

**Town Of Needham Board of Selectman
Minutes for March 24, 2009
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, Denise Garlick, James Healy, Town Manager Kate Fitzpatrick and Recording Secretary Greg Cooper.

7:00 p.m. Public Hearing - NSTAR Petition for Canterbury Lane:

Maureen Carroll, NSTAR representative, appeared before the Board to request permission to install approximately 3 feet of conduit on Canterbury Lane, Needham to provide new overhead/underground electric service to #20 Canterbury Lane. Mr. Healy opened the public hearing for comment. No one from the public commented.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from NSTAR to install approximately 3 feet of conduit @ pole 12/55-2 Canterbury Lane, Needham in order to provide new overhead/underground electric service @ #20 Canterbury Lane, Needham.

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

7:05 p.m. Community Preservation Committee Proposals for Review:

Paul Siegenthaler, CPC Chair, and Patty Carey, Director of Park and Recreation, appeared before the Board to provide an update on the projects currently under review by the CPC and to answer any questions the Board may have about the projects or process. Mr. Siengenthaler stated that the CPC received a record number of applications and he laid out the schedule for review, approval and final approval at the May Annual Town Meeting. He stated that the CPC is holding a public meeting on March 31, 2009 and the CPC will vote on the proposals at its April 15, 2009 meeting.

Mr. Healy asked if any proposals were withdrawn.

Mr. Siengenthaler stated that the project to Purchase Open Space was withdrawn from the Annual Town Meeting Warrant. Mr. Matthews commented that, in the future, it would be helpful if the CPC could have its recommendations on projects to fund ready before the Annual Town Meeting Warrant is printed because an affirmative CPC vote is required for a proposal to be funded. Mr. Siengenthaler stated that the Committee has moved the schedule back some but the Committee believes the status of the Town's Capital Plan, which is usually not ready until January, is important to their deliberations. Mr. Healy thanked Mr. Siengenthaler and the CPC for its efforts on the Town Hall Project.

7:15 p.m. Consent Agenda:

Motion by Mr. Bulian that the Board of Selectmen vote to approve the Consent Agenda as presented.

CONSENT AGENDA *=Backup attached

1. In accordance with Section 20B(5) of the Town Charter, and upon the recommendation of the Town Manager and positive recommendation of the Personnel Board, adopt a revised classification and compensation plan for fiscal year 2009.
2. Accept the donation of \$1200 from the Needham Jr. Football, Inc. Board of Directors to the Town of Needham/Memorial Park Revolving Fund.
3. * Approve one day special Wine & Malt license application received from Lisa Sacchetti, for the Ellen M. Gifford Sheltering Home's Wine Tasting & Silent Auction Event. The event will be held on Saturday, May 2, 2009 from 4:00 p.m. - 9:00 p.m. at the Village Club, 83 Morton Street, Needham.
4. * Approve one day special All Alcoholic Beverage license application received from Patricia Hadge for the St. Sebastian's School's Alumni Reception. The reception will be held on Thursday, April 16, 2009 from 6:00 p.m. - 9:00 p.m. at the St. Sebastian's School, Ward Hall, 1191 Greendale Avenue, Needham.
5. * Approve one day special All Alcoholic Beverage license application received from Patricia Hadge for the St. Sebastian's School's Reunion Reception and Clambake. The event will be held on Friday May 15, 2009 and Saturday May 16, 2009 from 6:00 p.m. - 11:00 p.m., both evenings, at

the St. Sebastian's School, Ward Hall, 1191 Greendale Avenue, Needham.

6. Accept the following donations to the Park and Recreation Commission:
 - \$39 to the Miscellaneous Parks Trust Fund
 - \$75 from Tom Nutile to be used towards the 2009 Arts in the Parks
 7. Accept the donation of \$250 to the Needham Youth Commission from Patrick C. Forde Memorial Fund. The monies will be used to fund the Youth Commission's Stay At Home Parent program for Parents of Kindergarten to 6th grade.
 8. * Approve request from the First Parish In Needham to utilize the Town Common on Sunday, May 3, 2009 from 10:45 a.m. - 11:45 a.m. for its school's annual Mini-Walk for Hunger.
 9. * Approve March 10, 2009 minutes.
 10. * Water & Sewer Abatement Order #1085
- Second: Mr. Matthews. Unanimously approved 5-0.

7:15 p.m. Investment Policy:

David Davison - Assistant Town Manager/Finance Director, Evelyn Poness - Town Treasurer, and Robert Mearls - Citizen Advisor appeared before the Board to provide an overview of the Town's investment practices and request the Board endorse the Town's Investment Policy Statement. Mr. Davison stated that the policy spells out the guidelines used for Town investments. Ms. Poness reviewed portions of the policy with the Board. Mr. Mearls stated that the guidelines are very restrictive but prudent. Mr. Davison stated that state restrictions prohibiting investment of general revenue funds for terms beyond a year limits the Town's investment return rate. Mr. Mearls stated that these rules are mostly in place to protect double A and lower rated communities from getting in trouble due to lack of investment experience. Ms. Fitzpatrick stated that the Investment Policy is part of a longer term effort to document the financial policies of the Town.

Motion by Mr. Bulian that the Board of Selectmen vote to endorse the Investment Policy Statement dated March 24, 2009 as presented by the Town Treasurer.

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

7:35 p.m. General Public Safety:

Police Chief Tom Leary appeared before the Board to discuss general issues regarding public safety. He stated that recent events, such as the removal of a suspicious device yesterday near the St. Bart's School and an attempted abduction last week, have challenged the community. He stated that a suspect has been charged in the attempted abduction. Chief Leary stated that the Police Department and the community need to work together in these instances to calm fears, communicate accurately and resolve the situation. The Board acknowledged the great work of the Department and talked about how communication during an event is very complex.

7:50 p.m. Town Manager:

1. Call for Special Town Meeting:

Ms. Fitzpatrick requested the Board call for a Special Town Meeting and open the warrant. She stated that the Special Town Meeting will be held on May 11, 2009 at the Newman School. Ms. Fitzpatrick reviewed some of the draft articles. The Board briefly discussed the Newman School Facility Repairs and how the town is working with the Massachusetts School Business Authority to address the issue.

Motion by Mr. Bulian that the Board of Selectmen vote to call for a Special Town Meeting and open the warrant for the meeting to be held on May 11, 2009 at the Newman School.

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

2. Health Insurance Design and Contributory Insurance Rules and Regulations:

Ms. Fitzpatrick requested the Board approve a revision to the Town's Contributory Insurance Rules and Regulations and a plan to implement Rate Saver Plans. She stated that the changes are part of an effort to move employee benefit costs toward sustainability. Ms. Fitzpatrick stated that the proposed changes only apply to non-union personnel but that similar changes would be discussed with the unions during collective bargaining. She stated that the Rate Saver Plans save the employee and the Town money and significantly reduce the Town's legacy costs.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and authorize the Chairman to sign the revised Contributory Insurance Rules and Regulations dated March 24, 2009 and endorse the plan for implementation of Rate Saver plans for non-represented employees and retirees dated March 18, 2009.

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

3. Review of warrant Articles:
Ms. Fitzpatrick reviewed the 2009 Annual Town Meeting Warrant Articles with the Board. She stated that the Transpiration Committee will be coming to the Board's next meeting to discuss the Citizen's Petition - Quiet Zone Study. Mr. Healy asked Board members to direct any questions regarding articles to Ms. Fitzpatrick.
4. Facility Financing Plan Update:
Mr. Davison reviewed with the Board the Town's debt facility financing plan. He explained that the Newman Project may need to begin expending money before the Town is presented with a ballot initiative. This would mean the initial expenses would need to be funded under the tax levy.

Mr. Davison reviewed the debt financing plan for the Town Hall Project. He stated that the plan does not impact the ability of other Community Preservation Fund (CPF) projects to receive funding. The Board discussed the distribution of funding through the CPF.
5. School Space Committee Report:
Ms. Fitzpatrick reported on the recommendations of the School Space Planning Committee, which the Committee recently presented at a public meeting. The Committee recommended that it is not necessary, at this time, to reserve space for a middle school. The Committee also recommended having a contingency for additional elementary school capacity, but overall existing capacity for students is sufficient.
6. Town Manager Report:
 - a) Economic Stimulus:
Ms. Fitzpatrick stated that preliminary

estimates on the amount of funding the Town would receive through the federal stimulus package are uncertain. She stated that the State budget is not looking good and the stimulus funding could go to supplement state assistance in areas such as roads.

b) Fox News Live Broadcast:

Ms. Fitzpatrick stated that Fox News will be broadcasting live from the Town Common on April 24th. Part of the programming will include highlighting local businesses and restaurants.

c) Board of Selectmen Meetings:

Ms. Fitzpatrick reminded the Board that it has three meetings scheduled for April - April 7th, April 21, and April 28th.

8:45 p.m. Board Discussion:

1. Town Hall Auditorium Space:

Mr. Healy stated that the Board is being asked to consider the acceptance of a gift to upgrade the Town Hall Auditorium's acoustics. He described the work that would be done and the information provided by the proponents to validate the commitment of funds. Mr. Wasserman felt the Town should accept the gift because the enhancements provide flexibility for future uses of the hall. Mr. Matthews stated that he would not vote in favor of accepting the gift because he does not feel the Town Hall should be a performance center but rather the center for government operations. He also stated that the Town already has a number of performance venues and a significant amount of the gift is debt.

Mr. Healy provided some background on the history of the Town Hall renovation project. He stated that the core purpose of the Town Hall is for the business of government. He stated that many employees are working on weekends and having an active performance venue would disrupt this work. Mr. Healy did thank the Needham Cooperative Bank for its generous donation.

Motion by Mr. Bulian that the Board of Selectmen vote that the Board of Selectmen recommend that the Permanent Public Building Committee include in its design of the historic preservation of Town Hall improvements to the second floor assembly space in the form of HVAC ductwork, empty conduit system, and increased electrical capacity in the amount of \$115,000, subject to the following:

- 1. That the Needham Bank has guaranteed to match private fundraising efforts up to the amount of \$57,500 for this purpose; and**
- 2. That the Citizens for the Preservation of Town Hall intends to raise \$57,500 for this purpose; and**
- 3. That the Needham Bank has issued an Irrevocable Standby Letter of Credit in the amount of \$57,500 to the account of the Citizens for the Preservation of Town Hall; and**
- 4. That the Citizens for the Preservation of Town Hall, c/o Michael Niden, have committed to providing the Town with a gift of \$57,500 in addition to the \$57,500 gift pledged by the Needham Bank; and**
- 5. That the Board's approval of the improvements to the assembly hall are conditioned on receipt of a letter from the Citizens for the Preservation of Town Hall and Michael Niden (in a form satisfactory to Town Counsel) committing to providing the Town with the entire balance of \$115,000 by September 1, 2009.**

Second: Mr. Wasserman. Approved 3-2. Mr. Healy and Mr. Matthews voted nay.

2. Senior Center Exploratory Committee:
Ms. Garlick stated that the Committee held a public meeting at the Stephan Palmer Senior Center last night to receive input on the senior center project. She stated that over 80 people were in attendance. She stated that the committee is finalizing a survey to be sent to all residents through the Needham Exchange Club Phone Directory. The Committee is interested in receiving as much input as possible. Ms. Garlick reviewed the proposed schedule for moving forward with the senior center project. She stated that the

Committee planned on recommending a feasibility study on at least two sites and has identified several preferred sites. Ms. Garlick said that several members of the committee have visited a number of senior centers and have researched the size, location and programming of various senior centers. The Board briefly discussed whether adult daycare would be part of a facility. Ms. Garlick stated that adult daycare has not been examined. The Board acknowledged the progress of the committee.

3. Minuteman High School:

Mr. Matthews briefed the Board on a recent meeting of the Minuteman Advisory Committee where the school has requested approval to establish a stabilization fund. Mr. Matthews stated that the school needs to increase enrollment to raise revenue and thereby reduce the Town's financial commitment. The school is seeking a stabilization fund to smooth out cyclical budget issues. He stated that the new superintendent is trying to build a more sound organization. The Board expressed some concerns on how the stabilization fund may be used. Mr. Wasserman expressed his support. Mr. Matthews stated that the Finance Committee and Board must recommend adoption through a vote by Town Meeting.

4. Mr. Healy asked Ms. Fitzpatrick to seek information from the School Department on the proceeds generated during events held under the lights at Memorial Field. He suggested that some of the revenues from the events could be used to off-set maintenance costs.

Mr. Healy also stated that he reviewed past Board meeting decisions and found that on September 11, 2007 the Board voted to examine the use of the Nike Site for recreation fields.

Mr. Healy stated that the Town Manager would be presenting the Town's Debt Management Policy at the Board's next meeting.

Mr. Healy identified a recent report by the Consumer Products Safety Commission that evaluated

the use of synthetic fields. He stated that the report found that children were at no risk of lead releases from the surface.

10:00p.m. Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the March 24, 2009 Needham Board of Selectmen Meeting.

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