

**Town of Needham
Board of Selectmen
Minutes for November 27, 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.
- 7:00 p.m. District Attorney Michael Morrissey - Driving Under the Influence Program:
Michael Morrissey, District Attorney, Norfolk County appeared before the Board to discuss auto accidents occurring in the county, many involving alcohol. He told the Board about two programs initiated by his office: "Observe, Don't Over-serve" aimed at people serving alcohol, and "Be a Hero, Be a Designated Driver" to encourage people to be responsible to make sure people get home safely. He asked the Board encourage local establishments to join the initiative.
- 7: 05 p.m. Public Information Session on Tax Increment Financing (TIF):
Mr. Wasserman said the Board has voted unanimously to approve the TIF agreement, and that Town Meeting will have the opportunity to vote on the agreement on Monday, December 3, 2012. He said the purpose tonight is to provide information and answer questions from citizens.
- Kate Fitzpatrick, Town Manager, made a brief presentation about Tax Increment Financing and the TripAdvisor proposal. She said Tyler Young of TripAdvisor will discuss the company and its plans to relocate to Needham. Ms. Fitzpatrick said a panel of experts including TripAdvisor Consultant Lynn Tokarczyk, Town Counsel David Tobin, Special Counsel Ray Miyares, Director of Economic Development Devra Bailin, Director of Planning and Community Development Lee Newman, and Assistant Town Manager David Davison, are available to answer questions about the TIF process and the TripAdvisor proposal.
- Ms. Fitzpatrick commented the TIF agreement pertains only to new revenue. She said Tax Increment Financing is a mechanism that incents economic development by exempting a portion of new revenue from real estate taxes for a certain period of time, and that the existing proposal between the Town and TripAdvisor is for a period of 13 years. She discussed the criteria by which Tax Increment Financing would be evaluated and the set of criteria adopted by the Board at its meeting on November 14, 2012. She commented the key criteria for the TripAdvisor project is that the size, scope, and industry of the proposal would expedite the redevelopment of the New England Business Center. Ms. Fitzpatrick referred to a map outlining the proposed site including 230,000K sq. ft. of office space and a

new Residence Inn hotel located on First Avenue in Needham. She commented the new construction will have a stunning presence on Route 128 and will attract more technology companies to the area. Ms. Fitzpatrick highlighted one feature of the agreement saying TripAdvisor agrees to increase the number of employees at the facility by 250 over a five year period. She commented the new property tax revenue to the Town is estimated to be \$4.3 million. Ms. Fitzpatrick commented on the need for the Special Town Meeting on December 3, 2012 saying a majority vote is required for the approval of a TIF agreement. TripAdvisor has determined it needs to make its final decision by the end of the calendar year based on the TIF agreement and incentives provided by the Commonwealth which are approved quarterly.

Tyler Young, Vice President Finance and Administration, TripAdvisor told the Board about the history of TripAdvisor and the plans to move its employee headquarters back to Needham. He thanked the Town for its support and the Board of Selectmen for its unanimous approval vote. Mr. Young told the Board the current lease has two years remaining. He commented TripAdvisor completed a site search for a new location, focusing on the 128 corridor. He said Needham is the top choice, pending the TIF approval. Mr. Young explained the phases of construction and the employee base which includes software engineers, marketing, and sales. He said the company currently has approximately 500 employees and has committed to grow by at least 50 employees per year for the first 5 years of the TIF agreement. Mr. Young spoke about the local impact to Needham including patronage of restaurants, businesses, and charitable programs.

Mr. Wasserman invited questions from the audience.

Ford Peckham, 26 Lawton Road asked about the work required by the DPW to hook up the site to utilities and how will the project sequence in with the Add-A-Lane project and the off ramp at route 128. Mr. Peckham is in favor of the project.

Peter Atallah, 18 Lindburgh Avenue questioned what would happen to the TIF agreement should TripAdvisor be acquired by another entity or acquire another company and moved from Needham.

Mr. Wasserman asked for comments from the Board.

Mr. Handel said this project is a positive development for Needham and the New England Business Center. He said it is a shared increase in value for a limited period of time, and the value to Needham is enormous.

Mr. Bulian said the TIF agreement with TripAdvisor is the start of something great for the New England Business Center. He is hopeful other businesses will follow, with increased tax revenue to the Town.

Mr. Wasserman said TripAdvisor will attract other technology companies to the NEBC, and the area will become a true technology center. He said in every way it is right for the Town.

Mr. Matthews said this is the first TIF agreement the Town has done and he wanted residents to be assured the Town has been very careful and limited in its approach to the TIF. He said Ms. Fitzpatrick and the team have taken a very measured approach and the agreements are fair to all parties.

Mr. Borrelli said this is something needed in the Town. He said it is a “win-win” situation for the Town and TripAdvisor. He said he is confident in the proposal.

The Board took a 2 minute break.

7:35 p.m.

Consent Agenda and Appointments:

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

CONSENT AGENDA *=Backup attached

- 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 2014 including a 2.5% general wage increase for non-represented employees.**
- 2.* Approve a Special One Day All Alcoholic Beverages license for Jessica Weiss of The New Year’s Needham Committee, to host a New Year’s Eve dance on December 31, 2012 from 9:00 p.m. to 12:30 a.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
- 3.* Ratify a Special One Day All Alcoholic Beverages license for Mike Despres of The Village Club, to have hosted a reunion for NHS class of 1987 on November 24, 2012 from 7:00 p.m. to 12:00 a.m. at The Village Club, 83 Morton Street, Needham.**
- 4.* Approve minutes from November 13, 2012 and November 14, 2012.**
- 5. Accept donation of monies that were raised by residents through the VFW for a new flagpole at Memorial Park. The flagpole is valued at \$2,400.**
- 6. Accept the following donations made to the Needham Public Library for the period September 6, 2012 – November 19, 2012: Robert & Marlene Mailloux donated \$100 in honor of George & Carolyn Baierlein’s 50th wedding Anniversary; Paul Hughes donated a book: The Meta Secret is the Next Level \$19; M. Paul Shore donated a book: The New Routledge Dutch Dictionary \$140.00; Marci Schwartz donated her book: Parenting with Awareness \$15.20; Steven Marini donated his book: Connections \$13.00; Judy Gelman and Friends donated \$225 in memory of John Francis Moore ; Brian Rose donated a book: Wee the People: A Story about Freedom \$14.95; Lily Solopov donated books: 1. The Benefits of the New Economy; 2. A Guide to the New World \$30.00; Bette Gosule donated her book: Sneakers Hangs Out \$14.95; Tourette Syndrome Association, Inc. donated a CD: Tourette**

Syndrome in the Classroom, School and Community, a DVD: I Have Tourette's but Tourette's Doesn't have me, and a book: A Family's Guide to Tourette Syndrome \$51.95; Richard Barrett donated a Historic book: The Pilgrim Tercentenary 1620 – 1920, Suggestions for Observance; NHS Class of 1952 donated \$250.00 in support of high school students; Tom Harkins, author of the "Ted Lepcio" chapter book donated: Red Sox Baseball in the days of Ike and Elvis: The Red Sox of the 1950s \$19.95; Library Foundation of Needham donated from: "Fund a Need" portion of Library Gala Funding for playaways for adult and children's collections \$1,000.00; Marion Fay donated a book: Raymond F. Bosworth's Needham, with Interest \$6.95; Paul Hughes donated a DVD: The Meta Secret is the Next Level \$15.00; Robert Brooks donated his book: Raising Resilient Children with Autism Spectrum disorders \$18.00; Michelle Milligan donated a DVD: Homeland: The Complete First Season \$22.00; Evelyn T. Metcalf donated a book: Don't Roll Your Eyes: Making In-Laws into Family \$16.00; Susan Curtin donated a book: Unbroken Spirit: A Heroic Story of Faith, Courage, and Survival \$21.00; Erica Frank donated \$25 in Memory of Jean Balko; The Kohl Family donated \$100.00 in Memory of Lee B. Manning.

- 7. Approve request from Rabbi Mendel Krinsky from the Chabad Jewish Center to hold a Menorah lighting ceremony on the Town Common on Tuesday, December 11, 2012 starting at 4:00 pm. Garrity Way cannot be accessed until 5:00 pm. Rain date to be on Wednesday, December 12, 2012, same time.**
- 8.* Water and Sewer Abatement Order #1151.**

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

7:40 p.m.

Town Manager:

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

1. Community Preservation Projects

Ms. Fitzpatrick asked the Board consider approval of two CPA project applications. She said the first request would fund the implementation of a Conservation Restriction on lands purchased through the use of CPA funds, as required by the Community Preservation Act. She commented the Town has identified a Trust to accept the restriction and is working to complete the application process. She said a second request would fund a part time Community Housing Specialist to provide administrative and technical support relating to affordable housing issues, coordinate the efforts of various Town boards and committees to develop affordable housing opportunities, and assist in the implementation of the Town's Community Housing Plan.

Ms. Fitzpatrick also commented the Park and Recreation Commission and Conservation Commission are preparing CPA applications for items submitted in the FY2014-FY2018 Capital Improvement Plan, including funds to revise the

Town's Open Space and Recreation Plan, renovation of the Newman School playing fields, and trail development. She said these projects will be presented to the Board for its endorsement consideration at a future meeting.

Mr. Wasserman commented the position for part-time Community Housing Specialist should be discussed with the Needham Housing Authority.

Motion by Mr. Bulian that the Board endorse an application to be filed for Community Preservation funding for the implementation of a Conservation Restriction for 174 Charles River Street and the Carol-Brewster property, and for the funding of a Community Housing Specialist.

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

2. Preliminary FY14 – FY18 Capital Improvement Plan

Ms. Fitzpatrick discussed with the Board the FY2014 preliminary cash capital and debt-financed project submissions. She said minor modifications to the figures will be made prior to the Board's meeting on December 4, 2012. She commented final approval of the Capital Improvement plan will be sought at the Board's December 18, 2012 meeting.

3. December 3, 2012 Special Town Meeting Discussion

Ms. Fitzpatrick reminded the Board of the Special Town Meeting to be held to approve the TIF between the Town and TripAdvisor. She commented the TIF agreements would need to be filed next week, after Town Meeting. Due to the Town's by-law, she asked the Board vote to recommend an amendment to Article 1 by adding an Emergency Preamble.

Motion by Mr. Bulian that the Board vote to recommend that Article 1 of the December 3, 2012 Special Town Meeting be amended by adding an Emergency Preamble.

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

7:55 p.m. Board Discussion:

1. Sale of Alcohol for Consumption Off Premises

The Board discussed the next steps in the process to license establishments to sell alcohol for consumption off premises. Mr. Wasserman said the Board is scheduled to adopt rules and regulations for the sale of alcohol for consumption off premises at its meeting on December 18, 2012. He said after that time there will be a two week period beginning January 7, 2013 through January 18, 2013 to accept applications. He said hearings on the applications would be held after application period ends.

Motion by Mr. Matthews that the Board of Selectmen vote to establish an open period for the submission of applications for the sale of alcohol to be consumed off premises in accordance with M.G.L. c. 138 Section 15 and

Chapter 207 of the Acts of 2012, and to designate from 9:00 a.m. January 7, 2013 through 4:00 p.m. January 18, 2013 as the application period.
Second: Mr. Borrelli. Unanimously approved 5-0.

Mr. Matthews commented the reason for the two week period is to allow all applicants the opportunity to apply, and to give the public the opportunity to know who has applied before any decision is made to award licenses.

Committee Reports:

No reports were made.

8:00 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of November 27, 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.needham.gov/Archive.aspx?AMID=99&Type=&ADID=>