

**MINUTES**  
**Page 1 of 7**  
**BOARD OF SELECTMEN**  
**MONDAY, AUGUST 7, 2006**  
**REGULAR SESSION**  
**SELECTMEN'S MEETING ROOM, TOWN HALL**  
**6:00 PM**

**Call to Order**

A regular meeting of the Board was called to order in open session at 6:00 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.

**Questions from Town Residents**

There were no questions.

**Action by Appointment**

The Board signed the warrant for the state primary election.

*Local Aid Discussion*

Mr. Younger met with Superintendent Holland on the use of the additional \$134,590 Belmont is receiving in Chapter 70 local aid. They are recommending the funds be split 50-50 between Town and schools. The Town and schools are also benefiting from an additional \$62,000 and \$90,000, respectively, in health insurance savings. This would mean a total of \$130,025 for the Town and \$157,262 for the schools.

The Board moved: to approve the recommendation.

The motion was carried unanimously (3-0).

The Board recommended using \$135,000 in additional Chapter 90 funds for sidewalk repair if allowed by the statute.

The Board recessed at 6:14 PM until the conclusion of the Municipal Light Board meeting.

The Board returned to session at 7:14 PM.

*Tree Removal Request for Bright Road*

Mr. and Mrs. Mulhern, Community Development Director Glenn Clancy, and Tree Warden Tom Walsh appeared before the Board. The request is to remove a healthy tree in front of the property whose roots have impacted the sidewalk. The tree warden held a hearing at which there was an objection to the removal from a resident. Mr. Walsh indicated that he would not have approved the removal even in the absence of objection.

The Mulherns stated that the tree roots are a tripping hazard for their elderly relative and for children in the neighborhood and that the Town has had to repair the sidewalk because of the tree roots.

Mr. Clancy stated that he and the Tree Warden have concluded that the roots are small enough that they can be cut as part of the sidewalk reconstruction project on Bright Road without a likelihood of serious damage to the tree and without needing to remove the tree.

The Board moved: to deny the request.

The motion was carried unanimously (3-0).

*Public Hearing on Utility Petitions  
- Verizon Petition for Waverley Street (D06\_46)*

Mr. Fitzgibbon appeared for Verizon. This work is to provide underground service to the new residences at the former Waverley Fire Station. Mr. Clancy said Waverley Street is still in good shape and the Town will expect it to be brought back to the same condition.

The Board moved: to approve the petition, subject to the condition that the roadway be restored to its current condition following the utility work.

The motion was carried unanimously (3-0).

*Keyspan Petition for Broad Street*

Mr. O'Leary appeared for Keyspan. The request is to install approximately 160 feet of gas main for new heat and hot water service to two residences. The Board asked Keyspan to respond to DPW regarding the condition of an asphalt patch on the concrete sidewalk in front of Dunkin' Donuts on Trapelo Road.

The Board moved: to approve the petition.

The motion was carried unanimously (3-0).

The Board briefly recessed at 7:51 PM.

*Town Administrator's Report*

Mr. Younger reported that advertising for the Police Chief position will be published this week. The advertising will continue for 6-8 weeks because response is likely to be better in the fall than in August. Resumes will be considered as they come in. By early November it is hoped to have a recommendation from the consultant on the top three candidates.

Mr. Younger reported that at the recent Senior Center meeting, most of the issues raised by department heads, such as fire suppression and sidewalks, were ironed out and the project's timetable revised. The Building Committee can now move on to address the concerns of the Planning Board.

The Board moved: that the Board of Selectmen resolves to express to the Senior Center Building Committee, the Planning Board, and the Zoning Board of Appeals the Selectmen's strong concern that any delay which results in cost increases to the project is unacceptable, and that the Board urges all parties to consider concessions and find solutions to these issues as quickly as possible.

The motion was carried unanimously (3-0).

*Discussion of Belmont Housing Trust re: Affordable Housing Presentation*

Chair Roger Colton and members of the Housing Trust, and resident Don Mercier appeared before the Board to discuss the concerns raised by Mr. Mercier about the current Brighton Street project as well as the B Street project.

Mr. Colton explained that the goal of the Housing Trust is not to generate as many units as cheaply as possible, but rather to generate quality affordable housing in a cost effective fashion with an eye toward reducing life cycle costs and not just initial cost. It is also a goal for the housing units to blend in with the neighborhood. He said that Mr. Mercier's suggestion of purchasing two family homes is not cost effective and it is difficult to obtain outside funding to do this.

With regard to the Brighton Street project, there were some significant difficulties with Habitat for Humanity that had to be resolved, including the insistence of the Housing Trust that Habitat agree the property should be affordable in perpetuity. The project is scheduled to break ground in September, and meetings are being scheduled with donors interested in supporting the project. 160 Belmont residents have volunteered to help build the home.

The Housing Trust made the following requests of the Board:

- 1) Permission to work with Mr. Younger and the Office of Community Development to apply on behalf of the Town for a Municipal Incentive Grant to plan a new affordable housing strategy for the next five years.

- 2) Opinion from Town Counsel as to a recommended legal process by which the Town can convert existing housing stock to affordable housing.
- 3) Schedule another meeting for the Board and the Housing Trust to discuss these issues in more detail.
- 4) Schedule the 4<sup>th</sup> annual Affordable Housing Forum as a forum on modular housing as an approach to affordable housing. It was clarified this does not need the Board's approval.

Mr. Mercier stated that the B Street buildings could have been done for half the cost and in half the time if they were modular units. He noted that aluminum siding was not put on these houses so the new owners will have to pay to paint them over and over again.

He stated that the value of the land that is being lost to the Town has to be figured into the overall cost of the project to the Town. There are existing buildings that would not need any major redevelopment to be used as affordable housing. This should be the focus rather than acquiring land and building brand new housing.

Mr. Mercier said the B Street units cost \$237 per square foot whereas panelized housing would have cost \$87 per square foot. He also noted that if starter housing for young people is a goal, it does not make sense to be building 3 bedroom apartments – this just puts more strain on town services.

The Housing Trust agreed that it is desirable to find ways to make use of existing housing. The Board and the Trust agreed that it would be valuable to explore the possibility of tax benefits or other incentives for property owners to create deed restrictions for affordable housing. They also agreed that there is no way the Town could build enough new housing to reach its affordable housing goal.

The Board moved: to approve the Housing Trust's grant application request.

The motion was carried unanimously (3-0).

The Board authorized Mr. Younger to consult Town Counsel regarding mechanisms for housing conversions. The Board agreed to schedule another meeting with the Housing Trust as requested.

#### *Belmont Center Fire Station Proposal*

The Belmont Center Planning Group appeared before the Board along with Richard Cheek from the Historic District Commission.

Evelyn Haralampu stated that the majority of the Group re-affirms its original recommendation in favor of the Urbanica proposal, although once again the Group is not unanimous. The Group remains concerned about Burke's ability to deliver on its commitments. The Group recommends that if Burke is chosen, a reverter clause be included in the purchase and sale (P&S) agreement that reverts the property to the Town

if the project is not completed in a specified amount of time. The Group reiterated its specific concerns with the Burke proposal. A large minority of the Group does feel that the Town's regulatory mechanism would be sufficient to ensure a Burke renovation would meet the Town's standards of quality.

Mr. Cheek pointed out that in order to add a third floor that would blend in with the neighborhood, it would require a very talented design team that Burke would have to hire. Ms. Haralampu said that the rehabilitation tax credit is 20% (of the \$1.5 million price) and that this would free up money to pay for the design changes.

The Group does not recommend rejecting all the bids because a new round of proposals would likely collapse the extreme bids around the middle range and not result in substantially more money for the Town.

Burke has agreed to allow the Planning Board to approve their design team.

Ms. Haralampu noted that a lot of the concerns with Burke could be addressed in the P&S agreement.

There was discussion of the requirement in the RFP for a 5% non-refundable deposit which the Town keeps if a P&S agreement cannot be reached with the winning proposer. In Burke's case this is \$75,000.

Mr. Younger clarified that Burke has indicated it is standing by its initial proposal for the full \$1.5 million and is confident it will get permission for the third floor addition.

The Board agreed that money aside, it would be more comfortable with Urbanica, but it is very difficult to walk away from \$800,000.

There was discussion of retaining Urbanica as an alternate proposal for a specified period of time in case agreement cannot be reached with Burke.

The Board moved: to accept the proposal of Burke & Company, and to direct the Town Administrator with Town Counsel to negotiate a purchase and sale agreement, to be signed by Burke by September 11, with the Town to receive the full purchase price by October 7, and if this cannot be accomplished, that Urbanica's proposal be accepted on September 18.

The motion was carried 2-1 (Solomon & Brownsberger aye, Firenze nay).

Selectman Firenze requested the motion on the sale of the Fire Station be made in two parts so he could vote "yes" on the first part to sell the station for \$1.5 million and "no" on the second part to automatically sell it to Urbanica if a deal could not be worked out with Burke in 30 days.~ Selectman Firenze's suggestion was that if the deal could not be worked out with Burke, the Board go back out with a new RFP. Since Chairman

Solomon chose to make it all one motion, Selectman Firenze stated that he would have no choice but to oppose the motion.

*Town Administrator's report continued*

Traffic signal cameras: Mr. Younger and Sergeant McIsaac are reviewing Chelmsford's by-law on this matter.

The Security Committee is preparing a report for the Board.

Town Counsel has not heard back from the Belmont Country Club on the Woodfall Road agreement.

Harvard Lawn Fire Station: Town Counsel has recommended some changes to the RFP but it is on track to go out within the next two weeks.

The Board moved: to authorize the Town Administrator to send out the RFP when it is ready, with the condition that a copy be sent to each of the Selectmen, and if any member of the Board asks to put a hold on it within three days of receipt, that the RFP be held until the Board's September 11 meeting at which time the issues will be discussed.

The motion was carried unanimously (3-0).

Mr. Younger clarified that the Selectmen's office will respond to emails sent to the Selectmen's mailbox and send copies to each of the Selectmen, unless the initial e-mail is in reference to a specific proposal made by one of the Selectmen.

**Action by Consent**

*Approval of Board of Selectmen's Meeting Minutes (06/19/06; 06/26/06; 07/17/06)*

The Board moved: to approve all minutes from the 06/19/06, 06/26/06, and 07/17/06 meetings.

The motion was carried unanimously (3-0).

*Approval of Board of Selectmen's Fall Meeting Schedule*

The Board agreed to hold a meeting on Tuesday, October 17 instead of Monday the 16<sup>th</sup> (because Selectmen Firenze will be away) and not to meet on October 2 because of Yom Kippur.

*Approval of FY07 Legal Counsels Hourly Rates*

The Board moved: to approve the new hourly rates for firms Kopelman and Paige, P.C., Murphy, Hesse, Toomey & Lehane, LLP, and Epstein and August LLP.

The motion was carried unanimously (3-0).

**Other**

There was discussion of a proposal for overnight permit parking which will be considered by the ad-hoc parking group. The group will report back to the Board by September 11 on this as well as a progress report on Sherman Street & Sycamore Street.

Selectman Firenze agreed to attend a DTE hearing on a proposed limit to cable licensing negotiations on August 16.

Lamoine Street land sale: The Town has requested additional information from DCAM, but it is now up to the resident who inquired to negotiate an agreement with the neighbor who is purchasing the land.

*Executive Session – Non-Union Compensation*

Discussion deferred until September 11.

The Board adjourned at 11:17 PM.

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Thomas G. Younger  
Town Administrator