

**TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, November 30, 2009
7:00 PM**

CALL TO ORDER

A regular meeting of the Board was called to order at 7:00 pm by Chair Leclerc in the Selectmen's Meeting Room. Selectmen Firenze and Jones were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

QUESTIONS FROM TOWN RESIDENTS

Relationship Between the Belmont Youth Basketball Association and the Town

Mr. John Owens, from Precinct 7, raised a question regarding the Belmont Youth Basketball Association (BYBA): Who do they report to? The Recreation Department says the BYBA is an independent organization, and that the Recreation Department does not have access to their financial records, etc. Do they answer to the Selectmen? he asked. If the town is covering their insurance, this is not a good precedent.

Selectman Firenze noted that the BYBA had been given two choices: either create a 501C (which would require the BYBA to carry its own insurance), or be organized under the Recreation Department (in order to receive the town's insurance). This is a successful program and the Recreation Department would be happy to include it under its umbrella. This is what I believe had happened, said Selectman Firenze.

Mr. Owens said that the Recreation Department has not owned the BYBA as its program.

ACTION BY WRITING

Renewal of Common Victualler's License for Asai Restaurant

Two representatives from Asai Restaurant appeared before the Board to request a license renewal for Asai. It was confirmed that all paperwork was in order.

The Board moved: To approve the license renewal request for Asai.
The motion passed unanimously (3-0).

Extended Hours for Il Casale (1:30 a.m. on January 1, 2010)

Mr. Dante deMagistris appeared before the Board to explain that he would like to stay open on New Year's Eve to allow for a midnight toast and a long, leisurely dinner.

The Board moved: To approve the extended hours request for Il Casale on January 1st, 2010.

The motion passed unanimously (3-0).

ACTION BY APPOINTMENT

Tax Classification for FY10

Members of the Board of Assessors appeared before the Board to discuss the Tax Classification. Mr. Lavery said that the Assessors are requesting a tax rate increase from the present rate of \$11.89 per thousand to \$12.18 per thousand. They are also requesting to have one single tax rate for residential and commercial as in prior years.

Selectmen Jones and Firenze noted that this is similar to last year. Selectman Firenze asked about new growth. The number is consistent with what was budgeted. Mr. Reardon noted that the revenue to the town would be the same if there were different residential and commercial rates. The commercial businesses would simply bear much more of the tax burden and the residents would bear a little less, but no new revenue would be generated, he explained.

The Board moved: To accept the Assessors recommendations.

The motion passed unanimously (3-0).

Mr. Younger noted that the residential tax share in Belmont is over 94%.

PILOT Program Update

Selectman Firenze asked the Assessors to give an update regarding the PILOT program. Mr. Lavery responded that he has met with the Council of Churches and hopes to meet with the private schools soon. Each homeowner will receive a letter explaining why these entities should pay something toward the town services that they utilize. Mr. Reardon noted that a lot of time has gone into creating a plan that makes sense. He said that the plan does not reflect the current economic conditions, but has been in the works for a long time.

Possible Underground Pedestrian Tunnel Discussion

Chair Leclerc noted that he has been in discussion with Representative Brownsberger regarding a possible underground pedestrian tunnel in general, as well as in conjunction with a bike path, to try to address the track-crossing risk near the high school. This project won't move quickly, as there are fundraising implications and challenges. Selectman Jones asked what the MBTA had to say about this project, and what is happening in other communities as well. Selectman Firenze noted that neither the MBTA nor the Commuter Rail are looking for new capital projects.

The Board will submit a letter to the MBTA with Representative Brownsberger's support, noting that this is a safety issue with close proximity to the high school. The letter will request that the MBTA start the process and that the Board will work with them to find funding.

The Board moved: To instruct Town Administrator Younger to compose a letter to the MBTA. The Board will review the letter and sign it.
The motion passed unanimously (3-0).

Town Administrator's Report

Mr. Younger reported on the following items:

- **CORI Process:** The Board discussed whether it is necessary for separate CORI checks to be made by Town and private groups if one volunteer is serving for both. Mr. Younger will look at neighboring towns and see how they handle this issue.
- **The Senior Center:** There has been good attendance at various events this month. Chair Leclerc asked about using the Senior Center after hours: Is there a protocol for use of the Senior Center? Mr. Younger noted that guidelines are being put together now and that they are checking with other communities regarding fees to charge, etc. Mr. Conti noted that this would be an extension of the policy for renting any of the town's buildings.
- **Stimulus Funding:** Belmont received funding for one firefighter for one year, but did not receive any funding for police officers.
- **Community Development:** The office's weekly report will be posted on the town's web site.
- **Rink:** The food pantry event went well.
- **Capital Budget:** Requests are being processed.
- **VFW:** They are resolving their issues and making utility payments.
- **Unfunded Mandates:** Reports will come in this month from the departments, including schools, outlining the unfunded mandates that they must find funding for.
- **Belmont Street Bridge Cleaning:** Selectman Firenze noted that money has been raised, but that no one has stepped forward to take charge of the project. Also, the MBTA is not being cooperative, as they insist on charging a fee to allow this.

OTHER

Selectman Firenze:

- **Town-Wide Parking Issues:** He would like to see an agenda item to discuss Trapelo Road permits, among other issues. Chair Leclerc said he doesn't

feel obligated to provide free parking to people from other communities to park all day in Belmont. Selectman Firenze stated that the town needs to establish a policy and figure out how to enforce that policy. Clear guidelines on parking issues are necessary, including: commuter, overnight, enforcement. Mr. Conti noted that his committee put forth guidelines. Selectman Firenze said that the guidelines need to be done on a town-wide basis, not street by street.

- Uplands: The appeal process is prohibiting Belmont from solving issues and moving forward with certain possibilities, much like what happened with McLean. This, he said, has cost the town millions of dollars. Mr. Younger will set up a meeting with the Conservation Commission and put this on the Board's agenda in mid-January.
- Joint Meeting: On Wednesday, December 9, there will be a joint meeting with the SC, the WC, the Board of Selectmen, and the Town Moderator to discuss the potential core services survey. The objective of the meeting is to develop a working group to work with Professor Christensen on a long-term planning survey to identify priorities and target resources. [The meeting was subsequently cancelled.]

Chair Leclerc: Wellington Motion

The Board needs a formal motion regarding the Wellington ballot that was passed during the election.

The Board moved: To support the filing of legislation drafted by the Bond Counsel regarding the Wellington Ballot language technicality.
The motion passed unanimously (3-0).

The Board discussed this issue.

Mr. Conti explained that there is concern by state agencies regarding the wording of the Wellington ballot initiative (which was approved on June 3rd, 2009). The issue is whether voters were voting for a new building as opposed to a building renovation.

ACTION BY CONSENT

Approval of Board of Selectmen Minutes – September 14 and 21, 2009

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

Mr. Burke and the Belmont Center Fire Station Acquisition

Selectman Firenze gave an overview of the situation involving Mr. Burke and the Belmont Center Fire Station acquisition. There are a number of issues unresolved he

said, including ownership of the bell and an agreement that Mr. Burke would pay \$75K to the town if the building was not completed in 18 months. It has been a number of years and the town would like to collect at least half of that amount as soon as possible. Town Council had already agreed to contribute one half of the amount in fee reduction.

Mr. Burke summarized the issues from his perspective relating to the arrangement that he would pay the town a \$75K penalty for not completing the project on time. He reviewed the delays that he faced including regulatory issues and months and months of meetings with the Belmont Center Business Association and the Historical Society. The 14 months of delays have cost him \$140K (\$10K per month). He noted that he paid a generous rate. This is fine, he said, is not fair.

The Board discussed this issue.

On December 7, the Board will meet at 6:00 with the BMLD to discuss the process for a new Town Meeting to resolve the new substation issue. The Board discussed some of the issues relating to the new substation.

The Board moved to adjourn the meeting at 9:00 pm.

Thomas G. Younger, Town Administra
