

Board of Selectmen

Regular Session

August 4, 2003 Minutes

Call to Order

The Board of Selectmen convened at 7:00 p.m. in the Selectmen's Meeting Room of the Town Hall. All members were present.

Questions from Town Residents

A couple of residents appeared before the Board to seek granite rounds to be installed on the lower end of Prospect Street if the residents are allowed to pay for the price differential of this type of curbing.

Mr. Brownsberger expressed his reluctance to allow for a change to granite rounds given the precedent it would set, given the late stage of the construction process and the administrative burden it will place on Town staff.

Mrs. Mahoney and Dr. Solomon concurred.

Mr. Brownsberger indicated his desire that the Town consider the type of granite curbing prior to finalizing the Town's pavement management plans.

The Board moved: to reaffirm its previous vote to deny the request for the installation of granite rounds at this location.

The motion passed unanimously (3-0).

Action by Appointment

Introduction of Firefighters Promoted to Lieutenant

This item was delayed because the firefighters were engaged in public safety efforts and were unable to attend.

Application of Common Victualler's License—Original

Little Lotus Inc., dba Patou, 69 Leonard Street

T&M Belmont Foods, Inc., dba Theo's Pizzeria and Grill, 389 Trapelo Road

The Board discussed applications by Little Lotus Inc. and T&M Belmont Foods, Inc. for common victualler's licenses.

The Board moved: to approve the applications by Little Lotus Inc., and T&M Belmont Foods, Inc., for a common victualler's license, conditional upon the applicants meeting all health, building, and fire regulations.

The motion passed unanimously (3-0).

Update on Energy Savings Initiative

Dr. Solomon updated the Board on his efforts with various Town building committees and town management staff to explore energy savings opportunities for the Town.

He noted his efforts to work with the schools to engage in an energy audit of all the Town's school buildings, with the exception of the Wellington. He indicated an interest to include the library in this audit as well.

He described a presentation by a representative of the Green Roundtable about cost-saving advantages to be gained from engaging in "green building" processes. He noted that the chairmen of both the fire stations and senior center building committees were in attendance.

The Board expressed support for Dr. Solomon to continue his efforts in this matter.

Update from Sewer and Stormwater Committee

The Board met with members of the Sewer and Stormwater Committee regarding their progress. Mark Haley of the Committee indicated they had met a few times and have met with Town staff and the Town's consultants to get a handle on this issue.

The Members sought further direction from the Board.

Mr. Brownsberger noted that the efforts of the Tri-Community (Arlington, Belmont, Cambridge) Alewife Flooding Group are focused on flooding resulting from the high water in the Alewife Brook, which is a very limited scope. He indicated that the mandate of the Town's Sewer and Stormwater Committee is to address all the other flooding issues throughout the Town.

Mr. Pisano stated the committee could develop prioritization of responses to the known flooding problems in the Town.

The Board agreed to meet again with this committee in the late fall.

Public Hearing: Stormwater Management Plan

The Town's consultant, Sharon Raymond, of the firm Fay, Spofford, and Thorndike, provide an overview of the Town's draft Storm Water Management Plan as required by the US EPA.

Mr. Brownsberger inquired whether a flooding mitigation plan would be a credit in the storm water management plan process. Ms. Raymond confirmed that such a plan would be a positive contributing factor to the quality of a Town's storm water.

Representative Paulsen inquired why the Town does not provide to residents more information about how they can retain much more storm water on their own property to help the problem and to also educate them about what else they can do to help mitigate storm water issues.

Ms. Raymond indicated that the Town's proposal with respect to the website and other posting of information is intended to address this issue.

Representative Paulsen urged more activism in this area and inclusion of more specifics into the plan.

The Board agreed to include this recommendation in the Storm Water Management Plan.

An Arlington resident raised a couple of questions and suggested that the local communities should collaborate on issues of regional impact.

A few other individuals commented on the draft plan.

Mr. Gatzunis recommended the Town close the public hearing, but keep the public comment period open until August 11, 2003 for any additional written public comment.

The Board moved: to close this public hearing, but to keep the public comment period open until August 11, 2003 for any additional written public comment.

The motion passed unanimously (3-0).

The Board moved: to approve the Storm Water Management Plan, subject to the changes recommended at this meeting and to incorporate any other substantive recommendations offered during the final days of the public written comment period.

The motion passed unanimously (3-0).

Mr. Cournoyer re: Oxford Avenue Sidewalks

Mr. Cournoyer expressed his desire for a concrete timetable for the replacement of the sidewalks on the street and replacement of the water pipes on Oxford Avenue.

Mr. Castanino recommended the sidewalks be replaced in the 2004 construction period and that the water pipes be replaced in 2004, with the roads to be repaired with mill and overlay to minimize any damage to the street.

Mr. Cournoyer inquired of the type of curbing to be used.

The Board stated their desire for granite curbing to be installed in that location, but cautioned that parking would be restricted in this area which might require the changing of the road from two-way to one-way.

Mr. Gatzunis recommended holding a public hearing to seek public input on the changing of Oxford Avenue to a one-way street.

The Board moved: to replace the sidewalks and water pipes along Oxford Avenue by the summer of 2004; and further to hold a public hearing in the fall of 2003 regarding the type of curbing and potential restriction of the street to one-way traffic.

The motion passed unanimously (3-0).

Steven Unsworth of BadgeQuest re: Police Chief Consulting Services

Mr. Unsworth, the Town's consultant regarding the Town's police chief selection process, provided an update on his progress to date in developing criteria to evaluate police chief candidates and to identify those qualities most desired in the Town's next Police Chief.

He clarified with the Board that the Town will not restrict itself to considering candidates with at least a bachelors degree and at least five years at the rank of lieutenant or above and, will in fact, only exclude an individual if he is not in "good standing" in the department.

The Board moved: to define the word "qualified" to be defined as any police officer in the rank of lieutenant and captain in good standing in the Belmont police force.

The motion passed unanimously (3-0).

Mr. Unsworth also recommended that the Board of Selectmen request letters of intent from any officer formally interested in the police chief position, so that the Board can have a better idea of the evaluation process it will utilize to consider the candidates.

The Board concurred.

Discussion of Annual Committee/Commission Appointments

The Board discussed and took action on committee appointments.

The Board moved: to make the following appointments to various Town committees, commissions and appointed positions:

Insurance Advisory Committee
Robert Masse, Leicester Road

Cultural Council
Guy (Oz) Barron, Moraine Street

The motion passed unanimously (3-0).

Role of Town Counsel

The Town Administrator reviewed his memorandum to the Board outlining his analysis and recommendation relative to the Town's current utilization of legal services.

The Board discussed the role of the Town Counsel in providing services to the Town.

Dave Hawkins provided his comments relative to this matter and suggested that the Town's use of special counsel could be better coordinated by the Town Counsel than it has been in the past.

Mr. Brownsberger expressed a desire to have an individual serve in an oversight role to evaluate legal costs.

Mrs. Mahoney expressed concern that this would add an additional layer of bureaucracy.

Dr. Solomon concurred with Mrs. Mahoney.

Mr. Hawkins recommended that he and Mr. Morrissey have the opportunity to discuss this issue frankly with the Town Administrator prior to cementing a revised role for the Town Counsel.

Discussion of Personnel Board

The Board discussed the role of the Personnel Board and potential changes to the Town's By-Law.

The Board requested that the human resources director and the remaining members of the Personnel Board attend a meeting in the near future to discuss this matter further.

Action by Writing

*Letter from Program Manager, MA EOE Flood Hazard Management Program re:
Proposed Changes to Town's Zoning By-Law*

Mr. Gatzunis reported that he would be working with the Planning Board to develop changes to the Town's Zoning By-Law to implement these recommendations to manage flood hazards.

Letter from Goden Street re: Request for Water/Sewer Bill Abatement

The Board considered a request from a resident for a water/sewer bill abatement for a significant leak to a faucet in a bathroom, which resulted in water and sewer usage in excess of \$4,000.

Mr. Brownsberger indicated that he is not supportive of the Town compensating residents for failure to maintain their own plumbing equipment.

Mrs. Mahoney expressed her sympathy for this couple's loss and feels the Board needs to develop a consistent policy with respect to these abatement requests.

Dr. Solomon agreed that a policy should be set with respect to these requests.

Mr. Brownsberger recommended that the Town adopt a policy allowing the Town to abate water and sewer bills in instances when it is the result of faulty equipment on the part of the Town of Belmont. He noted his lack of support for abatement requests when the higher bill is the result of the homeowner's faulty equipment, except he would allow for partial abatements of the sewer portion of the bill if the owner could substantiate that the additional water did not flow into the Town's sewer system.

The Board agreed to refer this matter to the Water Advisory Board to develop a policy with respect to water and sewer abatement requests that can be applied to both water and sewer bills.

Correspondence re: Request for Street Improvements Permits for 270 Trapelo Road

The Board considered a request for street improvement permits for 270 Trapelo Road.

The Board moved: to approve the request for street improvement permits at 270 Trapelo Road to allow the installation of street amenities as required by the Planning Board as a part of the site plan review process.

The motion passed unanimously (3-0).

Memorandum from Senior Planner re: Zoning Permitting Process

The Board discussed a memorandum from the Senior Planner about the Town's zoning permitting process.

The Board agreed to schedule a special issues session for September with the Planning Board and Zoning Board of Appeals to discuss this matter.

Memorandum from Senior Planner re: Waverley Square Proposal

The Board discussed a recommendation from the Senior Planner regarding air rights development in the Waverley Square area.

The Board recommended further exploration of this concept.

Memorandum from Director of Public Works re: Proposed Adjustment to Septage Rate

The Board considered a recommendation by the Director of Public Works to reduce the current septage rate for the Town to reflect a less onerous percentage increase in the fee.

The Board moved: to set the septage rate at \$67 per 1,000 gallons for FY04.

The motion passed unanimously (3-0).

Memorandum from Acting Police Chief re: Installation of Overnight Parking Signs

The Board considered a request to install overnight parking signs in various locations throughout the Town.

The Board moved: to support the request to install overnight parking signs at various locations at the entrance to Town.

The motion passed unanimously (3-0).

Memorandum from Acting Police Chief re: Police Department Promotions

The Board considered a memo from the Acting Police Chief seeking permission to promote one officer to lieutenant and one officer to sergeant and to be allowed to fill the ensuing patrol officer vacancy.

The Board requested the opportunity to hear from Acting Chief O'Malley prior to making a decision.

Memorandum from Building Services Manager re: Award of Roof Repair Contract

The Board reviewed the recommendation relative to the award of the roof repair contract.

The Board moved: to award the roof repair contract to Wayne Roofing Systems.

The motion passed unanimously (3-0).

Memorandum from Assistant Town Administrator re: Execution of Access Agreement with First Church

The Board reviewed the agreement between the Town and the First Church of Belmont to allow the Church access to a portion of Town land during renovations to the Church.

The Board moved: to approve the agreement, subject to the condition that the Town beech tree be appropriately protected for the term of the agreement.

The motion passed unanimously (3-0).

Memorandum from Massachusetts Water Resources Authority re: MWRA Loan Agreements

The Board discussed the request by the Town Treasurer to authorize Chairman Brownsberger to execute MWRA loan agreement documents.

The Board moved: to authorize Selectmen Brownsberger to execute the MWRA loan documents.

The motion passed unanimously (3-0).

Memorandum from Town Administrator re: Selectmen Meeting Schedule

The Board of Selectmen reviewed the proposed meeting schedule developed by the Town Administrator.

Mr. Brownsberger indicated his desire for the Board to have routinely scheduled meetings with the alternating weeks being special sessions being devoted to a limited agenda with longer appointments.

The Board agreed to hold regular sessions every other week with special issues sessions for alternating weeks.

The Board agreed to schedule a meeting for August 25.

Minutes (7/14/03, 7/15/03)

The Board reviewed the draft minutes of July 14 and 15, 2003.

The Board moved: to approve the minutes of July 14 and 15, 2003.

The motion passed unanimously (3-0).

Other

Mr. Brownsberger summarized a meeting he had with O'Neill properties relative to their proposed development of the Uplands for multi-family residential units. He noted the developers indicated a willingness to give 25% of the units as affordable,

but would need to increase the total number of units to 250 to make the project economically viable. Mr. Brownsberger indicated his concern for the economic necessity for that large a project on this site.

The Board moved: to enter executive session for the purpose of discussing collective bargaining and litigation; further that the Board will not return to open session.

The regular session adjourned at approximately 11:50 p.m.

Administrator

Melvin A. Kleckner, Town

Clerk, Board of Selectmen