

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, August 18, 2014
6:00 PM**

RECEIVED
TOWN CLERK
BELMONT, MA

2014 OCT -1 AM 8:51

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 6:13 p.m. by Chair Rojas in the Selectmen's Meeting Room. Selectmen Baghdady and Paolillo were present. Town Administrator David Kale and Assistant Town Administrator Marshall were also present.

Chair Rojas reviewed the Agenda.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Update Green Communities Grant application process

Mr. Kale introduced the members of the working group attending the meeting: Rebecca Rosen from the Energy Committee, Gerry Boyle – Building Services Director, Charlie Ehl – Guardian Energy, and Kate Bowen from Sustainable Belmont. An overview of the Grant Application toward Green Community status was made by Ms. Rosen and Mr. Kale. The Five Criteria for application include the following:

- Provide as-of-right siting in designated locations for renewable/alternative energy generation, research and development, or manufacturing facilities
- adopt an expedited application and permit process for as-of-right facilities
- establish and energy use baseline the develop a plan to reduce energy use by 20% within 5 years
- purchase fuel-efficient vehicles
- set requirements to minimize life-cycle energy costs for new construction (adopt new Board of Building Regulations and Standards (BBRS) Stretch Code

Town Counsel has indicated that he doesn't believe that the Town will have a problem demonstrating compliance on the first two items. Glenn Clancy, Community Development Director confirmed that zoning in Belmont in Mclean and Upland areas existed for these items. Selectman Baghdady inquired about the former incinerator site and development in relation to the first criteria. It was noted that any renewable alternative energy project on that site would be owned by the Town of Belmont.

The energy baseline required to develop a plan described in the third item may be adjusted to incorporate any new construction that may be completed. Energy efficient vehicles purchased will

contribute to the calculation for reduced energy usage within the five year period and the “Stretch Code” has been adopted.

Guardian Energy has initiated its tour of Town buildings for phase one of the energy reduction plan to be submitted as a draft to the Board of Selectmen in order to target grant application submission schedule of October 17, 2014.

The Board members and Mr. Charlie Ehl discussed the proposed energy audit and the report to be submitted by Guardian Energy as described in the scope of services with the Consultant. A “Level One” audit includes visiting all Belmont buildings to look at lights, windows, water fixtures and report potential cost effectiveness and payback periods for inclusion in the Energy Conservation Plan as part of the initial application process.

A “Level Two” audit would take place if the Town receives its Green Communities status. This level would provide more detailed analysis and costs of projects provided in the Level One audit. Phase one work would be completed at no cost to the Town of Belmont. If the Town chooses not to proceed to the second phase of the work described in the Agreement with Guardian Energy regarding implementation of the Energy Conservation Plan, then there is no payment required. Selectman Baghdady asked that the proposed Agreement with Guardian Energy be amended to provide more clarity on the terms of the Agreement with respect to different phases and the obligations of the Town.

An adjustment to the agreement will be prepared as requested and resubmitted for approval by the Board of Selectmen meeting on September 8. Guardian Energy will proceed with the level one audit with the understanding that the Town intends to proceed with Guardian Energy and not any other vendor for this work.

Belmont Veterans Memorial Project Presentation

Bill Skelley, Kevin Ryan (Retired Brigadier General), Angelo Firenze, William French, Sr. appeared before the Board of Selectmen to describe a proposal to recognize and honor the service of veterans by restoring and expanding onto the memorials within the Town. Mr. Skelley introduced others in the audience who were attending in support of the proposal including Jamie MacIssac who had written an article about Teddy Lee and Donnie Ray; Patty Lee and Barbara Lee as well as, John Ray, Donnie’s brother. Mr. Skelley had spoken with Rick Ogden from Oklahoma who also served with Teddy Lee in Vietnam who will be attending with others to show appreciation for the memorials.

The group is seeking for permission from the Board of Selectmen for fundraising capital instead of asking for funding from taxes to make improvements to memorials honoring what veterans have done for us and complete the three parts to the plan. Details are not complete but funds would be used to begin and the proposed projects would be brought back to the Board of Selectmen before moving forward. Belmont has done an outstanding job with the great WWI monument, monuments to the fallen from Korea and Vietnam, there was a monument listing the veterans serving in WWII but it is not certain what happened to the WWII monument, the memorials in the complex at Town Hall and Clay Pit Pond are dedicated for all veterans for all wars. The Belmont Veteran Memorials Project would like to spruce up the existing memorials, add a couple of monuments and make them more accessible to the public by moving memorials outside.

Recognition of those who served is one important aspect, but educating people about the events that occurred is important.

Expanding the memorial at the corner of Clay Pit Pond is one of the projects to expand with additional plaques in memory of veterans serving in Afghanistan, Iraq, Vietnam, and Korea. Belmont lost eight in Vietnam. The second project would be a restoration of the WWI monument at the intersection of Concord Ave. and Common St. because there is pink granite beneath the paint on the monument. Removal of the protective paint is expected to reveal an important memorial. The third project is an outdoor site for WWII veteran memorial for consideration at the lawn of the James Paul White Field House dedicated to Army Private James White who passed away during the Battle of the Bulge. A plaque with the names of the fallen from WWII would be installed at the location. Based upon the estimates received for the projects, \$350,000 is the targeted amount of fundraising and it is hoped that it exceeds the amount needed. The group is looking to go visit the banks and others as well as veterans.

Selectman Paolillo thanked everyone for their efforts. He strongly supports the effort and has affection for veterans who served and mentioned that his father served in WWII and he had friends who served during Vietnam War. Selectman Baghdady supports the concept and proposed improvements to monuments in Town. Chair Rojas also supports the efforts and will contribute services as he has for other memorial projects in various cities and municipalities. He has great affinity for these projects and the veterans groups. Selectmen Baghdady commended the group for their private fundraising effort. There is a need to determine ownership of locations and approval from respective owners to allow access for each site planned for improvement.

There was discussion about the Community Preservation Act (CPA) meeting scheduled for September 18, 2014 at 7:00 p.m. that may be an option for the Belmont Veteran Memorials Project to consider approaching for funding of restoration, not maintenance. The meeting is scheduled to discuss the application process and potential for funding by the CPA funds. Anne Marie Lambert spoke about the upcoming CPA meeting and the intergenerational path project which includes historic preservation.

The Board of Selectmen will support the request described for monuments on Town lands and working with the School Committee regarding land owned by the School. The group has the support of the Selectmen to proceed with the concept and fundraising pending the specifics of the plan to be brought back to the Board of Selectmen before completion.

Selectman Paolillo expressed interest in representing the Board of Selectmen as liaison to the Belmont Veteran Memorials Project.

Update on Storm Water Rules and Regulations

Mr. Kale provided a review of the outcome from the last meeting of the Selectmen on July 21, 2014 regarding the Storm Water Rules and Regulations for implementation of the By-law. It has been distributed to those who had provided comments and posted on the website. There will need to be a public hearing and if the Board finds that the current document is acceptable then a public hearing can be scheduled. Glenn Clancy reviewed the changes that were made to draft rules and regulations to avoid conflicts between the intent of the Town bylaw, the rules and regulations, and the DEP use of rainfall data from 1957-1958. Town Counsel has proposed wording that gives the

Director of Community Development an opportunity to apply the updated Cornell Atlas standards in specific instances and request evaluation of the project using the newer data. Since discretionary language to use higher standard was included, then the criteria needed to be described under which the higher standard would be applicable.

If use of the Cornell data is necessary to prevent harm to the MS4 (pipe conveyance or stream or brooks that convey water to the system) or increase volume of storm water to abutting property owners during a specific event then the Director of Community Development would have the opportunity to require analysis of the storm water system to contain the increased rainfall when evaluating the application of the proposed plan if some aspect of the site warranted the analysis.

An amendment to Town By-law would be brought forward at the spring Town Meeting to incorporate Cornell Atlas data. Chair Rojas pointed out that the changes offer a greater measure of protection and a stop gap measure until the Town Meeting can address the bylaw.

There was concern about drafting rules and regulations that may adversely impact the Municipal Light Plant Substation project and Cushing Square development and there is exclusionary language incorporated that recognizes projects that have a site plan approval. One other item to review in this version is that there were comments from Dave Webster regarding projects that demonstrate that the developer cannot mitigate storm water on the site and they qualify for a payment in lieu of mitigation and should be required to include costs of design fees and yearly maintenance costs in the payment.

An editing question regarding the words "...for example..." should be deleted or reviewed with Town Counsel.

The next step is to set a public hearing date in September that will be advertised as required and televised.

Cushing Square Artitude Artwalk Event

Chris Benoit appeared before the Board of Selectmen to discuss the event scheduled on Sunday, September 7 from 10AM-2PM with one hour in advance to allow for set up and an hour after the end to close down Common Street between Trapelo Road and Payson Road. There will be a Police Detail and work with DPW regarding trash collection and disposal. It was suggested that the event sponsors contact the Methodist Church regarding the scheduled event on Sunday to make sure there is no effect on the church. The Board of Selectmen suggested approval of the request for permission to close Common Street in order to hold the Artitude Artwalk Event on September 7, 2014 contingent upon getting support from the Methodist Church in Cushing Square.

The Board moved: To approve the request from Think Big Think Belmont to close Common Street between Trapelo Road and Payson Road on September 7, 2014 from 9AM to 3PM for the purpose of conducting Artitude Artwalk Event, as a condition of this approval that Think Big Think Belmont will work with the Belmont Police for two details and in addition, to gain support and approval from the Methodist Church.

The motion passed unanimously.

ACTION BY CONSENT

Approve One Day Wine and Beer License to serve alcohol at the Beech Street Center during a private event on September 13, 2014

A request for a One Day Liquor License to serve Wine and Beer for the Kaplan Family Bat Mitzvah applicants are Richard Kaplan and Jane Feinberg Kaplan at the Beech Street Center was reviewed. The hours would be from 7PM to 11PM on September 13, 2014. Selectman Paolillo commented that the neighborhood understanding that events would be closed at 11PM and not closing at midnight. It was proposed that the liquor license be approved until 10PM. Notwithstanding our congratulations to the Kaplan family on the Bat Mitzvah, the neighborhood has been reasonable about leasing for events at the Beech Street Center and the lateness of events on Saturday night.

The Board moved: To approve the One Day Liquor License for the Kaplan Family Bat Mitzvah on September 13, 2014 and beverages may be served from 7PM to 10PM at the Beech Street Center.

The motion passed unanimously (3-0).

Approve One Day Liquor License to serve alcohol at the Beech Street Center during a private event on September 6, 2014

A request for a One Day Liquor License to serve Wine and Beer for a wedding reception was discussed. The applicant is Emily Davis for the event at the Beech Street Center on September 6, 2014 and the hours of consumption from 4:30PM to 8:30PM.

The Board moved: To approve the One Day Liquor License for alcohol served at the Beech Street Center for the private event on September 6, 2014.

The motion passed unanimously (3-0).

Approve License Application from El-Lakkis Corporation D/B/A Pleasant Street Shell at 337 Pleasant Street for a Class II License to buy and sell Used Cars

David El-Lakkis appeared before the Board to discuss the application for a location across the street from the current location which is 350 Pleasant Street. Because the license is granted by address and the business is moving to 337 Pleasant Street the new application is requested.

The Board moved: To approve the License for El-Lakkis Corporation D/B/A Pleasant Street Shell at 337 Pleasant Street for a Class II License to buy and sell Used Cars.

The motion passed unanimously (3-0).

Approve Livery Service License Application from Ozgur Demirtas D/B/A Melisdem to operate a one car livery service based at 14 Grove Street.

The application has been amended slightly to change the D/B/A to Penguin. Mr. Demirtas appeared before the Board to describe his business and request for livery license.

The Board moved: To approve the Livery Service License for Ozgur Demirtas D/B/A Penguin at 14 Grove Street.

The motion passed unanimously (3-0).

EXECUTIVE SESSION

The Board moved: To enter into executive session at 8:17 p.m. to consider the purchase, exchange, lease or value of real property if an open meeting may have a detrimental effect on the negotiating position of the public body and the Chair so declares. The Board will return to open session.

A roll call vote was taken: Chair Rojas said aye, Selectman Baghdady and Paolillo also said aye and the motion passed unanimously (3-0).

The Board moved: To exit Executive Session and Return to Open Session at 8:43 p.m.
A roll call vote was taken: Chair Rojas said aye, Selectmen Baghdady and Paolillo also said aye and the motion passed unanimously (3-0).

OPEN SESSION

The Board moved and seconded: That the Board of Selectmen, in its role as statutory Issuing Authority for the Town of Belmont, hereby issues a preliminary assessment of denial of Comcast of Massachusetts III, Inc.'s cable television renewal proposal to the Town of Belmont, dated April 28, 2014. The Board of Selectmen will also issue a written Statement of Reasons, in accordance with 207 CMR 3.06(3), detailing the reasons for its preliminary assessment of denial.

Discussion of the Motion: Selectman Baghdady explained that the preliminary assessment of denial does not cause an interruption of services but allows the Board to extend the negotiation with Comcast to resolve differences in proposed terms.

The motion passed unanimously (3-0).

TOWN ADMINISTRATOR REPORT

White Memorial Field House and Harris Field site visit by Board of Selectmen on August 25, 2014

Mr. Kale discussed the financial and in-kind donations made by alumni to make enhancements and renovations to the White Memorial Field House such as painting, new lockers to replace the old ones, electrical lighting fixture that have been completed in advance of the fall season of sports at the location. A site visit for the Board of Selectmen is planned for Monday with the School Superintendent and School Committee who are organizing a "kick-off" for the work that has been done at the Field House and Harris Field where the new artificial turf installation is completed in advance of the fall season activities at those locations.

The Community Preservation Act Committee has scheduled a meeting on September 18 at 7PM a public meeting for review of preliminary 2016 applications.

In addition, Mr. Kale and Glenn Clancy communicated with Newport Construction Corporation to relay to them that they need to provide as much advance notice of the construction to outreach neighbors as construction progresses down the road toward the residents. Short notice is not acceptable and although it is a State project, outreach needs to continue.

National Grid has been reminded again about the regulations and working with the Town to coordinate and communicate with the Town as work is done.

ACTIONS BY WRITING

Approve Agreement for Fuel purchased in FY2015 for Heating, Diesel, and Gasoline

Mr. Kale discussed the Town of Belmont participation in a collaborative fuel bid process organized by the Town of Brookline and presented the recommendation by Peter Castanino, Director of Public Works for award of the lowest qualified bidders accepted by the collaborative bid for FY2015 as follows:

Diesel Fuel by Dennis Burke of Worcester, MA, estimated annual cost of \$112,041

No. 2 Fuel by Dennis Burke of Worcester, MA, estimated annual cost of \$137,817

Gasoline by Global Montello Group Corp. of Waltham, MA, estimated cost of \$177,617

The Board moved: To accept the bid for diesel fuel by Dennis Burke of Worcester, MA.
The motion passed unanimously (3-0).

The Board moved: To accept the bid for No. 2 fuel by Dennis Burke of Worcester, MA.
The motion passed unanimously (3-0).

The Board moved: To accept the bid for gasoline by Global Montello Group Corp. of Waltham, MA.
The motion passed unanimously (3-0).

Approval of Meeting Minutes

June 2, 2014

The Board moved: To approve the meeting minutes of June 2.
The motion passed unanimously.

June 4, 2014

The Board moved: To approve the meeting minutes of June 4.
The motion passed (2-0-1).

June 9, 2014 with Executive Session

The Board moved: To approve the meeting minutes of June 9 with Executive Session.
The motion passed unanimously.

June 18, 2014 with Executive Session

The Board moved: To approve the meeting minutes of June 18 with Executive Session.
The motion passed unanimously.

July 7, 2014

The Board moved: To approve the meeting minutes of July 7.
The motion passed unanimously.

July 21, 2014

The Board moved: To approve the meeting minutes of July 21.
The motion passed unanimously.

NEXT MEETINGS

- Site Visit White Memorial Field House and Harris Field August 25, 8AM
- Regular Meeting September 8, 6PM
- Precinct Meeting September 8, 7PM (Beech St. Center): Belmont Center Reconstruction Presentation
- Regular Meeting September 22, 8AM
- Regular Meeting October 6, 6PM
- Regular Meeting October 20, 6PM
- Precinct Meeting October 20, 7PM (Beech St. Center): Pension and OPEB Presentation

Executive Session

The Board moved: To enter into executive session at 8:55 p.m. to consider the purchase, exchange, lease or value of real property if an open meeting may have a detrimental effect on the negotiating position of the public body and the Chair so declares. The Board will not return to open session.

A roll call vote was taken: Chair Rojas said aye, Selectman Baghdady and Paolillo also said aye and the motion passed unanimously (3-0).

The Board moved to adjourn the meeting at 9:42 p.m.



Mr. David Kale, Town Administrator