

**Town of Needham
Board of Selectmen
Minutes for January 10, 2012
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. Call to Order:

A meeting of the Board of Selectmen was convened by Chairman Maurice P. Handel. Those present were Gerald A. Wasserman, Daniel P. Matthews, John A. Bulian, James G. Healy, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

Mr. Handel announced a procedural change and said if residents wish to speak with the Board during the Informal Meeting time at 6:45 p.m. they are now asked to make an appointment.

Mr. Handel remarked on the service of Jim Healy to the Town of Needham and referred to a letter Mr. Healy wrote announcing his intention to resign his position as a result of professional demands and attacks on his personal property. Mr. Handel said he was saddened and that people in public service should not have to face that situation.

Mr. Healy said he felt badly for the people who voted for him and who expected him to serve a full term. He said he is frustrated and disappointed he is not meeting his obligation to his supporters. Mr. Healy spoke about the process for candidates to fill his seat and his desire the Town avoid costs associated with a special election. He said state law requires his seat be vacated a minimum of 74 days before an election, therefore his last Board of Selectmen meeting will be Tuesday, January 24, 2012. Mr. Healy thanked Mr. Handel for his comments and support.

7:05 p.m. Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Fiscal Year 2013 Budget Consultation

Ms. Fitzpatrick discussed with the Board the fiscal year 2013 budget picture and recommends the Board's approval of budget priorities for FY2013. She said there is positive news in that it appears the free cash number will be higher than expected due to better than expected performance at the end of FY2011, particularly in building permits and meals and hotel excise tax. She said she believes the town will be able to support significantly more cash capital in the Tier 2 category. She stated the FY2013 revenue projection is approaching the historical rate of growth and revenue, which hasn't been seen in a while. She commented 2013 does appear it will be a fiscally better year for the Town. She

commented on the Municipal Relief Act and the ability assessors now have to audit companies with respect to personal property. She also said department budgets are growing at less than 2%, and the departments are working hard to control costs and stretch expenses. She cautioned a modest increase is anticipated in the Chapter 70 funding. Ms. Fitzpatrick recommends the Board approve the Proposed Board of Selectmen Statement on FY2013 Operating Budget Priorities, dated January 10, 2012.

Motion by Mr. Bulian that the Board approve the FY2013 budget priorities as presented.

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

Mr. Healy emphasized the Town fields need to be a priority and a strong attempt must be made to preserve, maintain, and improve the fields for the future. He said the Town should consider setting aside money every year for field maintenance.

2. Open Annual Town Meeting Warrant

Ms. Fitzpatrick reminded the Board of its discussion regarding the order of articles placed on the warrant, and said the Preliminary List of Warrant Articles (1/6/12) includes the change.

Ms. Fitzpatrick said most of the items in the warrant are seen every year, however there are a few collective bargaining agreements that are open in FY2013. She mentioned the possibility of a feasibility study for the elimination of fire boxes and replacing them with wireless fire boxes. Ms. Fitzpatrick commented the Board may want to amend the Town's general by-law to clarify regulations with respect to bow hunting. Ms. Fitzpatrick said the Home Rule petition regarding off premise sale of alcohol is a placeholder depending on the Boards decision. Ms. Fitzpatrick commented on a proposal to establish an athletic facility improvement fund for long term capital renovation of athletic fields.

Motion by Mr. Bulian that the Board vote to open the warrant for the 2012 Annual Town Meeting.

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

Mr. Healy asked the Board consider starting the Annual Town Meeting at 7:00 p.m., rather than 7:30 p.m. He said he feels the earlier start time is more preferred by many Town Meeting members.

Mr. Healy cautioned using money for a fire box feasibility study and suggested asking other towns who have already made the switch to wireless systems for information.

Mr. Healy commented the Board should discuss with someone who has knowledge and expertise on the issue of alcohol sales. He feels the Town needs

to find out from an expert how the industry works and what the impact would be for Needham.

Mr. Healy suggested allocation of a dedicated revenue source for the Athletic Facility Improvement Fund.

3. OPEB/Post-Employment Benefit Actuarial Analysis

Ms. Fitzpatrick told the Board the Town has completed an actuarial analysis of its OPEB/Post Employment Benefit liability. Ms. Fitzpatrick outlined the results of the study for the Board, stating the Town's funded ratio increased from 10.2% in 2009 to 10.9% in 2011. She said however, the Town's OPEB liability grew 21% over the same period. She commented the Town's expected contribution for FY2013 of \$4,523,887 represents an increase over the FY2013 Pro Forma of .57%.

7:35 p.m.

Consent Agenda and Appointments:

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

APPOINTMENTS

1. **Board of Appeals (Alternate)**
Kathleen Lind Berardi (Term expires: 6/30/2014)
2. **MAPC Representative**
Margaret Murphy (Term expires: 6/30/2015)
3. **Cultural Council**
Robert "Bo" Veaner (Term expires: 6/30/2015)

CONSENT AGENDA *=Backup attached

1. **Vote to hold the 2012 Annual Town Meeting in Powers Hall.**
- 2.* **Vote to designate David Davison, Assistant Town Manager/Finance, as the Town's designated voting delegate for the MIIA and MIIA Property and Casualty Board elections at the MMA Annual Meeting on January 21, 2012.**
3. **Accept donations made to the Needham Community Revitalization Trust Fund from the following residents: Maryruth and Richard Perras \$ 250; Anisa Mehdi \$ 50, Andrea and Douglas Rae \$ 50.**
4. **Accept donation made to Needham Youth Services in the amount of \$500 from the Needham Women's Club. The monies are to be used to sponsor the Youth Services' "A Conversation...For Parents of Teens"**
5. **Accept donation made to Needham Youth Services in the amount of \$240 from the Wellesley Monthly Meeting of Friends. The monies are to be used towards the VIP Program where high school students mentor elementary age children.**
6. **Accept donation made to Needham Youth Services in the amount of \$150 from Cathy Freedberg, a Needham resident. The donation is for all of the good work that the Needham Youth Services does for the community.**

7. **Accept donations made to the Needham Health Department's Gift of Warmth from the following: \$6000 from the Needham Community Council; \$300 from St. Bartholomew Parish, Needham; \$200 from Mary Clare McErnery Siegel, 27 Grant Street Needham; \$2000 from St. Joseph Parish, Needham; \$800 from Christ Church-Needham.**
- 8.* **Approve request for one day special Wine & Malt beverage license from Debbie Schmill of the Needham Community Farm to hold their "Ready Set Grow-NCF Dinner Benefit" at the First Parish Unitarian Universalist Church, 23 Dedham Avenue, Needham from 7:00 pm to 10:00 pm on February 11, 2012.**
- 9.* **Water & Sewer Abatement Order #1136**

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

7:40 p.m.

Board Discussion:

1. MMA Resolutions

The Board discussed resolutions to be presented at the MMA Annual Business Meeting to be held January 21, 2012 relative to transportation finance, unfunded mandates, and a strong partnership with the Federal Government.

Mr. Wasserman said the resolutions presented focus on the Federal Government, rather than the State.

Mr. Healy said while he agrees with the general concepts of the resolutions, he does not know enough about the specifics of each resolution and would abstain from the vote.

Motion by Mr. Wasserman that the Board vote to endorse and authorize the Chairman to cast a vote in favor of Proposed Resolution on the Transportation Finance Crisis, Resolution Opposing Unfunded Mandates on the Cities and Towns of the Commonwealth, and Proposed Resolution Calling on the U.S. Government to Embrace a Strong Fiscal and Economic Partnership with Cities and Towns.

Second: Mr. Bulian. Approved 4-0. Mr. Healy abstained from the vote.

2. Special Town Meeting Referral of Stretch Code Article

The Board discussed the next steps after the referral of the Stretch Code Article by the November 7, 2011 Special Town Meeting.

Mr. Handel said Town Meeting raised specific questions requiring answers and suggested discussion should be about the Board's process regarding referral.

Mr. Wasserman reviewed several questions including what would happen if the original base code were upgraded and if the Stretch Code were to be updated. He also said clarification is needed on the costs, particularly on renovations and

whether the State would allow the Town to exempt smaller homes. Mr. Wasserman suggested that he and the Town Manager work together on this issue.

The Board agreed Mr. Wasserman and the Town Manager should work together regarding the Stretch Code Article.

3. Committee Reports

No Committee Reports were made.

A list of all documents used at this Board of Selectmen meeting are available at:

<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>

8:05 p.m.

Executive Session (Exception 6)

Motion by Mr. Matthews that the Board convene an executive session under Exception 6 to consider the purchase, exchange, lease, or value of real property, recognizing that the Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body, not to return to open session prior to adjournment.

Second: Mr. Wasserman. Mr. Handel polled the Board. Unanimously approved 5-0.

(The meeting adjourned at 8:58 p.m.)