

**Town of Needham
Board of Selectmen
Minutes for July 10, 2012
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:

Elizabeth Bloom, 30 Nehoiden Street, spoke with the Board concerning the Hillside School stating there is a sense of community and loyalty. She is thrilled the School Committee is considering all options concerning renovation of Hillside School.

Joanna Herrera, 40 Bobsled Drive, said Hillside School is within walking distance to her house. She said it would be a shame to see it divided and feels all options must be explored.

Liz Lee, 42 Blacksmith Drive, said it would be ideal to keep the Hillside School community together and removing an option would derail the process. She said she wants the process to move forward.

Jodi Rooney, 617 Central Avenue, favors keeping Cricket Field as an option stating children need a better environment for learning. She asked that all options remain on the table.

Marvin Berkowitz, 23 Wayne Road, appreciates the Hillside family perspective. He is concerned with traffic and safety issues if Cricket Field is the chosen location. He commented open space is limited in Needham and Cricket Field is a critical part of recreational resources. He feels Cricket Field is not a viable option and would like to work to find the best solution.

Sue Owen, 14 Hillside Avenue, does not want Hillside to lose its community school and stated she moved to the Cricket Field area because of open space, and if the site is used for a new school it will change the character of the neighborhood. She feels keeping Cricket Field as an option takes energy away from other solutions.

Howard Furman, 56 Lynn Road, is concerned the School Committee is not taking a broad focus and that Cricket Field is the easy solution. He is concerned redistricting will occur and urges the Board of Selectmen to have the School Committee look at other sites.

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.

7:00 p.m. Approve 10-year Cable License Renewal Agreement with RCN-BecoCom:

Jonathan Tamkin, Chairman, Cable Television Advisory Committee, Michael Greis, committee member, and Thomas K. Steel, Vice President and Regulatory Counsel, RCN appeared before the Board. Mr. Tamkin told the Board the Cable Television Advisory Committee's recommendation is that the Town enter into a 10-year cable television renewal license with RCN-BecoCom, LLC for the period of July 10, 2012 through July 9, 2022. Mr. Tamkin said the terms of the license are similar to the last 10 year license. He commented RCN is a good provider of cable service and has a good relationship with the Town.

Motion by Mr. Bulian that the Board vote to support the recommendation of the Cable Television Advisory Committee for a ten (10) year cable license renewal agreement with RCN-BecoCom effective July 10, 2012 through July 9, 2022 and execute renewal paperwork.

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

7:20 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board of Selectmen vote to accept the Appointments and Consent Agenda as presented.

APPOINTMENTS

- 1. **Various Committee Appointments** **See attached list**

CONSENT AGENDA

- 1. **Approve a One Day Special Wines & Malt Beverages license for Missy Mahoney of Needham Pool & Racquet Club to hold its Summerfest event on Saturday, July 21, 2012 from 6:00 p.m. to 9:00 p.m. at Needham Pool & Racquet Club, 1550 Central Avenue, Needham.**
- 2. **Water & Sewer Abatement Order #1143**
- 3. **Approve Minutes from June 26, 2012**
- 4. **Accept the following donations made to Needham Youth Services this spring to enhance Youth Services overall programming: \$15 from Christy Lovezzola and \$15 from Pauline Danielewski.**
- 5. **Accept a donation of \$1,500 made to Needham Youth Services from the Outreach Committee of The Congregational Church of Needham. The monies are to be used to sponsor the VIP (Valuable Interactions among Peers) Program.**
- 6. **Accept a gift of \$17,000 to the Town of Needham for the Branding and Marketing of the New England Business Center. These funds were raised by developers and owners located within the business district and given to the Town with the expressed recipient identified as KHJ Brand Activation which will perform the consulting services.**
- 7. **Grant permission for the following residents to hold a block party:**

Name	Address	Party Location	Date	Rain Date	Time
Jerome Kassel	174 Parker Road	147-174 Parker Rd	9/8/12	9/9/12	4-8pm
Anne Bello (ratify)	149 Maple St	149 Maple St	7/4/12		4-8pm
Leon Foster (ratify)	11 James Ave	End of street	7/3/12		5-8pm

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

7:20 p.m. Hillside/Mitchell Pre-feasibility Update:

Heidi Black, Chairman, School Committee, Dan Gutekanst, Superintendent, Needham Public Schools, Joe Barnes, School Committee member, George Kent, Chairman, PPBC, and Steve Popper, Director of Design and Construction, appeared before the Board with an update on the status of the Hillside/Mitchell Pre-Feasibility Study.

Mr. Kent stated the PPBC completed a pre-feasibility study which was handed over to the School Committee and is available on the Needham School website. Mr. Kent noted there are no easy alternatives to the situation.

Ms. Black reiterated the School Committee's goals, saying there are two schools in desperate need of modernization and that the School Committee is committed to the Hillside and Mitchell communities to address the issue. She said it is also important to keep the school community intact to the greatest extent possible. She noted the School Committee is dedicated to building schools that work on the inside and outside, and allows all of Needham's school children a first rate education. She stated she is hopeful a new school can be built on the Hillside site, but at this point in time all the information is not known. She said the School Committee is dedicated to an open and transparent process. Ms. Black commented the Committee is currently waiting for the MSBA to open the process for SOI, hopefully in the fall 2012.

Mr. Barnes said the study raises many questions and does not have all the answers concerning other possible locations. He said all possibilities are open for discussion. Mr. Barnes commented that being invited into a partnership with the MSBA is not assumed as there are other towns in Massachusetts looking for school funding. He said the process of building new schools is long, and it is important the current schools remain in the best possible shape until construction is completed.

Mr. Bulian asked if it is possible to build a four-section school at the Hillside site.

Mr. Handel said there are options and alternatives that are important to understand, and that there are people working in good faith to come up with viable alternatives that will yield the best possible schools.

Ms. Black commented the School Committee is taking no position, no vote, and that there is no preferred option at this time. She said decision making will come at a later time after many steps, including robust transparent conversation with the community working together towards one goal.

Mr. Kent mentioned one of the most important issues of the project is the need for swing space and that there is no apparent swing space in Town. He asked residents to come forward who may have ideas on swing space.

Mr. Wasserman stated it is a complicated issue in the very early stages and the process can not move forward without broad community consensus and Board of Selectmen support. He thanked Ms. Black, members of the School Committee and Mr. Kent for the update and for their work on the project.

8:00 p.m. Public Information Session – NSTAR Right of Way Vegetation Management: Bill Hayes, NSTAR Senior Arborist, and Barry J. Salvucci, NSTAR Community Relations Representative, appeared before the Board to discuss the Utility’s Right-of-Way Vegetation Management Program and the work planned in Needham this summer.

Mr. Salvucci said the project is directly related to trees. He commented that over the past year Hurricane Irene and the Halloween storm did major damage and that 74% of outages sustained by NSTAR were directly attributed to trees. Mr. Salvucci said NSTAR has an obligation to customers to ensure the most reliable electric service and an obligation to be the best corporate neighbor. He said a goal of NSTAR is to work with its citizens.

Mr. Hayes presented a Powerpoint presentation. He explained a representative from NSTAR canvassed the neighborhoods that the transmission right-of-way passes through and delivered a courtesy notification card detailing why NSTAR is undertaking the maintenance project. Mr. Hayes discussed the wire zone and boarder zone and explained why certain trees and shrubs needed to be trimmed or removed. Mr. Hayes commented on the overall Integrated Vegetation Management Program (IVM) and the chemical control, mowing, and pruning of each plant.

Denise Garlick, State Representative, said she has been in contact with Senators Ross, Timilty, and Rush about the issue saying the state delegation is deeply concerned. She commented the IVM plan was implemented in Sudbury and Wayland with considerable impact to residents and neighborhoods. Ms. Garlick said she had an opportunity to walk the area saying the impact would be very profound as it is a green barrier that is the buffer zone between the homes and the commuter rail line. She said envisioning the trees being gone would create a different quality and culture in the Town of Needham. Ms. Garlick mentioned Needham has been cited as a “Tree Town” in the nation. She said conversation needs to continue and residents and elected officials must receive adequate notification. She also commented residents need more information as to why the vegetation management activities are substantially different from what was previously done. Ms. Garlick said she would like to know what kind of plan is in place for dealing with neighbors. She said the overall vegetation plan has been sufficient for the Town in the past. The new plan, she said, does not seem “reasonably necessary”, but rather a scorched earth policy. She commented that NSTAR should meet with the Planning Board to discuss its vegetation plan and what plants will be used as new landscape. Ms. Garlick also commented on liability for homeowners and the Town. She asked NSTAR to address the concerns of homeowners and the Town, and that plans be thoughtful with positive communication. Ms. Garlick requested NSTAR not start any cutting until the Town feels that the mechanisms for communication are in place.

Senator Richard Ross commented communication is the key issue prior to implementing a plan, and asked NSTAR consider resident comments and the quality of life in Needham.

Police Chief Droney spoke about safety concerns, Janice Burns, Director of Public Health discussed pesticide use and Patty Barry, Director of Conservation, commented on the Conservation Commission review of plans.

Steve Theall, Needham Golf Club President, outlined specific areas of concern at the Club which is located on Town property.

Mr. Wasserman open the discussion up for public comment.

Ross Donald, 25 Chambers Street, is concerned about mitigation programs and the Rail to Trail project which will run under the lines. He suggested coordination between NSTAR and the volunteers working on the Rail to Trail project. He also suggests NSTAR provide information to residents so they can learn as much as possible about the project.

A resident of Broadmeadow Road is concerned the Powerpoint slides show different information than what people are being told. He said NSTAR should be considering the distribution lines, rather than the transmission lines. He also is concerned about the high rates of leukemia in children, which he says is related to chemicals, not transmission lines. He asked NSTAR to provide information on the chemicals they plan to use on the trees and shrubs.

Mike Retsky, 121 Laurel Drive, and Chairman of the Park and Recreation Commission, said public outreach is important. He feels the buffer zones help mitigate noise from DeFazio Field and are important to neighbors.

Mary Fitzgerald, 20 Elmwood Road, said state law requires NSTAR to contact the Town 90 days prior to any cutting and asked why residents were not told until June 20, when conversations had been ongoing up until that point. She commented on topography heading into Boston.

George Marino, 44 Elmwood Road, asked about prior precedents when dealing with easement and vegetation programs when there is a multi-purpose right-of-way. He asked for specifics regarding the timing of the cutting.

Dmitry Gorenburg, 178 Richardson Drive, asked if NSTAR will cut low growing bushes, as he has blueberry bushes on his property directly under the power lines. He stated he is on the Board of the Bay Colony Rail Trail and wonders if the trees between the railroad and his property will be cut. He asked about mitigation to protect the privacy of abutters.

Michael Giancioppo, 11 Charles River Street, is concerned about the chemical runoff as he is planning to plant a garden sometime in the future.

Mark McDonough, 173 Fairfield Street, feels the management plan has been poorly executed. He is concerned about erosion and that the plan is a radical change from what has been done over the past 50 years. He feels the full clearing down to the railroad is unacceptable.

Tricia Cruickshank, 64 Elmwood Road, said there use to be bi-annual management of the trees, but not any longer. She is concerned about mitigation after taking down trees and asked if NSTAR will replace trees in residents' yards or replant along the wires. She commented the plan seems unreasonable.

Andrew Koslow, 84 Elmwood Road, asked for clarification on the width of the right-of-way. He said the plan is a radical departure from what has been done in the past.

Paula Buresh, 102 Elmwood Road, asked if the easement is considered the right-of-way or a boarder zone. She also mentioned the resident at 96 Elmwood Road could not attend the meeting, but requests NSTAR install a fence on the property.

John Negoshian, 1101 South Street, said he has pine trees on his property that he does not want cut down. He suggests NSTAR hire someone to go over the project with homeowners on a case by case basis. He commented he wants notification as to when NSTAR will be on his property.

Mr. Wasserman asked for comments from the Board.

Mr. Borrelli said more time and communication is needed to sort through all of the information. He commented he is troubled by what he heard tonight and that there may be a better way to accomplish the goal.

Mr. Matthews suggests the Town Manager become the point of communication for NSTAR and the Town. He commented the northeast corner of Town is where the most specific property concerns will be located, along Elmwood Road and Broad Meadow Road. He reiterated one resident's suggestion to top off trees rather than cutting them down. He suggested there may be a better option and a more cautious approach is warranted. Mr. Matthews said he feels there are ways to achieve an outcome and still protect interests of the neighbors.

Mr. Bulian asked NSTAR to provide notification to residents of the day work will be done on each property. He is concerned the work of the NSTAR crews will result in something different than what is told to the Board of Selectmen and the Town. He said advanced communication is key to allow residents the opportunity to be home when the cutting is done.

Mr. Handel agreed with the comments made by the Board. He said he feels uncomfortable the Town is relying on NSTAR to notify abutters and that there is no control for the Town and individual land owners. He suggested Needham should receive state and/or federal help to give the Town the means to protect the rights of the community and land owners.

Mr. Wasserman said he is troubled by the issue and said it sounds like a cost saving method of management rather than a method that sufficiently takes into account the property owners. He stated he is concerned about the chemicals being

used and that more discussion needs to take place. He thanked NSTAR for their presentation and for meeting with residents.

9:45 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with 1 item to discuss:

Sale of Alcohol for Consumption Off-Premises

Ms. Fitzpatrick discussed the timing of the ballot question for the sale of alcohol for consumption off-premises. She said if the Town's home rule petition is enacted in time, the Town may have the option of seeking to place the question on the November 2012 Presidential election ballot or the April 2013 Annual Town Election ballot.

Motion by Mr. Handel that contingent on approval by the Legislature and the Governor, that the Board vote to place the following question on the November 2012 Presidential election ballot or contingent on approval by the Legislature and the Governor, that the Board vote to place the following question on the April 2013 ballot if November 2012 ballot is not available:

Shall the licensing authority in the town of Needham be authorized to grant licenses for both the sale of all alcoholic beverages in packages not to be drunk on the premises and the sale of wine and malt beverage in packages not to be drunk on the premises?

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

9:55 p.m. Board Discussion:

1. Transportation Infrastructure Funding

At its meeting on June 26, 2012, the Board agreed to draft and sign a resolution relative to transportation and infrastructure funding. The Board discussed the proposed resolution. Mr. Matthews read the Resolution.

Motion by Mr. Borrelli that the Board approve and sign the Resolution concerning Transportation Funding in the Commonwealth.

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

2. Polling Locations

The Board continued its discussion of polling locations.

Motion by Mr. Matthews that the Board vote to request that the Town Manager evaluate the number of precinct voting locations which can be accommodated at each available Town-owned building.

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

Mr. Matthews stated he has offered the motion for information to help the discussion and debate about possible configurations of precinct locations for the 2014 election and thereafter. He said he wants to know the capacity of the different facilities in which to hold polling locations.

3. Adopt FY2013 – FY2014 Goals
Motion by Mr. Bulian that the Board vote to adopt its goals for FY2013-FY2014 as shown in the attached document.
Second: Mr. Borrelli. Unanimously approved 5-0.

4. Committee Reports

Minuteman High School:

Mr. Wasserman said he and Mr. Matthews have been involved with the Minuteman High School and there are issues that could impede some necessary decisions about a new building. He said there is a potential leadership role that Needham could take. Mr. Matthews said there is a process with many issues and he is concerned decisions are being made by a majority vote, where ultimately the decision requires unanimous consent. He believes some communities are advocating for a smaller school size. Mr. Matthews said perhaps one person from each community could be appointed to work with all parties to come up with a recommended, right sized number of students for the school. He asked the Town Manager to communicate with other Town Managers to see if they would be interested in taking this kind of approach. The Board concurred with this approach.

10:15 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of July 10, 2012.

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

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=>