

**Approved By the Select Board:**  
**January 9, 2023**

Select Board Meeting  
Monday, December 5, 2022  
Hybrid Meeting  
7:00 PM

**RECEIVED**  
**TOWN CLERK**  
**BELMONT, MA**

DATE: January 25, 2023  
TIME: 3:06 PM

**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/Financial Jennifer Hewitt.

**COMMUNITY ANNOUNCEMENTS**

Beech St. Center:

- Belmont Light presentation regarding rate increase on Dec. 6<sup>th</sup> at 1:15 pm.
- Holiday Performance with A&W Ukulele players on Dec. 9<sup>th</sup> at 1:15 pm.
- Meet and Greet with new Council on Aging Coordinator Aimée LeBrun on December 13 at 10:30 am.

Call 617-993-2970 for more information about the above events.

- Paolillo thanked Dave Petto and the IT group for help with Town Meeting.
- Paolillo read letter from Belmont Youth Activities and DARE, Inc. about the success of the Touch a Truck event. The event was attended by 1,000 people.

**COMMENTS FROM TOWN RESIDENTS**

Norma Massarotti, pct. 5, Town Meeting member asked about water main breaks near Common St. She said the road is rippled from the water. She asked for someone to take a look at it. Jay Marcotte said he would look into the problem.

Alison Lenk, pct. 8, Town Meeting member asked about ratifying the Town Administrator's contract. Paolillo said the discussion about that contract would be undertaken in Executive Session.

**TOWN ADMINISTRATOR'S REPORT**

Update on Rink Operations

Jay Marcotte, DPW Director, Frank Sartori, DPW Manager and Brandon Fitts, Recreation Director joined the group.

Marcotte said there was one successful practice at the rink, but due to temperatures, the ice was too soft for further use. Currently the ice is in good condition to be used, but if the temperature stays warm that may produce a problem. Brandon Fitts said some revenue has been lost and if that continues there will be a deficit.

Marcotte said the coolant for the old compressor is expensive and hard to find. He has stockpiled some coolant and it would not be economical to get a mobile compressor for a temporary period because they don't use the same coolant.

Epstein said a resident claimed they went to the rink and the compressor control was on 27 degrees and it should have been lower.

Sartori replied that the information about the compressor is inaccurate. Sartori said they are looking for a temporary dehumidifier, but electrical wiring needs updating before the rental can be installed.

Paolillo announced they will open the hearing with the Board of Assessors and then table it in order to take additional comments on the rink.

#### OPEN JOINT SESSION WITH BOARD OF ASSESSORS

Paolillo announced the Board of Assessors joint session will be opened and then laid on the table.

*Motion was made to lay the rink discussion on the table to convene joint session with the Board of Assessors.*

Bob Reardon, Chair, called the Board of Assessors to order with a quorum of members (Chuck Lavery and Dan Dargon, Assessing Administrator).

*Motion was made by the Select Board to table the Tax Classification Hearing until 8 pm. Motion was approved by a vote of 3-0.*

*Motion was made by the Board of Assessors to table the Tax Classification Hearing until 8 pm. Motion was approved.*

*Motion was made by the Select Board to remove the rink discussion from the table. Motion was approved by a vote of 3-0.*

#### PUBLIC COMMENTS on the rink

Sarah LeMieux, pct. 3, Town Meeting member, is a hockey coach and part of Belmont Youth Hockey. She said there are hundreds of families that use this rink for a variety of events and it's not just a specialized interest.

Peter Gray, Belmont High School hockey team captain, thanked the Town and coaches for procuring ice last week in Watertown. He said he hopes there is a way to get stability for the programs.

Rob Gray, hockey parent and coach suggested the importance of getting a second new compressor and to spend some money inside the rink in lieu of the debt exclusion.

Patrice Garvin said the purchase of a new compressor has been discussed. Anything we rent or buy needs to be modernized. Frank Sartori said two new units would need to be purchased at \$70K each (\$40K for compressor, \$30K for coolant).

Marcotte said the new compressors could be transferred to a new location.

Nicole Dorn, pct. 1, Town Meeting member, comes from a hockey family. She encouraged the Select Board to make sure the building of a new rink is not abandoned. She feels the rink weaves together all parts of the community.

Barbara Taylor, pct. 1, said she comes from a hockey family. She wants to raise awareness that this is a community rink. She started a women's league that is very popular. There is a waiting list for a number of programs and this impacts revenues.

Matt Sullivan, former hockey player and member of Recreation Committee said it's a disgrace because other towns won't play in the rink.

Chris Sabo, pct. 2, Belmont Youth Hockey Board member. He runs a program for 5- to 7-year-olds. Program has thrived especially after COVID. This year the program was delayed due to the rink inoperability. It has been difficult to find ice elsewhere.

Erica Carere, pct. 5, Belmont Youth Hockey President. She said that Belmont is a great hockey community. The high school hockey players all help with the mini marauders program and the BYHA raised a lot of money for the rink.

Nick Burke said a hidden impact is that half the games used to be home games and now that adds to travel time for families.

Greg LeMieux said if we had a 12-month rink, there is a chance to do training in our own town.

The captains of the girl's hockey team came to the podium and said they had a 5:30 am practice this week. 75% don't drive so their parents had to drive them. Their first home game is next Wednesday and they hope the rink will be available.

Paolillo said they will do everything they can to keep the rink operating.

[Paolillo announced that a five-minute recess would be taken.]

*The Select Board made a motion to remove the Tax Classification Hearing from the table.*

*The Board of Assessors made a motion to remove the Tax Classification Hearing from the table.*

#### Tax Classification Hearing – vote to approve the annual property classification tax rate for Fiscal Year 2023 – Board of Assessors Report

Bob Reardon announced this is the annual property classification hearing required by the Commonwealth of Mass. to set the tax rate for fiscal 2023.

Reardon announced that the Select Board would be voting on two items:

1) a residential exemption shifts some of the tax burden to non-owner-occupied homes. However, as Belmont does not have a large number of apartment buildings, the benefit is greatly reduced and would even raise the tax burden on owner-occupied high-end homes and condominium units.

2) a split tax rate would implement different rates for residential and commercial property. Since Belmont has only 5% commercial property, the Assessors determined that a split tax rate would not raise additional taxes, but would just shift taxes.

Important points:

- Proposed tax rate is \$11.25 per thousand.
- Current debt exclusion is now adding \$13.73M in taxes.
- Phase I and II of high school added the most tax increases.
- The average single family home value increased by \$100K+. That means an average family would see \$900 per year increase in taxes this year.
- Commercial property value declined.

Epstein said he agrees with the recommendations. He asked about the criteria set by the state because some residents have complained about the assessment. Reardon said the Mass. Department of Revenue requires that we have to be within 10% of average sale price of prior fiscal year. We are usually at 95% of assessment due to differing sales times. Belmont meets all the tests from the Department of Revenue.

Dash commented that the decrease of the property tax rate is a positive thing. Reardon said they are now seeing reduced demand for houses and prices will probably go down. New growth may be declining. The Board of Assessors said they are planning on asking for a vote from Town Meeting to allow an increase on exemption based on tax amount. This would help seniors on a fixed income.

PUBLIC HEARING on tax classification rate

Bill Anderson, pct. 2, asked Mr. Reardon about the % change in the levy by year and the % change in the total assessed value of all the taxable property in Town.

Reardon said the average single family assessed value went up 8.79%, condos up 7%, two families went up 5.8%, commercial properties went down 5.55% and industrial classes went up 15%. Levy went up 2.6%. Anderson confirmed that the increase in taxes of \$900 does not include the library debt inclusion.

Lisa Pargoli, pct. 4, Town Meeting member, asked why Belmont doesn't adopt an owner-occupied tax rate? Reardon said most properties have similar values and Belmont doesn't have enough apartment buildings to make an impact.

*Motion was made by the Board of Assessors to close the Assessors public hearing and approved by a quorum.*

*Motion was made by the Select Board to close the Assessors public hearing by a vote of 3-0.*

*Motion was made to adopt and maintain a single tax rate with the residential minimum factor of 1 for FY2023. Motion was approved by a vote of 3-0.*

*Motion was made to not adopt the residential exemption for FY2023. Motion was approved by a vote of 3-0.*

*The Board of Assessors adjourned the meeting with a quorum.*

CLOSE JOINT SESSION WITH BOARD OF ASSESSORS

Discussion and possible vote on request from the Center for Jewish Life Arlington-Belmont to host a Menorah Lighting Ceremony on the Town Delta, 2 Leonard Street, date to be determined

Luna Bukiet, program director for the Center for Jewish Life asked permission to host a Menorah Lighting Ceremony on December 18 at 4 pm. She asked if they could have a Menorah there for eight days. She said she will get in touch with Belmont Light about the electrical connections.

*Motion was made to approve the request from the Center for Jewish Life Arlington-Belmont from 3:30 until 6 pm to allow the Menorah to stay until Dec. 26, 2022 pending Belmont Light's approval. Motion was approved by a vote of 3-0.*

CONVENE SESSION AS PARK COMMISSIONERS

Discussion and possible vote on request from the President of the Payson Park Music Festival to cordon off a section of Payson Park during renovations in 2023

Tomassina Olsen, President of the Payson Park Music Festival joined the meeting.

Ms. Olsen prefers to hold the festival at Payson Park, but with the renovation of Payson Park, Jay Marcotte said it is not possible. Marcotte reached out to the consultant who is designing the Payson Park renovations who said there would be safety issues and confirmed that Payson Park would not be a viable site. Ms. Olsen asked if there were other parks that could be used.

Brandon Fitts thinks any park in Belmont would be a viable option as long as it is available and has electricity. He suggested Town Field and Underwood Hill as good options because there is shade and parking at both sites. Mr. Fitts and Ms. Olsen will work together to evaluate options.

The Select Board agreed that Ms. Olsen and Mr. Fitts should work together to agree upon a suitable alternative location for the Festival while Payson Park is under construction.

CLOSE SESSION AS PARK COMMISSIONERS

Update on Belmont Municipal Light Board

Steve Kilonsky, Chair of the Municipal Light Board presented the update for the Municipal Light Board.

Mr. Kilonsky announced that Belmont Light expects to be a 100% green utility this year. He said Belmont Light hired an expert to conduct a rate study and they realized they need a rate increase. Belmont Light was projected to have a negative cash year. The distribution and energy costs have increased and it was determined that a 13% rate increase was necessary. Public Forum was held on October 26, 2022. On November 15, 2022, the Light Board voted to increase rates as of January 1, 2023. They are hoping this rate will be sufficient for 2 years.

There is another informational session at the senior center tomorrow at 1:15 pm to go over the rate increases and what can be done to ameliorate costs for seniors. Another session will be held at the library next Monday at 7 pm.

Patrice Garvin said they did not budget for the municipal cost increase from January to June 2023, which includes the high school.

Dash asked if they could wait for the new fiscal year for rate increase. Garvin will report back with the amount that the Town would need to pay with the new rate.

Marie Warner, asked where this rate increase will put us among other municipal light boards for kilowatt hours? Mr. Kilonsky said he doesn't know where Belmont currently lies among other light boards, but the increases in Belmont are lower than other municipal light increases so we will be going down on the list.

Judith Feinleib, pct. 6, Town Meeting member confirmed that the sessions would be hybrid.

Mr. Kilonsky said he will be presenting more data on the Time of Use program at a later time.

Discussion and possible vote on a Community Path Project Committee (CPPC) recommendation for a Community Path Phase II Design Services Contract with Pare Engineering

This discussion is a continuation from the last meeting. Russ Leino, Chair of the Community Path Project Committee and Bonnie Friedman, Vice Chair joined the group. Atty. Jon Elder from Anderson and Kreiger also joined via Zoom. Mr. Leino said they issued an RFP for Phase II design services which involved the Clark St. bridge to Waverly Square. Leino said they interviewed Nitsch Engineering and Pare Corp and it was unanimously voted to enter in contract negotiations with Pare. Garvin said Atty. Elder revised the contract and this is the version received by the Select Board. The contract states that the Town only has \$400K available and the \$1.3M will only be awarded after appropriation of funding.

Dash said the contract is pretty straightforward. Jon Elder said he sent the version to Pare and they didn't make too many changes.

Epstein commented that the draft contract does not represent the best interests of the Town. He said this is a Select Board contract and the Select Board had no involvement with the RFP or the draft contract. The incentives may yield an inferior work contract with Pare. He said additional options should be considered for the alignment besides the bridge crossing the tracks at the Belmont Housing Authority. He was concerned the budget proposed by Pare was not adequate to evaluate the alignments and that the budget included too much time for landscape architects instead of engineers. He also thought the alignment study could not be completed by the March date in the proposal. He suggested splitting the contract into two phases. The first phase should be an all-out alignment study. If alignment is successful then you can proceed to the rest of the project. If a viable alignment could not be identified, then the project would stop.

Russ Leino said the Select Board charged the Committee with doing the RFP. He thinks the process should not be a surprise. The contract structure is modeled heavily on the Phase I project and Epstein was on the committee when they developed that project. The original scope of work was structured to include this initial phase. The proposals from each firm were very similar. Nitsch contracts out for geotechnical, but Pare uses in-house employees. Leino said that Epstein is making inaccurate assumptions.

Bonnie Friedman said that the process with Nitsch has worked quite well so the same schedule was retained with the new contractor.

Leino said that Pare is proposing to do a constructability review.

Paolillo said we need to know whether the two primary paths can work. Leino said if the constructability isn't possible, then then the Select Board can stop it. Leino agreed to come to the Board for monthly updates.

Epstein said he still thinks the contract should be stronger. He would like to see the \$400K be appropriated in the contract for the feasibility study only.

Jon Elder said if Pare senses that it's only \$400K, then they may provide a lower rate of efficiency. It's not unreasonable to get a limited schedule of values for the first \$400K so you don't have to monitor every step before you sign the contract. Leino said he believes Pare will bring back a solid recommendation with the existing contract. Also, there is the chance that Pare may not agree to the new contract wording.

Paolillo said that we should move forward and evaluate later.

*Motion was made to accept the recommendation of the Community Path Project Committee for Community Path Phase II design service contract with Pare Corp. and that the Select Board execute the contract for designer services between the Town of Belmont and Pare Corp. of Foxborough, MA as amended by Town Counsel. Motion was approved by a vote of 2-1. Epstein opposed.*

#### Discussion & possible vote to amend charge of the Structural Change Implementation Committee

Dash said the Comprehensive Capital Committee asked that the appointment of the Comprehensive Capital Budget member and Energy Committee member to the Structural Change Implementation Committee include the words "or designee." Garvin said the reason for the change is in case someone else is needed to vote when a member is not present.

*Motion was made to amend the charge of the Structural Change Implementation Committee to add "or designee of the committee" for both Comprehensive Capital Budget Committee and Energy Committee members. Motion was approved by a vote of 3-0.*

#### Possible vote on appointments, reappointments and acceptance of resignations

##### Vision 21 Implementation Committee

*Motion was made to appoint Michael Klug and Christine Arthur to Vision 21 Implementation Committee for a term to expire June 30, 2025. Motion was approved by a vote of 3-0.*

##### Structural Change Implementation Committee

*Motion was made to appoint Larry Link to the Structural Change Implementation Committee for a term to expire June 30, 2025. Motion was approved by a vote of 3-0.*

##### Diversity, Equity and Inclusion Implementation Committee

*Motion was made to appoint Kathy Miller to the Diversity, Equity and Inclusion Implementation Committee as the representative from Belmont Against Racism for a term to expire June 30, 2025. Motion was approved by a vote of 3-0.*

*Motion was made to appoint Andrew Poulson to the Diversity, Equity and Inclusion Implementation Committee as the representative from the Disability Access Committee for a term to expire June 30, 2025. Motion was approved by a vote of 3-0.*

#### Massport Communities Advisory Committee

*Motion was made to accept the resignation of Myron Kassaraba from the Massport Communities Advisory Committee effective December 16, 2022. Motion was approved by a vote of 3-0.*

*Motion was made to appoint Rachelle Reinhart to the Massport Communities Advisory Committee to begin December 16, 2022. Motion was approved by a vote of 3-0.*

#### Executive Session #1

*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; Joint Public Safety Dispatchers International Association of Firefighters, Local 1637 and the International Association of Fire Fighters, Local 1637*

#### Executive Session #2

*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;*

#### Executive Session #3

*To discuss strategy sessions in preparation of negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel*

*Motion was made to enter Executive Session and return to public session. Motion was approved by a vote of 3-0.*

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#### RETURN TO PUBLIC SESSION

*Motion was made to leave Executive Session and return to public session. Motion was approved by a vote of 3-0.*

Paolillo announced that the Select Board had a lengthy discussion on the renewal of the Town Administrator's contract.

Epstein said the renewal of contract is usually summarized by the HR Director, but in the absence of the HR Director he will summarize the discussion. He said the policy is to vote on the TA contract at least a year before it expires. Garvin's contract expires in January 2024 and the renewal vote this time is actually later compared to her last contract.

Epstein said the Select Board agreed to extend the current contract with minor changes relative to dates. The new contract dates extend from January 15, 2024 to January 15, 2027. Terms of contract are the same. The dates that changed are the COLA increase dates. The three board members felt it is important to retain Patrice Garvin for the next three years. They said they appreciate her work.



*Motion was made to ratify and execute the Town Administrator contract as outlined by Mr. Epstein.  
Motion was approved by a vote of 3-0.*

The review of the Town Administrator goals will be deferred until next meeting on December 19, 2022 at 6 pm.

#### SELECT BOARD COMMITTEE LIAISON REPORTS

- MBTA Communities Advisory Committee is meeting each week.

#### APPROVAL OF MINUTES

November 14, 2022 – Regular Meeting

*Motion was made to approve minutes as amended by a vote of 3-0.*

Next Meetings:

##### a. Potential Topics:

- (1) Belmont Middle High School Building Committee Update
- (2) Common Victualler Renewals
- (3) Liquor License Renewals

##### b. Next Meeting Dates:

- (1) Monday, December 12, 2022 – 8:30 AM - Department Budget Presentations
- (2) Tuesday, December 13, 2022 – 8:30 AM - Department Budget Presentations
- (3) Wednesday, December 14, 2022 – 7:00 PM - Budget Summit III
- (4) Monday, December 19, 2022 – 7:00 PM – Regular Meeting
- (5) Monday, January 9, 2022 – 7:00 PM – Regular Meeting

*Submitted by*

*Virginia Quinn*

*Recording Secretary*