Town of Needham
Board of Selectmen
Minutes for March 23, 2010
Public Services Administration Building

6:45 p.m. Informal Meeting with Citizens:
Mr. Tom Connors spoke with the Board concerning the proposed development of the rail trail from Needham Junction to Medfield and would like more dialogue to perhaps extend the project into Newton. He suggested that the Board of Selectmen appoint a sub-committee to look at the issue in depth. Mr. Wasserman pointed out there is the possibility of extending the Green line train in the future, and that perhaps both projects could be considered jointly. Mr. Matthews stated the Board will take the matter under advisement.

Greg Abazorius informed the Board of a new website, www.needham.patch.com which will report on-line about news items and events in Needham. Mr. Abazorius stated that he is the site editor for Needham. Mr. Handel suggested Mr. Abazorius establish links with other groups in town.

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

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

CONSENT AGENDA
1. **Accept donation of $1000.00 made to the Needham Health Department's Gift of Warmth Fund from the First Baptist Church of Needham.**
2. **In accordance with Section 20B(5) of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, approve an amendment to the classification and compensation plan for fiscal year 2010.**
3. **Approve minutes from December 7, 2009, February 2, 2010, February 9, 2010, February 23, 2010 and March 12, 2010.**
4. **Accept the following donation of $250.00 to the Needham Community Revitalization Trust Fund from The Needham Exchange Club.**
5. **Approve and sign the 2010 Arbor Day Proclamation, which proclaims the last Friday in April as Arbor Day in the Town of Needham and encourages residents to support all efforts to protect our trees and woodlands for future generations to come.**

6. **Approve a request from the Needham Track Club to hold "The Great Bear Run" road race on Sunday, May 16, 2010 from 10:00AM to 2:45 PM on the grounds of the Pollard Middle School.**
7. **Water and Sewer Abatement, Order # 1102**

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

Arbor Day Proclamation
Mr. Matthews read a proclamation proclaiming the last Friday in April as Arbor Day in the Town of Needham.

7:10 p.m. Minuteman School Feasibility Study
Joint Meeting with School Committee and Finance Committee
Members present from School Committee: Joe Barnes
Members present from Finance Committee: Richard Creem, Mike Taggart, Lisa Zappala, Rick Lunetta, and John Connelly

Dr. Ed Bouquillon, Superintendent of Minuteman Career/Technical High School appeared before the Board and members of the School and Finance Committees to discuss a proposal for funding the feasibility study for the renovation of the Minuteman School. Dr. Bouquillon presented a video about the Minuteman School entitled "Invitation to Feasibility by MSBA". After the video Dr. Bouquillon commented on strategic planning, courses that challenge students, and the condition of the building. Dr. Bouquillon stated that during a recent ESCO project, $5 million in core work to basic systems was completed. Dr. Bouquillon said there was no assessment to the member towns and that the work came in on budget and on time. Dr. Bouquillon highlighted the different phases of the project based upon the "MSBA New Project Process Flow" and stated the MSBA was asked to become more involved in the project and were impressed with the strategic planning model used by Minuteman. Dr. Bouquillon said a statement of intent was submitted to the MSBA in November 2008. In July 2009, State Treasurer Tim Cahill, Chair of the MSBA announced a $100,000,000 investment initiative to fund capital improvements at career and technical schools, Minuteman being one of 27 schools. Dr. Bouquillon highlighted points contained in the "Attributes of the Feasibility Study" and stated enrollment projections are critical to the future of Minuteman. He said that the study will consider whether to build for just the member towns or more districts, adding new member towns, determining the right size for a new Minuteman school, cost apportionment, and sharing capital costs with non-member towns.

John Connelly, Finance Committee member, asked how the school arrived at $725,000 for the feasibility study. Dr. Bouquillon stated the number was based upon square footage and the historical experience of the MSBA. Originally, the feasibility amount was $1.1 million, however due to work done by Kaestle Boos the amount was lowered and approved by the MSBA at $725,000.

Mr. Wasserman reiterated he feels the most important part of the project is the enrollment projections, and asked whether the projections are optimistic for the school. He commented that feasibility must show how enrollment is to be achieved. Mr. Wasserman also asked what the plan is if member towns vote against the feasibility study. Dr. Bouquillon agreed with Mr. Wasserman concerning enrollment and stated if the plan does not go through, then other smaller scale options as well as other resources would be considered.

Mr. Matthews commented that Needham has had a committee in place for several years that meets twice a year, to work with Minuteman, Needham Schools, the Finance Committee, and the Board of Selectmen.

Lisa Zappala, Chair of Finance Committee, suggested that many towns are dealing with tight budgets and the cost per student is high at Minuteman. She asked what the capacity is of the school and stated it is difficult to make a significant investment without knowing the right size enrollment. She stated member towns need to feel there is a plan for additional enrollment. Dr. Bouquillon stated the classroom size and open classroom concept originally allowed for over 1,000 students from member towns, but by today's standards the capacity is between 850-900 students. He noted the project is not for a new school, but rather to renovate the current building to bring it up to standard. He also commented about 3 non-member towns that provide 50% of the out of district students. Dr. Bouquillon commented there is a 'tipping point' and that in 2011 it is now less expensive to be from a member town as tuition for non-members has increased, and assessments to member towns for FY10-11 are being reduced. Ms. Zappala asked about the average class size. Dr. Bouquillon said the average class size is 14.8 students, 40% of the students are on IEP's and that 100% of the students passed the MCAS last year on the first try.

Mr. Handel asked whether Minuteman must offer education to non-member towns. Dr. Bouquillon said yes, in general, it must offer education to non-member towns.

Mr. Wasserman suggested the requirement for unanimous consent from member towns to leave the program must be reviewed and commented on the controversy surrounding the capital expenditures procedures at Minuteman. Dr. Bouquillon stated several changes have been made including hiring a new director of business and operations, as well as hiring a new auditing firm, and upgrading accounting systems.

Dr. Barnes, School Committee Chair, stated that Needham students who attend Minuteman come away with great skills. He said he shares the concern with continued declining enrollment. He suggested some of the changes proposed for the building are going to attract students. Dr. Bouquillon agreed and added there has also been a strategy to engage and personalize potential middle school visitors.

Mr. Matthews stated he shares many of the observations and concerns that have been voiced, and believes the “right size” is the core issue to be identified. He commented that Minuteman must show value and that Dr. Bouquillon is on the right track. He also said that doing nothing is not an option. Mr. Matthews stated a feasibility study must look at all the key issues either way and plan for all scenarios. He stated he hopes the other member towns see fit to do this and that Dr. Bouquillon succeeds in the process.

John Connelly asked who will do the study and stated the focus should be on ‘right sizing’ and that a design firm is not necessarily the best candidate for doing the study. Dr. Bouquillon said the MSBA overseas the study in conjunction with an owners project manager.

Richard Creem, Finance Committee member, commented there seems to be some competing interest and that maybe the issue of enrollment and feasibility could be divided. Dr. Bouquillon said the process protects against competing interests and that there is a separate vote and approval process on the project - negotiations are done with the 16 member towns.

Ms. Garlick commented on obtaining feasibility money and the scope of work for an RFP. Dr. Bouquillon said all the work would be with one company or subcontractors in order to save money.

Mr. Matthews thanked Dr. Bouquillon for his time in travelling to Needham to meet with the Board of Selectmen and members of the School and Finance Committees.

8:10 p.m. Town Manager

Town Manager, Kate Fitzpatrick appeared before the Board with 5 items for discussion:

1. Property Tax Assistance Update

Mr. Dave Davison, ATM/Finance and Ms. Evelyn Poness, Treasurer/Collector updated the Board on the status of donations to and allocations from the Elderly and Disabled Taxation Fund for FY2010. Mr. Davison stated 37 awards totaling $14,050 with an average award of $380 were made in FY2010 down from 36 awards averaging $438 in FY2009. Mr. Davison commented the lower average award for FY2010 is due to a drop in donations and the current tough economy. Ms. Poness stated that awards are based on age, gross income and other factors. Mr. Matthews noted envelops are included in tax bills, should residents wish to make a contribution. Ms. Garlick asked how many contributions were made to the fund, how many applications were received, and how many grants were made. Ms. Poness stated 292, 42, and 37 respectively.

Mr. Wasserman noted soliciting for the fund is not allowed, however he stated there may be other ways to attract donations to the fund and suggested volunteers for further outreach. Mr. Davison stated there are limitations and ethics laws to consider, and volunteers are subject to the conflict of interest laws. He restated that information is included in the tax bill and residents are aware of the fund. Mr. Wasserman suggested it never hurts to look at improving the process.

2. Transfer Property Jurisdiction

Ms. Fitzpatrick stated she has proposed to the Park and Recreation Commission the possibility of transferring the jurisdiction of Perry Glen, a parcel of 6.51 acres in the vicinity of Sportsman's Pond, to the Conservation Commission for open space purposes. She stated this proposal is consistent with the Board's agreement with the Commonwealth's Executive Office of Energy and Environmental Affairs as part of the transfer of a portion of the Ridge Hill Reservation to the Town for general municipal purposes. Ms. Fitzpatrick has asked for Board approval so the matter can be taken up at the Special Town Meeting in May.

Motion by Mr. Bulian that the Board seek to transfer the parcel known as Perry Glen from the jurisdiction of the Park and Recreation Commission to the Conservation Commission for open space purposes, consistent with the Agreement with the Secretary of the Executive Office of Energy and Environmental Affairs dated November 28, 2007.

Second: Mr. Handel.
Motion carried 4-0 with Ms. Garlick abstaining from the vote.

3. Open Special Town Meeting Warrant

Ms. Fitzpatrick reviewed with the Board a preliminary list of warrant articles proposed for inclusion in the May 10, 2010 Special Town Meeting. She stated the Board is scheduled to close the warrant at its April 6, 2010 meeting.

Motion by Mr. Bulian that the Board call for a Special Town Meeting and open the warrant for the meeting to be held on May 10, 2010 at the Newman School.

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

4. Personal Property Tax Exemption

Mr. Dave Davison, ATM/Finance and Mr. Chip Davis, Administrative Assessor reviewed with the Board the proposed warrant article for the May 10, 2010 Special Town Meeting to adopt a local option to provide exemption from personal property tax for accounts with the total value less that $5,000. Mr. Davison stated two benefits of adoption would be from a public relations aspect and a reduction in administrative and bill collection costs. Mr. Bulian stated this is good for the community but questions what is the tax revenue from the 429 businesses this will affect and if there are other taxes in town for which this could be applied. Mr. Davis stated the tax revenue totals $19,000 from the 429 businesses with administrative costs totaling $17,000 and that this is the only tax the town is legally allowed to exempt. Mr. Bulian stated this exemption will save time and offer good will.

Motion by Mr. Bulian that the Board support and recommend adoption of M.G.L. Chapter 59 5(54) to establish an exemption from taxation Personal Property Accounts with an assessed value of less that $5,000.

Second: Mr. Wasserman. Unanimously approved 5-0, with Mr. Handel d isclosing his wife has a business in town.

5. Liquor License Regulations Update

Ms. Fitzpatrick and Tom Leary, Chief of Police appeared before the Board with an update on the progress of the on-going project to update the Town's liquor license regulations. Ms. Fitzpatrick stated the proposed draft is a comprehensive restructuring of the existing regulations, which were developed piecemeal over many years, resulting in some duplication and confusions. Ms. Fitzpatrick stated the purpose of updating is to move to a more streamlined approach and communicate what Needham expects from its licensees. Chief Leary agreed with the comments from the Town Manager and stated this update with clarify expectations to licensees. Ms. Fitzpatrick suggests that the Board vote on final regulations at a subsequent meeting and Mr. Matthews concurred.

8:50 p.m. DPW Update

Mr. Rick Merson, DPW Director updated the Board with a status of recently completed work, on-going activities, and upcoming work for the 2010 construction season, and projects currently in development.

Mr. Merson also spoke about the unique weather event which occurred between Friday, March 12 and Tuesday, March 16, 2010 dropping 9 inches of rain in Needham. He stated this was a remarkable weather event which saturated soil and caused ponding and flooding. He commented the public pipes performed well, but the cumulative effect of so much rain caused basement flooding, and in some cases sewer flooding. The fire department was very busy with many calls from residents for assistance. Mr. Merson stated the West Street, Great Plain Avenue, and Reservoir B pumping stations are still pumping. Mr. Merson commented on the flooding that occurred on Chestnut Street at Needham Junction. He also stated the town is compiling records for disaster declaration. Ms. Fitzpatrick commented that MEMA is requesting information from homeowners who had losses and she stated the towns' website has additional information and forms that can be printed or forwarded on-line. Mr. Davison stated filling out the forms is a way for the federal government to get an idea of the losses, but failure to file does not preclude homeowners from receiving disaster relief. Ms. Garlick commended the town for its service during this difficult situation. Mr. Merson stated the RTS has experienced more volume with homeowners trying to clean up, and informed the Board about plans to extend the RTS hours over the next two Saturdays.

9:10 p.m. Board Discussion
Committee Reports – No reports given.

9:15 p.m. Adjourn
Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of March 23, 2010.
Second: Mr. Handel. Unanimously approved 5-0.