

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, March 18, 2013
8:00 AM**

RECEIVED
TOWN CLERK
BELMONT, MA.
MAY 22 9 50 AM '13

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 8:12 am by Chair Paolillo in the Selectmen's Meeting Room. Selectmen Jones and Rojas were present. Town Administrator David Kale and Assistant Town Administrator Kellie Hebert were also present.

Chair Paolillo reviewed the morning's agenda. He then read an email from a resident concerning an hour of darkness on Saturday, March 23 at 8:00 p.m. to honor "Earth Hour's City Challenge."

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Community Preservation Act (CPA) Committee – Town Meeting (TM) Warrant Articles

CPA committee co-chairs Dr. Paul Solomon, Mr. Floyd Carman, and Ms. Ann Marie Mahoney appeared before the Board to present the CPA's list of recommended projects. Dr. Solomon said that nine projects will be presented to TM for funding:

- CPA #1 – (Town Hall) Concord Avenue Door Remediation [\$72K]
- CPA #2 – Underwood Park [up to \$385K]
- CPA #3 – Building Survey & Investigation of 1853 William Flagg Homer House [\$10K]
- CPA #4 – Comprehensive Cultural Resources Survey of Belmont [\$115K]
- CPA #5 – Electric Service Upgrade - Underground Wiring (Affordable Housing) [\$147K]
- CPA #6 – Landscape Plan for Intergenerational Walking Path at Clay Pit Pond [\$20K]
- CPA #7 – Irrigation Improvements at Rock Meadow Community Gardens [\$10K]
- CPA #8 – Joey's Park Rehabilitation [up to \$100K]
- CPA #9 – Preserving and Digitizing Belmont's Vital Records [up to \$100K]

Dr. Solomon reviewed the various groups with whom the CPA chairs will meet to review these projects. The nine projects total \$959K. He then explained where the money comes from, as well as the project categories, e.g., historic preservation, open space, etc.

Chair Paolillo asked about the state match, as well as the expected funding in future years. Mr. Carman explained the state match's relationship to Belmont's 1.5% surcharge.

The Board expressed its support for this article.

Joint Meeting with the Government Structure Committee (GSC) – TM Warrant Articles

Dr. Paul Solomon, Chair of the Government Structure Committee (GSC), and Ms. Mahoney, GSC member, remained before the Board to present the GSC's TM warrant articles. Mr. McLaughlin joined them at the table.

Dr. Solomon called a meeting of the Government Structure Committee to order at 8:25 a.m.

Dr. Solomon said that there will be an article pertaining to the Town Administrator's (TA) position. He said the committee would like to strengthen the TA role, which he believes will help the town to run more efficiently. He highlighted section three of the article, which would give the TA more authority in hiring personnel and in making committee appointments. He stated that the Board will confirm said hiring decisions or appointments. Dr. Solomon explained that the Board should be a *policy board*, and that the TA should be the town's chief administrative officer.

Chair Paolillo clarified that the Board will take a role in the future appointments of the fire and police chiefs. The Board then discussed its ability to terminate the TA position, should the need to do so arise. Selectman Jones suggested that the Labor Counsel talk with Town Counsel on this matter.

Inclusionary Zoning By-law Amendment

Mr. Sami Baghdady, Chair of the Planning Board; Ms. Alisia Todreas, of the Belmont Housing Trust; and Mr. Glenn Clancy and Mr. Jeff Wheeler, from Community Development, appeared before the Board to present the Inclusionary Zoning By-law Amendment. Mr. Baghdady noted that the present inclusionary by-law was difficult to interpret and implement. He said that the by-law needed to be re-written. He said the new by-law is more workable for Belmont.

Ms. Todreas summarized the new by-law highlights:

- The by-law will kick in at five housing units, versus two units (the net number of new units produced).
- The calculation of the inclusionary fees will be simplified.
- The implementation of the by-law will be initiated when developers file the building permit with the Office of Community Development.

Mr. Clancy said that this by-law makes the developers' payment more clear. Mr. Baghdady agreed that this by-law is comparable to other communities and is more clearly written. He said that it focuses on larger unit projects and does not burden small development. The fees, he said, are reasonable for the developer and should encourage development in town.

Ms. Todreas explained the fee percentages (payment in-lieu of affordable units). The Board discussed issues relating to this amendment. Next steps include producing a final by-law, which will be reviewed by Town Counsel. Public hearings will also be held. Mr. Kale thanked the various parties for their work on re-writing the by-law.

Update on Superintendent's Health, Safety, Security Committee – Lisa Gibalerio, Board Liaison

Ms. Lisa Gibalerio appeared before the Board to provide an update regarding the areas that the Superintendent's Health, Safety, Security Committee has focused on in the recent past. Among topics reviewed were: the Youth Risk Behavior Survey, the Anti-bullying and Concussion protocol implementation, the upcoming Wellness Fair at BHS, and the work of the School Security Advisory Committee.

Vote for Special State Primary Election for April 30, 2013

Ms. Ellen O'Brien Cushman, Town Clerk, appeared before the Board regarding the Special State Primary Election for April 30, 2013. This election will fill the seat vacated by Senator Kerry.

The Board moved: To approve the special state primary election to be held on Tuesday, April 30, 2013.

The motion passed unanimously (3-0).

The Board signed the papers.

ACTION BY WRITING

Vote to Award Contract for Belmont Center Water Main Construction

Mr. Castanino, DPW Director, appeared before the Board to request contract approval for the water main construction project in Belmont Center. Mr. Kale gave an overview of the project (including bid details), noting that communication lines with the community will be open via the website. Chair Paolillo listed the streets in Belmont Center that will be impacted. Mr. Castanino reviewed the project timeline, stating that he hopes the water main work will be completed in early fall. The project will start in mid-to-late-April.

The Board discussed issues relating to the water main construction project.

The Board moved: To approve the contract That the FY14 Water System Improvement Project be awarded to the J. Tropeano, Inc. from North Andover, MA as the lowest responsible and responsive bidder, based on its bid price of \$1,109,111.00, and that the Town Administrator, David Kale, be and hereby is authorized to execute the contract for said work on behalf of the Town of Belmont, subject the approval of said contract as to form by town counsel.

The motion passed unanimously (3-0).

ACTION BY APPOINTMENT (continued)

Liquor Licenses – Warrant Articles for TM

Mr. Glenn Clancy, Town Engineer, appeared before the Board to discuss the liquor license

warrant articles. Mr. Kale noted that there has been interest in increasing the total number of liquor licenses across town. He said the motion to increase both restaurant and retail licenses will go before Town Meeting, once it is finalized. There will be two separate articles: one for retail and one for restaurants.

Mr. Kale said that, since there will be more development in town (e.g., more restaurants, more liquor stores), there is a need to allocate more licenses. Selectman Rojas noted that residents currently go out of town to obtain liquor. He said that the lack of licenses has become a stumbling block for developers.

The Board reviewed the current numbers of licenses, both in total and what is available. Mr. Kale outlined where additional licenses would be helpful. Chair Paolillo expressed concern over having small “package store” type of liquor establishments popping up across town. Selectman Jones noted that the Board will still have control over the granting of licenses. The Board agreed that the liquor licenses have been positive for Belmont overall.

There will be no change in the existing seating requirements for restaurants holding Wine and Malt Liquor Licenses. These licenses are available to restaurants with a seating capacity of 39 to 125 persons.

The Board moved: To approve increasing the number of Restaurant Wine and Malt Licenses by eight (8), for a total of sixteen (16).
The motion passed unanimously (3-0).

The Board moved: To approve increasing the number of Retail Wine and Malt Licenses by two (2), for a total of four (4).
The motion passed unanimously (3-0).

The Board moved: To approve increasing the number of Retail All Alcohol Licenses by one (1), for a total of two (2).
The motion passed unanimously (3-0).

Town Administrator’s Report

Mr. Kale reported on the following items:

- A draft copy of the School Department’s Statement of Interest (filed with the MSBA) is available for the high school.
- Interviews for the Facilities Director position are underway.
- The Warrant Committee is meeting with department heads and the meetings seem to be going well.
- The Capital Budget Committee is meeting weekly to review the Capital Budget requests of all department heads.
- Precinct Meetings have been scheduled for Monday, April 8th and Thursday, April 11th. They are being publicized and a draft agenda is being formulated.
- Chair Paolillo suggested that the Board read the Armenian Genocide Proclamation at its

meeting on Monday, April 8th.

- The Town Administrator's Office is continuing to work on the list of warrant articles. Ms. Hebert stated that she continues to meet and communicate with department heads and committee representatives regarding the proposed articles. The Board will review the proposed warrant articles at its Work Session meeting scheduled for Friday, March 22nd at 8:00am.

ACTION BY CONSENT

The Brendan Grant 5K Run: Sunday, June 16, 2013

Belmont Town Day: Saturday, May 18, 2013

The Board moved: To approve the two consent items as noted above.
The motion passed unanimously (3-0).

Acceptance of \$1,000 Donation to Belmont Police Department

The Board moved: To accept the donation as noted above.
The motion passed unanimously (3-0).

Approval of Meeting Minutes

The Board considered the minutes of February 11, February 20, February 21, February 25, and March 4, 2013.

The Board moved: To approve the minutes of February 20, 2013.
The motion passed (2-1).

The Board moved: To approve the minutes of February 21, 2013.
The motion passed (2-1).

The Board moved: To approve the minutes of February 25, 2013.
The motion passed unanimously (3-0).

The Board moved: To approve the minutes of February 25, 2013 (with the Light Board).
The motion passed unanimously (3-0).

The Board will hold off on voting the February 11, 2013 and March 4, 2013 Executive Session meeting minutes in order to allow review by Town Counsel.

NEXT MEETINGS

The Board's next meetings are scheduled for:

- Friday, March 22, 2013 at 8:00 a.m. (Warrant Articles Work Session)
- Friday, April 5, 2013 at 8:00 a.m. (Underwood Playground and Pool Feasibility Study)

- Monday, April 8, 2013 at 5:00 p.m. at Beech Street Center
- Monday, April 8, 2013 at 7:00 for Special Precinct Meeting at Beech Street Center
- Thursday, April 11, 2013 at 7:00 at Beech Street Center – Precinct Meeting

ACTION BY WRITING *(continued)*

One Day Liquor License – Leslie Ellis School, Beech Street Center

Wine Tasting Dinner: March 23, 2013, Wine and Malt only

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

Executive Session

The Board moved: To enter into executive session at 9:56 a.m. to conduct strategy session in preparation for negotiations with union personnel. The Board will return to open session.

A roll call vote was taken and the motion passed unanimously (3-0). Chair Paolillo said aye, Selectman Jones said aye, and Selectman Rojas said aye.

Return to Open Session

The Board moved: To return to open session at 10:44 a.m.
The motion passed unanimously (3-0).

Vote to Approve the MOA/Collective Bargaining Contract with Firefighters.

The Board moved: To approve the Firefighter contract.
The motion passed unanimously (3-0).

Renewal of Professional Contract with Police Chief Richard McLaughlin

Ms. Diane Crimmins, HR Director, remained before the Board to discuss the issue noted above.

The Board moved: To approve renewal of the Professional Contract with Police Chief Richard McLaughlin.
The motion passed unanimously (3-0).

The Board moved to adjourn the meeting at 10:46 a.m.



Mr. David Kale, Town Administrator