

**Town of Needham
Board of Selectmen
Minutes for June 12, 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 Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

Certificate of Appreciation – Youth Center:

Mr. Wasserman read a Certificate of Appreciation awarded to Trish Lincoln for her work as Chairman of the Youth Center Committee and for her commitment to providing a safe, enjoyable environment for Needham’s middle school students to engage in social events. The Board congratulated Ms. Lincoln and thanked her for her work.

7:00 p.m. Public Hearing - NSTAR Petition for Parker Road:

Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 5 feet of conduit at Pole 270/13 on Parker Road, Needham. This work is necessary to provide underground electric service for a new home at 119 Parker Road.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 5 feet of conduit at Pole 270/13 on Parker Road, Needham. This work is necessary to provide underground electric service for a new home at 119 Parker Road.

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

Ron Allman, 111 Parker Road, asked for clarification on the conduit being placed underground.

Consent Agenda:

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

APPOINTMENTS

- | | |
|-------------------------------------|---------------------------------|
| 1. PPBC User Agency Representatives | Kate Fitzpatrick |
| DPW Complex/Garage Bays | Richard Merson |
| 2. PPBC User Agency Representatives | Richard Merson |
| St. Mary’s Pumping Station | Anthony Del Gaizo |
| 3. Golf Course Advisory Committee | Mary Grace Summergrad |
| | (term expires 6/30/2014) |

CONSENT AGENDA

- 1. Approve a request from the Natick Rotary to hold a Tour de Natick bike event on Sunday, June 17, 2012. The Needham portion of the route involves only a short leg of the longer, 25 mile course which begins at 8:00 am. The section of the route going through Needham is from Charles River Street at the Dover line to South Street at the Dover line. The route that the riders will take through Needham has been approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 2. Accept the following donations made to the Needham Health Department's Domestic Violence Action Committee fund: \$20 from Judith Staszsky; \$100 from Gary Levine; \$50 from Mr. & Mrs. Gary Levine; \$50 from Walter Collins, Briarwood Healthcare Nursing Center; and \$50 from Susan G. Findley.**
- 3. Approve a request from Barbara Riker, who is organizing a Motorcycle Benefit ride with all proceeds to be donated to the Cystic Fibrosis Foundation, to have a portion of its ride to go through Needham. The event is scheduled to be held on Sunday, September 16, 2012 with a rain date of September 23, 2012. The ride begins at noon at the VFW in Walpole. The route that the riders will take through Needham has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
- 4. Ratify a request from Sean Madsen of Bikes Not Bombs for its event that was held on June 3, 2012. It was a bike-a-thon event that had cyclists riding through a portion of Needham during the 40 mile route of the ride, as well as the return path of the 60 mile ride. The Needham portion of the route was approved by the DPW, Police, Fire and Park and Recreation departments.**
- 5. Accept the following donations made to Needham Youth Services this year to date, to enhance Youth Services overall programming: \$10 from Kathleen Ganz; \$30 from Margaret Galligan; \$25 from Brendan Counihan, Dedham; \$50 from Sam Graves; \$20 from Ray Lavella; \$30 from Lynne Franeschi; \$30 from Barbara Mason; \$25 from Claire Blum; \$20 from Nancy Lane; and \$50 from Lisa Cherbuliez.**
- 6. Accept a \$50 donation from Eliot Turransky of Needham Junction Ice Cream made to Needham Youth Services. The monies will be used towards helping the Employment Program.**
- 7. Disband the Youth Center Committee and the Green Communities Study Committee with thanks to the efforts and dedication of each committee's respective members.**
- 8. Accept \$13,996.85 donation made to the Council on Aging from the Friends of Needham Elderly. This donation represents its 20% commitment towards a van purchased via a Mobility Assistance Capital Grant through the Massachusetts Department of Transportation.**
- 9. Grant permission for a meter-free parking Saturday in the downtown area on Saturday, June 23, 2012 so that residents may enjoy the Needham Business Association's Annual Street Fair (rescheduled rain-date).**
- 10. Accept donation of 50 coupons for ice cream cones from Lizzie's Ice Cream for the Needham Youth Services Peer Tutors.**

11. **Approve a Special One Day Wines & Malt Beverages license from Steve Volante of Volante Farms to hold a “Dinner in the Field” event on Thursday, July 19, 2012 from 6:00 p.m. to 11:00 p.m. at Volante Farms, 292 Forest Street, Needham.**
12. **Grant permission for the following residents to hold a block party:**

Name	Address	Party Location	Date	Rain Date	Time
Melinda Young	24 Ellicott St	24 Ellicott St.	6/30/2012		1-9PM
Mary Jane McGill *ratify	97 Melrose Ave	Melrose Ave between # 97 & 103	6/02/2012	6/16/2012	3-8PM 4-7PM
Diane DerMarderosian	26 Greenwood Avenue	Greenwood Avenue	7/14/2012	7/15/2012	1-10PM
Julie Vanderklish *ratify	71 Ardmore Road	Corner Taylor & Ardmore	6/10/2012	6/13/2012	4-8PM 5-8PM
Barbara St. John	138 Fairfield Street	138 Fairfield	6/19/2012		2-5PM
Robert Klein *ratify	11 Andrea Circle	Andrea Circle	6/10/2012		12-4PM

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

7:05 p.m.

Energy Efficiency Upgrade Study:

Chip Laffey, Director of Facility Operations, Carys Lustig, PFD Administrative Analyst, and Kalyana Vadala, EMG appeared before the Board to discuss the Energy Efficiency Upgrade Study for 10 municipal buildings. Mr. Vadala showed a powerpoint presentation titled “Executive Summary & Energy Retrofit Report”. He provided the Board with a summary of the project and the recommendations. Mr. Laffey commented based on the results of the study, the Public Facilities Department developed and submitted a five year energy upgrade capital plan that was approved at the 2012 Annual Town Meeting.

Mr. Wasserman commented the coming debate will be how proactive the Town wants to be on the issue. He said fossil fuel costs will play a role, as well as shortages. Mr. Wasserman said the Town may decide for environmental reasons and to be proactive against cost increases that some of the longer term paybacks be implemented rather than delayed, as money will be saved over time. Mr. Wasserman thanked Mr. Laffey, Ms. Lustig, and Mr. Vadala for the presentation.

7:25 p.m.

Town Manager:

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

1. Approve Sale of Bonds and Notes

Dave Davison, ATM/Finance Director and Evelyn Poness, Town Treasurer/Collector reviewed the results of the bond sale with the Board and discussed the S&P rating. Mr. Davison asked the Board for its approval.

Motion A

Motion by Mr. Bulian that the Board of Selectmen vote to approve that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund a portion of the Town’s (i) \$14,000,000 General Obligation School Bonds dated November 1, 2003 maturing on November 1 in the years 2014 through 2023, inclusive, and (ii) \$12,649,000 General Obligation Municipal Purpose Loan of 2004 Bonds dated December 1, 2004 maturing on December 1 in the years 2015 through 2019, inclusive, (together, the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium, if any, and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

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

Motion B

Motion by Mr. Bulian that the Board of Selectmen vote to approve the sale of the \$10,995,000 General Obligation Refunding Bonds of the Town dated June 15, 2012 (the “Bonds”), to Janney Montgomery Scott LLC at the price of \$11,961,831.41 is hereby approved and confirmed. The Bonds shall be payable on November 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2012	\$95,000	2.00%	2018	\$1,470,000	3.00%
2013	60,000	2.00%	2019	1,450,000	3.00%
2014	760,000	3.00%	2020	655,000	3.00%
2015	1,560,000	2.00%	2021	645,000	4.00%
2016	1,530,000	2.00%	2022	640,000	4.00%
2017	1,500,000	2.00%	2023	630,000	4.00%

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

Motion C

Motion by Mr. Bulian that the Board of Selectmen vote to approve the sale of the Town’s (i) \$350,000 General Obligation Bond Anticipation Notes, Series A (Taxable) dated June 15, 2012 and payable June 29, 2012 and (ii) \$8,650,000 General Obligation Bond Anticipation Notes, Series B dated June 15, 2012 and payable October 15, 2012 (the “Notes”), at par and accrued interest, if any, plus the premiums indicated as follows:

Number	Denomination	Interest Rate	Premium	Purchaser
1	\$350,000	0.50%	\$0.00	Century Subsidiary Investments Inc. III
2	\$8,650,000	0.75%	\$15,743.00	Eastern Bank

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

Motion D

Motion by Mr. Bulian that the Board of Selectmen vote to approve that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 29, 2012, and a final Official Statement dated June 6, 2012 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

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

Motion E

Motion by Mr. Bulian that the Board of Selectmen vote to approve that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 29, 2012, and a final Official Statement dated June 6, 2012, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

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

Motion F

Motion by Mr. Bulian that the Board of Selectmen vote to authorize the execution and delivery of a Refunding Escrow Agreement to be dated June 15, 2012, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

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

Motion G

Motion by Mr. Bulian that the Board of Selectmen vote to approve that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

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

Motion H

Motion by Mr. Bulian that the Board of Selectmen vote to authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes.

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

Motion I

Motion by Mr. Bulian that the Board of Selectmen vote that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

2. Accounting and Financial Software

Mr. Davison updated the Board on the progress of the School/Town collaboration to replace the existing accounting and financial software in fiscal year 2013. He reminded the Board that starting last winter the Town began looking to acquire a new accounting and financial package. He said the current system has been in use for 20 years and while it has served the Town well over the years, it no longer does due to changes in technology, reporting and regulatory requirements, and needs to be upgraded. Mr. Davison said the Town conducted a procurement with six companies expressing interest in providing an accounting financial solution for the Town and submitting proposals. He said the final choice has been made and it is anticipated to take approximately 18 months to fully transition. He commented the Technology Advisory Board supported purchasing the product, the process the Town used to determine the best product, and funding for one additional staff position for implementation. The Finance Committee voted to support funding for the product and implementation.

Mr. Wasserman noted all Town boards are in agreement that this is the best solution. Mr. Wasserman thanked Mr. Davison for his presentation.

3. BOS Goals Discussion

The Board reviewed the draft goals for FY2013-2014. Mr. Wasserman asked for comment. Mr. Bulian suggested the Board should discuss polling locations, but said it may be premature until the Town settles the issue of either renovating or rebuilding both Hillside and Mitchell Schools. Mr. Handel commented the future of the Emory Grover building must be part of the goals. He also commented adding policy regarding construction of school playgrounds as part of school renovations should be considered. Mr. Handel suggested traffic signal efficiency should also be a goal. He suggested adding a goal to review the threshold for site

plans and special permitting in the downtown. Mr. Borrelli asked for presentations from the school committee so the Board can understand and be proactive during develop options for renovating or rebuilding Hillside and Mitchell Schools. He suggested forming a working group to consider zoning by-laws. He commented on residential teardowns, and feels there needs to be a balance between teardowns and new construction. Mr. Wasserman commented he would speak with the chairman of the school committee about arranging a time during the feasibility study of Hillside and Mitchell for a presentation on each project.

8:00 p.m. Board Discussion

1. Greendale Avenue Housing

Ms. Fitzpatrick told the Board of a proposed 10 unit condominium 40B housing project at 894 Greendale Avenue, currently known as “Greendale Village”. She said the Massachusetts Housing Finance Agency is reviewing the application and asked the Board whether it had any comments during the review process. Ms. Fitzpatrick recommends the Board seek MassHousing approval for the project to be at 25% affordable.

Mr. Bulian said he is concerned the developer has not yet met with the neighbors, and that more details of the project are needed before comments can be made to Mass Housing. The Board agreed more time and information is needed.

Mr. Borrelli is concerned with the landscape and trees to buffer noise from Route 128. He asked the Town be more involved with monitoring the project.

Mr. Wasserman asked the Town Manager to write a letter to MassHousing based on discussion, including the unit ratio and ultimate size of the project.

Motion by Mr. Handel that the Board authorize the Town Manager to forward a letter to MassHousing summarizing the comments of the Board and that the Board of Selectmen also send a letter to the developer requesting an early meeting with the neighbors before further action is taken.

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

2. Alcoholic Beverages Control Commission Review of Happy Hour Regulations

Mr. Wasserman said the state is considering lifting the ban on Happy Hour Regulations and asked if the Board wanted to submit comments to the ABCC during the review process. Mr. Handel commented he favors maintaining current restrictions. Mr. Bulian is opposed to changing regulations, especially in light of the Town’s recent debate in allowing package stores.

Motion by Mr. Matthews that the Board of Selectmen authorize the Town Manager to forward a letter to the ABCC summarizing the comments of the Board.

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

3. Committee Reports

Mr. Matthews said committee appointments are currently being sought for New Year's Needham and that approximately 11 volunteers are needed for the program. He commented most of the work takes place during September, October, and November. He asked residents interested in helping to plan the event to call or email the Board of Selectmen's office. Ms. Fitzpatrick said a pilot program is being funded by New Year's Needham to hire a staff person to handle many details of the event.

8:55 p.m.

Executive Session (Exception 3 & 6)

Motion by Mr. Handel 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. Wasserman polled the Board. Unanimously approved 5-0.

(The meeting adjourned at 9:30 pm.)

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=>