

**Town of Needham  
Board of Selectmen  
Minutes for June 11, 2013  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:  
Kathy Lewis, 17 Maple Street spoke with the Board on behalf of residents of Maple Street, Maple Terrace, and Denmark Lane regarding a 12-unit 40B proposal at 44 Maple Street. She said neighbors are opposed, stating the project would destroy the balanced mix of single family, two-family, and condominium homes which currently characterize the neighborhood. She said a petition with 54 signatures has been filed. Chairman Matthews suggested neighbors follow the process and contact the Zoning Board of Appeals with their concerns.

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. South Street Tree Removal Project:  
Kate Fitzpatrick, Town Manager and Ed Olsen, Parks & Forestry Superintendent appeared before the Board to discuss the proposed tree removal project on South Street between Chestnut Street and Charles River Street.

Ms. Fitzpatrick gave an overview of the project saying the Town, over the past few years, has experienced severe weather resulting in downed trees and loss of power for residents. She said some of the trees present a potential hazard to motorists, bicyclists, and pedestrians from falling limbs and obstruction of view on the curvy road. She noted downed trees have resulted in costly damage to properties. She said the Town has been working with NSTAR to remove trees which are diseased or dead, and noted the project requires approval of the Planning Board under the Scenic Road Act (M.G.L. c. 40 Section 15C). Ms. Fitzpatrick commented the South Street project is unrelated to the NSTAR vegetation management plan along transmission lines. Ms. Fitzpatrick asked the Board consider the project for reliability and safety, reduction in property damage, and cost. Ms. Fitzpatrick said neighbors are supportive of the project, noting emails from Mr. and Mrs. Hunt, 969 South Street, Needham and a resident who is concerned with the transmission lines.

Mr. Olsen concurred with the comments made by Ms. Fitzpatrick adding the stretch of roadway has the highest concentration of dead trees in the entire Town. He commented the project is a “triple win” for NSTAR, the Town, and residents.

Mr. Handel asked if there are any live trees “on the borderline” that may be able to be kept, and whether any residents disputed any of the marked trees. Mr. Olsen said that if a resident is concerned about a particular tree, it will not be taken. He

commented there are many live trees growing underneath and into the distribution lines which are a hazard.

Mr. Matthews opened the Public Hearing.

John Negoshian, 1101 South Street said he hasn't seen NSTAR in the area in ten years. He said Needham has the highest electric bills in the state and asked why the trees can't be trimmed yearly, instead of every ten years.

Ken Davison, 1051 South Street complimented Mr. Olsen, saying he has been incredibly responsive to resident concerns. Mr. Davison said the project will save the Town money. He stated it is a safety issue and is in favor of the project.

Lyn Lustig, 86 Eaton Road asked how many healthy trees have been identified, is there a plan for replanting, has there been any consideration of the water retention of healthy trees, and who will get the money from the sale of the cut trees.

Doug Payne, 1150 South Street is very supportive of the project. He suggested removing trees near the road, others can be cut and left on his property perpendicular to the road, and said ash trees are very tall and should be cut.

Maureen Davison, 1051 South Street concurs with comments, but wonders how South Street can be a bicycle route. She hopes the project also includes removing the vines.

**Motion by Mr. Bulian that the Board vote to endorse the South Street tree removal project and forward same to the Planning Board for its approval. Second: Mr. Handel. Unanimously approved 4-0.**

7:30 p.m.

Parking Fines Public Hearing:

Dave Davison, Assistant Town Manager/Finance Director appeared before the Board to outline a proposal for changing the Town's parking fine structure. Mr. Davison said the last change to the general parking fine was in 1989. Mr. Davison presented a proposal increasing the parking fines for most general violations from \$10 to \$15. He noted the fine for parking in a handicapped space or bus stop will remain unchanged at \$100. Mr. Davison said the proposal is based on a survey of surrounding communities and the fact that costs have increased since 1989.

Mr. Bulian suggested the Board consider a by-law change to increase the fine for parking in a handicapped parking space.

Mr. Matthews opened the Public Hearing. No comments were made.

**Motion by Mr. Bulian that the Board vote to adopt the proposed parking fine structure as presented on the notice of public hearing dated June 11, 2013. Second: Mr. Handel. Unanimously approved 4-0.**

7:40 p.m. Consent Agenda:  
**Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda as presented.**

**CONSENT AGENDA**

- 1. Ratify a request from Seana Gaherin of Dunn Gaherins to ride a portion of its “Pete Leary Road Race” through Needham on June 2, 2013. The route was approved by the following departments: Police, Fire, DPW & Park and Recreation.**
- 2. Approve continuation of the experimental Traffic Regulation in accordance with the Needham Traffic Rules and Regulations Section 3-6 for Great Plain Avenue for the period June 17, 2013 to July 17, 2013: one Handicap Parking spot, and one 15 minute Parking spot, in front of the former Eaton Square Right of Way adjacent to MBTA Right of Way.**
- 3. Accept donations made to the Needham Health Department’s Domestic Violence Action Committee from the following: \$50- Lynn & Stephen Baum; and \$25- Cathy & Richard Freedberg.**
- 4. Accept the following donations made to The Park and Recreation Commission for Arts in the Park and Programs: \$700 from Middlesex Savings; \$600 from Louise Condon Realty; \$600 from Dedham Savings Bank; \$600 from North Hill; \$100 from Needham Business Association; \$75 from Thomas Nutile; and \$600 from the Needham Exchange Club.**
- 5. Accept gifts of materials and labor from the following Eagle Scouts who worked on various projects for the Needham Park and Recreation Commission and Department: Ted Morin- built new turnboards for Rosemary Pool- estimated value of materials \$1,000; Scott Groux- improvements to Perry Park- estimated value of materials \$270; and Matthew Bejian- 2 benches and 25 arborvitae at NHS tennis courts- estimated value of materials \$820.**
- 6. Accept donation made in the amount of \$22,000 to The Needham Park and Recreation Commission from the Declaration of Trust of Harold J.A. Street to be placed in the department’s Gift Fund.**
- 7. Approve a request from Charles York, of the Needham Sheraton, to extend the hours of its liquor license on 12/31/2013 for a wedding that has been booked. They would like to provide bar service until 1:00 a.m.**
- 8. Approve Minutes from May 14, 2013 and May 28, 2013.**
- 9. Water and Sewer Abatement Order # 1163.**
- 10. Accept gift in the amount of \$12,550 to the Town of Needham from The Needham Channel for the purpose of improving community access television by enabling the routing of digital signals containing video and audio from facilities on the Town’s fiber optic network through the data hub at Town Hall to the Needham Channel Studios for broadcast.**
- 11. Accept the following donations made to the Needham Off-Leash Dog Park gift account: \$360 from Michael Verdun; \$50 from Alan & Judith Richman; \$50 from Terry & James Windhorst; \$50 from Myra & John Anderson; \$10 from Janice Klein; \$1000 from Highland Animal Hospital; \$100 from Debbie**

**Winnick; \$100 from the Rotary Club of Needham; \$15 from Fredrick & Alice Rapkin; and \$100 from Emily Cooper.**

**13. Grant permission for the following residents to hold a Block Party:**

Name	Address	Party Location	Date	RainDate	Time
Ashly Scheufele	29 Davenport Rd	Davenport Rd	6/22/2013		3-7pm
Deb Tormey	33 Lawton Rd	Lawton Rd	6/22/2013		3-9pm
Virginia Carnahn	671 Great Plain Ave.	Greenwood	7/13/2013	7/14/2013	3-11pm

**Second: Mr. Handel. Unanimously approved 4-0.**

7:40 p.m. Order of Taking for a Town Way (Form 3) for a portion of Booth Street: Richard Merson, DPW Director appeared before the Board stating this is the next step in the Street Acceptance process where the Board of Selectmen adopt the Order for Acceptance as voted favorably at the May 2013 Annual Town Meeting and record the document and plans at the Registry of Deeds.

**Motion by Mr. Borrelli that the Board vote to approve and sign the Order of Taking for Town Way (Form 3) for the acceptance of Booth Street.**

**Second: Mr. Bulian. Unanimously approved 4-0.**

7:45 p.m. Citizens Connect: Roger MacDonald, Director of Information Technology and Carys Lustig, Supervisor of Administration, DPW appeared before the Board to discuss Citizens Connect. Mr. MacDonald stated the City of Boston has been working with others to provide citizens and the City itself with the means to report common problem items such as pot holes and overfilled trash cans easily with their mobile phones. He stated the City extended participation to other Massachusetts communities and Needham was one of the early communities to reach out to Boston. Mr. MacDonald said the Town's Information Technology Center and Department of Public Works staff have been working on the set-up and roll out logistics of the system and will be rolling it out to the general public very soon.

Ms. Lustig commented on the history of the application, demonstrated how the system works, how one can access it with a smart phone app, and how it can be used internally by Town departments.

The Board thanked Mr. MacDonald and Ms. Lustig for the presentation.

8:00 p.m. Approve Sale of Notes: Dave Davison, Assistant Town Manager/Finance and Evelyn Pones, Town Treasurer/Collector appeared before the Board seeking approval of the sale of a bond anticipation note in the amount of \$266,000, at a rate of 0.55%. Mr. Davison stated interest rates continue to be low, but this rate is slightly higher than the taxable bond anticipation note sold last year by 0.05%. Mr. Davison said the note will fund expenses related to a number of general fund projects: Rosemary Pool, Public Services Administration Building, storm water improvements, the Pollard

School roof, RTS projects including soil remediation work and construction equipment, and water projects including St. Mary's water pump station design and water distribution system rehabilitation.

**Motion A**

**Mr. Bulian made a motion to approve the sale of the Town's \$266,000 General Obligation Bond Anticipation Note (Subject to Federal and Massachusetts Income Taxation) dated June 14, 2013 and payable June 28, 2013 (the "Note") to Century Subsidiary Investments Inc. III at par.**

**Motion B**

**Mr. Bulian made a motion that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 30, 2013 and a final Official Statement dated June 4, 2013, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.**

**Motion C**

**Mr. Bulian made a motion that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Note.**

**Motion D**

**Mr. Bulian made a motion that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.**

**Second: Mr. Handel. Unanimously approved 4-0.**

It is noted that Tedi Eaton, Town Clerk, was in attendance to witness the vote.

8:05 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 4 items to discuss:

1. Highland Avenue/Needham Street Corridor/TIP Project

Ms. Fitzpatrick recommended that the Board submit a letter to the Boston Region Metropolitan Planning Organization during the comment period for the FY2014-

2017 Transportation Improvement Program (TIP) requesting advancement of the Highland Avenue/Needham Street corridor project for inclusion in the next TIP.

**Motion by Mr. Handel that the Board vote to approve and authorize the Chairman to sign a letter to the Boston Region MPO seeking advancement of the Highland Avenue/Needham Street corridor project to the FY2014-2017 TIP.**

**Second: Mr. Borrelli. Unanimously approved 4-0.**

2. Lincoln Street Parking Lot Improvements

Ms. Fitzpatrick recommended that the Board of Selectmen approve the Lincoln/School Parking Lot Improvement Plan Design as proposed. She said the mix of parking/space designations will be monitored and changes will be recommended as needed.

**Motion by Mr. Bulian that the Board approve the Lincoln/School Parking Lot Improvement Plan Design dated May 22, 2013 for filing with the Planning Board.**

**Second: Mr. Handel. Unanimously approved 4-0.**

3. Determination of Unique Status/Parking Lot at 870 Great Plain Avenue

Ms. Fitzpatrick told the Board the Town is contemplating entering into a license agreement with First Church of Christ, Scientist for the use of its parking lot for municipal parking. She said the 2013 Annual Town Meeting approved the lease of private land for public use for up to 10 years. Ms. Fitzpatrick noted the parking lot is immediately adjacent to the Town's municipal parking lot on Dedham Avenue and has been in use for municipal parking for decades. She noted in accordance with M.G.L c. 30B, a public procurement process is not required if the Board of Selectmen determines that advertising will not benefit the Town's interest because of the unique qualities of the parcel. Ms. Fitzpatrick asked the Board declare that advertising will not benefit the Town's interest due to the unique qualities of the parcel.

**Motion by Mr. Bulian that the Board vote to determine that in the case of the proposed lease of the parking lot associated with 870 Great Plain Avenue, advertising will not benefit the Town's interest because of the unique qualities of the location of the property needed. This determination is made on the basis that the property abuts the municipal parking lot on Dedham Avenue.**

**Second: Mr. Handel. Unanimously approved 4-0.**

4. Town Manager's Report

Ms. Fitzpatrick reported to the Board the Town has received bids for the installation, servicing, and construction of the play structure and field at Greene's Field. She said the project is moving forward.

Ms. Fitzpatrick noted the Walker Gordon field project is well underway and said it is exciting, as it is the first use of CPA funds to buy recreation land.

Ms. Fitzpatrick commented on an exciting photographic display at the Needham library titled “Inspirational Families of Needham”. She encouraged the public to view the exhibit through August 31, 2013.

8:15 p.m. Board Discussion:  
Mr. Borrelli noted the upcoming “Dancing With the Needham Stars” to be held on Saturday, June 15, 2013 at Moseley’s on the Charles River, Dedham.

8:20 p.m. Executive Session - Exception 3 (potential litigation):  
**Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.**  
**Exception 3 - To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares. Not to return to open session prior to adjournment.**  
**Second: Mr. Borrelli. Mr. Matthews polled the Board. Unanimously approved 4-0.**

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=>

**Note: Meeting adjourned at 8:30 p.m.**