

**Town of Needham
Board of Selectmen
Minutes for October 26, 2010
Needham Public Services Administration Building**

6:45 p.m. Informal Meeting with Citizens: No Activity.

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

7:00 p.m. Public Hearing - NSTAR Petition for Clarke Circle:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 11 feet of conduit from Pole 257/11 Clarke Circle.

Motion by Mr. Matthews that the Board of Selectmen approve and sign petition from NSTAR to install approximately 11 feet of conduit from Pole 257/11 Clarke Circle, Needham. This work is necessary to provide overhead/underground service to 114 Clarke Circle.

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

Public Hearing - NSTAR Petition for Country Way:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 8.8 feet of conduit from Pole 344/3 Country Way.

Motion by Mr. Wasserman that the Board of Selectmen approve and sign petition from NSTAR to install approximately 8.8 feet of conduit from Pole 344/3 Country Way, Needham. This work is necessary to provide overhead/underground service for a new home at 11 Village Lane.

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

Public Hearing – Verizon Petition for Marked Tree Road:
John Callahan, Verizon representative appeared before the Board requesting permission to relocate joint owned Pole 47-23 Oak Street.

Motion by Mr. Wasserman that the Board of Selectmen approve and sign petition from Verizon to relocate joint owned Pole 47-23 Oak Street approximately 12' (+/-) to the South of existing Pole 47-23. This proposal is at the request of property owner of 82 Marked Tree Road. The current location of Pole 47-23 is on private property. This will move Pole 47-23 onto the public way.

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

7:05 p.m.

Consent Agenda:

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

CONSENT AGENDA

- 1. Accept donation of a 250th Anniversary Town of Needham ashtray from David Nigro, Needham resident.**
- 2. Accept the following donations made to the Needham Public Library for the period: August 6, 2010 through October 7, 2010: Former Children's Librarian Laurie A. Perkins gave the library an autographed copy of her new mystery book, *The Carnelian Queen* (\$13.95); Jane & Arthur Robison donated \$250.00 to the library in memory of Irene MacFate; Cathy & Barbara Collishaw donated \$25.00 to the library in memory of Ralph P. Fader, Jr.; Ann MacFate donated \$50.00 in memory of Charles Fields; Former Needham resident Sharon Slaton Howell gave the library a copy of her latest book, *Beauty Abounds* (\$20.00); Miriam Kronish gave the library a copy of her book, *Quickly: The Magic Spatula* (\$15.95); Nancy D'Amico donated a large print copy of *Major Pettigrew's Last Stand* by Helen Simonson (\$31.00); H.B. Kravets gave the library a copy of his new book, *True North* (\$23.49).**
- 3. Approve a one day special Wines & Malt Beverages License 5:30pm to 8:00pm from Bishop Roy F. Cederholm of The Episcopal Diocese of Massachusetts to hold their "Green Grants Initiative Gathering" event on Thursday, October 28, 2010, from 6:00pm to 7:30pm at First Parish Unitarian Universalist Church, 23 Dedham Avenue, Needham.**
- 4. Approve request from Rabbi Mendel Krinsky from the Chabad Jewish Center to hold a Menorah lighting ceremony on the Town Common on Tuesday, December 7, 2010 at 6:00 p.m.**
- 5. Approve a one day special Wines & Malt Beverages License from John Comando of Neponset Winery, LLC to hold a wine tasting on Thursday, November 4, 2010, from 5:00pm to 8:30pm at Perennial Designs, 117 Chapel Street, Needham.**
- 6. Grant permission for the following residents to have block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Beth Garceau	92 Wilshire Park	Wilshire Park	Oct 16		3-8pm
Charlie Hecht	59 Walnut St	Walnut St between Willow and Henderson	Oct 31		2-8pm

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

7:05 p.m. Public Hearing for the removal of one (1) Public Shade Tree at 60 Stevens Road:

Edward Olsen, Tree Warden/Parks & Forestry Superintendent and Rick Merson, DPW Director, appeared before the Board to discuss a petition for the removal of one Norway maple located on Town property. Mr. Olsen stated he was contacted by Gretchen and Chris Johnson of 60 Stevens Road who want to protect their sewer line from any further encroachment from tree roots. Mr. Olsen said the tree is located on a grass berm between the sidewalk and the roadway and the roots have grown into the sewer pipe that leads from the sidewalk into the house. Mr. Olsen recommends granting permission for the removal of the tree and further recommends the sum of \$200.00 be paid to the Town of Needham for future tree planting.

Motion by Mr. Wasserman that the Board approve and sign the Public Shade Tree Hearing Form for the removal of one 14 inch Norway maple tree in front of 60 Stevens Road.

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

Motion by Mr. Wasserman that the Board vote to approve the sum of \$200.00 be paid to the “Town of Needham” for future tree planting.

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

Mr. Bulian reminded the audience that the meeting is being tape recorded per the open meeting law.

7:10 p.m. Introduction of Director of Economic Development:

Christopher Coleman, Assistant Town Manager appeared before the Board to introduce newly appointed Director of Economic Development Devra Bailin. Mr. Coleman mentioned Ms. Bailin has served the Town many years as a member of the Planning Board and was the best candidate for the position. Ms. Bailin thanked the Town, especially Kate Fitzpatrick, Chris Coleman, and Lee Newman for the opportunity to continue her career in Economic Development. Ms. Bailin gave a brief description of the work she has been doing since starting the position.

Mr. Bulian welcomed Ms. Bailin to her new position.

7:12 p.m. Introduction of Care of Graves/Coordinator of Ceremonies & Veterans’ Day Proclamation:

Christopher Coleman, Assistant Town Manager and Stanley Spear, District Director, West Suburban Veterans’ District appeared before the Board to introduce William Topham, newly appointed Care of Graves/Coordinator of Ceremonies. Mr. Spear told the Board of Mr.

Topham's background and qualifications, and handed the Board a copy of the Veterans' Day program that he and Mr. Topham jointly prepared.

Mr. Bulian welcomed Mr. Topham to the new position. Ms. Garlick said it was essential to have someone from Needham to coordinate the ceremonies as they are important to children, families, and all residents of the Town. Mr. Handel welcomed Mr. Topham.

Mr. Matthews read a proclamation recognizing Thursday, November 11, 2010 as Veterans' Day.

Motion by Mr. Matthews that the Board of Selectmen vote to recognize Veterans' Day, November 11, 2010.

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

7:15 p.m.

Finance Committee Consultation – Senior Center Project:

Rick Zimbone, Chairman, Needham Finance Committee and Matt Borelli, Vice Chair, Finance Committee appeared before the Board to discuss the financing of the senior center project. Mr. Zimbone introduced members of the Finance Committee sitting in the audience: Richard Creem, Dick Reilly, and Louise Mizgerd, Finance Committee Executive Secretary. Mr. Zimbone stated the Finance Committee is in support of going forward with the senior center project and appreciates the effort put forth by the SCEC. He stated there have been ongoing discussions with the COA, the Town Manager and her staff, and the PPBC on how to move forward with financing the project. He stated it is important to recognize that from the Finance Committee's perspective, now is the time to invest in infrastructure due to the unprecedented low interest rates. Mr. Zimbone stated next week the Finance Committee will be discussing and voting on the Warrant Article. Mr. Zimbone recognizes the tough economic times, but stated the Finance Committee unanimously agrees the Town should spend what it can afford on the project. He stated there are several options to provide the building people want, including the possibility of an override, spending within the 3% levy, supplemental private fundraising, consideration of a smaller sized building, or shifting the priorities of the Town's capital spending. Mr. Zimbone stated the financing plan as presented by Kate Fitzpatrick and Dave Davison currently allocates approximately \$5,000,000 to the project. Mr. Zimbone mentioned the operating budget for this year and next year will be very tight and said the upcoming November vote on sales taxes, as well as future state funding, could impact the project. Mr. Zimbone said one aspect of the project that is very important is the funding of the design for the project. He stated more information is needed concerning the cost of the project, particularly given today's economic environment and the lowering of interest rates. Mr. Zimbone said there is a possibility the project will cost less than originally estimated, but that is not known at this time.

Mr. Wasserman said he appreciates the thoroughness of the Finance Committee on the project. On behalf of the Board, Mr. Bulian stated he also appreciates the work of the Finance Committee. He stated there are complexities to the project that require everyone working together to move the project forward. Mr. Matthews stated it is key to be able to have sufficient appropriation and guidance at Special Town Meeting to keep working on getting the design and information that is needed even though there are many variables to the project. Mr. Handel clarified the Board is not approving the design, but the funds for the design.

7:30 p.m.

Energy Challenge Update:

Chip Laffey, Director of Facility Operations appeared before the Board with an update on the FY2010 energy challenge and recent trends in use of electricity, heating oil, and natural gas. Mr. Laffey stated that over a year ago, the Town Manager, in cooperation with the School Superintendent, posed the 5% energy challenge to all Needham school and municipal employees. The challenge, Mr. Laffey said, was to turn lights off in areas not being used, set points for heating and cooling, removal of all personal appliances, and upgrading all common area appliances to energy star rated. Mr. Laffey reviewed the overall Town-wide consumption and commented on the impressive drop in electricity, natural gas, and fuel oil of 3.55%, 16.39%, and 13.95% respectively. Ms. Fitzpatrick commented that while Town Hall went off-line in FY10, two new buildings (High Rock School and PSAB) came on-line. Mr. Laffey highlighted several changes the Facility Operations Department has accomplished over the past year including conversion of the pneumatic heating controls at Mitchell School and Hillside School to a digital control system. In addition, Mr. Laffey said motion detectors were installed in the light switches in the bathrooms, storage closets, and small meeting areas at Mitchell, Hillside, and Pollard Schools.

The Board thanked Mr. Laffey for his presentation.

7:45 p.m.

Town Manager:

Town Manager Kate Fitzpatrick appeared before the Board with 3 items to discuss:

1. Review FY2011 RTS Rate Options:

Ms. Fitzpatrick stated the purpose of the discussion tonight was to review the revenue and expenses of the RTS and to consider various scenarios for setting the FY2011 RTS rates. She reminded the Board that if it had an interest in pursuing any of the changes, it had discussed the possibility of scheduling a public hearing at its November 9th meeting. Dave Davison, Assistant Town Manager/Finance, was asked by Ms. Fitzpatrick to review the revenue and expenses, sticker sale trends, and the possible RTS rate alternatives.

Mr. Davison explained that one of the reasons the Town is considering an increase in one or more of the rates that support the RTS operations is because of what actually happened in FY2010. Mr. Davison said that in 2010 the RTS had to collect slightly over \$1.6 million from RTS activity including sticker sales, sale of yellow bags, sale of recyclable material, as well as commercial activity over the scale. Mr. Davison said the economy remained slow during FY2010, and is still anemic. One trend, he stated, that has been true over the test of time is that when economic activity is slow, consumption decreases and therefore the residual trash from consumption also decreases. Mr. Davison also said that local government has the responsibility of disposing of trash, whether the economy is good or bad. Mr. Davison stated that while the Town needed to generate \$1.6 million, it actually generated slightly over \$1.4 million indicating a \$200,000 shortfall in FY2010. Mr. Davison explained the sticker trends are showing the purchase of primary stickers has been trending downwards, but the most significant drop has been in the purchase of second stickers. Mr. Davison told the Board the scale fee revenue is also trending downward. Mr. Davison reviewed with the Board five sticker rate alternatives and discussed the impact of those fees, including the possibility of moving to a “sticker-less” system.

Mr. Handel asked about the cost of administering the fee system as opposed to sticker system. Mr. Davison stated it was difficult at this time to estimate the cost, without a real sense of the volume of activity. He said there would be a reduction in administrative work issuing stickers performed by the Treasurer’s office, but there would be an increase in administrative work in processing “opt-out” abatement applications, as well as senior exemption applications. By moving to a sticker-less system, Mr. Davison said the documentation would be greater as people who “opt-out” will need to prove they are actually paying for private rubbish removal.

Mr. Handel asked about the actual cost to the Town to purchase stickers, and the cost to enforcing the sticker at the RTS. Mr. Davison stated the cost of the stickers is approximately \$600, and confirmed there is a cost to enforce sticker usage at the RTS.

Mr. Bulian mentioned that over the years, sticker enforcement has been confrontational, particularly on Saturdays when the bulk of the traffic comes through the RTS with people not affixing the sticker to the windshield or forgetting the sticker. He said this has been a real bone of contention.

Mr. Bulian clarified that under the current system, people can buy a primary sticker at full price and buy a second sticker at half price, but only if they purchase both stickers at the same time. Mr. Bulian stated there is

a disincentive if a customer only purchases one sticker because if they decide they need a second sticker at a later date they must pay full price. Mr. Bulian commented it became necessary to investigate alternatives to allow people the flexibility to fit their lifestyle.

Mr. Bulian noted from the information that there was no recommendation on bag fee increases. Mr. Davison stated that is correct as there is no justification to increase the bag fee at this time.

Mr. Matthews appreciates the enormous amount of work that has already been done, however he is not persuaded at this time to abandon the sticker system and is leaning toward Alternative 2. Mr. Matthews said he is inclined to make smaller changes to the system until the economy picks up.

Mr. Wasserman is also concerned about moving towards the sticker-less system as he states there is not enough evidence that the number of customers will increase. Mr. Wasserman stated he is not convinced that moving toward a sticker-less system is the way to go.

Mr. Matthews strongly suggests enforcing the rule of having the sticker affixed to the windshield. The rule, he said, must be civilly enforced.

Mr. Handel stated he has not made up his mind yet, however feels the sticker-less system is an imaginative approach in making the RTS activity self-sustaining. He noted no alternative is shown for not charging for a second sticker and asked what would the rate have to be for a primary sticker if there were no charge for second stickers? Mr. Davison stated it would cost approximately \$110.

Ms. Garlick stated it is innovative to talk about moving toward the sticker-less system. She said it is important to talk about the revenue that can be quantified, but there are other costs that are much more intangible, for instance the cost of customer relations, the cost of customer convenience, and administrative costs. She asked Mr. Davison to quantify the more intangible costs to help the Board come to a solution.

Mr. Matthews suggested pursuing Alternative 2 with the exception that the primary sticker fee is increased to around \$90, with the second sticker fee being reduced and the registration number of the vehicle being printed on each sticker. Mr. Matthews stated it is imperative that all stickers be affixed to the windshield.

Ms. Garlick stated the issue is not in the stickers, but in maintaining or increasing the revenue, and decreasing the costs at the RTS. Before making any decision, Ms. Garlick stated she is interested in holding a

public hearing and listening to what residents have to say. She feels the Board should be open to the proposed plan of going to a sticker-less system.

Mr. Wasserman stated that he feels Alternative 2, with some modifications is the best course of action, and also stated he is in favor of a public hearing to hear from residents.

Mr. Bulian stated a public hearing will be held on November 9, 2010.

Mr. Bulian recognized Mr. Jeff Heller, member of the Solid Waste Committee, who asked the Board to support the employees of the DPW regarding compliance issues at the RTS.

2. Position on Warrant Articles:

The Board took positions on remaining Special Town Meeting Warrant Articles:

Article 18 – Defer Action.

Motion by Mr. Wasserman that the Board vote to recommend adoption of Article 11, Appropriate for Senior Center Feasibility and Design.

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

Motion by Mr. Wasserman that the Board vote to recommend an amendment to Article 11 to include funding at \$500,000 and location of the Senior Center at the Needham Heights MBTA Commuter Lot.

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

Motion by Mr. Matthews that the Board vote to recommend an emergency preamble for Article 9, Appropriate for Facility Improvements, Pollard School.

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

Motion by Mr. Wasserman that the Board vote to recommend adoption of Article 13, amending the FY2011 Operating Budget.

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

3. Town Manager Update:

Ms. Fitzpatrick told the Board a meeting was held today to review the changes recently made to the liquor license regulations with license holders. Ms. Fitzpatrick stated approximately 15 license holders attended the meeting.

Ms. Fitzpatrick mentioned she and Christopher Coleman, Assistant Town Manager/Director of Operations attended the International City Managers Association annual conference last week, and on behalf of the Town accepted a Community Partnership Award for the Town's emotionally intelligent signs designed by Pollard School 8th graders. Ms. Fitzpatrick showed the Board several new signs reflecting the issue of picking up trash at various fields in Town.

Mr. Bulian made two public service announcements reminding residents of the State Election being held on November 2, 2010. He asked residents to please vote.

He also reminded the public of the Tercentennial Kick-off weekend beginning Friday, November 5, 2010 at the Needham high school football game at Memorial Park.

8:55 p.m.

Adjourn:

Motion by Mr. Matthews that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of October 26, 2010.

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