

**Town of Needham  
Board of Selectmen  
Minutes for September 10, 2014  
Selectmen's Chamber  
Needham Town Hall**

6:00 p.m. Executive Session - Exception 6  
**Motion by Mr. Handel that the Board of Selectmen vote to enter into Executive Session.**  
**Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.**  
**Second: Ms. Cooley. Unanimously approved 5-0.**

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman John A. Bulian. Those present were Maurice P. Handel, Matthew D. Borrelli, Daniel P. Matthews, Marianne B. Cooley, 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 Neil Sullivan, Nicholas Giorgio, and Matthew Orzechowski. Chief Buckley said he is proud to introduce the three firefighters to Needham, each of whom graduated from the Massachusetts Fire Academy. He gave a brief background on each firefighter saying they have traits that are even more important than the training.

Mr. Matthews told the firefighters the Town wants them to succeed and that during stressful situations they are the “face of the Town” to the public. He said they have the confidence of the Fire Chief and the Town Manager, and wished them well in Needham.

The Board congratulated the firefighters on their appointments and welcomed them to the service of the Town.

7:08 p.m. Appointments and Consent Agenda:  
**Motion by Mr. Handel that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.**

**APPOINTMENTS**

<b>Conservation Commission</b>	<b>Cory D. Rhoades (term expires 6/30/2017)</b>
<b>Council on Aging</b>	<b>Penny Grossman (term expires 6/30/2017)</b>
<b>Solid Waste Recycling/Advisory Committee</b>	<b>David Ecsedy (term expires 6/30/2017)</b>

**CONSENT AGENDA**

1. **Ratify a request for a Special One Day All Alcoholic Beverages license from Stephen Pitocchelli of the Village Club to host a 50th Birthday party that was held on September 6, 2014. The event was from 6:00 p.m. to 11:00 p.m. and was held at The Village Club, 83 Morton Street, Needham.**
2. **Approve a Special One Day All Alcoholic Beverages license from Stephen Pitocchelli of the Village Club to host its MDA fundraiser on September 28, 2014 from 12:00 p.m. to 11:30 p.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
3. **Approve Executive Session minutes and Open Session minutes from August 19, 2014.**
4. **Approve a request from Amy Perna of The Walker School to have a “Walk/Run for Walker” event on Sunday, October 5, 2014 from 10:00 a.m. to 11:00 a.m. Walkers/Runners will participate in either a one mile or three mile walk/run through town. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
5. **Accept the following donation made to the Needham Off Leash Dog area: \$150 Millie Smith**
6. **Approve a request from Darren Bean, President of Warrior Thunder Foundation, to have a portion of its motorcycle ride go through Needham on Saturday, September 13, 2014 at 12:00 p.m. The route of the motorcycle ride has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
7. **Grant permission for the following residents to hold a Block Party:**

Name	Address	Party Location	Party Date	Party Rain Date	Time
Ratify: Sara Mack	71 Fuller Brook Avenue	Fuller Brook Avenue	9/6/2014	9/7/2014	3-9 pm
Julie Middleton	74 Henderson	Corner of Miller St and Henderson St	9/20/2014		3-10 pm
Jennifer Steinberg	42 Park Avenue	Park Avenue	9/13/2014	9/14/2014	2-8 pm
Ratify: Stacey Keenan	30 North Hill Avenue	Fuller Brook Road	9/6/2014		3-10 pm
Christine Holland	102 Newell Avenue	Newell/Lewis/Prospect	9/13/2014		5-9 pm
Ratify:Colby Bruno	69 Plymouth Rd	Plymouth Road	9/7/2014		3-7 pm
Kara Collin	57 Broad Meadow Road	Broad Meadow between Bird and Cogswell Ct	9/21/2014	9/28/2014	12-8 pm
Stephanie	41 Kimball	Grant Street between	9/13/2014	9/14/2014	3-8 pm

Arendell	Street	Kimball and School			
Dana Finizio	74 Washington Avenue	Washington Avenue	9/28/2014	10/5/2014	4-8pm
Heidi Wiesel	46 Ware Road	Ware Road-in front of 67 Ware	9/20/2014		3-9pm
Sally Wade	29 Thorpe Rd	Thorpe Road	9/13/2014		3-10pm
Rhonda Silva	7 Berkshire Road	34 Berkshire Road	9/27/2014		3-6pm
Carolyn Guttilla	64 Dartmouth Avenue	Outside of 64 Dartmouth Ave	9/14/2014	9/21/2014	4:30-6:30pm
Jill Oetheimer	75 Coolidge Avenue	Coolidge Avenue	9/14/2014	9/21/2014	4-7:30pm
Claudette Shea	107 Grosvenor Road	Grosvenor Road	9/20/2014	9/27/2014	3-9pm
Kate Daeley	61 Kenny St.	Lois Lane & Barbara Road	9/13/2014	9/14/2014	3-8pm
Elisa Fredrick	29 Needhamdale Road	Green Street & Needhamdale Road	9/14/2014		4-9pm
James Rochford	74 Rolling Lane	Rolling Lane	9/20/2014	9/27/2014	1-7pm
Judith Gragg	115 Dawson Drive	Dawson Drive	9/21/2014	9/28/2014	4-7pm

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

Mr. Bulian announced the meeting is being taped, pursuant to the Open Meeting Law.

7:09 p.m.

Public Hearing - NSTAR Petition for Charles River Street:  
Chris Cosby, NSTAR representative appeared before the Board requesting permission to install approximately 149 feet of conduit from poles 10/63 and 10/64 on Charles River Street, Needham. Ms. Cosby said this work is necessary to provide underground electric service for a new eight house subdivision located within Belle Lane, Needham.

Mr. Bulian invited public comment. No comments were made.

**Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 149 feet of conduit from poles 10/63 and 10/64 on Charles River Street, Needham. This work is necessary to provide underground electric service for a new eight house subdivision located within Belle Lane, Needham.**

**Second: Ms. Cooley. Unanimously approved 5-0.**

7:10 p.m. Public Hearing - NSTAR Petition for Garden Street:  
Chris Cosby, NSTAR representative appeared before the Board requesting permission to install approximately 7 feet of conduit at pole 33/7 on Garden Street, Needham. Ms. Cosby said this work is necessary to provide underground electric service for a new office building located at 214 Garden Street, Needham.

Mr. Bulian invited public comment. No comments were made.

**Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 7 feet of conduit at pole 33/7 on Garden Street, Needham. This work is necessary to provide underground electric service for a new office building located at 214 Garden Street, Needham.**

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

7: 11 p.m. Public Hearing - Last Mile Solutions Petition for First Avenue:  
Jake McAdoo, Last Mile Solutions, LLC and Fred York, Phoenix Communications, appeared before the Board requesting permission to lay and maintain underground conduits and hand holes, with cables placed therein, under the surface of the following public way or ways in two separate locations: 1.) down A Street and First Avenue towards B Street and 2.) cross First Avenue to #400. Mr. McAdoo said this work is necessary to provide fiber optic circuit to TripAdvisor.

Ms. Bulian invited public comment. No comments were made.

**Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from Last Mile Solutions to lay and maintain underground conduits and hand holes, with cables placed therein, under the surface of the following public way or ways in two separate locations:**

**1.) The first underground conduit layout would start in vzmh#39/172-2 A Street, down A Street and First Avenue towards B Street to #400 for an approximate distance of 675'.**

**2.) The second underground conduit layout would start at vzmh3920A, cross First Avenue to #400 for an approximate distance of 65'.**

**This work is necessary to provide a fiber optic circuit to TripAdvisor. Phoenix Communications is their preferred contractor for this work and they have filed a bond with the Town of Needham for this construction.**

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

7:13 p.m.

Public Hearing on a Proposed Needham Heights Permit Parking Program:  
Ms. Fitzpatrick explained the Town has had conversations with business and property owners, including the Center at the Heights, to address the challenges of finding appropriate parking for staff and customers in Needham Heights. Ms. Fitzpatrick discussed the possibility of creating a Needham Heights Permit Parking Program and proposed a permit parking area that includes the southerly direction of Highland Avenue between Mellen and Morton Streets and an area in the Mark Lee parking lot.

Mr. Bulian read a letter submitted by Katie Catka of Trader Joe's in Needham Heights supporting the proposed permit parking program.

Mr. Bulian invited public comment.

Robert Smart, 25 Mayo Street, Needham said he has represented a couple of applicants over the years looking to lease space in the complex, noting a requirement by the Planning Board to show adequate parking for the use. He stated he hired a traffic consultant to look at the parking demand in the area. He said he also looked at the parking demand in the area at different times during the day, particularly the usage on Highland Avenue. He noted the spaces on Highland Avenue are not used very much, and suggested it is a resource for use. Mr. Smart also suggested the Board consider leasing public spaces to residents in the downtown area.

Mr. Bulian closed the public hearing and asked for Board comment.

Mr. Handel said the area is "found space", low cost, and provides relief in a very congested retail section in Needham. He suggested the Town proceed with the program.

Ms. Cooley stated that she has found a parking space in the lot when she goes shopping, but also noticed more people from the Needham Heights neighborhood are walking.

7:25 p.m.

Solarize Needham Update:

Michael Greis, Chair, Green Needham and Artie Crocker appeared before the Board with an update of the Solarize Needham Program, which officially ended on June 30, 2014. Mr. Greis briefed the Board on the timeline and results of the program, saying the goals of the program were to drive down the cost of doing residential

solar and to accelerate the number of installations, as part of Governor Patrick's plan to have 400 megawatts of solar energy in the Commonwealth. Mr. Greis said the program is an obvious fit for Needham, as the community is receptive to the idea and has a town government that looks for ways to help its citizens. Mr. Greis thanked the team of volunteers for their effort. He stated about 400 people have signed up to have their homes evaluated, and as of June 30, 2014 ninety nine homeowners contracted to have the system installed.

The Board thanked Mr. Greis and Mr. Crocker for the update.

7:40 p.m. Sewer Rate Relief Application:  
Dave Davison, Assistant Town Manager/Finance and Evelyn Poness, Town Treasurer/Collector appeared before the Board asking that they execute an application for the State's sewer rate relief program. Mr. Davison gave a brief history of the program and the steps required to apply for the funds.

**Motion by Mr. Handel that the Board of Selectmen approve and execute the FY2015 Sewer Rate Relief Application.**

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

7:45 p.m. FY2015 Assessment Preview:  
Dave Davison, Assistant Town Manager/Finance and Chip Davis, Director of Assessing appeared before the Board to discuss the FY2015 required triennial certification of Needham property values by the Department of Revenue's Bureau of Local Assessment. Mr. Davison stated real estate values have increased in many parts of the Commonwealth over the past three years, and have been very strong in Needham as well. He noted there will be increases in property values, and reminded the Board that changes in market price do not impact property taxes.

Mr. Davis said the perceived real estate crash, that never really took place in Needham, is definitely over and that real estate values are dramatically on the rise. He reviewed the Town's property data and supporting documentation, statistical tables and ratios, and the valuation calculations by BLS to ensure that the required appraisal methodology has been followed.

The Board thanked Mr. Davison and Mr. Davis for the presentation.

Ms. Fitzpatrick noted there is a difference between increasing values vs. increasing taxes, and that the Board will consider the classification of taxes when it holds its hearing in December.

8:00 p.m. Town Manager:  
Kate Fitzpatrick, Town Manager appeared before the Board with four items to discuss:

1. Open Special Town Meeting Warrant

Ms. Fitzpatrick reviewed with the Board the articles in the draft warrant dated September 5, 2014. She recommended that the Board open the warrant for the October 27, 2014 Special Town Meeting, noting the Warrant is scheduled to be closed on September 23, 2014.

**Motion by Mr. Handel that the Board vote to open the warrant for the October 27, 2014 Special Town Meeting.**

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

2. Approve Road Event Policy

Ms. Fitzpatrick reminded the Board that it held a public hearing on the Road Event Policy at its meeting on June 24, 2014. Ms. Fitzpatrick recommended the Board approve the final version of the policy, which has been revised to incorporate feedback received at the hearing.

**Motion by Mr. Handel that the Board of Selectmen vote to approve the Road Events Policy dated September 10, 2014.**

**Second: Ms. Cooley. Unanimously approved 5-0.**

3. Acceptance of Private Ways Policy

Ms. Fitzpatrick noted that the 2014 Annual Town Meeting approved the final Town By-laws relative to private ways, which authorizes the Board of Selectmen to issue regulations or policies to implement the By-law. Ms. Fitzpatrick recommended adoption of a Private Ways Policy including specific procedures to be followed and an inventory of private ways.

**Motion by Mr. Handel that the Board vote to approve and sign the Private Ways Policy dated September 10, 2014.**

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

4. Town of Needham Regulations for the Sale of Alcoholic Beverages

Ms. Fitzpatrick reminded the Board that at its meeting on August 19, 2014, a public hearing was held on the possible expansion of hours of operation for the retail sale of alcoholic beverages. She recommended the Board approve the revised Town of Needham Regulations for the Sale of Alcoholic Beverages which extends the hours of operation on Sundays from 12:00 p.m. to 5:00 p.m. to 12:00 p.m. to 6:00 p.m., and on legal Holidays from 12:00 p.m. to 5:00 p.m. to 9:00 a.m. to 10:00 p.m.

**Motion by Mr. Borrelli that the Board vote to approve the revised Town of Needham Regulations for the Sale of Alcoholic Beverages, dated September 10, 2014.**

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

8:10 p.m. Board Discussion:

1. Buffer Zone Legislation

The Board discussed House Bill 4156, An Act Establishing a Highway Buffer Zone in the Town of Needham, which was vetoed by Governor Patrick in July. The Board considered sending a letter to the Governor in response.

Mr. Bulian read the proposed letter to Governor Patrick, and acknowledged his disappointment with the Governor's decision and how the administration handled the situation. He said he is hopeful the issue will be revisited by the next administration.

**Motion by Mr. Handel that the Board vote to approve and sign a letter to Governor Patrick relative to the Highway Buffer Zone Legislation.**

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

2. Committee Reports

Mr. Borrelli reminded the Board that the September 11th First Responders memorial dedication will take place on Thursday, September 11, 2014 at the corner of Chestnut Street and School Street on the property of the Police and Fire station at 8:30 a.m.

8:30 p.m.

Adjourn:

**Motion by Mr. Borrelli that the Board of Selectmen vote to adjourn the Board of Selectmen of September 10, 2014.**

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

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=>