

**Town Of Needham Board of Selectman
Minutes for January 13, 2009
Needham Town Library**

6:45 p.m. Informal Session:

James Dolan, new appointee to the Council of Aging, appeared before the Board. The Board thanked Mr. Dolan for his willingness to serve.

7:00 p.m. Call To Order:

A meeting of the Board of Selectmen was convened by Vice Chairman Daniel Matthews at 6:45 p.m. Those present were: John Bulian, Daniel P. Matthews, Gerald Wasserman, Denise Garlick, James Healy (7:10 p.m.), Town Manager Kate Fitzpatrick and Recording Secretary Greg Cooper.

7:00 p.m. Public Hearing - Underground Fuel Storage at Beth Israel Deaconess Hospital:

Roy Cramer, Counsel, and Corey McNulty, Director of Facilities, appeared before the Board to request permission to store 5,000 gallons of #2 fuel in an underground storage tank at 148 Chapel Street, Needham. Mr. Matthews asked Fire Chief Paul Buckley and Ms. Fitzpatrick if the application was in order. Chief Buckley and Ms. Fitzpatrick stated that the request was in order.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign application from Beth Israel Deaconess Hospital to replace an existing 1,000 gallon underground fuel storage tank with a 5,000 gallon underground storage tank for #2 fuel on the property at 148 Chestnut Street, Needham to increase the capacity required for the new expansion.

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

7:05 p.m. Appointments and Consent Agenda:

Motion by Mr. Matthews that the Board of selectmen vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

1. **Council on Aging James Dolan (term expiration 6/30/2011)**

2. Cultural Council Sheryl Edsall, Lisha Goldberg, Hallie Sammartino, Joyce Silberman (all terms expire 6/30/2010)
3. Traffic Management Advisory Committee David Callaghan, Margaret Murphy, Rebecca Turner (all terms expire 6/30/2009)

CONSENT AGENDA *=Backup attached

1. Accept donation of \$50 from TIBMA Design/Build made to the Needham Health Department's Domestic Violence Action Committee.
2. Accept the following donations made to the Needham Health Department's Gift of Warmth Fund:
\$500 from the United Methodist Women of the Carter Memorial Church
\$500 from the Congregational Church of Needham
\$587.31 from The First Baptist Church of Needham
\$535 from the Grace Evangelical Lutheran Church
\$25 from Mrs. Kathleen Whitney, Needham resident
\$25 from Ms. A.F. Vergara, Needham resident
3. Accept \$150 gift card donation made by Roche Brothers Supermarkets, Inc. made in support of the Youth Commission's Patrick C. Forde Good Person Memorial Award.
4. Accept \$164 in donations received to the Park & Recreation's Miscellaneous Parks Trust Fund Donations Account for the period October 15, to December 16, 2008.
- 5.* Approve one day special All Alcohol license application received from Liv Nash for a fundraiser given by the Sisterhood/Brotherhood of Temple Beth Shalom. The event will be held on Saturday, February 7, 2009, 7:00 p.m. - 10:00 p.m. at the Temple Beth Shalom, 670 Highland Avenue, Needham, MA.
- 6.* Approve request from the Needham Business Association to hold their annual Street Fair on the Town Common, Saturday, June 6, 2009.
- 7.* Approve request from the Needham Business Association to hold their annual Harvest Fair on Saturday, October 3, 2009.
- 8.* Water and Sewer Abatement #1081
9. Accept the following donations made to the Needham Public Library during the period of December 4, 2008 - January 7, 2009:
 - Gail Hedges gave the library six books in the *Biology of Cancer* series (\$191.70) and five

- books in the *Diseases and Disorders* series (\$157.25)
- The Stop Bullying Now Campaign sent the library a DVD Tool Kit titled *Stop Bullying Now* (\$15.00)
 - Program entertainer Alex the Jester (Alex O'Brien Feldman) gave the library a copy of his DVD, *Laugh Your Head Off!* (\$15.00)
 - The Needham High School Anime Club donated the DVD, *Ah! My Goddess* (\$15.00)
 - Suzanne Bates donated a copy of her book, *Speak Like a CEO: Secrets for Commanding Attention and Getting Results* (\$21.95)
 - John F. Dewey gave the libraries copies of the following CDs:
 - o Al Hirt—*Best of Dixieland* (\$15.00)
 - o Stan Kenton—*Contemporary Concepts* (\$15.00)
 - o Benny Goodman—*Rarities, 1940-42* (\$15.00)
 - o Buck Clayton—*Fiesta in Blue* (\$15.00)
 - o Dick Wellstood—*Live at the Sticky Wicket* (\$15.00)
 - The Boston College Office of Public Affairs sent the library a copy of Sandra Waddock's book, *Difference Makers: How Social Institutional Entrepreneurs Created the Corporate Responsibility Movement* (\$45.00)
 - Gail Hedges donated twenty books on health and disease (\$605.45)
 - Dick Forte donated the following *Great Courses* CD sets:
 - o *Great Masters: Mozart—His Life and Music* (\$14.96)
 - o *Doctors: The History of Scientific Medicine Revealed Through Biography* (\$14.96)
 - o *Sensation, Perception, and the Aging Process* (\$24.50)
 - o *The Wisdom of History* (\$69.95)
 - o *Biological Anthropology: An Evolutionary Perspective* (\$49.95)
 - o *Biology and Human Behavior: The Neurological Origins of Individuality, 2nd ed.* (\$179.95)
 - o *The American Mind* (\$269.95)
 - Emily Salaun gave the library a copy of *A Closer Look: Howard Pyle, N.C. Wyeth, Andrew Wyeth, and Jamie Wyeth* by Joyce Hill Stoner (\$15.00) Jon and Randi Brodsky donated \$40.00 to purchase children's books in honor of the

birth of Micah Jonathan Rosin and in honor of his two-year-old brother Leo

- 10.* Approve one day special Wine & Malt license application received from Gloria Greis, to benefit the Historical Society, for an evening of "Chocolate Creations & Champagne". The event will be held on Saturday, January 31, 2009, 7:00 p.m. - 11:00 p.m. at the Needham Historical Society, 1147 Central Avenue, Needham, MA.

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

7:05 p.m. Public Hearings - NSTAR:

Maureen Carroll, NSTAR representative, appeared before the Board with five petitions for the Board's consideration.

1. Public Hearing - NSTAR Petition for Shirley Road: NSTAR requested permission to install approximately 11 feet of conduit at Pole 419/4 Shirley Road, Needham. The work is necessary to provide underground electrical service. Mr. Matthews asked Ms. Fitzpatrick if everything was in order. She stated that it was.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from NSTAR to install approximately 11 feet of conduit @ Pole 419/4 Shirley Road, Needham in order to provide new underground electric service @ #36 Shirley Road, Needham.

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

2. Public Hearing - NSTAR Petition for Chestnut Street: NSTAR requested permission to install approximately 6 feet of conduit at Pole 4/59 Chestnut Street, Needham. The work is necessary to provide underground electrical service. Mr. Matthews asked Ms. Fitzpatrick if everything was in order. She stated that it was.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from NSTAR to install approximately 6 feet of conduit @ Pole 4/59 Chestnut Street, Needham in order to provide new underground electric service @ #688 Chestnut Street, Needham.

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

3. Public Hearing - NSTAR Petition for Greendale Avenue:
NSTAR requested permission to install approximately 15 feet of conduit at Pole 24/114 Greendale Avenue, Needham. The work is necessary to provide underground electrical service. Mr. Matthews asked Ms. Fitzpatrick if everything was in order. She stated that it was.
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from NSTAR to install approximately 16 feet of conduit @ Pole 24/114 Greendale Avenue, Needham in order to provide new underground electric service @ #958 Greendale Avenue, Needham.
Second: Mr. Wasserman. Unanimously approved 4-0.
4. Public Hearing - NSTAR Petition for Dedham Avenue:
NSTAR requested permission to install approximately 8 feet of conduit at Pole 15/6 Dedham Avenue, Needham. The work is necessary to provide underground electrical service. Mr. Matthews asked Ms. Fitzpatrick if everything was in order. She stated that it was.
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from NSTAR to install approximately 8 feet of conduit @ Pole 15/6 Dedham Avenue, Needham in order to provide new underground electric service @ #94 Dedham Avenue, Needham.
Second: Mr. Wasserman. Unanimously approved 4-0.
5. Public Hearing - NSTAR Petition for Ellicott Street:
NSTAR requested permission to install approximately 8 feet of conduit at Pole 103/6 Ellicott Street, Needham. The work is necessary to provide underground electrical service. Mr. Matthews asked Ms. Fitzpatrick if everything was in order. She stated that it was.
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign petition from NSTAR to install approximately 8 feet of conduit @ Pole 103/6 Ellicott Street, Needham in order to provide new underground electric service @ #66 Ellicott Street, Needham.
Second: Mr. Wasserman. Unanimously approved 4-0.

7:10 p.m. Policeman's Memorial Project - "In Honor Of Those Who Protect and Serve Needham":

Paul Good, Needham Community Revitalization Trust Fund, and Police Chief Leary appeared before the Board to present a proposal for a memorial at Haddock McLeod Plaza. Mr. Good stated that a pedestal-mounted plaque is proposed to be installed at the plaza where two Needham policemen were killed in 1934. He described the plaque and provided the Board with a sample. Police Chief Leary stated that the Town's officers are very supportive of the project. He also stated that a commemorative event with the Color Guard and a laying of a wreath would be held on February 2, 2009. The Board expressed its support for the project and discussed how to prevent vandalism and theft of the proposed memorial. Mr. Good stated that the plaque would be secured to the ground.

Motion by Mr. Bulian that the Board of Selectmen vote to endorse the placement of a policeman's memorial marker at Haddock-McLeod Plaza.

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

7:25 p.m. Town Manager

1. Substance Abuse Prevention for Youth and Adults: Chris Coleman, Assistant Town Manager/Director of Operations, Janice Berns, Director of Public Health, and Carol Read, Senior Program Coordinator, provided the Board with an update on Ms. Read's work since she started in the Health Department. Mr. Coleman reminded the Board of how Ms. Read's position was funded through reallocation of staff hours in the Health Department, a grant, and funds from one of the Town's trust accounts. Ms. Berns introduced Ms. Read and provided some background on her experience. Ms. Read stated that she has met with many people within the Town to get input and help focus her work. She provided her perspective on substance abuse. Ms. Garlick asked several questions regarding Ms. Read's interest in meeting with more groups in town and asked if she had any specific goals set for her position. Ms. Read stated that a variety of approaches need to be implemented depending on the audience. She hoped to meet with more groups within Town to develop a

network. Mr. Healy stated that it will be important for the Health Department to identify this position and its work during the upcoming FY2010 budget presentation to the Finance Committee. Ms. Fitzpatrick stated that the Tolman Trust Fund has been an important source of funding for this position.

2. New Year's Eve Needham:

Ms. Fitzpatrick reported that the New Year's Eve celebration in Needham was very successful despite the inclement weather. She stated that over 1900 badges were sold. Ms. Fitzpatrick also said that this event would not happen if it were not for the many volunteers from the Needham Cultural Council.

3. Open Annual Town Meeting Warrant:

Ms. Fitzpatrick requested the Board open the warrant for Annual Town Meeting.

Motion by Mr. Bulian that the Board of Selectmen vote to open the warrant for the 2009 Annual Town Meeting.

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

4. Fiscal Year 2010 Budget Consultation:

Ms. Fitzpatrick and David Davison, Assistant Town Manager/Finance, provided the Board with a budget update for FY2009 and FY2010. Ms. Fitzpatrick reported that the anticipated budget cuts by the Governor in FY2009 will likely include some cuts to local municipal aid. She feels the Town can absorb the mid-year cut due to conservative estimates and a review of receipts for the first half of the year. Mr. Healy stated that conservative projections during budget development are paying off and the Town's reliance on state aid has decreased over the years.

Ms. Fitzpatrick reported that FY2010 is not looking as bad as one would expect. She said this is due to moderate increases in health care costs and Town Departments' judicious efforts to control budget growth. She stated that the Board will receive a preliminary budget in two weeks. Mr. Healy asked for a brief update on the snow and ice budget. Ms. Fitzpatrick stated that she recently received an increased spending authorization from the Finance

Committee for up to \$600,000. She estimated that after the most recent storm the Town has expended roughly \$450,000. Ms. Fitzpatrick recommended the Board receive an update from the DPW on the snow and ice program. Mr. Wasserman asked if the Town has an ongoing vehicle maintenance program in light of the recent fire truck accident in Boston. Ms. Fitzpatrick stated that the Town has a rigorous inspection and maintenance schedule.

Mr. Healy asked Ms. Fitzpatrick for a future Board agenda topic on implementation of the recently passed law on the possession of marijuana. He asked whether the Needham Police will need any special training or equipment.

8:15 p.m. Board Discussion:

1. Property Tax Relief:
Mr. Healy provided an overview of the issue and stated that the Board has received two letters outlining various options for tax relief for seniors. Mr. Wasserman has been exploring the issue for several months and reported on various property tax relief options available to the Town to lower the tax burden on seniors. Mr. Wasserman provided reasons why the Town needs tax relief for seniors, and underlying assumptions and understandings used during his research. Mr. Wasserman identified five different tax relief mechanisms that currently exist including real estate tax exemptions, local tax deferral, the senior corps program, Needham's voluntary tax relief program and the State Senior Circuit Breaker. The Board briefly discussed each of these programs. Mr. Wasserman then reviewed with the Board recommendations for moving forward. He recommended the Board consider raising the limits on the 41C program, lower the interest rates of the deferral program, enhance the promotion of the senior corps and voluntary relief programs, and advocate for a more aggressive state circuit breaker. The Board discussed the recommendations. The Board agreed that answers to potential tax relief options that were received from citizens should be answered. Ms. Fitzpatrick stated that she had reviewed those proposals many of which are in conflict with the Commonwealth's tax policy. She

recommended initial effort be placed at maximizing existing programs and potentially advocating for a statewide solution. Mr. Healy stated that he would like to have a public hearing to discuss with residents. He asked Ms. Fitzpatrick to look at the Board's schedule to identify a time for a hearing. The Board agreed to leave a placeholder on the warrant for the 2009 Annual Town Meeting.

2. Massachusetts Municipal Association Annual Meeting Resolutions:

The Board considered supporting the various resolutions to be voted on at the MMA's Annual Meeting. Ms. Garlick requested that the MMA Policy position on Health Insurance be voted on separately. She expressed her belief that health insurance issues should be part of the collective bargaining negotiations. Mr. Matthews explained that the State's plan design is not part of negotiations and the issue of health insurance complicates the negotiations.

Motion by Mr. Matthews that the Board of Selectmen vote to approve and authorize the Chairman to cast the Town's vote in support of Proposal for a new MMA policy on energy, proposal to update MMA's policy on personnel and labor relations excluding Section F, Proposed resolution on a Progressive Energy Plan for Cities and Towns of Massachusetts, and a Proposed Resolution Water Infrastructure Funding, a proposed resolution from the MMA Fiscal Policy Committee on local aid priorities for fiscal 2006.

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

Motion by Mr. Matthews that the Board of Selectmen vote to approve and authorize the Chairman to cast the Town's vote in support of Proposal to update MMA's policy on personnel and labor relations Section F.

Second: Mr. Wasserman. Approved 4-1. Ms. Garlick voted nay.

3. Committees:

- A. Mr. Healy asked that the Board discuss the Board's debt policy limits at a future meeting.

- B. Town Meeting Start Date:
Mr. Matthews reported that the Town Meeting Committee established to review the practices of Town Meeting decided not to review changing the start date for Town Meeting, which is an issue the Board would have liked to be debated.

9:30 p.m. Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the January 13, 2009 Board of Selectmen meeting.

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