

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, November 10, 2008
7:00 PM**

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:00 by Chairman Firenze in the Selectmen's meeting room. All the Selectmen were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were present.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Transfer from Reserve Fund for Fire Station Clean-up

This reserve fund transfer request pertains to clean-up fees incurred in the aftermath of the Flett Road fire. Mr. Conti explained that smoke had been sucked in through the fire station's ventilation causing damage to the HVAC system. Insurance (once the claim is paid) should cover most of the costs less the \$5,000 deductible. Until the claim is resolved, Mr. Conti is proposing that the Board request from the Warrant Committee a reserve fund transfer in the amount of \$21,621.43.

The Board moved: To request a reserve fund transfer from the Warrant Committee in the amount of \$21,621.43 for the purpose of fire station clean up fees.

The motion passed unanimously (3-0).

Free Cash Discussion

Chair Firenze began by stating that \$2.594M was the amount of free cash certified for the FY09 budget. The \$2.594M generally gets allocated to the FY10 budget. \$473K remained from last year and is included in the \$2.594M number. Mr. Younger: The \$2.594M has not yet been allocated. It is available for use in FY10 starting July 1, 2009. Chair Firenze: \$1.7M is the amount of free cash available for use in FY10 (\$2.5M - \$800K for the operating budget = \$1.7M). The Board discussed possibilities for how that money might be used – e.g., cover some of the operating gap, put in the reserve fund, fund OPEB, use for one-time capital expenses or non-repetitive operating expenses. The Board noted that this year's free cash sources (health insurance, unfilled police department positions, etc.) may not get repeated, so next year's number will be lower.

Regarding OPEB, Selectman Jones said that the town needs to formulate a specific policy to fund that commitment consistently. Mr. Younger will check with Treasurer Carman and ask for a recommendation for a policy regarding the OPEB contribution each year.

Chair Firenze stated he would like to see a plan in place to address the town's inefficiencies. He said he will not accept any classroom-teacher cuts, police-on-street cuts, or firefighters-who-answer-calls cuts. "Direct service employees" will not be the first to go if we have to make cuts. Firenze continued: I would rather see other programs cut over basic delivery-of-services people. Dollars spent on teachers are the most effective dollars spent. The Board agreed that cuts should happen first in the areas that have the least impact on basic delivery of services.

Special Town Meeting Warrant Articles, Monday, December 1, 2008

There are currently four articles for the warrant. Warrant Committee Chair Curtis will deliver a report under article one. The Board agreed that a budget report was not needed from the Board of Selectmen.

The Board moved: To open the warrant for Town Meeting scheduled for Dec. 1, 2008.

The motion passed unanimously (3-0).

Mr. Conti asked if there were additional articles that the Board would propose.

The Board moved: To close the warrant for the Town Meeting scheduled for Dec. 1, 2008.

The motion passed unanimously (3-0).

The Board then discussed the wording of Articles 2 and 3. Mr. Conti will rewrite Article 3 to allow more flexibility on how to spend the new growth money.

On Monday, November 17th at 7:00 the Board will meet regarding the classification hearing on the tax split, and to sign the warrant.

The Board will meet on the 8th and 15th of December and again on the 12th and 26th of January, 2009.

Town Administrator's Report

Mr. Younger reported on the following items:

- *Local Government Advisory Meeting.* Local aid cuts are possible for early 2009 (Jan./Feb.). Mr. Younger asked the Board to consider a capital purchasing freeze, so as to not impact the FY10 budget too much.
- *Free Flu and Pneumonia Clinic.* Mr. Conti explained that free flu shots are available at the high school on Saturday, November 22 from 10:00 am to 12:00 noon. Officials are prepared to inoculate 1000 people in two hours.

ACTION BY CONSENT

Lions Club of Belmont's Annual Christmas Tree Sale

The Board moved: To grant the request of the Lion's Club for their annual Christmas tree sales.

The motion passed unanimously (3-0).

Walking Lights on Track

The Board moved: To authorize the use of walking lights on the track to the extent that they will be funded by private contributions. (If no funds comes in, they will not be funded.)

The motion passed unanimously (3-0).

Mr. Younger said that if funds come in, the money will be appropriated at the April Town Meeting.

OTHER

- *Town Vehicles.* Chair Firenze asked that Mr. Younger review and update the written policy for use of town vehicles. Chair Firenze said he would like to see a list of who takes vehicles home. He added that town vehicles need to be clearly marked. This will be discussed at a December Board of Selectmen meeting.
- *Church Parking Lot Meeting.* The Board discussed the issue of fee-based parking in church parking lots. Currently the zoning bylaw does not allow churches to sell parking or give away parking for free. Perhaps "special permits" could be granted. Questions that arose: Would the income need to be taxed? Could the town receive 10% of revenues?

The Board moved: That the Planning Board review its parking zoning bylaws with the intent to allow special permit parking.

The motion passed unanimously (3-0).

Executive Session – to discuss strategy with respect to litigation

The Board moved: To enter into Executive Session at 8:54 pm for the purpose of discussing litigation. The Board will not return to Open Session.

Selectman Jones asked about the need for an executive session with regard to this subject since it pertains to "a superceding order of conditions". The Conservation Commission wishes to appeal state law based on its assertion that the state did not follow said state law appropriately, summarized Selectman Jones. Mr. Conti informed the Selectman

Jones that the Board does not tend to discuss factual matters related to possible litigation in open session because if the Town does end up in litigation, anything that is said can be used in court, possibly to the detriment of the Town.

The motion to enter Executive Session passed unanimously (3-0) at 8:57 pm.

(During executive session, one substantive motion was made and passed by a 2-1 vote (Leclerc and Jones aye, Firenze nay.) The Board moved to adjourn the meeting at 10:53 pm.)

Thomas G. Younger, Town Administrator