

Meeting Minutes
JOINT MEETING SELECT BOARD AND BELMONT HOUSING AUTHORITY
MONDAY, DECEMBER 7, 2020
7:00 PM

RECEIVED
TOWN CLERK
BELMONT, MA
DATE: December 30, 2020
TIME: 9:22 AM

CALL TO ORDER

A meeting of the Select Board was called to order at 7:00 pm by Chair Roy Epstein. Vice Chair Tom Caputo and Select Board member Adam Dash were present. Town Administrator Patrice Garvin and Assistant Town Administrator, Jon Marshall, Health Department Director, Wesley Chin, and Housing Department members were also present.

COMMUNITY ANNOUNCEMENTS

- Roy Epstein brought to attention the significance of Pearl Harbor Remembrance Day.
- Beech Street Center events:
 - “The Unique Needs of Today’s Solo Agers,” Eileen Gerhardt, Dec. 8, 1:15 pm. Call 617-993-2970 for more details.
 - “Belmont Winter” presented by Belmont Emergency Management, Assistant Director, Rick Nohl, Dec. 14 at 10 am. Call 617-993-2976 for more details.
 - “Intro to Mindfulness,” Neil Monteko, December 10 at 1 pm. 4 part series. Call 617-993-2976 for more details.
 - “Desk House Holiday Decorating House,” sponsored by Recreational Department. Take a photo of your house decorated for holiday and send to Rec. Dept. by December 17 (Recreation@belmont-ma.gov). Call 617-993-2976 for more details.
 - Town Forum – “Understanding Overrides and Making Difficult Budget Choices,” December 9 at 7 pm. Follow up in January. Sponsored by Warrant Committee.
 - Town Administrator’s Office received an IT grant from Community Compact Cabinet of \$42K to upgrade Cloud capabilities for telephone system (VOIP).
 - Town Forum – “Governance of Belmont Light,” December 14 at 7 pm. Select Board sits as municipal light board. Discussion about restructuring governance of Light Board. Call Light Board for further details

- Approval of meeting minutes as amended:

Motion to approve meeting notes from November 23, 2020 Joint Select Board meeting. Vote passed (3-0).

QUESTIONS/COMMENTS FROM TOWN RESIDENTS

- [None]

ACTION BY CONSENT

Joint Meeting with Belmont Housing Authority to Discuss Open Housing Authority Position

Chuck Lavery, Acting Chair of Housing Authority called board to order. Board members in attendance: Gloria Leipzig, Ann Mahon, Cassandra Page and Alison McMartin.

- Housing Authority met to finalize interview questions:
 - 1) What do you know about Belmont Housing Authority and how would your expertise address any issues we may face?
 - 2) What do you believe priorities should be for Housing Authority?
 - 3) Do you know that this a temporary position and do you intend to run in next April election?
 - 4) Describe experiences on other boards and what you can bring to make board more effective?
- Epstein raised the question of whether it makes sense to leave vacant until elections in April. Unlikely we would appoint before Dec. 21. If position is not filled until February, the person would only be in place for two months before elections. Is there legal requirement to fill it now?
- Chuck Lavery replied that it would be good to identify a candidate now and if the position cannot be filled soon enough before elections, then he would agree to leave vacant until elections – Housing Authority will have 3 seats open in 6-month time period. There are currently 7 applicants.
- Adam Dash said that if we place someone in position now, it may not be fair because the appointee would have an advantage to win April election and it may have appearance of manipulating. Do we want to reduce number of interviewees?
- Gloria Leipzig said she understands the perspective of Select Board. The Housing Authority can discuss this on Dec. 17th and offer solution at next Select Board meeting on December 21th.
- Cassandra Page asked if they are required to interview all 7 candidates. Are we allowed to exclude candidates?
- The Select Board said they would defer to the Housing Authority members and suggested tabling the decision until the next Select Board Meeting on December 21st. However, if the Select Board agenda becomes crowded, then the interviews may not be able to be completed on December 21st.
- Epstein asked that the Town Administrator contact the applicants so that they are informed of the proposed process and make them aware that there is only a possibility that they be interviewed on Dec. 21.

Chuck Lavery adjourned Housing Board.

COVID-19 Update

- Wesley Chin, Health Department Director, updated Board on the current COVID-19 conditions in Belmont:
 - Belmont is currently in the “yellow” category, cases continue to escalate
 - 446 confirmed positive cases – reflects a 47% increase in cases since November 9. Not always obvious links to source of infection.
 - This information will be updated on Town website.
- The overarching advice is to not gather in groups with people with whom you do not reside and to continue vigilance.
- Tom Caputo asked Wesley whether the Town Health Department would be getting involved with local vaccine distribution. Wesley said that he is waiting guidance for the DPH to supply more information about vaccine rollout, but he foresees the Health Department getting involved in the later phase(s) of rollout.

Discussion and Possible Vote on Request from Belmont Food Collaborative for Belmont Farmers Market

Presented by Hal Shubin, Chair of Belmont Food Collaborative.

- Limit of 40 shoppers worked out well in 2020. Shoppers showed appreciation of the safe environment. Vendors commented positively on community spirit. Volunteers were very important. Farmer’s Market helps to support Belmont Center merchants.
- SNAP (formerly Food Stamps) benefits are matched at \$20, as well as WIC and HIP benefits.
- Increased need for food assistance due to pandemic -- \$11,400 for food assistance spent in post-COVID era. Supported by business and private donations.
- Next season will start with same pandemic restrictions. There will be continued need to space vendors and shoppers out in larger area of parking lot. Without larger space could not have all the same vendors. Shubin realized there is concern about parking for stores. He said when he has done count, there have always been ~55 free parking spaces left in lot.
- We can revisit plan for smaller space if restrictions are lifted in 2021. The Collaborative is asking for reserved space from 11:30 pm on Wednesdays to 7:30 pm on Thursdays from June 3 to October 28, 2021.
- He said he will continue to work with Health Department and Town Administrators to come up with best ways to follow restrictions.
- Epstein confirmed that Gerry Dickhaut today gave permission on behalf of Belmont Center Business Association for Belmont Farmer’s Market to continue to operate in 2021. Epstein recommended approval since 2020 plan was successful.

Motion to approve use of Claflin Lot in same configuration as 2020 for Belmont Food Collaborative from 11: 30 pm Wednesday until 7:30 pm Thursday nights from June to Oct. 28. Vote approved (3-0).

Discussion and Possible Vote on Selection of Labor Counsel

Board interviewed (5) firms on November 9.

- Rankings of preferences for each Select board member:

Adam Dash:

- 1) KP Law
- 2) Derrick, O'Connell, Desmarais law
- 3) Morgan, Brown and Joy
- 4) Valerio, Dominello, Hillman
- 5) Norris, Murray and Peloquin

Tom Caputo:

- 1) KP Law
- 2) Valerio, Dominello, Hillman
- 3) Morgan, Brown and Joy

Roy Epstein:

- 1) Valerio, Dominello, Hillman
- 2) Derrick, O'Connell, Desmarais
- 3) KP Law
- 4) Morgan, Brown and Joy
- 5) Norris, Murray and Peloquin

Discussion:

- Dash concerned with Valerio because they are small firm and may not be able to respond quickly to issues. KP Law has worked with Belmont before. Epstein felt Valerio was extremely committed and would be more responsive to our needs. Caputo said they pulled contracts proactively to understand needs of community.
- Patrice Garvin responded that all firms are high quality, but Town wants timely response. Smaller firm may not be the correct choice. She thinks KP Law would be preferable due to the size of firm. Patrice has worked with KP Law before.
- Epstein stated since KP Law is first choice of Adam and Tom, and Patrice's preference that he would agree to their selection as first choice.

Motion to select KP Law for Labor Counsel for the Town piece of Belmont. Pending upon entering contract with KP Law, Board would delegate negotiations of details of contract to Town Administrator. Vote approved (3-0).

Group Insurance Commission (GIC) Discussion with Consultant

Sue Shillue joined the group.

- Patrice gave overview of situation. There have been meetings with advisory board on town and school side about this issue. She asked Sue to review the process.
- Sue Shillue recap: GIC is group insurance commission (state health insurance plan), municipal entities have option to join as employer group. Last year, Belmont decided to stay with Harvard Pilgrim Healthcare and did negotiations through Mass General Law Chapter 32B Sec. 21 – 23. Statute allows the town to enter into negotiations with PEC to go into GIC. Too late to get into GIC for full fiscal year of 2022. Town would need to notify GIC by December 1 in order get

in by July of following year. Opportunity to get in January 1 every year, but need to notify GIC by July of preceding year. If do not get agreement from PEC within 30 days, the Town would go before 3-person panel. Cost of plan to town is based on enrollments. GIC offers 11 plans to active employees and 6 to retirees.

Important to note, that GIC is going out to procurement for 2023. For 2022, there won't be too many changes, but for 2023, not sure about offerings, there could be reduction in carriers, different plan design.

- Epstein reflected that it seems that July 2021 is no longer an option. He asked if it makes sense to wait until July 2022 to make decision: 1) structure will be clearer 2) even though our intent was to set things up internally to track GIC, we haven't done that yet. It would be much easier to show 5% divergence by 2022. We may need to wait to decide to enter GIC in July 2022.
- Sue pointed that GIC needs to be notified by Dec. 2021 about decisions, so a more realistic goal would be January or July of 2023 to join GIC. Sue said that in order to come up with proposal of savings, we would have to base on assumption that nothing will change even though it's not the case. She said that only one municipality has entered mid-year. Self-insured means 12-month contract. There are complications if you cancel mid-year, but if we knew at beginning of bid, we could address that in contract before we went out to bid. Stop-loss insurance has to be purchased by July 1, so policy could be addressed based on knowledge that you are going into GIC July 1.
- Caputo asked if we got agreement from unions, whether we still had to prove 5% savings. Sue confirmed that agreement from unions eliminates need to go to panel, and in that case, we don't have to prove 5% savings.
- Epstein expressed that there is something to be said for waiting until procurement process is completed so town could have more certainty about choices. Epstein suggested that January or July 2023 may be best time for joining GIC. He feels that if we join in 2022, then we need to make decision by December 2021, when we still don't know plan choices for GIC.
- Dash suggested that we should put GIC issue on agenda for discussion every 6 months. Epstein agreed and said that since July 2022 is not viable, continued discussion about the subject would be helpful.
- Garvin reminded Board that the last time this issue was discussed, the plan design was discussed with School Committee, she asked if they want to do that again.
- Caputo agreed and suggested that since this impacts School Committee and Teachers' Union that there should be an Executive Session joint with School Committee. Advantage to doing this early to get alignment.
- Epstein thanked Sue and said the Board will be meeting amongst themselves about the issue and reconvene in a few months to continue the discussion.

Discussion on Human Resources Director Position

- Patrice Garvin said that currently HR office has only two employees, Shawna Healey and Administrative Assistant. She feels that an additional position is needed in that department. Union negotiations will begin in 6 months. This will increase workload in HR and she feels it is not the time to merge with the School Department HR. Cost savings is not anticipated after reviewing other towns'

mergers. Currently there is an administrative back load with only 2 staff in HR and this promises to only get worse. She asked permission to post job.

- Epstein said he reached out to School Department and has not heard back from them so they may agree. Garvin anticipates that it would take about 3 months to get a person hired. A third position is already in the Fiscal 2022 budget. This is not expansion of department. After retirement of HR staff member 3 years ago, existing staff absorbed work. COVID has increased work load for HR. Discussion can continue with schools about future merger, but now is not the time to do it.
- Epstein said it is fine with him to post position. Caputo said he had originally hoped to eliminate inefficiency, but he agrees this is not the time. Caputo suggested that it may make sense to close loop with School Committee. Epstein replied he would follow up with School Committee.

Discussion on Possible Local Regulation of Leaf Blowers

- Epstein said that starting in spring, Select Board members have received stream of complaints about noise and pollution caused by contractor leaf blowers. He has discovered that many MA towns have instituted leaf blower ordinances. He chose to modify by-law from Brookline and adapted it for current draft handout. In summary, leaf blowers are a necessary nuisance. In early spring and late fall, research has shown that an electric leaf blower is necessary. Brookline levies a fine (after written warning) on both property owner and landscape contractor. However, Chief MacIssac and Glen Clancy recommended that written warning and ticket would only go to homeowner. But sufficient education would be conducted for contractors. One open question is what dates we want to switch from electric to gas. The draft allows gas leaf blowers until April 30 and they are permitted again after November 1.
- Dash is concerned more about parking of trucks on street because if electric leaf blowers are used job may take longer, and they will have to be there longer, also concerned about impact on businesses already affected by COVID. He questioned whether cost of work escalates because it takes workers longer with electric. We have to find a viable fine, if it's too low (\$50), people won't abide.
- Caputo thinks the issue exacerbated by COVID. We need to tackle start time as well. Sometimes work is being done too early in morning. November 1 seems a little too late.

Comments by Residents:

- Dante Muzzioli (contractor commented that an ordinance should consider restricting the number of blowers being used at same time. And he cautioned that we don't want to create a law that is difficult to police. He feels that use of low decibel machine during summer months and unrestricted equipment in spring and fall would solve problem. Key dates: March-May spring cleanup; Sept-Nov fall cleanups. You want to use the more powerful gas blowers during these two periods.

- Marko had a question about HR hire. Have you considered internal promotion within current organization? Epstein said internal candidate would be considered. Open process, we will post and see who applies.
- Darryl King recalled that 18 years ago Belmont created first noise by-law, but it did not include leaf blowers. At that time, landscapers were more likely to rake and then use one leaf blower. Leaf blowers also pollute heavily. Limiting to one leaf blower per crew, per yard will not take longer. Also leaves blow into the street and some landscapers leave them there. He thinks we should ban all gas blowers because they pollute.
- Glen Clancy (Director of Community Development) replied to question from Epstein about monitoring. He said people have ability to photo document, but do we want to be promoting this behavior? His department does not have ability to respond quickly. Point of enforcement should be with property owner. Similar to snow removal by-law. He feels that timing of noise is important. The current Noise By-law Section 60-625 that addresses maintenance noise could be guideline for leaf blowers. By-law stipulates that between 7 am to 8 pm on Monday - Saturday, and 9 am to 9 pm on Sunday, machines can't exceed 80 decibels. His department deals with construction noise complaints, any other complaints are handled by Police Dept.
- Gerry Urdang-Brown thanked the Board for taking this into consideration. Big difference between rake and leaf blower, is that a rake leaves more on the ground. Maybe use leaf blower at end of spring or fall when nothing is coming down anymore.
- Haley Urdang-Brown feels that time frame is a big issue. Noise happens every day from morning to night. Also leaf blowers blow leaves onto other people's properties.
- Phil Thayer (Town Meeting member, Chair Sustainable Belmont) said that this issue comes up in monthly Sustainable Belmont meetings. Asked Roy if he could share document. Roy said that his summary should suffice since it's just a draft. Assumption is that electric alternative is not commercially reasonable.
- Barry Kaye (physician): Public health issue, gas powered blowers have carcinogenic materials and blow out microfibers. Noise level up to 100 decibels can cause ear damage.
- Ian Todreas (Co-Chair of Energy Committee/Town Meeting member) said he wrote a piece in Belmont Citizen forum about public health air quality and environmental damage brought on by this equipment and offered some solutions to consider. Jobs and landscapers should not be as much of a concern as the health and happiness of our residents. Also, the health of employees who work for landscapers needs to be protected. Need to have proper ear/mouth/eye protection. He said there is greenhouse component, but he's more concerned about noise and quality of life compromise. Agrees with Chief MacIssac that enforcement is difficult. He is a proponent of supplementing by-laws or replacing with voluntary program. Promoting quieter landscapers can be accomplished by exerting financial pressure from community. He questioned why leaf blowers are even necessary in spring? Trees are gaining foliage then.

- Epstein asked Glen Clancy if the use of two blowers, is already violation of current noise by-law? Clancy said reading would be general and would pick up overall impact and that would be violation. He said he would reach out to person who worked on original by-law to find out what committee was thinking when the original by-law was drawn up.
- Dash said we need to be specific to discourage gas blowers in particular due to greenhouse gases.
- Brian Kopperl (Belmont Energy Committee) said that Burlingame CA has 65 decibel limit and post a list of manufacturers who comply with law. He is willing to forward this information. Send to Select Board mailbox.
- Conner Maguire (landscaper) added that current blowers meet emission standards for greenhouse gases. Decibel is not related to gas or electric, some gas are quieter than electric. You can't wait until all the leaves fall, would be hard to service. Need to remember that our climate is different than other states. In spring there is thatch and debris on lawn after winter. Leaf blowers are not bad for lawns.
- Dante Muzzioli (contractor) claims that the industry has made a lot of progress with leaf blowers as far as pollution. Some people cannot go out and rake leaves. It's our struggle to maintain that service. We try to blow to edge of yard and pick up. There is not electric machine that exists that works as well as gas. If there were, we would use it. Belmont is town of trees and we are obliged to pick them up.
- Ian Todreas cautioned that handheld lawn equipment is handled by EPA Office of Transportation and Air quality and they have zero emissions guidelines – no filters. Saying that equipment complies with industry standards means nothing. Over past 4 years, regulations have been rolled back. We can't believe industry statements.
- Darryl King said that his neighbor asked her crew to only use electric leaf blowers and it was successful.
- Roy Epstein thanked everyone for comments. Purpose of discussion was to get first read on range of concerns. Draft was just to start discussion. Town Meeting has to adopt by-law. Board puts on warrant. Hopefully we can improve the situation.
- Adam Dash will mark up draft and then put on agenda for discussion towards late January. Goal will be to present to Town Meeting this spring.
- Tom Caputo said impact of how it intertwines with current noise law should be reviewed, maybe we can make modifications to noise law. Dash said he would like to have separate flyers to hand out to landscapers.

Choose Select Board Meeting Dates for January 1, 2021 through June 30, 2021

Historically, Select Board meetings are held on the First and Third Mondays unless it's a holiday and then meetings get bumped up a week, taking into consideration school vacation weeks. Epstein asked Patrice Garvin to make up tentative calendar for next meeting.

Choose Select Board Office Hours for January 1, 2021 through June 30, 2021

Epstein commented that he has found it difficult to hold office hours on Zoom because of confidentiality issues. Dash said people call or e-mail him and he does not have set office hours. He used to meet more people walking around. Caputo said he has found that more engagement in virtual meetings leads to more one-on-one phone calls and then a Zoom meeting. This type of follow up has replaced regular office hours.

Motion to adjourn approved (3-0).

Next Meeting: Thursday, December 10, 2020 – Joint Meeting with Board of Assessors, 8:00 AM