

**Town of Needham
Board of Selectmen
Minutes for October 23, 2012
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:
Heather Yountz, 7 Hillside Avenue told the Board 1,522 signatures have been collected from residents opposed to construction of a new school on Cricket Field. Mr. Bulian assured Ms. Yountz a school will not be built at Cricket Field. Mr. Borrelli asked when the “Save Cricket Field” signs will be removed from residential properties. Mr. Wasserman said the Selectmen are focused on trying to building a new Hillside school on the Hillside site. Mr. Matthews commented that the primary focus is on issues to accomplish building Hillside school on the Hillside site.

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. Change of Manager, HST Lessee Needham LLC d/b/a Sheraton Needham Hotel:
Charles York, Director of Operations, Sheraton Needham Hotel, proposed Alcohol Manager appeared before the Board to discuss his application for the transfer of Alcohol License from former General Manager William Young.

Mr. Matthews reminded Mr. York of the rules and regulations for serving alcohol to the public, and that by signing on as a manager he becomes personally liable for the operational license.

Motion by Mr. Matthews that the Board of Selectmen approve and sign an application, for a change in manager, submitted by Charles York for Sheraton Needham Hotel and to forward this application to the ABCC for approval.

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

7:03 p.m. Public Hearing – NSTAR Petition for Central Avenue, Cefalo Road, and Sunset Road:
Maureen Carroll, NSTAR representative, appeared before the Board requesting permission to install approximately 1,077 feet of conduit at Pole 8/80 and 8/81, and install three new manholes on Central Avenue, Cefalo Road, and Sunset Road.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 1,077 feet of conduit at Pole 8/80 and 8/81, and install three new manholes at #29515, 29555, and 29556 on

Central Avenue, Cefalo Road, and Sunset Road, Needham. This work is necessary to replace existing direct buried cable with new manholes and conduit, to improve system reliability in this area.

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

7:05 p.m.

Consent Agenda:

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

APPOINTMENTS There are no appointments this meeting.

CONSENT AGENDA *=Backup attached

- 1.* Approve minutes from September 11, 2012 and September 18, 2012, October 2, 2012 and October 9, 2012 open meetings; approve executive session minutes from September 11, 2012, September 18, 2012, and October 2, 2012.**
- 2.* Approve a Special One Day Wines & Malt Beverages license from Steve Volante of Volante Farms to hold an event called "Food Sol Closing Reception" on October 23, 2012 from 7:00 p.m. to 11:00 p.m. at Volante Farms, 292 Forest Street, Needham.**
- 3.* Approve a Special One Day All Alcoholic license from Kathryn Lozano of the Charles River YMCA to hold an event called "The Y Giving Gala" on November 17, 2012 from 6:30 p.m. to 11:00 p.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
- 4. Accept donation of two new United States flags for the Town Common and Needham Heights Common for winter use from the members of Norfolk Lodge, A.F. & A.M.**
- 5. Accept donation of 250 re-usable cloth totes (valued at approximately \$370) made to the Needham Park and Recreation Commission from Dedham Savings Bank to be used as participant Trick-or-Treat bags for the annual Spooky Walk Program.**
- 6.* Approve application for a 2012/2013 Weekday Entertainment license from Sai Restaurant, Inc. d/b/a Masala Art located at 990 Great Plain Avenue, Needham.**
- 7.* Approve application for a 2012/2013 Sunday Entertainment license from Sai Restaurant, Inc. d/b/a Masala Art located at 990 Great Plain Avenue, Needham.**
- 8. Approve integrated collective bargaining agreement between the Town and the Needham Police Superior Officers Association for fiscal years 2013 through 2015.**
- 9. Approve integrated collective bargaining agreement between the Town and Local #116, Laborer's International Union of North America/Building Custodian and Tradesmen Association for fiscal years 2013 through 2015.**
- 10. Approve request from the Needham Business Association to hold Annual Blue Tree Ceremony on Saturday, November 24, 2012 at 5:00 p.m. in Avery Square and Blue Tree festivities at the Town Common at 5:10 p.m.**

11. **Approve request from the Needham Business Association to have “meter-free” parking in Needham Center and Needham Heights from November 24, 2012 through January 1, 2013.**
- 12.* **Water and Sewer Abatement Order #1149**
- 13.* **Special Sewer Assessment Order #589**
14. **Grant permission for a location sign for Avita of Needham to be installed on Town property adjacent to the access drive to 880 Greendale Avenue.**
15. **Grant permission for the following residents to hold a Block Party:**

7:05 p.m.

Bay Colony Rail Trail Presentation:

Tad Staley and Kathleen Phelps appeared before the Board to provide information about the Bay Colony Trail Association and to discuss citizens’ petitions filed under Articles 8 and 9 of the Special Town Meeting Warrant.

Mr. Staley commented the spirit of the articles and the principles behind each are to help the Town become more engaged in making Needham friendlier to alternative transportation, biking, and rail trial. Mr. Staley explained the current state of the bicycle advocacy and advisory work in Town, and said that the articles may represent redundancy or confusion between two different bodies doing similar work. Mr. Staley explained he is the President of Needham Bikes which serves as an advocacy organization for bicycling in Town. He said it began in 2000 when several residents worked to create a bike plan for Needham. He said they worked with the TMAC, which is the advisory group, and devised a plan approved by the TMAC. Mr. Staley explained that both groups are active parts of a constructive process. He said public meetings are held and Needham Bikes is working hard to make the process inclusive for all residents. Mr. Staley commented the state of bicycling in Needham is well represented and questioned whether having a committee would add extra value or confusion.

Mr. Bulian explained the TMAC is charged with overseeing and recommending transportation with respect to cars, bikes, and pedestrians. He said they do an exceptional job. He asked Mr. Staley if the Needham Bikes model is successful versus other communities, or could the model be changed.

Mr. Matthews asked Mr. Staley if it is time to update the bike plan, and if so what is the recommended process for doing it. Mr. Staley said the bike plan is outdated and said a public hearing was held with a specific agenda item of revisiting the bike plan. He said Needham Bikes is seeking advocates to help on the plan. Mr. Matthews clarified the advocacy groups have a role in the bike plan, but the decision about amending the bike plan is vested with the TMAC as it is a public committee of the Town and operates under such guidelines. Mr. Matthews also clarified the process is open to anyone who wants to come before the TMAC with input. Mr. Matthews stated that while he is opposed to creating a bicycle committee not because he is not in favor of creating a bicycling plan, but because

the Town already has a committee responsible for dealing with how bicycles fit in with the entire transportation issue within the Town. He reiterated every citizen has a right to approach the TMAC with any concern relevant to cars, bicycles, pedestrian safety, etc.

Mr. Staley spoke with the Board concerning Article 8 – Citizens’ Petition Rail Trail Committee. He said Bay Colony Rail Trail is an advocacy group with a vision, holding public meetings approximately every 8 weeks. He said he is in favor of the spirit of the group, but it is redundant with what is already being done. Mr. Staley outlined the vision of both the northern and southern sections of trail.

Mr. Bulian commented the southern rail trail could be completed in 5 or 6 years from inception, but the northern section has too many unknowns at this time. He said he is not opposed to a northern rail trail section in the future.

Mr. Matthews suggests recommending to Town Meeting that they refer the subject matter of Article 8 and Article 9 back to the Board of Selectmen, and recommends approval of Article 11. Mr. Matthews offered separate motions for each article.

Article 8

Motion by Mr. Matthews that the Board of Selectmen recommends that Town Meeting refer the subject matter of Article 8 – Citizens’ Petition Rail Trail Committee in the Special Town Meeting Warrant to the Board of Selectmen.

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

Article 9

Motion by Mr. Matthews that the Board of Selectmen recommends that Town Meeting refer the subject matter of Article 9 – Citizens’ Petition Bicycle & Pedestrian Committee in the Special Town Meeting Warrant to the Board of Selectmen.

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

Article 11

Motion by Mr. Matthews that the Board vote to recommend approval of Article 11 CPA/Rail Trail Feasibility in the Special Town Meeting Warrant.

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

8:15 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 2 items to discuss:

1. Proposed Alcohol Regulations

Ms. Fitzpatrick discussed draft regulations for the sale of alcohol not to be drunk on the premises in anticipation of the possible approval of the ballot question on November 6, 2012. Ms. Fitzpatrick reviewed with the Board the “Rules & Regulations for Section 15 Licenses – Package Stores”. She mentioned Town Counsel will have an opportunity to review the rules and regulations.

2. Tax Increment Financing

Ms. Fitzpatrick reminded the Board that in 2007, the Town of Needham sought and received designation as a Regional Technology Center – one of the types of Economic Target Areas available to communities to enable tax increment financing decisions. Ms. Fitzpatrick reviewed with the Board draft criteria for determining whether the Town should utilize tax increment financing (TIF) options.

8:55 p.m. Board Discussion:

1. Positions on Warrant Articles

The Board took positions on the October 29, 2012 Special Town Meeting Warrant Articles.

**Motion by Mr. Bulian that the Board vote to recommend adoption of Article 4 – Amend Operating Budget in the Special Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

Ms. Fitzpatrick told the Board the CPC voted to amend Article 10 to reduce the sum from \$500,000 to \$220,000 based on the work with the Planning Department. Mr. Matthews offered the motion on Article 10 as amended.

**Motion by Mr. Matthews that the Board vote to recommend adoption of Article 10 – CPA/South Street Home in the Special Town Meeting Warrant.
Second: Mr. Borrelli. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to recommend adoption of Article 12 – CPA/Greene’s Field Improvement in the Special Town Meeting Warrant.
Second: Mr. Borrelli. Unanimously approved 5-0.**

Mr. Chip Laffey, Director of Facility Operations, addressed the Board to explain the need for the Pollard Boiler design project.

**Motion by Mr. Bulian that the Board vote to recommend adoption of Article 13 – Appropriate for Pollard Boiler Design in the Special Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

Ms. Fitzpatrick asked the Board to vote to withdraw Article 15 – Appropriate for Salt Shed Construction as the Commonwealth has accepted the Town’s application to fund the project entirely through Chapter 90.

Motion by Mr. Handel that the Board vote to withdraw Article 15 – Appropriate for Salt Shed Construction in the Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to recommend adoption of Article 16 – Appropriate for RTS Remediation in the Special Town Meeting Warrant.

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

2. Needham Mews 40B Development

Mr. Wasserman said Massachusetts Housing Finance Agency (MassHousing) is reviewing an application for site approval for a 40B housing development known currently as “Needham Mews.” The Board discussed the project request and the development of a response to MassHousing. Ms. Fitzpatrick outlined the details of the project and asked the Board for authorization to forward a letter to MassHousing summarizing the comments of the Board. It was the consensus of the Board that the project is too dense as presented.

3. Hillside Environmental Report

The Board discussed the recently released environmental report regarding the Hillside School site. Mr. Wasserman commented the report suggests environmental issues can be dealt with, but will be costly. Mr. Borrelli said he is “cautiously optimistic” about the report findings and the feasibility of the project. Mr. Matthews said the report is helpful and reiterated there is consensus among town government to reconstruct the Hillside school at the Hillside site.

4. Committee Reports

No Reports were made.

9:20 p.m.

Adjourn:

Motion by Mr. Borrelli that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of October 23, 2012.

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

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

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