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Minutes

Town of Belmont

Board of Selectmen

Selectmen's Meeting Room

Monday, May 13, 2019

7:00pm

APPROVED
BOARD OF SELECTMEN
DATE: 6/24/19

CALL TO ORDER:

A regular meeting of the Board of Selectmen was called to order at 7:22pm by Chair Tom Caputo. Vice Chair Adam Dash and Selectman Roy Epstein were present. Town Administrator Patrice Garvin was present.

COMMUNITY ANNOUNCEMENTS:

- A ground breaking event for the new 7-12 School hosted by the Belmont High School Building Committee, Tuesday May 28 at 10:45am on the High School property.
- Daniel M. Clark, the 'Singing Trooper', will be performing at the Beech Street Center May 14 at 1:15pm.
- Mystic Chorale's *The Fiddle Sings*, Sunday May 19 at Cary Hall in Lexington.
- *Cradles to Crayons* community collect and sort program run by Belmont Day School is accepting donations now through May 18. A volunteer event to sort and inspect donated items will be held May 18 at 10:00am.
- Reminder of the Memorial Day Parade held May 27, starting at 11:00am in Cushing Square. Contact Veteran's Service Officer Bob Upton to sponsor a float.

COMMENTS FROM TOWN RESIDENTS:

[There were none]

ACTION BY CONSENT:

Proclamation for Belmont High School Boys Basketball team

Dash read the official Town of Belmont proclamation honoring the team for their success this season in going undefeated in the Middlesex League and winning the MIAA North State Championship.

Vote to accept a donation for the Belmont Youth Commission from the Belmont Youth Activities and DARE, Inc. for \$1,000

Mark Paolillo (Treasurer of Belmont DARE) joined the meeting to present the donation, intended to help seed initial programs for the Youth Commission. Caputo noted the sponsored programs were geared toward out-of-school activities away from electronic devices.

Motion: To accept the donation for the Belmont Youth Commission from the Belmont Youth Activities and DARE, Inc. in the amount of \$1,000. (Vote passed 3-0)

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TOWN OF BELMONT
CLERK
Vote to accept a donation for the Recreation Department from the Lions Club of Belmont in the amount of \$1,000 to help fund the defibrillators on the fields project

John Marshall (Assistant Town Administrator / Recreation Director) explained the funds would go towards continued installation of defibrillators at Town fields, in particular covering the costs of electrical contracting work.

Motion: To accept the donation for the Recreation Department from the Lions Club of Belmont in the amount of \$1,000 to help fund the defibrillators on the fields project. (Vote passed 3-0)

Vote to approve request for a One Day Beer and Wine Liquor License from Jennifer Ausrotas for a birthday party at the Beech Street Center on June 15, 2019,

Ray Ausrotas, who was the honoree of the party, was present. Food permitting had already been obtained for the event. The license was being requested from 5-9pm on the given date. Garvin noted the application was in order.

Motion: To approve the One Day Beer and Wine Liquor request as stated above, from 5-9pm on June 15, 2019.

- *Reminder that no under 18 is permitted to serve alcohol, and no one under 21 may partake. Also no alcohol outside the building.*
- *(Vote passed 3-0)*

Vote to award contract for diesel and gasoline to Dennis K. Burke for \$185,253

Jay Marcotte (Director, DPW) joined the meeting. The contracts were negotiated as part of a consortium of municipalities headed by Brookline which provided a bulk discount on fuels. Marcotte was also requesting approval of the Number 2 fuel contract. The quantity purchased is based off previous consumption estimates, and the contract guarantees the price for up to 10% over the projected amount.

Motion: To award the contract for diesel fuel and gasoline to Dennis K. Burke in the amount of \$185,253; to award the contract for gasoline to Dennis K. Burke in the amount of \$100,117; to award the contract for Number 2 fuel to Devaney Energy in the amount of \$86,839. (Vote passed 3-0)

Vote to award contract for concrete sidewalks to N. Sacca & Sons for \$260,925

Marcotte explained that DPW was still making use of allocated sidewalk monies from FY15. The contracts are based on square footage of sidewalk; the previous year's contract was significantly expanded in scope because the bid had come in well under the estimate. The current bid of ~\$260k was also below the engineer's estimate of \$300k; it is possible to add up to 10% of the value of the contract for additional work.

Dash raised a concern, echoed by the other Selectmen, over the quality of the sidewalks in Town, some of which had deteriorated rapidly after installation. Marcotte explained that installers were heavily dependent on the concrete manufacturers, and that timing of the delivery can cause problems with the quality – this has been identified as a problem throughout the state. Assistant DPW Director Santoro had included the addition of a sealant into the past several contracts, which was showing promising results but was too expensive to include in all projects.

Epstein requested monitoring of the upcoming sidewalk projects, in particular to more closely track projects with and without the sealant to determine its effectiveness. Dash advocated for closer monitoring in general within the one year warranty period, so that potential problems could be fixed at no cost to the Town.

Motion: To award the contract for concrete sidewalks to N. Sacca & Sons in the amount of \$260,925. (Vote passed 3-0)

MAPC regional dockless bicycle update

Spencer Gober (Staff Planner, Community Development) explained that the contract voted on in 2017 prohibited deployment of electric assisted bikes in Belmont. The contract was currently up for renewal, and Lime was requesting to have this provision taken out. The decision to expand deployment of e-bikes, including in Belmont, was driven by consumer demand – even without deployment, ~1,110 trips had taken place in Belmont. The Board was supportive. Caputo requested an update on the utilization of the bikes sometime in the summer.

Motion: To amend the statement of work with the Municipal Area Planning Council for the Regional Dockless Bicycle Program, to delete the prohibition against electric motorized bicycles. (Vote passed 3-0)

Vote to award contract for the treatment and stabilization of the Historic McLean Barn

Gober recapped the progress to date: in Fall 2017 Community Development had begun to assess existing conditions of the Barn; a public forum was held in March of 2018 to determine potential action; at Spring Town Meeting in 2018, \$175k in CPA funds were approved for the treatment/stabilization; Community Development had procured an architect to develop bid documents and specifications for the work.

Presently, four bids had been received to execute the planned work, ranging from \$124k to \$177k; the architect had recommended accepting the low bidder. Work would start in the next few weeks and conclude by November.

Motion: To award the contract for the treatment and stabilization of the Historic McLean Barn to Calhas Restoration and Weatherproofing Company for a base price of \$124,000. (Vote passed 3-0)

Vote to approve request from the First Church in Belmont to use the Town Green for their annual picnic taking place on Sunday, June 9, 2019 from 11:00am until 3:00pm

[Caputo recused himself, as a member of First Church.]

Donna Ruvo from First Church joined the meeting. She had intended to discuss a future request for use of Town Green, but as this was not on the agenda, the Board did not take a vote.

She offered to provide some background on the request for use of the Town Green on June 9. This was an annual picnic held by the fellowship committee, which had been trained in food management and related protocol. The Church would set up tables/chairs on Town Green for the picnic.

The future event was planned for August 28, an open house BBQ to kick-off the upcoming school year. The public was invited to attend the BBQ and tour the Church building. The same fellowship committee would be responsible for the event.

Motion: To approve the use of Town Green by the First Church in Belmont for their annual picnic on June 9, 2019 from 11:00am to 3:00pm. (Vote passed 2-0)

[Caputo rejoined.]

Sign Special Town Meeting Warrant for June 5, 2019 at 7:30pm

Two meetings ago the Board had opened and closed the Special Town Meeting Warrant. It consisted of an article to adjust a sewer easement at the Belmont Hill School, in order to accommodate planned construction of an addition to the Chapel. Garvin noted a certified plan was now on file with the Clerk's office. A representative from the Office of Community Development would present the matter at Town Meeting.

Motion: To approve and sign the Special Town Meeting Warrant for June 5, 2019. (Vote passed 3-0)

Vote to approve request for a One Day All Alcoholic Liquor License from Mara White, Waldorf High School, for a fundraising event on May 18, 2019

Motion: To approve the One Day All Alcoholic Liquor License for Mara White, for a fundraising event at the Waldorf High School, 160 Lexington Street, on May 18, 2019 from 7:00pm to 10:00pm. (Vote passed 3-0)

Discussion of regulations for Grants of Location regarding poles

Caputo provided background that the Town had been approached by a telecom provider to grant access to two light poles for the installation of 5G antennas: one on Leonard Street and one on Channing Road. Currently, there were no criteria in place for assessing whether to accept or reject such an application; according to FCC guidelines, the Town has a 60 day deadline to respond to the applications. Therefore, Dash had drafted a set of regulations which had subsequently been reviewed and redlined by Town Counsel, and were now under discussion by the Board.

- Dash noted that based on the 1996 Telecomm Act (Federal Legislation) there was limited ability for the Town to reject such applications, however certain aspects such as aesthetics could be regulated.
- Caputo raised two issues from the recent Light Board meeting: that the poles require fiber backhaul connection, which would require involvement of Belmont Light; Belmont Light GM Roy had expressed concern over the liability of having untrained technicians install something on poles owned by Belmont Light.
- Epstein thought the redline changes were too extensive to be able to properly review in the present meeting. Dash explained that the main change involved broadening the scope of the regulations to 'structures in public ways', which included poles and any associated equipment, and alleviated the need for distinction between new versus existing poles. This actually simplified and clarified the regulations.
- Dash summarized various components of the regulations covering structures in public ways: an application can be rejected if it does not conform to Historic District standards; a structure cannot impede access/use of a public way; a proposed structure must conform to existing zoning regulations; no more than one device is permitted on a given structure; applicant must provide structural drawings showing the installation is safe; applicant must provide insurance on the structure for the Town; etc.

[Open discussion for the public.]

- *Gretchen McLean*: Belmont Light should charge rent on the poles as a mechanism to limit activity. Dash thought that the FCC rules applied to Belmont Light, in that Belmont Light (or the Town) was not allowed to profit off the 5G rollout.
- *Jessie Bennett*: Does the 60 day deadline reset if the application is not complete? Dash said if there is no decision within 60 days then the application is automatically declined; also, the purpose of voting the regulations is that there is currently no way to assess whether an application can be deemed complete.
- *Anne Paulsen*: 1) Providers should pay a fee to the Town for hooking into poles, similar to cable providers. 2) In terms of aesthetics, is it possible for the Town to control which pole is chosen? With respect to 2), Dash said the company likely picked the pole due to technical reasons in providing coverage, but he had tried to include certain restrictions in the regulations to limit the choice of pole, e.g. distances from buildings.

It was agreed that the Board should vote to have a set of regulations in place (even if minimal) in advance of the pole petition hearing, which was the following evening. The regulations were seen as a living document that could be developed/improved over time.

Motion: That the Board of Selectmen adopt the regulations regarding Grants of Locations for Structures in Public Ways, as amended by Counsel. (Vote passed 3-0)

Review of charge of the High School Traffic Working Group

[Dash recused himself from matters related to the High School Traffic Working Group]

Garvin explained the Board had previously considered adding a resident member from another neighborhood if it was deemed necessary, once the group was up and running. This required a formal amendment to the charge of the Working Group.

Motion: To amend the charge of the High School Traffic Working Group as voted July 16, 2018, to add an additional member (Resident). (Vote passed 2-0)

Vote to appoint member to Belmont High School Traffic Working Group

Caputo invited each of the applicants to provide background on themselves and explain their motivations for applying to the Working Group. The following applicants were present: Larry Link, Gretchen McLean, Breda Zimkus, Deborah Talanian, and Tim Flood.

Caputo asked members of the High School Traffic Working Group to weigh in on the applications:

- *Dana Miller (Chair, Transportation Advisory Committee)*: Felt the Group would be strengthened by having representation from as many areas as possible. Need for someone with perspective on Concord Ave, given the plan to move bus stops.
- *Jessie Bennett*: Felt that current representation from Trowbridge/Hittinger and Goden/School neighborhoods was sufficient, but someone was needed for the area in between these neighborhoods.

Epstein agreed it would be useful to have a resident for the neighborhood between Trowbridge/Hittinger and Goden/School (i.e. Orchard St.), especially to provide input on plans to move bus stops and crosswalks. Caputo and Epstein agreed to table the discussion to see if one of the remaining applicants would arrive to the meeting.

[Dash rejoined the meeting.]

Vote to approve new Antique / Second Hand Goods Business License for the Blue Butterfly, Aaron and Heather Brown, 113 Trapelo Road, Belmont

Motion: To approve the Antique / Second Hand Goods Business License as outlined above. (Vote passed 3-0)

Discussion of Fiscal Year 2020 supplemental requests

For FY20, Garvin had requested Department Heads to include any supplemental requests within the budget. She reviewed key outstanding unfunded requests:

- Community Development, full-time traffic engineer position. It was decided with Director Clancy that this was not the right time to fund the position.
- Facilities, full-time position. One of the two requested full-time positions had actually been funded, however this area of the budget had seen other noticeable increases over FY19 to address maintenance issues for Town/School buildings.
- DPW tree removal, an ongoing need. The Tree Warden maintains a list of trees that are at-risk in the event of severe weather.
- Council on Aging, full-time social worker position. This had previously been raised as an ongoing need for the community; last year, Garvin and COA Director Niv-Vogel had tried to obtain grant funding, but it had not worked out.

Dash highlighted the challenge of adding full-time positions given that any extra money from the State would be one-time only. Garvin also stressed the need to maximize undesignated balances in advance of going out for a second round of borrowing for the new High School.

Nava Niv-Vogel (Director, Council on Aging) joined the meeting to discuss the social worker request. She noted a recent League of Women Voters study had identified a social worker as a crucial need given the Town's aging population and increasing reliance on fire/police to handle related issues. Anne Goldenberg, Anne Paulsen and Gretchen McLean also spoke out in support of the request.

There was consensus among the Board not to expand the FY20 budget at the present time; however, support was expressed for adding a social worker as a high priority item in the event of an override for fiscal year 2021.

Vote to approve request for an Agricultural Wine Permit for Dan Clapp, 1634 Meadery, to serve 1 oz samples of wine at the Belmont Farmers Market on June 20, July 18, August 15 and September 26, 2019

Motion: To approve the request for an Agricultural Wine Permit for Dan Clapp, as outlined above. (Vote passed 3-0)

[Return to the High School Traffic Working Group appointment; Dash recused himself again.]

The final applicant, Jonathan Burge, arrived to the meeting and shared his background and motivation for applying to join the Working Group. Epstein and Caputo debated between Link and Burge; Epstein was indifferent aside from having someone from the Orchard Street area - Caputo favored Link due to his experience in similar roles in other towns.

Motion: To appoint Lawrence Link to a one year term as resident member of the Belmont High School Traffic Working Group. (Vote passed 2-0)

[Dash rejoined.]

TOWN ADMINISTRATORS REPORT:

P. Garvin reviewed the Town Administrator's Report:

- It was anticipated that a Fall Town Meeting would be required; thus far, only one night.
- A ribbon cutting event for the clock donated by Belmont Savings Bank Foundation will be held May 16 at 10:00am.
- The Police Station has a cell tower that needs to be bid out for carriers via an RFP process; Community Development is drafting an RFP. No issues foreseen coordination work with the Police Station renovation.
- Public forum for the ice rink to be held on May 30, joint with the School Committee, to receive input on whether to move forward with a process to seek out a public-private partnership for a new rink.
- Betty Collins is retiring after 70+ years working with the Town.
- Paramount Studios was forced to halt production on filming last week.
 - Jeremy Fisk (Location Manager, Paramount) appeared to request the Board approve make-up dates for filming due to an unavoidable illness of a cast member. As with past requests, the neighborhood had been notified.
 - *Motion: To approve additional filming dates for Paramount Studios on May 22, 23 and 24 from 10am to 1am at the Ivy Road location, and to utilize parking in front of Plymouth Congregational Church as was done previously. (Vote passed 3-0)*

BOARD OF SELECTMEN COMMITTEE LIAISON REPORTS:

Caputo reported the Warrant Committee had submitted its report to the Town Clerk.

APPROVAL OF MEETING MINUTES:

- *March 18, 2019, Regular Session:*

Motion: To approve the March 18, 2019, regular session minutes. (Vote passed 2-0; Epstein abstained)

- *March 18, 2019, Executive Session:*

Motion: To approve the March 18, 2019, executive session minutes. (Vote passed 2-0; Epstein abstained)

- *April 1, 2019, Regular Session:* Correction to 'Selectman' when referring to singular case, in these and subsequent minutes.

Motion: To approve the April 1, 2019, regular session minutes, as amended. (Vote passed 2-0; Epstein abstained)

- *April 1, 2019, Executive Session:*

Motion: To approve the April 1, 2019, executive session minutes. (Vote passed 2-0; Epstein abstained)

- *April 3, 2019, Regular Session:* Dash clarified a statement about the ex-officio committee memberships held by the Board.

Motion: To approve the April 3, 2019, regular session minutes, as amended. (Vote passed 3-0)

- *April 8, 2019, Regular Session:*

Motion: To approve the April 8, 2019, regular session minutes. (Vote passed 3-0)

ADJOURNMENT:

Motion: To adjourn. (Vote passed 3-0)

Respectfully Submitted,

Patrice Garvin, Town Administrator