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**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, March 16, 2015
7:00 PM**

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:00 p.m. by Chair Rojas in the Selectmen's Meeting Room. Selectmen Baghdady and Paolillo were present. Town Administrator David Kale and Assistant Town Administrator Marshall were also present.

Moment of Silence

Chair Rojas requested a moment of silence to honor the memory of retired Dispatcher Robert A. Dally.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Signing of the Annual Election Warrant for April 7, 2015

Ms. Ellen Cushman, Town Clerk, appeared before the Board to request that the Board approve the Annual Election Warrant for April 7, 2015. Ms. Cushman explained that the wording of the Warrant as well as the Override ballot question follows what is sanctioned by local and state guidelines.

The Board moved: To approve the Annual Election Warrant for April 7, 2015.
The motion passed unanimously (3-0).

The Board signed the Warrant.

Convene as Board of Survey to discuss 863 Concord Ave.

The Board moved: To convene as the Board of Survey.
The motion passed unanimously (3-0).

Mr. Kale informed the Board that this issue would need to be continued to a later date as the principles could not attend this evening's meeting.

The Board moved: To continue as this issue at the next Board meeting.
The motion passed unanimously (3-0).

Reconvene as Board of Selectmen

The Board moved: To re-convene as the Board of Selectmen.
The motion passed unanimously (3-0).

Continuation of Liquor License Hearing: Surinder LLC d/b/a Jimmy's Food Mart; 297 Belmont Street Application for a Wine and Beer Retail

Mr. Steve Rosales, Attorney, and Parmjit Singh and Surinder Kaur Dhaliwal of Jimmy's Food Mart, appeared before the Board to request a wine and beer liquor license.

Chair Rojas requested that Mr. Rosales agree that the deadline for the Board of Selectmen to issue a written decision on the application for alcoholic beverages license be extended to March 31, 2015. Mr. Rosales signed the document.

Mr. Rosales informed the Board that the applicants made changes to the Business Plan since their last meeting with the Board. The owners are now focusing on selling international/ethnic food products. Examples include spices, rice, tea, lentils, and other food items from India, Pakistan, Asia and the Middle East. The owners have further agreed to not sell tobacco products. However, they will still sell lottery tickets.

Selectman Baghdady asked whether there was capital improvements in addition to changes in inventory included in the modified business plan. Mr. Singh indicated that there was improvement to refrigeration. Mr. Baghdady also asked about the proximity to a day care business in the neighborhood. Mr. Rosales mentioned that unlike other applications before the Board of Selectmen, there was no opposition from the day care business.

Selectmen Paolillo asked whether the owners had given thought to discontinuing sale of Lottery in addition to the other changes made in their business plan. Mr. Rosales indicated that there had been preliminary steps to begin sale of baked goods, salads, "take home" and microwaveable food items, the sale of Lottery was needed for the business to be successful.

Chair Rojas asked whether there was anyone else wanting to speak regarding the application.

Hannah Gaines, Lewis Road resident spoke about the business honoring the hours of operation as posted, the store is very well lit and comforting to visit. The business owners keep the sidewalk and exterior of the property clear and dry during snow events this winter season.

Steven Parnagian, 40 Stuart Terrace, said that he supported the application and appreciated the changes described in stocked items.

Selectman Baghdady read an email communication into the record which was received from Carolyn Bozkurtian expressing that she did not support the Board of Selectmen granting of the license at the location.

Chair Rojas read an email received from Leader Bank into the record expressing support for the applicant receiving the license.

Selectman Baghdady stated that the sale of lottery was inconsistent with the business plan as revised to represent an ethnic foods business plan. He encouraged that the business plan be expanded to provide fresh food products as a focus in place of the lottery aspect which he would find more acceptable for the license to sell beer and wine.

Selectman Paolillo asked whether there was any consideration by the business owner to move in the direction to expand on the products in place of the lottery sale, then there would be unanimity in the decision to grant the license favorably.

There was discussion regarding the traffic issues in the area of Lewis Road and a request to the Traffic Advisory Committee to provide remedies. Selectman Paolillo said there were still concerns about the Lottery sales, not as much on the traffic matter. While he understands the revenue aspect of the Lottery sales, there is not support for a package store. There has been precedent in previous license applications that were granted to eliminate the sale of tobacco and lottery.

Mr. Singh described his business costs that were reasons why he was not interested in suspending the sale of lottery. The revenue from sale of beer and wine was not comparable to the revenue from lottery at this time.

The Board moved: To close the public hearing.
The motion passed unanimously (3-0).

The Board acknowledged that while the improvements will be better for the business overall, they remain concerned about the following: License for sale of wine and malt not compatible with the neighborhood and previous licenses have been awarded to businesses that agreed not to sell lottery and tobacco which is consistent with the application before the Selectmen, and issues around traffic, parking, and congestion.

The Board moved: To deny the application for a license for retail sale of wine and malt beverages for Jimmy's Food Mart, 297 Belmont Street.
The motion passed unanimously (3-0).

Acceptance of Resignation Letter from the Housing Trust

Chair Rojas noted that Mr. Jensen Lozano has resigned from the Housing Trust.

The Board moved: To accept the letter of resignation for Mr. Jensen Lozano.
The motion passed unanimously (3-0).

Committee Appointments

Shade Tree

The Board moved: To appoint Ms. Susan Harris as a full member of the Shade Tree Commission to a term expiring in 2017.
The motion passed unanimously (3-0).

Vision 21

The Board moved: To appoint Ms. Carol Traeger as a full member to the Vision 21 Implementation Committee for a term expiring June 30, 2017.
The motion passed unanimously (3-0).

ACTION BY CONSENT

Approval of an application from Mr. Theodore Speros for a license to operate a Lodging House at 386 Common Street

Information from the Community Development Director was provided to the Board, in addition to census reports submitted to the Town Clerk for several years. The census information represents between 9 and 13 occupants over different years due to the occupancy at the time of the census report. 13 occupants is the number reflected on the certificate on file as described by Mr. Kale.

Mr. and Mrs. Theodore Speros and their attorney, Mr. Joseph Noone, appeared before the Board to discuss the application for a license to operate a Lodging House at 386 Common Street. Mr. Speros provided information concerning the history of the Lodging House at the present location since 1960. In late 1980's there was a question about Lodging Houses in Belmont and it was determined that the operation was grandfathered. Occupancy load is calculated by square footage as defined in Health Code. Parking at the site was discussed and Mr. Speros stated that lodgers are told there is not parking available. Qualified lodgers are limited in income in order to receive assistance.

The Board moved: To approve the application for renewal of the license from Mr. Theodore Speros to operate a Lodging House at 386 Common Street.
The motion passed unanimously (3-0).

Approval of an application from Donata Barber and Francesca Buffo for a Junk, Old Metals, and Second Hand Articles License for a store known as Belmont Consignment at 454 Common Street

Ms. Donata Barber appeared before the Board to discuss the application for a Junk, Old Metals, and Second Hand Articles License for a store known as Belmont Consignment at 454 Common Street. Ms. Barber provided background information concerning her current store in Cushing

Square (Uncommon Finds) and the new shop. Belmont Consignment will focus on selling gently used furniture and home furnishings.

The Board moved: To approve the license request, details noted above.
The motion passed unanimously (3-0).

Town Administrator's Report

Mr. Kale reported on the following items:

An informational reverse 911 message was sent out today on the following items:

- The Partial Parking Ban has been lifted now that snow has begun to melt and streets are more passable.
- Smart 911 is available to Belmont and members of the community are invited to participate in the service by providing any information the resident/owner wants to offer that is unique to property such as pets, special needs and owners.
- Remind residents to check that the segregation of recyclable materials is within guidelines. Since Belmont has a dual stream recycling program the contractor will not be able to collect contaminated loads that are not adequately separated.
- Free Cash Guideline: The Warrant Committee had worked with the Board of Selectmen on a guideline. It targets a calculation that 3-5% of the General Fund budget be set aside for free cash. The Board expressed its support for the guideline, as revised, but requested flexibility on that percentage in case future budget cycles suggest a different amount.

The Board moved: To approve the Free Cash Guideline, as presented by Mr. Kale.

The motion passed unanimously (3-0).

Other Business

Ms. Julie Broude approached the Board to ask what she could do about her application to open a preschool on Clairemont Ave. which was denied by the Zoning Board of Appeal. Selectman Paolillo suggested she meet with Chair Rojas privately to discuss this matter.

A meeting will be scheduled for discussion with the Board of Selectmen on Articles proposed for Annual Town Meeting.

Approval of Meeting Minutes

January 5, 2015 Board of Selectmen meeting minutes and Executive Session minutes

The Board moved: To approve the meeting minutes of January 5, 2015 with Executive Session.

The motion passed unanimously (3-0).

January 26, 2015 Board of Selectmen meeting minutes and Executive Session

The Board moved: To approve the meeting minutes of January 26, 2015 with Executive Session.

The motion passed unanimously (3-0).

NEXT MEETINGS

- Tuesday, March 17, 2015 at 8:00 a.m. Town Hall
- Friday, March 20, 2015 at 3:15 p.m. Beech Street Center, Precinct Meeting
- Monday, March 30, 2015 at 7:00 p.m. Beech Street Center, Precinct Meeting
- Wednesday, April 8, 2015 at 6:00 p.m. Office Hours – Andrés T. Rojas
- Wednesday, April 8, 2015 at 7:00 p.m. Town Hall

The Board moved to adjourn the meeting at 9:00 p.m.



Mr. David Kale, Town Administrator

APPROVED
BOARD OF SELECTMEN
DATE: 5-28-2015