

**BOARD OF SELECTMEN**  
**March 13, 2012**  
**Needham Town Hall**  
**Agenda**

	<b>6:45</b>	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
<b>1.</b>	<b>7:00</b>	Web GIS Demonstration <ul style="list-style-type: none"> <li>• Roger MacDonald, Director of Information Technology</li> <li>• Benjamin Anderson, GIS Administrator</li> </ul>
<b>2.</b>	<b>7:15</b>	Update on Trails Project <ul style="list-style-type: none"> <li>• Patty Carey, Director of Park and Recreation</li> <li>• Karen Peirce, Assistant Director of Park and Recreation</li> </ul>
<b>3</b>	<b>7:20</b>	Annual Consultation, Community Preservation <ul style="list-style-type: none"> <li>• Mark Gluesing, Committee Chair</li> <li>• Patty Carey, Director of Park and Recreation</li> </ul>
<b>4.</b>	<b>7:30</b>	Transportation Committee Report on MBTA Revenue and Service Proposals <ul style="list-style-type: none"> <li>• Richard Creem, Chairman, Transportation Committee</li> <li>• Steve McKnight, Member, Transportation Committee</li> </ul>
<b>5.</b>	<b>8:00</b>	Greene's Field Committee Report <ul style="list-style-type: none"> <li>• John Bulian, Selectman</li> <li>• Patty Carey, Director of Park and Recreation</li> </ul>
<b>6.</b>	<b>8:15</b>	Town Manager <ul style="list-style-type: none"> <li>• Annual Town Meeting</li> <li>• Special Town Meeting</li> <li>• New Year's Needham Committee</li> </ul>
<b>7.</b>	<b>8:25</b>	Board Discussion <ul style="list-style-type: none"> <li>• Sale of Alcohol for Consumption Off-Premises</li> <li>• Committee Reports</li> </ul>
<b>8.</b>	<b>8:45</b>	Executive Session Exceptions 3 and 6

**CONSENT AGENDA      \*=Backup attached**

<b>1.*</b>	Approve application for calendar year 2012 Sale of Second-Hand Articles from Home Savvy LTD, d/b/a Cherry Picked, located at 225 Highland Avenue.
<b>2.</b>	Accept donation made to the Needham Community Revitalization Trust Fund from "Not Your Average Joe's"- \$295.59.
<b>3.</b>	Accept \$50 donation made to The Needham Health Department's Gift of Warmth from First Church of Christ, Scientist, 870 Great Plain Avenue, Needham.

4.*	Water & Sewer Abatement Order #1138
5.	Accept donation of a 250 <sup>th</sup> Anniversary Town of Needham ashtray from Roy Kelley, 52 Beaufort Avenue, Needham.
6.*	Approve, sign, and forward to the ABCC a petition to pledge the Alcoholic License for Petit Robert, 45 Chapel Street, Needham.
7.*	Approve request from the Needham Cultural Council to use the Town Common for a Spring Arts Festival on Saturday, June 9, 2012 from 10:00 a.m. to 3:00 p.m. In case of rain, event will be held in Powers Hall.

**Board of Selectmen  
AGENDA FACT SHEET  
Tuesday, March 13, 2012**

**Agenda Item:** New Online GIS System Presentation

**Presenter(s):** Roger MacDonald, Director of MIS  
Benjamin Anderson, GIS Administrator

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

The Town's Information Technology staff will present to the Board a demonstration of the function and availability of the Town's GIS on the internet. The web portal where the Web GIS is housed was constructed with oversight by Benjamin Anderson, Town of Needham GIS Administrator, in conjunction with PeopleGIS of Arlington, MA.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

**3. BACK UP INFORMATION ATTACHED:**

- a. Printout of the Town's Web Page with GIS Frequently Asked Questions (FAQ).

**4. SIGN OFF/APPROVAL REQUIRED:**

None

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**Disposition by BOS**

Action taken: \_\_\_\_\_

Present on future Agenda: \_\_\_\_\_

Refer to/Inform: \_\_\_\_\_

Report back to BOS on: \_\_\_\_\_

Prepared by dbd 03/09/2012

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# Needham GIS

## Geographic Information Systems Information Technology Center

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WebGIS

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GIS FAQ

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### What is GIS & what does it do?

GIS stands for Geographic Information Systems. This is a computer based system that utilizes mapping and databases. GIS is a tool used to produce, study and analyze information related to places. This can provide far more effective, expedient and powerful problem-solving tools than traditional paper methods of analysis.

*Products that a GIS can make or produce include:*

- maps
- aerial photographs
- graphs
- 3D terrain models
- linear network analyses
- spreadsheets
- statistical analyses
- and much more!

### I have a GPS in my car, is that the same as GIS?

Not quite. [GPS](#) stands for Global Positioning System. [GPS](#) is a navigation system that can determine where you are on the Earth.

A GIS can utilize data collected from a GPS unit and some GPS units have simple GIS systems in them, but they are not the same. Here at the Town of Needham, some departments utilize GPS devices in their projects.

GPS, GIS and CAD (Computer Aided Drafting) are all tools within the [Geospatial](#) world.

Products that you may be familiar with that use geospatial technology include [Google Earth](#), [Google Maps](#), [Yahoo! Maps](#), [Mapquest](#), [Microsoft's Bing Maps](#), and many other internet and mobile device (cell phone & smart phone) applications.

### What's going on with Needham's GIS?

Currently, the Town GIS Administrator is conducting many long term projects to modernize the Town's existing GIS and CAD software as well as all of the accompanying electronic infrastructure and data. After these improvements are made, the geospatial tools will be better suited to current and future needs of the Town's municipal departments.

Projects recently completed or ongoing include the [Town of Needham WebGIS](#), [new](#)

[townwide maps](#), updated streets, updated parcels and [new parcel-level mapping data](#).

Due to our small staff size and time limitations, we are unable to fulfill any requests for custom maps or data for the general public. However, the [Town's WebGIS](#) is available to you 24 hours a day so that you can explore the Town on an internet-enabled computer. Additionally, those with GIS or CAD capabilities can [download Town data](#), free of charge.

We are happy to provide a limited amount of digital GIS data to other government agencies and academic institutions who have GIS capabilities.

[GIS Main Page](#) ∞ [Town Maps](#) ∞ [Data Download](#) ∞ [WebGIS](#) ∞ [Contact the GIS Administrator](#)

**GIS Administrator**  
[Benjamin Anderson](#)  
1471 Highland AVE  
Needham, MA 02492  
(781) 455-7500 ext. 242

Town of Needham  
1471 Highland Avenue  
Needham, MA 02492

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**Board of Selectmen**

**AGENDA FACT SHEET for 3/13/2012**

**Agenda Item:** Trails Improvement Update

**Presenter(s):** Patty Carey, Director of Park and Recreation  
Karen Peirce, Assistant Director of Park and Recreation

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

Ms. Carey and Ms. Peirce will provide the Board with an update on the Town's Trails Improvement Initiative. The Conservation Commission, Park and Recreation Commission, and staff have been working on the creation of a volunteer trail stewardship program. Ms. Peirce is serving as the trails coordinator and is currently soliciting volunteers. Trails volunteers will assist the Town in reporting any concerns, and in minor maintenance efforts conducted on volunteer days.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

**3. BACK UP INFORMATION ATTACHED:**

- a. Needham Trails Stewardship Program Brochure

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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## Trails Master Plan

The Needham Trails Master Plan published in 2008 was developed by the Conservation Commission, Park and Recreation Commission and the Trails Committee funded by the Community Preservation Act.

The Master Plan contains detailed trail maps for each Town-owned property, information on proposed new trails, and a long-term plan for trail maintenance and improvement. The Trails Master Plan is available on the Town of Needham website [www.needhamma.gov](http://www.needhamma.gov) under Conservation Commission and Trails Information.



## Did you know?

Needham has 23 miles of trails at 9 different locations.

Town wide clean up days will be scheduled every fall and spring.

An excellent example of past glacial activity is located at Ridge Hill on the Esker Trail

A paved walking trail is located at Memorial Park.

Excellent mountain biking trails are located within the Town Forest.

A 225 room luxury hotel and an underground crystal grotto were located at Ridge Hill.

Needham Reservoir is a popular fishing area stocked annually by the State Division of Fisheries and Wildlife.

Automatically receive trail information at [www.needhamma.gov](http://www.needhamma.gov) by clicking on Notify Me and check off Trails Information.



# Needham Trails Steward Program



Trails Coordinator  
Karen A. Peirce  
Assistant Director  
Needham Park and  
Recreation Commission

[kpeirce@needhamma.gov](mailto:kpeirce@needhamma.gov)  
Tel (781) 455-7521  
500 Dedham Ave.  
Needham, MA 02492



## What is a Trail Steward?



The role of a Trail Steward is to actively assist the Needham Trails Coordinator as the “eyes and ears” of a designated trail. A Trail Steward is dedicated to maintaining and improving the quality of the extensive trails system in Needham.

While walking the designated trails on a regular basis, the Trail Steward will observe and document conditions and use. The Trail Steward is asked to report on projects for the work list, including blocked trails, missing signs or markers, vandalism, animal activity, and anything unusual. Trail Stewards are also asked to assist with minor maintenance, including minor vegetation cut-back, and moving of small branches and twigs. Volunteer days will be scheduled for work list projects.

The stewardship program will help create and maintain an active trail system for the community to enjoy today and in the years to come.



## How to Become a Trail Steward?

Complete a Trail Steward application that can be found at [www.needhamma.gov](http://www.needhamma.gov) or by calling (781) 455-7521.

Once the application is received you will be contacted to set up an interview.

Responsibilities, duties and trail opportunities will be discussed. A minimum 2 year commitment is encouraged to be accepted into the program.

Next, the Trail Steward will attend a group volunteer orientation. At the orientation Stewards will receive a Trail Steward Handbook and trail maps. All Trail Stewards who complete the orientation will receive an ID badge that should be worn while out on the trails.

Updates on projects, upcoming trail activities and other information will be provided in the Trail Steward Newsletter which will be sent periodically to all active members.



## Other Volunteer Opportunities

Special work days, such as trail building, trail clean up days, nature walks, tree planting and other tasks will take place throughout the year. Comprehensive Boy Scout Eagle and Girl Scout Gold Star project assistance is also available.

# Needham Trails

## Ridge Hill

Conservation Commission

## Town Forest

Park & Recreation Commission

## Carol / Brewster

Board of Selectmen

## Farley Pond

Conservation Commission

## Greendale Avenue

Park & Recreation Commission

## Mitchell Woods

Conservation Commission

## Needham Reservoir

Board of Selectmen

## Newman School

School Committee

## Rosemary Lake

Park & Recreation Commission

Maps available at

[www.needhamma.gov/conservation](http://www.needhamma.gov/conservation)



**Board of Selectmen**

**AGENDA FACT SHEET for 3/13/2012**

**Agenda Item:** Community Preservation Program

**Presenter(s):** Mark Gluesing, CPC Chair  
Janet Bernardo, CPC Vice Chair  
Patty Carey, Director of Park and Recreation

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

Mr. Gluesing, Ms. Bernardo and Ms. Carey will meet with the Board to discuss projects under consideration for the May, 2012 Annual Town Meeting, and the Committee's evaluation process.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

**3. BACK UP INFORMATION ATTACHED:**

a. CPA Project Requests Under Consideration

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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CPC USE ONLY:	
Application #	FY 2012-1
Qualifies:	_____
Does not qualify:	_____

## INITIAL ELIGIBILITY PROJECT APPLICATION FORM

**DUE BY DECEMBER 1**

**TOWN OF NEEDHAM  
COMMUNITY PRESERVATION COMMITTEE**  
c/o Park & Recreation Department  
1471 Highland Avenue, Town Hall  
Needham, MA 02492  
www.needhamma.gov/CPC

1. Applicant: NEEDHAM HISTORICAL SOCIETY      Submission Date: 17 Oct 2011
2. Applicant's Address, Phone Number and Email:      3. Purpose:  
(Please select all that apply)
- 1147 CENTRAL AVENUE  
NEEDHAM, MA 02492  
781-455-8860
- Contact Name: GLORIA GREIS, Executive Director  
g.greis@rcn.com
4. Project Name: Artifact Storage Upgrade / Needham Historical Society
5. Project Location/Address/Ownership (Control):  
NEEDHAM HISTORICAL SOCIETY  
1147 CENTRAL AVENUE  
NEEDHAM, MA 02492      501c3 public charity
6. Amount Requested:  
Personnel = \$ 17,000      \$ 28,000  
Supplies = \$ 8,000
7. Estimated Total Project Cost (If Different):      \$
8. Critical Dates: (If Applicable)  
NA

- continued -

Project Name: *Artifact Storage Upgrade -  
Needham Historical Society*

9. Project Summary: In 100 words or less provide a brief summary of the project:

*please see attached*

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

*please see attached*

**Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.**

**Needham Community Preservation Committee**  
**Initial Eligibility Project Application Form**

**Artifact Storage Upgrade - Needham Historical Society**

**9. Project Summary:** We are seeking funding for archival materials and for a Collections assistant, to help address the proper storage and organization of the artifact collections. We seek to hire a trained collections handler (c. 20 hrs/week) to work under the direction of the Executive Director, and manage this task on a daily basis. We will also provide the archival supplies appropriate to support and store the specific artifacts and materials. At this stage, we will focus on the areas of greatest need - items that are the most fragile, and those that are most in demand for exhibit or research.

**10. Community Need:** Proper storage of the collections achieves several goals. The most obvious is the preservation of the Society's resources for exhibits, teaching, and research now and for the future. It also provides better access to the artifacts and their information. This in turn enables us to make richer use of the collections in our community outreach – teaching, exhibits, information requests, publications, etc. Over the past ten years, we have made a significant effort to engage the community. Improving the storage and organization of the artifacts is a crucial component of our goal to better teach the ongoing importance of Needham's history.



## The Charles River Center

59 East Militia Heights Road, Needham, Massachusetts 02492  
781.972.1000 • TTY: 781.972.0104 • Fax: 781.444.5146 • [www.charlesrivercenter.org](http://www.charlesrivercenter.org)

*Directors:*

William Kelly, Chairman  
Jill Fadule, Vice Chairman  
Gilbert Cox, Jr., Treasurer  
John Timmerman, Secretary  
Peter Brown  
Corine Burke  
William Crowe  
William Day  
Peter Dedon  
Clare Dunsford  
Robin Fabiano  
Russell Gartick  
Nicole Gowe  
Thomas Jordan  
Leslie Lockhart  
Philip V. Robey  
Alice Taylor

*President:*

John J. Grugan

*Honorary Directors:*

John Leonard

November 22, 2011

Ms. Patricia Carey  
Staff Liaison  
Community Preservation Committee  
c/o Park & Recreation Dept.  
1471 Highland Avenue, Town Hall  
Needham, MA 02492

Dear Patty,

We are submitting an Initial Eligibility Project Application to seek funding to build a new home at 1285 South Street for five (maybe six) individuals with developmental disabilities. Individuals with the most complex medical and cognitive needs identified by the Department of Developmental Services (DDS), will move in to this home.

Enclosed are 15 copies as you requested. Thank you very much for your consideration and for the financial support that you have extended to Charles River in the past.

With appreciation,

Maria McTernan  
Director of Development  
781-972-1001  
[mmcternan@charlesrivercenter.org](mailto:mmcternan@charlesrivercenter.org)

CPC USE ONLY:  
Application # FY2012-2  
Qualifies: \_\_\_\_\_  
Does not qualify: \_\_\_\_\_

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM  
COMMUNITY PRESERVATION COMMITTEE

c/o Park & Recreation Department  
1471 Highland Avenue, Town Hall  
Needham, MA 02492  
[www.needhamma.gov/CPC](http://www.needhamma.gov/CPC)

1. **Applicant:** Charles River Association for Retarded Citizens, Inc.  
(d/b/a The Charles River Center) **Submission Date:** 11/22/11
2. **Applicant's Address, Phone Number and Email:**  
59 East Militia Heights Rd.  
Needham, MA 02492  
781-972-1022  
jgrugan@charlesrivercenter.org  
**Contact Name:** John Grugan, President
3. **Purpose:**  
(Please select all that apply)  
Open Space  
 Community Housing  
Historic Preservation  
Recreation
4. **Project Name:**  
South Street Home
5. **Project Location/Address/Ownership (Control):**  
Charles River recently purchased the property at 1285 South St. in Needham to build a five-bedroom home (five affordable housing units) for adults with developmental disabilities. Charles River currently has a signed Purchase and Sale Agreement; the closing is anticipated for December, 2011.
6. **Amount Requested:** **\$ 500,000**  
Charles River is seeking \$500,000 to build a new home at 1285 South St. in Needham.
7. **Estimated Total Project Cost (If Different):** **\$ 800,000**  
Charles River purchased this property for \$350,000. This total of \$800,000 includes tearing down the existing structure, clearing the land and building a fully handicap-accessible home (3,000 square feet). A design created for another Charles River Center home will be used here so no costs for design and construction drawings will be incurred. This estimate was provided by Andrew Weaver of Weaver + Associates. Mr. Weaver has designed other homes for The Charles River Center as well as the Paul D. Merritt Building.
8. **Critical Dates: (If Applicable):**  
Construction is planned for September, 2012. Perk testing will have to be done to better determine the required size of the leeching field, however, there appears to be room to spare.

This start date is also contingent on funding.

- continued -

CPC USE ONLY:  
Application # \_\_\_\_\_  
Qualifies: \_\_\_\_\_  
Does not qualify: \_\_\_\_\_

**Project Name:**  
South Street Group Home

9. **Project Summary: In 100 words or less provide a brief summary of the project:**  
Charles River would like to build a new 3,000 square-foot, accessible home for five individuals with developmental disabilities. The State Department of Developmental Disabilities (DDS) has already identified five (perhaps six units if DDS provides a waiver) individuals who are in dire need of housing. This home would be occupied by adults who have the most complex physical and cognitive disabilities.
- Charles River will also seek funding from individuals and foundations for this project.

10. **Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.**  
At this time, there is a shortage of housing for individuals with disabilities while the demand continues to increase. Those who will occupy this home may be adults still living with their elderly parents or those with moderate to severe disabilities.

Building this home will assist individuals who need housing and also increase the number of low-income affordable units in Needham as outlined in the Community Preservation Committee guidelines. The Charles River Center is a local nonprofit that provides housing for individuals that qualify for community housing.

**Note:** *This application enables the Community Preservation Committee to review the Request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.*

Application # FY2012-3  
 Qualifies: \_\_\_\_\_  
 Does not qualify: \_\_\_\_\_

**INITIAL ELIGIBILITY PROJECT APPLICATION FORM**

**DUE BY DECEMBER 1**

**TOWN OF NEEDHAM  
 COMMUNITY PRESERVATION COMMITTEE**  
 c/o Park & Recreation Department  
 1471 Highland Avenue, Town Hall  
 Needham, MA 02492  
 www.needhamma.gov/CPC

1. **Applicant:** NEEDHAM HISTORICAL COMMISSION **Submission Date:** 11-30-11
2. **Applicant's Address, Phone Number and Email:** 1471 HIGHLAND AVE  
NEEDHAM MA  
781-718-8876 RICK@HARDY.COM  
**Contact Name:** RICK HARDY
3. **Purpose:** (Please select all that apply)  
 Open Space  
 Community Housing  
 Historic Preservation  
 Recreation
4. **Project Name:** HERITAGE PROJECT - HISTORICAL INVENTORY
5. **Project Location/Address/Ownership (Control):**  
NEEDHAM HISTORICAL COMMISSION  
1471 HIGHLAND AVE  
NEEDHAM MA 02492
6. **Amount Requested:** \$ 25,000
7. **Estimated Total Project Cost (If Different):** \$ NA
8. **Critical Dates: (If Applicable)** NA

- continued -

Application # _____
Qualifies: _____
Does not qualify: _____

**Project Name:** HERITAGE PROJECT - HISTORICAL INVENTORY

**9. Project Summary: In 100 words or less provide a brief summary of the project:**

SEE ATTACHED

**10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.**

SEE ATTACHED

**Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.**

The Historical Commission thanks the CPC for its previous support and funding of the Heritage Project, which allowed the commission to research, catalog and add an additional 39 properties to the town's inventory of historic sites. This work has led to a renewed interest in Needham's historic homes. Other benefits of the project have included an informational meeting attended by 80 property owners, the ability to make this information available on the town website for those interested in these historic assets. The response to this initiative has been overwhelmingly positive, spawning a local cable series featuring historic homes and resulting in the commission receiving calls from property owners asking how their homes can be added to the inventory.

The Historical Commission would like to continue this successful project by adding more properties to Needham's inventory of historic homes. However, the commission's annual budget of \$1,500 does not allow for the necessary research and cataloging of eligible properties. The Historical Commission is making application to the CPC for \$25,000 from the Historical "bucket" to continue the work of identifying and preserving Needham's historic assets. The funding will be used to contract with a professional in historic research to identify, study and create a separate report for each home. Needham's tercentennial has captured the imagination of town residents. We'd like to further build on the current enthusiasm surrounding Needham's history by taking this next step in protecting and preserving those historic properties which help link us to our past.

CPC USE ONLY:	
Application #	FY2012-4
Qualifies:	_____
Does not qualify:	_____

## INITIAL ELIGIBILITY PROJECT APPLICATION FORM

**DUE BY DECEMBER 1**

**TOWN OF NEEDHAM  
COMMUNITY PRESERVATION COMMITTEE**

c/o Park & Recreation Department  
1471 Highland Avenue, Town Hall  
Needham, MA 02492

[www.needhamma.gov/CPC](http://www.needhamma.gov/CPC)

**1. Applicant:** Theodora K. Eaton, MMC, Town Clerk      **Submission Date:** 12/1/2011

**2. Applicant's Address, Phone Number and Email:**

(Please select all that apply)

1471 Highland Avenue, Needham, MA 02492	<input type="radio"/>	Open Space
781-455-7500 x216	<input type="radio"/>	Community Housing
Teaton@needhamma.gov	<input checked="" type="checkbox"/>	<b>Historic Preservation</b>
<b>Contact Name:</b> Tedi Eaton	<input type="radio"/>	Recreation

**3. Purpose:** Preservation of Historical Records

**4. Project Name:** Town of Needham Historical Vital Records Preservation

**5. Project Location/Address/Ownership (Control):**

Town Clerk's Office, 1471 Highland Avenue, Needham, MA 02492

**6. Amount Requested:** \$28,914

**7. Estimated Total Project Cost (If Different):** \$ same

**8. Critical Dates:** (If Applicable) N/A

- continued -

**Project Name:** Historical Vital Records Preservation

**9. Project Summary: In 100 words or less provide a brief summary of the project:**

The Town Clerk's Vault contains some ancient pre-1900 vital records including death certificates from 1851 – 1896; Intentions & Returns of Marriage early 1800s and 1845 – 1868; Marriage Certificates from 1881 – 1892 and 1893 – 1896; Birth Certificates for multiple years including 1881 – 1896, 1899, 1900, 1901, 1903, 1904; Pauper Records of 1890, 1891, 1892, 1893, 1894, and 1895; Misc. Records c. 1797 and 1789 – 1870 and 1896. These records were stored in a wooden box in the vault along with certificates in manila envelopes. The Town's vital records including births, marriages and deaths are all bound from 1919 to 2011 and are done annually.

**10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.**

As mentioned above, the town's vital records are bound from 1919 to the present. In addition, we have vital ledger books beginning in 1711 through 2000. The older ledger books have been restored one by one on a yearly basis. It would seem appropriate and in the best interest of the Town's history to have these miscellaneous old records restored and preserved in a similar manner. We have had Brown's River Marotti Company provide us with a quote on Conservation (I\$21,514), 35mm security film (\$3,225), and Scan to CD (\$4,175). These three methods of preservation total \$28,914.

••

Your consideration of this project is very much appreciated.

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Theodora K. Eaton, MMC, Town Clerk

**Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.**



January 25, 2010

Town of Needham  
Theodora K. Eaton, Clerk  
1471 Highland Ave.  
Needham, MA 02492

Dear Tedi:

Enclosed is a listing for the permanent records that are currently being kept in "the box". While there are other records in the box, those listed are of the most historical importance. In addition to the material listed you have over 100 small containers of Birth, Marriage, Death and Misc. Records stored in the vault that would benefit from preservation.

Paper was tested with Chlorophenol Red and found to be acidic (below pH 5). Acidity is the major cause of paper deterioration and must be dealt with if the records are to be preserved.

Our recommendations for the conservation of your records include deacidification, mending and reinforcement of paper as necessary (with repair or replacement of index tabs where indicated) resewing, rebinding or Mylar encapsulation, as appropriate. The deacidification process, which halts the inevitable self destruction of acidic paper, should be considered whenever conservation or even long term storage of unique records is evaluated.

Deacidification is performed with non-aqueous magnesium oxide (Bookkeeper). All pressure sensitive materials are removed. Mending is done using Japanese tissue and reversible adhesives. Books are re sewn with linen thread and bound in goatskin or other cover material of choice using acid-free materials and easily reversible adhesives. Where appropriate, Mylar encapsulation with placement of materials into custom post binders replaces rebinding.

We appreciate the opportunity to offer our services to your community and hope you will call with any questions or comments.

Best regards,

Bill Stewart

**Conservation Proposal**  
 Needham, MA  
 January 25, 2010

Scan to CD

35mm security film

Conservation

Death Certificates 1851-1883	\$1784.00 Mylar, 2 vols.	\$250.00	\$300.00
Death Certificates 1884-1890	1460.00 Mylar, 2 vols.	200.00	250.00
Death Certificates 1891-1896	1946.00 Mylar, 2 vols.	300.00	350.00
Intentions & Returns of Marriage early 1800's			
Intentions & Returns of Marriage 1845-1868 combine above two vols.	974.00 Mylar, 1 vol.	150.00	200.00
Marriage Certificates 1881-1892			
Marriage Certificates 1893-1896 combine above two vols.	2452.00 Mylar, 3 vols.	350.00	400.00
Birth Certificates 1881-1896			
Birth Certificates 1899	1492.00 Mylar, 2 vols.	200.00	250.00
Birth Certificates 1900	975.00 Mylar, 1 vol.	150.00	200.00
Birth Certificates 1901	975.00 Mylar, 1 vol.	150.00	200.00
Birth Certificates 1903	975.00 Mylar, 1 vol.	150.00	200.00
Birth Certificates 1904	975.00 Mylar, 1 vol.	150.00	200.00
Pauper Records 1890	1103.00 Mylar, 1 vol.	175.00	225.00
Pauper Records 1891	652.00 Mylar, 1 vol.	100.00	150.00
Pauper Records 1892	975.00 Mylar, 1 vol.	150.00	200.00
Pauper Records 1893	500.00 Mylar, 1 vol.	100.00	150.00
Pauper Records 1894	649.00 Mylar, 1 vol.	100.00	150.00
Pauper Records 1895	713.00 Mylar, 1 vol.	100.00	150.00

3775

19575

200.00  
200.00

150.00  
150.00

400

4175

3225

21514  
+ 4175

25689 + 3225 = 28914

**Board of Selectmen**

**AGENDA FACT SHEET for 3/13/2012**

**Agenda Item:** MBTA Fare Increase and Service Delivery Proposal  
**Presenter(s):** Richard Creem, Chairman, Transportation Committee  
Steve McKnight, Member, Transportation Committee

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

Mr. Creem and Mr. McKnight will update the Board on the MBTA fare increase and service delivery proposal and provide the Board with the recommendations of the Transportation Committee.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)**

*Suggested Motion:* That the Board vote to approve and sign a letter to the Town's legislative delegation concerning the Proposed FY13 MBTA Fare Increase and Service Reduction.

**3. BACK UP INFORMATION ATTACHED:**

- a. Letter to the MBTA drafted by the Transportation Committee
- b. Transportation Committee Public Hearing PowerPoint Presentation (2/27/12)
- c. Review of MassDOT Fare Increase and Service Cut Proposals, MBTA Advisory Board, February 2012

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	<b>Town Manager</b>	yes	no	NA	_____
b.	<b>Town Counsel</b>	yes	no	NA	_____
c.	<b>Finance Director</b>	yes	no	NA	_____
d.	_____	yes	no	NA	_____

---

**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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## TOWN OF NEEDHAM

TOWN HALL  
1471 Highland Avenue  
Needham, MA 02492-2669

Office of the  
BOARD OF SELECTMEN

TEL: (781) 455-7512  
FAX: (781) 449-4569  
TDD: (781) 455-7558

March 13, 2012

Senator Richard J. Ross  
State House  
Room 520  
Boston, MA 02133

Senator Michael F. Rush  
State House  
Room 519  
Boston, MA 02133

Representative Denise C. Garlick  
State House  
Room 236  
Boston, MA 02133

Re: Proposed FY 13 MBTA Fare Increase and Service Reductions

Dear Senator Ross, Senator Rush, and Representative Garlick:

The Needham Board of Selectmen and our Town's Transportation Committee (the "NTC"), would like to express our collective concern over the substantial service reductions and fare increases proposed by MassDOT for MBTA operations in FY13.

Although we recognize that the MBTA is required to adopt a balanced budget, and the Authority's projected FY13 deficit of \$161m must be resolved before the start of the new fiscal year, we believe that the magnitude of the fare increase and service reductions proposed under "Scenario 1" and "Scenario 2" are incompatible with MassDOT's mission, which, as expressed on its web site, includes: "[T]o provide our nation's safest and most reliable transportation system in a way that strengthens our economy and quality of life."

The Central Transportation Planning Staff (CTPS) analysis commissioned by the MBTA, as well as our own investigation, which included a local public hearing sponsored by the NTC, clearly show that both scenarios would serve to do the opposite. We note, for example, that CTPS projects commuter rail ridership to decrease, systemwide, by more than twenty (20%) percent under Scenario 1 and nineteen (19%) percent under Scenario

2. With respect to the Needham commuter rail line, the NTC's analysis of the CTPS study projects ridership losses of nearly sixteen (16%) percent and fourteen (14%) percent, respectively. For travelers outside of weekday peak hours, the NTC estimates that Needham line ridership would decline by a staggering thirty-eight (38%) percent and thirty-five (35%) percent under Scenarios 1 and 2, respectively. The quality of MBTA services offered to the Town of Needham, as assessed under the metrics of the *Transit Capacity and Quality of Service Manual (TCQSM)*, TCRP 100, National Academy of Sciences, would decline significantly if the service reductions contemplated under either scenario were to be implemented.

If either Scenario 1 or Scenario 2 is adopted in its current form, the impact on the Town of Needham of the operational changes represented by these scenarios would be both significant and profound. Needham has been, and remains, a highly sought-after suburb because of its four commuter rail stations, three (soon to be four) Route 128 exits, and outstanding schools and municipal services. Without quick and easy public transit access to Boston, interest in Needham would likely lessen, and residential property value trends, which have been mostly positive despite the economic downturn, may reverse.

Many attendees at the Transportation Committee's February 27, 2012, public hearing cited the need for late night and Saturday commuter rail service to meet the regular requirements or unexpected demands of their employment, or to be able to attend sporting and entertainment events in Boston without having to incur the time and expense of driving into the city and parking. The decision of Needham residents to forgo evening events in Boston due to the inconvenience of arranging transportation is of concern to us as affecting the quality of life in Needham, and the economic impact should concern the City of Boston as reducing the vitality of the city and metropolitan area.

We note also that Needham hosts a major hospital and several long-term care facilities (one of which is currently undergoing expansion), each employing many individuals who "reverse commute" during the evenings and on weekends and depend on the MBTA for their transportation needs.

From the economic development perspective, our efforts to encourage business investment and re-development in and around Route 128 would be severely hampered because access to commuter rail service, as well as the Green line via Bus 59, serves as a major selling point to business investment in our community.

The Town of Needham has been on the forefront of the Commonwealth's movement toward sustainable development. It would be impossible to encourage this type of development without public transportation services as good as, or better than, what the Town presently has. Our community is encouraging "transit-oriented development" by adding mixed-use zoning, blending residential and commercial uses in order to add vibrancy to our downtown business district. If the last train out of Boston is at 9:15 p.m., it would be impossible to deliver on the promise of these initiatives. One cannot have sustainable development and growth – economic or otherwise – without mass transit

alternatives. Cuts in service and increases in fares which reduce ridership are directly contrary to the highly touted goal of the Commonwealth and the Town of Needham to encourage sustainable development.

As one constituent put it, "we approach the tipping point at which many commuters would choose to drive rather than ride the train . . . Service cuts will result in more driving, more costs of maintaining local roads, more air pollution, more rush hour traffic and a deterioration of the quality of life in Needham. And once people abandon public transportation, it will be difficult to get them to return."

Along with the service cuts, the proposed fare increases risk putting public transportation into a spiral of decreasing ridership, reduced service, and further fare increases. When we look at the response to the fare increase alone, without service reductions, it can be expected that the fare increases proposed under Scenarios 1 and 2, and the 25% fare increase recommended by the MBTA Advisory Board, would result in ridership decreases on the Needham branch ranging from a high of thirteen (13%) percent under Scenario 1 to almost ten (10%) percent under the Advisory Board proposal. The riders who stop using public transit because of such fare increases will add to the traffic affecting all citizens of Needham and adjoining communities.

Scenarios 1 and 2, as configured, run counter to the goals of increasing economic potential, reducing the number of cars on state and local roadways, and encouraging the use of, and access to, public transportation. For these reasons, the Town of Needham opposes both scenarios. We concur with the MBTA Advisory Board (the "A-B") and the A-B's Finance Committee that an alternative approach is needed. We applaud the A-B's creative suggestions for reducing operating expenses and encourage consideration of operating economies on the commuter rail side that do not degrade service, *e.g.*, providing substitute bus service, such as that provided by Toronto's GO Transit, to cover off-peak service on branches.

However, we have strong reservations as to the 25% across-the-board fare increase recommended by the A-B due to its effect on reducing ridership. A plan for smaller annual fare increases consistent with the cost-of-living would be more consistent with the mission of the MBTA. We encourage you to explore broad-based funding mechanisms to maintain the benefits of a strong and affordable public transit system that supports the quality of life in Needham and the rest of the Boston metropolitan area.

We enclose, for your information and review, a copy of the NTC's February 27, 2012 PowerPoint presentation detailing its analysis of this matter.

Please contact Needham Town Manager Kate Fitzpatrick or Needham Transportation Committee chair Richard Creem with any questions.

Thank you for your consideration.

Ross/Rush/Garlick  
March 13, 2012  
Page 4

Very truly yours,  
NEEDHAM BOARD OF SELECTMEN

---

Maurice P. Handel  
Chairman

---

Gerald A. Wasserman

---

Daniel P. Matthews

---

John A. Bulian

NEEDHAM TRANSPORTATION COMMITTEE

---

Richard S. Creem  
Chairman  
Town of Needham Designee,  
MBTA Advisory Board

cc: Mr. Richard A. Davey  
Secretary of Transportation and Chief Executive Officer  
Massachusetts Department of Transportation

Jonathan Davis  
Acting General Manager, MBTA

Paul Regan  
Executive Director, MBTA Advisory Board

Kate Fitzpatrick  
Needham Town Manager

Needham Transportation Committee

# NEEDHAM TRANSPORTATION COMMITTEE

Public Hearing  
February 27, 2012

## PROPOSED FY13 MASSDOT/MBTA FARE INCREASE AND SERVICE REDUCTIONS: THE OUTLOOK FOR NEEDHAM

### NTC

Richard S. Creem, Chair  
Duncan W. Allen P.E.  
Linda J. Hoard  
Stephen McKnight

### Guest Commentators

Senator Richard J. Ross  
Representative Denise C. Garlick  
Paul Regan, Executive Director,  
MBTA Advisory Board

# What is proposed for Needham?

Needham Line Commuter Rail – reaches Boston in 35-40 minutes from Needham Center	<ul style="list-style-type: none"> <li>Eliminate last two weekday trains each way and all Saturday service</li> <li>Raise fares 46%*</li> </ul>	<ul style="list-style-type: none"> <li>Eliminate last two weekday trains each way and <i>all</i> Saturday service</li> <li>Raise fares 39%*</li> </ul>
Route 59 Bus – reaches Boston in 75-80 minutes via connection with Green Line at Newton Highlands	<ul style="list-style-type: none"> <li>Eliminate Sunday service (8 weekly trips each way)</li> <li>Raise base fare from \$1.25 to \$1.75 (40%)</li> </ul>	<ul style="list-style-type: none"> <li>Eliminate <i>completely</i> (142 weekly trips each way)</li> <li>[20 % fare increase for towns that still have bus service]</li> </ul>

\* Weighted by the types of fares Needham riders actually pay according to CTPS survey in 2010

# Ridership Impacts (2013)

Boardings	Present Service and Fares	Scenario 1	Scenario 2
MBTA Commuter Rail System (CTPS estimate)	32,802,960	26,118,188 (decrease of 20.4%)	26,492,044 (decrease of 19.2%)
Needham Line Commuter Rail *	1,814,283	1,528,933 (decrease of 15.7%)	1,559,664 (decrease of 14.0%)
Needham Line Non-commuters*	406,591	253,780 (decrease of 37.6%)	265,319 (decrease of 34.7%)

\* Estimated by Needham Transportation Committee member D. Allen. Ridership loss fractions for the Needham Line are less than for the commuter rail system as a whole because the Needham Line does not have as much late evening service, or any Sunday service, to be cut

# Estimated\* Needham Line Ridership and Revenue Changes *without* Service Changes

	Needham Line Annual Boardings	Percent Change in Ridership	Percent Change in Revenues
Present Service and Fares	1,814,283	0%	0%
Scenario 1 fares (up 46%**)	1,573,055	13.3% decrease	26.3% increase
Scenario 2 fares (up 39%**)	1,604,449	12.6% decrease	23.1% increase
25% fare increase	1,642,514	9.5% decrease	13.2% increase

\* For 2013 by Needham Transportation Committee member D. Allen.

\*\* Average weighted by types of fare actually paid

# Span of Service Impacts

Boardings	Present Service and Fares	Scenario 1	Scenario 2
Weekday Span of Service (Rail or Bus)	15.7 hours	14.5 hours	14.5 hours
Saturday Span of Service	15.8 hours	11.8 hours	0 hours
Sunday Span of Service	10.4 hours	0 hours	0 hours
Weekly Span of Service	104.7 hours	84.3 hours (19% reduction)	72.5 hours (31% reduction)

# Quality of Service Impacts

Level of Service (Bus + Rail)	Present Service	Scenario 1	Scenario 2
Weekday Span of Service*	C	C	C
Weekday Frequency (peak/off-peak)	C/E	C/E	E/F
Saturday Span of Service*	C	D	D
Saturday Frequency*	E	E	F
Sunday Span of Service*	E	F	F
Sunday Frequency*	F	F	F
Average Weekday Time from Needham to Boston**	62 minutes	66 minutes	76 minutes
Average Saturday Time from Needham to Boston**	83 minutes	130 minutes	<b>No service</b>

\* According to the *Transit Capacity and Quality of Service Manual (TCQSM)*,  
TCRP 100, National Academy of Sciences

\*\* Weighted by travelers' preferred departure times, estimated by D. Allen

# Differences Between Sources of Loss and 'Gap' Closure

	Bus	Subway	Light Rail	Commuter Rail	Boat	The RIDE
Fraction of Costs Covered by Fares (2010)	22.6%	50.0%	49.5%	47.8%	57.7%	4.0%
Fraction of Net MBTA Operating Loss (2010)	<b>37.5%</b>	<b>20.9%</b>	<b>9.7%</b>	<b>20.0%</b>	<b>0.6%</b>	<b>11.4%</b>
Fraction of Scenario 1 'Gap' Closure	23.2%	<b>26.6%</b>	<b>11.7%</b>	<b>24.2%</b>	2.3%	11.9%
Fraction of Scenario 2 'Gap' Closure	<b>33.3%</b>	27.8%	11.9%	19.0%	2.3%	5.7%

- Scenario 1 relies disproportionately on rail
- Scenario 2 has a better match for Bus between source and 'closure' fractions

# MBTA May Have Underestimated 'Gap Closure' from Commuter Rail

- MBTA estimates both Scenarios 1 and 2 to reduce operating costs by \$5.7 million or 2%
- Service cuts appear to be about 20% of train-miles
- 20% of reported 2010 fuel and lube costs alone for commuter rail would be \$6.8 million
- Savings to the operator (MBCR) could be at least \$20 million or 7% (independent estimate)

# MBTA Should Seek More Economies With Commuter Rail

- Average MBTA commuter car carries 34 passengers at any given time vs the US average of 37 (and Washington DC at 52)
- Longer routes incur high costs for low-ridership off-peak services; Needham Line has the best cost recovery in the MBTA commuter rail system
- Toronto's GO Transit achieves significant economies by covering lightly-traveled trips with highway motor coaches, keeping average rail carload at about 54

# Comparison of Fares, Costs, and Cost Recovery – Commuter Rail

	MBTA	Scenario 1	Scenario 2	GO Transit (Toronto)***
Minimum adult cash fare (Zone 1)	\$1.70	\$2.40	\$2.25	\$4.50
Cash fare (Zone 2*)	\$4.75	\$7.00	\$6.50	\$5.40
Monthly pass	\$151.00	\$215.00	\$204.00	\$184.00
Fraction of operating costs covered by fare revenues (2010)	47.6%	N/A	N/A	73.6%
Direct Operating Costs per Vehicle-mile (2009)	\$11.56	N/A	N/A	\$9.37**

\* GO fares are for Guildwood station, 12.6 miles from downtown Toronto

\*\* GO Transit operates some services with buses. Vehicle-miles for rail were estimated from train-kilometres reported to CUTA.

\*\*\* Fares increased to this level effective February 18, 2012

# Comparison of MBTA and GO Transit

	MBTA	GO Transit (Toronto)
Rail route-miles (2009)	366	242
Rail stations (2009)	132	62
Parking Spaces (2010)	31,000	60,150
Average Parking Spaces per Station	<b>235</b>	<b>970</b>
Average Distance between Stations (mi)	2.7	3.9
Average Timetable Speed	29 mph	32 mph
Annual Boardings per Mile of Route (2009)	<b>110,882</b>	<b>191,117</b>
Average Fare Paid per Passenger-Mile Traveled (2010)	<b>\$0.163</b>	<b>\$0.276</b> (rail and bus combined)
Direct Operating Costs per Passenger-Mile (2009)	\$0.339	\$0.236 (rail only) \$0.333 (rail & bus)
Recovery of Costs from Fares (2010)	<b>47.6%</b>	<b>73.6%</b> (rail and bus combined)

# Comparison of MBTA and GO Transit



Average age: 21.7 years



Average age: 7.9 years

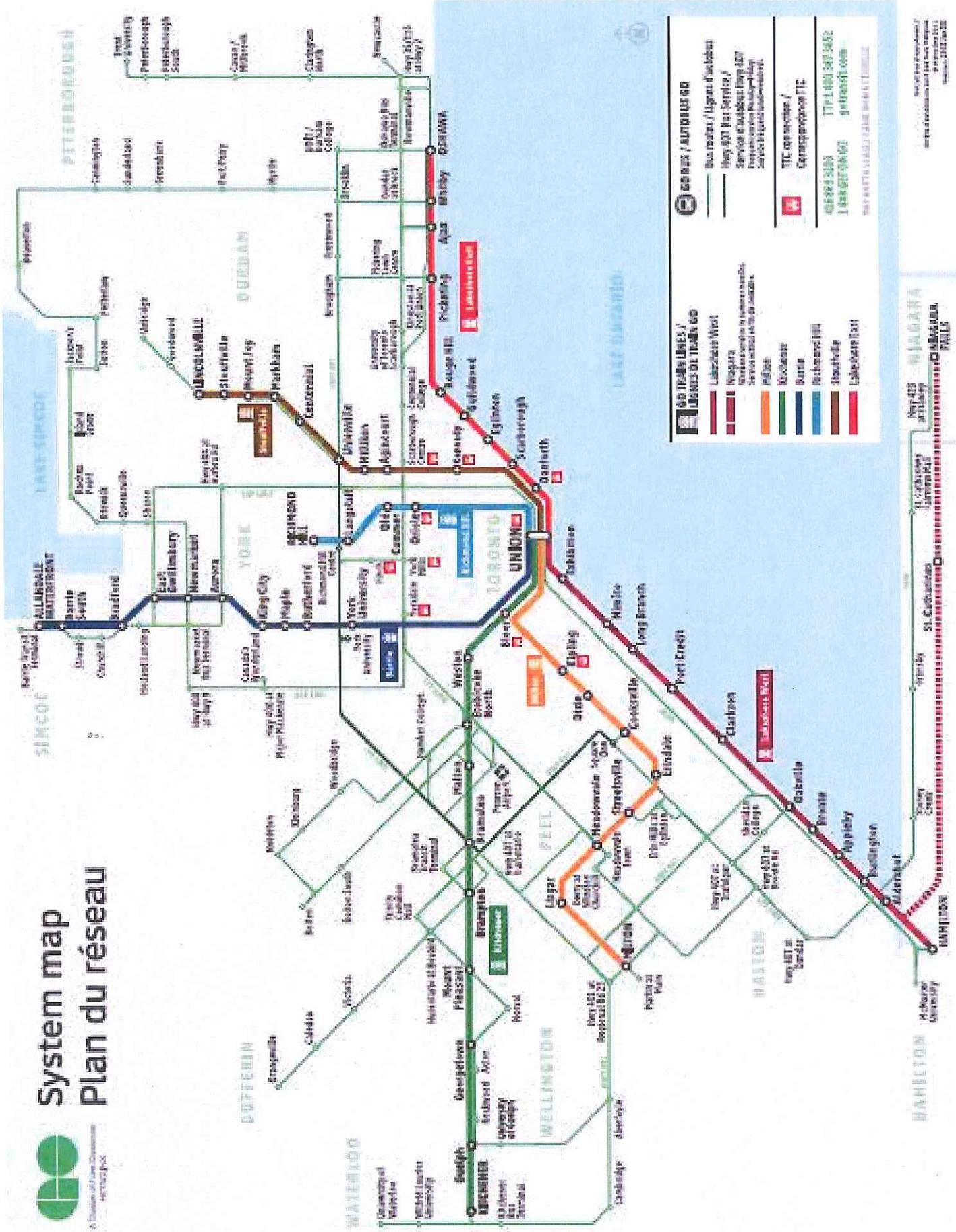


Average age: 5.5 years



# System map Plan du réseau

© Division of Transit Services  
MARCH 2005



**GO TRAIN LINES / LIGNES DE TRAIN GO**

- Lakeshore West
- Kitchener
- Stouffville
- Richmond Hill
- Markham
- Lakeshore East

**GO BUS / AUTOBUS GO**

- Bus routes / Lignes d'autobus
- Ferry 401 Bus System / Service d'autobus Ferry 401
- Express routes / Lignes express
- Local routes / Lignes locales

**TTC operations / Opérations TTC**

416-393-5000    771-400-3873/4852  
1-888-925-0860    go.com/416

Map of the Greater Toronto Area Transit Authority  
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March 2005

WATERLOO  
UNIVERSITY OF WATERLOO  
WATERLOO COLLEGE  
UNIVERSITY OF GUELPH  
WELLINGTON  
PEEL  
YORK  
SIMCOE  
HALTON  
HAMILTON

Monday to Friday (except holidays)  
Du lundi au vendredi (sauf les jours fériés)

EASTBOUND/DIRECTION EST

Bus route number Nombre d'itinéraire	Union Exception	Union & Main	Union & Thompson	Legat GO	Terri Line & Argenta	Meadowdale Dart & Winton Crest	Meadowdale Town Centre	Meadowdale GO	Shearville GO	Finch GO @ Ogden	Square One GO Terminal	Coakville GO Hilcrest & Hurontario	Dixie GO & Dundas	Kipling GO	Union Station Toronto
21U N		04:40	04:45	>>		05:00	05:05	05:10	05:20	05:10	>>	05:20	>>	>>	05:45
21V		04:40	04:45	>>		05:00	05:05	05:10	05:20	>>	>>	>>	>>	>>	06:00
21B		04:55	05:00	>>		05:15	05:21	05:27	>>	>>	>>	>>	>>	>>	06:00
21E				05:20		>>	>>	05:35	>>	>>	>>	>>	>>	>>	06:15
21G N										05:45	>>	>>	>>	>>	06:15
21L N											05:40	05:50	>>	>>	06:15
21H		06:25	05:30	>>		05:45	05:51	05:57	>>	>>	05:40	05:50	05:00	>>	06:20
21B			06:23	06:31		>>	>>	06:37	06:40	06:45	>>	06:50	06:55	07:00	06:30
			05:48	06:56		>>	>>	07:02	07:05	07:10	>>	07:15	07:20	07:25	07:45
			07:08	07:16		>>	>>	07:22	07:25	07:30	>>	07:35	07:40	07:45	08:07
			07:23	07:31		>>	>>	07:37	07:40	07:45	>>	07:50	07:55	08:00	08:23
			07:38	07:46		>>	>>	07:52	07:55	08:00	>>	08:05	08:10	08:15	08:38
			07:53	08:01		>>	>>	08:07	08:10	08:15	>>	08:20	08:25	08:30	08:53
			08:08	08:16		>>	>>	08:22	08:25	08:30	>>	08:35	08:40	08:45	09:07
21K										08:40	08:40	>>	>>	>>	09:20
21K										08:50	08:50	>>	>>	>>	09:30
21M												09:10	09:10	>>	09:45
21L N											>>	09:05	>>	>>	09:45
21C								08:53	>>	>>	>>	>>	>>	>>	09:45
21F								09:05	>>	>>	>>	>>	>>	>>	09:50
21G N									>>	>>	>>	>>	>>	>>	09:50
21C							09:00	>>	>>	>>	>>	>>	>>	>>	09:50
21E			08:40			>>	>>	09:00	>>	>>	>>	>>	>>	>>	09:55
21L N											>>	09:20	>>	>>	09:55
21B		08:35	08:40	>>		08:57	09:04	09:11	>>	>>	>>	>>	>>	>>	09:55

Buses

Trains

Weekday Span of  
Service – 19 hours  
TCQSM LOS 'B'

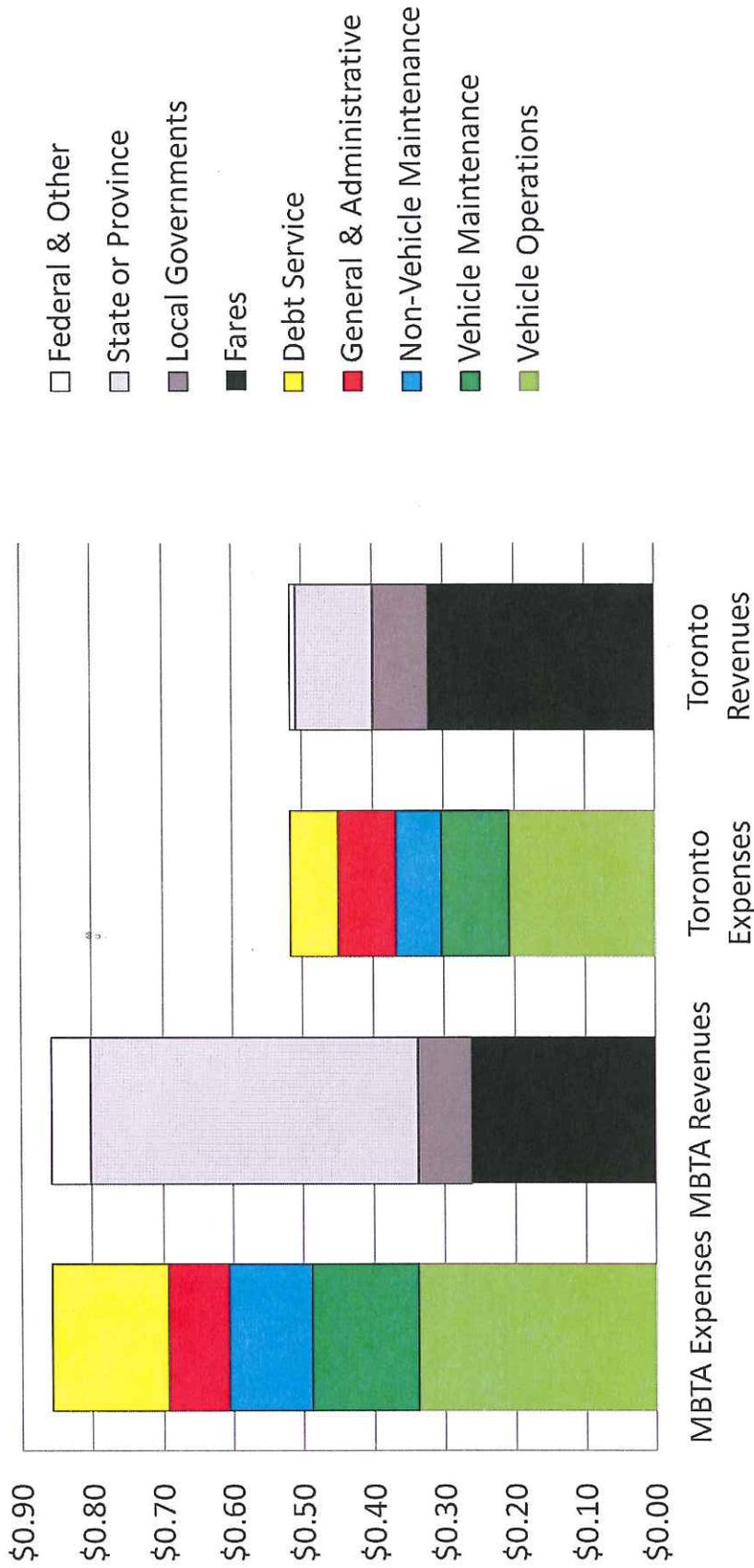
Distance similar  
to Needham

# Comparison of Fares, Costs, and Cost Recovery – Local Transit

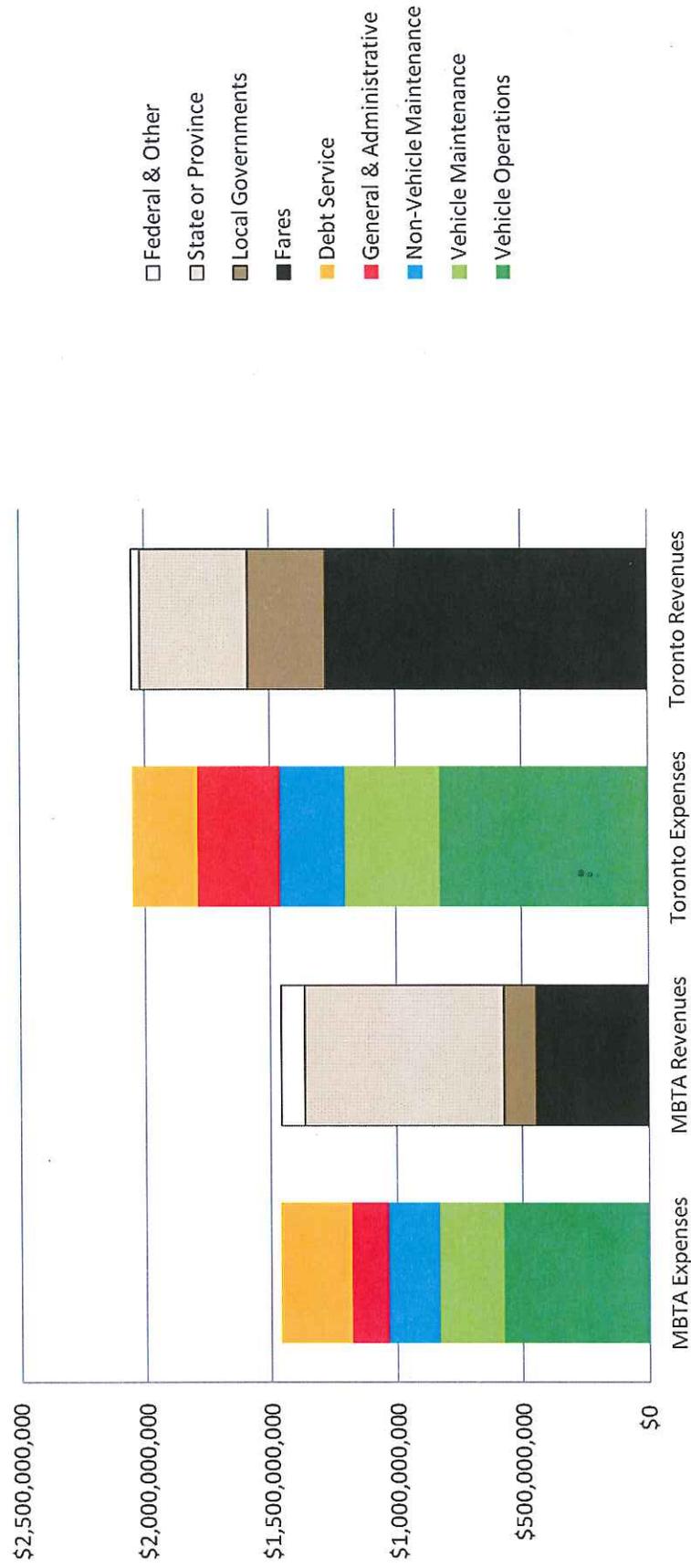
	MBTA	Scenario 1	Scenario 2	TTC (Toronto)
Local bus cash fare (Adult)	\$1.50	\$2.25	\$2.00	\$3.00 (free transfers)
Subway cash fare	\$2.00	\$3.00	\$3.00	
Single trip (card) with transfer	\$1.70	\$2.40	\$2.25	\$2.60
Day pass	\$9.00	\$12.00	\$12.00	\$10.50
Weekly pass	\$15.00	\$20.00	\$20.00	\$37.50
Monthly pass	\$59.00	\$80.00	\$78.00	\$126.00
Fraction of operating costs covered by fare revenues (2010)	37.8%	N/A	N/A	68.5%
Direct Operating Costs per Vehicle-mile (2010) *	\$14.71*	N/A	N/A	\$10.71

\* Subway, bus, and light rail only – same modes as TTC

# Annual Expenses and Revenues per Passenger-Mile



# Annual Expenses and Revenues- 2010



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# **REVIEW OF MASSDOT FARE INCREASE AND SERVICE CUT PROPOSALS**

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Presented by the Finance Committee to member communities for their  
consideration prior to the February 29, 2012 full board meeting

MBTA  
Advisory  
Board

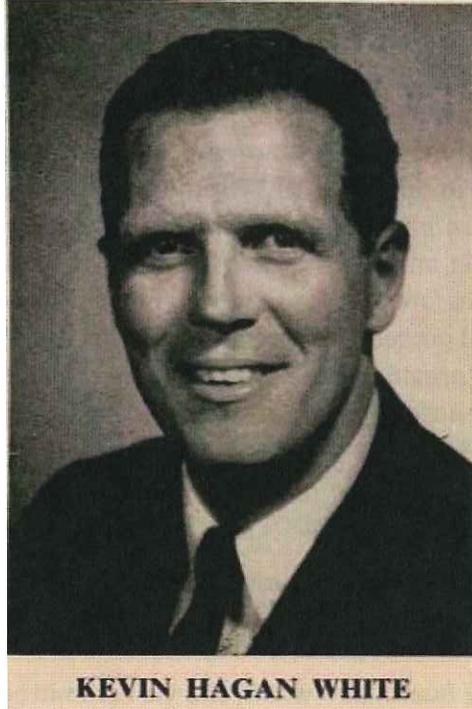
February 2012

The MBTA Advisory Board is an independent statutory organization which represents the interests of the 175 cities and towns in the MBTA service district. Each year these municipalities contribute over \$150 million in subsidies to the MBTA via municipal assessments.

MBTA Advisory Board  
177 Tremont Street, 4<sup>th</sup> Floor  
Boston, MA 02111

Phone: 617-426-6054  
Fax: 617-451-2054  
Email: [info@mbtaadvisoryboard.org](mailto:info@mbtaadvisoryboard.org)  
Website: [www.mbtaadvisoryboard.org](http://www.mbtaadvisoryboard.org)

## Dedication



Dedicated to the memory of the Honorable Kevin Hagan White  
(1929 – 2012)

Mayor, City of Boston  
1968 – 1984

Member, MBTA Advisory Board  
1968 - 1984

**Preface**

Massachusetts General Law chapter 161A, section 5 (d) states:

“No proposal for a systemwide change in fares or decrease in systemwide service of 10 per cent or more shall be effective until said proposal shall first have been the subject of one or more public hearings and shall have been reviewed by the advisory board and, for a systemwide increase in fares of 10\% or more, the MBTA board has made findings on the environmental impact of such increase in fares and, for a systemwide decrease in service of 10\% or more, the decrease shall be the subject of an environmental notification form initiating review pursuant to sections 61 and 62H, inclusive, of chapter 30. Any systemwide increase in fares of 10 per cent or more shall conform to the fare policy established pursuant to paragraph (r). The authority shall increase fares only to provide needed revenue and shall not increase fares solely for the purpose of funding the stabilization fund established pursuant to section 19.”

The MBTA Advisory Board finds that MassDOT’s proposed scenarios would increase MBTA fares by 10% or more, and would decrease MBTA service by 10% or more. In recognition of this the Authority presented these scenarios to the Advisory Board (the first such public meeting) on January 9, 2012. The Advisory Board, as a whole and via committee has reviewed said proposals and finds that the Authority has met its statutory obligations under section 5 (d).

**Executive Summary**

Based on testimony at public meetings on MassDOT’s plans to raise MBTA fares and cut MBTA service, as well as a decade-long track-record of sounding the alarm about the MBTA’s cyclical and structural operating and capital financing crises, the MBTA Advisory Board offers the following proposals to close the MBTA’s FY13 operating budget deficit and help close its projected FY14 operating deficit. The framework for these proposals is based upon the following principals:

- Focus on commuters- the vast majority of ridership who just want to get to/from work
- No service cuts or changes to RIDE service area for the time being.
- Buy time for Patrick/Murray Administration and Legislative Leadership to find a long-term solution to our broken transportation system.
- Focus on Transportation Reform and co-operation by all parts of State Government
- Those who benefit the most from transit service should contribute towards it’s proportionally and equitably.

To close the FY13 \$161.1 million operating deficit the Advisory Board makes the following proposals to generate new revenue (\$91.6 million) and find more savings through transportation reform (\$79.0 million).

<u>FY 13 Revenue/Savings Proposals</u>	<u>Revenue/Savings (\$, net, millions)</u>
New Revenue from MBTA Ridership	75.0
More Savings from Transportation Reform	70.8
MBTA Innovation and Restructuring	11.7
<u>Revenue from Institutional Beneficiaries of MBTA Service</u>	<u>13.1</u>
TOTAL:	170.6

The Advisory Board’s proposal, while not perfect, does preserve the transit system and bring more stakeholders into the discussion around fixing public transportation. Most importantly it provides a window of opportunity for the Patrick/Murray Administration and Legislature to lead us out of this mess. MassDOT’s proposals offer only a one-year fix that leads right back to even more cuts and fare hikes next year. Since 2003 the Advisory Board and numerous other reports, articles, and papers have heralded the MBTA’s fiscal woes and warned of draconian fare increases and service cuts. 2012 is the year when either such cuts and increases come to pass or the year that our elected leaders finally get serious and deliver the comprehensive, long-term solution that will allow Massachusetts to thrive in the years ahead.

## Introduction

In January 2012 MassDOT announced plans to close the MBTA's \$161 million FY13 operating budget deficit via fare increases and service cuts. Since this announcement at numerous public hearings and meetings the reaction has been clear- the public demands something else.

While there is not unanimity about how this new solution should be framed, broadly speaking there seems to be consensus around the following themes:

- The MBTA is mired in a structural and cyclical deficit, which requires a legislative fix.
- Such a legislative solution will eventually require new revenue, cost shifting, and debt relief to be successful.
- Riders cannot and should not bear the burden of new revenue alone.
- Fare increases, while unpalatable, are preferable to service cuts.
- The burden of revenue increases and cost reductions should be as small as possible, and should be shared by as many stakeholders as possible.
- The MBTA must do everything possible to collect all the fare revenue it is owed.
- Leadership is required from the Patrick/Murray Administration, Legislature and other leaders to find a way out of this that does not require figurative annual bloodletting.

It is important to note that the MBTA has much more than a \$161 million operating budget deficit. On paper its FY13 deficit is closer to \$185 million, which management to its credit has reduced through efficiencies, attrition, and changed work practices. It carries a debt burden of over \$8 billion in principal and interest that devours over \$400 million in spending annually. Despite such large annual payments the amount it spends on debt principal is too low for it to get out of debt at any time in the near future. Its backlog of state-of-good-repair projects is well over \$3 billion meaning that maintenance and enhancement projects will continue to be deferred and the system will continue to lurch from crisis-to-crisis, delay-to-delay, and frustration-to-frustration for want of revenue. For the past several years the Authority has plugged large operating deficits through greater efficiency, land sales, revenue securitization and by refinancing and restructuring debt. This year MassDOT's proposal is for fare increases and service cuts. In FY14 the deficit is projected at over \$201 million, and even if all the cuts and fare increases are enacted the deficit will still be over \$40 million.

The MBTA Advisory Board offers the following alternative to MassDOT’s fare increase and service cut proposals. While this alternative is certainly not a long-term fix it does buy one-year of breathing space for the Patrick/Murray Administration and Legislative leadership to finally fix transportation. For FY13 the Advisory Board proposes:

<u>FY 13 Revenue/Savings Proposals</u>	<u>Revenue/Savings (\$, net, millions)</u>
New Revenue from MBTA Ridership	
25% fare increase	75.0
Subtotal:	75.0
More Savings from Transportation Reform	
Assistance with transportation security costs	36.3
Transfer ferry service & assets to MassPort	31.1
Private Carrier/Suburban Bus cost reallocation	2.1
Assistance of homeless transportation costs	<u>1.3</u>
Subtotal:	70.8
MBTA Innovation and Efficiencies	
0% FY13 wage increase for all MBTA employees	8.2
MBTA abutter lease program	2.0
Alcohol advertisement program reinstatement	<u>1.5</u>
Subtotal:	11.7
Payments	
Transit proximity beneficiary payments	5.5
Special event surcharge	5.0
CR proximity beneficiary payments	<u>2.6</u>
Subtotal:	13.1
<b>TOTAL:</b>	<b><u>170.6</u></b>
FY13 Operating Deficit:	<u>-161.1</u>
Surplus Towards FY14 deficit	9.5

In addition, at the request of our members and in direct response to the public testimony of the public at MassDOT’s hearings on their proposals, we request the MassDOT Board undertake the following non-revenue policy reviews and provide us a written response:

- FY13 Non-Revenue Policy Requests of MassDOT Board of Directors**
- Fare evasion study and reduction policy ASAP
  - RIDE in-person assessments as soon as possible
  - Statewide paratransit commission findings by 4/1/12
  - TOD value capture study with recommendations by 9/1/12
  - Underperforming route “watch list” policy with timeline and public processes.
  - New fare policy including support for small, regular increases

## New Revenue from Ridership (\$75 million from 25% fare increase)

The Advisory Board believes that everyone who benefits from public transportation should contribute towards it and while fare increases are unpalatable they are necessary from time to time. MassDOT proposes either a 43% average fare increase to yield \$123.2 million, or a 35% average fare increase to yield \$86.6 million. The Advisory Board estimates that a more equitable 25% fare and targeted parking fee increase will yield \$75 million.

Table 1: Pass Fares with 25% Increase

Pass Category	Existing	Proposed	%
Local Bus	\$40.00	\$50.00	25.0
LinkPass	\$59.00	\$74.00	25.4
Senior/TAP	\$20.00	\$25.00	25.0
Student**	\$20.00	\$25.00	25.0
1-Day	\$9.00	\$11.25	25.0
7-Day	\$15.00	\$18.75	25.0
Inner Express	\$89.00	\$111.50	25.3
Outer Express	\$129.00	\$161.50	25.2
<b>Commuter Rail</b>			
Zone 1A	\$59.00	\$74.00	25.4
Zone 1	\$135.00	\$169.00	25.2
Zone 2	\$151.00	\$189.50	25.5
Zone 3	\$163.00	\$204.50	25.5
Zone 4	\$186.00	\$233.50	25.5
Zone 5	\$210.00	\$263.50	25.5
Zone 6	\$223.00	\$279.75	25.4
Zone 7	\$235.00	\$294.75	25.4
Zone 8	\$250.00	\$313.50	25.4
Interzone 1	\$65.00	\$81.50	25.4
Interzone 2	\$77.00	\$96.50	25.3
Interzone 3	\$89.00	\$111.50	25.3
Interzone 4	\$101.00	\$126.50	25.2
Interzone 5	\$113.00	\$141.50	25.2
Interzone 6	\$125.00	\$156.50	25.2
Interzone 7	\$137.00	\$171.50	25.2
Interzone 8	\$149.00	\$187.00	25.5
Commuter Boat	\$198.00	\$248.50	25.5
<b>Average</b>			<b>25.3</b>

Table 2: Base Fares with 25% increase

CharlieCard	Existing	Proposed	%
Adult Bus	\$1.25	\$1.55	24.0
Senior Bus	\$0.40	\$0.50	25.0
Student Local Bus	\$0.60	\$0.75	25.0
Adult Rapid Transit	\$1.70	\$2.15	26.5
Senior Rapid Transit	\$0.60	\$0.75	25.0
Student Rapid Transit	\$0.85	\$1.00	17.7
Local bus + Rapid Transit	\$1.70	\$2.15	26.5
Inner Express Bus	\$2.80	\$3.50	25.0
Outer Express Bus	\$4.00	\$5.00	25.0
<b>CharlieTicket/On-Board Cash</b>			
Local Bus	\$1.50	\$2.00	33.3
Rapid Transit	\$2.00	\$2.50	25.0
Inner Express Bus	\$3.50	\$4.50	28.5
Outer Express Bus	\$5.00	\$6.25	25.5
<b>Average</b>			<b>25.5</b>

\*\* A 7-day student pass will be introduced to accompany the existing 5-day pass. A price for this 7-day pass has not been set.

Note: Seniors, persons with disabilities, and students pay half-fare for passes. Children 11 and under ride free with adult.

The Advisory Board lacks the computer software to perform the complex modeling that the MBTA can access in its elasticity studies. However, the history of previous fare increases, the fact that 2011 saw the highest ever ridership, and recent surveys suggest that public transportation users in eastern Massachusetts are less sensitive to mild fare increases than elsewhere. Also, the fact that fares have not increased since 2007 suggests that a 25% fare increase will not result in widespread ridership loss and can yield \$75 million in new fare revenue. While clearly some ridership will be lost even with a 25% fare increase, this number will certainly be lower than that projected from MassDOT's proposed 33% or 43% fare increases.

The Advisory Board also endorses several items suggested by the MassDOT proposals:

- \$10 minimum to reload CharlieCards on-board vehicles to reduce dwell time
- Eliminate tokens
- Introduce 7-day Student Pass and price accordingly
- Reduce validity of commuter rail tickets from 180 days to 14 days.
- Increase surcharge for on-board cash transactions on commuter rail to \$3.00
- Eliminate 12-ride ticket on commuter rail, and 10 and 60-ride tickets on ferry boats.

The Advisory Board does not support the proposed 25% discount off the single-ride fare for all midday and reverse commute commuter rail trips. We see no reason for commuters to subsidize day-trippers and do not believe that price is the reason for any excess capacity at off-peak times. Discounting off-peak fares is essentially charging peak time users a surcharge. We will also oppose any attempts to add a peak-time surcharge onto the backs of commuters because day-trippers and students should not be subsidized at the expense of commuters. Commuters ride at peak hours because that is when they go to and from work. If MassDOT wants to encourage off-peak ridership it should work with employers to alter working hours not charge commuters more.

As part of its next commuter rail operating contract MassDOT must find a way to accept the CharlieCard as both a pass and for use with a declining balance to compensate for the elimination of the 12-ride ticket.

As part of this fare increase the Advisory Board also reluctantly supports a 25% increase at select rapid transit parking facilities. We support MassDOT’s proposal to hold commuter rail parking rates harmless at this time. While the percentage increases in fares for all modes are equal the dollar increases for commuter rail pass holders on a monthly and annual basis, depending on zone, is much greater for commuter rail riders than for bus and subway riders. For this reason we support keeping commuter rail parking rates frozen, and a 25% increase to rapid transit parking fees.

**Table 3: 25% Parking Fee Increases at Rapid Transit Facilities**

Parking Facility	Mode	Location	Existing	Proposed	% Change
Alewife	Red Line	Cambridge	\$7.00	\$8.75	25.0%
Beachmont	Blue Line	Revere	\$5.00	\$6.25	25.0%
Braintree	Red Line	Braintree	\$7.00	\$8.75	25.0%
Chestnut Hill	Green Line D	Newton	\$5.50	\$7.00	27.3%
Eliot	Green Line D	Newton	\$5.50	\$7.00	27.3%
Forest Hills	Orange Line	Boston	\$6.00	\$7.50	25.0%
Lechmere	Green Line	Cambridge	\$5.50	\$6.75	22.7%
Malden	Orange Line	Malden	\$5.50	\$6.75	22.7%
Mattapan	Mattapan Line	Boston	\$4.50	\$5.50	22.2%
Milton	Mattapan Line	Milton	\$5.00	\$6.25	25.0%
North Quincy	Red Line	Quincy	\$5.00	\$6.25	25.0%
Oak Grove	Orange Line	Malden	\$5.50	\$7.00	27.3%
Orient Heights	Blue Line	Boston	\$5.00	\$6.25	25.0%
Quincy Adams	Red Line	Quincy	\$7.00	\$8.75	25.0%
Quincy Center	Red Line	Quincy	\$7.00	\$8.75	25.0%
Riverside	Green Line D	Newton	\$6.00	\$7.50	25.0%
Suffolk Downs	Blue Line	Boston	\$5.00	\$6.25	25.0%
Sullivan	Orange Line	Boston	\$5.50	\$7.00	27.3%
Waban	Green Line D	Newton	\$5.50	\$7.00	27.3%
Wellington	Orange Line	Medford	\$5.50	\$7.00	27.3%
Wollaston	Red Line	Quincy	\$5.00	\$6.25	25.0%
Woodland	Green Line D	Newton	\$6.00	\$7.50	25.0%
Wonderland	Blue Line	Revere	\$5.00	\$6.25	25.0%
<b>AVERAGE</b>					<b>25.3%</b>

The days of stuffing bills into small slits in a metal box to pay for parking must end. As part of the next series of parking management contracts MassDOT must find a way to allow FastLane transponders and other technologies to pay for parking at all MBTA facilities. Transportation

Reform promised us cooperation between the Turnpike, Highway, and transit divisions of MassDOT and we see no more visible means to show this coordination than making this a reality as soon as possible.

**More Savings from Transportation Reform (70.8 million)**

Assistance with transportation security costs	36.3
Transfer ferry service & assets to MassPort	31.1
Private Carrier/Suburban Bus cost reallocation	2.1
Assistance with homeless transportation costs	<u>1.3</u>
Subtotal:	70.8

Transportation Reform promised the citizens of Massachusetts millions from consolidation and greater efficiencies and to date refinancing and shifting costs have realized millions in savings. For instance, maintenance costs of the Massachusetts Turnpike were shifted to the MassDOT Highway Division, part of employee health care premium costs were shifted from the MBTA operating budget to employees via the GIC, and the cost to operate the Worcester Airport was shifted from the City of Worcester to MassPort among other reforms. Transportation Reform promised that the state entity most capable of delivering public services to the citizens of the Commonwealth would do it, regardless of which Secretariat, Board, or Authority it fell under. The Advisory Board believes that Transportation Reform holds the promise to deliver millions more in better management and organizational changes to aid MBTA riders in this time of crisis. It is past time for MassDOT to deliver on this promise. We feel that some services currently provided by the MBTA can be better provided, and perhaps more affordably provided by other state entities. Everyone in State government works for its elected leadership, and the Advisory Board believes that this leadership should embrace the spirit of Transportation Reform and direct the state entity best equipped to provide critical services to provide, and pay for these services.

**Assistance with Transportation Security Costs (\$36.3 million)**

The safety of the users of our transportation services and the security of our transportation infrastructure is and should be the responsibility of the Commonwealth of Massachusetts. Paying police officers is not a core MBTA function, but providing security to its citizens is a core

function of the State. The Advisory Board believes that security of MBTA facilities and transit riders should be provided by the Commonwealth of Massachusetts. Enacting this will remove \$37.6 million in direct operating costs from the MBTA's operating budget in FY13, plus millions more in future capital expenditure. The State could decide to cover the cost of the MBTA Transit Police from the budget of the Executive Office of Public Safety, or merge it with the State Police, or fund it from the MassDOT budget, or wherever it fits best. The MBTA must focus on its core functions: moving commuters on buses and trains, and while security is critical; in the 21<sup>st</sup> century it is a statewide issue. Threats to tunnels, rails, and buses are not just MBTA concerns they are concerns to all of Massachusetts and deserve to be treated as such.

In 2011 the MBTA Advisory Board supported the merger of the Massachusetts State Police and MBTA Transit Police. Legislation (H 2922) is currently pending, yet the results of this are not guaranteed and even if it passes there is no assurance that it would save the MBTA any money. Regardless of the passage of this legislation the cost of providing policing and transportation security should not rest with the MBTA. Shifting these costs need not shift oversight or responsibility however. MassPort does not have its own police force, instead relying on a troop of the Massachusetts State Police, and yet security functions between these two separate; yet linked entities seem well integrated.

### **Transfer Ferry Service and Assets to MassPort (\$31.1 million)**

In 2011 the MBTA Advisory Board called upon MassPort to pick up the subsidy for all ferry and commuter boats because we foresaw this year's move to eliminate them. A January 30, 2012 editorial in the Boston Globe titled "If MBTA can't fund ferries, other agencies should step in" agrees, stating "a better proposal, which is under consideration by a MassDOT committee, would transfer responsibility for subsidizing the service to Massport, the state agency that runs Logan Airport and the port of Boston. The ferries may be a better fit there anyway, since water transport is already part of Massport's mission. Massport should have the needed expertise to oversee a ferry operation, and its finances are in better shape."

In response to the Advisory Board's proposal last year then MassDOT Secretary Jeffrey Mullan established the Airport Ground Access and Surface Transportation (AGAST) Working Group.

This group identified several ways in which MassPort could assist the MBTA in ways mutually beneficial. Based on this preliminary draft the Advisory Board calls upon the related parties to speed up the process of implementing the following actions:

Sell Ferry assets	16.0
Sell East First Street Parcel (S. Boston)	10.4
Reallocate annual ferry subsidies	3.6
Reallocate SilverLine airport fare revenue	<u>1.1</u>
Subtotal:	31.1

\$26.4 million of these costs are one-time revenues, while \$4.7 million are on-going costs. While the Advisory Board generally opposes the use of property sales to fund operating expenses it seems unavoidable in this context of cuts and fare hikes.

The MBTA has considered eliminating ferry service in 2007, 2009 and now in 2012. The merits of commuter boat transportation are obvious, but it is also obvious that their future with the MBTA is limited. The hard reality is that the MBTA simply cannot afford to operate ferries, but the state agency that operates the Port of Boston can.

Sell Ferry Assets (\$16.0 million)

The MBTA owns the Fore River terminal in Quincy, docks at Long Wharf in Boston, and leases terminal space in Hingham from the Department of Conservation and Recreation in Hingham. It also owns parking lots in Quincy and Hingham as well 2 passenger boats the *Flying Cloud* and the *Lighting*<sup>1</sup>. MassPort estimates the value of these assets at \$17 million.

MassPort operates the Port of Boston and has over 50 years of maritime contracting and operating experience. It also currently owns and maintains a ferry dock at Logan Airport. It is also one of the most successful catalysts of waterfront development on the east coast, and should be able to generate more return from commercial ventures on these properties, which could be used directly to subsidize continued boat operations. The MBTA would lose about \$1 million in annual revenue in forgone parking and commercial lease revenue under this proposal, netting \$16.0 million in FY13.

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<sup>1</sup> MBTA Ridership and Service Statics (Bluebook) 13<sup>th</sup> edition 2010, page 79

Sell East First Street Parcel (\$10.4 million)

The MBTA owns around 9.3 acres of land near East First Street in South Boston that it uses for bus storage, certain administrative offices and a generator building. The Authority has designated a portion of this property as an excess transfer parcel. MassPort would like to acquire this parcel as part of its Conley Terminal Dedicated Freight Corridor Project, and in 2010 the Legislature passed a statute facilitating this transfer. It is unclear why no sale agreement has been entered into yet.

Given the importance of the Conley Terminal Dedicated Freight Corridor Project to the future of the Port of Boston and the positive benefits of getting heavy trucks off of South Boston neighborhood streets and onto a dedicated right-of-way the Advisory Board sees no reason why this project should not move forward. MassPort estimates the value of this parcel at \$10.4 million and while the MBTA must ensure it receives fair market value and retains all necessary easements and protections for public transportation use it is also important that it consummate this deal in FY13.

Reallocate Ferry Subsidies (\$3.6 million)

The MBTA estimates \$3.6 million in savings in FY13 by not subsidizing ferry and commuter boat service when MassPort picks up this subsidy. Ferry operations are contracted to third parties, and the MassPort Board could simply take over these contracts by a vote of its Board anytime after the existing contracts expire in March 2012. Ferries already provide access to the airport, suggesting this as an allowable cost under FAA regulations. Under the MassDOT umbrella the use of CharlieCards may continue, and MassPort is and will continue to be eligible to receive federal transportation formula funds such as existing earmarks. MassPort also holds a permanent seat on the Boston MPO, which allocates these funds. MassPort's existing Community Advisory Committee currently has representation from communities such as Quincy and Weymouth and could be expanded in size and scope to improve the municipal voice in ferry and all MassPort operations and policies. The Advisory Board believes that the MBTA cannot and will not expand commuter boat service to places like East Boston, Lynn, Salem, Winthrop and others in the future, and that MassPort is the best opportunity these

municipalities have to see the ferry services they want retained, implemented, and/or expanded.

Reallocate SilverLine airport fare revenue (\$1.1 million)

The MBTA maintains a complex relationship with MassPort, which paid for 8 of the 32 special SilverLine buses the MBTA acquired for the waterfront and airport service. Each year MassPort pays the MBTA \$2 million towards the operation and maintenance of 8 vehicles and in return the MBTA remits all fare revenue received from passengers boarding at Logan Airport to MassPort. In FY13 the MBTA expects to pay about \$1.12 million to MassPort under this deal. Given the disproportionate benefit MassPort and Logan Airport receive from the MBTA the Advisory Board believes this practice should be discontinued and the MBTA should retain all revenue it collects at the airport for its own use.

**Private Carrier/Suburban Bus subsidy reallocation (\$2.1 million)**

The MBTA currently contracts private operators to run bus routes in Medford (710), Winthrop (712/713), Hull (714), and from Canton to Mattapan Station (716). Its suburban bus program partially subsidizes shuttle bus service in Beverly, Burlington, Dedham, Lexington, and the Mission Hill neighborhood of Boston. Under scenario 1 MassDOT proposes eliminating funding for the Medford (710) and Canton (716) private carrier routes, and all subsidies for the suburban bus program. Under Scenario 2 all private carrier funding and suburban bus subsidies would be eliminated.

While these routes are important to the constituencies they serve they are also perennial targets for elimination. In 2011 the MBTA Advisory Board in its FY12 budget report stated: "These routes are important to the people of those communities who use them, and should be maintained if possible. However, the precarious nature of the MBTA's budget suggests that the future is not bright for these services." At that time we proposed spinning off these routes to other MassDOT entities to allow the MBTA to focus on its core mission of operating its own buses and trains to serve commuters. We suggested that MassPort fund the Winthrop (712/713) and Hull (714) routes, and that the successful MassDOT agency MassRIDES use its leverage with the local Transportation Management Associations it subsidizes to operate the

remaining routes and shuttle services. In 2012 the Advisory Board renews this proposal. Shifting these costs to other MassDOT entities will save the MBTA \$2.1 million in FY13 and is a better option than simply eliminating these routes all together.

**Assistance with homeless transportation costs (\$1.3 million)**

The MBTA operates 3 bus routes that provide access the City of Boston’s homeless shelter on Long Island and to the Shattuck Hospital. These routes (275, 276 & 277) do not accept fares and operate purely as a social service benefit for a vulnerable population in need of transportation. In 2011 the operation of these routes cost the MBTA just under \$1.3 million. It is critical that homeless population have access to shelters and medical care, it seems logical to suggest that a department like Health and Human Services or Housing and Community Development should pay to provide such transportation rather than the MBTA. The State must stop using the MBTA to fill social service gaps at the expense of millions of citizens who depend on it each and every day.

**MBTA Innovation & Restructuring (\$11.7 million)**

The FY13 budget was reduced from \$185 to \$161 million through management, efficiencies, and innovation by MBTA management. The Advisory Board appreciates these efforts and believes that certain policy changes within the purview of the MassDOT Board can generate an additional \$11.7 million in savings through innovation and organizational restructuring.

0% FY13 wage increase for all MBTA employees	8.2
MBTA abutter lease program	2.0
Alcohol advertisement program reinstatement	<u>1.5</u>
Subtotal:	11.7

**0% FY13 wage increase for all MBTA employees (\$8.2 million)**

Over the last 5 years the story of which MBTA employees received raises and which did not is uneven. For the first time since 2006 the 200 or so non-unionized employees received raises of 1.5% effective July 1, 2011 and 1.5% effective January 1, 2012. 500 or so unionized employees received 0% in FY11, 3% in FY12, 2% this year, and are schedule for 2% next year. The remaining 5,400 or so unionized employees, including members of the Carmen’s Union Local 589 saw raises of 3% in FY07, 3% in FY08, 3% in FY09, 4% in FY10. The MBTA is currently in negotiation with Local 589

about a new contract to cover FYs 11-15, with any wage increase for FYs 11-13 being paid in arrears and retroactively.

This history is starkly contrasted with the experience of many employees of the cities and towns that are members of the MBTA Advisory Board. Since the effects of the Great Recession became evident starting in 2008 employees of municipalities and indeed most sectors of the American economy did not receive raises, and in fact many received the opposite--pink slips. In cities and towns across eastern Massachusetts, Mayors, Boards of Selectmen, and other leaders have made difficult choices to freeze wages for all employees, including unionized fire, police, teachers, DPW, and other workers. While it is true that all MBTA employees have or are joining the State's Group Insurance Commission which charges higher co-pays and premiums than were charged in the past; it is also true that thousands of municipal employees have also joined the GIC and seen out-of-pocket expenses increase. It seems only fair that unionized MBTA employees now stand with their municipal colleagues by accepting a wage freeze in FY13.

The manner in which pay and benefits are set for unionized MBTA employees is broken, and disconnected from reality. If and when MBTA management and MBTA unions disagree on the terms of the next contract an independent arbiter may make the final decision. Just such an arbiter granted average wage increases of 3.25% per year for the fiscal years 2007-2010 in the middle of a recession. Because this decision granted retroactive raises the MBTA was forced to pay out over \$65.9 million at once and raised parking fees at all its facilities by \$2.00 to cover these costs. Freezing all wages for FY13 (and FYs 11 and 12 retroactively for that matter) will prevent the MBTA from having to come up with another lump-sum retroactive payment when the next contract is settled, possibly even at the start of the next fiscal year just after fares and parking fees go up.

MBTA management's hands are tied, and the MassDOT Board of Directors must act on this just as dozens of Mayors, City Councils, Boards of Selectmen, Finance Committees, and Town Meetings across eastern Massachusetts have already done. Freezing wages will save \$8.2 million in budgeted costs, and many times that amount in future operating costs going forward.

If necessary, the Board of Directors should file legislation seeking the authority to do this or take the matter to court if needed. We note that MassDOT's proposals envision layoffs of 110FTE position in scenario 1, and 564 in scenario 2, and suggest that a wage freeze is more in the interest of all MBTA employees than such workforce reductions.

### **MBTA Abutter Program (\$2 million)**

The MBTA is one of if not the largest landowner in Massachusetts. There are at least 48 examples of MBTA property being leased or otherwise conveyed to communities or other state agencies for bike path uses alone, amounting to well over 50 miles of rail-right-of-way for use for recreational purposes with little recompense to the MBTA and no opportunity for the MBTA to enter into leases that could help defer the revenue raising options currently before the public.

The Advisory Board proposes that the MBTA or its agents survey the remaining property owned by the Authority but not currently used for transportation purposes with an eye towards entering into short term land leasing arrangement with abutters. Moreover, it is common that abutters of disused rights of way tend to encroach on those properties either out of ignorance of the property line or confidence that they will not be discovered. Since the MBTA has a property management agent we feel that that those encroaching on MBTA property can be contacted and settlements reached with little expense to the MBTA. Uses for these properties could include property access, additional parking or material storage. The program would increase revenues, reduce trespassing and illegal dumping, reassert MBTA control over its properties and open up properties currently underutilized to abutters in need of expansion. The Advisory Board recommends that these land leases be at fair market value and for terms no longer than 10 years at a time. In FY13 we estimate \$2 million in new revenue under this program.

### **Alcohol Advertising Program Reinstatement (\$1.5 million)**

At the end of January, in the midst of the public meetings on MassDOT's plans to raise MBTA fares and reduce service the Department announced plans to stop accepting advertisements for alcohol, which generate \$1.5 million annually in non-fare revenue for the MBTA. Secretary

Davey told the State House News that no revenue would be lost, as the Authority could resell that advertising space at no new loss. The Advisory Board believes that a better idea is to continue to accept alcohol advertisements and find new space to sell to advertisers clamoring to be seen by MBTA passengers. This would result in an additional \$1.5 million in revenue in FY13.

Many advocates believe that banning alcohol ads from MBTA property will somehow reduce underage drinking and “send a message” that the public does not condone such behavior. While the Advisory Board certainly supports laws banning the sale or consumption of alcohol by those under the legal drinking age, we also believe that the amount of such advertisements in magazines, on television, and in other media will surely swamp any reduction in advertising by banning such ads on the MBTA. The MBTA has a public interest in banning some types of advertising, but not alcohol and certainly not during this financial crisis,

## **Revenue from Institutional Beneficiaries of MBTA Service (\$13.1 million)**

Transit proximity beneficiary payments	5.5
Special event surcharge	5.0
CR proximity beneficiary payments	<u>2.6</u>
Subtotal:	13.1

The Advisory Board believes that those who benefit from public transportation should contribute towards it. Riders pay fares, cities and towns pay assessments, and taxpayers statewide contribute part of their sales tax revenue to fund the MBTA. Yet at public hearings from Attleboro to Lowell, Salem to Worcester, and throughout the Greater Boston area at public hearings MBTA Advisory Board members and staff have heard not just how important MBTA commuter rail, buses, trains, and boats are, but also what a hardship service reductions would create to institutional beneficiaries such as universities, hospitals, cultural institutions and businesses.

### **Transit proximity beneficiary payments (\$5.5 million)**

Large institutions in and around Boston benefit tremendously from the MBTA bus and rapid transit network, and yet none directly contribute to its operation. At the public hearings numerous leaders, employees, and stakeholders of such institutions expressed their dependence on the MBTA in general, and on those bus and light rail routes on the chopping block specifically. Given the benefit delivered to these institutions by the existing bus and rapid transit networks, the Advisory Board believes that these institutions should directly contribute towards the MBTA's operations

Station name value payments	2.0
Inner-Core college student fee	2.0
Light Rail elimination mitigation	<u>1.5</u>
Subtotal:	5.5

Station Name Value Payments (\$2.0 million)

MassDOT has discussed implementing a station naming program for years, yet dozens of institutions already have rapid transit stations named after them for free. For instance Charles/MGH, BU East, Tufts Medical Center, and Airport are all named after viable institutions that surely benefit from having their name attached to a station, and should pay for this privilege. MassDOT's real estate office should simply assign a value to a named station and bill the appropriate entity; otherwise the name should be changed on electronic media and when new signs are produced.

The following institutions should be approached as benefiting from sharing their names with rapid transit stations: Harvard, MIT, Mass. General Hospital, UMass Boston, Suffolk Downs, Logan Airport, New England Aquarium, Tufts Medical Center, BC, BU (3), Fenway Park, Prudential Center, Boston Symphony Orchestra, Northeastern, Museum of Fine Arts, Longwood Medical Area, Museum of Science, and the World Trade Center. It seems reasonable to estimate these 18 institutions would contribute at least \$2 million collectively annually for the benefit of sharing a station's name.

Inner Core Student Fee (\$2.0 million)

At the hearings in downtown Boston, Roxbury, Dorchester, Mattapan, Jamaica Plain, Newton, and elsewhere in the greater Boston region numerous college students testified about the

importance of public transit to their studies, research, and social lives. Over 200,000 full and part time students attend institutions of higher education in the MBTA's inner-core service area. A \$10 student-ID fee would generate at least \$2.0 million annually without imposing a hardship on any individual student. \$10 per year is less than 3 pennies per day. These payments will directly contribute to the continued operation of the MBTA at existing service levels. Going forward any discussion of off-peak discounts for students or "night owl" service should be within the context of increasing this fee, or converting all campuses to UPass plans to pay for them.

#### Light Rail Elimination Mitigation Payments (\$1.5 million)

MassDOT estimates that cutting the Green Line E branch and Mattapan high-speed line on weekends will save \$1.5 million in FY13. At the public hearings numerous individuals who benefit from these weekend services expressed opposition to the elimination plans. Specifically testimony from students, professors, doctors, nurses, and employees of institutions such as the Longwood health care and academic cluster, Museum of Fine Arts, Isabella Stuart Gardner Museum, Mass. Art, Wentworth, Mass. College of Pharmacy, Northeastern University, the Boston Symphony Orchestra and others that use weekend light rail service demanded that the service be retained at its current levels. Given the importance placed upon weekend light rail by those connected with institutions that benefit from it, it seems reasonable to ask these institutions to contribute the \$1.5 million annually needed to keep weekend light rail service running on these lines.

#### **Special event surcharge (\$5 million)**

The MBTA is at its core a commuter service. Yet hundreds of times each year it also moves thousands and thousands of citizens to and from special events such as Red Sox, Bruins and Celtics games, as well as public performances at venues such as the Opera House, Citi Performing Arts Center, Symphony Hall, and numerous other large venues. These special events constitute mini-rush hours that the MBTA is not designed or staffed to handle. Such events strain the existing system and cost millions in overtime. Extra fares collected before and after these events do not cover these costs. The venues that host these events rely on the MBTA to deliver thousands of citizens to these events without the use of automobiles. Traffic is already

congested in and around Fenway Park, the Theater District, and the TD Garden before and after special events. Imagine how bad it would be without the MBTA operating extra service.

Large public performance venues benefit greatly from the MBTA and should contribute towards its operations in the form of a \$0.50 surcharge on all tickets at venues with capacities over 1,000 persons. Given the number of events that take place at such venues it seems reasonable to expect \$5 million in annual revenue from this surcharge. Such a surcharge will not add significantly to ticket prices. For instance the average cost of a Red Sox ticket in 2011 was about \$53.00 suggesting that a \$0.50 surcharge would increase prices by less than 1%.

**Commuter Rail proximity beneficiary payments (\$2.6 million)**

At public hearings in places like Lowell, Salem, Attleboro, and Worcester numerous people testified about the importance of weekend and late night commuter rail service. MassDOT proposes eliminating all such service to save \$5.7 annually. Students, those in the tourism sector, educators, health care workers, and many others testified about how important it is to their economic well being and to the economies of places like Lowell, Worcester, and other cities to have weekend and late night commuter rail service. Given the benefit they testified about receiving it is reasonable to ask those institutions to contribute towards partially preserving them.

CR area college student fee	1.4
Proximity beneficiary payments	1.0
Station name value payment	<u>0.2</u>
Subtotal:	2.6

Commuter Rail area college student fee (\$1.4 million)

An estimated 140,000 full and part time students are enrolled in institutions of higher education in the 161 cities and towns in the MBTA service district outside the inner-core. An annual \$10 student ID fee for these students, similar to the one proposed for the inner-core area, would generate an estimated \$1.4 million annually towards the cost of keeping post-10 PM and weekend commuter rail trains running. As with the case in the inner core, going forward any discussion of off-peak discounts for students or “night owl” service should be within the context of increasing this fee.

Commuter Rail Proximity beneficiary payments (\$1.0 million)

Large business parks, institutions like Worcester's DCU Center, Lowell's Tsongas Arena, the Salem and Plymouth tourism clusters, the Worcester medical and life science clusters, and higher education establishments such as the College of the Holy Cross, Clark University and the State Universities in Salem, Bridgewater, Worcester, Fitchburg and Framingham surely benefit from their proximity to commuter rail stations, and weekend commuter rail service transporting thousands of people each year to and from their doorsteps. Surely institutions such as these and hundreds more throughout the commuter rail service area should be willing to make modest contributions towards retaining the late-night and weekend commuter rail services that everyone claims are so vital to them.

Commuter Rail Station name value payments (\$0.2 million)

As with the proposal to capture monetary value from those institutions with their names included in rapid transit stations, so too should some value be captured from commuter rail stations that include names of institutions. For instance the Brandeis/Robert station on the Fitchburg Line, and the Franklin/Dean station on the Franklin line are examples of station names that contain institutional names as well. Other stations such as Forge Park/495 and Windsor Gardens on the Franklin Line, River Works on the Rockport/Newburyport Line among others also enjoy benefits from sharing names with commuter rail stations. MassDOT should simply assign a value to the benefit of station name sharing and send a bill. If the bill is not paid simply change the name on all electronic media and the next time signs are changed. It seems reasonable to expect \$200,000 in net new annual revenue from this proposal.

**Non-Revenue Proposals****FY13 Non-Revenue Policy Requests of MassDOT Board of Directors**

Fare evasion quantification study and reduction policy ASAP

RIDE in-person assessments as soon as possible

Statewide paratransit commission findings by 4/1/12

TOD value capture study with recommendations by 9/1/12

New underperforming bus/rail route "watch list" policy with timeline and public processes.

New Fare Policy including support for small, regular increases

**Fare evasion quantification study and reduction policy ASAP**

The public believes that MassDOT does not do enough to collect all the fare revenue the MBTA is owed. The MassDOT Board should immediately commission a study to quantify the budget impact of fare evasion on all modes, and develop new policies to reduce fare evasion before fares are increased. It is only fair that MassDOT do all it can to collect all fares from those who do not pay before raising fares on those who do.

Some ideas for consideration include installing fencing and barrier fare collection facilities at all Green Line D branch stations, and at any other Green Line surface station where possible, and fencing and fare collection barriers at major bus facilities such as Dudley Station and Harvard bus way for example. Barrier fare collection at such stations may not be perfect, but they may be an improvement and should be considered. Not all such stations should be staffed. AFC must be introduced onto the commuter rail system with the implementation of the next contract, and MassDOT should seriously consider eliminating CSA attendants from non-key subway stations during non-peak hours and instead re-deploy these human resources to prevent fare evasion at known hot-spots during peak times. Greater use of the MBTA's extensive security camera network in discouraging and enforcing fare evasion policies should also be explored.

**The RIDE In-Person Assessments As Soon As Possible**

In 2011 the MassDOT proposed to start conducting in-person assessments of all individuals requesting RIDE certification by July 1, 2012. The cost to provide the RIDE doubled from \$50 million in FY07 to over \$100 million in FY12. MassDOT believes that in-person assessments can help slow this growth by ensuring that all those who use this door-to-door service meet all the necessary qualifications for it. At the same time MassDOT proposes establishing a two-tiered service area for RIDE trips with some RIDE fares increasing from \$2.00 to \$12.00 under one scenario.

If MassDOT believes that conducting in-person assessments can slow the growth in RIDE costs it should establish these first before recommending changes to the service area. In-person

assessments should begin as soon as possible (March or April 1) to allow 2-3 months of data on the impact of such assessments on the number of RIDE eligible customers. Should these in-person assessments prove effective in slowing RIDE cost growth, perhaps a tiered service area will not be necessary. Either way we see no harm in beginning the in-person assessment program as soon as possible to ensure that RIDE services are reserved for those who require them the most.

### **Statewide paratransit commission (EO 530) findings by 4/1/12**

In April 2011 the Governor issued an Executive Order 530 establishing a Statewide Paratransit Transportation Commission to examine and offer suggestions to improve and reform paratransit transportation. For the past 10 months this commission has met and listened. Now as MassDOT proposes the most radical changes to the RIDE ever the time has come for this commission to issue its recommendations. April 2012 will mark 1-year since the issuance of the Executive Order.

The EO 530 report must consider a state-wide paratransit service area for all of Massachusetts, or at least explain why it is not considered. Currently paratransit begins and ends at the borders of regional transit authorities (federally mandated service areas) meaning, for instance, that a client living in Natick, Gloucester, Stoughton, or Ayer cannot get to the educational, medical, business, or cultural centers of Boston without transferring between providers and paying 2 fares. Transportation Reform was supposed to be about tearing down artificial boundaries between transportation agencies. The creation of one state-wide paratransit district seems like a logical extension of Transportation Reform. Creation of such a district should save agencies like the MBTA millions annually in administrative costs through consolidation and millions more through the economies of scale that a state-wide provider can bring. If RTA payments to this service provider were capped to match revenue growth such a plan would also free the MBTA from unsustainable 16.5% average annual growth that threatens to swamp all other costs.

### **TOD value capture study with recommendations by 9/1/12**

At numerous public hearing on MassDOT's proposals to increase MBTA fares and decrease MBTA service, numerous stakeholders spoke of the importance of MBTA service to large new

developments built, or under construction near transit nodes. Several people suggested that some of the value created by such developments be captured and directed to the MBTA. Indeed, MassDOT officials have publically pointed to “value capture” as a means to pay for future expansion projects like the Green Line to Somerville and South Coast Rail. In light of the fiscal crisis and its proposal to raise MBTA fares the MassDOT Board should clarify its position on value capture payments by issuing a policy brief with recommended rates and locations, as well as necessary changes to existing laws to implement such a fee.

Of the five largest American Transit agencies only the MBTA and LA Metro lack any sort of value capture financing revenue. The New York MTA, Chicago CTA Transportation Authority, and Washington, DC WMATA all receive some revenue from value capture in the form of taxes on real estate transactions within their respective service districts when property is sold. If MassDOT is serious about value capture fees they should issue their proposals as soon as possible.

**Creation of a “watch list” of underperforming routes with a new policy to engage stakeholder’s dependant on such routes and new processes and time-lines to eliminate such routes.**

- \* At every public hearing on MassDOT’s proposals to raise MBTA fares and eliminate MBTA service members of the public expressed dismay at the prospect of losing existing MBTA service. Yet it is clear to the MBTA Advisory Board that not all routes sustain the ridership necessary to continue in perpetuity. While the Advisory Board does not support the elimination of any routes at this time as part of a fare increase and service cut budget exercise, it does believe that those routes, which underperform, should go eventually. MassDOT has good standards for gauging route performance and the net cost per passenger metric is industry standard. The standards used to determine performance are not the issue however. The issue is the manner in which routes are eliminated. The Advisory Board believes that underperforming routes should be eliminated for service planning reasons and not to balance structurally deficient budgets.

It is difficult to argue that bus routes that are essentially subsidized livery services should continue when it is clear that those resources could be better utilized elsewhere in the system. Routes such as the 355 and 500 require over \$10 in subsidies (over and above fares) to carry each passenger on each trip every day. Nevertheless the Advisory Board understands the importance of routes such as these to those who ride them and the communities around them. The MassDOT Board should develop a new policy for eliminating underperforming bus, rapid transit, and commuter rail routes. Such a policy should identify these routes and place them on a watch list. Placement on a watch list should trigger a series of community workshops with stakeholders to explain why the route is in danger and to solicit their ideas for improving the net cost per passenger numbers for each route. Municipalities, institutions, legislators and other stakeholders should be given the opportunity to improve ridership, and MassDOT should intensely study each route on the watch list to ensure that its numbers are accurate several times throughout the process. The Advisory Board suggests that watch lists be produced bi-annually, that the process take 3 months, and that public meetings take place to solicit feedback, report new data, and keep all stakeholders abreast of the process.

Conducting a longer elimination process will not make eliminating a bus route any easier. But we believe it is important for all those affected to be part of a process and to be given the chance to save their routes prior to elimination. The MassDOT Board should develop these policies as possible and published the first watch list early in the new fiscal year.

### **New Fare Policy including support for small, regular increases**

The Advisory Board believes that Authority's existing fare policy should be revised with significant public input. We suggest that the MassDOT Board of Directors appoint a panel of internal and external experts to draft a new fare policy with new goals and objectives prior to the start of the FY14 fiscal year. Furthermore, the Advisory Board believes that as part of this committee's charge, the MassDOT Board should include support for small, regular fare increases. While no one enjoys paying more for the same service, large price spikes are even less appealing. Instead of spiking every 4-5 years, the Advisory Board believes that fares should rise more regularly to match inflation. We suggest that this expert panel consider the best

method to enact small, regular fare increases and include it in their new fare policy recommendations.

### **Conclusion**

The cities and towns that make up the MBTA district have been warning for almost a decade that the financing structure of the Authority is fatally flawed. Finally the day of reckoning can no longer be postponed and the public must react to MassDOT's proposals to gut MBTA service and dramatically increase its fares. The MBTA suffers from several problems but the main ones are far too much debt and the decade-long underperformance of the sales tax.

The MBTA has tried to help itself by trimming its workforce, innovating in the purchase of fuel and energy, finding efficiencies, and controlled those costs within its power to control. When those actions weren't enough the Authority raised fares and parking fees, sold land and other assets, restructured and refinanced its debt payments, and even sold a revenue stream to plug a gaping hole in last year's budget.

These actions allowed the Authority to limp from year-to-year, but the MBTA will never be healthy and travel conditions will continue to deteriorate until the underlying illness is cured. The plans put forward by MassDOT will not cure the MBTA's illness, and neither will our plan. The Advisory Board plan will, however, preserve the transit system until a real and lasting solution can be found. The Advisory Board plan can bring all of the stakeholders in our transportation system: the Governor, the Legislature, municipalities, businesses, large institutions, students, seniors, those with disabilities, transit advocates, commuters and all the users of the system together to finally have that "adult conversation" so long promised and so long avoided. Shame on all of us if we avoid it again.

**Board of Selectmen**

**AGENDA FACT SHEET for 3/13/2012**

**Agenda Item:** Greene's Field Study Committee

**Presenter(s):** John Bulian, Selectman  
Patty Carey, Director of Park and Recreation

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

Ms. Carey, Selectman Bulian and members of the Greene's Field Study Committee will update the Board on the status of their work and share their preliminary recommendations.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

**3. BACK UP INFORMATION ATTACHED:**

a. None

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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**Board of Selectmen**

**AGENDA FACT SHEET for 3/13/2012**

**Agenda Item:** Annual Town Meeting Warrant

**Presenter(s):** Kate Fitzpatrick, Town Manager

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

The Board will review the draft Annual Town Meeting Warrant.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

**3. BACK UP INFORMATION ATTACHED:**

- a. Draft Annual Town Meeting Warrant 3.9.12

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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**Disposition by BOS**

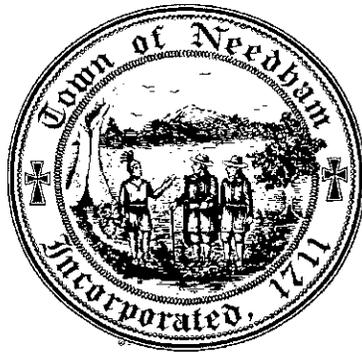
**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

# TOWN OF NEEDHAM

## MASSACHUSETTS

### 2012 Annual Town Meeting Warrant



**ELECTION: Tuesday, April 10, 2012**

**Business Meeting at 7:30 P.M. on Monday, May 7, 2012**

**at the James Hugh Powers Auditorium, Needham Town Hall**

DRAFT 3.9.2012

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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 Annual Town Meeting.

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**WARRANT FOR THE ANNUAL TOWN MEETING  
TUESDAY, APRIL 12, 2011  
TOWN OF NEEDHAM  
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 in their respective voting places in said Town namely:

Precinct A	-	Hillside School - Cafeteria
Precinct B	-	Hillside School - Cafeteria
Precinct C	-	High Rock School – Room 239/Art Room
Precinct D	-	High Rock School – Room 239/Art Room
Precinct E	-	Pollard Middle School – Inner Room
Precinct F	-	Stephen Palmer Community Room
Precinct G	-	Broadmeadow School - Performance Center
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, THE TENTH DAY OF APRIL, 2012

from forty-five minutes after six o'clock in the forenoon, until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

**ARTICLE 1:    ~~\*\*\* ANNUAL TOWN ELECTION~~**

To choose by ballot the following Town Officers:

One Moderator for One Year;

Two Selectmen for Three Years;

One Selectman for Two Years;

One Assessor for Three Years;

Two Members of School Committee for Three Years;

One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years;

One Trustee of Memorial Park (trustee of soldiers' memorials – non-veteran) for Three Years;

Two Trustees of Needham Public Library for Three Years;

One Member of Board of Health for Three Years;

One Member of Planning Board for Five Years;

One Commissioner of Trust Funds for Three Years;

Two Members of Park and Recreation Commission for Three Years;

Twenty-Four Town Meeting Members from Precinct A;

Twenty-Four Town Meeting Members from Precinct B;

Twenty-Four Town Meeting Members from Precinct C;

Twenty-Four Town Meeting Members from Precinct D;

Twenty-Four Town Meeting Members from Precinct E;

Twenty-Four Town Meeting Members from Precinct F;  
Twenty-Four Town Meeting Members from Precinct G;  
Twenty-Four Town Meeting Members from Precinct H;  
Twenty-Four Town Meeting Members from Precinct I;  
Twenty-Four Town Meeting Members from Precinct J.

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**Warrant for the Annual Town Meeting**

**MONDAY, MAY 7, 2012 AT 7:30 P.M. AT NEEDHAM TOWN HALL**

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**ARTICLE 2: COMMITTEE AND OFFICER REPORTS**

To hear and act on the reports of Town Officers and Committees.

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**HUMAN RESOURCES ARTICLES**

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**ARTICLE : ESTABLISH ELECTED OFFICIALS' SALARIES**

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2012, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$68,075
Town Clerk with 6 years of service in that position	\$84,154 (1)
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$5,050, the accumulation of 15 days of non-occupational sick leave per fiscal year; and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$42,498. The annual salary of \$84,137 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$8,578. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$12,009; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

*Article Information: In accordance with MGL Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town*

Clerk, the only full-time elected official, with benefits as close to that of other full-time employees as possible. Payment for longevity, as well as buy-back of sick leave and vacation at the time of separation from Town service, is now included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000, such payment to be made at the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

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**ARTICLE : FUND COLLECTIVE BARGAINING AGREEMENT – FIRE UNION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Fire Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2013; or take any other action relative thereto.

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

*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 : FUND COLLECTIVE BARGAINING AGREEMENT – PUBLIC FACILITIES CUSTODIAL AND TRADES**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Public Facilities Custodial and Trades Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2013; or take any other action relative thereto.

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

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

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**FINANCE ARTICLES**

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**ARTICLE : TRANSFER OF BUDGETARY FUND BALANCE**

To see if the Town will vote to transfer \$5,366,720 from the Budgetary Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in its computation of the tax rate for the fiscal year 2013; or take any other action relative thereto.

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

Article Information:

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**ARTICLE : ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986**

To see if the Town will vote to accept, for fiscal year 2013, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 95% for each eligible exemption; or take any other action relative thereto.

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

Article Information: Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2012 the cumulative increase above the statutory limit was 90%.

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**ARTICLE : APPROPRIATE FOR SENIOR CORPS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the Senior Corps program, said sum to be spent under the direction of the Town Manager and 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: The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid approximately \$800, which is applied to their property tax bills. Eligible individuals are entitled to one payment per fiscal year.

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**ARTICLE : APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$13,353 for the purpose of funding the Needham Property Tax Assistance Program, said sum to be spent under the direction of the Town Manager and 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: The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The voluntary fund received \$13,353 in fiscal year 2011.*

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**ARTICLE : APPROPRIATE THE FY 2013 OPERATING BUDGET**

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$40,000, from the Overlay Surplus in the amount of \$495,654, from amounts reserved for debt exclusion offsets of \$56,328, and \$550,000 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted as Shown on **Pages XX - XX**

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**ARTICLE : APPROPRIATE THE FY 2013 RTS ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2013, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham  
RTS Enterprise  
FY 2013**

Line #	Description	FY 2011		FY 2012		FY 2013		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Personnel	\$ 583,999	9.0	\$ 643,582	9.0	\$ 653,290	9.0	
101B	Expenses	\$ 1,090,999		\$ 1,139,984		\$ 1,214,293		
101C	Operating Capital	\$ 56,179		\$ 43,000		\$ 43,000		
101D	Debt Service	\$ 149,673		\$ 150,000		\$ 150,000		
102	Reserve Fund	Transfers Only		\$ 25,000		\$ 25,000		
<b>TOTAL</b>		<b>\$ 1,880,850</b>	<b>9.0</b>	<b>\$ 2,001,566</b>	<b>9.0</b>	<b>\$ 2,085,583</b>	<b>9.0</b>	
FY 2013 Budget Percentage Change from FY 2012 Budget							4.2%	

And to meet this appropriation that \$547,100 be raised from the tax levy and transferred to the RTS Enterprise Fund, and \$273,483 be transferred from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

Article Information:

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**ARTICLE : APPROPRIATE THE FY 2013 SEWER ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2013, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham  
Sewer Enterprise  
FY 2013**

Line #	Description	FY 2011		FY 2012		FY 2013		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Personnel	\$ 522,117	9.2	\$ 886,973	12.0*	\$ 902,938	12.0*	
201B	Expenses	\$ 267,836		\$ 468,764		\$ 475,056		
201C	Capital Outlay	\$ 21,750		\$ 25,000		\$ 25,000		
201D	MWRA Assessment	\$ 5,043,945		\$ 5,291,080		\$ 5,440,127		
201E	Debt Service	\$ 1,242,461		\$ 1,350,000		\$ 1,400,000		
202	Reserve Fund	Transfers Only		\$ 35,000		\$ 35,000		
<b>TOTAL</b>		<b>\$ 7,098,109</b>	<b>9.2</b>	<b>\$ 8,056,817</b>	<b>12.0*</b>	<b>\$ 8,278,121</b>	<b>12.0*</b>	
FY 2013 Budget Percentage Change from FY 2012 Budget							2.7%	

\*The prior years F.T.E. totals were lower than the number of positions assigned to the department because the drainage program related work which was done by the enterprise staff was being accounted for in the DPW budget so correspondingly the F.T.E. figure related to that work was also reflected in the DPW budget. Effective by the Town Meeting votes for FY2012 the drainage program is now budgeted in the enterprise fund and the enterprise funds will now reflect the F.T.E. assigned to the department.

And to meet this appropriation that \$493,392 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and \$568,455 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

Article Information:

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**ARTICLE : APPROPRIATE THE FY 2013 WATER ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2013, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham  
Water Enterprise  
FY 2012**

Line #	Description	FY 2011		FY 2012		FY 2013		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Personnel	\$ 803,640	14.5	\$ 1,023,091	16.0*	\$ 1,028,088	16.0*	
301B	Expenses	\$ 948,757		\$ 974,603		\$ 1,026,906		
301C	Capital Outlay	\$ 15,000		\$ 55,000		\$ 20,000		
301D	MWRA Assessment	\$ 264,017		\$ 610,028		\$ 965,737		
301E	Debt Service	\$ 1,497,133		\$ 1,550,000		\$ 1,550,000		
302	Reserve Fund	Transfers Only		\$ 75,000		\$ 75,000		
<b>TOTAL</b>		<b>\$ 3,528,547</b>	<b>14.5</b>	<b>\$ 4,287,722</b>	<b>16.0*</b>	<b>\$ 4,665,731</b>	<b>16.0*</b>	
FY 2013 Budget Percentage Change from FY 2012 Budget							8.8%	

\*The prior years F.T.E. totals were lower than the number of positions assigned to the department because the drainage program related work which was done by the enterprise staff was being accounted for in the DPW budget so correspondingly the F.T.E. figure related to that work was also reflected in the DPW budget. Effective by the Town Meeting votes for FY2012 the drainage program is now budgeted in the enterprise fund and the enterprise funds will now reflect the F.T.E. assigned to the department.

And to meet this appropriation that \$355,709 be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

Article Information:

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**ARTICLE : CONTINUE DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2012:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2013 Budget
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	<b>\$4,100</b>
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	<b>\$60,000</b>
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	<b>\$75,000</b>
Home Composting Bin	DPW Director	Sale of Bins	Purchase of additional home	<b>\$3,000</b>

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2013 Budget
Account			composting bins	
Senior Center Activities	Council on Aging Director	Program Receipts	Costs related to social programs for elderly	\$1,000
Youth Services Activities	Youth Services Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000
School Transportation Program	School Committee	Fee-Based Transportation Program Receipts	Pupil and other District-wide transportation	\$819,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.*

**ARTICLE : AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS**

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

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

*Article Information:* The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY 2013 award amounts had not been released.

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**ZONING / LAND USE ARTICLES**

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**ARTICLE : AMEND ZONING BY-LAW – DEFINITION OF A STRUCTURE**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 1.3, Definition of a Structure, as indicated below. The added text is underlined.

Anything constructed or erected, the use of which requires a fixed location on the ground or attached to something located on the ground including an artificial or a constructed swimming pool having a depth of water of two (2) feet or more or water surface area of at least one hundred (100) square feet when filled to capacity, including an attached pool deck, but excluding a fence, boundary wall, public utility pole, public utility supporting device or a structure with less than one hundred square foot ground coverage and a height of less than eight (8) feet.

INSERTED BY: Citizens' Petition – John A. Jensen et.al  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE : AMEND ZONING BY-LAW – DEFINITIONS**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 1.3 Definitions, by adding the following term and definition in appropriate alphabetical order as follows:

“Studio - premises used by a professional artist as a workroom and/or as a workplace where art is taught to, practiced by, or studied with others.”

Or take any other action relative thereto.

INSERTED BY: Planning Board  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* Under Section 3.2.1 of the Needham Zoning By-Law “Accessory” Uses, in most residential districts (excluding apartment districts) and in industrial districts, the “[u]se of a room or rooms in a single or two-family dwelling as an office or studio by a resident professional person provided

not more than one other person is regularly employed therein in connection with such use and that not more than 25% of the gross floor area, not in excess of 600 sq. ft., is regularly devoted to such use” is an allowed use. Under the By-Law, an artist is a professional but recent interpretation of this provision has not allowed artists, unlike other professionals with offices, who are unrestricted as to having clients, patients, customers or others visit their offices, to utilize the “studio” for working with clients, customers, students and fellow artists.

The proposed amendment seeks to correct the noted inconsistency by providing a definition for the term “studio” in the Zoning By-Law. The word “studio” is derived from the Italian “studio” and from the Latin “studium” for “studere”, meaning study. It’s a place where the professional artist is dedicated to the continuing education of his/her craft, including the education, instruction and training of his/her apprentices and students. Wikipedia. (See, for example, the American Heritage Dictionary which defined “studio” as “[a]n artist’s workroom” and “[a]n establishment where an art is taught or studied...”).

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**ARTICLE : AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.1 Basic Requirements, Subsection 4.1.3, Reduction of Area and Frontage Requirements, by revising the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

“4.1.3 Reduction of Area, Frontage, and Setback Requirements

No lot shall be reduced in area or frontage if it already has or will be caused to have less area or frontage than required by this section, except by a taking by eminent domain or a conveyance for a public purpose. Such lots reduced in area or frontage by a taking by eminent domain or a conveyance for a public purpose shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming lots. Further, if an existing structure is rendered nonconforming as to setback (or more non-conforming as to setback) by a taking by eminent domain or conveyance for a public way or access way or by the approval of a subdivision way for a third-party, said structure shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming structures.”

Or take any other action relative thereto.

INSERTED BY: Planning Board  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* This provision clarifies that a lot reduced in area or frontage by public action is entitled to grandfathered protection. It further clarifies that similar public actions that reduce the setback of preexisting structures on the lot to public or private ways are similarly entitled to grandfathered protection.

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**ARTICLE : AMEND ZONING BY-LAW – OFF-STREET PARKING REQUIREMENTS**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 5.1 Off-Street Parking Requirements, Subsection 5.1.3 Parking Plan and Design Requirements, by modifying the first Sentence of Section 5.1.3 (a) Parking Lot Illumination by deleting the words “at least one foot candle” and replacing them with the words “an average of one foot candle” so that the sentence shall now reads as follows:

“(a) Parking Lot Illumination – All parking areas which are proposed to be illuminated shall provide an illumination level of an average of one foot candle.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information: This is a clarifying amendment so that the language of the By-Law is consistent with both Planning Board practice and with photometric design principles. Presently, the By-Law requires all parking areas which are proposed to be illuminated to provide an illumination level of at least one foot candle. The proposed amendment reduces the illumination standard for parking areas from “at least one foot candle” to “an average of one foot candle” reflective of historical Planning Board practice.*

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**GENERAL ARTICLES / CITIZENS' PETITIONS / COMMITTEE ARTICLES**

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**ARTICLE : AMEND GENERAL BY-LAW**

To see if the Town will vote to amend the General By-laws by:

1. Renumbering Section 3.1.12 to 2.2.5.5;
2. Renumbering Renumber Sections 3.1.13, 3.1.13.1, 3.1.13.2 and 3.1.13.3 to 2.2.5.6, 2.2.5.6.1, 2.2.5.6.2 and 2.2.5.6.3;
3. Inserting a new Section 3.1.12 as follows: “Discharge of Bow and Arrows. No person shall discharge bow and arrow within the limits of any park, playground, public way, public building or other property except with the consent of the Board of Selectmen, or hunt by bow and arrow on any private property except with the written consent of the property's owner or legal occupant.”;
4. Deleting Section 3.1.13 and inserting a new Section 3.1.13 as follows: “Fines. Whoever violates the provisions of Section 3.1 shall be punished by a fine not exceeding fifty dollars (\$50.00) for each offense unless otherwise provided.”;
5. Deleting Section 3.14;
6. Amending the fine schedules in Sections 8.2.2.4 B, G, I, J, L, N, O, P and Q to \$50 per offense;
7. Amending the fine schedules in Section 8.2.2.4 C and I from \$20 and \$35 per offense, respectively, to : “First Offense - \$50, Second offense - \$100, Third Offense - \$200, Fourth and Subsequent Offenses - \$300”;
8. Deleting Sections 8.2.2.4 D and E and renumbering subsequent sections accordingly;
9. Deleting Section 8.2.2.4 S and inserting a new Sub-Section 8.2.2.8 C as follows: “Water Emergencies: Violations (Sub-Section 2.2.5.5) Fine Schedule: \$50 per offense, and renumbering the subsequent subsections accordingly;
10. Deleting Section 8.2.2.4 V and inserting a new Sub-Section 8.2.2.8 D as follows: “Private Ways (Sub-Section 2.2.5.6) Fine Schedule: \$50 per offense” and renumbering the subsequent subsections accordingly;
11. Inserting a new Section 8.2.2.4 V as follows: “Discharge of Bow and Arrow (Section 3.1.12) Fine Schedule: “First Offense - \$50, Second offense - \$100, Third Offense - \$200, Fourth and Subsequent Offenses - \$300.”

or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE : HOME RULE PETITION - OFF-PREMISES SALE OF ALCOHOL**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Manager approves amendments to the bill before enactment by the General Court. The Town Manager is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO AUTHORIZING THE TOWN OF NEEDHAM TO AUTHORISE THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES UNDER ARTICLE OF AMENDMENT XLIX.

[insert text of petition after vote]

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE : 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:

Article Information:

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**ARTICLE : PESTICIDE FREE ZONE ON LAND OWNED OR MANAGED BY THE TOWN OF NEEDHAM**

**To see if the Town of Needham will vote to transition away from the use of herbicides and pesticides\* on land owned, managed or leased by the Town of Needham.** Within two years The Town of Needham will take the next step in reducing pesticide use on town owned property by instituting a no-use policy concerning chemical synthetic herbicides and pesticides as defined by the Federal Insecticide, Fungicide, and Rodenticide Act. Included in the no-use policy are fertilizers known as weed 'n feed products which contain herbicides and pesticides.

**Needham owned, managed and leased land includes** but is not limited to school grounds and playing fields, town commons and parks as well as conservation land and The Needham Community Farm. It also includes the grounds of The Needham Town Hall, The Needham Public Library, The Needham Senior Center and the town building facilities and the berms along town sidewalks.

**There will be an exemption** for emergency outbreaks of stinging or biting insects.

**A Standing Committee will be created** to study and implement a Best Practices Policy and Manual of land care and landscaping policy for the Town of Needham. The Committee is to be made up of five Needham residents plus one elected or appointed official from the Conservation Commission, School Committee, and Board of Health, Park and Recreation. The Committee will meet at least four times a year.

**The Standing Committee will create A Best Practices Manual for Land Care** which would include the following practices: soil testing, the use of organically certified soil amendments, compost and compost tea. Approved bio-pesticides may be considered for use.\*\* Cultural practices will be included: using the appropriate height for lawn mowing, planting of clover, what to do with grass clippings, the use of carbon neutral machinery in landscaping and the use of water savings measures. Landscape design will consider lawn size and placement, fertilizer use and the use of water recycling and rain gardens.

**The Committee will create educational forums and materials** to implement the Best Practices for Land Care Manual and no-use pesticide policy and educate Needham residents and employees of the Town of Needham on these topics.

\*Pesticide, as defined in FIFRA section 2(u) (PDF) (109 pp, 288k), means: any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest; any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant; and any nitrogen stabilizer. It includes pesticides, herbicides, insecticides, rodenticides, and fungicides.

\*\*FIFRA exemption of minimal risk pesticides [http://www.epa.gov/PR\\_Notices/pr2000-6.pdf](http://www.epa.gov/PR_Notices/pr2000-6.pdf) Products which contain certain low-risk ingredients, such as garlic and mint oil, have been exempted from Federal registration requirements, although State regulatory requirements may still apply.

INSERTED BY: Citizens' Petition – Susan W. Abbott et.al.  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE : CITIZENS' PETITION – CITIZENS UNITED RESOLUTION**

To see if the Town will vote the following resolution;

Whereas, the expenditure of excessive and unlimited money in the political realm is a threat to our local self determination, our local aid from both the state and federal government, our local economy and is an obstruction to our individual, free, and fair participation in our electoral and governing processes and

Whereas, the U.S. Supreme Court 5:4 ruling on January 21, 2010 in Citizens United v. Federal Election Commission rolled back remaining legal limits on corporate spending in the electoral process, allowing unlimited corporate spending to influence elections, candidate selection, and policy decisions, and thereby drowning out the voice of "We the People" and threatening citizens constitutional right of self-governance.

Now, therefore, let it be resolved that this Town Meeting calls upon the Massachusetts congressional delegation to support an amendment to the US Constitution that would overturn the Supreme Court decision in this matter.

Be it further resolved that this Town Meeting calls upon our State Legislature to seek the support of our federal delegation for the amendment and to support the amendment if Congress sends it to the states for ratification.

INSERTED BY: Stacie Shapiro et.al.  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**COMMUNITY PRESERVATION ACT ARTICLES**

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**ARTICLE : APPROPRIATE FOR ARTIFACT STORAGE UPGRADE / NEEDHAM HISTORICAL SOCIETY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for historic artifact archiving, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Resources Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* The Needham Historical Society holds a large volume of artifacts of historic value to Needham, representing the commercial and social history. This request for \$25,000 would permit the Historical Society to hire a part-time archivist to work with volunteers to re-organize and properly store the artifacts, and create a computerized catalog that will provide for easier access to the artifacts. The information, including photos, may eventually become available on-line for public review.

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**ARTICLE : APPROPRIATE FOR SOUTH STREET HOME / CHARLES RIVER ARC**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$500,000 for the construction by the Charles River Center of a 3,000 square foot accessible home for individuals with disabilities, to be spent under the direction of the Town Manager, and that \$485,000 be transferred from the Community Housing Reserve, and \$15,000 be transferred from the Community Preservation General Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* The Charles River Center (Charles River ARC) has recently purchased property on South Street and they are seeking funding to construct a group home for 5-6 adults with developmental disabilities. The request is for \$500,000. The Charles River Center has already purchased the property and they are using architectural designs created for one of their homes being built in another community. If approved, this project would increase the Town's number of low-income affordable units by five.

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**ARTICLE : APPROPRIATE FOR HERITAGE PROJECT / HISTORICAL INVENTORY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the development of the historic homes inventory, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Resources Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information: The Needham Historical Commission has previously received CPA funding to add 39 properties to the local historical inventory of homes and properties. This request for \$25,000 would assist the Commission with the research and paperwork to add additional properties. The Commission will also undertake the task of updating the forms from the original list, as they were handwritten several decades ago.*

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**ARTICLE : APPROPRIATE FOR TOWN OF NEEDHAM HISTORICAL VITAL RECORDS PRESERVATION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$30,000 for preservation and conservation of vital records of the Town, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Resources Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information: The Office of the Town Clerk is charged with the retention and preservation of vital records including births, marriages and deaths. Since 1919, the records have been bound each year, but there are still records that pre-date this time frame that need to be properly preserved. This request of \$30,000 will preserve the documents in bound books, photograph the documents, and create an electronic record stored on discs.*

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**ARTICLE : APPROPRIATE TO COMMUNITY PRESERVATION FUND**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to M.G.L. Chapter 44B from the estimated FY 2013 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

**Appropriations:**

A. Administrative and Operating Expenses of the Community Preservation Committee \$82,000

**Reserves:**

B. Community Preservation Fund Annual Reserve \$1,023,160  
C. Community Housing Reserve \$233,420  
D. Historic Resources Reserve \$0  
E. Open Space Reserve \$233,420

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* The Town Meeting and the voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the CPC and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve. In addition to the projects proposed to be funded through reserves under Articles X, the CPC recommends approval for 11% to be appropriated to the Community Housing Reserve and the Open Space Reserve. Allocation to the Historic Reserve is satisfied by the payment of the debt for the Town Hall project which is included in the motion to appropriate the Operating Budget under Article X. The CPC also recommends an appropriation of 5% for administrative and operating expenses.

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**CAPITAL ARTICLES**

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**ARTICLE : RESCIND DEBT AUTHORIZATIONS**

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
<b>Total</b>				

or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* When a project is financed by borrowing, the project has been completed, and all the bills have been paid, the balance of the authorization that was not borrowed can be rescinded. A Town Meeting vote to rescind the balance of a borrowing prevents any further borrowing for the project, and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids.

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**ARTICLE : APPROPRIATE FOR GENERAL FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate a sum for General Fund Cash Capital, to be spent under the direction of the Town Manager, and raised from the tax levy; or take any other action relative thereto:

General Fund	Description	Recommended	Amendment
Community Services	Athletic Facility Improvements	\$ 207,500	
Community Services	DeFazio Fields Resodding	\$ 90,000	
Community Services	Rosemary Camp Trail Improvement	\$ 50,000	
General Government	Desktop Virtualization	\$ 130,000	
General Government	Network Hardware, Servers & Switches	\$ 30,000	
Public Facilities	Core Fleet	\$ 50,318	
Public Facilities	Energy Efficiency Upgrades	\$ 34,815	
Public Facilities	Facilities Maintenance Program	\$ 450,000	
Public Safety	Structural Fire Fighting Gear	\$ 40,000	
Public Safety	Deputy Chief of Operations Vehicle	\$ 35,000	
Public Schools	Technology & Equipment	\$ 828,000	
Public Schools	School Administration Building Study	\$ 30,000	
Public Works	Core Fleet	\$ 315,000	
Public Works	Snow & Ice Equipment	\$ 171,000	
Public Works	Large Specialty Equipment	\$ 271,500	
Public Works	Small Specialty Equipment	\$ 41,000	
	Total Appropriation	\$ 2,774,133	

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**Athletic Facility Improvements** The Department of Public Works and Park and Recreation Departments have developed a maintenance plan for all fields, which includes new or total reconstruction, partial renovation, irrigation, drainage improvements, and equipment replacement or repair (bleachers, fences/backstops, player benches and miscellaneous equipment) for multi-use fields and ball diamonds. Projects planned for fiscal year 2013 include new fabric and repairs on both backstops and fencing at Claxton Field, installation of an irrigation system for Greene's Field, installation of bleachers and a bleacher pad for Claxton Diamond #2, installation of an irrigation system for Claxton Field, and installation of an irrigation system for the Pollard School multi-purpose field.

**Defazio Field Re-Sodding** This capital request is for field improvements at the DeFazio Complex. The Healy and Warner fields were seeded twice during the Field of Dreams project. After two seeding applications, the grass still did not fill in. As a result, the fields have taken almost entirely to weeds (large and smooth crabgrass and white clover). The best option to ensure safety and playability is to sod the fields

with Kentucky Bluegrass, similar to what was done on the other two fields at DeFazio – Conroy and McLeod.

**Rosemary Trail Improvement Design** The trail system that begins in the parking lot at Rosemary Pool and extends through the camp property and over to Nehoiden Street is used on a daily basis by residents. The beginning section is in the most urgent need for restoration; however, there are other areas of concern, particularly along the steep stretch adjacent to the lake. A portion of this project will be completed by volunteers, and only the larger portions requiring construction will need to be performed by a contractor. At this time, the project is not eligible for CPA funding, but if proposed changes to the wording of the legislation are approved, this project would become eligible. This appropriation would fund the design and permitting phase of the project. It is anticipated that the construction portion will be in the \$100,000 range.

**Desktop Virtualization** This request is for virtualizing approximately 100 employee workstations by adding additional licenses and hardware. Licensing would also be purchased to enable certain users to access their workstations remotely. All of the applications used by employees (e.g. Microsoft Office, Adobe Acrobat, or Internet Explorer) are stored on servers controlled by the Information Technology Center (ITC). Any specific application is then served to the employee's desktop through the network. Because the applications are bundled in one location, the ITC Network Manager can more efficiently and productively roll-out upgrades, allowing for consistent versions of software. Virtualization will help make existing staff more productive and help to support the growing demands of the current workforce. Workstation Support is more streamlined because issues with applications served out to the workstations are managed in the ITC, and only serious hardware issues will need to be addressed at the employee workstation. The hardware that is used by employees at their desks can be replaced at a lower cost than current workstation hardware.

**Network Servers And Switches** The request is to replace older servers, application and data, with newer, faster, and more energy-efficient models. This can also include the replacement of the spam filter, virus firewall, and Internet filtering. The request includes funding for the replacement of older network switches to connect buildings, departments, and workstations throughout the Town. Newer models of both servers and switches will be better able to take advantage of the Town fiber and increase the speed of data within the Town's fiber network. Not replacing or updating this equipment can have a negative impact on email, financial applications, internet access, and data accessibility.

**Public Facilities Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicle scheduled to be replaced in FY2013 is a 2001 Ford F-450 Rack Body Truck that is primarily used for grounds keeping services, trash runs, moving School and Town property, and setting up the stage for the High School graduation.

Unit	Division	Year	Description	Miles	Cost
703	PEF	2001	Ford F-450/Grounds Rack Body Truck	50,952	\$50,318

**Public Facilities Energy Efficiency Upgrade Improvements** The results of a recent energy efficiency upgrade study indicate that if the Town makes an initial investment for energy upgrades in the ten buildings identified in the study, the cost of these upgrades will be recovered through energy savings within five years. Projects proposed for FY2013 include replacing the exterior lighting at Hillside School. The lighting consists of high intensity discharge lamps and will be replaced with induction lighting. Similar work will be performed at the Mitchell School, along with improved insulation levels in the attic.

**Public Facilities Maintenance Program** This project funds annual maintenance of public buildings throughout the Town and School Department including but not limited to: asbestos abatement, small equipment replacement, duct cleaning, painting, and other repairs and necessary upgrades. Funding in fiscal year 2013 is intended for duct cleaning at the A & B Buildings of the High School, asbestos abatement at the Mitchell School, flooring replacement at the Broadmeadow School and the Library, and Xeriscaping at the High School. Additional work at the Hillside School will include remediation of flooding issues, upgrades to the boiler room, repair to the floor and stairs, and upgrading of AC units. At the Mitchell School, repairs to gutters and downspouts, fuel oil containment work (or conversion to natural gas), handrail upgrades, and egress analysis will be performed.

**Structural Fire Fighting Gear** Structural firefighting protective gear has a recommended life expectancy of 10 years depending on exposure and wear. The Fire Department is requesting replacement of this gear for twenty (20) staff members who will be using gear that is over 11 years old at the time of replacement.

**Deputy Chief Vehicle/C-3** This request is to replace a 2004 Ford sedan that is used daily by the Deputy Chief of Operations. Currently the car has over 56,000 miles of service, and at the time of replacement is estimated to have over 70,000 miles of service. At the time of replacement, the vehicle will be nine years old, up to two years beyond its scheduled replacement. A new vehicle will be purchased and put into service as C-1. The current C-1 will then be passed down to replace C-3. (Submitted by: Fire Department)

Unit	Division	Year	Description	Miles	Cost
C-3	Fire	2004	Crown Victoria/Replace with SUV	56,500	\$35,000

**School Furniture, Musical Instruments, And Graphic Arts Equipment** The School Furniture Replacement Program began in fiscal year 2005 and is geared toward replacing furniture in school facilities which are not scheduled to undergo capital renovation/ addition projects in the near future (Hillside, Mitchell, Newman and Pollard). In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. By FY2015, all furniture in 'poor' condition will have been replaced at all four schools. The FY2013-FY2017 funding request begins the replacement of furniture in fair condition at these schools.

Fiscal year 2013 represents the eighth year of the musical equipment replacement cycle. The scheduled replacements in FY2013 are additional middle school percussion instruments, additional string instruments, and assorted elementary school Orff percussion instruments. The purpose of the program is to replace musical instruments, especially large string instruments and pianos, which are over 25 years old. After decades of heavy use, many of the School Department's string instruments are no longer usable or repairable. The older pianos, while still usable, are becoming increasingly costly to repair and maintain. Although students do purchase some of the less expensive instruments (clarinets, trumpets, etc.), a quality band and/or orchestra program needs to ensure balanced instrumentation to deliver the proper musical experience required by the curriculum.

Fiscal year 2013 is the first year of a request to establish an equipment replacement cycle for the Graphics Production Center at Needham High School. Although the Center received new equipment during the recent renovation at the High School, the School Department has determined that an ongoing source of funding is needed to sustain and update program equipment. During the summer of 2011, a complete inventory analysis of all equipment was completed. The equipment proposed for replacement in fiscal year 2013 includes a screen print dryer and wide format printer.

**Interactive Whiteboard Technology And Technology Replacement** This interactive whiteboard project would fund the purchase and installation of interactive technology (SMART and Mimio boards) at Needham

schools. The \$148,300 in funding requested for interactive whiteboards includes the completion of the SMART Board purchase and installation at the Newman School to coincide with the return to the renovated building. Included in this purchase for Newman are 11 additional SMART Boards as well as the permanent installation of 23 existing boards and the purchase and installation of wall-mounted short throw projectors. In addition to the completion of Newman, interactive whiteboards will be added at Broadmeadow (1), Hillside (1), and Pollard (2) to advance the District's inventory towards its goal of full interactive whiteboard implementation for grades one through twelve.

The School technology replacement program includes the replacement of 300 teacher, administrator, student, lab and laptop computers that have reached or are functioning beyond the end of their seven-year lifecycle: 169 of these computers are for teachers and administrators throughout the district; 68 are for classroom computers at Broadmeadow, Eliot, Mitchell, and Newman; and at Pollard there is a cart with 30 laptops that is being replaced. Although the majority of the computers being purchased are for the elementary schools and Pollard, FY2013 represents the first year of replacement of computers and LCD projectors that have reached the end of their lifecycle at the High School. The replacement of the High School technology will be phased in over five years. Funding in FY2013 would support 75 teacher and administrator computers, included in the previous count of 169 teacher and administrator computers, as well as 33 student laptop computers in the library. Also included in the replacement cycle are 10 LCD projectors.

Beyond the 300 teacher, administrator, student, lab and laptop computers mentioned above, this request also includes the replacement of two district data servers that are housed at the ETC. These servers have been running 24/7 for three and four years and will be repurposed to less critical functions for two and three years respectively. Also in this category is the replacement of eight UPS batteries that support critical servers throughout the district. Replacement of 19 printers across the district is also included within the technology replacement cycle. The request also includes funding for the impact of conversion to Lion, Apple's new operating system.

**School Administration Building Study** This funding will support a feasibility study of the renovation of Emery Grover and a lease/purchase alternative to the building renovation. The Emery Grover School Administration Building is in need of additional office and storage space as well as extensive repair and modernization. The Town Facilities Master Plan had estimated the renovation cost at \$11.4 million in 2008 dollars. The scope of the original renovation was to reorganize the layout of offices, make the building fully ADA accessible, remove remaining asbestos and lead paint, replace deteriorating systems, and allow for full utilization of all four floors. The feasibility study will include studying options in the marketplace as well as alternatives for the Emery Grover Building.

**Public Works Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2013 include:

Unit	Division	Year	Description	Miles	Cost
45	Engineering	2006	Ford E-150/8 Passenger Van	52,990	\$25,000
43	Highway	2007	Ford F-350/4WD Pick-up	51,354	\$52,000
39	Highway	1999	Ford F-350/One Ton Dump Truck	102,062	\$67,000
8	Highway	1996	IH S4900/6 Wheel Dump Truck	45,520	\$171,000

**Snow and Ice Equipment** This request will provide funding for equipment used primarily in the Snow and Ice Program. Unless circumstances require otherwise, the vehicles and equipment proposed for replacement in FY2013 are as follows:

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
8A	Highway	1988	10 Ft. Material Spreader	N/A	\$31,000
111	Highway	1995	Trackless Sidewalk Tractor	N/A	\$140,000

**Large Specialty Equipment** Public Works specialty equipment consists of power-assisted equipment or other specialized tools used by the Department in the performance of its work. Unless circumstances require otherwise, the vehicles scheduled to be purchased in FY2013 include:

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
181	Highway	1998	Elgin Pelican Sweeper	N/A	\$210,000
New	Parks	New	Groundmaster Mower	N/A	\$61,500

**Small Specialty Equipment** This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Department's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment scheduled to be replaced in FY2013 includes:

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
254	Parks	1989	Brush Chipper	N/A	\$41,000

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**ARTICLE : APPROPRIATE FOR PROPERTY ACQUISITION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$630,000 for acquisition of the parcel 37-39 Lincoln Street, and associated improvements, 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 M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE : APPROPRIATE FOR FIRE LADDER TRUCK**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$750,000 for the acquisition of a Fire ladder truck, 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 M.G.L., Chapter 44, Section 7; or take any other action relative thereto

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE : APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$600,000 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, 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 M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

**Street Resurfacing:** *This program is essential to improve the structural and surface integrity of the Town's network of accepted streets. The primary strategy of this program is asphalt paving and incidental work. Incidental work may include asphalt berm curb, new grass shoulders, corner reconstruction including handicapped ramps, minor drainage improvements, street sign replacement, traffic markings and signs. Applying this repair strategy in a timely manner will extend the useful life of the roadway for up to 15 years. The requested street resurfacing funding in FY2013 is \$296,000.*

**Traffic Signal & Intersection Improvements:** *This program funds traffic signal improvements and intersection improvements and new traffic signal installations where none currently exist. No funding is proposed in FY2013 in this category.*

**Combined Sidewalk Program:** *This Program addresses the failing network of sidewalks throughout the community. There are over 160 miles of accepted sidewalks in Needham. Over half of the Town's sidewalks do not comply with current standards and require significant improvements including the installation of handicapped ramps. The requested Combined Sidewalk Program funding in FY2013 is \$279,000.*

**Storm Drain Capacity Improvements:** *This program provides funding to improve roadway drainage capacity. The Stormwater Master Plan identified a number of areas throughout Needham where improvements are required to resolve flooding problems and illicit discharge. Locations for improvements have been prioritized within the plan. Since the issuance of this report, numerous multi-unit developments have been built or planned in the Town. These developments incorporate new roads with drainage structures and roof or sump connections which are then connected to existing Town systems. These new connections have increased the load on the Town's drainage system and causes flooding in some areas. No funding is requested in this category for FY2013.*

**Brooks and Culverts – Repair and Maintenance:** *This program addresses the issue of flooded and poorly draining brooks, streams, waterways and culverts throughout the Town that have been severely damaged by heavy rains/storms for many years. Prior funding has funded cleaning and debris removal. Recent flooding caused the failure of retaining walls. Brooks have become silted, allowing the overgrowth of vegetation that has impacted the level of the water flows and resulting in the loss of useable abutting property and flooded basements. Projects proposed for FY2013 include the continued wall repair along Rosemary Brook in the amount of \$25,000.*

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**ARTICLE : APPROPRIATE FOR DPW COMPLEX RENOVATIONS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$580,000 for engineering and construction of eight garage bays and associated site improvements at the DPW Complex, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE : APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate a sum for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from RTS Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
RTS	Large Specialty Equipment	\$ 175,200	
	Total Appropriation	\$ 175,200	

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**Large Specialty Equipment** Public Works specialty equipment consists of power-assisted equipment or other specialized tools used by the Department in the performance of its work. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2013 include:

Unit	Division	Year	Description	Miles	Cost
53	RTS	1992	Roll-Off	65,012	\$175,200

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**ARTICLE : APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate a sum for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Sewer	Small Specialty Equipment	\$ 34,000	
Sewer	Core Fleet	\$ 33,100	
Sewer	Infiltration & Inflow Program	\$ 550,000	
Sewer	SCADA System	\$ 30,000	
	Total Appropriation	\$ 647,100	

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**Small Specialty Equipment** This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Department's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment scheduled to be replaced in FY2013 include:

Unit	Division	Year	Description	Miles	Cost
170	Sewer	2000	Trailer Mounted 4" Pump	N/A	\$34,000

**Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2013 include:

Unit	Division	Year	Description	Miles	Cost
11	Sewer	2007	Ford F-150/2WD Pick-up Truck	48,370	\$33,100

**Sewer System Infiltration and Inflow Program** This program supports the identification and removal of Infiltration and Inflow (I/I) in existing sewer systems. The requested funding for FY2013 is for the evaluation of infiltration, which is defined as groundwater or storm water runoff that enters the system through deteriorated pipe or manhole structures. On the basis of volume of flow and knowledge of local sewer system overflows (SSO) or basement flooding, an order of priority has been established to determine the scheduling of the engineering, design and remediation work. The highest priorities relate to locations of known surcharging with sewage overflow or release or basement flooding. The remediation proceeds in stages starting with the preliminary engineering, followed by the rehabilitation design and concluding with the rehabilitation construction.

Work in prior years has been undertaken in Areas 11, 14, 19-1, 22, 3, 4, 30, 31, 2, 24, 21L, 1, 16. The priority was based on areas that had recorded the highest levels of infiltration. The field work was conducted in 1984, and supplemented in 1986 and 1987. The study results are now approaching 25 years old. The earliest repair work that was undertaken is approaching 20 years old, and the remaining sections identified in the original study show significantly less I/I per length of sewer main. There is a strong probability that the original high leakage areas are contributing greater amounts of infiltration than the remaining sections left to repair as identified in the original study. Therefore, the study must be updated at

this time to ensure effective expenditure of Town resources to address current infiltration and inflow. The components of the first phase of the study will include engineering (\$240,000), permanent and portable flow meter installation (\$210,000), and rented flow meters (\$100,000). The components of a future phase of the evaluation will include engineering and closed circuit TV services.

**Sewer SCADA System** The Department's goal is to provide a communication and alarm system to replace the current system that is outdated and unreliable. Currently there is no linked communication between or among pump stations. The goal is to collect data from the nine sewage pumping stations, then communicate that data to a central location (likely the West Street Pump Station), allowing for efficient management and control of the sewer pumping operations. This system will alert the appropriate emergency response for on-call personnel to remotely access the system, making changes to pump stations as necessary. The current alarm call system uses an outdated verbatim call box at the four major sewage pumping stations and a light and siren system at the five smaller stations. The verbatim system is programmed to call the Police Department dispatcher when an alarm condition has occurred, who then alerts the Sewer Division on-call person. The five smaller stations rely on neighbors to call the Police Department when an alarm occurs. This funding is for a feasibility study to determine the best mode of communication for the SCADA system. (Submitted by: Department of Public Works)

**ARTICLE : APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate a sum for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Water Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Core Fleet	\$ 117,000	
Water	Filter Media Replacement	\$ 72,500	
Water	System Rehabilitation Program	\$ 99,300	
Water	Service Connections	\$ 200,000	
Water	Fire Flow Improvements	\$ 350,000	
	Total Appropriation	\$ 838,800	

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

**Article Information:**

**Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2013 include:

Unit	Division	Year	Description	Miles	Cost
1	Water	1999	Ford F-350/One Ton Dump Truck	67,128	\$67,000
2	Water	2000	Ford F-350/Utility Pick-up	91,719	\$50,000

**Filter Media Replacement** Filter media is used for manganese removal at the Charles River Water Treatment Facility. All four filters at the Treatment Facility were replaced with natural greensand in 2008. This program is intended to establish a five year replacement cycle for the replacement of the filter media, with a new synthetic product called Greensand Plus, a substitute for natural greensand. Greensand Plus is promoted as being able to withstand wider variations in operating conditions and therefore may reduce the frequency of media replacement, and reduce the need for the administration of potassium permanganate. The first year of funding for the five year cycle is fiscal year 2012

**Water System Rehabilitation Program** The annual Water System Rehabilitation Program draws from the recommendations of the Water System Master Plan. The master plan recommends that pipes 85 years or older be considered for replacement or relining. This list of older pipes is evaluated and prioritized, and then cross-referenced with work proposed for other utilities, road repairs, or reconstruction. Unless circumstances require otherwise, projects for FY2013 include engineering and design for the installation of a new eight inch pipe (2,500 linear feet) on Grant Street from Junction Street to Dedham Avenue.

**Water Service Connections** The primary purpose of this program is to remove old iron pipe water services that may contain lead from the water distribution system. Old water services are to be replaced prior to a road reconstruction/paving project. If the services are not replaced, an element of the subsurface infrastructure is susceptible to failure before the useful life of the reconstructed roadway has been realized. The FY 2013 funding will provide approximately one year's value of water service replacements, which will fall in line with the road resurfacing program schedule.

**Water Fire Flow Improvements** The Water System Master Plan has identified a category of improvements for high priority action. The St. Mary Pump Station has four pumps located within the facility that are designed to pump potable water from the MWRA to supplement the Town's demand for water. Only two pumps are operable at the station, resulting in operation at a capacity less than that which is permitted (6.5 million gallons per day). The current pump station is equipped with an emergency auxiliary motor; however, it is preferable to have a standby generator similar to other pumping stations and the Charles River Water Treatment Facility. This request will provide the necessary improvements to meet future water demands, and ensure that the station has emergency back-up electrical power. The preliminary design of the station has been completed. The DPW is preparing to seek proposals for selection of a designer for the final design and the Owner's Project Manager (OPM) services. The costs of OPM services were not originally included in the budget for the project budget. \$350,000 is being requested to cover the entire design and construction services for the OPM. A request for funding for the St. Mary Pump Station Improvement Project construction will be proposed for fiscal year 2014 at an expected amount of \$5,070,000.

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## TOWN RESERVE ARTICLES

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### **ARTICLE : APPROPRIATE FOR WORKERS COMPENSATION RESERVE FUND**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$X 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 Information:

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**ARTICLE : ESTABLISH AND APPROPRIATE TO ATHLETIC FACILITY  
IMPROVEMENT FUND**

To see if the Town will vote to establish a fund under the provisions of M.G.L. c, 40 Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003 to be known as the Athletic Facility Improvement Fund. The purpose of this Fund is to allow the Town, from time to time, by appropriation, to reserve funds for the design, maintenance, renovation, reconstruction or construction of athletic facilities; and further to raise, and/or transfer and appropriate a sum to the fund; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE : APPROPRIATE TO CAPITAL IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, 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 Explanation: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The December 31, 2011 balance in the fund is \$561,688.

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**ARTICLE : APPROPRIATE FOR CAPITAL FACILITY FUND**

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L. Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing) systems of then existing capital facilities. The December 31, 2011 balance in the fund is \$734,117.

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**ARTICLE : APPROPRIATE TO STABILIZATION FUND**

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Stabilization 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 Information:

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**ARTICLE : OMNIBUS**

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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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 7 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 14th day of February 2012.

**MAURICE P. HANDEL, Chairman**  
**GERALD A. WASSERMAN, Vice Chairman**  
**DANIEL P. MATTHEWS, Clerk**  
**JOHN A. BULIAN**

*Selectmen of Needham*

**A true copy,**  
**ATTEST**

**Board of Selectmen**

**AGENDA FACT SHEET for 3/13/2012**

**Agenda Item:** Special Town Meeting

**Presenter(s):** Kate Fitzpatrick, Town Manager

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

The Board will review the preliminary list of articles for inclusion in the May 14, 2012 Special Town Meeting Warrant.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

**3. BACK UP INFORMATION ATTACHED:**

- a. Preliminary List of Articles, May 14 Special Town Meeting Warrant, 3.9.12

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

Preliminary List of Articles  
May 14, 2012 Special Town Meeting Warrant  
3.13.12

1. Zoning/Residential Overlay Mixed Use 128
2. Zoning/Residential Overlay Mixed Use 128 (Map)
3. Zoning/Flood Plain Technical Correction (Map Reference)
4. Police Union Contract
5. Police Superior Officers Contract
6. Sign By-law Amendment/Street Banners
7. Change in Use and Conveyance of Real Property (MassDOT & DCR)
8. Conveyance of Real Property (MassDOT & DCR)
9. Unpaid Bills of Prior Years
10. Operating Budget Adjustments
11. Property Acquisition
12. Abandon Sewer Easement
13. Appropriate to Capital Facility Fund
14. Appropriate to Capital Improvement Fund
15. Appropriate to Workers Compensation Fund

**Board of Selectmen**

**AGENDA FACT SHEET for 3/13/2012**

**Agenda Item:** New Year's Needham Committee

**Presenter(s):** Kate Fitzpatrick, Town Manager

---

**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

The Town Manager will discuss with the Board the concept of creating a separate committee to oversee the New Year's Needham Celebration.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)**

*Suggested Motion:* that the Board of Selectmen vote to create a New Year's Needham Committee to plan, execute and oversee operational logistics of New Years Needham, and to approve the charge and composition of the Committee as outlined on the attached proposal dated March 13, 2012.

**3. BACK UP INFORMATION ATTACHED:**

- a. Proposed Charge and Composition, New Year's Needham Committee

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	<b>Town Manager</b>	yes	no	NA	_____
b.	<b>Town Counsel</b>	yes	no	NA	_____
c.	<b>Finance Director</b>	yes	no	NA	_____
d.	_____	yes	no	NA	_____

---

**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

---

## **Proposed Charge**

### **New Year's Needham Committee March 13, 2012**

#### Background

Beginning in 2007, the Cultural Council has overseen the highly successful New Year's Needham celebration. Participation and interest in the event have continued to grow. The responsibility for overseeing this event has become greater than the members of the Cultural Council believe that they can support, and also fulfill their statutory obligations. The Cultural Council recommends that a separate committee be established for this purpose, and that the Town hire a coordinator (to be funded through NYN receipts) to manage the administrative tasks and liaise with the Town.

#### Committee Charge:

The charge of the New Year's Needham Committee is to plan, execute and oversee operational logistics of New Years Needham. In this regard, responsibilities include, but are not limited to establishing list of desired performers, interviewing, screening and contracting with performers, compiling a list of potential venues, identifying sources of funding, recruiting and managing volunteers, supervise venues on NYN, developing program schedules, promoting the event, and drafting annual reports.

#### Composition

The Committee shall consist of seven members. When practicable, the committee should include individuals with demonstrated experience performing arts, fundraising, and event planning. Qualified candidates should be able to commit to one full cycle and be available to participate in NYN activities during the holiday season.

Board of Selectmen

AGENDA FACT SHEET for 3/13/2012

**Agenda Item:** Sale of Alcohol for Consumption off Premises

**Presenter(s):** Board Discussion

---

**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

The Board will discuss the final form of motion relative to the sale of alcohol for consumption off premises.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)**

*Suggested Motion:* That the Board approve the attached form of motion for the home rule petition warrant article: "Home Rule Petition – Off-Premises Sale of Alcohol"

**3. BACK UP INFORMATION ATTACHED:**

a. Proposed Warrant Article

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

---

**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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**ARTICLE : HOME RULE PETITION - OFF-PREMISES  
SALE OF ALCOHOL**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Manager approves amendments to the bill before enactment by the General Court. The Town Manager is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO AUTHORIZING THE TOWN OF NEEDHAM TO AUTHORISE THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES UNDER ARTICLE OF AMENDMENT XLIX.

**SECTION 1.** Notwithstanding section 11 of chapter 138 of the General Laws or any other general or special law to the contrary, the board of selectmen of the town of Needham shall cause to be placed on the ballot at a regular or special election the following question:-

"Shall the licensing authority in the town of Needham be authorized to grant licenses for both the sale of all alcoholic beverages in packages not to be drunk on the premises and the sale of wine and malt beverages in packages not to be drunk on the premises?"

Below the ballot question shall appear a fair and concise summary of the ballot question prepared by the town counsel and approved by the board of selectmen.

**SECTION 2.** If a majority of the votes cast in answer to that question is in the affirmative, the Town of Needham shall be taken to have authorized the granting of licenses for the sale of all alcoholic beverages not to be drunk on the premises and the sale of wine and malt beverages not to be drunk on the premises subject to the

following:

The number of licenses shall be limited to six. Commencing on January 1, 2018 the number of licenses shall be limited to eight but at no time shall there be in effect more than six such licenses for the sale of all alcoholic beverages. The remaining licenses shall be limited to the sale of wines and malt beverages.

The licensing authority may establish the days and hours during which the license may operate.

Except as otherwise provided herein, such licenses shall be subject to the provisions of said chapter 138.

**SECTION 3.** This act shall take effect upon its passage.

Or take any other action relative thereto.

**Board of Selectmen**

**AGENDA FACT SHEET for 03/13/2012**

**Agenda Item:** Committee Reports

**Presenter(s):** Board Discussion

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

Board members will report on the progress and / or activities of their Committee assignments.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

**3. BACK UP INFORMATION ATTACHED:**

None

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

---

**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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For Calendar Year: 2012

## TOWN OF NEEDHAM LICENSE APPLICATION FOR SALE OF SECOND-HAND ARTICLES

The undersigned hereby applies for a License for the Sale of Second-Hand Articles in accordance with the provisions of the Statutes relating thereto:

Name of Applicant (must be an individual): Carolyn McKibben

Name of Company: Home Savvy LTD, DBA Cherry Picked

If Business is a Corporation/Corporate Name and Officers: Carolyn McKibben, President

Address of Establishment: 225 Highland Ave, Needham, MA 02494

Mailing Address (if different from establishment): \_\_\_\_\_

Email Address: Cherrypickedboutique@gmail.com

Telephone Number: 781-444-5464 Fax Number: \_\_\_\_\_

Signature of Applicant: [Signature] Date: 3/1/12

List of Articles for sale: Fine boutique children's clothing, shoes, furniture. Very limited list of boutique brands excepted for resale.

*A certificate of insurance showing evidence that the applicant has workers' compensation insurance must be included with this completed application.*

Pursuant to MGL Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have read and am in compliance with the contents of M.G.L. Chapter 62C, Section 49A (on reverse side of this application).

[Signature]

Signature of Applicant (Mandatory)

592-12-0471

Either a Social Security Number  
Or Federal Identification Number Must Be Supplied

[Signature]

By Corporate Officer  
(if applicable)

3/1/12

Date (required)

*This License will not be issued unless this certification clause is signed by the applicant.*



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 Office of Investigations  
 600 Washington Street  
 Boston, MA 02111  
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

**Applicant Information**

Please Print Legibly

Business/Organization Name: Home Savvy LTD DBA Cherry Picked

Address: 225 Highland Ave

City/State/Zip: Needham, MA 02494 Phone #: 781-444-5464

**Are you an employer? Check the appropriate box:**

- 1.  I am an employer with \_\_\_\_\_ employees (full and/ or part-time).\*
- 2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3.  We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
- 4.  We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

**Business Type (required):**

- 5.  Retail
- 6.  Restaurant/Bar/Eating Establishment
- 7.  Office and/or Sales (incl. real estate, auto, etc.)
- 8.  Non-profit
- 9.  Entertainment
- 10.  Manufacturing
- 11.  Health Care
- 12.  Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

*I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.*

Insurance Company Name: \_\_\_\_\_

Insurer's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Policy # or Self-ins. Lic. # \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

*I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.*

Signature: [Signature] Date: 3/1/12

Phone #: \_\_\_\_\_

*Official use only. Do not write in this area, to be completed by city or town official.*

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

- 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
- 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

Town of Needham  
Water Sewer Billing System  
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR  
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	\$769.85
Water Irrigation:	\$43,233.42
Water Service:	\$0.00
Sewer Sales:	\$2,651.10
Transfer Station Charges:	\$0.00
Total Abatement:	\$46,654.37

Order #: 1138  
Read and Approved: 3/6/2012

  
DPW Supervisor of Administrative Services

  
Director of Public Works

For the Board of Selectmen

Date: 3/13/2012

Town of Needham  
Water Sewer Billing System  
Adjustment Form

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
LM	Town of Wellesley		5999	21024	206	Winding River Road	\$43,233.42	\$0.00	\$0.00	\$43,233.42	Billing Error	Y
LM	Hargraves	John	28013	1456	56	Thornton Road	\$0.00	\$29.60	\$48.25	\$77.85	Equip. Leak	N
LM	Totaro	Katherine	5773	19396	54	Whitman Road	\$0.00	\$0.00	\$265.45	\$265.45	Leak	N
LM	Tower Hill Builders		31717	1534	152	Broadmeadow Road	\$0.00	\$0.00	\$405.35	\$405.35	Billing Error	Y
LM	Kudishman	Leonid	36039	19038	330	Rosemary Street	\$0.00	\$0.00	\$185.90	\$185.90	Leak	N
LM	Council on Aging						\$0.00	\$740.25	\$1,746.15	\$2,486.40		N
<b>Total:</b>										\$46,654.37		

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

Legend:  
 O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.  
 O.E. Error = Over estimation was issued  
 Leak = Leak in house or at spigot that caused loss of water, with proof of repair  
 O.E. = High estimation of consumption to have customer respond to meter upgrade/exchange request  
 TWN = Town Project caused damage to private property  
 Equip = Equipment Malfunction  
 Prog. = Meters programmed incorrectly causing reading to be transferred incorrectly to billing system  
 UE = Under estimated during town wide estimate  
 UEW = Unexplained water loss  
 P.F. = Pool and Rink Fill  
 M.R.E = Meter Reading Error  
 Billing = Steps were charged incorrectly  
 COA = Council On Aging

**FRYER & O'BRIEN, LLC**

ATTORNEYS AT LAW

9 WHITING ROAD  
P.O. BOX 16  
DOVER, MASSACHUSETTS 02030

TELEPHONE (508) 785-1505

FAX (508) 785-2127

JONATHAN FRYER, ESQ.

VINCENT J. O'BRIEN, ESQ. \*

\* ALSO MEMBER OF CONNECTICUT BAR

BOSTON OFFICE

BY APPOINTMENT

March 1, 2012

Kate Fitzpatrick, Town Manager  
Needham Town Hall  
1471 Highland Avenue  
Needham, MA 02492

**Re: Petit Needham, LLC. d/b/a Petit Robert Bistro Needham  
Retail Alcoholic Beverage License  
Petition for Pledge of License to Needham Bank  
Loan Amount - \$100,000.00**

Dear Ms. Manager :

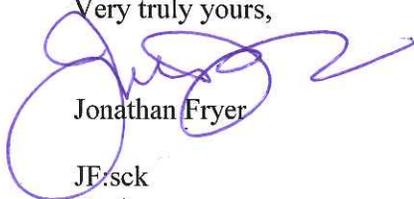
This office represents the Needham Bank in regard to a loan and pledge of the Alcoholic Liquor License of the Petit Needham, LLC, to the Needham Bank.

Enclosed herewith please find:

- a. Petition for Change of License i.e. Pledge of License;
- b. A copy of Alcoholic Liquor License.

If you have any questions, please do not hesitate to give me a call. Otherwise, would you please forward this documentation, together with your approval of the Pledge Application, to the Alcoholic Beverages Control Commission.

Very truly yours,



Jonathan Fryer

JF:sck

Enclosures

NCB12\PetitNeedham02-13.doc

**FRYER & O'BRIEN, LLC**

ATTORNEYS AT LAW

9 WHITING ROAD  
P.O. Box 16  
DOVER, MASSACHUSETTS 02030

TELEPHONE (508) 785-1505

FAX (508) 785-2127

JONATHAN FRYER, ESQ.

VINCENT J. O'BRIEN, ESQ. \*

\* ALSO MEMBER OF CONNECTICUT BAR

BOSTON OFFICE

BY APPOINTMENT

February 14, 2012

Kate Fitzpatrick, Town Manager  
Needham Town Hall  
1471 Highland Avenue  
Needham, MA 02492

**Re: Petit Needham, LLC. d/b/a Petit Robert Bistro Needham  
Retail Alcoholic Beverage License  
Petition for Pledge of License to Needham Bank  
Loan Amount - \$100,000.00**

Dear Ms. Manager :

This office represents the Needham Bank in regard to a loan and pledge of the ~~Common Victualer's~~ License of the Petit Needham, LLC, to the Needham Bank.

*All Alcohol*

Enclosed herewith please find:

- a. Retail Alcoholic Beverages License Application Monetary Transmittal form;
- b. Petition for Change of License i.e. Pledge of License;
- c. Pledge of License checklist;
- d. Check in the amount of \$200, made payable to the Commonwealth of Massachusetts;
- e. Check in the amount of \$100 made payable to the Town of Needham; and
- f. A copy of Common Victualer's License, Pledge Agreement, Corporate vote and Promissory

Note. *on file in Town manager office.*

If you have any questions, please do not hesitate to give me a call. Otherwise, would you please forward this documentation, together with your approval of the Pledge Application, to the Alcoholic Beverages Control Commission?

Very truly yours,

Jonathan Fryer

JF:sck

Enclosures

NCB12\PetitNeedham02-13.doc

The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: \$200.00

(CHECK MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL)

CHECK NUMBER: 7224

IF USED EPAY, CONFIRMATION NUMBER:

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY): 77000013

LICENSEE NAME: Petit Needham, LLC. d/b/a/ Petit Robert Bistro Needham

ADDRESS: 45 Chapel Street

CITY/TOWN: Needham STATE MA ZIP CODE 02492

TRANSACTION TYPE (Please check all relevant transactions):

- New License
- New Officer/Director
- Pledge of License
- Change Corporate Name
- Transfer of License
- Change of Location
- Pledge of Stock
- Seasonal to Annual
- Change of Manager
- Alteration of Licensed Premises
- Transfer of Stock
- Change of License Type
- Cordials/Liqueurs Permit
- New Stockholder
- Issuance of Stock
- Other
- 6-Day to 7-Day License
- Management/Operating Agreement
- Wine & Malt to All Alcohol

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

ALCOHOLIC BEVERAGES CONTROL COMMISSION  
P. O. BOX 3396  
BOSTON, MA 02241-3396

The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

PETITION FOR CHANGE OF LICENSE

77000013

ABCC License Number

Needham

City/Town

The licensee  respectfully petitions the Licensing Authorities to approve the following transactions:

- |   |   |
|---|---|
| <input type="checkbox"/> Change of Manager  | <input type="checkbox"/> Alteration of Premises |
| <input checked="" type="checkbox"/> Pledge of License/Stock                             | <input type="checkbox"/> Cordial & Liqueurs     |
| <input type="checkbox"/> Change of Corporate Name/DBA                                   | <input type="checkbox"/> Change of Location     |
| <input type="checkbox"/> Change of License Type (§12 ONLY, e.g. "club" to "restaurant") |   |

Change of Manager

Last-Approved Manager:

Requested New Manager:

Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out attached financial information form)

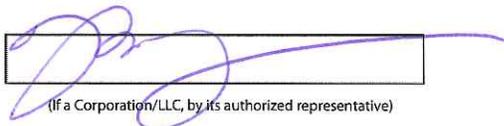
Description of Alteration:

Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee



(If a Corporation/LLC, by its authorized representative)

Date Signed

## Pledge of License Checklist

This application will be returned if the following documentation is not submitted:

- Retail Transmittal Form
- \$200.00 Fee made payable to the Commonwealth of Massachusetts or the ABCC
- Petition for Change of License
- Pledge Agreement
- Promissory Note
- Supporting Financial Records (if needed)
- All records, loan agreements, documents, as well as affidavits detailing the source(s) of money for this license transaction
- 3 months worth of bank statements confirming the sources of funds
- Vote of Corporate Board or LLC

**NEEDHAM BANK**  
1063 Great Plain Avenue, Needham, MA., 02492

**PLEDGE OF LIQUOR LICENSE**

ALL ALCOHOLIC LIQUOR LICENSE  
TOWN OF NEEDHAM  
Issued to "Petit Needham, LLC. d/b/a Petit Robert Bistro Needham"  
45 Chapel Street, Needham, MA  
Raji D. Spencer, Manager  
Issued: December 20, 2011  
License # 77000013

The undersigned hereby pledges and transfers to the Bank as collateral, the above said ALL ALCOHOLIC LIQUOR LICENSE (a copy of which is attached hereto), to guarantee:

a Commercial Business Term Loan from Needham Bank in the amount of One Hundred Thousand and 00/100 (\$100,000.00) Dollars dated February 10, 2012 and a Commercial Line of Credit from the Needham Bank in the amount of Twenty-Five Thousand and 00/100 (\$25,000.00) Dollars dated February 10, 2012 (a copy of each is attached hereto)

For Value Received, said value in part being the granting of said Commercial Business Term Loan and Commercial Line of Credit to the undersigned, we authorize Needham Bank to hold said LICENSE as collateral to the full extent allowed by law and subject to the terms of a security agreement executed with said Commercial Business Term Loan and Commercial Line of Credit.

The Bank shall release this pledge upon payment in full of the loan and satisfaction of all terms of said security agreement.

The undersigned agrees to pay on demand to the Needham Bank, any fee, charges, and expenses, including attorney's fees and other charges for legal services paid or incurred by the Needham Bank in connection with this pledge.

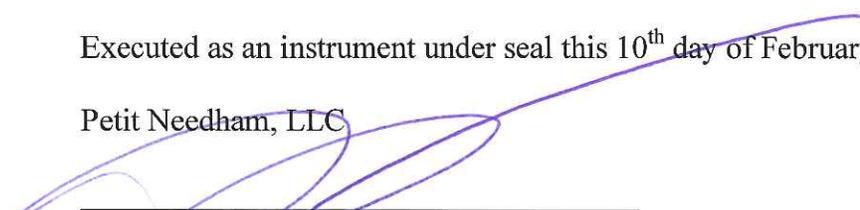
The undersigned guarantee and agree that the pledge is irrevocable, unless otherwise agreed to in writing by both parties.

The parties agree to submit this pledge to the Town of Needham for approval.

The parties agree that until retransferred to the undersigned that the LICENSE, to the full extent allowed by law, shall be considered property of the Bank and not the undersigned.

Executed as an instrument under seal this 10<sup>th</sup> day of February, 2012.

Petit Needham, LLC

By:  Raji D. Spencer, Manager

Wp51/NCB12/spencer-298harvard-licensepledge/doc

**2012 LICENSE ALCOHOLIC BEVERAGES**

THE LICENSING BOARD OF  
The Town of Needham  
MASSACHUSETTS

HEREBY GRANTS A

**LICENSE**

IN CONJUNCTION WITH  
VALID COMMON VICTUALLER'S LICENSE

to **Expose, Keep for Sale, and to Sell**

*All Alcoholic*

*To be Drunk on the Premises*

To: **Petit Needham LLC d/b/a Petit Robert Bistro Needham**  
Manager: **Raji D. Spencer**

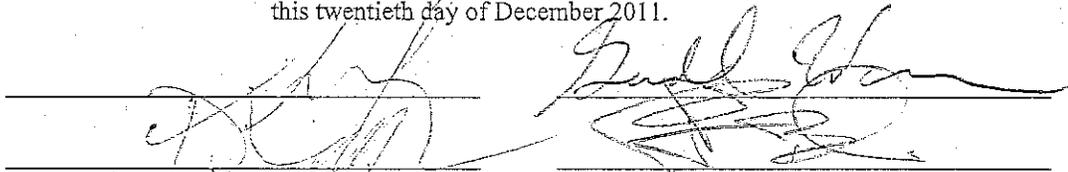
On the following described premises: *100 seat restaurant, includes 12 seats at service bar*

Restrictions: *Sun-Thurs 11am-11pm Fri-Sat 11am-midnight; must have 100 seats available for patrons at all times*

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31, 2012, unless earlier suspended, canceled or revoked.

The Hours during which Alcoholic Beverages may be sold are: 11:00 a.m. to 12:00 Midnight on secular days and from 12:00 Noon to Midnight on Sundays. The license is subject to the restriction that there will be no consumption of alcoholic beverages on the premises after one half hour after midnight.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures  
this twentieth day of December 2011.



  
LICENSING BOARD

LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN BE EASILY READ

License Number: 77000013

Fee: \$4225 (paid)



Sandy Cincotta  
Assistant Town Manager  
1471 Highland Avenue  
Needham, MA 02492

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN  
2012 MAR -1 P 3:01

newYear's  
needham



February 22, 2012

Dear Sandy-

Per our conversation earlier, I would like to request permission for the Needham Cultural Council to use the town common and/or the town hall indoor space, specifically the Powers Hall and atrium hallway next to it for exhibit space for artists for our Spring Arts Festival. The date is Saturday, June 9, 2012 from 10 a.m. to 3:00 p.m. (set up would begin around 9 a.m.) We intend to use the outdoor space if weather permits but last year we had a terrible rain out with no back- up space and it really ruined the event. It's possible that we could combine to use mostly outdoor but some indoor if, for example, the quilters request to be indoors to protect their quilts.

The event entails artists of all types from painters to ceramic and jewelry makers showing their work with some available for sale. In addition, we generally have a couple of local dance studios perform as well as vocal groups from the middle school and potentially high school and possibly even a jazz combo. We're just in the early stages of planning.

We realize we will incur the costs of the custodian and of the specialized technician at \$450 for the day if indoors. If the event were to take place outdoors, I suppose we could still use him since we would need a technician there too. We have previously used another audio specialist who is less expensive but if we had to guarantee your tech a gig that day, I guess we could do so! I'm not sure if he provides equipment if the event is outdoors like our other company would. Let me know if you happen to know.

Let me know if you have any questions or if I need to complete any additional paper work. Thank you for your consideration.

Best Regards,

Sheri Edsall  
Chairman  
Needham Cultural Council