

Approved by The Select Board:

September 10, 2022

Select Board Meeting

Monday, August 29, 2022

Hybrid Meeting

7:00 PM

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: September 15, 2022
TIME: 9:18 AM

CALL TO ORDER

A meeting of the Select Board was called to order by Chair Mark Paolillo. Vice Chair Adam Dash and Select Board member Roy Epstein were present, along with Town Administrator Patrice Garvin, and Assistant Town Administrator Jennifer Hewitt.

COMMUNITY ANNOUNCEMENTS

- There are still a few committee appointments open. The Select Board hopes to fill the vacancies by the end of September.
- The third annual Belmont Porchfest will be held on September 10, 2022. Residential porches across Belmont and the Town Green will host music events throughout the day. The raindate for the event is Sunday, Sept. 11th.
- 9/11 Tree Dedication will be held at 10:28 AM at the corner of Pleasant and Moore St . A Plaque will be unveiled to commemorate the victims who lost their lives on 9/11.
- 9/11 Memorial will be held at the Belmont Fire Department. The memorial event entails the reading of the names of those who lost their lives in the 9/11 tragedy.
- Patrice Garvin announced that the Human Resources Director, Shawna Healey, is leaving Belmont to work in another community closer to her home. Her last day will be October 7, 2022. Patrice Garvin will be assuming the duties of the HR Director until the position is filled. The Select Board congratulated Shawna and wished her luck in the new role. Shawna said that she has the opportunity to work for the City of Woburn where she lives. She thanked Patrice Garvin for her support and expertise.

COMMENTS FROM TOWN RESIDENTS

[NONE.]

ACTION BY CONSENT

Proclamation for Tree Dedication Ceremony, September 11, 2022

Joanna Tzouvelis talked about the 9/11 Tree Dedication. She discovered through her research for the Belmont Journal, that a tree was planted 20 years ago, but no dedication was made at the time. The donator from Hartney Greymount recently found the plaque that was never mounted. Ms. Tzouvelis said she worked to get the plaque mounted and they have now scheduled a dedication for the plaque.

Paolillo read the proclamation about the 9/11 Tree Dedication signed by the Select Board.

Motion to issue the 9/11 Tree Dedication Proclamation.

Motion approved by vote of 3-0.

Council on Aging Director appointment/authority update

Tomassina Olsen joined the group. She raised questions about the search process for the new COA Director.

Patrice Garvin responded to the issues raised by Ms. Olsen. Garvin reported that the application period for the COA Director has ended and applications are now being reviewed. Joel Semuels, a member of the COA Board, will be part of the panel undertaking the search. Garvin expressed her hesitancy to disclose the details of the selection process in order to respect the privacy of the applicants.

Patrice Garvin explained that, according to Town Counsel, the Advisory Panel that is tasked with the search process for the next COA Director is not a public body. The panel's sole authority is to advise the Town Administrator on the selection decision. Ms. Olsen said she just wants to ensure that the process is transparent.

Town Counsel, George Hall, commented that in the intervening period since the last COA Director was hired, that the state legislature approved a bill that further defined the duties of the Town Administrator. Since 2014, the Town Administrator has had the authority to hire the majority of Department Heads in Town, with a few exceptions. Patrice Garvin has the right to convene a group that is not a public body to advise her on the hire of new department heads. The statute requires the Town Administrator to communicate with the relevant parties, but direct involvement by the COA Board in the hiring process is not required.

Patrice Garvin stated that she had reached out to Joel Semuels early on in the process.

Paolillo read the statute from 2014 stating the authority of the Town Administrator in Department Head hiring process. Tomassina Olsen said that the Chair of the COA Board should have been notified about the process early on and should have been informed about the proposed panelists.

Judy Morrison, new appointee on the COA Board, agrees that more information should have been provided to the COA Board. She completely supports Joel Semuels' selection and agrees that he is the

most qualified person, but she would have liked to have seen more communication between the Town and the Board.

Paolillo recognized the importance of open communication during the search process. Garvin reaffirmed the importance of protecting the integrity of the search process. Paolillo suggested that residents call him with any questions about the hiring process.

Ms. Olsen asked about the number of applications received. Garvin did not want to disclose the number of applications because of the privacy of internal applicants. She announced that she is hoping to have a candidate in place for the COA Director position before Shawna Healey leaves her position.

PUBLIC COMMENTS on the COA Director search process

Judith Feinleib, Town Meeting member, pct. 6 expressed concern that the attempts to be discreet could reflect a lack of trust in the COA Board. Patrice Garvin again noted the importance of maintaining privacy for the internal candidates and upholding the laws of the Commonwealth.

Executive Session:

Motion was made to enter into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; all unions.

Motion was approved by a vote of 3-0.

LEAVE OPEN SESSION TO ATTEND EXECUTIVE SESSION

RETURN TO OPEN SESSION

Discussion and possible vote to ratify Service Employees International Union (SEIU) Local 888 contract

Chair Paolillo announced that, after discussions in Executive Session, the Select Board agreed to ratify the SEIU contract.

Shawna Healey summarized the discussion:

Ms. Healey explained that the SEIU contract covers most Town administrative staff including library staff. It is a three-year contract ending June 2023. The contract that was agreed to in union negotiations includes a 2% COLA increase for each of the three years in the contract, retroactive to July 1, 2022. Changes included: 1) addition of the Juneteenth holiday, 2) change of Columbus Day to Indigenous Peoples' Day, 3) adoption of the Brave Act language for veterans, 4) increase of sick time to

175 days, and 5) a one-time ARPA payment for work performed during the COVID crisis (\$500 for employees who worked a hybrid schedule and \$1000 for employees who worked on site).

Motion was made to ratify the SEIU contract as presented. Motion was approved by a vote of 3-0.

Discussion and possible vote on the use of American Plan Rescue Act (ARPA) funds:

1) Union/Non-Union COVID Stipends

Shawna Healey said now that the SEIU settled their COVID stipend rates for union staff (for a total of \$20.5K), the Town is looking to offer the same benefits to non-union staff who worked during the COVID crisis. The total amount for non-union stipends is estimated to be \$28.5K. The Select Board needs to approve the \$49K for both sets of stipends.

Motion was made to authorize the expenditure of funds from the American Rescue Plan Act (ARPA) for COVID stipends for union and non-union staff for a total of \$49K. Motion was approved by a vote of 3-0.

2) Update on Rink Funding

Mark Haley, Chair of the Municipal Skating Rink Building Committee, joined the group. He recounted that the State gave the Town a grant of \$250K for preliminary design work and this amount was rolled into the next budget. The Building Committee was given a budget of \$450k, and \$443K has been spent from that budget, to date. Haley said he had the OPM and Architect put together a table and estimates and the Architect is asking for \$90K for two weeks. Using that amount as a base, the project will expend \$512K by December 2022. Therefore, some cuts need to be made to stay under \$450K. He noted that all municipal construction costs have had substantial increases. Dash said he appreciates receiving updated information from Haley on a regular basis. Haley said that the second public forum about the new rink will be held on September 14, 2022. He reported that the committee is finding that the Geo Thermal may not be the best system to use. He said he would come back in the middle of September for further information. Paolillo would like to see an update on the fundraising for the rink. Haley suggested that Brandon Fitts supply more information to the public about the use of the rink. He thinks that residents are not aware of the full services available from the new rink.

Paolillo said we he would like to see a more accurate estimate for the rink debt exclusion by September.

PUBLIC COMMENTS about the Rink costs:

Bill Anderson, pct. 2 asked Mark Haley if the architect is aware of the \$450K costs. Haley said they are aware and they are trying to stay under the \$450K appropriation.

Discussion and possible vote on recommendation from the Transportation Advisory Committee on trial closure of Partridge Lane at Winter Street

Glenn Clancy, Director of Community Development and David Coleman, Chair of the Transportation Advisory Committee joined the group. Clancy said there is a need to temporarily close off access to Winter St. from Partridge Lane at Winter St. to help with a proposed redesign of that intersection. He needs Select Board approval for the trial to be started. They are trying to determine if the creation of two roundabouts would improve pedestrian accessibility and bicycle accommodation. Since there are currently no funding sources to construct the intersections, Clancy and Patrice Garvin have secured seed money for design because the neighborhood hearings identified a need to mitigate speed in that area. The plan is to approach the project incrementally in order to have time to identify sources of funding at each step. The first step will be to address the Partridge Lane traffic issue before working on the changes to the intersection. His proposal would force traffic to stay on Marsh St. and adapt to a four-way approach at Winter and Marsh. He would like for the Select Board to approve a temporary trial. Fire Chief DeStefano supports the idea. Clancy said they plan on using construction barrels and two signs to realign the traffic.

David Coleman, chair of TAC said they were unanimous in approval of this trial. The trial will start in a couple of weeks. The ultimate goal would be to construct a roundabout.

Motion was made to temporarily approve the recommendation of the Transportation Advisory Committee to temporarily close off access from Partridge Lane to Winter St. for 6 months to evaluate the effectiveness of the proposal. Motion was approved by a vote of 3-0.

Collins Center Recommendations

Mike Widmer and Geoff Lubien joined the group to talk about the Collins Center recommendations. Paolillo read the cover letter of the report.

The cover letter addressed key concerns that included a growing deficit, recently failed override and resident discontent. The report said the Town is challenged by an infrastructure that does not support accountability and the main problem cited was a diffusion of responsibility in an executive branch for a Town under 25K people. The Report recommended creating an ad hoc study committee of residents that are given a mandate to review aspects of the Town government.

Some of the recommendations in the report were:

- Establish best practices and guidelines
- Create a more centralized Town organization
- Formalize the financial management team
- Appoint a Finance Director (completed)
- Develop other sources of funding
- Develop a comprehensive strategy for permanent reserves
- Refocus on planning commercial redevelopment to relieve the burden on residential taxes

- Invest in upgrading the CAMA system.

Paolillo said we can't let the report sit on the shelf. He thinks that all 19 recommendations need to be reviewed to determine the next steps.

Dash said that many of the suggested recommendations have either been done or were attempted unsuccessfully. He said that the Town had previously tried to reduce the size of Town Meeting and increase the size of the Select Board and people did not embrace the change. He agrees that the Assessors and the Treasurer should be appointed, and not elected. He feels that in the Town of Belmont there are no defined responsibilities. He also feels that a five member Select Board would be unwieldy with the current governmental structure. He would be willing to change to a Town Manager structure, but residents have historically not supported this. He said we should start the project, by making a list of the recommendations in the report that have been tried before and failed in the implementation attempts. He suggested that the Board members rank the Collins Center proposals as to which order they should be taken up, and then send those rankings to the Town Administrator for discussion at a later meeting.

Mike Widmer, the Town Moderator, thanked the Select Board for inviting him to the meeting. He stated that he believes this is a first-rate report that is thorough, direct and based on experience and savvy. He feels the recommendations cover an enormous amount of territory and, if arranged in categories, would still include 9 to 10 different categories. He thinks it's important to accept that some the changes will take time. The most important task is determining which of the recommendations take priority and keeping the public informed about the steps that the Select Board is taking to implement some of the requested recommendations. It is important to present periodic reports to the public and Town Meeting about potential changes. The first step should be for the Select Board to highlight items that are already being done. The most stunning comment was that Belmont is one of the most decentralized communities in the state.

Paolillo thinks resident discontent is high and with the current structure, the Select Board does not have the power to undertake some of the changes that residents are requesting. He said that it's time to try to put in place changes in the government and to expand the power of the Town Administrator.

Geoff Lubien said that the report from 11 years ago was not implemented at all. He believes that the Town needs to move forward with a plan that includes an information campaign to explain to the public why changes need to be made. The goal should be to try to implement some of the recommendations over the next 3-5 years.

Epstein thought the report was stimulating and he agrees with many of the recommendations. He said one of the most important issues for the upcoming budget discussions will be the size of the school budget vs. the Town budget. He mentioned that the size of the Select Board was already studied extensively and the proposal to expand the number of members to five was defeated in the Spring 2018 Town Meeting by margin of more than 3 to 1. His view was that the most important administrative issue is whether to change the Treasurer position from elected to appointed. He stated his expectation that Floyd Carman would not run for re-election April 2023. Because moving to an appointed treasurer

requires a town-wide election, he indicated that a special election at the end of January 2023 would make sense. If that effort fails, then there needs to be time for people to take out papers to run for Treasurer in Spring.

Mike Widmer would like to proceed with trying to change the policy for the Treasurer position by Spring 2023.

Dash said they have time for forums on the Treasurer change. It is important because 80% of treasurers and collectors in Massachusetts are appointed.

Jennifer Hewitt said her reading of the statute was that a special election could not be used for this purpose and that the vote would have to be part of the April election.

Widmer thinks the Town Meeting endorsement would be important. He thinks if the item is put on the Town Warrant for Fall then there will time for public discussion.

The Select Board members agreed they would like to research this topic before further decisions are made.

PUBLIC COMMENTS about the Collins Center recommendations

Ellen Schreiber, pct. 8, member of Warrant Committee, said that she would like to see the Treasurer change take place in January. It would be difficult to elect a replacement for a limited term. It won't be easy to find a Belmont resident who wants to do undertake a short-term position. She doesn't like the term appointed, because she feels that in order to find a qualified person, we need to regard the position as a professional hire. She said it should be undertaken with a professional hiring process, similar to the Police or Fire Chief. She feels that January is a tight timeline, but a far better choice.

Jane Sherwin, pct. 4, agrees that these recommendations are valuable. She is grateful for the discussion and appreciates that the Board is addressing one of the most important recommendations. It was a surprise to her that Belmont was in a different situation than other towns. Having listened to this discussion, she suggests we try to take on a change in the overall perspective for the Town. It's possible that the bylaws are no longer effective enough to govern a Town of 26K.

FURTHER DISCUSSION OF COLLINS CENTER RECOMMENDATIONS BY COMMITTEE MEMBERS AND TOWN ADMINISTRATION

The group discussed some of the other recommendations.

Paolillo expressed the importance of driving change by estimated revenue not expenditures.

Dash thinks that the reliance on free cash could be eventually changed, but it will take time. Using free cash on capital projects makes sense.

Garvin said that until we address the decentralization issue, the free cash problem will continue to be an issue. Lubien said we need 3-5 years to wean ourselves off free cash.

Paolillo asked if we need bylaws to make some of the financial structure changes? Most attendees agreed that policy change would be a better option than bylaw changes and the Select Board would task with establishing the policy in concert with the Town Administrator.

Dash said that the Select Board has pushed for a comprehensive review of Pilot payments in the past. He said we need to continue to periodically review our options with the Pilot payments because it would be a quick way to increase revenues, however such payments are voluntary and hard to get.

The restructure of department services and employee benefits is another important issue. The Structural Change Implementation Committee is looking at the benefits of joining the GIC.

Widmer thinks if residents see the changes as an overall strategy for improvement in governance, they may look at them more positively.

The group reported that the Belmont Business Study Committee will be working on the commercial and industrial issues.

Jennifer Hewitt said she attended the Board of Assessors meeting about the CAMA system. The CAMA system calculates the square footage that supports evaluation of homes. She said that the transition to a new system would be time consuming and the Town missed the window for FY23. The change to a new system would have to wait until after FY25.

There was discussion about changing the Town Organization Chart to establish clarity in direct reports.

There was also discussion about convening a committee to decide the most important areas for implementation.

Epstein thinks the Audit Committee needs to have a more active role. Paolillo said that it's important for the Audit Committee to maintain its independence, but communicate more frequently to the Select Board. He thinks they should report to the Legislative Branch or the Town Moderator.

Patrice Garvin recommended that the wage classification study currently underway for non-union and SEIU employees should be expanded to include other unions.

There was agreement that the recommendations require prioritization, but the most imminent priority is addressing the Town Treasurer/Collector position. Further information about that process will be brought to the next Select Board meeting.

Patrice Garvin and Mike Widmer said they would work on a draft of implementation priorities from the Collins Report recommendations. They noted that some of the recommendations may require review by legal counsel.

SELECT BOARD COMMITTEE LIAISON REPORTS

Epstein reported that the CPC met last week and their annual report is being revised. The CPC voted to strengthen their gatekeeper function to have the option not to put otherwise eligible projects before Town Meeting.

Motion was made to adjourn and approved by a vote of 3-0.

Next Meetings:

a. Potential Topics:

- (1) Committee Appointments/Reappointments
- (2) FBE Apple Run, October 2, 2022

b. Next Meeting Dates:

- (1) Monday, September 12, 2022 – 7:00 PM – Regular Meeting
- (2) Thursday, September 15, 2022 – 7:00 PM – Joint Meeting – Budget Summit I
- (3) Monday, September 19, 2022 – 7:00 PM – Regular Meeting

While every effort is made to ensure that the agenda items are scheduled to the specified time as listed,
some items may take more or less time than allotted.