

**MINUTES
BOARD OF SELECTMEN
JUNE 9, 2003
SELECTMEN'S MEETING ROOM
7:30 pm**

Call to Order

The Board of Selectmen convened in regular session at 7:30 p.m. in the Selectmen's Meeting Room of the Town Hall. All members were present.

Questions from Town Residents

There were none.

Action by Appointment

Director of Community Development re: FY04 Pavement Management Program

The Board met with the Director of Community Development regarding the FY04 Pavement Management Program. Mr. Gatzunis referred to a memorandum to the Board recommending the following roadways improvements be constructed in FY04:

- Clifton Street from Prospect to Pleasant
- Concord Avenue from Pleasant to Pinehurst
- Munroe from Pleasant to Cross Street
- Concord Avenue to Mill Street
- Crack seal and patch various roadways and traffic calming measures

Mr. Brownsberger expressed some reservations about repaving Munroe Street and suggested that the funds might be best kept in reserve for the potential ability to add Bright Road to the list for reconstruction if there are sufficient funds.

The Board moved: to adopt a pavement management program as recommended by the Director of Community Development in his memorandum dated June 6, 2003, with the exception of funding improvements to Munroe Street. In lieu thereof, Brighton Street shall be inserted into the program as an alternate.

The motion passed unanimously (3-0).

*Public Hearing re: Revocation of Livery License
James Burfoot and Fred Bigot dba Boston by Limousine, 70 Grant Avenue*

The Board convened a public hearing concerning the potential revocation of a Livery License that had been issued to James Burfoot and Fred Bigot dba Boston by Limousine of 70 Grant Avenue, given the Building Commissioner's revocation of a home occupation license from the business owners' failure to comply with the condition of the home occupation license which requires that no livery vehicles be brought to or kept on the property at any time.

Mr. Brownsberger inquired about the type of vehicle the business owner is storing on the property.

Mr. Burfoot and Mr. Bigot indicated they were storing a stretch limousine on the property, but that it is not being used for their business. He noted their difficulty getting the vehicle off the property because of an alleged disagreement with their landlord. The licensee also claimed to be unaware of the revocation of his home occupation license.

There were no other comments from the public

The Board moved: to suspend the livery license until such time as the business owners can resolve issues related to the home occupancy permit and are ready to operate in compliance with local and state by-laws.

The motion passed unanimously (3-0).

Discussion of Pleasant Street Reconstruction

The Board convened a tree hearing, which is an appeal of a formal tree hearing held by the Town's tree warden. These trees are proposed to be removed in conjunction with the Pleasant Street reconstruction.

The Tree Warden reported that in the course of the tree hearing there were several objections to the removal of individual trees and the trees in total, requiring this appeal to the Board of Selectmen.

An audience member raised an objection that information necessary to hold a productive public hearing was not produced.

The Board reviewed a detailed list of trees proposed to be removed in the course of the Pleasant Street reconstruction.

Residents spoke in support of the retention of as many trees as possible to preserve as much of the existing canopy as possible.

Dr. Solomon questioned whether the retention of any trees classified as “not absolutely necessary to be removed” would delay the Pleasant Street reconstruction project.

Mr. Gatzunis indicated it would not.

Various residents made comments about the proposed removal of a variety of trees in conjunction with the Pleasant Street reconstruction project. A number of residents voiced their opposition to the removal of trees.

The Board moved: to authorize the removal of trees labeled with the following numbers on the table provided by the Director of Community Development in a memorandum dated June 6, 2003: 11-13, 16-36, 41-43, 50-90, 92-106, 109-111, 113, 115, 117, 122-124, 128, 129, 131, and 135-139.

The motion passed unanimously (3-0).

The Board moved: to retain the trees labeled with the following numbers on the table provided by the Director of Community Development in a memorandum dated June 6, 2003: 1-10, 14, 15, 37-40, 49, 108, 112, 114, 116, 118-120, 125, 126, 127, 130, and 132

The motion passed unanimously (3-0).

The Board moved: to plant additional trees to supplement the existing trees identified as trees numbered 1-10.

The motion passed unanimously (3-0).

The Board moved: not to cut any trees beyond 740 Pleasant Street until that particular segment of roadway reconstruction is to begin, provided it does not lead to an overage of the budget.

The motion passed unanimously (3-0).

The Board requested that the Director of Community Development work with the residents of the Snake Hill Road area to discuss the issue of tree removal thoroughly and to attempt to address their concerns if at all possible.

Arthur Wolfson requested a response to his letter requesting various design changes to the Pleasant Street reconstruction, including the decision to install a sidewalk in front of his house.

The Board indicated they would not support any substantive design changes to the Pleasant Street reconstruction project at this final phase of the project.

Mr. Wolfson requested the installation of a wood guardrail in substitution for the metal guardrail in the vicinity of his property.

The Board took no action on this request.

Mrs. Page expressed her opinion that the rural quality of the road is important to the sense of the roadway and that the Town should do everything within its power to maintain the rural quality.

The Board moved: to pigment the sidewalks on Pleasant Street a lampblack color from the white office building to the beginning of the historic district.

The motion passed unanimously (3-0).

Approval of FY04 Water and Sewer Rates

The Board reviewed documents regarding proposed FY04 water and sewer rates.

The Board moved: to adopt the proposed sewer rate increase pursuant to a memorandum from the Town Accountant dated June 5, 2003, with the exception that the lifeline rate for FY 2003 remain in effect for FY 2004.

The motion passed unanimously (3-0).

The Board deferred action on the water rate request until such time as they can receive additional information from the Water Department.

Discussion of Municipal Vehicle Policy

The Board discussed the Town's municipal vehicle policy and a recent recommendation of the Town Administrator, in a memorandum dated May 27, 2003.

The Board moved: to adopt the recommendation of the Town Administrator, dated May 27, 2003, to eliminate three vehicles from the Police Department and one vehicle from Public Safety Communications; and further to eliminate an additional vehicle in the Police Department.

The motion passed unanimously (3-0).

The Board discussed the Town Administrator's recommendation that the only individuals, other than the Town Administrator and the Light Department

Manager, to be assigned a municipal vehicle for commuting purposes should be those individuals with an immediate public safety response need—the Police Chief, the Fire Chief, and the Assistance Fire Chief.

Mr. Brownsberger supported this recommendation, but supported the assignment of vehicles for commuting purposes to the Director of Community Development and the Public Works Director.

The Board moved: to adopt the recommendation of the Town Administrator, in a memorandum dated May 27, 2003, regarding the use of municipal vehicles for commuting use; further to extend commuting privileges to the Director of Public Works and the Director of Community Development.

The motion passed unanimously (3-0).

The Board also acknowledged that additional employees may be granted privileges when emergency conditions can be reasonably predicted.

The Board discussed the Town's process for issuing a travel allowance to certain employees who use their personal vehicle for official business.

Mr. Brownsberger noted the Board of Assessor's desire to be exempted from this process.

The Board moved: to adopt the Town Administrator's recommendation to implement a reimbursement system for the use of personal vehicles for official business, for a period of one year, to reassess the actual amounts be authorized employees.

The motion passed unanimously (3-0).

Discussion of Reserve Fund Transfer Requests

The Board discussed the reserve fund transfer request by the Recreation Commission.

The Board moved: to support the request of the transfer of reserve funds by the Recreation Commission.

The motion passed unanimously (3-0).

The Board deferred discussion on the remaining reserve fund transfer requests until complete information about all the reserve fund transfer requests are collected to ensure appropriate funds in the Reserve Fund.

Discussion of Annual Committee and Commission Appointment Process

The Board discussed its annual committee and commission appointment process.

The Board requested the Town Administrator send a second letter to those individuals up for re-appointment who have not responded to an initial request for information on their desire to continue to serve, to give them a final opportunity to indicate their interest in being re-appointed.

Mr. Brownsberger recommended the Board divide up the appointments among themselves.

The Board requested the Town publicize their intention to make appointments to various Town committees in both the local newspaper and the Town website.

The Board assigned the following committee appointments among themselves:

Alcoholic Beverages Licensing Committees—Solomon
Belmont Housing Trust—Solomon
Belmont Vision 21 Implementation Committee—Solomon
Cable Access—Mahoney
Cable Advisory—Mahoney
Conservation Commission—Solomon
Council on Aging—Brownsberger
Cultural Council—Mahoney, Brownsberger
Disability Access—Mahoney
Education Scholarship—Mahoney
Historic District Commission—Solomon
Insurance Advisory Committee—Mahoney
MWRA Advisory Board—Brownsberger
Personnel Board—The Board agreed to make no appointments to this committee, until it is able to revamp the committee charge.
Recreation Commission—Mahoney
Shade Tree—Solomon
Town Counsel—The Board agreed to discuss the issue of legal services further
Traffic Advisory Committee—each of the three members to take one appointment
Tree Warden—Dr. Solomon indicated he would speak with the Highway Superintendent about the Tree Warden's performance prior to the Selectmen making a reappointment.
Youth Commission—Solomon, Mahoney

The Board moved: to appoint Ernest Fay to the Permanent Audit Committee.

The motion passed unanimously (3-0).

The Board moved: to appoint William Hofmann to the Registrars of Voters.

The motion passed unanimously (3-0).

The Board moved: to reappoint Anthony Leccese and Arthur Kreiger as regular and associate members, respectively, of the Zoning Board of Appeals.

The motion passed unanimously (3-0).

Discussion of Town Meeting

The Board discussed the upcoming June session of Town Meeting.

The Board discussed the budget recommendation of the Warrant Committee.

The Board moved: to incorporate all actions of the Warrant Committee in the FY 2004 operating and capital budget in the Selectmen's recommended budget.

The motion passed unanimously (3-0).

The Board moved: to approve actions on all separate articles involving budget appropriations.

The motion passed unanimously (3-0).

The Board moved: to move to dismiss the article related to position classification and compensation.

The motion passed unanimously (3-0).

The Board moved: to support the recommendation of the Warrant Committee as related to the Capital Budget.

The motion passed unanimously (3-0).

The Board discussed an agreement negotiated with members of the Jones Trust for the Town to acquire property located on Trapelo Road at a cost of \$1.35 million through the form of a friendly eminent domain taking by the Town, conditional upon Town Meeting approval.

The Board moved: to approve an agreement with the "Jones Trust" to acquire property on Trapelo Road for a municipal fire station, conditional upon Town Meeting approval.

The motion passed unanimously (3-0).

The Board agreed to appropriate funds under the property acquisition article, an additional \$30,000 to cover costs related to lessee relocation.

The Board moved: to support the motions under articles 13 and 14 related to the fire station, with no reference to the parking issue in Belmont Center

The motion passed unanimously (3-0).

The Board discussed a motion related to the Senior Center construction.

Dr. Solomon expressed his support for the construction of a Senior Center building with more than one story.

The Board moved: that the following general language be used under Article 15 of the Town Meeting, "that there be and hereby is, appropriated the sum of \$x,xxx,xxx to fund a schematic level design of a new building of at least two stories on the site of the former Kendall School to include a Senior Citizens' Center, and space to accommodate other uses compatible with the Senior Citizens' Center."

The motion passed unanimously (3-0).

Mrs. Mahoney expressed her continued ambivalence to support the senior center when the fire station project is also on the table.

Mr. Brownsberger explained that the private fundraising component of the senior center might affect timing of the project.

The board indicated their desire for additional information from the Water Board prior to taking a final position on Article 19.

The Board discussed the order for the Town Meeting.

Mr. Brownsberger expressed his desire to present an update to the Town Meeting on the status of the Town's financial picture on Monday evening. He also suggested the Town Meeting take up the Fire Station and Senior Center articles, successively, on the first night of Town Meeting and to start the second night of the Town Meeting with a brief update from Michael Widmer, chair of the Warrant Committee, to be immediately followed by the Town Meeting consideration of the operating budget.

Action (By Writing)

Request from Resident re: Letter to Governor Romney for Climate Action Plan

The Board reviewed the request from a resident requesting a letter be sent to Governor Romney seeking support for release of a climate action plan.

The Board moved: to approve the submission of a letter to Governor Romney requesting his support for the release of a climate action plan.

The motion passed unanimously (3-0).

Request from The First Church in Belmont re: Permission to Temporarily Utilize the Town Common During Its Renovation and Building Project

The Board reviewed a request from The First Church in Belmont requesting permission to temporarily utilize the Town Common during its renovation and building project.

Mrs. Mahoney expressed concern about potential damage to the beech tree from the storage of and use of construction equipment in its vicinity.

The Board moved: to approve this request, conditional upon the approval of Town Counsel as to indemnification; and further on the condition that existing trees in the area are appropriately protected.

The motion passed unanimously (3-0).

Selectmen's Meeting List

The Board deferred this matter.

Minutes (June 2, 2003)

The Board reviewed the draft minutes for June 2, 2003.

The Board moved: to approve the minutes as drafted.

The motion passed unanimously (3-0).

Other

The regular session adjourned at approximately 12:05 a.m. Tuesday, June 10, 2003.

Melvin A. Kleckner, Town Administrator
Clerk, Board of Selectmen