

**Town Of Needham Board of Selectman  
Minutes for December 5, 2006  
Needham Town Hall**

- 6:45 p.m. Informal Session:  
A resident of 39 Colton Park expressed her support for the appointment of Lucio Trabucco to the Field Study Committee.
- 7:00 p.m. Call To Order  
A meeting of the Board of Selectmen was convened by Chairman John H. Cogswell at 7:00 p.m. Those present were: John H. Cogswell, Daniel P. Matthews, John Bulian, Gerald Wasserman, James Healy, Town Manager Kate Fitzpatrick and Recording Secretary Greg Cooper.
- 7:00 p.m. Tree City USA, Recertification:  
Lance Remsen, Tree Warden/Parks and Forestry Superintendent appeared before the Board to request the Board approve the 2006 Tree City USA application. If the application is accepted, this would be the 12<sup>th</sup> year in a row the Town has received the designation of Tree City by the National Arbor Day Foundation.  
**Motion by Mr. Bulian that the Board of Selectmen vote to approve and authorize the Chairman to sign the 2006 Tree City USA application for recertification.**  
**Second: Mr. Matthews. Unanimously approved 5-0.**
- 7:00 p.m. Public Hearing for removal of eight (8) Public Shade Trees located at Saint Sebastian's School, southerly along Greendale Ave. from the driveway of the Henry T. Lane Rink for a distance of approximately 116 feet:  
Mr. Remsen and David Miller, Robert Olsen & Associates representing St. Sebastian's School, appeared before the Board to request approval to remove eight trees as part of a project to cleanup and beautify an area along Greendale Ave. in front of St. Sebastian's School. Mr. Remsen stated that the school has met with the Conservation Commission and received approval for the work. An abutter asked if there is further work planned. Mr. David stated that this

section will complete the beautification project along Greendale Ave.

**Motion by Mr. Wasserman that the Board of Selectmen vote to approve the removal of the Public Shade trees requested at Saint Sebastian's School and sign the Public Shade Tree Hearing Approval Form.**

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

7:10 p.m. Change of Manager- Not Your Average Joe's Restaurant:

Bruce Jangro, proposed new manger, requested the Board's approval of a Change in Manager for Not Your Average Joe's Restaurant located at 109 Chapel Street, Needham.

**Motion by Mr. Matthews that the Board of Selectmen vote to approve and sign an application for a change in manager, submitted by Bruce Jangro for Not Your Average Joe's Restaurant and to forward this application to the ABCC for approval.**

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

7:15 p.m. Appointments and Consent Agenda:

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

#### **APPOINTMENTS**

- 1. Local Emergency Planning Committee: Caley P. Heckman, Jennifer Hitt, Ken LeClair'**
- 2. Field Study Committee: Lucio Trabucco**

#### **CONSENT AGENDA**

- 1. Endorse the Town Clerk's office proposed new fee schedule which would be effective January 1, 2007.**
  - 2. Accept the minutes of November 1, 2006.**
  - 3. Water & Sewer consent order 1041.**
  - 4. Accept furniture from Cabot, Cabot & Forbes valued at approximately \$15,000 to \$20,000.**
- Second: Mr. Wasserman. Unanimously approved 5-0.**

Mr. Cogswell acknowledged the donation of furniture from Cabot, Cabot & Forbes.

7:15 p.m. Property Tax Classification:

The Board of Assessors appeared before the Board to recommend the allocation of the tax levy for 2007. Chip Davis, Director, provided the Board with an overview of the certified valuation of property and other sales and market conditions within the Town. Mr. Davis stated that although residential values have dropped slightly the values still account for a majority of real estate values in the Town. He stated that the levy share is at the maximum of 175% and it is the Board of Assessors' recommendation to remain at that level. James Zeiger, Board of Assessors Chair, stated that the valuation is a complicated process with a number of variables that may impact real estate values within town. Mr. Davis stated that residential property makes up over 88% of the Town's valuation. The Board discussed the need to work to increase commercial property values in order to shift the balance in the tax levy.

**Motion by Mr. Matthews that the Board of Selectmen vote to establish a residential factor of .900625223397 for the purposes of setting the Fiscal Year 2007 tax rates.**

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

7:55 p.m. Ms. Fitzpatrick appeared before the Board with three items for the Board's consideration:

1. Open Space/ Recreation Plan:  
Ms. Fitzpatrick updated the Board on the Town's effort to develop an Open Space/Recreation Plan. She stated that she has incorporated the Board's comments from its November 14<sup>th</sup> meeting. She stated that the next step is to convene a working group made up of the chairmen of various Boards and Committees to finalize the draft plan. Ms. Fitzpatrick stated that the goal is to finalize the plan by February.
2. Preliminary FY2008-2012 Capital Improvement Plan:  
Ms. Fitzpatrick presented the Board with a preliminary Capital Improvement Plan, which she said included an attempt at aligning projects with the Board's core priorities. She stated

that the Town's management team is recommending a heavy investment in rolling stock.

Mr. Healy asked that the proposed field renovation project be listed on the CIP because it is a requirement for submittal of a Community Preservation Fund application, and the Town's fields should be considered assets that need to be maintained. The Board discussed whether CPA funds should be used for the Field Renovation Project or whether funding for the project should come from other sources. Mr. Healy stated the Field Study Committee's interest is in keeping field renovation options open and the Committee is not wed to using CPA funds for the Field Renovation Project. Mr. Bulian and Mr. Wasserman supported the use of CPA funds for the renovation of Town Hall and were worried that the field renovation project would compete against the Board's priority project. The Board decided to move to the public hearing on issuing a Cable Television License.

8:10 p.m. Cable Television Licensing:

Mr. Cogswell opened the public hearing on Verizon's application for a cable television license. The hearing was being continued from the Board's November 28, 2006 meeting. Jonathan Tamkin, Chairman of the Cable Television Advisory Board, and Peter Bowman and Jim Grille of Verizon appeared before the Board. Mr. Tamkin stated that the licensing agreement is ready for signature. He stated that the Committee feels the license is equitable to other cable licenses in town. Mr. Healy asked why a stenographer was present. Mr. Grille stated that Verizon has a stenographer present at all public hearings. Mr. Grille outlined some of the financial considerations and service commitments of the licensing agreement. The Board discussed issues in the license including no mention of senior discounts, liquidated damages, audit conditions, customer service office requirements and termination language.

Eliot Schneier, 171 Standish Road, expressed his support for issuing a license to Verizon. Mr. Cogswell closed the public hearing.

**Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign the 10-year Final Cable Television License to be granted to Verizon New England, Inc., dated December 5, 2006, subject to a minor technical correction to Page 13 of the License.**

**Second: Mr. Matthews. Unanimously approved 5-0.**

8:35 p.m. Ms. Fitzpatrick returned to complete the discussion on the Capital Improvement Plan and one other item for the Board's consideration:

Capital Improvement Plan:

Mr. Healy reiterated his desire to submit a Community Preservation Fund application for the field renovation project and that in order to submit an application the project must be listed on the CIP. Mr. Wasserman supports the field project but feels that applying for CPA funds is competing with the Board's priority project, Town Hall. Mr. Healy suggested putting off the decision until the Board's December 19<sup>th</sup> meeting so that the Field Study Committee can formally decide whether it wants to pursue CPA funding.

Mr. Matthews expressed his support for the field renovation project and stated that the Town should financially support the project. He stated that the Town needs to identify what share of the project it will support. He asked that any override to fund the project be taken off the table. He feels the town should support between \$1.5-2 million of the proposed \$5 million dollar project. Mr. Bulian was not ready to throw out an override as an option. Mr. Matthews stated that an override could be very complicated considering that a private fundraising effort would be going on at the same time. The Board discussed the limitations of various funding sources but in general was supportive of the field renovation project. Mr.

Cogswell asked the Town Manager to collect comments relative to the use of CPA funding for the field renovation project and the Board will discuss the issue further at its December 19<sup>th</sup> meeting.

Ms. Fitzpatrick continued reviewing the CIP with the Board and provided an explanation for why some items did not have preliminary recommendations on funding.

3. CPC Funding Proposal:

Ms. Fitzpatrick presented the Board with a draft proposal to be submitted to the Community Preservation Committee for the FY08 funding round. The proposal is for architectural services to review the Town Hall renovation options and to establish a Town Hall Project Reserve. She stated that the architectural component of the proposal would require approximately \$25,000. Ms. Fitzpatrick stated that she would bring the CPC application for final approval by the Board to the Board's December 19<sup>th</sup> meeting.

9:15 p.m. Board Discussion:

Field Renovation Study:

Mr. Bulian suggested that the Board ask the School Committee to recommend to the Board an appointment to the Field Study Committee. The Board discussed the need for the Field Renovation Project to be a very open and public process. The Board discussed the implication of using public funds to perform the renovations and how this might increase project costs due to prevailing wage laws, but the Board was in agreement that the Town should contribute to the project. Mr. Bulian suggested that the project might be able to be divided into two phases and that private funding could perform the first phase without triggering public construction requirements. The Board discussed the level of input and approval by the Town for a privately funded project. Mr. Matthews stated that the privately funded project would be based on a plan which the Town would approve. Mr. Bulian

expressed his concern that once built the field would not receive the funding needed to maintain them. The Board agreed that maintenance is an important component to be considered.

9:35 p.m. Executive Session:

Motion by Mr. Matthews that the Board of Selectmen vote to enter into Executive Session to:

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. Bulian. Mr. Cogswell polled the Board members. Unanimously approved 5-0.

(The Board adjourned the meeting at 10:00.)