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MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, October 19, 2015
8:00 AM

APPROVED
BOARD OF SELECTMEN
DATE: 12.14.15

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 8:12 a.m. by Chair Sami Baghdady in the Selectmen's Meeting Room. Selectmen Mark Paolillo and Jim Williams were present. Town Administrator David Kale and Assistant Town Administrator Phyllis Marshall were also present.

Chair Baghdady reviewed the agenda.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Acceptance of Donation from TD Bank, 307 Trapelo Road, to the Belmont Police Department (funds to be used to assist with programs being offered in the community)

Mr. Kale noted that the donation would be used in the DARE program, for the Police Department's awards ceremony, and perhaps other areas as well.

The Board moved: To accept the donation from TD Bank, 307 Trapelo Road, to the Belmont Police Department, in the amount of \$500.00.
The motion passed unanimously (3-0).

Approval of a Common Victualler License Application from Phinix Belmont, LLC d/b/a Phinix Grill for a 44-Seat Restaurant at 628 Trapelo Road.

Mr. Sam Pogosov and Mr. David Aleksayan, co-owners, appeared before the Board regarding the new restaurant. Mr. Pogosov provided a brief explanation on the concept of the new restaurant. The cuisine will be innovative, varied, and healthy.

Chair Baghdady noted that, in the future, these owners also intend to apply for a beer and wine license. The Board asked several clarifying questions.

The Board expressed its support for this new restaurant.

The Board moved: To approve the common victualler license application, details noted above.

APPROVED

MEMORANDUM The motion passed unanimously (3-0).

Approval of a Common Victualler License Application from Adonai & Rios, Inc. d/b/a Spoodles Soup Factory for a 13-Seat Restaurant at 374 Trapelo Road

Chair Baghdady wondered about the accommodation of 13 seats. Mr. Kale noted that there is a special zoning permit for this location approved by Community Development. Selectman Paolillo suggested conditioning the approval. The Board discussed the approval process, noting that it would be helpful to have a seating plan and to have the owners present to answer clarifying questions.

The Board moved: To continue the common victualler license approval process.
The motion passed unanimously (3-0).

The Board expressed a desire to mandate having owners present at Board meetings when new applications are being reviewed.

Approval of Annual Holiday Celebration Tree Lighting (Thursday, December 3, 2015) and Midnight Madness-Belmont Center (Tuesday, December 8, 2015)

Chair Baghdady explained the Midnight Madness request for Tuesday, December 8. The Board discussed the Belmont Center improvements in light of this event. Mr. Kale provided a brief delta update; landscaping will occur in the spring.

The Board moved: To approve the Annual Holiday Celebration Tree Lighting event (12/3/15) 5:45 – 8:30 p.m.
The motion passed unanimously (3-0).

The Board moved: To approve the Midnight Madness-Belmont Center (12/8/15) with extended hours until midnight.
The motion passed unanimously (3-0).

Application for a One-Day Liquor License from Ryan Walsh for a Wedding at the Beech Street Center located at 266 Beech Street on Saturday, October 31st

Chair Baghdady stated that this is not the standard application, as it is for nine hours. Mr. Kale explained that the alcohol will be served from 3:00 - 8:00 p.m. only (five hours). However, the event will continue to 10:00 p.m. The Board discussed the details of this application. Chair Baghdady expressed concern given that this is Halloween night and many children will be out and about collecting candy. The Board agreed that the server should be strictly informed concerning the alcohol serving hours and that the Police Department should be requested to pay special attention to that area of town.

Mr. Kale will follow up with the applicant, the server, and the Police Department.

The Board moved: To approve the one-day Liquor License from 3-8 p.m. for Ryan

Walsh for a wedding at the Beech Street Center located at 266 Beech Street on October 31st.

The motion passed unanimously (3-0).

Discussion on Proposed Revision to Cable Television Regulations

Mr. Jeff Hansell, Executive Director, and Mr. Mark Carthy appeared before the Board to discuss the proposed revision to the Cable Television Regulations. The Board discussed the potential Proclamation to honor the Belmont Media Center's 10th Anniversary. Mr. Hansell explained the revisions, which concern a review of regulations taking place by the state. The revisions center in two areas: the timing of resident complaints and the interest rate on the deposit held on new cable boxes.

The Board discussed issues relating to the regulation revisions. Chair Baghdady explained the new cable box deposit fees and the interest rates placed on that deposit. Mr. Carthy noted that perhaps this type of regulation should be pushed back on. Mr. Hansell agreed, stating that the regulatory agencies need to know that not only Belmont is opposed. He will see if other communities support Belmont's concerns.

Selectman Paolillo suggested that the interest rate follow the current economic conditions – and no one is receiving 7%. Selectman Williams put forth revising the second paragraph, e.g., a segregated rate or a minimum guideline of 3%.

Chair Baghdady summarized: that the Board will incorporate Selectman William's comments and that Mr. Carthy will include them into the revised letter.

The Board moved: To submit comment on proposed revisions to CMR 207 by the MA Department of Telecommunications and Cable (DTC) as follows:

No Change to 207 CMR, 2.03 Statutory Report Forms, (3) Complaint Forms

Modify 207 CMR, 10.08 Security Deposits, from proposed language to language reducing the interest rate on individual subscriber security deposits to not less than three percent.

The motion passed unanimously (3-0).

Town Administrator's Report

Mr. Kale reported on the following items:

- **Minuteman High School:** A Press Release will be issued concerning the Minuteman public meeting scheduled on Nov. 10 at the Beech Street Center. This will be a chance for the community to hear Minuteman's proposal for the new building and provide feedback to Belmont's School Committee Representative to Minuteman. The Minuteman School Committee will take a vote on November 16 on approving the project to the MSBA next phase

Selectman Paolillo summarized the issues that the Board will need to opine on. He

discussed the enrollment numbers, as well as the 16 member towns subsidizing the non-member communities. He said that, while the building is in need of renovation, member towns should not continue to support and subsidize the non-member towns who do not share in the capital expenses. The building is being proposed to accommodate more non-member towns sending their kids, but they are not paying their fair share. Belmont is an outlier in its concerns and in not supporting the accommodation of non-member towns. The Board discussed issues related to Minuteman's proposal as well as what Belmont's response to that proposal might be. Selectman William's suggested that perhaps Belmont should go along with the status quo since the town has an obligation to provide this education and Belmont can't do it independently.

Chair Baghdady suggested that the "right sized school" message continue to be pushed. Selectman Paolillo reiterated that, while Belmont supports Minuteman education, this facility has not been adjusted to the present enrollment. It is being built to accommodate the non-member enrollment, which is subsidized by member towns. However, the state may pull its contribution if the building is made smaller. The numbers, if the state pulls back, will need to be more fully understood.

- **MBTA meeting on Monday, November 16** – Representatives from the MBTA will meet with the Board concerning the Waverley and Belmont Center stations. The meeting will be held at the Beech Street Center 7:00-8:30 p.m.

Committee Liaison Reports

Warrant Committee Report on Pension Plan

Selectman William's said the Warrant Committee did excellent work on the Pension report. The Board will need to review the WC report and will need to meet with the Public Finance Investment Bank.

Approval of Meeting Minutes

Mr. Kale suggested that the Board provide any revisions and then meeting Minutes will be reviewed at the next meeting, 11/2/15.

NEXT MEETINGS

Monday, November 2, 2015 at 7:00 p.m. Selectmen's Meeting Room Town Hall
Monday, November 16, 2015 at 7:00 p.m. Beech Street Center

Selectman Williams raised the topic of stormwater. He requested that the Board pay attention to this issue as more can be done.

The Board moved to adjourn the meeting at 9:29 a.m.

A handwritten signature in black ink, appearing to read "DKale", written over a horizontal line.

Mr. David Kale, Town Administrator