

MINUTES
BOARD OF SELECTMEN
MONDAY, FEBRUARY 5, 2007
REGULAR SESSION
SELECTMEN'S MEETING ROOM, TOWN HALL
7:00 PM

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

Board of Survey Hearing: Woodfall Road

Community Development Director Glenn Clancy appeared before the Board to discuss the development of a new road as part of the proposed sale for development of town property off of Woodfall Road. The proposal does not include a sidewalk because there will be limited traffic based on a maximum of four homes on the property. The proposal also does not include street lights or public shade trees.

The Selectmen, acting as the Board of Survey, will need to grant waivers for: a 20-foot paved width as opposed to the standard 26 feet; a 650-foot length as opposed to the normal 600 foot maximum; a 5-foot buffer from the right of way limit to an adjoining property as opposed to the required 15 feet. (It was clarified that most current corner properties in Belmont do not have a full 15-foot buffer.)

Gail Cook, the abutter on Greensbrook Way to the location of the proposed road, said that this will remove the vegetation that keeps golf balls from coming onto her property and she is concerned for the safety of her property. The Board clarified that as part of the development a fence will be erected to prevent the golf balls from crossing the road.

The Board moved: To approve the requested waivers.

Motion carried unanimously (3-0).

The Board moved: To continue the name of Greensbrook Way for the new road.

Motion carried unanimously (3-0).

The Board moved: To approve a 2-year window for construction of the new road as opposed to the usual 1-year time frame.

Motion carried unanimously (3-0).

The Board moved: To allow a Cape Cod berm for curbing as opposed to granite curbing.

Motion carried unanimously (3-0).

The Board moved: To allow the road to be built with no sidewalks.

Motion carried unanimously (3-0).

The Board moved: To allow a waiver for the agreed-upon fence which does not match exactly the state standards.

Motion carried unanimously (3-0).

The Board moved: To allow the development to proceed without the addition of public shade trees.

Motion carried unanimously (3-0).

Ms. Cook said there are a lot of juveniles that hang out in the area because of the golf course and maintaining the street lighting near her home would help to curb this activity. Mr. Clancy agreed the light in question could be moved and maintained. Ms. Cook also asked if she could put in a circular driveway on her property, but Mr. Clancy said the zoning does not allow this.

The Board moved: To sign the plans for the proposed roadway.

Motion carried unanimously (3-0).

Community Preservation Act Exploratory Committee Discussion

The Housing Trust appeared before the Board. The Trust has requested the Board appoint an exploratory committee to look into the adoption of the Community Preservation Act (CPA). The Trust presented a draft charge for such a committee and suggestion about groups and stakeholders to be represented on the committee.

Roger Colton explained that the CPA is state legislation which provides matching funds to those communities who adopt the CPA through a referendum which would place a surcharge of up to 3% on property taxes. CPA funds can be used for the acquisition and preservation of open space, affordable housing, or recreation land, or for historic preservation.

The committee would be asked to list the projects that could be funded through the CPA and show the impact on the Town's budget over the next few years of doing so. There was discussion of the composition of the 13 member committee and the draft charge was amended to grant the Board discretion to appoint members as it sees fit, including representatives of the groups identified.

The Board moved: To approve the creation of the committee as formulated in the draft as amended.

Motion carried unanimously (3-0).

Library Discussion and Trustee Appointment

The Library Trustees appeared before the Board along with library director Maureen Conners.

Chair Hal Shubin said that Larry McCormick had to resign as a trustee when he was appointed a judge. The Trustees are requesting that Matt Lowrie be appointed to fill the remaining two years of Mr. McCormick's term. Mr. Lowrie is an attorney and a Town Meeting Member. The Selectmen and Trustees need to jointly vote to approve the appointment.

The Board moved: To approve the appointment.

Motion carried unanimously (3-0).

The Board and the Trustees proceeded to discussion of the proposed library construction project and the relative priority of the project both for the Town and on the state's grant funding list. Mr. Shubin explained that Belmont is now #10 on the state's list and the award amount has been proposed to increase from \$4 million to \$5.3 million. Past experience suggests that Belmont could receive an award as early as FY08, and would then have to accept the award and secure the local funding (\$18 million) that the award is contingent upon. The Trustees feel that more design work needs to be done before asking the Town for money, but in order to do that a building committee is needed. If the design work is not completed there is a good chance of losing the funding; if it is completed, there is a good chance of getting an extension.

The Trustees are requesting that the Annual Town Meeting approve a library building committee. They hope to be able to provide funds for such a committee from library funds so that the Town does not have to appropriate its own funds for the design work. The Trustees said that they expect to raise several million dollars in private fundraising, further reducing the cost of the project to the Town.

Chair Solomon interrupted the discussion to introduce Belmont's new Police Chief, Richard McLaughlin, a 20 year town resident, whose contract has been agreed upon.

There was discussion of the possibility of combining the library project with another building project. The Trustees agreed that an alternative site and/or a combined project could be looked at, with possibilities for saving money, but the time pressure remains.

The Board felt that there were too many uncertainties to move ahead with a building committee at this time, especially with the Capital Projects Planning Group scheduled to meet to discuss some of these issues on March 19.

Sewer Connection Fee: Ralph Jones

Chair Ralph Jones appeared for the Sewer/Stormwater committee. He explained that Mr. Heigham of the Warrant Committee has drafted a memo analyzing the law regarding what the Town can charge for new sewer and water hookups.

The Town currently charges \$250 per installation. The first question is, does this meet the Town's costs? The second question is whether the fees should contain a component to pay for the existing capital costs borne by the Town. Analysis of the law seems to indicate that the Town could raise the fees significantly both to cover its costs and to recover capital investment expenses. The Town can increase these fees without outside approval but must demonstrate a rational accounting basis for the charges so as not to be accused of discriminatory rate policy.

Mr. Jones proposed that Town Administrator Younger work with Public Works Director Peter Castanino and Town Counsel and report whether the Town's current fees are covering costs, and then determine what accounting method should be used to determine the appropriate capital cost recovery amount.

Self-insurance Discussion

Mr. Jones said a majority of the Warrant Committee is supportive of this idea but there are a few who are opposed. One of the concerns that has been raised was about the Town having to decide coverage appeals. Mr. Younger inquired and found that Harvard Pilgrim will be the final arbiter of appeals in exchange for an additional fee.

The Board wanted to hear the result of the School Committee's vote on the matter, but members felt comfortable moving forward with this approach.

Town Administrator's Report

Mr. Younger said that Precinct 5 voting is being moved from the Methodist Church to the new Fire Station on Trapelo Road. This requires a vote.

The Board moved: To approve the voting location change for Precinct 5.

Motion carried unanimously (3-0).

There was discussion of the Woodfall Road property. The land transfer agreement has been signed. The Board discussed auctioning the property as opposed to using an RFP process. The Board felt this would be preferable and might result in more money for the Town while still maintaining the terms and conditions that would have been in an RFP.

Mr. Younger has asked the departments to report on their current activities toward shared purchasing and will ask other communities to do the same to see where regionalization opportunities lie.

The Board moved: To sign the contract with new Police Chief Richard McLaughlin.

Motion carried unanimously (3-0).

VI. OTHER

The Board asked Mr. Younger to inquire with Comcast about an explanation for a number of complaints that Comcast reported relative to their installations.

The Board discussed requesting e-mail addresses from Town Meeting Members so that they can be notified about committee vacancies and contacted regarding volunteer opportunities. The Board asked to have a letter sent to the Town Meeting Members regarding interest in current committees as well as the proposed Community Preservation Act committee. This would allow the volunteer database to be rebuilt from scratch.

EXECUTIVE SESSION: (a) Litigation
(b) Acquisition of Real Property

The Board met with Ms. Nelly Akin from the Trust for Public Lands to discuss the possibility of acquiring the Belmont Uplands site, with a bill pending to provide \$6 million in state funding toward this goal.

Ms. Akin said the Trust is a national organization that has protected 2 million acres of land and 11,000 in Massachusetts. The Trust does not own any land but works with public agencies on the projects that are important to them. In a case like the Uplands, the Trust would try to negotiate an option to purchase the property from the landowner. Then the Trust would work with the Town to come up with the money to buy the land - the Trust does not provide any capital, just manpower and know-how. The Town ends up with the land at the end of the process.

The Board moved: To enter executive session to discuss acquisition of real property, and subsequently to discuss potential litigation, and not to return to open session.

Motion carried unanimously (3-0). The Board entered executive session at 10:02 PM.

(During executive session one substantive motion was made and passed unanimously. The Board adjourned at 10:37 PM.)