

MINUTES
BOARD OF SELECTMEN
SEPTEMBER 23, 2002
REGULAR SESSION
Call to Order

The Board of Selectmen met in regular session on Monday, September 23, 2002 at 7:30 PM in the Selectmen's Meeting Room at the Belmont Town Hall. All members were in attendance.

Questions from Town Residents

There were none.

Action by Appointment

Recognition of Pleasant Street Project Achievement

The Board of Selectmen acknowledged the efforts of residents and the Town's state legislative delegation in the restoration of Metropolitan Planning Organization funding of the Town's \$4.2 million Pleasant Street reconstruction project.

Mr. Brownsberger indicated a willingness to meet with appropriate Massachusetts Highway Department officials to expedite this project.

Public Hearing on Dog Complaint at 51 Stone Road (Continued)

The Board convened a continued public hearing of a dog complaint at 51 Stone Road. The Animal Control Officer reported minimal complaints since the implementation of the order of the Board of Selectmen. Mr. Reiker, owner of the dog, was present. One neighbor of the area was present.

The Board moved: to close this hearing and retain the findings and order previously made by the Board.

The motion passed unanimously (3-0).

Public Hearing on Utility Petition

Keyspan Utility Petition - Shaw Road

The Board convened a public hearing on the petition of Keyspan Energy. William Costigan from Keyspan appeared before the Board to request approval to open the street to install and maintain a gas main. There were no residents in attendance.

The Board moved: to approve the request to install and maintain a gas main on Shaw Road.

The motion passed unanimously (3-0).

Application for License and Permit - Original

Common Victualler- Nikita Restaurant Group, d/b/a Kashish Restaurant, 61 Leonard Street

The Board met with the owners of Kashish Restaurant to discuss their application for a Common Victualler's license.

The Board moved: to approve the above license conditional upon it meeting all Town departments' conditions.

The motion passed unanimously (3-0).

The Board wished the owners well in their business endeavors.

Board of Library Trustees re: Library Capital Project Planning

The Board met with the Trustees in an effort to focus on the priority of the Library Construction project in the short-term.

Mr. Brownsberger framed the issue and expressed his opinion that the library project does not meet his standards for prioritization.

Ms. Conners, Library Director, reviewed the state grant process and timetable. The Trustees encouraged the Board of Selectmen to prioritize this project and authorize a grant application to be filed for the next funding round.

The Trustees reviewed the extensive renovations required to meet program building code and other architectural issues that make renovations of the existing facility unfeasible.

The Trustees advocated a new building as conceived in the Concord Avenue concept plan identified by

the Capital Projects Cluster Planning group. The Trustees also committed to a fundraising initiative to help support the project.

The Board asked a number of questions about the project and had general discussion about the relative merits of the project.

Discussion of Special Town Meeting Issues

The Board discussed issues related to the Special Town Meeting.

Mr. Brownsberger stated that he believed it important to specifically outline for Town Meeting those projects the Board intends to pursue within the next five years and those projects that the Board intends not to do within the next five years and how these projects should be funded.

Dr. Solomon stated his preference for a timeline for each of the large-scale capital projects from both a cluster planning perspective and non-cluster planning perspective along with sources of funding.

Mr. Brownsberger suggested he would sit down with the chairpersons of the Capital Budget Committee, Warrant Committee, and Permanent Building Committee to develop draft timelines for the Board's deliberation and decision at its October 7 meeting.

The Board moved: to call a Special Town Meeting for Monday, October 28 at 7:30 p.m. in the High School auditorium and further to open the warrant commencing immediately and closing at 4:00 p.m. on Monday, September 30, 2002.

The motion passed unanimously (3-0).

In connection with its preparation for issues in the Warrant, the Board requested a formal vote of the School Committee with respect to its willingness to release land necessary to meet the Concord Avenue Concept plan as identified by the Capital Project Cluster Planning Study.

Appointment of Sewer/Stormwater Committee

The Board made the following appointments to the Sewer/Stormwater Committee:

The Board moved: to appoint the following residents to the ad hoc Sewer/Stormwater Committee:

James Decoulas, 38 Bow Road, a resident with previous flooding experience and is an environmental engineer

Mark Haley, 8 Pine Street, a civil engineer

William Pisano, 253 Washington Street, an environmental engineer

Cerdrick Marsh, 42 Warwick Road, an engineer

The motion passed unanimously (3-0).

The Board deferred additional appointments pending Mrs. Mahoney's nominations.

Discussion of Personnel Director Vacancy

The Town Administrator reviewed the merits of filling the vacant Personnel Director position.

The Board moved: to approve the Personnel Director position vacancy.

The motion passed unanimously (3-0).

Action By Writing

Memorandum from Director of Community Development re: Request for Sidewalk Along Trapelo Road

The Board reviewed a memorandum from the Director of Community Development regarding a request for a sidewalk along Trapelo Road in the vicinity of the Waverley Oaks Apartment complex.

The Board moved: to accept the recommendation of the Town Engineer to not install a sidewalk along Trapelo Road, due to safety considerations.

The motion passed unanimously (3-0).

Letter from Resident re: Request for Street Lighting at 35 Marlboro Street

This matter was resolved to the resident's satisfaction by the Light Department Manager prior to this meeting.

Letter from Resident re: Transient Furniture Peddlers

The Board reviewed a letter from a resident regarding transient furniture peddlers selling their wares at the former Volkswagen property along Trapelo Road.

The Board discussed the lack of regulation in this area and requested further legal analysis of this activity and took this matter under advisement.

Letter to Town Administrator from Fire Chief re: Elimination of State S.A.F.E. Funds

The Board reviewed a letter to the Town Administrator from the Fire Chief regarding the elimination of the State's S.A.F.E. funds.

The Board moved: to approve this request, subject to Warrant Committee approval.

The motion passed unanimously (3-0).

Letter from a Business Owner re: Request for Directional Sign on Utility Pole

The Board reviewed a letter from a business owner and a report from the Town Administrator regarding a request for a directional sign for a commercial business on a Town's utility pole.

Mrs. Mahoney expressed her preference that signs for institutions be allowed, but those for individual businesses be disallowed.

Mr. Brownsberger and Dr. Solomon indicated their support for allowing the sign.

The Board moved: to approve the placement of a directional sign for Dr. Salibian, with the understanding that such approval be reviewed if several similar requested are made in the future.

The motion passed (2-1), Mrs. Mahoney opposed.

Memorandum from Highway Superintendent and Tree Warden re: Tree at Corner of Beech and Maple Streets

The Board reviewed a memorandum from the Highway Superintendent and Tree Warden regarding the maintenance of a tree at the corner of Beech and Maple Streets.

The Board moved: to accept the recommendation of the Tree Warden and Highway Superintendent to take no action at this time.

The motion passed unanimously (3-0).

Memorandum from Assistant Town Administrator re: Appointments to LEPC

The Board reviewed a memorandum from the Assistant Town Administrator regarding appointments to the LEPC.

The Board moved: to approve the appointment of Leo Saidnaway, as Alternate Emergency Management Member; William H. Osterhaus, Emergency Medical Services Primary Member; and David Frizzell, as Emergency Medical Services Alternate Member to the LEPC.

The motion passed unanimously (3-0).

The Board moved: to approve the appointment of David Frizzell as Chairman of the LEPC.

The motion passed unanimously (3-0).

Correspondence re: Resident Proposal of Construction Conditions for Projects Requiring Building Permits

The Board reviewed correspondence concerning a resident's proposal of instituting construction conditions for all projects requiring building permits. Mr. Brownsberger felt the proposed regulations were appropriate for informational purposes, but seemed overly burdensome for homeowners and difficult for the Town to enforce. Mrs. Mahoney concurred.

The Board agreed to take no action on this matter at this time.

Letter from Chairman, Cable Advisory Committee re: Ad Hoc Committee to Study Establishment of Cable Access Corporation

The Board reviewed a letter from the Chairman of the Cable Advisory Committee regarding establishment of an ad hoc committee to study the establishment of a cable access corporation. Mr. Brownsberger suggested that an ad hoc group could be composed of the existing Cable Television Advisory Committee and the Cable Access Committee.

The Board moved: to recommend the Cable Access Committee and Cable Advisory Committee to appoint representatives from each committee to constitute an ad hoc committee to study the establishment of a cable access corporation.

The motion passed unanimously (3-0).

Draft Charge to the Kennel and Dog Noise Bylaw Committee

The Board reviewed a draft charge for the Kennel and Dog Noise Bylaw Committee. They requested the charge be amended to reflect the committee's potential development of not only a by-law but regulations and legislation as well. They also agreed to change the name to Kennel and Dog Noise Regulation Committee.

Board of Selectmen's Issues List

The Board agreed to update the issues list to include a review of the Personnel Board's charge.

Approval of Minutes

The Board reviewed the minutes from the Selectmen's meetings of September 4, 9 and 17, 2002.

The Board moved: to approve both the regular and executive session minutes from the Selectmen's meetings of September 4, 9, and 17, 2002.

The motion passed unanimously (3-0).

Other

The Board discussed a memo from Mr. Brownsberger recommending the appointment of Vince Stanton and Joseph Tellier to the Belmont Center Parking Study Committee.

The Board moved: to appoint Vince Stanton, resident, 32 Royal Road, and Joseph Tellier, commercial property owner, 15 Amherst Road, to the Belmont Center Parking Study Committee.

The motion passed unanimously (3-0).

The Board of Selectmen inquired about the newsstands in the vicinity of Bruegger's Bagels. Mr. Brownsberger requested the Office of Community Development provide the Board a report on the legality of the existing newsstands at this location.

The Board reviewed a formal resolution confirming its prior vote to apply for a housing rehabilitation grant jointly with the Town of Watertown.

The Board moved: to sign a resolution approving the use of HOME funds as a match against a grant application for the development of affordable housing.

The motion passed unanimously (3-0).

The Board moved: to enter executive session for the purposing of discussing the value of real property relating to the acquisition of land. The Board shall not return to open session.

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

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