

**MINUTES  
TOWN OF BELMONT  
BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
Monday, September 27, 2010  
7:00 PM**

**CALL TO ORDER**

A regular meeting of the Board was called to order in open session at 7:00 pm by Chair Jones in the Selectmen's Meeting Room. Selectmen Firenze and Paolillo were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were present.

**QUESTIONS FROM TOWN RESIDENTS**

[There were none.]

**ACTION BY APPOINTMENT**

**Planning Board and COA Appointments**

The candidates for the Planning Board (PB) appeared before the Board of Selectmen to put themselves forward for the open seat. Board members asked the candidates a few questions regarding their financial/development qualifications. Selectman Paolillo asked about this area specifically.

Ms. Moynihan responded by explaining that she is a real estate developer attorney and has worked in varied public sector projects. She said that she has worked extensively with developers as well.

Mr. Edmond Starzec noted that he is a planner by training and that he works in real estate and on the community level as well.

Mr. Michael Battista has been a contractor in his family's business and has run his own contracting business since 1981. He has run many boards and is comfortable with the financial aspects of development.

Selectman Firenze acknowledged that Ms. Moynihan has done a good job on the PB, but a different perspective might be needed at this time. In answer to a question from Chair Jones, Selectman Firenze said he wants someone who has made a payroll and has hands-on experience in development. Selectman Paolillo agreed that the Planning Board is missing the development piece.

*The Board moved:* To appoint Mr. Michael Battista to the Planning Board.  
The motion passed (2-1).

The Board discussed the formation of an Economic Development Committee to educate the community. Chair Jones said he will look into this.

Mr. Younger asked about the number of alternative members for the Planning Board, for the proposed Town Meeting article. The Board will check with the Chair of the Planning Board (Mr. Bagdady).

### **COA Appointment**

There are four candidates for the Council on Aging (COA) position, which was made vacant when Ms. Susan Giordano moved out of town. The Board stated in a previous meeting that they would like committee members to be Belmont residents.

*The Board moved:* To appoint Ms. Maryann Scali to the COA.  
The motion passed unanimously (3-0).

The Board touched base on other committee vacancies. Chair Jones will discuss the remaining committee appointments with Mr. Younger.

### **Friends of COA, Memorandum of Understanding**

Mr. Jim Staton, President of the Friends of the COA, appeared before the Board to discuss the COA Memorandum of Understanding before handing over a check for \$1M to the town which was pledged for the construction of the Beech Street Center. Chair Jones acknowledged the money that has been raised by the “Friends” for the Beech Street Center. Mr. Staton noted that 536 donors made up the \$1M of funds raised. He noted that the memorandum states in section 4 that the Town will assure COA programs will be running at the Beech Street Center building until it (the building) is fully depreciated in 40 years. Selectman Firenze said the budget will be looked at on a year-by-year basis and that no guarantees can be made 40 years out or even a few years out. Selectman Firenze noted that regionalization and privatization may impact this expectation. Mr. Staton said that the senior citizens do not want the COA to be vulnerable to budget issues. Selectman Firenze said his concern lies with committing to this building’s use for 40 years hence.

The Board discussed changing the language on the Memorandum. Chair Jones amended the Memorandum in section four.

*The Board moved:* To amend section four (as suggested by Chair Jones).  
The motion passed (2-1).

*The Board moved:* To accept the changes in section four.  
The motion passed (2-1).

In section five, the marketing and leasing of the Beech Street Center will now be handled by the Beech Street Center staff. Mr. Younger said that it has been a huge workload for his office and he supports this change. He will review the policy at each year's end.

*The Board moved:* To amend section five (as suggested by Member Paolillo).  
The motion passed (3-0).

*The Board moved:* To amend section five so that the Town Administrator's office reviews the leasing of the Beech Street Center no later than December 31 of each year, starting in 2011.  
The motion passed unanimously (3-0).

In Section 6, the COA would like to work with the Warrant Committee to ensure that the COA is developing mutually acceptable measures of services and programs.

*The Board moved:* To amend section six (as suggested by Member Paolillo).  
The motion passed (3-0). Section 6 was amended.

*The Board moved:* To add "Town Administrator" to section six of the Memorandum.  
The motion passed unanimously (3-0).

*The Board moved:* To support the document entitled "Memorandum of Understanding" from the COA as amended.  
The motion passed (2-1).

## **DPW Facilities Use Discussion**

Department of Public Works (DPW) Director Castanino appeared before the Board to discuss the use of DPW facilities. Mr. Younger noted that a resident was concerned about various uses of the former land-fill site and storage at the garage. Mr. Castanino began with the issue of storing private snow removal vehicles at the DPW yard. He noted that this was a common practice for many years. He said Town Counsel recommends adding a clause in the contract which allows the snow removal equipment to be stored in the town yard. The second issue pertains to equipment left at town yard longer than necessary. A time limit will be placed in the contract to limit the time equipment is left there. Thirdly, he continued, concerns were raised with the staging area at the incinerator site. The contract will now state, up front, whether staging is allowed and that the town will not be liable. The last concern pertains to using town property. Town Counsel recommends a license agreement to state clearly the appropriate use of equipment on town property.

Mr. Ron Sacca appeared before the Board to speak to his concerns. He said that it has taken nine months for the snow issue at the incinerator to be raised. He said that snow from out of town was dumped in Belmont at no cost to the contractor. Mr. Castanino

said that issue has been resolved. Mr. Sacca said the security at the incinerator site is non-existent. He recommended some sort of locked area. Mr. Castanino said an electric gate has been proposed for the site. Mr. Sacca said that it is not common practice to store equipment in the town yard. He said that street sweeping is considered hazardous waste and must be disposed of as such. Mr. Castanino said there are no state requirements for street cleaning materials or waste. Mr. Sacca said that Belmont is over-paying its snow removers, compared with other communities. Mr. Castanino noted that he has handled snow and ice removal for 28 winters and is competent in this area. He said that there is more to the bid price than is implied here – for example, Belmont does not pay for travel time as some communities do. He added that Belmont's bid prices are competitive with other towns.

The Board, Mr. Castanino, and Mr. Sacca discussed several more similar points.

## **ACTION BY WRITING**

### **Tree Warden Requests to Remove a Tree at 51 Elm Street**

Tree Warden Walsh appeared before the Board to discuss the request to remove a tree at 51 Elm Street. (Mr. Castanino remained at the table.) Mr. Walsh noted that the tree has a large amount of substantial decay and also that the tree blocks the sidewalk. The decay, which has created a huge hole in the tree, renders the tree structurally deficient. Mr. Walsh noted that the tree is near live wires, houses, and traffic, making it a hazardous situation. He recommends that the tree be removed, as it is a hazardous situation. Selectman Firenze noted that once the tree is made known to be a hazard, the town becomes liable for safety issues relating to the tree.

A resident from School Street, Mr. John Benson, noted that lots of trees have been lost in this area and that this tree has some good years left in it. He said he would like to have replacement trees planted on Elm Street and he requested to leave this tree in place.

Mr. Castanino noted that there is no money in the budget for planting trees. However, a generous gift from a resident and some insurance money has been used to plant trees in the last few years. Mr. Walsh noted that there is some insurance money left, but that this location has proved challenging to plant trees: they generally don't survive.

Another resident, Mr. Archie Kalassian, spoke to say that this tree belongs to the town of Belmont and that it has been decaying for 25 years. It needs to come down for safety reasons. He said there are plenty of trees in this area.

*The Board moved:* To approve the request to remove the tree at 51 Elm Street.

Another resident asked how the tree budget could be increased as it is a shame to not have a few thousand dollars to re-plant trees. Chair Jones agreed that this fund needs to be reinstated and he advised that she speak to the Town Meeting members in her

Precinct. Selectman Paolillo recommended she consider trying to raise private funds, as well.

Mr. Walsh and the Board discussed residents purchasing and planting their own trees.

The motion passed unanimously (3-0).

### **Policy of Use of Town Fields**

Chair Jones noted that the (BSS) Belmont Second Soccer is concerned about out-of-town leagues using Belmont's fields. He said if there is not a policy on this, one will be made tonight.

Recreation Director McKinney appeared before the Board to discuss the policy for the use of town fields. He said that there is indeed a policy and the policy states that the "permitted group" has the priority to use the field. If the group on the field does not have a permit, the group needs to leave. The police will enforce this, he said. He said there are signs explaining this, but that the signs are old, and need to be updated.

### **Discussion/Vote of License for Environmental Testing of Cushing Square Parking Lot**

Mr. Bob McLaughlin and attorney Jeanne McKnight, appeared before the Board to discuss the vote for the License for Environmental Testing of the Cushing Square Parking Lot. The developer will need to know if hazardous waste is buried under the surface of the parking lot. The Board discussed the license agreement for environmental testing in Cushing Square. Selectman Firenze wondered why the testing would happen before a purchase and sale agreement (P & S) is finalized. Mr. McLaughlin said it would be ok to do it ahead of the P & S, as long as the town is moving in that direction.

The Board opted not to take a vote on this issue until it is discussed further in executive session.

### **Town Administrator's Report**

Mr. Younger reported on the following items:

- The DPW received a \$5,000 grant for an emergency response vehicle.
- Treasurer Carman is now a *certified* Massachusetts tax collector.
  - The Woodfall Road permit has been extended for two additional years.
  - The Senior Center generator bids are due on October 14.
  - Town Counsel RFPs are being reviewed – Mr. Younger explained the process for the evaluation criteria.
  - The Regional 911 process report will be released in December.
  - Commuter parking meetings will be moving forward with Mr. Conti and Belmont resident Mr. Paul Roberts.
  - Leonard Street community input meetings will begin in October.

- Selectman Firenze and Representative Brownsberger met at the State House and the alcohol licensing legislation is moving along favorably.

## **OTHER**

- Board of Selectman objectives – Selectman Paolillo asked: have they been adopted? (They are being reviewed presently, Mr. Younger noted.)

Mr. Conti noted that a resident has requested a Town Meeting article pertaining to the process of roll call voting at Town Meeting. A roll call vote is presently not allowed subsequent to standing vote. The resident would like Town Meeting to change this policy. Mr. Conti asked: Can this be put on the ballot or should it go through a citizen's petition? The Board expressed concern about establishing a precedent in obviating the citizen's petition process. Mr. Conti said it works better if the citizen's petition process is avoided. The Board agreed to place the Article on the Warrant and let Town Meeting debate this issue.

## **Executive Session --Value of Real Property**

*The Board moved:* To enter into executive session at 9:26 p.m. to discuss the value of real property. The Board will not return to open session.  
The motion passed unanimously (3-0).

*(During executive session, one substantive motion was made and passed unanimously.  
The Board moved to adjourn the meeting at 10:28 pm.)*

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Thomas G. Younger, Town Administrator