

2015 SEP -1 PM 2: 17

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
BEECH STREET CENTER
Thursday, May 28, 2015
5:30 PM**

CALL TO ORDER

Open Session

The Board moved: To enter into executive session at 5:35 p.m. to consider the purchase, exchange, lease or value of real property if an open meeting may have a detrimental effect on the negotiating position of the public body and the Chair so declares-Cushing Village and Woodfall Road.

To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares-Cemetery and Uplands.

A roll call vote was taken: Chair Baghdady said aye, Selectman Williams also said aye and the motion passed unanimously (2-0).

The Board moved: To exit Executive Session and return to Open Session at 6:15 p.m. A roll call vote was taken: Chair Baghdady said aye, Selectman Paolillo and Williams also said aye and the motion passed unanimously (3-0). The Board took a fifteen minute recess.

A regular meeting of the Board in open session was resumed at 6:31 p.m. by Chair Baghdady at the Beech Street Center. Selectmen Paolillo and Williams were present. Town Administrator David Kale and Assistant Town Administrator Marshall were also present.

Chair Baghdady informed the audience that the Board will turn first to the Motion to Reconsider Article 9: Citizen's Petition on Solar Power.

ACTION BY APPOINTMENT

Discussion and Vote on Segment B Warrant Articles

Motion to Reconsider Article 9: Citizen's Petition on Solar Power (non binding)

Selectman Williams explained the word "indefinitely" in the motion to postpone. He said that during the May Town Meeting he did not understand that this amounts to a *motion to dismiss*. He stated that both views on the issue need to be presented and on TM floor, but the discussion was effectively ended. This article, he said, should be properly considered by TM.

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Chair Baghdady said that the BMLD could be doing more to support solar energy, including all alternative sources of power. He then discussed net metering. It is uncertain where the BMLB is going to go on the issue. He said he is committed to working with residents on solar energy to reach the appropriate measure in Belmont. He said he could not support Selectman William's motion.

Selectman Paolillo said he does not support reconsidering a flawed article. Belmont should not be under the state's control on this issue. The handling of this issue, he agreed, has been flawed. Going forward, the process needs to be transparent. Selectman Paolillo suggested that an independent advisory group comprised of expert individuals be formed in order to create a middle ground policy that will receive wide support. He said the Light Department deserves the Board's support.

Selectman Williams said that there has been a failure to communicate about how things work. The proposal needs to be heard fully, from both sides.

The Board discussed ways to move forward with a healthier process.

Mr. Phil Thayer, TMM Precinct 6, said that the Board should vote its conscience. The whole point of the article was to establish a fair net metering process. Healthy debate should be encouraged.

The Board moved: Unfavorable action on the Motion to Reconsider Article 9: Citizen's Petition on Solar Power.
The motion passed (2-1).

The Board took a two-minute recess.

PUBLIC HEARING: Update on the Belmont Center Reconstruction Project and Discussion on "Green Space" design in the front of the bank.

Chair Baghdady provided introductory remarks. He acknowledged the Traffic Advisory Committee (TAC) for their hard work. He noted that the plan/design has been publically vetted. Feedback was being sought concerning the area in front of Belmont Savings Bank. Tonight's discussion will focus on the green space in front of the bank.

Selectman Baghdady noted that a petition with over 200 Town Clerk certified signatures was submitted, to reconsider the reconstruction of the green space as part of the Belmont Center Reconstruction Project. This forum will serve as a time to hear about the proposed reconfiguration of the green space –hopefully in a revenue neutral way.

He then reviewed the main concerns expressed by many citizens and outlined the main features of a possible new redesign which incorporates a drive-through in front of Belmont Savings Bank.

Mr. Glenn Clancy, Town Engineer, appeared before the Board and clarified several points on the Diagrams regarding the existing green space design (Plan A) and the alternative green space

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design (Plan B). Plan B restores the drive thru in front of the bank, which allows access to Concord Avenue, maintains a significant increase in the existing green space, keeps the sidewalk and crosswalk configurations, adds four parking spaces next to the driveway including an accessible parking spot.

Public Comments

Mr. Joe Scali, Pct 2, said he appreciates the revision concerning Moore Street. He spoke about blind spots, access for the disabled, and accessibility to the bank.

Mr. Vincent Stanton said that the process could have been better dating back to 2011. He provided some historical data concerning the Center. He said a professional independent design firm would have been useful. He said he is uncomfortable with the precedent that this sets.

Mr. Martin Cohen, TMM Pre. 3, said that the three parking spaces are awkward but that he likes the revision.

Ms. Judy Singler, Pre. 7 and a COA member, said the angled parking was helpful for many elderly residents. She said the new plan feels chopped up.

Mr. Bob Mahoney, Belmont Savings Bank President, said that the bank supports this enhancement. An improved green space will be inviting for town. Parking, access, and green space are all dealt with in the revised plan.

Ms. Natalie Lano, Pct. 8, said she supports the original design. It feels more family friendly and will enhance the green space.

Ms. Anne Paulson, School Street, said the original design encourages foot traffic. It will support the notion of families staying in the center and it offers more parking.

Ms. Anne Helgen, Pct. 2, asked for clarification as to the net reduction in parking spaces.

Ms. Yvette Tinney, Pct. 1, said she really appreciates the angled parking spots as they are very convenient.

Ms. Carolyn Bishop, Pct. 1, said she is in favor of keeping the green space. She spoke to the need to care for the new trees.

Mr. Paul Richter Pct. 8, supports the original plan. He expressed concerns over the new plan: crosswalks and the flow of traffic.

Mr. Bryan Burke, Economic Development member, spoke to the thinking behind the original plan. He offered input on the bus stop area and additional parking spaces.

Ms. Marsha Knol, Pct. 3, said she appreciates the angle spots for new and elderly drivers. The access road is a pressure release for traffic. She made a suggestion to the revised plan. She said

she values green space, but the warm season is short in Belmont.

Ms. Pat Bruschi, TMM Pct. 2, said she prefers the new plan. The angled parking and the access road are useful. The access road is an essential traffic reliever.

Ms. Chris Kochem, TMM Pct. 8, asked a clarifying question. She then echoed what Ms. Bruschi expressed concerning the access road, stressing that it eases the traffic pressure in the Center.

Ms. Ellen Sugarman, TMM Pct. 8, expressed concern about the bump out in the new plan.

Mr. Joel Samuels, TMM Pct. 6 and COA member, said that the angled spaces are very important to the elderly. He agreed that the access road should be maintained.

Mr. Don Mercier, TMM Pct. 8 and TAC member, said he values the angled parking spaces. If the new spaces are marked for handicapped, it will defeat the goal of adding parking more spaces in the Center.

Ms. Tomi Olsen, TMM Pct. 5 and TAC member, said that green space should be maximized.

Ms. Carolyn Bishop, TMM Pct. 1, said there are many spaces out back.

Mr. Scott Tellier, Property owner in the Center, spoke to the importance of parking spaces and to the access road. The revised plan represents a compromise.

Ms. Linda Nickens, TAC Chair, spoke to the TAC process. She reviewed the outreach that has been done for four years. She encouraged people to become more involved in the process as a plan is being developed.

Ms. Mary Stearns, Pct. 3, asked about vehicle pick up plans for Uber and the like.

Mr. Larry McDonald, TAC member, spoke to the revised plan. The plan is both walk and bike friendly. The goal is to have a vibrant, safe center.

Ms. Lydia Ogilby said the plan is a good one. She thanked Mr. Clancy and the Board for their work on the project. She spoke to her love of Belmont.

Mr. Glen Wong, TMM Pct. 7, offered insights on the process. He said the revised plan has two less parking spaces. He supported the need to make the Center family friendly.

Mr. Joel Semuels, TMM 6, asked about trash bins.

Ms. Priscilla Hughes asked a question about the parking in the original plan.

Chair Baghdady said the Board needs to discuss the two plans and make a decision due to the timing of construction.

Ms. Cushman clarified the language of the Citizen's Petition concerning the pass through road, the trees, the parking, and the horse trough.

Selectman Paolillo said that he too wishes that there was more involvement from citizens up front. He said that the pass through road is helpful and important. Therefore, he supports the revised plan.

Selectman Williams offered that he mirrors Selectman Paolillo's remarks. He continued that a change such as this is difficult. He stated that he felt the purpose of the original meeting back in November 2014 was lost. He explained that he filed a disclosure due to the fact that Ms. Lydia Ogilby is a friend of his wife's and had organized twenty five signatures for Ms. Ogilby's petition because he felt strongly that the discussion related to the Belmont Center Reconstruction needed to be completed. Selectman Williams stated that he felt there were three elements of the Belmont Center Reconstruction plan that warranted further discussion, parking, traffic and the green space. Selectman Williams concluded by that he appreciated the merchant's report.

Chair Baghdady stated that the revised plan is a compromise, which incorporates the accessibility concerns of senior citizens. He spoke to the importance of the pass through road.

The Board moved: To approve the design change in front of BSB concerning the Belmont Center Reconstruction plan.

The motion passed unanimously (3-0).

The Board took a five-minute recess.

Discussion and Vote on Purchase and Sale (P & S) Agreement for Woodfall Road

Chair Baghdady announced that the negotiation to sell Woodfall Road is winding down. He officially disclosed (with the Town Clerk) that between 2005 – 2008 he did work for one of the principles (Mr. and Dr. Chedid), both husband and wife. He offered that the property was difficult to sell. The purchase and sale price is \$1,750,000. He explained some of the next steps for the property. The Board is hoping to close on the property in the next 2 – 3 months.

The Board moved: To approve and execute the Purchase and Sale agreement for 108 Woodfall Road, Belmont, MA, May 28, 2015.

The motion passed unanimously (3-0).

Mr. Kale noted that an escrow account will need to be established for the purposes of the Purchase and Sale Agreement for this property.

The Board moved: To authorize the Town Administrator to create an escrow account for the Purchase & Sale agreement for this property.

The motion passed unanimously (3-0).

The Board signed the Purchase and Sale agreement.

Approval of a Proclamation for Bruce Davidson, past TMM and past Warrant Committee member

Selectman Williams read the Proclamation.

The Board moved: To approve and accept the Proclamation for Mr. Davidson, details noted above.

The motion passed unanimously (3-0).

Transmittal of Final Post-Employment Benefits Actuarial Report (7-1-14)

Chair Baghdady stated that this is a formality for the Board. At a future meeting, he will invite a KMS member to present on the actuarial report.

Selectman Williams suggested that the Board accept the report; however he said he has concerns about the report.

The Board moved: To accept the Final Post-Employment Benefits Actuarial Report (7-1-14).

The motion passed unanimously (3-0).

ACTION BY WRITING

Approval of License Applications from Existing or Previously Approved Businesses:

Approval of an application to renew a Junk, Old Metals, and Second Hand Articles License from Vladimir Arustamyan of Design Jewelry by GVS, 6 Trapelo Rd

The Board moved: To approve the license request, details noted above.

The motion passed unanimously (3-0).

Approval of an application to renew a Class II License to Buy and Sell Second Hand Motor Vehicles from David E. Smith of Automotive Service of Belmont, 259 Belmont Street (license specifies that they are limited to displaying 2 vehicles in existing paved parking spaces)

The Board moved: To approve the license request, details noted above.

The motion passed unanimously (3-0).

Approval of a Seasonal Agricultural Wine Permit from Westport Rivers Inc. to sell wine at the Belmont Farmers' Market on select Thursdays between June 18 and October 7

The Board moved: To approve the license request, details noted above.

The motion passed unanimously (3-0).

Approval of a Seasonal Agricultural Wine Permit from Coastal Vineyards to sell wine at the Belmont Farmers' Market on select Thursdays between July 2 and October 1

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

Approval of Meeting Minutes

- March 12, 2015 – BOS Working Session
- March 16, 2015 – BOS Meeting
- March 17, 2015 - BOS Working Session
- March 30, 2015-Executive BOS Session
- March 30, 2015 – BOS Meeting
- April 6, 2015 –BOS Meeting
- April 6, 2015-Executive BOS Session

The Board moved: To approve the meeting minutes, dates noted above, with Executive Session where applicable.
The motion passed (2-0-1). [Selectman Williams abstained, as he was not a Board member at the time.]

- April 8, 2015-BOS Meeting
- April 23, 2015-BOS Working Session

The Board moved: To approve the meeting minutes, dates noted above.
The motion passed unanimously (3-0).

Discussion and Vote on Segment B Warrant Articles (continued from above)

Article 10: Salaries of Elected Officials

The Board moved: Favorable action on Article 10.
The motion passed unanimously (3-0).

Article 13: Transfer of funds Stabilization Fund of \$1.6M

The Board moved: Favorable action on Article 13.
The motion passed unanimously (3-0).

Article 13 Amendment – Submitted by Kevin Cunningham

Selectman Paolillo requested that this amendment get voted on, prior to TM, Monday evening.

Article 12: FY16 Budget Appropriation

The Board moved: Favorable action on Article 12.
The motion passed unanimously (3-0).

Article 17: OPEB Stabilization Fund

Selectman Williams suggested that the Board establish a committee to address OPEB by October 15, 2015. Selectman Paolillo agreed that a study committee would be helpful in assessing this issue more closely. The Board discussed that the WC may be pursuing a deeper understanding into this issue, as well.

The Board discussed the forming of a OPEB study committee and were in general agreement.

The Board moved: Favorable action on Article 17.
The motion passed unanimously (3-0).

Article 14: Transfer of Balances

The Board moved: Favorable action on Article 14.
The motion passed unanimously (3-0).

Article 18: Revolving Funds

The Board moved: Favorable action on Article 18.
The motion passed unanimously (3-0).

Article 16: Capital Expenditures

Selectman Paolillo requested that the Board vote on this article next week.

Article 11: Enterprise Funds for Water and Sewer

The Board moved: Favorable action on Article 11.
The motion passed unanimously (3-0).

Article 15: Chapter 90 Highway Improvements

The Board moved: Favorable action on Article 15.
The motion passed unanimously (3-0).

Article 19: Establishing the Capital Debt Stabilization Fund

Selectman Baghdady explained the WC vote as well as the withdrawn amendment. Selectman Paolillo expressed a concern about the narrow scope of the list. Selectman Williams said that these four capital projects are the town's next biggest risks.

The Board moved: Favorable action on Article 19.
The motion passed unanimously (3-0).

Article 20: Minuteman Regional Vocational High School District Agreement

The Board briefly discussed this article. It was suggested that perhaps Belmont should vote down the new district agreement, as opposed to indefinitely postponing it.

The Board moved: That Article 20 be indefinitely postponed.
The motion passed unanimously (3-0).

The Board will vote on the Citizen's Petitions next week.

Selectman Williams stated that if the Board agrees to the content expressed in the Citizen Positions 22, 23, 24, he will withdraw them from TM consideration.

The Board discussed its agenda for the Monday meeting.

NEXT MEETINGS

Monday, June 1, 2015 Chenery Middle School Pre-TM
Wednesday, June 3, 2015 Chenery Middle School Pre-TM

The Board moved to adjourn the meeting at 9:31 p.m.



Mr. David Kale, Town Administrator