

**Town of Needham
Board of Selectmen
Minutes for January 8, 2013
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 Vice Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Gerald A. Wasserman was not present.

Mr. Matthews noted the absence of Chairman Gerald A. Wasserman, and said the Board's thoughts and prayers are with him.

7:00 p.m. Public Hearing - NSTAR Petition for Locust Land:

Christine Cosby, NSTAR representative, appeared before the Board requesting permission to install approximately 34 feet of conduit from Pole 423/7 on Locust Lane, Needham.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 34 feet of conduit from Pole 423/7 on Locust Lane, Needham. This work is necessary to relocate overhead electric service to underground service at 71 Locust Lane, Needham. Second: Mr. Borrelli. Unanimously approved 4-0.

7:02 p.m. Medical Marijuana Law:

Janice Berns, Director of Public Health, Carol Read, Needham Health Department, and members of the Board of Health including Jane Fogg, and Ed Cosgrove, and Needham Police Chief Phil Droney appeared before the Board to discuss the impact of the new medical marijuana law on the Town of Needham.

Mr. Matthews highlighted the history of the new law authorizing lawful use of marijuana for medical purposes in Massachusetts. Mr. Matthews said new regulations present several questions regarding implementation. He said, previous discussions suggested the possibility of using the Town's zoning authority to implement a moratorium pending the issuance of regulations from the state.

Dr. Fogg said it is clear the voters have spoken and that the Board of Health has a responsibility to implement it safely and properly for the health of the public. She said there is a lack of clear direction from the Department of Public Health as to how to implement dispensaries and home cultivation. She said clarified guidelines are necessary but won't be available until April 2013. She said the

Board of Health is proposing a moratorium of either nine months or twelve months for further study.

Mr. Matthews asked Ms. Fitzpatrick what steps can be taken on behalf of the Town. Ms. Fitzpatrick commented if the Board of Selectmen wanted to propose a moratorium on distribution or cultivation it could be voted on at the next meeting for referral to the Planning Board.

Mr. Bulian said he understands the concerns and agrees to a point, but is concerned with a twelve month moratorium as the voters have spoken.

Mr. Handel said he feels zoning is the best way to do it and commented if the Planning Board can move in a timely way, then the Board of Selectmen can act on it after public hearing and May Town Meeting.

Mr. Borrelli agrees zoning is the best way to handle it, but commented there was not a direct vote indicating it should be in Needham. He suggests a lengthier moratorium to see what happens in the rest of the state.

Dr. Fogg discussed public consumption and asked for a marijuana ordinance with an increased fine.

Mr. Matthews thanked the Board of Health for the discussion.

- 7:20 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with three items to discuss:
1. FY2014 Budget Consultation
Ms. Fitzpatrick and Dave Davison, Assistant Town Manager/Finance discussed the fiscal year 2014 operating budget. Ms. Fitzpatrick said consultation with the School Committee will happen next week, and said presentation of the budget is scheduled for January 29, 2013.

- 7:25 p.m. Consent Agenda:
Motion by Mr. Handel that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.

APPOINTMENTS No appointments were made.

CONSENT AGENDA

1. **Accept donations made to the Health Department's Gift of Warmth Fund from the following: \$6,000 from the Needham Community Council; \$200 from Mrs. Shahin S. Sagafi, a Needham resident; \$500 from St. Bartholomew Church; and \$200 from Mary Clare Siegel, a Needham resident.**

2. **Correct a donation amount made to the Health Department's Gift of Warmth Fund that was approved at the December 18, 2012 meeting. The correct amount should be \$200 donated from Shahin Sagafi, a Needham resident.**
3. **Accept \$100 donation made to the Health Department's Domestic Violence Action Committee from Elaine Beilin, a Needham resident.**
4. **Accept donation of \$500 made to the Needham Community Revitalization Trust Fund from Needham Tercentennial for 100% Maintenance for Needham 300 Walkway.**
5. **Accept donations to the Needham Community Revitalization Trust Fund for Needham 300 Walkway from Cynthia Chaston, \$ 500, Anna Hunnicutt, \$ 250, Ann McFate, \$200 and Sandra Moose, \$250.**
6. **Accept the following donations made to the New Year's Needham Committee in support of New Year's Needham for 2012: \$3000 – Roche Bros.; \$1275- Needham Cultural Council; \$1000- Briarwood Healthcare; \$1000- Beth Israel Deaconess; \$1000- Exchange Club of Needham; \$1000- Coca Cola Refreshments; \$1000- Needham Bank; \$1000- Needham Women's Club; \$500- Wingate Healthcare; \$500- Dedham Savings; \$500- Equity Industrial Partners Corp; \$500- Louise Condon Realty; \$500- Sheraton Needham; \$250- Brookline Bank; \$250- Copley Motorcars Corp; \$250- Petrini Corporation; \$100- Chestnut Street Animal Hospital; \$100- Personal Image; \$100- William Dermody/Coldwell Banker; \$100- Nigohsian Carpet & Rug; \$100 "You-do-it" Electronics Corp.; \$50- Edward Jones Financial; \$30- Needham Shoe Repair; and \$25- Jenson Cleaners.**
7. **Approve minutes of December 10, 2012.**
8. **Vote to designate David Davison, Assistant Town Manager/Finance, as the Town's designated voting delegate for the MHA and MHA Property and Casualty Board elections at the MMA Annual Meeting on January 26, 2013.**
9. **Accept \$150 donation made to Needham Youth Services from Cathy and Richard Freedberg, of Needham. The monies will be used towards Youth Services' Make A Statement Day in March, 2013.**
10. **Accept the following donations made to Needham Youth Services for Fall/Winter 2012 Registration: \$25- Colleen Beacham; \$10- Griffin Berger; \$25- Beth Cohen; \$10- Katy Dirks; \$50- Florence Graves; \$10- Caroline Johnson; \$5- Renata Miller; \$25- Alison Reif; \$25- Jodi Rooney; \$20- Jennifer Shaw; \$10- Maria Simon; and \$10- Lisa Tanzer. All donors are Needham residents.**
11. **Accept the following donations made to the Needham Community Revitalization Trust Fund from the following residents: Michael Heffernan \$100, John Russo \$50, Anita Olson \$50 , Maryruth & Richard Perras \$250 and Helen Hicks \$25.**
12. **Water & Sewer Abatement Order #1154**
13. **Accept a \$500 donation made to the Fire Department from Sven and Birgit Paulin for the Student Awareness of Fire Education program.**

Second: Mr. Borrelli. Unanimously approved 4-0.

2. Open Annual Town Meeting Warrant
Ms. Fitzpatrick reviewed with the Board the “Preliminary List of Warrant Articles, 2013 Annual Town Meeting, dated January 4, 2013.” She commented on some articles not typical, including a proposal for updating the facility master plan study, a new proposed revolving fund for facility rentals, and the recommendation that the Town consider making an amendment to the General By-laws allowing a longer length contract for the Town to rent from others. Ms. Fitzpatrick commented on CPA articles, saying it is possible that not all of the articles will end up on the warrant. She briefly discussed the capital articles.
Motion by Mr. Bulian that the Board vote to open the warrant for the 2013 Annual Town Meeting.
Second: Mr. Handel. Unanimously approved 4-0.

3. Board of Selectmen Goal Update
Ms. Fitzpatrick updated the Board on the progress of the Board’s goals and objectives for fiscal years 2013 and 2014. She reviewed the “Statement of Obligations and Goals 2013-2014”. She highlighted a few commenting on the Facility Master Plan including issuing an RFP for the engineering and options for improvement at Rosemary Pool. Ms. Fitzpatrick discussed goals relating to continued efforts to maintain and improve the vitality and economic success of the Town including improvement of the Needham Center streetscape as well as alcohol regulations for the retail sale of alcoholic beverages in Needham. Ms. Fitzpatrick spoke about maintaining and developing amenities that contribute to the desirability of Needham as a place to live and work including the goal to replace the Greene’s Field play structure and the development of the rail trail from Needham Junction to the Dover line. Ms. Fitzpatrick commented on the updating of the Town’s website to enhance the level of customer service.

The Board thanked Ms. Fitzpatrick for the update.

7:40 p.m.

Board Discussion:

1. MMA Annual Meeting - Resolutions
Motion by Mr. Handel that the Board vote to endorse and authorize the Chairman to cast a vote in favor of: a. Proposed Resolution Calling for a Full Local-Federal Partnership to Protect the United States Economy, Preserve Essential Services, and Ensure the Fiscal Health of the Cities and Towns of the Commonwealth; b. Proposed Resolution on the Urgent Need to Ensure Sustainability for Other Post Employment Benefit Costs; c. Proposed Resolution Supporting a Local-State-Federal Partnership to Protect the Environment; d. Proposed Resolution Calling for Solutions to the Transportation Finance Crisis; e. Voting at the MMA Annual Business Meeting.
Second: Mr. Bulian. Unanimously approved 4-0.
2. Committee Reports
No Reports were made.

7:45 p.m.

Adjourn:

Motion by Mr. Borrelli that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of January 8, 2013.

Second: Mr. Handel. Unanimously approved 4-0.

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=>