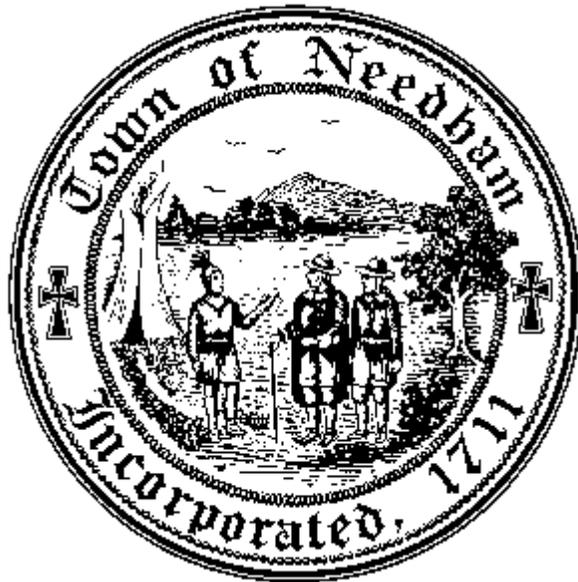


# **SPECIAL TOWN MEETING**

## **WARRANT**



# **TOWN OF NEEDHAM**

**MONDAY, NOVEMBER 7, 2011**

**7:30 P. M.**

**NEEDHAM TOWN HALL**

**HIGHLAND AVENUE**

**NEEDHAM**

Additional Information on particular warrant articles will be made available from time to time at [www.needhamma.gov/townmeeting](http://www.needhamma.gov/townmeeting) during the weeks leading up to the Special Town Meeting.

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COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Town Hall:

**MONDAY, THE SEVENTH OF NOVEMBER, 2011**

At seven-thirty in the afternoon, then and there to act upon the following articles, viz:

**ARTICLE 1: ABANDON EATON SQUARE RIGHT OF WAY**

To see if the Town will vote to abandon and/or discontinue the following streets or portion thereof, previously constructed and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the abandonment, discontinuance, taking or acceptance of easements as shown on said plan: Eaton Square from Great Plain Avenue to Garden Street; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information: The Needham Bank is proposing to design and construct a building addition, public plaza, and new public/private parking lot by combining the Eaton Square parking lot with adjacent private properties. The project will result in an increase in the number of available public parking spaces in the area. In order for the properties to be combined, the layout of Eaton Square has to be abandoned and/or discontinued to allow for the new parking lot, public plaza and building addition to be constructed. The request will establish new property lines to redefine property ownerships. This transaction will eliminate the layout of Eaton Square on file with the Town and Registry of Deeds.*

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**ARTICLE 2: LAYOUT OF RESERVOIR STREET**

To see if the Town will vote to accept the following streets or portion thereof, previously constructed and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plan: a Portion of Reservoir Street; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information: The design of the new Reservoir B Sewage Pumping Station requires a modification to the layout of Reservoir Street in order for the Station to be constructed outside of the 100-year flood plain associated with the Charles River. The request will establish a new property line that will follow the front wall of the new pumping station. This transaction will amend the layout of Reservoir Street on file with the Town and Registry of Deeds, but will have no impact on the road structure itself.*

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**ARTICLE 3: AMEND ZONING BY-LAW/APARTMENT-2 ZONING DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.3, Dimensional Regulations for Apartment Districts, as follows:

To add a third and fourth sentence to footnote\* in Section 4.3.1 Table of Regulations (applicable to Apartment Districts) that states: "Provided further, however, in the Apartment-2 Zoning District, there shall be a maximum of 4 stories, a maximum height of 50 feet, and four (4) floors may be used for human occupancy, if (i) the structure or portion of the structure that is four stories and permitted to be used for human occupancy is utilized as a convalescent or nursing home and uses that are supportive and/or accessory to such convalescent or nursing home, and (ii) the height of the structure that exceeds 40 feet is utilized as a convalescent or nursing home and supportive and/or accessory uses thereto provided further that the maximum square footage of the structure or structures benefitting from the provisions of this section shall be limited to 110,000 square feet. If a structure contains two or more uses, then only that portion of the structure that is utilized as a convalescent or nursing home, and supportive and/or accessory uses thereto, can reach a maximum height of 50 feet."

or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The Apartment-2 Zoning District is comprised entirely of the North Hill Continuing Care Retirement Community, which is in the process of modernizing and expanding its facility. One of the components of that effort is the replacement of its existing 72-bed nursing home with a new 72-bed nursing home. The existing nursing home is comprised mainly of double-occupancy rooms. Since it was designed in the early 1980s, it has more of an institutional look than what North Hill would like to provide for its residents. The new nursing home will have single rooms and will be divided into smaller "communities" of approximately ten residents each to create a more residential environment. In order to accomplish this goal, the nursing home will be divided into two wings. Due in part to the topography of the site and the fact that approximately half of the site is subject to a conservation restriction that prohibits the construction of any new building, one of the "wings" of the new nursing home needs to be four stories in height. All four stories would be occupied by residents. The roof of the building would remain at the same elevation as it would as if it were a three-story building; the fourth story is created by essentially excavating much of the lowest level of the building. Were it not to be excavated, the lowest level would be described as a "walk-out basement", if it were in a residential context.*

*In the Apartment-2 Zoning District, two zoning changes are required to accomplish the desired result. The present limitation on the number of occupied stories in the Apartment-2 Zoning District is three. The amendment would permit an increase in the number of occupied stories from three to four. In addition, the maximum height allowed in the Apartment-2 Zoning District is 40 feet. Due to the creation of the fourth story, the average height of the proposed nursing home would be slightly less than 50 feet, which is why the second zoning request is an increase in the maximum height of a structure from 40 feet to 50 feet.*

*In an effort to limit any potential impacts in the zoning district, the proposed amendment has been written narrowly so that the increase in the number of occupied stories and the increase in height shall only be applicable to structures or portions of structures that are to be utilized as convalescent or nursing homes (and supportive and/or accessory uses) and provided further that the maximum square footage of the structure or structures benefitting from the provision is limited to 110,000 square feet. In that way, it is*

*made clear that any expansion will not be applicable to the apartments that make up the bulk of the North Hill Continuing Care Retirement Community.*

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**ARTICLE 4:        AMEND ZONING BY-LAW/ DIMENSIONAL REGULATIONS  
FOR NEW ENGLAND BUSINESS CENTER**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.8 Dimensional Regulations for New England Business Center

Amend 4.8 Table

By changing Front Setback from 20 feet to 15 feet.

By changing Maximum Lot Coverage from 50% to 65%

By changing Floor Area Ratio from 0.40 to 1.00

By changing Maximum Height from 68 feet to 72 feet

Amend Footnote (1)

By changing the first sentence to read: “If the Planning Board determines that the proposed structure is properly accessible to fire fighting equipment, it may allow by special permit a maximum height of up to 84 feet.”

By changing the third sentence to read: “In no instance shall any building exceed 41 feet in height unless it is more than 350 feet from a General Residence or Single Residence B zoning district boundary.” [Adds the words “or Single Residence B”]

Amend Footnote (2)

By changing first sentence to read: “Maximum lot coverage shall be 65% for all projects.” [65% replaces 50%]

By changing second sentence to read: “However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet the maximum lot coverage may be increased to 75%.” [75% replaces 60%]

Amend Footnote (4)

By changing the sentence to read: “A 25-foot front yard setback must be maintained for structured parking.” [25-foot replaces 30-foot.]

Amend Footnote (6)

By changing first sentence to read: “A floor area ratio of up to 1.75 may be allowed by a special permit from the Planning Board.” [1.75 replaces 1.1]

By changing third sentence to read: “Further, the Planning Board may allow a floor area ratio of up to 2.0, by special permit, where the applicant demonstrates, to the Board’s satisfaction, that the proposed use will not generate peak hour trips in excess of 0.6 trips per 1,000 square feet of total development area.” [2.0 replaces 1.5]

2. In Section 4.8.1 Supplemental Dimensional Regulations for New England Business Center

Amend subsection (4)

By adding the following sentence at the end of this subsection 4: “Notwithstanding the preceding sentence, open space shall include pervious surfaces used for ways, access streets, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas. (Pervious surfaces shall not preclude porous pavement, porous concrete, and/or other permeable pavers.)”

3. In Section 4.8.2 Floor Area Ratio, Incentives

Amend Section 4.8.2

By changing the first sentence to read: “In the New England Business Center District the maximum floor to area ratio (FAR) permitted by right shall be 1.00.” [1.00 replaces 0.4.]

4. Add New Section 4.8.3

The Planning Board may, by special permit, waive any or all dimensional requirements set forth above in this Section 4.8 (including sections 4.8.1 and 4.8.2), by relaxing each by up to a maximum percentage of 25% if it finds that, given the particular location and/or configuration of a project in relation to the surrounding neighborhood, such waivers are consistent with the public good, that to grant such waiver(s) does not substantially derogate from the intent and purposes of the By-Law or the Goals of the District Plan cited in Section 6.8.1(b) of these Zoning By-Laws, and that such waivers are consistent with the requirements of Section 6.8. This section does not authorize the Planning Board to waive the maximum height regulations. (By way of example, the 15’ front yard setback could be waived to 11.25’; the 65% lot coverage could be waived to 81.25%; or the 40,000 sq. ft. minimum lot area could be waived to 30,000 sq. ft.)

[The words in brackets are not part of the change but are an explanation of the change.]

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: Pursuant to the appropriation of funds for a planning study at the 2010 Annual Town Meeting, the Council of Economic Advisors (“CEA”), a committee established by the Board of Selectmen to evaluate Town-wide economic conditions and make recommendations to promote and encourage new and existing businesses, and the Planning Board, sought the services of an interdisciplinary team lead by a qualified planning, economic development, urban design and traffic firm to undertake a follow-up study of the New England Business Center (“NEBC”) to that originally completed by Goody, Clancy & Associates in 2001. The purpose of the study was to explore recurrent issues raised by local businesses, developers, real estate brokers and tenants during symposia sponsored*

by the CEA in regards to expanding the type and mix of allowable uses, including medical uses; expanding the allowable amount of restaurant, retail and other consumer service uses on the first floor of multi-story buildings; analyzing which dimensional controls were restraining development; and assessing the traffic and other impacts of proposed changes. In May 2011, Town Meeting adopted zoning change recommendations expanding allowed uses, including and clarifying allowed medical uses, and expanding the allowed mix of retail, restaurant and consumer services on the first floor of multi-story buildings. Because the study was not finalized by that Town Meeting, the dimensional changes were withdrawn and promised for consideration in the near future. Based on the fiscal, traffic, and dimensional analysis and information provided by the study, the CEA confirmed that certain dimensional requirements, including front setback, maximum lot coverage, height, floor area ratio, and minimum open space, were constraining development and that the lack of flexibility in the existing zoning was compounding those constraints. The dimensional changes proposed are recommended by the study consultants and by the CEA. Information regarding specific changes is as follows.

The amendments to the Section 4.8 Table would change in the NEBC the front setback to 15 feet (from 20 feet), the maximum lot coverage to 65% (from 50%), the floor area ratio to 1.0 (from 0.4), and the as of right height to 72 feet (from 68 feet). Under the amendment, the sole issue for increasing the height up to a maximum of 84 feet would be the Planning Board's determination that the proposed structure is properly accessible to fire fighting equipment. The existing limitation on height within 350 feet of a river or lake (54 feet) would remain unchanged. The 41 feet height limitation within 350 feet of the General Residence district boundary would also be unchanged, but the sentence is proposed to be modified so as to impose that limitation within 350 feet of the Single Residence B district boundary as well.

The adjoining lot landscaping provision, which provides a bonus for combined open space, would be changed from the existing 60% to 75%, so that if a project is designed so that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaping of an adjoining project for at least a distance of 50 feet, the maximum lot coverage can be increased to 75%.

The amendments also propose to decrease the front setback for structured parking to 25 feet (from the existing 30 feet). They also increase the floor area ratio by special permit to 1.75 (from 1.1) and the floor area ratio for low traffic generating uses to 2.0 (from 1.5). Open space would also be defined to include pervious surfaces used for walkways, access streets, parking areas, ways, driveways, aisles, or other constructed approaches or service areas.

Because the CEA and study consultants have concluded that the future development of the NEBC depends on Needham's ability to be responsive to the requirements of new or proposed uses, they have recommended a new section 4.8.3. Successful office parks, such as those located in Waltham and Burlington, have flourished due to the flexibility of their zoning provisions. This amendment would impart greater flexibility into the Zoning By-Law by allowing the Planning Board to relax dimensional requirements up to a maximum of 25%, except height, by special permit, after making specific findings as to the propriety of the waivers for a particular project and location.

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**ARTICLE 5: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM  
INDEPENDENT TOWN WORKERS ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Independent Town Workers Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted  
PERSONNEL BOARD RECOMMENDS THAT: Article be Adopted

*Article Information: The Town and the Independent Town Workers Association have reached agreement on contract provisions that would require the conversion of all members of the bargaining unit to so called Rate Saver health insurance plans effective January 1, 2012 with a corresponding increase in wages of 1%, a one time payment of \$500 in fiscal year 2012, a change in the employer match to employees' personal retirement savings plans, a 2% increase in base wages in fiscal year 2013, and a 2.5% increase in base wages in fiscal year 2014.*

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**ARTICLE 6: FUND COLLECTIVE BARGAINING AGREEMENT – POLICE SUPERIOR OFFICERS ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Superior Officers Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting  
PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.*

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**ARTICLE 7: APPROPRIATE TO WORKERS COMPENSATION FUND**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$344,288 to the Workers Compensation Reserve Fund, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: As noted at the 2011 Annual Town Meeting, the Town has a plan to replenish the Workers Compensation Fund, which is the Town's reserve fund for paying workers compensation claims of a prior year and for lump sum settlements for both School and General Government employees. The target balance of the fund is \$800,000. This past spring, the Town was notified that it will be receiving a payment of \$32,969 from Walgreens. This payment is the result of a settlement between Walgreens and the Office of the Attorney General after an investigation revealed that the company was overcharging public entities for prescription drugs under the workers compensation system. In addition, the Town has been notified of a one-time reimbursement for Medicare Part D premiums for fiscal year 2007 in the amount of \$311,319. The September 30, 2011 balance in the Workers Compensation Fund is \$395,721.*

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**ARTICLE 8:      ADOPTION OF STRETCH ENERGY CODE**

To see if the Town will vote to amend its General By-Laws by adding thereto Section 3.10 entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the “Stretch Energy Code”, including amendments or modifications thereto, as set forth below; or take any action relative thereto.

**Section 3.10              STRETCH ENERGY CODE**

**3.10.1 Definitions**

International Energy Conservation Code (IECC)      The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three year cycle. Since July 1, 2010, the baseline energy conservation requirements of the MA State Building Code defaulted to the latest published edition, currently the IECC 2009, with Massachusetts amendments as approved by the Board of Building Regulations and Standards.

Stretch Energy Code      Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 8th edition Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

**3.10.2 Purpose**      The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

**3.10.3 Applicability**      This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

**3.10.4 Authority**      A municipality seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR may mandate adherence to this appendix. 780 CMR 115.AA may be adopted or rescinded by any municipality in the Commonwealth in the manner prescribed by law.

**3.10.5 Stretch Code**      The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into this Section.

**3.10.6 Enforcement**      The Stretch Code shall be enforced by the Building Inspector.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information:* The “Stretch Code” is an appendix to the Massachusetts building energy code (Base Code) that enhances the energy efficiency of the Base Code. It can only be adopted through a local option vote of Town Meeting. The Stretch Code applies to new residential, municipal and commercial buildings, as well as to residential additions and to certain renovations. In new buildings, it achieves

efficiency by moving to a performance-based code, where developers design buildings so as to reduce energy use by a given percentage below Base Code, rather than being required to install specific efficiency measures. For additions and renovations the owner and/or developer can choose between the performance-based approach and a prescriptive approach with specific requirements. If approved by Town Meeting, the amended code would take effect January 1<sup>st</sup>, but would run concurrently with the Base Code until July 1<sup>st</sup>, when the amended code would become the requirement. Homeowners and developers could choose which code they want to use during the concurrent period.

**ARTICLE 9: AMEND THE FY 2012 OPERATING BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 Operating Budget adopted under Article 25 of the May 2011 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From:	Changing To:
3	Health Insurance	\$ 9,601,203	\$ 9,519,724
6	Debt Service	\$10,843,572	\$10,883,020
10	Reserve Fund	\$ 1,059,763	To be determined
22A	Building Inspector Salary and Wages	\$ 452,113	\$ 440,113
22B	Building Inspector Expenses	\$ 16,095	\$ 28,095
24	Needham Public Schools	\$48,436,371	\$48,501,371
25A	Public Works Salary and Wages	\$ 3,025,205	\$ 3,041,684

And that \$39,448 is appropriated from premiums reserved for debt exclusion offsets; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information:* The proposed reduction to the Health Insurance line is to transfer funds to the Needham Public Schools and the Public Works Salary and Wages lines to fund the Collective Bargaining Agreements reached with employee bargaining groups in those two departments. The employees in those groups are converting to the lower premium, higher out-of-pocket health insurance plans. The contract with the NIPEA group (DPW Employees) was approved at the 2011 Annual Town Meeting. The School Committee reached agreements with the employee bargaining groups, Units B, C, D, and E earlier in the year. The increase to the Debt Service budget is to reflect the premiums the Town received on excluded debt as a funding source and the repayment of that amount. The reduction to the Building Inspector Salary and Wage is to transfer the funds to the Building Inspector Expenses line. The Town has changed the manner in which the weights and measures work is accomplished from an in-house part-time employee to a service agreement with the Commonwealth of Massachusetts. The required inspections are done by employees from the office of the Division of Standards which sends out field inspectors to certify that weights and measurements for commercial products are accurate and meet the regulatory standards. The Town anticipates that the State will be making a one-time payment (approximately \$100,000) to the Town within the next couple of weeks so a placeholder for the Reserve Fund line is included so that the budget line can be amended to reflect the actual amount received.

**ARTICLE 10:      AMEND THE FY 2012 RTS ENTERPRISE FUND BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 RTS Enterprise Fund Budget adopted under Article 26 the May 2011 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
101A	Personnel	\$639,479	\$643,582

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The proposed amendment to the personnel line item is to implement the provisions of the collective bargaining agreement (approved at the 2011 Annual Town Meeting), which provided a 1% increase in wages at the time of conversion to the lower premium, higher out-of-pocket cost health insurance plans.*

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**ARTICLE 11:      AMEND THE FY 2012 SEWER ENTERPRISE FUND BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 Sewer Enterprise Fund Budget adopted under Article 27 the May 2011 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
201A	Personnel	\$881,180	\$886,973
201D	MWRA Assessment	\$5,337,491	\$5,291,080

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The proposed amendment to the personnel line item is to implement the provisions of the collective bargaining agreement (approved at the 2011 Annual Town Meeting), which provided a 1% increase in wages at the time of conversion to the lower premium, higher out-of-pocket cost health insurance plans. In addition, the final assessment voted by the Massachusetts Water Resources Authority was slightly lower than the preliminary estimate that was available at the time of the Annual Town Meeting.*

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**ARTICLE 12:      AMEND THE FY 2012 WATER ENTERPRISE FUND BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 Water Enterprise Fund Budget adopted under Article 28 the May 2011 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
301A	Personnel	\$1,016,863	\$1,023,091
301D	MWRA Assessment	\$605,448	\$610,028

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee  
 FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The proposed amendment to the personnel line item is to implement the provisions of the collective bargaining agreement (approved at the 2011 Annual Town Meeting), which provided a 1% increase in wages at the time of conversion to the lower premium, higher out-of-pocket cost health insurance plans. In addition, the final assessment voted by the Massachusetts Water Resources Authority was slightly higher than the preliminary estimate that was available at the time of the Annual Town Meeting.*

**ARTICLE 13: APPROPRIATE FOR PAYMENT OF UNPAID BILLS OF PRIOR YEARS**

To see if the Town will vote to raise and appropriate \$2,728.57 for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, as follows:

<u>Department</u>	<u>Vendor</u>	<u>Description</u>	<u>Fiscal Year</u>	<u>\$ Amount</u>
Water Enterprise	Ricca Chemical Company	Drinking Water Chemicals	2011	\$ 461.22
Water Enterprise	Ricca Chemical Company	Drinking Water Chemicals	2011	\$ 111.57
RTS Enterprise	E.L. Harvey & Sons	Trucking Service Rental	2011	\$2,155.78

and to meet this appropriation that \$2,155.78 be raised from RTS receipts and that \$572.79 be raised from Water receipts; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
 FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: State law requires Town Meeting action in order for the Town to make payment for bills received after the close of the fiscal year.*

**ARTICLE 14: APPROPRIATE FOR NEW SENIOR CENTER**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$8,075,000 for construction of a Senior Center, said sum to be to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation, that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Chapter 44 of the General Laws or any other enabling authority, and further that \$23,192 be transferred from Article 33 of the May

1993 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: This Article seeks to appropriate monies to construct a new building to house the Town's Senior Center and Council on Aging. A Senior Center is the focal point for aging service issues in a community and serves residents of all ages in responding to these issues. The Center is the gateway to information and services that support and enable this multigenerational group (ages ranging from 60 to over 100) to maintain health, independence and optimal level of functioning in many aspects of life. This new building will also house the staff of the Council on Aging and its many active volunteers, all of whom contribute to the fulfillment of that department's mission and goals. The existing Senior Center and Council on Aging is located in a basement that has environmental issues as well as inadequate parking, programming and office/counseling space to support its core missions. From 2008 – 2010, a Senior Center Study Committee held numerous public meetings, conducted research and made recommendations on these matters, and the Town has spent \$121,016 to conduct Feasibility Studies on five potential building sites. In accordance with the appropriation of \$500,000 by the November 8, 2010 Special Town Meeting, a design has been completed for a new Senior Center at the Needham Heights MBTA commuter parking lot location. Town Meeting also approved a transfer of land between the Town and the MBTA that will enable the Town to construct the Center at this site. The requested funding will allow for the construction of the approximately 20,000 square-foot Senior Center building to begin in the winter of 2012. Construction is estimated to be completed in 18 months.*

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**ARTICLE 15:     **APPROPRIATE FOR SEWER PUMP STATION/RESERVOIR B****

To see if the Town will vote to raise, and/or transfer and appropriate a sum for renovations and improvements to the Reservoir B sewer pump station, including without limitation all costs thereof as defined in Section 1 of G.L. c.29C; to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under G.L. c.44, §7, G.L. c.29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to G.L. c.29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or a loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager is authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available to the project, or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information: As part of the Wastewater System Master Plan, the Reservoir B Sewage Pumping Station was evaluated to determine its current physical condition, capacity vs. current and future flow projections, and compliance with current codes and standards of operation. The Reservoir Street "B" Sewage Pumping Station is the second oldest station in the system. Its back-up auxiliary engine has failed, and its pumps have been replaced with refurbished pumps until the station can be replaced. The*

*station suffered a catastrophic failure almost a year before the refurbished pumps were installed and portable pumps had to be brought in to pump the sewage until the station could be temporarily repaired. The zoning changes instituted over the past decade to spur growth in the Needham Business Center will result in a significant increase in sewage flow to the station; however, the station must be replaced in order for the development of the business center to occur.*

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And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this 27<sup>th</sup> day of September, 2011.

Maurice P. Handel, Chairman  
Gerald A. Wasserman, Vice Chairman  
Daniel P. Matthews, Clerk  
John A. Bulian  
James G. Healy

A TRUE COPY

Attest:

Constable:

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**Town Clerk's Office  
Needham, MA 02492**

**First Class Mail  
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**ATTN: SPECIAL TOWN MEETING WARRANT**