

**Town of Needham
Board of Selectmen
Minutes for August 18, 2015
Selectmen's Chamber
Needham Town Hall**

6:30 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 Maurice P. Handel. Those present were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing - Comcast at 50 Cabot Street:
David Cavanaugh, Comcast representative appeared before the Board requesting permission to install conduit at 50 Cabot Street. Mr. Cavanaugh said the work is necessary to extend services to the property from pole 150/10/5 located on Cabot Street, located 375 ft. northeast of 50 Cabot Street.

Ms. Fitzpatrick stated all paperwork is in order.

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

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Comcast to install conduit at 50 Cabot Street dated July 10, 2015. This work is necessary to provide Comcast service at 50 Cabot Street, Needham. Second: Mr. Borrelli. Unanimously approved 5-0.

7:02 p.m. Public Hearing - Eversource Energy at 353 Country Way:
Maureen Carroll, Eversource Energy representative appeared before the Board requesting permission to install 36 feet of conduit in Country Way. She stated this work is necessary to provide electric service from pole 344/46 approximately 130 feet west of Stratford Road a distance of about 36 feet of conduit.

Ms. Fitzpatrick stated all paperwork is in order.

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

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install 36 feet of conduit in Country Way. This work is necessary to provide underground electric service at 353 Country Way, Needham. Second: Mr. Borrelli. Unanimously approved 5-0.

7:04 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. Conservation Commission Alison Richardson (term expires 6/30/2018)**

CONSENT AGENDA *=Backup attached

- 1. Accept a donation of the following items made to the Park and Recreation Commission from Community Center of Needham: 2 double kayaks with paddles; 14 Adirondack chairs; 4 jumbo umbrellas with stands; 7 water hopper balls; 5 youth life jackets; 1 jumbo checkerboard; 24 pool noodles; 1 inflatable basketball hoop and ball; and 12 barbell floats. The estimated value of the items is \$2,300.**
- 2.* Approve position titles which will be exempt from the distribution of summaries and the online training requirements associated with the Conflict of Interest Law in accordance with M.G.L. c. 268A. A public employer may choose to exempt short- term, temporary, or seasonal compensated positions in which employees do not have or exercise governmental authority and do not participate in or have responsibility for government decision-making, contracting, hiring, investigation or any other discretionary governmental action.**
- 3. Grant permission for the Needham Business Association to use the Town Common and surrounding area for its Harvest Fair and Souperbowl on Saturday, October 3, 2015. Permission includes: utilizing the parking lot behind Town Hall for activities and for two portable toilets; closing Chapel Street from corner of Great Plain Avenue to the Chapel Street parking lot for food court and booths; NBA member business to have items for sale on sidewalk in front of their own stores; a hayride that will run from Highland Avenue by the Town Common and loop back around the town to the Town Common; a tent erected on Chapel Street to host the soup tasting contest; use of the Town's generator to supply the electricity for the tent and booths; and any changes as recommended by the Needham Police Department.**
- 4.* Approve minutes of June 23, 2015 (open and executive session), July 21, 2015 (open and executive session), July 23, 2015 meeting.**
- 5.* Ratify a request from Allan Eyden, Road Coordinator for the Pan Mass Challenge, to have a portion of its ride to go through Needham. The event was scheduled for August 1, 2015 and August 2, 2015 starting at 7:00 a.m. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
- 6. Accept a \$350 donation made to Needham Youth Services from the Rotary Club of Needham. They would like the monies to be used to sponsor Needham Youth Services' Single Parent Support Group.**
- 7. Accept a \$602.50 donation made to the Needham Health Department's Traveling Meals Program from the FRIENDS of Needham Board of Health & Traveling Meals program.**

- 8.* Approve an additional 2 mile walk route for the “Jog Your Memory” road event on September 20, 2015. The route of the walk has been approved by the following departments: DPW, Police, Fire, and Park and Recreation. Original application was approved at the 12/9/2014 BOS meeting.
- 9.* Approve an abatement for uncollectible Police Details dated 7/28/15.
- 10.* Approve and sign statement on anti-semitism received from AJC Global Jewish Advocacy.
- 11. Accept \$5,000 donation from Nestle Purina PetCare Company towards the maintenance and improvement of the off-leash dog area.
- 12.* Water & Sewer Abatement Order 1202
- 13.* Special Sewer Assessment Order 593
- 14. Approve Board of Selectmen Policy style changes to the following: BOS-DIS-002 – Flag of the United States – Proper Half-Staff Display; BOS-FIN-007 – Policies for Regulations for Abatement of Water and Sewer Charges; BOS-FIN-012 – Water/Sewer Abatement Policy for Low Income Households; BOS-LIC-001 – Carry-In Alcoholic Beverages Regulations for Common Victualler Licenses; BOS- LIC-003 – Newsrack Policy; BOS-LIC-007 – Policies and Regulations for Second Hand Motor Vehicle Licenses; BOS-LIC-008 – Fuel Storage Application.

Procedures Redux (Procedures for Filing Application for Storage of Flammable and Combustible Fluids); BOS-PRO-003 – Recycled Product Procurement Policy; BOS-ADMIN-001 – Determination of Board of Selectmen Agenda Items - This policy is also being recodified from BOS-REC-001 to BOS-ADMIN-001 to provide consistency in this category of policy. (Category was renamed from Records to Administration to allow more of a variety of subjects that do not fit elsewhere) and BOS-ADMIN-003- Appointment Protocol.

Approve Board of Selectmen Policy Rescissions of: BOS-DPWRTS-004 – Pay-Per-Throw Bulky Item Fee Plan. This is more of a procedure than a policy. BOS- FIN-001 – Approval of Certain Contract Amendments. This policy is no longer necessary based on the new Town charter. BOS-FIN-005 – General Fund Contribution to Solid Waste Enterprise Fund Policy. The changes to the RTS funding model adopted in FY2015 renders this policy unnecessary. BOS-FIN-008 – Reserve Fund Transfer Request Procedure. This is not a BOS policy.

15. Grant Permission for the following residents to hold a block party:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Leslie Wilson	21 Oak Hill Road	Oak Hill	8/16/15	8/15/15	4pm-7pm
Rachel Black	83 Nardone Road	Jarvis Circle	8/22/15	8/23/15	1pm-6pm
Cindy Osgood	27 Laurel Drive	Lower Laurel Drive	9/12/15	9/13/15	3:30pm-8pm

Jean C. Martin	139 Plymouth Rd	Plymouth Rd Ext.	9/12/15	9/13/15	1pm-7pm
Lisa Madkins	15 Bobsled Drive	Bobsled Drive	9/12/15	9/19/15	1pm-7pm
Sue Pouliot	54 Eaton Road	Eaton Road	9/12/15	9/13/15	4pm-9pm
Susan Miller	20 Virginia Road	Virginia Road	9/12/15	9/13/15	3pm-7pm
Kate Deeley	61 Kenney Street	Lois Lane /Barbara Road	9/12/15	9/13/15	3pm-11pm
Claudette Shea	107 Grosvenor Rd	Grosvenor Rd	9/19/15	9/26/15	3pm-8pm
Lynn Miller	90 Canterbury Lane	Canterbury Lane cul-de-sac	9/19/15	9/20/15	4pm-8pm
Judith Gragg	115 Dawson Drive	Dawson Drive	9/20/15	9/27/15	4pm-7pm
Dan Tavan	24 Crescent Road	Crescent Road	10/4/15	N/A	3pm-7pm

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

7:04 p.m. Hillside School Feasibility Update & Preliminary Design Program Approval: George Kent, Chair, PPBC, Hank Haff, PFD Project Manager, Dan Gutekanst, Superintendent of Schools, Don Walter, Dore & Whittier Architects, Michele Rogers, Dore & Whittier Architects, and Jason Boone, Dore & Whittier Architects appeared before the Board with an update on the status of the Hillside School Feasibility Study, and to request the Board’s approval of the Preliminary Design Program (PDP) for submission to the Massachusetts School Building Authority (MSBA). The School Committee will take up the PDP at its August 26, 2015 meeting.

Don Walter, Dore & Whittier Architects provided an overview of the process giving a sense of the work done to date on the Hillside School project. He commented on programming and space needs, as well as building and site deficiencies at the school. He reiterated the goal is to solve both the needs and deficiencies. Mr. Walter stated the process has been very inclusive, involving the school department, PPBC, Town departments and boards, as well as the general public. He commented on the role of the Massachusetts School Building Authority (MSBA) saying they are an important partner who are partially funding the project. Mr. Walter said he is hopeful the Board of Selectmen will approve the Preliminary Design Program (PDP) presented tonight.

George Kent, PPBC, commented that while the PPBC recommends the process be presented to the Board of Selectmen for its approval, the PPBC has not yet officially approved the project. He stated the PPBC will approve the project at its next meeting, as will the School Committee.

Mr. Handel noted the Connie Barr, Chair of the School Committee and Susan Neckes, Vice Chair of the School Committee are in attendance.

Mr. Walter reviewed the Executive Summary, commenting on the three goals for the school, as related to programming and enrollment. He said the PDP is the first major step with the MSBA dealing with programmatic, functional, environmental, and spacial needs of the school. He said the PDP narrows down the multiple options, to be presented to the MSBA, to reach next phase of arriving at one option for the community to select. He reviewed a graph outlining the options for Hillside School, including repair and new construction at the existing property, as well as construction at other locations. Mr. Walter said that the list of solutions, "Building and Site Development for Determination Preferred Alternative" will be submitted to the MSBA on September 3, 2015, which will lead to the Preferred Schematic Report.

Jason Boone reviewed the educational planning and programming needs.

Michele Rogers reviewed the potential sites.

Mr. Walter commented on project costs for each option including site and construction costs, designers, furnishings, equipment, and temporary housing where necessary.

Mr. Borrelli asked about timing of construction for each option. He also asked if any site were a hardship on a neighborhood due to additional traffic.

Ms. Rogers said a traffic study will begin at the start of the school year. She commented additional information regarding cars, walkers, crossing guards was furnished by the Chief of Police. Ms. Rogers said any construction happening on the Hillside site will take approximately one year longer because children will need to be moved off-site.

Ms. Cooley asked for clarification regarding educational programs for renovation space vs. new construction.

Mr. Handel asked about the MSBA's role in selecting an option.

Dr. Gutkanst thanked the team at Dore & Whittier Architects, George Kent, and Hank Haff for their work. He said he appreciated that information in the feasibility study meets the educational program and is consistent with the elementary program at the Newman, Eliot, and Broad Meadow schools. He asked the Board of Selectmen for its support.

Connie Barr, Chair, School Committee thanked Dore & Whittier, the PPBC, Dr. Gutkanst, and residents. She noted the willingness of the Board of Selectmen to support the educational programs for the children of Needham.

Motion by Mr. Bulian that the Board accept the recommendation of the Permanent Public Building Committee relative to the Hillside Elementary

School - Preliminary Design Program (PDP), and further approve the submission of the PDP to the Massachusetts School Building Authority. Second: Mr. Borrelli. Unanimously approved 5-0.

7:40 p.m.

Department of Public Works

Bob Lewis, DPW Assistant Director appeared before the Board with one item to discuss:

1. Sign Notice of Traffic Regulation - Woodledge Road and Helen Road:

Mr. Lewis stated the Traffic Management Advisory Committee (TMAC) received a stop sign request from residents in the area of Highgate Street, Woodledge Road, and Helen Road. The request from the residents was to designate Woodledge Road and Helen Road as stopped streets at the intersection of Highgate Street. The TMAC recommended that Woodledge Road and Helen Road be designated stopped streets at the intersection of Highgate Street.

Motion by Mr. Bulian that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS15-08-18 requiring that Woodledge Road southbound and Helen Road northbound be designated stopped streets at the intersection of Highgate Street.

Second: Ms. Cooley. Unanimously approved 5-0.

Ms. Fitzpatrick asked Mr. Lewis to give a sense of the current construction projects in Town. Mr. Lewis noted ongoing projects by the Engineering division and Highway division, and commented on the completion of the St. Mary's Pump Station.

7:50 p.m.

Town Manager

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

1. Management Compensation Proposal

Ms. Fitzpatrick recommended that the Board approve changes to the management compensation system effective for July 1, 2015, which were reviewed and approved by the Personnel Board on August 10th. She briefly explained the existing system and presented a proposal for revamping the Town's Management Compensation system.

Mr. Borrelli asked if the Management Compensation Proposal will have any impact on the budget.

Ms. Fitzpatrick said increases for town-wide managers will meet the Town's sustainability goals. She said there may be a moderate increase in the classification pay line at the Special Town Meeting for implementation this year.

Motion by Mr. Bulian that the Board approve changes to the management compensation system and revised classification and standard rates of compensation schedule.

Second: Ms. Cooley. Unanimously approved 5-0.

2. Blue Tree Proposal

Ms. Fitzpatrick recommended that the Board of Selectmen support a plan to allow local artists to create pieces of art from the former blue tree to be displayed in the community. She said an application process will be created and a reviewing committee will be established to consider applications. Ms. Fitzpatrick said all art created will remain the property of the Town. The Board reviewed photos of salvaged pieces from the blue tree that have been cataloged and stored.

The Board agreed it liked the proposal.

Mr. Borrelli suggested notifying the schools as they may wish to make an art project from the salvaged wood.

8:00 p.m.

Board Discussion:

1. Registered Marijuana Dispensary Application Policy

In anticipation of requests by applicants for RMD licenses, which will ultimately require a letter of support or non-opposition as part of the Commonwealth's permitting process, the Board discussed a proposed policy for considering such requests at its meeting on July 21, 2015.

The Board reviewed the draft policy.

Mr. Borrelli said he is in favor of the policy. However, he suggested amending the language in the first paragraph of Policy Number BOS-ADMIN-04 to include "...or take any other action relative thereto..."

SUGGESTED TO REPLACE THE FIRST PARAGRAPH

"The Board of Selectmen may provide a letter of support or non-opposition with respect to any application seeking to locate a Registered Marijuana Dispensary (RMD) in Needham after a public hearing and consultation with the Town Manager."

WITH

"The Board of Selectmen may provide a letter of support or non-opposition, or take any other action relative thereto, with respect to any application seeking to locate a Registered Marijuana Dispensary (RMD) in Needham after a public hearing and consultation with the Town Manager."

The Board agreed with Mr. Borrelli's suggestion to amend the language in the first paragraph.

Motion by Mr. Matthews that the Board approve the Registered Marijuana Dispensary Application Policy dated August 18, 2015.

Second: Ms. Cooley. Unanimously approved 5-0.

2. Adopt FY2016-FY2017 Goals

Motion by Mr. Bulian that the Board vote to adopt goals for FY2016-FY2017 as shown on the attached document.

Second: Ms. Cooley. Unanimously approved 5-0.

3. Committee Reports

Mr. Matthews updated the Board on the status of the Minuteman Career and Technical High School. He said he, Ms. Cooley, and Ms. Fitzpatrick attended a meeting with the Sudbury Board of Selectmen, and Board members from other towns to talk about the project. He said a majority of the Boards were in attendance, noting some Boards who are satisfied with the progress of the project did not attend. Mr. Matthews said he also attended a follow up session with leaders from Wayland, Sudbury, and State Representatives Carmine Gentile and Denise Garlick. Mr. Matthews provided a summary sheet. He said it appears a district-wide referendum will be necessary to decide the outcome of the process. He suggested people in Needham are committed to good vocational education for all children and that they try to advance the process. He said the design process must be advanced enough so people have much of the detail on which to vote. Mr. Matthews said the referendum will probably occur in the spring 2016, but not later than June 2016. He said there is a chance to resolve the issue without a referendum, but he said it is not likely. He concluded that it is up to the Boards and Committees in all communities to get the information out to residents.

Ms. Cooley said the MSBA was clear in saying it will not participate in building a school smaller than 600 students. She said towns most likely to oppose the project tend to want a smaller size school, and therefore not an MSBA supported project. She said the project is "grandfathered in" at 40% reimbursement level and it is clearly a path Needham would like to stay on.

Mr. Handel said the project would be less expensive with MSBA support than a smaller school without MSBA support. He said there is a lot of information that needs to get out to people so that they understand the implications.

8:15 p.m.

Executive Session: (Exceptions 3 & 6)

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 litigating position of the public body and the chair so declares.

Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.

Second: Mr. Borrelli. Mr. Handel 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 adjourned at 9:00 p.m.