

**Town Of Needham Board of Selectman
Minutes for June 10, 2008
Needham Town Hall**

6:45 p.m. Informal Session:

Avraam Budman, 14 Donna Road, spoke with the Selectmen concerning charges incurred from the Water Department fixing a water valve at his home. Mr. Budman has spoken with the Water Department and is not satisfied with the explanation given to him, particularly why he needed to pay for two staff when only one staff member performed the work. Mr. Healy told Mr. Budman that the Town Manager's office would look into what the DPW protocol is for dispatching workers, how the charge to Mr. Budman was derived and why the work was done the way it was done and then get back to him.

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 Sandy Cincotta.

7:00 p.m. Donation of American Flag for Needham Town Common
Mr. Deke Eaton and Mr. William Holland of Norfolk A.F. & A.M. presented the Selectmen with an American Flag to replace the flag on the Town Common. The flag is being donated in memory of Wilfred Graves Corey, a longtime member of the Lodge. The Board accepted this gift with gratitude.

7:05 p.m. Public Hearing - Analysis of Impediments to Fair Housing Choice

Motion by Mr. Bulian that the Board of Selectmen vote to continue hearing until Tuesday, June 24, 2008.

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

7:05 p.m. Consent Agenda:

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

CONSENT AGENDA

*= Backup Attached

1.* Approve minutes from May 13, 2008.
2.* Upon the recommendation of the Town Engineer and the Town Manager, approve a request by St. Sebastian's School to install a campus identification/emblem sign in the Town's layout of Greendale Avenue.

3. Accept donation of \$180 received from Peter & Robin Mosgrove to the Parks & Forestry Department for tree planting. This donation is a result of the Public Shade Tree Hearing held at the April 29, 2008 Board of Selectmen meeting.

4. Accept service donation made by Mark Hedberg as part of his Eagle Scout Leadership Service program. Mark scraped and painted the light poles in the Town Common and also the railings on the handicap ramp at Town Hall. Materials were provided by the Parks & Forestry Department.

5. Accept the following donations made to the Needham Public Library for the period May 7, 2008 to June 3, 2008:

- Jane Maimon made a \$50.00 donation to the library in honor of Lois Sockol's upcoming "special birthday".
- Wellesley Booksmith sent the library \$35.00, 10% of the proceeds from the sale of books at the "Paradiso Files" program.
- The Needham Lions Club donated \$1,000.00 for the purchase of Large Print Books.
- Tom Mulhern purchased two large office chairs (plus 3-year warranty) for use at the computer tables for the library (\$166.96)
- Massachusetts Attorney General Martha Coakley sent the library a check for \$325.86. This check represents the final settlement payment in the antitrust case against certain music companies and retailers. The payment "must be used to further music-related programs or purposes and must provide an additional benefit—it cannot be used to replace other monies or existing funding for music-related programs or projects. For example, the funds can be used to expand your CD collections." The amount will be used to purchase additional circulating music CDs.
- The following people have made donations to the library in memory of Helen C. Pugh:

- Mr. & Mrs. Dennis Byrne (\$50.00)
 - Patricia P. Torcia (\$100.00)
 - William and Nancy Pugh (\$100.00)
 - James and Evelyn Ryan (\$100.00)
 - Edith Jacobs (\$25.00)
- John Milligan donated the following three books-on-CD in honor of Joseph Milligan, Mark Milligan, and Johnny Milligan:
 - False Impression by Jeffrey Archer (\$44.95)
 - The Afghan by Frederick Forsyth (\$19.95)
 - My Sister's Keeper by Jodi Picoult (\$29.99)
 - The Library Foundation of Needham donated a copy of the book, William the Curious: Knight of the Water Lilies by Charles Santore. (\$18.00)
 - Sandra Jaszek gave the library a decorative fireplace fan for the Wyeth Room.
- 6.* Water & Sewer Abatement, Order #1071
7. Grant permission for the following residents to hold block parties:
- Megan McQuivey, 35 Wayne Road, Location: Wayne Road between #83 - #97, Date: 6/21 Time:4-7pm
- Sheila Kettlewell, 11 Woodlawn Ave, Location: Woodlawn & Powers, Date: 10/5, Raindate:10/19 Time: 3-6 p.m.
- Lisa Channen, 24 Hollow Ridge Road, Location: Hollow Ridge Road, Date: 6/21, Raindate:6/27, Time: 4-8 p.m.
- Second: Mr. Wasserman. Unanimously approved 5-0. Mrs. Garlick (for consent item #4) added that she would like to recognize all of the Eagle Scouts who came before Mr. Hedberg and all of the efforts that go in to becoming an Eagle Scout.

7:10 p.m. Public Hearing – Water & Sewer Rates

David Davison, Assistant Town Manager/Finance and John Tallarico, member of the Water & Sewer Rate Structure Committee reported to the Board that the Water & Sewer Rate Structure Committee is recommending that the Board make no change to the water and sewer rates for fiscal year 2009.

Mr. Davison reported that after making a commitment to stabilize water and sewer rates after the structure change in 2005, the Town has gone 27 months with no increase. Mr. Healy stated that the rate stability indicates how well the Town is managed. Mr. Wasserman noted that four years ago, Mr. Davison brought forth a rate restructure which worked perfectly, adding that this is typical of the caliber of work performed by Mr. Davison.

Motion by Mr. Wasserman that the Board of Selectmen vote to approve the rates as shown on attachment Appendix A, and the block structure shown on attachment Appendix B be retained.
Second: Mr. Bulian. Unanimously approved 5-0.

7:15 p.m. Approve Sale of Bonds and Notes

David Davison, Assistant Town Manager/Finance
Mr. Davison informed the Board that the Treasurer is out of Town and unable to attend tonight's meeting. Mr. Davison reported to the Board that prior to the sale, he had a meeting with Standard & Poor's, who has been reviewing the Town's credit since 2000. Needham has retained its AAA rating, and Standard & Poor's believes the outlook of Needham is stable. Mr. Wasserman inquired if most communities with AAA ratings are wealthier. Mr. Davison replied that wealth in itself doesn't automatically contribute to the rating, but rather how the community manages its affairs and budgets. He said that in addition to the prestige that the community enjoys from a AAA rating, there are also tangible rewards such as favorable interest rates, bond insurance not being required, and the fact that notes and bonds that are sold are being kept in portfolios, not continually bought and sold.

Mr. Wasserman asked how the rates fit with projections. Mr. Davison stated that the rates fit very well; in fact they are under estimates included in the projections. Mr. Healy added that the good news is that the long-term debt charts will even be more favorable, as the projections were computed at a higher rate.

Motion by Mr. Bulian that the Board vote to approve Motion A as shown below:

Move that the sale of the \$12,600,000 General Obligation Municipal Purpose Loan of 2008 Bonds of the Town dated June 1, 2008 (the "Bonds"), to Citigroup Global Markets Inc. at the price of \$12,783,802.55 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on December 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2008	\$730,000	5.00%	2018	\$720,000	4.75%
2009	720,000	3.25	2019	720,000	3.75
2010	720,000	3.25	2020	720,000	4.00
2011	720,000	3.25	2021	720,000	4.00
2012	720,000	3.25	2022	720,000	4.00
2013	720,000	3.25	2023	710,000	4.00
2014	720,000	3.25	2024	710,000	4.00
2015	720,000	3.25	2025	185,000	4.00
2016	720,000	4.50	2026	185,000	4.00
2017	720,000	3.50			

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

Motion by Mr. Bulian that the Board vote to approve Motion B as shown below:

Move that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 22, 2008, and a final Official Statement dated June 3, 2008, (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

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

Motion by Mr. Bulian that the Board vote to approve Motion C as shown below:

Move that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

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

Motion by Mr. Bulian that the Board vote to approve Motion D as shown below:

Move that the consent to the financial advisor bidding for the \$12,600,000 bonds, as executed prior to the bidding for the bonds, is hereby confirmed.

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

Motion by Mr. Bulian that the Board vote to approve Motion E as shown below:

Move that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

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

Motion by Mr. Bulian that the Board vote to approve Motion F as shown below:

Move that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

Motion by Mr. Bulian that the Board vote to approve Motion G as shown below:

Move that the Board approve the sale of a negotiated \$85,000, 5.25 percent Bond Anticipation Note (State House Note) of the Town dated June 13, 2008 and payable June 20, 2008 to Bank of America Company at par and accrued interest.

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

7:40 p.m. Town Manager Report:

Ms. Fitzpatrick appeared before the Board with the following updates:

1. Chestnut Street Project

Ms. Fitzpatrick reported that after 10 years the Town has received notice from Mass Highway that it has authority to proceed with the Chestnut Street project. Ms. Fitzpatrick informed the Board that prep work will be performed in the fall, paving, curbing and loaming will be completed in the spring, and in late spring/early fall traffic signals will be installed.

a) Mr. Healy asked Ms. Fitzpatrick to continue to explore resident concerns that were discussed at the neighborhood meeting: planting of trees, the sidewalk extension after South Street, the crosswalk at Emerson Road, and traffic signage to prevent through traffic from cutting through local streets.

2. Facilities Update

Public Works Building: The PPBC held an initial meeting with the project architects, and will next be meeting with staff to review their needs.

Newman HVAC & Indoor Air Quality Update: Bids for the Feasibility Study are due back on Friday, June 13th, and the PPBC will interview consultants on June 24th.

Ms. Fitzpatrick stated that there are a lot of people giving their best effort to the Newman project and it is a true team effort. Mr. Healy said that while there is a tremendous amount of activity occurring at Newman, it is not the first time that this building has been maintained. Every school in the Town has maintenance work performed each year. The amount of work done on this building since the early 1990s has been substantial, both in dollars and in time - hundreds of thousands of dollars have been spent. The Town is taking this situation seriously. It is important that everyone realize that the appropriate people are getting together to create contingency/forward plans.

Mr. Wasserman noted that deferred maintenance is not the delay of annual maintenance; it is the deferral of significant renovation effort. He said that while there are always glitches in communication, the Town's response to the Newman School has been strong.

7:55 p.m. Board Discussion

1. Town Hall Summit

Mr. Healy discussed the agenda for the Summit and noted that it will be the first step in vetting the Town Hall Project. The Chair will moderate, but not in a formal manner. While there will be a strong desire to be able to answer questions, this meeting cannot turn into a debate, nor is it a public hearing.

Mr. Wasserman inquired if a series of questions to help get the discussion started can be created. Mr. Healy said that he will work with the Town Manager to develop a series of discussion items to get through any lull periods.

Motion by Mr. Bulian to approve the Town Hall Summit agenda as presented.

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

2. Senior Center Project

Mr. Matthews stated that all of the issues facing the Board coming out of Town Meeting will be

competing for resources. He said that it is important to make a timeline for the Senior Center so that it stays on the agenda. He noted that there are strong feelings to create a senior center but there is not general agreement on where to locate the senior center, what the design should look like, and the cost of the senior center.

Mr. Matthews stated that the Town has a lot of information that has been developed by the Council on Aging, so there is no need to reinvent the wheel. Mr. Wasserman said that he is not ready to totally disregard a timeline, but understands the need for flexibility. Mr. Bulian said that in as much as we can reasonably hold to a timeline, given current workloads, we should do so.

Mr. Wasserman suggested putting together a small joint committee with the Council on Aging. Mr. Healy stated that he needs to do more work to educate himself. Once he has a better sense of the data, he will meet with the Town Manager and Vice Chair and then present his ideas to the Board.

Mrs. Garlick stated that there are many projects on the plate and each one deserves best effort. She hopes that this discussion sends a message to the seniors that this is still an important issue for the Board.

Mr. Matthews stated that there are currently two timelines: one from the Town Manager and one from the Council on Aging. The Board needs to create a realistic timeline. He opposes a committee at this point and feels that the Town Manager should work directly with the Council on Aging. He agrees that funds should be returned to the Council on Aging. Mr. Matthews added that we may need to bring a consultant into this process.

Mr. Healy asked if the Board would support a proposal to seek funding to restore the funds that the Council on Aging transferred from its trust funds to fund the Ridge Hill design. All Board members supported this approach. Mr. Healy asked the Town manager to draft a request to the Finance Committee for such an appropriation.

3. Property Tax Proposals

Mr. Healy stated that the Board had received lengthy petitions from many residents in Town and also a resolution from Russell Broad. He asked for thoughts on how to proceed.

Mr. Wasserman volunteered to meet with Mr. Broad and continue the discussion and bring a report back to the Board. Mr. Healy suggested that Mr. Wasserman also meet with some of the signers of the petitions.

Mr. Matthews asked the Board to consider that when speaking about relief with property tax laws there are statutes of general applications and statutes that are home rule petitions. Generally speaking the State has not allowed exceptions in that they want taxes to be uniform across the State.

Mr. Matthews said the review should consider whether there are options already available. There are a number of proposals in the legislature now that might be worthy for the Board's support. He also noted that residential exemptions work well in vacation communities, but when applied to Needham, may increase taxes for some families.

Mr. Wasserman stated that anything the Board considers must be means tested.

8:25 p.m. Executive Session:

Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session under 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. Wasserman. Mr. Healy polled the Board members. Unanimously approved 5-0.

(The Board adjourned the meeting at 9:05 p.m.)