

Approved by
the Select Board on:

8/16/2021

BELMONT SELECT BOARD

REMOTE MEETING

MONDAY, AUGUST 3, 2021

7:00 PM

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: September 1, 2021
TIME: 9:26 AM

CALL TO ORDER

A special meeting of the Select Board was called to order at 7:00 pm by Chair Adam Dash. Vice Chair Roy Epstein and Select Board member Mark Paolillo were present, along with Town Administrator Patrice Garvin, Assistant Town Administrator Jon Marshall, Director of DPW Jay Marcotte, and Director of Community Development Glenn Clancy.

ACTION BY CONSENT

Community input discussion of future of fuel tanks in Belmont

- Adam Dash announced that this special meeting is being called to provide a forum for public comment regarding the future of the fuel tanks at the DPW yard.
- Glenn Clancy, Director of Community Development, explained that he was asked by the Town Administrator to lead this presentation because of his many years of experience as Town Engineer.
- Clancy recapped that there are currently two 6,000 gallon single-wall underground fuel tanks at the DPW yard. One tank has unleaded gasoline and the other has diesel fuel. The tanks were installed in 1986 and the concern is that they should not remain in service due to age.
- His presentation will address the following topics:
 - Insurance
 - Environmental
 - Dept. operations
 - Tanks size, design and financing.
 - Public input

Insurance

- Two forms of insurance apply to the tanks:
 - 1) General liability
 - 2) Pollution insurance
- Clancy reported that pollution insurance from a commercial insurer lapsed in 2012 due to the age of the tanks. Since 2012, the Town has self-insured for pollution liability using our AAA bond rating, which is allowed by state law.
- Since 2012 and through this spring, the town was not able to obtain commercial pollution liability insurance. After Town Meeting, , after being rejected by 9 insurance companies, we received one offer for insurance although the coverage is not ideal. The policy includes

\$1,000,000 of coverage, with a \$500,000 deductible, at the cost of a \$16,000 annual premium. Clancy recommended buying the insurance protection as we weigh information and make a decision.

- Dash said comments about insurance issues can be raised now, but there will be another time to talk at the end of presentation.

PUBLIC COMMENTS about insurance:

Ms. Shapiro said her insurance adjustor told her that her house could not be insured due to abutting tanks.

Alison Lenk, Town Meeting member, said if residents had not pushed for the Town to get more information about insurance coverage, then the Town would not have looked into the coverage. She said that the reason that the other 9 insurance companies refused to cover the tanks is because the application box was checked that the tanks were going to be replaced. She said that her research shows that HUD policy prohibits mortgage insurance for any properties located 300 feet from above ground tanks. She has issues with how the history is being presented.

- Clancy answered that wasn't able to find out why there was a lack of insurance in previous years. He said he wasn't aware there was a distinction between mortgage and homeowner's insurance.
- Dash said private mortgage insurance insures the lenders for the mortgage, but it doesn't insure physical damage to the house. Clancy replies the age of the tanks is a factor no matter how the application was filled out.

Judy Feins asked if the Town considered using open pit tanks. This could be more economical.

- Clancy said that the previous Fire Chief had said the tanks need to be above ground, but Fire Chief Destefano said that underground tanks do not pose an environmental danger.

Judith Feinleib, Town Meeting member, wants to know if Clancy had availed himself of the considerable information gleaned by abutters.

- Clancy said he had a meeting with Judith Sarno, she pointed him towards videos that were previously done. He is making every effort to get the most information possible. Feinleib would like to see the research expanded. There are residents who have knowledge that can be used.

Michael McNamara, Town Meeting member, said he did his own research. Only a certain number of these underground tanks are being properly inspected. The State of Mass. has a \$7M grant to fix the hole in security.

Lisa Oteri, wanted to thank the Town for getting insurance. She has an adjacent property to the current tanks. She said that her homeowner's insurance company, said they would not cover fire related to explosion from tanks. She doesn't believe above ground tanks belong near houses.

- Clancy said if there was an incident, the Town's general liability would cover damages.

Rob Jones said he appreciates what Clancy is doing. He feels that the topic of insurance in regards to homeowners vs. mortgage insurance needs to be further evaluated.

Environmental aspects

- Clancy reported that the current tanks are in full compliance with Department of Environmental Policy (DEP) even though they are 35 years old. Even if the Town decided to abandon the tanks, there is no mandate to remove them immediately. Abandoned underground tanks can remain in the ground for up to five years.
- The DPW does regular leak monitoring and this report goes to the Department of Environmental Protection (DEP). There is no evidence that the tanks are damaged. However, his opinion is that it's necessary to replace them.

PUBLIC COMMENTS on Environmental Aspects

Bill Trabilcy said he has spent years working for environmental companies. He asked whether the Town should speak to Weston and Sampson about failure mode potential. Are there tests the Town can administer so we can minimize impact? He agrees we need to remove the tanks, but there may be tests you can put in place to monitor problems before they get too big to control.

- Clancy said the Town follows the DEP requirements for leak detection.

Michael McNamara thinks the water pollution threat is more serious than explosion.

Lisa Oteri said that she read the regulations for above and underground tanks and both types must have spill containment. She asked if Belmont has looked at the level of risk with above ground tanks?

- Clancy reported that the DPW hires specialized contractors to do the leak inspection. DPW staff do not do inspections. He said underground tanks have additional regulations. However, he added if municipalities are still putting tanks underground that the DEP must feel confident in the use of underground tanks. He doesn't feel that underground tanks pose a threat.

Ralph Jones countered Michael McNamara's comment and said the tanks are not a risk for water supply. Our water supply comes from Western Massachusetts reservoir.

Michael McNamara replied that he meant that the state has had an issue keeping up with leaks. There are 9000 tanks and only 300 are getting properly monitored.

Bill Trabilcy said that ground water is shallow in Mass. Catastrophic problems occur when releases hit well water. If a release occurred at DPW, it wouldn't affect our water supply.

Carolyn Bishop said we are missing two points with the spills. They are incredibly expensive to clean up. She thinks above ground tanks are safer.

- Mark Paolillo wanted to know who does the monthly testing and asked whether more frequent testing is needed? Marcotte said testing is done by a specialized company.
- Clancy said the Town goes above and beyond the DEP requirements and monitors the tanks everyday.

Deb Talanian asked about inspection. Marcotte said that every three of four weeks when delivery is done, a dipstick test is done to confirm how much fuel is in the tanks and then they do a reconciliation based on previous tests.

Evaluate current operations to determine options for future fueling

This is a topic for a future forum.

- Clancy said he plans to analyze a full year of fueling records to evaluate the viability of offsite fueling. The DPW has created a report for FY20 that accounts for every fueling event from every department and truck.
- Clancy said he also plans to evaluate the possibility of using third party gas stations for our fueling requirements. His assessment will include the cost of the loss of productivity

Tank design, size and financing

- Clancy said the Town needs to hire an engineer to help with the design. There may be a possibility to downsize the tanks or to use one dual use tank instead. All cost alternatives need to be evaluated.
- Clancy wants to hear from the public. He is aware that there has been some frustration about how the process played out earlier. He wants everyone to be accurately informed.

PUBLIC COMMENTS:

Jeanne Mooney wants to make sure the Town factors supply chain redundancies into their analyses. We are moving into an age where supply chain problems exist.

Jim Sullivan thanked Clancy for taking on this issue. He asked about the proposal to move the DPW location to another location in Belmont.

- Clancy said the former incinerator site made sense, but it was determined that the size of the area was not large enough to relocate there. There are also environmental challenges posed by moving the site. His understanding is that the DPW will continue to be on the current site. It's possible there could be a new configuration or expansion at the DPW yard. He said a renovation of the DPW facilities was just finished and it is anticipated that this renovation and it could be 20 years before any new changes are made. He doesn't think we should be focused on location of the tanks. By the time we are ready to make major changes, the tanks will be 2/3 through their life cycle.

Alison Lenk, Town Meeting member, appreciates Glenn's presentation. But she commented that it's unusual for the Director of Community Development to take the lead on this. She hopes that all the previous work done by residents will be taken into consideration. Alison stated that she feels there is really no major evidence that above ground is better.

- Clancy reiterated that his background is in engineering and he has been in Belmont 10 years and the Town Administrator thought he would be a good candidate for the job. He meets regularly with Jay Marcotte and Patrice Garvin. Clancy said his plan is to be as thorough as possible. Clancy thinks that the reason that there was a movement to above ground tanks may be due to finances.

Jane Shapiro observed that choosing above ground does not show respect for people who live nearby.

Lisa Oteri thanked Clancy for his work. She doesn't want to see above ground tanks. She thinks that Town vehicles may be replaced by electrified vehicles in the near future and we should do whatever is cost effective yet produces minimum impact on residents.

- Clancy replied that electrification will not be happening as quickly as we all think. Even though the departments want the vehicles, the Town may not have the money to buy those vehicles. We need to transition gradually while we attempt to make reasonable guesses. He said the Town will involve the Energy Committee in any decisions about the tanks to determine how the transition to electrified vehicles will factor into the fuel tank size and design.

Judith Ananian Sarno, Town Meeting member and abutter, said we wouldn't be here discussing this if it wasn't a change. The Town is proposing to build two new structures. It's a fact that FHA mortgages are not eligible for mortgage insurance for properties within 300 feet of above ground fuel tanks larger than 1,000 gallons. Belmont has been recognized by Stand.earth due to our efforts to stop above ground tanks in residential neighborhoods. The above ground tanks would also be adding lighting to dark skies. We are privileged to have dark skies in Belmont. The tanks will affect the viewscapes of abutters and she feels it is a dangerous precedent for Belmont neighborhoods. She thinks the Town needs to use the 300-foot restriction as a guideline.

- Clancy said he understands the concerns she and neighbors have, and reaffirmed that the decision has not been made about what type of tanks to install.


Albert Choy Cavanaugh said what has perplexed him is the price tag and not knowing our future energy plans. Replacing tanks may be an overinvestment. The tanks have five years left in them and perhaps we may have a better idea of where we will be if we wait a few years to replace them. He suggested the use of mobile tank services as an interim possibility.

Michael McNamara said that he wants to thank Clancy for his presentation and for his listening and fact finding. There is disputed talk about whether above or below tanks are as safe. He heard that the federal government is supplying tax credits for getting electrified vehicles and he hopes Belmont can tap into that funding.

- Dash thanked Clancy and everyone for participating. He said the Town may be holding another forum. If you know of anyone who is not here tonight, direct them to Belmontmedia.org.

Motion was made to adjourn. Motion was approved by a vote of 3-0.

Respectfully Submitted,



PATRICE GARVIN, Town Administrator

