

**Town of Needham
Board of Selectmen
Minutes for August 19, 2014
Selectmen's Chamber
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 John A. Bulian. Those present were Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Certificate of Recognition - Steven Hauschka:
Barbara and Peter Hauschka appeared before the Board to accept a Certificate of Recognition on behalf of their son, Steven Hauschka. Mr. Bulian read the Certificate, recognizing Steven Hauschka, a member of the Seattle Seahawks team who won Super Bowl XLVIII on February 2, 2014. Peter Hauschka said children in Needham have wonderful academic and athletic opportunities. He noted many soccer, lacrosse, and basketball coaches gave their time to coach children in a fair and ethical way. He commented that his son thrived in Needham, and continues to keep in contact with many of his mentors. The Board congratulated Steven Hauschka and thanked him for providing his hometown the opportunity to witness his achievement and to give Needhamites another reason to be proud of their community.

Motion by Mr. Matthews that the Board of Selectmen recognize Steven Hauschka as a member of the Seattle Seahawks team who won Super Bowl XLVIII on February 2, 2014.

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

7:12 p.m. Certificate of Recognition - Lisa Standley:
Mr. Bulian read a Certificate of Recognition recognizing Needham resident Lisa Standley for her service to the Town of Needham and the Conservation Commission. Ms. Standley thanked the Board and Ms. Fitzpatrick for their support over the years of all of the Town's conservation efforts, protection of conservation land, and construction of trails. She said it was a pleasure to work with everyone and to see many projects completed. The Board thanked Ms. Standley for her service to the Town.

Motion by Mr. Handel that the Board of Selectmen recognize Lisa Standley for 21 years of distinguished service to the Town of Needham and the Conservation Commission - June 1, 1993 - June 30, 2014.

Second: Ms. Cooley. Unanimously approved 5-0.

7:15 p.m. Public Hearing on the Extension of Liquor Retail Sales Hours on Sundays and Holidays:

Ms. Fitzpatrick gave a brief overview and summary on the possibility of extending the hours of liquor retail sales on Sundays and Holidays. She said the current regulated hours in the Town of Needham are 12:00 p.m. – 5:00 p.m., noting State law allows retail shops to remain open until 11:00 p.m. She commented on the hours of operation in surrounding communities. Ms. Fitzpatrick said there is also the possibility of a statutory change to allow retail sale of alcohol at 10:00 a.m. on Sundays. She said the Town is waiting for guidance from the ABCC on what action the Board could take on that matter.

Mr. Bulian invited public comment.

Jack Recco, Needham Wine and Spirits, 238 Eliot Street, Natick said he prefers Sunday hours of 12:00 p.m. to 6:00 p.m. and is opposed to opening at 10:00 a.m. on Sundays. He said shops should be allowed to open for regular business hours (9:00 a.m.-10:00 p.m.) on holidays other than Memorial Day, Thanksgiving, and Christmas.

Paul Gardner, resident, 14 Mann Avenue said he is opposed to the expansion of hours. He commented it is too soon since retail alcohol stores were allowed to operate in Needham to expand and maximize their profit.

Chris Lianos, Needham Center Fine Wines, 57 Lauricella Lane, Waltham favors expansion of hours so his business can be on a “level playing field” with competitors in neighboring towns. He said holiday sales are an important part of business for off-premise alcohol retailers, and that limiting hours could cripple sales for other businesses, as customers will choose to bundle their shopping in nearby towns that have extended hours. He said the restricted hours will not affect the amount of alcohol consumed on Sundays by Needham residents, but will only force Needham residents to spend their money in surrounding towns.

John Hafferty, Bin Ends, 118 Commercial Street, Braintree said his business is slightly different than other shops in Needham as it is a destination for customers from around the region, not just locally. He said he prefers Sunday opening to remain at 12:00 p.m., to allow employees the morning to spend with their families, with closing hour set at 6:00 p.m. Mr. Hafferty commented most holidays are now “working” holidays for many people, and feels holiday hours should be 10:00 a.m. – 6:00 p.m.

Dave Volante, Volante Farms, 204 Brookside Road said he is agreeable to any decision. He noted it is a minor inconvenience that the farm stand is open until 6:00 p.m., but the wine section must close at 5:00 p.m. He said it would be nice to be able to be open until 6:00 p.m. on Sundays and holidays. He said opening at noon on Sundays and holidays is fine.

Mr. Bulian closed the public hearing and asked for Board comment.

Mr. Handel said there is a difference between Sunday hours and holiday hours. He said he favors regular retail hours on holidays, but is not interested in changing Sunday retail hours.

Mr. Bulian said it makes sense to allow shops to remain open later during the day. He suggested no later than 8:00 p.m.

Mr. Matthews said retail alcohol stores have a certain synergy with other types of retail stores. He said it is a convenience for people to be able to shop in one area and do several errands at the same time, which he said the Town is encouraging. Mr. Matthews commented it makes sense to extend Sunday hours to match those of other retail shops. He said there is no need to open earlier on Sunday, noting the licensees did not show interest in opening at 10:00 a.m. Mr. Matthews said it makes sense to allow regular business hours on holidays, as most people do work part of the day.

Mr. Borrelli concurs with the comments made by other Board members. He said allowing retailers the opportunity to sell on days when people are working would be beneficial. He said he favors hours consistent with other shops in Needham.

Ms. Cooley said she was glad people do not want to open on Sunday morning, as it allows for family time. She said it makes sense to allow shops to be open until 6:00 p.m. on Sunday.

Mr. Bulian said the Board will make a decision at a later date.

7:42 p.m. Director of Public Works:

1. Sign Notice of Traffic Regulation - #66-#70 Chestnut Street Municipal Parking Lot: Kate Fitzpatrick, Town Manager appeared before the Board asking it to consider that parking space designations be instituted in the #66-70 Chestnut Street Municipal Parking Lot; twenty-seven parking spaces be designated Permit Parking Monday through Friday, 8:00 a.m. to 2:00 p.m.

Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P14-08-19 for the #66 - #70 Chestnut Street Municipal Parking Lot, Twenty-seven parking spaces as shown on the plan shall be designated Permit Parking, Monday through Friday, 8:00 a.m. to 2:00 p.m.

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

7:45 p.m. Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 6 items to discuss:

1. Accept and Refer Zoning Amendments

Ms. Fitzpatrick said the Planning Board voted to place three articles on the warrant for the October 27, 2014 Special Town Meeting: Amend Zoning By-Law - Outdoor Seating, Amend Zoning By-law - Personal Fitness Establishment in the Industrial 1 District, and Amend Zoning By-law - Flood Plain District. She said in accordance with State law, the Board has fourteen days to accept the proposed amendment and refer the amendment back to the Planning Board for its review, hearing, and report. She noted the Board's action in the matter is not discretionary.

Motion by Mr. Handel that the Board vote to accept the proposed zoning amendments and to refer the proposed amendments to the Planning Board for review, public hearing, and report.

Second: Ms. Cooley. Unanimously approved 5-0.

2. Accept Access Easement/Greendale Village, LLC

Ms. Fitzpatrick reminded the Board that as part of the comprehensive permit process, Greendale Village, LLC agreed to grant the Town an access easement for pedestrian recreational access to and from adjacent recreation land. She said the easement is located at the back of the property at 894/906 Greendale Avenue. Ms. Fitzpatrick said Greendale Village has cleared a path over the Access Easement area in a manner acceptable to the Town's Director of Parks and Recreation for access to the Town's trail.

Motion by Mr. Handel that the Board vote to approve and sign the Grant of Access Easement by Greendale Village, LLC to the Town of Needham dated August 13, 2014.

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

3. School Use Regulations

Ms. Fitzpatrick outlined for the Board a proposed revision to the School Use Regulations and proposed fee schedule.

Motion by Mr. Handel that the Board of Selectmen vote to adopt the following revision to the Rules and Regulations for Use of School Facilities dated July 1, 2012 and to approve the associated fee of \$25 per day per lot.

"M- USE OF PARKING LOTS

This section is applicable only to groups seeking to use school building parking lots, without rental of school building.

1. **Upon advance written approval of the Superintendent of Schools, the Public Facilities Department is authorized to permit the use of school parking lots outside of school hours, so long as the use is not in conflict with other scheduled activities at the school.**

2. **A use fee will be charged to all groups. The use fee is set on a per lot/per day basis as set forth in Appendix D. The use fee is subject to change.**
3. **Groups permitting a parking lot will not pay for an onsite custodian if the parking lot is the only space being permitted and no services are requested.”**

Second: Ms. Cooley. Unanimously approved 5-0.

4. Visitor Parking Pass Program

Ms. Fitzpatrick outlined for the Board a proposal to authorize the issuance of visitor parking passes for certain municipally-sponsored events to be held at Town Hall or at the Police and Fire Station.

Motion by Mr. Handel that the Board of Selectmen vote to authorize the Town Manager to issue visitor parking passes for certain municipally sponsored events held during regular business hours at the Town Hall or at the Police and Fire Station to be used in the 66-70 Chestnut Street Lot, Chestnut/Lincoln Street Lot and the Lincoln/School Street Lot only.

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

5. Chapel Street Parking Lot Dumpster Consolidation Proposal

Ms. Fitzpatrick proposed a public/private partnership between the Town and certain private property owners abutting the Chapel Street parking lot to allow for the consolidation of the number of dumpsters and an improvement in the aesthetics in the lot without a net loss in the number of parking spaces available for public parking.

Motion by Mr. Handel that the Board vote to approve the use of Town property for the location of a consolidated dumpster enclosure in the Chapel Street parking lot.

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

6. Budget Consultation Pro Forma

Dave Davison, Assistant Town Manager/Finance provided the Board with an overview of the five year, pro forma budget analysis for fiscal years 2016-2020. Mr. Davison presented the Selectmen with the “Town of Needham General Fund Revenue and Expense FY2016-FY2020 Pro Forma”. He acknowledged the possibility of some favorable actions at the Special Town Meeting in October 2014 that have been incorporated into the budget and include additional funding for collective bargaining agreements, design work associated with changing the cafeteria layout at Needham High School and interior classroom work, and the Needham Dog Park. Mr. Davison also reviewed Revenues, Property Taxes and Local Receipts, and State Aid, as well as other items. The Board thanked Mr. Davison for the presentation.

8:52 p.m. Appointments and Consent Agenda:
Motion by Mr. Borrelli that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

There are no appointments for this meeting.

CONSENT AGENDA *=Backup attached

- 1.* Approve July 25, 2014 meeting minutes. Approve Executive Session minutes from July 29, 2014.**
- 2. Accept donation of a piano to be used in the “Pianos in the Park” concept. This piano, donated by Steve and Karen Waller of the Center Café, is valued at \$800 and is slated to be placed in the pedestrian walkway near Needham Bank. The Waller’s have also donated moving and storage of the piano during the off seasons and in the daily covering and uncovering of piano.**
- 3.* Approve a Special One Day Wines & Malt Beverages License for Johannah Crawford of Web of Benefit to hold its 10th anniversary event on Thursday, November 6, 2014 from 6:00 p.m. to 10:00 p.m. at the Center at the Heights, 300 Hillside Avenue, Needham.**
- 4. Accept a donation in the amount of \$150 made to the Student Awareness of Fire Education program from Jennifer and Hans Mykytyn in memory of their son, Jonathan Train.**
- 5. Accept a \$25 donation made to the Needham Health Department’s Traveling Meals Program from Stanley & Carol Richmond, Needham residents.**
- 6.* Approve a Special One Day Wines & Malt Beverages License for Dave Volante of Volante Farms to host a Flower Bouquet Workshop on Thursday, August 28, 2014 from 6:00 p.m. to 8:00 p.m. at Volante Farms, 292 Forest Street, Needham.**
- 7. Accept a \$187.50 donation made to Needham Youth Services from Candace W. Chase of the Anime Club at Needham High School. The monies will be used to sponsor Needham Youth Services Counseling Services.**
- 8.* Approve a Special One Day Wines and Malt Beverages License for Kristin Mockus, of Needham Pool & Racquet Club to hold its “End of Summer Cocktail Party” event on Thursday, August 28, 2014 from 6:00 p.m. to 9:00 p.m. The event will be held at Needham Pool & Racquet Club, 1550 Central Avenue, Needham.**
- 9.* Approve 2014 Mobile Food Truck license for Renula’s Greek Kitchen. All required forms have been completed and are on file.**
- 10.* Water & Sewer Abatement Order 1184**
- 11.* Approve request for bicycles in the Ride 2 Recovery event to pass through Needham on September 7, 2014 on Great Plain Avenue and Chestnut Street around 9:30 am. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park & Recreation.**
- 12. Approve special banner hanging request from Paul Good, Needham Community Revitalization Trust Fund, for the one time hanging of a Beth**

Israel Deaconess banner in celebration of the grand opening of the new Cancer Center occurring on September 5, 2014.

- 13.* Ratify a request from Gary Briere of Boston Bikes Program to ride a portion of its Boston Women's Bike Ride and Festival bike event through Needham on August 16, 2014. The event will come through Needham at 9:30 am and the latest time they will be in Needham is 2:00 pm. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park & Recreation.**
- 14. Accept a \$500 donation made to the Needham Council on Aging from Ruth E. Burroughs in accordance with wishes expressed in her Trust. Monies will be deposited into the Council on Aging Revolving Donation account and utilized in fulfillment of her generous gift.**
- 15.* Approve a request from Seema Meloni of the Hillside Elementary School PTC to hold a 5K run/walk on October 26, 2014 from 7:00 a.m. to 10:00 a.m. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park & Recreation.**
- 16. Grant permission for the following residents to hold a Block Party:**

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

8:53 p.m. Board Discussion:

1. Adopt FY2015-FY2016 Goals

Motion by Mr. Handel that the Board vote to adopt its goals for FY2015-FY2016 as shown on the attached document.

Second: Ms. Cooley. Unanimously approved 5-0.

2. Committee Reports

Mr. Handel reported the Facilities Working Group will make a presentation on October 21, 2014 to the Board of Selectmen and provide a comprehensive analysis of all of the Town's physical assets including the Memorial Field Clubhouse, Schools, and the DPW building, and their relation to future planning of the current DPW site at DeFazio Park.

Mr. Borrelli reported work on the new 911 Memorial at the corner of Chestnut/School Street has started. He said dedication of the new memorial is scheduled for September 11, 2014.

9:00 p.m. Executive Session:

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

Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

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.

Not to return to open session prior to adjournment.

Second: Mr. Borrelli. Mr. Bulian polled the Board. Unanimously approved 5-0.

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=>

Note: The meeting adjourned at 9:30 p.m.