

DATE: March 2, 2021
TIME: 2:25 PM

Approved by
The Select Board on:

2/8/2021

Meeting Minutes
TOWN OF BELMONT JOINT MEETING WITH WARRANT COMMITTEE
AND SELECT BOARD
WEDNESDAY, JANUARY 6, 2021
7:30 PM

Laurie Slap called Warrant Committee to order. Roy Epstein called Select Board to order. Town Administrator Patrice Garvin, Town Moderator Michael Widmer, Town Meeting members, members of the Warrant Committee and members of Housing Trust and Community Preservation Committee (CPC) were also present.

DISCUSS HOUSING TRUST PROPOSAL TO EXTEND EMERGENCY RENTAL ASSISTANCE

History of Housing Trust proposal by Michael Widmer:

- Town Moderator, Widmer, recapped the reasons for joint meeting. When the Housing Trust presented slight modifications to a proposal previously presented to Town Meeting, that led to discussion with Select Board, Warrant Committee and CPC about how the modification should be handled publicly. The decision was made to discuss with joint meeting and welcome Town Meeting Members and Housing Trust and CPC members to participate.
- Widmer said that George Hall, Town Counsel, made it clear that the votes of Town Meeting in June and September were only appropriations. The joint meeting we are having today is to extend time, not amount of funding. The modification adds another month to the emergency assistance proposal, extending it from three to four months

Proposal timeline presented by Elizabeth Dionne, Chair of CPC:

- In 2018 Town Meeting approved \$250K to the Housing Trust for affordable housing.
- In 2020, the Housing Trust asked if there was a way to expand the use of the \$250k appropriation to include emergency rental assistance (allowed use under CPC Act).
- Proposal was brought to Town Meeting in June 2020 to extend the appropriation to include emergency rental assistance (Article 11), and it was approved by 208 – 27 (with 3 abstentions).
- In August 2020, the Housing Trust came back to CPC, and asked for a special Town Meeting in September to get new appropriation of 100K.
- The September approval by CPC was for additional money (Article 4E).. \$100K was to be moved to undesignated fund balance for Phase 2 emergency rental assistance program. The proposal passed by vote of 221-20 (with 2 abstentions).
- In third week of December 2020, Patrice told her that the Housing Trust inquired about extending program from three to four months. It was always assumed that any unused funds would revert to the CPC Trust. The goal was to save money and not hold another special Town Meeting.

- CPC met on December 29, 2020 and listened to the presentation of Housing Trust and voted unanimously that extending the rental assistance one more month was appropriate interpretation of the original Town Meeting approval. As soon as the CPC meeting ended, she reached out to Laurie Slap, Ellen Kushner, and Michael Widmer to convey the decision.
- Jack Weiss, member of the Warrant Committee, suggested that the discussion should be bifurcated because he believes that the modification of proposal entails a difference between process and substance. Slap answered that she would like to review the slides being presented by the Housing Trust members first, and then both process and substance could be discussed.

General overview of program presented by Betsy Lipson and Rachel Heller, co-chairs of Housing Trust. (Town Meeting members were sent full set of slides.)

- Lipson stated that the original proposal of \$250K was repurposing funds from a previous grant award. The additional \$100K was additional money.
- She affirmed that eligible applicants have to prove a loss of income specifically attributed to COVID. 111 applicants: 74 were deemed eligible, 2 are still under review, and 35 were deemed ineligible
- Rental assistance and payments go directly to landlords and the amount of the payment is based on bedroom size.
- The application deadlines were August 10 and November 10, 2020.
- The proposal involves an administrative fee paid to Metro West Collaborative, to date that amount equals \$14,800. There is currently \$69,565 left from the total \$350K.
- Heller said it took awhile to identify needs and the Housing Trust members were not really clear about the response of state and federal governments. Governor then committed \$170M additional money for rental assistance. The original Commonwealth of Mass. eviction moratorium lapsed but then federal government extended that period until end of January 2021. The Commonwealth of Mass. is now getting \$450M additional funding to help people stay in their homes, however the distribution plan for that additional funding will take some time to develop because the infrastructure needs to be put in place. The extension of the proposal would allow residents some bridge time until the State is ready to disburse new funds.
- On December 17, 2020 the Housing Trust sponsored a program for Belmont residents about how to apply for RAFT/ERMA (State emergency system). Metro Housing Boston has seen a large influx of applicants and it's taking four weeks for eligible people to get the help they need. Eligible residents will need to show documentation proving that they are still in arrears. The language of Town Meeting will allow us to extend this, but the Housing Trust wanted to make sure all groups were aware.
- If extension is approved, the Housing Trust would pay Metro West Collaborative \$50 per certification to help with administration. Some applications are not completed. Average payment is \$950 per household. The estimate is that 50 to 60 households can be helped, based on \$47 to \$57K in estimated rental payments. The administrative costs could be \$3k.
- Laurie Slap reiterated that the bifurcation involves process (vote taken at Town Meeting) vs. proposal (narrative of proposal itself).

Discussion among attendees:

- Bob McLaughlin, member of Warrant Committee spoke up against desires of Housing Trust. He reminded the audience that the original \$250K was designed to provide permanent housing. He feels that since the State and Federal governments are coming up with more money, that help is on the way and the 75K remaining will not alleviate the pain. He thinks that the real issue is that if override doesn't pass, that this will be a bad precedence. To him, it looks like "bait and switch" and he believes the message we are sending is wrong. The remaining \$75K should be used to find permanent housing, which was the original purpose of the \$250K.
- Weiss feels that the focus should be on process. He asked if anyone knows if the program design voted on at Town Meeting can be changed. He wonders about the ethics of the unilateral change by Housing Trust.
- Dionne said typically CPC offers oversight, and suggests modifications and then they are bound by purposes set forth in Town Meeting, and the motion approved by Town Meeting did not put a time constraint on the emergency assistance. It's just expected that the allocation be spent within 30 days of July 1.
- Weiss said that the CPC vote should not be a comment on worthiness but rather a determination of eligibility. We cannot be sure that the spirit of the vote in December allowed program modifications.
- Dionne said that CPC has approved projects that we don't think are that worthy, but we are thinking of trying to get more involved on deciding worthiness of program as well; the rental assistance program showed a demonstrated need and it was still meeting that need. The focus was on expending the full 350K that was approved.
- Weiss said his concern is mainly about process; even if legally allowable, he feels it sets a bad precedent. He perceives the precedent as "just get your proposal approved at highest dollar amount, then change it later." If Town Meeting is only appropriating dollar amount and a small group of sponsors can go ahead and change, even if it is legally allowable, that sets a horrible precedent.
- Widmer agreed that Weiss has a good point. But the Housing Trust members didn't make decision on its own. They specifically reached out to town leaders and pulled this meeting together to discuss the issue and its ramifications.
- Epstein confirmed with Widmer that Town Meeting is governed by motion, not article. Widmer stated there is no compelling issue around intent. But Weiss insisted that if we can't answer who has the power to change, then we don't have assurances that the next sponsor will be as honest and above board as the Housing Trust. He thinks we need constraints going forward; in future, sponsors should be involved in substance.
- Betsy Lipson reminded everyone that the Housing Trust is a non-profit set up in 1999 and supervised by the Select Board. Weiss countered that the Warrant Committee is not a decision making body either.
- Rachel Heller asserted that the change we are discussing is not a substantive change to program. This is a proposal that involves a temporary rental program, not long term, and we have some funds left and eligible families to use them. She reminded that it is only a one-month extension. But Weiss expressed that from process point of view, there is really nothing that could have prevented it from being extended to 9 months. He reiterated the need to put controls in place to protect the process.

- Dionne said she appreciates the point raised by Weiss. The CPC has exercised active oversight in other projects; eg, the Veteran's Memorial project at the pond was stopped when not carried out in the spirit approved. She said this proves that the CPC does exercise more active oversight than suggested. Most projects are monitored by town administration, but after this discussion she said she plans to discuss the subject of oversight parameters at the next CPC meeting.
- Epstein also agreed that Weiss had interesting questions, but he feels they were predominantly theoretical in this context. He suggested one way to address them would be to making motion at Town Meeting more specific.
- Garvin cautioned that she thinks the reason Housing Trust had to come back to Town Meeting is because the original motion was restrictive. She feels that we currently do have fairly restrictive motions.
- Ellen Schreiber, member of Warrant Committee, agreed with Epstein about Belmont Center project; you often don't build exact design at outset and you can't anticipate changes. Some flexibility needs to be maintained in motions. Sometimes you have to act in a timely fashion, without calling a Town Meeting. She thinks Weiss raises good questions but these questions should be considered looking forward. During the building of Joey's Playground, change decisions were made, but DPW had oversight on those changes. It is always important to have a town department overseeing projects. But at the end of the day, we need to create a process to adjudicate these questions. Rather than stopping something valuable, she suggests going forward with the rental assistance as designed and then further discuss the process issues raised tonight.
- Elizabeth Dionne thanked Ellen and said she shares the same opinion. However, because of issues raised tonight, she will take some questions back to the next CPC meeting.
- Joe Bernard, Town Meeting member in Precinct 3, elaborated on the playground analogy. He thinks a better analogy would be taking money for the playground and building two playgrounds; as long as you don't overspend project budget, there should be no constraint on time. And he doesn't agree that making motions more restrictive, would be the best answer. To some degree, he thinks you need to trust the project manager. If a program is well designed, then flexibility will be built in.
- Dash reminded that this is not the Belmont Center Project. That project was changed in an extreme way. The Board altered the plans shown to Town Meeting and put a road through the planned green space. The night the Select Board voted on the change, it was not clear on the Board's agenda what was being proposed. He said the Belmont Center project involved a change of substance. The current proposed extension of rental assistance is in keeping with intent of the original idea. Because of the need, we can't wait to act. Ironically, not extending the program would violate the program's original intent because residents could still get evicted. COVID has demanded us to do unusual things. In keeping with the spirit of the intent of the proposal, we have to move quickly and do the right thing. At the time this proposal was voted on, the Housing Trust didn't know how long it would take. He doesn't think adding a month is a substantive change. But he agrees that we need more affordable, permanent housing in Belmont, in order to avoid unfriendly 40B projects like Beatrice Circle.
- Mike Crowley, member of Warrant Committee, feels Dash made an accurate statement. He said Jack Weiss and Ellen Schreiber have raised good points, but a marginal change in timing does not change the process.

- Epstein said he doesn't think that anybody who spoke tonight, with the exception of Bob McLaughlin, was speaking against the merits of extending the program.
- Weiss wanted further explanation by Betsy Lipson and Rachel Heller about the slide that estimated the dollars used on administrative funds. He was surprised by the percentage of administrative funds needed. Why are administrative funds estimated to be 26% since it was mentioned that most of due diligence has been completed? Betty Lipson replied that the Collaborative has only invoiced us once. Weiss said he is supportive of additional month, especially because the slides mentioned that 2/3 of dollars were allocated to applicants who were 30% under AMI.
- Lipson said that the money is going directly to landlords and that 60% of the landlords are Belmont residents.
- Laurie Slap feels it is a worthy proposal and if there are ways we can think about concerns raised and we can improve our process, she is willing to do that.
- Elizabeth Dionne said CPC is willing to formalize their standards of supervision.
- Epstein added that the program reflects well on Belmont because it's a charitable undertaking.
- Dash raised the question about the process that should be undertaken at this meeting to extend the program. CPC has already voted unanimously in favor of proposal so now Housing Trust would have to vote. He feels Warrant Committee doesn't have to vote on it, but it might be good gesture to do so.
- Leslie Aitkin, Town Meeting member registered her agreement that the extension should go forward.
- Caputo thinks that Weiss's comment should be given some weight. He remembers that when he was a member, the CPC did periodically evaluate the progress of CPC projects. He wonders if this discussion is setting a precedent, that every time change comes to CPC we have to include Select Board? He said if so, he doesn't think it's appropriate that Select Board has to weigh in on all CPC decisions. Epstein said in general, he doesn't know answer, because when there is appropriation by Town Meeting, he thinks Select Board is not usually involved. He thinks Select Board only has the authority to endorse, not make decision about change.
- Garvin said once money is appropriated in town meeting, it goes to the committee or group overseeing that expense. They are the group that then makes expense decisions. The town administration merely signs off. She feels that the Housing Trust can make decisions without Select Board or Town Meeting.
- Mike Widmer, reiterated that this is not legal issue, it's a political process issue. He thinks it's appropriate for discussion by all parties and he thinks it's appropriate for Select Board to vote on, but the only reason it was brought forward was because of ambiguities.
- Elizabeth Dionne commented that since Select Board appoints some members of CPC and they have a representative on Trustees of Park that sits on CPC, that their endorsement is appropriate. About year and half ago, she led the CPC to a rewrite of a plan to involve Select Board in oversight and agrees that the issue of oversight requires continued discussion.
- Select Board made a decision that this extension does not require a vote, but will instead make motion to endorse.

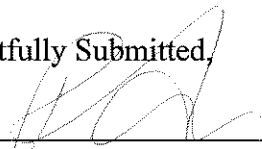
- Weiss said even though the Warrant Committee doesn't have decision making process, he suggests that that Warrant Committee should also formally vote to endorse program as well.

1st motion made by Select Board to endorse extension of emergency assistance program for another month. Approved by vote of (3-0).

2nd motion made by Warrant Committee to endorse extension of emergency assistance program another month. All members voted in favor with the exception of Bob McLaughlin. NB: He voted against it based on substance, not process.

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

Respectfully Submitted,



Patrice Garvin, Town Administrator