

**Town Of Needham Board of Selectman
Minutes for April 28, 2009
Needham Town Hall**

6:45 p.m. Informal Session:

Russ Broad, Town Meeting Member, appeared before the Board to discuss the Town's effort to provide property tax relief to seniors. Mr. Matthews reiterated his position that the informal session is not an appropriate time to discuss matters of this magnitude and Mr. Broad should request that the Board have a discussion during its open session. Mr. Broad stated that he has actively supported tax relief for seniors and would like the Town to do more than what is currently proposed. He would like to see taxes suspended for seniors and see a larger commitment by the Town to match the Property Tax Assistance Program. Mr. Wasserman stated that the Town is pursuing a number of efforts to provide assistance, but had to limit its commitment for next fiscal year due to the Town's current fiscal condition.

Rod McLeod expressed his disappointment that the Tax Assistance Program was not proposed to be funded at a higher level. He would like to see a public discussion on the issue. Mr. Matthews stated that this discussion can happen at Town Meeting. Ms. Garlick stated that the Board was in unanimous support of the Senior Property Tax Relief article on the Town Meeting warrant and is trying to do all it can within the limits of the Town's budget.

7:05 p.m. Call To Order:

A meeting of the Board of Selectmen was convened by Chairman Daniel Matthews at 7:05 p.m. Those present were: John Bulian, Daniel P. Matthews, Gerald Wasserman, Denise Garlick, Maurice Handel, Town Manager Kate Fitzpatrick and Recording Secretary Greg Cooper.

7:05 p.m. Public Hearing - NSTAR petition for George Aggott Road:

Renee Clark, NSTAR Representative, requested the Board approve a petition to install conduit on George Aggott Road to provide electrical service to #51 George Aggott Road. Mr. Matthews opened the

public hearing. A resident asked if the conduit would go under any abutter's property. Ms. Clark stated that it would not. A resident stated that the building since built has caused water problems for neighbors and asked if this work would cause additional problems. Mr. Matthews stated that it should not materially affect the area but that the resident should inquire at the Building Department.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition form NSTAR to install approximately 18 feet of conduit @ Pole 151/7 George Aggott Road, Needham, in order to provide new overhead/underground electric service @ #51 George Aggott Road, Needham.

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

7:15 p.m. Consent Agenda:

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

CONSENT AGENDA *=Backup attached

- 1.* Approve one day special Wine & Malt license application received from Ethem Sözer for the Orphan Gündüz Memorial School's Annual Turkish School Dinner. The event will be held on Saturday, May 9, 2009 from 6:30 p.m. - 10:30 p.m. at the Presbyterian Church located at 1458 Great Plain Avenue, Needham, MA 02492.**
- 2. Approve the calendar year 2009 Spring Licenses as follows. This approval is predicated on the receipt of all completed required paperwork before May 1, 2009.**

Establishment License Type

**Needham Bowl-A-Way, Inc. Bowling Alley
Veteran's Taxi of Newton, LLC Taxi/Livery
Lt. Manson H. Carter Post 2498 VFW Building
Association, Inc.**

Pool Table

Second Time Around Clothing Sale of Second Hand Articles

Closet Exchange - Best of the Mall Sale of Second Hand Articles

Closet Exchange - Designer & Boutique Sale of Second Hand Articles

**Closet Exchange - Consignment Drop Off Sale
of Second Hand Articles
Closet Exchange - Last Chance Store Sale of
Second Hand Articles
Hollywood Video Sale of Second Hand Articles
Crosby Jewelers, Inc. Sale of Second Hand
Articles**

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

7:15 p.m. Richard Merson, DPW Director, appeared before the Board with two items for the Board's consideration.

1. Approve Street Permit Procedures & Regulations:
Richard Merson, DPW Director, requested the Board approve updated Street Permit Procedures and Regulations that incorporate new trench safety requirements and a new permit fee schedule.
Motion by Mr. Bulian that the Board of Selectmen vote to approve the Town of Needham, Massachusetts, Department of Public Works, Street Permit Procedures & regulations, Effective May 1, 2009
Second: Mr. Wasserman. Unanimously approved 5-0.

2. Webster Street Rehabilitation - Phase II Report:
Mr. Merson provided the Board with an update on the Webster Street Rehabilitation Project. He stated that the next phase involves work between Lindbergh Ave. and Hunnewell Street. He stated that it appears that no poles or trees will be impacted in the construction. Mr. Merson stated that the area of Webster in front of the High School is not proposed to be done now, which will allow for more time to observe traffic patterns in the area. Mr. Wasserman asked why granite curbing is being used. Mr. Merson stated that granite curbing helps better delineate areas for bikes, pedestrians and cars, and although initially more expensive it lasts much longer than alternatives.

7:25 p.m. Newman School Facility Repair Project:
Steve Popper - Director of Construction, George Kent - PPBC Chairman, and Ms. Fitzpatrick provided the Board with an update on the Newman School. Ms. Fitzpatrick stated that the Town has been working cooperatively with the Massachusetts School Building Authority on developing a scope of work and project schedule. Mr. Kent stated that the

Article in the Town Meeting Warrant is for the development of a schematic design. The Board discussed how the topic should be presented at Town Meeting and the roles of the PPBC, School Committee, and Board. Ms. Fitzpatrick stated that the project is on a fast timeline. The Board discussed the issue of the Town's having to go before the MSBA Funding Board to present the project and receive approval. Mr. Kent stated that the proposed plan is to house students on-site in modular classrooms during the construction. Portions of the building will be accessible and usable during the construction.

7:55 p.m. Ms. Fitzpatrick appeared before the Board with three items for the Board's consideration.

1. Sign Order of Taking for Sewer Purposes - Richardson Drive:
Ms. Fitzpatrick requested the Board approve an Order of Taking for a sewer easement across land at 122 Richardson Drive to connect the sewer main in Richardson Drive to an existing sewer main in South Street.
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign the Order of Taking for Sewer Purposes for 122 Richardson Drive and award damages to the owner in the amount of \$2,500.
Second: Mr. Handel. Unanimously approved 5-0.
2. Position on Warrant Articles:
Ms. Fitzpatrick requested the Board consider taking positions on articles in the 2009 Annual Town Meeting Warrant. The Board took positions on a number of the articles at its last meeting.

Article 21 - Citizen's Petition - Natural Resources Committee:

The proponent for the article, Susan Abbott, has agreed to withdraw the article and the Town Manager will be taking a first look at how to accomplish the initial work being recommended without binding the Town on future steps. Mr. Matthews recommended the Board put the initiative on its goals and objectives for FY2010. Mr. Handel and Ms. Garlick thanked Ms. Abbott for bringing this important issue before the Town and for her commitment to

improving and preserving the natural resources of the Town.

Article 20 - Citizen's petition - Quiet Zone Study: Mr. Bulian stated that the cost of the feasibility study is a hurdle but the Transportation Committee has discussed pursuing some of the project independently. The Board agreed that cost information is necessary to advance the discussion. Mr. Matthews stated that he was fine with the study being performed with private funding but is worried about the study committing the Town to embark on the project, which is not realistic given the Town's fiscal constraints. The Board asked Mr. Bulian to follow up with the proponent, Jeanne McKnight, to see if some of the feasibility study may be done by the Transportation Committee and private funding. The Board decided not to take a position on the Article until just before Town Meeting.

Article 17 - Report of Town Meeting Study Committee:

The Board agreed that it should not take a position on the Article because it is an issue for Town Meeting to decide.

Article 18 - Procedure Committee:

The Board discussed whether it should take a position on an Article that involves how Town Meeting conducts its business. Mr. Matthews expressed his concern that, if not well defined, the role of such a Committee can be very broadly interpreted. The Board agreed it should not take a position but that individual members may express their personal opinions.

Motion by Mr. Handel that the Board of Selectmen vote not to take a position on Article 18 - Procedure Committee in the 2009 Annual Town Meeting Warrant.

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

Article 19 - Votes and Resolutions of Town Meeting:

Mr. Wasserman stated that the Finance Committee would like to see some rewording of the Article to restrict the breadth of issues that may be

discussed by Town Meeting to those topics that are focused on the Town and not national and international issues. Mr. Handel and Ms. Garlick felt the Board did not need to take a position on the article.

Motion by Mr. Wasserman that the Board of Selectmen vote not to take a position on Article 19 - Votes and Resolutions of Town Meeting in the 2009 Annual Town Meeting Warrant.

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

Article 60 - Omnibus

The Board agreed to wait and see what may come in under the omnibus.

Mr. Matthews requested the Board consider taking positions on the remaining Special Town Meeting Articles.

Article 1 - Collective Bargaining/Public Facilities:

The Board agreed to hold on taking a position.

Article 4 - FY09 Operating Budget:

The Finance Committee has not yet taken a position on the Article so the Board agreed to defer action.

Article 7 - Minuteman School Stabilization Fund:

Mr. Matthews stated that Board members should have received information on how the stabilization fund will be used. The Board agreed to review the material and take a position on the Article prior to the start of Town Meeting.

3. Facility Financing Plan Update:
David Davison, Assistant Town Manager/Finance Director, provided the Board with an updated financing plan for projects in the current Capital Improvement Plan and projects to be pursued through fall. Mr. Davison reviewed the assumptions made in the analysis. He stated that the assumptions are very conservative on revenue growth, interest rates and other key factors. The Board thanked Mr. Davison for the analysis.

8:45 p.m. Board Discussion:

1. Mr. Wassermann asked Ms. Fitzpatrick if the Town is examining the opportunities in the Federal Stimulus Package that was recently mentioned in a letter from Congressman Lynch. Ms. Fitzpatrick stated that the Public Works Department is looking to respond.
2. Mr. Matthews stated that the Finance Committee voted not to support two of the CPC projects which the Board voted to support. Mr. Matthews expressed a desire to better coordinate the efforts of the Finance Committee, Community Preservation Committee and the Board given the Community Preservation Fund's significant portion of the tax levy. He suggested a summit to discuss the roles and coordination. The Board agreed that this would be productive.
3. Mr. Matthews stated that he has asked the Town Manager to come up with her goals and objectives for FY2010. He recommended that Board members provide Ms. Fitzpatrick with their recommendations so that they may be considered for incorporation. Mr. Matthews stated that he does. Mr. Matthews stated that the board will take up this issue after Town Meeting.

8:55 p.m. Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the April 28, 2009 Needham Board of Selectmen Meeting.

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