Town of Needham
Board of Selectmen
Minutes for September 23, 2014
Selectmen's Chamber
Needham Town Hall

6:45 p.m. Informal Meeting with Citizens:
David Gotthelf, 27 Perry Drive, spoke with the Board about quality of life vs. construction when building a new home. He said he is concerned with noise and excessive/extraordinary construction. He suggested notifying neighbors and shortened work hours when noise levels are going to be high.

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, Daniel P. Matthews, Marianne B. Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Mr. Handel presented three Certificates of Appreciation to people who worked to bring Needham's Dog Park to fruition. He recognized the volunteers on the Dog Park Committee including, John Bulian, Board of Selectmen, Sandy Cincotta, Support Services Manager, and Edward Olsen, Parks and Forestry Superintendent.

7:03 p.m. Public Hearing - Lightower Fiber Networks Petition for A Street:
Mark Vegnani, Lightower Fiber Networks appeared before the Board requesting permission to install 217 feet of 4" PVC communication conduit and other supporting and protecting equipment from existing NSTAR MH#28548 on the north side of A Street to the building at 110 A Street. The conduit will be installed by Lightower and will serve to provide telecommunication service to the business at 110 A Street from the Lightower Network.

Mr. Bulian invited public comment. No comments were made.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Lightower Fiber Networks to install 217 feet of 4" PVC communication conduit and other supporting and protecting equipment from existing NSTAR MH#28548 on the north side of A Street to the building at 110 A Street. The conduit will be installed by Lightower and will serve to provide telecommunication service to the business at 110 A Street from the Lightower network.
Second: Mr. Borrelli. Unanimously approved 5-0.

7:05 p.m. Public Hearing - Comcast Corporation Petition for B Street:
Manuel Furtado, Comcast Corporation appeared before the Board requesting permission to install approximately 210 feet of 3" PVC in grass from existing vault located at 30 B Street to private property located at 9 B Street.

Mr. Bulian invited public comment. No comments were made.

Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from Comcast Corporation to install approximately 220' of 3" PVC in grass from existing vault located at 30 B Street to private property located at 9 B Street.
Second: Mr. Handel. Unanimously approved 5-0.

7:07 p.m. Legislative Update:
Denise Garlick, State Representative, 13th Norfolk District appeared before the Board with an update on the Legislative accomplishments over the past year and provided a forecast for the year ahead. Ms. Garlick introduced Amanda Bernardo, Legislative Aide for her office and Joe Bergeron, Needham resident, interning for her office this fall.

Ms. Garlick said she thanks the people of Needham for the privilege of serving as State Representative. She said Needham is a community she loves very much, and is proud to represent. Ms. Garlick commented the Town of Needham is the most well managed town in the Commonwealth, with other communities stunned at the many accomplishments in Needham.

Ms. Garlick presented a Powerpoint presentation to the Board. She noted she is the Vice Chair, Joint Committee on Education, a member of the Joint Committee on Mental Health and Substance Abuse, and a member of the Joint Committee on Public Health. Ms. Garlick commented on Town of Needham Constituent Services, Budget, and Legislation in the Norfolk District.

Ms. Garlick discussed Constituent Services and various legislation including, 'An Act Establishing a Highway Buffer Zone in the Town of Needham' noting unanimous support in the House of Representative and Senate. She commented however, the bill was not approved by Governor Patrick. She said she is anxious to re-file legislation in January 2015, and to make the case for the health and safety of residents in the Greendale Avenue area. Ms. Garlick also commented on the Needham Rail Trail and the securing of $70,000 to complement the Town's effort. Ms. Garlick spoke about an 'An Act Relative to Vegetation Management Plans', noting the ongoing concern. She said the work done by Needham regarding NSTAR's proposed plan has become law through the Towns' emergency preamble, which was incorporated into new regulations. Ms. Garlick said the Town's effort will ensure good communication in the future and benefit every town in the Commonwealth. Ms. Garlick discussed commuter rail Saturday service being restored by the MBTA and said she hopes the train is running by the winter. Ms. Garlick also commented on her visits to 8th grade classrooms to discuss how a bill becomes a law, and to 12th grade classrooms to discuss active citizenship.

Ms. Garlick discussed Legislation during the 2013-2014 session including 'An Act Regulating Newborn Pulse Oximetry Screening for Congenital Heart Defects.' She said this legislation calls on all hospitals, thru DPH regulations, to test the level of oxygen in the blood of newborn. She said the simple, inexpensive, non-invasive test can detect 90% of congenital defects. Ms. Garlick told the Board that as sponsor of the regulation, she has been named the American Heart Association's Legislator of the Year. Ms. Garlick commented on 'An Act Repealing the Computer and Software Services Taxes' noting leaders of the repeal were folks from Needham, many of whom are consultants working from home. Ms. Garlick commented on 'An Act Financing Improvements to the Commonwealth's Transportation System,' noting the authorization of $17,000,000 for the Needham Street/Highland Avenue corridor. Ms. Garlick spoke about 'An Act Relative to the Reduction of Gun Violence,' commending the constituents of the Town. She said she heard from many people on both sides of the issue and held an open meeting at the Needham Town Hall to discuss the issue. She said people might have disagreed, but their input was helpful in shaping the gun reform bill. She noted suicide prevention and mental health were a very important part of the bill. Ms. Garlick said she presented 'An Act to Increase Opportunities for Long-Term Substance Abuse Recovery' on the floor of the Legislature, and commented the substance abuse bill guarantees two people fourteen days of treatment with utilization review starting on day seven.

Ms. Garlick highlighted FY 2015 Budget, commenting on local aid, Chapter 70, and the Special Education Circuit Breaker. In addition, Ms. Garlick commented on the Department of Developmental Disabilities - Sheltered Workshops (Charles River Center), and Emergency Dental Care for Individuals with Disabilities.

Mr. Bulian thanked Ms. Garlick for her efforts, saying he is very impressed by all the accomplishments in the last year. Mr. Matthews concurred. He said it is very tough to be both principled and to get things done, and that Ms. Garlick has been an effective advocate for the constituents. He thanked her for all she has done for the Town of Needham. Mr. Handel thanked Ms. Garlick for her efforts, particularly regarding Elevator Fines and Safety. Mr. Handel asked for Ms. Garlick's ongoing help on the Needham Street/Highland Avenue corridor project. Mr. Borrelli said Ms. Garlick truly represents Needham and thanked her for her work. Ms. Cooley thanked Ms. Garlick for her work, particularly her efforts on the Greendale Avenue buffer zone.

Patty Carey, Director of Park and Recreation presented Ms. Garlick with the Massachusetts Recreational Park Association 'Legislator of the Year' award. Ms. Carey pointed out the many accomplishments for recreation and wellness in the community, and thanked Ms. Garlick for her efforts.

7:55 p.m. Solar Project:
Hank Haff, Project Manager, Public Facilities and Beth Greenblatt, Beacon Integrated Solutions appeared before the Board with an update on the Solar Project.

Mr. Haff said Pete Pederson, Brightfields Development and Alex Sarly, SolarCity are also in attendance. Mr. Haff reminded the Board of the signed energy services management contract, and said Brighfields brought in SolarCity for financing, and asked the Town to amend the contract. Mr. Haff said the contract has been reviewed with the Town Manager and Finance team.

Ms. Greenblatt confirmed Brightfields Development sold the project entity to SolarCity. She noted Brightfields will continue to be an integral part of the project through construction and commercial operation. Ms. Greenblatt said the Brightfields/SolarCity team now also consists of Weston and Sampson Inc. and Advanced Solar Products. She said the amended and restated contract between the Town and SolarCity provides some modifications to clarify items in the contract that assign responsibilities to the various parties. She noted the Town did not take on any additional liability. Ms. Greenblatt commented on the electricity price mechanism and she said SolarCity accepted the contract language. She commented that some items were negotiable prior to construction and while the risk has been minimized, work continues on the solar energy credit value. She noted SolarCity accepted the tax agreement with an annual escalation rate of 1.75%, which is built into the pricing. Ms. Greenblatt spoke briefly about regulations, including the Massachusetts Solar SREC II program and net metering. She also discussed the economics presented to Town Meeting, what was contracted, and expectations based on a declining SREC value. Ms. Greenblatt reviewed the mechanics and the benefits for the Town.

Ms. Fitzpatrick said she is impressed by the work done by Ms. Greenblatt and Mr. Haff.

Mr. Borrelli noted the benefit over twenty years is $1,000,000 less than what was originally stated. He asked if the decline was market driven or amendment driven. He asked what the amendments were to the contract.

Ms. Greenblatt said the project presented at Town Meeting was larger than the final project. She said the volume has dropped and the lease revenue has increased. She noted the tax revenue also increased. Ms. Greenblatt reviewed some of the amendments in the contract.

Ms. Cooley commented on the SREC volatility and wondered if it was going to be an annual pattern. She wondered if a new program would be put into effect. Ms. Cooley also asked about demand for net metering.

The Board thanked Ms. Greenblatt and Mr. Haff for the update.

8:23 p.m. DPW Director:
Richard Merson, DPW Director appeared before the Board with 4 items to discuss.

1. Flooding Mitigation Update
   Mr. Merson commented on the flooding situation on Labor Day weekend 2013. He reviewed the September 1, 2013 Storm Report Update, Scheduled Repair Work from the September 1, 2013 Flooding Report, and the Repairs made from the September 1, 2013 Flooding Report.

2. Sign Notice of Traffic Regulation - Village Lane
   Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS14-09-23 requiring that Village Lane at the intersection of Country Way be designated as a stop street northbound.
   Second: Ms. Cooley. Unanimously approved 5-0.

3. Sign Notice of Traffic Regulation - Upland Road
   Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS14-09-23 requiring that Upland Road at the intersection of Melrose Avenue be designated as a stop street eastbound and westbound.
   Second: Mr. Borrelli. Unanimously approved 5-0.

4. Sign Notice of Traffic Regulation - Washington Avenue/Hawthorne Avenue
   Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS14-09-23 requiring that Washington Avenue be designated as a stop street southbound at the intersection of Bond Street and Hawthorne Avenue be designated as a stop street northbound at the intersection of Washington Avenue.
   Second: Mr. Borrelli. Unanimously approved 5-0.

8:45 p.m. Appointments and Consent Agenda:
Motion by Mr. Handel 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
1. **Accept a $25 donation made to Needham Youth Services from Karen Frascatore, a Needham resident. The monies are to be used to sponsor Needham Youth Services Babysitting program.**
2. **Water and Sewer Abatement Order #1185**
3. **Approve a One Day Special All Alcoholic Beverages License for Ted Cormier, of the YMCA to host its YMCA Giving Gala on Saturday, November 1, 2014 from 6:00 p.m. to 11:30 p.m. This event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
4. **Approve a request from the Needham Running Club to hold its annual road race on Thursday, January 1, 2015 from 7:00 a.m. to 1:00 p.m. The route has**

been approved by the following departments: DPW, Police, Fire and Park and Recreation.

5. **Accept the following donation made to the Needham Community Revitalization Trust Fund: $ 420 from Steve Schwede, Fastsigns of Needham.**
6. **Approve Open Session Minutes from September 10, 2014.**
7. **Grant permission for the following residents to hold a Block Party:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Jill Cotter	15 Holland Street	Holland Street	10/5/2014		3-6 pm
Liz Berkman	113 Melrose Avenue	Hatfield Park	9/27/2014	9/28/2014	1-5 pm
Bill Gallagher	48 Hawthorn Avenue	48 Hawthorn Avenue	10/4/2014	10/5/2014	4-8 pm
Rob Fish-ratify	22 Hewett Circle	Hewett Circle	9/14/2014		1-5 pm

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

8:45 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with two items to discuss:

1. <u>Close Special Town Meeting Warrant</u>
Ms. Fitzpatrick asked the Board to close the Special Town Meeting Warrant for the October 27, 2014 Special Town Meeting. She reviewed several changes prior to asking the Board to close the warrant.

Motion by Mr. Borrelli that the Board vote to close the warrant for the October 27, 2014 Special Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel. Second: Ms. Cooley. Unanimously approved 5-0.

2. <u>FY2015 - 2018 Collective Bargaining Agreements -ITWA</u>
Ms. Fitzpatrick said the Town and the Needham Independent Town Workers Association have reached agreement on a one year contract for fiscal year 2015 and a three year contract for fiscal years 2016, 2017, and 2018. She recommended the Board approve the two Agreements.

Motion by Mr. Handel that the Board vote to approve and sign the Memoranda of Agreement with the Needham Independent Town Workers Association for fiscal year 2015 and for fiscal years 2016, 2017, and 2018. Second: Mr. Borrelli. Unanimously approved 5-0.

Ms. Fitzpatrick announced the Town will hold an auction for surplus property at the former senior center on Pickering Street and at the property the Town purchased at 66, 68, and 70 Chestnut Street, to be held on October 9 and 10, 2014. She said additional information will be available on the Town's website.

8:45 p.m. Board Discussion:

1. Committee Reports

   Mr. Handel reported that the Counsel of Economic Advisors will meet on Wednesday, September 24, 2014 and will discuss economic development initiatives in Needham and Newton, per Article 2 'Appropriate for Matching Grant' in the Special Town Meeting Warrant dated October 27, 2014.

   On behalf of the Board, Mr. Bulian wished the Jewish residents of Needham a happy new year, which begins tomorrow with the start of Rosh Hashanah.

8:50 p.m. Executive Session:

Motion by Mr. Handel that the Board vote to enter into Executive Session. Exception 2 - To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. Not to return to open session prior to adjournment.

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

Note: The meeting adjourned at 9:05 p.m.