

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, March 1, 2010
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

Benton Library Reuse Impact

Mr. Doug Jones, an Indian Hill Road resident, spoke on behalf of neighbors of the Benton Library who have concerns about the Benton Reuse Committee's intent to lease the building. He read the petition, which was signed by 50 neighbors. The neighbors who signed this petition are concerned about the high level of impact to the neighborhood in leasing to a religious or educational institution.

Chair Leclerc said that the Reuse Committee will make its recommendation on March 15 and at that time the neighbors will have a chance to articulate their concerns about the impact issues.

Support for Haiti

Pastor John Phillipe, leader of the Haitian Church of God on Marlboro Street, announced that on March 21st (7:00 pm – 9:00 pm) there will be a community service fundraising event at the church to support relief efforts in Haiti.

Chair Leclerc asked that the people of Belmont support this endeavor. He encouraged the Belmont Citizen and the cable station to publicize this event.

ACTION BY APPOINTMENT

Waverley Square Parking Lot, Trapelo Road Update, and Pavement Management Plan / Belmont Center

Mr. Glenn Clancy, Community Development Director, appeared before the Board to discuss the items noted above.

Waverley Square Parking Lot. There has been some discussion that the present configuration may not be adequate, Clancy explained. The new proposal is to have two-way traffic in and out of both exits. He reviewed the concerns of the present configuration. The biggest complaint is that there is a blind spot in exiting the parking lot, although there is no data relating to accidents. The Traffic Advisory Committee voted to leave it the way it is. The Board agreed that Mr. Clancy should make the recommendation on this issue.

Mr. Clancy's recommendation is to leave it the way it currently is: one way in, one way out.

Trapelo Road Update. We are planning to submit 75% design drawings to the Mass. DOT by the end of April, Clancy stated. However, if it comes to pass that the culvert portion of the project is back in, the design effort for this piece will push the 75% design submission back to June/July.

Pavement Management Plan/Belmont Center. In 2011, School Street will be finished, as will sections of Oakley Road, said Clancy. In 2012, we will have run out of major roads to address. The remaining major roads have water work issues, therefore, in 2012 we would like to turn attention to the neighborhood roads. This raises the issue of Leonard Street and Belmont Center. Mr. Clancy would like to address Leonard Street in the context of a comprehensive re-design plan for the center. However, it will be years before this gets consideration from the state as a TIP project. He added that the underpass traffic would need to be addressed, as well.

Chair Leclerc summarized that state funding through the TIP is a prerequisite for doing major work in Belmont Center. Mr. Clancy agreed this is the way to finance this project (other than freezing the money on all other roads for several years). Selectman Jones asked about using the pavement money for sidewalks in 2012. Selectman Firenze said he is concerned about waiting 10 years to address Belmont Center and he has no interest in moving more cars through the Center at a faster speed, which he fears would be the state's priority in funding the project. Selectman Jones suggested a debt exclusion to fund this project.

The Board discussed the Belmont Center re-design effort.

The Board moved: That the Board of Selectman meet with the Planning Board to devise the best approach to deal with Belmont Center as part of the Comprehensive Plan and explore ways to get it financed.
The motion passed unanimously (3-0).

Cushing Village Discussion with Developer

Chair Leclerc set out the guidelines for the discussion. Mr. Chris Starr and associates will speak to his plans, Chair Jennifer Fallon will speak on behalf of the Planning Board,

and then a neighborhood representative will make a comment. After this, the Board will discuss.

Mr. Chris Starr and his Smith Legacy/Oaktree colleagues appeared before the Board to discuss the development of Cushing Square. Ms. Gwendolen Noyes reviewed the current proposal for Cushing Square, including retail space and residential space above. She discussed potential parking facilities, the Horne Road pedestrian way, the “green” efforts of the project, and the potential tax benefit to the town (\$800K). She reviewed images of the proposed development, including traffic flow and landscaping.

Selectman Firenze said he liked the proposal in general, but was very concerned with the four story buildings throughout the development. Chair Leclerc said he liked the aesthetics of the proposal but that he would like to see the economic viability of the project and the phasing of the project. Selectman Firenze said that this development looks massive and that he would have expected 20-25% of the project to be four stories, and set back. That he would be comfortable with, but not 100% at four stories.

Mr. Starr spoke to the 10 steps (phasing) of the project including excavation, demolition, and construction through 2013.

The Board discussed the total square footage of the project and the financial feasibility of cutting back on the square footage.

Ms. Fallon spoke about the Planning Board’s informal review process including feedback from the community. She noted that there is certainly a lot of density with the four story coverage. She said that Mr. Starr has stated that this project would not be economically feasible at three stories. The financing will be analyzed at the next meeting.

Mr. Don Becker from the Cushing Square Neighborhood Association, said that he continues to be in opposition to this proposal because of the massiveness of this plan. He said he hopes to see a plan that is consistent with the overlay district planning.

Chair Leclerc said that the Board is working on a purchase and sale agreement for the parking lot and that the economic viability is being analyzed concurrently. Selectman Jones said that the plan is too large to support at this time and that more economic data is needed. Selectman Firenze agreed and said he is also concerned about the phasing. He said he is not prepared to move forward this evening. Chair Leclerc said he was enthusiastic about the project, but that he is very concerned about the phasing issue.

Ms. Fallon asked about a meeting on the 22nd of March to meet with the Planning Board and Board of Selectman jointly. Mr. Becker requested that the financial data needs to be available well in advance of this meeting. It needs to be vetted and should not be presented for the first time at the meeting itself.

The Board took a five minute recess.

Planning Board Submissions for Town Meeting Warrant

Ms. Fallon noted that the Planning Board was coming to Town Meeting with two zoning amendments. The first pertains to eliminating the parking requirements for outdoor cafe seating and the second is to remove building setback lines in residential areas as there is no public interest to having two different set back regulations. She added that the Comprehensive Plan will be presented to Town Meeting as well.

Health Insurance Rate Setting

Mr. Younger answered questions the Board had raised last week on the Town's health insurance rates. He provided the recent trend data and said that there is a \$3.8M balance in the account. He said that the accounts are reviewed quarterly and that he is confident that a 5% increase is the appropriate rate setting. This would mean using a sum of money (\$260,000) from the account to subsidize premiums so that the rate does not need to be higher.

The Board moved: To support the recommendation to increase the health insurance rate by 5% and to utilize \$260K from the health insurance trust fund to subsidize premiums.

The Board took a minute to review the claims trends. The average amount spent on claims in a past year is \$845K. Selectman Firenze raised a concern that the PPO premium may be too low. Town Accountant Hagg noted that the PPO members are a small group of people who often live out of state and that they are already paying 50%. Selectman Firenze noted that the town is losing money on this group and perhaps they should be paying more. Firenze said he would like to look at the PPO rates for next year as he would like not to continue to lose money on this plan.

The motion passed unanimously (3-0).

Possible Warrant Articles

Mr. Conti noted that the Annual Town Meeting Warrant will get approved at the next Board meeting. He welcomed input from the Board as to any draft Articles they would prefer not to include on the Warrant.

Mr. Roger Colton, a Warwick Road resident, appeared before the Board regarding five Citizen's Petitions that he has submitted for the Warrant to make Town Meeting more efficient and to let Town Meeting members operate more effectively. He reviewed the five articles that he is submitting. Selectman Jones said he endorses all of these articles.

Mr. Colton reviewed his "Belmont's Budget Forum" website which was created to provide an interactive website where people can submit questions and comments regarding the budget, download budget information, and view messages from local

officials. The website will not provide answers, but rather direct questions to the appropriate officials and post the answers.

Selectman Jones noted that the Board needs to come to a conclusion on the Benton Library proposal before Town Meeting. Mr. Conti informed him that the decision to sell or lease the property must be incorporated into the motion under the Article, which will be finalized on April 7th. The Board broadly discussed the articles.

Rep. William Brownsberger – Pleasant Street Cellular Tower

Representative Brownsberger appeared before the Board to give an update on the proposed Pleasant Street Cellular Tower. Brownsberger noted that there are concerns regarding the cell tower site as well as the lack of a public hearing on the site. A community hearing was held in July 2006, but the community was not adequately informed of this hearing. He will send a letter to the state agency involved, complaining about the process as it was procedurally deficient.

Mr. Michael Smith, from the Historic District Commission, acknowledged Representative Brownsberger for his efforts. He said Arlington's Board of Selectmen disapproves of this cell tower, as well. He would like Rep. Brownsberger to ask: why here? why now? and have other options been explored? He said a public process needs to occur.

The Board discussed the issues relating to cell towers.

The Board moved: To support Representative Brownsberger's offer to write a letter to the appropriate state agency with concerns about: the choice of the site, the visual impact of the site, and the impact on the neighbors. The letter will also address the concern about the lack of a public hearing process and the lack of an examination of alternatives to this site. Furthermore, the letter will address that the Division of Capital Assets Management may invoke the lease and start over again to look at additional sites.

The motion passed unanimously 3-0.

Representative Brownsberger thanked Mr. Younger for providing him with the Town's list of unfunded state mandates.

Town Administrator's Report

Mr. Younger reported on the following items:

- Uplands – A decision should be reached by DEP on March 10 regarding the Conservation Commission's appeal.

- Liquor licenses – The warrant is being drafted to include an article to increase the number of restaurant liquor licenses and decrease seating requirements.

ACTION BY CONSENT

MWRA Advisory Board – Committee Alternates

The Board moved: To accept the recommendations of the Director of Public Works for committee alternates to the MWRA Advisory Board.
The motion passed unanimously (3-0).

Selectman Jones noted that the MWRA had a history of funding 100% of its retirement plan obligations, whereas most of the cities and towns served by the MWRA have underfunded retirement plan obligations. Belmont, for example, has funded only half of its obligations. The MWRA is generous in its contributions to its employee retirement plan because it can pass those costs on to member cities and towns. If the MWRA were no more generous than its member cities and towns, the costs of their services would be lower for Belmont's citizens and taxpayers.

Selectman Jones noted that the DPW is taking care of its own employees' retirements at a much faster rate than Belmont is covering its employees. This is a concern as the DPW retirement funding is a burden passed on to taxpayers.

The Board moved: That Belmont's representative(s) to the MWRA Advisory Board be asked to examine the MWRA's financial statements, and that if the relative level of MWRA funding of its retirement obligations exceeds that of Belmont for its employees, the representative should raise and articulate the Board's objections to this.
The motion passed unanimously (3-0).

Approval of BOS Minutes 9/2/08, 12/7/09, 12/21/09

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

ACTION BY WRITING

Belmont Farmer's Market

The Farmer's Market was asked to pay \$1,071 to replace lost revenue from parking spaces that are occupied with the market. The Farmer's Market paid a portion of that: \$300. Chair Leclerc said he is uncomfortable with asking them to make up this revenue. The Board agreed that they should pay what they can and/or what they paid last year.

The Board moved: To approve the request of the Farmer's Market to set up business for the next season (June to October) and that they be asked to pay the same amount of a donation as they did last year to offset lost parking revenue. The motion passed unanimously (3-0).

Renewal Licenses

The following establishments have requested to renew licenses: Nick's Place, C.E. Restaurant, Osaka Restaurant, and Belmont Pizza (which is also asking to extend its hours from 10:00 pm to midnight on Fridays and Saturdays). Mr. Younger said that this request will be reviewed quarterly. There are other shops near Belmont Pizza and he is concerned about precedent. Selectman Firenze suggested to grant 11:00 and not midnight.

The Board moved: To approve the license renewal request of the above named establishments and to approve Belmont Pizza's request to extend its hours to 11:00 pm on Friday and Saturday (instead of midnight). The motion passed unanimously (3-0).

Approval Belmont Town Day – Saturday, May 22, 2010

The Board moved: To approve Town Day for Saturday, May 22, 2010. The motion passed unanimously (3-0).

OTHER

- The Selectmen's goals and objectives will be on the agenda at the next Board meeting.
- A letter received from Mark Clark will be on the agenda for March 15th.
 - The Board discussed the budget process and the department head meetings. Mr. Younger said he is working from an artificial split to help formulate an available revenue budget. He said that, in making cuts, he would look at reducing programs as opposed to a flat across-the-board cut. An analysis of expenses balanced with revenues will be applied in making these decisions.

Selectman Jones informed the Board that, while Dr. Entwistle says he likes the idea of studying consolidation, he will hire an HR director if something is not decided soon. Chair Leclerc will follow up with the superintendent.

Executive Session

The Board moved: To enter into executive session at 10:38 pm to discuss non-union compensation and litigation. The Board will not return to open session. The motion passed unanimously (3-0).

*(During executive session, one substantive motion was made and passed by a 2-1 vote.
The Board moved to adjourn the meeting at 10:55 pm.)*

Thomas G. Younger, Town Administrator