein suggested that materials about this issue be posted as they become available (models from other
130 communities, salary comparisons, etc.).

131 **Adjournment**

132 *A motion was made to adjourn the meeting of the Belmont Select Board Committee, and the*
133 *motion was seconded and passed unanimously. The meeting was adjourned at 9:05pm.*
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135 Respectfully submitted by,

136 Susan Peghiny, Recording Secretary
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