

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, March 16, 2009
7:00 PM**

CALL TO ORDER

A regular meeting of the Board was called to order in Regular Session at 6:58 PM by Chairman Firenze in the Selectmen's meeting room. All Selectmen were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

QUESTIONS FROM TOWN RESIDENTS

There were none.

At this time, Mr. Will Boning appeared before the Board to receive a Proclamation for his recent achievement of becoming an Eagle Scout. Chair Firenze read the Proclamation acknowledging Mr. Boning.

The Board moved: To approve a Proclamation to honor Mr. Will Boning for achieving the rank of Eagle Scout.
The motion passed unanimously (3-0).

ACTION BY APPOINTMENT

Shade Tree Committee Discussion/Appointments

The Board moved: To appoint Mr. Peter Gunness and Mr. Andy Rojas to the Shade Tree Commission.
The motion passed unanimously (3-0).

Belmont Vision 21 Committee Discussion/Appointments

Belmont Vision 21 Committee Chair, Mr. Kirk Hazlett, appeared before the Board to give a brief overview of the Committee's work. The Belmont Vision 21 Committee has organized efforts such as "Meet Belmont," as well as the task force entitled "Sustainable Belmont." The Board discussed the future of this committee. Vision 21 member Dr. Paul Solomon stated that the broad mission, including welcoming new people, is important to the town and is not being done by other town agencies.

The Board moved: To appoint Mr. Jonathan Mascia and Mr. Tim Bowman to the Belmont Vision 21 Committee.
The motion passed unanimously (3-0).

Historic District Commission (HDC) Discussion/Appointments

The Board moved: To appoint Mr. Richard Cornish as a member and Ms. Lauren Meier as an alternate member and to elevate Ms. Levee from alternate to member of the HDC.

The motion passed unanimously (3-0).

Human Rights Commission (HRC) Discussion/Appointments

Ms. Connie Williams and Ms. Lisa Burns appeared before the Board to discuss the Human Rights Commission's charge. The HRC clarified that it is not an investigative body. Its policy is to receive concerns and refer them out to the appropriate place. The HRC will be comprised of nine members.

The Board moved: To appoint Ms. Lisa Burns to the Human Rights Commission. The motion passed unanimously (3-0).

The Board moved: To accept the revised charge and to change the number of members to nine (9) as recommended by the HRC.

The motion passed unanimously (3-0).

Zoning Board of Appeals (ZBA) Discussion/Appointments

Chair Firenze noted that the ZBA has requested to have two alternate members placed on the ZBA. The Board will discuss this at a later meeting.

Benton Library Reuse Committee Discussion/Appointments

The Board moved: To create the Benton Library Reuse Committee and to appoint Ms. Virginia Jordan, Ms. Nancy Forbes, Mr. Richard Cheek, Mr. Andy Rojas, and Mr. Joseph DeStefano to the Benton Library Reuse Committee.

The motion passed unanimously (3-0).

Mr. Younger will present them with a charge and a deadline by which to report back to the Board.

Public Works Proclamation

Chair Firenze read aloud the Public Works Proclamation. Mr. Younger noted that this was a national event. There will be an open house at the DPW yard on May 8th.

The Board moved: To accept the Public Works Proclamation as read.

The motion passed unanimously (3-0).

Municipal Vehicle Policy Discussion

Mr. Younger reviewed the town's vehicle policy which was written in 2002. He requested that the Board review the policy, provide their edits, and plan to discuss at a future meeting. Chair Firenze requested an electronic copy of the policy to be sent out to all Board members. Town Council will review the policy after the Board has reviewed it. The Board discussed the number of total vehicles and requested that the town vehicles be classified as to their priority. Selectman Jones added that the type and size of vehicle (hybrid, electric) needs to be analyzed.

ACTION BY WRITING

Common Victualler's License – Starbucks Coffee

The Board moved: To issue the Victualler's license to Starbucks at two locations: Concord Avenue and Trapelo Road.

The motion passed unanimously (3-0).

OTHER

ADA Compliance

Chair Firenze requested Mr. Younger to review the policy on curb cuts and come back with a recommendation to the Board stating what needs to be done for the town to be in compliance with the Americans with Disabilities Act (ADA). Mr. Clancy approached the table and spoke to this issue. He said that the town adds a certain number of ramps each year. Chair Firenze asked Mr. Clancy to establish a policy moving forward that is reasonable for the town to adhere to. Mr. Younger will coordinate with Mr. Clancy and report back to the Board.

Debt Exclusion / Override Vote and Town Meeting (TM) Timing

Chair Firenze noted that there will be two budgets proposed at the June TM – one assuming an override passes, and one using only funds available without an override. Chair Firenze said his preference was to hold the June TM early in the month. Selectman Leclerc said time would be needed for an override campaign before an election. Mr. Conti noted that a 35-day lead time is necessary for wording for a special election ballot, including specific override amounts – thus the override campaign could begin as early as May 4th. Selectman Jones would like to hear from the Wellington Building Committee regarding a June debt exclusion and the ability to go for a construction bid in the fall. The Board discussed the timing issues of these matters.

The Board moved: To hold the continuation of the Annual Town Meeting on June 1st, and to hold a special town election scheduled for June 8th.

The motion passed unanimously (3-0).

ACTION BY APPOINTMENT (continued)

Conservation Restriction (CR) – 24 Kenmore Road

Ms. Judith Pickett, Esq., and Ms. Crystal Woodward appeared before the Board to request a Conservation Restriction (CR) for the property at 24 Kenmore Road to be kept in their natural condition. The petitioner is requesting expedited action on this request due to tax considerations. The CR, which would be held by the Conservation Commission, will preserve natural space in a developed neighborhood. This property would not be developed and there would be no public access. The Board discussed the CR request. Chair Firenze said that the town would lose the potential tax revenue from this property, while the owner would keep the land the same and avoid paying estate taxes. He said this property is not in the town's "open space" plan. Ms. Pickett concurred. Ms. Woodward spoke to the wildlife contribution and to her mother's wishes to preserve this parcel of land. Selectman Leclerc spoke to the taxable revenue gained from this property, the value to the immediate neighborhood only, and to the fiscal crisis of the town. Would the neighborhood members pool together to make up for tax loss? he asked.

Conservation Commission member Ms. Nancy Davis said she supports the CR as it would help with water run off issues in this area.

This issue will be revisited again on the 6th of April.

Sewer Loan Proposal

Mr. Clancy appeared before the Board to discuss the sewer loan proposal. For pavement management, Mr. Clancy has created a list of roads to be constructed in 2009 (Marsh, Park, School, Beech, *et al*). Repairing these roads will first involve sewer repair work amounting to \$375K. The sewer work must be done prior to road construction. There is money available to borrow from a DEP grant program for this work. The Town is already planning to make repairs in the Wellington Brook area, so Mr. Clancy suggested rolling both of these projects into a single contract with the DEP. That in turn might qualify for federal stimulus money.

The Board moved: To accept Mr. Clancy's recommendation to add pavement management related sewer and storm drain work totaling \$375K to the projects on the "intended use plan."

The motion passed unanimously (3-0).

Chris Starr

Mr. Chris Starr, developer and Belmont resident, appeared before the Board to propose a change to the Trapelo Road Corridor project design in Cushing Square adjacent to his property. He would like to add reverse-angle parking spaces on Trapelo Road and Common Street, increasing the number of parking spaces in Cushing Square. Mr. Clancy voiced concern that this change could negatively impact the Trapelo Road project's

chances of getting on the state TIP (Transportation Improvement Plan). He said he would feel better about this proposal if Mass. Highway supported it. The Board agreed that while they may support reverse-angle parking, they do not want it to jeopardize Trapelo Road getting on the TIP.

Two consultants who are working with Mr. Starr spoke about reverse-angle parking. Using diagrams, they spoke to its safety and space efficiency. The Board reiterated its position: if reverse-angle parking doesn't jeopardize the Trapelo Road project and stimulus money, they would support it.

Chair Firenze said that the Board will send a letter to Mass. Highway saying that the town is generally supportive of investigating reverse-angle parking, so long as it in no way hinders Belmont's ability to proceed with respect to the TIP.

Town Meeting Warrant Discussion

Mr. Conti is in the process of writing up articles and requested input from the Board. Based on discussion with Human Resources Director Diane Crimmins, he suggested there is no need to have a Position Classification Plan Article this year because the plan has not been substantially changed since last year. The Board agreed. The Board also agreed to place Articles on the Warrant to formally abolish the Youth Commission, convert the Cemetery Commission to an appointed Board, and petition the Legislature to allow the Town to put an explanatory paragraph on the election ballot.

Chair Firenze asked about the Communications Tower Debt Article. Mr. Conti confirmed that that article simply rescinds borrowing authority that is no longer needed. Minuteman is requesting an Article establishing a stabilization fund to pay for its capital expenses. The Board agreed not to place this Article on the Warrant.

Town Administrator's Report

Mr. Younger reported on the following items:

- The Food Mart on Trapelo Road is eligible for Keno to Go. They have a lottery license. The Board did not oppose Keno to Go generally in April 2008.

The Board moved: To oppose Keno to Go at this location due to parking restrictions.

The motion passed unanimously (3-0).

- Champions is requesting to put out flower pots to help beautify the Center as they have done in the past. The request was warmly received by the Board.
- Federal stimulus money will not go toward Chapter 90 local roads money. It may be used for projects already in the state TIP.

OTHER

Additional Comments by Chair Firenze

- To hold the annual town elections on Saturday would require a bylaw change. Chair Firenze suggested having an Article allowing the town to hold the annual town election on the first Saturday in April. Mr. Conti will draft it.
 - Belmont Hill has acquired another home, thus taking more tax revenue away from the town. The Board expressed its frustration over this. Selectman Jones suggested that TM should have a non-binding resolution and vote on this. Mr. Conti will draft it. The town could also take action, e.g., charge a lot for ambulance service, police calls and/or prohibit parking on Marsh Street.
 - Longevity step increases – \$3,675 would be saved in total if they were eliminated as part of renegotiation of union contracts. Chair Firenze would like to be consistent with the unions across the board.

Executive Session

The Board moved to enter into Executive Session at 11:01 to discuss union negotiations and litigation. A roll call vote was taken and all members voted “aye”. The Board will not return to open session.

(During executive session, one substantive motion was made and passed unanimously. The Board moved to adjourn the meeting at 11:20 pm.)

Thomas G. Younger, Town Administrator