Town of Needham
Board of Selectmen
Minutes for November 29, 2011
Needham Town Hall

6:45 p.m. Informal Meeting with Citizens
Lev Rozman expressed concern about the environmental health of his home at 300 Second Avenue and asked for help from the Board of Selectmen. The Town agreed to contact Public Health.

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

7:00 p.m. Introduction of Police Lieutenant
Phil Droney, Police Chief appeared before the Board to introduce newly promoted Police Lieutenant Matt Forbes. The Board congratulated Lieutenant Forbes on his new position.

7:00 p.m. Introduction of Police Sergeant
Phil Droney, Police Chief appeared before the Board to introduce newly promoted Police Sergeant Tim Dooher. The Board congratulated Sergeant Dooher on his new position.

7:00 p.m. Introduction of Police Officers
Phil Droney, Police Chief appeared before the Board to introduce five Police Officers who have recently graduated from the Police Academy: Robert Peck, Vincent Turco, Anthony Frongillo, Roger Noll, and Michael Lamb. Chief Droney mentioned all five live in Needham and are graduates of Needham High School.

Mr. Matthews recognized the individual achievement of each officer and said the new officers are the "face of the Town".

Mr. Healy congratulated Lieutenant Forbes and Sergeant Dooher on their appointments. He congratulated the five new Police Officers, and noted the military and community service of each Officer. He asked the new Officers to instill confidence in the youth and young adults of Needham, as the Police Force is a fantastic example and mentor for the youth of the Town.

The Board welcomed the Officers to the Police Department and wished them well in their new positions.

7:15 p.m. Continuation of Public Hearing: Verizon and NSTAR Petitions for Webster Street

Ellen Joy, Verizon Communications and Maureen Carroll, NSTAR appeared before the Board to discuss separate petitions to request permission to install approximately 125 feet of conduit at pole 2/32 on Webster Street. The petitions are necessary to provide service to six new units on Putnam Street. These requests are in place of the original joint petition to move the pole.

Ms. Joy said after further study of the original proposal it was agreed upon that the project could be completed by running the conduit from the pole entirely underground within the roadway.

Mr. Handel asked for public comment. No comments were made.

Motion by Mr. Wasserman that the Board of Selectmen approve and sign petition from Verizon to install approximately 125 feet of conduit at pole 2/32 on Webster Street in Needham.

Motion by Mr. Wasserman that the Board of Selectmen approve and sign petition from NSTAR to install approximately 125 feet of conduit at pole 2/32 on Webster Street in Needham.

The petition is necessary to provide service to six new units on Putnam Street.

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

7:15 p.m. Consent Agenda and Appointments

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

APPOINTMENTS

1. Contributory Retirement Board Kate Fitzpatrick (term expires: 11/6/2014)

CONSENT AGENDA

1. Approve request from Rabbi Mendel Krinsky from the Chabad Jewish Center to hold a Menorah lighting ceremony on the Town Common on Wednesday, December 21, 2011 at 6:00 p.m.
2. Ratify a One Day Special Wines & Malt Beverages License from Sandra Rizkallah of Plugged In Teen Band Program to hold a "Blues, Brews, and BBQ" event on Friday, November 18, 2011 from 7:00pm to 11:00pm at The Village Club, 83 Morton Street, Needham.

3. Accept the following donations received to the Needham Cultural Council to help support New Year's Needham 2012: Roche Bros.- $3,000.00; Needham Women's Club- $1,000.00; Briarwood Healthcare- $1,000.00; Needham Exchange Club- $1,000.00; Condon Realty- $500.00; Dedham Savings- $500.00; Needham Bank-

$250.00; Middlesex Bank- $250.00

4. Approve request from the Needham Business Association to have "meter-free" parking in Needham Center and Needham Heights from November 26, 2011 through New Year's Day.
5. Accept the following donations received to the Needham Health Department's Gift of Warmth Fund: Needham Women's Club-$1000; Mr. & Mrs. H.T. Sagafi-$200; First Baptist Church in Needham- $1000 ; and Rabbi Carl M. Perkins-$100
6. Accept the following donations received to the Needham Cultural Council for New Year's Needham- Beth Israel Deaconess-Needham $1,000; and Petrini Corp.- $250.
7. Ratify proclamation honoring Thomas J. Leary, Chief of Police
8. Approve the relocation of the polling place for precincts C and D from the Newman School to the High Rock School during the period that the Newman School is under construction.
9. Approve Minutes from October 25, 2011 meeting.
10. Approve Water & Sewer Abatement #1133.

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

7:20 p.m. Public Hearing – Transfer of All Alcoholic Beverages License Petit Needham, LLC d/b/a Petit Robert Bistro Needham located at 45 Chapel Street.

Raji D. Spencer appeared before the Board requesting a transfer of license to sell All Alcoholic beverages as a restaurant located at 45 Chapel Street from Petit Robert Needham.

Motion by Mr. Bulian that the Board of Selectmen vote to approve the applications for a transfer of an All Alcohol License under the Town of Needham Regulations For The Sale of Alcoholic Beverages in Restaurants and Function Rooms with a Seating capacity of Not Less than 100 Persons for Petit Needham, LLC d/b/a Petit Robert Bistro Needham, Raji D. Spencer, including waivers of the Town of Needham Regulations for the Sale of Alcoholic Beverages, Section 3.1 and 7.3 and to forward the approved Alcohol License Transfer application to the ABCC for an approval.
Second: Mr. Wasserman. Unanimously approved 5-0.

7:20 p.m. Public Hearing – Transfer of Wine and Malt Beverages License PII Restaurant d/b/a Pacini's located at 1185 Highland Avenue.

Anthony Petrakis, proposed Manger appeared before the Board requesting a transfer of license to sell wine and malt liquor from PII Restaurant, Inc., Maher Hathout, Manager to Needham Pacini's Corp with Mr. Petrakis, proposed manager.

Motion by Mr. Bulian that the Board of Selectmen approve the application for a transfer of Wine and Malt Alcoholic Beverage license under the Town of Needham Rules and Regulations Applicable To The Sale of Wine and Malt Beverages in a Restaurant with a Seating Capacity of Less than 100 Persons

for PII Restaurant, Inc. d/b/a Pacini's, Anthony Petrakis, Manager, and forward the approved application to the ABCC for an approval of the liquor license.
Second: Mr. Wasserman. Unanimously approved 5-0.

7:20 p.m. Change of Manager, Bickford's Family Restaurants:
Goffredo D'Addieco, Proposed Manager appeared before the Board to discuss a request by Bickford's for a change in manager. A review indicates Mr. D'Addieco meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol.

Motion by Mr. Bulian that the Board of Selectmen approve and sign an application for a Change in Manager to Goffredo D'Addieco for Bickford's Family Restaurants, 669-73 Highland Avenue, Needham and to forward this application to the ABCC for approval.
Second: Mr. Wasserman. Unanimously approved 5-0.

Mr. Matthews reminded Mr. Spencer, proposed manager of Petit Robert, Mr. Petrakis, proposed manager of Pacini's, and Mr. D'Addieco proposed new manager of Bickford's of Needham's historically dry status and of their personal responsibility to uphold rules and regulations of the Town's liquor laws.

7:25 p.m. Commission on Disabilities
Elaine Saunders, Co-Chair, Jeanie Martin, Co-Chair, and Karen Pierce, Assistant Director of Park and Recreation/COD Liaison appeared before the Board with an update on the work of the Commission, and to discuss the Commission's methodology in determining grant recommendations.

Ms. Saunders said the Commission works closely with other entities to provide accessibility to municipal buildings and businesses. Ms. Saunders referenced a listing of grants awarded to community organizations that increase awareness and educate people about disabilities. She stated grants are not given to individuals, only to organizations.

Mr. Healy said some comments have been received concerning the handicapped parking outside Town Hall on Garrity Way. Some seniors, he said, have found it difficult to maneuver into the designated handicapped parking spaces. Mr. Healy asked whether the Commission on Disabilities could work with the Town on the issue and whether handicapped parking could be moved across the Way for easier access.

Mr. Bulian noted his agreement with Mr. Healy but cautioned the Way is sometimes used by drivers as a cut through which could be dangerous.

Ms. Fitzpatrick said it makes logical sense to move the spaces.

Mr. Bulian questioned whether the fine for parking in a handicapped parking space could be increased. He said he is amazed at the number of drivers who take advantage of handicapped parking spaces for convenience. He said handicapped parking spaces must be maintained for the people who need them. Ms. Saunders said the current fine is $100 and that Needham has historically had a lower fine than other Towns in the area. Mr. Davison said the Town is intending to complete a review of the entire parking fine structure and expects to have recommendations for the Board in the spring.

Mr. Matthews said he would be interested to know the number of violations annually, whether there is abuse of the placard, and reiterated that people need to respect the rule. Mr. Davison noted the Town does not have a large number of violations as many times people do have a placard but just forgot to display it.

Mr. Matthews noted that grant recommendations will be presented to the Board and listed on the Consent Agenda for the Board's consideration. Mr. Healy clarified that State law requires the Board of Selectmen approve all grants.

8:00 p.m. Town Manager

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

1. Memorandum of Understanding Needham Bank/Eaton Square

   Mr. Healy recused himself from discussion as he is a member of the Advisory Council for the Needham Bank.

   Ms. Fitzpatrick told the Board the Town and Needham Bank have developed a Memorandum of Understanding guiding the implementation of Eaton Square Parking Lot project. She said Special Town Meeting on November 7, 2011 approved the abandonment and discontinuation of Eaton Square and asked for the Board's support.

   Motion by Mr. Wasserman that the Board approve and authorize the Town Manager to sign the Memorandum of Understanding between the Town and Needham Bank, dated November 7, 2011.
   Second: Mr. Bulian. Approved 4-0.

2. Determination of Unique Status/Lincoln Street Property

   Ms. Fitzpatrick stated the 2013-2017 Capital Improvement Plan includes a proposal to purchase the property at 37-39 Lincoln Street for the purposes of expanding the Chestnut Street/Lincoln Street parking lot. She said in October 2011 the Finance Committee approved a Reserve Fund Transfer in the amount of $25,000 to allow the Town to secure rights to purchase the property until an appropriation can be sought at the 2012 Annual Town Meeting. She said in order for the project to move forward, the Board must determine the property is unique in its location and under the State's procurement law the Board can determine that advertising will not benefit the Town's interest because of the unique qualities of the parcel.

Motion by Mr. Healy that the Board vote to determine that, in the case of the proposed acquisition of 37-39 Lincoln Street, advertising will not benefit the Town's interest because of the unique qualities of the location of the property needed. This determination is made on the basis that the property abuts the Chestnut Street/Lincoln Street parking lot and the property will be used for parking lot expansion.
Second: Mr. Wasserman. Unanimously approved 5-0.

Mr. Bulian said that while he will support the motion, he is not as clear cut in supporting the acquisition of the property at this time. He acknowledged that while there is a need for more parking spaces, he asked that the Town embark upon a downtown parking proposal that does not require demolishing properties to address parking needs in the downtown area. Mr. Bulian said that while there is an interest by the Board to act on this parcel, he is not convinced it is the right thing to do at this time.

Mr. Matthews agrees with Mr. Bulian, that it may be time to revisit the issue of structured parking in the downtown area. He stated he is in favor of purchasing the property.

Mr. Wasserman is in favor of purchasing the property and agrees it is important to have a plan for downtown parking.

Mr. Healy said the motion is simple and it should be moved forward.

3. Fiscal Year 2013 Budget Consultation
Ms. Fitzpatrick discussed with the Board the preliminary departmental spending requests for the FY2013 Operating Budget. She said generally speaking, the departments are not in expansion mode, rather in maintaining core services and current assets. She reviewed her memorandum to the Board dated November 25, 2011 outlining Department Spending Request Status Report (General Fund). She noted the Town Clerk's office will hold 3 elections in FY2013, including a presidential election. Ms. Fitzpatrick commented the Finance Department increases are primarily due to salary increases and the number and costs associated with software licenses. She also said the budget request for the Minuteman School Assessment is 34.9% higher than FY2012. She said this is based on projected increases in the School budget, the number of Needham students attending Minuteman, and a one-time special capital assessment for the Trades Hall remediation. She stated the Town's enrollment has continued to increase with 31 full time students, up from 24 last year, and 15 the year prior. Ms. Fitzpatrick commented a change in the FY2013 DPW operating budget is that resources needed to maintain existing park assets have been incorporated into the base budget rather that separated as a "new program or service". She said the

budget includes increases for topdressing, seed, consulting services for field renovation planning, and fencing. She commented on ways to reduce energy consumption and costs. She commented on library services, and that the Park and Recreation Department continue to evaluate and respond to concerns and requests raised by residents relative to athletic facilities, trails, playgrounds, and dog parks.

Mr. Healy commented on revenue generated from field use and noted the possibility of increasing the field use fee. He said it is good to look at the fee, particularly regarding athletic groups who may be accumulating substantial resources beyond their regular operating budgets. Mr. Healy feels there should be opportunities for some groups to give back to the Town which is giving them the asset for them to do business. The Board agreed more discussion should occur.

8:50 p.m. Preliminary FY2013-2017 Capital Improvement Plan

Ms. Fitzpatrick, Town Manager and Dave Davison discussed with the Board the preliminary FY2013 cash capital and debt-financing project submissions. She said the FY2014-2017 projects will be discussed at the Board's meeting on December 6, 2011, with final approval of the Capital Improvement Plan at the Board's meeting on December 20, 2011. Ms. Fitzpatrick reviewed the "Fiscal Year 2013 Town Manager's Capital Funding Preliminary Recommendations" detailing recommended capital expenditures dated November 25, 2011.

9:10 p.m. Board Discussion:

Committee Reports

No Committee Reports were made.

9:10 p.m. Adjourn:

Motion by Mr. Healy that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of November 29, 2011.
Second: Mr. Bulian. Unanimously approved: 5-0.