

**Town of Needham  
Board of Selectmen  
Minutes for October 27, 2009  
Needham Town Hall**

6:45 p.m. Informal Session:

Mr. Richard Webman, 1746 Great Plain Avenue, appeared before the Board to discuss an application to demolish a historical property. Mr. Webman asked the Board to intercede on his behalf and assist in getting his application forwarded from the office of the Building Inspector to the Historical Commission. Mr. Matthews asked Mr. Webman to direct all communication for this matter through Town Counsel and to the Town Manager.

7:00 p.m. Call to Order:

A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews at 7:00 p.m. Those present were: Mr. John Bulian, Mr. Gerald Wasserman, Mr. Maurice Handel, Ms. Denise Garlick, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Introduction of Newly Promoted and New Police Officers:

Police Chief Thomas Leary appeared before the Board to introduce recently promoted Sergeant Andrew Cray and newly hired Police Officer Michael T. Tetrault. Chief Leary stated that Sergeant Cray grew up in Needham and has been with the Department since 2003. He graduated with honors from Northeastern University. Chief Leary also stated that newly hired police officer Michael Tetrault graduated from Westfield State College and had previously worked for the Fall River Police Department.

Mr. Matthews welcomed and congratulated each officer, and on behalf of the Board of Selectmen wished them well in their new positions.

7:05 p.m. Consent Agenda:

**Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.**

**APPOINTMENTS**

There are no appointments for this meeting.

**CONSENT AGENDA**

1. Approve one day special Wine and Malt beverage license application received from Robert Timmerman II for the Needham Knights of Columbus Father Daniel J. Kennedy Dedication Dinner. The dinner will be held on Sunday, November 8, 2009 from 4:00p.m. – 10:00 p.m. at Needham Knights of Columbus, 1211 Highland Avenue, Needham, MA.

2. Approve Minutes of June 9, 2009 (open and executive session), July 28, 2009, August 25, 2009, September 9, 2009. September 22, 2009 (open and executive session), October 13, 2009 (open and executive session)
3. Approve and sign warrant for the Special Town Election to be held on December 8, 2009.
4. Approve request from Sheraton Needham Hotel for an extension of the operating hours for the service of Alcoholic beverages to 1:00 am on Saturday, October 31, 2009 for the Farkouh Reception in Trophies Event.
5. Accept donation of \$2,000 made to the Needham Health Department's Gift of Warmth Fund from the Congregational Church of Needham's Outreach Committee.
6. Grant permission for the following residents to hold block parties:
 

Name	Address	Party Location	Date	Date	Time
Sarah Lapidés	32 Elmwood Rd	Elmwood Rd	10/31/09	N/A	4-9pm
Valerie St. Peters	15 Fairfield St.	Fairfield St.	10/31/09	N/A	2:30 – 7:30 p.m.

**Second: Mr. Handel. Unanimously approved 5-0.**

7:05 p.m. Appoint for Vacancy on Needham Housing Authority:  
 The Board of Selectmen and members of the Needham Housing Authority met jointly to appoint a candidate to fill the vacancy on the Needham Housing Authority through April 13, 2010.

Mr. Bulian stated he and Mr. Robert Stegman of the Housing Authority interviewed two candidates, and decided to recommend Mr. Reginald Foster for the position.

**Motion by Mr. Bulian that the Board of Selectmen and Trust Fund Commissioners vote to appoint Mr. Reginald C. Foster to fill the vacancy to the Board through April 13, 2010.**  
**Second: Mr. Handel. Unanimously approved 9-0.**

7:10 p.m. Town Hall Project Update:  
 Steve Popper, Director of Design and Construction, Wendall Kalsow, MKA, and Doug Manley, MKA appeared before the Board with an update on the progress of the Town Hall Project.

Mr. Kalsow stated that approval to use the existing east and west entrances of the main floor for general public use and as egress has been received.

Mr. Manley updated the Board on the color scheme for the project, stating that paint chips had been removed and tested in order to restore the auditorium to its original 1904 color. A dark evergreen color was found to surround the auditorium stage, with a lighter green color covering the ceiling. Mr. Manley said that the trim color will remain off-white, and the trusses will be restored to their original wood stain. On the first floor of the existing building, Mr. Manley stated that warm colonial revival colors, similar to what already exists

will be used. In the new addition to Town Hall, similar colors will be used to keep harmony with the color in the older section.

Mr. Manley also commented on the site plan process stating that 2 schemes have been presented to the Planning Board. The first option keeps the parking lot as it is currently configured. The second option allows for parking and vehicle passage from Highland Avenue to Chapel Street. Mr. Manley stated that the second option appears to be favored, but requires a change in the zoning by-law due to curb cuts. Mr. Manley stated he will be meeting again with the Planning Board.

Mr. Manley also updated the Board regarding the bidding process stating an overwhelming response was received from contractors – 161 Statements of Qualification were received for the entire project, and 8 out of 17 general contractors appear to be suitable. The starting date for the project is March 1, 2010.

Town Manager Kate Fitzpatrick informed the Board that it is anticipated Town offices will be moved out of the building on President's Day weekend in February 2010. The date to move back into the building is scheduled for September 2011.

7:25 p.m. Town Manager:

Town Manager Kate Fitzpatrick appeared before the Board with 5 items.

1. Needham Property Tax Assistance Program

**Motion by Mr. Bulian that the Board vote to approve the proposed charge, composition, and eligibility criteria for the Needham Property Tax Assistance Committee dated October 21, 2009.**

**Second: Mr. Handel. Unanimously approved 5-0.**

2. Needham Police Union Agreement

**Motion by Mr. Handel that the Board approve the Memorandum of Agreement between the Town and the Needham Police Union for FY2011.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

3. Needham Building, Custodian & Tradesmen Independent Association Agreement

**Motion by Mr. Bulian that the Board approve the Memorandum of Agreement between the Town and the Needham Building Custodian & Tradesmen Independent Association for FY2010-FY2012.**

**Second: Mr. Handel. Unanimously approved 5-0.**

#### 4. RTS Rate Setting

Mr. David Davison, ATM/Finance Director and Mr. Mario Araya, Superintendent of RTS joined Town Manager Kate Fitzpatrick before the Board to discuss the RTS rate setting. Ms. Fitzpatrick stated that at the public hearing on the RTS rate proposal presented October 13, 2009 the Board of Selectmen asked the Town Manager to review the submission and come back with a recommendation. Ms. Fitzpatrick stated that another meeting was held by the Solid Waste Disposal/Recycling Advisory Committee to review other rate alternatives which may support the operation and lower the sticker rates from the suggested amounts. A revised rate proposal was presented which does lower the sticker fee and scale rate from that which was originally suggested. Ms. Fitzpatrick stated however, that the large bag fee will need to be increased \$0.10, reflective of the cost of disposal.

Mr. Davison stated the rate increase is due to loss of revenue in recycling material, and said he is hopeful of a market recovery within the next 24 months. Mr. Davison also stated that bags will now be offered at the Treasurer Collectors window so patrons can purchase both bags and stickers at the same time.

Mr. Bulian stated that he met with the RTS Rate Committee and feels the proposal for the increase is fair, along with the modest increase for large bags. Mr. Bulian is in support of the proposal.

**Motion by Mr. Bulian that the Board approve the rates as shown on attachment A1, and that the change in the annual sticker rates is effective with the release of the calendar year 2010 RTS stickers; that the rates be prorated in accordance with the schedule shown on attachment B1; and further that the rates for the pay-to-throw bags be effective on November 15, 2009 and the scale rate be effective November 9, 2009. Motion requires that sticker be affixed to the window of the vehicle for entrance into the Transfer Station.**

**Second: Mr. Wasserman. Unanimously approved 5-0.**

#### 5. Position on Warrant Articles

Ms. Fitzpatrick reviewed the Special Town Meeting Warrant and the Board took the following positions:

Article 1 – Defer Action

Article 2 – Previously Adopted

Article 3

**Motion by Mr. Bulian that the Board vote to recommend Article 3 Custodial Contract FY10 in the Special Town Meeting Warrant.  
Second: Mr. Wasserman. Unanimously approved 5-0.**

Article 4 – Defer Action

Article 5

**Motion by Mr. Wasserman that the Board vote to recommend Article 5 Easement/St. Mary’s in the Special Town Meeting Warrant.  
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 6

**Motion by Mr. Wasserman that the Board vote to recommend Article 6 Home Rule Petition/Taking for Bridge Repair in the Special Town Meeting Warrant.  
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 7 – Previously adopted

Article 8 – Previously adopted

Article 9 – Previously adopted

Article 10

**Motion by Mr. Wasserman that the Board vote to recommend Article 10 Appropriate for CPA/Lot 1 in the Special Town Meeting Warrant.  
Second: Mr. Handel. Unanimously approved 5-0.**

Article 11

**Motion by Mr. Handel that the Board vote to recommend Article 11 Appropriate for CPA/Lot 2 in the Special Town Meeting Warrant.  
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 12

**Motion by Mr. Handel that the Board vote to withdraw Article 12 Appropriate for Purchase/Senior Center in the Special Town Meeting Warrant  
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 13

**Motion by Mr. Handel that the Board vote to recommend Article 13 Appropriate for Senior Center Feasibility in the Special Town Meeting Warrant.  
Second: Mr. Wasserman. Unanimously approved 5-0.**

Ms. Garlick commended the Senior Center Exploratory Committee and thanked town staff for their work in issuing a Request for Proposal. Ms. Garlick wished the Presbyterian Church well, as the congregation has decided not to sell the property. The desire, however, for a senior center continues as the town moves ahead to Town Meeting for feasibility money. Ms. Garlick reiterated that the community is galvanized in the need for a senior center, but understands that function, size, and location is still to be decided. She stated that there is no perfect site among Rosemary, Ridge Hill, or Greene's Field, and at this point in the process expert advice from engineers is necessary to move forward.

Article 14 – Previously Adopted

Article 15

**Motion by Mr. Bulian that the Board vote to recommend Article 15 Amend Operating Budget in the Special Town Meeting Warrant.**

**Second: Mr. Handel. Unanimously approved 5-0.**

Article 16

**Motion by Mr. Bulian that the Board vote to recommend Article 16 Amend CPA Budget in the Special Town Meeting Warrant.**

**Second: Mr. Handel. Unanimously approved 5-0.**

8:00 p.m. Board Discussion:

Minuteman Regional High School

Mr. Wasserman stated the Minuteman Regional High School is another building needing renovation. He said there are places in the school where windows are walled up and that there are many heating and cooling issues in need of attention. A feasibility study is being considered. Mr. Wasserman commented that Needham's student enrollment is currently about 4 percent. Mr. Wasserman estimates Needham's portion of a feasibility study, based on enrollment, to be approximately \$200,000, in addition to sixteen other participating communities. All sixteen towns must individually agree to move ahead on any project.

Council on Economic Advisors:

Ms. Garlick said that she and Mr. Handel are collaborating, and the focus of the Council is on development of the 215 acre New England Business Center. A written report will be available at Town Meeting. Ms. Garlick stated that a symposium was held to gain a better understanding of the pros and cons of the area, and also to figure out what issues could be immediately addressed, and what are the short and long term goals. Ms. Garlick stressed the importance of continued momentum so that as the economy returns, the NEBC will be positioned for the future.

Mr. Handel reiterated the possibility of extending the Green Line to Needham Heights and refurbishing the railroad bridge over Rt. 128. He stated that the NEBC lacks ready access to Boston, and if a Wexford Street T station were installed, the NEBC would become a much more viable business destination. He also stated there has been some discussion about possibly joining with the Metropolitan Area Planning Council.

8:15 p.m. Executive Session:

**Motion by Mr. Bulian that the Board vote to enter Executive Session to:**

**Exception 3: to discuss strategy with respect to collective bargaining or litigation, or to conduct strategy sessions in preparation for negotiations with non-union personnel; and**

**Exception 6: to consider the purchase, exchange, taking, lease, or value of real property if such discussion may have detrimental effect on the negotiating position of the governmental body.**

**Not to return to open session prior to adjournment.**

**Second: Mr. Wasserman. Unanimously approved 5-0.**

**(The Board adjourned the meeting at 8:45 pm.)**