

2017 OCT 18 AM 10:53

MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, April 24, 2017
6:15 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 6:26 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.

Open Meeting Law Discussion

Chair Williams asked Mr. George Hall, Town Counsel, to speak on the Open Meeting Law (OML). Mr. Hall provided a brief overview of the OML. *Substantive* emails, he noted, could contain deliberations, and as such are not allowed. Mr. Hall explained that the Selectmen email must not express opinions or make recommendations.

Chair Williams and Mr. Hall touched on what happens if there is an OML violation.

Executive Session

The Board moved: To enter into executive session at 6:35 p.m. to discuss strategy sessions with union personnel or to conduct collective bargaining sessions or contract negotiations if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the Chair so declares. The Board will return to open session.

A roll call vote was taken: Chair Williams said aye, Selectmen Paolillo and Dash also said aye and the motion passed unanimously (3-0).

Open Session

The Board moved: To exit Executive Session and Return to Open Session at 6:49 p.m. A roll call vote was taken: Chair Williams said aye, Selectmen Paolillo and Dash also said aye and the motion passed unanimously (3-0).

ACTION BY CONSENT

Vote to Extend Existing Antique / Second Hand Good Licenses through June 30, 2017 and Approve Application Fee

Mr. Ellen Cushman, Town Clerk, and Peter Hoerr, Police Captain, appeared before the Board to discuss the issuing of these types of business licenses. Ms. Cushman explained that Town

Meeting had approved a General Bylaw that requires criminal background checks prior to issuing these licenses. Ms. Cushman requested that the Board provisionally renew all seven current licenses such that the businesses apply for renewal, pay their fee, and receive their licenses by May 31, 2017. The criminal background checks will be completed by June 30, 2017. Captain Hoerr and Ms. Marshall explained to the Board that the criminal background check fee of \$100 was included in the General Bylaw. Captain Hoerr further described the requirement that the Police adequately review the results and make recommendations to the Board on each license. Ms. Cushman indicated that, other than the initial departmental review of the business license applications through the Town's new online licensing system, the largest burden falls to the Police. Ms. Marshall added that the Town Administrator's office would be performing the CORI checks and anticipates there may be an administrative cost.

Mr. George Hall, Town Counsel, approached the table to discuss the state statute. Ms. Marshall discussed the associated fees for the licensing process. Ms. Cushman explained that the Town Clerk's Office would waive their administrative fee for 2017-2018 in anticipation of the January review of actual costs with the new process.

Selectman Dash noted that the town should be charging appropriate fees to cover the cost of doing business. He suggested that the fees be revisited next year; Ms. Cushman agreed, stated that yes, this is already part of the plan.

The Board moved: That the \$85.00 application fee for the Antique and Second Hand Good Licenses be waived for the 2017-18 application period subject to review in January, 2018 to determine whether the application fee is necessary in addition to the bylaw fee of \$100 to recover costs for processing beyond the Bylaw for Criminal History Check. The motion passed unanimously (3-0).

The Board moved: To provisionally approve the Existing Antique / Second Hand Good Licenses, as long as each applicant has successfully applied and paid the \$100 Criminal background check fee by May 31 and successfully completed the Criminal Background Check process by June 30, 2017; and approve the waiver of the 2017-2018 Application Fee. The motion passed unanimously (3-0).

Renewal of Junk Licenses

- **A. Sacca Junk, 51-53 Baker Street**

The Board moved: To approve junk license renewal for A. Sacca Junk. The motion passed unanimously (3-0).

Renewals of Existing Taxi Cab Licenses:

- **Yellow Cab of Belmont - 61R White Street**
- **Red Cab - 1876 Beacon St, Brookline with taxi stored at 375 Concord Avenue**

The Board moved: To approve the taxi-cab license for Yellow Cab of Belmont. The motion passed unanimously (3-0).

The Board moved: To approve the taxi-cab license for Red Cab of Brookline.
The motion passed unanimously (3-0).

Vote to Update Alcohol Regulations

Police Chief McLaughlin and Assistant Chief MacIsaac appeared before the Board to discuss the updated alcohol regulations. Assistant Police Chief MacIsaac noted that some sections of the alcohol regulations were not up to date with statutory regulation and needed clarification.

Ms. Marshall added that the policy for *issuing* licenses is not changing. Also, these updates do not effect the BYOB policy. These updates will make Belmont's alcohol regulations consistent with state law by aligning Belmont with the state regulations.

The Board asked clarifying questions concerning the updated regulations as well as enforcement mechanisms.

With regard to the Town alcohol rules and regulations overall, the Board will revisit those at a later date.

The Board moved: To approve the recommended changes to update the alcohol regulations.
The motion passed unanimously (3-0).

Review and Approval of Request for Proposal (RFP) for Town Administrator (TA) Search

Ms. Jessica Porter, HR Director, appeared before the Board to discuss the RFP for the TA search. Ms. Porter noted that there is a revised RFP as well as a memo that outlines three options for how to proceed.

The Board discussed the RFP process. The Board agreed that the edits put forth are acceptable.

The Board moved: To approve the revised RFP for the Town Administrator Search.
The motion passed unanimously (3-0).

Discussion and Vote on Board of Selectmen Position for Warrant Articles and Amendments for Annual Town Meeting Segment A

ARTICLE 2: Authorization to Represent the Town's Legal Interests

The Board moved: Favorable action on Article 2.
The motion passed unanimously (3-0).

ARTICLE 3: Adopt MGL c. 90 § 17C – Speed Limits

The Board moved: Favorable action on Article 3.

The motion passed unanimously (3-0).

ARTICLE 4: Amendments to The Demolition Delay General Bylaw

The Board moved: Favorable action on Article 4.

The motion passed unanimously (2-0). Selectman Dash recused himself as his house is on the list.

ARTICLE 5: Amend Sign Zoning By-Law

George Hall and Mina Makarious, Town Counsel, approached the table to address a question raised about the impact of this proposed Article. The Board opted to not vote on this article this evening.

ARTICLE 6: Zoning Amendment Marijuana Establishment Temporary Moratorium

The Board moved: Favorable action on Article 6.

The motion passed unanimously (3-0).

Mr. Hall stated that this is a preliminary step given to the administrative body governing the future regulations of marijuana selling/taxing since regulation related to the sale/tax of marijuana has not yet been established. This is a prudent precaution to take until the situation sorts itself at the state level.

ARTICLE 7: FY18 Community Preservation Committee Budget & Projects

1. Grove Street Tennis Courts – \$336,000

The Board moved: Favorable action on the above noted CPA project.

The motion passed unanimously (3-0).

2. Redevelopment of Sherman Gardens – \$173,200

The Board moved: Favorable action on the above noted CPA project.

The motion passed unanimously (3-0).

3. Sons of Italy Historical Artifacts Preservation – \$24,125

The Board moved: Favorable action on the above noted CPA project.

The motion passed unanimously (3-0).

4. Grove Street Park/Intergenerational Walking Path – \$35,000

The Board moved: Favorable action on the above noted CPA project.

The motion passed unanimously (3-0).

5. PQ Playground Revitalization Project – \$615,000

The Board moved: Favorable action on the above noted CPA project.
The motion passed unanimously (3-0).

ARTICLE 8: Amend General Bylaws, Section 40-200A to Increase Membership of the Board of Selectmen from three to five members

Chair Williams explained that there will be a substitute motion which will change the wording to say “*that this issue will be studied by a Moderator-appointed committee.*” The Board discussed a January 31, 2018 deadline for deciding how to proceed.

ARTICLE 9: Petition to allow Board of Selectmen to Consider Waste Metering Approaches to Save Money and Reduce Trash

The Board discussed that they will be considering this issue anyway. Mr. Hall said that the Ad Hoc Group believes the Board needs TM’s blessing to consider PAYT. The Board opted to not take action on this article.

ARTICLE 10: Welcoming Town Designation

Selectman Paolillo stated that there is a revised motion, which the Board has not seen yet. The Board therefore deferred this discussion.

Two Special Town Meeting (STM) Articles

STM Article 1 - Retail Liquor License Transferability

The Board moved: Favorable action on STM Article 1.
The motion passed unanimously (3-0).

STM Article 2 - Restaurant Liquor License Transferability

The Board moved: Favorable action on STM Article 2.
The motion passed unanimously (3-0).

MBTA Budget Review

Ms. Marshall noted that the MBTA submitted their budget (to the Board) and would have liked the Board to have voted on their budget. Chair Williams explained the MBTA budget approval timeline, which made it impossible for the Board to approve their budget. Because of this the MBTA proceeded with the budget.

Chair Williams raised the issue of the need for a stoplight at the train intersection. He is pursuing this issue.

Town Administrator's Report

Ms. Marshall reported on the following items:

- **Incinerator Site Deed:** Final documents have been submitted (from DCAM). The Board needs to sign four documents; the appropriate documents were signed.
- **House Budget Update:** There was a \$170K increase to municipalities, which will be put to the drawing down of the General Stabilization Fund in order to extend the life of the override. Selectman Paolillo requested that the Board revisit the budget, before the June Town Meeting. The Board discussed the budget briefly and agreed to review the supplemental requests.
- **Water Department Award for Outstanding Excellence** – The Board congratulated the Water Division on this achievement.

Approval of Meeting Minutes

March 3, 2017

The Board moved: To approve the meeting minutes of 3-3-17.

The motion passed (2-1). [Selectman Dash was not a Selectman yet.]

COMMUNITY ANNOUNCEMENTS

- **Recycling Event:** Will be held on Sat., May 13 from 9am – 1pm on C Street. (DPW Yard)

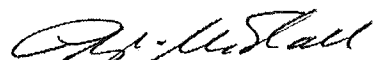
NEXT MEETINGS

Monday, May 1, 2017 at 5:30 p.m. BHS Conference Room

Wednesday, May 3, 2017 BHS Conference Room

Monday, May 8, 2017 BHS Conference Room (Joint with Warrant Committee)

The Board moved to adjourn the meeting at 8:06 p.m.



Ms. Phyllis Marshall, Interim Town Administrator