

**Town of Needham
Board of Selectmen
Minutes for November 24, 2015
Selectmen's Chamber
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 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. Introduction of Firefighters:
Dennis Condon, Fire Chief appeared before the Board to introduce newly appointed Firefighters Paul Mitchell, Nicholas Dabrowski, Jeffrey MacDonald, and Pete Cavanaugh. Chief Condon also recognized Mike Welch who was appointed in May 2015.

Chief Condon said the new firefighters are excellent workers who are interested in learning about fire service. He commented all new members recently graduated from the Fire Academy and that he looks forward to having them serve the community.

Mr. Matthews welcomed Firefighters Mitchell, Dabrowski, MacDonald, Mitchell, and Cavanaugh to the service of the Town. He said he wants them to succeed and that during stressful situations they are the "face of the Town" to residents. He said they have the confidence of the Fire Chief and the Town Manager, and wished them well in Needham.

The Board congratulated the firefighters on their appointments and welcomed them to Needham.

7:10 p.m. Public Hearing: Tax Classification
Chip Davis, Director of Assessing, Dave Davison, Assistant Town Manager/Director of Finance, and members of the Board of Assessors including Kurt Ochalla, Chairman, Tom Colarusso, Secretary, and Ted Owens appeared before the Board regarding the allocation of the fiscal year 2016 tax levy among the various classes of property in Town.

Mr. Ochalla read the "Assessor Report for FY16" noting the residential real estate market in Needham continues moving upward, with the median single family sale price increasing to \$846,000 from \$802,000 in, a 5.4% increase from FY2015. He said the median single family sale price has jumped 33% over the last five years, while the condominium median sale price has risen over 70%. He noted, as

required by the Massachusetts DOR, the assessments reflect the upward trend, most of which was picked up by the increase made during last years revaluation. He said single family values will remain relatively stable in FY2016, except for properties that were affected either by new construction or additions to existing structures. He noted that while analysis of the single family sales from calendar year 2014 were within the statistical parameters acceptable by the DOR in the annual review, the strong 2015 market will likely require some upward adjustment across many neighborhoods to be acceptable for FY2017. Mr. Ochalla said there were numerous adjustments made to the condo market based on calendar year 2014 sales, which clearly showed a new trend. He noted the high end condo market has jumped from the low \$700's to the low \$900's for the same type of unit. He discussed the name change from the "Industrial Park" to "Needham Crossing" as well as the physical changes to the area including the new Trip Advisor headquarters and Marriott Inn, which now dominate the landscape. He said the values of income properties reflected in FY2016 will continue with the restoration of office space formerly occupied by General Dynamics and the 400 unit residential project. He said added benefits from the evolution from Needham Crossing also include taxable business personal property being reported. He commented the Assessors Office processed thousands of auto excise bills in addition to processing numerous applications for Excise and Real Estate abatements, multiple statutory exemption requests and daily information requests from internal and external sources.

Mr. Davis reviewed with the Board information contained in a handout titled "Town of Needham Classification Hearing FY2016." Mr. Davis commented the factor to be voted upon is 0.8772190.

Mr. Handel asked for Board comment.

Mr. Matthews asked what is the cycle for the revaluation process?

Mr. Davis said every third fiscal year is a revaluation year. He said mid-term adjustments are made as needed, noting adjustments made in FY15 were primarily in the condominium sector as there were dramatic increases in sales. He said the single family residential sales must fall within a certain percentage to be statistically acceptable by the DOR. He said last year the assessment to sales ratio was about 98%, while this year it dropped to about 94% which indicates the assessments are falling slightly behind the market, but still well within acceptable limits for the DOR. He said going forward some adjustments will probably be necessary in the area of land values, and analysis will be started next year.

Mr. Matthews said the public hearing basically has two functions, to discuss the annual Assessors' report and review Needham's policy of exercising the right to surcharge business property to mitigate the tax burden on homeowners. Mr. Matthews commented on the Town's historical approach to valuations and the adoption of the classification hearing. He noted significant growth in the business

sector and asked if the Town maintains 1.75% classification, what portion of the total levy will be paid by commercial sector? Mr. Davis said 24%.

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

Mr. Davison said debt exclusions are included in the annual tax bill, noting continuing downward trend due to projects being completed and bonded.

Motion by Mr. Bulian that the Board of Selectmen establish a residential factor of 0.877219 for the purposes of setting the Fiscal Year 2016 tax rates. Second: Mr. Borrelli. Unanimously approved 5-0.

7:35 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 No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Approve a request from Masala Art to have extended operating hours on New Year's Eve, December 31, 2015 until 1:00 a.m. Last call will be 12:45 a.m., customers off premises at 1:00 a.m. and all staff will leave premises by 1:45 a.m. The Police Department have approved this request (same as last year).**
- 2. Approve and authorize the chair to sign the Employment Contract between the Town and John Schlittler, in-coming Chief of Police.**
- 3.* Approve a 2015/2016 Weekday Entertainment License for Sol Soul Family Foods LLC., d/b/a Hearth Pizzeria located at 974 Great Plain Avenue, Needham.**
- 4. Accept a \$100 donation from the Rotary Club of Needham made to the Needham Community Revitalization Trust Fund Committee for Banners.**
- 5.* Water & Sewer Abatement Order #1207**
- 6. Accept the following donations made to the Needham Health Department's Gift of Warmth Fund: \$1,000 from the Needham Women's Club; and \$300 from the Christ Episcopal Church in Needham.**

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

7:35 p.m.

Public Hearing - New Alcoholic License for Great Plain Hospitality d/b/a RFK Kitchen (948 Great Plain Avenue):

Roy Cramer, Attorney, Rachel Klein, Principal and Proposed Manager, and Francesco Melandri, Principal, Great Plain Hospitality, LLC., appeared before the Board to discuss an application for an All Alcoholic License for Great Plain Avenue.

Mr. Cramer told the Board RFK Kitchen is a new restaurant that will be located at 948 Great Plain Avenue. He said the restaurant will consist of 2,900 SF on the 1st

floor and 2,900 SF in the basement that will be used for prep area, refrigeration systems, storage area, office, wine and liquor storage, and employee area. Mr. Cramer said the 1st floor is an open kitchen with multiple dining areas with a total seating capacity for 99 patrons and restrooms. There is one main entrance at the front of the building on Great Plain Avenue and three exits from the building. He gave a brief summary of Ms. Klein's experience as an executive chef and said she lives in Needham.

Mr. Cramer said the applicant also seeks a waiver of the Town of Needham Regulations for the Sale of Alcoholic Beverages Section 3.1 Service Bar/Waiting Area and a waiver of Section 6.4 which states the applicant must have been named in a common victualler's license and operated a restaurant and function room for the twelve month period immediately preceding the filing of this application.

There are three houses of worship located within the 500' radius of the proposed premises and M.G.L. Chapter 138 section 16C requires a vote of the Board after public hearing. No written comment was received by any of the houses of worship with respect to this hearing. Mr. Cramer asked the Board to make a determination that the restaurant would not be detrimental to the educational and religious activities in the houses of worship.

Ms. Fitzpatrick confirmed all paperwork is in order.

Mr. Borrelli asked about the hours of operation. Ms. Klein said lunch, dinner, and brunch will be offered. Mr. Cramer said the Planning Board permit allows for 11:00 a.m. to 11:30 p.m. Sunday through Thursday, and 11:00 a.m. to midnight Friday and Saturday.

Mr. Matthews reiterated Needham's status as a historically dry town, and reminded Ms. Klein that as a liquor license manager she is personally liable if something goes wrong in relation to the liquor service. He said the Board wants Ms. Klein to succeed, and said the rules must be followed and will be enforced.

Motion by Mr. Bulian that (A) the Board of Selectmen approve the application 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 for Great Plain Hospitality d/b/a RFK Kitchen, Rachel Klein, Manager, and including waivers of the Town of Needham Regulations for the Sale of Alcoholic Beverages, Section 3.1, and Section 6.4 which states applicant must have been named in a common victualler's license and operated a restaurant and function room for the twelve month period immediately preceding the filing of this application and to forward the approved Alcohol License application to the ABCC for approval, and (B) 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, First Church of Christ Scientist and First Baptist Church.

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

8:02 p.m. Director of Public Works:

1. 2015 Water Restriction Report

Richard Merson, DPW Director, Robert Lewis, Assistant DPW Director, and Chris Seariac, Acting Water & Sewer Superintendent appeared before the Board to report on water usage in Needham since instituting a seasonal restriction on the use of outdoor water.

Mr. Merson said this was the first year where restrictions were instituted for a full year with sufficient adherence notification. He said some unique weather conditions existed, resulting in an increase of total water production of slightly over 2% for the same time last year. He said the increase is attributable to less rainfall and increased temperatures during the 5 month restriction period. Mr. Merson said overall, the Town produced 20 million gallons more than this time last year, and 46 million gallons more in irrigation. He noted there is conservation occurring in the home, but irrigation usage has been increasing. He said the Town issued just under 200 notices of violation.

Mr. Handel asked about the target of 65 gallons per person per day. Mr. Merson said a full year of data is needed to make a determination.

Ms. Fitzpatrick commented on the 2012-2015 USGS River Flow Log in Waltham and that residents are continuing to irrigate. She said the next step the Board could take under the current permit would be to lessen the restriction on the 2 days a week watering. She said the Town will continue to look at ways to convince residents to use less water.

Ms. Cooley asked for data from surrounding communities, including best practices. She noted Needham is higher in usage and wondered about the culture in other communities. Ms. Fitzpatrick said culture may play a part, but accurate reporting may be suspect.

Mr. Matthews asked whether voluntary compliance has been an issue. Mr. Merson said it is hard to say. Mr. Matthews said most people are focused on the idea of water conservation, but some property owners do use a lot more water than others and it may be necessary to have a conversation with individual residents.

Mr. Borrelli cautioned a thoughtful approach is needed to strike a balance between water use and conservation.

2. New England Chapter APWA Public Works Awareness Video

Mr. Merson said he will complete his term as the President of the New England Chapter of the American Public Works Association in a couple of weeks. He said a goal over the last 2 years has been to make sure the organization remains strong, vibrant, and continuing to do good in the communities. He said several committees

were formed, in particular Professional Development, Membership, Outreach, and Public Works Awareness. He said the Public Works Awareness committee worked on a video over the last year for open distribution. The Board viewed the video.

8:13 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 5 items to discuss:

1. FY2017 Budget Priorities

Ms. Fitzpatrick reviewed “Proposed Board of Selectmen Statement of FY2016 Operating Budget Priorities” saying many of the priorities remain as important as they were last year. She asked the Board if it had specific items they would like considered or removed, noting the goal is to present the final version to the Board on December 22, 2015.

Mr. Handel asked for Board comments. No comments were made.

2. Preliminary FY2017 - FY2021 Capital Improvement Plan

Ms. Fitzpatrick discussed with the Board the preliminary FY2017 cash capital and debt-financed project submissions. Ms. Fitzpatrick reviewed “Town of Needham FY2017 Preliminary Capital Funding Requests” briefly highlighting the list of requests. She commented on the Police and Fire Feasibility Study, and other feasibility studies for facility infrastructure. She commented on school, furniture, machines, and technology, noting ongoing discussions on how to fund requests. Ms. Fitzpatrick commented on replacement of lockers and new lighting in both gyms at Pollard Middle School. She commented on the Needham High School feasibility study and future enrollment. She said the Town is working with a professional demographer and suggested the Board may want to ask questions about future demographics for planning purposes. She commented on the permanent message boards, DPW boiler replacement, bubbler replacement program, Memorial Park building feasibility study, associated grounds and drainage, Rosemary Pool renovation, and the Fleet Replacement Program. Ms. Fitzpatrick also commented on RTS improvement requests, as well as Water and Sewer. Ms. Fitzpatrick said the FY2018-FY2021 projects will be discussed at the Board of Selectmen meeting on December 8, 2015, with final approval of the Capital Improvement Plan at its meeting on December 22, 2015.

Mr. Borrelli said the Needham High School classroom feasibility study is money well spent. He commented on the Memorial Park feasibility study saying it is smart to do the project in phases.

The Board thanked Ms. Fitzpatrick.

3. Doing Business with the Town - Update

Dave Davison, Assistant Town Manager/Director of Finance and Tatiana Swanson, Finance and Procurement Coordinator appeared before the Board to discuss an initiative that the Finance Department is undertaking to reach out to the business community to explain how they can know what opportunities there are to do

business with the Town and how the public procurement process works. Mr. Davison said it was decided to schedule the event for January 13, 2016 from 4 p.m. - 6 p.m. in Powers Hall.

Ms. Swanson discussed key elements to be discussed at the event include using the Town website to receive notifications, and Town restrictions of purchasing goods and services. Ms. Swanson said the Commonwealth will also attend the event and present information on doing business with the State agencies, local cities and towns. She said a representative from the U.S. Small Business Association will also attend the event.

4. Endorse Hillside School Preferred Schematic Report
Motion by Mr. Bulian that the Board endorse the Hillside School Preferred Schematic Report.
Second: Ms. Cooley. Unanimously approved 5-0.

Ms. Fitzpatrick noted the preferred schedule is for the project to be approved in the summer 2016 by the MSBA, in time for the Secretary of State to put the request on the ballot for the presidential election in November 2016.

5. Town Manager's Report

Ms. Fitzpatrick reported Eversource Energy continues line clearing along the transmission right-of-way areas at the Charles River/South Street and Hersey/Great Plain Avenue. She said Eversource has been following protocol of notifying Ed Olsen, Parks and Forestry Superintendent where work will take place each day. She commented Mr. Olsen and staff from Representative Garlick's office have been available for residents who have concerns. She said she will keep the Board updated.

Ms. Fitzpatrick reported MassDOT had its design hearing for the First Avenue signal project. She said the introduction of a signal is a welcome project. She said it is possible work will commence in early 2017, after the Central Avenue/Eliot Street bridge reopens.

Ms. Fitzpatrick reported the Patrick C. Forde award will be presented to Colleen Schaller on January 25, 2016 in Powers Hall.

8:40 p.m. Board Discussion:

1. Committee Reports

Mr. Matthews updated the Board on the status of the Minuteman Career and Technical High School, saying he and Ms. Cooley have attended many meetings. He said renovation of the high school is moving forward and affects a significant number of Needham students. He said the facility badly needs renovation to meet educational needs and code compliance. He said the 16 member communities agree the school needs renovation, but not all agree on the type, size, and cost of the facility. He noted there is some frustration going back 40 years concerning the

original Agreement. He commented it appears a decision will be made within the coming year on the project. He said the project is currently in the schematic design phase. He said the cost is in the range of \$150,000,000, with the MSBA contribution of 40%+. He commented target enrollment at 628 students. Mr. Matthews said all of the issues discussed over the years are still on the table with a lot of pushing back and forth. He said the school committee is on track to make a decision whether or not to vote approval of bonding for the project. He said if the school committee approves the project, a 60 day window opens for towns to act or not, or to veto by Town Meeting action. If there is a veto, he said, then the decision of the school committee is pushed back as to whether or not to call for a district-wide referendum. Mr. Matthews said he presumes a referendum would happen on a Saturday in the spring 2016 in order to meet the deadline for MSBA funding. Mr. Matthews said there are some arguments about the design, but that the process has been open. He said there has also been discussion about possibly changing the district Agreement to let towns in or out. He commented some towns want to leave the district and some towns want to join, but no town is going to join a district that they cannot leave. Mr. Matthews summarized saying a referendum is on track and that the project is of significant value to the community. He said work continues and everyone involved in the process deserves credit.

8:50 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of November 24, 2015,8 extending a wonderful Thanksgiving to all Needham residents and good luck to the Needham High School Football Team.

Second: Mr. Borrelli. 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=>