

**APPROVED BY**  
**THE SELECT BOARD**

2/28/22

Select Board Meeting

February 14, 2022

Remote Meeting

7:00 PM

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

DATE: March 8, 2022

TIME: 3:17 PM

#### CALL TO ORDER

A meeting of the Select Board was called to order by Chair Adam Dash. Vice Chair Roy Epstein and Select Board member Mark Paolillo were present, along with Town Administrator Patrice Garvin, Acting Assistant Town Administrator Glenn Clancy, Director of Health Wesley Chin and Town Clerk Ellen Cushman.

Adam Dash announced that there will be an early Executive Session at this meeting. The Select Board public session will be interrupted while that meeting is held and then the public session will resume.

#### COMMUNITY ANNOUNCEMENTS

- Transportation Advisory Committee public meeting will be held on Thursday, February 17 at 7 pm. The topic is the possible reconfiguration of the parking and bike lane on Concord Ave.
- Volunteer opportunities are available in the Town. There are openings on the Human Rights Commission, Disability Access Commission, Community Path Project Committee, and Meet Belmont Planning Committee. You can put in an application on the portal on the Town website. High School students can volunteer at Town Clerk's office.
- Diabetic Shoe Clinic, sponsored by the COA, will be held on Thursday, February 14th at 1:30 PM. Diabetic shoes and inserts are available and covered by most insurances. Contact Dana Bickelman to make an appointment for a fitting at 617-993-2977.
- "Fire and Ice" Valentine's Day Cooks Corner will be held on February 15 at 1:15 PM. Call 617-993-2976 to register.

#### COMMENTS FROM TOWN RESIDENTS

Marie Warner, pct. 6, wants to know when the next public forum on ARPA funds will take place. Dash said that the public forum is on the agenda tonight.

Lisa Pargoli, pct. 4, wanted more information about the letter signed by the Select Board and sent to the unions. Dash said the letter sent from the Select Board will be read tonight. She said she would like to have a discussion about the letter. Dash reported that the Select Board cannot discuss this topic because union negotiations are undertaken in Executive Session and it would be inappropriate to discuss them in a public session.

#### AGENDA

##### TOWN ADMINISTRATOR'S REPORT

- a. Update on Assistant Town Administrator/Finance Director Search

Garvin gave an update on the Assistant Town Administrator job opening. She said that 19 applications were received and the plan is to schedule interviews in late February with eight of the applicants. She has reached out to Tom Caputo and Ann Marie Mahoney to help evaluate candidates.

Paolillo asked if the Select Board would have an opportunity to meet candidates at some point. Garvin said that she and the interview team would be open to the Select Board meeting the final two or three candidates on an individual basis.

**b. Town Administrator's Bulletin**

- Annual Town meeting dates have been scheduled for May 2, 4, 9 and 11, 2022 (Segment A), and June 1, 6, 8 and 13, 2022 (Segment B).
- The Belmont Human Rights Committee developed a human rights complaint form for residents to fill out and send to the Town Administrator's office. Complaints will be forwarded to the relevant department.
- The Cardboard Event produced an estimated net loss of \$1123. Clancy said the event was affected by the weather. The first date had to be cancelled and rescheduled.

Public statement from Select Board Chair in response to Union letter

Adam Dash read the letter issued by the Select Board on January 28, 2022 and unanimously endorsed by the Warrant Committee. The letter was issued in response to disparaging remarks made by union members about Patrice Garvin. The Select Board letter condemned the disparaging remarks made about Patrice Garvin and affirmed the Select Board's full support of her actions.

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

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

COVID Update

Wesley Chin reported said that COVID cases are heading downwards. Average age of cases are just over 30 years old and the cases are moderate. 80% of Belmont residents have been fully vaccinated and 50% have had boosters.

The Board of Health plans to discuss the COVID guidance on March 7th and will report to the Select Board on March 14th.

**PUBLIC COMMENTS on COVID updates:**

Erin Brown thinks a special meeting should be scheduled to talk about the mask mandate in the Belmont Public Schools in light of the statewide mask mandate that is set for February 28, 2022. Chin said there will not be a Board of Health meeting before February 28<sup>th</sup> so there will probably not be a meeting on the subject until after February 28<sup>th</sup>. Town rules can differ from the state mandate.

Open Joint Meeting with Economic Development Committee

Chair Emma Thurston, called the Economic Development Committee to order with a roll call quorum. (Present: Erin Brown, Wendy Etkind, Deran Muckjian, Paul Joy, Ed Starzec, and Katherine Venzke.)

## Economic Development Committee update and discussion on grants

[Emma Thurston gave a presentation with slides.]

The Economic Development Committee (EDC) had four central foci in 2021:

- Local Rapid Recovery Program – state sponsored program focused on the Trapelo Rd. Corridor. Used consultant to hold focus groups for community input and had 258 pg. documents for grants and projects guidance.
- Built cohesive database for contact info for Belmont business owners. The living document resides with the Community Development Office.
- Launched online directory of Belmont businesses as a mechanism for marketing.
- Advocating for grant funding from the state.

Gabe Distler from Community Development gave update on the grants in process. Belmont received \$25K grant for consulting services for downtown initiative. This is part of the One Stop for Growth Program. The EDC is working with the Town to plan and design wayfinding along Trapelo Road. Priority projects outlined in the 2021 Rapid Recovery Report will be the focus of the grants. Gabe has been the liaison for the EDC since John Marshall's departure.

March 8<sup>th</sup> is the tentative date for the Public Forum about the plans for Waverly Square.

### 2022 Recommendations from the EDC:

1) Hire a short-term Economic Development Coordinator (12-18 months). This position would require the backing of the Select Board. ARPA funds are being used in other towns for similar positions.

Katherine Venzke said that the role of the Economic Development Coordinator could include the following responsibilities:

- reach out to landlords of vacant properties
- organize meetings with Town centers
- execute business working capital initiatives and execute initiatives from grants.

2) Create a Small Business Grant Fund. Deran Muckjian thinks that in the near future, there will be a 20% vacancy situation in Belmont. Currently, there are seven vacancies in Town. He feels that many small businesses could be saved by taking a proactive approach.

3) Continue to pursue funding and grants. EDC worked with Stantec to develop grant funding programs and were made aware of the grant opportunities that are available.

4) Finalize outdoor dining plans and dates by March 2022 in order to optimize results. Last year the outdoor dining endeavor in Belmont Center was supported in large part with a sizeable private donation. Relying on the same donor may not be the optimal plan.

Paolillo said that \$100K earmarked for EDC initiatives from that state money should be separate from ARPA. Paolillo asked Emma to frame what the plans are for the \$100K first and then the ARPA money can be discussed. Emma said she will send a list of the ideas for the \$100K to the Select Board.

*Motion was made by Emma Thurston to adjourn the Economic Development Committee. Motion was approved by a quorum.*

### Close Joint Meeting with Economic Development Committee

#### Discussion and possible designation of Animal Control Officer for the period of January 1, 2022 through December 31, 2022

Garvin said that under Mass. General Law, the Select Board needs to annually appoint the animal control officer. Suzanne Trasavage has been the full-time animal control officer for the past two years. Since her position resides under the Health Department, she has also been helping out with COVID related activities.

*Motion was made to designate Suzanne Trasavage as the animal control officer for the town of Belmont for the period of January 1, 2022 through December 31, 2022.*

#### Acceptance of monetary donation from the NANCA Club in the amount of \$182.00 to be used for planting trees at Clay Pit Pond

Ashwin and Alex van Hal raised money by holding a yard sale and Twix fundraiser. They want to use it to plant trees at Clay Pit Pond. The DPW and Shade Tree Committee will plant the trees for the Town.

*Motion was made to accept donation from the NANCA Club for planting trees at Clay Pit Pond. Motion was approved by a vote of 3-0.*

#### Discussion and possible vote of the preliminary American Rescue Plan Act (ARPA) Funding Plan

Superintendent John Phelan, Bill Lovallo, Tom Caputo, Dave Blazon, and Tony DiColegero joined the discussion.

Patrice Garvin showed the proposed ARPA distribution plan. She explained that due to competing interests, needs required prioritization. The Town received \$7.8M in ARPA funds. The second half will be received in July. Affordable housing, business relief and debt exclusion projects are among the competing interests vying for ARPA funds.

In addition to ARPA funds, the Town was able to capture \$1.1M from the state. Garvin said the state funding has tentatively been distributed in the following areas: housing (\$500K), business relief (\$100K), library (\$250K) and rink design (\$250K).

The Town has already expended \$296,300 of the ARPA funding for COA and public health needs related to COVID. The plan is distribute the remaining ARPA funds to the operating budgets for FY23 and FY24.

Superintendent John Phelan presented on ESSER funding. The schools received \$456K in ESSER II funding and \$1M in ESSER III funding. ESSER II funding must be expended by 9/30/23 and ESSER III funds must be expended by 9/30/24.

Phelan outlined two options for expending these monies. The two-year plan that was approved by the School Committee and School Department is to spend \$700K of ESSER funds, matched by \$700K in ARPA funds for each year in the two-year period. The priorities for use of funding were academic recovery, professional development, mental health and additional staff. The plan to date, has worked very successfully and the newly hired positions have been very helpful. Seven out of 21.4 FTEs will not be filled this year or next year and ARPA money not used for those positions will be returned to help with High School building costs. All positions hired with ESSER and ARPA funds will end in 2023.

Bill Lovallo, Chair of the Middle and High School Building Committee discussed the COVID impact on the project. Lovallo reported that a team of members from the Building Committee recently calculated they would be in the red by \$7.3M at the end of the project. They attribute the need for additional funds to the impacts of COVID on construction industry production and distribution delays. They are asking for \$1M in ARPA funds to offset these COVID costs. If they receive that amount, then the scope of work will not need revision and they can stay committed to the teaching and learning goals that are so important to the Belmont Schools. Lovallo said with the addition of the ARPA funds the project budget will be on target, as long as West of Harris field is not included. He noted that if the ARPA money was allocated to the project, then there would be a half million dollars left for post project needs. He reported that the Middle School Phase II is 25% completed.

Epstein asked what West of Harris Field will be like under the new proposal once the project is finished? Lovallo said the current plan includes three fields. This means that one varsity field would be cut. Phelan confirmed that the schools could function without the field for now.

Paolillo said it makes sense to put a hold on the West of Harris Field. The Preliminary Rink Design Committee has been working on this area and there is the potential for state money to be used towards the project. They are looking at both rehabilitation and rebuilding possibilities. He supports using the \$1M from ARPA for High School/Middle School building costs.

Dash said this is a huge chunk of the ARPA funds for a project he thought was under control. He would agree to put the additional money aside while we are looking to find other sources of funding for the High School/Middle School costs.

Garvin is proposing setting aside the unallocated \$479,700 from the first phase of ARPA money for further consideration.

#### PUBLIC COMMENTS about ARPA funding

Marie Warner, pct. 6, asked if free cash should also be considered at this time. She doesn't think that budget decisions should be voted before public forums are held.

Garvin said the plan is to use free cash to balance operating budgets in FY23 and FY24. The final budget is still being formulated. It doesn't get voted until June by Town Meeting.

The public forum will be held for people to comment on the proposed ARPA allocations. Now that we have numbers, people can see how money is being spent.

Phelan said the school building plans need direction soon. We need to know that there is funding for the construction crews. He affirmed the importance of having a secure funding source for the solar panels. He hopes that the current budget can be confirmed.

Margaret Callanan thanked the volunteers for time expended. She would like to know the cost of solar panels. If there is a shortfall, she thinks reductions should be made in other places to fund the solar panels. She also feels the absence of one varsity field is not good. She hopes CPA funds may be able to cover the extra field. She is leery of using taxes to fund the solar panels.

Brian Iler also confirmed the importance of the solar panels in order to achieve energy savings.

Jack Weiss reminded the group that the Warrant Committee has always cautioned that one time funds should not be used for ongoing expenses. He is confused about how 70% of the ARPA money can be used towards the operating budget. He remembers that last year, before the override vote, the voters were told that the ARPA costs could be applied minimally towards the operating budget.

Bill Anderson asked for Patrice Garvin to display the slide of the proposed uses of ARPA again. Anderson asked about free cash reserves and Garvin said there was \$15M in the free cash balance for this fiscal year. Anderson wanted to know what the balance is expected to be at end of fiscal year? Garvin reported that the Town used \$7.1M in free cash in this fiscal year and that has to be subtracted from the \$15M total. Garvin said there are unknowns especially with labor union negotiations but it looks like they will have enough free cash to balance budgets for FY23 and FY24. She said we need to get free cash certification before they can model the out years.

The use of \$5M in ARPA funds will be explained in the budget meeting on Wednesday.

Aaron Pikcilingis, asked about the process for allocating ARPA funds. The Board replied that ARPA funds are allocated and approved by the Select Board and Town Meeting votes on the funding sources.

The Board agreed to hold an ARPA public forum on March 7<sup>th</sup> at 7 PM.

#### Q2 (Second Quarter) Report

Patrice Garvin reported that revenues for real and personal property taxes are at 48% which is a good level for this time of year. Other taxes are low due to timing issues in the billing cycle. Appeals fees are on track. Police fees have been impacted by COVID. She confirmed that these numbers will increase in Q3.

She summarized that "other" departmental costs are trending at ~42% which is appropriate for this time of year. She replied that the snow and ice budget is over budget. DPW likes to wait until April to tally up how far we are over. There are snow hauling costs this year from the High School site which will continue in the future. Reserve fund transfers may be needed to cover some of the overages in the snow removal budget. Glenn Clancy reported that they have identified a piece of land in Belmont that can be used for a snow farm.

The Select Board members asked about Fire Department overtime. Garvin said unexpended salary will be used to cover the overtime excesses.

#### Discussion of 2021 reports on Belmont's compliance with the Conflict of Interest Law requirements and Open Meeting Law requirements

##### Conflict of Interest Law.

Town Clerk Ellen Cushman said that she is responsible for compliance ethics and the Open Meeting law. All employees are required by the state to do an online class every two years and then an online certificate is provided to the state.

Overall compliance in the Conflict of Interest Law has been lower in 2022 than in other years especially for people on committees. Ellen Cushman asked the Select Board to consider whether appointees have done the compliance certificate before they are appointed or reappointed to their committees. She suggested having a bylaw amendment which would give permission to the appointing authority to

request that someone could be removed from a committee if they are not complying with the ethics law.

Dash said they could set a deadline for compliance with the caveat that the appointee could be removed from their position if the Conflict of Interest training is not performed.

Paolillo thinks they should send e-mails to all the Select Board appointees who have not done the training. And then follow up in 30 days.

Epstein suggested giving appointees an appropriate window of time to comply, and then issuing a public list of names of remaining offenders.

#### Open Meeting Law minutes

Ellen Cushman did a report on minutes completed by all committees and boards in the Town. She reported that the state requires that minutes for all Town committees and boards are to be completed and approved either within 30 days or within three meetings. She reported that at her initial evaluation, 413 minutes were missing. After multiple communications, the number came down to 167. She explained that minutes are important because often the Town needs to go back and determine how decisions are made.

In order to encourage the taking of minutes, she suggested performing a regular review at the end of each year to determine the relevance of each active committee. If the committee or group will be discontinued, then make it official and make sure all minutes are filed before disbanding.

#### Discussion and possible vote on revision and extension of student parking restrictions

[Adam Dash is recused from this discussion. Roy Epstein took over chairmanship.]

Epstein said the restrictions they put in place on January 31<sup>st</sup> seem to be working well. Students are finding legal spaces to park. The Traffic Working Group – Middle School and High School met last week and suggested renewing the current plan. The Traffic Working Group is suggesting that it be extended to March 18, 2022.

He also reported that since School St. from Goden St. to Stone Rd. is not being used for parking, the Traffic Working Group would like to formally remove this area from the program.

*Motion was made that the parking restrictions related to student parking approved by the Select Board on January 24, 2022 be extended to March 1, 2022. Motion was approved by a vote of 2-0. [Dash is recused from this vote.]*

*Motion was made that the parking restrictions on School St. between Goden St. and Stone Rd. approved by the Select Board on Dec. 20, 2021 be removed. Motion was approved by a vote of 2-0. [Dash is recused from this vote.]*

*[Dash resumed chairmanship of meeting.]*

#### Set date to open and set date to close the Annual Town Meeting Warrant

Garvin reported that she needed approval to open the Town Meeting Warrant on February 22, 2022 and close it on March 15, 2022.

*Motion was made for the 2022 annual Town Meeting to open at 8 am on February 22, 2022 and close on March 15, 2022 at 4 pm. Motion was approved by a vote of 3-0.*

#### SELECT BOARD COMMITTEE LIAISON REPORTS

- Structural Change Impact Group is meeting multiple times per week for report in March.

#### APPROVAL OF MINUTES

- a. January 24, 2022 – Regular Meeting
- b. January 24, 2022 – Executive Session
- c. January 25, 2022 – Leaf Blower – Public Forum
- d. January 26, 2022 – Select Board Joint Meeting with Warrant Committee, School Committee and Capital Budget Committee
- e. January 28, 2022 – Regular Meeting
- f. January 28, 2022 – Executive Session

*Motion was made to approve the January 24, 2022 Executive Session minutes, the January 25, 2022 leaf blower forum minutes, and the January 26, 2022 joint meeting. Motion was approved by a vote of 3-0.*

*Motion was made to approve the January 24, 2022 regular meeting minutes as amended. Motion was approved by a vote of 3-0.*

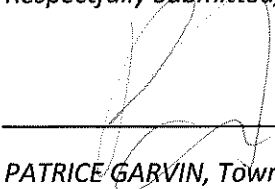
*Motion was made to approve the January 28, 2022 regular meeting minutes as amended. Motion was approved by a vote of 3-0.*

*Motion was made to approve the January 28 Executive Session minutes as amended. Motion was approved by a vote of 3-0.*

The originally scheduled Select Board meeting on March 28, 2022 was moved up a week to March 21<sup>st</sup>.

The next Select Board meeting will be held as a joint meeting on February 16th at 7 pm.

*Respectfully Submitted,*



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**PATRICE GARVIN, Town Administrator**