

**Town of Needham
Board of Selectmen
Minutes for April 27, 2010
Public Services Administrative Building**

6:45 p.m. Informal Meeting with Citizens: No Activity

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman John A. Bulian at 7:00 p.m. Those present were Gerald A. Wasserman, Daniel P. Matthews, Maurice P. Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Denise C. Garlick was not present.

7:00 p.m. Proclamation:
Mr. Lance Remsen, his wife MaryJean, and Mr. Rick Merson appeared before the Board of Selectmen. Mr. Bulian read a proclamation recognizing Mr. Remsen for his 37 years of service to the Town of Needham.

Motion by Mr. Wasserman that the Board of Selectmen vote to sign a proclamation recognizing Mr. Lance Remsen and his 37 years of service to the Town of Needham. Second: Mr. Matthews. Unanimously approved 4-0.

Mr. Remsen thanked the Board of Selectmen and spoke about his years working for the Town of Needham. He stated it has been a good place to work and he is glad he could do his part for the town. Mr. Bulian thanked Mr. Remsen for his service to the town and mentioned a celebratory dinner being held on Friday, April 30 in Mr. Remsen's honor. The remaining Board members, Town Manager Fitzpatrick, and audience members congratulated Mr. Remsen.

7:05 p.m. Town Manager:
Town Manager, Kate Fitzpatrick appeared before the Board with 2 items to discuss:

Agreement with Conservation Commission/Ridge Hill

Ms. Fitzpatrick discussed with the Board a 2007 agreement between the Board of Selectmen and the Conservation Commission transferring control of a part of Ridge Hill from the Conservation Commission to the Selectmen for the purposes of constructing a senior center. Ms. Fitzpatrick said that the agreement included certain provisions relative to the timing of the construction of a senior center. Ms. Fitzpatrick stated a proposed revised agreement eliminates the requirement to take steps to

transfer the property back to the Commission, and makes some other minor modifications.

Motion by Mr. Matthews that the Board of Selectmen approve and authorize the chairman to sign the Agreement by and between the Board of Selectmen and Conservation Commission to be dated April 27, 2010. Second: Mr. Wasserman. Unanimously approved 4-0.

Positions on Warrant Articles

Town Manager Fitzpatrick and Mr. David Davison, Assistant Town Manager/Finance Director reviewed articles contained in the Annual and Special Town Meeting Warrants. Ms. Fitzpatrick and Mr. Davison provided additional information on specific articles that the Board requested at its April 20, 2010 meeting.

FY2011 Free Cash

Mr. Davison stated the warrant article calls for a transfer to reduce the tax rate for 2011. He commented there are 2 ways in which towns typically use free cash, but most common is to appropriate piecemeal to different articles and operations. He stated Needham's tradition has been that free cash is appropriated in its entirety on an annual basis. Mr. Davison stated the Free Cash amount that will be available for FY2011 was certified by the Massachusetts Department of Revenue at \$3,568,037. He stated this number is a \$422,621 increase (13.4%) over the FY2010 budget and is not inconsistent with the range from the last 10 years.

Mr. Handel questioned whether the Free Cash amount is declining as a percentage of the overall budget. Mr. Davison stated that the fund balance has been stable as a percentage of the total operations of the Town. Mr. Davison said that the portion of fund balance that is certified as free cash is at the discretion of the Department of Revenue, and fluctuates from year to year.

Mr. Wasserman asked if there were amounts projected for Free Cash for FY2012. Mr. Davison stated the projections are not yet available, but noted there is nothing to suggest it will be much different than the last 10 years. Mr. Wasserman expressed his concern that the Town's policy on allocating a portion of free cash is based on a fixed number rather than a percentage. Mr. Davison indicated that refraining from allocating too much free cash to the operating budget is a conservative approach.

Property Tax Exemption

Ms. Fitzpatrick provided the Board a chart showing the exemption history from 1984-2010. She stated in 1984 a total of 495 exemptions were granted and in 2010, 213 exemptions were granted, due in part to war veterans passing away. She said the purpose for the article is to increase

in statutory exemptions, which were already at a base amount, and that the town is approaching 100%, which is the maximum. Mr. Davison stated this is a required annual vote for town meeting, even if it were not for an increase.

Mr. Handel asked if the State's reimbursement is certain. Mr. Davison responded that it is as certain as any other State program.

Appropriations to Capital Facility Fund

Ms. Fitzpatrick stated the total appropriations to the Capital Facility Fund to date equal \$618,957, with an additional \$100,000 pending Town Meeting approval in May 2010.

The Board took positions on Articles in the Annual Town Meeting Warrant and the Special Town Meeting Warrant.

Annual Town Meeting Warrant:

Article 9

Motion by Mr. Handel that the Board vote to withdraw Article 9 – Independent Town Workers' Association in the Annual Town Meeting Warrant. Second: Mr. Wasserman. Unanimously approved 4-0.

Article 10

Motion by Mr. Handel that the Board vote to withdraw Article 10 – Public Works Union in the Annual Town Meeting Warrant. Second: Mr. Wasserman. Unanimously approved 4-0.

Article 42

Motion by Mr. Matthews that the Board vote to withdraw Article 42 – Stabilization Fund in the Annual Town Meeting Warrant contingent on Finance Committee voting the same. Second: Mr. Wasserman. Unanimously approved 4-0.

Special Town Meeting Warrant:

Article 1

Motion by Mr. Matthews that the Board vote to support Article 1 – Amend Zoning By-Law to Create Elder Services District in the Special Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 4-0

Article 2

Motion by Mr. Matthews that the Board vote to support Article 2 – Map Change to Create Elder Services Zoning District in the Special

Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 4-0.

Article 10 - Defer Action

Article 15

Motion by Mr. Matthews that the Board vote to support Article 15 – Appropriate to Capital Facility Fund in the Special Town Meeting Warrant. Second: Mr. Wasserman. Unanimously approved 4-0.

7:25 p.m. Board Discussion:
Committee Reports – No reports were made

7:30 p.m. Executive Session:
Motion by Mr. Matthews that the Board of Selectmen vote to enter into Executive Session under Exception 6 – to consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body, not to return to open session prior to adjournment. Second: Mr. Wasserman. Mr. Bulian polled the Board: Unanimous: 4-0.

(The meeting adjourned at 7:45 p.m.)