

MINUTES
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BOARD OF SELECTMEN
OCTOBER 17, 2005
REGULAR SESSION

Call to Order

A regular meeting of the Board of Selectmen was called to order at 7:00 PM in the Selectmen's Meeting Room of Town Hall. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

The Selectmen wished Selectmen Firenze a happy birthday.

Questions From Town Residents

Mr. Anthony Oberdorfer of Fletcher Road asked when fiscal information relative to the Senior Center vote would be available to the public. Selectman Brownsberger answered that it would be ready for Town Meeting and would be published in the newspaper at that time.

Mr. Oberdorfer asked what a "debt exclusion" is. The Board of Selectmen explained that it is a vote to add to the total tax levy the amount borrowed for a bonded project and that it is done in strict accordance with State law and with specific terminology mandated by State law. Unlike a general override, the amount of a debt exclusion does not get added to the fiscal base for future years, but only remains for the fixed term of the bond.

Mr. Oberdorfer suggested that having a Senior Center marginalizes senior citizens rather than integrates them and that seniors cannot afford an increase in their property tax. The Board of Selectmen respectfully disagreed with Mr. Oberdorfer on the value and purpose of having a Senior Center and noted that it voted to bring this issue before Town Meeting to encourage discussion of these issues in a public forum.

Action by Appointment

Discussion of Police Officers Promotion

Police Chief Andrew O'Malley appeared before the Board of Selectmen to request the promotion approval of Sergeant Richard Santangelo to Lieutenant, and that of Officer Kristin Henebury to Sergeant.

The Board moved: to approve both promotions as recommended by the Police Chief.

The motion was carried unanimously (3-0).

Selectman Firenze inquired about efforts to hire new officers. Chief O'Malley indicated that his department has not had any luck yet in hiring new officers and that more overtime wages have been spent as a result. Chief O'Malley briefly touched on some of the investigations the department is working on.

There was discussion of the Police Department's new policy of posting traffic enforcement spots online and there was general agreement that the policy is working out very well. Chief O'Malley credited Lt. Chris Donahue with the success of this effort.

Discussion of Planning and Economic Development Manager Position

Mr. Younger reported on the status of the hiring process. The Board of Selectmen will have two names to interview hopefully by tomorrow after Mr. Younger completes the first two rounds of interviews. Mr. Younger explained that the two candidates bring different backgrounds to the position and recommended the Selectmen meet with both candidates and make a decision after receiving his recommendation and the input of the various individuals who helped with the interviews.

The Board of Selectmen agreed to interview the two candidates in an open special meeting of the Board, tentatively set for Tuesday morning, October 25th with a backup date of the afternoon of Friday, October 28th.

Discussion of Committee Appointments (Cultural Council and Recreation)

Selectman Firenze recommended Mr. Bob Delhome for the Recreation Board.

Selectman Firenze moved: that the Board appoint Mr. Bob Delhome to the Recreation Board.

The motion was carried unanimously (3-0).

Chairman Solomon noted that the Cultural Council had asked the Board of Selectmen to appoint three individuals. Dr. Solomon presented three nominations to the Board. Ms. Louise Ambler, Mr. Marc Thibeault, and Ms. Juliet Jenkins.

Chairman Solomon moved: that the Board appoint Louise Ambler, Marc Thibeault, and Juliet Jenkins to the Belmont Cultural Council.

The motion was carried unanimously (3-0).

Action by Consent

Approval of Minutes (08/01/05, 08/11/05, 09/12/05, 09/19/05)

The Board moved: to approve all Selectmen's meeting minutes for 8/1/05, 8/11/05, 9/12/05 and 9/19/05.

The motion was carried unanimously (3-0).

Action by Writing

Memorandum from Municipal Light Department re: Request for Pleasant Street Tree Removal

The Board of Selectmen noted that in 2003 it had exempted a tree in front of the Women's Club from removal. Now the Light Department wants it removed for access to a new utility pole. Chairman Solomon reported resident Arthur Wolfson urged that an alternative to removing the tree be found.

The Board of Selectmen moved: to refer the matter to a tree hearing.

The motion was carried unanimously (3-0).

Action by Appointment (continued)

Town Administrator's Report

Mr. Younger reported continuing progress on repairing the skating rink and on signage for the Town Hall complex buildings. He reported that the State Legislature is debating a supplemental budget which may include additional Chapter 90 road funds for FY06 and additional monies to reimburse towns for snow and ice costs from last year.

Mr. Younger reported that the Town's end-of-year free cash from the last operating year is \$1.8 million which is the best in five years.

Public Hearing on Utility Petitions

- Keyspan Petition for Beech Street

Keyspan representative Harold Cooper appeared before the Board of Selectmen to request permission to install 235 feet of gas main on Creeley Road at Beech Street.

The Board noted that all outstanding issues the Town has had with Keyspan have been resolved.

The Board moved: to approve the Creeley Road petition.

The motion was carried unanimously (3-0).

- *Verizon Petition (D05_42) for Cross Street*
- *Verizon Petition (D05_46) for Coolidge Road*

Verizon Representative Dan Fitzgibbon appeared before the Board to discuss two new petitions.

The Board of Selectmen discussed a question raised by a resident of whether there is a conduit on Prospect Street for fiber optic cable. The Board's understanding is that this is in place and therefore would not require pavement to be dug up on Prospect Street if Verizon chooses to install fiber optic cable there.

The Board of Selectmen noted that the Water Department is not a member of Dig Safe and thus needs to be notified separately when the work is done.

The Board moved: to approve both petitions.

The motion was carried unanimously (3-0).

Other

The Board of Selectmen discussed a letter received from a resident regarding the lack of a "chute" type mailbox at the Post Office station on Concord Avenue which could be accessed from the driver's side of a vehicle. Mr. Conti reported that the Town has responded to the resident stating that while the Town has no authority to tell the Post Office where to put its mailboxes, they will raise the issue with post office officials nonetheless.

Selectman Firenze reported he had received another complaint about the blockage of sidewalks on Bright Road by plants. The Board noted that this is not a new issue and it will be followed up.

The Board of Selectmen also expressed its concern to clarify whether the State or the Town will plow Pleasant Street, given that there will not be a binder layer down to make the road smooth for plowing.

The Selectmen acknowledged a private citizen's grant to the Town for emergency training for hazardous materials for the Fire Department and emphasized the need to publicize such grants even without names if the donor prefers to be anonymous. There have been other donations to the Police and Fire Departments as well.

Action by Appointment (continued)

(Public Hearing – Property Tax Classification)

The Board of Assessors appeared before the Board of Selectmen.

Assessing Administrator Dick Simmons reported on the tax rate for FY06, which will be \$10.41 per thousand. This represents a late change to increase the rate by 4 cents. This is still less than last year's rate of \$10.69 because of an increase in property values greater than the increase in levy capacity. The continuing debt service on outstanding capital bonds declined by about \$116,500. The resulting excess levy capacity is \$1,768.29.

The Board of Assessors reviewed the potential effects of a shift in tax classification, noting that a shift increases commercial tax far more than it decreases residential and recommended that the town retain the same rate for business as for residents. It was noted that Belmont's commercial tax base is so small that a shift is not feasible.

The Board moved: to set the tax classification at 1. (no shift)

The motion was passed unanimously (3-0).

The Board of Assessors reported on the potential impact of a 10% or 20% residential (owner occupied) tax exemption and a corresponding increase in the tax rate. 70% of the properties would see no significant change in their taxes.

The Board moved: not to institute a residential tax exemption for this fiscal year.

The motion was passed unanimously (3-0).

The Board of Assessors explained that the low-income senior exemption to \$1,000 which is being taken advantage of by 60 to 70-year old residents was recently doubled. A reduction in the interest rate for tax deferrals for seniors was also discussed. The Board of Assessors stated that Belmont has the 10th highest residential tax in the Commonwealth.

There was discussion of the housing market and whether some properties have increased above the average and so have seen higher real tax increases. All parties agreed that more needs to be done to help ease the tax burden on lower income residents.

The Board of Selectmen inquired how successful the Town is compared to other communities at collecting taxes. The Board of Assessors replied that Belmont compares well.

*Discussion of Special Town Meeting Articles:
Disposition of Central Fire Station Property including RFP (Article 5)*

Mr. Younger stated that three major issues remained to be resolved in the RFP:

- 1) Lease vs. sale
- 2) Use of property (mixed or commercial)
- 3) How much the historical aspect should be considered

Selectman Brownsberger added a fourth: the RFP process itself, i.e. who will review the proposals.

Mr. Younger stated that guidance from the Board was needed on these matters and the RFP could be finalized by next Monday.

Chairman Solomon suggested that the wording of the Town Meeting motion would allow for a lease of the property.

Selectman Brownsberger noted that the warrant article gives the Board sole responsibility for determining the historical aspect and that there will be opposition to this authority in the town. He raised the issue of whether the RFP with all issues resolved would be ready by Town Meeting. Noting that a vote is not required to do an RFP, but only to effect the final sale, Selectman Brownsberger asked whether to wait on a Town Meeting vote until after the RFP process is complete rather than ask Town Meeting to vote with an RFP that still has outstanding issues. There was discussion.

The Board of Selectmen noted that it has made a commitment to the voters to sell and not lease the property, so that issue can be resolved.

The Board discussed the role of the Belmont Center Planning Group (BCPG) and the role of the Board in the RFP process and how the process on this project compares to the process on the Waverley Fire Station. The Board of Selectmen stated that the BCPG should be the entity that ranks the proposals that come back and the BCPG should vote to approve this language. The Board suggested that instead of narrowing the definition of “commercial”, that the language should allow any use that is consistent with LB1 zoning. It was subsequently determined that because the square footage is less than 10,000, this would allow residential conversion, and the Board was not in agreement that that was desirable, so it was decided to return to a clarification of this definition.

The Board of Selectmen discussed whether a lengthy process involving a lot of public input ends up costing the Town money because the market can change before the project is ready to bid.

The Selectmen agreed that Selectman Firenze, Mr. Younger, and Town Counsel will draft bullet points on this tomorrow and the Board will continue this meeting to resolve these questions Wednesday, October 19 at 6 PM and invite the Historic District Commission, Town Counsel, the Chairman of the Planning Board, Planning Coordinator Wheeler, and a BCPG representative to attend.

Discussion of Presentation to Town Meeting

Chairman Solomon presented a plan outlining which Board members would speak on the various articles and in what order the various committees and the Board would make their reports and presentations.

In the context of presenting fiscal numbers to Town Meeting, Selectman Firenze reported that he and Community Development Director Glenn Clancy had determined that the cost of continuing the roads program as it is currently progressing to reach the desired level of service would now be calculated at \$5 million per year for 20 years, not the \$1-2 million as previously calculated and this is not realistic. The Board agreed that it would make clear to Town Meeting that increasing the roads program to \$2 million annually, as included in the fiscal presentation, will not be sufficient to solve all the road problems.

The Board agreed that the impact on property taxes of the various capital projects in the pipeline over the next 15 years or so must be presented. Of the amount on a resident's tax bill in 2012, only 8% would be all of the capital projects. The biggest increase over that time will be from health care costs in the town's operating budget.

The Board discussed the difference between two methods of bonding, one which has higher tax burden in the early years and lower in the later years, and one that has level payments across the life of the bond. For Wellington and the High School, the Treasurer feels the level option makes more sense. On the Senior Center, it could probably go either way. The Board agreed that this cannot be resolved in time for the Town Meeting presentation.

The Board of Selectmen discussed whether to ask Town Meeting for less than the total cost of the Senior Center, fearing that fundraising will be impossible if the full amount is bonded. The Treasurer recommended bonding for \$5 million out of \$6.3 million with the expectation to raise \$1 million in private funds. Selectman Firenze stated that based on his conversations with potential donors, it will be impossible to raise money once the Town approves a debt exclusion for the full amount.

The Board moved: to have Town Counsel draft an amendment to the motion on Article 7 of the Town meeting warrant that clearly states that private donations will be used to pay down the debt, and that the amendment be given to Town Moderator Hall.

The motion was carried unanimously (3-0).

The Board of Selectmen decided not to make any change to the amount of money being requested in the debt exclusion.

Selectman Firenze reported that he, along with Mr. Younger and Town Counsel, met with the President of the Belmont Country Club today and all outstanding issues pertaining to the Woodfall Road land swap have been worked out. A Memorandum of Understanding will be ready this coming Monday. The country club's membership will vote to accept the agreement on Tuesday.

The Memorandum of Understanding includes provisions that: a fence will be put up on country club property by the developer and maintained by a property association of the new owners; the country club will be held harmless for any golf balls that may strike a property owner but not for any golf balls that may strike visitors or workmen on the property; the Town will clear up any remaining "paper streets" and conservation issues; the developer will be required to pay for a pedestrian-activated traffic light at the intersection of Country Club Lane and Winter Street.

The Board agreed to present the full text of the memorandum of understanding to Town Meeting.

The Board moved: to recess the session until 6:00 PM, Wednesday October 19, at the Chenery Middle School.

The motion was carried unanimously (3-0).

The Board's session was recessed at 11:15 PM.

Thomas G. Younger
Town Administrator