

MINUTES
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BOARD OF SELECTMEN
MONDAY, JUNE 5, 2006
REGULAR SESSION
SELECTMEN'S MEETING ROOM, TOWN HALL
7:00 PM

Call to Order

A regular meeting of the Board was called to order in open session at 7:00 PM in the Selectmen's Meeting Room at Town Hall. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

Action by Appointment

Coalition Bargaining Discussion – Executive Session

The Board moved: to enter into executive session to discuss collective bargaining and subsequently to return to open session.

The motion was carried unanimously (3-0). The Board entered executive session at 7:02 PM.

(During executive session, one substantive motion was offered and passed unanimously.)

The Board of Selectmen returned to open session at 8:16 PM.

The Board stated for the record that during executive session, it voted to reject the request of the unions for coalition bargaining of health insurance by a 2-1 vote, with Chairman Solomon and Selectman Firenze voting aye and Selectman Brownsberger voting nay. The vote was primarily due to concerns about the long-term legal implications of the statute as currently constituted and mindful that legislative amendments have been proposed which might inform a future decision on the matter. The Board did indicate that it is open to working with the unions to try to implement some sort of coalition-style bargaining.

Selectman Brownsberger stated that he shares his colleagues' reservations but voted no because he wished to see if some of the concerns about the bargaining process could be resolved.

Questions from Town Residents

Resident Tommi Olsen explained that the Payson Park music festival is going forward with a full program and three children's programs. It is posted on the web site, but she would like to improve the visibility by purchasing a 4' by 25' reusable banner to span the railroad bridge with the logo "Payson Park Music Festival". It would list the time span and the web site address. She would like permission to hang the banner before purchasing it.

Chairman Solomon asked if it would hang for the whole summer. Ms. Olsen replied yes, but that she might not be able to get it hung until after the start of the festival.

Chairman Solomon noted this would block anyone else from using the space during this time. He does not know that the Board has control since it's the MBTA's bridge. It would be necessary to find out what the legal process would be. Mr. Younger said he can speak with the MBTA right-of-way bureau. The Town does not have a policy on this.

Chairman Solomon said if the MBTA is comfortable with this, he would support allowing this banner to be hung given the late start this year in advertising the festival. The Board is very supportive of publicizing this event and is very happy that funding was found to continue it.

The Board moved: to ask Mr. Younger and Ms. Olsen to work together to determine an appropriate publicity effort for the festival.

The motion was carried unanimously (3-0).

Action by Appointment

Discussion of Policy Renewal with Insurance Advisory Committee

Mr. Conti presented the Committee's recommendations for the insurance program for FY07. He clarified that under the proposed program, the Town will be better protected with more insurance coverage for roughly the same cost, representing a savings over what it would have cost to renew the current program.

The Board moved: to approve the recommendation.

The motion carried unanimously (3-0).

The Board expressed its congratulations to the Insurance Advisory Committee.

Committee Appointments

Chairman Solomon indicated the Board would begin with the Historic District Commission (HDC) since one of the co-chairs is present. There are three members whose terms are expiring. All have indicated a wish to be re-appointed.

Co-chair Lydia Phippen Ogilby explained that historic preservation has become almost a religion for the HDC. And it costs money. The Town Hall Complex looks great. And the HDC members have worked very hard. She said she knows the Town gets a lot of complaints about the Commission, in fact she gets them on her own phone. But all in all, Belmont is in very good shape. The Commission has its eyes on the Central Fire Station. Ms. Ogilby indicated she will be at the public meeting to discuss the proposals for redevelopment of this property. She said that the Waverley Fire Station process went very well. And she hopes the Board is pleased with all of this. She is supporting the re-appointment of the Commission's members. She said she would also support replacing the associate members who have departed because there's a lot of work to do.

Chairman Solomon noted that associate members of committees have no legal status or vote on the committee but they are eager to be involved anyway. The Town Administrator's office will give to Ms. Ogilby the list of those interested in serving as associate members of the HDC.

Selectman Firenze said these three people work very hard and are very well qualified. Also, there are not a lot of people banging on the doors to replace them. But he would like to think about what approach to take, given this is one committee the Selectmen have received more calls about than any. He said he would like to hold off on this one. Selectman Brownsberger agreed.

Chairman Solomon read from the list of committees with vacancies.

Alcoholic Beverage Licensing Committee: Chair Andrew Levin and Maryann Scali are both seeking reappointment. Chairman Levin has indicated his support for Ms. Scali's reappointment.

The Board moved: to reappoint Andrew Levin and Maryann Scali to the Alcoholic Beverage Licensing Committee for a three-year term.

The motion was carried unanimously (3-0).

Belmont Housing Trust: Art Herron, an associate member serving a one-year term, and Nancy Marsh, a full member serving a three-year term, are seeking reappointment. Chair Roger Colton supports both reappointments.

There was confusion as to the maximum allowable number of members. It was confirmed that the ex officio members count towards the limit of 9. The Board deferred action.

Vision Implementation Committee: Jennifer Page wishes to be reappointed, Victoria Haase does not. A new person has requested membership – Kirk Hazlett of Hill Road. He has extensive experience in public relations.

The Board moved: to appoint Kirk Hazlett to the Vision 21 Implementation Committee.

The motion was carried unanimously (3-0).

The Board moved: to reappoint Jennifer Page to the Vision 21 Implementation Committee.

The motion was carried unanimously (3-0).

By-law Review Committee: Chairman Solomon will call Rebecca Webb to find out if she wants to be reappointed to this Committee.

Cable TV Advisory Committee: Greg Poulos and Barry Blesser are seeking reappointment. Richard Pew has not been heard from by the Board

The Board moved: to reappoint Greg Poulos and Barry Blesser to the Cable TV Advisory Committee.

The motion was carried unanimously (3-0).

Chairman Solomon will call Mr. Pew.

Conservation Commission: There are 2 full memberships available. Kathy Baskin is resigning, Joe Curro would like to be re-appointed.

The Board moved: to reappoint Joe Curro to the Conservation Commission as a full member.

The motion was carried unanimously (3-0).

Monica King, and Ruth Foster, both associate members, would like to become full members, and Stewart Sanders does not want to be reappointed as an associate member. Selectman Brownsberger said the Commission needs a member who is a lawyer with strong legal and process orientation, but he is not sure who that would be. Chairman Solomon agreed and noted there are lawyers on the list of people who have expressed interest in serving. Selectman Brownsberger will look into this. Selectman Firenze will call another individual who founded an environmental engineering firm and see if he is interested. Further action deferred.

Council On Aging: Joe Horner, Neil Hegarty and Anne Lougee are all seeking re-appointment.

The Board moved: to reappoint Joe Horner, Neil Hegarty and Anne Lougee to the Council on Aging.

The motion was carried unanimously (3-0).

Cultural Council: The Council has asked for someone with accounting skills. There are several openings.

The Board moved: to reappoint Patricia Mihelich to the Cultural Council.

The motion was carried unanimously (3-0). Further action deferred.

Pavement Management Committee: The Selectmen's Office is still collecting names of people interested in serving on this Committee. Chairman Solomon said the Board should put a call for volunteers out on the web site. Selectman Brownsberger asked that the Selectmen each receive a copy of the committee's charge. Chairman Solomon added that the charge should also be put on the web site.

Disability Access Commission: 1 full membership and 2 associate memberships are available. Members should either have a disability or have a family member with a disability.

The Board moved: to reappoint Francis Williams as an associate member of the Disability Access Commission.

The motion was carried unanimously (3-0).

Associate member William Rodi has not responded to the Selectmen. Chairman Solomon will call him. Further action deferred.

Education Scholarship Committee:

The Board moved: to reappoint Robert Sullivan to the Education Scholarship Committee.

The motion was carried unanimously (3-0).

Human Rights Commission: Reggie Gibson moved out of town. There are now four openings. 2 incumbents are not staying on, Judy Feins has asked to be re-appointed.

The Board moved: to reappoint Judith Feins to the Human Rights Commission .

The motion was carried unanimously (3-0). Each Selectman will come up with a recommendation for one new member for the next meeting.

Information Technology Advisory Committee: No appointments needed.

Insurance Advisory Committee:

The Board moved: to reappoint Robert Masse to the Insurance Advisory Committee.

The motion was carried unanimously (3-0).

John Borelli has not responded to the Selectmen. Mr. Conti confirmed he comes to the meetings.

The Board moved: to reappoint John Borelli to the Insurance Advisory Committee subject to his agreement.

The motion was carried unanimously (3-0).

Local Emergency Planning Committee:

The Board moved: to reappoint to the Local Emergency Planning Committee all five members whose terms are expiring except the member representing Purecoat North.

The motion was carried unanimously (3-0). The previous Purecoat compliance director has left. The new director is John Farino.

The Board moved: to appoint John Farino to the Local Emergency Planning Committee subject to his agreement.

The motion was carried unanimously (3-0).

Municipal Light Advisory Board:

The Board moved: to reappoint Bob Kenney to the Municipal Light Advisory Board.

The motion carried unanimously (3-0).

MWRA Advisory Board:

The Board moved: to reappoint Peter Castanino to the MWRA Advisory Board.

The motion carried unanimously (3-0).

Permanent Audit Committee:

The Board moved: to reappoint Frank Caruso and Ernie Fay to the Permanent Audit Committee.

The motion carried unanimously (3-0).

Permanent Building Committee:

The Board moved: to reappoint Steve Sala to the Permanent Building Committee.

The motion was carried unanimously (3-0).

Personnel Board: There was question whether this Board is active. It is supposed to meet 3 or 4 times a year in an advisory capacity. There is no chair currently. The Board is supposed to approve the Position and Classification plan. The charge was re-written within the last three years. The Board agreed it would like input from Human Resource Director Diane Jenkins and will defer action.

Planning Board:

The Board moved: to reappoint Sami Baghdady to a full three year term on the Planning Board.

The motion was carried unanimously (3-0).

Recreation Commission: 3 members are seeking re-appointment.

There was discussion over there should be a limit of 5 consecutive terms as some members have exceeded that. The Board expressed its confidence in the members who have served for long periods of time. It also noted that the Board and the Warrant Committee would like the Commission to take a more fiduciary approach towards becoming a revenue neutral or even profitable operation.

Mr. Younger noted that the current members have been working much more closely with him in recent weeks with a cooperative eye towards fiduciary matters.

The Board moved: to reappoint the three members whose terms are expiring with a note indicating the Board's concern about financial issues.

The motion was carried unanimously (3-0).

Board of Registrars of Voters:

The Board moved: to reappoint Bill Hofmann to the Board of Registrars of Voters

The motion was carried unanimously (3-0).

Shade Tree Committee:

The Board moved: to reappoint to the Shade Tree Committee all three members whose terms are expiring: Martha Moore, Laura Simmons, and Nancy Forbes subject to her approval.

The motion was carried unanimously (3-0).

Town Counsel:

The Board moved: to reappoint John Giorgio of Kopelman and Paige as Town Counsel.

The motion was carried unanimously (3-0).

Water Advisory Board:

The Board moved: to reappoint Joe Greene to the Water Advisory Board.

The motion was carried unanimously (3-0).

Youth Commission: Eugene O'Brien is not seeking reappointment. Karen Freiberg only wants to be reappointed for a 1 year term.

The Board moved: to reappoint Karen Freiberg to the Youth Commission for a 1 year term.

The motion was carried unanimously (3-0).

Chair Laurie Graham, who was present, will be given the names of volunteers and recommend one new member.

Zoning Board of Appeals: Becky Vose is an alternate member and would like to be a full member. She was originally a full member and had to leave when she worked for the Town.

The Board moved: to reappoint Rebecca Vose to the Zoning Board of Appeals as a full member.

The motion was carried unanimously (3-0).

The Board discussed the Solid Waste and Recycling Advisory Committee. The Chair of that committee is too busy to continue but two other members, Janice Biederman and Joe Curro would like to continue and there are others interested. Public Works Director Peter Castanino also feels it should continue as a temporary committee to be re-evaluated after three years and it should help with evaluating contracts and looking at the transfer station issue. The group is working on a new charge. New names of interested persons include Doug Koplou, Mary Tinkham, Deb Lockett, Mary Beakman, and Kristen Galfetti.

The Board moved: to appoint Janice Biederman, Joe Curro, Peter Castanino, Doug Koplou, Mary Tinkham, Deb Lockett, Mary Beakman, and Kristen Galfetti (subject to her acceptance) to a reconstituted Solid Waste and Recycling Advisory

Committee and task them to develop a charge for the Committee as a temporary committee.

The motion was carried unanimously (3-0).

Town Administrator's Report

Mr. Younger reported on the following items:

- The state has added more money for Chapter 90 aid for roads. It is not certain yet exactly how much this will be, but it could be approximately \$150,000.
- The Light Dept would like to meet with the Board next week at 6:30 PM on power supply planning issues.
- Woodfall Road: A revised agreement has been sent to the Country Club, it is hoped that it will satisfy their concerns and then both parties can get this done. The issue at hand involves the proposed traffic signal and whether it will be a pedestrian signal or a full signal.
- Habitat for Humanity project: The Housing Trust has submitted a letter to Habitat for Humanity on issues that need to be resolved after threatening to cancel the contract. Chairman Solomon reported that Habitat came to a meeting and was eager to move forward. This Friday is the deadline for Habitat to resolve the Trust's concerns.
- Pleasant Street: Roads Corp. is now doing drainage work on Pleasant Street to be completed by June 30.
- Treasure Floyd Carman has notified the winners of 13 \$500 Town of Belmont Scholarships, selected by the Education Scholarship Committee and awarded on May 26 at the Senior Awards dinner. The scholarships are funded by a checkoff on residents' tax bills.
- On Wednesday Belmont is being certified as a No Place For Hate community. It was clarified that members of the Human Rights Commission are planning to attend the event on the Town's behalf.
- There has been a judicial ruling favorable to the Town on local taxation of wireless communication centers. The assessors will be sending new bills complying with the ruling which should result in a small increase in revenue.
- Mr. Younger said that at the Board's direction he has been looking at the idea of creating a Chief Financial Officer. Generally when this has been done the Treasurer and Assessors are non-elected positions. To create this type of officer with the elected positions would be very difficult – you could create the title but not the authority. However, the Town's current financial team is working together very well. The Board agreed to continue with the current structure.
- Software project: The kickoff meeting to begin the project is June 20.

Action by Consent

Approval of Board of Selectmen Minutes (04/10/06, 04/18/06, 04/24/06)

The Board moved: to approve all minutes for the 04/10/06, 04/18/06, and 04/24/06 Selectmen's meetings.

The motion was carried unanimously (3-0).

Action by Writing

Approval of FY06 Pavement Management Project, Information for Bidders

The Board moved: to sign the agreement.

The motion was carried unanimously (3-0).

Approval of Employment Agreement For Thomas Walsh

The Board moved: to approve and sign the agreement.

The motion was carried unanimously (3-0).

Approval of Sewer and Storm Drain System Rehabilitation Agreement

The Board moved: to approve and sign the agreement.

The motion was carried unanimously (3-0).

Memorandum from Office of Community Development Director re: Utility Pole Relocation on Pleasant Street

Selectman Brownsberger explained that a number of telephone poles are being moved away from the roadway and up to the property line of half a dozen homeowners as part of the Pleasant Street reconstruction. Residents did not realize this and had some consternation. The design team felt this would make it possible to snowplow the sidewalks. Since the residents are opposed, the poles can be moved back out to the street. The Town will lose the ability to effectively snowplow the sidewalk but it's very rarely done anyway.

The Board moved: to direct the town engineer to move these poles back toward the street consistent with normal sidewalk location.

The motion was carried unanimously (3-0).

Other

Selectman Firenze said he spoke with Dr. DiNatale and suggested he speak with Planning Director Jay Szklut to talk about how to resolve his zoning problem. He hopes that the Town can come up with something for October Town Meeting that will resolve the issue.

O'Neill Memorandum of Agreement: After receiving the most recent letter from O'Neill, the Board is determined to enforce the terms of the original MOA with O'Neill and will be meeting on this next Monday.

Farmer's market: There have been concerns raised by local businesses about competing interests to their businesses being invited to participate in the market. Selectman Firenze said this project should move forward but the activities should be consistent with supporting local businesses. The Board affirmed its support for the farmers market and regretted any concerns.

Selectman Firenze reported on an MMA regulatory meeting he attended. The main topic was federal legislation on cable licensing. The MMA's position is to maintain local independence in this regard by opposing the current legislation.

The Board moved: to send letters to Congressman Markey and Massachusetts' Senators opposing the bill.

The motion was carried unanimously (3-0).

There was discussion of a letter received from a Town Meeting member regarding Town Meeting and how to provide Town Meeting members with more information and greater opportunity for discussion.

There was discussion of parking around Belmont Center. Selectman Brownsberger said there is a perception of inequity in the way the streets are signed. He suggested Mr. Szklut prepare a map for the Board showing the various parking regulations in the Center and the Board can look at it and decide whether or how to proceed. Mr. Younger said we may already have this available. Selectman Firenze said we also need to look at the inconveniences that business employees have with the center lot. The Board also discussed the idea of a parking garage to replace the Claflin lot. The Belmont Center Planning Group will consider long-term solutions for parking in the center.

The Board then discussed the request of a resident for an overnight parking exemption on Trapelo Road. The Board expressed concern about setting a precedent and opening the floodgates for this type of request. Mr. Younger noted that the Butler school lot is very close to this property and would be available for overnight parking by the residents.

The Board discussed a recommendation from Town Counsel regarding the advisability of having a Town policy on appropriate use of computers and indicating that there is no expectation of privacy on a Town computer. Mr. Younger agreed and will work on developing this.

There was discussion of the process for televising meetings in light of the recent confusion over the ZBA hearing on Wednesday. Mr. Conti has spoken with the Media

Center and requested dual notification of both the committee and the Selectmen's Office anytime a request is received to televise a committee meeting.

Selectman Firenze raised an issue relative to the Harvard Lawn Fire Station disposal. The lot contains 12,800 sq. ft. of land. That would allow 2 residential units to be developed by right. Next door there is a lot that is less than a buildable lot that is privately owned. If the developer could acquire some of this property they could go from 2 to 4 units by right and substantially increase the value of the land. Or, they could carve off a piece of the Fire Station lot and sell it to the other owner so that that person would have a buildable lot. What can the Town do to recognize some of this enhanced value? Selectman Brownsberger said this information should be included in the RFP so that developers are aware of the value. Selectman Firenze said maybe the the Town could subdivide the Fire Station lot so we could control that piece separately.

The Board adjourned at 11:20 PM.

Thomas G. Younger
Town Administrator