

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, October 19, 2009
7:30 PM**

CALL TO ORDER

A regular meeting of the Board was called to order at 7:32 pm by Chair Leclerc in the Selectmen's Meeting Room. Selectmen Firenze and Jones were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

QUESTIONS FROM TOWN RESIDENTS

There were none.

ACTION BY APPOINTMENT

National Grid Petition

Mr. Ben Doherty, from National Grid, and Mr. Stanley Dzierzeski of 74 Statler Road, appeared before the Board to request consent to install and maintain 40 feet of pipe for new gas service. This service request came from the resident. The Board reviewed the condition of Statler Road. Selectman Firenze noted that this work would be subject to the new trench regulations.

The Board moved: To approve the requested extension for new gas line service, conditional on the approval of the Department of Public Works and Community Development.

The motion passed unanimously (3-0).

ACTION BY CONSENT

Approval of December 3rd, 2009 Town Holiday Celebration

The Board moved: To approve the Town Holiday Celebration for December 3, 2009.

The motion passed unanimously (3-0).

Silver Star Banner Day Proclamation -

Mr. Conti read the Proclamation. Chair Leclerc noted how impressed he is with Belmont's record of achievement in the armed forces.

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

United Nations Day, October 24, 2009 Proclamation

Mr. Conti read the Proclamation.

The Board moved: To support the United Nations Day for October 24, 2009.
The motion passed unanimously (3-0).

Town Administrator's Report – Part I

Mr. Younger reported on the following items:

- The League of Woman Voters will hold a Town Meeting Warrant Review on Tuesday November 10, 2009. The Board noted that there are several conflicts on that day. Mr. Younger will explore moving the date to Monday, November 9th.
 - The Beech Street Center is holding a kick-off luncheon on Monday, November 2nd.
 - DPW Director (Mr. Castanino) has received \$9,000 in donations to purchase 100 trees to replant.
 - Pavement Management: Work on Concord and School Streets is almost complete, Beech Street work will begin this week.
- The Assessors will send letters out concerning PILOT payments to non-profit property owners on November 1st.
 - VFW Liquor License: Mr. Younger asked the Board if they wish to go forward with this item with only two Selectmen present at the upcoming meeting since Selectman Jones cannot be present. The Board discussed the rate for the liquor license. Chair Leclerc read a letter from the VFW requesting the fee to be dropped to \$1 as was previously stated by the Liquor Advisory Board. Selectman Firenze reviewed why it is reasonable to charge the \$1,000 and noted that the Liquor Advisory Board was not authorized to set a fee for the license.

Joe Barrell – Wellington School Update

Mr. Joe Barrell, the Board of Selectmen's representative on the Wellington Building Committee (WBC), and Mr. Mark Haley, Chair of the WBC, appeared before the Board to give a Wellington School update. Mr. Barrell highlighted some of the work that the WBC has been focused on: the construction plan, parking, traffic, overall planning. The lot is 4000 square feet less than what was expected, he explained, so some core area needed to be reduced. The first estimate was \$2.5M over budget on construction, but it is now within budget. Water, gas and sewer are being studied. Mr. Barrell said that the Committee is hoping for demolition by the late winter, early spring. The modular units at

the high school came in over budget, but the second bid is much closer to the budget. The Board and Mr. Barrell discussed the “Construction Manager at Risk” concept. Most private sector jobs are done this way, Mr. Barrell explained. In this scenario you get an upper number of what the project should cost and then go to the market place and solicit bids from sub contractors. This results in a team effort to having the project completed within the budget. Chair Haley noted that while this approach can initially increase the project price by 4-8%, money is saved with change orders down the road. Both Mr. Barrell and Chair Haley are in favor of this. Selectman Jones said he also liked the idea.

Chair Haley noted that the WBC will soon receive its first check from the Massachusetts School Building Authority. The Board discussed issues relating to ownership of the project regarding traffic challenges. Selectman Firenze noted his desire to form a “joint commission” with representation from the BOS, Traffic Advisory Committee, WBC, SC, Police, Fire, and two neighbors to work together to understand traffic flow, satellite drop offs, etc. He will work with Mr. Younger to get this group together. Chair Haley noted that the WBC traffic engineer is designing something now, as well.

Approval of Town Meeting Warrant and Motions

Mr. Conti summarized the highlights of the Warrant. There are 14 articles on the Warrant: 3 relating to government structure changes, a proposed meal tax, two zoning amendments, the light department substation bonding, and local aid shortfall. The Board discussed some of the motions on the Warrant: FY10 budget shortfall, telecommunications, and zoning resolutions.

The Board moved: To approve the Town Meeting Warrant for Town Meeting on November 16th at Chenery Middle School at 7:30.
The motion passed unanimously (3-0).

Town Administrator’s Report – Part II

- FY11 Capital Budget requests have been submitted.
- There will be an “oil spill process” meeting on November 23rd chaired by Health Director Donna Moultrup to gameplan how the Town should respond if there is an oil spill.
- The request to the MBTA to address double utility poles on Trapelo Road was rejected by the MBTA. The Board agreed that this response is not acceptable. Mr. Younger will follow up with Town Counsel.

The Board moved: That the MBTA notice stating its unwillingness to explore options regarding poles on Trapelo Road is unacceptable to the Board. The Board will explore every avenue to reach another solution.
The motion passed unanimously (3-0).

The Board discussed the issue of double poles by Verizon.

Benton Reuse Committee Report

Mr. Richard Cheek, Chair of the Benton Reuse Committee and other members from the Reuse Committee, appeared before the Board to discuss the Reuse Committee's report. Committee member Andy Rojas lead the discussion. Chair Leclerc noted the Board could not take action to dispose of the property, but could recommend formal action to TM.

Mr. Rojas reviewed that the Board of Selectmen had requested the Reuse Committee to explore the leasing vs. selling options and to keep in mind the need to have costs covered and/or a profit raised. The fair market lease value for the Benton in its current condition is within the range of \$18-\$21 per square foot per year (triple net). This translates into a lease payment of approximately \$2500-\$2800 +/- per month or about \$32K per year. The lessors would need to fund upgrades to the property to make it ADA compliant. The second option explored is to sell the property in its as is condition. The fair market value for the sale of this property in its current condition is within the range \$475-\$650K. The neighborhood, Rojas added, would like to see a "preservation restriction" so that the building façade would be preserved and only authorized uses of the property would be permitted e.g. as-of-right uses.

Mr. Younger clarified that an independent appraisal of the property would be done if the Board disposes of the property in either a lease or sell option. Mr. Rojas continued: If leased, the property could be kept as a town asset e.g. it could someday be a library again. The Friends of the Benton would like to explore the possibility of leasing the property for an education/cultural center. Mr. Cheek noted that under current zoning, the property could only be used for residential, educational or religious purposes.

Mr. Rojas noted that the decision comes down to either maximizing revenue through sale or subsidizing a community use. The Benton Friends would like to preserve the building as a town asset and lease it for use.

Mr. Michael Sattler, who stated that he and his wife live across the street from the Benton, said that he is in the process of creating a proposal for the Benton to be leased as an "educational collaborative." The collaborative would offer "outside the classroom educational services" including tutoring, MCAS and SAT preparation. The preparation classes would provide a revenue stream for financing the Benton. The educational collaborative would be run by the Friends of the Benton and traffic should not be a neighborhood burden.

Mr. Rojas indicated that the Reuse Committee is not against this, but is concerned about the revenue as Mr. Sattler's group is requesting a reduced monthly payment from \$18-\$21 per square foot to \$9-\$10 dollars. Chair Leclerc said while he does not want to sell the resource, he also does not want this to cost the town money. It needs to be "revenue neutral", he said. Selectman Jones noted that leasing at the fair market rate of \$18-\$21 per square foot seems like a better deal financially for the town. Mr. Rojas agreed with

Selectman Jones and added that leasing not only maximizes the revenue, but also preserves the building.

The Board then discussed the process by which an RFP would be prepared, the criteria for selection, if preferences could be stated, the timing of the RFP, etc. Mr. Younger clarified that Town Meeting needs to authorize the RFP process which could be done through an Article on the April Annual Town Meeting.

The Board moved: To accept the recommendation of the Benton Reuse committee.

Audience Comments: Mr. Doug Jones, 15 Indian Hill Road, stated that the maximization of revenue leads to questions of use and traffic. A sale for single family use is consistent with the neighborhood.

Ms. Judith Feinleib, 87 Oakley Road, said that many are afraid about the RFP process and would prefer the property not be sold.

Mr. John Doyle, 12 Old Middlesex, noted that increased traffic is a huge concern. And that some neighbors would rather see the property sold as opposed to leased as a day care.

The motion passed unanimously (3-0).

Town Administrator's Report – Part III

- On Dec. 7 there will be an enforcement meeting regarding commercial “sandwich board signs” on public sidewalks.
- Mr. Younger will review the revenues and expenditures for the ice rink much like he did with the Underwood Pool. The Board discussed the application of this data.
- Washington Street repair work is almost complete.

Selectman Firenze asked about the status of the Chenery Middle School punch list and handicapped accessibility.

- The Selectmen's Office is working on a “facility naming rights” handbook as well as on a “Proclamation guidelines” document.
- There is a meeting on November 2nd to address the condition of the tennis courts in town, as an overall maintenance plan is needed.

ACTION BY WRITING

Reserve Fund Transfer Request – Council on Aging

This agenda item was cancelled.

OTHER

- Minuteman Study Group: The group will meet soon with Minuteman's Superintendent. The Town Meeting resolution may be withdrawn if the response from him is satisfactory.
- Charles Bank book store closing: The Board will send a letter indicating strong support of this book store remaining in Belmont Center.

The Board moved: To communicate with the Barnes & Noble corporation to urge them to maintain a presence in the community as it is a valuable and quality book store.

The motion passed unanimously (3-0).

- Trapelo Road parking: There is a need to enforce the existing two hour parking or charge for the entire day for people that commute. Selectman Firenze said that perhaps new regulations are needed for the town to see some profit from the commuting cars that park on Trapelo Road. Mr. Conti noted that enforcement is an issue with present regulations and should be looked at before new regulations are created. The Board discussed.

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

Thomas G. Younger, Town Administrator