



*Office of the Board of Selectmen*  
*Town of Belmont*  
*Massachusetts*  
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**BOARD OF SELECTMEN**  
JAMES R. WILLIAMS, Chair  
MARK A. PAOLILLO, Vice Chair  
ADAM DASH, Selectman

**INTERIM TOWN ADMINISTRATOR**  
PHYLLIS L. MARSHALL

October 27, 2017

Dear Town Meeting Members:

Please be advised that we have called for a **Special Town Meeting** scheduled for 7:00 p.m. on **Monday, November 13, 2017** at the Cheney Middle School Auditorium. There are six articles up for discussion and presentation reports update. We look forward to seeing you at the Special Town Meeting and encourage your participation in our legislative process as well.

Please be reminded that the Warrant and any additional information can be found in the Town Meeting section of the Town Clerk's web page at [www.Belmont-ma.gov](http://www.Belmont-ma.gov).

Sincerely,

James R. Williams, Chair  
Mark A. Paolillo, Vice-Chair  
Adam Dash, Selectman

BOARD OF SELECTMEN



**TOWN OF BELMONT  
WARRANT FOR  
SPECIAL TOWN MEETING  
NOVEMBER 13, 2017  
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To either of the Constables in said County:

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the Inhabitants of the Town of Belmont, qualified as the law requires to vote in elections and Town Affairs, to meet at the Chenery Middle School Auditorium on **MONDAY, NOVEMBER 13, 2017, at 7:00 P.M.**, and to notify and warn the Town Meeting Members to meet and act at said time and place on the following Articles, viz:

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**ARTICLE 1:**

**REPORTS**

To hear the report of the Selectmen and other Town Officers. To hear the report of any Committee heretofore appointed and to act thereon.

*This article allows the Board of Selectmen and other town officers, boards and committees to report orally to the Town Meeting on appropriate matters not otherwise appearing on the Warrant. This article stays "on the table" throughout the Special Town Meeting to allow town officials and committees to report when necessary.*

**Majority vote required for passage.**

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**ARTICLE 2:**

**AMENDMENT TO GENERAL BYLAWS  
REVOLVING FUNDS**

To see if the Town will vote to amend Chapter 50\_ of the General Bylaws by retitling said Chapter "Town Administration," by placing Section 50-100 into a new Article 1 of said Chapter 50, to be titled "Position Classification Plan," and by establishing and authorizing revolving funds for use by certain Town departments, boards, committees, agencies, or officers under MGL c. 44, §53E½ in Fiscal Year 2019 and subsequent fiscal years by inserting a new Article 2 into Chapter 50, to be effective on July 1, 2018, as follows:

## ARTICLE 2 : REVOLVING FUNDS

### § 50-200. Purpose.

This Article establishes and authorizes revolving funds for use by specified Town departments, boards, committees, agencies, or officers in connection with the operation of programs, or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by MGL c. 44, §53E½

### § 50-205. Expenditure Limitations.

The specified department or agency head, board, committee, or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this Article without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and Warrant Committee.

### § 50-210. Interest.

Interest earned on monies credited to a revolving fund established by this Article shall be credited to the General Fund.

### § 50-215. Procedures and Reports.

Except as provided in MGL c. 44, §53E½ and this Bylaw, the laws, , Bylaws rules, regulations, policies, or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this Article. The Town Accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency, or officer on appropriations made for its use.

### § 50-220. Authorized Revolving Funds.

- A. Senior Programs Fund: funds derived from Council on Aging course and program fees, charges or other receipts to be expended by the Council on Aging to fund courses and programs for Fiscal Year 2018 and subsequent years.
- B. Art Gallery Fund: funds derived from commissions on art sales, to be expended by the Belmont Cultural Council for gallery exhibits and event expenses, including administrative costs and part-time wages, for Fiscal Year 2018 and subsequent years.





The Board of Selectmen, Warrant Committee, Capital Budget Committee, and Permanent Building Committee will report on the Article.

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**ARTICLE 6:**

**CITIZENS' PETITION – AMEND GENERAL  
BYLAW REGARDING PLANNING BOARD**

To see if the Town will vote to amend Chapter 40 Article 3 ("Boards and Commission Appointed by the Board of Selectmen") and Chapter 40 Article 2 ("Elected Boards, Commissions and Committees") of the Town of Belmont General Bylaws by striking Section **§40-320 ("Planning Board.")** from Article 3 of the Town of Belmont General Bylaws ("Boards and Commissions Appointed by the Board of Selectmen") and inserting a new section, **§40-230 ("Planning Board.")**, in Article 2 of the Town of Belmont General Bylaws ("Elected Boards, Commissions and Committees") as follows:

**§40-230 Planning Board.**

- A.** The Planning Board established under M.G.L. Ch. 41 § 70., shall consist of five members elected by ballot at the Annual Town Election for a term of three years. At least one member shall be elected in each year. A vacancy on Planning Board occurring otherwise than by expiration of term shall be filled for the unexpired term by appointment by the Board of Selectmen until the next annual election, at which time, such office shall be filled, by election, for the remainder of the unexpired term. Nothing in this subsection shall be construed to limit the authority of the Board of Selectmen, pursuant to Section 7.4.1 of the Zoning Bylaw, to appoint one additional associate member to the Planning Board for the purposes set forth therein.
- B.** In the performance of its duties prescribed by law, the Planning Board shall from time to time confer with the Selectmen, the Inspector of Buildings, and any other Town board or committee which the Planning Board determines would be able to provide information or assistance to it.

**Submitted by TMMs Paul Roberts (8), Wayne Mesard (3) and Anne Mahon (4)**

**Summary**

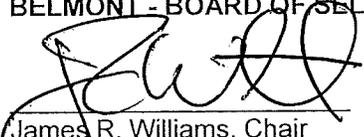
*This amendment is offered to permit Belmont voters to choose the individuals who are best qualified and suited to represent their interests as members of the town's Planning Board. This amendment would bring the Planning Board in line with the other major administrative boards in town: Selectmen, School Committee, Board of Assessors, Board of Library Trustees and the Board of Health, members of which are all elected.*

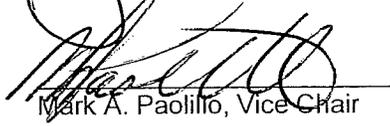
The Board of Selectmen and Bylaw Review Committee will report on the Article.



Given under our hands this 16th day of October, 2017.

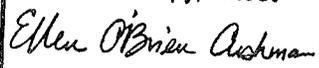
**BELMONT - BOARD OF SELECTMEN**

  
James R. Williams, Chair

  
Mark A. Paolillo, Vice Chair

  
Adam Dash, Selectman

A True Copy, Attest



Town Clerk of Belmont, MA

**You are invited to attend**  
**Warrant Briefing**

**Monday, November 6<sup>th</sup>, 2017**  
**at 7:30 PM**

**Beech Street Center**  
**266 Beech Street**

**Opportunity to ask questions about**  
**Warrant Articles**  
**prior to**  
**November 13<sup>th</sup> Special Town Meeting**

**Town Officials, Department Heads**  
**and Article Sponsors**  
**will be present to provide information**

**Roy Epstein**  
**Chair of the Warrant Committee will preside**

**Cosponsored by:**

**the Warrant Committee**  
**and the**



**Belmont League of Women Voters®**  
**Education Fund**



**TOWN OF BELMONT**  
**MOTIONS FOR**  
**SPECIAL TOWN MEETING**  
**NOVEMBER 13, 2017**  
**COMMONWEALTH OF MASSACHUSETTS**

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**PRELIMINARY MOTION**

**ORDER OF THE ARTICLES**

**MOVED:** That the Town Meeting hear the motions in the following order: *(Majority vote)*  
  
1, 2, 3, 4, 5, 6

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**ARTICLE 1:**

**REPORTS**

**MOVED:** That Article 1 be laid on the table. *(Majority Vote)*

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**ARTICLE 2:**

**AMENDMENT TO GENERAL BYLAWS  
REVOLVING FUNDS**

**MOVED:** That under Article 2, the reading of the proposed amendment to Chapter 50 of the Town's General Bylaws pertaining to "Establishing and Authorizing Revolving Funds" be dispensed with, the same being set forth in full under Article 2 in the Warrant for this meeting and having been distributed to each Town Meeting Member. *(Majority vote)*

**MOVED:** That the Town vote to amend the General Bylaws by inserting a new Article 2 into Chapter 50, "Establishing and Authorizing Revolving Funds", as set forth in full under Article 2 in the Warrant for this Meeting and further that the Bylaw Review Committee may approve non-substantive changes to the numbering of this Bylaw in order that it be in compliance with the numbering format of the General Bylaw of the Town of Belmont. *(Majority vote)*

The Board of Selectmen and Bylaw Review Committee will report on the Article.



**MOVED:** That the Town vote to amend Chapter 40 Article 3 (“Boards and Commission Appointed by the Board of Selectmen”) and Chapter 40 Article 2 (“Elected Boards, Commissions and Committees”) of the Town of Belmont General Bylaws by striking Section **§40-320 (“Planning Board.”)** from Article 3 of the Town of Belmont General Bylaws (“Boards and Commissions Appointed by the Board of Selectmen”) and inserting a new section, **§40-230 (“Planning Board.”)**, in Article 2 of the Town of Belmont General Bylaws (“Elected Boards, Commissions and Committees”) as follows:

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**B.** In the performance of its duties prescribed by law, the Planning Board shall from time to time confer with the Selectmen, the Inspector of Buildings, and any other Town board or committee which the Planning Board determines would be able to provide information or assistance to it.

**Submitted by TMMs Paul Roberts (8), Wayne Mesard (3) and Anne Mahon (4)**

**Majority vote required for passage.**

The Board of Selectmen and Bylaw Review Committee will report on the Article.



## MODERATOR'S MESSAGE ON TOWN MEETING PROCEDURES

Belmont's Town Meetings are conducted in accordance with the Massachusetts General Laws, our Representative Town Meeting statute, the General Bylaws, and traditional customs and practices that we have followed for many years, with guidance provided by the principles and rules of conduct in *Town Meeting Time, a Handbook of Parliamentary law*. Several matters of procedure are summarized below.

- An **article** in the Warrant provides notice to the Town Meeting of a matter to be considered. The article itself is not a specific proposal for action. A **motion** is a proposal for action by the Town Meeting and must be within the scope of the notice provided by an article in the Warrant. An article may not be amended but a motion may be amended by vote of the Town Meeting.
- Formal seconding will not be required on **main motions** under articles in the warrant. Seconding will be required on all other motions.
- All **main motions and proposed amendments** involving the expenditure of money must be in writing. All other motions and proposed amendments must also be in writing unless they are brief and simple as to be easily understood when stated orally.
- All substantive amendments and motions to be offered under an article in the Warrant must be submitted to the Town Clerk in writing not later than the close of business on the third (3<sup>rd</sup>) business day before the commencement of the session at which the Article is considered, in order to provide sufficient time for review by Town Counsel and the Moderator and to be made available for distribution to the Town Meeting Members before the commencement of such session. The Moderator may allow exceptions to the advance filing requirement in case of motions that are easy to understand, but such exceptions are within the exclusive discretion of the Moderator.
- Except for motions involving the expenditure of money or Bylaw amendments, the Moderator will first recognize the maker of the motion, if he or she wishes to speak.
- Before commencing discussion on motions involving the expenditure of money or Bylaw amendments, the Moderator will first call for committee reports as follows:
  - **Expenditure of Money** – Warrant Committee,
  - **Capital Improvements** – Warrant Committee, then Capital Budget Committee,
  - **General Bylaw amendments** – Bylaw Review Committee,
  - **Zoning Bylaw amendments** – Planning Board.
- Town Meeting Members wishing to speak should come to a microphone. When recognized by the Moderator, the Member should state his or her name and precinct number before commencing.
- Registered voters of the Town who are not Town Meeting Members may speak at the Town Meeting, but first must either arrange in advance with the Moderator for recognition or arrange to be introduced by a Town Meeting Member.

- Persons who are not Town Meeting Members may be admitted to the floor by invitation **but may not vote.**
- All discussion must be relevant to a motion before the town meeting. All speakers must address the Moderator; questions may be asked only through the Moderator. Speakers are limited to an initial question and one follow-up question. A Town Meeting Member who wishes to make a motion that is debatable must first make the motion and, after it is seconded, if required, the Moderator will recognize the maker of the motion to speak to it. The Moderator will not recognize a motion made at the conclusion of a speech. This, by definition, includes a motion that would terminate debate, such as a motion for the previous question.
- The Moderator will try to recognize Town Meeting Members in the order in which they come to the microphones. While our General Bylaws do not set a time limit for Town Meeting Members when speaking for the first time, the Moderator has established a limit of five minutes. Unless the Town Meeting consents no person may speak more than twice upon any question, except to correct an error or to make an explanation of a previous statement. No person should seek recognition to speak for a second time until others who have not yet spoken have had an opportunity to be recognized. The five-minute limit also applies to those speaking for a second time.
- Section 30-115(F) of our General Bylaws allows the Moderator to utilize electronic voting at his/her discretion. When not using electronic voting, the Section 30-115 further states that all votes shall be taken in the first instance by a “yes” or “no” voice vote. If the Moderator is in doubt as to the vote, or if any Town Meeting Member doubts the vote, the Moderator will call for an electronic vote. Any Town Meeting Member may also request a roll call vote; the request must be concurred in by 34 or more additional Town Meeting Members; and the request must be made in connection with final action under an article in the Warrant.
- Our Bylaws require that a Town Meeting Member who wishes to speak on an issue in which he or she or a member of his or her family has a direct financial interest, or in which he or she is engaged as an attorney or consultant, must first disclose this interest to the Town Meeting.
- A motion to reconsider a vote adopted at one session of a Town Meeting may not be made at an adjourned session of the same Town Meeting unless the mover has given notice of his or her intention either at the session at which the vote was passed or by written notice delivered to the Town Clerk by 12 o'clock noon on the first business day following the commencement of the session at which the vote sought to be reconsidered was passed. A two-thirds vote is required for reconsideration; no vote may be reconsidered more than once.
- Action on our general budget article will not be considered final so as to require a two-thirds vote for reconsideration, or any other procedures relating to reconsideration, until all action under that Article has been completed.

Any citizen who has questions about Town Meeting procedures is encouraged to email me at [mike.j.widmer@gmail.com](mailto:mike.j.widmer@gmail.com).

*Michael J. Widmer*

Moderator

# MAJOR CAPITAL PROJECTS WORKING GROUP

## REPORT TO TOWN MEETING MEMBERS

NOVEMBER 13, 2017

Last June, at Annual Town Meeting, the Major Capital Projects Working Group promised a detailed report to the Town Meeting for a special session in November. This document is the report of our work on the large capital projects that remain unaddressed. Our work is on-going and this report is another milestone in a continuing process. We expect to deliver follow-up recommendations in the spring, at the 2018 Annual Town Meeting.

### Who is MCPWG?

The Major Capital Projects Working Group is a sub-group of the Capital Budget Committee. The group includes four members of the Capital Budget Committee (CBC):

Pat Bruschi, CBC, chair of the Permanent Building Committee, serves on Belmont High School Building Committee, served on Library Feasibility Study

Jennifer Fallon, CBC, serves on the Warrant Committee, served on the Library Feasibility Study as well as the early BHS studies

Mark Paolillo, CBC, serves on the Board of Selectmen, chaired the 2015 Financial Task Force

Anne Marie Mahoney, CBC, served on the Financial Task Force Capital Sub-Group

Roy Epstein, Chairman of the Warrant Committee, serves on Light Board Advisory Committee, chaired Net Metering Working Group, served on Belmont Light Substation Site Committee

Phyllis Marshall, Interim Town Administrator

Floyd Carman, Town Treasurer

### Why was MCPWG formed?

Mr. Epstein's early observation that the MCPWG must break the twenty-five year impasse over picking an order to do projects one at a time accurately describes why the group was formed. The completion of the Wellington School in 2011 pushed the condition of the remaining buildings: Department of Public Works, Police, Library and Belmont High School to the forefront of the "to do" list. Since 2012 the Capital Budget Committee and later the Capital Projects sub-group of the Financial Task Force (2015) have offered tools and analysis for prioritizing these four remaining capital projects. However, to date a comprehensive plan to make them a reality has not been adopted. The magnitude of the high school project, the lack of a suitable site for the police station,

the disposition of the incinerator site following capping, and a decision on the location of the library have all been stumbling blocks to forming a comprehensive plan.

In January 2016, the high school project was approved for state funding and a building committee was formed and began to work on the plans according to the MSBA (Massachusetts School Building Assistance) guidelines. We knew the high school would be a very expensive project and we worried that it would suck all the air out of the town and, therefore, negate the ability of the town to address the DPW, police station and library. In February 2017, the library completed their feasibility study and the Trustees endorsed a recommendation to build a new library on their existing site.

In all the studies and analysis, the DPW and police station always rose to the top of any priority list as being in the most immediate need but fell to the bottom of any “to do” list. The DPW had a site and a feasibility study. The police had no appropriate site and a feasibility study that suggested the scope of a new building but no place to put it. Additionally, neither entity had a natural constituency or cheerleaders to advocate for it. We knew we had to become the cheering squad to move all four projects forward. We had to look at these projects from a new perspective and form a reasonable path to accomplish them.

### What is the Charge of MCPWG?

A sub-group of the Capital Budget Committee began informal conversations with the then Town Administrator, David Kale, and Town Treasurer, Floyd Carman in the fall of 2016. Our Working Group was officially appointed by the Board of Selectmen in February 2017.

Our charge is:

To analyze the capital projects, in addition to Belmont High School, which still need to be addressed: DPW, Police Station, Library and incinerator site, in order to define a sound plan for building, sequencing and possible financing which will lead to a successful and timely completion of these projects. It is understood that the BHS project is underway and is under the direction of the building committee in concert with the MSBA guidelines.

We acknowledge that there are other, smaller capital projects which need to be addressed, however, our charge is to focus on the Big Four along with how the incinerator site might complement the major four if it can.

### What is the Goal for MCPWG?

We aim to make progress on all four projects in a reasonable time frame and at a manageable cost. We believe that we have a moral and economic obligation to provide basic and appropriate working conditions for our town employees who have languished in some of these buildings for too long.

Our goal when we began was to come back to you at this Special Town Meeting with a plan for permanent solutions to the DPW, police and library along with a timetable, sequencing and financial plan for all four projects. We are almost there and what we will present at Special Town Meeting will be a major step toward that goal. The work, however, will continue until Annual Town Meeting next June where we expect to present better firm recommendations with costs and a timetable for construction of a new DPW facility, police station, and library. This report in November, will be a

giant step toward that goal but we are not across the finish line, yet. We would rather do it right than do it fast.

## What Information was gathered?

Since February the MCPWG has met on an aggressive schedule, meeting almost weekly, even throughout the summer. We have toured the Police Station, DPW Facility and Yard, Library, and Belmont High School. We have reviewed the plan for capping the incinerator site and two of us met with an advocate for recreation space at the site. We have met with the Community Path Implementation Advisory Committee, Housing Trust, and a representative from the Historic District Commission.

Over the course of our meetings we have consulted with the following town personnel:

- Richard McLaughlin, Police Chief and James MacIsaac, Assistant Chief;
- Jay Marcotte, DPW Director and Michael Santoro, Assistant Director
- Glenn Clancy, Community Development Director
- Jeffrey Wheeler, Senior Town Planner and Spencer Gober, Staff Planner
- Gerry Boyle, Facilities Director
- David Frizzell, Fire Chief
- Craig Spinale, Interim Electric Light Manager
- Peter Struzziero, Library Director
- John Phelan, School Superintendent
- Belmont High School Building Committee representatives

Finally, we have utilized the services of the town's "house doctor," Symmes, Maini, and McKee Associates, for professional engineering and architectural solutions.

We held a public meeting on September 28 with the abutters and neighbors to the DPW yard. Homeowners were given written notice of the meeting. Community Development sent out the notices to an area bounded by the railroad tracks, Beech St., Trapelo Rd., and Thomas St. Twenty neighbors came, listened to our presentation, and offered good suggestions for our consideration. We thank them for their thoughtful participation and the support they expressed for our DPW and police station proposals.

We are grateful for the committed presence of the Police Chief and Assistant Chief along with the DPW Director and Assistant Director at most of our meetings. Their assistance has been invaluable.

## Early Decisions

### INCINERATOR SITE

Early in the process we agreed to eliminate the incinerator site as a possible location for any of the three buildings. The site is too small for the DPW facility, too remote for the library, and not well suited to the police station. It made more sense to reserve the incinerator site in the short term for storage of materials for the high school project and in the long term to develop it for some combination of recreation, solar farm, and DPW storage. The property abuts conservation land.

RECOMMENDATION:

DO NOT USE INCINERATOR SITE FOR NEW OR INTERIM POLICE, DPW OR LIBRARY BUILDINGS

LIBRARY AT WAVERLEY SQUARE SITE

Raffi Manjikian, a member of the Planning Board as well as the Capital Budget Committee, presented an outline of a creative idea for a private/public partnership to construct a library in Waverley Square at our June 22<sup>nd</sup> MCPWG meeting. While the initial idea had many unknowns that would have to be explored, we felt that there was economic merit to this kind of partnership as a way to create potential affordability for the library project. The Library Trustees requested that this idea be taken off the table. Therefore, we eliminated that site from our consideration.

RECOMMENDATION:

DO NOT CONSIDER WAVERLEY SQUARE LOCATION FOR LIBRARY

LIBRARY

By the end of the summer the Library Trustees had decided to ask Special Town Meeting for a building committee to create a schematic design of a new library for the purposes of large fundraising. While the goal of the MCPWG was to lay out a comprehensive plan for all three buildings in concert with the Belmont High School project we accept that the Trustees want to have a design to show potential donors. The only way to produce a design is through a building committee and a schematic design. The Trustees must now determine their fundraising goal and timing for requesting a debt exclusion. MCPWG will continue to slot the library project into our timing and financing scheme where we think it best fits.

RECOMMENDATION:

TRUSTEES TO PURSUE A SCHEMATIC DESIGN FOR FUNDRAISING PURPOSES.

CONTINUE TO SHOW LIBRARY PROJECT ON A TIMELINE AND FINANCING PLAN.

POLICE AT LIBRARY SITE

The Library Feasibility Study determined that the library could construct a new building on their existing site with adequate parking. Thus, the library will stay in place.

SMMA examined an earlier proposal that the police relocate to the library's site on Concord Avenue. Subsequent changes in scope suggest that an appropriately sized police station, adequate parking, and space for command center activities would not fit on that site. Therefore, placing the police on the library site was removed from consideration.

## RECOMMENDATION:

### ELIMINATE EXISTING LIBRARY SITE FOR NEW POLICE STATION

#### Police and DPW – Addressing an Emergency

As we began to work with SMMA along with the Chief McLaughlin and DPW Director Marcotte it became quite apparent that there are conditions and needs at both the police station and DPW buildings that constitute an emergency situation. These conditions go beyond, “in need of repair” or “should be renovated.” Both buildings must be made accessible, safe, and equitable for both employees and the public. We gave much thought to the question of how to best finance work at the police station and DPW within the context of the high school project and how existing town personnel could oversee that much design and construction simultaneously.

We decided on a two- phased approach. First, short-term or emergency solutions for police and DPW that could be done immediately for reasonable money. As those emergency solutions are put in place we would further refine a long-term plan for permanent solutions. Emergency solutions would be renovation work within existing structures to create safe, accessible, equitable, and humane environments. These could be funded without a debt exclusion and are expected to last at least ten years. The permanent solution would be new construction.

Our emergency solutions include considerations that govern how we approach these projects. The assessed value of both facilities is quite low. It does not reflect real estate market value. This low value means that accessibility and building codes are triggered with minimal renovations. Renovation dollars are cumulative so that even phasing some of this work would not negate code requirements. The total cost of proposed renovations and modest additions must be reasonable for a short-term solution. Priority in deciding what to fix will be given to safety, accessibility, and humane working conditions.

## RECOMMENDATION:

### PURSUE EMERGENCY AND PERMANENT SOLUTIONS SIMULTANEOUSLY FOR POLICE AND DPW

#### Department of Public Works

The DPW facility is the easier of the two complexes to address for both short-term, emergency solutions and the long-term, permanent solution. The neighbors like having the DPW in their neighborhood and actively work to keep it in place. The DPW is centrally located for its mission and there is plenty of space on the site. It fits well with adjacent Water Department and Light Department buildings and functions.

The main building, however, is not accessible, has no appropriate locker room, break room, rest area or meeting space. There are minimal accommodations for female employees. The administrative space is cramped and almost unworkable. The ventilation system, which failed recently, is currently being fixed temporarily. Employees who dig in sewers have no place to shower or change clothes.

Employees who plow roads during a blizzard have no place to rest between shifts or to prepare and eat meals. In an emergency when coordination is critical, there is no space to meet with employees to organize their work and duties. The office areas are not handicapped accessible.

#### EMERGENCY SOLUTION

SMMA provided a plan which the group accepted. The central section of the main building is currently a vehicle washing bay. That space and function can be accommodated with a double bay garage or “butler” building at the west end of the site, where a water separator already exists. By removing that function and the large space it requires from the building, space is recaptured for other necessary administrative and employee functions.

In that space will be constructed: accessible bathrooms, showers and lockers for both males and females including laundry facilities; break room and rest space; meeting space; and administrative space. Once designed, construction can be accomplished fairly quickly with a minimum of disruption. Present estimates suggest that this work can be done for around \$1.6 million.

#### RECOMMENDATION:

##### IMMEDIATE CONSTRUCTION OF DPW EMERGENCY SOLUTIONS

#### PERMANENT SOLUTION

The permanent solution for the DPW is deceptively simple. SMMA determined that there is enough room on the site to construct new buildings while the old ones remain in use. This saves relocation costs and keeps the highway functions in the same space. New construction would include space for administrative offices that are currently housed in the Homer building. A small customer service counter would remain in the Homer building.

Design for new construction would be sensitive to the neighbors. They gave us good feedback and new buildings would try to maintain the same low profile and line-of-site for the abutters while maintaining or adding appropriate fencing and/or foliage screening and sound dampening. Some materials storage would be moved to the incinerator site in order to achieve the necessary space for new construction.

Access to the site could be improved with a driveway from the yard, over the tracks at grade, to Pleasant Street. This drive would be for DPW vehicles and equipment, not the general public. This proposed access to Pleasant Street would have to be negotiated with the MBTA and a private landowner on Pleasant St. Proposals for new construction still allow enough space parallel to the tracks to place the Community Path there if that is the preferred route.

The permanent solution would require a debt exclusion. Permanent construction would ideally commence within ten years of construction of the emergency solutions. Ten years is the proposed length of the bond to finance the emergency solutions.

#### RECOMMENDATION:

##### CONSTRUCT NEW DPW FACILITY ON EXISTING SITE

## Police Station

The police station is a more complicated problem. Their emergency needs are significant and include the ability of the public to access the building. Constructing emergency solutions within and around the existing building presents numerous challenges. The parcel is small and bounded by two busy roads – Pleasant Street, (state numbered Route 60), and upper Concord Avenue which is a steep slope. It is further hemmed in by the former Belmont Electric Light building and the railroad tracks. The parcel is steeply sloped and is difficult to work with. There is a fueling station at the car/prisoner entrance and very little parking. Finally, it is surrounded by underground cables from the light substation and Verizon. (And don't forget the pine tree almost blocking the front entrance.)

The building itself is not accessible either from the street or within the work spaces. The public entrance is on a slope and has no ramp. The interior has no elevator and anyone wishing to see the chief or the detectives must climb twenty-one steep stairs. The locker room facilities for the female officers are inadequate and unequal to those of the males.

Most troubling to the group, however, are the safety issues in the building. The police need a secure entrance for bringing prisoners into the station and a secure area for weapons lock-up. They need a secure booking area and safe and decent holding cells. They need more evidence and records storage. Present laws require that evidence be kept on site indefinitely and that records be kept in paper form, on site, essentially forever. Evidence is presently “stored” in hallways surrounded by yellow police tape.

A permanent solution for the police requires an adequate site. The present site is too small. The size of the site could be enhanced by acquiring the light building parcel after the sub-station is decommissioned. However, the topography is still challenging, and the police do not favor this Concord Ave. site for new construction. We needed to identify a suitable site before making any long-term recommendations.

### EMERGENCY SOLUTION

Emergency solutions proposed by SMMA include the following: an enclosed sally port on the Pleasant St. side entrance to the station for secure prisoner entrance; a secure weapons lock-up inside that entrance; a booking area that is separated from staff and the public; an additional interview room for individuals who are not detainees; upgraded holding cells; appropriate female locker room, toilet and shower facilities; improved evidence storage. These emergency improvements would require construction of the sally port and an addition on the back of the building as well as interior reconfiguration.

Accessibility is the most difficult emergency to address. A ramp would be required on the front door which is doable. However, we have met many obstacles to locating an elevator without spending millions of dollars. The least expensive solution is to place an elevator on the exterior of the building. Initially, SMMA recommended placing it in the driveway between the police station and the light building. Subsequently, we learned that the placement would narrow the driveway beyond what the fire department would allow for their access and that cables from the light building

and possibly Verizon would interfere as well. We have considered locating an elevator on the front of the building which is not ideal for the Historic District Commission although we are working closely with them on a solution. We will explore other options in the schematic design phase of the project.

Finally, the building will need to have sprinklers. None of these emergency solutions address the lack of parking for either the public or the employees.

Estimated cost for emergency solutions are projected to be around \$2.8 million.

#### RECOMMENDATION:

#### IMMEDIATE CONSTRUCTION OF POLICE EMERGENCY SOLUTIONS

#### PERMANENT SOLUTION

Without a new site a permanent solution for the police seemed impossible to resolve. Then we asked the question, “What about the DPW yard?” Members of the MCPWG had toured the yard in February and noted much underutilized space. We tasked SMMA with analyzing the space and discovered that both a new DPW facility and a new police station could fit comfortably on the DPW yard site without disturbing either the Light Department or the Water Department buildings. Eureka!

Our conversations with the police and DPW produced the following advantages to building a permanent police station at the DPW yard:

- Police love the location.
- Police will have plenty of parking.
- Police will have space for command exercises and regional meetings.
- Police will be close to the DPW car repair and fueling.
- Police will be closer to Fire Department Headquarters.
- Police will remain close to the center of town.
- Concentrates DPW, Police, Water Department and Light Department.
- Increases police presence in neighborhood and at DPW yard.
- Build new station without relocating police.
- New construction optimizes police operations.
- Present location (Concord Ave.) too small for renovation or new construction.
- Frees Concord Ave. site for sale, development, or other Town uses.
- Economy of a single, phased, or two-pronged construction project on one site.
- Frees incinerator site for other uses.
- DPW traffic remains the same.
- Space for the Community Path

In conversation with the neighbors, only four major concerns surfaced:

1. Potential increased traffic on Waverley St. and side streets from police personnel.

2. Potential increase in noise at police shift change.
3. Woodland Street may need to become a public way.
4. Harmony of the new construction with the neighborhood.

Increased traffic is the biggest concern of the neighbors. The DPW numbers and functions remain the same. Except for emergencies, usually related to weather, they work Monday through Friday from 6:30 to 3:30. Twenty-five to thirty employees access the yard daily. The police, however, have a 24/7 presence. Their numbers break down as follows:

First Shift	8:00 am to 4:00 pm	23 employees
Second Shift	4:00 pm to Midnight	11 employees
Third Shift	Midnight to 8:00 am	9 employees

If access to Pleasant St. can be achieved, then handling the increased number of employee cars along with police vehicles is not an insurmountable problem.

As expressed for the DPW new construction, the neighbors would like the proposed police station to be low profile and appropriately screened. This, too, seems achievable.

RECOMMENDATION:

CONSTRUCT NEW POLICE STATION AT THE DPW YARD

Funding

EMERGENCY SOLUTIONS

How do we pay for these proposals? All the good ideas and perfect plans in the world will go nowhere without cash to pay for them. All our proposals must fit within the funding plan for the high school.

Here is what we propose at this juncture, understanding that the numbers and timing remain fluid:

Emergency Solution for the DPW estimate= \$1.6 M  
 Emergency Solution for the Police estimate= \$2.8 M

The total of \$4.4 M will be combined with the cost of the modular units for the Burbank, required by rising school enrollments, and bonded for ten years. That bond can be paid off with some combination of money from the Capital Stabilization Fund, Cushing Sq. parking lot sale, annual Capital Budget allocation, Capital turnbacks from prior year projects, and some use of the town’s “free cash.”

Based on these estimates, our article for November 13 Special Town Meeting will request schematic design money of \$123, 019 for the DPW and \$260,211 for the Police Station. The total request of \$383, 230 for design money will come from the Kendall Insurance Fund which has been set aside for exactly this use.

Note that the Library Trustees are requesting \$300,000 in schematic design money in a separate article. They propose to take half of the amount from their Library Foundation funds and half from the Kendall Insurance Fund. Having current schematic designs for all three buildings will inform decisions about construction funding and timing.

RECOMMENDATION:

REQUEST TOWN MEETING APPROPRIATE \$383,230 DESIGN MONEY FROM KENDALL FUND FOR DPW AND POLICE EMERGENCY SOLUTIONS.

REQUEST TOWN MEETING APPROPRIATE \$150,000 DESIGN MONEY FROM KENDALL FUND FOR LIBRARY FUNDRAISING

PERMANENT SOLUTIONS

The cost and funding of the permanent solutions are harder to define at this time. The MCPWG intends to continue its work through the 2018 Annual Town Meeting when it will deliver a more refined proposal for funding new construction of the DPW, police and possibly the library. Each of these three projects is estimated to cost between \$20.0 mil and \$25.0 mil today. Careful timing of debt exclusions for these projects around the high school project is essential.

The Belmont High School project will receive funds from the MSBA to defray the impact on the taxpayer. That reimbursement is estimated to be 30%. The Library Trustees have pledged to raise a substantial though unidentified amount of money toward the final cost of their project. Currently the Trustees have decided that the next MBLC (Massachusetts Board of Library Commissioners) grant round is too far in the future and too uncertain to include in their plan. There are no public funds or grants that will help defray the cost of either the DPW or the police station. Both the high school and the library have current feasibility studies with firm projected costs for new construction. The MCPWG intends to develop equally detailed costs for a new DPW facility and police station for June Town Meeting.

Also, MCPWG will continue to pursue creative use of assets to raise revenue for construction such as selling the parcel presently occupied by the police and light department buildings or partnering with a developer of that Concord Ave. parcel or other Town owned site.

RECOMMENDATION:

DEFINE PERMANENT CONSTRUCTION COSTS AND POTENTIAL FUNDING SOURCES FOR 2018 ANNUAL TOWN MEETING

## Priorities

Prioritizing, timing and funding for these four projects are inextricably linked. Knowing the priority or urgency of the project informs the timing as does identifying the funding source. Figuring out which projects go in what order and when to hold debt exclusions is like solving a Rubik's cube or setting up a series of dominoes. Timing is also contingent on other issues and forces. For example: Will there be operating overrides and when? When will the electric light building be de-

commissioned? Ideally, construction might take place on both the new DPW and new police station at the DPW yard simultaneously to create a single construction project using a single architect and contractor which could prove to be a less expensive option than separate construction projects. However, doing that would require a debt exclusion for both buildings at a total cost of around \$50 M.

Large construction projects drain the time and attention of town departments in a way that could require the hiring of more personnel if more than one project is under construction at the same time. Projects also drain the patience of citizens who are inconvenienced by construction noise, dirt, and disruption. Would simultaneous or overlapping construction of the high school and library strain the resources of the town and drive Concord Avenue neighborhoods and businesses crazy? Quite possibly.

Over the last five to seven years various committees have tried to prioritize these building projects using various criteria including condition, readiness, cost, public use, political strategy, and contingency with no definitive results. Both the Capital Budget Committee and the Financial Task Force ranked the DPW and the police station as most in need but recognized that if the high school were to receive state funding it would proceed regardless of where it was ranked. The library has clear needs but does not rise to the emergency level of either the DPW or the police. The police always fell to the bottom of priority lists for lack of a site for new construction. With an identified site, they bounce back to the top of the list.

The above information is a long way of saying that the MCPWG will not be offering a rigid priority ranking at the November 13 Special Town Meeting. More information is needed and should be available for the June session of Annual Town Meeting. Specifically, we need to know the answers to three questions:

1. When is the Belmont High School debt exclusion?
2. How much money will the library collect through fundraising?
3. Can we solve the elevator problem at the police station?

If we cannot locate an elevator at the police station on the exterior of the building, then any possible emergency plan becomes too expensive for an up to ten-year solution. That may well trigger a request in June to immediately move forward with permanent construction of a new police station which would impact the timing of the other projects.

#### RECOMMENDATION:

DEFINE PERMANENT SOLUTION PRIORITIES IN JUNE 2018 PENDING INFORMATION ON POLICE EMERGENCY SOLUTIONS, LIBRARY FUNDRAISING, AND BHS DEBT EXCLUSION

#### Timetable

The group has spent considerable time on possible timing scenarios. These scenarios are primarily driven by the need for debt exclusions for all four projects. How do we schedule debt exclusions so that the taxpayer can afford them? How do we schedule debt exclusions around any potential operating overrides? It is not within our purview to determine an override calendar but we can offer

parameters for scheduling debt exclusions by back planning from potential construction dates. Keep in mind that it takes time between a debt exclusion and construction to complete the design and construction documents. For example:

Debt Exclusion in 2018 would allow Belmont High School construction between 2020 – 2023.

Debt Exclusion in 2020 would allow Library construction between 2022 - 2025.

Debt Exclusion in 2024 would allow Police/DPW construction between 2025 – 2028.

These dates are merely a suggestion since the same three questions we posed for creating a priority list apply to creating a debt exclusion timetable. We expect firmer information for June 2018.

#### RECOMMENDATION:

DEFINE TIMETABLE IN JUNE 2018 PENDING INFORMATION ON BHS DEBT EXCLUSION, LIBRARY FUNDRAISING, POLICE EMERGENCY SOLUTIONS

#### What do we request with the November 13 Warrant Article?

Our request for November Special Town Meeting is simple. We have one article on the Warrant. We request a building committee and the funds to do a schematic design for emergency fixes to both the DPW facility and the police station. The total cost will not exceed \$383, 230 and will be taken from the Kendall Fund.

A single building committee will be appointed by the Moderator to oversee both the DPW and police projects. The schematic design will show us how to do the renovations and additions I have outlined in this report. It will also answer for us whether it is possible to add an elevator to the exterior of the police station.

The MCPWG will continue to explore the long-term, permanent solutions for the DPW, police and library. It is our goal to present final recommendations for sequencing and funding of these three projects in concert with the ongoing Belmont High School project at the 2018 Annual Town Meeting.

#### Thank You!

We thank the town personnel we mentioned for their ready attention to our work. We appreciate the attention of both Phyllis Marshall and Floyd Carman to the MCPWG while many other tasks within the town demanded their attention. We thank the Town Meeting Members, citizens and Waverley neighbors for their feedback and insights. We look forward to presenting our work to you on November 13.

Respectfully submitted,  
Anne Marie Mahoney, Chair  
M. Patricia Brusch  
Floyd Carman

Roy Epstein  
Jennifer Fallon

Phyllis Marshall  
Mark Paolillo

October 26, 2017

To: Belmont Town Meeting Members  
Re: November 13, 2017 Special Town Meeting

Dear fellow Town Meeting members:

We write to you in our capacity as the Board of Library Trustees. At the upcoming Special Town Meeting, members will be asked to approve the establishment of a Building Committee and partial funding for a schematic design for the Belmont Public Library. The Board of Library Trustees requests your favorable vote on this matter.

The Library recently completed a Feasibility Study to explore options for the Library at its current Concord Avenue site. After careful consideration of the results of the study, including the structural engineer's report, the Feasibility Committee recommended the new construction option, and the Committee's recommendation was endorsed by the Trustees. The Feasibility Committee and the Trustees believe that the significant structural and access limitations with the current facility are such that new construction is the most cost-effective option for the building.

The Trustees are quite cognizant of competing capital projects in Belmont, several of which will be discussed and considered at Town Meeting. The Library's request at this time is to continue with the next phase of the process and prepare a schematic design in order to facilitate and commence a private fund-raising effort for a new Library. The Belmont Library Foundation is prepared to undertake the fundraising effort, but has requested this tool to do so successfully. The current warrant article requests that Town Meeting approve establishment of a building committee, and funding for one-half of the cost of the schematic design work -- approximately \$150,000. The estimated cost for the schematic design is \$300,000 and the Belmont Library Foundation has agreed to fund half of the cost of the work.

Please feel free to contact any of us or Library Director Peter Struzziero with any questions. We look forward to seeing you at Town Meeting in November.

Sincerely,

Kathleen Keohane, Chair  
Elaine Alligood, Vice Chair  
Gail Mann, Secretary  
Mark Carthy  
Corrine McCue Olmsted  
Mary Stearns

cc: Peter Struzziero, Library Director  
Board of Library Trustees  
BOS, Ellen Cushman

**Thursday, October 26, 2017**  
**Belmont, MA**

### Esteemed Members of Town Meeting:

Thank you for considering our proposed amendment to the Town's bylaws regarding the selection of members of the Planning Board. Article 6 proposes to amend the Town's bylaws to make our Planning Board popularly elected rather than appointed by the Board of Selectmen.

If adopted, this amendment will give voters in town the responsibility for electing Planning Board members to three-year terms at our annual town election. Current Planning Board positions that are up for reappointment in 2018 would, instead, be popularly elected. Current Planning Board members whose terms expire in 2018 could run for election. Other Belmont residents could also run for those open spots, giving our Town of Homes the benefit of the community's full breadth of talent and expertise, and allowing voters to choose the best-qualified candidate for this critical board.

This amendment is offered without consideration of any particular instantiation of the Planning Board. Rather, it addresses a structural flaw in Belmont's current bylaws: namely, that voters in Town have no avenue through which to express their preferences for a body whose purview touches residential and commercial development and whose decisions shape the very physical space of the town.

Critically, this amendment preserves the special relationship between the Board of Selectmen and The Planning Board. It retains the Board of Selectmen-appointed sixth Associate Member position. It also gives the Board of Selectmen the sole responsibility of filling interim vacancies until the next town election.

Finally, it is worth noting that elected Planning Boards are the rule among our peer communities like Lexington, Winchester, Wellesley, Bedford, Wayland, Sudbury, Weston and so on. Of the 39 communities in Middlesex county with governments similar to Belmont's (that is, towns with selectmen, not cities with mayors and city councils) *35 of 39* elect their planning boards. Those communities are well-served by those elected boards, which are staffed by residents with relevant skills and educational background, without regard to their political connections.

We believe that Belmont, also, will be well served by an elected Planning Board just as we are well-served by our other elected bodies like School Committee, our Board of Assessors, our Library Trustees and our Selectmen.

We urge you to support this amendment and look forward to a fruitful discussion in the weeks ahead.

Sincerely,  
Paul Roberts, Wayne Mesard & Anne Mahon

## Elected Planning Board Amendment – Frequently Asked Questions

### What does this article ask Town Meeting to do?

This article is the result of a citizen's petition that was signed by 162 registered voters in Belmont. It asks Town Meeting to amend the town's bylaws such that the members of the Planning Board will be elected directly by voters, rather than appointed by our three-person Board of Selectmen.

### What happens if Town Meeting votes YES or votes NO?

- If a majority of Town Meeting voting "YES" and approves the article, it will amend the town's bylaws as spelled out in the article: striking the existing section **§40-320 ("Planning Board.")** from Article 3 of the Town of Belmont General Bylaws ("Boards and Commissions Appointed by the Board of Selectmen") and inserting a new section, **§40-230 ("Planning Board.")** in Article 2 of the Town of Belmont General Bylaws ("Elected Boards, Commissions and Committees"). The wording of the new section, **§40-230** will also be inserted. It mostly resembles the existing language in Belmont's bylaws, but specifies that the Planning Board is to be elected at the annual Town Meeting and addresses how vacancies on the Board are filled in the interim before the next Town Election.

Also, because this is a change in how this Board is chosen, the Attorney General's Office will need to approve the bylaw change. It has 120 days from the date of passage to do so.

- If a majority of Town Meeting votes "NO" and does not approve the amendment, Belmont's bylaws regarding the appointment of Planning Board by the Board of Selectmen will be unchanged.

### Why has this article been put forward?

Amending our bylaws to have voters elect our Planning Board will bring transparency, accountability and professionalism to a critical body whose jurisdiction extends to every private and commercial property in town. Elections will give voters the chance to evaluate all candidates for open positions on the Planning Board and then to choose those individuals who are best qualified and suited to represent Belmont's interests and priorities. This critical change to our bylaws will bring Planning Board in line with our Town's other administrative boards and committees, namely: Selectmen, School Committee, Board of Assessors, Board of Library Trustees and the Board of Health, members of which are all elected by voters.

### Do other communities elect their Planning Boards?

If we look within Middlesex County at communities with Belmont's form of government (that is: towns run by Boards of Selectmen and Town Meetings, not cities with mayors or city councils like Newton, Cambridge, Lowell, Somerville, etc.), the vast majority elect their planning boards. Within Middlesex County, **35 of 39** such communities (or 90%) have opted for popularly elected

Planning Boards. Among them: Winchester, Lexington, Bedford, Lincoln, Sudbury, Weston, Natick, Sherborn, Stoneham, Wakefield, Westford, Holliston, Hopkinton, etc. etc.

### Why Planning Board? Why now?

Planning Board is one of the most critical public bodies in our town. It has jurisdiction, under State law, over both our commercial centers and our private residences, including owned and rented dwellings. It is Planning Board, more than any other, that helps shape the town through its decisions concerning both residential and commercial development. With this in mind, professionalism and accountability are critical to the proper operation of the Planning Board.

As it stands, however, there is no mechanism in Belmont's bylaws to ensure that Planning Board is accountable to voters and the public. This is an omission in Belmont's bylaws that needs to be corrected. It is critical that voters in Belmont have a means to express their preferences for Planning Board as they do for other administrative bodies like School Committee or the Selectmen themselves.

Under our current bylaws, they can not. Rather, Planning Board members are appointed by a majority vote of the Board of Selectmen. Consider: it is the Selectmen, not the public, who receive and review applications from community members who are interested in a seat on the Planning Board. Voters in Belmont are not privy to who has applied for open seats nor are they given the benefit of the Board of Selectmen's reasons for eliminating any particular candidate or ultimately appointing one over another. Yes, voters may appeal to the Board to choose a particular candidate, assuming they even know who has applied, but the Selectmen are under no obligation to heed the voters. "Trust us" is the operative phrase.

### Don't we make a choice about Planning Board when we vote for a Selectman?

It might be argued that voters can express their *Planning Board* preferences in their vote for a *Selectman (or Selectwoman)*. As a practical matter, however, this never happens. Planning Board appointments are not an issue in Board of Selectman races nor have promised appointments been deciding factors – or even talking points - in BOS races. Left unchanged, our bylaws will continue to shield the selection, decisions and actions of the Planning Board from voters and from any accountability.

### How will we go from an appointed board to an elected board?

Gradually. Following Town Meeting approval of the bylaw amendment, the Attorney General's Office has 120 days to approve the change. Assuming that happens in good order, elections for 3-year Planning Board seats that are set to expire in 2018 will be held as part of the Town-wide election in April. Any individuals elected in April would assume their post on July 1 with the start of the new fiscal year. Appointed positions expiring in 2019 would be filled by election in April of that year and appointed positions expiring in 2020 would be filled by election in April of that year.

### What about the sixth Associate Member of Planning Board?

The amended bylaw preserves the sixth, non-voting member of Planning Board as a Board of Selectmen appointment. Similarly, it gives the Board of Selectmen sole power to make interim appointments to the Planning Board should elected members be unable to serve out their full term. Selectmen appointees will take the place of elected members who are vacating their seat until the next Town election.

### Is this the final word?

No. The Town's Bylaw Review Committee is reviewing the language of the proposed amendment and may make recommendations for changes. If so, a substitute article would likely be submitted prior to Special Town Meeting.

### What if I have other questions?

We are happy to answer any questions you may have via email or in person. We are also anxious to meet with other groups of Town Meeting members to explain our proposed amendment. Feel free to contact us:

- Paul Roberts (TM P8) [paulroberts@gmail.com](mailto:paulroberts@gmail.com) m:617 817 0198
- Wayne Mesard (TM P3) [wmesard@gmail.com](mailto:wmesard@gmail.com)
- Anne Mahon (TM P4) [annemahon@comcast.net](mailto:annemahon@comcast.net)

# Article ## Citizens' Petition – Amend General Bylaw Regarding Planning Board

**MOVED:** that the Town vote to amend Chapter 40 Article 3 (“Boards and Commission Appointed by the Board of Selectmen”) and Chapter 40 Article 2 (“Elected Boards, Commissions and Committees”) of the Town of Belmont General Bylaws by striking Section **§40-320 (“Planning Board.”)** from Article 3 of the Town of Belmont General Bylaws (“Boards and Commissions Appointed by the Board of Selectmen”) and inserting a new section, **§40-230 (“Planning Board.”)**, in Article 2 of the Town of Belmont General Bylaws (“Elected Boards, Commissions and Committees”) as follows:

## **§40-230 Planning Board.**

**A.** The Planning Board established under M.G.L. Ch. 41 § 70., shall consist of five members elected by ballot at the Annual Town Election for a term of three years. At least one member shall be elected in each year. A vacancy on Planning Board occurring otherwise than by expiration of term shall be filled for the unexpired term by appointment by the Board of Selectmen until the next annual election, at which time, such office shall be filled, by election, for the remainder of the unexpired term. Nothing in this subsection shall be construed to limit the authority of the Board of Selectmen, pursuant to Section 7.4.1 of the Zoning Bylaw, to appoint one additional associate member to the Planning Board for the purposes set forth therein.

**B.** In the performance of its duties prescribed by law, the Planning Board shall from time to time confer with the Selectmen, the Inspector of Buildings, and any other Town board or committee which the Planning Board determines would be able to provide information or assistance to it.

**Submitted by TMMs Paul Roberts (8), Wayne Mesard (3) and Anne Mahon (4)**

### **Reason for Amendment**

This amendment is offered to permit Belmont voters to choose the individuals who are best qualified and suited to represent their interests as members of the town’s Planning Board. This amendment would bring the Planning Board in line with the other major administrative boards in town: Selectmen, School Committee, Board of Assessors, Board of Library Trustees and the Board of Health, members of which are all elected.

Proposed bylaw amendment to elect Belmont Planning Board – High Level & Wording Changes

Chapter 40 Boards, Commissions and Committees

**Article 2: Elected Boards, Commissions and Committees**

§ 40-200 **Board of Selectmen.**  
§ 40-205 **School Committee**  
§ 40-210 **Board of Assessors.**  
§ 40-215 **Board of Cemetery Commissioners.**  
§ 40-220 **Board of Health.**  
§ 40-225 **Trustees of the Public Library**

**Article 3: Boards and Commissions Appointed by the Board of Selectmen**

§ 40-300 **Conservation Commission.**  
§ 40-305 **Council on Aging.**  
§ 40-310 **Disability Access Commission.**  
§ 40-315 **Historic District Commission.**  
§ 40-320 **Planning Board.**  
§ 40-325 **Recreation Commission.**  
§ 40-330 **Water Advisory Board.**

Current

Chapter 40 Boards, Commissions and Committees

**Article 2: Elected Boards, Commissions and Committees**

§ 40-200 **Board of Selectmen.**  
§ 40-205 **School Committee**  
§ 40-210 **Board of Assessors.**  
§ 40-215 **Board of Cemetery Commissioners.**  
§ 40-220 **Board of Health.**  
§ 40-225 **Trustees of the Public Library**  
**§ 40-230 *Planning Board.***

**Article 3: Boards and Commissions Appointed by the Board of Selectmen**

§ 40-300 **Conservation Commission.**  
§ 40-305 **Council on Aging.**  
§ 40-310 **Disability Access Commission.**  
§ 40-315 **Historic District Commission.**  
~~§ 40-320 **Planning Board.**~~  
§ 40-325 **Recreation Commission.**  
§ 40-330 **Water Advisory Board.**

Amended

## § 40-320 Planning Board.

### A.

The Planning Board established under MGL c. 41, § 70, shall consist of five members who shall be appointed by the Selectmen; provided, however, that nothing in this subsection shall be construed to limit the authority of the Board of Selectmen, pursuant to Section 7 of the Zoning Bylaw, to appoint an associate member for the purposes set forth therein.

[Amended 11-8-2010 ATM, approved 12-16-2010]

### **B.**

In the performance of its duties prescribed by law, the Planning Board shall from time to time confer with the Selectmen, the Inspector of Buildings, and any other Town board or committee which the Planning Board determines would be able to provide information or assistance to it.

[Amended 5-29-2013 STM, approved 10-8-2013]

Current

## **§40-230 Planning Board.**

**A.** The Planning Board established under M.G.L. Ch. 41 § 70., shall consist of five members ~~who shall be appointed by the Selectmen;~~ ***elected by ballot at the Annual Town Election for a term of three years. At least one member shall be elected in each year. A vacancy on Planning Board occurring otherwise than by expiration of term shall be filled for the unexpired term by appointment by the Board of Selectmen until the next annual election, at which time, such office shall be filled, by election, for the remainder of the unexpired term.*** Nothing in this subsection shall be construed to limit the authority of the Board of Selectmen, pursuant to Section 7.4.1 of the Zoning Bylaw, to appoint one additional associate member to the Planning Board for the purposes set forth therein.

**B.** In the performance of its duties prescribed by law, the Planning Board shall from time to time confer with the Selectmen, the Inspector of Buildings, and any other Town board or committee which the Planning Board determines would be able to provide information or assistance to it.

Amended

# Middlesex: Planning Board Appointments

