Town of Needham
Board of Selectmen
Minutes for January 22, 2013
Needham Town Hall

6:45 p.m. Informal Meeting with Citizens:
Dave Ableman, resident of Sharon, MA, spoke with the Board about Viridian Energy Company, affordable green energy, and the possibility of doing business in Needham.

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

7:00 p.m. Appointment of Commissioners of Trust Funds:
Joe Scalia and Heydon Traub, members of the Commissioners of Trust Funds appeared before the Board to discuss a candidate for a vacancy on that Board. Mr. Matthews said a very strong field of candidates applied to fill the vacancy. Mr. Matthews recommended the appointment of Barry Coffman to the Board, and said Mr. Coffman is very active in Town and that he has no reservation in making the recommendation.

Motion by Mr. Handel that the Board of Selectmen and Commissioners of Trust Funds vote to appoint Barry Coffman to fill the vacancy on the Board through April 9, 2013.
Second: Mr. Bulian. Unanimously approved 6-0.

7:05 p.m. Liquor License Hearing:
Gurki Singh, General Manager Sheraton Needham Hotel, David Tobin, Town Counsel, and Lieutenant John Kramer, Needham Police Department, appeared before the Board to discuss an alleged violation of the Towns' liquor law, specifically the sale of alcoholic beverages to underage persons.

Mr. Tobin summarized the evidence from the Needham Police Department of a compliance check at the Needham Sheraton on November 29, 2012.

Mr. Singh stipulated to the facts in the case.

Motion by Mr. Borrelli that the Board of Selectmen vote to determine that a violation of M.G.L. c. 138 Section 34 did occur on November 29, 2012 at the Sheraton Needham Hotel.
Second: Mr. Bulian. Unanimously approved 4-0.

Motion by Mr. Handel that the Board of Selectmen vote to suspend for a period of one day the liquor license for HST Lessee Needham LLC d/b/a Sheraton Needham Hotel and to authorize the Town Manager to set the date of the suspension in consultation with the Sheraton.
Second: Mr. Bulian. Unanimously approved 4-0.

Mr. Singh said the Sheraton Needham Hotel does not take this matter lightly and appreciates the Boards willingness to allow the hotel to rectify the issue.

7:20 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with 2 items to discuss:

1. Zoning Amendment/Medical Marijuana
Ms. Fitzpatrick recommended that the Board ask the Planning Board to develop an amendment to the Zoning By-law that would impose a moratorium on the location of medical marijuana facilities in the Town of Needham until March 1, 2014. She said that the system for regulating medical marijuana at the State level is not yet clear, and the Town has not had the opportunity to study and discuss the issue.

Motion by Mr. Bulian that the Board vote to ask the Planning Board to develop an amendment to Town of Needham Zoning By-law to impose a moratorium on the establishment of medical marijuana uses in the Town of Needham until March 1, 2014.
Second: Mr. Borrelli. Unanimously approved 4-0.

2. Budget Consultation
Ms. Fitzpatrick and David Davison, Assistant Town Manager/Finance appeared before the Board to discuss the fiscal year 2014 operating budget. Ms. Fitzpatrick reminded the Board that at its meeting on January 8, 2013 it was expected that free cash certification would be lower than anticipated. She said the Town will be working with the schools and make a recommendation to the Board of Selectmen and the Finance Committee about how to prioritize the cash capital and some of the various funding sources. She said it is important to note there is sufficient free cash to support the policy of the Town with respect to the operating budget. She commented it may be time to phase out relying on any part of the free cash for operations, and noted that the Town Manager's budget presentation is scheduled for January 29, 2013.

7:25 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
Downtown Streetscape Working Group

Maurice Handel (term expires 12/31/2013)
Gary Levine (term expires 12/31/2013)
Mike McKay (term expires 12/31/2013)
Sam Bass Warner (term expires 12/31/2013)
Walter Collins (term expires 12/31/2013)
Andy Wise (term expires 12/31/2013)
Tom Jacob (term expires 12/31/2013)
Paul Good (term expires 12/31/2013)
Gloria Greis (term expires 12/31/2013)
Nelson Hammer (term expires 12/31/2013)

CONSENT AGENDA *=Backup attached

1.* Approve a Special One Day Wines & Malt Beverages License from Gloria Greis, of the Needham Historical Society to host its "Chocolate & Champagne Goes Country" event on Saturday, February 2, 2013 from 7:00 p.m. to 11:00 p.m. at Powers Hall in Needham Town Hall, 1471 Highland Avenue, Needham.

2.* Approve a Special One Day Wines & Malt Beverages License from Jenny Small, of the Temple Beth Shalom to hold its "One Hit Wonders" Purim Shpiel event on Saturday, February 23, 2013 from 6:30 p.m. to 11:00 p.m. at Temple Beth Shalom, 670 Highland Avenue, Needham.

3.* Approve a Special One Day Wines & Malt Beverages License from Kathryn Lozano of the Charles River YMCA to host a "Friends of the Y" event on Thursday, January 31, 2013 from 6:00 p.m. to 7:30 p.m. at the Charles River YMCA, 380 Chestnut Street, Needham.

4.* Approve a Special One Day All Alcoholic license from Kathryn Lozano of the Charles River YMCA to hold an event called "The Y Giving Gala" on November 16, 2013 from 6:00 p.m. to 11:00 p.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.

5.* Water & Sewer Abatement Order #1155

6.* Approve minutes of October 25, 2012 and December 18, 2012 (open meeting) and December 18, 2012 (executive session)

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

Mr. Handel recused himself from voting on approval request for Special One Day Wine & Malt Beverage License from Gloria Greis of the Needham Historical Society.

7:30 p.m. Board Discussion:

1. <u>New England Business Center Rebranding</u>

Ms. Fitzpatrick reminded the Board it requested the Council of Economic Advisors to seek input into the process of renaming the area of Town currently designated as the New England Business Center. Ms. Fitzpatrick said the CEA has recommended that the area be rebranded as "Needham Crossing". She asked for the Boards approval.

Motion by Mr. Handel that the Board of Selectmen vote to recommend that the New England Business Center (NEBC) be renamed "Needham Crossing."
Second: Mr. Bulian. Unanimously approved 4-0.

Mr. Matthews thanked the business community, residents, and consultants for their work in renaming and rebranding the area.

2. Committee Reports
Mr. Matthews raised a scheduling matter and announced a hearing will be held on Saturday, February 2, 2013 beginning at 8 a.m. to discuss 10 package store applications the Town has received. He said the Board will not decide on any of the applications on February 2, and asked for a second date for the Board to deliberate on awarding licenses. The Board agreed to meet on Tuesday, February 5, 2013 at 6 p.m. for deliberations.

7:55 p.m. Executive Session (Exception 3):
Motion by Mr. Bulian 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 the chair so declares.
Not to return to open session prior to adjournment.
Second: Mr. Handel. Mr. Matthews polled the Board. Unanimously approved 4-0.

(Note: The meeting adjourned at 8:25 p.m.)

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

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