

**Town of Needham
Board of Selectmen
Minutes for September 17, 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 Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Marianne Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing - Verizon and NSTAR Petition for Cedar Street:
Penny Kane, Verizon and NSTAR Representative appeared before the Board requesting permission to relocate one Pole #8 at 308 Cedar Street in order for the homeowner to install a new driveway. The Department of Public Works has approved this petition, based on Verizon and NSTAR's commitment to adhere to regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.

Mr. Matthews invited public comment. No comments were made.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Verizon and NSTAR to install one Pole #8 at 308 Cedar Street. In order for the owner of 308 Cedar Street to install a new driveway, the pole needs to be removed from its original location.

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

7:02 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented:

APPOINTMENTS

1. **Golf Course Advisory Committee: Steven Carlson (term expires 6/30/2016)**

CONSENT AGENDA *=Backup attached

1. **Accept the following donation made to the Needham Off-Leash Dog Area gift account: \$50 from Monica & Bob Foley; \$25 from Colleen Beacham; \$50 from Michael Sinert & Erica Frank.**
2. **Accept the following donation made to New Year's Needham: \$ 1,000 from the Needham Women's Club.**
3. **Approve continuation of the experimental Traffic Regulation in accordance with the Needham Traffic Rules and Regulations Section 3-6 for Great Plain Avenue for the period September 17, 2013 to October 16, 2013: one Handicap**

Parking spot, and one 15 minute Parking spot, in front of the former Eaton Square Right of Way adjacent to MBTA Right of Way.

- 4.* Approve new Board of Selectmen Town Hall Art Exhibits Policy, BOS-DIS-004.**
- 5.* Approve technical amendment to vote of September 10, 2013 for COMCAST grant of location. Wording used in motion contained NSTAR rather than COMCAST. All else remains same. Public hearing was advertised correctly.**
- 6.* Approve minutes from August 20, 2013 (Executive and Open Sessions).**
- 7.* Approve a Special One Day Wines & Malt Beverages Only license for Steve Volante of Volante Farms to hold a Food Sol Reception on October 24, 2013 from 6:00 p.m. to 10:00 p.m. at Volante Farms, 292 Forest Street.**
- 8. Approve request from the Needham Business Association to hold Annual Blue Tree Ceremony on Saturday, November 30, 2013 at 4:30 p.m. in Avery Square and Blue Tree festivities at the Town Common at 5:00 p.m. Approval also includes use of Garrity Way from 1:00 p.m. to 5:00 p.m.**
- 9. Approve request from the Needham Business Association to have “meter-free” parking in Needham Center and Needham Heights from November 30, 2013 January 1, 2014.**
- 10.* Water & Sewer Abatement Order #1168.**
- 11. Grant permission for the following residents to hold a Block Party:**

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

7:03 p.m. Appointment of Park & Recreation Commissioner:
Mike Retsky, Chairman, Cynthia Chaston, Vice-Chairman, and Dave DiCicco, appeared before the Board to discuss the current vacancy on the Park & Recreation Commission.

Mr. Bulian said he and Mr. Retsky met with candidates for the vacant position on the Park & Recreation Commission, and jointly recommend Mr. Matt Toolan to fill the vacancy until the April 2014 election.

Motion by Mr. Bulian that the Board of Selectmen and Park and Recreation Commissioners vote to appoint Matt Toolan to fill the vacancy on the Park and Recreation Commission through April 8, 2014.

Second: Mr. Borrelli. Unanimously approved 8-0.

7:05 p.m. Public Hearing - Rail Trail:
Kate Fitzpatrick, Town Manager outlined procedural requirements for leasing the railroad right of way from the MBTA.

Tad Staley and Kathleen Phelps, Bay Colony Rail Trail Association appeared before the Board outlining a proposal for the first phase of the construction of a

shared use recreation trail from Needham Junction/High Rock Street to the Dover Town Line (Charles River).

Mr. Staley presented a brief PowerPoint presentation titled “A Rail Trail in Needham, September 2013” and discussed a prospective timeline of the first phase of construction and funding for the project.

Mr. Matthews acknowledged the work by Mr. Staley, Ms. Phelps, and the Rail Trail Committee, and thanked them for their efforts.

Mr. Matthews invited public comment.

Fatemeh Haghghatjoo, 61 Evelyn Road is concerned a rail trail behind her property will impact her privacy and affect her children playing in her backyard. She commented on the possibility of garbage along the trail and home valuations.

Mr. Matthews explained the northern section of the trail behind Ms. Haghghatjoo’s property is not part of the project. The project includes only the southern route, from Needham Junction to the Dover line.

Mike Giancioppo, 11 Charles River Street asked if the Town will spray the area for ticks and said he is concerned about the impact a fence would have on wildlife.

Demity Gorenburg, 178 Richardson Drive is supportive of the trail and said it would be an amenity for children in the area. He noted he is a member of the BCRT Board, and commented many abutters in his neighborhood are excited about the project.

John Bonavia, 39 Bradford Street said he is impressed with the work of the Committee. He suggested use of public transportation continues to increase and wondered whether removing the rails would be a mistake. He noted the possibility of trains running from Medfield to Needham Junction in the future.

Resident, Charles River Street asked what is the ultimate length of the trail?

Gabe Fried, 136 Stratford Road said he fully supports the project and feels the Town should pay for the trail. He said the benefit to property values is not trivial.

Floyd Alwon, 1125 South Street supports the project, but as an abutter he is concerned with change to the area. He said people must trust the project will be good for the Town and improve the quality of life. He asked whether port-a-potties will be included as part of the project. He is also concerned with wildlife in the area.

James Goldstein, 40 Coolidge Avenue supports the project and believes it will be a wonderful amenity to the Town. He commented research indicates enhanced

property values due to rail trails. He acknowledged Mr. Bonavia's comments about increased public transportation, and suggested a rail trail could increase MBTA ridership as people may bike from Medfield or Dover to Needham Junction.

Ms. Phelps noted a "bike share" program at Needham Junction and at Medfield as a future possibility.

John Negoshian, 1101 South Street, abutter, acknowledged he originally had doubts about the project but is supportive. He said the project must be done right; including a fully paved trail, trash cans, and police patrol. He feels the Town should fund the project.

Evie Shollings, Fisher Street said she does not support the project and feels a space will be created for people to hang out and do things they should not be doing.

Ed Kim, 82 Gayland Road supports the project and said the path is a great amenity for the Town. He commented he considered paying a premium to live in Wellesley because of the biking amenities of the Town.

Mike Retsky, 121 Laurel Drive, Park and Recreation Commission, Chairman stated support for the project. He thanked Mr. Staley and Ms. Phelps for their time and effort on the project.

Calvin Cole, 107 Edwardel Road supports the project, but was disappointed to hear the trail is suitable for trail and hybrid bicycles, but not for road bikes.

Mr. Matthews closed the public hearing and asked for comments from the Board.

Mr. Borrelli commented he is concerned with the investment of money and the final plan. He suggested funding maintenance and fencing up front, before installing the trail.

Mr. Matthews noted several issues need to be worked out with abutters. He said contact information for Bay Colony Rail Trail is on the Town's website, and that the next step in the process is consideration of two articles at the Special Town Meeting beginning November 4, 2013. Mr. Matthews thanked everyone for their attendance and participation.

8:25 p.m.

Town Manager:

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

1. Proposed Charge/Facility Working Group

Ms. Fitzpatrick recommended a charge and composition of a Facility Working Group to provide advice and input to the Permanent Public Building Committee and the Board of Selectmen in the development of an updated facility master plan. She noted the updated plan was funded at the 2013 Annual Town Meeting.

Motion by Mr. Bulian that the Board of Selectmen vote to approve the charge and composition of the Facility Working Group.

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

2. Close Special Town Meeting Warrant

Ms. Fitzpatrick noted modifications to the warrant including a proposed deviation from the traditional method for organizing the articles, the postponement of two articles to the May 2014 Special Town Meeting, the addition of an article for a new lift at the DPW, and an article for a “friendly taking” of property on the sidewalk at the new senior center. She recommended the Board close the warrant for the November 4, 2013 Special Town Meeting.

Motion by Mr. Bulian that the Board approve and close the November 4, 2013 Special Town Meeting Warrant as presented by the Town Manager subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.

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

Mr. Matthews noted the possibility Town Meeting may require more than one evening for discussion and suggested Wednesday, November 6, 2013, if necessary. He said choosing a date is ultimately made by vote of Town Meeting, but thought it important to discuss with other boards and committees, so people can plan accordingly.

8:35 p.m. Board Discussion:

1. Committee Reports

No Reports were made.

8:35 p.m. Executive Session - Exception 3 (potential litigation):

Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.

Exception 3 - To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares. Not to return to open session prior to adjournment.

Second: Mr. Borrelli. Mr. Matthews polled the Board. 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=>

Note: The meeting was adjourned at 9:20.

