

ok

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, September 10, 2012
7:00 PM**

RECEIVED
TOWN CLERK
BELMONT, MA.
OCT 25 8 37 AM '12

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:05 pm by Chair Paolillo in the Selectmen's Meeting Room. Selectmen Rojas was present, Selectman Jones was not in attendance. Town Administrator, Mr. David Kale and Assistant Town Administrator, Ms. Hollie Hebert were also present.

Chair Paolillo reviewed the evening's agenda.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Trapelo Road Improvement Project – Update

Mr. Glenn Clancy, Town Engineer, appeared before the Board to discuss the Trapelo Road Improvement project. Mr. Kale acknowledged the work of Mr. Clancy and his office. Mr. Kale then reviewed the highlights of the project, noting that the project is being funded by the state.

Mr. Clancy reviewed the Trapelo Road Improvement Project process, which began in 2005. He acknowledged the efforts of the Traffic Advisory Committee, the Planning Board, the DPW, the Board of Selectmen, and Senator Brownsberger and his legislative aid, Barbara Miranda. He said the project will begin in the early spring of 2013 and will be completed in the fall of 2014. He said he intends to be actively involved in the project.

Chair Paolillo congratulated Mr. Clancy on his efforts with this project.

ACTION BY WRITING

Approval of Contract for Water Main Construction

Mr. Michael Bishop, Water Division Manager, appeared before the Board to discuss the contract for Water Main Construction. Mr. Kale reviewed the streets involved in the water main upgrades. He said work should begin at the end of the month. In answer to a question from the Board, he stated that this was the lowest bid received.

The Board moved: To approve the bid recommendation.
The motion passed unanimously (2-0).

The Board moved: That the FY13 Water Main Replacement Project be awarded to the SB

General Contracting Company Inc, from Walpole, MA as the lowest responsible and responsive bidder, based on its bid price of \$931,919.42, and that the Town Administrator, David Kale, be and hereby is authorized to execute the contract for said work on behalf of the Town of Belmont, subject to the approval of said contract by Town Counsel. The motion passed unanimously (2-0).

Walk for the Friends of Joey's Park

Ms. Ellen Schreiber, Co-Chair of the Friends of Joey's Park, and Ms. Gail Harrington appeared before the Board to request support for the *Walk for the Friends of Joey's Park* to be held on October 14, 2012. Ms. Schreiber began by noting that the playground is decaying and needs to be replaced. She reviewed several options for improving and or replacing the park. She said further analysis has determined that replacing the park was the only viable option. She noted that a company has been selected to design the new park. The park will have the same look and feel as the original park.

Ms. Schreiber said that the cost is not yet known, but will be clearer once the park is designed. She noted that fundraising efforts are underway and that the Walk for Belmont this year will benefit Joey's Park, but that, in future years, the Walk may fund other town projects.

Chair Paolillo acknowledged the work of Ms. Schreiber and her group, Partner's in Play.

State Senate Proclamation on the 100th Anniversary of Underwood Pool

Chair Paolillo read the Proclamation on the 100th Anniversary of Underwood Pool.

Underwood Pool – RFP for Feasibility Study

Chair Paolillo reviewed the groups who have reviewed the RFP, noting that much of the feedback received has been incorporated. Chair Paolillo said that the pool is in need of replacement and that the existing pool area could be used as a playing field.

The Board moved: To approve the issuance of an RFP for technical services.
The motion passed unanimously (2-0).

Minuteman Capital Building Project in Joint Session with Warrant Committee (WC) and Capital Budget Committee (CBC)

The Board moved: To suspend the Board of Selectman meeting at 7:39 p.m. and to convene the joint meeting of the parties noted above.
The motion passed unanimously (2-0).

MINUTEMAN JOINT MEETING

Minuteman Superintendent Bouquillon, Minuteman Building Committee Chair Mr. Spaulding (from Dover), Minuteman SC representative Mr. Jack Weis, Warrant Committee Chair Allison, and the CBC Chair Mahoney appeared before the Board to discuss the Minuteman capital building project. (Members of the WC, CBC, and Belmont School Committee were present in the audience.)

Chair Paolillo called the joint meeting together at 7:43 p.m.

Dr. Bouquillon began by reviewing the “common purposes” shared by all in supporting the students and the programming at Minuteman. He noted that “common concerns” do exist, as well. He said that the MSBA has put forth an enrollment number that includes up to 800 students as an end point. WC Chair Allison asked why the 800 number would even be considered. Chair Paolillo reiterated that member towns send a combined number of 370 students. He asked: why would the member towns support an 800 student building, thus financing over 400 students not from their towns?

Dr. Bouquillon replied that MSBA is allowing “up to 800 students.”

WC Member McLaughlin said that there has been no agreement from the member towns on the enrollment study. He said that Dr. Bouquillon said there would be agreement before moving forward on the feasibility study. Chair Paolillo agreed and reiterated this point. Mr. Spaulding said that the Minuteman SC is well aware of Belmont’s concerns, but that the MSBA process needs to be dealt with. He said that an enrollment number of up to 800 is a “fair game” number from the MSBA’s perspective.

Dr. Bouquillon said that each of the other communities has an enrollment number in mind, and some are okay with an 800-student facility.

Dr. Bouquillon noted that the capital participation by non-member towns is a concern. He then reviewed the MSBA and MMRSD project timeline as well as critical MSBA process dates. Regarding the feasibility study, he explained the next steps.

Chair Paolillo asked what the feasibility study will reveal. Dr. Bouquillon replied that the enrollment numbers will influence the design of the building as will the educational goals (from a programmatic perspective) of Minuteman.

The Board moved: To suspend the joint meeting at 8:14 p.m. and to reconvene the Board meeting.

The motion passed unanimously (2-0).

BOARD OF SELECTMEN MEETING - *continued*

National Grid Petition for Thayer Rd.

Mr. Dennis Regan, from National Grid, appeared before the Board to present a petition for Thayer Road. He explained the details of the Thayer Road gas main petition.

Chair Paolillo noted that Mr. Clancy has approved the petition.

The Board moved: To approve the gas main petition for Thayer Road.

The motion passed unanimously (2-0).

National Grid Petition for Sherman Rd.

Mr. Regan explained the details of the Sherman Road petition.

Mr. Seb Kossak from Sherman Road asked if the entire street could receive gas main service. Mr. Regan replied that it is not possible at this time, but that the process could be undertaken to move in that direction.

Chair Paolillo noted that Mr. Clancy has approved this petition as well.

The Board moved: To approve the gas main petition for Sherman Road.
The motion passed unanimously (2-0).

The Board moved: To suspend the Board meeting at 8:19 p.m. and to reconvene the joint meeting of the BOS, WC, and CBC.
The motion passed unanimously (2-0).

MINUTEMAN JOINT MEETING - *continued*

Minuteman Capital Building Project in joint session with Warrant Committee and Capital Budget Committee (CBC)

Mr. Weis reviewed that there has been no agreement on the scope of this project. He said Belmont feels misled by Minuteman, since there is no agreement on enrollment. He said the MSBA's enrollment study process was never shared with the Minuteman SC. He said Belmont has made it clear that the 16 member towns need to agree on the size and scope of the project. He said the member towns' approval is what is missing from Minuteman's process.

WC Chair Allison added that the discussion with the member towns needs to take place before Module 3 is completed, specifically before the "Preferred Schematic Report" phase. Dr. Bouquillon said that what constitutes "town approval" is not clear from a legal perspective. This point was discussed. Chair Paolillo said that the WC, CBC, and BOS will need to approve the school design.

Mr. Kale noted that the member towns' Town Managers have met and are concerned about the enrollment numbers and what those numbers will mean for programs and the school design. He noted that the roof is in disrepair and the building may not be functional in two years. Mr. Weis said that the size of the new building must be settled before the feasibility study is complete.

Chair Paolillo requested a commitment from Minuteman that alternative school model options would be presented to Belmont. Mr. Hall spoke to this issue. Mr. Spaulding said that this would have to go before the Minuteman SC.

WC/CBC Member Bruschi noted that Town Meeting turned down this feasibility study. She said that Dr. Bouquillon has agreed to not go forward without unanimous agreement from the 16 member towns, but that Minuteman's legal advice said this was not binding. She said it is hurting the town of Belmont to pay for non-member town students, both from an operational and a capital standpoint.

The committees discussed this.

Dr. Bouquillon asked for Belmont's request regarding enrollment and the feasibility study to be put in writing so that he can present it to Minuteman's legal counsel. Chair Paolillo agreed to do this.

Dr. Bouquillon then reviewed some legislative requests for the member town Select Boards. He informed the Board that Minuteman would like funding to study regionalization so as to help solve the long-term issues and get a handle on sustainability.

The Board moved: To adjourn the joint meeting at 9:05 p.m.
The motion passed unanimously (2-0).

The Board took a five-minute break.

The Board moved: To reconvene the meeting as a Board at 9:19 p.m.
The motion passed unanimously (2-0).

BOARD OF SELECTMEN MEETING - *continued*

EXECUTIVE SESSION

The Board moved: To enter into executive session at 9:19 p.m. to discuss strategy with respect to litigation if an open meeting might have a detrimental effect on the litigating position of the public body and the Chair so declares. The Board will return to open session. A roll call vote was taken and the motion passed unanimously (2-0).

At 9:52 p.m., the Board resumed in open session.

The Board moved: To approve the lawsuit filed by Mr. McLaughlin as plaintiffs against Donovan Sweeny, Inc. as it related to construction design and defects concerning the two fire stations. The Board has appointed Mr. Hall to be co-counsel with Mr. McLaughlin. Mr. McLaughlin and Mr. Hall will report to Mr. Kale and report back to the Board, as well. The motion passed unanimously (2-0).

ACTION BY CONSENT

Approval of One Day Liquor License

Wine and Malt Only
The First Church in Belmont, Partner Church Committee
404 Concord Avenue
September 29, 2012

The Board moved: To approve the liquor license request as noted above.
The motion passed unanimously (2-0).

TOWN ADMINISTRATOR'S REPORT

Mr. Kale reported on the following items:

- The CPA is accepting preliminary project applications until October 21. The final recommendations will be outlined in February 2013.
- There is a Minuteman quarterly meeting on Thursday, September 13.

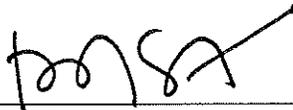
- The Woodfall Road RFP is moving forward.

NEXT MEETINGS

Monday, September 24, 2012

Monday, October 1, 2012

The Board moved to adjourn the meeting at 9:58 pm.



Mr. David Kale, Town Administrator