

2019 SEP 12 PM 2: 29

Minutes

Town of Belmont

Board of Selectmen

Selectmen's Meeting Room

Monday, July 15, 2019

7:00pm

APPROVED
BOARD OF SELECTMEN

DATE: 9/9/2019

CALL TO ORDER:

A regular meeting of the Board of Selectmen was called to order at 7:11pm by Chair Tom Caputo. Vice Chair Adam Dash and Selectman Roy Epstein were present. Town Administrator Patrice Garvin was present.

COMMUNITY ANNOUNCEMENTS:

- Acknowledgement for the Town Administrator's office for obtaining a grant in the amount of \$150k for the Community Path Phase 1 from the Department of Conservation and Recreation's MassTrails program.
- A *Coffee and Conversations* event with Assistant Town Administrator and Recreation Director John Marshall will be held July 17 from 10:30-11:30am at the Beech Street Center.
- Office Hours for State Senator Brownsberger will be held from 10:00-11:00am at the Beech Street Center on July 19 - Barbara Miranda, a representative from Sen. Brownsberger's office, will be present to field questions.
- Belmont Recreation's *Summer Movie Night* sponsored by the Belmont Media Center will be showing 'Small Foot', July 25 starting at 8:15pm at the Underwood Pool.

COMMENTS FROM TOWN RESIDENTS:

[There were none]

ACTION BY CONSENT:

Discussion and possible vote on changes to the Grant of Location Regulations (including but not limited to 5G array installations)

The original Grant of Location Regulations were passed by the Board on May 13, 2019. At the previous Board of Selectmen meeting (July 8), the Board had discussed the possibility of splitting up the regulations into two parts, one which applied specifically to Belmont Light and another for 5G providers - Belmont Light did not want to be caught up by the original regulations.

Dash updated that: 1) Counsel for Belmont Light had determined that the original regulations did not actually apply to Belmont Light, since it was a separate municipal entity, not a company; 2) the Town is not allowed to have different regulations for different utility providers, they must be treated equally.

Therefore, at present it was proposed to update the regulations to add a clause in Paragraph 1 specifying that the regulations do not apply Belmont Light; and to make a small correction to Paragraph 10 as follows.

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IN response to public comments, the regulations now included a reference to FCC guidelines that required an environmental assessment be filed if the frequency of emitting waves for a device (in this case 5G antenna) are above a certain threshold. Caputo noted that in general there were limitations on the extent to which local regulations could address health concerns. However, in addition to this change, there would be continued work on other possible health/safety aspects that could be included in the regulations, with follow-up discussion planned for August.

[Open for public comment.]

- *Helen Golding*: Had provided detailed comments on the regulations for the Board's consideration. She advised to not be overly deferential to the FCC, as there were cases still outstanding and the law was not yet settled. There were, however, two components of the FCC guidelines that were fairly settled: 1) cost levels charged to providers; 2) timelines, i.e. that applications are processed in a timely manner. Finally, she advised the Board should set clear zoning regulations as there would likely be a lot of the equipment eventually.
- *Jane Shapiro*: A long-time Belmont resident, she had done research into the science behind the detrimental effects of 5G technology. She presented the Board with some of this research to be included in the record (See Appendix A).

Motion: To amend the May 13, 2019 Grant of Locations for Structures in Public Ways with changes to Paragraphs 1 and 10, as described above. (Vote passed 3-0)

Approve request for one day liquor license for Beer and Wine only for Pamela Reich for a Wedding at the Beech Street Center on Saturday August 3, 2019

Motion: To approve the One Day Liquor License as specified above, from 6-10pm on August 3, 2019. The Board of Selectmen offered congratulations to the couple. (Vote passed 3-0)

National Grid Utility Petition – for gas line installation on Belmont Street

Jay Marcotte (Director, DPW) and [Name not stated] (National Grid representative) joined the meeting. Marcotte explained that the installation was to service the Cushing Square development; it was a standard gas line project and National Grid had followed all guidelines. Epstein noted the length of the gas line (3900ft) and expressed concern that the resulting pavement patch be as good as possible, given the length.

[Open for public comment.]

- *Connie Colbert (Assistant Director, Kendall School)*: Expressed concern the project would interfere with the opening week of the school. Marcotte said it would not likely overlap; Dash suggested to add this condition to the motion.
- *Kasper Torosian (659 Belmont St.)*: It was a big deal to get Belmont Street fixed – now tearing it up again? Hope that it will still look nice and the sidewalks will not be impacted.
- *Claire Dondis*: Lives next door to the Kendall School and have had to put up with the Cushing Square development – when will the construction, noise, dirt, etc be finished with? Letter from National Grid was unclear – will the digging be on the road or sidewalk? (Noticed markings on the sidewalk.) Want more information/details about the digging and construction.

Concerned about access to driveway if there is digging in front of the house. Will parking restrictions be enforced?

Request further details about the actual connection to the Cushing Square project – how long will this take?

- Marcotte replied that National Grid would follow standard protocol to notify residents affected by the digging in advance via mailings/door knockers. The markings were necessary under 'Dig Safe' regulations. Digging would be in the street (not sidewalk). Driveways would be plated over to allow access; at a rate of 120ft per day, it was unlikely that any one area would be affected for long. A police detail would be present to control traffic.
- The connection to Cushing Square would take less than a day and was on private property, not Belmont Street.
- Dash expressed that he hoped parking restrictions would be enforced leniently during the construction period.
- [Name unclear] (Barnard Rd): Is there a plan for rat abatement? The digging could disturb rats' nests, similar to what happened with the Cushing Square project.
 - Marcotte would discuss with Board of Health Director Wes Chin about possible measures to take.
 - Epstein noted the digging was narrow in scope – the Town would deal with a problem if it were to arise.

Motion: To allow National Grid to install and maintain 3900 feet of 12" gas line on Belmont Street, starting from Lexington Street and moving easterly to the Bradford development at Cushing Square, with the restriction that no work be allowed the week of September 2, 2019 at or around the intersection of Belmont Street and Common Street. (Vote passed 3-0)

Discussion of Complete Street Prioritization Plan – list of projects

Glenn Clancy (Director, Community Development) and Laura Castelli (VHB Consulting) were present. Castelli gave a presentation summarizing Belmont's progress on the Complete Streets program. In March, a public input session was held to review the list of potential projects generated through the online portal. Through this process roughly 70 projects were identified as being viable, from which 35 projects would ultimately be chosen to comprise the final list submitted to MassDOT. Projects identified by the community were largely focused on sidewalks/crosswalks and traffic calming measures. Following approval by MassDOT, this final list would represent projects eligible to receive up to \$400k in funding (yearly) over a 5 year time horizon.

Next steps included narrowing down the list and associating cost estimates, which would allow for prioritization of the projects. The Board of Selectmen would be asked to officially endorse the list prior to the submission deadline of September 1.

Discussion and possible vote on Park Avenue Road Project – MassWorks Grant

Jeffrey Dirk (Partner, Vanasse & Associates, Inc.) summarized updates to the proposed plan as a result of public input from several public meetings, including two TAC meetings. The current plan emphasized connectivity of the neighborhoods surrounding Park Ave., adding sidewalk space on both sides of Park Ave. and pedestrian crossings. Dirk stressed that the current plan would be used to provide costing for

the MassWorks application, but there was still room for it to change based on engineering/design considerations and public input – the plan was not set in stone.

Epstein was excited about the project in general but expressed several concerns: 1) adding burden of snow removal for the additional sidewalk – had Belmont Hill School committed to maintain this portion? 2) to better understand the impact on traffic flow including potential cut through traffic in surrounding neighborhoods.

Dash followed by asking if a representative from Belmont Hill School could speak to the sidewalk maintenance; Greg Schneider (Belmont Hill School) said he only recently heard about this potential aspect, and would be willing to discuss, but would need to know the parameters.

Dash supported moving forward with the submission of the project to MassWorks with the understanding the plan could change; there were no other viable projects available to submit at the present time. Caputo asked about other projects in town that may be candidates for the MassWorks Grant; Clancy confirmed that other projects were still in preliminary stages and would not be ready for the MassWorks Grant submission cycle.

Dana Miller (Chair, TAC) joined to discuss the recommendation regarding the project from the Transportation Advisory Committee (TAC). She noted the updated plan addressed many comments raised by residents at the two TAC meetings, and TAC was supportive of the efforts to improve pedestrian safety in the area as well as interconnectivity between Village Hill and Rutledge Rd. neighborhoods. Given these changes to the plan, TAC had voted unanimously to forward the project to the Board of Selectmen for review.

There were numerous public comments, reflecting both support for the project as well as specific comments on the proposed plan and concerns about the impact on cut-through traffic to surrounding neighborhoods.

Motion: To submit a MassWorks Grant for the Park Ave. road project, as described in the conceptual improvement plan from Vanasse & Associates. (Vote passed 3-0)

Acceptance of gift of engineering services from Belmont Hill School for MassWorks Grant

Motion: To accept the gift of engineering services from Belmont Hill School for the MassWorks Grant in the amount of \$225,000 for the Park Ave. improvements just discussed. (Vote passed 3-0)

Approve Construction Contract for Underwood / Trowbridge Neighborhood Improvement Project

Glenn Clancy (Director, Community Development) was present to discuss the project. He explained that the proposed work for the neighborhood stemmed from recommendations by the High School Traffic Working Group, to address pedestrian/bicycle safety and access to the campus during the construction period. Work was to include new sidewalks and curbing throughout the neighborhood, as well as construction of a multi-use path on the west side of Underwood Street. Also, negotiations with Pure Coat North had resulted in closing of 200ft of sidewalk on the north side of Hittinger.

The contract had gone out to bid on June 29th, with the low bidder coming in at \$1.1m (over the engineer's estimate of \$920k). Clancy reviewed potential reasons for why the contract came in so high: it was already mid-season for construction in a good economy, and many companies would have already had their work

planned out for the summer – this project would have to be shoehorned in due to the late notice. After considering alternatives (e.g. deferring the work, going out to bid again), he was recommending to move forward with the project due to the pressing fact that the entrance to the High School would be at the end of Trowbridge Street starting in September. In terms of timelines, the Underwood Path was planned to be completed by the time school opened, with the other sidewalk work in the neighborhood finishing through September-October.

Motion: To approve the construction contract for the Underwood-Trowbridge neighborhood improvements project in the amount of \$1,088,242.41, awarded to Tasco Construction Inc. (Vote passed 3-0)

Clancy recognized the work of Town Accountant Chitra Subramanian in overseeing the procurement process given the time constraints.

Accept resignation of Vision 21 Implementation Committee member – Natalie Leino

Motion: To accept the resignation of Natalie Leino from the Vision 21 Implementation Committee. (Vote passed 3-0)

Accept resignation of Meet Belmont Planning Committee member – Natalie Leino

Motion: To accept the resignation of Natalie Leino from the Meet Belmont Planning Committee. (Vote passed 3-0)

Appointments to the Community Path Project Committee (CPPC)

Dash had spoken with candidate Andrew Wall and was comfortable with his appointment. The two had a conversation about the choice of the route, and Dash felt Wall understood it to be outside the purview of the Committee to debate north versus south.

Caputo relayed that School Committee Chair Burgess-Cox had indicated the School Committee would take up its appointment to the CPPC in the fall; a non-voting member would attend meetings in the summer to keep up to date on developments.

Motion: To appoint Andrew Wall to the Community Path Project Committee to fill the slot vacated by Michael Cicalese. (Vote passed 3-0)

Discussion and possible vote on Financial Task Force II reorganization

Caputo had recently raised with the Task Force the idea of expanding the number of members. The Task Force was supportive of this change, and requested someone with public relations or communications experience. Caputo asked the Board to officially support changing the number of members from 9 to 11; and subsequently to fast-track the appointment of the new members, as there was much work to be done.

Motion: To amend the Financial Task Force II charge to the effect that there be 11 members instead of 9, with the additional two members being designated as 'resident' slots. (Vote passed 3-0)

TOWN ADMINISTRATORS REPORT:

Garvin reviewed the Town Administrator's Report:

- *Motion: To appoint Assistant Town Administrator John Marshall as Acting Town Administrator during the period August 2-9, 2019, while Patrice Garvin is on vacation. (Vote passed 3-0)*
- Kevin Dorn, Chair of the Vision 21 Implementation Committee, would attend the August 12 Board meeting to discuss how he saw moving forward with the new Master Plan project.
- The Belmont Business Study Committee met on July 30 to wrap up their report, and planned to present to the Board in August.
- The State had not funded the Community Compact for FY20 – this money would have gone towards creation of a capital improvement plan.
- The Police Chief Search Committee has not yet met. Groux-White was still conducting due diligence; an internal job posting had gone up today.

BOARD OF SELECTMEN COMMITTEE LIAISON REPORTS:

Epstein provided updates from the Community Preservation Committee (CPC) and Community Path Project Committee (CPPC):

- CPC in process of revising rules concerning: funding for religious institutions, work on privately owned assets, and strategic use of CPC monies. Plan for a public hearing to discuss the changes, and to finalize prior to the next application cycle (September 2019).
- The CPPC selected a firm by unanimous vote for construction of Phase 1a – Nitsch Engineering.

Caputo noted a Belmont Middle and High School Building Committee meeting this coming Wednesday.

ADJOURNMENT:

Motion: To adjourn. (Vote passed 3-0)

Respectfully Submitted,



Patrice Garvin, Town Administrator