

2018 JUN -7 PM 12:13

APPROVED  
BOARD OF SELECTMEN  
DATE: 05-22-18

**MINUTES  
TOWN OF BELMONT  
BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
JANUARY 8, 2018  
6:00 PM**

**CALL TO ORDER**

A regular meeting of the Board was called to order in open session at 6:00 p.m. by Chair Jim Williams in the Selectmen's Meeting Room. Selectmen Mark Paolillo (arrived at 6:13 p.m.) and Adam Dash were present. Interim Town Administrator Phyllis Marshall was not present.

Chair Williams turned to the first item on the agenda:

**COMMUNITY ANNOUNCEMENTS**

- **Cradles to Crayons Event**-Items may be dropped off at the Police Station from 1/8-1/15/18
- **Cardboard Recycling Event**-rescheduled for January 13<sup>th</sup> at the Town Yard
- **MLK Day**-All Town Offices will be closed on 1/15/18
- **MLK Annual Breakfast** – will be held on 1/15/18 at 8:45am in the BHS cafe

**QUESTIONS FROM TOWN RESIDENTS**

[There were none.]

Chair Williams invited Public Works Director Marcotte and Assistant DPW Director Santoro to the table. Chair Williams thanked and congratulated them both on the great job the DPW did during the storm last weekend. A brief conversation then occurred summarizing the emergency management of inclement weather and winter weather resources.

**ACTION BY CONSENT**

**Proclamation for Mr. Michael Bishop, Manager of Public Works Water Division**

Vice Chair Paolillo read the proclamation congratulating Mr. Bishop on his retirement and highlighting his 30 plus years of service to the Town. Chair Williams presented Mr. Bishop with a football signed by the BOS as a retirement gift. Photos were then taken.

**Vote to Award Cedrone Corporation, 12 Hadley Street, North Billerica, Mass. The FY18 Water Main Replacement Contract in the amount of \$1,385,851.75**

Public Works Director Marcotte reported that on September 14, 2017 a total of seven bids were opened for the second of 2 FY18 Water Main Replacement Projects. The apparent low bidder

was Cedrone Corp. with a bid amount of \$1,385,851.75 dollars. The work would start in the spring. All 6 copies of the contracts were then signed by the BOS.

*The Board moved:* To approve award the FY18 Water Main Replacement Contract in the amount of \$1,385,851.75 to Cedrone Corporation, 12 Hadley Street, North Billerica, Mass.

The motion passed unanimously (3-0).

#### **Vote to Accept a Gift from Wheelabrator of \$3,000.00**

Public Works Director Marcotte asked the Board to accept a gift of \$3,000.00 from Wheelabrator. He continued that these funds would be used to educate the residents on how to keep Belmont green and clean. Mary Beth Calnan, Recycling Coordinator, would be administering the funds.

*The Board moved:* To accept the gift of \$3,000.00 from Wheelabrator  
The motion passed unanimously (3-0).

#### **Marijuana Licensing and Regulations Discussion**

Chair Williams invited George Hall, Town Counsel, Ellen Cushman, Town Clerk and Dr. Alper, Board of Health, to the table. Chair Williams asked Mr. Hall to provide a brief history on the marijuana article. Chair Williams voiced his opinion that a special general election be held on February 13, 2018. Town Clerk Cushman then described the schedule that would be put in place should a special election be called. She explained the logistics, such as voting sites, absentee voting and total cost of the special election. Vice-Chair Paolillo reminded the Chair that the voters have already spoken and 52% voted yes and he didn't see the need for a STM or Special Election. Selectman Dash added that he was opposed to a Special Election or a STM. Chair Williams insisted that the Board has received letters from the public stating the opposite and that he was unsure of exactly which option the electorate wanted.

*The Board moved:* The Town of Belmont adopt the following General By-law  
Section 60-103 Marijuana Establishments "Operations within Town of any pot establishment cultivator, testing, product, retailer or any other licensed pot business as defined in MGL chapter 94G Section 1 this prohibition will not apply to medical purposed of a dispensary "and that a Special Election be held on 2/13/2018 to adopt this General By-law

Chair Williams voted to hold a special election on 2/13/2018

Vice-Chair Paolillo and Selectman Dash were opposed to the special election

#### **Vote to Accept Resignation from Mr. Richard Waring-OPEB Funding Advisory Committee**

Chair Williams thanked Mr. Richard Waring for his service to the Town of Belmont as a member of the OPEB Funding Advisory Committee.

*The Board moved:* To accept the resignation of Mr. Richard Waring from the OPEB Funding Advisory Committee  
The motion passed unanimously (3-0).

### **OPEB (Other Post-Employment Benefits) Funding Discussion**

Chair Williams welcomed OPEB Chair Ralph Jones, Town Treasurer Floyd Carman and Town Account Chitra Subramanian to the table. Chair Williams stressed the importance of funding these obligations. A general discussion occurred proposing financial strategy to fund OPEB which included Chair Williams recommending that the use of enterprise funds be evaluated. Vice-Chair Paolillo stated he was willing to consider alternative means to fund OPEB. The Board agreed they would hear recommendations for funding from the OPEB Working Group. Chair Williams announced that he would contact Ms. Riley, Actuary, from Segal Consulting to run several scenarios based on alternative funding schedules and report back to the Board at a later date.

### **Demolition Delay Appeal application from Susan E. Gonzalez at 52 Willow Street**

Chair Williams invited Ms. Lauren Meier and Ms. Lisa Harrington Co-Chairs of the Historic District Commission along with staff liaison Spencer Gober to the table. Ms. Meier reported that the HDC had prepared a response to Ms. Gonzalez's appeal and requested a continuation to January 22, 2018 to provide the applicant with sufficient time to review the response.

*The Board moved:* To continue the Demolition Delay Appeal hearing for 52 Willow Street to January 22, 2018 to allow the applicant sufficient time to review the HDC response.  
The motion passed unanimously (3-0).

### **Demolition Delay Appeal application from Derek Staples at 27 Dorset Road continued from 12/18/17**

Mr. Derek Staples was asked to join the HDC Co-Chairs at the table. Ms. Meier provided some history from the earlier meeting. She indicated that the HDC had reviewed the property owner's application to appeal to remove his property at 27 Dorset Road from the List of Significant buildings. Ms. Meier reported that Mr. Staples appeal is based on three points: the process was arbitrary and subjective, the HDC considers the architect (Royal Barry Wills) to be a "master", the Demolition Delay Bylaw results in a taking of his property and will have a negative economic impact on its value. Chair Williams asked Ms. Meier to expand on the process of determining how a property is added to the List of Significant buildings. Ms. Meier explained the process of the HDC is coordination with their professional consultant worked for three years to evaluate properties in Belmont as a result of a historic resource survey. This was not an arbitrary and subjective process. Mr. Staples stated that the key to his appeal is that the HDC response does not include an objective analysis as to why his property is regulated. He asked that the HDC demonstrate why his property is to be regulated and no other Royal Barry Wills homes in the Town of Belmont are.

Chair Williams requested that Mr. Staples submit his response to the Town Administrator's office no later than noon on the following Wednesday.

*The Board moved:* To continue the Demolition Delay hearing for 27 Dorset Road-applicant Mr. Derek Staples to January 22, 2018  
The motion passed unanimously (3-0).

### **Approval of a new application for an All Alcoholic Beverages Restaurant License from Eatup LLC d/b/a Roast 75, 75 Leonard Street**

Attorney Kristen Scanlon representing Filippo deMagistris, Dante deMagistris and Damian deMagistris were called to the table. Atty. Scanlon provided the BOS with a brief history of Il Casale and an overview of the plans to renovate the space to and change the d/b/a to The Wellington. Scanlon continued to explain the proposed restaurant will have 133 seats and 21 at the bar. There was then a brief discussion about the delivery schedule and the trash pickup both of which would occur in the rear of the space. Scanlon explained that the restaurant was projected to open mid May 2018.

*The Board moved:* To approve the all alcoholic beverages license for Eat Up LLC d/b/a The Wellington conditioned on receipt of the Certificate of Occupancy and the approval of all required Town departments. The Common Victualler License must be obtained before the all alcoholic beverages license will be released by the Town.

The motion passed unanimously (3-0).

### **Review of Application and Possible Appointment of Traffic Advisory Committee Member**

Chair Williams review the application to the Traffic Advisory Committee from Ms. Mary Gavin.

*The Board moved:* To appoint Ms. Mary Gavin to a one year term with the TAC  
The motion passed unanimously (3-0).

### **Discussion of Board of Selectmen Operational Rules**

Selectman Dash reviewed a draft of the BOS Operational Rules that had been previously distributed to the Board. Vice Chair Paolillo asked that rule #8 be removed as he felt it was not necessary and that #9 be changed to majority versus unanimous as drafted. Chair Williams opined that the BOS should be governed by state laws and bylaws only and not bound by operational rules. The Board then had a brief discussion on the pros and cons of allowing residents to ask questions on the floor at the start of an open meeting.

*The Board moved:* To approve the Board of Selectmen Operational Rules with the edits so outlined

The motion passed Vice-Chair Paolillo and Selectman Dash voted aye  
Chair Williams was not in favor


**Discussion of Revised Liquor Regulations**

The Board moved to postpone this discussion until January 22, 2018

**Vote to Approve On-Call Architect**

The Board moved to postpone this vote until January 22, 2018

The Board moved to adjourn the meeting at 8:30 p.m.



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Ms. Phyllis Marshall, Interim Town Administrator

