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BOARD OF SELECTMEN
JUNE 14, 2004
REGULAR SESSION

Call to Order

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

Questions from Town Residents

There were none.

Action by Appointment

Belmont Land Trust re: Conservation Restriction at 580 Concord Avenue

The Board of Selectmen met with Anne Allen, owner of 580 Concord Avenue and Neal Winston of the Belmont Land Trust to discuss the Board's approval of a conservation restriction on a portion of her property at 580 Concord Avenue.

The Board moved: to accept and approve the conservation restriction on those parcels of land currently owned by Anne C. Allen and as specified in the "Grant of Conservation Restriction," dated June 14, 2004.

The motion passed unanimously (3-0).

Alcoholic Beverages Licensing Committee re: Draft Regulations for Restaurant All-Alcoholic Beverages Licenses

The Board of Selectmen reviewed a copy of the proposed revisions to the Town's existing regulations for the Restaurant Beer and Wine Licenses to incorporate the recently implemented Restaurant All-Alcoholic Beverages Licenses.

Mr. Brownsberger expressed concern that there is no allowance of a bar for a restaurant with an All-Alcoholic Beverages license for those patrons to utilize while waiting to be seated for a meal.

The other members did not concur.

The Board moved: to approve the proposed revised regulations to the Town's Restaurant Alcoholic Beverages Licenses regulations.

The motion passed unanimously (3-0).

Committee Appointments

The Board discussed its annual committee and commission appointment process.

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The Board moved: to appoint Dr. Solomon as the Board's representative to the Capital Budget Committee.

The motion passed unanimously (3-0).

The Board moved: to appoint Ruth Foster and Monica King as associate members of the Conservation Commission

The motion passed unanimously (3-0).

The Board considered a draft charge for a Human Rights Commission.

The Board moved: to create a Human Rights Commission that shall assume the presumed charge; and further to dissolve the Belmont Fair Housing Committee.

The motion passed unanimously (3-0).

The Board requested a letter be sent to the current membership of the Fair Housing Committee to ascertain their interest in serving on the new Human Rights Commission.

Public Hearing: Electricity Supply Study Committee re: Presentation of Report

The Board convened a public hearing regarding the potential to open the town's electricity market in Belmont to external market competition. The Board's appointed Electricity Supply Study Committee appeared before the Board to present its findings relative to the electricity supply for the Town.

The Committee recommended that nothing should be done relative to this issue until the Electric Light Department's contract with Dominion has expired. The Committee noted its intention to hold an additional public hearing in July in addition to tonight's hearing. The Committee will provide a final recommendation to the Board of Selectmen in October 2004.

There were no comments from the public.

The Board concluded the public hearing.

Discussion of Belmont Uplands

--Presentation by Belmont Uplands Advisory Committee

The Board of Selectmen reviewed and discussed a report from the Temporary Belmont Uplands Advisory Committee on the feasibility of the "land swap" of the former MDC skating rink site for the Uplands land.

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Mr. Corridan, representative of O'Neill Properties, appeared before the Board to provide a brief statement relative to its position on a prospective land swap. He stated that O'Neill Properties does not believe a land swap to be a viable option.

Mr. Brownsberger inquired whether O'Neill Properties has an analysis that indicates that this option is not economically feasible.

Mr. Corridan indicated that they have conducted preliminary economic analysis that does not support this option.

Mr. Brownsberger stated he is unwilling to believe O'Neill's position until he receives viable economic analysis that supports it.

Members of the Belmont Uplands Advisory Committee provided brief reports relative to the analysis of potential for a land swap.

The Committee urged the Board:

- a) to endorse the Alternative Plan as explained;
- b) to support further environmental review by the Secretary of Environmental Affairs by the filing of a Notice of Project Change; and
- c) to enter further negotiations with O'Neill to achieve a smaller housing development without adverse impact on the valuable Uplands.

They recommended the Board request MassDevelopment to defer action on O'Neill's request for site feasibility to allow the Town, State, and O'Neill Properties time to work out the terms of the exchange of the rink site for the Uplands. Finally, they recommended that the Board of Selectmen incorporate the relevant material set forth in this letter in the Board's letter to MassDevelopment.

Elsie Fiore of Arlington requested that the Friends of Alewife have the ability to share its views with the Board.

A few residents commented on this issue.

Mr. Brownsberger proposed that the Uplands Advisory Group comment on the 40B letter from the Board of Selectmen to MassDevelopment.

The Board agreed that it will consider the continuation of the activities of the Belmont Uplands Advisory Committee and its recommendations at its next meeting on June 21, 2004.

--Discussion of Comments to 40B Application

The Board reviewed and discussed the proposed revision to the Board's response to O'Neill's 40B application as drafted by the Senior Planner.

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Mrs. Mahoney requested that information related to O'Neill's prior proposal to develop 250 units on the site, instead of 300 units be included in the response.

Mr. Brownsberger also noted a few minor changes he has proposed for the Board's consideration.

The Board requested the draft response be submitted to the Uplands Advisory Committee for its review.

Interviews of Town Counsel Finalist Candidates

The Board met with finalist candidates to be considered for appointment as the Town Counsel.

The Board met first with representatives of the firm of Murphy, Hesse, Toomey & Lehane and inquired of their suitability and fit for the Town.

The Board met next with representatives of the firm Kopelman & Paige and inquired of their suitability and fit for the Town.

Action by Consent

Approval of Minutes (04/26/04, 04/28/04, 05/03/04, and 05/05/04)

The Board moved: to approve the minutes of April 26, April 28, May 3 and 5, 2004.

The motion passed unanimously (3-0).

Memorandum from Public Works Director re: Request to Fill Administrative Secretary Vacancy

The Board moved: to approve the filling of the Administrative Secretary vacancy.

The motion passed unanimously (3-0).

Memorandum from Town Administrator re: Appointment of Police Officers

The Town Administrator reviewed before the Board his recommendation to select Police Officer candidates John Tobin and Todd Benedetti for hiring.

The Board moved: to approve the appointment of both candidates John Tobin and Todd Benedetti.

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The motion passed unanimously (3-0).

Memorandum from Public Works Director re: Proposed Water and Sewer Rates

The Board moved: to approve the proposed water and sewer rates for FY 2005.

The motion passed unanimously (3-0).

Memorandum from Public Works Director re: Award of Contract for Water Meter Installations

The Board moved: to award the water meter installations contract to Stiles Company of Norwood, MA.

The motion passed unanimously (3-0).

Action by Writing

Memorandum from Town Administrator re: Goals and Objectives and Performance Evaluation Process

The Town Administrator reviewed before the Board his memorandum relative to goals and objectives and to the Town Administrator's performance evaluation.

The Board discussed the process by which the Town Administrator's performance should be evaluated. The Board agreed that it is unnecessary this year to undertake the extensive survey of the Department Heads and Boards relative to the Administrator's performance.

The Board agreed to review the Town Administrator's performance relative to the Board's goals. Dr. Solomon agreed to compile the information.

The Board discussed the scheduling of the Board's goal setting session and the use of a facilitator.

The Board agreed to utilize the services of Cavas Gobhai.

The Board agreed to inform the Town Administrator of their availability to meet in July.

Other

The Board discussed meeting with the Warrant Committee at its meeting on June 30, 2004 regarding the potential for a November override. The Board agreed it was open to discuss this issue at an upcoming meeting with the Chairmen of the Warrant and School Committees.

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The Board requested a letter from a resident regarding door to door solicitations be referred to the Police Department for their review and recommendation.

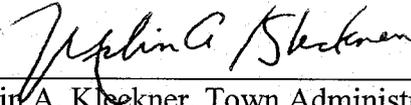
Mr. Brownsberger inquired about the Governor's proposal for an increase in Belmont's state aid.

Action by Appointment (continued)

The Board moved: to enter executive session for the purpose of holding a union grievance hearing and to discuss strategy regarding litigation; and further that the Board shall not return to open session.

The motion passed unanimously (3-0), by roll call vote.

The Board adjourned their regular session at 10:45 p.m.



Melvin A. Kleckner, Town Administrator
Clerk, Board of Selectmen