

Approved by
the Select Board on:

4/12/2021

SELECT BOARD MEETING
MONDAY, MARCH 29, 2021

REMOTE MEETING

7:00 PM

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: April 21, 2021

TIME: 9:18 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, Assistant Town Director, Jon Marshall, Director of DPW Jay Marcotte and Director of Community Development Glenn Clancy were also present.

COMMUNITY ANNOUNCEMENTS

- Virtual Provider Talk with MD at Mount Auburn Hospital. Tues. April 13, 2021. Topic is the COVID vaccine. More info to come.
- Free parking passes are now available for Belmont seniors over age of 65. Permits will be honored between April 12, 2021 and December 31, 2021 at metered spots. Parking passes are available for \$5. Call Beech St. Center to apply for passes.
- Virtual Field trip with National Women's History museum on April 12 at 11:30 am. Topic is on Women Suffrage Movement.
- Virtual Forum on Hate Crimes in Mass. on March 31st at 10 am. Contact: FB.com/massattorneygeneral for more info.
- Financial Task Force presentation regarding new federal aid stimulus bill will be held on March 31, 2021 at 7 am. Questions from public will be accepted. The link to the meeting will be on Town of Belmont website.
- Epstein read the Commonwealth of Massachusetts' proclamation regarding Vietnam War. March 29th is Vietnam War Veteran's Day.
- Epstein expressed the sympathies of the Board to the family and friends of long time Belmont employee Mary Ehler, who passed away on March 12th.

QUESTIONS/COMMENTS FROM TOWN RESIDENTS

[NONE]

ACTION BY CONSENT

Introduce new Director of Facilities

- Patrice Garvin introduced David Blazon, the new Director of Facilities in Belmont. She reported that over 30 applications were received for the position. Four candidates were interviewed and the search was then narrowed down to two candidates. Mr. Blazon was the facilities director in Lowell.
- The Select Board members congratulated David.

Review Open Meeting Law complaint (Edward Davison) against Fire Chief Screening Committee and approve response on behalf of Committee

- Garvin reported that the town received an open meeting law complaint from Edward Davison regarding the Fire Chief Screening Committee. As the appointing authority for the Screening Committee, the Select Board will provide a response to the State regarding the complaint.

Motion made to approve acknowledgement of the receipt of complaint. Approved by vote of (3-0).

Discussion:

- Daniel Halston, Chair of the Screening Committee said he takes responsibility for any alleged violation. The consultants hired to help with the screening advised that the executive session was appropriate.
- Epstein read a draft response letter addressed to Carrie Benedon, at Mass. Attorney General office that contained edits to an initial draft prepared by town labor counsel KP Law.
- The letter stated that since the Fire Chief Screening Committee is no longer active, the Town is not planning remedial action in regard to it. The Select Board will advise any future search or screening committees it appoints of all Open Meeting Law requirements, including those set forth in OML 2016-105.

Motion made to approve the letter as read with the one change to substitute the term "Search Committee" with "Screening Committee". Approved by vote of (3-0).

- Attorney Brian Maser said the letter will be sent to the state Attorney General's office. Complainant also receives a copy of the letter. If complainant is not satisfied with the response, he may file another complaint after 30 days.

Discussion and possible vote on one lane closure of Leonard Street and outdoor dining

- Glenn Clancy showed the updated map for the upcoming closure of Leonard St. He said the plan builds on last year's success, while also trying to be responsive to feedback received. He said he tried to make it a balanced plan that incorporates the needs of restaurants as well as non-restaurant establishments. The former bus stop will be used as a loading zone because the existing one would be gated off. The plan is to designate four parking spaces between Channing and Morse as 15-minute spaces for non-restaurant businesses. With this plan he feels the minimum number of accessible spaces can be retained and it benefits residents picking up food for takeout and keeps the driving route familiar for drivers. The plan also retains parking between Alexander Ave. and CVS.
- Patrice Garvin and he met on March 24th with representatives of Belmont Center and the group had suggested that area 5 be closed off from parking so space could be used by patrons.
- Epstein said this looks like an improvement from last year. There are two accessible spaces and 11 regular spaces, and two extra spaces near Il Casale. Clancy said all businesses could use the loading zone during the day. When you come off Alexander Ave. on left hand side, there will be gates to delineate the road.

Comments from Select Board members, public and business owners:

- Dash thought there were too many parking spaces in area 4. Residents have conveyed to him that they don't want parking on Leonard St. He feels there is enough parking in the Claflin lot.
- Caputo asked if there will be parking spaces between Starbucks and Stone Hearth Pizza? Clancy answered that there would be no parking there. The gate would be run from Alexander Ave. to Morse St. and everything on the South side would be closed off. Caputo noted there is still parking in Section 4 and near CVS.
- Peter Dorfman said he sent a letter to the Select Board about this topic. He supports the idea, but he's concerned about aesthetics. He didn't feel that Belmont Center was welcoming last year. He wants to encourage the town to work to make environment attractive.
- Bill Anderson, asked if the 15-minute parking will be exempt from parking meters. Select Board agreed that these should be free parking spaces. Select Board agreed that these parking spots should be free, but if there is abuse, then we can address as problems arise.
- Damian DiMagistris (business owner) thanked Clancy for a great job. He pointed out that this year the Business Center Association is working on aesthetics.
- Grainne Griffin asked about bicycles and kids cycling. Caputo said we can set speed limit lower like last year.
- Epstein said the new proposal strikes a better balance for the different constituencies. His one concern is if the traffic volume in Belmont Center goes back closer to regular, pre-covid traffic the plan may have to be reassessed.
- Dash feels that May 3 to October 31 would be the best date options, but the town can change them, if necessary. Epstein said we need agreement that if unintended problem exists, that we have the ability to change the end date.
- Clancy said they had all resources necessary to activate this project.

Move to implement plan for closure of Leonard St, with exception that Area 5 be closed off from parking; the plan will be active from May 3 to October 31, 2021. Approved by vote of (3-0).

Vote to approve Facilities contract for one year extension with MP Building Services of Methuen, MA, for cleaning services

- Jay Marcotte said that the town has an existing contract that ends June 30, 2021. He is asking for only one year extension because of the unknowns with new high school building. Also the transition to the new facilities director and the uncertainty around COVID protocols make it appropriate to do one year extension only. The contract takes into consideration the Phase I of the Middle School/High School that will require a temporary extension of space, and the increase of minimum wage in Mass.
- Marcotte confirmed that this contract will end in June 30, 2022 and then it will go out to public bid when we know the scope of new building parameters at next renewal.

Motion to approve a one year contract extension with MP Building Services LLC of Methuen, MA for cleaning services for the amount of \$750,852. Approved by vote of (3-0).

Vote to approve Town Meeting Warrant

- Patrice Garvin said the Warrant received in today's packet is the final Annual Town Meeting warrant, except for small changes to be made later. She said they are asking for a Special Town

Meeting during the Annual Town Meeting for one of the bills that was late, and to add one other housekeeping item regarding accounting practices. She will present these articles to the Board at the next meeting.

Motion to approve the Town Meeting Warrant for Annual Town Meeting 2021 as presented. Approved by vote of (3-0).

Endorse Community Path Project Committee letter to the Metropolitan Planning Organization in support of the Community Path in Belmont

- Epstein said this letter originated in response to letters that Channing Road abutters had sent to MPO to express opposition to the Community Path. The Community Path Project Committee was to draft a response for review by the Select Board. However, the letter drafted by the CPPC was already sent out without Select Board review.
- Garvin explained that, given the timeline to submit letters to MPO, the deadline forced them to send it and there was no opportunity for Select Board to review it.
- Russ Leino, Chair of the Community Path Project Committee said that the MPO board had discussed the comments from the letters received from residents and indicated at their board meeting that they had hoped to get a response from the town. The response was intended to be a joint response from Community Path Project Committee and the Select Board, however, the Community Path Project Committee was advised by the MPO to meet the deadline. Because of that, the letter came from Community Path Project Committee with the expectation to come to Select Board for endorsement later.

Move for the Select Board to endorse the Community Path Project Committee's letter to the Metropolitan Planning Organization in support of the Community Path in Belmont. Motion approved by vote 2-0. (Epstein abstained).

Discussion and possible endorsement of a logo for the Human Rights Commission

- Brian Nadeau, chair of Belmont Human Rights Commission (HRC) summarized the process for developing the logo. Brian said they reached out to the Gallery of Art in Belmont and they created logos for review. Members selected the logo that is being put forward to Select Board for review.
- Epstein asked how the logo would be used.
- Brian said it will be mainly used for power point presentations and he is happy to use both the new logo and town seal.
- Garvin reported that there is no other committee that has logo. Dash stated that the Community Preservation Committee is working on a logo and signage to put on Community Preservation Act funded projects. Garvin said she ran the HRC logo by town counsel.

Motion made for Select Board to endorse the use of the logo by the Human Rights Commission as presented. Motion approved by vote of (3-0).

Endorsement of Belmont Human Rights Commission Anti-Asian violence statement

[Statement was put on screen and Brian Nadeau, Chair of Human Rights Commission, discussed the statement.]

- Brian Nadeau said the commission thought it was important to support the Asian community in light of the increased surge of violence against Asians in the United States.
- Brian said the statement resides on the Human Rights Commission website and on their social media page. They are trying to increase outreach with the goals of helping to make people feel safer.
- Epstein reinforced that anyone who feels unsafe can contact the Human Rights Commission at belmont.hrc@gmail.com
- Dash said the amount of people who turned out at the recent Belmont vigil to combat anti-Asian violence shows the dedication of Belmont to this message.
- Sungyoung Hung, member of the Belmont Pan Asian Coalition commented that the Pan Asian Coalition is not included in the Diversity Task Force. She pointed out that the Belmont Chinese American Association only represents one part of the Belmont Asian population and the Pan Asian Coalition includes all Asians.
- Dash replied that this is a temporary task force, and it is important that they operate quickly. He also added that the Pan Asian Coalition didn't exist when the Diversity Task Force was created. He feels that the task force will work to include many voices from the community in their work, but if the task force is too large, it will slow down their progress.
- Caputo agreed that the work of the task force will be in community forums. Given the nature of discussions, there are opportunities for other groups to get involved. If the Diversity Task Force wants modifications to their participation base, then they can ask to do that.
- Sungyoung said that she feels due to all the controversy centering around China and the violence they have shown to other South Asian nations, that it is important for the task force to represent as many groups as possible.
- Julie Wu noted that this may be a temporary committee, but for people who have never been asked to participate before, this is a big deal, and the way it is chosen is important. She said a group of Belmont residents sent a petition to the Select Board email with 140 signatures and wanted to know the Select Board response to that petition.
- Dash said that he saw the petition, but reiterated that we cannot put everyone on the task force and still be able to accomplish what is needed quickly. The focus of the task force is not geopolitical in nature, and he feels the task force needs to have some time to develop their mission and then make a decision regarding the composition of its membership.
- Jennipher Burgess said she agrees with Julie that not all folks are getting a seat at the table. She feels fortunate to be on the task force and she would be happy to ask for another seat or give up her seat to balance out the representation, if that was necessary to strengthen the diversity of the voices. She commented that Black Americans come from different places as do other ethnicities. The task force wants to uplift all voices and she would like to be a conduit for that.
- Ye Zhang Pogue commented that the Belmont Chinese American Association does not represent China. The goal is diversity, and that does not involve just immigrants.

*Motion made for Select Board to endorse the Human Rights Commission Anti-Asian violence statement.
Motion approved by vote of (3-0).*

Discussion of the Information Technology Advisory Committee (ITAC) Report on Enabling Remote Committee Work

- Glenn Wong, vice chair of ITAC joined the Select Board.
- Epstein said the Select Board received two reports. The most recent report suggests making remote participation in committee and boards permanent.
- Wong summarized the report that was originally sent on March 16, 2020. Since then, the IT Budget Committee continued to review implications of other virtual work.
- The report encourages the Select Board to vote and approve the remote meeting clause. When the state of emergency is lifted, the provisions for remote meeting, will no longer be valid. Then Open Meeting Law would go back to require meeting in a physical setting. If we don't approve the remote clause, then members of public bodies can no longer participate in remote meetings. Senator Brownsberger and Representative Rogers said they were not familiar with legislation to amend open meeting laws to accommodate new ways to meet. The ITAC's role is to make recommendations, so ITAC is coming to Select Board for endorsement.
- The change allows remote meetings to continue as in emergency law, without a physical quorum. In the state Open Meeting Law there are specific reasons to participate remotely. We are suggesting to remove or change those conditions.
- Wong said they did a short, survey of committees in town. They surveyed chairs from the following committees: Warrant Committee, Community Preservation Committee, Community Path Project Committee, Middle School and High School Building Committee, Capital Budget Committee, DPW/Police Station Building Committee, Planning Board, and the School Committee. Some of their comments are in the report. The general sentiment was that having access to remote participation was helpful and increased participation. Certain things can be done best in-person but all agreed that the ability to work remotely should be retained.
- Dash said that we have been trying to do this for awhile, and if we can continue remote meeting access in the after the pandemic, he would endorse it fully. He knows that the legislature is looking into keeping this remote participation in the future, but it would be good for towns to endorse the idea now. He suggested involving Town Counsel about the town's role in this endeavor.
- Epstein said the OML states physical meetings are more conducive to transparency. He noted that if there was mixture of combined physical and virtual, we would have to deal with the logistics of infrastructure.
- Garvin said that last year we adapted to remote participation very quickly. She feels Belmont was in the forefront of remote participation. She has been looking at creating a hybrid version of remote participation where members of committees and boards meet physically but public participation is handled remotely. Her plan was to start with statutory committees. She welcomes ITAC to provide feedback on the development of this plan.
- Epstein noted an OML requirement that when video technology is in use, the remote participant should be visible to all other participants of the meeting.
- Paul Roberts, from the Belmont Technology Advisory Board replied that many offices have displays for joint remote meetings. The point about legal status is the most important. Unless the legislature acts speedily, then we will have to go back to open meeting in January 2020. The decision is do you allow committees to have remote meetings under the existing OML and going forward? How do we want to enable that? He agrees that we should implement it slowly.
- Garvin will be working with David Petto to set policy.

- Caputo said it's the wave of the future and it's appropriate to implement it slowly, but he would like to see the Select Board endorse remote participation in the near future. He thinks we should figure out how to retrofit rooms to continue remote participation. We have made lots of progress as a community and it worked well, but he is concerned the Governor will remove the state of emergency declaration. We should try to embrace the flexibility of the law now and try to make it broader. There are members of the community who cannot physically make it to meetings and many residents don't get involved because of the physical presence requirement.
- Dash commented that there may be differences between elected and appointed boards and asked if the Board should send a letter to the state legislature to keep aspects of the emergency declaration changes to the Open Meeting Law active to continue post-COVID.
- Paul Roberts commented that he would like to see changes to allow government bodies to use collaborative resources (G suite, Office 365) that other companies use.
- Epstein emphasized a requirement under OML that a physical quorum be present even if remote participation is allowed.
- Phil Lawrence commented that he feels it would be low risk to permit those committees who are capable to participate remotely.

Federal Aid - Community Project Funding Requests

- Patrice said this funding is separate from the 2021 federal relief funds. This is additional funding from Congresswoman Clark's office. This is federal money for town projects. She explained that there are a total of 10 projects that the state plans to fund. They are looking for projects that require community support. Garvin said they are submitting a proposal for the Community Path project. There is a matching component to this funding, and she wants to use the bond bill for \$7.5 M.
- Caputo asked if we could ask for partial amount? Garvin said we could lower the amount. Dash suggested to put in a range of what we expect the cost of the project to be. Garvin said it will be submitted this Wednesday.
- Jarrod Goentzel said he is willing to share information from the Mass. Bicycle Commission about the types of projects they have had with state representatives. Jarrod said he would email info to Patrice Garvin.

SELECT BOARD COMMITTEE LIAISON REPORTS

- Epstein asked Garvin for an update of a meeting of Glenn Clancy and her with the MBTA. Garvin said they have discussed the underpass with MBTA. There was confusion about cut and cover vs. jacking. MBTA wanted to confirm that this was a jacking operation only. There needs to be at least 10 feet clearance of the path from the rail. Nitsch Engineering is reviewing their plans for any needed changes to meet clearances.
- Structural Change Impact Group is developing its matrix and processing ideas received. They have created subcommittees and are now analyzing the ideas.
- Diversity Task Force had first meeting: Chair: Kimberly Haley-Jackson, Vice-Chair: Jennipher Burgess, Secretary: Patrice Garvin.
- Long Term Capital Planning Committee meeting is later this week.
- Financial Task Force II is meeting on Wednesday evening and Friday morning. Working on recommendations to the Select Board and other groups.

- Capital Budget Committee meeting next Thursday. Determining prioritization in event of successful vs. unsuccessful override.
- High School Building Committee meeting will be held on April 9th. Approving all furniture and equipment.

APPROVAL OF MEETING MINUTES

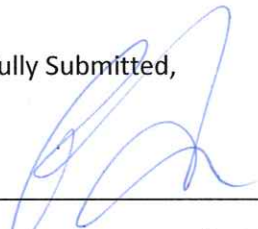
- February 1, 2021 – Regular Session
- February 22, 2021 – Public Input Meeting
- March 1, 2021 – Regular Session
- March 1, 2021 – Executive Session
- March 8, 2021 – Public Input Meeting

Motion made to approve meeting minutes as amended for February 1, 2021 regular session, February 22, 2021 public input meeting, March 1, 2021 regular meeting, March 1, 2021, Executive session and March 8, 2021, public input meeting.

Motion made to adjourn. Approved by vote of (3-0).

Next Meeting: Monday, April 5, 2021 at 7:00 PM

Respectfully Submitted,



PATRICE GARVIN, Town Administrator