

**Town Of Needham Board of Selectman
Minutes for June 12, 2007
Needham Town Hall**

6:45 p.m. Informal Session:

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, Gerald Wasserman, Town Manager Kate Fitzpatrick and Recording Secretary Greg Cooper.

7:00 p.m. Certificate of Appreciation:

The Board presented Frannie Parrish with a Certificate of Appreciation for her successful efforts in receiving an Honorable Mention in the MWRA Grade 6-8 Poster Contest.

7:00 p.m. Gold Award Recognition:

The Board recognized Jennifer Nicole Hines for receiving the Gold Award from the Girl Scouts. The Gold Award is the highest level of achievement through the Girl Scouts.

7:05 p.m. Public Hearing - New All Alcohol

License/Manager, and Common Victualler License for The Village Fish of Needham, Inc. d/b/a The Village Fish, located at 970 Great Plain Avenue, Kate Jacobs, Manager:

Roy Cramer, Legal Counsel, and Greg and Kate Jacobs appeared before the Board to request an All Alcohol and Common Victualler License for The Village Fish. Mr. Cogswell asked if there were any waivers necessary. Mr. Cramer did not think there was any.

Motion by Mr. Bulian that the Board of Selectmen vote to approve the application for a new All Alcohol License, with a weekday lunchtime restriction to wine & Malt Beverage service only during the hours of 11:00 a.m. and 2:30 p.m., and a new Common Victualler License under the Town of Needham Rules and Regulations Applicable to the Sale of All Alcohol Beverages in Restaurants and Function Rooms with a Seating Capacity of Not Less than 100 Persons and Rules

and Regulation for the Sale of Alcoholic Beverages in Restaurants with a Seating Capacity of less than 100 Persons for The Village Fish of Needham, Inc. d/b/a The Village Fish, Kate Jacobs, Manager, an forward the approved application to the ABCC for an approval of the liquor license.

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

7:10 p.m. Consent Agenda:

Motion by Mr. Bulian that the Board of Selectmen vote to approve the Consent Agenda as presented.

CONSENT AGENDA

1. Accept Donation from Needham Park and Recreation Commission
 - Miscellaneous Parks Trust Fund \$25.00
2. Grant permission for the Natick Rotary's 4th Annual "Tour de Natick" bike ride to pass through Needham on Sunday, Father's Day, June 17, 2007. The 25 mile route will have bikers riding down Charles River Road from Natick across Central Avenue. The event will be held rain or shine and the start time from Natick Common will be 9:00 a.m.
3. Accept donation from Lisa Garsh in the amount of \$15 to the Needham Police Department for child safety seat installation.
4. Accept the following donations made to the Needham Public Free Library during the time period of April 4, 2007 to May 1, 2007:
 - Tom Harkins gave the library a copy of the book, *The 1967 Impossible Dream Red Sox: Pandemonium on the Field*. Tom authored one of the chapters (\$19.95).
 - Louise Condon Realty donated 2,000 library card covers (price unknown).
 - Ford H. Peckham donated the following books in memory of his brother, Major R.N. Peckham (USAF), Ret:
 - Dore Gold, *The Fight for Jerusalem* (\$27.95)
 - Philip Nobile, *Judgment at the Smithsonian* (\$12.95)
 - Desmond Morton, *A Short History of Canada* (\$18.95)
 - Candace Timpte donated \$100.00 in memory of Edna Toombs.
 - Jennifer and Jack Fainberg donated \$100.00 in memory of Paul Abbott.

- Henry Holt and Company, Publishers gave the library a copy of *The Trap* by John Smelcer (10.00).
- The John F. Milligan Family donated five books to the library:
 - *Healing and the Mind* by Bill Moyers (\$25.00)
 - *Lost on Everest: The Search for Mallory & Irvine* by Peter Firstbrook (\$24.95)
 - *Complete Guide to Woodburning Stoves* by Jason Schneider (\$14.95)
 - *Big Russ & Me: Father and Son: Lessons of Life* by Tim Russert (\$22.95)
 - *Secrets of the Tomb* by Alexandra Robbins (\$13.95)
- Marjorie B. Scoboria gave the library a copy of her book, *Poems* (\$10.00)
- Woody Tanger gave the library copies of his two books:
 - *Blood Games* (\$14.95)
 - *The Dead Cure* (\$13.95)

5. Accept the following donations made to the Needham Public Library during the time period of May 2, 2007 to June 1, 2007:

- Wellesley Booksmith donated \$18.76 from the sale of William Tapply and Vicki Stiefel books at library program.
- Ann MacFate donated \$100.00 for the purchase of large print books in honor of Irene MacFate's 88th birthday.
- Donna, Ed, Ali, Deb, Rebecca, and Fred Greenberg donated \$30.00 for the purchase of a new biography in honor of their mother/grandmother Eleanor Gross on Mother's Day.
- The Needham Lions Club donated \$1,000 for the purchase of large print books.

6. Approve minutes of April 24, 2007, May 7, 2007, May 16, 2007, May 22, 2007

7.	Water and Sewer Abatement Order #1051					
8.	Grant Permission for the following block party requests					
	Name	Address	Party Location	Party Date	Party Rain Date	Party Time
	Lorraine Tuccheri,	15G Chambers St.,	Chambers St.	July 14	July 21	Noon-4pm
	William Christopher Kent,	8 James Avenue,	James Ave.	July 3	July 4	6pm-12am
	Heidi Meagher,	34 Woodledge Rd,	Woodledge Rd. Between Colby & Arch	June 24	None	3pm-7pm
	Jerome Kassel,	174 Parker Rd,	Parker Rd.,	Sept. 8	Sept 9	4pm-8pm

	Christen Robbins, 45 Broad Meadow Rd, Broad Meadow From Bird To Greendale	Sept 8	None	1pm-5pm
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Second: Mr. Cogswell. Unanimously approved 5-0.

7:10 p.m. Public Hearing for four (4) Tree Removals located on Webster Street between Dedham Ave. and Kingsbury St.:

Lance Remsen - Tree Warden/Parks & Forestry Superintendent, Richard Merson - Director of Public Works, and Ms. Fitzpatrick appeared before the Board requesting permission to remove four (4) trees to allow for the Webster Street road rehabilitation project. Mr. Remsen stated that two of the trees were in fair/good condition (#871 & #914) while the other two trees are in fair/poor condition (#686 & #909). He showed the Board pictures of the trees and their locations. Ms. Fitzpatrick stated that the Town has held several public meetings to gather input from residents and has written a response to all questions received. Mr. Merson stated that the project was originally planned for a 30 foot wide road but was scaled back to 26 feet as a result of resident input. He stated that this reduced the number of trees needed for removal from 14 to 4. Mr. Merson stated that it is possible that only three may need to be removed with either #909 or #914 to be saved.

Mr. Wasserman stated that he has received a number of calls regarding the tree at #871 and asked why this tree cannot be saved. Mr. Merson stated that the tree causes the road to be very narrow at that point and is a safety hazard.

Joe Kilduff, 909 Webster, asked about the plans for the trees at #909 and #914 and how much on the #909 side of the road would need to be taken in order to save the tree at #914. Rhainhardt Hoyland, Highway Superintendent, stated that it would be approximately six inches.

Rob Denoble, 829 Webster, asked the Board to reconsider removal of the tree at #871. He stated that the tree is very visible and acts as a traffic calming mechanism. Mr. Merson stated

that it is important to construct a road with a consistent width so that there is predictability when driving. The tree at #871 makes this impossible.

Shirley Donovan, 841 Webster, asked if the road at #871 could be aligned on the other side. Mr. Merson stated that the DPW had looked at that but the tree is very close to the tie-in at Harris Avenue and shifting to the other side of the street would cause an impact to the intersection.

Susan Welby, 857 Webster, expressed her support for not removing the tree at #871.

Jan Baker, 914 Webster, stated that the trees at #914 and #871 are very old trees and the Town should try to save them.

Ted Baker, 914 Webster, asked if all options had been explored and highlighted some techniques used by other towns. He expressed his opinion that trees are a valuable commodity to the Town and support its character. Mr. Merson stated that the Town will explore all options to save #914 and believes it may be possible to save.

Jerry Koss, 815 Webster, stated that he has seen no statistics that would suggest the tree at #871 is a safety hazard. Mr. Wasserman stated that the Town has an obligation to build safe roads and is making every effort to prevent unnecessary tree removals. Mr. Healy stated that the DPW looked at shifting the road to the other side of #871 but that would result in a problem with the connection with the intersection at Harris.

Mr. Remsen stated that there are at least 20 potential locations for tree replacements of which probably between 10-12 will be viable. Mr. Bulian asked if there would be a replacement at #871. Mr. Remsen said close but not exactly.

Dan Haggerty, 794 Great Plain, requested the Board think hard and explore all options before removing the trees.

Mr. Kilduff asked when the option of no curbing at #914 would be explored. Mr. Merson stated that that would need to be done during construction.

Mr. Baker asked if anyone has proposed saving the tree at #871 by decreasing the width of the road. Mr. Merson stated that one goal of the project is to have a consistent road width to ensure predictability.

Joanne Cerame, 829 Webster, expressed her support for saving the trees.

Resident at 873 Webster stated that he is a competitive bike racer and does not see the tree at #871 as a traffic safety hazard.

Heather Sullivan, resident, expressed support for saving the trees.

Mr. Wasserman stated that he feels the Town has tried very hard to minimize the impact of the project. Mr. Healy stated that the Town has been responsive to residents and tried to make the best decision.

Motion by Mr. Cogswell that the Board of Selectmen vote to approve and sign the Public Shade Tree Hearing Form for the removal of the requested trees on Webster Street (trees at #871, #686, #909 and #914) with the intention of making every effort to preserve the tree at #914 Webster Street.

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

8:15 p.m. Ms. Fitzpatrick appeared before the Board with three items for the Board's consideration:

1. Trails Advisory Committee:
Ms. Fitzpatrick requested the Board form a Trails Advisory Committee to advise a

consultant that has been hired to develop a Trails Master Plan.

Motion by Mr. Cogswell that the Board of Selectmen vote to approve the proposed change for the Trails Advisory Committee dated 6/7/07 and appoint the following individuals to serve on the Committee: Lisa Standley (Conservation Commission), Janet Bernardo (Conservation Commission), Cynthia Chaston (Park and Recreation Commission), Patty Carey, Director of Park and Recreation, Matt Stencel, Parks and Forestry Assistant Superintendent, Kevin Hollenbeck (Department of Conservation and Recreation), Michael Francis (Trustees of Reservations), Bill Tedoldi, John Fountain, Dawn Stolfi Stalenhoef, Kay Hill Alison, and Michael Connors.

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

2. Tercentennial Celebration:
Ms. Fitzpatrick requested the Board consider the creation of a Tercentennial Planning Committee to plan events in celebration of the Town of Needham's 300th anniversary. She stated that a preliminary meeting in April drew significant interest and that the effort would involve coordination of private groups in Town to develop a plan. The Board agreed and requested the Town Manager to prepare a proposal for the Board.

3. Approve Sale of Notes:
Ms. Fitzpatrick, David Davison - Assistant Town Manager/Finance Director, and Evelyn Poness - Treasurer/Collector presented the Board with two note sales for the Board's approval. The first note is for \$13,000,000 to cover costs at the High School and the High Rock School Project. The second note is for \$432,052 for miscellaneous projects including the Rte 128 Sewer System Improvements. Mr. Davison stated that the Town maintained its Triple A and SP-1+ rating.
Motion by Mr. Bulian that the Board of Selectmen vote to approve the sale of a \$13,000,000 4.00 percent Bond Anticipation Note of the town dated June 15, 2007 and payable

June 13, 2008, to Commerce Capital Markets at par and accrued interest plus a premium of \$39,897.

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

Motion by Mr. Bulian that the Board of Selectmen vote to confirm the consent dated May 29, 2007 to the financial advisor bidding for the notes.

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

Motion by Mr. Bulian that the Board of Selectmen vote to approve the sale of a negotiated \$432,052 5.25 percent Bond Anticipation Note (State House Note) of the town dated June 14, 2007 and payable June 15, 2007 to Bank of America at par and accrued interest.

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

8:35 p.m. Committee Reports:

1. Mr. Wasserman reported on his visit to Needham Market, England.

8:40 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. Cogswell. Mr. Wasserman polled the Board members. Unanimously approved 5-0.

(The Board adjourned the meeting at 9:25 p.m.)