

MINUTES
BOARD OF SELECTMEN
MONDAY, DECEMBER 11, 2006
REGULAR SESSION
SELECTMEN'S MEETING ROOM, TOWN HALL
7:00PM

I. CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:00 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.

II. QUESTIONS FROM TOWN RESIDENTS

There were no questions.

III. ACTION BY APPOINTMENT

Community Development Block Grant Application

The Town is applying for a grant to cover elevator issues at the Waverley Oaks senior housing property and reconstruction of the streets around the Waverley Oaks complex. The Town must provide 20% matching funds in order to obtain the grant, which would be for \$530,000.

There was discussion of whether an elevator is needed in all three buildings. The matching funds will come from the Town's roads budget and will be applied to the roads portion of the project.

The Board moved: To approve the grant application.

Motion carried unanimously (3-0).

The Conservation Commission is applying for a DEP grant to address sediment inputs at Blair Pond and Clay Pit Pond.

The Board moved: To approve the grant application.

Motion carried unanimously (3-0).

Award from Bids for Sewer and Storm Drain Rehabilitation

Community Development Director Glenn Clancy is requesting the Board's approval to award the contract to the low bidder for \$1.4 million, which was below the cost that was estimated and budgeted.

The Board moved: To approve the contract award as recommended.

Motion carried unanimously (3-0).

Disability Access Commission Appointment - Associate to Full Membership

The Disability Access Commission has requested the Board to elevate Fran Williams to full membership to replace a departing member.

The Board moved: To appoint Francis Williams as a full member of the Disability Access Commission.

Motion carried unanimously (3-0).

Selectman Brownsberger mentioned a recommendation from the auditor about a disaster recovery plan, including off-site backup of records and a place to access them and carry on the business of the Town. He suggested Mr. Younger have such a plan by the end of the current fiscal year.

The Board moved: That the Town Administrator have a disaster recovery plan in place by the end of the current fiscal year.

Motion carried unanimously (3-0).

Harvard Lawn Fire Station Discussion

The Harvard Lawn Fire Station Committee appeared before the Board to discuss their recommendation that the property be re-bid in the spring, but to choose Urbanica if the project is to be awarded now. The Committee felt a re-bid could bring a price of \$500,000-\$550,000 in a stronger housing market, but it also felt that a strong proponent like Urbanica would add value for the Town in the long term by doing a good job.

Mr. Younger clarified that the cost of maintaining the building for a few more months is minimal. He also pointed out that this fire station received 4 bids which is more than either of the other two stations received.

There was discussion of the true value of the property and whether the presence of the non-buildable lot next door creates the potential for a much higher value if an agreement could be reached. Committee Chair Andy Rojas said the neighbors do not seem interested in coming to an agreement and the Committee does not feel that any such agreement would be likely in a re-bid situation. Selectman Brownsberger noted the non-monetary opportunity cost of a re-bid in time and energy that could be spent on other projects.

The Committee clarified that it feels comfortable with Urbanica's proposal as far as meeting the criteria of the RFP, and their experience in delivering this kind of project. The only issue is the price.

Selectman Brownsberger felt that if wanting more money is the only issue, with no concrete reason to expect higher bids, he would vote to award the bid to Urbanica at this point.

Selectman Firenze said he disagreed with many of the assumptions made by the appraiser in valuing the property at \$350,000. He also felt the Town could do a better job of marketing the property to developers. He would vote to re-bid the property.

Mr. Rojas pointed out that the RFP would not need to change except for a few dates. It could be sent out in March.

It was noted that the community has expressed a preference for maintaining the existing façade. Urbanica's proposal would do this.

Mr. Younger noted that none of the proposals failed to meet the criteria of the RFP. If the property is re-bid there are no guarantees of what responses the Town will get. Mr. Younger said he is comfortable accepting Urbanica's bid.

Chairman Solomon said he favors accepting Urbanica's bid. Honoring the wishes of the community will limit the ability to get more money. Every month that the project is delayed is a month in which we do not get any tax revenue from the development.

Selectman Firenze asked if something can be done to prevent combining the lot with the one next door after the sale in which case the Town would lose out on the increased value. The consensus was that it is too late to impose such a condition which might have impacted the bid prices.

The Board moved: To award the Harvard Lawn Fire Station property to Urbanica for \$400,000.

Motion carried 2-1 (Solomon, Brownsberger aye, Firenze nay.)

Affordable Housing Discussion

Chair Roger Colton and the members of the Housing Trust appeared before the Board.

Mr. Colton explained that the Housing Trust, formed in 1999, is a non-profit company whose Board of Directors is appointed by the Selectmen. The Trust is working on the Waverley Woods project; has successfully proposed a new inclusionary housing by-law; entered a regional consortium that brings federal dollars to Belmont; and built the B Street development. A total of \$815,000 has been raised from outside sources to support the trust's activities. The Trust has also established an affordable shelter fund and an earned income tax credit outreach program.

Looking ahead, the Trust's first priority is to finish ongoing projects: Habitat, Waverley Woods, Avalon Bay at Met State Hospital with 30 affordable units for Belmont residents; ARC senior affordable housing units issues; Belmont Uplands affordable housing issues; and issues surrounding utility allowances.

Future plans fall into three areas: Additional Housing Development - possible developments at Our Lady of Mercy, Sandler Skate Shop, Brighton Street etc.; Stable Adequate Funding - advocating for use of the O'Neill Associates affordable housing payment to enhance Town staffing to monitor and oversee current and future developments; and Housing Policy - looking at the housing implications of zoning initiatives.

There was discussion of Chapter 40B affordable housing projects and the Town's vulnerability to them. Mr. Colton said the more steps Belmont takes to identify locations where affordable housing is welcome, such as the Cushing Square Overlay zone, the more sympathy the Town will get from the state review board on Chapter 40B appeals.

Over the next six months, the Housing Trust will be focused on the 2007 Annual Town Meeting, with proposals to modify affordable housing requirements in LB districts, comment on a proposed 40R development for the Our Lady of Mercy property, and seek special legislation for condo conversion fees to promote the preservation of two-family homes as affordable rental units (and not condos.)

The Housing Trust recommended that the Selectmen explore the possibility of taking advantage of the Community Preservation Act (CPA), which allows the Town to increase its tax rate over the levy limit to build a fund for community preservation, expenditures from which receive matching funds from the state.

Resident Don Mercier read from a letter to the Selectmen. He favors converting existing units to affordable housing rather than building new units. He favors cooperative legislative action with other towns to count more units as affordable. He also favors legislation or regulation to establish housing preferences in affordable units for families that have adopted children from Massachusetts foster care. Mr. Mercier also advocated for modular or manufactured housing.

The Board moved: to refer to the Planning Board the Housing Trust's recommendations on inclusionary zoning.

Motion carried unanimously (3-0).

Mr. Conti and Mr. Younger will look into what language other communities may have for condo conversion fee legislation, with the goal of preparing a bill for Town Counsel to review. Selectman Firenze said the fee should include teardowns and other projects that take affordable housing off the market.

The Board moved: To direct the Town Administrator to work with the Housing Trust to develop a proposal for condo conversion fee legislation along the lines suggested by Selectman Firenze, with funds to be applied to the preservation of affordable housing.

Motion carried unanimously (3-0).

The Housing Trust will provide the Selectmen with a draft charter and a list of community groups to be represented on an exploratory committee looking at the CPA idea.

Town Administrator's Report

Mr. Younger reported on the following items:

" The Town has received the closing check for the Central Fire Station from Burke Land Company. Mr. Younger will work with the restaurateur to make sure the plan is in place for the 130 seats necessary for a full liquor license.

" The tentative closing date for the Habitat property is January 10.

" A meeting has been scheduled with the Belmont Country Club and Town Counsel on December 18, with the goal of wrapping everything up related to the Woodfall Road issue.

" Traffic enforcement will be increased on Trapelo Road and the Traffic Advisory Committee will look at striping issues at the Trapelo Road - Belmont Street merge.

" The Post-Employment Benefits bill has been passed and should be going to the Governor this week. The liquor license bills will be re-filed if not passed by the end of the legislative session.

" The Police Chief assessment center will be held this Wednesday. The finalists' names should be available the next day. The Board agreed to interview the candidates at its meeting on the 18th (starting early at 6 PM) with the goal of making a decision that night.

" Friday was the deadline for resumes to be in for the Light Department Director position. 10-12 resumes were received. Ashley Brown of the Municipal Light Advisory Board and Human Resources Director Diane Crimmins will go through them, conduct interviews and submit candidates to the Light Board in January.

IV. ACTION BY CONSENT

A. Approval of Alcohol Licenses Renewals

Two of the applicants have exceeded their maximum seating occupancy on occasion. Mr. Younger explained that these violations are issues for their common victualler licenses, not their liquor licenses. He recommended that the Board vote to renew the licenses but hold them in the office until we see evidence that the problems have been addressed.

The Board moved: To approve all the liquor license renewal applications.

Motion carried unanimously (3-0).

V. OTHER

There was discussion of a request from the MWRA for a letter to legislators on water rate relief.

The Board moved: To send such a letter.

Motion carried unanimously (3-0).

The Board moved: To ask the Light Department to review the lighting at Beech & White Streets.

Motion carried unanimously (3-0).

RFPs for the parcels on Sherman Street & Frontage Road should be ready in two weeks or so.

There was discussion of the VFW Building and talks with the Media Center about leasing part of the building. Mr. Younger is looking at the Town's possible options with regard to this property since the VFW does not seem to be able to afford to maintain the building and is seeking to allow use of part of the building by the Media Center. It does not appear that the issue will be resolved by December 31. The building will require roofing and A/C improvements but neither the VFW or the Media Center has the resources to do this.

The Board moved: To enter executive session to discuss the purchase of real property and not to return to open session.

Motion carried unanimously (3-0).

(During executive session, no substantive motions were made. The Board adjourned at 10:39 PM.)

Thomas G. Younger, Town Administrator