

**MINUTES  
TOWN OF BELMONT  
BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
Monday, June 29, 2009  
7:00 PM**

**CALL TO ORDER**

A regular meeting of the Board was called to order in Executive Session at 7:00 PM by Chair Leclerc in the Selectmen's Meeting Room. Selectmen Jones and Firenze were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

**ACTION BY APPOINTMENT**

**Special Municipal Employee Appointment**

Mr. Robert McLaughlin appeared before the Board to discuss the need for a special municipal employee status to avoid a conflict of interest, as he is an attorney serving on various town committees. He explained that the special municipal employee status would allow him to represent (and be compensated by) private clients who may file a claim before the ZBA or Planning Board.

*The Board moved:* Under MGL Chapter 268A, Section 17, to designate and classify as special municipal employees members of the Fire Stations Building Committee, Athletic Facilities Committee, ESCO, and the Permanent Town Building Advisory Committee.

The motion passed unanimously (3-0).

**QUESTIONS FROM TOWN RESIDENTS**

There were none.

**ACTION BY APPOINTMENT (*continued*)**

**Benton Library Reuse Committee Report Discussion**

Members of the Benton Library Reuse Committee appeared before the Board to discuss the Benton Library Reuse report. The committee has been meeting since the end of March. Committee member Virginia Jordan offered a summary of the report's main points:

- It does not make economic sense to tear the building down.
- The current zoning does not allow for expanding of the footprint.
- The building ought to be preserved.

- The building should continue to serve the community at no cost to the town by lease.
- The Reuse Committee would like the Board to design a RFP for the leasing of the building.

Selectman Firenze said he is inclined to support the recommendation but wants to fully understand the consequences in preserving the building, as the building does have market value. He said that the Board will need to understand what all the alternatives are. The Board discussed “by right” tenants (no special permit needed) and those that would require a special permit. Selectman Firenze explored the possibility that the building could be bought by a private entity for some money. Chair Leclerc noted that he would like to lease the building to cover its costs – and then perhaps revisit the idea of using it for community purposes at a later time (e.g., when the economy is better). He said that leasing allows the town to still own the building. Selectman Jones said he cannot imagine a time when the community will be flush enough to absorb the costs of the building and that a break-even situation would at least get tax revenue back.

Mr. DeStefano noted that selling the property as a single family home was explored. He added that, as a business, it would attract too many cars for the neighborhood. Mr. Cheek added that he has been contacted by two parties interested in leasing: a nursery school and a health care center for children with cancer. Selectman Firenze said that he would like to know: for how long would they lease and what would they pay in rent? A broad RFP would be needed here, he added.

The Board agreed that:

- Leasing the building would allow money to come back to the town sooner than other options.
- The RFP should be broad-based and include “by right” in its wording.
- The Reuse Committee should look at alternatives and solicit additional input from the community concerning what to do with this property.

The Reuse Committee agreed to more aggressively “market the opportunity” and to find a use that is consistent with their report. They will appear before the Board again in the fall.

### **Generator Update**

Mr. Bill Lovallo appeared before the Board to discuss the generator issue at the Beech Street Center. He said that the Building Committee is exploring seven options to make the building compliant. He said that having “no generator outside Senior Center” is the most appropriate course of action and that eliminates all but two of the options. The Building Committee will now study the two remaining options.

### **Springwell Service Discussion – Council on Aging**

Ms. Nava Niv-Vogel appeared before the Board to discuss the Springwell survey. Springwell requires a survey before they begin meal service. 247 seniors aged 60 or over were surveyed. The recommended donation per meal is \$1.75, an amount which is subsidized by a federal grant. The Board discussed issues relating to the data gathering surrounding meals at the Senior Center. The issue of “after hours” requests for use at the Beech Street Center was raised. It was noted that the Board of Selectmen will be the authority to grant permission for broader uses and evening uses of the center after it opens. Some issues were identified, including: liability, parking, custodial, outdoor/indoor use, and a fixed hourly rate for rentals. Selectman Firenze noted that there needs to be a policy for usage of all town buildings. Mr. Younger said there is policy in existence for the rental of buildings and that applications are managed through the Selectmen’s Office.

### **National Park Service Bike Path Survey Discussion**

Mr. John Dieckmann, Vice President of the Belmont Citizens Forum, and Mr. John Howe, of the “Friends of the Belmont Bike Path,” appeared before the Board to request a letter of support from the Board of Selectmen to the National Park Service for design assistance for a prospective bike path. Chair Leclerc noted that issuing a supporting letter to go after grant funding does not mean the Board is endorsing support for a bike path at this time. Mr. Dieckmann and Mr. Howe acknowledged this.

Mr. Mahoney, a Barnard Road resident, asked how long this process will take, as he is in the process of buying property on Brighton Street. Ms. Lambert, a Belmont Citizens Forum member, said she supports this, as it is an ideal opportunity to keep many options open with the bike path.

Ms. Taylor, a Channing Road resident, asked, “Will abutters will be involved in the bike path survey?” Mr. Howe replied that “Yes, they will.” The key to success is consensus building and involvement, he said, and we would be happy to have feedback from the opponents included in the process. The Board agreed that it is important to get the abutters who are opposed involved in the process.

*The Board moved:* To sign the letter of support for the National Park Service process.

The motion passed unanimously (3-0).

### **Sewer Connections on Juniper Road**

Mr. Peter Castanino, DPW Director, and Ms. Donna Moultrup, DPH Director, appeared before the Board to discuss allowing a private sewer line on Juniper Road. There are residents with septic tanks on Juniper Road who may want sewer connections. The interested parties pay for this service, i.e., they pay in installments to connect to the sewer. Ms. Moultrup requested to add Juniper road to the Concord Avenue pipe original agreement with a private contractor who would extend the pipe along Juniper Road. Selectman Firenze articulated his concern that the town has no real protection should the contractor default on his obligations to these residents. He stated he is opposed to

extending the original pipe agreement without tightening the agreement up. He said he would like to see a bonding obligation that protects the town if they default. Selectman Jones stated that the town has no liability at all as this is a private agreement which provides an alternative to septic systems. Ms. Moultrup noted that Town Engineer Glenn Clancy is comfortable with this.

The Board discussed the issues relating to bonding, pipe laying, etc. Selectman Firenze said he would feel more comfortable if the current town counsel signed off on this. The Board agreed to this as the next step before extending the original pipe agreement.

### **Water Main Replacement Project**

Mr. Castanino appeared before the Board to request approval for a water main replacement contract for Concord Ave. The current bid by Saucony Trucking of \$815,845 for an open trench installation is lower than expected. The Board discussed the issues related to water main replacement projects and subsequent road repair. Selectman Firenze had a concern about money spent “patching” roads. The bid includes an alternate method which would involve less digging up of the roadway and thus less patching.

*The Board moved:* To accept the bid of Saucony Trucking for \$815,845 for the water main replacement project.

The motion passed unanimously (3-0).

### **Committee Appointments**

#### ***Historic District Commission (HDC):***

Mr. Michael Smith appeared before the Board to discuss the appointment of members to the HDC.

*The Board moved:* To re-appoint Mr. Paul Bell as a permanent member and Mr. Rick Pichette and Mr. Peter Gunness as alternate members.

The motion passed unanimously (3-0).

#### ***Vision 21 Committee:***

The Board will appoint members at its August meeting.

#### ***Conservation Commission:***

The Board will not appoint any associate members at this time.

#### ***Human Rights Commission:***

*The Board moved:* To appoint Mr. Carl Brauer.

The motion passed unanimously (3-0).

***Municipal Light Advisory Board:***

*The Board moved:* To appoint Mr. Mark McVay and Mr. Jay Sampson as alternate members of the Municipal Light Advisory Board.  
The motion passed unanimously (3-0).

***Recreation Commission:***

*The Board moved:* To reappoint Ms. Elizabeth Lipson and to appoint Mr. Andrew Levin, Mr. David Kane, and Mr. John Owens.  
The motion passed unanimously (3-0).

***Shade Tree Commission:***

*The Board moved:* To appoint Ms. Laura Simmons and Ms. Nancy Forbes.  
The motion passed unanimously (3-0).

***Traffic Advisory Committee (TAC):***

Mr. Conti said that Traffic Sergeant Kevin Shea and Community Development Director Glenn Clancy both feel the TAC plays an important role and should be continued. The former chair has resigned which would allow for an odd number of members. The Board agreed to reappoint Linda Nickens and Peter Curro.

***Zoning Board of Appeals (ZBA):***

*The Board moved:* To appoint Mr. James-Ryan Fagan as an associate member.  
The motion passed unanimously (3-0).

**ACTION BY CONSENT**

**Approval of Board of Selectmen Minutes – October 1/9, 2008; June 1, 2009**

*The Board moved:* To accept the Minutes specified above.  
The motion passed unanimously (3-0).

**ACTION BY APPOINTMENT (*continued*)**

**Town Administrator's Report**

Mr. Younger reported on the following items:

- He would like to start in September putting the Selectmen's meeting packets online, which they could access during the meeting on laptops. This would greatly reduce the paper waste. The Board is in favor of this.

- Summer Projects Overview:
  - reviewing the tennis courts
    - MPO public road project
    - trash issues going well at CVS and in Belmont Center (Selectman Firenze raised the topic of trucks double parking and unloading in Belmont Center)
    - the ALS committee will present its report in the fall.

Mr. Conti added that this summer he is looking into an insurance policy for fire fighters who are hurt in the line of duty.

## **OTHER**

The Board will meet next on Monday, August 3<sup>rd</sup>.

Selectman Firenze supports the use of cameras near traffic signals with red lights. Mr. Younger can draft a letter supporting the legislation that allows that level of enforcement.

The Board moved to adjourn the meeting at 10:22 pm.

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Thomas G. Younger, Town Administrator