

**Town of Needham  
Board of Selectmen  
Minutes for March 8, 2011  
Needham Public Services Administration Building**

6:45 p.m. Informal Session 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 – Elimination of Commuter Parking at Needham Center Station:  
Town Manager Kate Fitzpatrick appeared before the Board to discuss the elimination of commuter parking at the Needham Center train station. She stated the Town and the MBTA have reached agreement on terms that will allow for municipal parking in Needham Center in spaces that had previously been reserved for commuter parking. She said the MBTA will continue to maintain the station in Needham Center as a neighborhood station. She stated the purpose of tonight’s public hearing is for the Board to consider a proposal to convert the 36 parking spaces currently dedicated as commuter parking to both permit and two-hour parking. Ms. Fitzpatrick presented a Powerpoint presentation “Needham Center Parking – Proposed Conversion from Commuter Parking to Permit and Retail Parking” dated March 8, 2011. The information included the type of parking currently available, utilization statistics on commuter parking April 2010 through January 2011, and statistics on the availability of commuter parking. Ms. Fitzpatrick discussed the existing parking conditions in Needham Center as well as the proposed changes for Needham Center, including Eaton Square.

Mr. Matthews asked whether more people are walking to the train or being dropped off. Ms. Fitzpatrick stated the increased parking fee from \$2 to \$4 had a much larger impact on what people are willing to pay for parking. She said people are finding other ways to get to the train station. Mr. Matthews asked if more people were parking in the surrounding neighborhood to avoid paying the fee. Ms. Fitzpatrick stated not many people park on neighborhood streets and the Town regularly checks for parking violations.

Mr. Bulian read correspondences from residents and interested parties who were unable to attend the public hearing:

Needham Transportation Committee, letter dated March 3, 2011, in part stating “the Needham Transportation Committee finds that there is currently excess capacity for Mass Bay Transportation Authority commuter parking across all four rail stations within the Town of Needham. In light of this fact, the Transportation Committee finds that it is premature to conclude that the proposed change of use of 34 MBTA commuter parking spaces at Needham Center station to municipal parking purposes would have a negative impact on passenger use of the commuter rail system within the Town of Needham. Given the flexibility inherent in the terms and annual renewal provisions of the Towns Use and Occupancy Agreement with the MBTA, we would ask that the Board of Selectmen relative to whatever action the Board takes in this matter, re-examine the impact of the change of use within one year following the effective date of such change.” Mr. Bulian stated the letter from the Needham Transportation Committee was signed by its chair, Richard S. Creem.

Robert Friedman, 20 Glendale Road, email dated March 2, 2011, opposes the elimination of commuter parking from this station.

Dave Harding, 26 Rivard Road, encouraged the Board not to eliminate day-long T parking in Needham Center in favor of two-hour spots as there are few enough spaces available to the T commuters now.

John Fieldsteel, 980 Central Avenue, email dated March 8, 2011, opposes the proposal to eliminate commuter parking at Needham Center. He is concerned the removal of all parking may lead to the elimination of the train stop.

Nancy Wright, owner Perennial Designs, 117 Chapel Street, email favoring the parking swap that will allow more parking for retail businesses in the downtown area. She stated more parking will enable more customers to park, shop, and support the downtown overall.

Monica Berman, owner Grey Goose, 95 Chapel Street, email stating it would be very helpful to have the parking in Needham Center to support downtown businesses.

Mr. Bulian opened the public hearing to those in attendance.

Duncan Allen, 31 Enslin Road, member of the Needham Transportation Committee, stated he is speaking as an individual and not representing the Committee. He said the Heights parking lot is underutilized and not an equivalent space and should be removed from the equation when considering the overall utilization. He suggests the Town consider re-examining the impact of a change prior to one year. He stated three

factors contribute to utilization demand including increased employment in central Boston, MBTA service reliability, and the price of gasoline.

Scott Brightman, 88 Standish Road, commented on utilization stating usually by 8 a.m. the parking lot is full, but can vary based on the time of day and season. He said commuters are apt to miss a train and be late for work if they have to look for parking in other areas. He feels this should be considered, as being late for work can be detrimental. He commented the train has become more difficult due to service and fees. He feels the Town should eventually make the change, but is concerned with the timing of the proposal. He suggested finishing the senior center project first, then consider the increased price of gasoline, the potential improvement of MBTA service, and see if the job market improves.

Craig Scholl, 115 Fair Oaks Park, asked the Board consider not increasing the permit parking, as there is not currently a concern about the amount permit parking. Mr. Scholl stated those spaces could potentially be used for two-hour retail parking. Mr. Scholl suggested swapping some of the two-hour parking from the Dedham Avenue lot to the Chapel Street lot. He feels permit parking should be on the extremities of the Town. Mr. Scholl asked the Town to develop a specific plan for future parking in Needham.

Louise Condon, 15 Tamarack Lane, stated the proposed changes have come as a surprise to regular commuters. She suggests implementing any changes gradually so people can adjust.

Larry Cohen, 77 Warren Street, shares some of the objections heard about taking the spaces and making them available to Needham businesses, but not to commuters who have filled the spaces every day. He was surprised by some of the information provided by the Town, as he takes the 7:32 am train everyday and by 7:31 am almost of the spaces are filled. He commented the notion that the spaces are underutilized is probably incorrect. He was glad to know two of the spaces are designated handicapped. He is concerned that if there is a reduction in the number of commuters who park in the lot, there will be a reduction in the number of people use the train station in Needham Center. He commented the MBTA may consider abandoning the stop to save money and time. Mr. Cohen said that whatever the outcome, there must be a commitment to make certain the Needham Center stop is not abandoned by the MBTA.

Nancy Walton, 25 May Street, asked if there was a greater urgency on the proposal since beginning the Town Hall project. Ms. Fitzpatrick explained the opportunity for the land swap came up as part of the senior center project. Ms. Fitzpatrick said there was no urgency associated with the Town Hall project, but stated it is fair to say that there are fewer spaces

at Town Hall. Ms. Walton asked if things will settle down after the work at Town Hall is completed and wondered if the timing of the proposal could be considered. She stated it would be a shame to lose the parking spaces for the commuters. Ms. Fitzpatrick commented the Town Hall project has taken very few on-street parking spaces out of circulation, and when completed will not alleviate the situation.

Mr. Bulian closed the public hearing and asked for comments from the Board.

Mr. Handel stated he is very mindful of the public comments and said the proposal must be implemented in a way that is as painless as possible. He is concerned that the value of the spaces to the downtown is minimal if they are used by people who go in to Boston. He wondered if there is some way to shift those cars in a way that isn't destructive, that would be valuable to the downtown business center. He stated that once Town Hall reopens, employees will again shop and eat in the downtown area. He feels it is important to capture retail space for the downtown, and to do it in a way that doesn't make it impossible for people to use the train.

Mr. Wasserman asked Ms. Fitzpatrick to look into the maximum utilization figures. He said it is necessary to consider what the proposal would do to the ridership. Mr. Wasserman also asked about previous experiences and wondered whether the MBTA could provide information on the increase/decrease in ridership when parking is longer available at a T station. Mr. Wasserman liked the idea of putting more permit spaces in the outlying areas and more retail spaces in the downtown area.

Mr. Matthews commented we are all creatures of habit and any kind of change is always a concern. He stated the vitality of the business district is critical to the Town, and parking is a big factor. Mr. Matthews stated now may be the time to consider a parking deck in the downtown area. He feels there is sufficient space in Needham Heights and at Birds Hill to accommodate all of the parking currently downtown. He emphasized the Town fully expects the train station to be in the Center with more utilization. He believes when Town Hall is complete there will be increased activity downtown, particularly Monday-Friday.

Ms. Garlick concurred with the opinions of the other members of the Board in that she would also like to maintain the Needham Center stop, and would like further assurances from the MBTA. Ms. Garlick commented she cannot see any scenario that the MBTA would abandon the stop. She stated she is very intrigued by the positive economic impact of freeing up the spaces in the downtown area. She stated the Town needs strategies to communicate well to people where the parking spaces will be located and how to utilize them. Ms. Garlick asked that press coverage

reference the document put together by the economic developer in relation to the proposal.

Mr. Bulian feels the Needham Center stop absolutely must be maintained as it is important to the vibrancy of the downtown area. He also thinks the likelihood of additional residential population in the downtown is part of the reason why there will always be a “T” stop in Needham Center. He stated the Board has no concern that the Needham Center stop would be abandoned. Mr. Bulian thanked everyone who contributed and made comments during the public hearing.

7:50 p.m.

Consent Agenda and Appointments:

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

**APPOINTMENTS**

1.	Green Communities Study Committee	Joe Carroll (term expires 12/31/2011)
2.	Council of Economic Advisors	Peter Russell (term expires 6/30/2012) Martin Jacobs (term expires 6/30/2012)

**CONSENT AGENDA**

1.	Sign the Warrant for the Annual Town Election Warrant scheduled for April 12, 2011.
2.	Accept the following donations made to The Park and Recreation Commission for Arts in the Park: <ul style="list-style-type: none"> <li>▪ \$600 from the Exchange Club of Needham</li> <li>▪ \$100 from the Needham Business Association</li> </ul>
3.	Approve a One Day Special All Alcoholic beverages license from Mendel Krinsky of Chabad Jewish Center to hold its event on Sunday, March 20, 2011 from 4:00 pm to 9:00 pm at The Village Club, 83 Morton Street, Needham.
4.	Accept the following donation made to the Needham Health Department’s Gift of Warmth Fund: \$100 from Shahin S. Sagafi, 16 Surrey Lane, Needham.
5.	Ratify a One Day Special All Alcoholic beverages license from Michael R. Despres of The Village Club Building Assoc. to hold “O’Malley’s Wake” on Saturday, March 5, 2011 from 6:00 pm to 11:00 pm at The Village Club, 83 Morton Street, Needham.
6.	Accept the following donations made to the Needham Public Library for the period February 3, 2011 to March 3, 2011: Sgt. James Delaney, USMC (Ret.) gave the library a copy of Scott Brown’s book, <i>Against All Odds</i> (\$27.99); Jeffrey Sneider donated

	the DVD, <i>An Inconvenient Truth: A Global Warning</i> , to the library (\$12.50); Anne Nydam gave the library a copy of her new children's book, <i>Amazing, Beguiling, Curious: 26 Fascinating Creatures</i> (\$12.00); Sally Powers donated a copy of <i>The History of the Rotary Club of Needham, Massachusetts, 1929 to 1979</i> by Dr. Walter G. Patterson to the Archives Collection; Michael and Martha Michalewicz donated \$25.00 for a children's book to honor Natalie Harding's first birthday.
7.	Approve executive session minutes from February 8, 2011.
8.	Water & Sewer Abatement Order No. 1120
9.	Sign the three year (July 1, 2011 through June 30, 2014) Lease of Space documents between the Town and Needham Extended Day Program, Inc. for Before School and After School Structured Programs to be held at the Eliot Elementary School, the Broadmeadow Elementary School, the Mitchell Elementary School and the Newman Elementary School.
10.	Approve a One Day Special Wine & Malt beverages license from Julie Bailit of Temple Beth Shalom to hold its "Purim Spiel" event on Saturday, March 19, 2011 from 6:00 pm to 11:00 pm at The Village Club, 83 Morton Street, Needham.

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

7:55 p.m.

Charles River Well #1 Replacement:

Richard P. Merson, DPW Director, appeared before the Board to discuss the re-development (cleaning) of well #1 in the Charles River Water Treatment Well Field. Mr. Merson said the operating budget did contain funding this year and a contract for the re-development was bid, awarded, and work began in early December 2010. Mr. Merson told the Board a failure of the well screen occurred on the first day, and rendered the well un-useable. Mr. Merson explained the DPW quickly began exploring alternatives for restoring the well and the capacity necessary to serve the Town. Mr. Merson referred to his memo dated February 28, 2011 outlining various options and initial pricing. Mr. Merson stated well #1 is the highest producing well in the Town, producing 1.87 million gallons per day (1,300 gallons/minute) and is the "work horse" in the well field. He said it is critically important not only to restore the well, but to restore capacity. Mr. Merson explained during the summer months when the wells are producing as much water as possible, the Town also must supplement from the MWRA. The DPW, he said, then sought to get a spot on the March 14, 2011 Special Town Meeting to secure funding of \$300,000. Mr. Merson explained a consultant was hired to do more investigative work and came in with an estimate amount double what was printed in the warrant.

Ms. Garlick asked Mr. Merson to comment on the Comparison and Evaluation of Options for Well #1. Mr. Merson commented on three potential options as outlined in the information packet. Ms. Fitzpatrick commented on the potential impact on the well field and stated there is great scrutiny on how much a community should be pumping from their wells. She said the time in getting well #1 back on line could impact the Town's ability to produce its own water. She told the Board that while it is important the Town controls its own supply, the cost of MWRA water is 3 ½ times what the Town can pump. Annually, she stated, replacing the amount of water from well #1 would cost approximately \$500,000 to buy the water from the MWRA. Ms. Fitzpatrick reiterated the cost of the project is \$600,000 with a payback of slightly over one year.

Mr. Handel asked if there is any salvage value from the well, and is there any utility in trying to make it a reserve well? Mr. Merson said it was hard to say if there is any salvage value, but the well could possibly be used as a reserve well in the future.

Mr. Matthews clarified the project is to drill a new well within 50 feet of the current well, because it therefore is a replacement well subject to expedited permitting. Mr. Merson confirmed Mr. Matthews comment. Mr. Matthews stated he feels the project makes sense.

8:15 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 5 items to discuss:

1. Board of Selectmen Meeting Calendar:

Ms. Fitzpatrick recommended the Board amend its April calendar due to the annual Town election and Passover.

**Motion by Mr. Handel that the Board of Selectmen amend its 2011 calendar by setting meetings for April 5<sup>th</sup>, 13<sup>th</sup> (Wednesday), and 26<sup>th</sup>.  
Second: Mr. Wasserman. Unanimously approved 5-0.**

2. Town Hall Update:

Ms. Fitzpatrick updated the Board on the Town Hall renovation project. She provided several slides of the interior of the building showing the work that is being done. She said much of the framing of new offices on the main floor of the existing building has been completed, along with plastering, mill work, and painting. She said all of the woodwork in the building has been refinished and is in beautiful condition. Ms. Fitzpatrick showed slides of the Great Hall and the balcony, and told the Board the new addition is expected to be weather-tight by the end of March.

3. Special Town Meeting - Review of Warrant Articles:

Ms. Fitzpatrick asked the Board to take positions on Article 1 - Appropriate for Parking and Access Improvements - Pollard School and Article 2 - Restoration of Charles River Treatment Facility Well in the Special Town Meeting warrant dated March 14, 2011.

**Motion by Mr. Handel that the Board vote to recommend adoption of an emergency preamble for Article 1.**

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

**Motion by Mr. Handel that the Board vote to recommend adoption of Article 1 on the March 14, 2011 Special Town Meeting Warrant.**

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

**Motion by Mr. Handel that the Board vote to recommend adoption of a motion to amend Article 2 by striking the sum “\$300,000” and inserting in place thereof the sum “\$187,000.”**

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

4. Annual Town Meeting Articles:

Ms. Fitzpatrick reviewed with the Board the revised Annual Town Meeting Warrant. She told the Board the Retirement Board voted to remove its Article with respect to consideration of increasing the base for the cost of living increase for retirees until further information is gained. Ms. Fitzpatrick recommended deferral of the Reservoir B Pumping Station to the November town meeting. In addition, Ms. Fitzpatrick told the Board the Planning Board was meeting this evening to discuss its position on its own articles and the four citizen’s petition articles. She told the Board she has arranged for the Chair of the Planning Board and the Director of Planning and Community Development to attend the Selectmen’s meeting of April 13, 2011 to make a presentation.

5. Town Manager Report:

Ms. Fitzpatrick told the Board the house at 174 Charles River Street, which the Town purchased, was demolished last week. The property, she said, was a great acquisition for the Town to expand and renovate the Walker Gordon playing field.

Ms. Fitzpatrick informed the Board the closing date for the conveyance of the property between the Town and the MBTA was done successfully. She stated all of the documents have been transferred.

Ms. Fitzpatrick told the Board the Towns of Needham and Wellesley are working with the MMA on a program to host visiting young local government officials from Pakistan. The goal, she said, is to expose the managers to local government and culture.

8:30 p.m. Board Discussion:

Committee Report

Mr. Matthews, as Selectman participating in a Chapter 40B working group established by the Planning Board, spoke to the Board about Chapter 40B Affordable Housing. The project, he said, will bring together members of various Town boards and committees to develop guidelines so applicants and citizens can understand the Town's philosophical and legal approach to Chapter 40B. Mr. Matthews said one important role is to give information to applicants and provide standards for litigation under certain circumstances. Mr. Matthews said many boards and committees in Town will be asked to provide input.

8:35 p.m. Adjourn:

**Motion by Mr. Matthews that the Board convene an Executive Session under 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. Not to return to open session prior to adjournment.**

**Second: Mr. Wasserman. Unanimously approved 5-0 by role call vote.**

**The meeting adjourned at 9:05 pm.**