

**Town of Needham  
Board of Selectmen  
Minutes for June 26, 2012  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:  
Sue Owen, representative of the group “Save Cricket Field”, asked the Board if there is any particular action that the group should be taking. There are currently 15 core members and 100 additional members who want to keep the momentum moving forward towards having Cricket Field removed from the list of potential sites for the new Hillside School. Ms. Owen was advised by Mr. Handel to let the process play itself out. Mr. Bulian stated that the School Committee has a difficult task ahead and advised the group to tone down their approach, but stay vigilant to the process and to work with the Chair of the School Committee. Mr. Wasserman stated that the School Committee must vet all options before going to the MSBA.

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 Sandy Cincotta.

7:00 p.m. Public Hearing – Verizon and NSTAR Petition for Damon Road:  
Ellen Joy, Verizon representative, appeared before the Board requesting permission to install one pole on the northeasterly side of Damon Road, Needham. This work is necessary in order to reduce the span between poles 1 and 2 bringing cables that are low to proper height.

Mr. Borrelli asked if the pole was a double pole. Ms. Joy responded that it is not, it is a new pole.

**Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from Verizon and NSTAR to install one pole on the northeasterly side of Damon Road, Needham. This work is necessary in order to reduce the span between poles 1 and 2 bringing cables that are low to proper height.**

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

Consent Agenda:

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

**APPOINTMENTS**

1.	RTS Ad Hoc Super Committee	Richard Zimbone (term expires 12/31/12) Steve Rosenstock (term expires 12/31/12)
2.	Council on Aging	Ed Cosgrove (term expires 6/30/2014)

3.	New Years Needham Committee	Arthur Crocker (term expires 6/30/13) Kimberly McCollum (term expires 6/30/13) Louise Miller (term expires 6/30/13) Helen Newton (term expires 6/30/13) (Rabbi) Richard Nichol (term expires 6/30/13) Jonathan Yellin (term expires 6/30/13)
4.	Historical Commission	Jonathan Yellin (term expires 6/30/14)
5.	Design Review Board	Arthur Crocker – Alternate (term expires 6/30/14)
6.	Conservation Commission	Stephen Farr (term expires 6/30/2015)
7.	Regional Transportation Advisory Council	David Montgomery (term expires 6/30/13)

## CONSENT AGENDA

1.	In accordance with Section 20B (5) of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, adopt a classification and compensation plan for fiscal year 2013.
2.	Accept \$525 donation made to the Needham Health Department's Coalition for Suicide Prevention from the Veterans of Foreign Wars. The money was raised at the Scotty Cusick Memorial Golf Tournament.
3.	Approve request from the Public Health Department for a 20(b) exemption to allow Dawn O'Halloran and Catherine Murray, Kindergarten After School Program employee and Broadmeadow School Cafeteria Worker respectively, to work as packer/drivers for the summer Traveling Meals Program; and allow Nancy Milliken, Eliot School Kitchen Manager, to work as a back-up packer/driver for the summer Traveling Meals program. Disclosure statements for each staff member are on file with the Town Clerk's office.
4.	Approve a Special One Day Wines & Malt Beverages Only license from Kathryn Lozano of the Charles River YMCA to hold a "Friends of the Y" event on Thursday, July 5, 2012 from 6:30 p.m. to 7:30 p.m. at the Charles River YMCA, 863 Great Plain Avenue, Needham.
5.	Approve minutes from May 16, 2012, May 22, 2012, June 12, 2012 and Executive Session minutes from June 12, 2012.
6.	Accept grant in the amount of \$5,500 made to the Newman Playground-A Cause for Play from Omni Spin Spinner/accessible playground equipment that was voted on and approved by the Needham Commission on Disabilities.
7.	Accept the following donations made to the Needham Health Department's Domestic Violence Action Committee fund: \$100 from Copley Motorcars Corporation; \$100 from Bird's Hill Pharmacy; \$25 from Lynne R. Weinstein; \$10 from Amy Sharff; \$50 from The Marin

	Family; \$10 from Colin Coleman; and \$10 from Lois Duffy.				
8.	Grant permission for the following residents to hold a block party:				
Name	Address	Party Location	Date	Rain Date	Time
Beth McCarthy	19 Davenport Road	Mills Road/Davenport Rd	8/18/2012		3-11PM

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

7:05 p.m.

**Salt Shed Feasibility Study Update:**

Rick Merson, Director of the Department of Public Works, James Fair, Weston and Sampson, Hank Haff, Project Manager and George Kent, Chair, Permanent Public Building Committee appeared before the Board to provide an update on the Salt Shed Feasibility Study. Mr. Fair showed a PowerPoint presentation that provided an overview of how the present design was created. Four possible sites within the Transfer Facility were reviewed and the “Seam Site” was selected based on a lower cost and that it would be more efficient to build. The initial project specification called for an initial budget of \$2.3M, storage of about 5,000 tons of salt, 10,800 SF of canopy area and a 800 SF operations building. At the April 30, 2012 PPBC meeting, Weston and Sampson was charged with identifying a core program that would fit within a \$1.5M budget. Mr. Fair said that the revised project would store 3,500 tons of salt, the canopy area would be reduced to 2,400 SF and the operations building would be removed from the project. The canopy would be listed as Bid Alternative Number 1. Test pits were performed on May 24 and boring tests were conducted on June 5<sup>th</sup>. Testing indicates that there will likely be additional environmental costs.

Mr. Fair explained that more tests would be required before the range of environmental costs could be tightened. Mr. Richard Merson, Director of the Department of Public Works stated that the cost of salt stays the same, regardless of how much is purchased each time and that the capacity of the new salt shed, while reduced from the initial project request is still greater than the current capacity of 1,200 tons.

Mr. Wasserman and Mr. Borrelli inquired about the location within the RTS and if future traffic pattern changes would interfere with operations. Mr. Merson answered that there is very little traffic that would travel to this area on a daily basis and the location would not be problematic for future traffic pattern changes.

Mr. Wasserman thanked the presenters for the update and stated that the Board looked forward to future updates.

7:30 p.m. Kate Fitzpatrick, Town Manager, appeared before the Board with 4 items to discuss:

Set Special Town Meeting Date

Ms. Fitzpatrick appeared before the Board to request that the Board call for a Special Town Meeting for October 29, 2012, due to fall holidays and activities.

Mr. Matthews made a motion to add “with a recommendation that the second night, if needed, be Tuesday, October 30<sup>th</sup>, due to scheduling conflicts”.

**Motion by Mr. Bulian that the Board call for a Special Town Meeting to be held on Monday, October 29, 2012, with a recommendation that the second night, if needed, be held Tuesday, October 30<sup>th</sup>, due to scheduling difficulties. Second: Mr. Handel. Unanimously approved 5-0.**

7:35 p.m. Abatement of Ambulance Bills and Police Details and Revised Abatement Policy  
Ms. Fitzpatrick, David Davison, Assistant Town Manager/Finance and Evelyn Poness, Town Treasurer/Collector appeared before the Board to present a list of dated police detail and ambulance receivables that are uncollectable for various reasons. The largest category is contractual allowances – this is the amount that the Town is not allowed to collect for contractual and regulatory reasons. Mr. Davison explained changes that would be included in a revised Town Write Off of Charges policy that would allow the Town to more efficiently address the Independent Auditor management comments.

Mr. Borrelli inquired about the Town’s ability to deny new permits if there are outstanding collections due to the Town. Mr. Davison said that for any amount more than one year overdue, the Town can prevent further permits. He further commented that we are still in the process of finalizing the procedure. Mr. Borrelli asked if the Town had considered outsourcing the task of tracking down the “unable to locate” receivables. Mr. Davison responded that these private agencies add on extra fees in order to collect a percentage of the money collected. He also informed the Board that the Town has just gone through the process of selecting an outside vendor to provide ambulance billing and collections.

Mr. Bulian made the following motions:

**Moved that the Board approve the recommendation to abate outstanding ambulance charges billed during the period of January 1, 2007 and December 31, 2010 totaling \$691,616.82 in accordance with the attached schedule in the amounts for the identified reasons.**

**That the Board approve the recommendation to write-off outstanding police detail receivables billed prior to January 2012 and deemed uncollectible or billed in error, in the amount of \$86,596.31.**

**That the Board approve the revised policy to Finance 2003-001, Write Off of Charges renamed Abatement and Write-Off of Committed Departmental Receivables, and authorize the Chair of the Board to sign attesting to the adoption of the policy.**

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

St. Mary Street Non-Exclusive Permanent Easement/MWRA

Ms. Fitzpatrick explained to the Board that the November 2, 2009 Special Town Meeting approved an easement between the Town and the Massachusetts Water Resources Authority (MWRA) to allow the MWRA to maintain water pipes and controls connecting its existing water distribution system to the Town's water distribution system. The easement is located on Town property at the St. Mary Street pumping station. The signing of the easement is the last step in the process.

**Motion by Mr. Handel that the Board vote to approve and sign the Non-Exclusive Permanent Easement to the Massachusetts Water Resources Authority.**

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

School Use Fees

Ms. Fitzpatrick outlined for the Board the updated School Use Regulations and proposed fee schedule. She explained to the Board that fees had not been updated since 2004, except for custodial fees. A comparison survey with surrounding communities indicated that fees were out of line in some areas, and that the proposed fee increases were modest.

Mr. Wasserman asked if there was a discount for Priority 1 groups (e.g. Boosters, PTC's, organizations that helped to raise money for the schools). Ms. Fitzpatrick responded that there was no discount in place. Mr. Wasserman commented that this is an issue that should perhaps be discussed in the future.

**Motion by Mr. Matthews that the Board vote to adopt a fee schedule for use of School Facilities as follows:**

<u>Category</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
Full-size Gyms	\$10 per hour	\$13 per hour
Small Gyms	\$10 per hour	\$11 per hour
Auditorium	\$100 per day	\$100 per day
Cafeteria	\$100 per day	\$100 per day
Lecture Hall	\$10 per hour	\$10 per hour
Media Center	\$10 per hour	\$10 per hour
Parking Lot	Reserved	Reserved

**Note: Multi-week auditorium rentals are charged \$1 per ticket or the daily use charge for performances only, whichever is higher.**

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

7:50 p.m.

Board Discussion

Transportation Infrastructure Funding

The Board invited Richard Creem, Chair of the Transportation Committee and Needham's representative to the MBTA Advisory Board, to join the Board for this discussion. Mr. Creem provided an update to the Board. In May, the MBTA Advisory Board reluctantly approved the MBTA's \$1.7B budget for FY2013, which included fare increases and service reductions – subject to his amendment declaring it to be the position of the Advisory Board that service reductions as a means of balancing the MBTA's budget are unacceptable. Mr. Creem stated that at best the budget is a one-year fix and, absent substantial structural changes and a permanent solution, the Town will face another painful round of fare increases and service reductions a year from now. The MBTA Advisory Board is recommending that each of its 175 community members adopt a resolution calling upon the General Court to develop a comprehensive, multi-faceted and sustainable solution to financing eastern Massachusetts transportation infrastructure and operating needs, both highway and public transportation. Mr. Creem concluded his update by requesting that the Board reserve an article in the Special Town Meeting warrant for this resolution.

After a discussion of projected ridership decreases, fare increases and ticket surcharges, the Board entered into a discussion about whether or not this proposed resolution was a matter for Town Meeting to take up, or if it was a matter for the Board of Selectmen.

Mr. Matthews suggested that the Board adopt the resolution. Mr. Wasserman suggested that Mr. Matthews and the Town Manager work on crafting a resolution that would be presented for a vote at the next meeting of the Board of Selectmen. The Board agreed.

Polling Locations

The Board discussed the request of the Needham Public Schools to relocate the polling location for Precincts A and B from the Hillside School, and the need to relocate the polling location for Precinct F once the Senior Center at Stephen Palmer is no longer in operation. The polling location for precincts C and D are proposed to relocate from High Rock back to Newman School once the construction is complete.

**Mr. Matthews made a motion for the Board vote to authorize the Town Manager to evaluate the number of precinct voting locations which can be accommodated at each available town-owned building.**

**Second: Mr. Handel.**

After a discussion about the timing of this task and the future impact of two new town-owned buildings, the Board agreed that it would wait until its next meeting

in July to vote on the motion. Mr. Matthews subsequently withdrew his motion until the next meeting.

#### FY2013-2014 Goals

The Board discussed the revised draft goals for FY2013-2014. The Board agreed that it liked the revised format separating Continuing Strategies and New Initiatives. The Board will vote on the Goals at its next meeting.

#### 2. Committee Reports

**Mr. Matthews made a motion to increase the official number of members on the New Years Needham committee to 11. He stated that the Committee may need to increase its membership by two after its first meeting. Because this is a time sensitive Committee, he did not want to cause any delay in its ability to move forward with its planning.**

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

Mr. Wasserman updated the Board on the Minuteman Building Committee. He stated there has been some misinformation circulating that he wanted to clarify. The feasibility study includes enrollment as high as 800 and as low as supports only member-town students. The Capital Funding issue is still being discussed, nothing has been decided. The vote will be extended to all member towns. Mr. Wasserman further commented on the decision process for deciding how large the school should be. The law does not allow non-member towns to participate in capital costs. A meeting has been arranged with the Lt. Governor and Treasurer to talk about the State (MSBA) paying for the non-member capital costs. Mr. Wasserman explained that all of these issues need to be resolved over the next year.

8:40 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 9:15 p.m.)**

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=>