

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, May 21, 2012
7:00 PM**

RECEIVED
TOWN OF BELMONT
SEP 17 11:14 AM '12

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:07 pm by Chair Paolillo in the Selectmen's Meeting Room. Selectmen Jones and Rojas were present. Interim Town Administrator Kellie Hebert was present.

Chair Paolillo reviewed the evening's agenda.

QUESTIONS FROM TOWN RESIDENTS

Mr. Ray Morse, of Farnham Street, appeared before the Board discuss the parking situation on Farnham Street. He said he spoke with Mr. Jay Szklut and Mr. Glenn Clancy, who suggested that the residents request that Farnham Street obtain a two-hour parking restriction. The Board agreed that it will first need to read this memo. Chair Paolillo said that some residents (in past meetings) expressed concern about the two-hour parking restriction. He explained that the issue of Belmont Center employee parking is being explored.

Chair Paolillo said that this will be an agenda item for another Board meeting, allowing for the Board to review the memo. Mrs. Morse added that this should have been on the Board's agenda for this evening.

ACTION BY APPOINTMENT

Proclamation for Eagle Scouts, Belmont Troop 304

Eagle Scout candidates Jack Chase, Callum Grant, and James McCants appeared before the Board to receive recognition for Eagle Scout membership. (Malcum Perkins could not attend the meeting.)

Chair Paolillo read the Proclamations for each of the four candidates. Photographs were then taken with the candidates and the Board of Selectmen.

Executive Session I and II

The Board moved: To enter into executive session at 7:25 p.m. to conduct strategy sessions in preparation for negotiations with nonunion personnel and/or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, specifically health care for union personnel and pay raises for non-union personnel. A roll call vote was taken and the motion passed unanimously (3-0).

The Board will stay in executive session to discuss the Uplands Litigation.

The Board moved: To discuss strategy with respect to the Uplands Litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the

public body and the chair so declares.

The Board will return to open session at the close of this executive session.

A roll call vote was taken and the motion passed unanimously (3-0).

The Board reconvened the meeting in open session at 8:40 p.m.

Uplands Litigation Discussion

Chair Paolillo welcomed Upland Development concerned residents to the meeting and invited a spokesperson to lead the presentation.

Ms. Idith Haber Kisin, Co-chair, appeared before the Board on behalf of the Coalition to Preserve the Belmont Uplands. She spoke about the flooding issues (shallow ground water and runoff) that threaten the area if it is developed as planned. She said the plan is in violation of "Storm Water 3." She reviewed the case as it has evolved.

Chair Paolillo noted that the Board supports the Conservation Commission (ConCom) as it takes its next steps. In addition, he said that he has received information from Town Meeting members who desire open space in that area. Chair Paolillo said that Senator Brownsberger also supports the ConCom as well and has attempted to get the state's support on this issue.

There were questions from the audience pertaining to the extent of the Board's support. Chair Paolillo said that this support could extend to covering legal services for ConCom.

Butler Playground Free Cash Transfer

SC Chair Laurie Graham, CBC Chair Ann Marie Mahoney, and Warrant Committee Chair Liz Allison appeared before the Board to discuss the potential transfer of funding to the Butler Playground from free cash.

Selectman Jones said that there are funds available to move toward the playground but that the mechanism for doing so is presently unknown. Chair Paolillo said that the Board would like to take a role in the private/public funding efforts and will see where the funding is in the fall.

SC Chair Graham informed the Board that Phase I (costing \$125,345) has gone out to bid, but that Phase II (costing \$44,265K) has not. This project has been conceived of as a two-phase process. The assumption is that Phase I will be completed over the summer, she said. Selectman Jones said that there could be amendments at TM. The Board discussed the availability of free cash that could support Phase II. Chair Paolillo said that the Phase II gap is around \$38K; he said if there is still a gap in the fall, it could be addressed then.

Selectman Rojas asked about the specifics of Phase II. SC Chair Graham noted that Phase II involves landscape work, a fence, and some additional playground equipment. He confirmed that Phase I gets the playground up and running. Graham said that additional private funding would help Phase II. Selectman Jones said, in the absence of a contribution from free cash, he would raise the private funding. He said this issue needs to be settled, as it appears to TM members that the town leadership has not taken this issue seriously enough.

Selectman Rojas spoke to the importance of the issue of sub-base preparation. SC Graham said that this issue is being considered.

CBC Chair Mahoney said that she is concerned about the process and the precedent-setting pertaining to this matter. She said there will need to be a clear process going forward, so this doesn't happen again next year. Chair Paolillo said that the Butler playground was on a capital list, it was just a low priority.

WC Chair Allison concurred with CBC Chair Mahoney and stated that the School Department had 15 unfunded projects that it placed ahead of the Butler playground. She said that the playground fundraising committee did a great job raising money and that the Butler is going to have a playground in the fall, even if Phase II is not complete. She said there were many good things that did not get funded this year. She said that the idea that this will have been "fast tracked" is a concern. Next year at TM, she said, this will come back and haunt this. She said it is important to highlight the distinction of private cash. SC Chair Graham said it will be important to tell the community what will happen next.

The Board agreed to not move forward with a free cash transfer at this time, but that Selectman Jones will raise the money privately.

Discussion and Vote: Process to Appoint New Town Administrator (TA)

HR Director Diane Crimmins appeared before the Board to discuss the process regarding the appointment of the new TA. She reviewed the work that the Collins Center provided the town concerning this search and noted that their contract has ended. The Board will meet on the morning of Tuesday, May 29th to interview the three finalists. The heads of the larger department (DPW, Community Development, Fire and Police, Treasurer, Town Accountant, Town Clerk, and Superintendent) will have an opportunity to meet with the candidates later in the week. The Department Heads will give feedback to the Board through Ms. Crimmins.

Vote to Dissolve the Town Administrator (TA) Screening Committee

Chair Paolillo thanked the screening committee for their efforts in the TA search. He said the process went well.

The Board moved: To dissolve the TA Screening Committee.
The motion passed unanimously (3-0).

Discussion of Article 5 on the Annual Town Meeting (Elected Town Officials Salaries)

Selectman Jones said he was going to propose an amendment to the Town Clerk's (TC) salary at the mid-point of the WC recommendation and the Board's recommendation. He said that this represents a compromise number (\$72,134). Selectman Jones explained the rationale for the compromise figure. He summarized Mr. Kelleher's perspective on the TC salary and its classification. He then asked for his colleagues' support on the amendment.

The Board discussed this amendment.

Chair Paolillo reiterated that there will be a study in place for next year to evaluate salaries as well as grade classifications. It would be nice, he said, to see what this study reveals given that the issue could be revisited in one year. Selectman Jones said that a strong TA should be able to weigh in on this salary as Mr. Kelliher did.

WC Chair Allison then approached the table to discuss this matter. She noted that the WC's role of recommending salaries of elected officials is a longstanding practice (since 2000). She then provided a document that lays out the TC salary scenarios. She noted that Selectman Jones' new proposed increase to \$72,134 amounts to a 15 % increase in salary, which is much larger than any other salary increase across the town. She then spoke to the classification of this position (Grade 18). If this happens, she said, many department heads will be reclassified at higher rates, which will build in a new set of six figure salary costs for the town. She noted that market data seems the most appropriate point of comparison, and as such, the current salary proposed by the WC is on the mark.

Selectman Jones said that the TA should be given some respect in setting these salaries. He said that competence and performance should be a part of the equation. WC Chair Allison concurred, but noted that a well-thought-out bonus system would be beneficial, in the future.

Ms. Meg Piccione appeared before the Board (as a private citizen) with a letter that articulates serious concerns with regard to the salaries of Elected officials, specifically the Town Clerk's salary. She reviewed the classification system, noting that this position has been rated a Grade 18. She said that the issue of *process* is very important, as this is being watched carefully across town. She asked why one position is being signaled out above all others. Doing so, she added, leads to a divisive TM process.

Chair Paolillo said that there will be a process as well as a comprehensive review of all salaries. Selectman Rojas asked about the process, given that two options have been put forward. Chair Paolillo said that he would like to revisit this in a year when the salary and classification study has been completed.

WC Chair Allison noted that TM examined this issue twice and decided that the market base salary was the correct one. She added that while Mr. Kelliher's recommendation deserves consideration, he was not a part of Belmont for very long (six weeks).

Selectman Jones said that he would withdraw his amendment and support the former TA's (Mr. Kelliher) salary recommendation (\$78,216). Chair Paolillo said that the Board could discuss this issue again when it meets on May 29th.

Town Administrator's Report

Ms. Hebert reported on the following items:

- A draft on the Board's summer schedule has been formulated.
- Committee liaisons will need to be discussed by the Board.
- Committee appointments will be discussed on June 18.
- TM draft motions have been formulated.

APPROVAL OF ONE DAY LIQUOR LICENSES

*Rocha Family, Graduation Party, Beech Street Center, 266 Beech Street
Wind and Malt – Saturday, June 23, 2012, 2-6pm*

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

*License to Coastal Vineyards, 61 Pardon Hill Rd., So. Dartmouth, MA
To sell Wine at the Belmont Farmer Market*

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

*License to Westport Rivers Inc., 417 Hix Bridge Rd, Westport, MA
To sell Wine at the Belmont Farmer Market*

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

ACTION BY CONSENT

MassRides Partnership

Selectman Jones reviewed what this partnership would mean for Belmont.

The Board moved: To approve participation with the MassRides Partnership.
The motion passed unanimously (3-0).

Approval of BOS Meeting Minutes for May 7, 2012

The Board moved: To approve the meeting minutes for 5/7/12.
The motion passed with one abstention (Chair Paolillo was not at the 5/7/12 meeting).

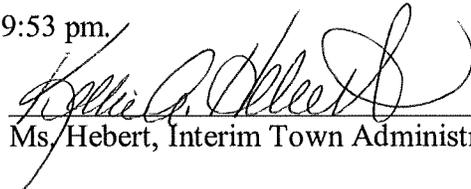
ACTION BY WRITING

To Approve Contractor Asplundh Tree Expert Co. for Tree Services

To Approve Contractor Ace Restoration Company, Inc. for Building Envelope Repair Project

The Board asked for clarification on the bid process of the contracts noted above. Ms. Hebert said she will check with Mr. Castanino about the bid process and report back to the Board.

The Board moved to adjourn the meeting at 9:53 pm.



Ms. Hebert, Interim Town Administrator