

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
CHENERY COMMUNITY ROOM
Monday, January 9, 2012
7:00 PM**

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:07 pm by Chair Jones in the Chenery Middle School Community Room. Selectmen Firenze and Paolillo were present. Acting Town Administrator Richard Kelliher and Assistant Town Administrator Kellie Hebert were present.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Fire Department – Reserve Fund Transfer (RFT)

Chief Frizzell and Assistant Chief Davison appeared before the Board to discuss the Reserve Fund Transfer (RFT) request to cover overtime expenses. Chief Frizzell stated that, while he is officially requesting \$150K for now, he may only need \$100K. If necessary, he will request more funding later in the year. Chief Frizzell provided several handouts pertaining to budget data on work, leave, and overtime hours. He also provided some comparison data with neighboring communities.

The Chief noted that the Fire Department is experiencing concurrent, multiple injuries. He then explained the process by which new employees are brought up to speed within the Fire Department.

The Board reviewed the handouts and discussed the process by which this will go before the Warrant Committee for review and approval.

The Board moved: To approve this RFT request for \$150K and to work with the WC on the specific amount of the request.

The Board then discussed the Fire Department retirements that are coming down the road.

The motion passed unanimously (3-0).

Discussion and Vote Concerning Permanent Town Administrator Search

Mr. Kelliher noted the following areas concerning this search for the Board to review:

- approval of an updated position description
 - charge to Screening Committee
 - search assistance (hiring of a Search Consulting Service to assist in the search)
 - Reserve Fund Transfer \$15K to pay for the consulting service

The Board discussed the points outlined above and adjusted some of the language.

The Board moved: To approve the revised TA position description as written and adjusted, inclusive of designation as Chief Administrative Officer for Town and a salary range of \$140K-\$160K.

The motion passed unanimously (3-0).

The Board moved: To approve the creation of a TA Screening Committee and related Charge to Committee when members are appointed.

The Board discussed this motion.

The motion passed unanimously (3-0).

The Board discussed when to begin making appointments to the Screening Committee.

The Board moved: To appoint a screening committee with a representative from the BOS, from the WC, from the SC, the Town Moderator, and a citizen to be named later.

The motion passed unanimously (3-0).

The Board moved: To accept the Scope of Service submitted by the Collins Center for the Public Management of UMass/Boston, dated January 5, 2012.

The motion passed unanimously (3-0).

The Board moved: To submit an RFT in the amount of \$15K to the WC in order to enter into the corresponding Professional Services Agreement with the Collins Center.

The motion passed unanimously (3-0).

The Board discussed the services of the Collins group.

Committee Appointments

Vote to Appoint Representatives for the Minuteman Regional Capital Building Committee

The Board moved: To appoint Mr. Jack Weiss to serve on the Minuteman Regional Capital Building Committee.
The motion passed unanimously (3-0).

Committee Appointment to Economic Development Advisory Committee

The Board moved: To appoint Mr. Keith Andre from Belmont Savings Bank to serve as the finance director of the Economic Development Advisory Committee.

Selectman Paolillo expressed concern that this individual is not a Belmont resident. He also mentioned the issue of conflict of interest with Belmont Savings Bank.

The motion passed unanimously (3-0).

One Day Liquor License, Wine and Malt

***Saturday, January 28, 2012, 6:00-10:00 pm
Beech Street Center, 266 Beech Street
Reid/Ornstein Bat Mitzvah for daughter***

Selectman Paolillo stated clearly that the event is from 6:00-10:00 pm (not 11:00 pm).

The Board moved: To approve the one-day liquor license as noted above.
The motion passed unanimously (3-0).

Discussion and Vote on Articles of Warrant for Special Town Meeting to be held on January 18, 2012

Article 2: Capital Appropriation – Municipal Light Substation

The Board moved: To approve Article 2.
The motion passed unanimously (3-0).

Chair Jones noted that the WC is interested in working out additional fiscal details with the Light Board. He said there remains a question as to how the cost of this project will be charged to electric light rate payers.

Article 3: Electronic Distribution of TM Warrants

The Board moved: To approve Article 3.
The motion passed unanimously (3-0).

Article 4: Distribution of Town Owned Property – Royal Road

Historic District Commission Chair Mr. Michael Smith and Clark House Architect Mr. Eric Rhodine appeared before the Board to discuss Article 4. Mr. Smith distributed some

handouts. He then explained why this house is worth saving and why it is worth moving to another nearby location. He said the Royal Road site could work as the new site for the Clark House. Mr. Smith mentioned another site that is possible for the Clark House. He is meeting with a group related to this alternative site later in the week. He said the Article is subject to the Board's terms and conditions as well as an RFP process. Regardless of the permanent location, he explained that the house needs to be temporarily moved. He said the school parking lot is a possibility for this. He noted that there is another possible site on school property. Private donors, he explained, have raised \$80K to fund moving the house.

Selectman Paolillo asked who is responsible for the Clark House if it doesn't work out. Mr. Smith explained that the funding raised would cover the demolition of the house. Selectman Firenze said that it won't work, if it isn't meant to work.

Mr. Stanton, from the audience, questioned the viability of this plan. Selectman Firenze said if the facts reveal that this is not feasible to move the house, then it won't go forward. He added that the Board will do what it thinks is in the best interest of the town. He said the town may give the land to the developer. Firenze added that more data will be revealed as the process is engaged in (i.e., at TM). He said it is too soon to say this will not work.

Chair Jones said the Board is in support of this article going to TM to be discussed.

The Board moved: To support Article 4.
The motion passed unanimously (3-0).

Article 5: Demolition Delay

Mr. Smith explained that this Article will be withdrawn at TM. It is being withdrawn to have saved a piece of property on Concord Ave. back in December 2011.

Article 6: Date of Annual TM

Chair Jones explained that this article moves the annual TM to the 5th Monday of April or first Monday in May. Selectmen Paolillo and Firenze both spoke against Article 6.

The Board moved: To recommend unfavorable action on Article 6.
The motion passed unanimously (3-0).

Article 7: TM Communications

Chair Jones noted that this Article has been amended as of today. He reviewed some of the changes to the article. Selectman Firenze said he does not support this article as it may have unforeseen consequences. Selectman Paolillo requested that the Board hold on this vote, until the WC submits its adjustments. Mr. Baghdady (from the audience)

clarified that the WC is waiting to see the amended article, but they themselves are not intending to amend it.

The Board moved: To recommend favorable action of Article 7 (as amended).
The motion passed (2-1).

Article 8: Solar Energy Systems (Zoning By-Law Amendment)

Chair Jones said that the Energy Committee has expressed concern that this by-law would prevent ceiling solar panels as proposed by the DOER.

Mr. Roger Colton, Chair of the Energy Committee, and Mr. Rojas and Mr. Baghdady from the Planning Board, appeared before the Board to discuss this by-law. Mr. Baghdady noted that the PB undertook this initiative at the Board's request. At present, he explained, solar panels are unregulated in Belmont. Without these standards, solar panels can be put anywhere, without the consideration of safety. The PB, he said, is in favor of green energy and has been working hard on this by-law since September. He said he is surprised by the 10-page memo, written by Mr. Colton, against this by-law.

This by-law, Baghdady continued, encourages solar panels, but allows for a public process to discuss the location of the panels, if necessary. He said the by-law can be tweaked in the future, but that it puts in place reasonable standards.

Mr. Rojas added that solar panels need to be regulated to preserve property values in Belmont.

Mr. Colton agreed that regulations are necessary, but that solar installers are needed to give input into this by-law, but that did not happen. He said that more attention is needed in defining a solar energy system. The by-law, he said, is flawed and technically does not work. It is inconsistent with existing zoning by-laws and it is arbitrary. He offered some recommendations to amend this by-law for the spring TM.

The Board discussed.

The Board moved: To support Article 8 and to keep an open dialogue with the Energy Committee and with the PB.
The motion passed (2-0) with one abstention.

The Board took a brief break.

Town Administrator's Preliminary Budget FY13

Mr. Kelliher began by stating that, on Wednesday evening, a preliminary budget will be delivered to the WC. He thanked key staff members who assisted in the budget formulation. He explained the process by which the budget was put together. This included department heads submitting level service budgets.

Mr. Kelliher highlighted some key budget items, including the fact that the available revenue number is \$73M. He said this budget is not assuming a local aid cut. He stated that the group health fund is level-funded. He noted that fixed costs are limited, e.g., the overlay is down, the retirement increase is modest, and there is a debt service run-off.

Town highlights include a \$163K savings in group health, which should go to town capital projects. The Public Facilities Director is a new position from the consolidation to start in the Fall 2012 at a salary of \$90K plus benefits. The funding for this position is to be split between schools and general government at 60/40 percent.

He recommended setting aside \$16K for salary increases for elected town department heads. He noted other areas of increased funding including the Fire Department (\$81K) and Veterans' benefits from \$6K to \$24K.

The Board discussed the discretionary capital amounts. Mr. Kelliher mentioned that ten departments submitted over \$400K in supplemental department requests. He recommended a "Selectmen's Contingency Account" of \$80K to use at their discretion. Selectman Paolillo said perhaps this money could be used to give salary increases to department heads.

The Board moved: To transmit the TA's recommended Preliminary Budget to the WC with the following modifications: changing the "net available revenue" figure to \$73,650,000 and deducting the town's portion (non-school) of this reduction in net available revenue (41.97% of \$225K = \$94K) from the proposed account "departmental supplemental requests" of the Board of Selectmen.
The motion passed unanimously (3-0).

Chair Jones said the available revenue number is likely to go up, not down. He said he is hopeful the School budget will meet its needs as well.

Town Administrator's Report

Mr. Kelliher reported on the following items:

- He said he is transitioning out as the town's Interim TA. He said the extent of the agenda is too deep and his commitments outside of this position could not be altered.

ACTION BY CONSENT

Approval of BOS minutes meeting 12/5/11, 12/10/11 and 12/19/11

The Board moved: To approve the minutes of the 12/5 and 12/10 meetings.
The motion passed unanimously (3-0).

The Board moved: To approve the minutes of the 12/19 meeting.
The motion passed (2-0). Chair Jones abstained as he was not present at the meeting.

Used Car Dealer's License – Class II
P& E Auto Service, Corp., 280 Trapelo Rd

The Board moved: To approve the Class II license as noted above.
The motion passed unanimously (3-0).

Livery Service
Bowtie Limousine, Inc., 59 Bay State Rd

The Board moved: To approve the license request as noted above.
The motion passed unanimously (3-0).

Common Victualler's Licenses:
ASAI restaurant, 30 Leonard St
Gregory's House of Pizza, 27-29 Leonard St
Michael's pizza, 191 Belmont St
Nick's Place II, 6 Channing Rd
Vicki Lee's, 105 Trapelo Rd

The Board moved: To approve the Common Victualler's license requests for the above noted establishments.
The motion passed unanimously (3-0).

OTHER

Chair Jones Other:

- He noted the MBTA's proposals to cut services and raise fees. Ms. Hebert will draft a letter expressing the Board's concerns with these proposed cuts.
- The Betts Road cut-through has caused traffic safety concerns.

The Board moved to adjourn the meeting at 9:42 pm.

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Interim Town Administrator