

**Town of Needham
Board of Selectmen
Minutes for May 8, 2012
Needham Town Hall**

- 6:45 p.m. Informal Meeting with Citizens:
Dr. Alex Lu, Associate Professor of Environmental Exposure Biology, Harvard School of Public Health appeared before the Board to discuss a Citizen’s Petition regarding an organic land management policy for land owned or managed by the Town of Needham.
- 7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.
- 7:00 p.m. Introduction of Firefighters:
Paul Buckley, Fire Chief appeared before the Board to introduce newly appointed Firefighters Patrick Muir and Joseph Tierney. He told the Board the firefighters grew up in Needham and both are paramedics who attended the Brockton Fire Academy.
- Mr. Wasserman told Firefighters Muir and Tierney the Board understands the difficulties and challenges of the job and appreciates the work they will do for the Town. Mr. Matthews told Firefighters Muir and Tierney they are the “face of the Town” as first responders. Mr. Handel and Mr. Bulian concurred with the comments made by the Board and wished Firefighters Muir and Tierney well in their new positions. Mr. Borrelli commented that while their resumes are very impressive, what is more impressive is their choice to serve the community. Ms. Fitzpatrick pointed out both Firefighters are very involved in the community. The Board welcomed Firefighters Muir and Tierney.
- 7:15 p.m. Introduction of Inspector of Buildings:
Christopher Coleman, Assistant Town Manager, appeared before the Board to introduce newly appointed Inspector of Buildings David Roche. He told the Board Mr. Roche has 15 years of experience working in a building department and will begin working for the Town on May 21, 2012.
- Mr. Wasserman told Mr. Roche the Board is well aware of the challenges of the job and that they look forward to his leadership as Building Inspector to solve any problems. Mr. Matthews told Mr. Roche the Building Department is the department that has had the most complaints. He commented it is a customer driven business to help people complete their building projects within the code. The Board welcomed Mr. Roche to the Town of Needham and wished him well in his new position.

7:22 p.m.

Consent Agenda and Appointments:

Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda as presented, excluding #7, the Water & Sewer abatement item.

CONSENT AGENDA

- 1. Approve and Sign Memoranda of Understanding - Police Superior Officers Association and Police Union**
- 2. Accept \$160.00 in donations received for the Student Awareness of Fire Education program made in memory of David W. Jones from: Lexington Town Hall Employees, and Roseanne Timmerman.**
- 3. Accept \$253.00 in donations received for The Needham Health Department's Domestic Violence Action Committee fund from the following: Ann C. MacFate, 421 Greendale Avenue, Needham; Dr. Robert B. Brooks and Marilyn Brooks, 60 Oak Knoll Ter., Needham; M.S. Grodberg, 21 Stevens Road, Needham; Karen L. Goldsmith, 760 Highland Avenue Apt. 21, Needham; Alan K. Stern and Lori I. Tenser, 86 Meetinghouse Circle, Needham; Richard P. Gotthardt, 49 Carey Road, Needham; and Temple Aliyah-Rabbi's Discretionary Fund, 1664 Central Avenue, Needham.**
- 4. Accept the following donations made to the Needham Police Department's Car Safety Seat Installation Program in memory of David W. Jones: \$15 from Anthony Cefalo, 2 Sunset Road, Needham; \$50 from Michael and Jacqueline Ferrara, PO Box 16, Camden ME; \$10 from Louis Sostilio, 31 Curtis Road, Needham; and \$100 from Evelyn Peters, 48 Daniels Street, 48 Daniels Street, Franklin, MA; \$50 from Janice Arruda, 104 Willow Avenue, Somerset; \$25 from Sarah O'Neal; \$100 from Rosemary A. Danaher, 537 Main Street, Williamstown; \$100 from Judith A. Lescarbeau, 435 Barbour Street, North Adams; and \$500 from Marilyn M. Jones, 674 Central Avenue, Needham.**
- 5. Accept the following donations made to The Park and Recreation Commission for Arts in the Park and Programs: \$600 from Dedham Savings Bank; \$100.00 from Needham Business Association; \$600.00 from Louise Condon Realty, Inc.; \$600 from the Exchange Club; and \$100.00 from Mr. John Cusick.**
- 6. Accept a \$36 donation made to the Needham Police Department's Car Safety Seat Installation Program from Lindsay M. Oberman, 18 Troy Lane, Waban.**
- 8. Approve a request from Caroline Genco of the CCG Foundation to use Walker-Gordon Field as a rest stop along the route of "The Christina Clarke Genco Foundation's Mother's Day Memorial Bike Ride" event to be held on Sunday, May 13, 2012 from 8:00 AM to 4:00 PM. The route that the riders will take through Needham has been approved by the following departments, DPW, Police, Fire and Park and Recreation.**
- 9. Approve a Special One Day Wine and Malt Beverages License from Nancy Wright of Perennial Designs to serve wine at a book signing event from 6:00 p.m. to 8:00 p.m. at Perennial Designs, 117 Chapel Street, Needham. This**

license is predicated on Ms. Wright's successful completion of the TIPS-online certification prior to the event.

10. Grant Permission for the following residents to hold a block party:

Name	Address	Party Location	Date	Time
Jennifer Berk	10 Hollow Ridge Road	Hollow Ridge Road	6/23/2012	3-8PM

Second: Mr. Handel. Unanimously Approved 5-0.

A list of all documents used at this Board of Selectmen meeting are available at:
<http://www.needham.gov/Archive.aspx?AMID=99&Type=&ADID=>

Mr. Borrelli questioned Water and Sewer Abatement Order #1142. Mr. Wasserman suggested pulling the item from the Consent Agenda and discussing the issue later in the meeting. The Board agreed with Mr. Wasserman's suggestion.

7:25 p.m.

Public Hearing – RCN-BecoCom, LLC Ascertainment Process:

Jonathan Tamkin, Chairman, Cable Television Advisory Committee, Michael Greis, Cable Television Advisory Committee member, John Fountain, Cable Television Advisory Committee member, and Marc Mandel, Executive Director, The Needham Channel, appeared before the Board to discuss the current cable television license held by RCN-BecoCom, LLC which will expire July 17, 2012. Mr. Thomas Steele, Vice President of Regulatory Affairs, RCN was not present.

Mr. Wasserman said the hearing is mandated by the renewal provisions of the federal Cable Act and that the Town is currently involved in the federally-required ascertainment process. He said the purpose of the hearing is to identify future cable-related community needs and interests, and to review the performance of RCN-BecoCom, LLC under its current cable television license. Mr. Wasserman said it should be noted that the Board of Selectmen cannot regulate rates or mandate specific programming.

Mr. Tamkin said RCN has provided a good product for the Town including PEG programming. He said programming is funded through license fees paid to the Town through the Needham Channel. Mr. Tamkin said RCN has provided great service to the community including the INET, which serves as the backbone for all cable television and telecommunications throughout the Town. He said there are some issues that need to be fine-tuned.

Mr. Fountain said Tom Steele has been a pleasure to work with over the years.

Mr. Mandel said The Needham Channel's working relationship with RCN has been very good and that they are responsive to technical questions.

Mr. Wasserman opened the public hearing.

Artie Crocker, 17 Fairlawn Street, Precinct I, said he is an RCN customer but does not have cable TV. He wants to get basic service from RCN including the Needham Channel. He commented he spoke with RCN but said there is no option for limited service which includes The Needham Channel.

Mr. Matthews commented he believes there is a market for minimum service with access to the local cable channel. He said the issue really is working out the details of the renewal contract.

Mr. Borrelli asked what about the future needs for Needham and RCN. Mr. Tamkin said future needs have evolved over time and that as of now it is moving from the old Comcast analog network to the newer RCN fiber network for all data and television. He stated it is an economic negotiation, along with the desire to retain a customer service office in Needham.

Mr. Greis commented ensuring the Town has continued access to the fiber network is important, as it is owned by another entity. He also said it is important video remains on a reliable network into the future so the Town can continue to provide the services.

Mr. Fountain commented working with Roger MacDonald and the IT staff has been a pleasure, as technical issues are handled very well.

Mr. Wasserman closed the public hearing and asked if anyone has public comment or questions they can be sent to selectmen@needhamma.gov.

8:00 p.m.

Department of Public Works:

Richard Merson, Director of DPW and Anthony DelGaizo, Town Engineer appeared before the Board with 2 items to discuss.

1. Grant of Sewer & Sidewalk Easement – 263 Nehoiden Street

Mr. DelGaizo said the property owners at 263 Nehoiden Street have requested the relocation of an existing sewer easement that currently runs through the middle of their property to a location closer to the street line. He said the owners are also granting the Town an easement for an existing sidewalk that is located on a portion of their property. Mr. DelGaizo commented the sewer line has already been relocated by the property owner and that design and construction has been reviewed and approved for acceptance by the Department of Public Works. Mr. DelGaizo said abandoning the old sewer easement is scheduled for May 14, 2012 at Special Town Meeting.

Motion by Mr. Bulian that the Board vote to approve and sign the Grant of Sewer and Sidewalk Easement for 263 Nehoiden Street.

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

2. Proclamation – “Nation Public Works Week”

Mr. Wasserman read a proclamation declaring May 20th through May 26th as National Public Works Week in Needham, Massachusetts.

Motion by Mr. Bulian that the Board of Selectmen vote to sign a proclamation declaring May 20-26, 2012 to be National Public Works Week in Needham, Massachusetts.

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

8:10 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager, appeared before the Board with 1 item to discuss.

1. Positions on Warrant Articles

Annual Town Meeting Warrant Articles

Article 21 – Home Rule Petition – Off Premises Sale of Alcohol

Motion by Mr. Handel that the Board vote to support Article 21 in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Approved 4-1. Mr. Bulian voted nay.

Article 22 – Pesticide Free Zone on Land Owned or Managed by Town of Needham

Motion by Mr. Matthews that the Board vote not to support Article 22 in the Annual Town Meeting Warrant.

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

Article 23 – Citizens’ Petition – Citizens United Resolution

Motion by Mr. Handel that the Board vote to support Article 23 in the Annual Town Meeting Warrant.

Second: Mr. Bulian. Approved 3-2. Mr. Matthews and Mr. Borrelli voted nay.

Special Town Meeting Warrant Articles

Article 1 – Fund Collective Bargaining Agreement – Police Union

Motion by Mr. Matthews that the Board vote to support Article 1 in the Special Town Meeting Warrant.

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

Article 2 – Fund Collective Bargaining Agreement – Police Superior Officers Association.

Motion by Mr. Matthews that the Board vote to support Article 2 in the Special Town Meeting Warrant.

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

Article 3 – Amend the FY2012 Operating Budget

Motion by Mr. Handel that the Board vote to support Article 3 in the Special Town Meeting Warrant.

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

Article 6 – Amend Zoning By-Law – Uses in the New England Business Center District

Motion by Mr. Handel that the Board vote to support Article 6 in the Special Town Meeting Warrant.

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

Article 10 – Appropriate to Workers Compensation Reserve Fund

Motion by Mr. Handel that the Board vote to support Article 10 in the Special Town Meeting Warrant in the amount of \$200,000.

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

Article 11 – Appropriate to Capital Improvement Fund

Motion by Mr. Handel that the Board vote to support Article 11 in the Special Town Meeting Warrant in the amount of \$35,000.

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

Article 12 – Appropriate for Capital Facility Fund

Motion by Mr. Handel that the Board vote to support Article 12 in the Special Town Meeting Warrant in the amount of \$415,000.

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

9:20 p.m. Consent Agenda Item #7: Water and Sewer Abatement Order # 1142
Richard Merson, Director of Public Works explained to the Board “Accidental Water Use” is typically a leak within the household plumbing reported by the customer as a result of a high water bill. He commented the DPW can abate the charges through a vote by the Board of Selectmen.

Motion by Mr. Bulian that the Board vote to approve the abatement request presented by the Department of Public Works.

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

9:24 p.m. Board Discussion:
1. Committee Reports
No committee reports were made.

Mr. Handel noted with sadness the passing of Helen Krawiecki who was active in the planning of the New England Business Center. He said she will be sorely missed.

9:25 p.m. Adjourn:
Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of May 8, 2012.
Second: Mr. Handel. Unanimously approved 5-0.