

**Town of Needham
Board of Selectmen
Minutes for November 10, 2009
Needham Town Hall**

6:45 p.m. Informal Session:

Leigh Rossi-Doukas appeared before the Board to discuss the Tax Deferral Program. She asked the Board to reconsider when and how the interest rate is calculated, suggesting a yearly evaluation. She stated that participants must fully understand the program they are applying for and how the interest rate is calculated.

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 Bulian, Denise Garlick, Gerald Wasserman, Maurice Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

Veterans' Day Proclamation

Mr. Matthews read a proclamation proclaiming Wednesday, November 11, 2009 as Veterans' Day.

Motion by Mr. Handel that the Board of Selectmen vote to approve and sign the proclamation recognizing November 11, 2009 as Veterans' Day in Needham.

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

7:05 p.m. Consent Agenda:

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

APPOINTMENTS

There are no appointments this meeting.

CONSENT AGENDA

1. Approve Minutes of September 8, 2009 (open and executive session).
2. Approve one day special Wine and Malt beverage license application received from Liz O'Connell for the St. Joseph Parish's Christmas Bazaar. The bazaar will be held on Saturday, November 21, 2009 from 4:00p.m. - 10:00 p.m. at St. Joseph Elementary School's Café, 90 Pickering Street, Needham, MA.

3. Accept the following donations to the Needham Free Public Library during the period of October 8, 2009 to November 4, 2009
- David Sloan donated two CDs:
 - Billie Holiday–*Lady Day, The Best of Billie Holiday* (\$11.98)
 - Paul Desmond–*Take Ten* (\$6.99)
 - Rasmussen, Willis, Dickey & Moore, L.L.C. sent the library a \$15.00 donation thank you for research help
 - The following donations have been made to the Henderson Fund in memory of Charles Henderson:
 - Abraham Heck (\$25.00)
 - Thomas Harkins (\$25.00)
 - Narinder Mehta gave the library a copy of his new book, *How to Get the Job You Want and Build a Great Career* (\$20.00)
 - Bill and Kathy Tilburg, proud parents of the author Patricia A. Tilburg, donated a copy of *Colette's Republic: Work, Gender, and Popular Culture in France, 1870-1914* (\$90.00)
 - Marilyn Ruth Goldman donated a copy of *Just Breathe* by Susan Wiggs \$24.95)
 - Alex and Sandra Jaszek gave the library a copy of *The Peasant Prince: Thaddeus Kosciuszko and the Age of Revolution* by Alex Storozyński (\$29.95)
 - Simon & Schuster's Children's Publishing Division sent the library two children's books:
 - *Always* by Alison McGree and Pascal Lemaitre (\$15.99)
 - *Hooray for Reading Day* by Margery Cuyler (\$15.99)
 - Dorothy Roch Mahoney made a donation in memory of Lily Clark Wilkerson for the purchase of books on flowers or wildflowers (\$40.00)
 - Rose Doherty donated a copy of *The Gandhi Story: In His Own Words* by Community Room speaker Mahendra Meghani (\$10.00)
 - Laurie Perkins donated three books in which she had stories published:
 - *A Cup of Comfort: Devotional for Mothers and Daughters* (\$12.95)
 - *A Cup of Comfort: Book of Christmas Prayer* (\$14.95)
 - *Love Is a Verb* (\$18.99)

- Lia Uustal Vito gave the library a DVD of *The Singing Revolution* (\$26.95)
 - Esther Schleifer donated \$25.00 in honor of Vidya Kagan's "special birthday"
 - Mark Milligan gave the library a copy of *The Hemingses of Monticello: An American Family* by Annette Gordon-Reed (35.00)
 - Mr. and Mrs. Fred H. Shapiro made a \$40.00 donation to the Henderson Fund, in memory of Charles Henderson
 - John F. Dewey donated the following CDs:
 - Duke Ellington: *The Duke's Men: Small Groups, Volume 1* (\$19.00)
 - Ted Lewis: *Everybody's Happy* (\$15.00)
 - Eddie Vinson: *Clean Head's Back in Town* (\$7.75)
 - Django Reinhardt: *All Star Sessions* (\$9.00)
 - The Library Foundation of Needham donated the CD, *Driftwood Fire* (\$15.00)
4. Accept the following donations made to the Needham Community Revitalization Trust Fund in celebration of Julius Barthoff's 100th birthday to be used towards purchasing a Celebration Bench on Chestnut Street:
 - \$400 from Shira Weidenbaum
 - \$250 from Toby and Lou Sandler
 - \$700 from Sue and Kevin Weidenbaum
 5. Water & Sewer Abatement Order Number 1095
 6. Sign the Application for Recertification so that the Town of Needham will be recertified, as achieving standards set forth by The National Arbor Day Foundation, as a Tree City USA for 2009. (complete application on file in Selectmen Office)
 7. Approve semiannual payment of all alcoholic licenses for fiscal year 2010, with 60% due and payable immediately and 40% due and payable on June 1, 2010.
 8. Suspend the Board's Town Hall Display policy effective immediately and remain in effect until the newly renovated Town Hall in reopens 2011, at the earliest.
 9. Approve one day special Wine and Malt beverage license application received from John Commando for the Neponset Winery Pre-Holiday Wine Tasting. The wine tasting will be held on Saturday, November 14, 2009 from 12:00 p.m. - 5:00 p.m. at Volante Farms, 292 Forest Street, Needham, MA
 10. Accept donation of an 8' x 12' Valley Forge Koralex II polyester American Flag to hang in the Town Common from the Norfolk Lodge, A.F. & A.M. in Needham.

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

7:00 p.m. Town Manager

Ms. Fitzpatrick appeared before the Board with 2 items for the Board's consideration:

- 1) Town Hall Move to Public Services Administration Building Update. Ms. Sandy Cincotta, Assistant to the Town Manager and Mr. Roger MacDonald, Director of Information Technology joined Ms. Fitzpatrick before the Board with an update on the progress of the plans for relocating Town Hall operations to the Public Services Administration Building in February 2010.

Ms. Cincotta stated a sub-committee has been formed. Files are currently being reviewed, and with permission of the Supervisor of Public Records, approximately five dumpsters worth of documentation have been purged. Some items will be stored at Ridge Hill, and an auction will take place in order to sell other items that have been identified for disposal. Town Hall is scheduled to be closed from February 12 thru February 16, and re-open in its new temporary space at the PSAB 500 Dedham Avenue on February 17, 2010 at 8:30 a.m.

Mr. MacDonald stated that since May 2008 staff have been meeting to prepare for the move to PSAB. The goal, Mr. MacDonald said, is to maintain the technology infrastructure during the move, with particular attention focusing on computers and servers. RCN is also helping and redundancy will be provided at their building. He confirmed that all telephone numbers and addresses will remain the same. Mr. MacDonald stated that the process for planning the move back to the refurbished town hall will begin in April 2010.

- 2) New Ethics Law
Ms. Fitzpatrick stated that the new ethics law imposes a significant burden on cities and towns with respect to record keeping and training. She said this new law requires that all employees complete on-line training every two years. Ms.

Fitzpatrick requests that the Board endorse a letter to the state seeking a mandate determination in order to obtain reimbursement for the cost of implementation.

Motion by Mr. Bulian that the Board authorize the Town Manager to file a letter with the Auditor of the Commonwealth requesting a determination that the implementation of Section 84 of Chapter 28 of the Acts of 2009 - the so-called Ethics Reform Law - constitutes an unfunded mandate.

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

7:20 p.m. Board Discussion

FY2010/2011 Board of Selectmen Goals:

Ms. Fitzpatrick updated the Board regarding FY2010 and FY2011 goals stating the bulk of the work the staff are tackling is in the area of committed obligations, and that these are moving forward.

Ms. Garlick commented that she realizes the goals are not listed in any particular order on the Statement of Obligations, however she stated she is happy to see that the first four goals are all moving forward.

Senior Center Feasibility Study Next Steps:

Mr. Matthews stated that the Senior Center Exploratory Committee has been hard at work and that there is near unanimous support for a new senior center. There are still some specific issues that need be addressed, the largest being the proposed site. The SCEC has made recommendations for the site. Mr. Matthews stated also at issue is appointing PPBC user agents. He suggested there may also be other private locations that the SCEC has not yet uncovered as potential sites. He noted that another public hearing would be helpful in the decision making process and suggests setting the hearing date of December 7, 2009 at Broadmeadow School at 7 p.m.

Ms. Garlick explained the SCEC has worked extremely hard on this project and she highlighted all the work the Committee has done thus far. Ms. Garlick stated 3 public hearings have been held, a public survey has been completed, and a full report has been made to the Board. She stated support has been received from both

the Board of Selectmen and the Finance Committee, and near unanimous support from Town Meeting. She said that the SCEC understands why the Board would want another public hearing, however another hearing must not infringe on the timeline set for a new senior center. Ms. Garlick reiterated that another public hearing must not be the beginning of the process, and that the hard work put forth by the SCEC must be appreciated and utilized. Ms. Garlick repeated that everyone in Needham who wants to be heard, should be heard. She stated that the ultimate goal is for a new senior center building, as well as a united community.

Mr. Wasserman agrees with Ms. Garlick's comments, and stated that the Board must undergo its own deliberation to make a decision. The Board's decision will ultimately be based on much of the work already done by the SCEC.

Mr. Handel commented this has been a lengthy and incredible process and the hearing on December 7, 2009 will be informative and give all townspeople another opportunity to be heard.

Motion by Mr. Wasserman that the Board of Selectmen ask the Senior Center Exploratory Committee to appoint the user agency representatives for the PPBC's project committee pursuant to STM Article 13 for feasibility study of proposed locations for a new senior center, and further that the Board recommends that at least one of those appointees be a current member of the Council on Aging.

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

Motion by Mr. Handel that the Board set a public hearing for Monday, December 7, 2009 at Broadmeadow Elementary School at 7 p.m. to hear public comment regarding Senior Center Feasibility.

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

Motion by Mr. Handel that the Board hold a tax classification hearing on Monday, December 7, 2009 at 5 p.m. at Needham Town Hall.

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

Motion by Mr. Handel that the Board ask the Town Manager to release a Request for Proposal to determine

whether there are any privately-owned properties suitable for location of a Senior Center. Second: Mr. Bulian. Unanimously approved: 5-0.

8:00 p.m. Committee Reports

Mr. Handel read a proposed resolution on Green Line Extension and stated that expansion of the line is important for the future of the New England Business Center.

Motion by Mr. Handel that the Board supports the extension of the Green Line into Needham, and recommends adoption of measures necessary to assure the continued feasibility of a rail or other transit crossing over Route 128/95 in the vicinity of Exit 19. The Board requests the co-operation of relevant State agencies and public officials in order to achieve that end.

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

8:05 p.m. Adjourn

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the November 10, 2009 meeting of the Board of Selectmen.

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