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MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, April 10, 2017
7:00 PM

APPROVED
BOARD OF SELECTMEN
DATE: 10-16-17

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:02 p.m. by Chair Jim Williams in the Selectmen's Meeting Room. Selectmen Mark Paolillo and Adam Dash were present. Interim Town Administrator Phyllis Marshall was also present.

Chair Williams reviewed the agenda.

COMMUNITY ANNOUNCEMENTS

- **Lexington and Belmont High School Band Summit** will be held on April 25, at BHS
- **Recycling Event** – Saturday, May 13 from 9am-1pm at the Town Yard
- **Memorial Day Parade** will be held Monday, May 29; Contact Mr. Bob Upton for more information
- **Mr. Oliver Leeb – Eagle Scout** - informed the Board about his Eagle Scout project: he created a database to find Veterans in Belmont Cemeteries. Chair Williams read the Certificate of Recognition for Oliver.

SELECTMEN'S 2017-2018 OUTLOOK OPEN DISCUSSION

Chair Williams said that he would like each Selectman to offer insights into their goals for the coming year. He reviewed several of the Board's responsibilities. Selectman Dash spoke to the issue of the Board providing oversight versus micromanaging. The same principle applies to the liaison appointments. He asked: how should the Board provide oversight to all the committees and Boards. Selectman Paolillo offered that the Board acts as a *policy* Board and can do better offering a strategic outlook for the town. Chair Williams said he would like to implement an over-arching financial strategy. He noted progress with pension and OPEB planning.

QUESTIONS FROM TOWN RESIDENTS (*topics not covered elsewhere on agenda*)

[There were none.]

ACTION BY CONSENT

Presentation with Lottery Commissioner for Reconsideration of Keno Monitors:
Mr. Michael R. Sweeney, Executive Director, Massachusetts State Lottery Commission

Mr. Michael R. Sweeney, Executive Director, Massachusetts State Lottery Commission, appeared before the Board to discuss the Keno Monitors. Mr. Sweeney offered some

information on Belmont's gross lottery sales revenue, which has trended down. Star Market had been grossing about \$1M per year in sales. He then reviewed the Keno sales. He then explained the distinction around Keno-To-Go and the Keno monitors. Two monitors denied by the Board of Selectmen in February 2016 and September 2016 were mistakenly installed at two locations by the Lottery Commission even though the letters notifying the Lottery of the rejection were received by the Lottery Commission which has resulted in inequitable treatment.

Mr. Sweeny indicated that the mistake was that of the Lottery Commission. The Selectmen discussed the monitors and whether the decision to terminate or shut off the two monitors would be decided at the meeting. Whether the Board would reconsider monitors in these locations is the question and if not willing to reconsider the previous vote, then should the monitors be shut off. Mr. Dash pointed out that since the Board had voted to reject the request then the two that were mistakenly installed by the Lottery Commission

He then reviewed the unrestricted general government aid that Belmont receives from lottery sales. He requested reconsideration of the Board of Selectmen policy regarding whether liquor license holders may sell lottery products. Again, this revenue impacts state aid.

Chair Williams noted that the sale of lottery items by Star Market is a separate issue from the Keno monitor issue. Selectman Paolillo provided some background information on the Board not supporting the monitors. Given the Board's unanimous vote to not have the monitors installed, Chair Williams wondered about having the two monitors turned off.

Selectman Dash noted that the Board did not approve the two monitors that are currently turned on; they could be shut off right now until the Board addresses this issue. But for the error made, these monitors would not be on. This revenue loss is incremental when the entire state's lottery revenue. And the lottery sales are still happening, just perhaps somewhere else and people are still buying lottery tickets or playing Keno elsewhere.

Mr. George Hall, Town Counsel, approached the table. The Lottery Counsel had requested a meeting with the Town. If the town has a blanket policy that it does not want to allow Keno then the revenue may not be sustainable or shared with the Town. If there were specific reasons for not wanting Keno at a specific location then that is a different story. He explained some of the repercussions of not supporting Keno monitors in Belmont. Selectman Dash noted that Keno is allowed, it is just the use of monitors that has not been supported.

Chair Williams requested more data before making any decisions. How does the Lottery stop the use of monitors since they weren't approved in the first place?

Mr. Sweeny said that it is a technical matter. The flow of information can be stopped. It could take a day or two. A technician may have to be sent out.

The Board briefly discussed issues relating to the monitors because the request was rejected by the Board of Selectmen, e.g., turning off the monitors, reconsidering the monitors and the policy regarding liquor license/lottery connection, etc. The Board discussed that both matters could be

taken up and decided to respond to the matter before the end of the fiscal year, June 30.

The Board moved: That the Board of Selectmen direct the lottery commission to turn off the monitors at the two establishments that the Board previously rejected having monitors.

The motion passed unanimously (3-0).

Mr. Noone, A&R Market Attorney, said he is concerned about A&R being denied a monitor.

Approval of Application from Vahe Vehapetian for Liquor License Transfer Relating to the Change of Ownership for the Business Known as Mark and Toni's Located at 121 Trapelo Road continued from April 3, 2017

Approval of a Common Victualler License for Mark and Toni's (Vahe Vehapetian) 121 Trapelo Road continued from April 3, 2017

Ms. Karina Krikorian and Mr. Steve Parnagian, Attorneys and Mr. Vahe Vehapetian, new owner of Mark and Toni's, appeared before the Board to discuss this license transfer. Ms. Krikorian said that Mr. Vehapetian does agree to adhere to Town Meeting's ruling. She noted that if the "no license transfer" goes through at Town Meeting, that ruling should not impact *this* transfer.

Mr. Hall, Town Counsel, approached the table and explained that *this* transfer (if approved) would go through, as it is occurring pre-Town Meeting's decision.

The Board discussed this transfer.

Ms. Krikorian requested that both licenses be granted together. The Board discussed conditionally approving the license applications.

The Board moved: To approve the liquor license transfer relating to the change of ownership for the business known as Mark and Toni's Located at 121 Trapelo Road, conditional on the non-transferability issue being raised at the May 3 Town Meeting and also conditional on no money being owed to the town.
The motion passed unanimously (3-0).

The Board moved: To approve the Common Victualler license, details noted above, to be issued contemporaneously with the approval of the ABCC state licensing board.
The motion passed unanimously (3-0).

High School Building Committee Discussion of Designer Services Selection Process: Mr. Bill Lovallo, Belmont High School Building Committee (BHSBC) Chair

Mr. Lovallo, Chair of the BHSBC, appeared before the Board to discuss the Designer Services Selection process. Mr. Lovallo provided some background information on the development of

the BHSBC as well as the progress of the committee. He reviewed what has been accomplished. This includes completing the education profile with three grade configurations, hiring an Owners Project Manager, and beginning the feasibility study. He explained the MSBA role in this process, noting that the OPM was accepted by the MSBA. The Design team selection process will begin this week. The MSBA will lead the evaluation and selection process, but Belmont will have three designees on the selection panel; the Superintendent of Schools, the School Committee Chair, and the Board of Selectmen Chair.

Mr. Lovallo requested that the Board of Selectmen defer their designee to the discretion of the BHSBC for the selection of the designer, much like the School Committee deferred their seat to the BHSBC, and the BHS Principal was selected. Mr. Lovallo noted that the Building Committee desires to put the best person forward.

The Board agreed to defer the BOS designee to the BHSBC.

The Board moved: To approve that the Board, as a chief executive officers of Belmont, defer their designee to the discretion of the BHSBC for the selection of the designer. The motion passed unanimously (3-0).

Update and Presentation on Veteran's Memorial Project (Concord Avenue and Underwood)

Mr. Kevin Ryan, Mr. Bill Skelley, Mr. Joe White, and Mr. Angelo Firenze, from the Belmont Veterans Memorial Committee, appeared before the Board to discuss the Veteran's Memorial Project. Mr. Ryan provided some background information concerning the improvements made to the WW I monument, at the corner of Clay Pit Pond. The monument has been restored with the help of CPA money. The project was under budget.

Another memorial, honoring the Veterans of 11 conflicts, requires repair as well. Money is being raised for these improvements. Mr. Ryan explained the design and location of this memorial as well as the fundraising initiatives. He is requesting the Board's support in pursuing this project. Mr. White acknowledged several students who interviewed Veterans. He said this project will be coordinated with the Clay Pit Pond community path.

The Board expressed their full support for this project.

The Board took a brief recess.

Discussion on alcohol regulations for BYOB (Bring Your Own Bottle) in restaurants – Chief McLaughlin and Assistant Chief MacIsaac

Mr. George Hall, Town Counsel, Police Chief McLaughlin, and Assistant Chief MacIsaac appeared before the Board to discuss updating the BYOB Regulations. Mr. Ara Yogurtian, Assistant Director in the Office of Community Development, joined the discussion. Chief McLaughlin noted that the BYOB policy is being revisited at the state level. He said he would like to update Belmont's policy with the newer language.

Mr. Hall explained the state law prohibits BYOB if an establishment holds a liquor license. It is allowed for non-licensed establishments unless it's specifically prohibited. Some Communities do issue BYOB permits. Selectman Dash noted that current liquor license establishments may not like BYOB.

Chief McLaughlin noted that if BYOB permitting is incorporated into rules and regulations then defining requirements for permit such as amount of beer/wine that can be brought in, TIPS certification requirements, neighbor notification, insurance requirements is necessary. He is interested in looking at "best practices" from other towns.

Chair Williams suggested that Selectman Dash work with the Police Department in establishing guidelines.

Discussion on Outdoor Dining Regulations – Chief McLaughlin, Assistant Chief MacIsaac, Ara Yogurtian, Assistant Director, Office of Community Development

Mr. Ara Yogurtian, Assistant Director in the Office of Community Development, Mr. George Hall, Town Counsel, Police Chief McLaughlin, and Assistant Chief MacIsaac remained before the Board to discuss Outdoor Dining Regulations. Mr. Yogurtian explained the current sidewalk regulations; he noted that there are new state standards. The revised regulations (guidelines) have updated plumbing, safety, maintenance, and seating requirements.

The Board discussed the \$100.00 license fee for outdoor seating.

The Board moved: To approve the revised outdoor dining regulations.
The motion passed unanimously (3-0).

Presentation from the Solid Waste Recycling Working Group and DSM Environmental Services

Mr. Jay Marcotte (DPW Director), Ms. Natalie Starr and Mr. Ted Sieglev, from the Solid Waste Recycling Working Group and DSM Environmental Services, Michael Santoro (Assistant Public Works Director), and Ms. Marybeth Calnan (Recycling Coordinator), appeared before the Board to discuss their working group research. Mr. Marcotte noted that an audit took place with DSM Environmental Services. Highlights from the audit will be presented tonight.

Ms. Starr noted that types of trash and recycling habits were studied. She briefly explained how the observations occurred. She reviewed Belmont's existing recycling and trash systems. She explained how the recycling material is currently collected and sorted.

Ms. Starr reviewed the materials recovery rate. She reviewed the data, noting that the recovery rate is about 70% overall, which is high.

Mr. Sieglev noted that some trash items should be recycled. He noted that the contamination rate is about 3%, which is low. Belmont does well, he said, but there is room for improvement. He reviewed the pounds of refuse and recyclables that are collected per household per year. This

amount seems low given the number of households in Belmont.

The Board discussed issues relating to this audit.

Mr. Sieglev then reviewed the contracted collection costs for Belmont. He reviewed cart sizes that Belmont would use. He reviewed single stream recycling versus stream recycling options.

Recommendations include utilizing the cart-based system, with a fully automated collection method, using a 64 gallon refuse cart. The recommendation is to start with automating refuse collection.

Mr. Kim Slack, Solid Waste Advisory Group, spoke to the sample size issue. He said the data on recycling rates seems too high.

Collection Options

Mr. Marcotte reviewed a list of completed tasks (conducted by the Solid Waste Advisory Group) over the past year. A 64-gallon trash container would meet the needs of 76% of residents.

The options for Belmont include the following:

1. continue with the status quo
2. establish an automated trash collection
3. establish a Pay As You Throw system – traditional or automated

The bulky waste pick-up is likely to change. He reviewed the pros and the cons of the various options.

Mr. Slack said that some of the assessment findings appear subjective.

Ms. Marshall clarified that the Board will not have to make a firm decision until late summer, as the solid waste collection bid will be in the fall. Mr. Marcotte concurred.

Chair Williams requested to hear the “minority opinion” of the Solid Waste Advisory Group. If there are dissenting viewpoints – those viewpoints should be brought forward.

Approval of Proclamation for Arbor Day April 28, 2017

Chair Williams read the Proclamation.

The Board moved: To approve the Arbor Day Proclamation.
The motion passed unanimously (3-0).

Town Administrator's Report

Ms. Marshall reported on the following items:

- **Review of the Warrant Articles** – The Board will meet on Monday, April 24, 2017 at 6:00 – this is prior to the LWV Briefing.
- **Selectmen Designation (Liaisons)** – Selectman Paolillo reviewed the impetus for the Board liaison appointments. Committees Chairs could be in contact with an appointed Selectman liaison and could raise issues or provide updates with the liaison. Chair Williams added that this would help delegate the Board's responsibilities. Selectman Dash noted that some committees offer voting stature, some are just "sounding boards".

Chair Williams reviewed the current designations. Chair Williams raised the topic of liaisons from the Board of Selectmen to the Warrant Committee, Capital Budget Committee, and several other Town committees. The Board discussed the overall Board liaison representation and agreed that the committee Chairs could meet with the Board periodically.

Chair Williams is the liaison to BMLD Advisory Committee, Capital Endowment, Conservation Commission, Economic Development, Recreation Commission, Traffic Advisory Committee, and Warrant Committee.

Mark Paolillo is the liaison to Major Capital Projects Working Group, Board of Library Trustees, Capital Budget Committee, Community Path Implementation Advisory Committee, Council on Aging.

Adam Dash is the liaison to Belmont High School Building Committee, Community Preservation Committee, Permanent Audit Committee, and School Committee.

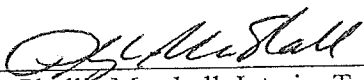
2016 Ending Financial Statements – BOS Chair Williams

Chair Williams raised several points on the Town's financial statements.

NEXT MEETINGS

Monday, April 24, 2017	at 6:00 p.m. Selectmen's Meeting Room Town Hall
Monday, May 1, 2017	at 5:00 p.m. BHS Conference Room

The Board moved to adjourn the meeting at 10:40 p.m.


 Ms. Phyllis Marshall, Interim Town Administrator

