

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, April 22, 2013
8:00 AM**

RECEIVED
TOWN CLERK
BELMONT, MA.
MAY 23 2 21 PM '13

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 8:10 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 not present, while Mr. Bobby Reardon was present.

Chair Paolillo commended and applauded the efforts of the law enforcement officials who, throughout recent events, worked tirelessly to serve and protect the community.

Selectman Jones noted that WBZ reporter and Belmont resident Mr. Jon Keller suggested that the businesses along Boylston Street be patronized to show support. In that spirit, Selectman Jones encouraged Belmont residents to patronize the Belmont businesses that were closed on Friday.

Chair Paolillo requested that the meeting hold two moments of silence.

- The first to honor the memory of former Selectman Walter Flewelling, who passed away in March. Selectman Flewelling was a lifelong resident of Belmont who served on the Board for 21 years in addition to his service to many other Town organizations.
- The second moment of silence is for the Boston Marathon victims.

Chair Paolillo expressed concern and prayers for all those injured on Marathon Monday in Boston.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Belmont Municipal Light Project: Vote and Sign Bond Anticipation Notes

Mr. Floyd Carman, Town Treasurer, appeared before the Board regarding the Bond Anticipatory Note. Mr. Carman explained the nature of the bonds as well as the interest rates involved.

The Board moved: To approve the sale of a \$14M 1.25 percent General Obligation Electric Bond Anticipation Note of the Town dated April 25, 2013, and payable April 25,

2014, to Bank of America Merrill Lynch at par accrued interest plus a premium of \$150,220.00.

The motion passed unanimously (3-0).

The Board will sign the papers at a later time.

Arbor Day Proclamation – May 1, 2013

Chair Paolillo read the information regarding the Proclamation. Selectman Rojas explained that trees were needed to finish the landscaping at the Butler School near the playground. He contacted Mr. Tom Walsh, Belmont's Tree Warden, who will donate three trees this year and three more next year. He noted that Ms. Liz Allison donated money for shrubs and materials for planting.

Chair Paolillo read the Proclamation.

Town Administration Office Notes:

- Chair Paolillo noted that the Memorial Day Observance will be on Monday, May 27, 2013. Mr. Reardon noted that the VFW has requested permission to host the annual parade.
- Chair Paolillo read that two DPW members (Mr. George Patsios and Mr. Marc Petto) were commended with a first place award for safety in driving.
- Mr. Reardon noted that residents have suggested improvements to the Block Party form.

Report on Joey's Park Construction

Ms. Ellen Schreiber and Ms. Diane Miller, Co-Chairs of the Friend's Joey's Park, appeared before the Board to provide an update on the construction for Joey's Park. Ms. Miller began by noting that the process has involved input from the community. She then provided an overview of the design of the new park.

The all-inclusive budget number has been \$380K for the project. Ms. Miller provided the Board with specific budget details, noting that the use of volunteers kept the cost down significantly.

Ms. Schreiber said that this has been a true private/public partnership. She said \$210K has been raised from the community and that the CPA is slated to allow for up to \$100K for the project. She noted major gifts from other individuals and businesses across town. She then reviewed the key dates pertaining to the park.

Chair Paolillo thanked the two women for their hard work.

Budget Update FY14

Chair Paolillo said that the Board met last week regarding the FY14 budget. He said that \$144K in local aid is expected to come to Belmont and that the Board will support this money being moved to the school side to help mitigate the gap. Dr. Kingston said there will still be a gap of about \$150K after the state aid and utility savings that are expected to come in. Chair Paolillo said that the Board will vote on the state aid and the FY14 budget in the near future.

Vote to accept MEMA's Hazard Mitigation Plan

Mr. Glenn Clancy, Town Engineer, appeared before the Board regarding the MEMA hazard mitigation plan. Mr. Clancy noted that, in order to receive FEMA funding, municipalities must have a hazard mitigation plan. The plan, he explained, is the process of determining how to reduce the loss of life and preserve town assets from the effects of natural disasters, e.g., earthquakes, floods and hurricanes. Part of the planning is to identify prevention measures with regard to these natural disasters.

Mr. Clancy then provided details of the plan.

The Board discussed how the plan would be implemented and where funding will be needed for implementation. Specifically, they discussed the Beaver Brook culvert at Trapelo Road.

Chair Paolillo read the resolution.

The Board moved: To adopt the Hazard Mitigation Plan, as described in the resolution. The motion passed unanimously (3-0).

ACTION BY WRITING

License Renewals: Junk, Old Metals and Second Hand Articles

- Fancy That, 4 Trapelo Road
- Sacca Junk, 51-53 Baker Street

The Board moved: To accept the license renewal requests, as noted above. The motion passed unanimously (3-0).

License Renewals: Taxi Service

- Yellow Cab of Belmont, 61R White Street

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

Town Administrator's Report

Chair Paolillo noted that the Board has received a five-page letter from Dr. Bouquillan in response to a letter that the Minuteman Working Group submitted several months ago. He said

Belmont may need to organize a meeting with the MSBA to express concerns over the proposed size of the new facility. The Board then discussed this issue, including who should be cc'd on the response to the letter.

The Board moved: To approve the response letter (intended for Dr. Bouquillan).
The motion passed unanimously (3-0).

Selectman Jones informed the viewing audience that Minuteman has been involved in a legal matter regarding its competitive bidding process. He explained that the Minuteman School Committee did not investigate this matter fully and that Ms. Camy Lamica, the Business Financial Officer, resigned as a result of this matter. The Board expressed its concern over this issue, noting that public funds are involved and need to be better controlled.

The Board took a two-minute break.

Special Town Meeting

Ms. Ellen O'Brien Cushman, Town Clerk, appeared before the Board regarding the opening and closing of the warrant for the Special Town Meeting (TM). She explained the rationale for holding a Special TM for Wednesday, May 29, 2013. She explained the process for citizen's petitions. The Board, she said, will have until May 8 to submit warrant articles.

The Board then discussed moving Article 18 (Snow Removal) to the Special TM, given that there have been amendments. Procedurally, Ms. Cushman said that Article 18 would be dismissed from the Annual TM and taken up at the Special TM to allow for the amendments.

The Board moved: To hold the Special TM on Wednesday, May 29, 2013 at 7:00 p.m.
The motion passed unanimously (3-0).

The Board moved: To open the Special TM warrant on Wednesday, May 1 at 9:00 a.m.
and to close the Special TM warrant on Friday, May 3 at 4:00 p.m.
The motion passed unanimously (3-0).

Vote on Annual Town Meeting Warrant Articles

Chair Paolillo noted that the Board will need to vote on the articles.

ARTICLE 2 - Authorization to Represent Town's Legal Interests

The Board moved: To recommended favorable on Article 2.
The motion passed unanimously (3-0).

Special Acts of the Legislature

ARTICLE 13 - Home Rule Petition: Town Administrator (TA)

Selectman Jones explained an amendment regarding the exemption of the Light Department to this article.

The Board moved: To recommended favorable action on the *amendment* to Article 13.
The motion passed unanimously (3-0).

Article 13 Discussion:

Selectman Rojas expressed concern over Article 13, noting that it removes the residents further away from their elected officials. He said he has heard from residents who are concerned about adding this layer of bureaucracy. The Board discussed this article, noting that the Town Administrator will still serve “at the pleasure of the Board.” Selectman Jones reviewed the positions that the Board will still have appointing authority over. Selectman Rojas said that he wants to be a “hands-on” decision maker and that this is what he was elected to do.

Chair Paolillo said that the TA will still report to the Board. He said he feels the Board does not need to opine on the minutia of the town, e.g., where a stop sign is placed. Selectman Jones will share the Government Structure Committee’s prefatory remarks to this article before voting on it.

The Board will vote on this article on Monday, April 29 (pre TM).

ARTICLE 14 - Home Rule Petition: Restaurant Wine and Malt Licenses

Chair Paolillo reviewed the liquor license numbers.

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

ARTICLE 15 - Home Rule Petition: Retail Liquor Licenses

Selectman Rojas reviewed the all-alcohol license numbers. The Board discussed the issue of wine tasting on the premises.

The Board will vote on this article on Monday, April 29 (pre TM).

Amend Existing General By-Laws

ARTICLE 16 - Amend General By-Laws: Capital Budget Reports

Chair Paolillo expressed support for this article.

The Board moved: To recommended favorable action on Article 16.
The motion passed unanimously (3-0).

ARTICLE 17 - Amend General By-Laws: Richardson Farm Historic District

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

ARTICLE 18 - Amend General By-Laws: Residential Snow Removal

Chair Paolillo said the Board may dismiss this article and reintroduce it at the Special TM.

ARTICLE 19 - Amend General By-Laws: Police Chief

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

ARTICLE 20 - Amend General By-Laws: Electronic Voting at Town Meeting

This issue will be taken up in the second session of TM on June 3.

New General By-Laws

ARTICLE 21 - New General By-Law (Article 35) - Demolition Delay

Mr. Sami Baghdady, Planning Board Chair, appeared before the Board to explain the concerns surrounding Article 21. He said the PB has not voted on this article. The Board will vote on this after the PB issues its recommendation.

ARTICLE 22 - New General By-Law (Article 36) - Criminal History Checks

Chair Paolillo reviewed the article.

The Board moved: To recommended favorable action on Article 22.
The motion passed unanimously (3-0).

ARTICLE 23 - New General By-Law (Article 34) - Stormwater Management

Selectman Jones explained this article, noting that Belmont is required to have a stormwater management plan.

The Board moved: To recommended favorable action on Article 23.
The motion passed unanimously (3-0).

New Enterprise Fund

ARTICLE 24 - New Enterprise Fund: Stormwater Management Enterprise Fund

Selectman Jones explained the necessity of this article, noting that stormwater needs its own enterprise fund.

The Board moved: To recommended favorable action on Article 24.
The motion passed unanimously (3-0).

ARTICLE 25 - Senior Tax Abatement Program

Chair Paolillo reviewed this article, noting that this reflects a change in state law.

The Board moved: To recommended favorable action on Article 25.
The motion passed unanimously (3-0).

Community Preservation Funds

ARTICLE 26 - FY14 Community Preservation Committee Budget & Projects

Selectman Rojas reviewed this article.

The Board moved: To recommended favorable action on Article 26.
The motion passed unanimously (3-0).

Land and Buildings

ARTICLE 27 - Easement: Oakley Development

Selectman Rojas explained where this patch of land is located, noting that it is a small parcel.

The Board moved: To recommended favorable action on Article 27.
The motion passed unanimously (3-0).

ARTICLE 28 - Establish Underwood Building Committee

Chair Paolillo said that the article may need clarification since the Board supported Option 1.

The Board moved: To recommended favorable action on Article 28.
The motion passed unanimously (3-0).

ARTICLE 29 - Appropriation for Underwood Playground (If Needed)

Chair Paolillo said that this article may not be necessary if the CPA article passes.

The Board moved: To recommended favorable action on Article 29.
The motion passed unanimously (3-0).

Zoning By-Laws

ARTICLE 30 - New Zoning By-Law: Interim Controls for Medical Marijuana Uses

Mr. Sami Baghdady, PB Chair, explained this article, noting that the moratorium gives the town time for the state to issue its regulations.

The Board moved: To recommended favorable action on Article 30.
The motion passed unanimously (3-0).

ARTICLE 31 - New Zoning By-Law: Religious & Municipal Building Preservation

Mr. Baghdady explained this article, noting that it works hand-in-hand with the Demolition Delay article.

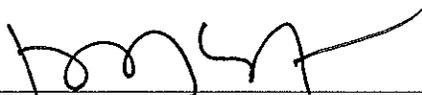
The Board moved: To recommended favorable action on Article 31.
The motion passed unanimously (3-0).

The Board reviewed the articles that it did not vote on: 13, 15, 18, 20 and 21.

NEXT MEETINGS

- Mon., April 29 at 6:00 pm Pre-Town Meeting at the BHS
- Wed., May 1 at 6:00 pm Pre-Town Meeting at the BHS
- Mon., May 6 at 6:00 pm Pre-Town Meeting at the BHS
- Wed., May 8 at 8:00 am the Board of Selectmen's Meeting Room

The Board moved to adjourn the meeting at 10:17 pm.



Mr. David Kale, Town Administrator