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Minutes

Town of Belmont

Board of Selectmen

Selectmen's Meeting Room

Monday, April 22, 2019

7:00pm

APPROVED
BOARD OF SELECTMEN
DATE: 6/5/2019

CALL TO ORDER:

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

COMMUNITY ANNOUNCEMENTS:

- Heart Smart Belmont, a new Belmont Light program, is hosting a *Meet the Installer* event Thursday April 25, 7-8:30pm at the Beech Street Center to provide information on installing heat pumps.
- Belmont Light is also hosting an event to discuss *What Your Municipal Light Plant Can Do to Address Climate Change*, covering Belmont Light's strategic electrification plan. April 30, 7:30pm at the First Church in Belmont, co-sponsored by Beth El Temple.
- Mystic Chorale's *The Fiddle Sings*, Sunday May 19 at Cary Hall in Lexington.

COMMENTS FROM TOWN RESIDENTS:

[There were none.]

ACTION BY CONSENT:

Request for Proposal for the Police Chief Search

Jessica Porter (Director, HR) joined the meeting. She had provided the Board with a draft RFP for a consultant to guide the search process, as well as an application form for the resident member slots on the screening committee. Porter requested feedback on the RFP as well as approval of the application form in order to initiate the process of filling the screening committee.

With respect to the RFP, it had been drafted to reflect the two-stage process previously approved by the Board: to first review/vet internal candidates, followed by an external search if an internal candidate was not chosen. It was agreed amongst the Board that some form of assessment center should be included in the internal portion of the search. Dash also requested a review of the 'Agreement of Services' appendix; Porter confirmed that she planned to have Town Counsel review the entire RFP.

With respect to the screening committee, the Board was supportive of using the application drafted by Porter for the resident slots, as well as the other slots that were not already filled by Patrice Garvin, John Phelan (or designee) and Mark Paolillo. There was also agreement to instruct the screening committee to draft criteria for evaluating the candidates, which would then be reviewed by the Board.

Motion: To have the Belmont Police Chief Screening Committee application put forward, with addendum provided by HR Director Jessica Porter, and feedback as discussed. (Vote passed 3-0)

Position on articles for Special Town Meeting

Article 1: Anne Marie Mahoney (Chair, DPW/BPD Building Committee) joined the meeting. The Article was for additional funds covering additional work at the Police Station. Originally the plan was to have staff remain in the building during renovation; once it had been decided to relocate staff, this provided the opportunity to address needed interior work. The Article included: 1) construction and contingency; 2) moving costs; 3) rolling forward funds from the Kendall Fund for schematic design. The final project costs were not yet determined – the Committee was going out to bid on Friday; would receive and assess bids by the morning of May 1; Mahoney would present the final costs to Town Meeting the evening of May 1.

Caputo suggested delaying a vote until the numbers were finalized. Dash noted the Warrant Committee had delayed their vote for a similar reason.

Article 2: Garvin explained she had worked with Town Treasurer Carman to shift certain balances to the Kendall Fund. This was to increase the amount of undesignated fund balances in anticipation of going out for borrowing for the High School next year.

Motion: To recommend favorable action on Article 2. (Vote passed 3-0)

Article 3: Appropriating ~19k in Uber/Lyft ride share tax revenue from the State, towards design work for a traffic signal at the Lexington/Sycamore intersection.

Motion: To recommend favorable action on Article 3. (Vote passed 3-0)

Article 4: Paying a prior year's bill in the amount of ~\$5k.

Motion: To recommend favorable action on Article 4. (Vote passed 3-0)

Major Capital Projects Working Group (MCPWG) Dissolution, Discussion and Possible Vote

Mahoney rejoined the meeting and shared the history of the Working Group. It had formed in late 2016 to develop plans for addressing the four major capital projects in Town: High School, Library, Police Station and DPW. The Working Group had fulfilled its charge. Mahoney stressed the need for a standing committee to address inevitable future capital projects; Caputo noted the Financial Task Force II was developing a charge for such a committee.

Motion: To dissolve the Major Capital Projects Working Group. (Vote passed 3-0)

Discussion and vote to approve New Liquor License for Spice Corner LLC

Kulthida Luengniyomkul, who was also part owner of Pho and Thai) appeared before the Board. She explained that she initially thought she could transfer the license from Pho and Thai, but had since gone through the steps to apply for a new license. All the application requirements had been met.

Motion: To approve the new Liquor License for Spice Corner LLC. (Vote passed 3-0)

Discussion and vote to approve change of ownership for Stone Hearth Also, Inc.

Tony Leccese (Counsel, Stone Hearth Also, Inc.) and Anne Szymanski (Part Owner, Stone Hearth Also, Inc.) joined the meeting. The business was bringing in two new owners who were buying out two former

owners. The change represented 40% of the business, with no change to the operations. Dash pointed out the application was missing a Certificate of Good Standing.

Motion: To approve the change of ownership for Stone Hearth Also, Inc., contingent on receipt of the Certificate of Good Standing. (Vote passed 3-0)

Discussion and vote to approve One Day Liquor License request for Craft Beer Cellars on May 4 and May 14, 2019

Motion: To approve the One Day Liquor License for Craft Beer Cellars on May 4, 2019 for the event with Belmont Book Story Slam. (Vote passed 3-0)

Motion: To approve the One Day Liquor License for Craft Beer Cellars on May 4, 2019 for the event with Belmont Book Story Slam. (Vote passed 3-0)

Executive Session: To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body; Possible acquisition of land

Motion: To enter executive session as described above. (Vote passed 3-0. Roll call vote: Tom Caputo, Adam Dash, Roy Epstein)

Motion: To leave executive session. (Vote passed 3-0. Roll call vote: Tom Caputo, Adam Dash, Roy Epstein)

Path route and other related Path matters, discussion and possible vote

Caputo recalled the Board's vote of February 25, 2019 in favor of the south-side route for the Path, which was conditional on obtaining an easement on the Pure Coat property within 60 days. The present discussion was to update the public on the results of negotiations with Pure Coat.

Bob McLaughlin joined the meeting, explaining that he and Mark Paolillo had conducted several meetings with the Pure Coat manager, and subsequently with the owners of the building. Negotiations for the easement proved unsuccessful, as the seller was ultimately unwilling to part with the portion of the building needed for the Path route.

Caputo highlighted the need to move forward with the Path in providing guidance to the Community Path Project Committee for development of an RFP, and in support of the CPA request for Phase 1b design funds.

Town Counsel had provided a memo outlining the process for taking the easement on the south-side by eminent domain, which had the potential to be costly and also involve a drawn out legal process. Caputo and the other Selectmen were not in favor of an eminent domain approach. Dash had previously voted for the north-side route, and the failed negotiations only strengthened his viewpoint. Epstein was comfortable that a good-faith effort had been made to obtain the easement, and therefore was in favor of moving to design based on the north-side route.

Motion: For the route of the Community Path to go from the Alexander Ave. Underpass to Brighton Street on the north side of the tracks.

- *[Caputo opened discussion to the public; there was none.]*
- *(Vote passed 3-0)*

Discussion and possible vote to apply for the Municipality Vulnerability Preparedness (MVP) Grant Program

Glenn Clancy (Director, Community Development) joined the meeting to request that the Board approve submission of the application. The MVP program is designed to help municipalities fund projects that mitigate effects of climate change. The item was previously brought forward at a January Board meeting, where concerns were raised about demands on staff resources (particularly Community Development), as well as over providing matching funds for the second phase of the program. Clancy stated that he currently felt confident he had available time to dedicate to the initiative, and was enthusiastic to lead the effort. He also noted the program could be used to update the Town's expired hazard mitigation plan, which was required for obtaining FEMA grants.

[Public comment.]

- *Anne-Marie Lambert*: Stated there is a year timeframe to spend the 200 hours, and they can be allocated to Town-appointed boards or commissions. Thanked the Board for considering and offered resources of the Belmont Storm Water Working Group to assist with the application/program.
- *William C. Pisano*: Had expertise in analyzing storm water systems and offered his assistance as well.
- *Carolyn Bishop*: Thanked to Glenn Clancy for undertaking. Blessed to have so many qualified volunteers to assist with the program.

Motion: To apply to the Municipality Vulnerability Preparedness Grant Program. (Vote passed 3-0)

Executive Session: To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; Patrice Garvin, Town Administrator

Motion: To enter executive session as described above. (Vote passed 3-0. Roll call vote: Tom Caputo, Adam Dash, Roy Epstein)

Motion: To leave executive session. (Vote passed 3-0. Roll call vote: Tom Caputo, Adam Dash, Roy Epstein)

Tentative vote to ratify Town Administrator's Contract, Patrice Garvin, and brief discussion of goals for the year

Porter rejoined the meeting. The Board had met in executive session to discuss merit increases for the Town Administrator, both retroactively to July 2018 and upcoming for July 2019; the decision was to award a 2% merit increase and a 2% COLA plus 2% merit increase, respectively. Together with an increased vehicle allowance, this put the total compensation for the Town Administrator at \$189,278.69 for fiscal year 2019. This figure was below comparable communities - it was noted that this was not reflective of the Town Administrator's performance, but rather a mutual acknowledgement of the challenging fiscal realities faced by small municipalities.

Motion: To approve the Town Administrator's contract as amended, contingent on executing a written amended version. (Vote passed 3-0)

Garvin highlighted goals for the upcoming year and the Board provided some amendments to some of the goals and objectives.

Motion: To approve the Town Administrator's goals and objectives, as amended. (Vote passed 3-0)

Position on Community Preservation Committee (CPC) remaining article – First Church Clock

[Caputo recused himself as a member of First Church.]

Dash noted that Warrant Committee had voted unanimously against the Article, and Capital Budget Committee was a split vote. However, as the Warrant Committee was revisiting its vote at an upcoming meeting, Dash suggested to delay the Board's vote for the time being. Epstein agreed, but requested a clarified legal opinion from Town Counsel, specifically regarding the allowable time period during which a lawsuit could be brought.

[Public comment.]

- *Jeanne Mooney (Town Meeting Member P6):* Also requested clarification of the legal opinion on whether it was required that Belmont residents bring the suit. She noted as a member of the Church's finance committee that this was not something the Church would have otherwise funded, in contrast to what was described in the legal opinion.

[Caputo rejoined.]

Discussion and possible vote on non-binding resolution Climate Action Plan – Town Meeting Article

Roger Colton (Co-chair, Energy Committee) explained that out of a discussion with LBAC, the Committee had decided to remove some of the background material on climate change from the Article. This was to keep discussion focused on the specific initiatives for Belmont and in consideration of time constraints.

Motion: To recommend favorable action on Article 8, as amended. (Vote passed 3-0)

Appoint MBTA Advisory Board Member, R. Epstein

Motion: To appoint Roy Epstein to the MBTA Advisory Board, and to direct the Town Administrator to complete and file the required membership form. (Vote passed 3-0)

Accept resignation of member of Belmont High School Traffic Working Group, A. Mahoney

[Dash recused himself from this and the next agenda item.]

Motion: To accept the resignation of Anne Marie Mahoney from the High School Traffic Working Group. (Vote passed 2-0)

Discussion and possible vote to appoint new member to the High School Traffic Working Group

Caputo suggest to defer the item to allow time for people who had expressed interest to submit their applications; Epstein agreed.

[Dash rejoined.]

Summer calendar

The following dates were agreed upon: July 8/15; August 12/26; September 9/23; October 7/21; November 4/18; December 2/16. Garvin would follow-up with invitations.

Rink timeline discussion

Out of discussions with the School Committee and School Administration, Caputo presented a draft timeline with dates for the RFP process, including a May 13 public forum. Epstein suggested the forum be held on an evening when no other meetings were taking place; Garvin would follow-up with School Committee to find another date.

Vote to renew Antique/Second Hand Goods Licenses:

- Dick's Place, 360 Trapelo Road, A
- All That Matter, 400 Trapelo Road
- Design Jewellery by GVS, 6 Trapelo Road
- Westcott Mercantile, 432-444 Common Street

Motion: To renew the antique/second hand goods licenses as specified above. (Vote passed 3-0)

Vote to renew Taxi Cab License:

- Yellow Cab of Belmont, 61 White Street, R

Motion: To renew the taxi cab license as specified above. (Vote passed 3-0)

Vote to approve One Day Liquor License for Laura Lowery for a Bar Mitzvah at the Beech Street Center on May 11, 2019

Motion: To approve the one day liquor license as specified above. (Vote passed 3-0)

TOWN ADMINISTRATORS REPORT:

Garvin reviewed the Town Administrator's Report:

- The High School Traffic Working Group is promoting Belmont as a drive 25 community via announcements on meeting agendas, stickers on Town vehicles.
- Paramount Studios is requesting parking spaces for catering in front of Plymouth Church. Also, they would like to extend the filming dates due to weather. The Board requested a Paramount representative attend the next meeting to discuss the change in filming schedule.
- Financial Task Force II is working on reviewing the Town's financial policies. For more debatable policies, e.g. stabilization fund, request that another Selectman (Roy) and Chair of the Warrant Committee join the discussion.
- Engineering design RFP for Phase 1a/b of the Path out to bid; a design firm will be selected in the coming months.

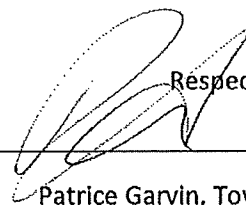
BOARD OF SELECTMEN COMMITTEE LIAISON REPORTS:

[None]

ADJOURNMENT:

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

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Patrice Garvin', is written over a horizontal line.

Patrice Garvin, Town Administrator