

2017 OCT 18 AM 10:54

MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, May 15, 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 7:01 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

- **Belmont Town Day:** Scheduled for Saturday, May 20, from 9am – 4pm
- **Warrant Briefing:** Monday, May 22 at 7:30, at the Beech Street Center
- **Memorial Day Parade:** Monday, May 29 beginning at 11am in Cushing Square
- **Board of Health:** Presents Opioid Stories at the Belmont Cinema
- **Race Amity Day:** Governor Baker has declared June 11 to be Race Amity Day

QUESTIONS FROM TOWN RESIDENTS

Ms. Anne Marie Lambert, TMM Precinct 8, requested that the Board accept a donation from the Belmont Citizens Forum of a lilac bush to replace the one that died on the town green by the Wellington Station.

The Board moved: To accept the donation of a lilac bush to replace the one that died.
The motion passed unanimously (3-0).

ACTION BY CONSENT

Presentation of a Certificate of Recognition to Eagle Scout Edward Freeman Stafford

Mr. Edward Stafford, Senior at Belmont High School appeared before the Board concerning the Certificate of Recognition which is being awarded to him.

Chair Williams read the Eagle Scout Certificate of Recognition

The Board congratulated him and photos were taken.

Vote to Accept a Gift in the Amount of \$250.00 from Star Market to the Fire Department to Fund an Employee Appreciation Cookout

Fire Chief Frizzell appeared before the Board to discuss the donation from Star Market which will be used to fund an Employee Appreciation Cookout. The cookout will acknowledge the retiring and the new employees.

The Board moved: To accept a gift in the amount of \$250.00 from Star Market to the Fire Department to fund an employee appreciation cookout.
The motion passed unanimously (3-0).

Approval of a Request from the First Church in Belmont, Unitarian Universalist to use the Town Green for their annual picnic on Sunday, June 11, from 11:00 am to 3:00 pm

Chair Williams confirmed that all of the paperwork is in order.

The Board moved: To approve the request from the First Church in Belmont, Unitarian Universalist to use the Town Green for their annual picnic on Sunday, June 11, from 11:00 a.m. to 3:00 p.m.
The motion passed unanimously (3-0).

Approval of a One Day Liquor License Application from the Powers Music School, 396 Concord Avenue, Belmont to serve Wine and Malt at a retirement party held at the First Church in Belmont, 404 Concord Avenue, on June 14, 2017 from 6:00 pm – 7:30 pm

Chair Williams confirmed that all of the paperwork is in order.

Selectman Dash raised the issue of having the Town Administrator's Office approve these types of licenses. Chair Williams said he believes the Board is *required* to approve them (in its official capacity as alcohol licensing Board), but that Ms. Marshall will double check with Town Counsel.

The Board moved: To approve One Day Liquor License Application from the Powers Music School, details noted above.
The motion passed unanimously (3-0).

Approval of a One Day Liquor License Application from the Belmont After School Enrichment Collaborative, 266 School Street, Belmont to serve Wine and Malt at an Arts Gala held at Saint Joseph's Parish in Belmont, 130 Common Street, on June 2, 2017 from 6:00 pm – 9:00 pm

Chair Williams confirmed that all of the paperwork is in order.

The Board moved: To approve the One Day Liquor License Application from the Belmont After School Enrichment Collaborative, details noted above.
The motion passed unanimously (3-0).

Approval of FY17 Pavement Contract

Mr. Glenn Clancy, Director of Community Development, appeared before the Board to discuss the FY17 Pavement Contract. Mr. Clancy noted that there was one bidder for the contract: E.H. Perkins Construction. He said the bid was lower than the estimate for the project. He then explained the project and its impact on the roadways.

Chair Williams asked several clarifying questions about the project as well as about the street opening provisions and regulations. Mr. Clancy also explained how the streets are prioritized to be fixed, the resources that allow roads to be fixed, and the overall plan going forward.

Selectman Paolillo suggested that Mr. Clancy present the Pavement Management Program to the Board as well as to Town Meeting. He said it has been a while since these bodies have been updated on the plan going forward. Mr. Clancy said he would be happy to do so.

The Board moved: To approve the FY17 Pavement Contract to E.H. Perkins Construction in the amount of \$1.8M.

Mr. Clancy read the street names that will be repaired.

The motion passed unanimously (3-0).

The Board signed the contract.

Discussion on Library Building Committee Request

Ms. Kathy Keohane, Library Trustee Chair, Ms. Clair Colburn, President of the Library Foundation, Ms. Elaine Alligood, Library Trustee, Ms. Gail Gorman, Friends of the Library President, and Ms. Anne Marie Mahoney, Chair of the Capital Budget Committee and of the Major Capital Projects Working Groups (MCPWG), appeared before the Board to discuss the request that a Library Building Committee be appointed.

Selectman Paolillo reviewed that the Board supports a new building. The question concerns the formation of a building committee as a way of stimulating the private fund raising efforts.

Ms. Keohane said that there are significant needs in the Library. New construction, she said, is the best option for the building. A public/private partnership will take thoughtful planning over a multi-year time-line. There is no defined plan and no clearly defined path forward for the library. The formation of a building committee and a schematic design will allow a "vision" for the library to be shared with the community.

Ms. Colburn spoke to the desire to have a schematic design. This design, she suggested, will allow for better fundraising. Selectman Paolillo asked if a Building Committee is necessary to create a schematic design. Ms. Mahoney stated that once a building committee is formed, it will need money – and then what happens? she asked. The schematic design phase will likely cost about \$300,000.

The Board then discussed where the funding might come from. The Kendall School insurance

funds, Ms. Colburn offered, may be the appropriate place for the town's contribution (\$150K) with another \$150K coming from the Library Foundation.

Ms. Mahoney provided some background history on the Library's initiatives, thus far. She requested that the Board defer making a decision until the MCPWG can issue its report in the fall. The MCPWG is working to form a plan to prioritize the remaining projects. In the past, the Library has not topped the priority list. The DPW and the Police Station have been placed ahead of the Library. These buildings will need help as well.

Ms. Alligood said that the schematic design will allow for a longer time phase for raising money. Selectman Paolillo stated that allowing the time frame for significant fundraising is important. Selectman Dash noted that the schematic design needs to get done, regardless of when the library gets built. What is needed is a schematic design committee, not necessarily an official building committee.

The Board discussed that it is Town Meeting's decision to use the \$150K from the Kendall Fund. Ms. Marshall stated that the Board would need to vote on an article relating to this when it meets next week, May 22. She said a building committee will be needed as the schematic design phase is viewed as the official start of a new building process.

Chair Williams spoke to his notion of a 10-year plan as well as the need for a long-term financial plan. The town may need to utilize a town financial planner to analyze the financing of these five major capital projects.

Ms. Mahoney noted that these projects drain an enormous amount of time and money from town resources. Creating a building committee could impact the town's operating budget. She again requested that the Board defer making this decision until after the MCPWG issues its report in the Fall Special Town Meeting.

Ms. Marshall will follow up with Town Counsel concerning this request as well as the Town Meeting article.

The Board will reconsider this question on Monday, May 22.

Approval of EPA (Environmental Protection Agency) negotiated Administrative Order on Consent (AOC)

Mr. Clancy, Director of Community Development, and Mr. Mina Makarious, Town Counsel, appeared before the Board to discuss the EPA (Environmental Protection Agency) negotiated Administrative Order on Consent. Mr. Clancy summarized the document. He noted that the goal is to keep the Mystic River waterway clean. Mr. Makarious added that the document outlines a schedule and a method to address remediation and a testing protocol. The penalties, he said, are not laid out in this document. The concern is mainly with stormwater runoff. Mr. Clancy reviewed the source of the impact of the stormwater on the sewage system. He then discussed the NPDES permitting process (NPDES deals with illicit discharge problems), which goes into effect July, 1, 2017.

Mr. Clancy spoke to the difference between an Administrative Order and an Order on Consent. He spoke to the EPA's role, the NPDES Permit, the timelines, the potential need for a consultant, etc. He said that the town is all set, from a funding perspective, for FY18.

Selectman Paolillo asked for any information on future years, given that there may be a financial investment and the town will need to plan for this investment.

The Board moved: To approve the town entering into the negotiated Administrative Order on Consent with the EPA (Environmental Protection Agency).

The motion passed unanimously (3-0).

The Board took a brief recess.

Discussion on Town Meeting Warrant Articles Segment B

Ms. Marshall reviewed the Segment B Articles and provided useful and historical information on many of these articles.

Article 11: Salary of Elected Officials

Article 12: Enterprise Funds for Water and Sewer and Stormwater Services

Article 13: FY18 Budget Appropriation and Transfer Balances to Fund the FY18 Budget

Concerning Article 13, she reviewed the fund balances in free cash, the General Stabilization Fund, etc. One proposal suggests using free cash to balance the FY18 budget. The balances of these accounts was discussed, both current balances and the balances post her proposal.

Article 14: Authorization for Up-Front Funds

Article 15: Appropriation of Capital Expenditures

Article 16: Appropriation of OPEB Stabilization Fund

Article 17: Authorization for Revolving Funds

Article 18: Authorization to Establish a SPED Reserve Fund

This article was submitted by WC Member Gammill. It does not have an allocation.

Article 19: Authorization to Increase Retirement Board Stipend

Article 20: Authorization to Increase Retirement Board COLA

Article 21: Authorization to Increase Minimum Allowance Payable to Survivors of Members of the Belmont Retirement System

The Board discussed the articles relating to the Retirement Board. The Board also discussed how to best manage the budget within the constraints of Proposition 2-1/2. The Board agreed that they need to discuss the long-range planning of the town. They also discussed using the Cushing Square parking lot funds to pay for the Modular Units. However, the Modular costs are presently unknown.

Article 22: Authorization to Adjust Spousal Benefits for Surviving Spouses of Retirees

Article 23: Municipal Light Substation Project Borrowing De-Authorization and Appropriation

Article 24: Joint Public Safety Communications Center Project Borrowing De-Authorization and Appropriation

Article 25: Replacement Fire Alarm System at BHS Borrowing De-Authorization and Reduction of the Appropriation

Article 26: Citizen's Petition: General Stabilization Fund

This article was submitted by Mr. Bob Sarno, former WC member.

Mr. Sarno approached the table. He noted that the future is uncertain and it will be best to hold onto as much money as possible. He reviewed the free cash balance, which is currently at \$7M, as well as the free cash guidelines. He noted that taxpayers were told that these funds would be spread out for as long as possible to forestall another operating override. Transferring this money to the General Stabilization is a prudent step for the town and is the right thing to do for the taxpayers.

Chair Williams summarized Mr. Carman's perspective concerning this article. Transfer of Free Cash to the General Stabilization Fund should be deferred until the fall Special Town Meeting, when the Modular Unit costs are known. However, Ms. Marshall noted that Mr. Kale had informed the Board of Selectmen and Warrant Committee that the Cushing Parking lot sale money could only be spent on Capital expenses and would be available to fund the Modular Units.

The Board discussed this article, especially the notion of executing its proposed action in the fall, as opposed to this spring. Mr. Sarno offered some insights into various funding options for the Modular Units, the potential certified free cash amount, TM's role in approving taking money from the General Stabilization Fund, and the real deficits that the town will face in the not too distance future.

Mr. Roy Epstein, WC Chair, commented that the proposed SPED Fund will need to be funded and that could be yet another draw on free cash. This is another reason, he suggested, waiting

until Fall to consider the article. He added that the snow and ice overage will be funded from the WC's Reserve Fund Transfer.

The Board decided to vote on the Segment B articles when it meets on May 22.

Informational Discussion on Committee Appointments

Ms. Marshall noted that the process for Committee Appointments has been outlined in a memo. The memo reviews information from the Town of Concord concerning how they make committee appointments. Selectman Dash noted that there are a lot of talented people in town and they need to be encouraged to come forward. More outreach (to residents) would be useful.

The Board discussed how to improve the committee appointing process. They agreed to review other Town approaches to committee appointments. The Board will review the current policy, look at alternative policies, and review a potential adjusted policy in June.

Convene as Board of Survey – 178 Marsh Street – acknowledge and accept Mr. Chiofaro's May 1 notice to the Town, through the Director of Community Development, that he has withdrawn his application

The Board moved: To *convene* as Board of Survey at 10:00 p.m.
The motion passed unanimously (3-0).

Ms. Marshall noted that Mr. Chiofaro submitted an email stating that he has withdrawn the application, as this time. Should he re-submit an application, it was noted that Selectman Dash would then be able to consider the application.

The Board moved: To acknowledge and accept the May 1 notice of application withdrawal from Mr. Chiofaro.
The motion passed (2-0-1).

Resume as Board of Selectmen

The Board moved: To *resume* as Board of Selectmen at 10:01 p.m.
The motion passed unanimously (3-0).

Town Administrator's Report

Ms. Marshall reported on the following items:

- **May 22 Board Meeting:** The Board will need to meet on Monday, May 22 at 6:00 p.m. Agenda items include an Executive Session, to discuss collective bargaining. Other potential items include ATM Warrant Articles, Opening/Closing the Special Town Meeting, the Library Building Committee, and the Town Administrator search firm recommendations.
- **Snow/Ice Shortfall:** The shortfall number of \$322K will be submitted to the WC for an

allocation from their Reserve Fund.

NEXT MEETINGS

Monday, May 22, 2017 at 6:00 p.m. Selectmen's Meeting Room Town Hall

Monday, June 5, 2017 at 5:30 p.m. Chenery Middle School (Pre ATM)

The Board moved to adjourn the meeting at 10:15 p.m.



Ms. Phyllis Marshall, Interim Town Administrator