

**MINUTES  
TOWN OF BELMONT  
BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
Monday, October 5, 2009  
7:00 PM**

**CALL TO ORDER**

A regular meeting of the Board was called to order at 7:03 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.

**Light Board:**

Mr. Tim Richardson, Manager of the Belmont Municipal Light Board, appeared before the Board to call attention to the proclamation for Public Power Week to be celebrated Oct. 4-10, 2009. He also announced that electricity rates will be lowered by 5% which amounts to a 1 cent per kilowatt/hour credit for the remainder of the year. Chair Leclerc read the Proclamation.

*The Board moved:* To support the Proclamation/resolution for Public Power week.

The motion passed unanimously (3-0).

**QUESTIONS FROM TOWN RESIDENTS**

There were none.

**ACTION BY APPOINTMENT**

**Climate Action Plan (CAP) – Approval**

Chair Leclerc reviewed that, at the last Board meeting, Board members discussed the Climate Action Plan for over an hour. He stated that the CAP had been revised and he was ready to make a motion to adopt the Climate Action Plan.

*The Board moved:* To adopt the resolution regarding the Climate Action Plan.

Discussion:

Selectman Firenze said he is troubled with moving forward on this for the fall Town Meeting. He is also concerned about the cost of item 4, which he said, is subject to interpretation. He added that the fact that the Energy Committee has "all the power" also

concerned him. Sustainable Belmont Chair Jan Kruse replied that this should not cost the town money and that the CAP could be monitored by the Energy Committee in various ways. Selectman Jones noted that this plan does not call for the appropriation of money. Chair Leclerc reiterated his support for the resolution and acknowledged that three years of work went into the CAP. He said that the endorsement of Town Meeting gives the plan more validity and support. Chair Kruse agreed and added that it is important that the entire town government be willing to be a part of this effort.

The motion passed (2-1, Firenze nay).

### **Planning Board – Comprehensive Plan (CP)**

Ms. Jenny Fallon, Chair of the Planning Board, appeared before the Board to discuss the Comprehensive Plan for Belmont. The Comprehensive Plan is entering its second year of the process and a report from Phase I is available. She briefly reviewed the work done in Phase I, including the various public meetings that were held and the surveys that were available. Phase II, which began this September, included the organization of four major groups: Transportation, Public Facilities/Finance, Open Space, and Historic Preservation and Housing. Ms. Fallon invited the Selectmen to be involved in the process. The Planning Board wants the Selectmen and the community to have ownership in this endeavor. Following the work of the four working groups, there will be three public workshops. From there it is hoped that, by spring, policy guidelines will be formed and presented to Town Meeting in April. The Board of Selectmen will receive written reports and in-person updates as well.

Selectman Firenze asked how the CP complements the zoning bylaws. Ms. Fallon replied that the CP helps to get a good sense on where the community wants to go and that this is necessary before addressing the zoning bylaws. Then, she said, we will look to see if zoning changes are needed to support what comes out of the CP. Chair Leclerc said he is concerned about the community's feeling for "mixed use commercial development". Fallon replied that it is very difficult to educate the public on these complicated issues. We work, she said, to get people to broaden their perspectives on housing, economic development, open space, etc.

### **Street Signs – The Woodlands**

Mr. Younger said that there is a request from a "residents committee" regarding the need to have a sign placed to identify McLean Drive. Mr. Clancy has agreed that this is appropriate. Because McLean Drive is a private way, the sign will be paid for by the residents and not the Town.

*The Board moved:* To support Mr. Clancy's recommendation for the signage.  
The motion passed unanimously (3-0).

### **Local Option Meals Tax Discussion**

Mr. Younger explained that the state has authorized local communities to impose a 0.75% Local Option Meals Tax on top of the 6.25% state tax. This additional tax revenue comes back to the Town. Town Meeting would need to accept this by a majority vote. The Massachusetts Department of Revenue collects the tax and distributes all the revenue back to Belmont on a quarterly basis. The rate cannot be changed by the Town. If Town Meeting approves, the tax would take effect January 1, 2010. The DOR's estimate of meals tax revenue in Belmont for the last half of FY10 is \$51,295, and, for FY11, the estimate is \$102,589. As of September 30, 2009, 32 communities have accepted this.

The Board then discussed exactly what this would apply to - take-out food, meals bought from supermarkets, etc. It was clarified that any food or beverage such as coffee prepared within the Town would qualify whether consumed on the premises or not. Selectman Jones said he supports this as the state gives communities few opportunities to raise revenue. Selectman Firenze recused himself from expressing an opinion on the merits of the tax itself, but can vote to place this on the Town Meeting Warrant.

*The Board moved:* To place the Local Option Meals Tax on the Town Meeting Warrant.

The motion passed unanimously (3-0).

### **Town Administrator's Report**

Mr. Younger reported on the following items:

- VFW: There will be a hearing for the VFW liquor license application in late October recommending a license fee of \$1,000, which is in the median range of other communities.

*The Board moved:* To establish a \$1,000 annual fee for a VFW liquor license. The motion passed unanimously (3-0).

- Pavement Management: A binder coat is being placed on Concord Avenue.

- Woodfall Road: Regarding the "appraisal update" it has been recommended to have an outside appraisal, which would cost about \$3,000. Selectman Firenze said that this property needs to get appraised.

*The Board moved:* To secure an appraisal for the Woodfall Road property. The motion passed unanimously (3-0).

- Regionalization: Discussed as it pertains to a 911 program study. The Board discussed the topic of regionalization and the challenges of implementation.

- Underwood Pool: The “actual costs” and the revenues of the pool have been assessed. There were no major problems this year and revenues were \$133K, while Recreational Dept. expenses were \$99K and DPW costs were \$78K. This amounts to a net loss of \$44K. Mr. Younger said he hopes to do the same kind of analysis for the rink.
  - Benton Library: An RFP for leasing is being explored.
- Washington Street: Repair work is due to happen this week.
  - Title search: Needed for properties at Pleasant Street and White Street.

*The Board moved:* To authorize a title search for these properties.  
The motion passed unanimously (3-0).

- MMA: The fall conference is on October 17, 2009.
- Recycling: Is available on Mondays and Saturdays. There is a \$400 fee for landscapers and no fee for residents.
  - PBS: Mr. Conti explained that the producers of the PBS show “Sci-Girls” (a science program for girls) have contacted him about filming in Belmont. Approval has been granted after consulting with the police. The Town customarily requests that film projects make a donation to the Town.
  - Solid Waste & Recycling Committee: Has requested an extension on their mandate.

*The Board moved:* To extend the Solid Waste Recycling committee’s mandate for another 18 months.  
The motion passed unanimously (3-0).

- MBTA survey: Selectman Jones noted that this survey contained only open-ended questions and was a sophomoric survey.
- Vacant Building Fee Bylaw: This topic is scheduled as an agenda item at a Board meeting in December.
  - Town Meeting Starting Time: Mr. Younger asked if there was any interest in starting at 7:00pm as opposed to 7:30pm. The Board discussed this briefly. Younger said it may save some money – he will discuss with the Moderator.

### **Rep. Brownsberger – Legislative Update**

Representative Brownsberger appeared before the Board to provide a legislative update. Chair Leclerc asked Rep. Brownsberger to first address the issues raised at the recent

regionalization meeting. Brownsberger said that a Selectmen's resolution regarding regionalization may be helpful. He discussed the state budget, saying revenues are way down and it is too early to tell whether there might be mid-year cuts in local aid. The FY11 state budget picture looks dim as well, and Belmont may not get the same local aid for FY11 as it did in FY10 when it received federal stimulus money.

Back to regionalization, Selectman Firenze noted that some surrounding communities are looking to study regionalization as it relates to 911 calls. Local communities need an incentive to regionalize –more than saving money. Brownsberger said he is not sure what role the state has to play in this, but that there is a lot of interest at the state level.

Regarding Trapelo Road, Rep. Brownsberger said there is some progress on this project as it is highly scored by the state planning committee. Brownsberger urged the Board to “stay the course” as it is likely that it will get funded in a few years time.

### **Street and Trench Opening Permit Regulations**

Mr. Castanino, DPW Director, appeared before the Board to discuss street and trench opening permit regulations. The DPW has developed Street and Trench Opening Permit regulations for the Board to approve. These were reviewed by Town Counsel, the Office of Community Development, The Department of Public Health, the Police Chief, and the DPW staff. They come as a result of a Town Meeting vote that changed the bylaws to allow for street opening regulations. Mr. Castanino said he looked at other towns and took the best of what was available from the regulations he reviewed. A permit fee will be instituted. This would create a program with dedicated staff (part-time at first) to provide inspections of trench work. This program requires that the permit holder be responsible for the street restoration for a 5-year period.

The Board then discussed the details of trench and street openings.

Castanino reviewed more major provisions in the new program, including: traffic regulation, public safety, etc. The permit fees are expected to cover the Permit Coordinator/Inspector position, he said. The regulations should be in place by the end of this calendar year.

He is requesting the Board's approval of these regulations as well as approval for the position of “street opening permit coordinator.” A Police officer and the Assistant DPW director should be authorized to perform these inspections also if necessary.

*The Board moved:* To approve the street and trench opening permit regulations as well as the new position of Permit Coordinator to supervise the enforcement of these regulations; and that the Assistant Director of the DPW, the new Permit Coordinator or any police officer are authorized to enforce the regulations.

The Board discussed the timing and implementation of this initiative as well as the fines.

The motion passed unanimously (3-0).

Mr. Vincent Stanton, Royal Road resident, appeared before the Board to discuss pavement issues after National Grid worked on a gas line on his street. This started as a response to a call about gas odor. He reviewed the patching on Royal Road. The road, he said, is damaged, pitted, and tarred. It now needs to be resurfaced.

The Board and Mr. Castanino discussed the patching of roads to fix gas leaks and some of the challenges faced by National Grid.

### **Mulch**

Mr. Castanino addressed the issue of leaf collection. Leaves can be dropped off at the Town Yard and then used as compost for residents. Trucking the mulch away is expensive. DPW has arranged that it can be taken away at no cost in exchange for compost to be used by residents for their gardens.

### **11th Annual Snow Plow Rally – Peter Castanino**

Mr. Castanino remained before the Board to discuss the 11th Annual Snow Plow Rally safety training event which took place on September 11, 2009. The tests are written as well as operational. He noted that Mr. Paul Mosca and Mr. Nicholas Kacoyanis did very well on the exam.

### **ACTION BY CONSENT**

#### **Disposal of Wellington Surplus Property**

Mr. Younger said that there is a need to dispose of surplus property valued at less than \$5000 at the Wellington School. The School Department needs the Selectmen's approval to proceed. Town Accountant Hagg concurred that the items are worth less than \$5000.

*The Board moved:* To delegate the authority to the school department to implement the disposal of the referenced surplus property at the Wellington School.

The motion passed unanimously (3-0).

### **ACTION BY WRITING**

#### **Contract Fay, Spofford & Thorndike, Engineering Services Winn's Brook Area**

Selectman Jones reviewed the above action by writing item. Funding was previously approved by Town Meeting.

*The Board moved:* To sign off on the professional engineering services (\$931,000) for the design and construction of sewer overflow mitigation for the Winn Brook area.

The motion passed unanimously (3-0).

### **Approval of August 3 and 27, 2009, Board of Selectmen Minutes**

*The Board moved:* To approve the minutes of August 3, 2009.

The motion passed (2-0). Selectman Firenze abstained as he was not at the meeting.

*The Board moved:* To approve the minutes of August 27, 2009.

The motion passed unanimously (3-0).

### **OTHER**

Chair Leclerc reported that the Minuteman study committee is up and running. The committee will submit a resolution to Town Meeting recommending that Town Meeting not support any budget increase for Minuteman unless changes are made. The Board discussed the prospective resolution.

The Board moved to adjourn the meeting at 10:29 pm.

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Thomas G. Younger, Town Administrator