

**Town of Needham
Board of Selectmen
Minutes for September 22, 2009
Needham Town Hall**

6:45 p.m. Informal Session:

Larry Cohen, resident of precinct F, appeared before the Board to discuss the potential site for a new senior center. Mr. Cohen said that he was speaking on behalf of a group of residents who do not want Greene's Field chosen as the site. Mr. Cohen gave a brief history of the field, stating the land has been continuously used as open space dating back to 1865 since owned by the Pickering family, and then acquired by the town in the 1912. Mr. Cohen said that 1,300 residents have signed a petition, and an additional 500 Facebook members have joined a page committed to preserving Greene's Field as open space. Mr. Cohen reiterated the majority of people in town recognize the need for a senior center, but asked the Selectmen save Greene's Field from development for future generations.

Mr. Matthews said it is clear the town is committed to building a new senior center, and the main issue is the site. Mr. Matthews stated none of the potential sites should be removed from the list, and that the final choice will ultimately be a Town decision.

7:00 p.m. Call To Order:

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

7:05 p.m. Joint Meeting of Board of Selectmen and Commissioners of Trust Funds:

Appoint Trust Fund Commissioner

The Board of Selectmen met with the Commissioners of Trust Funds to appoint a candidate to the vacancy on the Commissioners of Trust Funds. Mr. Bulian said that Heydon Traub was recommended to serve through April 13, 2010.

Motion by Mr. Bulian that the Board of Selectmen and Trust Fund Commissioners vote to appoint Heydon Truab to fill the Trust Fund Commission vacancy through April 13, 2010.

Second: Mr. Handel. Unanimously approved 7-0.

7:10 p.m. Consent Agenda and Appointments:

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

APPOINTMENTS

1. Technology Advisory Board Michael Mathias (Term Exp: 6/30/2010)
2. Commission on Disabilities Bruce Howell (Term Exp: 6/30/2011)
3. Youth Center Committee Melissa Meehan (Term Exp: 6/30/2010); and Tracy McKay (Term Exp: 6/30/2010)
4. Golf Course Advisory Committee Erik Pedersen (Term Exp: 6/30/2010)
5. Council on Aging Scott Brightman (Term Exp: 6/30/2012)
6. Human Rights Committee Cynthia Ganung (Term Exp: 6/30/2010)
7. Cultural Council Claire Messing (Term Exp: 6/30/2012)

CONSENT AGENDA *=Backup attached

1. To amend the composition the seven member Youth Center Committee (created by the Board of Selectmen at their April 15, 1986 meeting) by transferring the appointment of one member from the defunct Parent's Against Abuse Substance Committee to the Board of Selectmen, so that the Board of Selectmen shall appoint two (2) of its members.
2. Approve request from the Needham Business Association to hold Annual Blue Tree Ceremony on Saturday, November 28, 2009 at 4:30 p.m. in Avery Square and Blue Tree festivities at the Town Common at 5:00 p.m.
3. Approve request from the Needham Business Association to have “meter-free” parking in Needham Center and Needham Heights on Saturdays between Thanksgiving and Christmas.
- 4.* Water & Sewer Abatement Order #1094
5. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Rain Date	Party Time
Cerredwyn Horrigan	193 Garden St.	215 Garden St.	9/26/09	9/27/09	4 – 8 pm
Marianne Nowicki	48 Oakland Ave.	Pickering St.	10/3/09	10/4/09	2 – 8 pm
Jeff Wade	29 Thorpe Rd.	Thorpe Rd.	10/10/09	N/A	2 – 9 pm
Leslie Cooper	843 Great PlainAve.	Warren St.	9/27/09	10/11/09	12 – 6 pm
Barbara Mason	45 Washington Ave.	Corner of Washington Ave & SargentSt.	10/4/09	10/18/09	3 – 8 pm
Emily Jones	89 Green St.	Green St.	9/26/09	9/27/09	2 – 10 pm
Marian Slavin	291 Nehoiden St	Washburn Ave.	9/26/09	9/27/09	2 – 10 pm
Christen Robins (ratification)	45 Broadmeadow Rd.	Broadmeadow Rd.	9/12/09	N/A	1:30 –4:30 pm
Bill Gallagher	48 Hawthorn Ave	Hawthorn Ave.	9/19/09	9/20/09	3 – 9 pm
Liz Berkman	113 Melrose Ave	Park between Melrose Ave &Ellicott St.	10/17/09	10/18/09	11am – 4pm
Barbara St. John	138 Fairfield St.	Fairfield St.	9/26/09	10/17/09	3 – 7 pm
Gretchen Filoon	180 Tower Ave.	Lindbergh Ave.	9/12/09	N/A	8 am – 4 pm
John Garnhum	25 Whiting Way	Whiting Way	10/3/09	10/4/09	1-6 pm
Timothy Dooher	19 Bennington St.	Bennington St.	9/26/09	10/3/09	3-7 pm
Cathy Aikman	19 Beaufort Ave.	Beaufort Ave.	10/11/09	10/12/09	3-7:30 pm
Susan Murdock	66 Rolling Lane	Rolling Lane	10/3/09	10/4/09	12-6 pm
Kosta Davos	146 Richdale Rd.	Richdale Rd.	10/17/09	N/A	2-6 pm

7:15 p.m. Public Hearing – Transfer of All Alcoholic License **From:** Prosperitus LP d/b/a Fava **To:** Gibbous Moon, Inc. d/b/a The Center Café Needham:

Attorney Jon Aieta, Mr. Steven Waller, manager of The Center Café, and Mr. Jeff Kady, owner of Fava appeared before the Board concerning the transfer of liquor license.

Mr. Matthews described Needham's status as a dry town and that it is necessary to give a consistent message to restaurant owners who serve alcohol. Mr. Matthews stated the Board supports business owners however it is important to enforce the strict liquor laws for the safety of residents and people visiting Needham.

**Motion by Mr. Wasserman that the Board of Selectmen approve and sign the application for a Transfer of Alcoholic License/Manager to Gibbous Moon, Inc. d/b/a/ The Center Café Needham, Steven Waller, Manager and to forward the approved application to the ABCC for an approval of the liquor license; to approve and sign the applications for Common Victualler and Weekday Entertainment; and to grant a waiver of Selectmen Alcoholic Regulation, Section III, #4; all license approvals are pending the issuance of the Major Project Special Permit by the Planning Board.
Second: Mr. Bulian. Unanimously approved 5-0.**

7:20 p.m. Introduction of New Police Department Recruit:

Police Chief Thomas Leary appeared before the Board to introduce a newly appointed Police Officer, Matthew MacDonald. Chief Leary stated Officer MacDonald previously worked for the Boston Municipal Police and then in South Carolina. Mr. Matthews welcomed Officer MacDonald to Needham.

Town Manager Kate Fitzpatrick announced that the Town of Needham received the Voice of the People award for service excellence from the National Citizen Survey. She stated that Needham was particularly mentioned for the fact that over 96% of Needham citizens are satisfied with the service received from the Police and Fire Departments.

7:25 p.m. Public Hearing – Rehabilitation of Newman Playing Fields as Part of Newman School Debt Exclusion:

Town Manager Kate Fitzpatrick, Director of Park and Recreation Patty Carey, Town Engineer Anthony Del Gaizo, and Gene Bollinger of Weston and Sampson Engineers, Inc. appeared before the Board to discuss the Newman playing fields.

Mr. Matthews opened the public hearing with a synopsis of the Newman School renovation project. He stated the Town is working with the MSBA and that the process has moved quickly with many considerations. One consideration is whether to include rehabilitation of the playing fields as part of the project. The MSBA has stated the school renovation must remain separate from any field project. Mr. Matthews acknowledged there is varying public opinion whether to

rehabilitate the fields now or at a later time, and that the purpose of the public hearing is to allow resident input.

Mr. Bollinger stated the concept is to improve the fields for School and Town use, as currently there are many issues that impede continuous field use. Mr. Bollinger cited inadequate storm drainage, irregular grading, and poor soil quality as some of the factors which need to be addressed. Also, plans for realigning the baseball diamonds should be considered to allow for additional sport use. Mr. Bollinger stated the cost of the field project is estimated to be approximately \$1.5 million.

Ms. Carey commented that the fields, in their current condition, are unreliable for the Newman school, and that they were closed 24 days last year, as compared to only 7 days at nearby Cusick Field.

Mr. Bulian asked if a barrier could be built to stop water from coming off the school during storms, and Mr. Wasserman wanted to know if construction at the school could damage the fields. Ms. Fitzpatrick stated that drainage work must be included as part of the overall construction project and that construction is to take place on the left side of the school building with little impact on the playing fields expected at this time.

Mr. Matthews invited public comment.

Members of the Needham Little League, Park and Recreation, and the Needham Sports Council were present and voiced support for the project.

Mr. Barry Coffman, President of the Needham Sports Council stated it is important to remember that use of one baseball diamond was lost with refurbishment of Memorial Field last year. Mr. Coughlin also said demand for field use exceeds supply and the Newman playing fields are an under-utilized space. He asked that the fields be given appropriate consideration.

Mr. Matthews thanked those in attendance and stated all comments would be taken under advisement.

7:40 p.m. Report of the Senior Center Exploratory Committee:

Ms. Denise Garlick, Co-chair of the Senior Center Exploratory Committee, Marianne Cooley, and Colleen Schaller presented the Board with the Committee's report of its work to date, and recommendations for sites to be included in the feasibility study proposed for funding at the November 2, 2009 Special Town Meeting.

Ms. Garlick stated the Senior Center Exploratory Committee has worked tirelessly to make a recommendation for a new Senior Center. Since beginning work in 2008, Ms. Garlick commented the Committee has met monthly and

visited other towns for ideas. In addition, sub-committees have analyzed data, held 3 public hearings, received feedback from a resident survey, and fielded many phone calls from the public. Ms. Garlick stressed the Senior Center issue is one of importance and that the community does recognize the need for a center, as the current building lacks space and modern conveniences. Also, while potential sites have advocates both sides, all agree a new Center is needed. Ms. Garlick said that a new Center would house family, legal, and medical counseling, computers, a kitchen and dining area, creative classes, and job counseling, and would be open to individuals and families, regardless of age. Ms. Garlick laid out a timeline recommending the feasibility study be conducted in 2009, secure design money in 2010, secure construction money in 2011, and break ground in 2012, with a new Center opening in 2013. Ms. Garlick commented the criteria for picking a site has to do with the proximity to the downtown area, available parking, and cost. Many sites have been considered, however the Committee has ranked the sites and recommends a feasibility study be made on the following sites: 1. Presbyterian Church, 2. Rosemary Hill, 3. Greene's Field, 4. Ridge Hill (feasibility study has already been done).

Ms. Fitzpatrick stated she is working with the Finance Committee regarding funding of the feasibility study.

Mr. Matthews noted thanked the Committee for its work thus far.

8:05 p.m. Town Manager:

Town Manager, Kate Fitzpatrick appeared before the Board with five items:

1. Call for Special Election

Motion by Mr. Bulian that the Board vote to call for a special election to be held on December 8, 2009 concurrent with the Special State election to be held on that day.

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

2. Close Special Town Meeting

Ms. Fitzpatrick reviewed a draft of the Special Town Meeting Warrant for November 2, 2009.

Mr. Matthews asked the Board to take a position on the following article:

Motion by Mr. Wasserman that the Board approve and close the November 2, 2009 Special Town Meeting Warrant as presented by the Town Manager, subject to minor technical corrections to be made by the Town Manager and Town Counsel.

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

3. CPC Funding Proposal/Open Space

Mr. Matthews stated that the land for sale is owned by the Volante family and borders the transfer station and Ridge Hill. He said that it receives favorable tax treatment because it has been used for agricultural purposes. Mr. Matthews stated the land is now for sale and the Town has the right of first refusal on three parcels. The town should waive its right on one of the parcels, and has 120 days to decide on the remaining two parcels of land. The Town can exercise its option to purchase the land, and if it does the source of funds could be the CPA Fund. In order to move forward, Mr. Matthews stated the CPC must vote to allow the article to be presented to Town Meeting. Mr. Matthews commented that this is a unique opportunity and a public hearing will be scheduled.

4. Notice of Intent to Sell Property

Motion by Mr. Bulian that the Board vote not to exercise the option to meet the bona fide offer to purchase the 1,144 sq. ft. parcel of land shown on Map 217, lot 11 and vote not to exercise the option to assign the right to a non-profit conservation organization or the Commonwealth or to any of its political subdivisions.

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

5. Police Superior Officers Agreement

Motion by Mr. Bulian that the Board approve the Memorandum of Agreement between the Town and the Needham Police Superior Officers Association dated September 1, 2009.

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

8:30 p.m. Executive Session

Motion by Mr. Bulian that the Board vote to enter Executive Session to:

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 detrimental effect on the negotiating position of the governmental body.

Not to return to open session prior to adjournment.

Second: Mr. Handel. Mr. Matthews polled the Board: Unanimously approved 5-0.

(The Board adjourned the meeting at 9:20 pm.)

