

**Town of Needham
Board of Selectmen
Minutes for February 28, 2012
Needham Town Hall**

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 Maurice P. Handel. Those present were Gerald A. Wasserman, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Introduction of Firefighter:
Paul Buckley, Fire Chief appeared before the Board to introduce newly appointed Firefighter Edward Sullivan.

The Board welcomed Firefighter Sullivan. Mr. Matthews told Firefighter Sullivan he is the “face of the Town” as a first responder. Mr. Wasserman said everyone understands the difficulty of the work of firefighters and appreciates the work of all Town employees. Mr. Handel concurred with the comments made by the Board and wished Firefighter Sullivan well in his new position.

7:05 p.m. Public Hearing - NSTAR Petition for Central Avenue:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 5 feet of conduit at Pole 8/104 on Central Avenue, Needham.

**Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 5 feet of conduit at Pole 8/104 on Central Avenue, Needham. This work is necessary to provide underground electric service for a new structure at 829 Central Avenue.
Second: Mr. Matthews. Unanimously approved 4-0.**

7:08 p.m. Consent Agenda and Appointments:
Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda as presented.

- 1. Accept donation made to the Needham Health Department’s Gift of Warmth from the following: \$50 from Lindsay and Garth Greimann, 975 Memorial Drive Apt. 1108, Cambridge MA.**
- 2.* Approve minutes from February 14, 2012 meeting and February 14, 2012 Executive Session.**
- 3.* Approve One Day Special Wines and Malt Beverages Only license from Matt Borrelli of Citizens for Matt Borrelli to host a “Matt Borrelli for Selectmen Kickoff Party” on Friday, March 9, 2012 from 5:00 p.m. to 8:00 p.m. at The Village Club, 83 Morton Street, Needham.**

- 4.* **Approve a request from the Needham Track Club to hold “The Great Bear Run” road race on Sunday, May 6, 2012 from 10:00AM to 2:45 PM on the grounds of the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.**
5. **Accept \$50 donation made to the Needham Commission on Disabilities in honor of BJ Cataldo to thank her for her discussion with 4th graders on Learning Disabilities as part of the Broadmeadow Disability Awareness Program.**
- 6.* **Approve a request from the Middle School PTC & Needham SEPAC hold a walk on Saturday, April 28, 2012 from 11:00 a.m. to 12:00 p.m. on the grounds and in the area around the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.**
7. **Support Youth Services’ “Needham Unplugged” for the month of March including its annual no-meeting night which will be held on Thursday, March 15, 2012.**
8. **Grant permission for the Needham Business Association to use the Town Common and surrounding area for its Street Fair on Saturday, June 2, 2012 and Harvest Fair on Saturday, October 6, 2012. Permission includes any changes as recommended by the Needham Police Department.**

Second: Mr. Wasserman. Unanimously approved 4-0.

7:10 p.m.

Rail Trail Update:

Tad Staley of the Bay Colony Rail Trail Project Committee appeared before the Board with an update on the status of the Committee’s exploration of the concept of a three town shared use trail from Needham to Medfield.

Mr. Staley showed a presentation outlining the proposed Rail Trail and gave an overview of the 7 mile trail. Mr. Staley told the Board the MBTA is interested in leasing the corridor to the towns through which the trail travels at no cost. Mr. Staley said the goal of Rail Trail Project Committee is to build the trail at no cost to the Town and raise funds privately. He asked the Board authorize the Town Manager to submit a letter to the MBTA expressing interest in leasing the corridor.

Motion by Mr. Bulian that the Board authorize the Town Manager to send a letter to the MBTA expressing interest in exploring the possibility of entering into a lease agreement covering the unused rail corridor most recently operated by the Bay Colony Railroad.

Second: Mr. Wasserman. Unanimously approved 4-0.

7:30 p.m.

FY2011 Financial Audit:

Dave Davison, Assistant Town Manager/Director of Finance, Scott McIntire, Melanson Heath & Company, P.C., and Alina Korsak, Melanson Heath & Company P.C. appeared before the Board with an update on the recently

completed audit of the Town's general purpose financial statements for FY2011 and their recommendations.

Mr. McIntire said the audit went very well. He told the Board there were no disagreements on the application of generally accepted accounting principles. Mr. McIntire reviewed the Independent Auditors' Report and said the financial statements of the Town are in accordance with generally accepted accounting principles for government entities in the United States. Mr. McIntire noted the General Fund Unassigned Fund balance as of June 30, 2011 of \$8,864,000. He said the figure increased by over \$2,000,000 from the prior year and is driven by favorable results from the Overlay Account from FY2011. He commented the \$8,864,000 represents about 7.4% of the General Fund Expenditures and is a key indicator for rating agencies. Mr. McIntire commented on the recommendations and said there were areas that needed minor adjustments including dealing with ambulance receivables, water receivables, and reconciling withholding liabilities with subsequent disbursement of the money at year end. He also recommends clearing reconciling items on a monthly basis, monitoring the police detail deficit, and clearing cash reconciliation items. Mr. McIntire noted none of the items are "material" to the Town, but important enough to bring to the attention of management and the Board.

The Board thanked Mr. Davison and Mr. McIntire for their work and through job in preparing the audit information.

8:00 p.m.

DPW Director:

Kate Fitzpatrick, Town Manager noted Mr. Merson's 40th anniversary working for the DPW and the Town of Needham. The Board congratulated Mr. Merson.

Rick Merson, DPW Director and Anthony Del Gaizo, Town Engineer appeared before the Board to discuss 3 items.

1. Order of Taking (Alteration) for a Town Way (Form 3) for Reservoir Street
Mr. Del Gaizo said Reservoir Street in the location directly in front of the existing Sewage Pumping Station at 274 Reservoir Street was favorably adopted by vote at the November 2011 Special Town Meeting. He said this meeting is the next step in the procedure for laying out and altering town ways where the Selectmen adopt the Order of Acceptance and have the Order recorded at the Registry of Deeds.

Motion by Mr. Wasserman that the Board vote to approve and sign the Order of Taking for Town Way (Form 3) for a portion of Reservoir Street. Second: Mr. Bulian. Unanimously approved 4-0.

2. Order of Taking (Discontinuance or Abandonment) for a Town Way (Form 3) for Eaton Square
Mr. Del Gaizo said the Order of Taking has to do with the proposed addition to Needham Cooperative Bank and the streetscape improvement of Eaton Square

located between Great Plain Avenue and Garden Street. Mr. Del Gaizo commented Town Meeting has voted favorably to discontinue and abandon Eaton Square as previously constructed and laid out by the Board of Selectmen at the November 2011 Special Town Meeting. He said this Order of Taking (Form 3) is the next step in the procedure for laying out abandoning and/or discontinuing Eaton Square.

Motion by Mr. Wasserman that the Board vote to approve and sign the Order of Taking for Town Way (Form 3) for abandonment and/or discontinuance of Eaton Square.

Second: Mr. Bulian. Unanimously approved 4-0.

3. Grant of Drainage Easement – Jarvis Circle

Mr. Del Gaizo said the property owners of 54-56 Jarvis Circle (Lot 33) are currently in the process of developing a condominium complex at Jarvis Circle. He said the developer discovered that they could not find a recorded easement granted to the town for this existing drainage system. Mr. Del Gaizo commented the current owners have prepared plans and documents in order to formally grant the town easements for the benefit of maintaining, constructing, and repairing the drainage system. Mr. Del Gaizo recommends the Board accept the grant of easement.

Motion by Mr. Wasserman that the Board vote to approve and sign the Grant of Drainage Easement for 54-56 Jarvis Circle.

Second: Mr. Bulian. Unanimously approved 4-0.

8:10 p.m.

Town Manager:

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

1. RTS Rate Setting

Ms. Fitzpatrick reminded the Board it held a public hearing on RTS rate proposal at the February 14, 2012 meeting. She said no further comment has been received and asked the Board approve the recommended rate structure.

Motion by Mr. Wasserman that the Board approve the rates as shown on attachment A, and further that the rates for the pay-to-throw bags be effective on April 1, 2012 and the scale rate be effective July 1, 2012.

Further move that the Board reaffirms and requires that the RTS sticker be affixed to the window of the vehicle for entrance into the RTS facility.

Second: Mr. Bulian. Unanimously approved 4-0.

2. Annual Town Meeting Warrant

Ms. Fitzpatrick reviewed with the Board the draft Annual Town Meeting Warrant. She said the placeholder article for funding for a feasibility study for wireless master box system and removal of the fire box system has been removed from the

warrant. Based on information gathered from Wellesley, it was determined a cost analysis could be done in-house. Ms. Fitzpatrick asked Board members to let her know if they would like a special presentation on any of the articles prior to Town Meeting. She noted a document contained in the Selectmen packet that attempts to summarize the changes to the General By-law which are mostly technical in nature, but specifically mentioned the use regulation of the bow and arrow.

3. Special Town Meeting

Ms. Fitzpatrick reviewed a preliminary list of articles to be included in the May 14, 2012 Special Town Meeting Warrant. She said the Board is scheduled to open the warrant at its March 27, 2012 meeting.

8:15 p.m.

Board Discussion:

Mr. Handel told the Board the Council on Economic Advisors concluded its seminars with real estate owners and developers in the Highland Avenue corridor/Wexford Street area. He said there are some interesting perceptions and information about the kinds of things the Town can be doing from a regulatory and zoning perspective to enhance development in the area. He said more information is forthcoming.

A list of all documents used at this Board of Selectmen meeting are available at:

<http://www.needham.gov/Archive.aspx?AMID=99&Type=&ADID=>

8:20 p.m.

Executive Session (Exceptions 3 and 6)

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

Exception 3 – To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares; and

Exception 6 – To consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.

Second: Mr. Bulian. Mr. Handel polled the Board. Unanimously approved 4-0.

(Note: The meeting adjourned at 9:05 p.m.)