

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, February 23, 2009
7:00 PM**

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:00 pm by Chairman Firenze in the Selectmen's meeting room. Selectman Leclerc was present; Selectman Jones was not (he arrived later). Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

QUESTIONS FROM TOWN RESIDENTS

Ms. Maria Murphy, a Town Meeting member from Precinct 3, spoke regarding her son's pothole claim. Ms. Murphy said she had called the DPW in early November regarding three potholes on Lower Mill Street, potholes on Trapelo Road across from the car wash, and potholes on the MBTA bridge in Waverley Square. The pothole(s) were fixed after her son placed a phone call to the DPW and wrote a letter to the Selectmen's office. The town's insurance company has denied the claim (\$325.00), because the potholes were not reported to the DPW prior to her son's incident. Mr. Conti explained that there was no record at the DPW of these potholes having been reported back in November. Mr. Conti suggested Ms. Murphy contact the phone company to get a record of phone calls placed. The phone company said it needs to be a "legal case" in order to make those records public. Mr. Conti said that Ms. Murphy followed all the appropriate procedures, but it is difficult to know how to proceed, given that the DPW has no record of her calls. Chair Firenze suggested that the town cover this cost. Mr. Conti said that this would be setting a bad precedent. The Board asked Mr. Conti to tell the Town's insurance company that the Board believes the call was made in November, but was not logged in, and request that they revisit the claim.

ACTION BY APPOINTMENT

Belmont Media Center (BMC) Annual Report

Mr. Jonathan Green, Chairman of the BMC Board, and Mr. Jeff Hansell, Executive Director of the Belmont Media Center, appeared before the Board to present the BMC's annual report. Mr. Green first reviewed the personnel involved with BMC. Regarding finances, he said that the operating expenses and capital budget comes from Verizon and Comcast. The BMC has a "healthy balance sheet", thus allowing for the upcoming (end of summer) move to Waverley Square at 9 Lexington Street. This new space will quadruple the present space. Programs include MyMassTV, the Belmont Youth Video Festival, upgrades to town facilities, new senior center wiring, as well as wiring for the high school, Chenery, and Selectmen's meeting room. A variety of new shows have

come on line in 2008. Training is an integral part of the BMC's mission and, as such, the BMC holds training sessions on a wide variety of topics. The BMC is visible throughout town videotaping Belmont events.

The Board thanked the BMC team for their energy and effort.

Inclusionary Housing Rules and Regulations

Ms. Jenny Fallon, Ms. Carla Moynihan, and Ms. Judy Fines from the Planning Board appeared before the Board of Selectmen to discuss inclusionary housing rules and regulations. Chair Firenze said that the current inclusionary zoning bylaw, which requires that "affordable" units be made available, is not benefiting Belmont. The impact of the affordable housing bylaws discourages developers. Ms. Moynihan stated that the affordable units are required to be onsite and of a comparable size. Chair Firenze said that the affordable units should be of a smaller size to allow for more affordable units in total. Developers often walk away from a Belmont project because these inclusionary bylaws do not work, said Chair Firenze. Ms. Fallon said that Belmont needs to provide at least 10% affordable housing. Ms. Moynihan said she would like to hear from the developers and learn why this is not working for them.

Chair Firenze stated that the Board will study the regulations and the consequences of them before voting on them. Chair Firenze requested to meet with Ms. Moynihan to discuss this issue further. Selectman Leclerc requested to look at how other towns are accomplishing the mission of bringing in affordable housing in a way that is economically viable for developers.

Reuse/Disposition of the Former Benton Library

Richard Cheek, from the Oakley Neighborhood Association and Friends of the Benton Library, appeared before the Board to discuss the reuse/disposition of the former Benton Library. Chair Firenze reviewed the fact that the Board of Library Trustees voted to close the Benton Branch. He stated that he has heard many ideas about what to do with the building. Mr. Cheek said that the idea of it being used as a Community Center, one that is leased from the town at a reasonable rate, seems to have wide appeal. He added that a number of individuals and organizations have been contacted: the Belmont Historical Society would like to hold its monthly meetings there, families with younger children would like to have a "story hour" for children to borrow books, the Chenery and High School have been contacted for after school programs/tutoring, the Chenery and HS Community Service directors have been contacted, Ms. Keefe would be interested in using it as a polling place, Dr. Alper could use it for Youth programs, several musical groups are interested in the space, Waverley Arts is interested in forming an art center, and there is the possibility of a nursery school in the space. Other options exist, including Cub Scouts, Weight Watchers, etc. Expenses would have to be shared by any group involved and programs would have to be run by volunteers. Insurance issues have been discussed with Mr. Conti. Mr. Cheek requested more time to organize potential uses.

Selectman Leclerc said he would like to see the building stay intact. He added that he would also like to see something in there that might bring some income into the town. If it is just used as a community resource, there will be no income. Chair Firenze said that there is a lot of space available in town that is currently not being used. He added that there are costs associated with running the building. Firenze wondered if it was an appropriate site for a single family home, one that could generate tax revenue (\$9,000 per year). He said more time could be given, and all options should be explored.

Selectman Jones wanted to know the costs associated with the building.

Mr. Younger estimated that the building is worth about \$863K. The new senior center, he added, will have community space available. Selectman Leclerc would like to see a hybrid solution, e.g., a childcare center during the day (for revenue) and use for community activities in the evening. Mr. Younger said an RFP would need to be put out. Mr. Conti asked about parking availability. Mr. Cheek said that the neighborhood could be polled, but that he guesses the neighbors would be ok with on-street parking.

Chair Firenze suggested a committee be put together to explore options and concerns. Mr. Cheek will contribute three or four names of interested parties to Mr. Younger, and the Board will appoint some members, as well. This will be on the Board's agenda for the third week in March.

The Brendan Grant Foundation – Brendan's Home Run 5K

The Board moved: To approve the request by the Brendan Grant foundation for the annual race scheduled for June 21, 2009.

The motion passed unanimously (3-0).

Mr. Younger noted that all the paperwork was in perfect order.

Request of Auxiliary Officer Appointment – Police Department

Two members have been recommended to be appointed as Auxiliary Officers of the Police Department.

The Board moved: To appoint Mr. Kevin Papadopoulos and Mr. Gregory Bogosian to the position of Auxiliary Officer of the Police Department.

The motion passed unanimously (3-0).

It was noted that these are not fulltime officers and they are not paid.

Budget Discussion

The Board discussed the use of free cash to support the operating budget, and the timing and amount of possible override votes. Chair Firenze said that the Wellington school issue will not be decided in time for an April debt exclusion vote. The Wellington will

now probably be placed in a special election with an operational override. Selectmen Leclerc said that putting both the Wellington and an operating request on the ballot at the same time is risky. He stated that he was inclined to support separate dates for an override and Wellington debt exclusion. Chair Firenze replied that the votes will be held close enough together, that they will be “thought about” together anyway. Selectman Jones said that voters may appreciate the economy of having two questions together; it may help voter turnout, as well. Mr. Conti said that the Wellington timeline is questionable and can’t be decided on tonight.

Selectman Leclerc said that he would not desire to go for an override for the full amount of the structural deficit. He would favor an amount whereby core positions could be saved. Chair Firenze said that the unions are being asked to have a zero percent raise for FY10. Wage freeze bargaining “goes out the window” if an override is being discussed, he said. Chair Firenze said he would support an override if structural changes take place and if pain is felt on all sides. Selectman Jones said that there is no better time than now to make structural changes. Selectman Leclerc asked what if there isn’t time for the structural changes to be implemented? Chair Firenze replied that the town needs to make headway on changes in order to help get the override passed.

Regarding free cash, Selectman Jones said that he embraced a conservative position on using free cash as the FY10 budget will probably be worse. The Board agreed on this point. Free cash will be utilized only to the extent that it had originally set aside \$800K for the operating budget.

The Board moved: To recommend that the budget for FY10 make use of free cash only in the originally proposed \$800K for the operating budget. The remaining free cash is to be held over to mitigate future shortfalls.
The motion passed unanimously (3-0).

The Board moved: To recommend that the Wellington debt exclusion vote and any override vote be held together (at the same time) sometime before June 30th.
The motion passed (2-1).

The Board moved: To recommend that the amount of any override be less than what is needed to fully fund a level service budget. Cuts will be required.
The motion passed unanimously (3-0).

Mr. Conti asked about scheduling Town Meeting in June to present the budget as per the wish of the Warrant Committee. Chair Firenze stated that he wants a budget discussion at the April Town Meeting, understanding that assumptions will need to be made about state figures. The Board would like to present the budget at TM in April. A contingency budget is fine. Override amounts can be discussed as well.

Municipal Vehicle Policy Discussion

Mr. Younger noted that there are presently nine take-home vehicles and that, as of July 1, this number will be reduced to six vehicles: two for DPW, two for Police, and two for Fire. The vehicles will be marked, except in the case of police. All individuals driving these vehicles are living less than 10 miles from Belmont. Chair Firenze noted that the written policy needs to be marked up to reflect changes that were discussed (e.g., efficient gas mileage, business/personal use, type of vehicle, who pays for gas). Mr. Younger will tighten up the take home vehicle written policy.

The Board discussed other town vehicles as well. Mr. Younger will review all town vehicles with the understanding that the Board would like to eliminate as many vehicles as possible.

Town Administrator's Report

Mr. Younger reported on the following items:

- February 26 – Municipal Coalition meeting regarding 40B changes.
- White/Grant Ave. Property – A party is interested in purchasing from the town.
- COA will begin the process of moving to temporary housing behind the high school (net gain of \$20,000 for town in rent saved).
- Lottery Commission Letter Regarding Keno-To-Go – There has been a request from three establishments to install a mechanism to check numbers on the site, which makes it Keno-To-Stay.

The Board moved: To oppose the application for Keno licenses at the three requesting establishments.

The motion passed unanimously (3-0).

- Permanent Audit Report is scheduled for the June 1st meeting.
- Winn Brook Tennis Courts – A spokesperson will meet with potential donors to raise money for the repair of the courts.
- VFW Liquor License – Mr. Younger is researching the typical fee for a license of this sort.

Other (Chair Firenze comments)

- Waverley Square Parking Lot entrance and exit - Mr. Conti suggested that the Traffic Advisory Committee take a look at this.
- Stimulus Money appropriation was discussed.
- Union Negotiations - Mr. Younger will begin meetings this week.

ACTION BY CONSENT

[There were none.]

ACTION BY WRITING

**2009 Common Victualler's License for THEO's Pizzeria & Grill
Poison Ivy Plans
VFW License Alcohol – Authorization to Place on the Official Town Ballot**

The Board moved: To accept all three of the above items.
The motion passed unanimously (3-0).

OTHER

BHS – 2009 All Night Graduation Party

Mr. Younger: The town has in the past underwritten the cost (\$1,000) for the All Night Graduation Party. Given the tight fiscal times, Mr. Younger is suggesting that the town no longer fund this event. If the decorations are changed, he said, a fire Marshal will not be needed.

The Board moved: To deny the funding request and suggest the committee consider altering their decorations such that a fire Marshal is not required.
The motion passed unanimously (3-0).

Executive Session

The Board moved to enter in executive session at 9:52 pm to discuss the value of real property and a litigation issue. The Board will not return to open session.

(During executive session, no substantive motions were made. The Board moved to adjourn the meeting at 10:21 pm.)

Thomas G. Younger, Town Administrator