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2015 APR -6 PM 2:18

**MINUTES  
TOWN OF BELMONT  
BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
Monday, February 23, 2015  
7:00 PM**

**APPROVED  
BOARD OF SELECTMEN  
DATE: 4-6-2015**

**CALL TO ORDER**

A regular meeting of the Board was called to order in open session at 7:03 p.m. by Chair Rojas in the Selectmen's Meeting Room. Selectman Baghdady was present; Selectman Paolillo was in traffic and arrived at 7:18 p.m. Town Administrator David Kale and Assistant Town Administrator Marshall were present.

Chair Rojas turned to the first item on the agenda.

**QUESTIONS FROM TOWN RESIDENTS**

Mr. Tony Alcorn, TMM Precinct 3, expressed his support for solar panels. He requested a non-binding referendum to be placed on the ballot. He read a draft of such a referendum. The Board expressed its support for solar energy and informed Mr. Alcorn that the Light Board would need to be brought in to the conversation.

**ACTION BY APPOINTMENT**

**Butler Masonry/Window Repair Contract Approval**

Mr. Fred Domenici, Supervisor for Buildings and Grounds for the School Department, appeared before the Board to request approval for the contract for the Butler Masonry/Window Repair work. Mr. Kale provided the details: this is Phase III of the project, the bid came in at \$146K, and the bidding company (which was the lowest bid) is Calhess Restoration. The money is coming from the Building Envelope appropriation from the Capital Budget Committee.

Chair Rojas asked if references were checked and Mr. Domenici said that references were checked.

*The Board moved:* That the contract for Phase III Butler School Masonry Repair & Window Restoration be awarded to Calhess Restoration & Waterproofing Corp. Boston, Massachusetts, as the lowest responsible and responsive bidder, based on its bid price of \$146,000, and that the Town Administrator, David Kale, be and hereby is authorized to execute the contract for said work on behalf of the Town of Belmont, subject to the approval of said contract as to form by Town Counsel.  
The motion passed unanimously (2-0).

RECORDED  
MINUTES FEB 26 2015  
**Moment of Silence**

Chair Rojas read a statement concerning longtime Belmont resident and Town Meeting Member Ms. Annie Allen, who died recently. He noted her commitment to Belmont and asked for a moment of silence to honor her.

#### **Legislative Update: Representative Rogers**

Representative Rogers appeared before the Board to provide a legislative update. Mr. Kale framed the conversation, noting that Representative Rogers will provide information on the state budget process, local aid, and unfunded mandates.

Representative Rogers began by confirming that additional funding for Chapter 90 was indeed released recently by the Governor. He suggested that Belmont budget for level funding on local aid, but that there could possibly be more than level funding allocated. Selectman Baghdady noted that unfunded education mandates (ELL and SPED) are a major cost driver for the school budget. He noted also that unfortunately the METCO funding was being decreased. Representative Rogers said that he is well aware of the burden of the unfunded mandates.

Chair Rojas raised the topic of the community bike path and an Alexander Avenue underpass. Rep. Rogers said that state money may be available as long as Belmont meets certain criteria. He said federal money might also be available.

Selectman Paolillo raised the topic of the state's efforts to reform the OPEB and pension funding obligation. Representative Rogers said that reform is being explored at the state level; however, there is no clear consensus in how to make progress.

Concerning the Chapter 70 funding model, Representative Rogers provided the Board with a brief update on the Foundation Budget Review Commission, the group charged with assessing how Chapter 70 funding is distributed. Selectman Paolillo asked that the Board be apprised of that group's work.

Representative Rogers said that, while the congressional session is off to a slow start as a result of the severe weather, he has submitted many pieces of legislation. He summarized some of his agenda items. He then spoke to the troubling situation of the MBTA, noting that it is a complex problem, years in the making. He said he will be following this issue closely.

The Board thanked Representative Rogers for his support of Belmont at the state level.

#### **Liquor License Hearing: Jimmy's Food Mart, 297 Belmont Street**

Mr. Steve Rosales, Attorney, Parmjit Singh and Surinder Kaur Dhaliwal, LLC, of Jimmy's Food Mart, appeared before the Board to request a wine and beer liquor license.

Chair Rojas read a statement requesting to extend the time to review the license application until March 16, 2015.

Mr. Rosales noted that Jimmy's Food Mart (formerly Shore Drug) has been open for one year. He provided details of the lease and of the types of items sold. He said they would like to supplement their business with retail beer and wine. The beer and wine would be located in the back corner of the store. He noted that there are two beer and wine licenses available and that this area of town is not currently served with retail liquor. Abutters have been notified and there are no nearby churches or schools.

He then shared information concerning costumers who support selling beer and wine. He said traffic can be absorbed as the Rancatori's traffic is no long an issue.

The owners spoke to their experience in selling beer and wine, noting that they would take proper classes to receive the required training.

Selectman Paolillo said that the store feels like a "convenience store." He asked if there is any intent to sell more upscale food. The owners responded that they would like to sell cold sandwiches. Selectman Paolillo said that the Board would not like to support a package store feel, but would rather support a food-selling establishment.

#### *Audience Comments*

Mr. David Ross, 50 Grove Street, said that he supports Jimmy's Food Mart, as it is a family operation. He said that this family is very responsible.

Mr. Theodore Lee, 463 Belmont Street, business owner in town, expressed his support for the family and for approval of this license.

Mr. Steven Parnagian, 40 Stuart Terrace, also spoke in support of the family establishment and supported the license.

Mr. Joe Greelish, former Belmont resident and business owner in town, said that two of his tenants from this neighborhood have both applied for this license (Café Fiorella and Sophia's). Chair Rojas encouraged the tenants to apply for any appropriate liquor licenses.

Sharon and John Gunneri, 21 Lewis Road, said Lewis Road will become very congested if this takes place. Lewis Road is dealing with enough traffic and congestion and cannot tolerate any more cars. Mr. Gunneri said that there are plenty of liquor stores in the area – at least seven within a one mile radius.

Ms. Mary Nestor, of Lewis Road, said that Lewis Road has a lot of children and that there will be delivery noise from tracks and increased traffic.

Ms. Ester Ingram, 22 Lewis Road, also spoke to the congestion on her street.

Selectman Paolillo asked if the Traffic Advisory Committee should evaluate Lewis Road.

Ms. Florinda Freda, 5 Lewis Road, said this feels like it is turning into a "package store", and not a food establishment. She expressed traffic concerns as well.

Mr. Ross added a comment about the parking situation, suggesting that Resident Permanent Parking should be strongly considered.

Selectman Baghdady said that other liquor licenses were rejected because of the convenience store and liquor selling combination. The Loading Dock, he said, agreed to give up selling lottery and cigarettes in order to receive their liquor license. Selectman Paolillo said that, with the same conditions around selling lottery and cigarettes, he could support this application. Selectman Baghdady said the Board needs to be consistent in granting licenses and The Loading Dock is making improvements and applications by other Trapelo Road establishments (similar to this store) were rejected.

Chair Rojas said that the prohibition of selling lottery and cigarettes could be applied here. Mr. Rosales said that the selling of lottery would remain important to the business's income. Mr. Singh spoke to the expenses he has incurred as a business owner and indicated that he could not afford to make any further substantial capital improvements.

The Board will take more time to review the application. They encouraged the owners to re-work their application based on the Board's feedback concerning the kind of store as well as the selling of lottery and cigarettes.

*The Board moved:* To continue the license hearing for Jimmy's Food Mart to March 16, 2015 at 7:00 p.m.

The motion passed unanimously (3-0).

The Board took a two-minute recess.

#### **Acceptance Letter of Resignation from Planning Board (PB) Member**

Chair Rojas noted that Mr. Clark has resigned from the PB and he will be greatly missed. Selectman Baghdady, as the Board's PB liaison, will work (with the PB) to find a replacement.

*The Board moved:* To accept the resignation of Mr. Charles Clark from the PB and declare his position vacant.

The motion passed unanimously (3-0).

The Board briefly discussed the desired qualifications of a new PB member.

#### **Committee Appointments**

##### ***Belmont Media Center (BMC)***

*The Board moved:* To appoint Mr. Angelo Firenze to be the Board of Selectmen's representative to the BMC.

The motion passed unanimously (3-0).

### ***Shade Tree Commission***

Chair Rojas noted that the application of Mr. Baker is widely supported.

*The Board moved:* To appoint Mr. Gary Baker to the Shade Tree Commission.  
The motion passed unanimously (3-0).

### ***Vision 21 Implementation Committee***

Chair Rojas noted that he has spoken to Mr. Allen Babrutti and can support his application.

*The Board moved:* To appoint Mr. Allen Babrutti to the Vision 21 Implementation Committee.  
The motion passed unanimously (3-0).

The remaining appointments (one each) to the Shade Tree Commission and Vision 21 will be made at the March 16 meeting.

### **Town Administrator's Contract - Ratification**

*The Board moved:* To ratify the Town Administrator's contract effective July 1, 2015 through June 30, 2018.  
The motion passed unanimously (3-0).

### **Town Administrator's Report**

Mr. Kale reported on the following items:

- **Snow and Ice Removal Update:** Belmont has received over 90 inches of snow so far this year. The Board expressed support for *all* of the departments who worked so hard to remove snow and to ensure the public's safety. Mr. Kale thanked each of the departments as well. The Board briefly discussed sidewalk clearing. Mr. Kale informed the Board that crews are out repairing potholes. Regarding the snow budget, \$600K was budgeted and \$1.1M has been spent, therefore the town is currently short \$525K. FEMA may possibly offer some reimbursement. The Board discussed ways to address this shortfall, e.g., free cash transfer, Reserve Fund Transfer, etc.
- **CPA projects:** The Board will review this and other Warrant articles at a future Board meeting.
- **Updated Free Cash Guidelines:** The new document is in the Board's packet. Suggestions from WC members were incorporated into this document. The edits were briefly discussed.
- **Minuteman Update:** The revised District Agreement still needs approval by five communities and the implications of a new facility versus a renovation to the existing facility was discussed.

### **Committee Liaison Reports**

Selectman Paolillo provided a brief Community Path Advisory Committee update.

### **ACTION BY CONSENT**

#### **Approval of a One-Day Liquor License for the Belmont Gallery of Art's Opening on April 10, 2015 (Homer Municipal Building, 6-8 pm)**

*The Board moved:* To approve the one-day liquor license request, details noted above.  
The motion passed unanimously (3-0).

#### **Approval of an application for a license renewal from Mr. Theodore Speros to operate a Lodging House at 386 Common Street.**

Mr. Kale noted that the owner has complied with the town's inspections. The Board discussed the number of rooms/people allowed as stated in the license. Selectman Paolillo said he would like to understand the requirements of a Lodging House license.

The Board opted to defer the Lodging House license renewal request, until more information is received.

### **Approval of Meeting Minutes**

- September 29, 2014    Executive Session
- October 14, 2014     Executive Session
- October 29, 2014     Executive Session
- December 1, 2014    Executive Session
- December 30, 2014   Executive Session
- October 20, 2014     Regular Minutes
- October 29, 2014     Regular Minutes
- November 3, 2014    Regular Minutes
- November 17, 2014   Regular Minutes
- November 17, 2014   Regular Minutes
- December 15, 2014   Regular Minutes
- December 15, 2014   Executive Session

*The Board moved:* To approve the meeting minutes, dates noted above.  
The motion passed unanimously (3-0).

*The Board moved:* To approve the Executive Session meeting minutes, dates noted above.  
The motion passed unanimously (3-0).

## **NEXT MEETINGS**

Monday, March 2, 2015 at 7:00 p.m. Town Hall

Thursday, March 12, 2015 at 8:00 a.m. Town Hall

Thursday, March 12, 2015 at 7:00 p.m. Beech Street Center, Precinct Meeting

Monday, March 16, 2015 at 7:00 p.m. Town Hall

Chair Rojas asked about a meeting with the MBTA and the Channing Road residents.

The Board moved to adjourn the meeting at 9:54 p.m.

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Mr. David Kale, Town Administrator