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MINUTES  
TOWN OF BELMONT  
BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
Monday, June 18, 2012  
7:00 PM

**CALL TO ORDER**

A regular meeting of the Board was called to order in open session at 7:00 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**

Ms. Anne-Marie Lambert, a Precinct 8 Town Meeting Member, addressed the Board regarding the proposed Uplands development. She distributed a handout that raised several questions. She asked the Board if they supported a previous Board's vote from 2004 against the development of the Uplands. Chair Paolillo said that he is in favor of retaining the Uplands as open space. Selectman Rojas agreed, but added that the owner of the property, the developer, does have certain legal rights that the Town must work with moving forward. Ms. Lambert thanked the Board for its attention to this issue and requested that the Board make an official statement before the June 26<sup>th</sup> Cambridge City Council's Environmental Committee's hearing on open space preservation. Ms. Lambert then noted that there are several parties that may align with Belmont's desire to keep this land as open space. Chair Paolillo thanked her for her attention to this matter.

**ACTION BY APPOINTMENT**

**Comcast Petitions: 78 Trapelo Road & 385 Concord Avenue**

Mr. Glenn Clancy, Town Engineer and Director of Community Development, and Mr. Dave Cavanaugh, Project Coordinator for Comcast, appeared before the Board to request petitions for two street openings: 78 Trapelo Road and 385 Concord Ave. Mr. Clancy said that Comcast will need to coordinate with the nearby businesses as well as the Police Department regarding the flow of traffic. He also suggested that Mr. Cavanaugh speak with the street opening coordinator, Mr. Dan Fitzgibbons, from the DPW.

*The Board moved:* To grant approval of the Comcast petition for the two streets as outlined above.

The motion passed unanimously (3-0).

**Town Administrator Appointment - Motion by Selectman Jones for a Unanimous Vote**

Selectman Jones stated that he would like the vote to appoint Mr. Kale as the new Town Administrator

to be made unanimous, given that it was not unanimous when the Board voted last week. He said he would like the new Town Administrator, Mr. Kale, to feel supported and well endorsed by the Board of Selectmen.

*The Board moved:* To unanimously support the appointment of Mr. David Kale for the new Town Administrator position.

The motion passed unanimously (3-0).

### **Update on the Incinerator Site Project**

Mr. Glenn Clancy, Mr. Bruce Haskell and DPW Director Mr. Peter Castanino appeared before the Board to give an update on the former Incinerator Site Project. Mr. Haskell said there are three options currently being studied: a) passive recreation/open space, b) active recreation (ball field space), and, c) a solar PV System. He briefly explained each of these options.

- **Passive Recreation:** This option would involve an alternative cap, may cost approximately \$3.5 Million, and allows for grassy pathways, parking, and use by the Department of Public Works.
- **Solar PV Panels:** This option would involve a third party vendor to build, operate and generate power for purchase. This option is not likely to be financially viable. The Board discussed this option and noted that the project does not appear to be economically feasible. Mr. Castanino agreed.
- **Recreational Field(s):** Mr. Haskell reviewed the playing field option and discussed the type and size of the potential proposed fields. He noted that fencing, lighting, restroom facilities, security, and turf need to be considered when evaluating this option. The cost for this option is approximately \$5.4 Million or more depending on many options available to develop this type of use.

The Board discussed the various field types, sizes, turf types, and location. Chair Paolillo noted that the Board has reached out to Legal Counsel to seek guidance regarding ownership issues at the site. Selectman Jones agreed that a determination on the ownership of the land will need to happen before any next steps can be decided, e.g., commercial development.

The Board then discussed next steps, including the determination of the type of capping that will need to be done on the site.

Attorney George Hall, Town Counsel, approached the Board to discuss the ownership concerns that will need to be resolved and settled with the state. Attorney Hall gave a brief update of the negotiations with the state (DCAM). He said the issue has not been resolved to mutual satisfaction. He believes that the issues will be resolved eventually, but not quickly.

Selectman Jones noted that passive recreation or active field space are the only tenable options at this point, given that the state issue is not resolved. Chair Paolillo agreed, noting that he would prefer space for ball fields at the site, but that option could be more expensive. The Board discussed. Chair

Paolillo said that he will work with Town Counsel to get a meeting with DCAM. The Board can then meet and discuss this again after the title issues are closer to resolution.

### **Update: Woodfall Road**

Mr. Jay Szklut, Planning and Economic Development Manager, appeared before the Board. Mr. Clancy remained before the Board to provide an update regarding the Town-owned property on Woodfall Road. Mr. Szklut said that a private firm (Integra) contacted the Town regarding this property. He said there have been additional inquiries on the property as well. He suggested that the Board consider putting the property out to bid if they would want to sell it. Mr. Szklut said that the town has lots of information about the site, and that any interested developers can explore the property and make an offer to purchase the land from the Town. Chair Paolillo asked whether a new appraisal could be done to update the property's current market value. Mr. Clancy then reviewed the history of the property and explained why it was previously split into four lots when the property was put up for auction 5 or 6 years ago.

The Board discussed several options available for the site. They decided that for next steps, a Request for Proposals (RFP) will need to be developed if the Board decides to move forward.

*The Board moved:* To direct the Office of Community Development to construct an RFP and to obtain a current appraisal on the Woodfall Road property.

Further discussion ensued, especially pertaining to the RFP.

The motion passed unanimously (3-0).

The Board requested to see a draft of the RFP. Mr. Hall suggested that the Board clearly state its criteria in the RFP for this site. The Conservation Commission's concerns were raised as well.

### **Update: Trapelo Road Improvements**

Mr. Glenn Clancy, Town Engineer and Community Development Director, remained before the Board to provide an update on the Trapelo Road Improvement Project. Mr. Clancy explained the "right of way" process, noting that 31 signatures still need to be obtained. He noted that Senator Brownsberger's office is assisting in the process of gathering the remaining signatures. He said he would like the signature process to be completed by June 30. Tracking down the property owners has been challenging. The estimate for this project recently increased from \$14M to \$18M. The Massachusetts Planning group is meeting to discuss the increases to the project. They hope that the costs will be less than \$18M so that progress on the project will not be impacted by the increase in the cost estimate. Chair Paolillo thanked Mr. Clancy and Senator Brownsberger for their work on this very important project.

### **Parking and Signage Changes Approval**

Mr. Clancy remained before the Board to recommend that certain changes (described below) be approved regarding parking and signage. Chair Paolillo asked about the sign policy and whether this

could be delegated to the (new) Town Administrator. Mr. Clancy said that it could be delegated. Mr. Clancy noted that various residents have requested the following Handicap Parking (HP) signs:

**36 Creeley Road** - This request is conditional on relocating an existing crosswalk. He said he is not sure why there is a crosswalk at this location, as it leads nowhere.

*The Board moved:* To approve the HP sign recommendation as noted above, conditional upon the relocation of the existing crosswalk.  
The motion passed unanimously (3-0).

Regarding **3 Harriet Avenue**, Mr. Clancy noted that this is a HP parking request for convenience purposes.

*The Board moved:* To approve the HP sign recommendation as noted above.  
The motion passed unanimously (3-0).

**Clark Street** – This sign has been requested (formally) by the Belmont Housing Authority (BHA).

*The Board moved:* To approve the HP sign recommendation as noted above.  
The motion passed unanimously (3-0).

**No Parking Here to Corner: Burnham Street** – Mr. Clancy explained that this is a congested area and that parking on both sides of the street hinders visibility.

*The Board moved:* To approve the *No Parking* sign on Burnham Street as noted above.  
The motion passed unanimously (3-0).

**Form Two Lanes: Concord Avenue at Blanchard Road** – Mr. Clancy said that a sign on the pole will help keep the traffic flowing more smoothly.

*The Board moved:* To approve the *Form Two Lanes* sign at Concord and Blanchard as noted above.  
The motion passed unanimously (3-0).

Selectman Rojas asked about trucks on Trapelo Road and signage regarding the prohibition of “Jake breaking”. Mr. Clancy said that there is agreement that this signage recommendation is appropriate and a sign will be created.

#### **Update: Minuteman Regional Capital Building Feasibility Study**

Attorney George Hall, Town Counsel, and Mr. Jack Weis, Minuteman School Committee Member, appeared before the Board to provide an update on the Minuteman Regional Capital Building Feasibility Study. Mr. Weis noted that a letter from Belmont was sent to the Superintendent on June 5, 2012. The Massachusetts School Building Authority (MSBA) has approved a feasibility study for enrollment of up to 800 students. Belmont’s letter is being viewed by the MSBA as an issue that needs to be settled by the member towns. He said Minuteman has not responded to the concerns raised in the

letter. He noted that two votes were recently taken regarding the feasibility study.

Chair Paolillo explained the background of the district (member town) agreement as established in 1972. He said that the administration is moving forward with an 800-student facility, even though there are less than 400 member-town students that currently attend Minuteman. Attorney Hall reviewed what happened in 2010 regarding the legal agreement as it pertains to the feasibility study. Chair Paolillo said that Belmont has made its position clear in not supporting an 800-student facility. The Board agreed. Selectman Jones suggested that perhaps Town Meeting could provide a statement to reiterate the Board's position of non-support for a facility of that size. The Board discussed issues relating to this. Chair Paolillo stated that Minuteman needs to meet with the Board and with the Warrant Committee during a televised meeting. The Board agreed.

## **EXECUTIVE SESSION**

*The Board moved:* To enter into executive session at 8:53 p.m. to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the Chair so declares. The Board will return to open session.

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

Attorney Hall and Mr. Clancy remained before the Board for the Executive Session.

*The Board moved:* To exit Executive Session at 9:33 p.m. and to re-enter Open Session. The motion passed unanimously (3-0).

## **Return to Open Session:**

Chair Paolillo noted that the following motion was approved in Executive Session. The motion supports additional legal action that will allow the Conservation Commission to appeal recent DEP and court judgements concerning conservation and wetlands issues at the proposed Uplands development:

*The Board moved:* To spend up to \$6,500 to complete Phase One and not to exceed that amount.

The motion passed unanimously (3-0).

## **Committee Appointments: Process, Vacancies, Assignments, and Board Liaisons**

Ms. Hebert noted that there are a number of committee appointments and re-appointments that the Board will need to focus on during its upcoming meetings. She noted that letters have been sent to Chairs and to members regarding re-appointments and vacancies. She said this information will be made public. She noted that the Board can make the committee appointments at its July meetings.

### *Liaisons*

Ms. Hebert explained the Board liaison role. She said the liaison serves as "the point of contact" for

that committee. She said she will work to further clarify the committee roles. She will also update the guide on the various committee roles.

### ***Warrant Committee***

Chair Paolillo thanked Selectman Jones for his work as liaison on the Warrant Committee, noting that he will take over as liaison starting July 1, 2012.

### ***Other Committees***

The following Board members will now act as liaison for the following committees:

<b>School Committee:</b>	Paolillo
<b>ZBA Liaison:</b>	Paolillo
<b>COA Liaison:</b>	Jones
<b>BMLD Liaison:</b>	Jones
<b>Board of Health:</b>	Jones
<b>Economic Development:</b>	Paolillo
<b>Conservation Commission:</b>	Jones
<b>Planning Board:</b>	Rojas
<b>Recreation Commission:</b>	Rojas
<b>Traffic Advisory Committee:</b>	Rojas
<b>Board of Assessors:</b>	Paolillo
<b>Board of Library Trustees:</b>	Paolillo

Selectman Jones suggested that the new TA could take a greater role in appointing to the non-regulatory committees.

### **Town Administrator's Report**

Chair Paolillo noted the new Town Administrator would start at the end of July.

### **ACTION BY CONSENT**

#### **Approval of Meeting Minutes:**

The Board approved the minutes for the following meetings:

- April 24, 2012 at 8:00 a.m.: Joint Meeting with the School Committee
- April 24, 2012 (9:00 a.m.) Board of Selectmen meeting.
- May 29, 2012 (candidates' interview)
- June 4, 2012

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

## **ACTION BY WRITING**

### **Approve and Sign Contract with NEC Corporation of America for \$103,729**

Chair Paolillo informed the Board that the Capital Budget Committee had previously approved this project. Selectman Jones noted that the town approved new phones recently. He noted that it appears that there will be an upgrade in the phone system.

*The Board moved:* To approve the NEC Corporation of America contract as noted above.  
The motion passed unanimously (3-0).

### **Approval of License for Marcou Jewelers, 46 Leonard Street**

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

The Board signed the contract.

### **Committee Appointments: *Liaisons* (continued)**

Selectman Rojas asked if Ms. Hebert would contact the committees to inform them of the Board Liaison for their respective committees.

### **NEXT MEETINGS:**

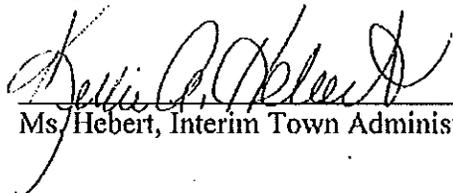
The next scheduled meetings of the Board will be Monday, July 2<sup>nd</sup>, July 16<sup>th</sup>, August 13<sup>th</sup> and August 27, 2012.

### **Town Administrator's Report (continued)**

Ms. Hebert reported on the following items:

- A letter was received regarding 38 Audubon Lane pertaining to an alleged error in the assessment. The Board of Assessors will review the matter and report back.
- Beginning July 2, real estate taxes can be paid online.
- Summer Hours have begun and will be in effect through Labor Day weekend.
- The Fire Department received a matching grant of \$4,500 to pay for mobile radios.
- Regarding the incident at the DPW, insurance should cover the expenses, but there is a small chance that a Reserve Fund Transfer request may be necessary to make repairs.

The Board moved to adjourn the meeting at 9:59 pm.

  
Ms. Hebert, Interim Town Administrator