

**MINUTES**  
**TOWN OF BELMONT**  
**JOINT MUNICIPAL LIGHT BOARD & MUNICIPAL LIGHT ADVISORY BOARD**  
**Selectmen's Meeting Room, Town Hall**  
**Tuesday, May 21<sup>st</sup>, 2013**  
**6:00 PM**

**I. CALL TO ORDER**

A regular meeting of the Board was called to order at 6:05 PM by Selectman Rojas.

Present: Selectmen, Jones, Rojas, Paolillo; BMLAB Chair Brown, Vice Chair Forrester, BMLD General Manager Palmer; BMLD Legal Counsel Selgrade; Site Selection Committee Member McLaughlin.

**II. NSTAR JOINT DEVELOPMENT AGREEMENT**

The purpose of discussion was to provide an update on the Transmission Project, to summarize the JDA Agreement with NSTAR and discuss the Warrant Articles for Town Meeting. The proposed JDA Agreement consists of the Town of Belmont to build the line and the Town Treasurer will finance project construction with debt. Belmont will then transfer ownership of the transmission component to NSTAR at an approximate cost of \$30 million. The ISO will operate the line and the deal will be approved and regulated by the FERC. It was stated that this is the best deal for the Town of Belmont and it is contingent upon Town Meeting approval.

**Motion read by Selectman Paolillo:**

To execute, and authorize the General Manager and Counsel to hold in escrow until fully executed copies can be exchanged by the parties and thereupon to deliver, the Joint Development Agreement by and between NSTAR Electric Company and the Town of Belmont, acting by and through its municipal Light Department, in the form attached hereto, and to re-execute the same, if needed, with such minor modifications and revisions as Counsel and the General Manager may recommend.

The Board moved: To approve the motion as noted above.

The motion passed unanimously (3-0).

### **III. VOTE ON SPECIAL TOWN MEETING ARTICLE 16**

#### **Motion read by Selectman Paolillo:**

That we, acting as the Municipal Light Board, determine pursuant to Chapter 40, Section 15A, that the following properties are no longer needed solely for municipal electric purposes and may be transferred to this board to be held for municipal electric purposes and also for the purpose of conveyance and that this board should be authorized pursuant to Chapter 40, Section 3, to convey all or any portion of said properties on terms this board deems appropriate:

1. The land with all buildings and improvements now or hereafter constructed therein, thereunder or thereon, known as 20 Flanders Road, Belmont, and described in the deed to the Town from Peter A. Spinelli and Jayne M. Savage, Trustees of 20 Flanders Road Realty Trust, dated December 31, 2012, recorded with the Middlesex South District Registry of Deeds in Book 60866, Page 406; and
2. The exclusive easement in gross with all improvements now or hereafter constructed therein, thereunder or thereon as described in the Easement Agreement between Massachusetts Bay Transportation Authority and Town of Belmont, dated December 21, 2012 and recorded with said Deeds in Book 60825, Page 483;

and that we give notice of this determination to this board, acting as Board of Selectmen, and recommend inclusion on the warrant for the May 29, 2013 Special Town Meeting an article to transfer said properties and to authorize this board to convey all or any portion of or any interest in said properties, and recommend favorable action under said article.

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

### **IV. VOTE ON 12/20 FLANDERS ROAD PARTY WALL MODIFICATION AGREEMENT**

#### **Motion read by Selectman Paolillo:**

To confirm this board's vote of March 29, 2013 to approve the Party Wall Modification Agreement with attached form of Amendment to Party Wall Agreement and form of Deed, and to approve the revisions to said Agreement and forms as presented at this May 21, 2013 meeting, and to execute, and authorize the General Manager to deliver, as of this May 21<sup>st</sup> meeting, the Party Wall Modification Agreement in the revised form attached hereto; and to hold for execution the Amendment to the Party Wall Agreement and the Deed in the revised form

attached hereto; and hereafter, at a meeting of this board to be held in a timely fashion upon the final favorable vote on Article 16 of the May 29, 2013 Special Town Meeting, to execute, and authorize the General Manager to deliver for recording or to record, such Amendment to the Party Wall Agreement and Deed and otherwise to perform on behalf of the Town the Party Wall Modification Agreement in accordance with its terms.

The Board moved: To approve the motion as noted above.

The motion passed unanimously (3-0).

## **X. ADJOURNMENT**

The Board moved to adjourn the meeting at 7:05 PM