

**Town of Needham
Board of Selectmen
Minutes for October 24, 2017
Needham Town Hall
Selectmen's Chamber**

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 Chair Marianne B. Cooley. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Assistant Town Manager/Director of Finance David Davison, and Recording Secretary Mary Hunt. Town Manager Kate Fitzpatrick did not attend the meeting.

7:00 p.m. Public Hearing: Eversource Energy

Karen Johnson, Eversource Energy Representative appeared before the Board with 2 items to discuss:

1. Fair Oaks Park

Ms. Johnson requested permission to install approximately 84 feet of conduit in Fair Oaks Park. This work is necessary to provide underground electric service to 61 Fair Oaks Park.

Ms. Cooley invited public comment. No comments were heard.

Mr. Davison said all paperwork is in order. He noted however, some concern at the construction site including damage to the berm in the middle of Fair Oaks Park. He commented the DPW will address the damage when the contractor closes out the street permit.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 84' of conduit in Fair Oaks Park. This work is necessary to provide underground electric service to 61 Fair Oaks Park, Needham.

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

2. Highland Avenue (at Wexford Street)

Ms. Johnson requested permission to install approximately eight feet of conduit in Highland Avenue. She said this work is necessary to accommodate intersection improvements for the Town.

Ms. Cooley invited public comment. No comments were heard.

Mr. Davison said all paperwork is in order.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately eight feet of conduit in Highland Avenue. This work is necessary to accommodate intersection improvements for the Town of Needham.

Second: Mr. Bulian. 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: No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$250 from Edward & Carol De Lemos, \$800 from Needham Bank, and \$1500 from Ms. Nancy Farrow.**
- 2. Approve minutes from October 10, 2017 meeting.**
- 3. Approve a Special One Day Wines and Malt Beverages license for Steve Volante, of Volante Farms, to host its Pumpkinfest event on October 28, 2017 from 4:00 p.m. to 6:00 p.m. Event will be held at Volante Farms, 292 Forest Street, Needham.**
- 4. Approve two Special One Day Wines and Malt Beverages licenses for Steve Volante, of Volante Farms, to host Wine & Cheese classes on November 4, 2017 and December 9, 2017 from 2:00 p.m. to 4:00 p.m. The events will be held at Volante Farms, 292 Forest Street, Needham.**
- 5. Water & Sewer Abatement Order No. 1244**

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

7:05 p.m.

Approval of the Sale of Notes:

Dave Davison, Assistant Town Manager/Director of Finance and Evelyn Pones, Town Treasurer/Collector reviewed the results of the bond anticipation note sale and discussed upcoming borrowings with the Board.

Mr. Davison said the bond anticipation note is a renewal of a balance previously borrowed in June 2017, noting a slight pay-down on the note for the Sunita Williams Elementary School as the interest rate the Town received was lower, allowing pay-down of the principal more quickly. He said the debt is excluded; therefore taxpayers will directly benefit in the long run by paying less in taxes. Mr. Davison said he anticipates borrowing in the spring of 2018 as construction of the Williams School will be well underway and cash requirements to pay the contractor will be very high. He noted the favorable interest rate and the five bids secured by Ms. Pones.

Motion by Mr. Handel that the Board of Selectmen vote to approve and sign Motions A,B,C,D, and E:

Motion A

Move that the Board approve the sale of a \$3,425,000 General Obligation Bond Anticipation Notes (the “Notes”) of the Town dated November 1, 2017 and payable August 1, 2018, at par and accrued interest plus the premiums indicated as follows:

Number	Denomination	Interest	Premium	Purchaser
R-1	\$2,425,000	2.00%	\$15,132.00	Eastern Bank
R-2	\$1,000,000	1.05%	0.00	Century Bank and Trust Company

Motion B

Move that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 5, 2017 and a final Official Statement dated October 17, 2017, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Motion C

Move that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Motion D

Move that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the and Notes.

Motion E

Move that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

Mr. Davison asked the Board to sign the documents, and noted the attendance of Town Clerk Theodora Eaton, as witness.

7:11 p.m.

Town Manager:

Dave Davison, Assistant Town Manager/Director of Finance appeared before the Board with 3 items to discuss:

1. Open Meeting Law Regulations Update

Mr. Davison updated the Board on recently revised regulations issued by the Attorney General of the Commonwealth relative to the Open Meeting Law.

He said modified regulations require visible posting of the Town's web address at Town Hall. He said new regulations also afford board and committee members the ability to remotely call in to participate in a discussion if physical attendance at the meeting is unreasonably difficult, as authorized by the Board of Selectmen. Mr. Davison said instances when postings are not required, include on-site visits to a project or program (conversation taking an official action is not allowed), attending a conference, or attending another public body's posted meeting. Mr. Davison stated the Attorney General's website indicates Needham is not in violation of the open meeting law.

Mr. Davison asked for questions or comments from the Board of Selectmen.

Mr. Borrelli said the modified regulations seem reasonable. He suggested the Town etch its website address on the glass doors of Town Hall.

Mr. Davison said meetings are currently posted on the glass doors of the handicapped entrance to Town Hall.

2. Vendor Fair Update

Mr. Davison said the Town recently held a vendor fair for local businesses telling them how they can learn about opportunities for doing business with the Town of Needham and the Commonwealth.

Ms. Cooley reiterated the suggestion of holding a vendor fair in the spring for owners of food trucks interested in doing business in Needham.

3. Town Manager Report

Mr. Davison told the Board the MBTA has connected the preemption cable necessary for the train crossing on Great Plain Avenue. He said the connection is a major hurdle in finishing up construction work in the downtown. He said that minor issues to be addressed are expected to be completed in the next four or five weeks, including the installation of lights shining upon the flagpole on the Town Common.

Mr. Davison said the MBTA completed work on the emergency stopping system on the commuter rail and will resume service on Saturday, October 28, 2017, one month ahead of schedule.

7:25 p.m.

Board Discussion:

1. MPO Annual Election October 25, 2017

Motion by Mr. Bulian that the Board vote to authorize Moe Handel to cast ballots for Michael Cahill, Mayor of Beverly, Maryjane White, Chair, Medway Board of Selectmen, Carlo DeMaria, Mayor of Everett, and Suzanne Barry, Chair, Lexington Board of Selectmen at the MPO election on October 25, 2017. Second: Mr. Borrelli. Unanimously approved 5-0.

2. Committee Reports

Mr. Borrelli updated the Board on the progress of the Memorial Park Field House design. He stated it is hoped a vote at the Annual Town Meeting will secure construction funding. A site plan was viewed. He said input has been received from the PPBC and Design Review Board, noting a Planning Board meeting is scheduled for December 12, 2017. He commented neighbors will also be asked for input in November 2017. Mr. Borrelli said construction would start after July 4th if funding is approved by Town Meeting in May 2018. He said the project is on schedule.

Mr. Matthews updated the Board on developments at Minuteman Regional High School. He said the Town's working group met last night. He said the capital project is moving forward and district membership is being restructured, noting overall school enrollment increased slightly, while Needham's enrollment at the school remained the same as last year. Mr. Matthews commented the main challenges over the next few years are capital costs for construction, noting significant bonding including a 16% increase in the Town's assessment in FY19 (to roughly \$26,000 from \$17,000 per student). He said other challenges include interest in the facility and school, noting it is a great opportunity but is costly.

Mr. Borrelli said the Town needs to understand enrollment projections and how they will affect the high school, noting Needham's enrollment is expected to increase quite a bit. He said more discussion is necessary.

3. Plastic Bag Restriction Evaluation Project

Ms. Cooley commented the Town was asked by several Needham High School students and the Green Needham Collaborative to consider restricting single use plastic bags. She said Sudbury Farms, Roche Brothers, Walgreens, and Trader Joe's attended a discussion giving their view of single use plastic bags. She noted single use paper bags are not any better, nor a great use of the earth's resources. Ms. Cooley said we are all better if people use their own bags, acknowledging we are not quite there yet. She said the stores indicated they might be willing to implement a voluntary change and are interested in attending a public hearing to hear from residents. Ms. Cooley said the Green Needham Collaborative has made a suggestion for a by-law.

Discussion ensued on environmental issues, cost of using bags, and actions of local communities that have had reported unintended consequences.

Mr. Matthews suggested developing a draft by-law and holding a public hearing.

Ms. Cooley commented it is hoped that adoption of environmental behaviors come because people think they are doing something like their neighbors.

Mr. Handel said one local merchant is willing to voluntarily stop using plastic bags even though it is more expensive. He said if larger merchants in Town restrict use, other smaller merchants will follow along.

Mr. Borrelli said he is concerned about an overreaching by-law. He said more discussion is needed. Petco and Staples were also mentioned.

Mr. Matthews said the cost of paper vs. plastic is about a factor of 10, noting bigger stores have indicated they are able to accommodate a change.

Mr. Bulian said the conversation is enlightening and encouraging, although he would not support a by-law affecting small businesses. He said small businesses should not be burdened, suggesting Green Needham Collaborative could provide a decal for stores choosing to participate in a restrictive use program. He commented he supports a slower approach instead of rushing into a new by-law.

Ms. Cooley said a proposal will be drafted by the Town Manager for the Board of Selectmen to consider and a public hearing will be scheduled.

7:53 p.m.

Adjourn:

Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of October 24, 2017.

Second: Mr. Bulian. 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=>