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BOARD OF SELECTMEN
APRIL 12, 2004
REGULAR SESSION

Call to Order

The Board convened under the new chairperson, Anne Marie Mahoney, in open session at 7:30 p.m. in the Selectmen's Meeting Room of the Town Hall. All members were present.

Questions from Town Residents

The Board heard from Donald Mercier of Cross Street expressing concern over the response of the Housing Trust to his proposal on project alternatives and for housing membership criteria. The Board requested that Mr. Mercier make clear in writing where his proposal differs from the response of the Housing Trust before the Board places this issue on a future agenda.

Action by Appointment

Veterans of Foreign Wars re: Annual Poppy Sale

The Board of Selectmen met with representatives of the VFW, Waverley Post 72, to sell poppies during the month of May. They requested that May be designated Veterans' month for the month of May.

The Board moved: to approve the VFW's annual poppy fund drive and to declare the month of May as Veterans' month for the Town of Belmont.

The motion passed unanimously (3-0).

Proclamation re: Arbor Day

The Board of Selectmen reviewed and discussed a request from the Shade Tree Committee and Tree Warden to celebrate Arbor Day on Friday, April 30, 2004.

The Board moved: to proclaim April 30, 2004 as Arbor Day in the Town of Belmont.

The motion passed unanimously (3-0).

Public Hearings

-- Petition from Keyspan for Gas Service on Waterhouse Road

The Board convened a public hearing regarding the Keyspan utility petition to install a 4" gas main in Waterhouse Road. Harold Cooper, a representative of Keyspan, appeared before the Board in support of the petition. John O'Meara who lives at 4 Waterhouse Road appeared before the Board to express concerns about disruption from the project. There were no other interested parties present.

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The Board discussed the pressure problems with gas lines in the Winn Brook area and problems residents had in the loss of heat during some of the coldest weather of the year. Mr. Brownsberger suggested that the Board hold on approving this petition until the Town gets a more formal response from Keyspan regarding the loss of gas heat to a large number of residents in Town and the company's plan for a response.

The Board moved: to defer action on this petition indefinitely, until it could gain a better understanding of the status of gas service in the Winn Brook area and how the proposed work on Waterhouse Road is related to the overall service issues, and further that Keyspan respond in time for the Board's meeting on April 26, 2004.

The motion passed (3-0), unanimously.

-- Application from TKT to Store Flammable Materials at 33 Brighton Street

The Board convened a public hearing regarding an application from Transkaryotic Therapies, Inc. for the storage of flammable products. Barry Cohen, the applicant appeared in support of his petition. The Town Administrator spoke briefly about the application process and noted the Fire Chief's approval of the application.

Mr. Cohen provided a summary of his company and his application for the storage of not more than 480 gallons of flammable materials.

A number of residents from the affected area appeared before the Board to speak in opposition to the application. Ms. DiGiovanni of 67 Baker Street submitted a petition of several citizens in opposition to the application in connection with the nearby Cambridge Plating Company.

The Assistant Fire Chief appeared before the Board to explain the Fire Department's rationale for its approval of the application.

Mr. Brownsberger requested to know what else is stored in this facility.

Mr. Brownsberger inquired of what is the basis upon which the Town could legitimately deny the claim.

Dr. Solomon inquired where these materials are currently stored and where these materials are currently being used.

Mr. Brownsberger noted the resident's concern for making this area an industrial area.

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The Board agreed to discuss the issues related to the operations of Cambridge Plating on May 10, 2004.

Mr. Brownsberger expressed his desire to deny the application.

Dr. Solomon and Ms. Mahoney preferred to continue the hearing and defer actions on the matter until a more comprehensive review of the status of Cambridge Plating Company in connection with this application.

The Board moved: to deny the application for the storage of flammable materials.

The motion passed (3-0), unanimously.

Senior Center Building Committee re: Update on Design Activities

Karen Pressey of the Senior Center Building Committee provided the Board of Selectmen with an update on their recent activities related to the design of a senior center on the former Kendall School site. She advocated for the development of the entire two floors of the new building to be used for Senior Center use. They advocated the taking of a small portion of recreation land along Beech Street to allow for additional parking along Beech Street.

Mr. Brownsberger complemented the Senior Center Building Committee on their work to date on this project.

Mrs. Pressey noted that schematic design should be complete in June, so that the fundraising efforts can begin in earnest in the fall.

Dr. Solomon reiterated Mr. Brownsberger's comments.

Discussion of Town Meeting Warrant Articles

The Town Administrator reviewed the final proposed wording for all Annual Town Meeting Special Town Meeting warrant articles.

The Board reviewed the non-financial articles for the Annual and Special Town Meetings to identify their positions on these articles.

The following is the result of their discussion:

Annual Town Meeting

Article 1, unanimously support

Article 2, unanimously support

Articles 3-8, to be discussed at Warrant Committee

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Article 9, no action proposed
Articles 10-11, to be discussed at Warrant Committee
Article 12, no action proposed
Articles 13-15, to be discussed at Warrant Committee
Article 16, unanimously support
Article 17, to be discussed at Warrant Committee
Articles 18-19, hold until the Board receives the interim report of the Fire Station Re-Use Committee
Articles 20-21, hold until further information is provided relative to the Town's ability to sell the Woodfall Road parcel.
Article 22-24, unanimously support
Article 25, to be discussed at Warrant Committee
Articles 26-34, unanimously support
Articles 35, proposed to be dismissed

Special Town Meeting

Article 2, unanimously support
Article 3, unanimously support
Article 4, to be discussed at Warrant Committee

The Board discussed its plans for making a report under Article 1 of the Warrant. The Board was willing to accommodate the recognition of scholastic and related achievements of High School students.

Discussion of Process for Filling Management Position Vacancies

The Town Administrator requested the Board's approval to facilitate the candidate selection process and recommendation of a final candidate for the Community Development Director and the Fire Chief positions, which will both be vacant in the next few weeks.

The Board moved: to approve the Town Administrator's request to follow the recommended candidate selection process.

The motion passed (3-0), unanimously.

Mr. Brownsberger noted his belief that the Director of Community Development position is critical for the Board of Selectmen to be involved in the selection process. Mr. Brownsberger expressed a concern that the position of Director of Community Development may be limited in terms of the lack of professional planning leadership and direction. The Board intends to re-visit this position in early May.

The Board moved: to appoint Glenn Clancy as acting Community Development Director, upon Mr. Gatzunis' departure.

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The motion passed unanimously, (3-0).

The Board requested the Town Administrator to develop a recommendation relative to the Director of Community Development, based upon the Board's discussion.

The Board was supportive of the Town Administrator's recommendations to pursue selection of a new Fire Chief.

Action by Consent

Approval of Minutes (03/08/04, 03/15/04)

The Board moved: to approve the minutes of March 8 and 15, 2004.

The motion passed unanimously (3-0).

Letter from Belmont Boosters Club re: Fiesta Show Carnival Event

The Board moved: to approve the Belmont Boosters Club's request for Town support for its annual carnival.

The motion passed unanimously (3-0).

Memorandum from Human Resources Director re: Personnel Board

The Board moved: to approve the appointments of Eloise McGaw and Mary Wybieralla to the Personnel Board.

The motion passed unanimously (3-0).

Memorandum from Town Treasurer re: Request to Hire Temporary Part-Time Staff Support

The Board moved: to approve the hiring of part-time staff support in the Office of the Treasurer.

The motion passed unanimously (3-0).

Memorandum from Chief of Police re: Exeter Street Parking

The Board moved to: to accept the recommendation of the Police Department.

The motion passed unanimously (3-0).

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Action by Writing

Correspondence re: Use of Former Kendall School Site

The Board discussed correspondence from a resident regarding a request to utilize temporarily the former Kendall School Site for parking.

The Board moved to: adopt the recommendation of the DPW Director to not open the site for parking at this time, unless a significant majority of the residents in the immediate vicinity of the area show strong support for such a request.

The motion passed unanimously (3-0).

Correspondence re: Commercial Vehicle Parking at Trapelo Road/Flett Road

The Board of Selectmen discussed parking and related safety issues relative to the Trapelo and Flett Road general intersection. The Board further discussed the routine parking of Bostonian Towing company trucks.

The Board moved to: refer the matter to the Police Department and request that a police officer investigate the alleged threat made by the owner of the towing company.

The motion passed unanimously (3-0).

Correspondence re: Belmont Animal Hospital Kennel License Application

The Board reviewed and discussed recommendations from Legal Counsel relative to a request from Belmont Animal Hospital to obtain a kennel license.

The Board moved to: reject the application by the Belmont Animal Hospital on the basis that a veterinary hospital may not be deemed to be a kennel per Town By-Law; and further the intention of the By-Law was not to have more than one kennel at a single premise.

The motion passed unanimously (3-0).

Memorandum from Assistant Town Administrator re: FRA Train Whistle Regulations

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The Board reviewed and discussed a memorandum from the Assistant Town Administrator relative to the impending implementation of new federal regulations related to the blowing of train whistles at all at-grade train crossings.

Action by Appointment (continued)

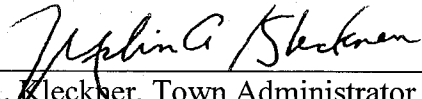
Discussion of Litigation (Executive Session)

The Board moved: to enter executive session for the purpose of discussing strategy related to litigation; and further that the Board will not return to regular session.

The motion passed unanimously (3-0), by roll call vote.

VI. OTHER

The regular session adjourned at approximately 11:00 p.m.



Melvin A. Kleckner, Town Administrator
Clerk, Board of Selectmen