Town of Needham
Board of Selectmen
Minutes for March 13, 2012
Needham Town Hall

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 Maurice P. Handel. Those present were Gerald A. Wasserman, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. New Online GIS System Presentation:
Roger MacDonald, Director of MIS and Benjamin Anderson, GIS Administrator appeared before the Board and presented a demonstration of the function and availability of the Town's GIS on the internet. Mr. MacDonald explained GIS and said GIS is a tool used to produce, study, and analyze information related to places. Mr. MacDonald said to access the website go to www.mapsonline.net/needhamma or from the Town's website. Mr. Anderson said he is conducting many long term projects to modernize the Town's existing GIS and CAD software as well as all of the accompanying electronic infrastructure and data.

The Board thanked Mr. MacDonald and Mr. Anderson for the presentation.

7:15 p.m. Consent Agenda and Appointments:
Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda as presented.

1. **Approve application for calendar year 2012 Sale of Second-Hand Articles from Home Savvy LTD, d/b/a Cherry Picked, located at 225 Highland Avenue.**
2. **Accept donation made to the Needham Community Revitalization Trust Fund from "Not Your Average Joe's"- $295.59.**
3. **Accept $50 donation made to The Needham Health Department's Gift of Warmth from First Church of Christ, Scientist, 870 Great Plain Avenue, Needham.**
4. **Water & Sewer Abatement Order #1138**
5. **Accept donation of a 250th Anniversary Town of Needham ashtray from Roy Kelley, 52 Beaufort Avenue, Needham.**
6. **Approve, sign, and forward to the ABCC a petition to pledge the Alcoholic License for Petit Robert, 45 Chapel Street, Needham.**
7. **Approve request from the Needham Cultural Council to use the Town Common for a Spring Arts Festival on Saturday, June 9, 2012 from 10:00 a.m. to 3:00 p.m. In case of rain, event will be held in Powers Hall.**

Second: Mr. Wasserman. Unanimously approved 4-0.

7:15 p.m. Trails Improvement Update:

Patty Carey, Director of Park and Recreation, and Karen Peirce, Assistant Director of Park and Recreation appeared before the Board with an update on the Town's Trails Improvement Initiative. Ms. Carey reminded the Board of the Master Plan of Needham's trails completed in 2008. Ms. Peirce said the Conservation Commission, Park and Recreation Commission, and staff have been working on the creation of a volunteer trail stewardship program. She said she is currently soliciting volunteers who will assist the Town in reporting any concerns, and minor maintenance efforts conducted on volunteer days. A copy of the Needham Trails Steward Program was provided to the Board.

Mr. Handel suggested contacting the Town's service clubs to help on Volunteer Day scheduled for April 28, 2012.

Mr. Wasserman suggested a connecting trail from Ridge Hill Reservation to the Nike site.

7:25 p.m. Community Preservation Program:

Mark Gluesing, CPC Chair, Janet Bernardo, CPC Vice Chair, and Patty Carey, Director of Park and Recreation appeared before the Board to discuss projects under consideration for the May 2012 Annual Town Meeting, and the Committee's evaluation process. Mr. Gluesing said there are four projects under consideration including community housing and historical preservation. He asked for the Board's feedback.

1. The Charles River Center

Mr. Gluesing said the application is for a 5 bed care facility of approximately 3,000 sq. ft. located at 1254 South Street, Needham. He said The Charles River Center application seeks $500,000 to assist in building a new home. Mr. Gluesing commented the home would be part of the Town's affordable housing units because of the nature of the occupants, who are moderately to severely disabled residents. Mr. Gluesing said the land was purchased for $355,000, the construction estimate is $800,000, and operational costs are approximately $600,000 which is paid for by the State. He said more cost information is expected. Mr. Gluesing commented if the CPC approves the application there is currently not enough money in the housing category to cover the full amount, and that $15,000 would be taken from the general reserve fund to cover the total amount. He asked Board members for questions or comments.

Mr. Bulian said it looks like a good project and services a population in need of housing and adds 5 units to the Town's affordable housing stock. Mr. Bulian said he is concerned with exceeding the amount of money currently in the housing category. He asked if the size of the project could be expanded. Mr. Gluesing said the project could not be expanded due to wetlands. Mr. Bulian asked whether the Needham Housing Authority has been made aware of the project. Mr. Gluesing said the Housing Authority is aware of the project.

Mr. Wasserman clarified the project is for one group home with 5 bedrooms on the property and will fit with the neighborhood. He commented a project like this is very worthwhile and helpful to the Town in serving residents. Mr. Wasserman is in favor of the project.

Mr. Matthews asked about a similar project by The Charles River Center in the town of Wayland. Mr. Matthews asked what The Charles River Center would do if it does not get the appropriation. Mr. Gluesing said they would seek alternative funding.

Mr. Bulian commented on proposals within the legislature with respect to changing the ability to use CPA money for field renovations. He said he would be interested in requesting use of funds from CPC. He commented as part of the Town's overall planning he would like to know the likelihood of the legislation's passing. Mr. Gluesing said there is an article in the legislature to expand the scope of CPA funding for recreational upgrades to land already owned.

Mr. Matthews commented the key issue the Town needs is the ability to use CPC funds to improve and renovate existing parks. He said he is troubled by the Coalition's bill and feels the math does not work. He said he believes if the bill passes it could jeopardize the whole program. Mr. Matthews commented he feels by having the Coalition require Needham and other towns concerned about the parks issue support the new fees bill as a condition of having that paragraph in the legislation doesn't make sense. He said Needham should support the Coalition's bill one more year, but asks the CPC to not support it in the future. Mr. Matthews said the Town can put forward the bill to allow the use for just existing parks. He said there would be a lot of support in other CPC communities.

Mr. Wasserman supports Mr. Matthews's comments. He said he would support the other proposals in the future but not in one block bill, as they have very little chance of passing.

Mr. Gluesing recused himself from the meeting.

2. <u>Artifact Storage Upgrade/Needham Historical Society</u>
   Ms. Bernardo explained the Historical Society is seeking funding for archival materials and for a Collections Assistant to help address the proper storage and organization of artifacts. She stated the Historical Society is requesting $25,000 for the project.

3. <u>Heritage Project/Needham Historical Commission</u>
   Ms. Bernardo explained the project is to inventory homes, bridges, and buildings of historic importance. She said the Historical Commission is considering

including up to 65 properties with an estimated $400 to inventory each house. She mentioned the Historical Commission also wants to convert the 1978 inventory into electronic format. The request from the Historical Commission is for $25,000.

4. Preservation of Historical Records
Ms. Bernardo said Tedi Eaton, Town Clerk is requesting $28,914 to preserve vital records from the early 1900's including death certificates, intentions & returns of marriage, birth certificates, and miscellaneous records.

8:10 p.m. MBTA Fare Increase and Service Delivery Proposal:
Richard Creem, Transportation Committee and Steve McKnight, Transportation Committee member appeared before the Board with an update on the MBTA fare increase and service delivery proposal, and provided recommendations from the Transportation Committee.

Mr. Creem reminded the Board the MBTA is in the midst of one of the most serious crisis in its history. He commented on the $161 million deficit that must be resolved before July 1, 2012. Mr. Creem said the MBTA and MassDOT have proposed the largest fare increase in history, 46% or 39% over the base this year, coupled with drastic service reductions. Mr. Creem said the T Advisory Board, of which he is a member, did not accept the increase and has put forth a creative proposal that would minimize service reductions and somewhat mitigate the fare increase. Mr. Creem commented, in short, the T is on a "death spiral" and something must be done. He stated the Transportation Committee has looked at the issue from a local perspective by holding a public hearing limited to Needham residents, without the participation of MBTA personnel. Mr. Creem presented a PowerPoint prepared by the Needham Transportation Committee and shown at the public hearing held of February 27, 2012.

The Transportation Committee recommends the Town not support a major fare increase or a substantial reduction in service because neither course of action addresses the root cause of the crisis. Mr. Creem believes the solution to the problem is not at 10 Park Plaza or with the Secretary of Transportation, but rather on Beacon Hill. The Transportation Committee recommends calling on the State legislature for an appropriate remedy to preserve affordable transportation and broad based public mass transportation services. Mr. Creem presented a letter dated March 13, 2012 to Senators Ross and Rush and Representative Garlick and asked the Board of Selectmen for their endorsement.

Mr. McKnight commented it is not just a commuter rail issue, but rather an issue for everyone in Town. He expressed concern regarding sustainable development and said the work done by the Planning Board on transit oriented development and the work done on the development of the Industrial Park is now at risk.

Mr. Wasserman asked whether the burden to Needham is the same as other communities. Mr. Creem argued the Town is probably bearing more than it should because the Needham branch is more efficient and compact than other branches. Mr. Wasserman said he supports the work of the Transportation Committee.

Mr. Bulian thanked the Committee for their work and commented the scenarios are not good. Mr. Bulian said he is concerned about the aging equipment of the commuter rail.

Mr. Matthews said the Board needs to take a position and act in order to engage in the legislature for a better outcome. He said he agrees with the major points of the Transportation Committee's analysis, and feels broad based taxes ought to be part of the solution. He commented that while it is a regional problem, Needham is better off than other communities. He said the Town has a right to represent the needs of constituents but the Town must be aware of how the issue affects everyone. Mr. Matthews said he agrees with the approach of the Transportation Committee to MBTA service cuts. He said the purpose of the MBTA is service, so the service ought to be delivered at a reasonable price. Mr. Matthews commented on the fare increase and said if the MBTA Advisory Board said it could deal with a 25% increase as part of the solution, then that should carry a lot of weight with the Town. Mr. Matthews said the Town needs to be part of the solution to raise revenue, whether it is a gas tax, income tax, or more local assessments, and the Town must support it as sound policy. He said it would show the Town is trying to make the government work for the good of the public.

Motion by Mr. Wasserman that the Board vote to approve and sign a letter to the Town's legislative delegation concerning the Proposed FY13 MBTA Fare Increase and Service Reduction.
Second: Mr. Bulian. Unanimously approved 4-0.

9:00 p.m. Greene's Field Study Committee:
Mr. Bulian, Patty Carey, Director of Park and Recreation, and Rochelle Golden, committee member updated Board on the status of their work and shared preliminary recommendations regarding refurbishment of Greene's Field.

Ms. Carey said the committee has met ten times since August 2011. She said the committee determined the current layout of the park is the best design. She showed a diagram of the entire field what Greene's Field could look like after renovation. She commented three vendors completed concept plans and said the cost for a new playground is $150,000-$175,000. Ms. Golden commented the park is not just for children, but intergenerational and for the entire community. She said it would include a covered shelter for picnics.

Mr. Bulian said the next step is for the Board of Selectmen to endorse the plan and begin fundraising. Mr. Bulian asked if anyone had any questions.

Mr. Wasserman asked for additional details before making a decision at the next Board of Selectmen meeting.

Mr. Matthews said it would be helpful to see a report and schematic from the Committee. Mr. Matthews said a public hearing should be held so people have an opportunity to make comments prior to making final decisions.

9:25 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Annual Town Meeting Warrant
Ms. Fitzpatrick updated the Board on the status of the Annual Town Meeting Warrant. She said there were a few changes to the draft warrant and it is expected there will be one or two minor technical corrections before printing. She said fines with respect to hunting have been evaluated and stricter fines are proposed, consistent with public health fines. She said that presentations with respect to zoning are likely at the April Board of Selectmen meeting.

Mr. Wasserman informed the Board that after discussion with the Town Manager and supporters of the Stretch Energy Code it has been decided it is a little too soon bring it to Town Meeting. Mr. Wasserman proposed the warrant article on the Stretch Code be withdrawn.

Motion by Mr. Wasserman that Article X: Adoption of Stretch Energy Code as defined in the draft 2012 Annual Town Meeting Warrant dated March 9, 2012 be withdrawn.
Second: Mr. Bulian. Unanimously approved 4-0.

2. Special Town Meeting Warrant
Ms. Fitzpatrick reviewed the preliminary list of articles for inclusion in the May 14, 2012 Special Town Meeting Warrant. She told the Board it will be asked to open the Special Town Meeting Warrant at the Board of Selectmen meeting on March 27, 2012.

3. New Year's Needham Committee
Ms. Fitzpatrick reminded the Board the Cultural Council has been running New Year's Needham for several years and has come to the conclusion this year it cannot continue the event. Ms. Fitzpatrick proposed to the Board a Town committee be formed to organize the event.

Motion by Mr. Wasserman that the Board of Selectmen vote to create a New Year's Needham Committee to plan, execute, and oversee operational logistics of New Years' Needham, and to approve the charge and composition of the Committee as outlined on the attached proposal dated March 13, 2012.
Second: Mr. Bulian. Unanimously approved 4-0.

9:30 p.m. Board Discussion:

1. Sale of Alcohol for Consumption Off-Premises

The Board discussed the final form of motion relative to the sale of alcohol for consumption off-premises.

Mr. Bulian asked whether a public hearing will be held to discuss the wording of the Home Rule Petition.

Mr. Handel said if the Home Rule Petition is adopted there will be public hearing with respect to each license, but not on the wording of the Article. He said the Home Rule Petition establishes the Town's ability to issue up to six all alcoholic licenses in 2013, with an additional two licenses commencing January 1, 2018. He said there will be a lot of public discussion before a referendum is held.

Mr. Bulian is concerned how it will all work and about the number of licenses.

Mr. Handel said the wording if adopted by a Home Rule amendment and passed by a referendum of the Town, before which there will be plenty of discussion, does not mandate that there be six licenses. He said it allows the Board to make an informed decision on each applicant. Mr. Handel said he does not see the need for a hearing before Town Meeting, given the fact there will be plenty of opportunity for public discussion prior to a referendum.

Mr. Wasserman said he was thinking along the same lines as Mr. Bulian. He said the Article is a much more concrete proposal of what the Town is going to do, and once at Town Meeting it will go to the legislature. He feels a public hearing would be beneficial.

Mr. Bulian said holding a public hearing would also be beneficial to Town Meeting members prior to the annual Town Meeting.

Mr. Matthews said the wording of the Home Rule Petition clarifies and limits the scope. He said it makes sense to take the recommendation of the Chair and put it in the warrant. He said further discussion is expected. He said it is important to layout standards for businesses to be licensed, particularly convenience stores which he feels are not appropriate. He said locations also need to be vetted.

Mr. Bulian said the first public hearing was about the concept of allowing the off-premises sale of alcohol. He said "the devil is in the details" and when people talk about locations it gives rise to questions, concerns, debatse, arguments, and disagreements. He said once the Planning Board puts into the public domain potential locations, he feels tremendous public response will follow. He said these are questions that need to be vetted as part of moving forward to Town Meeting.

Mr. Matthews clarifies “location” can have two meanings, either ‘categories of location’ or ‘specifics of location’. He said it is important to adopt zoning standards in which there will be public input, all before a referendum. Specific licenses will have a public hearing before the Board.

Mr. Wasserman said he will vote for the motion, but feels a hearing for Town Meeting members where the public is invited is important.

Motion by Mr. Matthews that the Board approve the attached form of motion for the home rule petition warrant article: “Home Rule Petition – Off-Premises Sale of Alcohol”.
Second: Mr. Wasserman. Unanimously approved 4-0.

2. Committee Reports
   No reports were made.

   A list of all documents used at this Board of Selectmen meeting are available at:

   http://www.needham.gov/Archive.aspx?AMID=99&Type=&ADID=

9:50 p.m. Executive Session (Exceptions 3 and 6):
Motion by Mr. Matthews that the Board of Selectmen vote to enter into Executive Session.
Exeception 3 – To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares; and
Exeception 6 – To consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.
Second: Mr. Bulian. Mr. Handel polled the Board. Unanimously approved 4-0.

(The meeting adjourned at 10:15 pm.)