

**Town of Needham
Board of Selectmen
Minutes for December 4, 2012
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:
Ross Donald, 25 Chambers Street spoke with the Board concerning his interest in the Solar Energy Committee and publication of solar energy information. He asked the Board for input on ways to develop community involvement and notification.

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. Public Hearing – NSTAR Petition for Winding River Road:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 6 feet of conduit at Pole 382/16 on Winding River Road.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 6 feet of conduit at Pole 382/16 on Winding River Road, Needham. This work is necessary to provide underground electric service for a new house at 145 Winding River Road, Needham.

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

Motion by Mr. Matthews that the Board of Selectmen vote to suspend the Public Hearing – Aboveground Fuel Storage: Digital 105 Cabot Street scheduled for 7:00 p.m. until following the conclusion of the Public Hearing – Property Tax Classification scheduled for 7:00 p.m.

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

7:05 p.m. Public Hearing – Property Tax Classification:
Tom Colarusso, Chairman, Board of Assessors and Chip Davis, Administrative Assessor, Damon Borrelli, Board of Assessors, Kevin Foley, Board of Assessors, and David Davison, Assistant Town Manager/Finance Director appeared before the Board regarding the allocation of the fiscal year 2013 tax levy among the various classes of property in Town.

Mr. Colarusso provided an overview of the Assessing Department and said FY2012 was once again one of keeping tabs on sales and economic activity that took place in CY2012, and reflecting any changes indicated by market data gathered to make adjustments needed to residential and commercial properties in

Town. He commented Needham continues to “buck the trends” of the economic downturn. He said median residential sales prices have risen slightly, while previously upward adjustment to commercial vacancy and expense rates have not had to be expanded on, thereby keeping commercial/industrial values stable.

Mr. Davis reviewed with the Board information contained in a handout titled “Town of Needham Classification Hearing FY2013”. He said the main purpose of the Assessing Department is to make sure assessments are as fair as possible. He commented the trend in the number of home sales is higher from last year reflecting positive activity in the marketplace in Needham, as compared to other towns where the real estate market is flat. He said the number of teardown sales is also trending dramatically higher. Mr. Davis stated the estimated residential factor is 0.8914395.

Mr. Borrelli commended the Board of Assessors on their effort to collect personal property taxes. He questioned “new growth” and the relationship with the Building Department. Mr. Davis explained the permitting process and how the Assessing Department views each project.

Mr. Wasserman asked if anyone in the audience wished to ask a question or make a comment. No comments were made.

Mr. Matthews commented on personal property new growth and the DOR, and asked what keeps it from artificially inflating the allowable valuation of the Town when calculating the levy.

Mr. Wasserman closed the public hearing and scheduled the Property Tax Classification vote for December 10th.

7:40 p.m. Public Hearing - Application for a License to Store Diesel Fuel Aboveground at 105 Cabot Street, Needham:

Brianna Ramadani of Digital 105 Cabot Street, LLC appeared before the Board requesting a license to store 32,600 gallons of diesel fuel in aboveground tanks on the property located at 105 Cabot Street. She said the request to store the fuel is for emergency generator back-up essential to operations of the building.

Paul Buckley, Fire Chief said plans have been reviewed and all requirements have been met.

Motion by Mr. Handel that the Board of Selectmen vote to approve and authorize the Chairman to sign a license for Digital 105 Cabot Street, LLC to store 32,600 gallons of diesel fuel in aboveground tanks on the property at 105 Cabot Street with the following restrictions: 1. That the petitioner and each succeeding homeowner/business owner agree to contract for an annual appliance system check making sure that the entire diesel system is checked

for leaks; and further, making sure that every element satisfies local regulations and industry standards with evidence of such a systems check sent to the Needham Fire Department and 2. The tanks, with all its piping and equipment; and the system when installed will fully meet U.S., State, and local code regulations, specifications, and directives.
Second: Mr. Bulian. Unanimously approved 5-0.

Mr. Wasserman asked for public comment.

Angelo Terrazzino, Terrazzino Investment Trust, 22 Manson Road asked if the regulations include tanks being cemented so if there is a leak the spill is contained on the property. Fire Chief Buckley confirmed spill containment is within the tanks and a concrete barrier is outside the tank. He said the building has an advanced fire protection system.

7:45 p.m.

Consent Agenda:

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

CONSENT AGENDA *=Backup attached

- 1. Accept \$1000 donation made to the Needham Health Department's Gift of Warmth fund from the Needham Women's Club.**
- 2.* Approve a Special One Day Wines & Malt Beverages license for Don Gilmore of The Bulfinch Group to hold a holiday open house at its company on Thursday, December 20, 2012 from 3:00 p.m. to 8:00 p.m. The event is to be held at The Bulfinch Group, 160 Gould Street, Suite 310, Needham. License is pending receipt of TIPS certification from At Your Service Staffing.**
- 3.* Approve a Special One Day All Alcoholic Beverages license for Jacquelyn Furman of Temple Aliyah Synagogue, to hold a "Latkes with a Twist" event on Saturday, December 15, 2012 from 7:00 p.m. to 11:00 p.m. at the Temple Aliyah, 1664 Central Avenue, Needham.**
- 4.* Water & Sewer Abatement Order #1152**
- 5. Authorize the expenditure by Commission on Disabilities in the amount of \$5,500 for accessible playground equipment for the Newman School Playground.**
- 6. Approve a revision of the Town Hall Display Policy to reflect the new Town Hall interior space.**
- 7.* Approve a request from the Park & Recreation Department for the following 20(b) exemptions: Daniel Cournoyer, a teacher at Pollard Middle School, and Catherine Cournoyer (Bove), a teacher aide at the Hillside School, to work as activity instructors for the Nashoba Valley Ski and Snowboard Program; and Jack Baker, a teacher at the Pollard School, to work as an Activity Instructor at the February Vacation Basketball clinic**

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

Ms. Fitzpatrick noted the Public Hearing – New All Alcoholic License 970 Great Plain Avenue (Eat Farmhouse LLC d/b/a The Farmhouse) is scheduled for 8:00 p.m. and requested the Board take up the Town Manager’s agenda prior to the public hearing for The Farmhouse.

7:50 p.m.

Town Manager:

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

1. Retiree Health Insurance

Ms. Fitzpatrick recommended that the Board of Selectmen approve a revision of the policy on Contributory Insurance Rules and Regulations to include a requirement that all participants, including retirees, who are participating in traditional HMO plans be converted to Rate Saver HMO plans effective July 1, 2013. She said with the proposed implementation of this policy, traditional HMO plans will no longer be offered by the Town of Needham. She commented the benefit of this approach is that the conversion of existing employees and retirees would have a positive impact on the OPEB operation, and therefore is a more sustainable model. She noted that both the Town and the subscribers will experience lower premiums.

Motion by Mr. Bulian that the Board vote to approve and authorize the Chairman to sign Board of Selectmen Policy Number Group Insurance.001 – Contributory Insurance Rules and Regulations, effective December 4, 2012. Second: Mr. Handel. Unanimously approved 5-0.

2. Preliminary FY14-FY18 Capital Improvement Plan

Ms. Fitzpatrick and David Davison, ATM/Finance, reviewed with the Board the “Fiscal Year 2014, Town Manager’s Capital Funding Preliminary Recommendations.” She said the recommended 5 year plan will be presented to the Board at its meeting on December 18, 2012. She highlighted the Hillside School feasibility study with a \$500,000 request as a placeholder for FY14. Ms. Fitzpatrick commented on the public works project of covered storage/garage bays and said the PPBC is reviewing final design and cost recommendations. Ms. Fitzpatrick noted the addition to Tier 1 for the removal of an underground storage tank at the police station. She commented on funding public works two-way radios, and public school projects including Pollard boiler replacement and telephone system replacement. Ms. Fitzpatrick said a new item recommended under Tier 2 this year is a 100kw portable generator to be used in case of emergency at the new senior center. Also, Ms. Fitzpatrick said a new defibrillator on the Town’s rescues ambulance is needed in order to meet certification and for public safety.

Mr. Borrelli asked about the possibility of new election equipment and asked why the generator for the senior center is not permanent. Mr. Borrelli also asked about public construction equipment and large specialty equipment for the RTS.

Mr. Wasserman asked if any cuts in state aid are going to force the Town to cut back on cash capital. Mr. Davison said no.

8:10 p.m. Public Hearing – New Alcoholic License and 2013 Common Victualler License for Eat Farmhouse LLC, d/b/a The Farmhouse (970 Great Plain Avenue):
Dora Tavel-Sanchez Luz, Proposed Manager appeared before the Board to discuss her application for an All Alcoholic License for Eat Farmhouse LLC, d/b/a The Farmhouse. She said The Farmhouse is a new restaurant that will be located at 970 Great Plain Avenue.

Mr. Matthews reminded Ms. Tavel-Sanchez Luz of the rules and regulations for serving alcohol in Needham. He stressed the importance of following the rules to ensure public safety.

Motion by Mr. Handel that the Board of Selectmen approve the applications for a new All Alcohol License under the Town of Needham Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants and Function Rooms with a seating Capacity of Not Less than 100 Persons for Eat Farmhouse LLC., d/b/a The Farmhouse, Dora Tavel-Sanchez Luz, Manager, and a 2013 Common Victualler License and to forward the approved Alcohol License application to the ABCC for approval.

And that the Board of Selectmen determines that the premises are not detrimental to the educational and spiritual activities of the First Parish of Needham Unitarian Universalist Church.

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

Mr. Wasserman asked for public comment. No comments were made.

8:15 p.m. Board Discussion:
1. Draft Report of the Minuteman Out-of-District Student Cost Task Force
The Board discussed the draft report provided by the Minuteman Task Force. Mr. Wasserman said Minuteman Regional High School has asked for comment from the Board of Selectmen. He commented that while the report is in some ways reassuring, the report should not take away anyone's desire to review the membership structure.

Mr. Handel said he is troubled by the report as there is a disincentive to belong to Minuteman School district, as it penalizes communities that are members.

Mr. Matthews is concerned Minuteman is addressing two issues: (1) right-size capacity of a new school and (2) some students at the school pay less than the full cost of tuition. He said it could be used as an argument to build a new school with excess capacity. He commented a new school should not be built on speculation to sell out-of-district seats.

Mr. Bulian suggested the Chair and Vice Chair write a letter to Minuteman summarizing comments from the Board.

2. Committee Reports

No reports were made.

8:25 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of December 4, 2012.

Second: Mr. Borrelli. 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=>