

Approved by
the Select Board on:
04-06-2020

Minutes
Town of Belmont

Select Board

Virtual meeting on Zoom

Thursday, March 26, 2020

6:00pm

RECEIVED
TOWN CLERK
BELMONT, MA

DATE: May 5, 2020
TIME: 9:36 AM

CALL TO ORDER:

A meeting of the Select Board was called to order at 6:00pm by Chair Tom Caputo. Vice Chair Adam Dash and Select Board member Roy Epstein were present. Town Administrator Patrice Garvin was present. The meeting was conducted on Zoom and open to the public by remote participation only via Zoom or conference call, as per the Governor's suspension of portions of the Open Meeting Law due to the COVID-19 situation. Caputo reviewed instructions for how to access the meeting remotely.

COMMUNITY ANNOUNCEMENTS:

[None.]

QUESTIONS/COMMENTS FROM TOWN RESIDENTS:

[None.]

ACTION BY CONSENT:

COVID-19 update and discussion

Caputo began with some introductory remarks: The Town sought to continue to provide essential services while maintaining health and safety of residents and Town employees. All Town buildings are currently closed to the public. At a recent meeting, the School Committee had formally recognized Governor Baker's order to continue school closings until at least May 4, 2020. With respect to construction activities, the Town was following all guidance from the Governor in continuing projects within Belmont. Respective Building Committees and Town Administration would continue to operate, maintain a high level of oversight and ensure safety protocols are in place. Caputo acknowledged this was a challenging time; he thanked Town and School employees for their work in maintaining essential services, and urged residents to help flatten the curve by observing social distancing and other recommended measures.

Wes Chin (Director, Health Department) gave a brief update on the status of COVID-19 cases in Belmont. At present there were 9 confirmed cases, 13 individuals currently undergoing monitoring/quarantine, and 24 recovered cases. Chin stressed that numbers reported from the Department of Public Health likely do not reflect the actual spread of the virus in the community, due to limited availability of testing. Epstein highlighted a recent donation of 30k face masks from the Belmont Chinese American Association.

Garvin provided an update from Town Administration:

- *Closures/restrictions currently in place:* schools; daycare providers; Town playgrounds, courts, fields; Town Hall complex and other Town Buildings including Library, Beech Street Center;

restaurants/bars limited to take-out and delivery; Fire Stations closed to public; Police Station still open to the public, but please call prior to visiting.

- *Essential services being provided:* public meetings would at this time be limited to those necessary for maintaining Town of Belmont essential functions/mandates – a process was underway to slowly reschedule meetings in conjunction with training Board/Committee Chairs on how to provide remote access for residents and committee members; Beech Street Center still providing services to seniors; Library providing some online services; Belmont Food Pantry operating Saturdays on an adjusted schedule, using drive-through method to maintain social distancing; school meals still available for those in need, visit Belmont Public Schools website for information.
- *Grassroots efforts:* 'Belmont Helps', coordinating volunteer efforts; 'Be with Belmont', help support local businesses.
- Garvin thanked the employees of the Town for their efforts during this time.

[Open public comment.]

- *Kim Beer:* Is it possible to still apply for building permits?
 - o Yes, contact Office of Community Development.
- *Bonnie Friedman:* Any more information about the individuals diagnosed with COVID-19?
 - o Chin said that 4 cases were related to Biogen, several were health care workers, and others were likely from community spread.

[Close public comment.]

Vote to postpone the Annual Town Election April 7, 2020, conditional to the Governor's action on S2608

Ellen O'Brien Cushman (Town Clerk) joined the meeting. At the previous Board meeting, Cushman had raised the prospect of postponing the election, though the mechanism at that time was unclear. Since then, the State legislature had acted to put forth a bill that would allow municipalities to postpone their elections, as long as they were rescheduled to be on or before June 30, 2020. Cushman had discussed the matter with Town Moderator Widmer, reviewed the upcoming ballot, and consulted with her elections staff. She provided three potential dates for the Board's consideration: June 23, 25, or 16. Ultimately she was recommending June 23 due to availability of her staff, as well as the fact that it was a Tuesday (the usual day for elections in Belmont).

- With respect to Annual Town Meeting: The first set of dates for Annual Town Meeting (end of May / early June) were still planned to go ahead as scheduled. Due to the COVID-19 situation, these dates would be reserved for taking up only critical articles (Segment B, e.g. FY21 budget); the other segment, addressing zoning articles, citizens' petitions, other bylaw changes, would be deferred to a Special Town Meeting at a later date, to be specified. If the election were to be postponed to June 23, those currently holding office would maintain their positions and participate in the scheduled portion of Annual Town Meeting.
 - o Cushman added that she was petitioning the State to allow for a remote access Town Meeting, and was discussing potential options with the electronic voting software vendor, on how to integrate the voting technology with a large Zoom meeting.
- Epstein asked, given the uncertainty of the COVID-19 situation and the possibility of a second wave, whether the election could be held entirely by absentee ballot; and, if so, could the date be moved prior to the dates for Annual Town Meeting, in order to maintain the normal sequencing.

- Cushman expressed preference to delay the election as long as possible. She was working to expand and promote participation via absentee ballot, however it was currently a legal requirement to have a physical polling location, and the details on how to implement this safely needed to be carefully considered.

[Open public comment.]

- *Bonnie Friedman:* As a member of the League of Women Voters, was helping prepare the Annual Voter Guide. With sufficient notice, the group would add in any necessary information related to changes in the voting process resulting from the COVID-19 situation.
- *Phil Thayer:* How would Annual Town Meeting work? – Cushman said it depended on potential action by the State Legislature and whether it would allow remote participation; details were still vague and would need to be worked through.

[Close public comment.]

Motion: To reschedule the Annual Town Election for Belmont to June 23, 2020.

- *Seconded by Epstein, with the proviso to make full use of all possible voting alternatives, including absentee ballot.*
- *Cushman explained that it was necessary in the motion to formally postpone the currently scheduled election.*
- *Amended motion: To postpone the Annual Town Election for Belmont, currently scheduled for April 7, 2020, to be held on June 23, 2020, and to make full use of all possible voting alternatives, including absentee ballot, for the rescheduled election; and, to instruct the Town Clerk to make all necessary public notices to this effect.*
- *(Motion, as amended, passed 3-0; Roll-call vote: Tom Caputo, Adam Dash, Roy Epstein.)*

Declaration of Emergency

The Town's Emergency Management Agency has raised the idea of formally declaring an emergency – this was not intended as a response to any dramatic new information, but rather an acknowledgement and communication of the urgency of the COVID-19 situation. In the event that State or Federal funding were to be made available, the Town would also qualify. There were no specific powers granted to the Town that were not otherwise in place under an emergency declaration by the Governor.

Epstein read the declaration into the record – see below, Appendix A.

Motion: To adopt the declaration of local emergency as read by Select Board Member Epstein. (Vote passed 3-0; Roll-call vote: Tom Caputo, Adam Dash, Roy Epstein.)

The declaration would be posted on the Town's website. The Board of Health planned to also adopt and sign the declaration at their meeting the following Monday.

TOWN ADMINISTRATOR'S REPORT:

Garvin reviewed the Town Administrator's Report:

- A status report on the staffing of Town departments was provided to the Board.
- In collaboration with Board of Health Director Chin, the Town submitted an application to access up to \$10k in funds towards covering administrative needs during the pandemic.

ADJOURNMENT:

Next meeting scheduled for April 6, 2020.

Motion: To adjourn at 7:10pm. (Vote passed 3-0)

Appendix A:

Town of Belmont

DECLARATION OF LOCAL EMERGENCY

WHEREAS, the 2019 Novel Coronavirus (COVID-19) is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

WHEREAS, on March 11, 2020 the World Health Organization designated the COVID-19 outbreak a Pandemic Health Emergency; and

WHEREAS, on March 13, 2020, the President of the United States announced a national declaration of emergency; and

WHEREAS, on March 15, 2020, Governor Baker announced emergency actions to respond to the evolving COVID-19 public health emergency impacting the Commonwealth, including prohibitions on public gatherings of twenty-five or more people and prohibiting on-premises consumption of food or drink at bars and restaurants from March 17, 2020 until April 6, 2020, as well as suspension of elementary and secondary school educational operations from March 17, 2020 until April 6, 2020 (which suspension was expanded to early childhood education programs as of March 22, 2020, and which suspension was extended to May 4, 2020 by order dated March 25, 2020); and

WHEREAS, on March 23, 2020, Governor Baker issued an Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings or More Than 10 People; and

WHEREAS, a sudden, generally unexpected occurrence of circumstances demanding public action has arisen within the **Town of Belmont**; the COVID-19 Pandemic has impacted our community; the public's health and welfare is at risk; and this Pandemic will place extraordinary financial burden to the Town; and;

WHEREAS, The **Select Board** of the **Town of Belmont**, Massachusetts, upon advice from the Director of the Belmont Emergency Management Agency, have determined that the incident poses a present, reasonable and imminent danger to public health, safety, or general welfare of the people of **Belmont** or their property so that it has become necessary for the Director to utilize and coordinate the services, equipment, supplies, and facilities of existing departments, offices, and agencies of the community for the purposes of emergency management and emergency functions; and

WHEREAS, the Governor of the Commonwealth of Massachusetts has determined that the immediate public action is needed to prevent, minimize, or mitigate damage to public health, safety, or general welfare of the people of **Belmont** or the property which may otherwise result from the above described incident and that taking the time required to comply with the various state and local procurement laws would endanger the health or safety of the people or their property; and

WHEREAS, the Select Board of the Town of Belmont and its Board of Health, in consultation with the State Department of Public Health has determined that COVID-19 presents a major disaster which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of Belmont; and

WHEREAS, the Select Board of the Town of Belmont and its Board of Health have determined that immediate public action is needed in order to prevent or minimize the spread of COVID-19 by and among the people of Belmont; and

WHEREAS, it is critical to take additional steps to prepare for, respond to, prevent and mitigate the spread of COVID-19 to protect the health and welfare of the people of Belmont; and

WHEREAS, declaring a local state of emergency will help facilitate and expedite the use of resources to protect persons from the impacts of COVID-19, including but not limited to emergency expenditures pursuant to Massachusetts General Laws, Chapter 44, Section 31 and limitations on operating hours and access to public buildings; and

WHEREAS, the people of **Belmont** should be able to depend upon guidance from their Chief Municipal Officials,

NOW THEREFORE, pursuant to the General Bylaws of the Town of Belmont, and Chapter 111, Section 104 of the Massachusetts General Laws, and all other necessary and appropriate powers and authorities, we, the Select Board and the Board of Health of the Town of Belmont, Massachusetts, hereby jointly declare that as of March 10, 2020 a Public Health Emergency exists in Belmont. This Declaration of Emergency shall remain in effect until notice is given, pursuant to the judgment of the Select Board and Board of Health, that the State of Emergency no longer exists.

We the undersigned certify, in multiple counterparts, that the foregoing declaration was made at a meeting of the Belmont Select Board and a meeting of the Belmont Board of Health duly noticed pursuant to Open Meeting Law as amended by the Governor's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020.

Date: March __, 2020

Name: Thomas Caputo

Title: Chair, Belmont Select Board

Date: March __, 2020

Name: Julie Lemay

Title: Chair, Belmont Board of Health



Respectfully Submitted,

PATRICE GARVIN, Town Administrator