

**RECEIVED
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BELMONT, MA**

DATE: March 23, 2021
TIME: 9:40 AM

**Minutes
Town of Belmont
Select Board**

**Virtual Meeting on Zoom
Monday, September 14, 2020
7:00pm**

Approved by
the Select Board on:

11/9/2020

CALL TO ORDER:

A 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, Assistant Town Administrator Jon Marshall, and Chief of Police James MacIsaac were also present.

COMMUNITY ANNOUNCEMENTS:

- The Belmont Economic Development Committee opened a survey for those who ran or owned a business in Belmont. The "Belmont Business Community Health Check" was a 5-question survey to give feedback to the committee. The survey was available at <https://www.surveymonkey.com/r/GJ9GMMK> or at www.Belmont-ma.gov. The survey would remain open until Friday October 2nd, 2020.
- Calverde Naturals, LLC had rescheduled a Virtual Community Outreach Meeting to September 17th, 2020 at 7:00pm to discuss the proposed site at 1010 Pleasant Street.
- Epstein gave an update from the Belmont Police Chief. The Chief reported almost daily verbal abuse of Belmont police officers. Epstein asked members of the public to counteract the derogatory behavior toward officers by giving positive feedback to officers.
 - o The Select Board members acknowledged the ongoing national protests, expressed their disappointment in the negative behavior toward police officers in Belmont. Dash emphasized Chief MacIsaac's support of police reforms.

APPROVAL OF MEETING MINUTES

- June 25, 2020 – Regular Meeting

Motion: To approve the regular meeting minutes for June 25th, 2020 (Vote passed 3-0)

- June 30, 2020 – Regular Meeting

Motion: To approve the regular meeting minutes for June 30th, 2020, as amended. (Vote passed 3-0)

- August 24, 2020 – Executive Session

Motion: To approve the executive session meeting minutes for August 24th, 2020, as amended. (Vote passed 3-0)

- August 31, 2020 – Regular Meeting

Motion: To approve the regular meeting minutes for August 31st, 2020, as amended. (Vote passed 3-0)

- September 2, 2020 – Regular Meeting

Motion: To approve the regular meeting minutes for September 2nd, 2020. (Vote passed 3-0)

The members agreed to delay votes on the June 26, 2020 and August 24, 2020 meeting minutes until a following Select Board meeting.

ACTION BY CONSENT:

COVID-19 Update

Director of the Belmont Health Department Wesley Chin joined the call. He said the Beech Street Center was holding a flu clinic from 10am to 12pm on Friday, September 18th, 2020. Pre-registration was required, and Dana could be contacted for details and registration.

Chin also said DPH had reported challenges in reporting with colleges opening, as residents of Belmont who attended college elsewhere were first assigned to Belmont, which had to be updated to provide accurate data for Belmont's COVID infection rates.

Public Hearing for new Liquor License Application (Section 15-Off Premises) submitted by Gajanand, Inc., DBA Belmont Convenience Store, 62 Concord Avenue, Belmont, MA

The hearing was postponed until October 5th, 2020.

Discussion on Assessor's Valuations with Elected Assessors

Epstein reminded the public that there were questions from residents about property valuations, which were calculated by the Elected Assessors of Belmont. The Select Board had invited the Assessors to attend the meeting and explain their methodology and answer any questions from the public.

Robert P. Reardon, Chair of Belmont Board of Assessors joined the call. Reardon noted that the Board of Assessors had released a statement about their process and explained how the tax rate was set. The statement assured the public that there were no inequitable assessments going on, and each released assessed value was based on the previous year. Reardon also assured the public that providing thorough inspections and fair assessments were at the top of the Board of Assessors' priorities. Board of Assessors member Chuck Laverty and Assessing Administrator Dan Dargon agreed with Reardon's statements on the matter.

Epstein said one of the most common questions he saw from the public was how Proposition 2 ½ would affect the valuation and tax rate. Reardon reiterated that Proposition 2 ½ was only on the total levy of the town. The assessed value of property and subsequent taxes would not be increased by Proposition 2 ½.

Epstein asked how the composition of a property was calculated into the assessment. Reardon answered that the same model was used for all properties.

Caputo asked if it would be possible to put together a "frequently asked questions" document for taxpayers. Reardon said the Board of Assessors tried to put out as much information to the public as possible but could put together a document about that or more general information.

[Open public comment]

- *Stephanie Liu*: Expressed that she had extensive training in auditing and forensic accounting. She had researched local property taxes and said she found inequitable assessments and that most of the more expensive homes carried a lower assessed value compared to less expensive homes. Liu then did another study and compared Belmont to four nearby towns and said she could see that the inequity did not exist in other towns. Liu went into greater detail and made several claims about inconsistencies in the Board of Assessor's work and press release, based on her studies.
 - o Reardon responded that some of the details in Liu's response were incorrect and that there was nothing mysterious going on in the assessment process. Reardon also said the Department of Revenue regularly approved the process and assessments.

- *Judith Feinleib (Town Meeting Member, Precinct 6):* Feinleib shared some information related to provide relief to Belmont seniors. She stated that it was important that the Select Board know that any residents with a reverse mortgage could not apply for a tax deferment. Feinleib concluded that the circuit breaker was the only option that would be helpful to such seniors.
- *Jean Cabral:* Asked Reardon what the impact on taxes was the year following an abatement.
 - o Reardon replied that the year an abatement was granted was granted in tax dollars. If the *abatement was permanent, it would be applied to the model.*
- *Allison Lenk:* Lenk asked Reardon how other towns had a closer correlation to property values and sale prices had if they all used same methodology and if he could explain a 9% discrepancy for a resident's assessment.
 - o Reardon replied that he had not seen Stephanie Liu's study, so he could not comment. After further questions from Lenk, Reardon said that the Board of Assessors aimed to fall within the 10% margin of error with their assessments, complying with Department of Revenue Standards.
 - o Lenk asked if Reardon would consider working with other Assessors in surrounding towns. Reardon said he often trained surrounding assessors and that with a desirable housing market in Belmont, valuations were growing in certain areas.

[Close public comment]

Reardon said the dialogue was important and that much information was available on the website and the Board of Assessors was open for discussion and transparent. Reardon said with the coming override, residents were hurting, but assessments were not the problem.

Chuck Lavery added that Reardon was one of the most renowned assessors in the country and that the Board of Assessors took their duties very seriously.

Discussion and possible vote on removal of tree at 40 Walnut Street; Initial Public Hearing Date was August 17, 2020

Epstein said there was a deteriorated house at 40 Walnut Street and that a developer hoped to build there. A tree was in the way of the proposed project and the developer was prepared to provide several replacement trees if the original tree was removed. Epstein said it might be premature to authorize removal of the tree before the developer's design was approved by the Planning Board.

Dash said there was considerable public opposition to the removal of the tree and that he was not yet convinced that the design required the tree's removal. Dash suggested the Select Board send the matter to the Shade Tree Committee and hear from the public.

Caputo noted that there were few mature trees on that area of Walnut Street, and so he was open to alternatives to removing the tree.

John O'Donoghue, the developer, joined the call. O'Donoghue explained that the purpose of the second curb cut and subsequent removal of the tree was to center the new house on the lot. O'Donoghue said he heard the arguments for an alternative plan, which he had, but the current plan in from of the Planning Board was the one with two driveways.

Tree Warden Tom Walsh joined the call and said that the tree had a number of codominant stems. Walsh explained the history of Linden trees. Walsh said the trees tended to become droopy and form codominant stems with age. These components often caused the trees to break up in storms. Walsh said that his preference was to take the tree down and to have the developer remove the tree and replace it with other trees now, rather than wait for it to come down in a storm in the next few years. Walsh also said that construction projects tended to result in trees dying due to difficulty sustaining its roots and taking up water.

[Open public comment]

- *Adela E Pineda-Franco*: Asked for tree not to be taken down and cited an article about the struggles trees face in urban areas.
 - o Walsh reiterated that tree would come down in the following years, and that he felt it was best to prevent an accident by taking the tree down.
- *Peggy Crown*: Cited an article on Little Leaf Linden trees that stated the trees were easy to take care of. Crown stated that developments should be made around trees, not the other way around. Crown said the tree required regular pruning and would be in better shape if the Town had pruned it.
 - o Walsh responded that the tree was a Green Spire Linden Tree, which had a different growth habit.

[Close public comment]

The Select Board further discussed their next steps. Garvin said she could reach out to the Planning Board. The Select Board agreed to wait to make a decision until they received feedback from the Planning Board.

Discussion and Possible Vote on Request from The Lion's Club of Belmont, Inc. to Host Holiday Tree and Wreath Sale from Saturday, November 28, 2020 to Thursday, December 24, 2020

Glenn Clancy joined the call and confirmed that the new MBTA route would drive by the Lion's Club building, which could impact the Lion's Club Holiday Tree and Wreath Sale. Clancy said that safe driving by the MBTA bus drivers and adequate width on the roadway would be necessary to ensure the new route and the Wreath Sale were conducive to each other. Clancy said he would like feedback from the Lion's Club and to coordinate logistics. Clancy noted that social distancing and appropriate space for parking and shopping would be important to factor in, as well.

Epstein said there was some urgency on the matter due to the Lion's Club need to order trees and adequately plan for the Holiday Tree and Wreath Sale.

Tom Hevey and Al Murphy from the Lion's Club joined the call. Murphy detailed the Lion's Club's plan for social distancing measures and said the Club was more than willing to work with Clancy. Clancy confirmed that jersey barriers would establish the travel lane and protect customers. Clancy assured the Select Board that a safe solution could be agreed upon between the Town, the MBTA, and the Lion's Club.

Motion: To allow the Lion's Club of Belmont, Inc. to host their Holiday Tree and Wreath Sale from Saturday, November 28, 2020 to Thursday, December 24, 2020 provided that they abide by the recommendations of the Community Development Director and Public Health Director. (Vote passed 3-0)

Discussion and Possible Vote on Amendment to the Shade Tree Committee Charge

Epstein explained that in talking to Lucia Gates, the Shade Tree Committee agreed to rework the charge and requested that the number of members be reduced from 12 to 7. The Committee agreed to rework the charge and bring a draft back to the Select Board. No action from the Select Board was necessary, except to pass on the appointments that were up. Caputo asked for Gates and other members of the Committee to come before the Board when the draft of the charge was brought.

Committee Appointments

Energy Committee

Two applicants had applied for the open spots on the Energy Committee, Claus Becker and Brian Kopperl. Jon Marshall explained that one opening was for a resident seat and one was for a resident that represented a Town institution. Kopperl was very involved in his church, and his reverend supported his representation of the church. After brief discussion, the Select Board agreed that both applicants seemed like great fits for the committee.

Motion: To appoint Claus Becker to the Belmont Energy Committee for a term ending in 2022 and Brian Kopperl as the institutional representative for a term ending in 2023 (Vote passed 3-0)

Executive Session: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel

The Select Board agreed to enter executive session at 8:43pm.

Motion: To enter executive session to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel. (Vote passed 3-0)

The Select Board members returned to regular session at 9:23.

Motion: To leave Executive Session. (Vote passed 3-0)

A three-minute recess was taken, and the meeting reconvened at 9:27pm.

Special Town Meeting – Positions on Articles, Discussion and Possible Votes

Epstein said that he planned to have the motions presented and allow 10, 1-minute public comments before the Select Board took a vote on their positions on each article.

Article 2: Adopt Carleton Circle as a public way

Dash noted the change had been unanimously approved by the residents of the street and that the Select Board had previously signed off on the plan.

[Open public comment]

- None.

[Close public comment]

Motion: Favorable action on Article 2 regarding Carleton Circle. (Vote passed 3-0)

Article 3: Authorization for temporary easements – Wellington Elementary School Safe Routes to School Project

Glenn Clancy joined the call to explain the redlining of the article, Garvin said that the changes would be sent to Town Meeting the following day. Clancy said there had been concern that the wording of the original article would not capture any later changes to the project later in the plans by Mass Department of Transportation (MA DOT). The Select Board members agreed that the amendments were fine.

[Open public comment]

- None.

[Close public comment]

Motion: Favorable action on Article 3 regarding authorization of temporary easements. (Vote passed 3-0)

Article 4: FY21 Community Preservation Committee Budget and Projects

Epstein quickly summarized the projects.

[Open public comment]

- None.

[Close public comment]

Motion: Favorable action on motions A-E of Article 4 regarding the FY21 Community Preservation Committee Budget and Projects. (Vote passed 3-0)

Article 5: Water Enterprise Fund: Purchase of Police Modular Units

[Open public comment]

- None.

[Close public comment]

Motion: Favorable action on Article 5 regarding the purchase of trailers with water retained earnings. (Vote passed 3-0)

Article 6: Transfer of remaining water capital balances

[Open public comment]

- None.

[Close public comment]

Motion: Favorable action on Article 6 regarding transfer of remaining water capital balances. (Vote passed 3-0)

Article 7: Transfer of remaining sewer capital balances

Motion: Favorable action on Article 7 regarding transfer of remaining sewer capital balances. (Vote passed 3-0)

Article 8: Amend Zoning Bylaw: Grammar in zoning

Motion: Favorable action on Article 8 regarding amending a zoning bylaw. (Vote passed 3-0)

Article 9: Amend Zoning bylaw: McLean District Zone 3 Overlay

[Open public comment]

- None.

[Close public comment]

The Select Board members noted the work of many town officials and the Planning Board on the McLean project.

Motion: Favorable action on Article 9 regarding amending a zoning bylaw to include the McLean District 3 Overlay. (Vote passed 3-0)

Article 10: Removal from Civil Service: Police and Fire

Epstein announced that there would be 15 minutes allotted for public comment, with one-minute time restrictions on each speaker.

- *Michael McNamara (Town Meeting Member):* Asked what the financial benefits were of leaving civil service. McNamara said constituents were upset, and he hoped to get a reply from the Select Board and Garvin.
 - o Epstein said there would be savings, and a quantitative study was under way and he expected to present it the Warrant Committee on the coming Wednesday. Epstein said they had hoped to have the study done earlier, but a presentation would clearly show the cost advantage. Dash noted that there were non-monetary benefits to the departments in

leaving civil service. Dash noted that Garvin had been acting at the direction of the Select Board and with the approval of the Chiefs.

- *Mike Pelrine Jr:* Pelrine sked if the Town had sought answers from Civil Service around the benefits to leaving civil service.
 - o Garvin: Noted Chief MacIsaac had spoken to Civil Service and that Former Fire Chief Frizzell had spoken to Civil Service many times
 - o Pelrine asked further questions about the age restrictions, residency preference, and hiring.
 - o Garvin and MacIsaac further answered Pelrine's questions.
- *Ross Vona:* Stated that the Unions were looking to come to an agreement with Town but wanted to stay in civil service. Vona said he wanted to achieve all the goals of town and unions and asked to have a discussion and move forward.
- *Andrew Ginou (Sp. Lieutenant of Belmont Fire Dept):* Gave an example from a prior discussion with Acting Chief Haley and asked if there would be prejudice toward lower scoring candidates without Civil Service due to other attributes about a candidate.
 - o Chief Haley said that in his example, all three candidates were great, but that it would not have been appropriate to hire the third on the list with two higher scores.
- *Jake McNeilly (Fire Dept):* Said Civil Service was adjusting and could still be a useful measurement tool. He said that Civil Service was a known process and more facts needed to be presented before leaving Civil Service.
 - o Epstein noted that there was a process of negotiation to address some of the questions that were addressed by McNeilly to aid in leaving civil service
- *Jason Corsino (Belmont Fire Dept Executive Board):* Said there had been discussion of the current promotional process in the Fire Department. About 10 books needed to read, candidates needed to take the examination by civil service, then enter into assessment center before a panel, after scoring through assessments, an interview was held. Corsino said he had a hard time believing that candidates seeking promotion on the fire side was actually an inefficient process for promotion and would have a hard time being convinced otherwise.
 - o Acting Chief Haley said his biggest problem with the process on the fire side was waiting months from results through civil service.
 - o Chief MacIsaac said the process of promotion was costly and much was unrelated to Belmont's police duties. He said that a more streamlined process would get more people participating and make promotion a competitive process.
- *Dave Illessey (Executive Board):* Asked how Belmont would keep checks and balances without Civil Service with its strong chief provision.
 - o MacIsaac responded that these were things that he would hope to transparently negotiate and said he would expect members of the community and unions to participate in creating a policy.
- *Richard Madden:* Stated that Civil Service is part of the democratic process and that he viewed the Article as part of the local deterioration of democracy.
- *John MacDonald (Fire Department):* Said that it seemed like leaving Civil Service was being rushed to the table. Asked if it made more sense to do all negotiations before voting it through at Town Meeting.

Epstein said he felt the civil service framework placed inherent limitations on hiring processes and that the problems the departments faced could be better addressed by leaving Civil Service.

- *Michael McNamara:* Said he talked to his constituents and the number one concern was that those in the departments would hire their friends. Said that if there was going to be vote on the matter before an override, that losing public trust should be a concern.
- *Judith Feinleib:* Stated that leaving Civil Service needed to be negotiated with the unions before it came to Town Meeting for a vote.

Epstein recognized a wide range of views on the topic and its controversy. Epstein said the Select Board was prepared to vote and had been discussing the issue for some time.

Dash agreed that the matter had been a point of discussion for a long time, and that it was part of the structural reform that they had agreed to do while waiting for the spring override vote

Caputo said he would be happy to embrace some of the positive aspects of Civil Service in the Town's new hiring practices, but that Civil Service reduced flexibility in candidates and the process was inefficient.

Motion: Favorable action on Article 10. (Vote passed 3-0)

Epstein expressed the Select Board's support for Garvin and her work. Epstein emphasized that Garvin was professional and ethical, and rejected any allegations that she was not.

Select Board Presentations at Special Town Meeting, Discussion and Possible Vote

Epstein's PowerPoint had been put out right before the meeting due to Open Meeting law, so it needed to be prepared during the Select Board meeting. Marshall shared the power point on screen.

The Select Board reviewed the slides, making a plan and some minor edits in preparation for their meeting with the Warrant Committee.

Review Select Board Meeting Schedule

The Select Board agreed to add meetings on September 22nd and 23rd at 5pm in case of any amendments to articles. The Select Board kept its October 5th, October 19th, and 26th meetings, but agreed to cancel the September 28th meeting. For the rest of the calendar year, they agreed to hold their November 9th, November 23rd, December 7th, and December 21st meetings.

Tentative Discussion on Possible ExteNet Small Cell Application (if application received by September 14, 2020)

Garvin said the applicants had told her they would send in their application in the following weeks, so perhaps the Select Board would be able to discuss it at the October 5th Select Board meeting.

TOWN ADMINISTRATOR'S REPORT

Grants Update

The Town of Belmont was not selected for the Municipal Vulnerability Program for climate change impact. The program was very competitive, and Garvin said her office would reassess. Garvin had also submitted a MassWorks application at end of August, and they would find out if it was granted in November.

Structural Reform Group

Garvin brought up the draft of the charge for the new Structural Reform Group. She said she wanted the Select Board to be aware of the draft, as she and others wanted to start the group and their work sooner rather than later.

Caputo added that the FTF2 discussed needing a large group to research different structural change proposals and to move quickly to get community feedback and the feasibility of projects.

The Select Board briefly discussed the draft charge but agreed that it would be an important place to receive public feedback and special attention to the structural reform proposals. Caputo thanked his colleagues for the positive feedback and suggested putting charge approval on a later meeting.

SELECT BOARD COMMITTEE LIAISON REPORTS

Epstein said that he could not yet report on the Community Path Project Committee meeting due to a scheduling conflict.

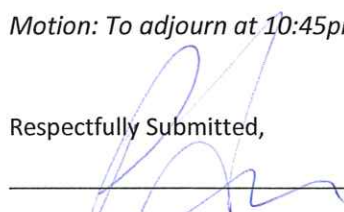
Dash: Community Preservation Committee had met and held a public hearing for the new projects listed on the Town Meeting Warrant.

Caputo reported that the Capital Budget Committee and Financial Task Force II would both meet later in the week

ADJOURNMENT:

Motion: To adjourn at 10:45pm (Vote passed 3-0)

Respectfully Submitted,



PATRICE GARVIN, Town Administrator

