

**Minutes**  
**Town of Belmont**

**Select Board**

**Virtual Meeting on Zoom**

**Monday, June 1, 2020**

**7:00pm**

Approved by  
the Select Board on:

July 27, 2020

**CALL TO ORDER:**

A regular meeting of the Select Board was called to order at 7:00pm by Chair Roy Epstein. Vice Chair Tom Caputo and Select Board member Adam Dash were present. Town Administrator Patrice Garvin was present.

The meeting was partly in joint with the School Committee; Chair Andrea Prestwich called the School Committee to order.

**COMMUNITY ANNOUNCEMENTS:**

- *Belmont Virtual Unity Vigil* to be held on June 4 at 7pm, organized by Belmont Against Racism, Belmont Religious Council and Belmont Human Rights Commission.
- Epstein noted that Police Chief MacIsaac had written a letter in response to the death of George Floyd, available on the Belmont Police Department website and in local media outlets. Epstein read several sentences from the letter and urged the community to read the full letter.

**QUESTIONS/COMMENTS FROM TOWN RESIDENTS:**

[There were none.]

**APPROVAL OF MEETING MINUTES:**

- *May 11, 2020 regular session:* Dash proposed to remove the appendix (and associated references) containing the full statement read by Epstein.

*Motion: To approve the May 11, 2020 regular session minutes, as amended. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

- *May 11, 2020 executive session:* Epstein had several proposed edits; minutes would be recirculated for approval at the next meeting.

**ACTION BY CONSENT:**

**Vote to approve the \$103.5 million dollar financing for the BHS project (\$100 million) and the Police/DPW project (\$3.5 million)**

Floyd Carman (Town Treasurer) was present. The borrowing was comprised of a 30 year bond at an interest rate of 2.178%, reflecting savings of ~\$6-7m relative to the interest rate from the first tranche of borrowing. Carman had pulled the offering off the market back in March when it looked like there would only be one or two bidders; this time around there were ten bidders. Carman noted the low interest rate

was a result of Belmont being AAA rated by two separate agencies, one of only eleven communities in Massachusetts to achieve such a rating from both Moody's and Standard & Poor's.

Dash read the full motion for the record, which included the borrowing schedule (see Appendix A).

*Motion: [The motion, as found in Appendix A, was read.] (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

#### **COVID-19 update and discussion**

The Board of Health had recommended to update the list of businesses in Temporary Emergency Regulation #2 for which a face covering is required, for consistency with Governor Baker's phased reopening.

*Motion: To approve Amendment #1 to Temporary Emergency Regulation #2 as distributed today, namely, that restaurants and banks be added to the list of businesses for which a face covering is required. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

[As part of 'Community Announcements', the Board had intended to read a proclamation for the Belmont High School Class of 2020 – this was taken up now.]

#### **Proclamation for the Belmont High School Class of 2020**

Caputo read the proclamation. Epstein had extended an invitation for a member of the graduating class to make a statement, but no one was present.

*Motion: To issue the proclamation of the Select Board for the Belmont High School Class of 2020 as read by Vice Chair Tom Caputo. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

#### **Discussion of process for Appointment to School Committee**

Epstein reported that 15 applications had been received for the open position on the School Committee. He had discussed with School Committee Chair Prestwich about potentially creating a short-list for interviews, due to the large number of applicants. However, on further reflection, he felt it was important to hear from all those who had applied.

Based on the format used back in 2018, the proposal was to allow each candidate to have an opening statement, provide answers to a set of 4-5 predetermined questions, and then give a closing statement. Others noted this format would make for an extremely long meeting. School Committee member Crowley proposed a hybrid approach, wherein 2 questions would be reserved for an initial (brief) screening round, and 2-3 questions for a more in-depth interview with a select few candidates. This approach was broadly supported by the group.

The Board and School Committee reviewed the list of questions and settled on two screening questions, as well as several other potential questions to be used in the later round – the questions would be finalized at the end of the screening round and informed by the discussion therein. The screening round was scheduled for June 24, and the second round for June 25. School Committee Chair Prestwich would follow up with the potential candidates to explain the process; questions would be posted publically in advance of the meetings.

## **Discussion and possible vote on request from Human Rights Commission to host a Belmont Pride Rolling Parade on June 13, 2020**

On receipt of the request, Garvin had spoken with the applicant and requested additional time to work with Police Chief MacIsaac in setting up general criteria / parameters for holding Rolling Rallies. Her concern was that many other organizations would be making similar requests in the near future, and some guidelines needed to be in place. The applicant was amenable to delaying the request until such details could be sorted out.

## **Discussion on 40B MassHousing Application, 91 Beatrice Circle**

The Board had received many emails regarding the application, and the current agenda item was included to provide some background information and also invite public comment.

Epstein clarified the role of the Select Board in the process, first noting that it was not within the Select Board's power to accept or reject a given 40B proposal. As a matter of process the project would come before Belmont's Zoning Board of Appeals (ZBA); however, a ZBA ruling could be appealed by the developer to MassHousing if the outcome was unfavorable to the developer. Ultimately, the project may be approved by MassHousing if it is deemed to be consistent with 'local need'; this term essentially referred to the regional need for low to moderate income housing.

Epstein was working with Town Administrator Garvin and Town Counsel to put together a letter expressing the Board's position on, and concerns over, the development. In general, the public was encouraged to also participate in the public comment process of the application by sending letters to MassHousing – the deadline for public comment had been extended to July 15.

Dash and Caputo each acknowledged the legitimate concerns raised to them by residents over the development, and suggested that Town Counsel should weigh in on the potential for Belmont to claim 'safe-harbor' status due to recent progress made towards providing additional affordable housing (e.g. Housing Production Plan, McLean, etc.).

[Public comment.]

- *Benny Meshoulam (Town Meeting Member, P7)*: In favor of the project and welcoming affordable housing in Belmont generally. Need to figure out how to make affordable housing happen versus how to prevent it.
- *Ryan Thompson (Resident of street)*: Gathered petition with over 1500 signatures in opposition to the project. Will only add 4 affordable units to housing stock. Many safety issues with this development being on Frontage Rd. In general support the Housing Trust and Housing Production Plan, but not this development.
- *Tracy Ramsey (Beatrice Circle resident for 29 years)*: Implore Town officials to deny the project; not a suitable site due to many safety related issues.
- *Dan Devine (Abutter, 37 Beatrice Circle)*: Opposed to the development, not suitable based on the small size of the lot (12 zoning variances would be required). See it as an affront to the progress made by the Housing Trust with the Housing Production Plan.
- *Kathy Keohane (Town Meeting Member, P2)*: Raised issues of storm water management and shading on the site.

- *Rachel Heller (Co-chair, Housing Trust):* Housing Trust has not taken a position on the development, but it does reflect the kind of units that are desperately needed in Belmont (3-4 bedrooms). Noted the Housing Production Plan is currently approved but has not yet been certified (relates to the 'safe harbor' status).
- *Camil Sayegh (26 Beatrice Circle):* Raised two kids – many safety issues living next to access road. Certain safety issues related to use of public transit in the area will be exacerbated by the development.
- *Kristin Boardman (75 Beatrice Circle):* Opposed to the development; supportive of affordable housing in general. Development would have no outdoor play area for kids. Urge Select Board to express strong opposition.
- *Constantine (25 Crestview Rd.):* Drives on the access road everyday – it is not safe, people drive too fast.
- *Emily Peterson (Town Meeting Member, P1):* Opposed to the development, Belmont should be able to implement affordable housing on its own terms. Select Board and Town leaders should take this opportunity to show maximum support for affordable housing via McLean project, getting the Housing Production Plan certified, etc.
- *Lisa Sotir (23 year resident of Hinckley Rd.):* Driveway onto access road is a safety concern. This area of Town is relatively isolated from the rest of the community, therefore not good location for affordable housing.
- *Rui Guo (Planning Board member and 4 year Belmont resident):* As a professional planner, have seen many 40B projects – consider this one as hostile to Belmont. Too many units (16) on a small plot of land. Town should further explore safe-harbor via the land area criteria.

[Close public comment.]

Epstein encouraged residents to stay engaged with the process and submit letters to MassHousing.

### **McLean Economic Impact discussion**

Epstein had added this item as a follow up to the May 18 discussion, with some points he had not had a chance to raise, specifically: the driver of positive net revenue for the Town in the various options proposed was the number of age restricted units; Option 1 was virtually zero net revenue whereas Option 3 was significantly positive; factoring in updated per-pupil expenditure costs and conducting sensitivity analysis around these costs it was clear that Option 1 resulted in net negative revenue.

Caputo and Dash asked about the status of the Zone 3 proposal, to which Planning Board Chair Pinkerton provided an update. Option 1 did not meet the traffic requirements of the MOA with McLean. Basic bones of the zoning amendment were ready to go, just waiting on the developer to come back with a revised proposal (would be similar to Option 3).

[Public comment.]

- *Betsy Lipson (Co-chair, Housing Trust):* Given the current national context, affordable housing is an evidence based solution to problems of systemic inequality. Encouraged the Board to take a long-term view of the project with this in mind.

[Close public comment.]

## Reopening plans: Town Buildings, Parks and Playgrounds

Jessica Porter (Director, HR) gave an overview of a document detailing the plan for reopening Town buildings, first to employees and then to the public. The document described safety protocols, cleaning procedures, wellness checks, etc., as well as five phases of reopening. Porter was seeking feedback and ultimately approval for the plan.

- Epstein confirmed that the format for wellness checks would consist of employees self-checking their temperatures, and then verifying they had done so on arrival to work.
- Caputo asked about the transition between phases and how it would be determined. Ultimately the Town Administrator would decide in consultation with the employees and department heads, and following guidance from the State.
- Dash and Caputo asked about employees that live out of State; Porter said this would be addressed on a case-by-case basis.

Ultimately, Epstein thought the draft plan was in good shape and should be considered a dynamic document that may evolve as circumstances change.

*Motion: To approve the Town of Belmont reopening plan for Town buildings as dated May 29, 2020, with the provision that the Town Administrator has the authority to amend the plan as circumstances dictate, in coordination with the Select Board Chair, Department Heads and Human Resources. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

Next, Jon Marshall (Assistant Town Administrator / Recreation Director) gave an overview of the next step in the process of reopening Town playgrounds and fields. At this time, the recommendation to the Board was to open fields for passive use (walking/jogging/running), while keeping playgrounds closed due to inability to sanitize shared equipment. No athletic permits would be issued at this time and the ban on off-leash dogs was still in place. Tennis would be permitted but limited to singles play. In general, Marshall stressed non-sharing of equipment and that residents must continue to observe social distancing while participating in allowed activities.

Caputo advocated to also allow doubles tennis, so long as the partners belonged to the same household. He also thought the directive should be clarified to explicitly say that athletic fields were open to passive use, but closed to other uses such as group play. A question from a member of the public led Marshall to clarify that group play (e.g. kicking around a soccer ball) was allowed in the parks among members of the same household, so long as social distancing and non-sharing of equipment outside the household was observed.

*Motion: To adopt the Belmont Public Parks COVID-19 re-accessing plan as described by Recreation Director Jon Marshall, with the amendment that doubles tennis be allowed so long as partners belonged to the same household, and with the provision to delegate to the Town Administrator the ability to amend the plan as circumstances dictate in coordination with the Select Board Chair, Department Heads and the Board of Health.*

- Caputo added the following additional amendments, as had been discussed:
  - o Walking, jogging, running and other passive activities were allowed on athletic fields so long as social distancing could be observed.
  - o No group play outside of a household was permitted at any time.

- (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)

With respect to the issue of accessing parking spaces to open up additional space for retail/restaurants, Epstein committed to taking up the item at next week's meeting.

#### **Vote and sign Annual Town Meeting Warrant**

Epstein decided to defer taking positions on individual articles until the meeting on June 8, when there would be more time available for discussion.

*Motion: To adopt and sign the 2020 Annual Town Meeting Warrant for June 16<sup>th</sup> with the twelve articles as provided; and to instruct the Town Clerk to post the Warrant. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

#### **Vote and sign Warrant for the Annual Town Election**

Ellen O'Brien Cushman (Town Clerk) was requesting the Board reconsider its March 16 vote which postponed the Annual Town Election, specifically with respect to the logistical details of polling stations. While the election was still planned for June 23 (as originally voted), Cushman was recommending polling places have restricted hours of 10am-2pm. The purpose of this was to limit the exposure of elections staff – each station could be staffed with just one set of election workers for the day – to maintain their health and safety. Cushman stressed she would do as much as possible to advertise the adjusted hours as well as encourage voting in advance by mail.

The Board expressed some reservations about the restricted hours. Dash thought that it may be better to spread out the voting hours to have less concentration of voters at a given time; also, these hours were during usual business hours and people may have difficulty getting to the polls. Caputo asked whether one of the polling stations could be kept open longer hours (this was not legally allowed). Cushman remained firm in her original recommendation as the best compromise possible given the circumstances.

*Motion: To support the recommendation by the Town Clerk to open polls for the Annual Town Election 2020 from 10am-2pm on Election Day, June 23, 2020. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

#### **Executive Session: To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; Town Administrator Contract**

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

*Motion: To leave executive session. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

#### **Possible vote to enter into negotiations over renewal of Town Administrator's contract**

*Motion: To enter into negotiations over the renewal of Town Administrator Patrice Garvin's contract. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

TOWN ADMINISTRATOR'S REPORT:

[There was none.]

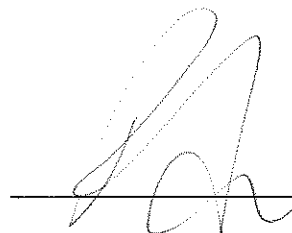
SELECT BOARD COMMITTEE LIAISON REPORTS:

- Caputo presented a draft set of slides for the Town Meeting update from the Financial Task Force. The Board provided feedback on the slides.
- Community Path Project Committee: Possible public meeting with engineering consulting firm Nitsch still up in the air with respect to timing, subject, etc.
- Capital Budget Committee meeting Wednesday to vote the CPA articles.

ADJOURNMENT:

Meetings upcoming for June 8, June 15, June 24/25 and possibly June 22.

*Motion: To adjourn at 11:01pm. (Vote passed 3-0, roll-call vote: Roy Epstein, Tom Caputo, and Adam Dash)*

 Respectfully Submitted,  
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PATRICE GARVIN, Town Administrator

**Appendix A: Vote of the Select Board to approve Sale of Bonds - June 1, 2020**

Voted: that the sale of the \$97,215,000 General Obligation Municipal Purpose Loan of 2020 Bonds of the Town dated June 11, 2020 (the "Bonds") to JP Morgan Securities LLC at the price of \$103,921,835.25 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on June 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2021	\$1,855,000	5.00%	2033	\$3,130,000	3.00%
2022	1,865,000	5.00	2034	3,225,000	2.00
2023	1,955,000	5.00	2035	3,285,000	2.00
2024	2,055,000	5.00	2036	3,355,000	2.00
2025	2,160,000	5.00	2037	3,420,000	2.25
2026	2,265,000	5.00	2038	3,500,000	2.25
2027	2,380,000	5.00	2039	3,575,000	2.25
2028	2,500,000	5.00	2040	3,660,000	2.375
2029	2,625,000	5.00	2043	11,500,000	2.40
2030	2,760,000	5.00	2047	16,660,000	2.40
2031	2,895,000	4.00	2050	13,585,000	2.40
2032	3,005,000	4.00			

Further Voted: that the Bonds maturing on June 1, 2043, June 1, 2047, and June 1, 2050 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due June 1, 2043

<u>Year</u>	<u>Amount</u>
2041	\$3,740,000
2042	\$3,835,000
2043*	\$3,925,000

\*Final Maturity



Term Bond due June 1, 2047

<u>Year</u>	<u>Amount</u>
2044	\$4,020,000
2045	\$4,115,000
2046	\$4,210,000
2047*	\$4,315,000

\*Final Maturity

Term Bond due June 1, 2050

<u>Year</u>	<u>Amount</u>
2048	\$4,420,000
2049	\$4,530,000
2050*	\$4,635,000

\*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 19, 2020 and a final Official Statement dated May 27, 2020, (the "Official Statement") each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds, for the benefit of the holders of the Bonds from time to time.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such

forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.