

**Town of Needham
Board of Selectmen
Minutes for November 24, 2009
Needham Town Hall**

6:45 p.m. Informal Session:
Larry Cohen, resident of precinct F, asked the Board to request that the Senior Center Exploratory Committee release a report prior to the December 7, 2009 hearing. Mr. Matthews informed Mr. Cohen that he doesn't expect any new information to be available for review prior to the hearing. Ms. Garlick commented that most likely a hard copy of the Power Point presentation from the SCEC would be sent to the Board of Selectmen prior to the hearing. Ms. Garlick stated that there was not anything new that hadn't already been reported. Mr. Cohen said that he would like the opportunity to provide written comment after the hearing. Mr. Cohen said his second concern was the play structure at Greene's Field. He said that he feels that taking down the structure will leave a void, and to leave the space empty would be unfortunate. Mr. Matthews responded that the reason for taking down the playground structure is to ensure safety.. Mr. Matthews noted that the determination to remove the structure does happen to coincide with the Senior Center discussion, and Mr. Matthews also assured Mr. Cohen that nothing permanent will go up until the future of the Senior Center has been decided.

Richard Webman, 1746 Great Plain Avenue, addressed the Selectmen regarding an application to demolish a historical property. He said that he has been to the Board before and feels that none of his concerns have been addressed. He said that he disagreed with a proposal by Town Counsel to change the historic delay by-law. He had been told to speak to Town Counsel or the Town Manager about his concerns. He feels there has been a violation of the open meeting laws, as well as a violation of the ethics law. He also expressed concern that his opinions have not been in the meeting minutes and documents that he has submitted have also been left out of the minutes. He doesn't want to hear that he needs to speak to Town Counsel, and if nothing is done, he will seek legal action against the Town. Mr. Webman reiterated his request that the Board of Selectmen take action. Mr. Matthews commented that Mr. Webman has serious grievances with the Town and he has been advised of the proper channels to go through to be heard. Mr. Matthews also noted that Mr. Webman has recourse available if he is not satisfied.

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews at 7:00 p.m. Those present were: John Bulian, Denise Garlick, Gerald Wasserman, Maurice Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Nikki Witham.

7:05 p.m. Consent Agenda:

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

APPOINTMENTS

There are no appointments this meeting.

CONSENT AGENDA

1. Approve Minutes of November 10, 2009
2. Approve Second Hand Sales license for Janet Cotter of Janet Cotter Design located at 1386 Great Plain Avenue. The store will sell fabrics, trims, linings, hardware, lighting and pillow forms.
3. Approve one day special All Alcoholic beverage license application received from Patricia Hadge for the St. Sebastian's School's Annual Christmas Auction & Dinner event. The event will be held on Saturday, December 5, 2009 from 6:00p.m. – 11:00 p.m. at St. Sebastian's School, Ward Hall, 1191 Greendale Avenue, Needham.
4. Approve one day special Wine and Malt beverage license to Kate Robey for the Needham High School's Class of 1989 20th Reunion. The reunion will be held on Friday, November 27, 2009 from 7:00 p.m. to 11:30 p.m. at The Village Club, 83 Morton Street, Needham.
5. Approve request from Rabbi Mendel Krinsky from the Chabad Jewish Center to hold a Menorah lighting ceremony on the Town Common on Tuesday, December 15, 2009 at 4:00 p.m.
6. Approve request from Liz O'Connell for St. Joseph Parish and the Schools of Needham to use Avery Square for Santa's Village on Saturday, December 19, 2009 from 11:00 a.m. to 8:00 p.m. The "First Annual SJP Christmas Express" event features an enchanting train ride on the MBTA line and also includes having snack and souvenir booths, Santa's Village characters and carolers.
7. Approve one day special Wine and Malt beverage license from John Commando for a Neponset Winery, LLC Wine Tasting event. The Wine Tasting will be held on Wednesday, December 2, 2009 from 5:30 p.m. to 8:00 p.m. at Perennial Designs, 117 Chapel Street, Needham.
8. Approve request from Bill Gallagher for the Needham Running Club to hold a 3 mile Road Race on New Years Day 2010. The event will begin at 11:00 am, with runners meeting 10:00 am at the start /end point of the race, which is the YMCA. The route of the race will be along Great Plain, Fair Oakes, and Harris. The Running Club is working with the Needham Police Department to plan a course that will ensure the safety of runners and for minimal traffic impact. Approximately 85 participants are expected with about 20 spectators.

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

7:00 p.m.

Town Manager

Ms. Fitzpatrick appeared before the Board with 5 items for the Board's consideration:

1. Chapel Street Improvement Project Update:

Ms. Fitzpatrick told the Board that the Chapel Street Improvement Project is just about completed, and that most of the work was performed at night. The installation of the brick border will be done this weekend. A portion of the sidewalk along the Common will be finished in the spring. Mr. Handel said that there has been an evolving and helpful partnership between the Town and the merchants. Rick Merson, Director of Public Works, also praised the staff and the contractor for executing the project in a timely manner.

2. Purchase of Property Under M.G.L. c. 61A/Volante

Property: The Board reviewed the Purchase and Sale agreement for “Lot 1” and “Lot 2.”

**Motion by Mr. Wasserman that the Board vote to approve and sign the Standard Form Purchase and Sale Agreement for “Lot 1” (154,507 square feet as shown on Needham Assessors Map 217 as Lot 11), and “Lot 2” (52,625 square feet as shown on Needham Assessors Map 217 as Lot 12).
Second: Mr. Bulian Unanimously approved 5-0.**

3. Removal of Greene’s Field Play Structure:

Ms. Patricia Carey, Director of Park and Recreation, Ms. Nicole DiCicco, Park and Recreation Department Assistant and Certified Playground Safety Inspector, and Brian Nadler, Chairman of Park and Recreation Commission joined Ms. Fitzpatrick before the Board with an update of plans to take down the Greene’s Field Play Structure. Ms. Fitzpatrick stated that there were three factors that led to the decision to remove the play structure: 1) The design of the structure is inconsistent with the ages of the children who are using it; 2) Safety codes have changed since the playground was built; and 3) The structure has deteriorated and is past its useful life. Ms. Carey stated that the decision is based upon the safety of the children and in the interim hopes to put in some small pieces of equipment. Ms. Fitzpatrick told the Board that playground equipment is a capital project item, but most of the playgrounds that have been redone have been funded through community groups. She said she hopes the same can be done for Greene’s field. The Board discussed the timing of the proposed removal and the fact that the removal is for safety reasons unrelated to the Senior Center study.

4. CPA Applications:

Ms. Fitzpatrick informed the Board that the CPA application deadline is December 1, 2009. Some ideas for projects include development of trails, preservation of historic artifacts and documents, historic research and photographic documentation of the Town Hall project, restoration of the Volante parcels, and open space acquisition.

5. Fiscal Year 2011 Budget Consultation:

Starting in September and October, departments have been submitting their Operating and Capital budgets. Budget hearings are on-going. Ms. Fitzpatrick

will have recommendations available for the next meeting. There has been no news about state aid reductions for fiscal year 2010.

Ms. Fitzpatrick asked the Board about the relationship between the goals and the budget priorities. The Board asked Ms. Fitzpatrick to develop a list of budget priorities based on the goals. Ms. Garlick was concerned that there was no specific goal for emergency management and would like to add it to the Board's list of goals.

7:30 p.m.

Board Discussion

Mr. Matthews noted that the special election will be held on December 8, 2009. He is encouraging college students and anyone else who may not be in Town that day to file an absentee ballot with the Town Clerk's office.

The annual lighting of the blue tree is Saturday, November 28th at 5:00 p.m. and Mr. Matthews encourages all to attend.

7:45 p.m.

Adjourn

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the November 24, 2009 meeting of the Board of Selectmen.

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