

# TOWN OF NEEDHAM



## SPECIAL TOWN MEETING WARRANT

MONDAY, MAY 9, 2016

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

Additional information on particular warrant articles will be made available from time to time at [www.needhamma.gov/townmeeting](http://www.needhamma.gov/townmeeting) during the weeks leading up to the Special Town Meeting.

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Town Hall:

**MONDAY, THE NINTH DAY OF MAY, 2016**

At 7:30 in the afternoon, then and there to act upon the following articles, viz:

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**HUMAN RESOURCE ARTICLES**

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**ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT – FIRE UNION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Fire Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2017; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.*

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**ARTICLE 2: FUND COLLECTIVE BARGAINING AGREEMENT – POLICE SUPERIOR OFFICERS ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Superior Officers Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2016 and fiscal year 2017; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* At the time of the printing of the warrant, the parties had not reached agreement on this contract.

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**FINANCE ARTICLES**

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**ARTICLE 3: FIRE PLANNING INSPECTION PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$55,000 for a Fire Pre-Planning Inspection Program, to be spent under the direction of the Town Manager, and to meet this appropriation that \$55,000 be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* This funding will enable the Fire Prevention Division to secure the services of an inspector to conduct planning inspections of public buildings, schools, and commercial establishments. Information gathered at these inspections – such as pictures, floor plans, hazardous material locations and amounts – will be entered into the public safety computer-aided dispatch (CAD) database to be readily accessible to emergency responders and dispatchers. Approximately 1,400 sites require information gathering and input, which will be completed over 30 months.

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**ARTICLE 4: AMEND THE FY2016 OPERATING BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2016 Operating Budget adopted under Article 16 of the May 2015 Annual Town Meeting, and amended under Article 9 of the November 2, 2015 Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
27A	HHS Salary & Wages	\$1,186,457	\$1,148,360
27B	HHS Expenses	\$245,245	\$283,342

INSERTED BY: Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* This article is to amend the Town's operating budget for FY2016. The request is to transfer \$38,097 from the Health and Human Services salary and wages budget line to expenses. The change to the operating budget bottom line is zero. Due to changes in staff and the securing of grants, the department will have some one-time salary savings which the

*department seeks to purchase needed office equipment, safety equipment, and technology. The funds would also pay for training and outside professional consultants to complete two investigative studies that will assist the department in moving forward.*

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**ARTICLE 5:    APPROPRIATE FOR PAYMENT OF UNPAID BILLS OF PRIOR YEARS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$5,916 for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, as follows, and that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

Department	Vendor	Description	Fiscal Year	Amount
DPW	Global Montello Group Corp	Fuel	2015	\$5,541
Public Facilities	East Coast Security Services, Inc.	Annunciator Programming	2014	\$375

INSERTED BY:    Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:    Article be Adopted

*Article Information:    State law requires Town Meeting action in order for the Town to make payment for bills received after the close of the fiscal year or in excess of appropriation.*

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**GENERAL ARTICLES / CITIZENS’ PETITIONS / COMMITTEE ARTICLES**

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**ARTICLE 6:    AUTHORIZE MINUTEMAN SCHOOL BONDING**

To see if the Town will approve the amount of \$144,922,478 for the purpose of paying costs of designing, constructing and originally equipping a new district school, to be located at 758 Marrett Road, Lexington, Massachusetts, and for the payment of all other costs incidental and related thereto (the “Project”), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee. To meet this appropriation, the District is authorized to borrow said amount, under and pursuant to Chapter 71, Section 16(d) of the General Laws, and the District Agreement, as amended, or pursuant to any other enabling authority. The District acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member

municipalities; provided further that any grant that the District may receive from the MSBA shall not exceed the lesser of (i) forty four and three quarters percent (44.75%) of eligible, approved Project costs, as determined by the MSBA, or (ii) the total maximum grant amount determined by the MSBA, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: This article seeks Town Meeting approval for the Minuteman Regional Vocational Technical School District's proposed construction of a new school at the District's campus in Lexington and Lincoln, to be built in conjunction with the Massachusetts School Building Authority (MSBA).*

*The text of the main motion essentially follows that of the Minuteman District School Committee's vote of March 15, 2016, approving bonding authority for the project. By law, that action is subject to disapproval within sixty days by any member community's town meeting. Needham is a member community of the District, and on advice of District counsel, a "no" vote on this article will be deemed a disapproval of the bonding. The Board of Selectmen supports a "yes" vote, but has included this article in the STM warrant for town meeting decision because the costs and related issues are significant.*

*Minuteman's existing facility, built in the early 1970's, has serious building systems and capital maintenance issues, does not meet current code and architectural standards, and cannot optimally support Minuteman's vocational education program. The current MSBA timeline requires the District to secure necessary approvals for its share of capital borrowing before the end of June, 2016.*

*A related issue previously before town meeting has been revision of the District's regional agreement. That process was completed earlier this year with approval by all member town meetings and the State Commissioner of Education. The changes in the revised agreement are intended to improve governance and cost sharing and facilitate realignment of the district.*

*As part of the new agreement six, mostly low-enrolling, communities are withdrawing from the district effective July 1, 2017. The District's net capital costs for this project will be shared by the ten remaining towns. However, under revised regulations applicable to MSBA projects, the District will be able to assess a capital charge to out-of-district students (including those of departing towns) over and above the state set maximum tuition.*

*The estimated cost of the project, which is for a new school with a design enrollment of 628 students, is approximately \$150 million, towards which the MSBA has committed \$44 million. With thirty year bonding, Needham's share of that cost will be proportional to its share of the student enrollment and the amount payable each year will be included in the District's budget assessments. Needham currently has 25 students at Minuteman, and that number is expected to increase to some extent with a new facility.*

*If the Capital Project is not approved, the District will face difficult challenges operating and maintaining its existing facility. The member communities will share those costs, which without MSBA and out of district contributions may be higher than the cost to build a new school.*

*Although the project cost is substantial, the Selectmen believe it will help put the Minuteman District, and vocational education in our region, on a sound path going forward. Minuteman High School is the*

*primary vocational education resource for Needham residents and is an important option for students who either seek or will be better served by vocational education opportunities.*

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## CAPITAL ARTICLES

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### **ARTICLE 7: APPROPRIATE FOR PROPERTY ACQUISITION**

To see if the Town will vote to raise and/or transfer and appropriate \$762,500 for the acquisition of real property known as 609 Central Avenue (Assessors Map 108, Lot 11), and for associated costs, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and further that this is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The property at 609 Central Avenue became available for acquisition in the last few months. The property is immediately adjacent to the "Owens Farm" properties recently acquired for the construction of an elementary school to replace the Hillside School. The property will improve the design, traffic flow, area for playground construction, parking, and accessibility. The property consists of approximately .32 acres and, if approved, will be purchased for \$725,000. The balance of the appropriation will fund related expenses to acquire and incorporate the parcel into the project overall.*

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## RESERVE ARTICLES

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### **ARTICLE 8: APPROPRIATE TO CAPITAL IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$29,296 to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, and that \$8,050 be transferred from Article 32 of the 2010 Annual Town Meeting and \$21,246 be transferred from Article 36 of the 2011 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Explanation:* Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The March 31, 2016 balance in the fund was \$670,479.

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**ARTICLE 9: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate \$320,186 to the Athletic Facility Improvement Fund, as provided under Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The 2012 Annual Town Meeting approved the creation of an athletic facility stabilization fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures, particularly at Memorial Park and DeFazio Park Field Complex. This article would allocate non-recurring Free Cash that was not proposed for appropriation in the 2016 Annual Town Meeting Warrant to continue to reserve funds for the anticipated replacement of the synthetic turf fields at Memorial Park and DeFazio Park Field Complex, and the renovation or reconstruction of the Memorial Park Building. The March 31, 2016 balance in the fund was \$1,974,847.

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**ARTICLE 10: APPROPRIATE TO DEBT SERVICE STABILIZATION FUND**

To see if the Town will vote to raise and/or transfer and appropriate \$320,186 to the Debt Service Stabilization Fund, as provided under Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The November 2, 2015 Special Town Meeting approved the creation of a Debt Service Stabilization Fund (DSSF) to set aside funds to pay certain debt obligations. This fund is intended to be part of the Town's overall planning strategy for addressing capital facility needs. The fund provides added flexibility by smoothing out the impact of debt payments in years when the debt level is higher than is typically recommended. The fund would also be beneficial at times when interest rates are higher than expected. The plan for the fund is designed to ensure that the monies are not depleted in a single year, and that the amount available for appropriation is known before the budget year begins. This article would allocate non-recurring Free Cash that was not proposed for appropriation in the 2016 Annual Town Meeting Warrant to continue to reserve funds for known capital facility planned in the next few years.



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And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given into our hands at Needham aforesaid this 13<sup>th</sup> day of April, 2016.

**MATTHEW D. BORRELLI, Chairman**  
**MARIANNE B. COOLEY, Vice Chairman**  
**DANIEL P. MATTHEWS, Clerk**  
**JOHN A. BULIAN**  
**MAURICE P. HANDEL**

*Selectmen of Needham*

A TRUE COPY

Attest:

Constable: