Town Of Needham Board of Selectman
Minutes for September 9, 2008
Needham Town Hall

6:45 p.m. Informal Session:

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. Public Hearings – NSTAR/Verizon Petitions

Nehoiden Street:

Maureen Carroll, NSTAR, requested approval on a petition to install conduit at pole 45/19 Nehoiden Street in order to provide underground electric service to 170 Nehoiden Street, Needham.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from NSTAR to install approximately 16 feet conduit @ pole 45/19 Nehoiden Street, Needham. The work is necessary to provide new underground electric service @ 170 Nehoiden Street, Needham. Second: Mr. Wasserman. Unanimously approved 5-0.

Mr. Healy asked Ms. Carroll to look into the electrical service application for Memorial Park because the Town currently has to use a generator for the lights.

Charles River Street:

Maureen Carroll, NSTAR, and Dick Bergio, Verizon, requested approval on a petition to remove and install a pole on Charles River Street. Mr. Leroy Seymour, 248 Charles River Street expressed concern on where the new pole was to be placed and whether it would impede entrance to his driveway. The Board suggested that Verizon, Mr. Seymour and the Town Engineer meet to discuss.

Motion by Mr. Bulian that the Board of Selectmen vote to continue the public hearing on Verizon

Communications petition to remove and install a pole on Charles River Street until September 15, 2008 at 7:00 p.m. at the Needham Public Library. Second: Mr. Matthews. Unanimously approved 5-0.

<u>South Street:</u>
Dick Bergio, Verizon, requested approval on a petition to remove and replace a pole on South Street.
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from Verizon Communications to place one pole approximately 23 feet from existing pole 12/79 on South Street and to remove old pole 12/79 when all utilities are transferred to new pole. This work is necessary as old pole 12/79 has exceeded its lifecycle.
Second: Mr. Wasserman. Unanimously approved 5-0.

7:20 p.m. Change of Manager, Bertucci’s Brick Oven Ristorante:
Bertucci’s Restaurant Corporation’s Giuseppe Fasulo (proposed General Manager) requested the Board approve a change of manager for its Bertucci’s Brick Oven Ristorante at 1257 Highland Avenue, Needham. Mr. Matthews informed the applicant that the Town strictly enforces the alcohol license requirements.
Motion by Mr. Matthews that the Board of Selectmen vote to approve and sign an application for a change in manager, submitted by Giuseppe Fasulo for Bertucci’s Restaurant Corporation d/b/a Bertucci’s Brick Oven Ristorante, 1257 Highland Avenue, Needham and to forward this application to the ABCC for approval.
Second: Mr. Bulian. Unanimously approved 5-0.

7:25 p.m. Capital Facility Update:
Town Manager, Kate Fitzpatrick, appeared before the Board to provide an update on capital facility projects. Ms. Fitzpatrick stated that the Newman School opened yesterday. She stated that a tremendous amount of work was completed over summer to enable this opening including removing and replacing all carpeting with tile, removal and cleaning of all the books in the

library, installation of a temporary HVAC system, power washing of the building, removal of 21 trees and several other improvements. The Board was impressed with the effort by Town Departments to complete all the necessary work. Ms. Fitzpatrick stated that monitoring of the building including air testing will continue. Mr. Healy asked when the PPBC would have the feasibility study complete. Ms. Fitzpatrick stated that the assessment should be completed by early October.

7:30 p.m. Public Hearing for three (3) Tree Removals at the intersection of Charles River Street and Central Avenue in front to 248 Charles River Street on Charles River Street:
Lance Remsen, Tree Warden/Parks & Forestry Superintendent, appeared before the Board seeking a Board decision on the removal of 3 trees on Charles River Street. The removal is being requested by the Town Engineer to accommodate the realignment of the roadway. Leroy Seymour, 248 Charles River Street, hoped the trees would be replaced. Mr. Remsen stated that the trees would be replaced and the location of the new trees discussed with neighborhood.
Motion by Mr. Bulian that the Board of Selectmen vote to approve the removal of the three (3) trees in front of 248 Charles River Street. Second: Mr. Wasserman. Unanimously approved 5-0.

7:35 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

1. **Needham Community Revitalization Trust Fund Carol deLemos (Term Expires 6/30/2009)**
2. **Commission on Disabilities Anderson Wise, Deborah Heller(Terms Expire 6/30/2011)**
3. **Human Rights Committee John Buehrens, Paul Dellaripa, Marjorie Freundlich, Olly Harari, Mark Smith, Michael Vaughn, Sandra Walters(Terms Expire 6/30/2009)**

CONSENT AGENDA *=Backup attached

1.* Approve one-day special license application for sale of Wine and Malt Beverages to the Presbyterian Church in Needham to hold their "Remembering Our Past Celebrating Our Future" to be held on Friday, September 12, 2008 at the Needham Historical Society,located at 1147 Central Avenue from 6:00 p.m. until 10:00 p.m.

2. In accordance with the Comprehensive Permit and upon the satisfactory inspection of the Director of Park and Recreation and Superintendent of Parks and Forestry, accept the donation of improvements to Riverside Park valued at $150,000 from the Hanover Company.

3.* Approve request from the Needham Youth Commission to declare Thursday, March 12, 2009 as Needham Unplugged.

4. Accept $50 donation from Elizabeth T. Rigby in honor of Bernadette LaRoche to the Domestic Violence Action Committee.

5. Accept $56 in donations made to the Miscellaneous Parks Trust Fund Donations Account during the period of June 16, 2008 to July 28, 2008.

6. Approve addition to Second Hand License for Hollywood Video to include sales of used video games and game systems.

7.* Water & Sewer Abatement # 1075

8. Grant permission for the following residents to hold block parties:
   Joanne Ellman 87 Henderson St. Henderson St. 9/13/08 9/14/08 4-11pm
   Melissa Ananias (ratification)25 Plymouth Rd Plymouth Rd 9/7/08 9/14/08 3-8pm
   Judy Gragg(ratification)115 Dawson Dr Dawson Dr 9/7/08 9/14/08 4-7pm
   Laura McGovern(ratification)43 Newell Ave Newell Ave 9/6/08 9/7/08 4-8pm
   Donna Tashjian(ratification)34 Sunset Rd Sunset Rd 9/6/08 9/7/08 3-9pm
   Suzanne Jantzen(ratification)55 Dunster Rd. Dunster & Dartmouth 9/7/08 N/A 5-9 pm
   Molly Kerrigan 386 Warren St Laurel Drive 9/13/08 9/20/08 3-8pm
   Marian Slavin 291 Nehoiden St Washburn Ave 9/13/08 9/13/08 4-10pm

Christine Wantman 14 Bennington St Bennington St 9/28/08 10/5/08 3-8pm
Liz Berkman 113 Melrose Ave Park on Melrose Ave 10/18/08 10/19/08 12-5pm
Jill Oetheimer 75 Coolidge Ave Coolidge Ave 9/21/08 9/28/08 4-8pm
Karen Folb 108 Bradford St Gordon Road 9/20/08 9/20/08 4-10pm
Bill Gallagher 48 Hawthorn Ave Hawthorn Ave & Sargent St 9/20/08 9/21/08 3-8pm
Lauren Fryberger 82 Hunnewell St. Corner of Taylor & Ardmore 9/13/08 9/14/08 4-7 pm
Emily Jones 89 Green Street Green & Needhamdale 9/20/08 9/21/08 3-dark
Arthur Cantor 55 Burnside Road Concord & Burnside 9/27/08 9/28/08 4-8 pm
Barbara Mason 45 Washington Ave Great Plain to Nichols 9/21/08 9/28/08 4-8 pm

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

7:35 p.m. Public Hearing – Verizon/NSTAR Charles River Street:
Dick Bergio, Verizon, stated that during the past half-hour he and Mr. Seymour had reviewed the project and everyone is satisfied. Mr. Seymour stated that he believes the location of the pole will be fine, possibly even better than the current pole.

Motion by Mr. Bulian that the Board of Selectmen vote to reopen the Public Hearing on a Petition by Verizon/NSTAR for Charles River Street.
Second: Mr. Wasserman. Unanimously approved 5-0.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from Verizon Communications to place one pole approximately 14 feet from existing pole 10/26 on Charles River Street and to remove old pole 10/26 when all utilities are transferred to new pole. This work is necessary as old pole 10/26 has exceeded its lifecycle.
Second: Mr. Wasserman. Unanimously approved 5-0.

7:40 p.m. Town Manager:

1. Ms. Fitzpatrick resumed her update on capital facility projects in Town.

   Public Services Building
   Ms. Fitzpatrick provided the Board with information on the status of the Public Services Building project and stated that a cost estimate should be available by early October. Ms. Fitzpatrick reviewed the draft schematic of the building and landscape. Mr. Healy asked if the draft plan had been shared with the consultant that recently completed a management study for the DPW. She said that it has not but several of the consultant’s recommendations have been integrated into the design. Ms. Fitzpatrick stated she would try to get the consultant to review the draft building plan.

   High School
   Mr. Healy asked about the status of the High School project. Ms. Fitzpatrick stated that final work is progressing and it is receiving full attention this week.

2. Fields of Dreams Update:
   Ms. Fitzpatrick stated that the town is monitoring the temperature of the field and implementing a strong education campaign to athletes, coaches and parents about proper use. She stated that this will all feed into the development of field protocols. Mr. Healy stated that he attended the Girl’s High School soccer match and it was well attended and a great event.

3. Open Special Town Meeting Warrant:
   Ms. Fitzpatrick asked the Board to open the warrant for the Special Town Meeting proposed for October 27, 2008. Ms. Fitzpatrick reviewed the proposed articles with the Board. She stated that the Board is scheduled to close the warrant at its September 23rd meeting.
   Motion by Mr. Bulian that the Board of Selectmen vote to open the warrant for the Special Town Meeting to be held on October 27, 2008 at the Newman School.
   Second: Mr. Wasserman. Unanimously approved 5-0.

4. Town Hall Options:

Ms. Fitzpatrick reported that the Town's Management Team is recommending Option 4 for the Town Hall Renovation Project to the Board. She stated that Option 4 provides the most flexibility, increased meeting space, and a number of other benefits to Town operations and includes the renovation of the hall. Mr. Davison provided a financial analysis of the Town's capital projects and the impacts of an additional $2.8 million for Town Hall Renovation Option 4. He reviewed his assumptions and stated that they were all quite conservative. The Board was pleased that it appeared that all priority capital projects could be completed within the Board's 10% debt target. Mr. Healy stated that the senior center project would be delayed a year but the project could probably use that time to raise more private funds. The Board discussed the positive progess over the past 6 months that will hopefully lead to consensus on the course of the Town Hall project. The Board announced that it will be discussing the issue again on September 15, 2008 at the Needham Public Library at 7 p.m.

8:55p.m. Board Discussion:

1. Senior Center Exploratory Committee:

The Board discussed forming an exploratory committee to help move the senior center project forward. The Board would charge the committee with making recommendations to the Board on the appropriate location, size, and design, projected costs, and other matters. Mr. Healy stated that moving the project forward was a priority for him as chair for the next year. He said the committee can build on past efforts and work to build support for the project. He asked Mr. Matthews to make a recommendation to the Board on the makeup and membership of the committee. Mr. Wasserman suggested that the Board vote on the make-up of the committee. Mr. Healy stated that he did not want to put any constraints on membership. Mr. Matthews stated that he would have a recommendation within 30

days. Mr. Wasserman disagreed with the process for forming the committee.
Motion by Mr. Bulian that the Board of Selectmen vote to create a Senior Center Exploratory Committee consisting of nine to eleven members to make recommendations to the Board of Selectmen on the appropriate location, size and design, projected costs, and other matters related to the construction of a new senior center, and to authorize the Vice Chairman to develop a list of candidates and recommend membership to the Board in accordance with the Appointment Protocol dated December 18, 2007 and to work with the Town Manager in development of the Committee.
Second: Mr. Matthews. Unanimously approved 5-0.

2. High Rock Operating Override:
Mr. Matthews stated that the Board is being asked to take a position on the High Rock School Operating Override. He stated costs have risen above the original estimates but the funds are needed to operate the building. Mr. Bulian expressed his support. The Board was in agreement on the need to open and use the school.
Motion by Mr. Bulian that the Board of Selectmen vote to support the operating override for the High Rock School which will appear on the November 4, 2008 State Election Ballot.
Second: Mr. Wasserman. Unanimously approved 5-0.

3. Property Tax Relief Evaluation:
Mr. Wasserman provided the Board with an update on his work on the Property Tax Relief Project. He reviewed several options that might be available to the Town. The Board discussed the options and how they might apply within the Town. The Board agreed that the issue would be better addressed at the State level but lacking that, the Town should investigate options.

10:00p.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.

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 10:24 p.m.)