

MINUTES
BOARD OF SELECTMEN
MONDAY, NOVEMBER 27, 2006
Page 1 of 6
REGULAR SESSION
SELECTMEN'S MEETING ROOM, TOWN HALL
6:30PM

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 6:30 PM in the Selectmen's Meeting Room at Town Hall. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

EXECUTIVE SESSION

Executive Session (Litigation)

The Board moved: to enter into executive session for the purpose of discussing potential litigation and subsequently to return to open session.

Motion carried unanimously (3-0). The Board entered executive session at 6:32 PM.

(During executive session, one substantive motion was made and passed unanimously.)

The Board returned to open session at 7:03 PM.

QUESTIONS FROM TOWN RESIDENTS

Don Mercier of Cross Street asked about the status of a 5-year plan that the Housing Trust was going to present to the Board. Mr. Younger said that the Housing Trust will be discussing this with the Board at the Board's regular meeting on Monday, December 11.

ACTION BY APPOINTMENT

Tax Classification Hearing

The Board of Assessors appeared before the Board of Selectmen for the annual Tax Classification Hearing. The Assessors propose a tax rate of \$10.15 per thousand based on the total levy and the total value of assessed property in the Town. This rate is a decrease from the current rate of \$10.41 and reflects a continued decline in the rate since 1997.

The Selectmen considered the issue of whether to make a shift in the levy burden towards commercial/industrial properties by creating a higher tax rate for these properties. The Assessors explained that in Belmont, only about 5% of the total property values are in commercial/industrial properties. A shift in the levy burden would mean a gradual decline in residential taxes but a dramatic rise in commercial/industrial taxes. The average value of a Belmont business has gone up significantly since last year and so has the average tax bill. The Assessors recommend a unified rate of \$10.15 per thousand for both property classes in order to continue to provide an environment for commercial growth in Belmont. Shifting the rate would not generate more money for the Town but only force the businesses to bear more of the burden.

There was discussion of the residential tax exemption. The Assessors noted that this exemption shifts the burden within the residential property classification from less expensive and owner occupied properties to more expensive and absentee properties. To accomplish this, a flat

amount of valuation is exempted for taxation for all owner-occupied properties and then the residential rate is recalculated and applied to all residences. The effect is to decrease the taxes for properties that are below average value and increase it for those above. The Assessors recommended that a residential tax exemption not be implemented.

The new tax rate will leave the Town \$800,000 below the levy limit set by Proposition 2.5. This is based on estimates about the amount of non-tax revenue that will be derived from sources such as building permits, which have changed since they were first made during the budget process.

The Board did not feel comfortable finalizing the excess levy capacity without having a conversation with the Town Accountant.

The Board moved: to accept the Assessors' recommendations on tax classification and the residential exemption.

Motion carried unanimously (3-0).

It was agreed to recess the Board of Selectmen's and Assessors' meetings tonight and resume on Thursday morning at 9:00 AM with Town Accountant Barbara Hagg to finalize the excess levy capacity.

New License for Used Car Dealer's License-Class II
James F. Sama, dba Full Spectrum Motorsports, 345 Pleasant Street

This is a transfer of a license that belonged to Belmont Seat Cover at the same location. The new business will focus exclusively on sales of used cars. Community Development Director Glenn Clancy has approved the license with the restriction that the number of cars allowed on the lot remains at a maximum of 10.

The Board moved: to approve the license with the restriction.

Motion carried unanimously (3-0).

Public Hearing on Utility Petition - Verizon for Brighton Street (D06_62)

Verizon representative Dan Fitzgibbon appeared before the Board and explained that the request is to place conduit under the sidewalk to hook up the new Habitat for Humanity house at 315 Brighton Street. The sidewalk will be replaced afterward.

The Board moved: to approve the request.

Motion carried unanimously (3-0).

ACTION BY WRITING

A. Human Rights Commission Appointment

Laurie Graham, Vice-Chair of the Human Rights Commission (HRC), appeared before the Board. Bill Rudman recently passed away creating a vacancy on the HRC which will expire in 2008. Lisa Bernt has volunteered to be on the HRC and Chairman Solomon has recommended her appointment. Patricia Lohmar has also requested an appointment. There was discussion of changing the charter of the HRC to allow more than 11 members. The HRC has discussed this and is comfortable adding a 12th member. There was also discussion of whether to go to 13 members to avoid any possibility of a tie vote.

Chairman Solomon felt ties are so rare that it does not warrant going to 13 members. Selectman Firenze recommended keeping the membership at 11 and appointing Lisa Bernt to fill the vacancy.

The Board moved: to appoint Lisa Bernt to fill out the expiring term.

Motion carried unanimously (3-0).

The Board decided not to enlarge the membership of the HRC for now given that some members' terms will expire in 2008, and in the interim Ms. Lohmar can come to the Commission's meetings even if she is not a member.

ACTION BY CONSENT

A. Application for License and Permits - Renewals
Junk, Old Metals and Second Hand Articles License
DVIN Jewelers, 210 Belmont Street

The Board moved: to approve this license.

B. Approval of Board of Selectmen's Meeting Minutes (9/11/06, Joint Meeting 9/20/06 and 10/23/06) Executive Session Meeting Minutes (9/19/06, 9/25/06, 10/17/06 and 10/23/06)

The Board moved: to approve these items.

Motion carried unanimously (3-0).

ACTION BY APPOINTMENT

Light Board Meeting

The Board recessed its meeting at 7:58 PM to convene as the Light Board. The Board reconvened at 8:21 PM.

Belmont Center Fire Station Update

Mr. Younger reported that the closing on the Central Fire Station has been delayed. The buyer's bank was under the impression the closing was December 11 and therefore was not prepared to close on November 20. The Town is working to expedite the process and close as quickly as possible. There do not appear to be any significant obstacles that would prevent the closing.

Also, the Harvard Lawn Fire Station Committee is having its second meeting and should have a recommendation by early next week for the Board's action by December 4 or 11.

Town Administrator's Report

Mr. Younger reported on the following items:

" Belmont's legislation to create a GASB 45 accounting fund has been engrossed in the House and is on to the Senate.

" The Town has received a \$291 waste reduction grant from DEP.

" The Habitat for Humanity project is being prepared for closing on the property within 2-3 weeks.

" Police Chief Search: 4 candidates will go through the assessment center on December 13 and the Board will receive recommendations on those candidates within 48 hrs. The Board discussed whether to hold a separate meeting to interview the candidates. The Board tentatively put a hold on the evening of December 19 for a possible meeting.

OTHER

The Human Rights Commission has asked permission to erect a No Place For Hate sign on Concord Avenue at the Cambridge town line. Belmont has already approved the designation of the community as such by the Anti-Defamation League.

There was discussion of the best location to put the sign.

The Board moved: to approve the recommendation to put up the sign and delegate the decision about where to put it to Mr. Younger.

Motion carried unanimously (3-0).

ACTION BY APPOINTMENT

Energy Policy Approval

Jenny Fallon appeared before the Board representing the energy subgroup of the Structure Group. The Board considered an energy policy for the Town drafted by the subgroup. Ms. Fallon explained that the goal is to build on the success of the ESCO project by continuing to conserve energy, both for environmental reasons and as prices rise with an eye toward savings. Belmont enjoys a high reputation for leading the Commonwealth in this area. The policy is being proposed to both the Selectmen and the School Committee for adoption.

There was discussion of the need for an oversight process for implementation of the policy. The Board then discussed the wording of the objectives and general goals outlined in the policy.

The Board agreed to strike a paragraph from the policy and make a minor wording change.

The Board moved: to adopt the policy statement as amended.

Motion carried unanimously (3-0).

The Board moved: that the energy policy as adopted be transmitted to all Town employees with the statement that the Board appreciates anything that can be done to further the policy.

Motion carried unanimously (3-0).

OTHER

The School Committee has requested a joint meeting on December 6 to discuss collective bargaining. The Board would prefer to hold off until January to enable all members to attend.

Mr. Conti reported that he has discussed holiday parking changes with Kevin Foley. Mr. Foley has agreed to shelve the idea of making any changes for this coming holiday season, but would like to resume the discussion of such next year.

The Town received a letter from the Belmont Education Association (BEA) explaining that a number of providers will no longer be accepting First Seniority, requiring members who wish to keep their doctors to pay extra. However, the letter came after the Town's annual enrollment period ended and Human Resources did not hear many complaints about this. BEA wants Belmont to make an arrangement to offer a Tufts plan that would include these providers. However, having a single provider saves the Town money. Selectman Firenze said the situation is unstable and is likely to be resolved by the doctors and the insurance companies. Selectman

Brownsberger will talk to Human Resources Director Diane Crimmins and the item will be placed on the next meeting's agenda if concerns remain.

The Board recommended that DPW Director Peter Castanino look at the issue of possible signage to clarify the continuation of Concord Avenue through the center of town.

The Purecoat Committee has been asked to submit a report to the Board by the end of December.

Selectman Firenze raised the issue of road striping on Belmont Street near the Cambridge border. It was suggested that the Traffic Advisory Committee look at this.

The Board asked Mr. Younger to keep an eye any steps taken by Cambridge in looking at the possibility of banning leaf blowers.

A meeting has been scheduled with Chairman Solomon, Mr. Younger, and Jonathan Green of the Cable Advisory Committee to discuss issues relative to the idea of using space at the VFW hall for the Belmont Media Center. The VFW is struggling to afford the maintenance of the building as it is currently being used.

There was discussion of the process for selling the Sherman Street, Frontage Road, and Woodfall Road parcels of Town land as authorized by Town Meeting. Selectman Firenze requested a time frame for the assessment and sale of these properties.

Mr. Conti will update the Board next week on the ad hoc parking group's activities. Mr. Conti asked for and received from the Board permission to proceed with planning for an employee holiday celebration. He will have an estimate of the cost for the Board next week.

The Board recessed at 10:01 PM until Thursday, November 30, 2006 at 9:00 AM to meet with the Board of Assessors.

The Board returned to session at 9:02 AM on Thursday, November 30, 2006. The Board of Assessors, Treasurer Floyd Carman and Town Accountant Barbara Hagg appeared before the Board to continue the discussion of excess levy capacity.

Mr. Younger said that the financial team has reviewed estimated receipts for FY07 and reduced them based on areas that were unusually high in FY06. As a result, the new figure for the excess levy capacity is \$215,000, down from \$940,000. Ms. Hagg reviewed the numbers for 15 categories of estimated receipts. The levy limit stated on Monday also failed to include \$148,000 from the Senior Center debt exclusion.

It was clarified that the revised number signifies that Belmont will be raising \$215,000 less in taxes than it is allowed under Proposition 2 ½. There will be no effect on how much the Town is allowed to raise in future years.

Warrant Committee member Pat Bruschi suggested increasing the overlay account used for payments of tax abatements, which would allow the extra money to be raised but not spent by Town Meeting in FY07 - it would ultimately be released by the Board of Assessors at the end of the year and go into free cash. The Warrant Committee voted unanimously to hold a special town meeting and appropriate the money to a stabilization fund, but did not consider the overlay idea.

Town Meeting Member Ann Mahon asked if there is any way the money could be released to be used in FY07 for textbooks and other items left out of the school budget. Pat Bruschi pointed out that the school has \$1 million in its revolving account which could be used for that purpose.

Bob Reardon said normally he would not advocate raising the overlay account but this is a special case. The Board of Assessors is allowed to have the account as high as 5% of the total levy and they have kept it around 2%, so there is room to do this. Also, the commercial values in town have increased significantly and that can lead to more abatement requests, so there is a rationale for increasing the overlay account to reflect this.

The Board agreed to allow the Assessors to raise the overlay account as suggested. The Board of Assessors will prepare the necessary documentation for the Board to sign on Monday.

Selectman Brownsberger asked to see a comparison of how the estimates have evolved during the budget process over the past few fiscal years. Town staff will try to have this ready for the Board's review at an upcoming meeting.

The Board adjourned at 10:03 AM.

Thomas G. Younger
Town Administrator