

**Town of Needham  
Board of Selectmen  
Minutes for December 6, 2011  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: Marshall Ingwerson, 121 Pine Street spoke with the Board regarding his concern for safety during the hunting season.

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Maurice P. Handel. Those present were Gerald A. Wasserman, Daniel P. Matthews, John A. Bulian, James G. Healy, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Consent Agenda and Appointments:  
**Motion by Mr. Matthews that the Board of Selectmen vote to accept the Consent Agenda and Appointments:**

CONSENT AGENDA \*=Backup attached

1. Accept the following donations received to the Needham Health Department's Domestic Violence Action Committee: \$201 from SERV at Olin College, 1000 Olin Way, Needham.
- 2.\* Water and Sewer Abatement Order # 1134.

Mr. Matthews recognized Nick Tatar, Assistant Dean of Student Life and Olin College, and asked the Board approve a Certificate of Appreciation for the creative vision and civic pride resulting from a Lego replica of Town Hall as part of the Town of Needham's 300<sup>th</sup> birthday celebration.

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

7:00 p.m. Public Hearing - Property Tax Classification:  
Chip Davis, Administrative Assessor, Dave Davision, Assistant Town Manager/Finance Director, and members of the Board of Assessors appeared before the Board to discuss the certified valuation of property. Damon Borrelli, Chairman, Board of Assessors provided a general overview of the residential and commercial property values. He said that the real estate market in Needham remains stable, and is better than most communities in the area. He stressed that the Town has not seen significant devaluation of properties, but noted pockets of weakness balanced by strong pockets of growth. He noted the importance of the triennial year, commenting the Department of Revenue conducted a review of the Town's policies and procedures and found no significant issues. Mr. Borrelli said Needham has 8,800 properties, and as a result of new cost tables installed by the Massachusetts Department of Revenue, 2.9% will see some change in their property valuation. Mr. Borrelli said some adjustments were made to high end residential properties reflecting the strength of the market, and a reduction of

valuations of some larger condominium complexes. Mr. Borrelli said the commercial sector is stable, and noted stability and improvement in office vacancy rates. He commented that the recent re-zoning of the NEBC and the Add-A-Lane project will likely further improve the situation. Mr. Borrelli said there is growth among business personal property, primarily the result of the change in the way business is conducted. Mr. Borrelli said the estimated residential factor being voted upon is 0.8911528 and stressed the “driver” is the new cost tables being used in connection with the production of properties.

Mr. Handel opened the public hearing. No public comments were made.

**Motion by Mr. Matthews that the Board of Selectmen establish a residential factor of 0.8911528 for the purposes of setting the fiscal year 2012 tax rates. Second: Mr. Wasserman. Unanimously approved 5-0.**

7:15 p.m. Change in Manager, The Needham Golf Club:  
The Needham Golf Club, 49 Green Street, has requested a change in manager. Brenda Budge, proposed Manager appeared before the Board. Mr. Handel noted a review indicates Ms. Budge meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol.

Mr. Healy recused himself from discussion as he is a social member of the Needham Golf Club.

**Motion by Mr. Matthews that the Board of Selectmen approve and sign an application for a Change in Manager to Brenda Budge for the Needham Golf Club, 49 Green Street, Needham and to forward this application to the ABCC for approval. Second: Mr. Bulian. Approved 4-0.**

Mr. Matthews reminded Ms. Budge of Needham’s historically dry status. He told Ms. Budge she has an obligation to the public and emphasized when taking on the management of an alcoholic beverage license she is personally liable for the service. He welcomed Ms. Budge to the Town and wished her well in her new position.

7:20 p.m. Needham Tercentennial Report:  
Bill Tilburg and Valerie Herman, Co-chairs, and members of the Needham 300 Committee appeared before the Board with a final report on the tercentennial celebration. Mr. Handel read a statement thanking the Committee for all its work. He said in recognition of the work of the Committee the Town will place an engraved plaque on the walkway behind Town Hall. Mr. Tilburg thanked the Selectmen and all the members of the Needham 300 Committee. Mr. Tilburg presented the Board with a sketch done by local artist, Mr. Haff, as well as workbook including artwork done by Needham students. Mr. Tilburg also

presented the Town a print of the painting the of home of Julia Baker by N.C. Wyath.

Mr. Matthews commented on Needham Night at the Pops, saying it was a highlight for him since he had never been to the Pops. Mr. Bulian said he especially enjoyed the fly-over on July 4<sup>th</sup>, as well as the taking of the aerial photo. Mr. Healy said the events were not only a celebration of the Town, but a celebration of the people showing great volunteerism and civic involvement.

7:45 p.m. Public Hearing - Retail Sale of Alcoholic Beverages:  
Dave Tobin, Town Counsel, Elizabeth Grimes, Council of Economic Advisors, Damon Borrelli, Council of Economic Advisors, and Phil Droney, Police Chief appeared before the Board. Mr. Handel said the public hearing is to receive resident input on the possibility of allowing the retail sale of alcohol in Needham. He said no change is being contemplated regarding the sale of alcohol in restaurants, nor are taverns being considered. The hearing he said, is specifically to gather information on what is commonly called “package sales” which can include both beer and wine or a full range of alcoholic beverages. The hearing, he said, is in response to a recommendation from the Council of Economic Advisors that the matter be explored. Mr. Tobin discussed the legal framework for allowing the sale of alcohol, and Mr. Borelli and Ms. Grimes discussed economic research. Chief Droney noted that allowing the sale of alcohol would impact law enforcement.

Mr. Handel opened the public hearing.

Lance Brown, 18 Webster Street, is in favor of having liquor stores in Needham. He feels the stores can be done tastefully.

Glenn Orenstein, 131 Taylor Street, favors relaxing the regulations to allow the sale of wine and beer in supermarkets. He is not in favor of allowing package stores in Needham.

Jeff Kristeller, 138 Elmwood Road, favors allowing package stores in Town. He said the greatest benefit to the Town is not economic, rather one of convenience for residents.

Todd Glaskin, 1092 Highland Avenue, is in favor of allowing package stores and the sale of beer and wine. He feels too much money is being spent in other towns and he is alarmed at the number of store front vacancies in Needham.

Margaret Murphy, 88 Edgewater Drive, favors allowing package stores in Needham. She said she prefers a shorter trip and keeping the real estate tax money in Needham. She suggests allowing a package store in the Industrial Park. She said it would be important to get good store operators.

Samual Graves, 94 Warren Street, is against allowing package stores in Needham. He said there are other ways to fill vacant stores. He moved to Needham 25 years ago and found it an attractive aspect that the Town did not sell alcohol.

David Bergman, 192 Central Avenue, is in favor of allowing package stores in Town, and feels a full service store should be considered. He is concerned about Wegman's opening in Newton which will compete with supermarkets in Needham. He commented problems occur in all towns, but cooperation and vigilance are required in making sure people are of age.

Ann Keegan, 111 Nehoiden Street, is opposed to liquor stores in Needham. She said the youth are more important than convenience and revenue. She commented incredible gains have been made with the creation of the Needham Coalition for Youth Substance Abuse Prevention, and allowing liquor stores would be a set back. She feels the Town needs to work together for the children of Needham.

Maryalice Stamer, 2 Talbot Drive, Medfield, Director of School Health Services, Needham Public Schools asked that the health and safety of the children in Needham be a priority. She said the efforts of the schools, partnered with the Needham Coalition for Youth Substance Abuse Prevention, recognizes the importance of healthy parent role models and education of the risks associated with alcohol consumption. She asked the Board to consider access and availability from alcohol retailers in Needham and the potential consequences and injuries from underage drinking and car accidents.

Rich Mullin, 410 Webster Street, is opposed to package stores in Needham. He is concerned with substance abuse and that giving increased availability and access to alcohol can lead to problems. He feels Needham should not be working towards allowing the sale of alcohol in Town.

Jennifer Kirby, 566 Great Plain Avenue, Co-President High Rock Pollard PTC is opposed to allowing retail package stores in Needham. She said allowing package stores is a foreseeable risk for the youth of Needham. Ms. Kirby mentioned a recent parenting conference held at Pollard focusing on risk avoidance and raising resilient children. She quoted statistics from the 2010 Metrowest Adolescent Survey and mentioned 15.5% of 7<sup>th</sup> and 8<sup>th</sup> graders who took the survey had ridden in a car with an adult who had been drinking and driving. She is concerned about what other types of businesses may come to Needham if the Town allows the retail sale of alcohol.

Kathy Freedburg, 112 Jarvis Circle, Town Meeting member, member of the Needham Coalition for Youth Substance Abuse Prevention, is against allowing the retail sale of alcohol in Needham. She said reducing the likelihood that underage children have access and availability to alcohol is important and it should be considered a public health issue.

Jennifer Cohen, 75 Peacedale Road, high school social worker, said statistics about teen substance abuse are real. She said the issue comes down to “want” vs. “need”. She said the need really lies in protecting children and that the decision for her children will be made by the community, not within her own home. She said the Board has an added burden of responsibility and asked they not be swayed by “want” which is an easier option, but that the “needs” of the children must come first.

Florence Graves, 94 Warren Street, is against the retail sale of alcohol in Needham. She said there are problems with binge drinking and alcoholism and that children questioned at the recent parenting conference said it is very difficult to get alcohol in Needham. She said it is a positive that alcohol is not available in Needham. She commented on brain science and how destructive alcohol can be to a teenager.

Karen Mullen, 410 Webster Street, is against allowing the retail sale of alcohol in Needham. She is worried about what the change would do to the community. She feels reducing the chance for substance abuse among teenagers by limiting access to alcohol is very important. She commented she does not understand how allowing the sale of alcohol in Needham could be a good thing for youth. She feels it is a public health issue and the benefits do not outweigh the costs. She said she was attracted to Needham years ago because it is a dry Town.

Jeff Heller, 1092 Central Avenue supports lifting the prohibition against alcohol sales in Needham. He said he does not believe it is an issue of the children. He commented if limiting the sale of alcohol in Needham was effective in helping the children, then why do statistics show substance abuse in Needham on the same norm as other communities. He said parents need to model appropriate use of alcohol.

Kathy Beagan, 18 Upland Road is against the sale of alcohol in Town. She said she moved to Needham because it is a family oriented town, with emphasis on children. She feels the atmosphere in Town would change if alcohol is sold.

Greg Igo, 22 Sterling Road is against the retail sale of alcohol in Needham. He feels that allowing the sale of alcohol would be a “break even” economically for the Town. He is concerned the convenience for adults to purchase alcohol would also be a convenience for youth.

Carol Urwitz, 164 Greendale Avenue, Town Meeting member feels the revenue aspect is not a priority. She said actions speak louder than words, and children should be taught responsible behavior and that there are choices. Ms. Urwitz is in favor of allowing retail stores in Needham.

Kristen Cutler, 15 Concord Street, supports allowing alcohol stores in Needham.

Sarah Libbey, 20 Linden Street, is against the sale of alcohol stores in Needham. Her main concern is the impact it would have on the youth of the Town. She feels there would be no impact to surrounding businesses because of liquor stores.

Suzanne Nissen, 16 Homsy Lane, believes travelling to other towns to buy liquor is not a hardship and that opening package stores will only make Needham appear seedy. She is not in favor of allowing liquor stores in Needham.

Resident, 772 Great Plain Avenue, is in favor of allowing package stores in Town. He feels there would be opportunities for jobs and for more people to be in the center of Town. He commented that if his child were binge drinking, he would be failing as a parent.

Michael Beagan, 18 Upland Road does not support allowing retail sale of alcohol in Needham. He feels any economic benefit to the Town would be negated by enforcement, and that there is a direct correlation between access and availability.

Melanie Karp, 133 Aletha Road is against allowing the retail sale of alcohol in Needham. She believes availability of alcohol would severely impact the youth of the Town.

Carol Read, Program Director, Needham Coalition Youth Substance Abuse Prevention said that the goal of the Coalition is to reduce youth substance use and to support youth to be healthy in mind, body, and spirit. She said that there are proven risks and protective factors that a community provides.

Eric Bailey, 64 Hillside Avenue, Town Meeting member supports the proposed change. He feels it is important to “shop Needham first”. He commented you do not have to be a youth to abuse alcohol and people over the age of 21 should be able to purchase liquor in Needham.

Michael Niden, 24 Gage Street, Town Meeting member supports allowing the retail sale of alcohol as it is economically good for the Town. He feels the youth in Town will travel to surrounding towns to purchase liquor.

John Commando, 903 Webster Street, Town Meeting member supports the retail sale of alcohol in Needham. He pointed out that for the past 2 years people could purchase wine at a winery in Town and there were no issues. He also said that allowing restaurants to sell alcohol became an economic boom for the Town even though there was opposition. Mr. Commando feels monitoring the use of alcohol should begin in the home and restricting the sale of alcohol will not deter youth.

Michael Miller, 33 William Street, said as a physician the biggest health issue facing young adults is substance abuse, with alcohol being the most abused substance. He feels it is a disservice to make it easier for youth to obtain alcohol.

He said Needham's dry town status is attractive to families and would not want the Town to lose its character. He said the Town has an opportunity to demonstrate to youth that there are other ways to stimulate the Needham economy than by allowing the sale of addictive substances.

Ilisa Aronow, 8 Alfreton Road is against the retail sale of alcohol in Needham. She feels responsibility begins at home and that Needham's dry town status makes the Town special. She commented by changing the rules now sends the wrong message to the youth of Needham.

David Libbey, 20 Linden Street, Needham High School senior, member of SADD, is against the retail sale of alcohol in Needham. He feels drinking would begin at a younger age if the Town allowed the sale of alcohol, and that parents need to be good role models on how to drink moderately and how to be social without drinking.

Bill Zoppo, 330 Nehoiden Street, supports the retail sale of alcohol because of the economic benefits for the Town. He said the Town needs to fill the store fronts and utilize the commercial areas to increase tax revenue.

Joel Golden, 22 Edwardel Road, Town Meeting member said as a physician he is very aware of the ravages of alcohol and that he is probably one of the few undecided residents. He commented there are benefits and problems, and allowing alcohol sales would increase the vibrancy of the downtown. He is concerned with the potential social costs. He asked for information or evidence of any dry towns in the Commonwealth that have a lower rate of underage drinking.

Kevin Plunkett, 204 Hillcrest Road, said he is in favor of allowing the retail sale of alcohol in Needham, but has listened to compelling arguments against not allowing the sale of alcohol and is now undecided. He said more information is needed on the social and economic impact on a town.

Mr. Handel closed the public hearing and asked for comments from the Selectmen.

Mr. Healy reserved comment for a later time as he needs to think about what the public has said.

Mr. Wasserman said great points were made both for and against, he is still undecided whether or not allowing the retail sale of alcohol would be good for the Town. He said more data is necessary before making a decision.

Mr. Matthews thanked the audience for their comments. He commented the key issue is the convenience and preference of the residents. Any decision, he said, is not made by the Board but by referendum by the citizens. He said in terms of having package stores in the downtown to fill store fronts is probably not an

argument for the issue. He commented he was persuaded by Chief Droney's comments about enforcement issues. He said he has not heard anything from the public hearing that would materially increase the access that young people have to alcohol. Mr. Matthews said ultimately the question is based on the need in each particular instance. The final decision he said is made by the citizenry. Mr. Bulian said the example set at home is paramount to the way children conduct themselves as they get older. Mr. Bulian said he is concerned and disgusted with the number of deaths on the Nation's highways due to alcohol. Mr. Bulian said he is at odds with the issue in that he likes the culture of a dry town, but also understands people have to have a vote.

Mr. Wasserman clarified the decision to put the question on the ballot has not been made. He said the Selectmen have decisions that need to be made before the process moves forward either way. He invited residents who have concerns to contact the Selectmen.

Mr. Handel said this is an issue that may divide the Town. He said it is important to learn from other communities who have gone from dry to allowing package sales and what they experienced. He thanked everyone for their input.

9:30 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Fiscal Year 2013 Budget Consultation/Budget Priorities

Ms. Fitzpatrick reminded the Board it adopted a statement on Operating Budget Priorities in FY2012 and said it may wish to consider updating the statement for fiscal year 2013. She said the primary goal of the Board is the maintenance of existing Town services given the availability of revenue for appropriation. Ms. Fitzpatrick reviewed the Board of Selectmen Statement on FY2012 Operating Budget Priorities dated December 7, 2010.

Mr. Healy asked for clarification on the process of setting the Operating Budget Priorities and an explanation of Budget Priority #5. Mr. Healy said he would want more information on what type of Operating Budget monies were to be used for Priority #5. Ms. Fitzpatrick suggested drafting a new version of Operating Budget Priorities with input from the Selectmen for discussion at the next Board meeting.

Mr. Wasserman suggests in future years the Operating Budget Priorities should be developed in June, rather than December, after the budget is settled. He said that they should be departmental. Mr. Wasserman suggests changing the document to include an evaluation of existing services.

2. Review of the Preliminary FY2013-2017 Capital Improvement Plan

Ms. Fitzpatrick discussed with the Board the five year Capital Improvement Plan, including the FY2013 proposals discussed on November 29<sup>th</sup> and preliminary recommended funding for FY2014-2017. Ms. Fitzpatrick reviewed six categories of capital requests as listed on “FY2013-FY2017 CIP Recommendations” dated December 3, 2011.

3. Town Manager Report

Ms. Fitzpatrick told the Board some members of the community are concerned with safety while walking in the woods during hunting season. Ms. Fitzpatrick said that while there have not been many complaints in the past, there have been several this year and the Town is taking a closer look at current regulations. She commented the police department have developed a press release reminding residents of safety tips while walking in the woods. Ms. Fitzpatrick stated the current Town by-law allows for hunting on private property and certain public property, with the exception of bow hunting. She said the Board of Selectmen will take up the issue of bow hunting at a future meeting.

9:40 p.m.

Adjourn:

**Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of December 6, 2011.**

**Second: Mr. Wasserman. Approved 4-0. Mr. Healy left the meeting at 9:30 p.m.**