

**Town of Needham
Board of Selectmen
Minutes for December 8, 2015
Selectmen's Chamber
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:
Paul Dawson, 46 Wachusett Road spoke with the Board about the height of a new home being built on Wachusett Road. He said the home is too high for the neighborhood and does not comply with Town zoning by-laws. He encouraged the Board of Selectmen to compare the scale of the project with other homes in the neighborhood.

Martin Batt, 39 Wachusett Road said the new home is 4 stories from the street level, is not within the intent of the Town zoning by-law, and does not appear to follow structural drawings.

Mr. Dawson and Mr. Batt asked the Building Department to intervene.

David Roche, Building Commissioner acknowledged the new home is unusual for Needham and that the homeowner took great pains in its design. He said the 2 lower levels are considered to be underground and basement. He said the structure is less than 35 feet high and meets Town zoning by-law requirements. Mr. Roche said a court order is the only way to stop work on the project.

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Maurice P. Handel. Those present were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

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| 1. Solid Waste and Recycling | Steven Rosenstock (term expires June 30, Disposal Committee 2018) |
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CONSENT AGENDA

- 1. Approve a Special One Day All Alcoholic Beverages license request from Wendy Brown of New Year's Needham to hold its New Year's Needham Countdown party on December 31, 2015 from 6:30 p.m. to 12:15 a.m. in Powers Hall at Needham Town Hall. Approval is contingent upon receiving the TIPS or Serve Safe certifications of the bartenders for the evening.**

2. **Accept a \$500 donation made to the Needham Health Department's Gift of Warmth fund from the First Baptist Church in Needham.**
3. **Ratify a Special One Day Wine and Malt Beverages Only license request from Ellen Dietrick, of Temple Beth Shalom, who held its Staff Party at Needham Bowlaway, 16 Chestnut Street, on December 2, 2015 from 7:00 p.m. to 9:00 p.m.**
4. **Accept a \$250 donation from Carol & Edward De Lemos made to the Needham Community Revitalization Trust Fund Committee.**
5. **Water & Sewer Abatement Order #1208**
6. **Approve a request from the Sheraton Needham Hotel to extend its liquor license on December 31, 2015 until 1:30 a.m. The Police Department has approved this request.**
7. **Accept a \$250 donation made to the Needham Health Department's Substance Abuse Education & Prevention's 5th Quarter Program from The Exchange Club of Needham.**

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

7:01 p.m. Public Hearing - Change of Officers & Directors and Transfer of Stock, Residence Inn by Marriott, Needham:
Steven Miller, McDermott, Quilty & Miller, LLP, John Mitchell, Director of Operations, Colwen Hotels, and Michael Gendrin, General Manager, Residence Inn by Marriott, Needham appeared before the Board to discuss an application of Change of Officers and Directors and Transfer of Stock for Colwen Management, Inc, d/b/a Residence Inn by Marriott, 80 B Street, Needham.

Kate Fitzpatrick, Town Manager confirmed all paperwork is in order.

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

Motion by Mr. Bulian that the Board of Selectmen approve and sign an application submitted by Colwen Management, Inc. d/b/a Residence Inn by Marriott Needham for a Change of Officers and Directors and Transfer of Stock and to forward this application to the ABCC for approval.

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

7:05 p.m. Certificate of Appreciation - Phil Droney, Chief of Police:
Mr. Handel read a Certificate of Appreciation recognizing Phil Droney on his 34 years of service to the Town of Needham.

Motion by Mr. Bulian that the Board of Selectmen recognize Phil Droney for his 34 years of distinguished service to the Town of Needham & the Needham Police Department, with 4 years of service as Police Chief, October 11, 1981 - December 31, 2015.

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

Denise Garlick, State Representative presented Chief Droney with a Resolution from the House of Representatives. She said a Resolution is legislation voted upon which becomes part of the history of the Commonwealth, and is a symbol of gratitude from the Town and Commonwealth. Ms. Garlick thanked Chief Droney for his integrity and compassion towards the most vulnerable people in the community, including the elderly and disabled.

Chief Droney thanked the Town, saying he has had a great career in Needham and his success is due to the support of many people including the Board of Selectmen, Town Manager, and other department managers. He said it has been an honor and privilege to serve the Town of Needham.

The Board congratulated Chief Droney and thanked him for his contribution and service to the Town of Needham.

7:13 p.m. Public Hearing - Eversource Energy: Melrose Avenue
Maureen Carroll, Eversource Energy representative appeared before the Board requesting permission to install 6 feet of conduit in Melrose Avenue. Ms. Carroll said this work is necessary to provide underground electric service at 172 Melrose Avenue, Needham.

Ms. Fitzpatrick said all paperwork is in order.

Mr. Handel asked for Board comment. No comments were made.

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

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install 6 feet of conduit in Melrose Avenue. This work is necessary to provide underground electric service at 172 Melrose Avenue, Needham.

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

7:15 p.m. Building Department Permit Fees:
David Roche, Building Commissioner appeared before the Board to discuss a recommendation for changing the fee structure in use in the department.

Ms. Fitzpatrick commented Mr. Roche presented changing the fee structure in use in the Building Department at the Board's November 10, 2015 meeting.

Mr. Handel invited public comment.

Theodore Weiner, 88 Pleasant Street asked whether it is the policy of the Board of Selectmen to generate revenue from the Building Department or is the Building Department supposed to stand on its own, based on generated revenue.

Ms. Fitzpatrick said under State statute the Board sets fees commensurate with the amount of work and expenditures put forth by the entire Town with respect to permitting activity.

Mr. Weiner noted the proposal is to increase fees on homeowner “do-it-yourself” projects. He said increasing fees is detrimental to the Town as people will not be able to afford to upkeep their home.

David Roche, Building Commissioner said the suggested rates for Needham are the lowest rates in comparison with 10 surrounding towns including Braintree, Framingham, Newton, Waltham, Wayland, Wellesley, Westborough, Weston, and Westwood.

Mr. Matthews noted the chart “Town Fee Schedules Compared” is posted on the Town website. He said increasing the fees will bring Needham “more in line” with other towns.

Mr. Weiner said the proposal does not allow homeowners the ability to control construction costs and impacts affordability. He said he questions the idea that one department in Town produces revenue to help support other Town departments. He commented his taxes have not decreased in 40 years since living in Needham.

Mr. Handel explained many Town departments including the Planning Board, Police, Fire, DPW, and Engineering all scrutinize a project through the building permit process.

Mr. Handel closed the public hearing and said the matter will be taken up at the next Board of Selectmen meeting.

Mr. Matthews noted the difference between taxes and fees. He said construction is more complicated and detailed, and things that use to have nominal charges are taking significant time. He said the proposed fees are not what is going to “make it or break it” for people to live in Needham. Mr. Matthews said the Building Commissioner and Town Manager carefully considered the proposed fee schedule and it is reasonable when compared with other towns.

Ms. Cooley suggested looking at the fee schedule every 5 years, instead of every 10 years. She said it is a reasonable proposal.

Mr. Borrelli concurred it is a reasonable proposal and makes sense.

Mr. Bulian agreed with the comments suggesting the Town is “playing catch-up” with fees. He said the proposed fee structure is fair and equitable, and that the Town is not looking hurt the individual property owner wanting to do the work themselves.

Mr. Handel commented departments are not instructed to maximize revenue to the Town through fees. He said the Town tries to make fees reasonable and reflective of what is covered. He said the matter will be taken up at the next Board of Selectmen meeting and encouraged residents to submit written comments.

7:20 p.m. Department of Public Works:

Richard P. Merson, DPW Director appeared before the Board with 2 items to discuss:

1. Sign Notice of Traffic Regulation: Gage Street

Motion by Mr. Bulian that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P15-12-08 for Gage Street, Time Limited in Designated Places, Both sides from Great Plain Avenue to Marshall Street - 2 Hour Parking, 9:00 A.M. - 3:00 P.M., Monday - Friday.

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

2. Sign Notice of Traffic Regulation: Marshall Street

Motion by Mr. Bulian that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P15-12-08 for Marshall Street, Time Limited in Designated Places, Both sides from Great Plain Avenue to 430 feet north of Great Plain Avenue - 2 Hour Parking, 9:00 A.M. - 3:00 P.M., Monday - Friday.

Second: Ms. Cooley. Approved 4-0-1.

Mr. Borrelli abstained from the vote stating his property abuts Marshall Street.

7:35 p.m. Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Preliminary FY2017-FY2021 Capital Improvement Plan

Ms. Fitzpatrick referred to handout "FY2017-FY2021 Preliminary CIP" dated December 3, 2015. She highlighted items including Technology Replacement, Fleet Replacement recommendations, NHS Athletic Locker Reconfiguration & Addition, Library RFID Conversion Project, Hillside Elementary School at Central Avenue, and Rosemary Pool Complex Renovations.

Mr. Davison said it is important to note there is a possibility the Fleet Replacement Program and the RTS Enterprise may be funded by debt not cash. He said more information will be known before the Board votes at its next meeting.

The Board thanked Ms. Fitzpatrick and Mr. Davison for the presentation.

2. CPA Applications Update

Ms. Fitzpatrick updated the Board on CPA project applications submitted for consideration in FY2016, noting the application deadline of December 1. She commented there are 8 applications including Seabeds Way, Community Housing Specialist, Memorial Field Drainage Phase 1, Various Trail Improvements, open space purchases, and Rosemary Lake Sediment Removal - Design.

3. BOS Goal Update

Ms. Fitzpatrick updated the Board on the progress of the Board's goals and objectives for fiscal years 2016 and 2017. She highlighted items contained in "Board of Selectmen/Town Manager FY2016-FY2017 Board of Selectmen Goals dated December 8, 2015" including working with the School Committee, DPW/PSAB Feasibility Study, Food Truck Policy, coordination of road projects, implementation of a Quiet Zone, and reviewing the debt policy.

Mr. Handel noted the goals are ambitious and progress thus far has been very good.

Ms. Cooley said the list of Board goals can be viewed on the Town's website.

8:00 p.m.

Board Discussion:

1. Committee Reports

Mr. Matthews told the Board he and Ms. Cooley attended building committee meetings for the Minuteman Regional High School. He said efforts to achieve approval of a new school building continue, but the timeline is very tight. He said in order to get approval, all Town Meetings in the district must not object or have a referendum. He said at this point some towns would object, while others would pose a referendum unless grievances about the Regional Agreement are not resolved. He said efforts have been ongoing to change the Regional Agreement, and that all 16 towns must approve it. He said if a new Regional Agreement is approved, the school committee will want to know the towns who want to stay in and/or out of the district. He said the committee will also want to know if individual Boards would be willing to call a Special Town Meeting on a "fast track" basis. Mr. Matthews commented the key is to have a Regional Agreement in place. He asked the Board of Selectmen if it would be willing to call a Special Town Meeting, and whether or not Needham is interested in withdrawing from the district in such a process. He said the Town of Needham Minuteman Committee has many issues worked out well, and that Minuteman is a good part of Needham's educational program. He said there is no reason for Needham to leave the district. He said he will continue providing updates to the Board.

Ms. Cooley said the next Minuteman School Committee meeting is December 17, 2015. She asked if the Board of Selectmen would be open to the possibility of calling a Special Town Meeting. The Board members were open to calling a Special Town Meeting and acknowledged that the Town of Needham is not planning on exiting the district.

8:15 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of December 8, 2015.

Second: Mr. Matthews. 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=>