Town of Needham
Board of Selectmen
Minutes for September 18, 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 Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing NSTAR – Pershing Road:
Maureen Carroll, NSTAR representative, appeared before the Board requesting permission to install approximately 33 feet of conduit at Pole 229/1 on Pershing Road, Needham.

Motion by Mr. Handel that the Board of Selectmen approve and sign petition from NSTAR to install approximately 33 feet of conduit at Pole 229/1 on Pershing Road, Needham. This work is necessary to relocate existing overhead service to underground at 4 Pershing Road, Needham.
Second: Mr. Bulian. Unanimously approved 5-0.

7:00 p.m. Public Hearing Verizon and NSTAR – Colby Street (continuation)
Maureen Carroll, NSTAR representative, appeared before the Board to continue Verizon and NSTAR's joint hearing opened September 11th, 2012. Ms. Carroll said Verizon and NSTAR will be withdrawing the petition to install one anchor and sidewalk guy at existing Pole #331/7 on Colby Street between houses 11 and 21. Ms. Carroll said a new design has been agreed upon.

Motion by Mr. Handel that the Board of Selectmen re-open the public hearing from September 11th and accept the withdrawal of the petition to install one anchor and sidewalk guy at existing Pole #331/7 on Colby Street between houses 11 and 21.
Second: Mr. Bulian. Unanimously approved 5-0.

7:05 p.m. Introduction of Deputy Director, West Suburban Veterans' District:
Christopher Coleman, ATM/Director of Operations, and Stanley Spear, Director, West Suburban Veterans' District appeared before the Board to introduce Matt Ching, the newly appointed Deputy Director of Veterans' Services. Mr. Coleman gave a brief background concerning the creation of the West Suburban Veterans' District. He said the District has grown and administrative services have expanded, requiring a new Deputy Director. Mr. Spear said he is pleased to work with Mr. Ching and that he is an asset to the District.

The Board welcomed and congratulated Mr. Ching on his new position.

7:10 p.m. Consent Agenda and Appointments:
Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.

APPOINTMENTS
No appointments were made.

CONSENT AGENDA *=Backup attached

1. **Approve and authorize the Chairman to sign the Fire Chief's Employment Agreement for calendar years 2012, 2013 and 2014.**
2. **Approve request from Park and Recreation Commission to host their annual "Spooky Walk" on Saturday, October 20th, 2012 which commences on Town Common at 10:45am, with a rain date for Saturday, October 27th, 2012.**

3.* **Approve a One Day Special All Alcoholic Beverages license request from Ed Davis of St. Sebastian's School to hold an Alumni Dinner event on October 25, 2012 from 6:00 p.m. to 10:00 p.m. in Ward Hall at St. Sebastian's School, 1191 Greendale Avenue, Needham.**

4. **In accordance with Section 3.12 of the Needham General By-laws, provide consent to the discharge of bow and arrow as part of programs sponsored by the Park and Recreation Commission including the Outdoor Living Adventure program held at Ridge Hill and archery lessons held at the quarry area of Claxton Field.**
5. **Accept donations made to the Needham Community Revitalization Trust fund for a bench for Town meeting member Jane Howard: Tedi Eaton- $50, Mary & Lewis Ostrofsky- $ 65.**

6.* **Approve minutes of August 14, 2012 (Open Meeting), and August 28, 2012 (Executive Session).**

7. **Approve and sign integrated Collective Bargaining Agreement between the Town and the Needham Independent Town Workers Association.**

8.* **Approve a One Day Special Wines & Malt Beverages license request from Laura Schindler of Century 21 Commonwealth to host a Monte Carlo night to benefit the Easter Seals on September 29, 2012 from 7:00 p.m. to 11:00 p.m. at the Needham Village Club, 83 Morton Street, Needham.**

9.* **Approve a One Day Special Wines & Malt Beverages license request from Laura Schindler of Needham Junior Football & Cheerleading to hold a "Dance Party" event on October 6, 2012 from 7:00 p.m. to 11:00 p.m. at the Village Club, 83 Morton Street, Needham.**

10.* **Water and Sewer Abatement Order #1147**

11.* **Approve a request from Gerard Chisholm, of the American Legion in Canton, who is organizing the "Tony Andreotti" Veterans Charity Motorcycle Ride to have a portion of its ride to go through Needham. The event is scheduled to be held on Sunday, September 23, 2012. The ride is expected to be in Needham at 12:15 p.m. and be out of Needham by 12:50**

p.m. The route that the riders will take through Needham has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.

12. Grant permission for the following residents to hold a Block Party:

Name	Address	Party Location	Date	Rain Date	Time
Lauren Kinghorn	165 South St	Corner of Needhamdale & Green	8/22/12	10/13/12	3-9pm
Beth Garceau	98 Wilshire Park	Wilshire Park	9/30/12		3-8pm
Ginger Finelli	62 BroadMeadow	Broad Meadow Rd.	9/22/12		2-8pm
Chrissy McCourt	181 Richdale Rd	Richdale Road	10/27/12		3-7pm
Lisa Kaplan	8 Bonwood Rd	Intersection of Avalon & Bonwood Rd	9/22/12	9/30/12	1-4pm
James Rochford	74 Rolling Lane	Rolling Lane	9/29/12	9/30/12	2:30-6pm 3-6pm
Sarah Berney	30 Mayo Ave	Mayo Avenue	9/23/12		4-7pm
Dale McCarthy	72 Stevens Road	Stevens Road	10/8/12	10/14/12	4-6pm
Jill Oetheimer	75 Coolidge Ave	Coolidge Ave	9/23/12	9/30/12	4-7:30pm

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

7:10 p.m. RTS ad hoc Super Committee Report:

Jeff Heller, Chairman and members of the Super Committee appeared before the Board to make its first report. Mr. Heller said the Committee first met on June 28, 2012 and has met throughout the summer every two weeks to discuss the framework for making recommendations to the Board of Selectmen. He said the Committee has reviewed past documentation of RTS operations, as well as the budget. He told the Board the Committee developed a survey which was distributed to 14 communities, and is in the process of collecting and evaluating data. Mr. Heller said the Committee is considering measures to make immediate changes to ensure short term sustainability. Such recommendations, he said would be made in time for the FY2014 budget. He commented the second phase of the Committee's work includes a review of the operational and service practices at the RTS. Recommendations, he said, would be made to the Board of Selectmen at a later date.

Mr. Matthews said he is interested in ideas brought forward by the Committee. He said Needham is unique in that it is the largest town in the state with drop-off solid waste disposal. He agrees the system works well for the Town, but suggests it may be beneficial to go back to a system with direct tax support to the operation of the RTS.

Mr. Borrelli said the feedback is very important. He asked whether there were any glaring issues that need to be tackled. He also suggested a review of the current schedule the RTS is open, the minimum scale fees, and handling of construction materials.

Mr. Wasserman commented Needham does a great job recycling and it is something the Town wants to keep doing, even if it means providing funding from the Town. He said all residents benefit in some way by having the RTS.

The Board thanked the RTS ad hoc Super Committee for its report.

7:40 p.m. Sign Notice of Traffic Regulation – High Rock Street:
Richard P. Merson, DPW Director appeared before the Board with a request from the Traffic Management Advisory Committee (TMAC) for a no parking zone to be established on High Rock Street in order to provide adequate clearance for vehicular traffic.

Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P12-09-18 for High Rock Street, Parking Prohibited, Both sides from Tolman Street to Central Avenue, No Parking, April 1 to October 31.
Second: Mr. Bulian. Unanimously approved 5-0.

7:50 p.m. Town Manager:
Kate Fitzpatrick, Town Manager, appeared before the Board with 6 items to discuss:

1. <u>The Center at the Heights – Naming Request</u>
On behalf of the Council on Aging, Ms. Fitzpatrick requested that the Board of Selectmen name the new facility The Center at the Heights.

Motion by Mr. Handel that the Board vote to approve the name of the new facility The Center at the Heights.
Second: Mr. Bulian. Unanimously approved 5-0.

2. <u>Accept and Refer Zoning Amendment</u>
Ms. Fitzpatrick said the Planning Board voted to place two articles on the warrant for the October 29, 2012 Special Town Meeting: 1. Amend Zoning By-law: Height Limitation Exceptions and 2. Amend Zoning By-law: Minimum Side and Rear Line Setbacks for Accessory Structures. She commented the Board has 14 days to accept the proposed amendment and refer the amendment back to the Planning Board for its review, hearing, and report. She said the Board's action in this matter is ministerial, and that the Board's decision and discussion on recommendations of the actual content of the article will be in October.

Motion by Mr. Handel that the Board vote to accept the proposed zoning amendment and to refer the matter to the Planning Board for review, public hearing, and report.
Second: Mr. Bulian. Unanimously approved 5-0.

3. <u>Greene's Field Improvement Project Fundraising Plan</u>
Ms. Fitzpatrick said the Greene's Field Fundraising Committee has proposed a fundraising plan to raise funds for the Greene's Field improvement project. She said the Committee is planning for the inclusion of donor names on plaques and/or pathway planks (or boards) through contribution levels made by

individuals or organizations. She said the Committee is focused on raising $50,000 for the play structure. She commented the Committee is really raising funds for the entire park, and are hoping to raise an additional $50,000 to help pay for additional features in the park, including shade, benches, and other items.

Motion by Mr. Handel that the Board of Selectmen vote to approve the fundraising plan proposed by the Greene's Field Fundraising Committee. Second: Mr. Bulian. Unanimously approved 5-0.

4. <u>Cross Access and Parking Easement Agreement & Memorandum of Agreement – Needham Bank Eaton Square Project</u>
   Ms. Fitzpatrick reminded the Board the Needham Bank will soon begin its expansion project. She commented the project includes 85 parking spaces for municipal parking on Town property and the Bank's property. She said parking on Bank property will be available to the public during the times that the Bank is closed. In addition, she said the Agreement provides easements to both parties for access and maintenance, and it grants an easement to the Town to maintain a pedestrian plaza between the Bank and the MBTA right of way. She told the Board the bank will reconstruct the parking lot and construct the pedestrian plaza.

   Motion by Mr. Handel that the Board of Selectmen vote to approve and sign the Cross Access and Parking Easement Agreement and Memorandum of Understanding with Needham Bank.
   Second: Mr. Bulian. Unanimously approved 5-0.

5. <u>Close Special Town Meeting Warrant</u>
   Ms. Fitzpatrick told the Board the Town received two Citizen's Petitions for inclusion in the Warrant. She recommended the Board close the warrant subject to usual technical corrections, and authorize the removal of the article titled 'Appropriate for Salt Shed Construction'.

   Motion by Mr. Borrelli that the Board of Selectmen vote to close the warrant for the Special Town Meeting to be held on October 29, 2012, subject to technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel, and further that the Board vote to authorize the Town Manager to remove the article entitled "Appropriate for Salt Shed Construction" based on information to be confirmed with MassDOT and Bond Counsel, and further that the Board vote to include in the warrant any Citizen's Petitions filed by 5:00 p.m. on Tuesday, September 18, 2012 that are certified by the Town Clerk.
   Second: Mr. Handel. Unanimously approved 5-0.

6. <u>Preliminary Facility Financing Plan Revision Discussion</u>
   Ms. Fitzpatrick presented the Board with the "Town of Needham Facility Financing Plan Update for the General Fund". She said the plan includes items recommended for funding in the FY2013-FY2017 Capital Improvement Plan, a

minor amendment to the Pollard boiler project, and includes a placeholder for property acquisition. Mr. Davison reviewed the Financing Plan with the Board.

8:25 p.m. Board Discussion:

1. Call for Special Town Election

The Board discussed the possibility of calling for a special election to be held simultaneously with the Presidential election on November 6, 2012 for the purpose of presenting to the voters the question relative to the sale of alcohol to be drunk off premises. Mr. Wasserman said the Town has been notified by the Office of the Secretary of State that inclusion of the question on the State ballot is not possible.

Motion by Mr. Handel that the Board call for a special election to be held on November 6, 2012 and to request that the Town Clerk place the following question on the ballot: "Shall the licensing authority in the Town of Needham be authorized to grant licenses for both the sale of all alcoholic beverages in packages not to be drunk on the premises and the sale of wine and malt beverages in packages not to be drunk on the premises?

Yes No

PACKAGE STORE LICENSES BALLOT SUMMARY

This ballot question asks the voters of the Town of Needham if they will authorize the Board of Selectmen to issue licenses for the sale of alcoholic beverages not to be drunk on the premises ("package store licenses"). The question shall be approved if a majority of the votes cast are in the affirmative. The licenses shall be subject to the provisions of Massachusetts General Laws, Chapter 138, the General Laws regulating licenses for the sale of alcoholic beverages, except that:

a. The Selectmen may establish the days and hours the license may operate, and b. The number of licenses shall be limited to six until January 1, 2018, and eight thereafter. At no time shall there be more than six licenses for sale of all alcoholic beverages, the remaining licenses shall be limited to wine and malt beverages."

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

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=

Executive Session (Exceptions 6 and 3)

Motion by Mr. Handel that the Board of Selectmen vote to enter into Executive Session.

Exception 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

Exception 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. Wasserman polled the Board. Unanimously approved 5-0.

Note: Meeting adjourned at 9:00 p.m.