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BOARD OF SELECTMEN
MARCH 28, 2005
REGULAR SESSION

Call to Order

The Board convened in regular session at 7:00 p.m. in the Selectmen's Meeting Room of Town Hall. All members were present.

Questions from Town Residents

There were none.

Action by Appointment

Discussion of Litigation – Executive Session

The Board moved: to enter executive session for the purpose of discussing strategy related to litigation; and further that the Board shall return to open session at approximately 7:15 p.m.

The motion passed unanimously (3-0).

The Board of Selectmen returned to open session at approximately 7:20pm.

Discussion of Uplands / O'Neill Properties

Members of the Uplands Advisory Committee, legal counsel Judith Cutler, Senior Planner Tim Higgins and Sewer / Stormwater Committee Chair Ralph Jones appeared before the Board of Selectmen to update the Board on various issues surrounding the future affordable housing initiative (pursuant to MGL Chapter 40B) to be submitted by O'Neill Properties.

Various Uplands Advisory Committee members provided brief updates on various impacts (on sewer system, drainage system, and public safety and density issue) of this development.

Roger Colton raised a few concerns over the number of units which will meet affordable housing requirements.

Mr. Paulsen also requested the Town hire a technical consultant to review the impact of this development on the sewer system. This consultant would be "outside" of the consulting team the ZBA can be expected to retain.

Mr. Paulsen requested that the Board of Selectmen make recommendations to the Zoning Board of Appeals about areas of concern through Tim Higgins as Project Manager

The Board recommended that Selectman Firenze meet with Senior Planner Higgins to discuss such process and provide a recommendation to the Board.

The Board moved: to request an opinion from John Giorgio on the obligations of O'Neill to the Town as defined in the MOA signed with the Town when the property was rezoned. Per Tim Higgins recommendation, this is to include an analysis of the impact of the conservation commission denial of O'Neill's Notice Of Intent.

The motion passed unanimously (3-0).

Discussion of "Waverley Trail" Proposal

Chairman Solomon briefed the Board about the history and scope of this project. The goal is to heighten the awareness of the Waverley Square area through the development of a historic trail in that neighborhood. Chairman Solomon thanked Karl Haglund and Jim Levitt for their contribution.

Chairman Solomon requested the Board's permission to sign a grant request application with the State to support this project.

The Board moved: to approve Dr. Solomon's request; and to request Senior Planner Tim Higgins to file a motion with the Mass Development office to move this project along.

The motion passed unanimously (3-0).

*Application for Licenses and Permits – Original
Victualler's License*

Nicholas Houvardas d/b/a Nick's Place II, 6 Channing Road

Nick's Place owner Nick Houvardas appeared before the Board of Selectmen to support his request for a new Victualler license for his new business, which is to open sometime in April on Channing Road.

The Board moved: to approve the new victualler license application for Nick's Place, 6 Channing Road.

The motion was approved unanimously (3-0).

Warwick Road Tree Hearing

North Shore Construction and Development owner Ron Lopez and his legal representative Dan Harrington appeared before the Board of Selectmen to request approval for the removal of a maple tree located in front of 2-4 Warwick Road.

Mr. Harrington assured the Board that, should the tree removal request be granted, the builder would commit to planting two large trees and that a third tree would also be donated by Ms. Carol Toland of Oakley Road.

A large number of residents appeared to protest against the removal of the tree.

The Board moved: to reject the tree removal request.

The motion was approved (3-0).

Selectman Brownsberger suggested that Mr. Lopez consider planting those conditional trees still, in spite of his tree removal request being denied.

Discussion of Ballot Question re: Town Treasurer Position

Warrant Committee member Jim Fitzgerald appeared before the Board to express the Warrant Committee's decision to support the Selectmen's position on the Town elections' ballot question relative to changing the nature of the Town Treasurer position from elected to appointed.

The Board moved: to reaffirm its position in favor of an appointed versus an elected Town Treasurer.

The motion was approved (3-0).

Discussion of FY06 Budget

The Board of Selectmen reviewed and discussed the Interim Budget Director's "cuts and adds" document.

The Board moved: to approve the following measures: 1) delete the liability insurance line; 2) restore the additions to the Accounting and HR Director positions; 3) leave in the Assistant Town Administrator position; and 4) ask Barbara Hagg to make recommendations in time for the Wednesday morning session for the Board to review.

The motion was approved (3-0).

Discussion of the Comprehensive Site Assessment for the Incinerator Site

Public Works Director and Consultant Dan Recchia from Camp, Dresser & McKee (CDM) appeared before the Board to provide the Selectmen with a status report on the incinerator capping project at the site of the compost transfer station at 1130 Concord Avenue.

Mr. Recchia reviewed for the Board the various DEP-required steps of and cost estimation for the recapping project in the area which consists of approximately 14 acres of wetlands. The approximate cost of this project is in the 2 million dollar range.

The Board of Selectmen also discussed the possible post-closure re-use of the wetlands area, including recreational use and/or use by the Department of Public Works.

The Board of Selectmen agreed to refer this project to the new Town Administrator who will start working for the Town in the next thirty days.

Discussion of BEDPG Final Report

Business and Economic Development Planning Group Chair Sara Oaklander and other BEDPG members including Adam Tocci, David Johnson, and Phil Thayer met before the Board to discuss their final report and recommendations. Vision Implementation Committee members Jennifer Page and Jenny Fallon also attended this discussion.

Sara Oaklander summarized the findings of their report and restated the main requests articulated in the report, namely that the Board of Selectmen express its support for the BEDPG's report through its leadership and that it further define its vision for the economic development of Belmont; that a part-time business development expert be hired for the purpose of focusing on the Town's economic growth and also that a professional financial analysis be conducted in order to quantify the financial profit gained from supporting this vision.

Sara Oaklander also requested that a permanent business development committee be implemented in Town.

The Board of Selectmen commended members of the BEDPG for their hard work and excellent report and it agreed to communicate its strong support of this issue to the newly appointed Town Administrator in the next few weeks.

The Board moved: to establish this issue as one of the newly appointed Town Administrator's primary objectives, upon his new service with the Town.

The motion was approved (3-0).

Action by Consent

Application for Renewal of Licenses and Permits

The Board moved: to approve the following annual license renewal applications:

Motion Picture Exhibition

James L. Bramante, d/b/a Belmont Studio Cinema, 376 Trapelo Road

Victualler License

Starbucks Coffee #7538, 112 Trapelo Road

Kennel License (***)

Petcetera Boarding and Grooming, 820 Pleasant Street

(***) Subject to representation from Legal Counsel that there is no need to attach any conditions on this application.

The motion was approved (3-0).

Action by Writing

Letter from Belmont Boosters Club re: Annual Fiesta Show Carnival Event

The Board moved: to approve the Belmont Boosters Club's request for the sponsorship of the Fiesta Show Carnival at the Belmont High School parking lot from Monday, June 6 through Sunday, June 12, 2005, as documented in their memorandum dated March 7, 2005.

The motion was approved (3-0).

Memorandum from Public Works Director re: FY2005 Public Works Capital Equipment Purchase Requests

The Board moved: to approve a request from Public Works Director Peter Castanino relative to the purchase of some budget-approved capital equipment, namely one utility body service truck and one 1-ton pick up truck, as documented in his memorandum dated March 11, 2005.

The motion was approved (3-0).

Correspondence from Waverley Fire Station Re-Use Steering Committee Chair re: Disbanding the Steering Committee

The Board moved: to disband the Waverley Fire Station Re-Use Steering Committee; and further to contact the facilitator along with all Steering committee members to express thanks for their efforts.

The motion was approved (3-0).

Memorandum from Building Services Director re: Reserve Fund Transfer

The Board moved: to hold off on a request from Building Services Director Kevin Looney for a reserve fund transfer in the amount of \$50,000; and that Selectman Firenze will further discuss this request with Mr. Looney.

The motion was approved (3-0).

MMA's Loophole Closing Advocacy Kit

The Board moved: to express its support for the new loophole closing legislation; and further to designate Town Assessor Bob Reardon as the local contact person on this issue; and that this issue be placed on the Annual Town Meeting warrant for expression of support by Town Meeting.

The motion was approved (3-0).

Memorandum from Acting Assistant Town Administrator re: Verizon Cable Television Licensing

The Board moved: to approve the Acting Assistant Town Administrator's request to initiate cable television licensing process with Verizon, as documented in her memorandum dated March 24, 2005.

The motion was approved (3-0).

Other

The Board moved: to refer a letter from a resident residing at 51 Oxford Avenue to the attention of the Public Works Director for his review and response.

The motion passed unanimously (3-0).

The Board moved: to refer a letter from the State Executive Office of Public Safety relative to a potential federal funding opportunity for juvenile delinquency prevention to the attention of Police Chief O'Malley for his review and response.

The motion passed unanimously (3-0).

The Board moved: to approve the Fire Chief David Frizzell's request for a reserve fund transfer in the amount of \$27,000, as documented in his memorandum dated March 24, 2005; and further that such request be carried over to the Warrant Committee for its approval.

The motion passed unanimously (3-0).

The Board discussed a memorandum from the MBTA's Metropolitan Planning Commission relative to electing a local town official to the MPO.

The Board moved: to defer to the Chairman of the Board for his decision on this request.

The motion passed unanimously (3-0).

The Board moved: to enter an executive session for the purpose of discussing preparation for negotiation with non-union personnel and land acquisition; and further that the Board will not return into open session.

The motion passed unanimously (3-0).

The Board of Selectmen adjourned its open session at 11:35pm.

Thomas G. Younger
Town Administrator