

Approved by
the Select Board on:
7/12/2021

SELECT BOARD MEETING

Monday, JUNE 14, 2021

REMOTE MEETING

6:00 PM

RECEIVED
TOWN CLERK
BELMONT, MA

DATE: September 29, 2021
TIME: 9:11 AM

CALL TO ORDER

A meeting of the Select Board was called to order at 7:00 pm by Chair Adam Dash. Vice Chair Roy Epstein and Select Board member Mark Paolillo were present, along with Town Administrator Patrice Garvin, Assistant Town Administrator Jon Marshall, Town Treasurer Floyd Carman, Town Counsel George Hall, and Town Moderator Mike Widmer.

COMMUNITY ANNOUNCEMENTS

- Juneteenth Community Picnic will be held on June 20th from 4:00 to 6:30 PM at Saltonstall Park, 149 Main St., Watertown. For more information see: COSnewengland.org.

ACTION BY CONSENT

Vote on MWRA Financial Assistance Agreement

- Treasurer Carman explained that every year the Town along with DPW, has to submit design plans to MWRA for an interest-free loan related to a \$3.8 M bond authorization that was approved by Town Meeting about 4 years ago.

Motion was made to approve the sale of the \$500,000 Water Bond of the Town dated July 19, 2021, to Massachusetts Water Resources Authority is hereby approved and the Town Treasurer or other appropriate Town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on August 15 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2022	\$50,000	2027	\$50,000
2023	50,000	2028	50,000
2024	50,000	2029	50,000
2025	50,000	2030	50,000
2026	50,000	2031	50,000

Further voted that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote.

Motion was approved by a vote of 3-0.

Discussion and possible vote on positions for articles and amendments for Annual Town Meeting,
Segment B

Motion to Reconsider on Article 16 Amendments A and B (Enterprise Funds for Water, Sewer and Stormwater Services)

- Ann Marie Mahoney reported that the Capital Budget Committee unanimously reaffirmed their support of the fuel tank project as defined last year and this year. But she said, the Committee did not take a vote on the motion to reconsider. She pointed out that the Capital Budget Committee's role does not include design of the project. They can only request funds from Town Meeting. If the Article 16 vote fails, Capital Budget cannot reallocate the remaining funds appropriated for the project. Additional funding for the project has to be made by the Select Board and Town Administration. However, if additional discretionary money is needed, Capital Budget could use FY22 deferred reserves.
- Dash said that Capital Budget, the Select Board and the Belmont Light Manager would need to approve any money deferred to the Fall Town Meeting.
- Epstein said if it was necessary to revisit the issue in the Fall, that the Select Board would take responsibility for analyses and public presentations.
- Mahoney explained that design involves engineering and all the preparation necessary to purchase and install new tanks. To date, she reported that the Town has spent \$134K of the \$540K allocated towards design.
- Paolillo said if the article does not pass, he agrees with Epstein that it is the responsibility of the Select Board to frame the analysis to bring this forward in the Fall.
- If the article was approved at Fall Town meeting, the work on the tanks could not be started until Spring 2022. Mahoney said the lead time on installing the tanks is 4 to 6 months because of a lag in steel manufacturing and that means no work can be done until Spring 2022.
- Michael McNamara, the Town Meeting member who made the motion to reconsider on this amendment, said the reason for his motion was because he felt that a number of Town Meeting members were confused about how they should vote on the two amendments and because he felt there was information from Weston and Sampson Engineering that needed clarity.
- Dash said that there has been new information coming in about insurance and information about type and size of tanks.
- Epstein asked if Mike Widmer could give a brief description of how the motion to reconsider would be presented.
- Mike Widmer said the motion to reconsider is procedural and narrow. The merits of the proposal cannot be debated until the motion to reconsider is approved. Once the motion to reconsider is approved, then the article and amendments can be debated again.
- Epstein asked if there was a way to highlight and identify new information. Widmer said he has not seen a list of new information for the Town Meeting floor, however, he would allow people to comment at Town Meeting. Widmer clarified that the new spreadsheet could not be used in the motion to reconsider.
- Paolillo commended Michael McNamara for proposing the motion because the Town has been divided on the fuel tanks issue. However, he added that he has not heard any new information on the topic. He said that the confusion on the part of Town Meeting members is not a reason for reconsideration. McNamara said that Mike Widmer told him that the motion to reconsider

does not require new information. McNamara made the motion to reconsider to ensure that Town Meeting members could have more comprehensive information on the topic.

- Paolillo said he wants to rescope the project to reflect to future fuel usage. Mahoney said the design process will include choices on tank sizes.
- Dash asked if the Select Board wanted to take a vote on the motion to reconsider.
- Paolillo said that he feels Town Meeting members would like to know where the Select Board stands on the issue. Widmer commented that Town Meeting members could find out where the Select Board stands during the debate on floor.
- Epstein thinks the vote to reconsider would probably not succeed and we have to be prepared to revisit the issue in the Fall with the help of the Capital Budget Committee. He would like the motion to reconsider to be voted on by the Select Board.
- Dash agreed that the Select Board should vote on the motion. He was troubled by those who voted Yes on Amendment A, and No on Amendment B. He feels that the odd voting pattern may reflect confusion and he would like to support the motion to reconsider.

Motion was made for the Select Board to support the motion to reconsider. Motion passed by a vote of 2-1. Paolillo opposed.

Discussion and possible vote on remote participation in meetings

- George Hall said the latest information on the Open Meeting Law (OML), is that the House adjourned before passing the bill and it is on the calendar for 11 am tomorrow morning. The House bill differs from the Senate bill so even if it passes, it will still have to go back to Senate. Hall said there is a chance that we may not see something by the end of the week. Dash said that if the bill does not pass, then the OML goes back to pre-pandemic regulations tomorrow.
- Hall said that all current rules allow the public to participate remotely with a live committee.
- Dash said some Belmont committees have postponed their meetings pending the State decision.
- Paolillo said that he thought the Board had decided that we would still meet live whether or not remote participation rule is extended.
- Paul Roberts, Chair of the Belmont Information Technology Advisory Committee (ITAC), said that ITAC issued a report which included a survey about remote participation. He reported that there was strong support within Town committees to continue remote participation. The Select Board has to make the decision to allow remote participation by committee members. The ITAC has been allowing remote participation by the public for three years. He said that the Town has the technology to make it happen on a zero-dollar budget.
- Dash said the Select Board will have to establish rules and training before they approve any changes.
- Jeff Hansell, Director of Belmont Media, said they have done research and he will meet with Town Administration about switching to a system which accommodates live, tv and remote participation.
- Epstein referred to the provision in the OML, that says board or committee members can participate remotely only if physical attendance was unreasonably difficult.
- Hall said that the Board needs to be careful that the rules put in place accommodate all types of meetings.

- Epstein said we want to take advantage of available technology but we still need to formulate rules around remote participation.
- Hall said even rules for remote participation are not instituted tonight, we can continue to make accommodations for public to continue remote public participation.
- Paul Roberts said that there is technology in place to allow the public to participate now. Dash said we need to make sure that all committees have the technology to participate before we move forward and then the Select Board will have to decide on rules and regulations for committee member participation.
- Paul Roberts offered to help with regulations for committees.
- Glenn Wong, Vice-Chair of ITAC, asked Hall if the legislation before the State proposes to extend the existing remote participation rules until November or if the legislation proposes expanded OML rules. Hall said that there is discussion about future comprehensive reform.
- Dash said the Select Board intends to meet in person on June 21st and remote participation will be available to the by public for that meeting.

PUBLIC COMMENTS:

Sara Bilodeau from Community Organized for Solidarity (COS) wanted more clarity about the Town's decision on the Juneteenth holiday. Garvin said decisions about new holidays for Town employees have to go through collective bargaining. Sara feels we are behind in Belmont and hopes that people can come together to make the decision about Juneteenth.

Motion was made to suspend the Select Board meeting until the start of Town Meeting. Motion was approved by a vote of 3-0.

Next Select Board meeting will be held at 7 pm on June 21, 2021.

Respectfully Submitted,

PATRICE GARVIN, Town Administrator