Town Of Needham Board of Selectman
Minutes for August 12, 2008
Needham Town Hall

6:45 p.m. Informal Session:
Mo Handel appeared before the Board and expressed his appreciation for the Board's efforts to reach consensus on the Town Hall renovation project.

7:00 p.m. Call To Order
A meeting of the Board of Selectmen was convened by Chairman James Healy at 7:00 p.m. Those present were: John Bulian, Daniel P. Matthews, Gerald Wasserman, James Healy, Denise Garlick, Town Manager Kate Fitzpatrick and Recording Secretary Greg Cooper.

7:00 p.m. Appointments and Consent Agenda:
Mr. Matthews stated that as Vice-Chair he is responsible for making recommendations to the Board on various volunteer committees. He was happy to report that the Town posted the vacancies and received twice as many applications then in the past. Mr. Matthews state that there are 16 recommended appointments for the Board to consider.
Motion by Mr. Matthews that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

1. **Board of Appeals Howard Goldman (Term Exp: 6/30/2011)**
2. **Board of Appeals (Associate Member) Peter Friedenberg (Term Exp: 6/30/2010)**
3. **Cable Television Advisory Committee Tom Loughran (Term Exp: 6/30/2010)**
4. **Commission on Disabilities Anderson Wise (6/30/2011)**
5. **Cultural Council Robert Whitten, Abby Cheng,Stephanie Osser, Cynthia Lingley, Claire Dee Ecsedy (All Term Exp: 6/30/2011)**
6. **Design Review Board (Alternate) Jeff Allan (Term Exp. 6/30/2011)**
7. **Golf Course Advisory Committee Mike Mahoney (Term Exp. 6/30/2009)**

8. Historical Commission Joel Lebow (Term Exp. 6/30/2011)
9. Metropolitan Area Planning Council Joseph Higgins
10. Needham Comm Television Dev Corp Tom Loughran (Term Exp: 6/30/2010)
11. Regional Transportation Advisory Council Kurt Mullen
12. Solid Waste & Recycling Advisory Committee Mary Kenslea, Pralay Som (Term Exp:6/30/2009)
13. Town Hall Display Committee Helen T. Newton (Term Exp: 6/30/2011)

CONSENT AGENDA

1.* In accordance with Section 20B(5) of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, amend the classification and compensation plan for fiscal year 2009 by changing the title Assistant Town Manager/Personnel Director to Assistant Town Manager/Director of Operations.
2.* Approve revised charge for the Human Rights Committee.
3.* Approve request for the Domestic Violence Action Committee to hold their annual "Take Back the Night" event on the Town Common on Friday, October 24, 2008 from 6:00 p.m. until 10:00 p.m.
4. Accept $300 donation to the Economic Development Office made by the Needham Bank in support of the Sidewalk Street Sales days on July 18th and July 19th.
5. Accept $100 donation to the Needham Youth Services Department made by Bird's Hill Pharmacy in support of the Youth Services Employment Program.
6. Correct term expiration for Peter J. Pingitore on the Needham Housing Authority from April 7, 2009 to April 14, 2009, which is the date of the next Town election.
7. Ratify permission for free downtown parking on each of the days of the Needham Summer Sidewalk Sale held on July 18 and July 19, 2008.
8.* Approve the State Primary Warrant for Tuesday, September 16, 2008.
9.* Approve minutes from April 29, 2008, June 23, 2008, June 24, 2008, July 8, 2008 and July 29, 2008.
10. Accept $20 donation to the Needham Police Department made by Charles & Leslie Wilson in support of the Child Safety Seat Installation Program.

11. **Approve request from the Override Committee to use Town Common on Thursday, September 4, 2008 for an event called "Get the Scoop on High Rock" where ice cream will be given away and override information will be provided. Time to be determined.**
12. **Accept the following donations made to the Needham Free Public Library during the period of July 3, 2008 to August 5, 2008:**
    • Stephen Felkel donated a copy of the DVD, *Windwalker* ($15.00)
    • Phyllis Silvestri donated $100.00 in memory of Helen Pugh
    • The Midwest Tape Company sent the library the Carrie Underwood CD,*Carnival Ride* ($18.97)
    • Rycke Gviney gave the library copies of the following books-on-CD:
    o Baldacci—*The Collectors* ($29.98)
    o Baldacci—*Split Second* ($14.98)
    o Child—*The Enemy* ($39.95)
    o Child—*Once Shot* ($38.95)
    o Coben—*Hold Tight* ($38.95)
    • Ruth Cunningham donated a copy of the DVD, *The Water Horse: Legend of the Deep*, in honor of Lee Cunningham and her husband Jay Russell, who is the director of the movie ($28.96)
    • Barbara and Cathy Collishaw donated $30.00 for the purchase of a book on the U.S. National Parks in memory of Ryan Jones.
13. **Water and Sewer Abatement #1074.**
14. **Grant permission for the following residents to hold block parties:**

Name Address Party Location Party Date RainDate Party Time

- **Cristen Robbins 45 Broadmeadow Rd 45 Broadmeadow Rd 9/13/08 1-4 pm**
- **Jeanie Martin 139 Plymouth Rd Plymouth Rd between Harris & R.R.9/7/08 9/14/08 1-7 pm**
- **Stephanie Wallace 81 Gary Rd Gary Rd 9/6/08 9/7/08 4-7 pm;12-3 pm (rain date time)**
- **Jennifer McGrady 86 Mayflower Rd 86 Mayflower Rd 9/5/08 4-10 pm**
- **Rochelle Golden 68 Warren St Warren St between May & Great Plain Ave 9/14/08 9/21/08 10 am – 6 pm**
- **Kate Deeley 61 Kenney St Barbara Rd & Kenney St 9/13/08 9/14/08 3-10 pm**
- **Dow Brain 1427 Great Plain Ave Great Plain Ave & Noyes St 8/24/08 4-10 pm**
- **Stephen Hamburger 76 Grosvener Rd Grosvener Rd between Broadmeadow & Doan Ave 9/13/08 9/14/08 2-8 pm**
- **Denise Weinstein 41 Sargent St Sargent St & Washington Ave intersection 9/7/08 9/14/08 4-8 pm**
- **Donna Trabucco 45 Coulton Park Coulton Park 9/1/08 9/7/08 2-8 pm**
- **Jennifer Glockler 332 Hillcrest Rd Intersection of Colby St. & Hillcrest Rd.9/20/08 Same as no rain 3-7 pm**

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

7:05 p.m. Updates – Mr. Healy:

Mr. Healy provided an update of the status of the Webster Street pole replacement. He acknowledged that it has been frustrating for neighbors, but was pleased to report that it appears that the pole replacement will be completed by mid-August.

Mr. Healy also provided an update on the status of the field's project. He stated that the multi-purpose field at Memorial is nearly complete and should be ready by mid-August. He stated that Defazio should be substantially completed by the beginning of November.

7:10 p.m. Public Hearing – Verizon Petition for Pole Relocation on Robinwood Avenue:

Gary Savignano, Verizon Communications, appeared before the Board to request permission to relocate pole number 129/2 on Robinwood Avenue.
Motion by Mr. Matthews that the Board of Selectmen vote to approve and sign petition from Verizon to relocate existing pole location, number 129/2, on Robinwood Avenue. This work is per the request of the Verizon customer at 11 Robinwood Avenue for proposed driveway construction.
Second: Mr. Bulian. Unanimously approved 5-0.

7:10 p.m. Public Hearing – Transfer of Liquor License/Manager and Common Victualler for Petit Robert Needham LLC d/b/a Petit Robert Bistro:

Jacky L. Robert, Manager, Patricia Farnsworth, attorney, and Loic LeGarrec, Manager, appeared before the Board to request a transfer of license for a proposed 100 seat restaurant at 45 Chapel Street, Needham. Mr. Matthews informed the proponents that the Town takes its service of alcohol rules very seriously. Mr. Healy stated that he was going to abstain from the vote because he has had past legal dealings with Mr. LeGarrec.
Motion by Mr. Wasserman that the Board of Selectmen vote to approve and sign the application for a Transfer of License/Manager to Petit Robert Needham LLC d/b/a Petit Robert

Bistro, Jacky L. Robert, Manager, including waivers of the Town of Needham Regulations for the Sale of Alcoholic Beverages, Sections 8B and 8C and a 2008 common victualler license and to forward the approved application to the ABCC for an approval of the liquor license.
Second: Mr. Bulian. Approved 4-0-1. Mr. Healy abstained.

7:15 p.m. Public Hearing – Analysis of Impediments to Fair Housing Choice:
Ms. Fitzpatrick, Lee Newman - Planning Director, and Alex Clee – Assistant Planner appeared before the Board to present the final report on the Analysis of Impediments to Fair Housing Choice. Ms. Clee stated that the Board's comments from the past meeting have been incorporated into the report. Ms. Garlick suggested that Needham Education Opportunities, Inc. be incorporated into the report under the strengths in education efforts. Mr. Wasserman stated that the continued increase in property tax is a big impediment to fair housing. Mr. Matthews stated that most of the data on this topic is provided by various advocacy groups and therefore is difficult to assess. He also suggested that since many other towns have had to complete the analysis that a regional look might be helpful.
Motion by Mr. Bulian that the Board of Selectmen vote to endorse the Town of Needham Analysis of Impediments to Fair Housing Choice dated August 7, 2008, subject to a technical correction to include the efforts of the Needham Opportunities Inc. in the report.
Second: Mr. Wasserman. Unanimously approved 5-0.

7:30 p.m. Multi-Hazard Mitigation Plan – The Needham Annex:
Martin Pillsbury and Brad Stoler of the Metropolitan Area Planning Council (MAPC) appeared before the Board to present the draft Disaster Mitigation Plan for the Town. MAPC lead a multi-town effort through a FEMA grant to prepare a regional hazard identification /disaster mitigation plan. Mr. Pillsbury summarized the regional effort. Mr. Stoler

provided an overview of the Town’s plan and highlighted some specific issues where mitigation should be considered. Mr. Pillsbury stated that having a plan is required to maintain funding eligibility for FEMA grant programs. The Board asked whether its adoption of the plan requires the Town to take action on all the items identified. Mr. Pillsbury stated that it does not, but the hope is the Town will work toward addressing the issues over time. The Board thanked the MAPC and Town Departments that participated in the development of the plan.

8:00 p.m. Council of Economic Advisors:

Matt Talcoff, chairman of the Council of Economic Advisors, and Joyce Moss, Economic Development Coordinator, appeared before the Board to provide updates on a number of Council projects.

MBTA Heights Parking Redevelopment – Mr. Talcoff stated that the Council held three neighborhood meetings and although there was a lot of discussion about MBTA operations, there was no active support for developing the parking area.

Self Assessment Program – Ms. Moss updated the Board on the Town’s efforts to perform a self assessment to determine the Town’s economic competitiveness with other communities. The Board hoped that interviewing landlords in the Business Center would be part of the project. Ms. Moss stated that it would be. Mr. Healy suggested that Mr. Bulian also be involved in the assessment having worked on the Town’s permitting process.

Permitting Guide Book – Ms. Moss stated that a consultant has been hired to develop the guide book and it is expected to be completed in the fall. Ms. Moss stated that the consultant would look at current zoning impacts on development. Ms. Moss stated that the foot traffic sale recently held in downtown was one way that the Town has been trying to assist small retailers.

Green Line Extension – Ms. Moss stated that Newton is interested in extending Green Line service to the Heights. Mr. Healy stated that this has been looked at before and asked the Town Manager to provide the Board with a summary of past discussions.

The Board commended the Council and Ms. Moss for their efforts.

8:30 p.m. Public Works Operations Study

Stephen Egan, Senior Vice President from The Mercer Group, appeared before the Board to present the findings from the DPW Operations Study completed by his firm. Mr. Egan stated that they interviewed just about every employee and held focus groups with various user groups. Mr. Healy asked how many of these studies his firm has done. Mr. Egan said approximately 140 with 8-10 in New England. Mr. Egan highlighted five major issues found through the study. These included merging the DPW with Public Facilities, altering the management structure, increasing the cohesiveness within the DPW management team, improve management operation systems, and increasing investment in equipment and facilities. Mr. Egan stated that the DPW management team is working on improving many of these issues.

Mr. Healy stated that the report is a good tool to identify improvements and begin to take action.

9:15 p.m. Richard Merson, DPW Director, appeared before the Board with one item for the Board's consideration.

1. Notice of Traffic Regulation – Grant Street: Mr. Merson stated that the Traffic Management Advisory Committee recommended a 2-hour parking sign to be installed on Grant Street between School Street and Kimball Street.
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign the Notice of Traffic Regulation Permit #P08-08-12 for Grant Street, 2-hour parking, 9 AM to 5 PM, Monday – Friday,

both sides between School Street and Kimball Street.
Second: Mr. Wasserman. Unanimously approved 5-0.

9:15 p.m. Ms. Fitzpatrick appeared before the Board with seven items for the Board's consideration.

1. Call for Special Town Meeting:
Motion by Mr. Bulian that the Board of Selectmen call a Special Town Meeting to be held on October 27, 2008 at the Newman School.
Second: Mr. Wasserman. Unanimously approved 5-0.

2. Accept Parcel of Land:
Ms. Fitzpatrick stated that Elizabeth D. May has agreed to deed a 13,509 square foot parcel of land, adjacent to Trout Pond, to the Town, to be under the management and control of the Conservation Commission.
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign said grant of land by Elizabeth D. May and grant of easement by Elizabeth D. May, The First Parish in Needham, Unitarian Universalist, and the Needham Historical Society, Inc.
Second: Mr. Wasserman. Unanimously approved 5-0.

3. Public Services Administration Building Update:
Ms. Fitzpatrick provided an update on the Public Services Administration Building project. She provided the Board with a preliminary layout of the building on the site and interior schematics. Mr. Healy asked if the building could be engineered to add a third floor at a later date. Steve Popper, Building Construction Manager, stated that it could but at a cost. Mr. Healy asked that this cost be identified. Ms. Fitzpatrick stated that a public hearing is scheduled for prior to the October Town Meeting.

4. Newman School Update:
Ms. Fitzpatrick provided the Board with an update on the Newman School project. She stated that a consultant has assessed the condition of the entire HVAC system and recommends an immediate replacement in the front building and a full replacement of the system in the near

future. Mr. Healy asked about the next decision points. Ms. Fitzpatrick stated that work on the temporary system needs to be completed by the September 8th school opening. She also stated that the long-term final report is due in October with the intent of possible action at the Special Town Meeting. Mr. Healy hopes that something preliminary could be developed in September without prejudging the report.

Mr. Bulian asked about the status of the High School. John Connolly, Chair – PPBC, stated that there is a lot of work to do and the Webster Street entrance and Women's Locker Room will probably not be finished.

5. Synthetic Turf Field Use Protocols Update:
Ms. Fitzpatrick stated that the Director of Park and Recreation, Board of Health Director, and Assistant Town Manager have formed a working group to develop protocols for using the new synthetic turf, which will include educating athletes and parents, monitoring the turf temperature and runoff, and other use protocols. Ms. Fitzpatrick stated that the group will be consulting with coaches in developing the protocols.

6. Initiate and Refer Zoning Amendment:
Ms. Fitzpatrick requested the Board initiate the process for amending the Zoning By-law to change the zoning of Town Hall and the Town Common. The change would rezone the area under the Center Business District designation.
Motion by Mr. Wasserman that the Board of Selectmen vote to initiate the process of amending the Zoning By-law to change the zoning of the Town Hall and Town Common from Single Residence B to Center Business District.
Second: Mr. Bulian. Unanimously approved 5-0.

7. Fiscal Year 2010-2014 Pro Forma Budget:
Ms. Fitzpatrick and David Davison, Assistant Town Manager/Finance Director, provided the Board with a preliminary FY2010-2014 Pro Forma Budget. Mr. Davison reviewed the budget and provided the Board with an overview of the

assumptions made in the pro forma. He highlighted the project areas of revenue growth and expenses. Mr. Davison stated that the assumptions are very conservative. Ms. Fitzpatrick stated that she knows of no community that has this level of financial analysis at this time in the budget cycle. The Board was impressed with the level of detail and would review the material further.

10:15p.m. Board Discussion:

1. Town Hall Options:
Mr. Healy stated that the Board will have a special meeting on September 15, 2008 to discuss the Town Hall project. Ms. Fitzpatrick stated that Option #4 will cost approximately $2.8 million more than Option #1. She stated that it is possible that this amount could be freed up within the tax levy but at the expense of some projects and delaying others. Mr. Bulian asked about the impact of the Public Services Administration Building cost. Mr. Connolly stated that it is too early to tell and better numbers should be available in October. The Board discussed the impact of the Town Hall Renovation project on the prospects of funding some portion of a new senior center. Ms. Fitzpatrick stated that due to bonding a senior center project could be delayed.The Board agreed that Option #4 would be more advantageous for Town operations and that the Town Manager would control the use of an auditorium. The Board agreed that it should work toward a united decision to better support the project.

11:00p.m. Executive Session:
Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session to:

Exception 3 – To discuss strategy with respect to collective bargaining or litigation, or to conduct strategy sessions in preparation for negotiations with non-union personnel.

Exception 6 – to consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body.

Not to return to open session prior to adjournment.

Second: Mr. Wasserman. Mr. Healy polled the Board members. Unanimously approved 5-0.

(The Board adjourned the meeting at 11:15.)