

**MINUTES**  
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**BOARD OF SELECTMEN**  
**MONDAY, APRIL 3, 2006**  
**REGULAR SESSION**  
**CONFERENCE ROOM 2, TOWN HALL**  
**7:00 PM**

**Call to Order**

A regular meeting of the Board was called to order in open session at 7:00 PM in Conference Room 2 of the Town Hall. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

**Questions from Town Residents**

There were no questions.

**Action by Appointment**

*Discussion of Filling of Police Department Captain's Position*

Police Chief Andrew O'Malley appeared before the Board. He explained that in October 2004 the Town made an Acting Captain appointment when there was no civil service list for this position. Now there is such a list, and the Town is not allowed to continue having an Acting Captain under state law. The department can request to fill the position permanently from the civil service list.

The Board asked if this is a necessary position to fill. Chief O'Malley said yes, and it was a very important aspect of the union's acquiescence in establishing the Assistant Chief's position as a non-union, management position. The Captain position was not a new position but replaced a previous Lieutenant position.

It was clarified that the list was certified on March 26 and the Acting Captain may serve only for 30 days following this date.

The Board felt that this should be a decision the new police chief gets to make and therefore it would be advisable to hold off on filling the position.

The Board moved: to defer the filling of the Captain position until after the Acting Captain's term expires.

The motion was carried unanimously (3-0). The Board reaffirmed that it fully intends that the position will be filled by the new police chief.

Chief O'Malley also told the Board that the Town's current policy of mandatory retirement for auxiliary police officers at 65, while it served a valid purpose when instituted, is limiting the ability to make use of healthy, active reserves for details at a time when staffing is stretched. He recommended removal of the restriction on details for auxiliaries over 65, with the understanding that auxiliaries over 65 will be limited in what they can and cannot do.

The Board agreed that such auxiliaries should be able to demonstrate they are in good health and there should be guidelines in place governing their activities. The Board approved removing the restriction without a vote.

#### *Discussion of Belmont Media Center Equipment and Operating Budget*

Jeff Hansell, Executive Director of the Belmont Media Center, and Jonathan Green, Chair of the Cable TV Advisory Committee, appeared before the Board to present the Belmont Media Center's Year 1 operating and capital budget and to request the release of the capital funds contributed by Comcast as part of their franchise agreement and accumulated in the General Fund for this use.

The Board asked if the Center will see more money coming in if it is able to conclude negotiations with a second cable provider, or if the firms would merely split the amounts currently being paid. Mr. Green said this is part of the negotiations, but it is hoped to at least see some additional money for the capital budget if not for the operating budget. Mr. Green said the Committee continues to meet with Verizon and are closing the gap between the two sides. The Selectmen will have to approve any agreement that is negotiated.

The Board moved: to approve the budget as submitted.

The motion was carried unanimously (3-0).

The Board moved: to authorize the transfer of \$250,000 in accumulated funds to the Belmont Media Center for its budget.

The motion was carried unanimously (3-0).

#### *Discussion of Harvard Lawn Fire Station Disposition Process*

Selectman Brownsberger and Mr. Younger have drafted a proposal to create a temporary 7 member committee to advise the Board on disposition of the Fire Station. The committee would include representatives of the Planning Board and Housing Trust, and the Vision Implementation Committee, and the Board would appoint an architect and

three residents of the neighborhood (Precinct 7). They recommend the committee be formed within the next two weeks.

The Board moved: to approve the proposed process to appoint an advisory committee.

The motion was carried unanimously (3-0).

The Board intends to have the Committee members appointed in time to report to Town Meeting who they are along with its consideration of the disposition article on the Warrant. The Committee will assist in crafting the terms of the RFP and reviewing the proposals that come in. The Board asked Mr. Younger to communicate with the Citizen-Herald and put it on the Town's web site that the Board is seeking three residents from Precinct 7 to serve.

The Board moved: to amend the charge by adding a member of the Warrant Committee to the list of committee members.

The motion was carried unanimously (3-0).

#### *Discussion of FY 07 Budget*

The Board decided to defer detailed discussion on this topic until its next meeting April 10.

Mr. Younger reported that the State House of Representatives is planning to uncap the lottery along the lines that the Governor proposed, which means it is not likely there will be a reduction in lottery aid. The Town has also received new Chapter 90 numbers from the state, essentially receiving the same amount of Chapter 90 aid as last year.

#### *Town Administrator's Report*

Mr. Younger reported on the following items:

- Incinerator site: Town staff is meeting with consultant CDM to look at possible construction dates and costs. Selectman Brownsberger volunteered to attend that meeting.
- Community Development Director Glenn Clancy has overhauled the newsrack oversight program to allow online permitting and perform quarterly inspections. The Board noted that the publishers can generally choose where they want to put their newsracks within reason, because it is viewed as a freedom of speech issue.
- The Town has received a response from O'Neill regarding the MOA. They believe they should be excused from this obligation. The Town will need to discuss this with counsel.
- Roads Corporation has paid up in full on the police details.

- The Fire Station RFP is out and we have had six requests for it.
- Mr. Younger has investigated a resident's suggestion that Walpole built a similar size Senior Center for half the cost. Speaking with Walpole's Town Administrator, it turns out they have not yet done this and do not even have a design approved yet.
- Mr. Conti reported that the specifications for insurance coverage proposals went out on Friday as planned. Five brokers have requested them. The Town has asked that proposals be submitted by May 18, which will allow time to review them, make a recommendation and take all the steps necessary to have coverage in place for July 1.
- Mr. Younger reported that Town Counsel has been consulted regarding the burnt house on Concord Ave and what options may be considered to compel the owners to remove trash and tear down the building. The Board feels it is a health and safety hazard as well as an eyesore.

### **Action by Consent**

*Approval of BOS Minutes (02/27/06; 03/04/06)*

The Board moved: to approve all the Selectmen's meeting minutes for )2/27/06 and 03/04/06.

The motion was carried unanimously (3-0).

### **Action by Writing**

*Letter from Director of Emergency Management re: National Incident Management System*

The Board moved: to approve the proclamation.

The motion was carried unanimously (3-0).

Chairman Solomon signed the proclamation on behalf of the Board.

### **Other**

Selectman Brownsberger will attend the MPO meeting on the TIP on April 27 to push for the bike path and Trapelo Road projects.

The Board acknowledged Nancy Davis for her completion of a training course with the Massachusetts Association of Conservation Commissions.

Selectman Firenze reported that at the MBTA Advisory Board meeting there was a lot of feedback from the public in support of retaining the 78 bus route – more than for any other proposed reduction in service. Mr. Firenze also offered to discuss with the T proposals for consolidation of two commuter rail stations into one.

#### *Board of Selectmen's Organization*

There was discussion of the organization of the Board for the coming year. The Board agreed that Chairman Solomon should serve as Chair for one more year in keeping with recent tradition of a rotating two year chairmanship. Chairman Solomon said at the end of the year he will nominate Selectman Firenze to be the next chair in keeping with that rotation.

The Board moved: to nominate Paul Solomon as Chairman of the Board of Selectmen.

The motion was carried unanimously (3-0).

The Board moved: to nominate Angelo Firenze as Vice-Chairman of the Board of Selectmen.

The motion was carried unanimously (3-0).

The Board moved: to continue other existing committee liaison appointments.

The motion was carried unanimously (3-0).

The Board discussed the concept of “zero-based budgeting”, what that means in practice, and the importance of justifying the need for each item in the budget.

#### *Review and Approval of the Annual Town Meeting and Special Town Meeting Warrants*

The Board moved: to approve the warrants as drafted.

There was discussion about whether or not to include the wetlands by-law article on the warrant. Selectman Firenze favored removing it, Selectman Brownsberger and Chairman Solomon favored including it while acknowledging the concerns that have been raised about it. It was pointed out that Town Meeting can amend or dismiss the article if it so chooses.

The motion was carried unanimously (3-0).

The Board signed the warrants.

The Board moved: to enter executive session for the purpose of discussing lease of real property and litigation, and to return to public session upstairs in the Auditorium for the purpose of a joint media appearance.

The motion was carried unanimously (3-0).

The Board entered executive session at 8:28 PM.

*(No substantive motions were made during executive session.)*

The Board returned to open session at 8:37 PM. The Selectmen publicly discussed the results of the election and the ramifications of the override vote.

The Board adjourned at 9:10 PM.

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Thomas G. Younger  
Town Administrator