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**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, October 5, 2015
8:00 AM**

**APPROVED
BOARD OF SELECTMEN
DATE: 10-27-15**

CALL TO ORDER

A (working session) meeting of the Board was called to order in open session at 8:05 a.m. by Chair Sami Baghdady in the Selectmen's Meeting Room. Selectman Jim Williams and Town Administrator David Kale were present. Vice Chair Mark Paolillo arrived at 8:09 a.m. Assistant Town Administrator Marshall was not present.

Chair Baghdady reviewed the agenda.

ACTION BY APPOINTMENT

Approval of a One Day Wine License Application from the Belmont Gallery of Art (BGA) for its 10th Anniversary Reception, Friday, October 16, 6-9pm. The event will take place in the BGA, located on the third floor of the Homer Building at 19 Moore Street.

Chair Baghdady noted that there are no concerns with this application.

The Board moved: To approve the one-day liquor license, details noted above. The motion passed unanimously (2-0).

Approval of a Common Victualler's License Application from JXS, LLC d/b/a Number 1 Taste for an eight seat restaurant at 382 Trapelo Road.

Chair Baghdady asked Town Administrator Kale if the applicant was required to provide a copy of seating plans with the application. Town Administrator Kale explained that the applicant was requesting approval for eight seats only and no renovations were taking place. Town Administrator Kale reviewed the process by which Common Victualler's License applications are approved by the required Town departments and the various inspections that are performed. He indicated to the Board that this application has been approved by the necessary departments.

The Board moved: To approve the Common Victualler's license application from JXS, LLC d/b/a Number 1 Taste for an eight seat restaurant at 382 Trapelo Road. The motion passed unanimously (3-0).

Approval of CORI (Criminal Offender Record Information) Check Policy

Ms. Jessica Porter, Human Resources Director, and Mr. Brian Higgins, Human Resources Generalist, appeared before the Board to ask they review and approve this new policy. Ms. Porter explained that the Town currently performs CORI checks for new hires whose position will require them to work with children or the elderly. She continued that going forward

the policy will be extended to include other positions such as inspectors who enter private homes, prospective and current employees, subcontractors, volunteers and interns. Ms. Porter stated that Massachusetts General Law requires municipalities to have a formal policy on file.

Chair Baghdady reviewed the draft policy and commented that it is broad. Town Administrator Kale responded that the new CORI policy is general so that it provides the Town with greater flexibility as every possible position cannot be listed and that situations may need to be addressed on an individual basis. He added that HR will be in charge of implementing the policy.

Vice Chair Paolillo commented that it is a standard policy but added that it was not stated who has access to the results. He continued that the Board will need feedback in terms of implementation. Vice Chair Paolillo added a protocol will need to be established that addresses the CORI that returns unfavorable. Ms. Porter responded that the Human Resources Department is getting the required policy into place to start the process in motion. Selectman Williams stated that he feels strongly that the Town has a right to know a person's background.

Selectman Williams stated that his preference is to see that the implementation of the CORI policy is centralized. Town Administrator Kale concluded that he will allow Ms. Porter to perform her due diligence and take her recommendation as to the implementation of this policy.

The Board moved: To approve the CORI (Criminal Offender Record Information) checks policy as outlined in the draft presented on October 5, 2015.

The motion passed unanimously (3-0).

Approval of Policy and Procedures for Health Insurance under the Federal Affordable Care Act (ACA)

Ms. Jessica Porter, Human Resources Director, and Mr. Brian Higgins, Human Resources Generalist, appeared before the Board to ask they approve the Town Policy and Procedures for Health Insurance under the Federal Affordable Care Act.

Ms. Porter explained that the Town is implementing this Policy and procedures in order to meet its obligation under the Patient Protection and Affordable Care Act (ACA). She continued that the Town is committed to fully complying with the ACA. The ACA categorized the Town as a large employer and may be subject to an Employer Share Responsibility Payment (ESRP) if one of its full-time employees purchases health insurance through the Massachusetts Health Connector and receives a tax credit for that purchase. Ms. Porter concluded that this Policy will allow the Human Resources Department to implement measures to ensure that the Town is in compliance.

The Board moved: To approve the Policy and Procedures for Health Insurance under the Federal Affordable Care Act.

The motion passed unanimously (3-0).

Approval of Domestic Violence Leave Policy

Ms. Porter and Mr. Higgins appeared before the Board to ask they review and approve the Domestic Violence Leave Policy which pertains to the Domestic Violence Leave Act. Ms. Porter explained to the Board that in accordance with Massachusetts General Law the Town provides up to fifteen days of unpaid leave in any twelve month period to any employee who is the victim of domestic violence or the family member of a victim of domestic violence. She added that the leave is provided in order to allow the employee to seek relief that is directly related to domestic violence, such as medical attention, counseling or victim services, securing housing, to obtain legal assistance or attend court proceedings. Ms. Porter concluded in order to be eligible for this leave; the employee must have exhausted all sick leave, personal days and vacation time.

The Board moved: To approve the Domestic Violence Leave Policy
The motion passed unanimously (3-0).

Award of Water Construction Contract

Mr. Jay Marcotte, Director of Public Works, and Mr. Michael R. Bishop, Water Division Manager, appeared before the Board to discuss the award of the Water Construction Contract.

Mr. Bishop explained that on September 10, 2015, bids were opened for the FY16 Water Main Replacement Project. He stated that a total of six bids were open. Mr. Bishop continued that the apparent low bidder was Cedrone Trucking In c. with a bid amount of \$1,299,766.48 and the engineering estimates were \$1,500,000.00. Chair Baghdady commented that the bid amount was less than the Board expected.

Mr. Bishop continued that Cedrone Trucking has installed roughly 75,645 linear feet (14.3 miles) of pipe out of 117,667 linear feet (23.3 miles) of new pipeline installed to date. Mr. Bishop recommended that the Board award the contract to Cedrone Trucking based on their past history of performance and workmanship with the Town. Mr. Bishop concluded that the water main program will be coordinated with the Community Development Pavement Management Program.

The Board moved: To approve the award of the Water Construction Contract to Cedrone Trucking Inc.
The motion passed unanimously (3-0).

Town Administrator's Report

Town Administrator Kale reported that Newport Construction has asked permission to work at night in order to pave and apply pavement markings on Trapelo Road from Mill Street to Common Street. He continued that paving will take place from Monday, October 19, 2015 to Sunday, October 25, 2015 between the hours of 8:00PM and 5:00 AM. Pavement markings will be applied from Monday, October 26, 2015 to Friday, November 6, 2015 between the hours of 8:00 PM and 5:00AM. Town Administrator Kale added that strict restrictions have been imposed for this work to provide for the least disruption possible to the neighbors. He added that a reverse

911 will be made to the abutters.

The Board moved: To approve the request for extended work hours from Newport Construction from 8:00 p.m. and 5:00 a.m. from Monday, October 19, 2015 to Sunday, October 25, 2015 and Monday, October 26, 2015 to Friday, November 6, 2015 with the hours indicated above.

The motion passed unanimously (3-0).

Discussion on Solid Waste Contract

Town Administrator Kale stated that the current trash and recycling collection contract expires on June 30, 2016. He continued that a change in the level of service or vendor will require time for implementation. Town Administrator Kale told the Board that new cost figures are needed to correctly budget for Fiscal Year (FY) 2017. He added that there is a need to validate competitive pricing and changes in the recycling market while balancing residents' expectations and Town's fiscal resources.

Mr. Jay Marcotte, Public Works Director, and Ms. Mary Beth Calnan appeared before the Board with a presentation on Belmont Trash and Recycling. Mr. Marcotte explained that under the current trash contract there are four collection days Monday – Thursday which includes unlimited barrels and bulky items such as furniture. Mr. Marcotte continued that the current recycling contract provides for dual stream collection every other week.

Selectman Williams asked how often the trash and recycling contract is signed. Town Administrator Kale replied that the contract is renewed every five years. Town Administrator Kale noted that any changes to the current level of service are not things that can be implemented or changed in a short period of time. He continued that we would need to adequately communicate and prepare the community for possible changes in service. Town Administrator Kale stressed that there needs to be a balance between resident's expectation of services, cost and environmental impacts.

Town Administrator Kale stated that the trash contract options are to solicit bids or extend the current contract for continued level of service. This would allow a continuation with the current trash collection program for a limited period of time for example, 3 – 5 years. He recommended the Board extend the current contract to allow time for significant analysis and education as to the Community's trash and recycling needs. Vice Chair Paolillo asked if a one year contract extension was possible. Town Administrator Kale told the Board that a one year extension is not an option with the existing vendor due to the cost of equipment replacement which is required moving forward.

Chair Baghdady offered that he supported dual stream recycling, and thinks it better to continue with the current practice of unlimited trash pickup for now. He asked the Board and Ms. Calnan for feedback as to how to encourage more recycling participation. Ms. Calnan stated that a trash audit should be implemented that will reflect how many residents are actually recycling each month. She added that scheduling a Town wide recycling day twice a year will also raise

awareness.

Mr. Doug Koplow, Former Chairperson, Belmont Solid Waste and Recycling Advisory Committee, appeared before the Board. He stated that he wished to provide the Board with data that could be used to formulate a more sophisticated RFP (Request for Proposal). Mr. Koplow told the Board that to increase recycling participation an audit and enforcement were excellent options as roughly fifteen percent of households do not recycle.

Mr. Koplow explained that the option to bid services separately should be retained in the RFP. He offered that since some vendors specialize in one area or another, the RFP should allow vendors to bid singly or jointly on the trash, yard waste, and recycling portions. Mr. Koplow told the Board that this will increase the number of potential bidders and as a result the competitiveness of the bids. Mr. Koplow continued that the RFP should request bids for both single-stream and dual stream recycling programs as well.

Town Administrator Kale explained to the Board that the contract for Russell now provides that the equipment used is no older than five years and currently their equipment is ten years old. He stated that the formal RFP will allow for truck replacements and as of July 1 the prevailing wage will also increase. Vice Chair Paolillo asked that the Board come to an understanding as to what an extension of the contract will cost the Town. Town Administrator Kale responded that he doesn't believe that we have a vendor interested in a one year contract .

Vice Chair Paolillo commented that the Board needs to be more informed and suggested trash and recycling audits, precinct meetings, and a two year extension on the current contract. After the contract extension Vice Chair Paolillo suggested the RFP be completed based on the findings. He said he did not feel committing to a five year contract was in the best interest for all. Selectman Williams added that we need twelve to eighteen months for outreach and not to lock in the contract for five years. Selectman Williams suggested that the Board rely on Mr. Marcotte's office for feedback.

Vice Chair Paolillo thanked Mr. Marcotte and Ms. Calnan for their thorough presentation. He continued that the present contract should be extended for two years and that time will be used to educate and perform outreach to the community. After the two years a more sophisticated RFP could be completed as a result of the findings. Chair Baghdady also thanked Mr. Marcotte and Ms. Calnan for their informative presentation.

Town Administrator Report Reopened

Town Administrator Kale reported that the closing for Woodfall Road was scheduled to take place this week. He asked the Board to approve the addition of easement language into the deed. Town Administrator Kale continued that the addition of easement language would result in a cleaner document and it has been agreed to by the attorneys for both the buyer and seller. He concluded that by adding easement language the Town would have access to utilities on the property.

The Board moved: To approve the revised deed document with easement

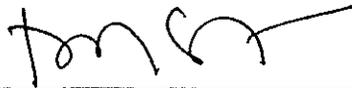
language as approved by all parties.
The motion passed unanimously (3-0).

Liaison Report

Selectman Williams reported to the Board that he recently attended a Water Advisory Board meeting. Selectman Williams asked that the Board consider organizing a program to study stormwater runoff and sewage issues. Vice Chair Paolillo added that a small study group for this issue makes sense. Town Administrator Kale informed the Board that the water and sewer rates are set in the spring. He continued that Glenn Clancy, Community Development Director, is scheduled to present the Sewer and Stormwater presentation to the Board next month.

The Board had a brief discussion related to illicit connections and the enforcement issues surrounding them. Chair Baghdady stated that educating the community on this issue is important and should be considered.

The Board moved to adjourn the meeting at 10:23 a.m.



Mr. David Kale, Town Administrator