

Approved by the Select Board:

November 7, 2022

Select Board Meeting

Monday, October 3, 2022

Hybrid Meeting

7:00 PM

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: November 21, 2022

TIME: 10:07 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 Assistant Town Administrator/Finance Director Jennifer Hewitt and HR Director Shawna Healey.

COMMUNITY ANNOUNCEMENTS

New Council on Aging (COA) Director

Shawna Healey joined the group to announce that Dana Bickelman has been promoted to the position of Director of the Council on Aging. She reported that the search originated with five final candidates and three candidates were interviewed. Dana Bickelman prevailed as the best choice. Ms. Bickelman joined the group remotely and thanked the committee for her hire. Shawna Healey said that the next step will be to advertise the Assistant COA Director position that was vacated by Ms. Bickelman.

Other Community Announcements

- Belmont Light Power will hold Public Power Week/Winter Lookahead on October 4, 2022 at 1:15 PM. Free. Call 617-993-2970.
- Bike Unit for Belmont Fire Department will present information about a new bike unit that hopes to increase their presence in the field. Free. Call 617-993-2970.
- Auto Repair for Everyone will be held October 7, 14, and 21, 2022 from 2-4 PM. Lecture and Demonstration will cover basic maintenance for automobiles. Cost \$75. Call 617-993-2970 to register.
- Belmont Serves will be held on October 10, 2022 at 9:30 AM at Universalist Unitarian Church.
- Belmont Touch a Truck will be held on October 8, 2022 from 11 am to 2 pm. at the Claflin St. Parking Lot. The event is sponsored by Belmont Light, Belmont Fire and Belmont DPW.
- One Book One Belmont. Susan Orlean will talk about her new book The Library Book. Sponsored by the Belmont Library. Virtual presentation. Registration required.

COMMENTS FROM TOWN RESIDENTS

Meg Moriarty, Chair, Belmont School Committee asked the Select Board to consider endorsing the Fair Share amendment. This amendment will appear on the ballot in November 2022 and will assess a 4% surcharge tax on residents who earn over \$1M annually. These taxes are earmarked for more revenue for public schools and transportation. She asked the Select Board to take this up before the November election.

AGENDA ITEMS

Town Moderator – Request to call 2022 Special Town Meeting (STM) to be held by remote participation

Mike Widmer joined the meeting to recommend that Town Meeting continue to be conducted virtually. He said there has been an increase in COVID cases since Labor Day and the meeting will be held shortly after Thanksgiving, after many people will be traveling. Since they will be meeting in a closed auditorium and masks are no longer mandated, there would be some risk. The Select Board is required to approve this recommendation.

Paolillo asked about hybrid meetings and Widmer said it's an either/or situation under state law. It's also a very demanding time for the Town Clerk's office and efforts to set up a hybrid alternative would be time consuming. Some communities have filed Home Rule legislation for hybrid meetings, but the legislature has not approved these requests yet.

Epstein said we need to approve this request, but since COVID will be with us indefinitely, we need to explore future alternatives. If Home Rule is a viable option, then we should proceed with that.

Motion was made to conduct the 2022 Special Town Meeting scheduled to begin on Tuesday, November 29, 2022 by remote participation. Motion was approved by a vote of 3-0.

Discussion of Collins Center Recommendation: Elected to appointed Town Treasurer warrant article

George Hall, Town Counsel, joined the meeting.

Paolillo asked Atty. Hall to further describe the process of changing the Town Treasurer position from an elected to appointed position. Hall said the process is set forth in Chapter 41, Sec. 1B in Massachusetts General Laws.

The steps for changing the Treasurer to an appointed position are:

- 1) Town meeting must vote to approve the change at least 60 days before the Town election.
- 2) If the Warrant was added to the Fall 2022 Town Meeting, there would be time to get it on the Annual Town Election ballot in Spring 2023.
- 3) If the measure passes on the ballot and it coincides with the end of the Treasurer's term, the person who wins the election for Treasurer serves only until their successor is appointed.
- 4) If the ballot question passes in the middle of the Treasurer's term, then the incumbent may remain for the balance of the term.
- 5) In the event the Treasurer position becomes an appointment, it would be the Town Administrator who appoints them, not the Select Board (this is a change from what was reported at the last meeting due to the wording of the Belmont Town Administrator statute).

Dash thinks that we should try to make the change now, rather than wait three years.

Epstein said that Floyd Carman's importance in Belmont goes beyond his duties. The office and the man have been inextricably linked. If Floyd decides to run for another term, then he would support him, but we are not sure where he stands right now. He thinks the Town Administrator statute should be

changed to make the Treasurer appointed by the Select Board. He would like the Treasurer to be answerable to an elected body.

Epstein feels that there are so many moving parts around the change from elected to appointed, that it will be hard to explain to the public in such a short time. He thinks the issue should be brought forward in Spring 2023. There needs to be education to achieve a broad consensus.

The Home Rule petition process was clarified by Atty. Hall. The new state legislature comes back into session on the first of the year. If Home Rule petition was approved at Town Meeting in November, a bill could be filed at the beginning of the legislative session, and there could be a bill by the end of June 2023.

Dash said the request for the change in the Treasurer position from elected to appointed was a Collins Center recommendation. Having the Town Administrator appoint the Treasurer makes it a professional hire and he thinks that would be appropriate. There will be controversy either way. This is the opportunity to do it when Floyd's term is up in April. If it doesn't pass, then we can do it again. He thinks if the Town Administrator is tasked with the appointment, that it would depoliticize the hiring process.

Mike Widmer said that sometimes what seems simple, can become complex. This is just one piece of the Collins Center report, the rest is to give more authority to the Select Board and the Town Administrator. He is supportive of an appointed treasurer. The question is when and how. The main impetus now is that a term is ending. It will be politicized by its very nature. If the Select Board proceeds with placing it on the Warrant at Fall Town Meeting, he thinks it may add another contentious issue to the other articles that involves two debt exclusions and a revised budget process. It is ironic that the Collins Center is recommending that the Select Board and the Town Administrator have more authority during a period characterized by a lack of trust in government. We are asking the electorate to put more trust in elected leaders at a time when trust is waning. He thinks it makes sense to schedule this change at the Annual Town Meeting in the Spring. He said his preference is for the Treasurer change to be combined with other recommendations of the Collins Center and have an educational process to explain to the public about why the authority is needed. Then we will have a few months to present a more comprehensive approach.

Jennifer Hewitt agrees that the Treasurer position should be appointed, and she is concerned that there will be a vacuum if Mr. Carman does not run for reelection. The Treasurer's office has had considerable turnover, so staff are new to their roles and they are down two positions. The Town Treasurer position is very process-oriented, involving set state deadlines and requirements for issuing property and excise tax bills. She is also concerned about the debt management aspects of the position.

Paolillo asked how late we can wait to remove the item from the Warrant? Ellen Cushman said the legal deadline for removing the posting will be November 15, 2022. Ms. Cushman said that if Mr. Carman decides not to run that she is sure he would let us know early on and there would be time for signatures and/or a write-in campaign. Paolillo said he is leaning towards pursuing broader changes and waiting until next year for the Treasurer transition.

Mike Widmer agreed that we do not need a Charter Committee to make the changes suggested by the Collins Center.

PUBLIC COMMENTS on the treasurer transition

Geoff Lubien, Chair of Warrant Committee, Town Meeting member, agrees that this isn't about one person. Now is the opportunity to implement some of the Collins Center recommendations. The Treasurer has a major role in Town administration. To leave this decision to an election is dangerous. He thinks we need to make a movement toward some of the recommendations and discuss the benefits as soon as possible. We need to inform the public of the benefits of the Treasurer change. He doesn't think the Town Administrator change with Home Rule is necessary.

Bill Anderson, member of Warrant Committee said he hears the concerns on both sides, but as he looks at the Collins Center Report, he sees overall recommendations for an organizational restructuring of Town government. We need to look at the big picture and not rush to make one change alone. We need to be more deliberate and sort through the pieces to see where they fit and get a schedule for implementation.

Dash thinks this is not complicated but it could be controversial. It would be a good way to get things moving. He thinks this is the moment in time.

Epstein said he disagrees with Dash so he suggests that more time is needed to discuss the issue.

Ellen Cushman noted that Belmont has a special act to recall our elected officials so that even if a person is elected there could be a petition to recall that person from office.

There will be a Public Forum to discuss the Treasurer Transition on Thursday, October 27th at 7 pm.

Approve the Warrant for the Biennial State Election on Tuesday, November 8, 2022 3/C 7:35 PM
Ellen Cushman, Town Clerk, said the Select Board needs to endorse the Warrant to hold the election.

This is an important election and she wants to review some details.

- 1) All state, district and county offices are being voted.
- 2) The Belmont ballot will include four state questions and two local questions.
- 3) The 4th state question didn't get printed in the booklet from the state so she said a flyer with the complete set of questions has been sent to all Belmont Light customers. The six ballot questions are also on the Town Clerk website.
- 4) Dollar amounts do not go in debt exclusion questions.
- 5) They are sending out over 5,000 mail-in ballots starting tomorrow. The deadline to request a mail-in ballot is November 1st. There is a drop box outside of Town Hall if a voter wants to personally return their ballot.
- 6) Early in-person voting starts October 22.
- 7) Mail in votes can be received up to three days after the election as long as they are postmarked by election day.

PUBLIC COMMENTS on state election:

Mike Carceo, pct. 7 said 5,000 absentee ballots seems like a lot. Ellen Cushman said 4,000 went out for the September primary and 2,000 were returned. People may have changed their mind and gone to the polls, or simply decided to not return their ballot.

Motion was made to approve the Election Warrant for the November 8, 2022 biennial state election at the polling places as shown by the Town Clerk, being the same polling locations that have typically been used in the past. Motion was approved by a vote of 3-0.

Update on Rink Fundraising

Ann McElroy, Lucinda Zuniga, and Mike Carceo, Belmont Youth Hockey Association (BYHA) Board members, joined the meeting to talk about the progress on rink fundraising.

Ms. McElroy showed slides that summarized the activities of the Belmont Youth Hockey Association. The BYHA has been undertaking a grass roots campaign over the past six months to raise funds for the new rink in the goal of mitigating the tax burden on Belmont residents. Ms. McElroy displayed photos of the failing rink. She reported that people can view a tour of the rink on the Belmont Media Center website.

Ms. Zuniga said the BYHA fundraising efforts have produced a total of \$2M worth of pledges during the six-month campaign. There is active support from foundations and corporations. Information about these fundraising efforts can be found at www.belmontrink.com. There a list of prospective funding sources waiting for the results of the debt exclusion vote. She thinks a total of \$3M could be raised.

Mike Carceo said waiting longer will create losses including loss of community. 65% or \$120K of the BYHA budget is spent renting ice in nearby towns. Carceo said that construction costs are rising, and the longer we wait to build a rink, the more expensive the project will become. If a new rink is not built, the schools will have to pay for hockey players to go to other towns and that could cost up \$250K per year to rent ice.

The Select Board thanked the BYHA members for their update and asked them to please contact them if help is needed.

Update on the Municipal Skating Rink Building Committee

The Chair of the Municipal Skating Rink Building Committee, Mark Haley, architect Ted Galante, and members of the Rink Building Committee (Dante Muzzioli (remote), Tom Caputo and Frank French Jr.) joined the group. Haley said the School Committee and School Administration members were not happy with the last estimate from the design architect so they worked hard with Ted Galante to pare back costs.

Ted Galante displayed slides which illustrated the value engineering reduction that was applied in order to reduce the costs of the rink:

- Eliminated the two of the six Harris Field locker rooms

- Eliminated the DPW space to replace the shop currently in the White Field House
- Scaled back the rink entrance mezzanine
- Removed the demolition of the White Field House
- Reduced the scale for the parking and entrance plaza.

Galante showed a draft of the proposed new plan. The design allows the removed locker rooms to be built later. The lockers that were eliminated were for the visiting and home players using Harris Field.

Meg Moriarty, School Committee Chair, noted that Belmont has more high school teams than any other nearby schools. The initial request was to have space for teams that use Harris Field, but when the Rink Committee went to the School Administration to talk about reducing project costs, the lockers were one place in the design that they agreed could be eliminated from the proposal.

Mark Haley said there could still be an opportunity to add the lockers later on with unspent contingency money. Tom Caputo added that if it proves that the cautious estimates on the rink were higher than anticipated, then that budgeted money can be used for some of the plans eliminated in the value engineering proposal.

Epstein asked if the proposal still allows for the DPW storage space? Haley replied that if White Field House is not demolished, then some of the DPW equipment could be stored there. In this case, the White Field house would be decommissioned except for storage.

Tom Caputo showed a slide of cost updates for the rink. The previous cost estimate was \$37.3M. The new project estimate is \$33.4M. He added that since they are still at the schematic design phase, it's possible the budget may change again. Haley said after the schematic design exercise, the design contingency decreased from 30% to 20%. He reported that the contingency used for the rink and library are very similar.

Frank French Jr. said we can reuse the existing foundation system which eliminates the risk of finding unknown construction elements once construction begins.

Haley noted that this design will be close to zero net energy. Solar panels have been included in the design. He also noted that operating costs for the new rink will see a significant reduction of kilowatt hour costs when compared to the old rink. Frank French Jr. said that the new rink could realize a break-even scenario with revenues and expenses.

PUBLIC COMMENTS

Amy Tannenbaum, 21 Goden St., asked that the committee consider the unintended consequences on the direct neighborhood in the final plan. She said that often people park on her street during games and she can't get out of her driveway. She supports the rink as a community endeavor, but she doesn't want the negative effects of noise and parking on her street in the early morning hours. Paolillo said operation of the rink will fall to the Select Board and the Recreation Dept and they will try to mitigate those type of activities.

Dante Muzzioli, member of the Building Committee reminded people that this is a community building, it will be a facility that can be used by a cross-section of residents. We shouldn't be building this so we can rent the ice all day and night.

Barbara Dubois is a new resident in Belmont in pct. 7. She is concerned that even the reduced price seems high. She reported that there is information about the Town of Marblehead building a rink for less than \$8M. Ted Galante replied that this building cannot be compared to other rinks. There are many factors that affect costs: site differences, new builds vs. renovations, and location. This building is as bare as it can be from a design perspective and he reminded everyone that two completely independent cost estimators reached the same net amount.

Epstein thanked Ms. Dubois for raising this issue. He said that when he talked to the Town Manager of Marblehead about the rink, he discovered that no rink is being built in Marblehead. The figure for the Marblehead rink came out of a plan that never got implemented. Haley reported that Brookline did a study for a new rink and their estimates were over \$40M.

Lisa Pargoli, Town Meeting member, commented that she thinks the difference between Belmont and the other rinks is that we are adding in items requested by the schools that were not allowed into their operating budget. Paolillo asked Ted Galante if he is aware of any rinks in nearby towns that are less expensive than Belmont. Galante said he did not know of any new rinks being built that were less expensive than the current estimates for the Belmont rink.

Haley announced there is a fourth public forum being held about the rink on October 11, 2022 at 7 pm. The subject for discussion will be cost and energy.

Discussion and possible vote to approve request for one-day liquor license, beer and wine only, for an art reception at the Belmont Gallery of Art on Friday, October 7, 2022 from 6:30 – 8:30 PM

Motion was made to approve the request for a one-day liquor license, beer and wine only, for an art reception at the Belmont Gallery of Art on Friday, October 7, 2022 from 6:30 – 8:30 PM. Motion was approved by a vote of 3-0.

Discussion and possible vote to approve new Common Victualler license for Comella's Restaurant, 11 Brighton St.

Motion was made to conditionally approve new Common Victualler license for Comella's Restaurant, 11 Brighton St. pending final inspection by the Health Department. Motion was approved by a vote of 3-0.

Discussion and possible vote to accept resignations for: Economic Development Committee, Planning Board

Economic Development Committee

Motion was made to accept the resignation of Jeffrey Birenbaum from the Economic Development Committee. Motion was approved by a vote of 3-0.

Planning Board

Motion was made to accept the resignation of Steve Pinkerton from the Planning Board. Motion was approved by a vote of 3-0.

The Board thanked Mr. Pinkerton for all his hard work on the Planning Board.

Possible vote on appointments, reappointments

Disabilities Access Commission

Motion was made to approve the two reappointments of Michael Lanza and Nan Donald to the Disabilities Access Commission for three-year terms expiring June 30, 2025. Motion was approved by a vote of 3-0.

Motion was made to appoint Norma Massarotti and Andrew Poulsen to the Disabilities Access Commission for two-year terms to expire June 30, 2024. Motion was approved by a vote of 3-0.

Dash noted that seats are still open for an elected or appointed official on the Disabilities Access Commission. All current committee members should be contacted to ask if anyone wants to volunteer.

Epstein said he looked back at the history of the membership of the Disabilities Access Commission and it appears that the Commission was never fully staffed. In 2008 and 2015 there were three vacancies. Given the difficulty of staffing it, he thinks maybe the size of the committee should be reduced. Dash commented that the membership charge maybe be statutory and said they should research that before they make any changes to the membership.

Planning Board

Motion was made to appoint Jeffrey Birenbaum as Full Member on the Planning Board, to fill the remainder of Steve Pinkerton's term. Motion was approved by a vote of 3-0.

[Birenbaum appointment leaves a vacancy for an associate member.]

SELECT BOARD COMMITTEE LIAISON REPORTS

Epstein said that the Permanent Audit Committee met last week and he explained the proposal to make the Moderator the appointing authority for the committee instead of the Select Board. He said he's hopeful they will agree with the Collins Center report and that this approval could come before the Town Meeting for bylaw change in April.

Craig Spinale from Belmont Light will come before the Select Board to discuss conservation efforts and rate changes.

The new Capital Budget Committee will soon be approved by the state so the Town Moderator can appoint the positions. Most of the members have been identified. Once everyone has been appointed to the new committee, then the standing committee can be dissolved.

APPROVAL OF MINUTES

- a. September 12, 2022 – Regular Session
- b. September 12, 2022 – Executive Session
- c. September 15, 2022 – Joint Meeting with School Committee, Warrant Committee and Long Term Capital Planning Committee
- d. September 20, 2022 – Regular Session

Motion was made to approve the minutes from the September 12, 2022 meeting with amendments. Motion was approved by a vote of 3-0.

Motion was made to approve the Executive Session minutes from September 12, 2022 and the regular meeting minutes from September 20, 2022. Motion was approved by a vote of 3-0.

The Select Board agreed to postpone the approval of the minutes from the budget forum meeting on September 15, 2022 in order to have time for staff to review the minutes for accuracy.

Next Meetings:

a. Potential Topics:

- (1) Committee Appointments/Reappointments
- (2) Belmont Middle High School Building Committee Update
- (3) MAPC Presentation on Net Zero Carbon Emissions

b. Next Meeting Dates:

- (1) Tuesday, October 18, 2022 – 9:00 AM – Regular Meeting
- (2) Thursday, October 20, 2022, 7:00 PM – Joint Meeting with School Committee, Warrant Committee, Long Term Capital Planning Committee – Budget Summit II
- (3) Thursday, October 27, 2022 – 7:00 PM – Public Forum – Elected to Hire Treasurer
- (4) Monday, November 7, 2022, 7:00 PM – Regular Meeting
- (5) Monday, November 21, 2022, 7:00 PM – Regular Meeting

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

Submitted by

Virginia Quinn

Recording Secretary

