

**Town Of Needham Board of Selectman
Minutes for April 24, 2007
Needham Town Hall**

- 6:45 p.m. Informal Session:
Russell Broad, Town Meeting Member, appeared before the Board to discuss the issue of property tax relief within the town. He stated that the Town's program is not accomplishing its intent and he has proposed an article for Town Meeting for an alternative program. Mr. Healy asked that Mr. Broad give the Board a chance to discuss and respond before putting a resolution before Town Meeting. He suggested that Mr. Broad meet with the Board to investigate options. Mr. Broad was happy to proceed in this fashion.
- 7:00 p.m. Call To Order
A meeting of the Board of Selectmen was convened by Chairman Gerald Wasserman at 7:00 p.m. Those present were: John Bulian, John H. Cogswell, James Healy, Daniel P. Matthews (arrived at 7:40 p.m.), Gerald Wasserman, Town Manager Kate Fitzpatrick and Recording Secretary Greg Cooper.
- 7:00 p.m. Certificates of Appreciation:
Mr. Wasserman read three certificates of appreciation for long time Town employees Robert Burke, Michael Murphy and Paul Kenney. All three are retiring after over 38, 26 and 31 years of service, respectively.
- 7:00 p.m. Introduction of New Fire Personnel:
Fire Chief Paul Buckley appeared before the Board to introduce the new Deputy Fire Chief/Operations Al DeIulio and Deputy Fire Chief Tom Conroy. Chief Buckley stated that he is very pleased with the appointments and confident in the capabilities of his new management team members.
- 7:10 p.m. Public hearing - NSTAR
Two public hearing were on the agenda.

NSTAR Petition for 251 Hunting Road:

Motion by Mr. Cogswell that the Board of Selectmen vote to continue this public hearing to May 8, 2007.

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

NSTAR Petition for 108 Douglas Road:

Motion by Mr. Cogswell that the Board of Selectmen vote to continue this public hearing to May 8, 2007.

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

7:10 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. Commission on Disabilities: Beverly Foster (term expires 6/30/2008)
2. Cultural Council: Anne Munstedt (term expires 6/30/2008)
3. Community Preservation Committee: Jane Howard (term expires 6/30/2009)

CONSENT AGENDA

1. Approve minutes of April 11, 2007.
2. Accept donation made to Park & Recreation Commission in the amount of \$1,500 from Parent Talk for the 2007 Children's Theater program.
3. Approve a request from the First parish in Needham Unitarian Universalist Church to use the Town Common for their church school's annual Mini-Walk to be held on Sunday May 6, 2006 from 10:45 a.m. to 11:45 a.m.
4. Accept donation made to the Needham Community Revitalization Trust Fund in the amount of \$100 from John J. McQuillen.
5. Approve the following Spring License Renewals to be in effect May 1, 2007 through April 30, 2008:

Type of License	Establishment	Address
Sale of Second Hand Articles	J&R Turco d/b/a Crosby Jewelers	1496 Highland Avenue
	Hollywood Video	922 Highland Avenue

	Janet Cotter Design	1386 Great Plain Avenue
	Richard's Furnishings	285 Chestnut Street
Taxi / Livery	Newton Veterans Taxi Co. Inc., d/b/a Veterans Taxi	175 High Street, Waltham
	Metro West Exclusive	P.O. Box 346 Needham
Pool Table	Lt. Manson Carter Post 2498 V.F.W. of U.S.	20 Junction Street
Bowling Alley	Paradise Bowl, Inc. d/b/a Needham Bowlaway	16 Chestnut Street

6. Water & Sewer Abatement Order #1048

Second: Mr. Cogswell. Unanimously approve 4-0.

7:10 p.m. Public Hearing - Water & Sewer Rate Structure for FY2008:

David Davison, Assistant Town Manager/Finance Director and members of the Water and Sewer Rate Structure Committee appeared before the Board to recommend the water and sewer rates for FY2008. Mr. Davison stated that the Committee is recommending no change to the rate structure. He explained how the rates are established and the impacts of conservation on per unit rates. The Committee is recommending a slight change to the block rates and a change to the Water/Sewer Abatement Policy. The Board was appreciative of the Committee's successful efforts at maintaining rates.

Motion by Mr. Cogswell that the Board of Selectmen vote to make no change to the water and sewer rates for fiscal year 2008 and that the change to the block structure as shown on appendix B is approved and;

That the Board vote to authorize a flat credit of \$41 to be applied to the FY 2007 fourth quarter bills and;

That the Board vote to confirm the flat credit of \$2.67 for sewer rate relief received from the Commonwealth be applied to the FY 2007 fourth quarter sewer bills and;

That the Board vote to authorize a flat credit of \$2.30 to be applied to the FY 2007 fourth quarter water bills.

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

Motion by Mr. Cogswell that the Board vote to amend the Water/Sewer Abatement Policy to allow the Board of Selectmen to abate the flat service fee in addition to basic usage rates.

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

7:30 p.m. Babson College Scholarships:
Melissa Schaak, Director of Financial Aid at Babson College, appeared before the Board to award scholarships to local residents from a fund made available to the Town from Babson College. She stated that two Needham residents would be receiving scholarships this year. The Board thanked Ms. Schaak and Babson College for the scholarships.

Motion by Mr. Cogswell that the Board of Selectmen vote to award the Town of Needham Babson Scholarships to the following applicants: Jonathan Tsiroyannis and Steven Bowe.

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

7:35 p.m. Verizon PEG Access:
Jonathan Tamkin - CATV Advisory Committee Chair, and Peter Bowman and Jill Redish of Verizon New England appeared before the Board to discuss Verizon's failure to provide PEG access to its Needham customers in violation of the Town's agreement with Verizon. Mr. Tamkin stated that because of the negotiations between Verizon and Comcast regarding interconnection, Verizon has not been able to meet its commitment. He stated that a short extension may be warranted but that something had to be done to provide Verizon customers with PEG programming in the interim. He suggested the use of video re-broadcastings.

The Board asked Verizon how long will an agreement with Comcast take. Mr. Bowman stated that with an interconnection agreement completed service would be available within 60 days. Mr. Wasserman asked if any thought has been given to rebating Verizon customers for the lack of service. Ms. Redish stated that all customer service representatives are informing potential new customers of the lack of access but rebates of existing customers has not yet been considered. The Board asked that Verizon return to the Board's May 8, 2007 meeting with answers to three issues - how long before PEG access is available to customers; how does Verizon plan on providing PEG programming in the interim period; and what/if any rebate or discount shall be provided to existing customers.

Motion by Mr. Bulian that the Board of Selectmen vote in favor of an extension to the Verizon contract to May 8, 2007, and that the Board shall discuss the extension further at its May 8, 2007 meeting.

Second: Mr. Cogswell. Unanimously approved 5-0. (Mr. Matthews arrived at the meeting 7:40 p.m.)

8:00 p.m. Ms. Fitzpatrick appeared before the Board with two items for the Board's consideration:

1. Waiver of Project Fees/High Rock Homes:
Ms. Fitzpatrick stated that the Needham Housing Authority has asked that the Town waive project fees associated with the High Rock Homes project. She stated that the Needham Housing Authority estimates this could save over \$50,000 in project costs. The Board discussed whether to grant the waiver and agreed that ideally, the waiver would offer savings that could be used to buy down another unit and increase the affordable housing unit total of the project. The Board wanted to get an estimate of the Town's cost of the waiver before making a decision. Ms. Fitzpatrick stated that the Town has waived project fees in the past.
2. Position on Warrant Articles:

The Board took positions on the remaining Articles in the Annual Town Meeting Warrant and Special Town Meeting Warrant. Ms. Fitzpatrick stated that the League of Women Voters is having precinct meetings on April 30.

Article 8 - Defer Action

Article 9

**Motion by Mr. Cogswell that the Board of Selectmen vote to withdraw Article 9 - Fund Collective Bargaining Agreement/DPW from the 2007 Annual Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 10 - Defer Action

Ms. Fitzpatrick stated that she will have amended language at the Board's next meeting. The Board discussed how the fund would be structured and what types of expenditures would be allowable under the Fund.

Article 12

**Motion by Mr. Cogswell that the Board of Selectmen vote to support Article 12 - Transfer of Property at Ridge Hill in the 2007 Annual Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Articles 13

**Motion by Mr. Cogswell that the Board of Selectmen vote to support Article 13 - Home Rule Petition - Ridge Hill in the 2007 Annual Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 15 - Defer Action

Article 16 -

Ms. Fitzpatrick stated that the proponent withdrew the article.

Article 17

Motion by Mr. Cogswell that the Board of Selectmen vote to refer Article 17 - Citizen's Petition - Protection of Housing Stock back to the Board of Selectmen for further study.

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

Article 24 - Defer Action

Article 28

Motion by Mr. Cogswell that the Board of Selectmen vote to withdraw Article 28 - Appropriate for Payment of Unpaid Bills from the 2007 Annual Town Meeting Warrant.

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

Articles 32 through 36 - Deferred Action

Mr. Healy asked for a straw vote on Article 34 - Appropriate for CPA/Pool Wall at Rosemary Lake. The Board was not in favor of the article.

Article 38 - Defer Action

Article 39

Motion by Mr. Cogswell that the Board of Selectmen vote to support Article 39 - Appropriate for Roads, Bridges ...in the 2007 Annual Town Meeting Warrant.

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

Article 40 - Defer Action

Article 42

Motion by Mr. Cogswell that the Board of Selectmen vote to support Article 42 - Appropriate for RTS Enterprise Fund Cash Capital in the 2007 Annual Town Meeting Warrant.

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

Article 47 -

Motion by Mr. Cogswell that the Board of Selectmen vote to support Article 47 - Appropriate for Water Storage Tank Cleaning & Painting in the 2007 Annual Town Meeting Warrant.

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

Article 48 - Defer Action

Special Town Meeting Warrant - Position on
Articles:

Article 1

**Motion by Mr. Cogswell that the Board of
Selectmen vote to support Article 1 - Fund
Collective Bargaining Agreement/DPW - FY07 in
the 2007 Special Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 2

**Motion by Mr. Cogswell that the Board of
Selectmen vote to support Article 2 - Fund
Collective Bargaining Agreement/Fire - FY07 in
the 2007 Special Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Articles 3 through 8 - Defer Action

Article 9

**Motion by Mr. Cogswell that the Board of
Selectmen vote to support Article 9 - Amend
FY2007 Water Enterprise Fund Budget in the 2007
Special Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 10

**Motion by Mr. Cogswell that the Board of
Selectmen vote to support Article 10 -
Authorize Agreement to Accept State Highway in
the 2007 Special Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 11

**Motion by Mr. Cogswell that the Board of
Selectmen vote to support Article 11 -
Appropriate for Payment of Unpaid Bills of
Prior Years in the 2007 Special Town Meeting
Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

Article 12

**Motion by Mr. Cogswell that the Board of
Selectmen vote to support Article 12 - Home
Rule Petition - Use of Conservation Land For
Sewer Easement in the 2007 Special Town Meeting
Warrant.**

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

8:45 p.m. Executive Session:

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

Exception 3 - to discuss strategy with respect to collective bargaining or litigation, or to conduct strategy sessions in preparation for negotiations with non-union personnel; and

Exception 6 - to consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiation position of the governmental body.

Not to return to open session prior to adjournment.

Second: Mr. Bulian. Mr. Wasserman polled the Board members. Unanimously approved 5-0.

(The Board adjourned the meeting at 8:55.)