

BOARD OF SELECTMEN

March 22, 2011

Needham Public Services Administration Building

Agenda

	6:45	Informal Meeting with Citizens
1.	7:00	Chapter 40B Guidelines Discussion ▪ Lee Newman, Director of Planning & Community Development ▪ Judi Barrett, Housing Consultant
2.	7:15	Update Building Department Fees ▪ Dan Walsh, Inspector of Buildings ▪ Christopher Coleman, Assistant Town Manager/Operations
3.	7:30	Department of Public Works ▪ Intention to Layout Great Plain Avenue ▪ Intention to Layout Farley Pond Lane ▪ Intention to Layout Booth Street
4.	7:35	Town Manager ▪ Inter-municipal Agreement/Kendrick Street Bridge ▪ Open Town Meeting Warrant ▪ 2011 Annual Town Meeting
5.	7:40	Board Discussion ▪ Committee Reports

APPOINTMENTS

1.	Human Rights Committee	Amelia Klein (term expires 6/30/2012)
2.	Commission on Disabilities	Leon Foster (term expires 6/30/2013)
3.	Council of Economic Advisors	William Day (term expires 6/30/2012)

CONSENT AGENDA *=Backup attached

1.*	Approve a request from the Exchange Club of Needham to sponsor 4 th of July fireworks on Sunday, July 3, 2011 and activities on Monday, July 4, 2011. Coordination of all additional activities will be made with appropriate Town Departments.
2.	Accept the following donation made to The Park and Recreation Commission for Arts in the Park: \$600 from Middlesex Savings Bank
3.*	Approve a One Day Special All Alcoholic beverages license from Ed Davis of St. Sebastian's School to hold its Alumni Dinner event on Thursday, March 31, 2011 from 6:00 pm to 10:00 pm at Ward Hall, St. Sebastian's School, 1191 Greendale Avenue, Needham.
4.*	Approve a One Day Special Wines & Malt beverages license from Dorothy C. Mitchell, of Laser Skin Care Solutions to hold an open house event on Thursday, March 31, 2011 from 5:00 pm to 8:00 pm at The Needham Historical Society, 1147 Central Avenue, Needham.

5.	Accept donation of a 250 th Anniversary Town of Needham ashtray from David P. Nigro, 27 Hamilton Place, Needham.
6.*	Water and Sewer Abatement Order #1121
7.*	Approve minutes from February 22, 2011, March 8, 2011 and March 14, 2011 meetings.

**Board of Selectmen
AGENDA FACT SHEET for 3/22/11**

Agenda Item: 40B Guidelines Discussion

Presenter(s): Lee Newman, Director of Planning & Community Development
Judi Barrett, Housing Consultant

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Town has hired a consultant and established a working group to assist in the development of Chapter 40B Review Guidelines. This project was funded through CPA funds at the 2009 Annual Town Meeting. The Guidelines are intended to articulate Needham's policies, preferences, and expectations for affordable and mixed-income housing developments, and the housing needs the community seeks to address -- as discussed in Needham's Affordable Housing Plan. The consultant, Judi Barrett, Planning staff, and members of the working group will meet with the Board of Selectmen to get feedback to bring back to the working group. Members of the working group will also be meeting with other stakeholder Boards and Committees for feedback.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)

3. BACK UP INFORMATION ATTACHED:

- a. Project Outline and Description
- b. Discussion Questions

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	[no]	NA	_____
b.	Town Counsel	yes	[no]	NA	_____
c.	Finance Director	yes	[no]	NA	_____
d.	DPW _____	yes	[no]	NA	_____

Disposition by BOS

Action taken: _____ Present on future Agenda: _____

Refer to/Inform: _____ Report back to BOS on: _____

Town of Needham

Chapter 40B Guidelines

Project Description

The Chapter 40B Guidelines Project consists of two parts: comprehensive permit regulations for the Zoning Board of Appeals, and a policy framework and guidelines for the review of comprehensive permit applications by other boards, committees, and town departments. The comprehensive permit regulations will describe the application, public hearing, review, and decision procedures of the Board of Appeals, which has exclusive statutory authority to grant or deny comprehensive permits under Chapter 40B. However, the guidelines are intended to serve different purposes: to inform developers about the Town's affordable housing concerns and priorities, and provide criteria for boards and staff to use when they review comprehensive permit applications and provide comments to the Board of Appeals. This component of the project will be informed, in part, by the Needham Affordable Housing Plan (2007).

The content of the guidelines will be developed by the Chapter 40B Guidelines Working Group, in consultation with many town boards. It is likely that the guidelines will cover matters such as priority housing needs, the scale and density of developments, architectural design, areas of town that may be suitable for moderate- to higher-density development, consistent with Needham's planning policies, and areas that would not be suitable because they have high natural resources value or significant physical constraints. Ultimately, the guidelines will need to be approved by the Board of Selectmen and Planning Board, and perhaps other boards as well, depending on how the Town wishes to conduct the adoption process. The goal is a set of guidelines that help to unify the Town's approach to comprehensive permit reviews and provide clear direction to prospective developers.

Process Summary

The Chapter 40B Working Group met with staff and the Town's consultants on March 2, 2011. Composed of representatives from various town boards and committees, the Working Group will serve as the coordinating body for the Guidelines Project. They will provide overall direction to the consultants, assist with some of the "hands-on" tasks required for the project, and review, refine, and shape drafts of guidelines as the consultants gather and synthesize information. The week of March 21 inaugurates an extended series of interviews with boards and committees whose input will be important to the successful adoption and implementation of Chapter 40B guidelines. To date, these groups include:

Board of Selectmen	Needham Housing Authority
Planning Board	Finance Committee
Design Review Board	School Committee
Community Preservation Committee	Conservation Commission
Council on Aging	Zoning Board of Appeals

In many cases, members of the Working Group will participate in the interviews.

Throughout the interview phase, the consultants will be asking questions in an effort to understand the Town's past experience with comprehensive permit reviews, methods that have worked well and not so well, and what the Town would like to see in future comprehensive permit developments. The questions will be similar to the sample questions attached to this report, which formed the basis for the Working Group's initial meeting two weeks ago. In addition, some questions may be tailored to the unique concerns or expertise of a particular interviewee, e.g., the Housing Authority's knowledge of local and regional housing needs.

After the interview notes have been summarized and distilled to a set of common themes, the Working Group will be asked to identify priorities and provide general direction so the consultants can begin to draft the guidelines. The guidelines will most likely go through a few drafts before they are ready for distribution to and review by a wider audience.

Project Schedule

The target date for completing the Guidelines Project is July 31, 2011. The schedule consists of the following major components:

Timeframe	Chapter 40B Guidelines	Chapter 40B Regulations
March - April	• Working Group meetings • Interviews with Town boards and staff • Independent data gathering by the consultants	
May-June	• Priority setting and initial policy framework • Draft guidelines • Revised guidelines • All-boards meeting	• Meeting/workshop with Board of Appeals • Draft regulations for Board review
July	• Revise guidelines • Prepare final guidelines	• Prepare final comprehensive permit regulations for adoption by the Board of Appeals

Town of Needham
Chapter 40B Guidelines
Discussion Questions

- 1) What are the Town's comprehensive permit priorities?
 - a) To reach the 10 percent statutory minimum
 - b) To meet local and regional housing needs (and what are the most important needs?)
 - c) To create projects that look/feel "like Needham"
 - d) To minimize neighborhood opposition
 - e) Other?
- 2) Do you think most Town officials would agree with your sense of the priorities?
- 3) Do you think most residents would agree with your sense of the priorities?
- 4) Whose buy-in is most important in order for a set of 40B guidelines to be effective? Should the guidelines be used primarily to achieve consensus inside town government (among town boards and staff)? To educate/convince abutters and other interested parties?
- 5) What criteria should the Town use to determine whether a site is suitable for a comprehensive permit development? Should the Town identify preferred locations or areas?
- 6) How far should the Town go to communicate its preferences and priorities to developers? How proactive should Needham be about "getting the word out" that developers should be prepared to comply with the guidelines?
- 7) Should the Town try to steer developers toward the Local Initiative Program (LIP) comprehensive permit process or take a more passive approach and deal with conventional permit applications as they arrive?
- 8) What trade-offs should the Town be willing to consider in order to get the best project it can obtain from a comprehensive permit developer? How important are the following considerations?
 - a) Housing needs
 - b) Project size (number of units)
 - c) Building scale, architectural design
 - d) Site design
 - e) Off-site impacts
 - f) Other?

Board of Selectmen

AGENDA FACT SHEET for 3/22/2011

Agenda Item: Building Permit Fees

Presenter(s): Daniel Walsh, Building Inspector
Christopher Coleman, Assistant Town
Manager/Director of Operation

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Mr. Walsh and Mr. Coleman will recommend a new fee for sheet metal permits. In February 2011, the Board of Licensure promulgated regulations in response to the passage, in August, 2009, of a new law requiring the licensure of sheet metal workers. The law and regulations require that licensed sheet metal installers obtain a permit from the Building Inspector prior to any erection, installation, or dismantling of sheet metal. In addition, the Commonwealth will no longer establish fees for certificates of inspection. Mr. Walsh and Mr. Coleman will recommend that the Board to approve a Certificate of Inspection Table Fee Schedule (which is identical to the existing table issued by the Commonwealth) to be applicable in the Town of Needham.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)

Suggested Motion: That the Board vote to set a sheet metal permit fee schedule per the attached document entitled "Sheet Metal Fee Schedule, March 18, 2011."

Suggested Motion: That the Board vote to adopt certificate of inspection fees per the attached document entitled "Certificate of Inspection Fee Table, March 18, 2011."

3. BACK UP INFORMATION ATTACHED:

- a. Letter to Christopher Coleman from Dan Walsh dated March 10, 2011
- b. MGL Chapter 232, An Act Relative to the Licensing of Sheet Metal Workers
- c. Building Department Fee Proposal dated January 2011
- d. Sheet Metal Fee Schedule Proposal
- e. Town of Needham proposed Certificate of Inspection Fee Schedule
- f. Building Permit Fee Comparison
- g. Plumbing and Gas, and Electrical Permit Fee Schedule.

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

Action taken: _____ **Present on future Agenda:** _____

Refer to/Inform: _____ **Report back to BOS on:** _____



Town of Needham
Building Department

470 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7542

March 10, 2011

Christopher T. Coleman
Assistant Town Manager/Director of Operations
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Re: Building Department permit fees

Dear Chris,

A change to Massachusetts General Law Chapter 13, § 101 has created a Board of Examiners of Sheet Metal Workers, whose purpose is to administer § 237 to 251 of Chapter 112 relative to the licensing of Sheet Metal Workers. Within the provisions of Chapter 112, § 249 mandates that, "No person shall install sheet metal work without first obtaining a permit from the local inspector of buildings or other official". And that "this section shall be enforced by inspectors of buildings or other officials designated by the local building authority and the board". For the Town to be in compliance with the new requirement, the Building Department will need to establish procedures that include a fee schedule for this new permit.

With respect to this change in Massachusetts General Law (see copy of the Law enclosed), effective February, 2011, permit applications to perform sheet metal work in buildings shall be submitted to the local inspector of buildings, who shall grant or deny all such permit applications and shall perform the related inspections. The fees and procedures for this process shall be determined by the municipality. The Law requires that a permit be issued prior to any erection, installation, or dismantling of sheet metal work in accordance with 271 CMR 9.02. Until a permit has been issued by the inspector, sheet metal shall not be installed, altered, removed, replaced, or repaired. After speaking with some of my colleagues and sheet metal trade folks, I recommend a sheet metal permit fee schedule that resembles our current plumbing and gas fees (see enclosed Sheet Metal Fee Schedule).

While working on determining an appropriate fee schedule for our sheet metal permit program, the Building Department did a comparative study of its building, electric, plumbing and gas permit fees to those permit fees used by seven different communities. Based on this study, it would appear that our current base fees are comparable with other communities and recommend no change at this time (see study enclosure).

Also, the State Building Code, 780 CMR went through an update and as a result, leaves the local municipality to establish a fee schedule to administer their inspection and certification for specific use groups program. The program requires the Building Inspector periodically inspect and certify buildings and structures or parts thereof used for education, public assembly, and specific multi residential uses in accordance with Table 106, found in the state building code. It is specific to the minimum inspection and the maximum certification period. Historically, the Town used the fee established by the State. Because this program is mandated as part of the state building code, the Building Department will need to continue this work and set an appropriate fee. Therefore, to stay consistent, I recommend using the established fee amounts published in the previous edition of the State Building Code (see enclosed previous and current Table 106).

Please let me know if you have questions and I will make myself available.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel P. Walsh". The signature is fluid and cursive, with the first name "Daniel" and last name "Walsh" clearly legible.

Daniel P. Walsh, C.B.O.
Inspector of Buildings

Enclosures

**Acts
2008**

Select a different year:

2008 ▼

CHAPTER 232

AN ACT RELATIVE TO THE LICENSING OF SHEET METAL WORKERS. (see House, No. 4804)

Approved by the Governor, August 4, 2008

PREVNEXT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by adding the following 2 sections:-

Section 101. (a) There shall be within the division of professional licensure a board of examiners of sheet metal workers to consist of the commissioner of public safety or his designee, the director of professional licensure or his designee and 5 persons, residents of the commonwealth, to be appointed by the governor for terms of 3 years, 2 of whom shall be journeyperson sheet metal workers with at least 10 years of practical experience and who are wage earners, 2 of whom shall be master sheet metal workers with at least 10 years of practical experience in sheet metal work and 1 of whom shall be a representative of the public and subject to section 9B.

(b) No member shall serve for more than 2 consecutive and complete 3-year terms. As the term of the office of a member expires, a successor shall be appointed in like manner for a term of 3 years. The governor may fill a vacancy in the board for the unexpired portion of the term.

(c) The board shall annually elect from among its members a chairman and vice-chairman. The board shall meet at least 4 times annually and may hold additional meetings as necessary to discharge its duties. Members shall serve without compensation but shall be entitled to reasonable travel expenses. The members of the board shall be public employees for the purposes of chapter 258 for all acts or omissions within the scope of their duties as board members.

Section 102. The board shall have the following powers and duties: (i) to administer and enforce sections 237 to 251, inclusive, of chapter 112; (ii) to adopt rules and regulations governing the licensure of master, journeyperson and apprentice sheet metal workers, and business entities and schools teaching sheet metal work; (iii) to establish standards of professional and ethical conduct; (iv) to establish standards for continuing education reflecting acceptable national standards; and (v) in conjunction with the division of professional licensure, to investigate complaints, conduct inspections, request and review business records of licensees, and set and administer penalties as defined in sections 61 to 65E, inclusive, of said chapter 112 and sections 237 to 251, inclusive, of said chapter 112 for fraudulent, deceptive or professionally incompetent and unsafe practices and for violations of rules and regulations promulgated by the board.

SECTION 2. Chapter 112 of the General Laws is hereby amended by adding the following 15 sections:-

Section 237. As used in this section and sections 237 to 251, inclusive, the following words shall have the following meanings unless the context requires otherwise:

"Apprentice" or "apprentice sheet metal worker", a person at least 16 years of age who is learning or working at the business of sheet metal work under the direct supervision of a master sheet metal worker or a journeyperson sheet metal worker in the employ of a master.

"Board", the board of examiners of sheet metal workers, established in section 101 of chapter 13.

"Certificate of a sheet metal corporation, partnership, LLP, LLC or other entity", a certificate of

registration issued by the board to a master sheet metal worker authorizing him to conduct a sheet metal business as a corporation, partnership, LLP, LLC or other such entity, as the case may be.

"Inspector", the inspector of buildings, building commissioner or other local inspector charged with enforcing the state building code under section 3 of chapter 143.

"Journeyman" or "journeyman sheet metal worker", a person who performs sheet metal work or who, through an apprentice in the employ of a master, employs the journeyman and who has passed an examination and been issued a license as provided in this chapter.

"Master" or "master sheet metal worker", a person having a regular place of business and who, by himself or through journeymen in his employ, performs sheet metal work, subject to inspection and in compliance with any law, rule or regulation pertaining to sheet metal work. The master sheet metal worker may be in the employ of another master sheet metal worker, but shall not be in the employ of a journeyman or apprentice.

"Sheet metal work", the manufacturing, fabrication, assembling, handling, erection, installation, dismantling, alteration and repairing of all commercial duct or air exhaust systems, except for refrigeration and combustion units; installation of commercial fans, sheaves, belt guards, dampers, louvers, screens, registers, grilles, diffusers, sound traps, attenuators, mixing boxes and access doors in connection with duct or air exhaust systems, commercial and industrial architectural sheet metal watershed roof systems, except for roof coverings and associated metal flashing; the testing, adjusting and air-balancing of all air-handling equipment and ductwork installed during new or remodeling construction, the installation of commercial and industrial kitchen hoods, kitchen vents, bathroom exhaust vents and fans; provided, however, that sheet metal work shall not include the work conducted by a licensed pipe fitter, oil burning technician, refrigeration technician, plumber or gasfitter as determined by the laws and regulations relating to those professions; and provided further, that nothing in this section shall be construed to supercede chapters 142 and 146.

"Veteran", as that term is defined in clause Forty-third of section 7 of chapter 4.

Section 238. (a) No person shall engage in work as a master, journeyman or apprentice nor shall any person advertise or represent that he is a master, journeyman or apprentice unless that person holds a valid license issued by the board as provided in this chapter.

(b) The license or certificate of a master, journeyman or apprentice shall be displayed when required by an inspector of buildings or an inspector acting on behalf of the board. The inspectors may enforce this section by entering into an establishment where the licensees are performing their work.

(c) A sign, listing or advertisement of a sheet metal business, master or that of a journeyman sheet metal worker shall contain his designation and license number.

Section 239. (a) A person licensed in the commonwealth as a master sheet metal worker may apply to the board for a certificate of a sheet metal corporation, partnership, LLC, LLP or other such entity upon payment of a fee or a biennial renewal fee, the amounts of which shall be determined annually by the secretary of administration and finance pursuant to section 3B of chapter 7. A certificate of a sheet metal corporation shall authorize a master to conduct the sheet metal business as a corporation; provided, however, that in the corporation the master sheet metal worker shall be designated as an officer of the corporation organized under the laws of the commonwealth. A certificate of sheet metal partnership or LLP shall authorize a master sheet metal worker to conduct the sheet metal business as a partnership or LLP; provided, however, that all partners in such a partnership or LLP shall be master sheet metal workers. A certificate of a sheet metal LLC shall require, as a prerequisite, that a master sheet metal worker be designated as a manager of that LLC. The board shall determine the appropriate requirements for any other business entities not so designated.

(b) No corporation, partnership, LLC, LLP or other entity shall engage in business, advertise the provision of sheet metal work, make application for and take out permits for sheet metal work, bid

for sheet metal work, permit its employees to perform sheet metal work or represent that it holds a license or certificate issued by the board unless the entity and all employees who performing such work hold a license or certificate, issued by the board, as further described in chapter 13 and this chapter.

(c) The certificate of a sheet metal corporation, partnership, LLP, LLC, or other entity shall only be issued to a master sheet metal worker who shall be responsible for all sheet metal work performed by that entity and its duly licensed employees.

Section 240. The board shall make such rules as they deem proper for the performance of their duties and governing the qualifications of applicants for examination. The board shall examine each person who applies for a license as a journeyman sheet metal worker or a master sheet metal worker, as to his practical knowledge of sheet metal work. The board shall hold frequent examinations in the greater Boston area, and at such other convenient locations as it deems necessary. The board shall make every effort to accommodate veterans, including the crediting of relevant military experience and the waiver of other requirements for individuals who demonstrate competence in the field of sheet metal work.

Section 241. An apprentice, before starting an apprenticeship, shall file an application with the board, accompanied by the appropriate fee, requesting that an apprentice license be issued. The application shall be made on a form to be furnished by the board and shall require the applicant to state his age, the employer's name and address and such other information as the board may require. A master sheet metal worker may employ more than 1 apprentices but not more than 1 apprentice may work under the direct supervision of a master or a journeyman in the employ of the master. The board may, by regulation, establish a maximum length of time for apprentice training.

Notwithstanding this section, students in a vocational school accredited by the department of education, under the direct personal supervision of a master or journeyman sheet metal worker who is certified as an instructor by the division of occupational education, may engage in an on-the-job training program on installations approved by the examiners and conducted in cooperation with such a vocational school. The examiners shall adopt rules and regulations relative to the on-the-job training program and may accept such training as fulfillment, in whole or in part, of the necessary prerequisites for journeyman licensure.

Section 242. Upon payment of a fee and the submission of an application provided by the board, the board may issue a license without examination to an applicant who is legally registered as a journeyman or master sheet metal worker in any other state or country whose requirements for obtaining and maintaining registration, in the opinion of the board, are at least substantially equivalent to the requirements in the commonwealth, provided such other state or country has a reciprocal privilege to licensees registered by the board. The board may require additional education if it determines that the standards required for sheet metal work in another state or country are inconsistent with the standards in effect in the commonwealth.

Section 243. The fees for a license as a journeyman, master and apprentice sheet metal worker, or for any biennial renewal thereof, shall be determined annually by the secretary of administration pursuant to section 3B of chapter 7.

Section 244. The board may adopt rules and regulations for a system of continuing education, compliance with which shall be a condition precedent to the renewal of licenses issued by the board.

Section 245. (a) The board may investigate all complaints filed relating to the proper practice of sheet metal work, any violation of this chapter pertaining to the practice of sheet metal work or any rule or regulation of the board. Such complaints may be brought by any person or the board.

(b) The board shall be under the supervision of the division of professional licensure and shall have all the authority conferred under sections 61 to 65E, inclusive. For the purposes of this section and said sections 61 to 65E, inclusive, conduct which places into question the holder's competence to practice sheet metal work shall include, but not be limited to: (1) committing fraud or misrepresentation in obtaining a license; (2) criminal conduct which the board determines to be of such a nature as to render the person unfit to practice sheet metal work, as evidenced by criminal proceedings which resulted in a conviction, guilty plea, plea of nolo contendere or an admission of sufficient facts; (3) violating a rule or regulation of the board; (4) failing to cooperate with the board or its agents in the conduct of an inspection or investigation; (5) failing to fulfill any continuing education requirements required by the board; (6) aiding or abetting an unlicensed person to practice sheet metal work; or (7) negligence in the course of professional practice.

(c) The board may issue an order to a licensee directing him to cease and desist from unethical or unprofessional conduct if the board finds, after notice and the opportunity for a hearing, that the licensee has engaged in such conduct.

(d) Nothing in this section shall limit the board's authority to impose, by agreement, sanctions that are considered reasonable and appropriate by the board. Any person aggrieved by a disciplinary action taken by the board pursuant to this section or for violation of any other law, rule or regulations may, pursuant to section 64, file a petition for judicial review.

Section 246. Whoever, not being licensed to practice sheet metal work pursuant to this chapter, practices or attempts to practice sheet metal work or holds himself out as being licensed to practice sheet metal work or uses any of the licensed titles of that profession, or whoever practices sheet metal work under a false or assumed name or under a name other than that by which he is licensed or whoever impersonates another practitioner of sheet metal work, or whoever buys, sells or fraudulently obtains a diploma, license, license renewal certificate or record or registration to practice sheet metal work or aids or abets in such selling or fraudulent obtaining or whoever practices sheet metal work under cover of any diploma, license, license renewal certificate, record or registration to practice sheet metal work shall be punished by a fine of not less than \$100 nor more than \$1,000. A city or town that fails to comply with any of its provisions shall forfeit \$50 to the commonwealth for each month during which such neglect continues. Nothing in this section shall affect, restrict, diminish or limit any other penalty or remedy provided by law, including those penalties provided under sections 61 to 65E of chapter 112.

Section 247. The board shall adopt reasonable and uniform rules and regulations for cities and towns relative to the practice of sheet metal work. The rules and regulations shall be enforced by the local inspector of buildings or a like official. The board shall adopt a regulation requiring all cities and towns to use a uniform application for a permit to perform sheet metal work or to make special reference to the work on permits issued by an inspector operating pursuant to chapter 143 and any other applicable laws. Any fees for these permits shall be established by the city or town. Notwithstanding any general or special law to the contrary, no licensed journeyman or master sheet metal worker shall be issued a permit for the performance of sheet metal work pursuant to this chapter unless the licensee has a current liability insurance policy, including completed operations coverage, which has been issued by an insurance company licensed to do business within the commonwealth, or other type of indemnity against liability providing substantially equivalent coverage, or a bond.

(b) A person aggrieved by a ruling interpreting the rules and regulations made under this section, may appeal to the board in writing within 10 days after such ruling and the board shall hear and decide such appeal, subject to chapter 30A relative to adjudicatory proceedings. Such decision shall be final and binding upon all parties in interest.

Section 248. If in the opinion of an inspector of buildings or other official, the holder of a license or

certificate violates any law or rule or regulation relative to sheet metal work and has not resolved the violation to the satisfaction of the inspector, the inspector or other official shall give notice thereof to the board.

Section 249. No person shall install sheet metal work without first obtaining a permit from the local inspector of buildings or other official. The permit shall be obtained by mailing or delivering a permit application form approved by the board to the inspector or other official. A person failing to obtain the permit shall be punished by a fine to be determined by the board. This section shall be enforced by inspectors of buildings or other officials designated by the local building authority and the board. Nothing in this section shall affect, restrict, diminish or limit any other penalty or remedy provided by law, nor shall any enforcement action taken by a local inspector or other official limit the board from taking any action within the scope of its jurisdiction.

Section 250. The director of professional licensure shall determine the renewal cycle and renewal period for all licenses issued by the board. Persons licensed in accordance with these sections shall apply to the board for renewal of their licenses on or before the expiration date, as determined by the director, unless such license was earlier revoked, suspended or canceled as a result of a disciplinary proceeding instituted pursuant to this chapter. Applications for renewal shall be made on forms approved by the board and accompanied by payment of a renewal fee, as determined by the secretary of administration pursuant to section 3B of chapter 7. All licensing and application fees and civil administrative penalties collected pursuant to sections 237 to 250, inclusive, of chapter 112, shall be deposited into the trust fund established in section 35V of chapter 10.

Section 251. The board shall adopt rules relative to the construction, alteration, repair and inspection of all sheet metal work on property and buildings owned, used or constructed by the commonwealth and in property and buildings owned, used or constructed by a public instrumentality of the commonwealth which is not subject to the supervision and control of either the legislative, executive or judicial departments. Such instrumentalities shall include, but not be limited to, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority and the Massachusetts Water Resources Authority, and all plans for sheet metal work in such buildings shall be subject to the approval of the board.

SECTION 3. Section 96 of chapter 143 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

For the purposes of this section, "specialized codes" shall include, but not be limited to, the state plumbing code, electrical code, architectural barriers regulations, fire safety code, fire prevention regulations, sheet metal regulations and elevator regulations.

SECTION 4. Notwithstanding section 238 of chapter 112 of the General Laws, for a period of 1 year after the effective date of the initial regulations adopted by the board of examiners of sheet metal workers, an individual shall not be required to be licensed to practice sheet metal work pursuant to sections 237 to 251, inclusive, of said chapter 112 if he is of good moral character and can document that he has been engaged in the practice of sheet metal work for such period of time as may be determined by the board.

SECTION 5. (a) Notwithstanding any general or special law to the contrary, the board may issue a license to practice as a journeyperson sheet metal worker, without examination, to an applicant who otherwise meets the requirements of sections 237 to 251 of chapter 112 of the General Laws and the board's regulations and provides, to the board's satisfaction, proof that he has been in the paid professional practice in the field of sheet metal work, prior to the effective date of the board's regulations for such period of time as may be determined by the board.

(b) In addition, the board may issue a license to practice as a master sheet metal worker, without examination, to an applicant who meets the requirements of subsection (a) for a journeyperson sheet metal license and has employed individuals engaged in sheet metal work.

(c) For the purposes of this section the board, in its discretion, may waive any educational requirements for an applicant if it determines that the applicant's combined professional and educational credentials are adequate to protect public welfare and safety. An individual denied a license as a journeyperson or master sheet metal worker under this section shall be entitled to a hearing to dispute the factual grounds for which the denial was based. Unless the board has substantial evidence related to moral character, business acumen, or public safety, a license shall be granted.

(d) This section shall expire 1 year after the effective date of the board's initial regulations.

Approved August 4, 2008

Building Department Fee Proposal
January, 2011
Building Permit Fees

Fee Type	Current Fee	Proposed Fee	Recommend \$	% Increase	Current		Proposed
					Minimum Fee	Minimum Fee	
Residential New Construction (per sf)	\$0.80	\$0.80	\$0.00	0%	150	150	150
Residential Alterations (per sf)	\$0.60	\$0.60	\$0.00	0%	100	100	100
Deck	\$0.60	\$0.60	\$0.00	0%	100	100	100
Commercial New Construction/Addition (per sf)	\$1.00	\$1.00	\$0.00	0%	200	200	200
Commercial Alterations (per sf)	\$0.70	\$0.70	\$0.00	0%	100	100	100
Demolition	\$125.00	\$125.00	\$0.00	0%			
Roofing/Siding/Underground Storage Tank	\$75.00	\$75.00	\$0.00	0%			
Wood Stove/Tent	\$250 (1)	\$250 (1)	\$0.00	0%			
Relocation of a Structure	\$100.00	\$100.00	\$0.00	0%			
Swimming Pool Above Ground	\$150.00	\$150.00	\$0.00	0%			
Swimming Pool In-Ground	\$75.00	\$75.00	\$0.00	0%			
Wall Sign	\$100.00	\$100.00	\$0.00	0%			
Free Standing Sign	\$100.00	\$100.00	\$0.00	0%			
Zoning Opinion	\$50.00	\$50.00	\$0.00	0%			
Re-Inspection	\$0.60	\$0.60	\$0.00	0%			
Accessory Building (per sf)	\$75.00	\$75.00	\$0.00	0%			
Certificate of Occupancy (no renovations)	(2)	(2)	\$0.00	0%			
Certificate of Inspection			\$0.00	0%			

Notes:

(1) And an additional \$150 per mile or portion thereof

(2) Refer to Certificate of inspection Table Fee Schedule

Municipal Properties Exempt From all Permit Fees

Fee Doubled for Work Started Without a Permit

Rates per square foot are based on gross floor area calculated based on the exterior dimensions of the structure per floor

All Fees are to be rounded to the nearest dollar

ATTACHMENT C



Town of Needham Building Department

DRAFT — 3/18/2011

SHEET METAL FEE SCHEDULE

One and Two Residential Dwelling Units	\$30.00 minimum plus→	\$7.00 for each duct air termination and return terminal \$7.00 for each damper, louver, screen, sound trap, mixing box \$7.00 for each kitchen hood and each chimney \$7.00 for each duct access door
All Other Buildings	\$75.00 minimum plus→	\$7.00 for each watershed roof system \$7.00 for each bathroom fan/exhaust \$7.00 each time air handling equipment and ductwork is tested, adjusted and air-balanced

Structures owned by the Town are exempt from Building Department Sheet Metal Permit fees.

Re-Inspection Fee \$50.00 per re-inspection payable to the Town before re-inspection is performed.

If work is started before obtaining a permit or written consent from the Inspector, the permit fee is doubled.

TOWN OF NEEDHAM, MASSACHUSETTS
 780 CMR: STATE BOARD OF BUILDING REGULATIONS AND STANDARDS
Certificate of Inspection Table Fee Schedule
 REQUIRED MINIMUM INSPECTIONS AND CERTIFICATIONS FOR SPECIFIED USE GROUPS

Use Group	Use Group	Use Group Description	Minimum Inspections	Maximum Certification Period	Fees for Max. Certification Period
A-1	Assembly - Theaters over 400 capacity	With stage and scenery Movie Theater	Semi- Annual Semi- Annual	One Year One Year	\$75 \$75
A-1	Assembly - Theaters 400 or less capacity	With stage and scenery Movie Theater	Annual Annual	One Year One Year	\$40 \$40
A-2	Assembly - Night Clubs or similar uses	Over 400 capacity 400 or less capacity	Semi Annual Annual ¹	One Year One Year	\$75 \$40
A-3	Assembly Lecture Halls, recreation centers, terminals, etc.	Over 400 capacity 400 or less capacity	Semi Annual Annual	One Year One Year	\$75 up to 5,000 persons \$15 for each 1000 persons \$40
A-4	Assembly	Churches, low density, recreation & similar uses	Prior to issuance of each new certificate	Five Years	\$40
A-5	Assembly	Stadiums, bleachers, places of outdoor assembly	Prior to issuance of each new certificate	One Year	\$40.00 for up to 5000 seats \$8.00 for each additional 1,000 seats
"A"	Special Amusement Buildings or portions thereof (780 CMR 411.0)	Special Amusement Buildings or portions thereof (780 CMR 411.0)	Annually prior to issuance of a new certification	One Year	
E	Educational	Educational	Prior to issuance of each new certificate	One Year	\$40
E	Day Care	Child day care centers (see 780 CMR 4.00)	Prior to issuance of each new certificate	One Year	\$40
I-2	Institutional	Incapacitated - hospitals, nursing homes, mental hospitals, certain day care facilities (see 780 CMR 4.00)	Prior to issuance of each new certificate	Two Years	\$75 for up to 100 beds plus \$2 for each additional bed.
I-3	Institutional	Restrained - prisons, jails, detention centers, etc.	Prior to issuance of each new certificate	Two Years	\$75 for up to 100 beds plus \$2 for each additional bed.
R-1	Residential	Hotels, motels, lodging houses, dormitories, etc.	Prior to issuance of each new certificate	One Year	\$75 plus \$2 for each bed/suite.
R-2	Residential	Multi family	Prior to issuance of each new certificate	Five Years	\$75 plus \$2 for each dwelling unit.
R-1	Residential Special Occupancy	Detoxification facilities (see 780 CMR 4.00)	Annual	Two Year	\$75
R-2	Residential Special Occupancy	Summer camps for children (see 780 CMR 4.00)	Annual	One Year	\$15 for up to 25 beds \$8 for each additional bed and \$15 for assembly use
R-3 or R-4	Residential Special Occupancy	Group Residence (see 780 CMR 4.00)	Annual	One Year	\$15 for up to 25 beds \$8 for each additional bed.
R-5	Residential Special Occupancy	Limited Group Residence (see 780 CMR 4.00)	Annual	One Year	\$15 for up to 25 beds \$8 for each additional bed.
Any premise that is licensed by the Alcohol Beverage Control Commission 2 (ABCC) and from which alcoholic beverages are sold and consumed on the premises; per M.G.L. c. 10, § 74; also see 780 CMR 106.5.1, 106.5.1.1 and 106.5.1.1.2			Annual (per M.G.L. c. 10, § 74)	One Year (per M.G.L. c. 10, § 74)	

Notes applicable to Table 106

Note 1. When appropriate for A-2 USES, the Inspection for the Certificate of Inspection should be timed to satisfy the requirements of M.G.L. c. 10, § 74 (also see the bottom row of Table 106).

Note 2. Premises licensed (via the ABCC) to sell and serve alcohol on the premises include many other USES beyond A-2 USES.

General. The maximum certification period specified in Table 106 is intended to provide administrative flexibility. For those buildings and structures or parts thereof allowing more than one year maximum certification period, the building official may determine the length of validity of the certificate issued. For example, a building in the R-2 use group could be issued a certificate valid for one, two, three, four or five years

Building Permit Fees Study	
Calendar Year 2010 Residential New Construction	
Total square feet of new floor area for single family units = 386,921 square feet	
Total cost for construction for new construction = \$31,698,479.00	
Average cost per sq. ft. of new construction $\$31,698,479 / 386,921 \text{ sf} = \81.93 or \$82.00 per sq. ft.	
Building valuation date from 2010 provided by the International Code Council has single dwelling cost at \$100.95 per sq. ft.	
A comparison of a residential permit fee using different communities fee schedules. An average residential project involves 5,228 sq. ft. of floor space and currently applicants building in Town report on average it cost \$82.00 per sq. ft. to construct a residential building 5,228 sq. ft. The following show what a permit fee would be using that community fee structure. In Needham the fee is \$4,128.00.	
Communities used in comparison	
Belmont current fee \$15.00 per \$1000.00 of construction cost based on \$125.00 per square foot for construction cost.	$5,228 \times \$82.00 = 428,696 / 1000 = 429 \times \$15.00 = \$6,435.00$
Wellesley current fee \$10.00 per \$1000.00 of construction cost.	$5,228 \times \$82.00 = 428,696 / 1000 = 429 \times \$10.00 = \$4,290.00$
Dover current fee \$10.00 per \$1000.00 of construction cost, min est. cost \$120.00 per square foot of construction cost.	$5,228 \times \$82.00 = 428,696 / 1000 = 429 \times \$10.00 = \$4,290.00$
Nonwood current fee \$10.00 per \$1000.00 of construction cost.	$5,228 \times \$82.00 = 428,696 / 1000 = 429 \times \$10.00 = \$4,290.00$
Natick current fee \$15.00 per \$1000.00 of construction cost.	$5,228 \times \$82.00 = 428,696 / 1000 = 429 \times \$15.00 = \$6,435.00$
Braintree current fee \$15.00 per \$1000.00 of construction cost.	$5,228 \times \$82.00 = 428,696 / 1000 = 429 \times \$15.00 = \$6,435.00$
Brookline current fee \$20.00 per \$1000.00 of construction cost.	$5,228 \times \$82.00 = 428,696 / 1000 = 429 \times \$20.00 = \$8,580.00$
Average permit fee for the seven communities $\\$40,755 / 7 = \\$5,823.00$ Average square foot permit fee $\\$5,823.00 / 5,228 \text{ sf} = \\1.12 per square foot.	

Comparative Study

Each permit fee provided is based on that community fee schedule. The cost for a Needham Building Inspector including overhead is. \$58 per hr.

The recommended fee for permits is based on \$60.00 per hour cost to administer work.

Electric and Plumbing/Gas Fee justification

BASE FEE

Belmont \$30.00
 Braintree \$40.00
 Dover \$115.00
 Natick \$75.00
 Norwood \$50.00
 Wellesley \$75.00

Total \$385/6= \$64.17recommend \$40.00 N/C

WATER HEATER

Belmont \$40.00
 Braintree \$40.00
 Dover \$45.00
 Natick \$50.00
 Norwood \$30.00
 Wellesley \$50.00

Total \$255/6=\$42.50 recommend \$20.00 N/C

OIL BURNER

Belmont \$40.00
 Braintree \$40.00
 Dover \$45.00
 Natick \$50.00
 Norwood \$30.00
 Wellesley \$50.00

Total \$255/6= \$42.50 recommend \$20.00 N/C

ELECTRIC HEAT

Belmont \$40.00
 Braintree \$40/kw
 Dover \$45.00
 Natick \$30.00
 Norwood \$5.00/kw
 Wellesley \$50.00

Total \$210/6= \$35.00 recommend \$3.00 kw
 recommend \$3.00 kw plus
 the minimum fee \$40.00 N/C

SWITCHES, RECEPTACLES, LIGHTS

Belmont \$40.00
 Braintree \$40.00
 Dover \$45.00
 Natick \$50.00
 Norwood \$20.00
 Wellesley \$50.00

Total \$245/6= \$40.84 recommend \$40.00 N/C

PLUMBING AND GAS

Belmont \$30.00, plus \$7.00 per fixture
 Braintree \$40.00, plus \$15.00 per fixture
 Dover \$45.00, plus \$8.00 per fixture
 Natick \$70.00 for first five fixtures, plus \$4.00 add, fix
 Norwood \$30.00, plus \$8.00 per fixture
 Wellesley \$35.00, plus \$7.00 per fixture

Total base fee \$250/6=\$41.67, rec \$30.00, N/C

Board of Selectmen

AGENDA FACT SHEET for 3/22/11

Agenda Item: 1. Intention to Layout Streets for Town Acceptance at:

-West side of Great Plain Avenue from Harris Avenue to
MBTA R.O.W.

Presenter(s): Richard P. Merson, DPW Director

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

A portion of Great Plain Avenue is are proposed for town acceptance at the May 2011 Town Meeting. The portion of Great Plain Avenue of interest is the west side from Harris Avenue to the MBTA R.O.W.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES NO (circle one)

Suggested Motion:

"That the Board vote to approve and sign Form 2 and Form 2A indicating its intention to layout the west side of Great Plain Avenue between Harris Avenue and the MBTA R.O.W."

3. BACK UP INFORMATION ATTACHED:

1. Original of Forms 2 and 2A for the west side of Great Plain Avenue

4. SIGN OFF/APPROVAL REQUIRED: (circle one)

a. Town Manager.	Yes	No	NA	_____
b. Town Counsel	Yes	No	NA	_____
c. Finance Director	Yes	No	NA	_____
d. Accountant	Yes	No	NA	_____

Staff use: Disposition by BOS:

Action taken: _____ Present on future Agenda: _____

Refer to/Inform: _____ Report back to BOS by: _____

NOTICE OF INTENTION
OF STREET LAY-OUT



Town of Needham

IN BOARD OF SELECTMEN

Dear Sir or Madam:

FORM 2

WHEREAS, in the opinion of the Selectmen of the Town of Needham the public convenience and necessity require that the west side of Great Plain Avenue should be laid out, graded and accepted under the provisions of law authorizing the assessment of betterments

from Harris Avenue

to the MBTA R.O.W.

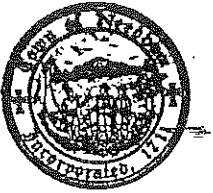
WHEREAS, said Selectmen intend to layout said street as a public way, it is therefore

ORDERED that a hearing be held thereon and that the 22nd day of March, 2011
at 7:00 o'clock, P.M., in the Selectmen's office at the Town Hall in said Needham, be and the same is hereby assigned as the time and place for hearing all parties interested therein.

It is further

ORDERED that seven (7) days at least prior to the laying out of said way a written notice of the intention of the Board of Selectmen shall be left by them at the usual place of abode of owners of land rights and interests which will be taken for such purpose, or delivered to said owners in person, or to their tenants or authorized agents.

A copy of this notice shall be posted in a public place in the Town seven (7) days at least before the laying out of said way.



Town of Needham

IN BOARD OF SELECTMEN

WHEREAS, in the opinion of the Selectmen of the Town of Needham the public convenience and necessity require that the west side of Great Plain Ave should be laid out, graded and accepted under the provisions of law authorizing the assessment of betterments from Harris Avenue to the MBTA R.O.W.

WHEREAS, said Selectmen intend to layout said street as a public way, it is therefore ORDERED that a hearing be held thereon and that the 22nd day of March, 2011 at 7:00 o'clock, P.M., in the Selectmen's office at the Town Hall in said Needham, be and the same is hereby assigned as the time and place for hearing all parties interested therein. It is further

ORDERED that seven (7) days at least prior to the laying out of said way a written notice of the intention of the Board of Selectmen shall be left by them at the usual place of abode of owners of land rights, and interests which will be taken for such purpose or deliver to said owners in person, or to their tenants or authorized agents.

A copy of this notice shall be posted in a public place in the Town seven (7) days at least before the laying out of said way.

Said owners and their residences respectively, so far as known to the Board of Selectmen are as follows:—

OWNERS	RESIDENCES
Town of Needham	1471 Highland Ave Needham, MA 02492
Massachusetts Bay Transit Authority	10 Park Plaza Suite 3910 Boston, MA 02116

BOARD
OF
SELECTMEN

Board of Selectmen

AGENDA FACT SHEET for 3/22/11

Agenda Item: 1. Intention to Layout Streets for Town Acceptance at:

-Farley Pond Lane

Presenter(s): Richard P. Merson, DPW Director

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Farley Pond Lane is proposed for town acceptance at the May 2011 Town Meeting. Farley Pond Lane is located off of South Street.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: ☒ YES ☐ NO (circle one)

Suggested Motion:

"That the Board vote to approve and sign Form 2 and Form 2A indicating its intention to layout Farley Pond Lane."

3. BACK UP INFORMATION ATTACHED:

1. Original of Forms 2 and 2A for Farley Pond Lane

4. SIGN OFF/APPROVAL REQUIRED: (circle one)

a. Town Manager.	Yes	☒ No	NA	_____
b. Town Counsel	Yes	☒ No	NA	_____
c. Finance Director	Yes	☒ No	NA	_____
d. Accountant	Yes	☒ No	NA	_____

Staff use: Disposition by BOS:

Action taken: _____

Present on future Agenda: _____

Refer to/Inform: _____

Report back to BOS by: _____

NOTICE OF INTENTION
OF STREET LAY-OUT



Town of Needham

IN BOARD OF SELECTMEN

Dear Sir or Madam:

FORM 2

WHEREAS, in the opinion of the Selectmen of the Town of Needham the public convenience and necessity require that Farley Pond Lane should be laid out, graded and accepted under the provisions of law authorizing the assessment of betterments from South Street to 890 feet Northerly

WHEREAS, said Selectmen intend to layout said street as a public way, it is therefore

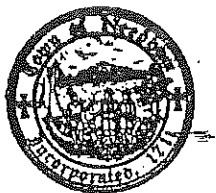
ORDERED that a hearing be held thereon and that the 22nd day of March, 2011 at 7:00 o'clock, P.M. , in the Selectmen's office at the Town Hall in said Needham, be and the same is hereby assigned as the time and place for hearing all parties interested therein. It is further

ORDERED that seven (7) days at least prior to the laying out of said way a written notice of the intention of the Board of Selectmen shall be left by them at the usual place of abode of owners of land rights and interests which will be taken for such purpose, or delivered to said owners in person, or to their tenants or authorized agents.

A copy of this notice shall be posted in a public place in the Town seven (7) days at least before the laying out of said way.

19

Clerk to the Board



Town of Needham

IN BOARD OF SELECTMEN

WHEREAS, in the opinion of the Selectmen of the Town of Needham the public convenience and necessity require that Farley Pond Lane should be laid out, graded and accepted under the provisions of law authorizing the assessment of betterments from South Street to 890 feet northerly

WHEREAS, said Selectmen intend to layout said street as a public way, it is therefore ORDERED that a hearing be held thereon and that the 22nd day of March, 2011 at 7:00 o'clock, P.M., in the Selectmen's office at the Town Hall in said Needham, be and the same is hereby assigned as the time and place for hearing all parties interested therein. It is further

ORDERED that seven (7) days at least prior to the laying out of said way a written notice of the intention of the Board of Selectmen shall be left by them at the usual place of abode of owners of land rights, and interests which will be taken for such purpose or deliver to said owners in person, or to their tenants or authorized agents.

A copy of this notice shall be posted in a public place in the Town seven (7) days at least before the laying out of said way.

Said owners and their residences respectively, so far as known to the Board of Selectmen are as follows:—

Town of Needham OWNERS

Alden and Karin Hartman Ludlow

Ammon Shoham

Steven D. and Kerstin B. Flashner

Jill Nectow

Myron and Catherine M. Zimmerman

Gregory D. and Lisa Renee Phelps

RESIDENCES

1471 Highland Ave
Needham, MA 02492

6 Farley Pond Lane
Needham, MA 02492

25 Farley Pond Lane
Needham, MA 02492

43 Farley Pond Lane
Needham, MA 02492

55 Farley Pond Lane
Needham, MA 02492

65 Farley Pond Lane
Needham, MA 02492

75 Farley Pond Lane
Needham, MA 02492

BOARD

OF

SELECTMEN

Board of Selectmen

AGENDA FACT SHEET for 3/22/11

Agenda Item: 3. Intention to Layout Streets for Town Acceptance at:

- Booth Street

Presenter(s): Richard P. Merson, DPW Director

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

This is the second step in the Street Acceptance process where the Selectmen conduct a public hearing for laying out the Right of Way. The proposed portion of Right of Way to be taken is between Central Avenue and to the 1964 acceptance location (50 Booth Street). This Right of Way acceptance will connect to the existing accepted town right of way on Booth Street.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES NO (circle one)

Suggested Motion:

"That the Board vote to approve and sign Form 2 and Form 2A indicating its intention to layout Booth Street."

3. BACK UP INFORMATION ATTACHED:

1. Original of Forms 2 and 2A for Booth Street

4. SIGN OFF/APPROVAL REQUIRED: (circle one)

a. Town Manager	Yes	No	NA	_____
b. Town Counsel	Yes	No	NA	_____
c. Finance Director	Yes	No	NA	_____
d. Town Accountant	Yes	No	NA	_____

Staff use: Disposition by BOS:

Action taken: _____

Present on future Agenda: _____

Refer to/Inform: _____

Report back to BOS by: _____

NOTICE OF INTENTION
OF STREET LAY-OUT



Town of Needham

IN BOARD OF SELECTMEN

Dear Sir or Madam:

FORM 2

WHEREAS, in the opinion of the Selectmen of the Town of Needham the public convenience and necessity require that A portion of Booth Street should be laid out, graded and accepted under the provisions of law authorizing the assessment of betterments

from The intersection of Central Avenue and Booth Street

to The 1964 Town accepted portion of Booth Street

WHEREAS, said Selectmen intend to layout said street as a public way, it is therefore

ORDERED that a hearing be held thereon and that the 5th day of April, 2011 at 7 o'clock, P.M., in the Selectmen's office at the Town Hall in said Needham, be and the same is hereby assigned as the time and place for hearing all parties interested therein.

It is further

ORDERED that seven (7) days at least prior to the laying out of said way a written notice of the intention of the Board of Selectmen shall be left by them at the usual place of abode of owners of land rights and interests which will be taken for such purpose, or delivered to said owners in person, or to their tenants or authorized agents.

A copy of this notice shall be posted in a public place in the Town seven (7) days at least before the laying out of said way.

March 22, 2011

Clerk to the Board



Town of Needham

IN BOARD OF SELECTMEN

WHEREAS, in the opinion of the Selectmen of the Town of Needham the public convenience and necessity require that A portion of Booth Street should be laid out, graded and accepted under the provisions of law authorizing the assessment of betterments

from At the intersection of Central Avenue and Booth Street
to The 1964 town accepted portion of Booth Street.

WHEREAS, said Selectmen intend to layout said street as a public way, it is therefore

ORDERED that a hearing be held thereon and that the 5th day of April, 2011
at 7 o'clock, PM, in the Selectmen's office at the Town Hall in said Needham, be and the same is hereby assigned as the time and place for hearing all parties interested therein.
It is further

ORDERED that seven (7) days at least prior to the laying out of said way a written notice of the intention of the Board of Selectmen shall be left by them at the usual place of abode of owners of land rights, and interests which will be taken for such purpose or deliver to said owners in person, or to their tenants or authorized agents.

A copy of this notice shall be posted in a public place in the Town seven (7) days at least before the laying out of said way.

Said owners and their residences respectively, so far as known to the Board of Selectmen are as follows:—

OWNERS	RESIDENCES
Joseph J. and Patricia M. Foley	530 Central Avenue, Needham, MA 02494
Vera and Fernando Senatore	546 Central Avenue, Needham, MA 02494
Jeffery McMann	15 Booth Street, Needham, MA 02494
Sheldon and JoAnn M. Itzkowitz	18 Booth Street, Needham, MA 02494
Matthew and Jennifer Packard	20 Booth Street, Needham, MA 02494
Brian A. and Thresa B. Murch	21 Booth Street, Needham, MA 02494
Sandra L. Mack	29 Booth Street, Needham, MA 02494
Liu-er Chen and Dawn Xiao-Hong Ding	37 Booth Street, Needham, MA 02494
Scott R. and Danielle L. Sammut	44 Booth Street, Needham, MA 02494
James Alan and Ann L. Shuman	45 Booth Street, Needham, MA 02494
Michael R. and Patricia F. Paulete	50 Booth Street, Needham, MA 02494
Christopher J. and Susan M. Fisichella	37 Hill Street, Needham, MA 02494

BOARD
OF
SELECTMEN

March 22, 2011

Board of Selectmen

AGENDA FACT SHEET for 3/22/2011

Agenda Item: Inter-municipal Agreement/Kendrick Street Bridge

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Town of Needham and City of Newton are cooperating on repairs to the Kendrick Street Bridge over the Charles River. Ownership and maintenance responsibility for the bridge are shared equally by the two communities. Newton has agreed to be the lead community on the project. This Inter-municipal Agreement is required to enable the financial transactions and to establish the framework for the management and oversight of the project.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)

Suggested Motion: That the Board vote to approve the Agreement Between the Town of Needham and the City of Newton for Nahantan Street/Kendrick Street Bridge Improvements.

3. BACK UP INFORMATION ATTACHED:

- a. Agreement Between the Town of Needham and the City of Newton for Nahantan Street/Kendrick Street Bridge Improvements.

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	[yes]	no	NA	_____
b.	Town Counsel	[yes]	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

Action taken: _____ **Present on future Agenda:** _____

Refer to/Inform: _____ **Report back to BOS on:** _____

CITY OF NEWTON CONTRACT NO. L-5687

TOWN OF NEEDHAM CONTRACT NO. 11-90-01.

AGREEMENT BETWEEN THE TOWN OF NEEDHAM, MASSACHUSETTS AND
THE CITY OF NEWTON, MASSACHUSETTS

FOR

NAHANTON STREET – KENDRICK STREET BRIDGE IMPROVEMENTS

This Agreement made this the ____ day of _____ 2011 by and between the Town of Needham, Massachusetts, acting through its Town Manager with the approval of its Board of Selectmen, hereinafter called the “Town,” and the City of Newton, Massachusetts, acting by and through its Mayor hereunto duly authorized by Order of its Board of Aldermen, Order No. _____ and dated _____, but without personal liability to himself, hereinafter called the “City,”

WITNESSETH:

Whereas, Bridge #N-4-3/N-12-1 (the “Bridge”) is located over the Charles River at the Town/City line between Needham and Newton; and

Whereas, the Bridge links the City at Nahanton Street, to the Town at Kendrick Street; and

Whereas, ownership and maintenance of the Bridge is shared equally between the City and the Town; and

Whereas, the Bridge is in need of rehabilitation; and

Whereas, the Town contracted with the BETA Group, Inc. for consulting engineering services for the investigation and design of repairs and rehabilitation of the Bridge, which work has been completed and paid for by the Town; and

Whereas, the City contracted with the BETA Group, Inc. for consulting engineering services for the investigation and design of repairs and rehabilitation of the Bridge, which work has been completed and paid for by the City; and

Whereas the City and the Town wish to provide for the repairs to the Bridge with the City being the lead community to award and supervise the contract for said repair;

Now therefore, for and in consideration of the promises, the mutual covenants herein recited and other good, valuable, and sufficient considerations, the parties hereto agree as follows:

1. The City shall prepare and put out invitations for bids for the repairs to the bridge in accordance with the plans and designs of Beta Group, Inc., receive and review said bids and award the Contract for the repairs to the bridge to a Contractor, all in accordance with G. L. Ch 30, sec. 39M and all other applicable provisions of law.
2. The City shall make progress payments for material and services to the Contractor awarded the contract, pursuant to the terms of the Contract.
3. The City shall invoice the Town for fifty (50%) percent of the amount approved for payment to the Contractor by the City.
4. Payment by the Town to the City shall be made within thirty (30) days of receipt of invoices from the City. With any request for payment, the City shall provide a copy of the invoice(s) from Contractor showing the total amount(s) billed to the City.
5. Within seven (7) days of receipt of invoices from the City, the Town shall have the opportunity to inspect the work and object to payments for work not completed according to the contract documents, whereupon the City and Town shall confer to agree as to what should be paid. If they do not agree, Beta Group, Inc. will determine what portion of the disputed amount will be paid and the Town shall pay the City fifty (50%) percent of that amount and the City shall pay the Contractor one hundred (100%) percent of that amount. With respect to an unpaid portion of a disputed amount which is subsequently determined to be owed to the Contractor in accordance with the Contract, the Town shall pay the City fifty (50%) percent of such amount and the City shall pay the Contractor one hundred (100%) percent of such amount.
6. Any undisputed amounts unpaid by the Town after thirty (30) days of receipt of invoices from the City are subject to interest at the same rate the City is required to pay for funds in order to make payments to the Contractor. The Town hereby agrees to pay any interest incurred by the City due to such late payment by the Town.
7. Notwithstanding the foregoing provisions, the Town's total obligation to pay the City hereunder shall not exceed the lesser of fifty (50%) percent of the total amount invoiced to the City pursuant to the Contract, or \$750,000.00.
8. This Agreement shall be effective upon the action of the Board of Selectmen of the Town, and action by the Mayor of the City as authorized by the Board of Aldermen.

9. It is mutually agreed and understood that this Agreement shall remain in full force as until completion of the services to be performed by the Contractor pursuant to the Contract or until such time as it may be amended or replaced by a new agreement, but in any event, not to exceed a total of three (3) years.

The two parties have caused their legal corporate signatures and seals to be hereunto affixed by their proper officers, thereunto duly organized on the day of the year first above written.

THE TOWN OF NEEDHAM

THE CITY OF NEWTON

Town Manager

David Turocy,
Commissioner of Public Works

Chairman

Approved as to form:

Selectman

City Solicitor

Selectman

Contract Approved:

Selectman

Setti D. Warren,
Mayor

Selectman

Approved as to form:

David S. Tobin
Needham Town Counsel

I hereby certify that there are funds available in account # _____ in an amount up to \$750,000.00 to fund this Agreement.

Title

Town of Needham

Board of Selectmen

AGENDA FACT SHEET for 3/22/2011

Agenda Item: Open Special Town Meeting Warrant

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Attached is a preliminary list of articles proposed for inclusion in the May 9, 2011 Special Town Meeting warrant. The Board is scheduled to close the warrant at its April 5, 2011 meeting.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)

Suggested Motion: That the Board vote to call for a Special Town Meeting and open the warrant for the meeting to be held on May 9, 2011 at the Newman School.

3. BACK UP INFORMATION ATTACHED:

- a. Preliminary List of Articles/May 9, 2011 Special Town Meeting

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

Action taken: _____ **Present on future Agenda:** _____

Refer to/Inform: _____ **Report back to BOS on:** _____

**May 9, 2011 Special Town Meeting Warrant
Table of Contents**

	PAGE
Article Amend Zoning By-Law	
Article Amend General By-Law/Outdoor Seating	
Article Accept M.G.L. Chapter 59, Section 5, Clause 56	
Article Amend FY2011 RTS Enterprise Fund Budget	
Article Amend FY2011 Sewer Enterprise Fund Budget	
Article Amend FY2011 Water Enterprise Fund Budget	
Article Amend the 2011 Operating Budget	
Article Appropriate for General Fund Cash Capital	
Article Appropriate for Engineering Study for Energy Upgrades	
Article Appropriate for Payment of Unpaid Bills of Prior Years	
Article Restoration of Charles River Treatment Facility Well	

Board of Selectmen

REVISED AGENDA FACT SHEET for 3/22/11

Agenda Item: 2011 Annual Town Meeting

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

I will update the Board on the status of the Annual Town Meeting Warrant. The Green Community Study Committee voted to request that the article relative to adoption of the Stretch Energy Code be deferred until a future Town Meeting. Other changes include modification of the General Fund Cash Capital article to reflect the actual proposal contained in the FY2012 Balanced Budget Proposal and the vote of the Finance Committee, and amounts and funding sources approved by the Community Preservation Committee.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)

3. BACK UP INFORMATION ATTACHED:

a. Annual Town Meeting Warrant Final Draft 3.18.2011

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

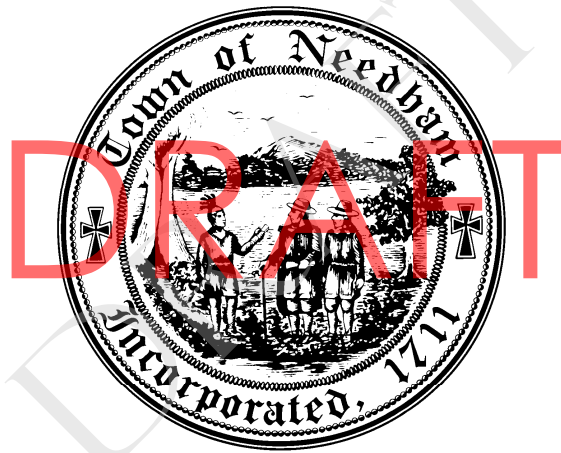
Action taken: _____ Present on future Agenda: _____

Refer to/Inform: _____ Report back to BOS on: _____

TOWN OF NEEDHAM

MASSACHUSETTS

2011 Annual Town Meeting Warrant



ELECTION: Tuesday, April 12, 2011

Business Meeting at 7:30 P.M. on Monday, May 2, 2011

at the Newman Elementary School

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2011 Annual Town Meeting Warrant Table of Contents

	PAGE
Finance Committee Fiscal Year 2012 Budget Recommendations	
2011 Annual Town Meeting Warrant Index	
Summary of Revenue FY 2010 – FY 2012 General Fund Only	
Summary of Expenditures FY 2010 – FY 2012 General Fund Only	
FY 2012 General Fund Budget Recommendations – Submitted by Finance Committee	
Reserve Fund Transfers	
General Government Salary & Staffing Schedule	
School Department Salary & Staffing Schedule	
Debt Service – Schedule of Authorized & Issued	Appendix A
Open an Authorized Projects and Proposed Projects Financed by Debt	Appendix B

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**Town of Needham
Finance Committee
100th Annual Report
Fiscal Year 2012 Budget Recommendation
March 15, 2011**

Fellow Citizens:

The Finance Committee is pleased to present our 100th Annual Report and Fiscal Year 2012 Budget.

As we are all aware, the economic environment remains fragile despite early signs of recovery on state and federal levels. As we look to the future, we must remain particularly cautious as unfolding world events could potentially endanger these early stages of economic recovery. Conflicts in the Middle East are bringing rise to higher energy prices and the cascading effects on all aspects of the economy. Managing through this economic environment will present a number of challenges for the Town going forward.

In preparation for this year's budget, the Finance Committee participated in the Town Manager's Departmental budget meetings in November and conducted its own budget hearings from December 8th through February 7th. Finance Committee liaisons met separately with the individual Town Departments as well as with the School Department to review their budget requests in detail. Using the information gathered, we took the departmental spending requests and built a budget from them. The budget we arrived at, and voted as our recommendation, was very close to the executive budget as submitted.

The Finance Committee's FY 2012 budget has strived to maintain the current high quality of services to the residents of Needham, while demonstrating fiscal restraint and sustainability for the long term. During this unprecedented period of low interest rates, the Committee continues to encourage the Town's investment in its infrastructure and other capital needs.

The Finance Committee would like to express its continuing appreciation to the Town Manager and the Town Administration, as well as to the School Superintendent and the School Department, for their efforts to prioritize their needs, and balance those needs against fiscal realities. We applaud their efforts to reduce the use of one time revenues to fund ongoing operations. We would also like to acknowledge the hard work that the schools have undertaken to focus their budget on priorities and to manage through a very difficult time of reduced state aid for school programs. We would ask that the Superintendent and School Committee continue to focus on their longer term plan to achieve a "sustainable" cost structure going forward.

Revenue Summary

The FY 2012 budget is once again based on a conservative estimate of revenue. Property taxes, which make up the bulk of the Town's revenue, are increasing modestly due to an increase in new growth. State officials have indicated that state aid to municipalities, based on the state budget which is still under consideration, may be increasing in certain areas, and decreasing in other areas for FY 2012.

Overall, the Town estimates a small decrease in state aid. Local receipts are expected to drop, in part because of the loss of parking revenue following a decision by the MBTA to assume control of its parking lot properties throughout the Town. This is offset to some extent by revenue generated with the adoption of the meals excise tax.

The estimated total General Fund Revenue for FY 2012 is \$115,533,866, with \$115,148,213 available for appropriation. \$112,243,325 is being allocated to the operating budget, an increase of 1.9% over FY 2011.

The largest source of revenue for Needham is property tax receipts. The growth in revenue assumes an increase in property tax receipts of 2.8%, or approximately \$2.6 million. This increase is attributable to an increase in the Town's taxable value, or new growth, resulting from improvements to property, and increases in values, due to improved uses, reconstruction, and new construction. The rate of increase of new growth has been slowing in recent years, and is expected to slow further in FY 2012.

Local receipts have declined in prior years and in FY 2012 are estimated to decrease by \$153,664 or approximately 2.2% compared to the FY 2011 estimate. Local receipts include such items as motor vehicle excise, permits, charges for services, fees, fines, investment income, and income from departmental activities and services.

The Town is anticipating increased revenue of \$90,000 due to the recently increased room rental tax and the recently adopted meal tax. However, this increase is more than offset by the significant decrease of \$250,500 in revenue from the Town's previous management of the MBTA commuter parking lots. The Town is also anticipating no revenue from non-recurring funds in FY 2012, such as one-time grants or special financial assistance as it has enjoyed in the past. Given the uncertain nature of the present economy, the Finance Committee feels it is prudent to assume that local receipts will continue to decrease in FY 2012.

State aid, or Cherry Sheet aid, is a function of the state budget process, and is projected to continue decreasing next year, although at a slower pace. The FY 2012 state aid is expected to decrease by \$49,676 representing a 0.6% decrease from FY 2011. Chapter 70 aid, or general school aid, is currently expected to increase by 2.0%; however, the reductions in Unrestricted General Government Aid (formerly Lottery aid and Additional Assistance) have more than offset this increase in school aid.

The Free Cash amount available for the FY 2012 budget is \$3,380,269, representing a decrease from FY 2011 of 5.6%. While Free Cash can fluctuate and is suited for short-term needs, the Town's budget process provides sufficient Free Cash annually such that a portion is reliable and can be applied to operating expenses.

The difficult economic climate at all levels has caused decreased projections for state aid and local receipts. Despite these challenges, Needham expects to maintain the current level of services in all municipal departments, and to fund the School Committee's voted budget, plus an additional \$4,000 for software to improve efficiency. Because the Town's revenue comes primarily from property tax receipts, the proportion of which is steadily increasing, and because state receipts constitute a much smaller part of revenue, the Town expects to have sufficient revenue to maintain level services for FY 2012.

FY 2012 Operating Budget Recommendation

The total operating budget for FY 2012 is \$112,243,325, which is 1.9% higher than the FY 2011 operating budget amount. The Town's operating budget falls into three general categories: Town Wide Expenses, Municipal Departments, and Education.

Town Wide Expenses

Townwide expenses are expected to decrease in FY 2012. Debt service will be decreasing in FY 2012 due primarily to lower interest rates. Employee Benefits and Employer Assessment have increased by only 1%. Notably, health insurance costs have decreased almost 1% since a large number of employees have moved into lower premium rate-saver plans, and seven benefit-eligible positions have been eliminated. The budget line for workers' compensation was increased by \$50,000 in the FY 2012 balanced budget in order to begin replenishing the reserves which have been declining over the past decade due to increases in salaries, expenses, and several ongoing cases. The Town is seeking additional funds for the Workers' Compensation Reserve Fund under a separate warrant article at the Annual Town Meeting to bring the reserves to a more adequate level. The Classification, Performance and Settlements line has increased by \$172,000 to reflect the uncertainty due to the number of unsettled collective bargaining agreements.

Municipal Departments

The Finance Committee carefully reviewed and considered each department's spending requests in the Town Manager's executive budget. The Finance Committee's recommended budget varies only slightly from Town Manager's recommended budget, and provides for all municipal departments to maintain essentially the same level of services. The Finance Committee is also recommending a total appropriation to the School Department that meets the School Committee's voted budget request, plus a small amount of additional funding for specialized software.

General Government

The General Government budget is increasing 2.4% in FY 2012. The Town Counsel budget was increased by \$36,500 to bring the Town Counsel's budgeted costs in line with historical averages. The Town Clerk budget decreased, as one fewer election is anticipated in FY 2012. The Finance Department FY 2012 budget includes an increase to provide full year funding for an administrative position that was funded for only half of FY 2011.

Land Use and Development

The FY 2012 Land Use and Development budget increased by 7.6%. This increase results from the addition of a shared part-time administrative assistant, plus salary increases for personnel which have been historically underfunded.

Public Safety

The Public Safety budget has increased by 1.8%. Both the Police and Fire Departments submitted budget requests with decreased expenses. The Police Department personnel line is decreasing with the elimination of a parking enforcement attendant. The Fire Department budget was increased by 4.4% due to obligations under a settled union contract, and an additional \$100,000 allocation for overtime.

The Fire Department overtime appropriation has been chronically underfunded, and the additional allocation brings it closer to historical levels. Additionally, two full-time benefited firefighter positions, currently vacant, were eliminated.

Public Works

The Public Works budget, including the Department of Public Works, and the Municipal Parking and Lighting Programs, is decreasing 6.9% in FY 2012. The Public Works base budget includes a reduction of 2% due to the transfer of the Drains program to the Sewer Enterprise Fund. In addition, two Parks and Forestry benefit-eligible positions were eliminated, as well as two seasonal positions. Expenses were increased to allow for outsourcing of certain functions and to establish a new turf fertilizer program. The Municipal Parking budget was decreased by \$227,900 in FY 2012 because the Town will no longer be managing the MBTA commuter parking lots.

Public Facilities

The FY 2012 budget for Public Facilities increased by 4.6%. The budget includes union cost of living increases, as well as increased personnel costs due to additional custodial work needed when the Town Hall is reopened. The Town Manager refined the department's projected energy use and as a result decreased the requested energy budget by \$50,000. The Finance Committee commends the Public Facilities department for its continued efforts in energy conservation.

Community Services

The FY 2012 Community Services budget is increasing by a modest 1.1%. Most budget lines are very close to FY 2011, with expenses level or decreasing. The Library budget includes an additional allocation of \$30,802 above the department's requested budget to bring it to the level necessary for certification by the Massachusetts Board of Library Commissioners. The funding will provide for the ongoing need for collections materials to be covered by the Library's operating budget. The Finance Committee recommended increasing the Library's budget by an additional \$13,579 to fund the cost of opening the library at 9:00 a.m. from the operating budget.

Education

Needham Public Schools

The Finance Committee's recommended budget allocates \$48,436,371 to the School Department. This represents an increase of 4.1% or \$1,895,293 more than last year's approved budget. \$2,177,573 of the School budget, more than the overall budget increase, represents increased mandated or contractual obligations. Two primary factors contributing to the increases in the School Department's budget are special education costs and staffing needs due to increased enrollment at the middle and high school levels.

First, special education needs are rising substantially. Special education costs are expected to increase by \$1,199,632 in FY 2012, including sizable increases in out-of-district tuition costs and additional transportation costs. This upcoming fiscal year, Special Education expenses constitute over 25% of the total School Department budget. Since 2008, state Circuit Breaker aid has been reduced from 70% reimbursement to an anticipated 40% reimbursement for FY 2012. This reduction has had a significant impact on the School Department budget.

Second, enrollment is projected to grow at both the middle and high school levels. Although a small decline in enrollment is projected for the elementary schools, enrollment in the Middle School is expected to increase by 2.0% and in the High School by 5.2%. Therefore, the budget reflects the increased staffing needs due to increased enrollment.

The Finance Committee has fully funded the School Committee's voted FY 2012 budget, and is recommending an additional allocation of \$4,000. The additional funds will pay for AESOP attendance software which was designated by the School Department as its highest priority non-budgeted need. The software is expected to increase efficiency and ensure that there are adequate substitute teachers when needed, equipped with appropriate lesson plans. The recommended FY 2012 School Department budget includes the use of \$500,900 in one-time funds to meet ongoing needs. While this step is needed to maintain the current level of service at the schools for FY 2012, other sustainable funding sources are needed in the future. In an effort to promote sustainability and reduce the reliance on one-time money, \$300,000 has been allocated from the tax levy in FY 2012 to reduce the School Department's use of one-time revenues for operating expenses.

Minuteman Regional High School

The Minuteman Regional High School's preliminary assessment for FY 2012 is \$562,637, an increase of \$193,376 from FY 2011, primarily due to increased enrollment.

Cash Capital

At the time of this writing, the Finance Committee has not yet completed consideration of the capital-related warrant articles. The Finance Committee anticipates recommending an appropriation of approximately \$1.7 million for General Fund Cash Capital. This amount will allow the town to adhere to its capital maintenance plan. Almost 80% of the General Fund Cash Capital request funds ongoing programs and scheduled capital replacements. The remainder covers high priority new projects or enhancements.

Closing Thoughts

The Finance Committee is recommending a balanced budget that will continue to provide a high level of services to the citizens, maintain and improve the Town's infrastructure, and meet the Town's capital needs. Despite current economic challenges, the Town has exercised restraint and made great strides to contain costs where possible.

The Finance Committee would like to recognize the hard work and dedication of the Town Manager, the Director of Finance, the Superintendent of Schools, their respective department heads and managers, as well as all the citizens who dedicate their time and effort to serving our community through elected and appointed positions. We could not accomplish our mission without their generous assistance and support.

The Chair would also like to thank each member of the Finance Committee for their dedication and meticulous work examining and prioritizing financial issues, balancing the budget, and reviewing the Town's capital plans and investments.

Respectfully submitted on behalf of the Committee,

Rick Zimbone

Chairman

Committee Members:

Richard Zimbone, Chair
Matthew Borrelli, Vice Chair
Lisa Zappala, Immediate Past Chair
John Connelly
Richard Creem

Richard Lunetta
Gary McNeill
Richard Reilly
Steven Rosenstock
Louise Mizgerd, Executive Secretary

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Article	Description	Inserted By	Page
1	Annual Town Election		
2	Committee and Officer Reports	Board of Selectmen	
ZONING/LAND USE ARTICLES			
3	Non-Betterment Street Acceptance – Farley Pond Lane	Board of Selectmen	
4	Layout of Great Plain Avenue	Board of Selectmen	
5	Technical Amendments for New England Business Center Highland Commercial-128 District, and Mixed Use- 128 Districts	Planning Board	
6	Outdoor Seating and Street Furnishings	Planning Board	
7	Neighborhood Business District	Planning Board	
8	Corrective Zoning Amendments	Planning Board	
9	Schedule of Use Regulations	Planning Board	
CITIZENS' PETITIONS			
10	Amend Zoning By-law / Needham Center Overlay District	Louis Wolfson et al	
11	Amend Zoning By-law / Farmers' Market	Jeffrey Friedman et al	
12	Amend Zoning By-law / Reconstruction of Two-Family Dwellings	George Guinta Jr. et al	
13	Amend Zoning By-law / Accessory Structures	Robert Lizza et al	
HUMAN RESOURCES ARTICLES			
14	Establish Elected Officials' Salaries	Personnel Board	
15	Fund Collective Bargaining Agreement – Needham Clerical Unit/Massachusetts Laborers' District Council	Board of Selectmen	
16	Fund Collective Bargaining Agreement – Public Works/ Massachusetts Laborers' District Council	Board of Selectmen	
17	Fund Collective Bargaining Agreement – Needham 911 Operators/ Massachusetts Laborers' District Council	Board of Selectmen	
18	Fund Collective Bargaining Agreement – Police Union	Board of Selectmen	
19	Fund Collective Bargaining Agreement – Police Superior Officers' Association	Board of Selectmen	
GENERAL ARTICLES			
20	Amend General By-law/Board of Health Regulations	Board of Health	
FINANCE ARTICLES			
21	Transfer of Budgetary Fund Balance	Board of Selectmen	
22	Accept Chapter 73, Section 4 of the Acts of 1986	Board of Selectmen	
23	Appropriate for Senior Corps	Board of Selectmen	
24	Appropriate for Needham Property Tax Assistance Program	Board of Selectmen	
25	Appropriate the FY2012 Operating Budget	Finance Committee	
26	Appropriate the FY2012 RTS Enterprise Fund Budget	Board of Selectmen & Finance Committee	

27	Appropriate the FY2012 Sewer Enterprise Fund Budget	Board of Selectmen & Finance Committee
28	Appropriate the FY2012 Water Enterprise Fund Budget	Board of Selectmen & Finance Committee
29	Continue Departmental Revolving Funds	Board of Selectmen
30	Authorization to Expend State Funds for Public Ways	Board of Selectmen

COMMUNITY PRESERVATION ACT ARTICLES

(CPC=Community Preservation Committee)

31	Appropriate for CPA Project – Home Energy Improvements	CPC
32	Appropriate for CPA Project – Redevelopment and Expansion of Linden/Chambers/High Rock Properties Feasibility Design	CPC
33	Appropriate for CPA Project – Preservation of Historic Documents	CPC
34	Appropriate to Community Preservation Fund	CPC

CAPITAL ARTICLES

35	Rescind Debt Authorizations	Board of Selectmen
36	Appropriate for General Fund Cash Capital	Board of Selectmen
37	Appropriate for Fire Engine	Board of Selectmen
38	Appropriate for Roof Repairs / Needham High School	Board of Selectmen
39	Appropriate for Public Works Infrastructure Program	Board of Selectmen
40	Appropriate for Feasibility Study of the Cricket Field Building	Board of Selectmen
41	Appropriate for Booth Street Reconstruction	Board of Selectmen
42	Appropriate for RTS Construction Equipment	Board of Selectmen
43	Appropriate for RTS Large Specialty Equipment	Board of Selectmen
44	Appropriate for Sewer Enterprise Fund Cash Capital	Board of Selectmen
45	Appropriate for Water Enterprise Fund Cash Capital	Board of Selectmen

TOWN RESERVE ARTICLES

46	Appropriate for Workers Compensation Reserve Fund	Board of Selectmen
47	Appropriate to Capital Improvement Fund	Board of Selectmen
48	Appropriate to Capital Facility Fund	Board of Selectmen
49	Appropriate to Stabilization Fund	Board of Selectmen & Finance Committee
50	Omnibus	Board of Selectmen

**Summary of Revenue
Placeholder**

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**Summary of Expenditures
Placeholder**

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**Town of Needham
General Fund
FY 2012 Budget Recommendation - Submitted by Finance Committee**

Line	Description	FY 2010 Expended	FTE	FY 2011 Current Budget (03/15/2011)	FTE	FY 2012 Finance Committee Recommendation	FTE	% Change from 11	FY 2012 Amendments
<u>Townwide Expenses</u>									
1	Non-Contributory Retirement Payments	49,737		59,400		32,700			
2	Contributory Retirement System	4,181,828		4,552,978		4,722,775			
3	Group Health Insurance & Benefits	8,670,441		9,549,125		9,601,203			
4	Retiree Insurance & Insurance Liability Fund	3,446,556		3,626,375		3,906,275			
5	Unemployment Compensation	91,726		140,000		140,000			
6	Debt Service	9,943,218		11,406,472		10,843,572			
7	Workers Compensation	385,000		400,000		450,000			
8	Casualty Liability & Self Insurance Program	473,981		525,000		525,000			
9	Classification Performance & Settlements	Transfers Only		30,000		202,000			
10	Reserve Fund	Transfers Only		1,534,363		1,059,763			
	Total	27,242,487		31,823,713		31,483,288			
Townwide Expense Total		27,242,487		31,823,713		31,483,288		-1.1%	
<u>Board of Selectmen & Town Manager</u>									
11A	Salary & Wages	624,033	8.0	639,739	8.0	646,680		8.0	
11B	Expenses	165,736		161,450		156,433			
	Total	789,769		801,189		803,113			
<u>Town Clerk & Board of Registrars</u>									
12A	Salary & Wages	251,541	4.6	282,308	4.6	279,390		4.6	
12B	Expenses	32,416		39,270		38,290			
	Total	283,957		321,578		317,680			
<u>Town Counsel</u>									
13A	Salary & Wages	68,645	0.2	68,664	0.2	68,664		0.2	
13B	Expenses	279,187		193,500		230,000			
	Total	347,832		262,164		298,664			
<u>Personnel Board</u>									
14A	Salary & Wages	385		600		600			
14B	Expenses	10,500		11,000		11,000			
	Total	10,885		11,600		11,600			

**Town of Needham
General Fund
FY 2012 Budget Recommendation - Submitted by Finance Committee**

Line	Description	FY 2010 Expended	FTE	FY 2011 Current Budget (03/15/2011)	FTE	FY 2012 Finance Committee Recommendation	FTE	% Change from 11	FY 2012 Amendments
<u>Finance Department</u>									
15A	Salary & Wages	1,302,128	21.7	1,342,043	21.7	1,385,756	21.7		
15B	Expenses	720,510		734,889		741,605			
15C	Capital	37,265		37,500		37,500			
	Total	2,059,903		2,114,432		2,164,861			
<u>Finance Committee</u>									
16A	Salary & Wages	20,616	0.5	27,493	0.5	28,382	0.5		
16B	Expenses	580		1,125		1,075			
	Total	21,196		28,618		29,457			
General Government Total		3,513,542	35.0	3,539,581	35.0	3,625,375	35.0	2.4%	
<u>Planning</u>									
17A	Salary & Wages	178,778	3.0	215,547	3.3	232,476	3.3		
17B	Expenses	17,778		16,460		16,460			
	Total	196,556		232,007		248,936			
<u>Community Development</u>									
18A	Salary & Wages	92,575	1.9	99,338	2.3	108,584	2.3		
18B	Expenses	11,258		11,858		11,858			
	Total	103,833		111,196		120,442			
19	Reserved	-		-		-			
Land Use and Development Total		300,389	4.9	343,203	5.6	369,378	5.6	7.6%	
<u>Police Department</u>									
20A	Salary & Wages	4,554,987	58.0	4,884,190	58.0	4,859,711	57.0		
20B	Expenses	233,532		248,339		239,858			
20C	Capital	95,860		146,888		125,891			
	Total	4,884,379		5,279,417		5,225,460			

**Town of Needham
General Fund
FY 2012 Budget Recommendation - Submitted by Finance Committee**

Line	Description	FY 2010 Expended	FTE	FY 2011 Current Budget (03/15/2011)	FTE	FY 2012 Finance Committee Recommendation	FTE	% Change from 11	FY 2012 Amendments
<u>Fire Department</u>									
21A	Salary & Wages	5,768,539	74.0	5,812,408	74.0	6,095,891	72.0		
21B	Expenses	215,245		259,238		240,683			
21C	Capital	7,141		-					
	Total	5,990,925		6,071,646		6,336,574			
<u>Building Inspector</u>									
22A	Salary & Wages	425,690	7.3	445,919	7.3	452,113	7.3		
22B	Expenses	11,351		15,682		16,095			
	Total	437,041		461,601		468,208			
Public Safety Total		11,312,345	139.3	11,812,664	139.3	12,030,242	136.3	1.8%	
<u>Minuteman Assessment</u>									
23	Assessment	435,733		369,261		562,637			
	TOTAL	435,733		369,261		562,637			
<u>Needham Public Schools</u>									
24	Needham Public School Budget	45,180,592	621.4	46,541,078	618.5	48,436,371	624.4		
	TOTAL	45,180,592		46,541,078		48,436,371			
Public Schools Total		45,616,325	621.4	46,910,339	618.5	48,999,008	624.4	4.5%	
<u>Department of Public Works</u>									
25A	Salary & Wages	3,183,243	56.3	3,393,323	56.3	3,025,205	49.0*		
25B	Expenses	1,246,788		1,308,056		1,322,295			
25C	Capital	690,404		5,500		6,700			
25D	Snow and Ice	5,500		200,000		400,000			
	Total	5,125,935		4,906,879		4,754,200			
<u>Municipal Parking Program</u>									
26	Municipal Parking Program	262,583		282,900		55,000			
	Total	262,583		282,900		55,000			

**Town of Needham
General Fund
FY 2012 Budget Recommendation - Submitted by Finance Committee**

Line	Description	FY 2010 Expended	FTE	FY 2011 Current Budget (03/15/2011)	FTE	FY 2012 Finance Committee Recommendation	FTE	% Change from 11	FY 2012 Amendments
<u>Municipal Lighting Program</u>									
27	Municipal Lighting Program	221,962		253,300		256,000			
	Total	221,962		253,300		256,000			
<u>Public Works Total</u>									
		5,610,480	56.3	5,443,079	56.3	5,065,200	49.0	-6.9%	
<u>Department of Public Facilities</u>									
28A	Salary & Wages	2,796,956	56.7	2,870,212	53.8	3,058,620	54.8		
28B	Expenses	4,159,786		4,509,505		4,666,935			
28C	Capital	-		7,645					
	Total	6,956,742		7,387,362		7,725,555			
<u>Public Facilities Total</u>									
		6,956,742	56.7	7,387,362	53.8	7,725,555	54.8	4.6%	
<u>Health Department</u>									
29A	Salary & Wages	370,739	5.9	383,012	5.9	385,301	5.9		
29B	Expenses	74,250		76,829		76,829			
	Total	444,989		459,841		462,130			
<u>Human Services</u>									
30A	Salary & Wages	498,836	8.3	487,240	8.3	493,873	7.8		
30B	Expenses	37,738		77,160		70,370			
	Total	536,574		564,400		564,243			
<u>Commission on Disabilities</u>									
31A	Salary & Wages	-		-					
31B	Expenses	123		550		550			
	Total	123		550		550			
<u>Historical Commission</u>									
32A	Salary & Wages	-		-					
32B	Expenses	1,033		1,050		1,050			
	Total	1,033		1,050		1,050			

**Town of Needham
General Fund
FY 2012 Budget Recommendation - Submitted by Finance Committee**

Line	Description	FY 2010 Expended	FTE	FY 2011 Current Budget (03/15/2011)	FTE	FY 2012 Finance Committee Recommendation	FTE	% Change from 11	FY 2012 Amendments
<u>Needham Public Library</u>									
33A	Salary & Wages	1,058,491	22.6	1,072,844	22.6	1,073,225	22.7		
33B	Expenses	262,515		260,843		292,061			
	Total	1,321,006		1,333,687		1,365,286			
<u>Park & Recreation Department</u>									
34A	Salary & Wages	429,489	4.0	443,185	4.0	440,395	4.0		
34B	Expenses	107,191		110,875		110,875			
	Total	536,680		554,060		551,270			
<u>Memorial Park</u>									
35A	Salary & Wages	-		-		750			
35B	Expenses	136		750		750			
	Total	136		750		750			
Community Services Total		2,840,541	40.8	2,914,338	40.8	2,945,279	40.4	1.1%	
Department Budgets		76,150,364	954.4	78,350,566	949.3	80,760,037	945.5	3.1%	
Total Operating Budget		103,392,851		110,174,279		112,243,325		1.9%	

*The prior years DPW F.T.E. totals included an equivalent of 4.3 employees from the sewer and water departments who did the drainage program work. Effective for FY2012 the drainage program will now be budgeted in the enterprise fund and the enterprise funds will now reflect those FTE figures.

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DRAFT

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 12, 2011
TOWN OF NEEDHAM
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 in their respective voting places in said Town namely:

Precinct A	-	Hillside School - Cafeteria
Precinct B	-	Hillside School - Cafeteria
Precinct C	-	Newman Elementary School - Gymnasium
Precinct D	-	Newman Elementary School - Gymnasium
Precinct E	-	Pollard Middle School – Inner Room
Precinct F	-	Stephen Palmer Community Room
Precinct G	-	Broadmeadow School - Performance Center
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, THE TWELFTH DAY OF APRIL, 2011

from forty-five minutes after six o'clock in the forenoon, until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: ANNUAL TOWN ELECTION

To choose by ballot the following Town Officers:

One Moderator for One Year;

Two Selectmen for Three Years;

One Assessor for Three Years;

Two Members of School Committee for Three Years;

One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years;

Three Trustees of Needham Public Library for Three Years;

One Member of Board of Health for Three Years;

One Member of Planning Board for Five Years;

One Member of Needham Housing Authority for Five Years;

One Commissioner of Trust Funds for Three Years;

One Member of Park and Recreation Commission for Three Years;

Two Constables for Three Years;

Eight Town Meeting Members from Precinct A for Three Years;

Seven Town Meeting Members from Precinct B for Three Years;

Eight Town Meeting Members from Precinct C for Three Years;

One Town Meeting Member from Precinct C for One Year;

Eight Town Meeting Members from Precinct D for Three Years;

One Town Meeting Member from Precinct D for One Year;
Eight Town Meeting Members from Precinct E for Three Years;
Eight Town Meeting Members from Precinct F for Three Years;
Eight Town Meeting Members from Precinct G for Three Years;
One Town Meeting Member from Precinct G for Two Years
Eight Town Meeting Members from Precinct H for Three Years;
Nine Town Meeting Members from Precinct I for Three Years;
Eight Town Meeting Members from Precinct J for Three Years.

Warrant for the Annual Town Meeting

MONDAY, MAY 2, 2011 AT 7:30 P.M. AT NEWMAN ELEMENTARY SCHOOL

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

ZONING/LAND USE ARTICLES

ARTICLE 3: NON-BETTERMENT STREET ACCEPTANCE – FARLEY POND LANE

To see if the Town will vote to accept the following streets or portions thereof, constructed by developers under the requirement of the Subdivision Control Law and as laid out by the Board of Selectmen in accordance with plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plans: Farley Pond Lane; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 4: LAYOUT OF GREAT PLAIN AVENUE

To see if the Town will vote to accept the following streets or portions thereof, previously constructed and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plan: A Portion of Great Plain Avenue; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

**ARTICLE 5: TECHNICAL AMENDMENTS FOR NEW ENGLAND BUSINESS CENTER,
HIGHLAND COMMERCIAL-128 DISTRICT, AND MIXED USE-128**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. Amend Section 3.2.4, Uses in the New England Business Center, Subsection 3.2.4.1, Permitted Uses, as follows:
 - a. By adding to (f) at the beginning of the subsection: “Medical laboratory or”
 - b. By adding a new section: “(l) More than one building on a lot.”
 - c. By adding a new section: “(m) More than one use on a lot.”
2. Amend Section 3.2.5, Uses in the Highland Commercial-128 District, Subsection 3.2.5.1, Permitted Uses, as follows:
 - a. By adding to the beginning of the subsection (h): “Medical laboratory or”
 - b. By adding new section: “(j) More than one building on a lot.”
 - c. By adding new section: “(k) More than one use on a lot.”
3. Amend Section 3.2.6, Uses in the Mixed Use-128 District, Subsection 3.2.6.1, Permitted Uses, as follows:
 - a. By adding to the beginning of (j): “Medical laboratory or”
 - b. By adding new section: “(o) More than one building on a lot.”
 - c. By adding new section: “(p) More than one use on a lot.”

INSERTED BY: Planning Board

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

Article Information:

ARTICLE 6: OUTDOOR SEATING

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 3, Use Regulations, Subsection 3.1, Basic Requirements, by adding a new designation which shall read as follows:

“Y* allows for the use upon administrative review by the Planning Board or Board of Selectmen in accordance with Section 6.9”
2. In Section 3.2, Schedule of Use Regulations, Subsection 3.2.2, Uses in Business, Chestnut Street Business, Center Business, Avery Square Business and Hillside Avenue Business Districts, by adding to Accessory Uses “Seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter” Y* in B, CSB, CB, and ASB.

3. In Section 6, Special Regulations, by inserting a new Subsection 6.9, Outdoor Seating, to read as follows:

“6.9. Outdoor Seating

6.9.1. Applicability

Section 6.9.2 shall apply in any business district in which restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter is permitted under Section 3.2.2 of this By-Law.

6.9.2 Basic Requirements Seasonal Outdoor Seating

Seasonal temporary outdoor seating, including but not limited to tables, chairs, serving equipment, planters, and umbrellas, for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter is permitted during normal hours of operation, subject to administrative review by the Planning Board in the case of (a) below and the Board of Selectmen in the case of (b) below, provided that:

- (a) It is within the front yard, rear yard, or side yard of the restaurant’s owned, licensed, or leased property, but only if said yard abuts a public right-of-way, public property, or other public uses, provided that:
 - (i) Such use is clearly related to the restaurant conducted inside the principal building;
 - (ii) A minimum width of forty-two inches (42”) shall be continuously maintained and unobstructed on the sidewalk or entrance into the principal building, or any other designated sidewalks or pedestrian paths, as shown on the plan provided to the Planning Board;
 - (iii) Outdoor seating is prohibited in designated or required landscaped areas, parking lots, or drive aisles;
 - (iv) Such use does not obstruct or otherwise interfere with visibility at intersections;
 - (v) Except as otherwise provided in subsection (b), the outdoor seating must be on the same lot as the establishment;
 - (vi) The Planning Board may impose such conditions on the use of the property as it deems necessary to protect the public interest; and;
 - (vii) At the close of business, the area of outdoor seating must be cleaned, including clearing of all tables and removal of all trash.
- (b) It is within the public sidewalk abutting the front, rear, or side yard of the restaurant’s owned or leased property so long as there remains no less than forty-two inches (42”) of unencumbered sidewalk width remaining, or, alternatively, on a public way or other public property abutting the front, rear, or side yard of the restaurant’s owned or leased property, provided that:
 - (i) No temporary outdoor restaurant seating shall be permitted, unless the Board of Selectman authorizes the placement of temporary outdoor seating within the public right-of-way, public sidewalks and/or on public property;
 - (ii) Such use is clearly related to the restaurant conducted inside the principal building;
 - (iii) A minimum width of forty-two inches (42”) shall be continuously maintained and unobstructed on the sidewalk or entrance into the principal building, or any other designated sidewalks or pedestrian paths, as shown on the plan provided to the Board of Selectmen;
 - (iv) Outdoor seating is prohibited in designated or required landscaped areas, parking lots, or drive aisles;
 - (v) Such use does not obstruct or otherwise interfere with visibility at intersections;

- (vi) The outdoor seating must be adjacent to the restaurant establishment and in front, to the rear, or to the side of, as the case may be, the front face of the restaurant's owned or leased property;
- (vii) The Board of Selectmen may impose such conditions on the use of public property as it deems necessary to protect the public interest; and;
- (viii) At the close of business, the area of outdoor seating must be cleaned, including clearing of all tables and removal of all trash.

Items (a)(i), (a)(iii), (a)(iv) and (b)(ii), (b)(iv), and (b)(vi) shall not apply during special town-wide festivals or events during the year.

Where there is authorization for the placement of seasonal temporary outdoor restaurant seating and where such seating could be interpreted to be an increase in the number of seats serving a restaurant, such seating shall not be counted toward the off-street parking or loading requirements, so long as they remain seasonal and temporary and do not increase capacity by more than thirty percent (30%).”

INSERTED BY: Planning Board

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

Article Information:

ARTICLE 7: NEIGHBORHOOD BUSINESS DISTRICT

To see if the Town will vote to amend the ~~Needham Zoning By-Law~~ as follows:

1. Amend Section 3.2.3, Uses in the Neighborhood Business District, Subsection 3.2.3.1 Permitted Uses, as follows:
 - a. Delete in (j) the words: “provided such structure was in existence prior to December 31, 1992 and was previously used as a single-family detached dwelling”.
 - b. Delete in (k) the words: “provided such structure was in existence prior to December 31, 1992 and was previously used as a two-family detached dwelling” and add the words “provided they comply with the reconstruction provisions of Section 1.4.7.4.”
 - c. Amend (p) to read: “Beauty salon, day spay, barber shop, tailor, dressmaker, shoe repair, photographic processing, photocopying and reduction services but not commercial printing, provided the gross floor area so used does not exceed one thousand five hundred (1,500) square feet per establishment.”
 - d. Add “(v): Professional offices, not listed in (q), provided the gross floor area so used does not exceed one thousand five hundred (1,500) square feet per company.”
 - e. Add “(w): Offices for consumer sales and/or services totaling no more one thousand five hundred (1,500) square feet per company.”
 - f. Add “(x) General office uses, provided the gross floor area so used does not exceed one thousand five hundred (1,500) square feet per company.”
 - g. Add at the end of this section: “As to uses (l)-(x) above, all operations must be conducted entirely within an enclosed building. Storage of equipment and products outdoors during non-operating hours is prohibited. Commercial delivery and/or maintenance trucks must be parked during non-operating hours in a garage or in outdoor area not within the required setback for the principal building and shall be screened from the view of the abutting lots and street(s). If operations of the

forementioned uses are in whole or in part conducted outdoors during operating hours, such uses shall be deemed to be uses permitted by special permit pursuant to Section 3.2.3.2.”

2. Amend Section 3.2.3, Uses in the Neighborhood Business District, Subsection 3.2.3.2, Uses Permitted by Special Permits as follows:
 - a. Amend (c) to read: “Bank, provided the gross floor area so used does not exceed three thousand (3,000) square feet gross floor area per company.”
 - b. Add (k): “Medical, dental or psychiatric office exceeding one thousand (1000) square feet gross floor area per company.”
 - c. Add (l): “Professional offices, not listed in 3.2.3.1 (q), exceeding one thousand five hundred (1,500) square feet gross floor area per company.”
 - d. Add “(m): Offices for consumer sales and/or services exceeding one thousand five hundred (1,500) square feet gross floor area per company.”
 - e. Add (n): “General office uses exceeding one thousand five hundred (1,500) square feet gross floor area per company.”
 - f. Add “(o): Uses (l)-(x) of Section 3.2.3.1 conducting operations in whole or in part outdoors during operating hours.”
 - g. Add at end of this section: “Uses conducted in whole or in part outdoors during operating hours and/or storing equipment and product outdoors during non-operating hours shall be required to provide such screening and landscaping as deemed necessary by the SPGA to shield neighboring residential uses. Except for use (e), commercial delivery and/or maintenance trucks must be parked during non-operating hours in a garage or in outdoor area not within the required setback for the principal building and shall be screened from the view of the abutting lots and street(s).”

INSERTED BY: Planning Board

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

Article Information:

ARTICLE 8: CORRECTIVE ZONING AMENDMENTS

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. Amend Section 4.1.5 Minimum Required Lot Width by replacing “4.5.1” with “4.6.1”.

The former section does not contain the minimum frontage requirements referenced; the latter does. The provision would read as follows: “Building lots in all zoning districts recorded or endorsed after January 9, 1986 shall be required to have a minimum lot width for a distance that extends from the front lot line throughout the building or structure not less than the applicable minimum frontage for the district in which said lot is located, as specified in Sections 4.2.1, 4.3.1, 4.4.1 and **4.6.1**; except, however, in the Single Residence A District such minimum required lot width shall be at least 120 feet.”

2. Amend Section 4.2.4 Flexible Development Consistent with the Subdivision Control Law (a) General by inserting the words “Rural Residence Conservation,” after “General Residence,” in the last sentence.

The Rural Residence Conservation districts should have been included in the flexible development provision and was inadvertently omitted.

3. Amend second sentence of footnote * in Section 4.3.1 Table of Regulations (applicable to Apartment Districts) by replacing “4.6.2” with “4.7.2”.

The former section relates to front and side setbacks in Industrial Districts; the latter to height limitation exceptions in, inter alia, Apartment Districts. The footnote would read: “See height limitation exceptions in Section **4.7.2.**” Section 4.7.2 is entitled “Height Limitation Exceptions in...Apartment...Districts”.

4. Amend Section 4.3.5 Setback for Other Uses in the Dimensional Regulations for Apartment Districts by replacing “4.6.4” with “4.7.1 and 4.7.3.”

Section 4.6.4 governs height limitations in Industrial Districts and is not applicable to the front, side and rear line setbacks referenced in 4.3.5 as relating to Apartment Districts. Section 4.7.1 provides Special Conditions relating to Specific Front Setbacks and Section 4.7.3 relates to minimum side line setbacks for a dwelling or institutional building within Apartment Districts. Section 4.3.5 would read: “Front, side, and rear line setbacks for any permitted building or structure, other than an apartment house (or a structure accessory thereto), shall be the same as required in Section 4.2.1 and **4.7.1 and 4.7.3.**”

5. Amend Section 4.4.2 (b) Maximum Building Bulk with respect to Dimensional Requirements in Commercial Districts by adding clarifying language after “4.4.5”: “, third paragraph, second sentence.”

4.4.2 (b) relates to maximum lot coverage and floor area ratio requirements in Center Business District. It refers back to Table 1 in subsection (a) and then references Section 4.4.5, which, relating as it does to driveway openings, is not apparently applicable. However, buried in the second sentence of the third paragraph is language permitting the Planning Board by special permit to increase the maximum floor area ratio if a shared driveway eliminates the need for an individual driveway in the Center Business District. Clarity would be afforded by amending this provision. Section 4.4.2(b) would thus read in relevant part: “Buildings and structures which are located on property in the Center Business District are not limited to the maximum lot coverage requirements in this Section 4.4.2 as specified in Table 1, but shall have a maximum floor area ratio of 1.0 or the floor area ratio in existence on January 1, 1990, whichever is greater. (See also Section 4.4.5, **third paragraph, second sentence**)”

6. Amend the By-Law by deleting all references in the By-Law to the “Industrial Park” from the captions, as well as from the text and the respective zone requirements.

The Industrial Park district no longer exists so all references to the zone and its specific requirements should be deleted, in particular:

1. Table of Contents: delete “and Industrial Park” from reference to 4.6 (p. 2)
2. Classes of Districts Section 2.1: delete “IND P – Industrial Park” (p.17)
3. Uses in Rural Residence-Conservation...Industrial Park Districts Section 3.2.1

Delete “ and Industrial Park” from caption of section and insert “and” between “Industrial” and “Industrial-1” (p. 23)

Delete “IND P” from first sentence in Section 3.2.1 and insert “and” between “IND” and “IND-1” (p. 23)

Delete “IND P” column in use table in Section 3.2.1 (pp. 23-34)

Delete footnotes (a) and (b) relating to uses in Industrial Park (pp 34-35)

4. Dimensional Regulations for Industrial and Industrial Park Districts Section 4.6

Delete “and Industrial Park” from caption of section (p. 139)

Delete “Industrial Park” from row in use table in Section 4.6.1 (p. 139)

Delete “or Industrial Park” from the first sentence in Section 4.6.3 (p. 139)

- Delete “or industrial park” from the first sentence in Section 4.6.5 and insert “or” between “manufacturing” and “industrial” (p. 139)
5. Special Conditions Section 4.7
- Delete “and Industrial Park” from caption of Section 4.7.2 and insert “and” between “Industrial” and “Industrial-1” (p. 141)
- Delete “and Industrial Park” from the first sentence in Section 4.7.2 and insert “and” between “Industrial” and “Industrial-1” (p. 141)
- Delete “or Industrial Park” from the first sentence in Section 4.7.3 and insert “or” between “Business” and “Industrial” (p. 141)
- Delete “or Industrial Park” from the second sentence in Section 4.7.3 and insert “or” between “Business” and “Industrial” (p. 141)
6. Driveway Openings Section 5.1.3
- Delete “Industrial Park” from the second sentence of subsection (d) (p.155)
- Delete “or Industrial Park” from first sentence of subsection (j) and insert “or” between “Business” and “Industrial” (p. 156)
- Delete “except however, in the Industrial Park District, if more than one lot is held in common ownership and devoted to parking for the same principal use or building, the interior lot lines are excluded from the rear and side setbacks” from third sentence of subsection (j) (p. 156)
7. Accessory Uses Section 6.1.2
- Delete “and Industrial Park” from the first sentence in Section 6.1.2 and insert “and” between “Rural Residence--Conservation” and “Institutional” (p. 161)
8. Limited Heliports Section 6.5.1
- Delete “and Industrial Park” from the first sentence in Section 6.5.1 (p. 164)
9. Building or Use Permit Section 7.2.5
- Delete “Industrial Park District” from the first sentence of this section. (p. 183)
10. Authority and Specific Powers of Design Review Board Section 7.7.2.2
- Delete “Industrial Park District” from second paragraph of this section (p. 195)
7. Further Amend Section 4.7.2 Height Limitation Exceptions in Business, Apartment, Industrial, Industrial-1 and Industrial Park Districts by replacing references to “Section 4.4.2 and 4.5.4” in the first paragraph with “Section 4.4.3 and 4.6.4” and replacing the reference to “Section 4.3.2” in the second paragraph with “Section 4.3.1”
- This section, which relates to height limitation exceptions in various districts. Section 4.4.2 relates to maximum building bulk requirements, which is not applicable; Section 4.4.3 is the applicable height limitation provision. Section 4.5.4 does not exist; the appropriate reference is Section 4.6.4, the height limitation provision for industrial districts. Similarly, the height limitation provision applicable to Apartment districts is Section 4.3.1 not the referenced 4.3.2. The first sentence of the first paragraph should read in relevant part: “In Business... the limitation of height in feet in Section **4.4.3** and **4.6.4** shall not apply to towers, steeples...” The second paragraph should read in relevant part: In Apartment districts the limitation of height in feet in Section **4.3.1** shall not apply to the structures enumerated herein except...”
8. Amend Section 4.7.5 Reduction in Dimensional Regulations by Special Permit by correcting the reference in the second paragraph from “This Section 4.6.5” to “This Section 4.7.5”.

The reference in the second paragraph incorrectly refers to the section as 4.6.5 rather than 4.7.5. This paragraph should read: “This Section **4.7.5** shall apply only to buildings...”

9. Amend Section 4.10.4 Gould Street-Highland Avenue Buffer in the Dimensional Regulations for Industrial-1 District by replacing “4.6.1(e) and (f)” with “4.7.1 (b) and (c).”

This section refers back to special front building setback lines. Sections 4.6.1 (e) and (f) do not exist. The appropriate references are 4.7.1 (b) and (c). This sentence would read: “The special front building setback lines of 50 feet, as provided for in Subsections **4.7.1 (b) and (c)**, shall be landscaped vegetative buffer area in the Industrial-1 District.”

10. Amend Section 5.1.3 Driveway Openings by deleting Sections “4.5.6 and 4.7.3” and replace them with Sections “4.6.6 and 4.10.3”.

This section addresses driveway opening regulations in Business, Industrial and Industrial-1 Districts. While the first section referenced (4.4.5) does relate to driveway openings in Business Districts, the other two sections are mislabeled. Driveway openings in Industrial Districts are covered by Section 4.6.6 and driveway openings in Industrial-1 District are addressed in Section 4.10.3. The second sentence should read: “See Sections 4.4.5, **4.6.6, and 4.10.3** for Driveway Openings Regulations in Business, Industrial and Industrial-1 Districts.”

11. Amend Section 5.5 Signs by deleting “XIX” and inserting “5”.

The proper reference to the Needham Sign By-Law is no longer Article XIX but Article 5 of the General By-Laws. The sentence should read: “Signs within the Town are regulated and controlled by Article 5 of the Town’s General By-Laws.”

12. Amend Section 7.7.2.2 Authority and Specific Powers of the Design Review Board by inserting in the first sentence of the second paragraph between the words “Industrial District” and “Industrial-1 District” the words “Elder Services Zoning District”.

When this new zoning district was added, review by the Design Review Board through major site plan review for such projects was arguably included, this amendment would make this clear. The first sentence of the second paragraph should read in relevant part: “The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a...Industrial District, **Elder Services Zoning District**, Industrial-1 District...”

13. Further amend Section 7.7.2.2 Authority and Specific Powers of the Design Review Board by deleting “XIX” and inserting “5” in the last sentence of the second paragraph.

The proper reference to the Needham Sign By-Law is no longer Article XIX but Article 5 of the General By-Laws. The sentence should read: “The Design Review Board shall also review requests for all sign permits, as required under Article 5 of the Needham General By-Laws.”

14. Amend Section 7.7.3 Procedure of the Design Review Board by deleting “XIX” and inserting “5” in the first sentence of the first paragraph.

The proper reference to the Needham Sign By-Law is no longer Article XIX but Article 5 of the General By-Laws. The sentence in relevant part should read: “An application for Design Review Board shall be submitted to the Design Review Board...(See ...Article 5 of the General By-Laws for application procedure for all sign permits.”

15. Amend Section 7.7.4 Design Criteria of the Design Review Board by deleting “XIX” and inserting “5” in the last sentence of this section.

The proper reference to the Needham Sign By-Law is no longer Article XIX but Article 5 of the General By-Laws. The sentence in relevant part should read: “In addition... the Design Review Board shall review requests for sign permits according to the design guidelines listed in Section 3.5 of Article 5 of the General By-Laws.”

INSERTED BY: Planning Board

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

Article Information:

ARTICLE 9: SCHEDULE OF USE REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 3, Use Regulations, Subsection 3.1, Basic Requirements, by adding the following paragraph to the end of the section as follows:

“Notwithstanding the uses set forth in the Schedule of Use Regulations (Section 3.2), in all Industrial, Business, and/or Commercial zoning districts, including Mixed Use-128 the Planning Board may allow by right a use similar in intent and impact to a use authorized by the uses allowed by Section 3.2 as of right or by special permit a use similar in intent and impact to a use authorized by the uses allowed by Section 3.2 by special permit, which in the opinion of the Planning Board constitutes the same general use and is similar in intent and impact as one specifically authorized by the uses allowed by Section 3.2.”

INSERTED BY: Planning Board

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

Article Information:

CITIZENS’ PETITIONS

ARTICLE 10: AMEND ZONING BY-LAW / NEEDHAM CENTER OVERLAY DISTRICT

To amend the zoning by-laws section 3.8.4.2 Building height requirements in the Needham Center Overlay District section (a) to read as follows:

(a) In Sub-District A: The minimum building height shall be two stories and twenty-seven feet and the maximum building height shall be two and one-half stories and thirty-five feet as of right. By Special Permit from the Planning Board, the maximum height of a building may be increased up to the following limits: three stories and thirty-seven (37) feet as shown in the Design Guidelines under Subsection 3.8.8 below.

This would be striking out four stories and forty-eight (48) feet. Provided that the fourth story is contained under a pitched roof or recessed from the face of the building

To amend the zoning by-laws section 3.9.4.2 Building height requirements in the Lower Chestnut Street Overlay Center Overlay District section (a) to read as follows:

The maximum building height in the Lower Chestnut Street Overlay District shall be two and one-half stories and thirty-five feet as of right. For lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit for a maximum building height of three stories and thirty-seven feet as shown in the Design Guidelines under Section 3.9.8 below.

This would strike out four stories and forty-eight (48) feet, provided that the fourth story is located under a pitched roof or recessed from the face of the building.

INSERTED BY: Louis Wolfson, et al

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

Article Information:

ARTICLE 11: AMEND ZONING BY-LAW / FARMERS' MARKET

INSERT NEW USE CATEGORY UNDER **AGRICULTURE** in Table 3.2.1 and Table 3.2.2:

Periodic outdoor sale, but not to exceed once a week, during the season from May 15 to November 30 by a non-profit corporation or organization operating a farmers market for the sale of edible farm products, farmer raised flowers, farmer raised plants, firewood, homemade preserves, homemade baked goods, homemade soaps, farm wool products, and similar products, including the outdoor display of such merchandise. Outdoor display and outdoor sales are permitted on existing parking spaces, provided that adequate parking and loading are maintained.

INSERT **SP** in all zoning districts in Table 3.2.1 and Table 3.2.2 for the above use

INSERTED BY: Jeffrey Friedman, et al

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

Article Information:

ARTICLE 12: AMEND ZONING BY-LAW / RECONSTRUCTION OF TWO-FAMILY DWELLINGS

To see if the Town will vote to amend the Needham Zoning By-Law, Section 1.4.7.4 Reconstruction of Two-Family Dwellings Located in a Single Residence A, Single Residence B or Rural Residence-Conservation District Where the Use is Prohibited by adding the following language at the end thereof:

Notwithstanding the provisions of this section to the contrary, the Board of Appeals may allow reconstruction of a non-conforming two-family dwelling on a lot resulting in the construction of enclosed garage space servicing two cars per dwelling unit, provided the Board finds that the additional garage space:

- a. will not alter the character of the premises in which it is located,
- b. will not have a material adverse effect on the value of the land and buildings or structures in the neighborhood, or on the amenities thereof, and
- c. will be appropriate in scale and mass for the neighborhood, taking into consideration the size, number and location of proposed garage doors.

Or take any other action relative thereto.

INSERTED BY: George Guinta, Jr., et al

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

Article Information:

ARTICLE 13: AMEND GENERAL BY-LAW / ACCESSORY STRUCTURES

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.2 Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, Subsection 4.2.3, Minimum Side and Rear Line Setbacks: Accessory Structures, by adding a new sentence at the end of the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

“No accessory building or structure, excepting fences, shall be constructed, altered or relocated so that any part thereof shall be less than ten (10) feet from any other building or structure or less than five feet from the side or rear lines of the lot on which such building or structure is located. Notwithstanding the foregoing, an accessory pergola need not comply with the requirements of the preceding sentence but said pergola must comply with all dimensional setback requirements from abutting properties and from streets and ways. For purposes of this paragraph, “pergola” means an open frame structure consisting of colonnades or posts with a latticework roof designed to support climbing plants, either standing alone or attached to another building or structure.”

INSERTED BY: Robert Lizza, et al

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

Article Information:

HUMAN RESOURCES ARTICLES

ARTICLE 14: ESTABLISH ELECTED OFFICIALS’ SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2011, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$66,079
Town Clerk with 6 years of service in that position	\$81,687 (1)
Selectmen, Chairman	\$1,800
Selectmen, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$4,902, the accumulation of 15 days of non-occupational sick leave per fiscal year; and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32, in an amount not to exceed \$40,097. The annual salary of \$81,687 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$8,326. At the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$11,657; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: In accordance with MGL Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits as close to that of other full-time employees as possible. Payment for longevity, as well as buy-back of sick leave and vacation at the time of separation from Town service, is now included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000, such payment to be made at the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

ARTICLE 15: FUND COLLECTIVE BARGAINING AGREEMENT –INDEPENDENT TOWN WORKERS ASSOCIATION/MASSACHUSETTS LABORERS’DISTRICT COUNCIL

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Independent Town Workers Association/Massachusetts Laborers’ District Council, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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

DRAFT 3.18.11

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.

**ARTICLE 16: FUND COLLECTIVE BARGAINING AGREEMENT – PUBLIC WORKS/
MASSACHUSETTS LABORERS’DISTRICT COUNCIL**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Public Works/Massachusetts Laborers’ District Council, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; 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.

**ARTICLE 17: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM 911
OPERATORS/ MASSACHUSETTS LABORERS’DISTRICT COUNCIL**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham 911 Operators/Massachusetts Laborers’ District Council, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; 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.

ARTICLE 18: FUND COLLECTIVE BARGAINING AGREEMENT – POLICE UNION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; 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.

ARTICLE 19: 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 2012; 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.

GENERAL ARTICLES

ARTICLE 20: AMEND GENERAL BY-LAW / BOARD OF HEALTH REGULATIONS

To see if the Town will vote to amend Section 8.2 Enforcement by deleting subsection 8.2.2.7 Board of Health Regulations, sub-subsections A through F in their entirety and replacing them with a new sub-subsections A through F as follows;

- A. Regulation Affecting Smoking and the Sale and Distribution of Tobacco in Needham Article 1 Section 1.6 Retail Sale of Tobacco Products

Enforcement Agent: Health Director, Environmental Health Agent, or Public Health Nurse

Fine Schedule:

First Offense – Warning

Second Offense - \$100

Third Offense - \$200

Fourth and Subsequent Offenses - \$300

- B. Disposal of Refuse – Article 2

Enforcement Agent: Health Director, Environmental Health Agent, or Public Health Nurse

Fine Schedule:

First Offenses \$25 per offense

Subsequent Offenses \$100 per offense

- C. Control Of Public Nuisances – Article 3

Enforcement Agent: Health Director, Environmental Health Agent, or Public Health Nurse
Fine Schedule:
First and Subsequent Offenses up to \$300 per offense
Each day such violation continues shall constitute a separate offense

D. Well Drilling and Registration Regulations – Article 12

Enforcement Agent: Health Director, Environmental Health Agent, or Public Health Nurse
Fine Schedule:
First and Subsequent Offenses: \$300 fine

E. Regulation for Excavation And Trench Safety – Article 18

Enforcement Agent: Health Director, Environmental Health Agent, or Public Health Nurse
Fine Schedule:
First and Subsequent Offenses up to \$300 per offense
Each day such violation continues shall constitute a separate offense

F. All Other Board of Health Regulations

Enforcement Agent: Health Director, Environmental Health Agent, or Public Health Nurse
Fine Schedule:
First and Subsequent Offenses up to \$300 per offense
Each day such violation continues shall constitute a separate offense

Or take any other action relative thereto.

INSERTED BY: Board of Health
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

FINANCE ARTICLES

ARTICLE 21: TRANSFER OF BUDGETARY FUND BALANCE

To see if the Town will vote to transfer \$3,380,269 from the Budgetary Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in its computation of the tax rate for the fiscal year 2012; or take any other action relative thereto.

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

Article Information: Budgetary fund balance (free cash) is the result of unexpended appropriations and revenue in excess of estimates from fiscal year 2010.

ARTICLE 22: **ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986**

To see if the Town will vote to accept, for fiscal year 2012, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 90% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2010 the cumulative increase above the statutory limit was 85%.

ARTICLE 23: **APPROPRIATE FOR SENIOR CORPS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the Senior Corps program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid approximately \$800, which is applied to their property tax bills. Eligible individuals are entitled to one payment per fiscal year.

ARTICLE 24: **APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,051 for the purpose of funding the Needham Property Tax Assistance Program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The voluntary fund received \$15,051 in fiscal year 2010.

ARTICLE 25: APPROPRIATE THE FY 2012 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$40,000, from the Overlay Surplus in the amount of \$499,752, from amounts reserved for debt exclusion offsets of \$45,802; and \$300,000 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted as Shown on Pages 11 - 15

ARTICLE 26: APPROPRIATE THE FY 2012 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2012, under the provisions of M.G.L. Chapter 44, Section 53F ½:

2011 Annual Town Meeting

Town of Needham RTS Enterprise FY 2012

Line #	Description	FY 2010		FY 2011		FY 2012		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Personnel	\$ 624,377	9.0	\$ 635,125	9.0	\$ 639,479	9.0	
101B	Expenses	\$ 1,070,123		\$ 1,115,280		\$ 1,139,984		
101C	Operating Capital	\$ 39,209		\$ 58,000		\$ 43,000		
101D	Debt Service	\$ 149,051		\$ 150,000		\$ 150,000		
102	Reserve Fund	Transfers Only		\$ 45,000		\$ 25,000		
TOTAL		\$ 1,882,760	9.0	\$ 2,003,405	9.0	\$ 1,997,463	9.0	
FY 2012 Budget Percentage Change from FY 2011 Budget								-0.3%

and to meet this appropriation that \$547,673 be raised from the tax levy and transferred to the RTS Enterprise Fund, and \$200,000 be transferred from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

Article Information:

ARTICLE 27: APPROPRIATE THE FY 2012 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2012, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Town of Needham Sewer Enterprise FY 2012

Line #	Description	FY 2010		FY 2011		FY 2012		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Personnel	\$ 658,119	9.2	\$ 629,896	9.2	\$ 881,180	12.0*	
201B	Expenses	\$ 281,535		\$ 273,354		\$ 468,764		
201C	Capital Outlay	\$ 72,000		\$ 25,000		\$ 25,000		
201D	MWRA Assessment	\$ 5,028,493		\$ 5,043,945		\$ 5,337,491		
201E	Debt Service	\$ 1,192,470		\$ 1,250,000		\$ 1,350,000		
202	Reserve Fund	Transfers Only		\$ 35,000		\$ 35,000		
TOTAL		\$ 7,232,617	9.2	\$ 7,257,195	9.2	\$ 8,097,435	12.0*	
FY 2012 Budget Percentage Change from FY 2011 Budget								11.6%

*The prior years F.T.E. totals were lower than the number of positions assigned to the department because the drainage program related work which was done by the enterprise staff was being accounted for in the DPW budget so correspondingly the F.T.E. figure related to that work was also reflected in the DPW budget. Effective for FY2012 the drainage program will now be budgeted in the enterprise fund and the enterprise funds will now reflect the F.T.E. assigned to the department.

and to meet this appropriation that 293,546 be transferred from Sewer Enterprise Fund retained earnings and that \$469,610 be raised from the tax levy and transferred to the Sewer Enterprise Fund, or take any other action relative thereto.

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

Article Information:

ARTICLE 28: APPROPRIATE THE FY 2012 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2012, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Town of Needham Water Enterprise FY 2012							
Line #	Description	FY 2010		FY 2011		FY 2012	
		Expended	FTE	Current Budget	FTE	Recommended	FTE
301A	Personnel	\$ 909,094	14.5	\$ 1,047,487	14.5	\$ 1,016,863	16.0*
301B	Expenses	\$ 1,046,301		\$ 985,218		\$ 974,603	
301C	Capital Outlay	\$ -		\$ 20,000		\$ 55,000	
301D	MWRA Assessment	\$ 427,332		\$ 265,017		\$ 605,448	
301E	Debt Service	\$ 1,490,309		\$ 1,500,000		\$ 1,550,000	
302	Reserve Fund	Transfers Only		\$ 75,000		\$ 75,000	
TOTAL		\$ 3,873,036	14.5	\$ 3,892,722	14.5	\$ 4,276,914	16.0*
FY 2012 Budget Percentage Change from FY 2011 Budget 9.9%							

*The prior years F.T.E. totals were lower than the number of positions assigned to the department because the drainage program related work which was done by the enterprise staff was being accounted for in the DPW budget so correspondingly the F.T.E. figure related to that work was also reflected in the DPW budget. Effective for FY2012 the drainage program will now be budgeted in the enterprise fund and the enterprise funds will now reflect the F.T.E. assigned to the department.

or take any other action relative thereto.

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

Article Information:

ARTICLE 29: CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2011:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2012 Budget
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,100
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	\$60,000
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	\$75,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home composting bins	\$3,000
Senior Center Activities	Council on Aging Director	Program Receipts	Costs related to social programs for elderly	\$1,000
Youth Services Activities	Youth Services Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000
School Transportation Program	School Committee	Fee-Based Transportation Program Receipts	Pupil and other District-wide transportation	\$819,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.

ARTICLE 30: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY 2012 award amounts had not been released.

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 31: APPROPRIATE FOR CPA PROJECT – HOME ENERGY IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$80,000 for window and door replacement for three group homes, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

**ARTICLE 32: APPROPRIATE FOR CPA PROJECT – REDEVELOPMENT AND
EXPANSION OF LINDEN/CHAMBERS & /HIGH ROCK PROPERTIES –
FEASIBILITY DESIGN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for feasibility and design for the redevelopment and expansion of Linden/Chambers/High Rock properties, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

**ARTICLE 33: APPROPRIATE FOR CPA PROJECT – PRESERVATION OF
HISTORIC DOCUMENTS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$7,500 for preservation and conservation of historic documents, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Resources Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 34: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to M.G.L. Chapter 44B from the estimated FY 2012 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee \$82,000

Reserves:

B. Community Preservation Fund Annual Reserve \$1,131,200

C. Community Housing Reserve \$213,400

D. Historic Resources Reserve \$0

E. Open Space Reserve \$213,400

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: *This is the seventh year that Town Meeting is being asked to address the Community Preservation Fund and the vote on this article will reflect the decisions made on the previous three articles. Town Meeting and the voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation, and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee.*

CAPITAL ARTICLES

ARTICLE 35: RESCIND BOND AUTHORIZATION

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
RTS Collection Packer Equipment	2008 ATM	44	\$225,000	\$4,000
Total				\$4,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: When a project is financed by borrowing, the project has been completed, and all the bills have been paid, the balance of the authorization that was not borrowed can be rescinded. A Town Meeting vote to rescind the balance of a borrowing prevents any further borrowing for the project, and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids.

ARTICLE 36: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate a sum for General Fund Cash Capital, to be spent under the direction of the Town Manager, and raised from the tax levy; or take any other action relative thereto:

GF	Description	Recommended	Amendment
General Government	Network Services & Switches	\$30,000	
General Government	Document Record Management System	\$90,000	
Public Safety	Base Radio Station	\$112,496	
Public Schools	Copier Replacement	\$66,950	
Public Schools	Technology Replacement	\$49,100	
Public Schools	Furniture & Musical Equipment	\$52,750	
Public Works	Core Fleet Replacement	\$304,000	
Public Works	Small Specialty Equipment	\$64,500	
Public Works	Snow & Ice Equipment	\$165,000	
Public Works	Salt Storage Shed Design	\$75,000	
Public Facilities	Core Fleet Replacement	\$25,000	
Public Facilities	Small Specialty Equipment	\$29,563	
Public Facilities	Facilities Maintenance Program	\$400,000	
Community Services	HP Transport Van	\$52,000	
Community Services	Playground Equipment	\$25,000	
Community Services	Library Technology Replacement	\$25,000	
Community Services	Athletic Facility Improvements	\$137,500	
Total Appropriation		\$1,703,859	

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

Article Information:

Document Record Management System A document management system (DMS) is a computer system used to track and store electronic documents and/or images of paper documents. It is also used to manage work flow needed to collaboratively create, edit, review, index, search, publish and archive various kinds of digital media and electronic text. This type of application is especially important in work areas with limited storage space, and when staff members have the need to find documents, records, or images associated with a specific project or request. In the renovated Town Hall, a document management system will allow departments to access electronically historical documents that in the past were stored locally and which will now be stored off-site or in remote locations. Document record management systems store not only letter or legal size documents, but also plan-size drawings. This project would include the purchase of the software application and the hardware to be used for scanning. (Submitted by: Finance Department)

Network Servers and Switches This project will replace older application and data servers with newer, faster and more energy-efficient models. Hardware also includes the replacement of the spam and virus firewalls and internet filtering. Older network switches that are used to connect buildings, departments, and workstations throughout the Town are replaced with newer models for faster and more efficient communications. Not replacing or updating this equipment can affect email, financial applications, internet access, and data accessibility. If network attached devices and hardware are unavailable, departments are not able to communicate with the various application packages needed to run their operations. (Submitted by: Finance Department)

Public Safety Radio Base Station This project will fund the replacement of the Police Department's base radio station system based on changes in technology and aging of existing equipment. The upgrade of

the Town's public safety dispatch radio communications equipment is required to conform to new technology specifications and FCC regulation changes relative to reallocation of the public safety communications bandwidth spectrum. The existing radio communications products were originally installed in 1990, and have reached the limits of expected use. Console furniture and racks to store additional new equipment were installed with E-911 grant funding in June, 2009. (Submitted by: Police Department)

School Copier Replacement School photocopiers are located in all of the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets, etc. Currently, the School Department owns 44 copiers and 7 RISO duplicating machines. Since FY2004, 42 copy/RISO machines have been replaced throughout the district. The FY2012 request is to replace an additional seven machines for \$66,950. In FY2009, the School Department modified its methodology for predicting copier replacement, to reflect the lifecycle analysis based on actual usage and model capacity. Using the lifecycle analysis, the Department projects copier replacement needs based on actual usage and the manufacturer's total estimated capacity, which may be more than seven years if the copier is lightly used, or less than seven years for heavily used machines. (Submitted by: Needham Public Schools)

School Furniture and Musical Instruments In FY2005, the Town implemented a funding program to replace furniture in school facilities not scheduled to undergo capital renovation/addition projects in the near future (Hillside, Mitchell, Newman and Pollard). In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. This request would provide ongoing funding for regular replacement. The FY12 request for \$37,750 will target replacement at Pollard, Mitchell and Hillside. At the end of FY15, the Department expects that all furniture in "poor" condition will have been replaced at these four schools, and future year requests will target furniture in "fair" condition.

Also in FY2005, the Town established a replacement cycle for school musical instruments. After eight years of funding, the School Department has experienced a marked improvement in the quality of musical instruments for students to use. The final year of this replacement cycle is FY2014, after which time the Department will have replaced its stock of old and/or un-repairable equipment. At that time, the Department requests funding for inventory expansion to accommodate the large classes beginning to enter the middle and high schools, where there will be a need for larger-sized instruments in the brass and string families. The preliminary replacement plan for FY2012 (\$15,000) is for two cellos or basses (determined by student need) and some large middle school percussion instruments and updating of elementary Orff percussion instruments. Actual purchases may differ to accommodate changes in instrument condition and program. (Submitted by: Needham Public Schools)

School Technology

Portable Device Pilot

In 2007-2008, the Laptop Study Committee recommended that a 1:1 student laptop program be implemented in Needham to better prepare students for 21st century life and learning. The pilot was put on hold because the devices were not "ready". By FY2012, however, it is expected that the quality and variety of devices has improved enough to enable the pilot program. In addition to meeting the needs of students, the pilot program would serve as a way to evaluate the viability of moving towards a technology model where students would bring a portable device to school in Grades 8 – 12 for writing, research and collaboration. This project would fund 45 tablet devices to be used with Grade 8 students at Pollard, including a cart of 30 devices for classroom use and 15 teacher devices. The tablets would be used by the students only during the school day. The pilot will also require the purchase and installation of 25 additional wireless access points and the purchase of four laptop/portable device storage carts. There is no plan to purchase additional portable devices – the intent is that by FY2013 students would begin to bring

their own devices to Grade 8 at Pollard. The following year, students would bring their own devices to the High School. The portable devices purchased during the pilot year would remain at Pollard, and would continue to be used as classroom devices.

New Technology

In an effort to provide 21st century learning tools in all classrooms, the School District has made a commitment to using interactive whiteboards to enrich the learning environment with multimedia resources and provide the student, as well as the teacher, the ability to interact with these resources and support emerging curricula. SMART Boards and Mimios are the two brands of interactive whiteboards in use in the School Department. To date, the Department has installed SMART Boards at Needham High School, High Rock, Eliot, and Hillside. Schools that have partial interactive board installation include Pollard, Mitchell, Broadmeadow and Newman. This request funds the purchase of new boards and the mounting of existing boards at Broadmeadow, Hillside, Mitchell, and Pollard.

Technology Replacement

The annual technology replacement program will fund the replacement of two network servers and the High School Foreign Language Lab server. The network servers are critical to the continuous use of the district's information systems. As critical servers are replaced, they are delegated to a less critical function and kept in the inventory for approximately six years. The Foreign Language Lab server has also reached the end of its life cycle and needs to be replaced. Also included in this category are replacements of 11 UPS battery backup devices that support and protect the servers. This request also includes 123 administrative and teacher computers that have reached end-of-life cycle, or are not repairable, 50 laptop computers and 58 desktop computers for students at Broadmeadow, Eliot, and Hillside, one laptop cart for Eliot, one laptop cart for Broadmeadow, and 2 District servers. (Submitted by: Needham Public Schools)

Public Works Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2012 include:

Unit	Division	Year	Description	Miles	Cost
92	Engineering	2003	Expedition	40,364	\$42,000
32	Highway	2005	4WD Pickup Truck	61,714	\$50,000
57	Highway	2006	4WD Pickup Truck	56,979	\$50,000
9	Drains	1996	6 Wheel Dump Truck	58,540	\$162,000

Small Specialty Equipment This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Drains, Highway, and Parks and Forestry Division's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2012 include:

Unit	Division	Year	Description	Cost
233	Highway	2004	Sidewalk Paver	\$29,500
334	Parks	1996	Turfcat Mower	\$35,000

Snow and Ice Equipment This request will provide funding for equipment used primarily in the Snow and Ice Program. Unless circumstances require otherwise, the vehicles and equipment proposed for replacement in FY2012 are as follows:

Unit	Division	Year	Description	Cost
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112	Highway	1989	Sidewalk tractor (Wheel w/blower)	\$135,000
9A	Highway	1988	Material Spreader	\$30,000

Salt Storage Shed Feasibility and Design The existing 1,200 ton salt storage building located at the rear of 470 Dedham Ave was constructed during the 1970s with a grant from the Massachusetts Highway Department. Repairs have been made to the roof and walls within the last decade but the structure is showing signs of significant deterioration, especially the sliding access door system, making it difficult to open when required. The shed will be removed from service. The new salt storage shed, which will be designed to hold 5,000 tons of salt, is proposed to be sited at the RTS on Central Avenue. This project will fund a feasibility study to determine the most advantageous location and preliminary design. Building construction and related site work is projected at a cost of approximately \$1.5 million.

Public Facilities Core Fleet

The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced include the following:

Unit	Division	Year	Description	Miles	Cost
700	PFD	1996	F250 Electrician Van	61,314	\$25,000

Public Facilities Small Specialty Equipment

This program provides funding to purchase new and replace existing Public Facilities specialty equipment. This equipment is critical for the efficient operation of the Public Facilities Department's operations. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2012 include:

Unit	Division	Year	Description	Cost
New	PFD	New	Closed Cab Mower/Blower	\$29,563

Facilities Maintenance Program This project allows for on-going building maintenance efforts, including, but not limited to flooring, painting, ductwork cleaning, and window replacement. With respect to flooring, the program allows for the replacement of worn, damaged, unsafe, and unsightly floor surfaces. In addition, it provides for the removal of asbestos containing floor tile and allows for its replacement with vinyl composition floor tile in classrooms and carpeting in offices. Unless circumstances require otherwise, FY2012 funding will provide for asbestos abatement in the classrooms, hallways, and office spaces at the Pollard school, Mitchell school crawl space, and the Media Center at the Hillside school. Duct Cleaning will be performed at the Eliot school and Library. In addition, funding from this article will support efforts to enhance energy efficiency and reduce energy consumption including, but not limited to replacing windows with dual pane glass where possible, and installing infrared and motion sensors for lighting, insulating, and correcting envelope issues. Additionally this program will allow the Department to address building systems determined to be in need of rebuilding or replacement.

Library Collection Supplement This recurring request supports an increase in the Library's collections to a level that will satisfy the needs of Needham citizens for their reading, listening, and viewing requirements. The goal is to have the number of items borrowed by Needham patrons from other Minuteman libraries equal the number of items the library lends to other Minuteman libraries.

Library Technology Replacement The Library has established a plan for replacing computer and other technology-related equipment, the bulk of which was purchased at the time that the Library was renovated in 2006. The FY2012 request will support the acquisition of 15 public computers and one server.

Senior Transport Van The Senior Center's wheel chair accessible van operates daily, predominantly for local trips that require frequent stops which create stress on the vehicle. The van has traveled approximately 10,000 miles per year since it was placed in service in 2004. Due to safety, reliability and maintenance concerns, the present vehicle is scheduled for replacement in fiscal year 2012. The proposal is for acquisition of a 14 passenger accessible vehicle as a replacement for the E350 van.

Unit	Division	Year	Description	Miles	Cost
402	Senior Center	2004	E350 to be replaced with 14 passenger bus	59,000	\$52,000

Athletic Facility Improvements The Department of Public Works and Park and Recreation Department have developed a maintenance plan for all fields, which includes new or total reconstruction, partial renovation, irrigation, drainage improvements, and equipment replacement or repair (bleachers, fences/backstops, player benches and miscellaneous equipment) for multi-use fields and ball diamonds. The project proposed for FY2012 is the renovation of the Walker Gordon Facility, including field reconstruction, bleachers, player benches, irrigation, backstops and fencing. This project dovetails with the Town's acquisition of the adjacent parcel at 174 Charles River which will expand the 90 foot ball diamond, and a companion proposal to install modest playground structures at the Walker Gordon site.

Playground Structure Replacements Walker-Gordon has a small playground area that is in need of some additional playground features. The requested funds will allow for equipment for young children to be purchased and installed.

ARTICLE 37: APPROPRIATE FOR FIRE ENGINE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$400,000 for the purchase of a fire engine, 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; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This request, in conformance with the Fire Department's established vehicle/apparatus replacement plan, is to replace Engine 2, which is a 1989 Emergency One pumper. At the time of replacement, the truck will be 23 years old, three years beyond the scheduled replacement of a back-up Engine. This truck was moved to "ready reserve" status (primary back-up) in 2005. The newly purchased Engine will be placed in service as Engine 1, a front-line emergency response vehicle, and the current Engine 1 (a 1999 Emergency One pumper) will be moved into ready reserve as Engine 2. In FY2004, the existing 1989 Engine 2 was partially refurbished (at a cost of \$39,000) to extend its useful life.

ARTICLE 38: APPROPRIATE FOR ROOF REPAIRS/NEEDHAM HIGH SCHOOL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$320,000 for the repairs to the Needham High School roof, 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; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The High School C Building Roof was last replaced in the mid 1980s. This is an asphalt shingle roof, which has an expected lifespan of 30 years. The Department of Public Facilities – Operations has repaired this roof twice in the past two years and shingles continue to blow off. The NHS C Building Roof was not included in the High School renovation project as the roof was within its useful lifespan at the beginning of that MSBA-funded project.

ARTICLE 39: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,100,000 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, 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; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Public Works Infrastructure Program funds improvements to roads, bridges, intersections, drainage systems, brooks and culverts. This roadway program is essential to maintaining the structural and surface integrity of the Town's network of accepted streets. The primary strategy in this program is asphalt paving and incidental work directly associated with paving. Incidental work in support of the structural overlay paving may include corner reconstruction, handicap ramps, leveling, utility adjustments, minor drainage improvements, some drain extension work, street sign replacement, asphalt curbing with grass shoulders and pavement markings. Many streets have insufficient pavement thickness, are poorly shaped, lack curbing and require some drainage improvements. Applying this repair strategy in a timely manner will help defer costly and disruptive street reconstruction significantly on all but the most highly traveled roadways. Paving roadways in a timely manner will extend the useful life of the roadway system in the most cost effective manner.

Unless circumstances require otherwise, the FY2012 program will also include traffic signalization and reconstruction of the High Street at Greendale Avenue intersection, sidewalk repair and resurfacing on School Street from Chestnut Street to Warren Street (North side), Dedham Avenue opposite Grant Street to Bradford Street (North side), and Warren Street from School Street to Great Plain Avenue (West side). The DPW has been placing greater emphasis on sidewalk improvements in recent years to overcome deteriorating conditions. In the past, the sidewalk work has been primarily focused on the sidewalks used as school walking routes by the School Department. A portion of this program's funding has been targeted to increase this effort and to incorporate other sidewalks throughout town that are in as equally poor condition.

This Infrastructure program has been modified to include components of the storm drainage system including brooks and culvert work. The storm drain system is a functional component of a road system. Likewise, storm drains typically discharge into brooks and streams that pass beneath the roads in key locations through culverts. Structural work on these culverts and on brook walls has now been included in this program.

ARTICLE 40: APPROPRIATE FOR FEASIBILITY STUDY OF THE CRICKET FIELD BUILDING

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$10,000 for a feasibility study of the Cricket Fieldhouse, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation that \$10,000 be transferred from Article 37 of the 2004 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Cricket Field building is used throughout the year by Park and Recreation summer programs, Needham High Girls Soccer and Girls Lacrosse, and storage for Park and Recreation and DPW Parks & Forestry. The goals of the Park and Recreation Commission are to keep the building in use for years to come, improve health and safety of the building, develop handicap accessible access to the site and building, provide public restrooms to all park users, create more effective storage system, and enable the department to get more use of the building for revenue-generating programs. The wood frame structure is approximately 1,250 square feet. This request would fund a feasibility study to determine the best course of action to meet the stated goals.

ARTICLE 41: APPROPRIATE FOR BOOTH STREET RECONSTRUCTION

To see if the Town will vote to raise and appropriate \$125,000 for the reconstruction of Booth Street from Central Avenue to 58 Booth Street, under the laws authorizing the assessment of betterments, 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; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 42: APPROPRIATE FOR RTS CONSTRUCTION EQUIPMENT

To see if the Town will vote to raise and/or transfer and appropriate \$86,000 for RTS Construction Equipment, 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; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 43: APPROPRIATE FOR RTS LARGE SPECIALTY EQUIPMENT

To see if the Town will vote to raise and/or transfer and appropriate \$152,000 for the purchase of a semi-tractor, said sum 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; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Public Works specialty equipment consists of power-assisted equipment or other specialized tools used by the Department in the performance of its work. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2012 include:

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
34	RTS	2001	Semi-Tractor	292,351	\$152,000

ARTICLE 44: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate a sum for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

<i>Group</i>	<i>Description</i>	<i>Recommended</i>	<i>Amendment</i>
Sewer	Core Fleet Replacement	\$65,000	
Sewer	Large Specialty Equipment	\$185,000	
Sewer	Sewer System Rehabilitation (I/I)	\$575,000	
	Total Appropriation	\$825,000	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: **Sewer Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2012 include:

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
17	Sewer	1997	One Ton Dump	37,331	\$65,000

Large Specialty Equipment Public Works specialty equipment consists of power-assisted equipment or other specialized tools used by the Department in the performance of its work. Unless circumstances require otherwise, the equipment scheduled to be replaced in FY2012 includes:

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
16	Sewer	1997 (cab) 2008 (equipment)	CCTV Truck	20,329	\$185,000

Sewer System Infiltration and Inflow Program This program supports the identification and removal of Infiltration and Inflow (I/I) in existing sewer systems. The requested funding for FY2012 is for infiltration, which is defined as groundwater or storm water runoff that enters the system through deteriorated pipe or manhole structures. On the basis of volumes of flow and knowledge of local sewer system overflows (SSO) or basement flooding, an order of priority has been established to determine the scheduling of the engineering, design and remediation work. The highest priorities relate to locations of known surcharging with sewage overflow or release or basement flooding. Unless circumstances require otherwise, infiltration work in FY2012 is proposed to continue in Area 16 (the Webster Street, High Street, Tower Avenue, Brookline Street area) and Area 22 bounded by Great Plain Avenue from Eaton Road to the Railroad and along the Railroad to Coulton Park.

ARTICLE 45: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate a sum for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Water Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Core Fleet Replacement	\$69,500	
Water	Filter Media Replacement	\$70,000	
Water	SCADA System Upgrade	\$40,000	
Water	Water System Rehabilitation	\$684,500	
	Total Appropriation	\$864,000	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

Water Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2012 include:

Unit	Division	Year	Description	Miles	Cost
25	Water	1997	Utility Body	80,908	\$69,500

Filter Media Replacement The filter media (greensand) used at the Charles River Water Treatment Facility (CRWTF) for manganese removal was installed during construction. The original media installed in all four filters was replaced with natural greensand in 2008. Under the current operating conditions, based on an examination and testing of the media when removed, the filter media should be replaced every five years. This proposal is for the replacement of the media in one filter in order to establish a pattern for the media replacement of all filters on a five year cycle.

SCAD System and Video Surveillance A Supervisory Control and Data Acquisition (SCADA) is a computer system used for gathering and analyzing real time data to monitor and control the Charles River Water Treatment Plant. The system gathers information, transfers the information to a monitoring station, and alerts on-call personnel to allow for timely response. The CRWTF is linked with the Saint Mary's Pump Station, from which the Town draws from the MWRA system, and the Town's two water storage tanks with an outdated dedicated copper communication line for real time monitoring. The copper lines have had

failures and are unreliable. In addition, new technology is not adaptable to the old copper communication lines. The intent of this project is to update the system and to add video monitoring equipment at these locations (interior and exterior) for facility security purposes. Adding video provides real time information at the CRWTF and will address homeland security concerns. Using SCADA the operation of the facility can be monitored by plant personnel remotely. Abnormal operating conditions or unauthorized access of the facilities are communicated electronically to the operators by means of alarms which can result in the operator taking corrective action well before arrival at the plant.

Water System Rehabilitation Program The annual Water System Rehabilitation Program draws from the recommendations of the Water System Master Plan. This master plan recommends that pipes 85 years or older be considered for replacement or relining. This list of older pipes is evaluated and prioritized, and then cross-referenced with work proposed for other utilities, road repairs, or reconstruction. Unless circumstances require otherwise, projects for FY2012 include Lincoln Street and/or Highland Avenue.

TOWN RESERVE ARTICLES

ARTICLE 46: APPROPRIATE FOR WORKERS COMPENSATION RESERVE FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$150,000 to the Workers Compensation Reserve Fund, said sum to be raised from the Tax Levy; or take any other action relative thereto.

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

Article Information:

ARTICLE 47: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L. Chapter 40, Section 5B as recently amended by Section 14 of 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 raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: 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. As of February 28, 2011, the balance in the fund is \$XXX,XXX.

ARTICLE 48: APPROPRIATE TO CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L. Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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

Article Information: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing) systems of then existing capital facilities. As of February 28, 2011, the balance in the fund is \$XXX,XXX.

ARTICLE 49: APPROPRIATE TO STABILIZATION FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Stabilization Fund, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

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

Article Information: Municipalities are authorized under M.G.L. Chapter 40, Section 5B to establish stabilization funds. Monies appropriated to the Stabilization Fund remain in the fund and carry forward from one fiscal year to another. The interest earned on the stabilization fund remains with the fund. The money from the Stabilization Fund can be appropriated for any lawful municipal purpose. Appropriations both into and from the fund require a two-thirds majority vote of Town Meeting.

Although the monies in the general Stabilization Fund may be appropriated for any lawful purpose, it is recommended that appropriations from the Stabilization Fund be limited to extraordinary unforeseen events or exceptionally negative fiscal conditions. Maintaining this fund serves an important function in that it represents the Town's commitment to prudent financial planning. State law restricts the amount that may be maintained in stabilizations funds to not more than ten percent of the Town's prior year tax levy, and not more than ten percent of the Town's equalized valuation, which is calculated bi-annually by the Department of Revenue. As of February 28, 2011, the balance in the fund is \$X,XXX,XXX.

ARTICLE 50: OMNIBUS

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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 7 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 under our hands at Needham aforesaid this 8th day of March 2011.

JOHN A. BULIAN, *Chairman*
DENISE C. GARLICK, *Vice Chairman*
GERALD A. WASSERMAN, *Clerk*
MAURICE P. HANDEL
DANIEL P. MATTHEWS
Selectmen of Needham

**A true copy,
ATTEST**

DRAFT

Board of Selectmen

AGENDA FACT SHEET for 3/22/2011

Agenda Item: Committee Reports

Presenter(s): Board Discussion

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Board members will report on the progress and / or activities of their Committee assignments.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)

3. BACK UP INFORMATION ATTACHED:

None

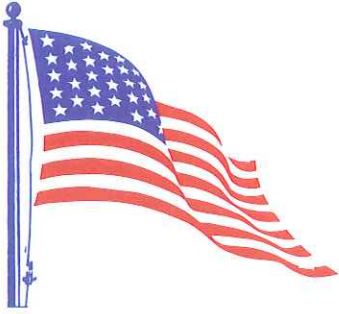
4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

Action taken: _____ **Present on future Agenda:** _____

Refer to/Inform: _____ **Report back to BOS on:** _____



Needham 4th of July Celebration

RECEIVED
TOWN OF NEEDHAM
CARD OF SELF
2011 FEB 25 P



Consent
3/22

SPONSORED BY THE EXCHANGE CLUB OF NEEDHAM, INC.

February 25, 2011

Kate Fitzpatrick, Town Manager
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Dear Kate:

Thank you in advance for your support of the Exchange Club in its endeavor to bring to Needham its traditional 4th of July celebration. This year will be extra special with the Needham 300 Celebration.

We do plan on a fireworks display this year on July 3rd at Memorial Park. They will have a special Tercentennial twist. The rain date for the fireworks will be July 9th.

Celebration activities will fall on Sunday, July 3rd and Monday July 4th to avoid any conflict with religious services on Sunday morning July 3rd and will include The Grand Parade, Flag Raising on the town common, 5k Road Race and the Craft Fair and Flea Market. We will again provide cooked food and entertainment at the Park on both days. We will also coordinate with the Needham 300 group for any special activities they might have planned for that weekend. Two that I know of are an old-fashioned baseball game and the opening of the 1961 Time Capsule.

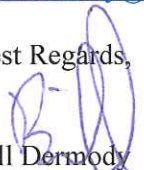
A certificate of liability insurance with the Town of Needham will be provided.

With your permission we would like to initiate dialogue with, the DPW, Fire, Police, Park and Recreation and any other departments, i.e. Health to receive their support in ways that would enhance the day of the celebration.

We would also like to place our customary signs announcing our event on the community signs as you enter the town beginning the week prior to the events.

If you have questions, please contact me during the day at (w) 781-444-7400 or via email at biil.dermody@nemooves.com.

Best Regards,


Bill Dermody
Needham Exchange Club
Fourth of July Committee

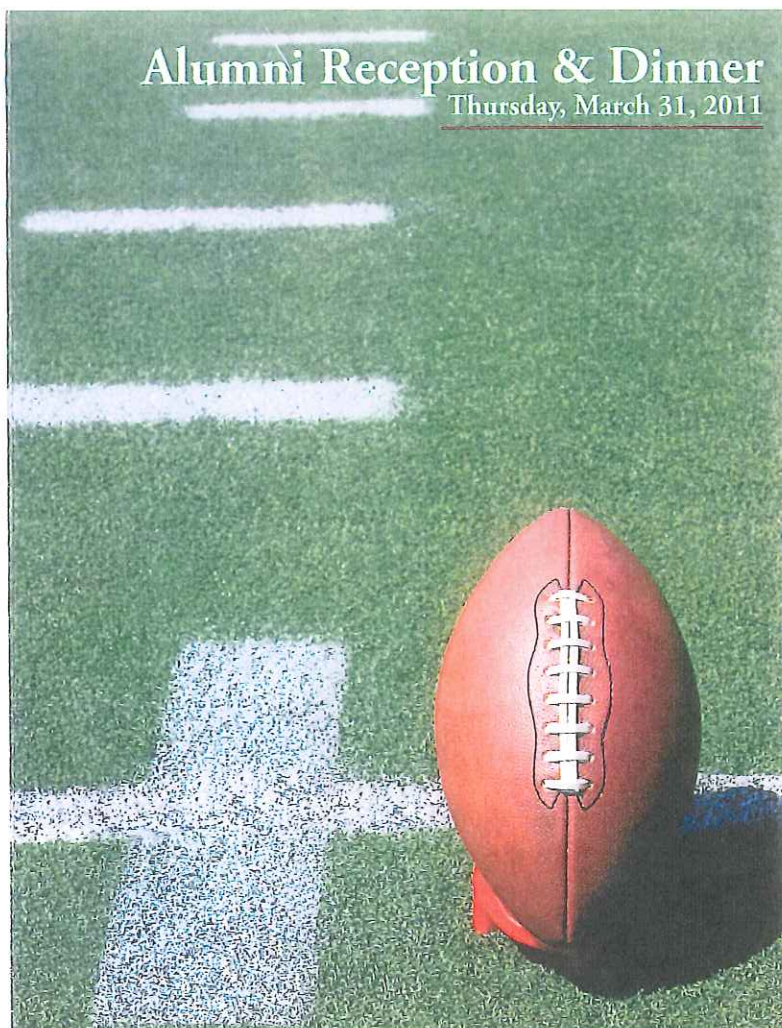
**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**

(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	ED DAVIS		
Event Manager Address	1191 Greendale Avenue		
Event Manager Phone Number	781-247-0158		
Organization Representing (if applicable)	St. Sebastian's School		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☒ Non-profit ☐ For profit ☐ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Alumni Dinner		
Date of Event	3-31-31		
License is for Sale of:			
☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	6:00	TO: 10:00
Are tickets being sold in advance for this event?	☒ YES	\$ 25 /per ticket	☐ NO
Is there an admission fee for this event?	☐ YES	\$ /per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☒ YES	☐ NO	
How many people are you expecting at this event?	75		
Name & address of event location. Please attach proof of permission to use this facility.			
Ward Hall			
Who will be serving the alcohol to your guests?			
Sage Dining Services			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
Bartenders will serve drinks to guest at the bar			
☒ I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:	Ed Davis		Date: 3/7/11

Nonprofit Org.
US Postage
PAID
Boston, MA
Permit #19943

ST. SEBASTIAN'S SCHOOL
1191 Greendale Avenue
Needham, MA 02492



Alumni Reception & Dinner

Thursday, March 31, 2011

*The St. Sebastian's School
Alumni Association proudly presents the*

ALUMNI RECEPTION & DINNER

Thursday, March 31, 2011
Ward Hall • St. Sebastian's School

Join fellow alumni in honoring the
1977 Football Team (undefeated ISL Championship team)

This year's special guest
Coach Ed Sweeney
(1977 Football Coach)

Reception at 6:30 p.m. • Dinner & Presentation to follow

Cost
\$25/person

To register, contact Maureen Nowak
maureen_nowak@stsebs.org or 781-247-0186

You may also register from our website at
www.stsebs.org/alumni/RegistrationForms/AlumniDinner11.html

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Dorothy C. Mitchell		
Event Manager Address	60 Dedham Ave, Needham, MA 02492		
Event Manager Phone Number	781-455-6250		
Organization Representing (if applicable)			
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☐ Non-profit ☐ For profit ☐ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Laser Skin Care Solutions - Open House.		
Date of Event	3/31/2011		
License is for Sale of: ☒ Wines & Malt Beverages Only ☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	5 pm	TO: 8 pm
Are tickets being sold in advance for this event?	☐ YES	\$ /per ticket	☒ NO
Is there an admission fee for this event?	☐ YES	\$ /per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES	☒ NO	
How many people are you expecting at this event? Approximately 50 people dispersed over the 3 hour time slot.			
Name & address of event location. Please attach proof of permission to use this facility. The Needham Historical Society 1147 Central Ave. Needham, MA 02492			
Who will be serving the alcohol to your guests? Tammy Lamenzo of Higgins Wine & Spirits in Dover			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate). (on File)			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan. Guests will be served alcohol (wine) as part of a wine tasting only.			
☒ I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:			Date: 2/24/11

Save the Date!



To say thank you to all of our wonderful customers, **Laser Skin Care Solutions** welcomes you to join us for our...

Open House Event!

Come in for a makeover, skin analysis or even call ahead to make an appointment for a Dysport or Restylane treatment!

Meet with professionals from Image, Biopelle and Colorscience Skincare and representative for Restylane, Perlane and Dysport products!



When: Thursday, March 31

Time: 5:00 pm-8:00 pm

Where: The Needham Historical Society
1147 Central Avenue
Needham, MA
02492

Laser Skin Care Solutions

Dorothy C. Mitchell, RN, MSN, MBA
60 Dedham Ave. Needham, MA 02494
- (781) 455-5250 -

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR
(cc: TOWN COMPTROLLER)

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales: -\$3,555.75

Water Irrigation: -\$3,348.18

Water Service: \$0.00

Sewer Sales: -\$4,936.50

Transfer Station Charges: \$0.00

Total Abatement: -\$11,840.43

Order #: 1121

Read and Approved: 3/18/2011

DPW Office Manager

R. P. Peterson

Director of Public Works

For the Board of Selectmen

Date: 3/22/2011

**Town of Needham
Water Sewer Billing System
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
PC	Davos	Angela	34143	4398	7	Eaton Rd	\$0.00	-\$1,680.50	-\$3,743.05	-\$5,423.55	Meter/OE	Y
PC	Rueppel	Merrill	481	17714	766	Chestnut St	\$0.00	-\$96.80	-\$213.40	-\$310.20	OE	Y
PC	Sugarman	Lawrence	26641	18100	111	Stratford Rd	\$0.00	-\$711.20	\$0.00	-\$711.20	Leak	N
PC	Haskell	George	18110	5241	173	Stratford Rd	\$0.00	-\$750.00	\$0.00	-\$750.00	Leak	N
PC	Collins	Vincent	13368	8517	69	Clarke Cir	-\$3,348.18	\$0.00	\$0.00	-\$3,348.18	O.I.	N
PC	Avery	Realty	22661	9356	17	Avery Square	\$0.00	\$0.00	-\$56.00	-\$56.00	Leak	N
PC	Vaughn	Michael	7290	9729	130	Lindbergh Ave	\$0.00	\$0.00	-\$175.70	-\$175.70	Billing	N
PC	Reilly	John	1132	2099	40	Livingston Cir	\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N
PC	Long	Ruth	11387	3256	36	Rae Ave	\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N
PC	Higgins	Patricia	12539	386	126	Fairfield St	\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N

Total: **-\$11,840.43**

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

Legend:

O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.

O.E. Error = Over estimation was issued

Leak = Leak in house or at spicket that caused loss of water, with proof of repair

O.E. = High estimation of consumption to have customer respond to meter upgrade/exchange request

TVN = Town Project caused damage to private property

Equip = Equipment Malfunction

Prog. = Meters programed incorrectly causing reverse billing of irrigation and domestic water

UEW = Unexplained for water lost

P.F. = Pool Fill

Meter = Meters Crossed or entered into system incorrectly

Billing = Steps were charged incorrectly

COA = Council On Aging

**Town of Needham
Board of Selectmen
Minutes for March 8, 2011
Needham Public Services Administration Building**

- 6:45 p.m. Informal Session 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. Those present were Daniel P. Matthews, Denise C. Garlick, Gerald A. Wasserman, Maurice P. Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.
- 7:00 p.m. Public Hearing – Elimination of Commuter Parking at Needham Center Station:
Town Manager Kate Fitzpatrick appeared before the Board to discuss the elimination of commuter parking at the Needham Center train station. She stated the Town and the MBTA have reached agreement on terms that will allow for municipal parking in Needham Center in spaces that had previously been reserved for commuter parking. She said the MBTA will continue to maintain the station in Needham Center as a neighborhood station. She stated the purpose of tonight's public hearing is for the Board to consider a proposal to convert the 36 parking spaces currently dedicated as commuter parking to both permit and two-hour parking. Ms. Fitzpatrick presented a Powerpoint presentation "Needham Center Parking – Proposed Conversion from Commuter Parking to Permit and Retail Parking" dated March 8, 2011. The information included the type of parking currently available, utilization statistics on commuter parking April 2010 through January 2011, and statistics on the availability of commuter parking. Ms. Fitzpatrick discussed the existing parking conditions in Needham Center as well as the proposed changes for Needham Center, including Eaton Square.
- Mr. Matthews asked whether more people are walking to the train or being dropped off. Ms. Fitzpatrick stated the increased parking fee from \$2 to \$4 had a much larger impact on what people are willing to pay for parking. She said people are finding other ways to get to the train station. Mr. Matthews asked if more people were parking in the surrounding neighborhood to avoid paying the fee. Ms. Fitzpatrick stated not many people park on neighborhood streets and the Town regularly checks for parking violations.
- Mr. Bulian read correspondences from residents and interested parties who were unable to attend the public hearing:

Needham Transportation Committee, letter dated March 3, 2011, in part stating "the Needham Transportation Committee finds that there is currently excess capacity for Mass Bay Transportation Authority commuter parking across all four rail stations within the Town of Needham. In light of this fact, the Transportation Committee finds that it is premature to conclude that the proposed change of use of 34 MBTA commuter parking spaces at Needham Center station to municipal parking purposes would have a negative impact on passenger use of the commuter rail system within the Town of Needham. Given the flexibility inherent in the terms and annual renewal provisions of the Towns Use and Occupancy Agreement with the MBTA, we would ask that the Board of Selectmen relative to whatever action the Board takes in this matter, re-examine the impact of the change of use within one year following the effective date of such change." Mr. Bulian stated the letter from the Needham Transportation Committee was signed by its chair, Richard S. Creem.

Robert Friedman, 20 Glendale Road, email dated March 2, 2011, opposes the elimination of commuter parking from this station.

Dave Harding, 26 Rivard Road, encouraged the Board not to eliminate day-long T parking in Needham Center in favor of two-hour spots as there are few enough spaces available to the T commuters now.

John Fieldsteel, 980 Central Avenue, email dated March 8, 2011, opposes the proposal to eliminate commuter parking at Needham Center. He is concerned the removal of all parking may lead to the elimination of the train stop.

Nancy Wright, owner Perennial Designs, 117 Chapel Street, email favoring the parking swap that will allow more parking for retail businesses in the downtown area. She stated more parking will enable more customers to park, shop, and support the downtown overall.

Monica Berman, owner Grey Goose, 95 Chapel Street, email stating it would be very helpful to have the parking in Needham Center to support downtown businesses.

Mr. Bulian opened the public hearing to those in attendance.

Duncan Allen, 31 Enslin Road, member of the Needham Transportation Committee, stated he is speaking as an individual and not representing the Committee. He said the Heights parking lot is underutilized and not an equivalent space and should be removed from the equation when considering the overall utilization. He suggests the Town consider re-examining the impact of a change prior to one year. He stated three

factors contribute to utilization demand including increased employment in central Boston, MBTA service reliability, and the price of gasoline.

Scott Brightman, 88 Standish Road, commented on utilization stating usually by 8 a.m. the parking lot is full, but can vary based on the time of day and season. He said commuters are apt to miss a train and be late for work if they have to look for parking in other areas. He feels this should be considered, as being late for work can be detrimental. He commented the train has become more difficult due to service and fees. He feels the Town should eventually make the change, but is concerned with the timing of the proposal. He suggested finishing the senior center project first, then consider the increased price of gasoline, the potential improvement of MBTA service, and see if the job market improves.

Craig Scholl, 115 Fair Oaks Park, asked the Board consider not increasing the permit parking, as there is not currently a concern about the amount permit parking. Mr. Scholl stated those spaces could potentially be used for two-hour retail parking. Mr. Scholl suggested swapping some of the two-hour parking from the Dedham Avenue lot to the Chapel Street lot. He feels permit parking should be on the extremities of the Town. Mr. Scholl asked the Town to develop a specific plan for future parking in Needham.

Louise Condon, 15 Tamarack Lane, stated the proposed changes have come as a surprise to regular commuters. She suggests implementing any changes gradually so people can adjust.

Larry Cohen, 77 Warren Street, shares some of the objections heard about taking the spaces and making them available to Needham businesses, but not to commuters who have filled the spaces every day. He was surprised by some of the information provided by the Town, as he takes the 7:32 am train everyday and by 7:31 am almost of the spaces are filled. He commented the notion that the spaces are underutilized is probably incorrect. He was glad to know two of the spaces are designated handicapped. He is concerned that if there is a reduction in the number of commuters who park in the lot, there will be a reduction in the number of people use the train station in Needham Center. He commented the MBTA may consider abandoning the stop to save money and time. Mr. Cohen said that whatever the outcome, there must be a commitment to make certain the Needham Center stop is not abandoned by the MBTA.

Nancy Walton, 25 May Street, asked if there was a greater urgency on the proposal since beginning the Town Hall project. Ms. Fitzpatrick explained the opportunity for the land swap came up as part of the senior center project. Ms. Fitzpatrick said there was no urgency associated with the Town Hall project, but stated it is fair to say that there are fewer spaces

at Town Hall. Ms. Walton asked if things will settle down after the work at Town Hall is completed and wondered if the timing of the proposal could be considered. She stated it would be a shame to lose the parking spaces for the commuters. Ms. Fitzpatrick commented the Town Hall project has taken very few on-street parking spaces out of circulation, and when completed will not alleviate the situation.

Mr. Bulian closed the public hearing and asked for comments from the Board.

Mr. Handel stated he is very mindful of the public comments and said the proposal must be implemented in a way that is as painless as possible. He is concerned that the value of the spaces to the downtown is minimal if they are used by people who go in to Boston. He wondered if there is some way to shift those cars in a way that isn't destructive, that would be valuable to the downtown business center. He stated that once Town Hall reopens, employees will again shop and eat in the downtown area. He feels it is important to capture retail space for the downtown, and to do it in a way that doesn't make it impossible for people to use the train.

Mr. Wasserman asked Ms. Fitzpatrick to look into the maximum utilization figures. He said it is necessary to consider what the proposal would do to the ridership. Mr. Wasserman also asked about previous experiences and wondered whether the MBTA could provide information on the increase/decrease in ridership when parking is longer available at a T station. Mr. Wasserman liked the idea of putting more permit spaces in the outlying areas and more retail spaces in the downtown area.

Mr. Matthews commented we are all creatures of habit and any kind of change is always a concern. He stated the vitality of the business district is critical to the Town, and parking is a big factor. Mr. Matthews stated now may be the time to consider a parking deck in the downtown area. He feels there is sufficient space in Needham Heights and at Birds Hill to accommodate all of the parking currently downtown. He emphasized the Town fully expects the train station to be in the Center with more utilization. He believes when Town Hall is complete there will be increased activity downtown, particularly Monday-Friday.

Ms. Garlick concurred with the opinions of the other members of the Board in that she would also like to maintain the Needham Center stop, and would like further assurances from the MBTA. Ms. Garlick commented she cannot see any scenario that the MBTA would abandon the stop. She stated she is very intrigued by the positive economic impact of freeing up the spaces in the downtown area. She stated the Town needs strategies to communicate well to people where the parking spaces will be located and how to utilize them. Ms. Garlick asked that press coverage

reference the document put together by the economic developer in relation to the proposal.

Mr. Bulian feels the Needham Center stop absolutely must be maintained as it is important to the vibrancy of the downtown area. He also thinks the likelihood of additional residential population in the downtown is part of the reason why there will always be a "T" stop in Needham Center. He stated the Board has no concern that the Needham Center stop would be abandoned. Mr. Bulian thanked everyone who contributed and made comments during the public hearing.

7:50 p.m.

Consent Agenda and Appointments:

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

APPOINTMENTS

1.	Green Communities Study Committee	Joe Carroll (term expires 12/31/2011)
2.	Council of Economic Advisors	Peter Russell (term expires 6/30/2012) Martin Jacobs (term expires 6/30/2012)

CONSENT AGENDA

1.	Sign the Warrant for the Annual Town Election Warrant scheduled for April 12, 2011.
2.	Accept the following donations made to The Park and Recreation Commission for Arts in the Park: ▪ \$600 from the Exchange Club of Needham ▪ \$100 from the Needham Business Association
3.	Approve a One Day Special All Alcoholic beverages license from Mendel Krinsky of Chabad Jewish Center to hold its event on Sunday, March 20, 2011 from 4:00 pm to 9:00 pm at The Village Club, 83 Morton Street, Needham.
4.	Accept the following donation made to the Needham Health Department's Gift of Warmth Fund: \$100 from Shahin S. Sagafi, 16 Surrey Lane, Needham.
5.	Ratify a One Day Special All Alcoholic beverages license from Michael R. Despres of The Village Club Building Assoc. to hold "O'Malley's Wake" on Saturday, March 5, 2011 from 6:00 pm to 11:00 pm at The Village Club, 83 Morton Street, Needham.
6.	Accept the following donations made to the Needham Public Library for the period February 3, 2011 to March 3, 2011: Sgt. James Delaney, USMC (Ret.) gave the library a copy of Scott Brown's book, <i>Against All Odds</i> (\$27.99); Jeffrey Sneider donated

the DVD, *An Inconvenient Truth: A Global Warning*, to the library (\$12.50); Anne Nydam gave the library a copy of her new children's book, *Amazing, Beguiling, Curious: 26 Fascinating Creatures* (\$12.00); Sally Powers donated a copy of *The History of the Rotary Club of Needham, Massachusetts, 1929 to 1979* by Dr. Walter G. Patterson to the Archives Collection; Michael and Martha Michalewich donated \$25.00 for a children's book to honor Natalie Harding's first birthday.

7. Approve executive session minutes from February 8, 2011.
8. Water & Sewer Abatement Order No. 1120
9. Sign the three year (July 1, 2011 through June 30, 2014) Lease of Space documents between the Town and Needham Extended Day Program, Inc. for Before School and After School Structured Programs to be held at the Eliot Elementary School, the Broadmeadow Elementary School, the Mitchell Elementary School and the Newman Elementary School.
10. Approve a One Day Special Wine & Malt beverages license from Julie Bailit of Temple Beth Shalom to hold its "Purim Spiel" event on Saturday, March 19, 2011 from 6:00 pm to 11:00 pm at The Village Club, 83 Morton Street, Needham.

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

7:55 p.m.

Charles River Well #1 Replacement:

Richard P. Merson, DPW Director, appeared before the Board to discuss the re-development (cleaning) of well #1 in the Charles River Water Treatment Well Field. Mr. Merson said the operating budget did contain funding this year and a contract for the re-development was bid, awarded, and work began in early December 2010. Mr. Merson told the Board a failure of the well screen occurred on the first day, and rendered the well un-useable. Mr. Merson explained the DPW quickly began exploring alternatives for restoring the well and the capacity necessary to serve the Town. Mr. Merson referred to his memo dated February 28, 2011 outlining various options and initial pricing. Mr. Merson stated well #1 is the highest producing well in the Town, producing 1.87 million gallons per day (1,300 gallons/minute) and is the "work horse" in the well field. He said it is critically important not only to restore the well, but to restore capacity. Mr. Merson explained during the summer months when the wells are producing as much water as possible, the Town also must supplement from the MWRA. The DPW, he said, then sought to get a spot on the March 14, 2011 Special Town Meeting to secure funding of \$300,000. Mr. Merson explained a consultant was hired to do more investigative work and came in with an estimate amount double what was printed in the warrant.

Ms. Garlick asked Mr. Merson to comment on the Comparison and Evaluation of Options for Well #1. Mr. Merson commented on three potential options as outlined in the information packet. Ms. Fitzpatrick commented on the potential impact on the well field and stated there is great scrutiny on how much a community should be pumping from their wells. She said the time in getting well #1 back on line could impact the Town's ability to produce its own water. She told the Board that while it is important the Town controls its own supply, the cost of MWRA water is 3 ½ times what the Town can pump. Annually, she stated, replacing the amount of water from well #1 would cost approximately \$500,000 to buy the water from the MWRA. Ms. Fitzpatrick reiterated the cost of the project is \$600,000 with a payback of slightly over one year.

Mr. Handel asked if there is any salvage value from the well, and is there any utility in trying to make it a reserve well? Mr. Merson said it was hard to say if there is any salvage value, but the well could possibly be used as a reserve well in the future.

Mr. Matthews clarified the project is to drill a new well within 50 feet of the current well, because it therefore is a replacement well subject to expedited permitting. Mr. Merson confirmed Mr. Matthews comment. Mr. Matthews stated he feels the project makes sense.

8:15 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 5 items to discuss:

1. Board of Selectmen Meeting Calendar:

Ms. Fitzpatrick recommended the Board amend its April calendar due to the annual Town election and Passover.

**Motion by Mr. Handel that the Board of Selectmen amend its 2011 calendar by setting meetings for April 5th, 13th (Wednesday), and 26th.
Second: Mr. Wasserman. Unanimously approved 5-0.**

2. Town Hall Update:

Ms. Fitzpatrick updated the Board on the Town Hall renovation project. She provided several slides of the interior of the building showing the work that is being done. She said much of the framing of new offices on the main floor of the existing building has been completed, along with plastering, mill work, and painting. She said all of the woodwork in the building has been refinished and is in beautiful condition. Ms. Fitzpatrick showed slides of the Great Hall and the balcony, and told the Board the new addition is expected to be weather-tight by the end of March.

3. Special Town Meeting - Review of Warrant Articles:

Ms. Fitzpatrick asked the Board to take positions on Article 1 - Appropriate for Parking and Access Improvements - Pollard School and Article 2 - Restoration of Charles River Treatment Facility Well in the Special Town Meeting warrant dated March 14, 2011.

Motion by Mr. Handel that the Board vote to recommend adoption of an emergency preamble for Article 1.

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

Motion by Mr. Handel that the Board vote to recommend adoption of Article 1 on the March 14, 2011 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to recommend adoption of a motion to amend Article 2 by striking the sum "\$300,000" and inserting in place thereof the sum "\$187,000."

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

4. Annual Town Meeting Articles:

Ms. Fitzpatrick reviewed with the Board the revised Annual Town Meeting Warrant. She told the Board the Retirement Board voted to remove its Article with respect to consideration of increasing the base for the cost of living increase for retirees until further information is gained. Ms. Fitzpatrick recommended deferral of the Reservoir B Pumping Station to the November town meeting. In addition, Ms. Fitzpatrick told the Board the Planning Board was meeting this evening to discuss its position on its own articles and the four citizen's petition articles. She told the Board she has arranged for the Chair of the Planning Board and the Director of Planning and Community Development to attend the Selectmen's meeting of April 13, 2011 to make a presentation.

5. Town Manager Report:

Ms. Fitzpatrick told the Board the house at 174 Charles River Street, which the Town purchased, was demolished last week. The property, she said, was a great acquisition for the Town to expand and renovate the Walker Gordon playing field.

Ms. Fitzpatrick informed the Board the closing date for the conveyance of the property between the Town and the MBTA was done successfully. She stated all of the documents have been transferred.

Ms. Fitzpatrick told the Board the Towns of Needham and Wellesley are working with the MMA on a program to host visiting young local government officials from Pakistan. The goal, she said, is to expose the managers to local government and culture.

8:30 p.m. Board Discussion:

Committee Report

Mr. Matthews, as Selectman participating in a Chapter 40B working group established by the Planning Board, spoke to the Board about Chapter 40B Affordable Housing. The project, he said, will bring together members of various Town boards and committees to develop guidelines so applicants and citizens can understand the Town's philosophical and legal approach to Chapter 40B. Mr. Matthews said one important role is to give information to applicants and provide standards for litigation under certain circumstances. Mr. Matthews said many boards and committees in Town will be asked to provide input.

8:35 p.m. Adjourn:

Motion by Mr. Matthews that the Board convene an Executive Session under Exception 3 – To discuss strategy with respect to collective bargaining or litigation, or to conduct strategy sessions in preparation for negotiations with non-union personnel. Not to return to open session prior to adjournment.

Second: Mr. Wasserman. Unanimously approved 5-0 by roll call vote.

The meeting adjourned at 9:05 pm.

BOARD OF SELECTMEN

*** MINUTES ***

March 14, 2011

7:15 p.m. Chairman John Bulian convened a special meeting of the Board of Selectmen at the Pollard Middle School. Present were Mr. John Bulian, Mr. Jerry Wasserman, Ms. Denise Garlick, Mr. Moe Handel, Mr. Dan Matthews, and Town Manager Kate Fitzpatrick.

7:15 p.m. **Town Meeting Preparation**

Article 2

Motion: Mr. Handel moved that the Board voted to withdraw Article 2/Charles River Treatment Plant Well. Mr. Wasserman seconded the motion. Unanimous: 5-0.

7:15 p.m. **Motion:** Mr. Wasserman moved that the Board adjourn its meeting contemporaneously with the adjournment of Town Meeting. Mr. Matthews seconded the motion. Unanimous: 5-0.

The Town Meeting adjourned for the evening at 9:20.

**Town of Needham
Board of Selectmen
Minutes for February 22, 2011
Needham Public Services Administration 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. Those present were Daniel P. Matthews, Denise C. Garlick, Gerald A. Wasserman, Maurice P. Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Recognition Letter:
Mr. Bulian read a letter of recognition, to be signed by the Board of Selectmen and the Town Manager, congratulating Alexandra Raisman who is the 2011 recipient of the Pearl D. Mazor Award for Outstanding Jewish Female High School Scholar-Athlete of the Year. Ms. Raisman will be honored by the National Jewish Sports Hall of Fame and Museum on March 27, 2011.

7:00 p.m. Public Hearing - NSTAR Petition for South Street:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 10 feet of conduit at Pole 21/73 South Street, Needham.

**Motion by Mr. Wasserman that the Board of Selectmen approve and sign petition from NSTAR to install approximately 10 feet of conduit at Pole 21/73 South Street, Needham. This work is necessary to replace existing overhead service with underground electric service for 649 South Street.
Second: Mr. Handel. Unanimously approved 5-0.**

7:00 p.m. Needham Free Public Library Strategic Plan:
Rose Doherty, Chairman, Library Trustees and Ann MacFate, Library Director appeared before the Board to present and discuss the Library's recently completed strategic plan.

Ms. Doherty told the Board the five-year plan is a requirement of certification for the Massachusetts Board of Libraries. She stated it is a great opportunity to find out what residents really want from the Library, and what the Library can do to fulfill those needs. She said a panel was held and people knowledgeable in electronic delivery spoke with the library staff, a survey was completed, interviews were conducted with high school and middle school students, as well as with the Council on Aging and the School Department. She said three themes emerged from the committee's work including technology, finances, and awareness. The goals for this year, she said, include information literacy, lifelong learning, diversity and heritage, and stimulation of imagination.

Ann MacFate said it is important to do these plans to hear from the public. She said there will be a “balancing act” with print and electronic materials.

Mr. Bulian commented he was on the committee and it was a real “eye opening experience” to see how much the Library is used and for what purpose. He said the vibrancy the Library brings to the Town is amazing. He said he believes there is a struggle to keep books as the world moves further into the electronic age.

Ms. Garlick commented on the goal of increasing wireless use, and asked what plan is there to replace the computer infrastructure by FY15. Ms. MacFate said requests are submitted every year for equipment replacement. She said wireless capability has also increased because more people come into the Library with their own computers.

Mr. Handel asked if the Library will be able to get electronic books for people with Kindle, Nook, or Sony e-reader. Ms. MacFate said the Library has a subscription with Overdrive, which supplies e-books. She commented not all e-readers are compatible with all e-book suppliers. Mr. Handel asked whether the Library community has contacted Amazon to get access. Ms. MacFate said it does all the time.

Mr. Wasserman said he was pleased with action plans of the report.

Mr. Matthews commented on the SWOT analysis and asked if the committee voted on all the findings or are they just all the comments. Ms. MacFate said they were all the comments, not votes. Mr. Matthews said he thought it would have been better to be clear that they were comments, and not votes. Mr. Wasserman suggested having a separate listing of what the committee based the plan on, and to keep the information presented tonight as the general information from the research.

Ms. Garlick asked whether there are any concerns for the goals set forth, and if they have been prioritized. Ms. MacFate said the Trustees set the goals, which then become the priorities. Ms. Doherty said their is strong support from the Town, coupled with trust funds, state aid, Friends, the Foundation, and the Needham Women’s Club.

Ms. Fitzpatrick commented the Library Director and Trustees are very good at articulating their needs, and that she and Dave Davison meet with the Board every July to review the library’s needs.

7:20 p.m.

Sign Notice of Traffic Regulation – Carol Road

Richard P. Merson, DPW Director appeared before the Board with a request and accompanying petition which was received from the residents of Carol Road

asking that a no parking zone be established to prevent all-day parking on the west side of their street.

Motion by Mr. Wasserman that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P11-02-22 for Carol Road, Parking Prohibited During Certain Hours, West side from Great Plain Avenue to 180 feet south from Great Plain Avenue, No Parking 7AM – 5PM Mon-Fri.
Second: Mr. Handel. Unanimously approved 5-0.

7:20 p.m. Consent Agenda and Appointments:
Motion by Mr. Wasserman that the Board of Selectmen vote to approve the Consent Agenda and Appointments as presented.

APPOINTMENTS

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| 1. | Council of Economic Advisors | Tom Jacob (term expires 6/30/2012)
Matthew Borrelli (term expires 6/30/2012) |
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CONSENT AGENDA

1. Accept the following donations made to The Park and Recreation Commission for Arts in the Park:
 - \$600 from Louise Condon Realty, Inc
 - \$300 from North Hill
2. Approve application for calendar year 2011 Common Victualler License from Pronti Bistro, Inc. d/b/a Pronti Bistro, located at 11 2nd Avenue, Needham.
3. Approve minutes from February 8, 2010 and February 15, 2010 meetings.
4. Water & Sewer Abatement Order No. 1119
5. Accept the following donation of \$1,000 made to the Needham Fire Department Student Awareness of Fire Education program from the Needham Exchange Club.
6. Approve a one day special Wine and Malt beverages license from Liz O'Connell of St. Joseph School to hold a Trivia Night on Friday, March 4, 2010 from 6:00 pm to 11:30 pm at St. Joseph Elementary School, 90 Pickering Street, Needham.

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

7:25 p.m. Town Manager:
Ms. Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Special Town Meeting Warrant:
Ms. Fitzpatrick reviewed with the Board the warrant articles in the Special Town Meeting warrant scheduled for March 14, 2011. With respect to Article 2 – Restoration of Charles River Treatment Facility Well, she asked Mr. Merson to make a presentation to the Board of Selectmen at its meeting scheduled for March 8, 2011 when a preliminary report from the engineer will be available as to the

best method for fixing the well. She suggested a position on this article be taken at the March 8, 2011 meeting.

Article 1 – Appropriate for Parking and Access Improvements – Pollard School
Motion by Mr. Wasserman that the Board vote to recommend adoption of
Article 1 on the March 14, 2011 Special Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.

2. Annual Town Meeting Warrant:

Ms. Fitzpatrick stated the warrant is not yet complete, however she briefly reviewed the articles and asked the Board if they would like additional presentations on the articles. Ms. Fitzpatrick stated the Planning Board has a special meeting on March 8, 2011 to review all of the zoning articles. She commented all of the articles may not move forward, and suggested the Planning Board to come a meeting in April for discussion when more is known. With respect to Zoning by Citizens' Petition, Ms. Fitzpatrick asked the Board if they would like to discuss each article with the petitioners and/or the Planning Board. Ms. Garlick asked Ms. Fitzpatrick when are the Planning Board hearings, and when will the Selectmen need to make a decision. Ms. Fitzpatrick said the meetings are sometime in March, and the Board of Selectmen would meet with them sometime in April. Mr. Bulian said therefore a decision does not need to be made this evening. Ms. Fitzpatrick commented on the CPC Articles, stating the CPC is expected to vote on March 9, 2011 and that she would likely be able to provide background information on the articles by early April. Ms. Fitzpatrick also commented on the articles for the proposed feasibility study for the Cricket Field Building, the Booth Street Reconstruction, and the Wastewater Pump Station Reconstruction Reservoir B. Mr. Wasserman said the Board of Selectmen may require a presentation by representatives of Green Communities Committee and/or the Building Department.

3. Fiscal Year 2012 Budget Consultation:

Kate Fitzpatrick, Town Manager and Dave Davison, Assistant Town Manager / Finance, updated the Board on the status of the fiscal year 2012 budget. Ms. Fitzpatrick said she was happy to report to the Board that the Town's budget is in line with the School Department's budget and very similarly in line with the Finance Committee's draft balanced budget of \$112,243,325. Ms. Fitzpatrick noted a few items differed. She said the Finance Committee recommended funding for \$4,000 for attendance software system. She said the Finance Committee agreed with the recommendation to increase the School Department budget by \$300,000 to reduce the reliance on one time funds in FY12, and in turn reduce the capital expenditure recommendation for the School Committee. She commented the Finance Committee also amended its Reserve Fund in order to fund 3 other items included in the Performance Budget. These items, she said included monumentation of street layouts throughout town, purchase of crowd control fencing, and funding for opening the library at 9 a.m.

Mr. Bulian commented the system in place works because of many checks and balances. He credits Ms. Fitzpatrick and her staff as well as Dan Gutekanst, School Superintendent and his staff working with the Finance Committee, who in turn work with the Town management.

Mr. Handel asked how differences in the budgets are reconciled and if the Town is reasonably covered with respect to energy given recent world events. Mr. Davison commented energy prices represent 2%-3% of the total spending in the Town. He said estimates are developed based upon bids in place through 2012 for electricity and natural gas. He commented gasoline and oil are more volatile, but the Town is reducing its reliance on heating oil by slowly converting buildings over to natural gas or geothermal energy. He said the heating oil price is locked in through the year. He said estimates indicated the price of heating oil was going to climb, as well as the price of gasoline. He said the Town is "cautiously optimistic" that the budget for 2012, voted on by the Finance Committee, will be able to cover energy costs. The major caveat, he said, would be if the Town was hit with both a substantial spike in the cost of gasoline and heating oil, coupled with another very cold winter.

7:40 p.m.

Board Discussion:

Committee Reports:

Mr. Wasserman reported on the Green Communities Committee. He said the 15 member committee represents all of the relevant Town boards and has citizens from the Town. Mr. Wasserman said the committee will look at all aspects of the Green Communities Act, but the focus will be on the Stretch Code as it is the single biggest issue. He said public hearings will be held prior to making a recommendation to the Board of Selectmen. Mr. Wasserman invited the Selectmen to submit questions or comments.

Mr. Matthews commented he agrees the Stretch Code is very important, but would also like to know the implications of the Vehicle Purchase Policy. Mr. Matthews said he is very interested in how the energy savings targets for the buildings are going to affect the Town. He also commented he would like to know what the long run prognosis is for the grant money.

Mr. Wasserman said he was glad for the questions, but cautions the grant money is not a primary reason for going "green". The primary reason is to save energy and money, regardless of what the state gives the Town.

Mr. Matthews commented there are also 2 other arguments, one being prestige and the other being that the State is trying to get the Town to "volunteer" to join the program. Mr. Matthews questioned whether it is worth it for the Town to participate in a state-wide "experimental" initiative to try to find energy savings strategies.

Mr. Wasserman said the Green Communities Act must be evaluated on whether it is good for the Town of Needham or not.

7:55 p.m.

Adjourn:

Motion by Mr. Matthews that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of February 22, 2011.

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

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