

**Town of Needham
Board of Selectmen
Minutes for March 9, 2010
Public Services Administration Building**

6:45 p.m. Informal Meeting with Citizens:
Bruce Montague, resident, spoke with the Selectmen concerning possible RTS policy changes that may impede his ability to peruse the metal and wood piles. Mr. Matthews advised Mr. Montague that public safety is a priority at the RTS. Mr. Matthews told Mr. Montague that a committee will be asked to address the issue in the near future.

Richard Webman, 1746 Great Plain Avenue, handed a copy of a letter to each Selectman that he had sent by email. He stated the Needham Historical Commission deemed the house at 1746 Great Plain Avenue, also known as the Gideon McIntosh house, historically significant to the Town. Mr. Webman stated he does not want to demolish the house, but cannot keep the property in its current condition. He proposes the Town come up with a solution to preserve the house and is willing to donate the property to the Town if the Town agrees to move the house from its current location. He suggests the house be moved to the Historical Society property on Central Avenue. Mr. Webman feels the \$50,000 being spent by the Historical Commission on photographs of the interior of Town Hall should instead be used to move the house. Mr. Matthews advised Mr. Webman that the Town Manager had forwarded his email. Mr. Matthews stated that the Town Manager has recommended the Town not accept the gift. Mr. Matthews stated he agrees with the Town Manager, and all written material and correspondence concerning this matter will be provided to each Board member, and if they would like to further discuss the issue, they can bring it forward. Mr. Webman stated the public deserves more from its Board members and he expects all of the discussion tonight to appear in the meeting record.

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews at 7:00 p.m. Those present were John A. Bulian, Gerald A. Wasserman, Denise C. Garlick, Maurice P. Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

Public Hearing: NSTAR Petition for High Rock Street
Maureen Carroll, NSTAR representative, appeared before the Board to request the Board's permission to install conduit for new underground electric service at #40 High Rock Street, Needham.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 7 feet of conduit @ Pole 31/5

**High Rock Street, Needham. This work is necessary to provide new underground electric service @ #40 High Rock Street, Needham.
Second: Mr. Handel. Unanimously approved 5-0.**

7:05 p.m. Introduction of Director of Conservation
Lee Newman, Director of Planning and Community Development, appeared before the Board to introduce Patty Barry - the newly hired Director of Conservation. Ms. Newman commented Ms. Barry comes to Needham with 10 years experience, having previously worked in the City of Medford. Mr. Matthews welcomed Ms. Barry to Needham.

7:10 p.m. Consent Agenda:

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

APPOINTMENTS

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| 1. Property Tax Assistance Committee | Elizabeth Handler (term expires 6/30/2011)
Peter Hess (term expires 6/30/2011)
Jill Kahn (term expires 6/30/2011)
Thomas Mulhern (term expires 6/30/2011) |
| 2. Land Use Study Committee/Volante
Parcels | Paul Alpert (term expires 6/30/2011)
Cindy Chaston (term expires 6/30/2011)
Robert Dermody (term expires 6/30/2011)
Peter Hess (term expires 6/30/2011)
Allegra Lowitt (term expires 6/30/2011)
Mark Rielly (term expires 6/30/2011)
Gerald Wasserman (term expires 6/30/2011)
Rachel Weinstock (term expires 6/30/2011)
Lita Young (term expires 6/30/2011) |
| 3. Traffic Management Advisory
Committee | Glen Schneider (term expires 6/30/2011)
Sarah Smith (term expires 6/30/2011) |

CONSENT AGENDA

1. **Approve One Day Special Wines & Malt Beverages Only license request from Madeline Wolfield of Newman Elementary School PTC for its Newman In Bloom- Auction/wine tasting, to be held on March 20, 2010 from 5:00 p.m. to 11:00 p.m. at First Parish Unitarian Universalist Church on 23 Dedham Avenue, Needham.**
2. **Accept the following donations to the Needham Fire Department to help fund its Student Awareness of Fire Education program: Mr. and Mrs. Timothy Kierstead \$50; and The Needham Exchange Club \$2,500.**
3. **Approve a request from the Exchange Club of Needham to sponsor 4th of July fireworks on Sunday, July 4, 2010 and activities on Monday, July 5, 2010. Coordination of all additional activities will be made with appropriate Town Departments.**

4. **Approve One Day All Alcoholic Beverages license request from Emmanuelle Skala of Broadmeadow School PTC for its “A Girls Thing” event, to be held on March 25, 2010 from 6:00 p.m. to 10:00 p.m. at Temple Beth Shalom on 670 Highland Avenue, Needham.**
5. **Approve One Day Special Wines & Malt Beverages Only license request from Mike Riley & Dan McGrory, representing the Needham Knights of Columbus for a St. Patrick’s Day Dinner/Dance, to be held on March 20, 2010 from 6:00 p.m. to 11:00 p.m. at The Knights of Columbus on 1211 Highland Avenue, Needham.**
6. **Ratify One Day Special Wine and Malt Beverages Only license request from John Comando of Neponset Winery, LLC for a wine tasting held at Perennial Designs, 117 Chapel Street on Thursday, March 4, 2010 from 6:30 pm to 9:30 pm.**
7. **Approve One Day Special Wine and Malt Beverages Only license request from John Comando of Neponset Winery, LLC for a wine tasting to be held on Saturday, March 13, 2010 at Volante Farms, 292 Forest Street from 1:00 pm to 5:00 pm.**
8. **Accept the following donations made to the Needham Public Library for the period 2/4/2010 - 3/3/2010: Margaret Pantridge donated a copy of the DVD, Big Lebowski (\$13.88); Emily M. Salaun made a donation in memory of Emily R. Campbell (\$15.00); The following people have made donations for the purchase of large print books in memory of A. Irene MacFate: Lois & Bill Bacon (\$25.00), Cathy Stetson (\$100.00), Staff of the Needham Free Public Library (\$50.00), Friends of the Needham Public Library (\$200.00), Sandra & Alex Jaszek (\$50.00), Elizabeth & George Dennett (\$50.00), Janet & Keith Barber (\$50.00), Sally & Bill Powers (\$50.00), Janice E. Berns (\$50.00), Bob & Elaine Parks (\$20.00), Margaret L. Pantridge (\$50.00), Emily M. Salaun (\$15.00), Exchange Club of Needham (\$50.00), Eileen L. Daley (\$50.00), Susan McGill (\$25.00), Greg & Marilyn Shesko (\$50.00), George & Anne Madaus (\$25.00), Joseph & Mary Lou Roadman Hughes (\$15.00), Tom Harkins (\$25.00), Janet Calusdian (\$25.00), Dianne & David Mahoney (\$25.00), Clare Carman & Charlie (\$50.00), Barbara Daley (\$50.00), David & Janet Johnson (\$25.00), Gail St. Clair (\$25.00), Maryanne Dinell (\$25.00), Richard & Fran Ingham (\$50.00), Needham Historical Society (\$75.00), Roberta L. Vest (\$100.00), Rose & Kevin Doherty (\$55.00), Vivian D. McIver (\$50.00), Carolyn R. McIver (\$50.00); Judy’s Book Group made a \$125.00 donation in memory of Janet Gelman for the purchase of mystery books; The Architects & Engineers for 9/11 Truth group gave the library two DVDs: 9/11: Blueprint for Truth (\$20.00), and 9/11: Blueprint for Truth Bonus Features (\$20.00); Isabella, Sofia, and Luca Pannozzo donated more than 40 stuffed animals for the Children’s Room Play Area (value less than \$75.00); Children’s entertainer Debbie Cavalier donated a copy of her new CD, Debbie and Friends: More Story Songs & Sing Alongs (\$15.00); and Erica**

- Ferencik donated a copy of her book, Cracks in the Foundation (\$14.95)
9. Grant permission for free parking at the meters downtown for the Needham Business Association's Street Fair on Saturday, June 5, 2010 and Harvest Fair on Saturday, October 2, 2010.
 10. Sign the Warrant for the Special State Primary to be held on Tuesday, April 13, 2010.
 11. Sign the Warrant for the Annual Town Election Warrant scheduled for April 13, 2010.
 12. Water & Sewer Abatement, Order #1101
 13. Approve application for calendar year 2010 Common Victualler License from 1095, LLC d/b/a Comella's Restaurant, located at 1095 Great Plain Avenue.
 14. Approve One Day Special Wines & Malt Beverages Only license request from Mike Riley, representing the Needham Knights of Columbus for a Knight's of Columbus Charity Fund Sports Night, to be held on March 24, 2010 from 7:00 p.m. to 11:00 p.m. at The Knights of Columbus on 1211 Highland Ave.

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

On behalf of the Board, Ms. Garlick congratulated Town Manager Kate Fitzpatrick on her 20 years of service to the town of Needham, and thanked her for her skills, wisdom, energy, and drive all of which have made a very big impact on the town. Mr. Matthews commented to Ms. Fitzpatrick that she has done a tremendous job over the years, especially in guiding the town through the conversion to the town manager form of government. He stated he appreciates her ability to bring people from different boards and committees together.

7:10 p.m.

Town Manager:

Town Manager, Kate Fitzpatrick appeared before the Board with 4 items to discuss:

Minuteman Update

Ms. Fitzpatrick updated the Board on discussions concerning the proposal for a feasibility study at the Minuteman School. She suggests inviting Jeff Stulin and Minuteman Superintendent Dr. Edward Bouquillon to a Board of Selectmen meeting in April to discuss the issues. Ms. Fitzpatrick presented a PowerPoint presentation entitled "Minuteman School Request for Feasibility Study 2010". She discussed overall school enrollment, stating it has been very steady from the 16 member towns, and also commented on Needham enrollment trends. Ms. Fitzpatrick spoke about on-going operating issues including strategic planning, budget reduction efforts, per pupil expenditure issues, and the loss of state aid. She stated the current feasibility study estimate is \$725,000, of which Needham's share is 4.114% or \$18,616 to be spread out over 5 years, and that approval from all 16 member towns is required to move forward. She commented on

sustainability goals for the Minuteman School that include adding more member students, adding more district members, and continuing to reduce costs. Ms. Fitzpatrick also outlined feasibility study considerations, and stated there are many unanswered questions. She noted that failure to move forward at this time may require the Minuteman School to re-apply for MSBA funding.

Mr. Matthews stated Needham joined the regional school in 1977 as it was believed the Minuteman provided a high quality vocational education. Mr. Handel asked if that was still the case, and is Needham locked into the relationship. Mr. Matthews said he believes the Minuteman School continues to provide a good vocational education, if enrollments are in line, and that leaving the Minuteman membership can only be changed by unanimous consent of the remaining members.

Mr. Wasserman commented he is the Board liaison on the project. He said he feels the first step of a feasibility study should be to look at enrollment. Mr. Wasserman also told the Board of an anonymous letter he received expressing concern of a conflict of interest and the expenditure process at the school. Mr. Wasserman commented on ethical issues that were raised, but feels analysis will show procedures were followed.

Mr. Matthews commented this will be a significant decision for the town, but the core issue is to have a modern facility for the right enrollment size. He also said it is a persuasive argument to do a feasibility study when the MSBA is contributing 40% of the cost.

RTS Policy Review

Ms. Fitzpatrick discussed with the Board a recommendation to ask the Solid Waste and Recycling Advisory Committee to review a number of policy issues at the Recycling/Transfer Station, including access to the facility, non-disposal activities conducted at the facility by members of the public, resources required to implement any changes, and other related topics. Ms. Fitzpatrick suggests that the Committee conduct its review, talk to members of the public, and report back to the Board in August 2010 prior to the RTS rate setting process.

Motion by Mr. Bulian that the Board request that the Solid Waste and Recycling Advisory Committee conduct a review of policy issues at the Recycling/Transfer Station and report back to the Board of Selectmen by August, 2010.

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

Mr. Wasserman stated one thing not being looked at is removal of the bottle shed. Mr. Bulian questions how much revenue is returned to the RTS and how much man-power is allocated to servicing the bottle shed. Mr. Matthews commented that the Board has received some public comment from people keenly interested in scavenging, but that the most important issue is public safety.

Review of 2010 Warrant Articles

Ms. Fitzpatrick discussed with the Board the articles in the draft warrant dated March 5, 2010. Ms. Fitzpatrick proposes to remove articles relating to wireless antenna until the November town meeting as many questions were raised by neighbors. She stated one idea is to change Town by-laws to allow antenna on water towers for cell use, and she has asked Assistant Town Manager Chris Coleman to review the issue and make a presentation to the Board during the summer. Town Counsel David Tobin explained the basis for the proposed change to the Historic Commission by-law. Ms. Fitzpatrick recommended that the Board of Selectmen recommend the demand fee article at \$10.00 rather than \$30.00.

Motion by Mr. Wasserman that the Board vote to recommend an increase to the charge for each written demand issued by the collector a fee of \$10.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective July 1, 2010.

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

Facility Update

Ms. Fitzpatrick state the renovation of Town Hall is moving forward. She noted that temporary fencing and signage has been put in place, and two temporary crosswalks have been installed. She stated construction trailers will arrive this week. Ms. Fitzpatrick commented that site work at the Newman School will begin this summer, with plans to close the school in June 2011 to begin renovations. Ms. Fitzpatrick stated work at the Pollard Middle School is necessary, including a new roof, auditorium and science classroom renovations. She stated an appropriation for \$30,000 is necessary for evaluation and detailed drawings of the parking lot and modular classrooms at Pollard to accommodate the pre-kindergarten and kindergarten class that will be housed at Pollard during the Newman school renovation.

8:15 p.m. Board Discussion:

Committee Reports

Ms. Garlick updated the Board stating the Senior Center feasibility study is moving forward on an aggressive timeline. She said site evaluations on the three potential locals will be done in March. Bargmann Hendrie and Archetype, Inc. will present their findings, including traffic analysis, at a public meeting in April. A report by the SCEC will be issued in June, and the Board of Selectmen will be asked for its vote in September.

8:20 p.m. Executive Session

Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.

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; and

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. Handel. Unanimously approved 5-0 by role call vote.

The meeting adjourned at 8:55 pm.