

**Town of Needham
Board of Selectmen
Minutes for June 12, 2018
Needham Town Hall
Selectmen's Chamber**

6:30 p.m. Executive Session: (Exception 6 - Acquisition of Real Property)
Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.

Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. To return to open session prior to adjournment.

Second: Mr. Handel. Mr. Matthews polled the Board. Unanimously approved 4-0.

Ms. Cooley was not present for the vote.

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. The public portion of the Board of Selectmen meeting of June 12, 2018, was convened by Chair Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. A moment of silence was held remembering John H. "Jack" Cogswell, longtime Needham resident, member of Town Meeting, the Board of Selectmen, the Planning Board, the Board of Appeals, and passionate volunteer who passed away on June 1, 2018.

7:01 p.m. Continuation of Public Hearing for the removal of (1) Public Shade Tree at 646 Webster Street, Needham.

Edward Olsen, Tree Warden, Parks & Forestry Superintendent appeared before the Board continuing the Public Hearing held on May 22, 2018. Abutters were re-noticed for the continuation date and time. Mr. Olsen gave a brief history of public shade tree hearings, saying most tree removals are approved. He explained the Red Oak tree in question located at 646 Webster Street, within the berm, has been thriving over 100 years, is in good shape, and is historic. Mr. Olsen said, in his opinion, there is not enough evidence to approve removal of the tree, recommending the Board of Selectmen not to approve removal.

Mr. Matthews invited Suzanne Bandanza, 646 Webster Street, petitioner and homeowner, forward to explain her rationale for the removal request.

Suzanne Bandanza explained when she purchased the property in March 2018 she did not know the tree was a public shade tree. She said safety is a concern, suggesting the Board of Selectmen take time to pull in/out of the driveway to get a sense of the situation. Ms. Bandanza admitted the tree is beautiful, could be pruned, but is a hazard. She commented a new two family home was recently built next to her property and a fence was installed, and she believes another home and fence will soon be built on the other side of the property. She said car and pedestrian traffic is challenging, as the property is opposite the high school.

Mr. Olsen said there are obstacles entering and exiting the driveway. He noted however, trees along the July 4th parade route are monitored annually and trimmed as needed. He commented the tree has survived many storms and hurricanes, surviving because it is very strong.

Mr. Matthews invited public comment.

John Cosgrove, 68 Oakland Avenue asked if the driveway had been moved. Ms. Bandanza said the driveway had not been moved.

John Tallarico, 1069 Highland Avenue said 100 year old beautiful trees are what make up Needham. He cautioned against removal.

Amy Willis, 10 Holland Terrace said she is thankful because the tree blocks the view of the dumpster at the high school, but acknowledged safety is a concern.

Ms. Bandanza said she has complete and total appreciation for mature trees, but believes the tree is dangerous and a safety hazard.

Mr. Matthews closed the public hearing and asked for Board comment.

Mr. Handel said he is not unsympathetic to the applicant, but older trees along Webster Street are rare and community asset. He stated he can not support removal.

Mr. Borrelli said he understands the applicant's plight, but Mr. Olsen's past recommendations for tree removals, when necessary, is strong. He said he will vote against removal the tree.

Ms. Cooley asked Mr. Olsen about the branch over the wire to the house, and why it was kept in place? Mr. Olsen said the Town never performs pruning within live electrical wires, but he could help facilitate removal of the branch with Eversource Energy. Ms. Cooley said she understands the challenge, but would be sad if the tree were removed.

6. **Accept the gift of two new, made in America, nylon United States Flags from the Norfolk Lodge A.F. & A.M. for the Needham Town Common and the Needham Heights Common.**
7. **Ratify a request from Michelle Harris, of PLGA Foundation d/b/a A Kids' Brain Tumor Cure, who held its "Geared Up for Kids 2018" bike ride on June 3, 2018. The bike ride started at 8:00 a.m. and was finished at noon. The route of the race was approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
8. **Approve road race event form from Christopher George of the Sean Biggs Memorial Foundation, to hold its 5K race/ 1 mile run in Needham on November 18, 2018 from 6:00 a.m. to 12:30 p.m. In the event of inclement weather, event will be held on November 25, 2018. The race application has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
9. **Water and Sewer Abatement Order #1256.**
10. **Approve a 20B Exemption for Catherine Murray who is an employee at the Broadmeadow Elementary School as a cafeteria worker to engage in summertime work with the Traveling Meals Program.**
11. **Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Ratify - Robert Klein	11 Andrea Circle	Andrea Circle	6/10/18	n/a	11:30am-4pm
Madhuri Reddy	13 Wyoming Ave.	13 Wyoming Ave.	8/18/18	n/a	10am-3pm

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

7:24 p.m.

Public Hearings: Eversource Energy

Maureen Carroll, Eversource Energy representative appeared before the Board with three items to discuss:

1. Norfolk Street

Ms. Carroll requested permission to install approximately 9 feet of conduit in Norfolk Street. She said this work is necessary to provide new underground electric service at 21 Norfolk Street, Needham.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Matthews invited public comment. No comments were heard.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource energy to install 9 feet of conduit in Norfolk Street. This work is necessary to provide new underground electric service at 21 Norfolk Street, Needham.

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

2. Manning Street

Ms. Carroll requested permission to install approximately 14 feet of conduit in Manning Street. She said this work is necessary to provide new underground electric service at 118 Manning Street, Needham.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Matthews invited public comment. No comments were heard.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource energy to install 14 feet of conduit in Manning Street. This work is necessary to provide new underground electric service at 118 Manning Street, Needham.

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

3. Pine Grove Street

Ms. Carroll requested permission to install approximately 9 feet of conduit in Pine Grove Street. She said this work is necessary to provide new underground electric service at 60 Pine Grove Street, Needham.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Matthews invited public comment. No comments were heard.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource energy to install 9 feet of conduit in Pine Grove Street. This work is necessary to provide new underground electric service at 60 Pine Grove Street, Needham.

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

7:27 p.m.

Public Hearing: Water and Sewer Rates

The Water and Sewer Rate Structure Committee including Steve Rosenstock, John Cosgrove, John Tallarico, Nick Renzulli, and Tom Loughran, along with David Davison, Assistant Town Manager/Finance, Evelyn Poness, Town Treasurer/Collector, and Christopher Seariac, Superintendent of Water and Sewer appeared before the Board to discuss the water and sewer rates in Needham.

Mr. Davison told the Board the rate proposal that took effect on July 1, 2017, increased the average annual water/sewer bill by 1.5%, the proposed new rate structure would increase the sewer rates, but decrease the domestic water rates to offset, and effectively result in no change in the annual bill. He commented there is no change proposed for the irrigation rate.

Discussion ensued on the use of MWRA water, elimination of the water ban, and the impact a rainy spring has on decisions being made by the Water and Sewer Rate Structure Committee.

Mr. Matthews noted the Board of Selectmen anticipates taking a vote on final water and sewer rates at its meeting on June 26, 2018. The Board thanked the presenters for their work.

7:45 p.m.

Approval of the Sale of Notes:

David Davison, Assistant Town Manager/Finance and Evelyn Pones, Town Treasurer/Collector reviewed the results of the bond anticipation note sale and discussed upcoming borrowings with the Board. Also reviewed was the recent S&P rating analysis of the Town.

Mr. Borrelli mentioned Standard and Poor's "Summary: Needham, Massachusetts; General Obligation; Note," dated June 5, 2018, reiterating the healthy outlook and AAA rating for the Town.

Motion A

Move by Mr. Bulian that the Board approve the sale of \$580,000 3.50 percent General Obligation Bond Anticipation Notes, Series A (the "Series A Notes") of the Town dated June 18, 2018 and payable June 28, 2018 to Eastern Bank at par and accrued interest, if any.

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

Motion B

Move by Mr. Bulian that the Board approve the sale of \$28,560,000 2.00 percent General Obligation Bond Anticipation Notes, Series B (the "Series B Notes" and together with the Series A Notes, the "Notes") of the Town dated June 18, 2018 and payable August 1, 2018 to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$20,848.80.

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

Motion C

Move by Mr. Bulian that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 31, 2018 and a final Official Statement dated June 6, 2018, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

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

Motion D

Move by Mr. Bulian that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

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

Motion E

Move by Mr. Bulian that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes.

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

Motion F

Move by Mr. Bulian that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

The Board signed the appropriate documents.

Mr. Davison noted the attendance of Theodora K. Eaton, Town Clerk as witness.

7:50 p.m.

LED Project Update:

Carys Lustig, Director of Administration & Finance, Public Services and Tony Del Gaizo, Town Engineer updated the Board on the LED project and suggested a range of options for installation. It was noted the Board of Selectmen will be asked to approve a final option at its meeting on June 26, 2018.

Mr. Matthews explained grant funding provided through the MAPC is available for replacing street lights with LED lighting, which he said will save energy and improve the current lighting used on Needham streets. He said public comment was received, and the Town now faces a deadline to make its decision on whether or not proceed with the procurement process, in time to qualify for additional funding.

A PowerPoint presentation was shown.

Ms. Lustig gave a brief background on how the Town came to the decision to do an LED conversion of the street lights. She commented on new LED lighting, HPS lighting currently used, and the Town's energy audit completed in 2010 which recommended converting street lights to LED lighting. Ms. Lustig indicated the Board of Selectmen endorsed the audit and recommended adoption of all the actions, as practicable. She noted at that time few surrounding communities were converting to LED, so the Town waited until the last two years after other towns started considering LED lighting. Further research was done to determine the best lighting choice for Needham. Discussion ensued on energy efficiency, better light control, and the desire to decrease maintenance costs. Ms. Lustig said a public survey was conducted and in March 2017 a pilot study was implemented. In

September 2017, Ms. Lustig said approval of a capital article was sought and the Town was also notified by the MAPC of a 30% grant opportunity for the installation of LED lighting, if installed by the end of November 2018. Ms. Lustig explained the options and considerations for each lighting fixture, and required actions necessary for moving the project forward.

Discussion ensued on cost, lighting fixtures (EC-1 3000K vs. 2700K), and other considerations.

Mr. Borrelli said safety is most important, along with practicality.

Mr. Bulian said comments heard at the pedestrian safety public hearing held March 27, 2018 indicated people want more light. He said he would like to know what will provide equal or better light, to what is currently being used.

Ms. Cooley commented she is interested to know the cost differential between the 3000K and 2700K fixture. She said quality of light is important.

Mr. Handel asked the Board of Health to weigh in on the health effect of each fixture. He said achieving a sufficient amount of light, while also providing safety is worth considering. He explained the difference between street lights and lampposts.

Ed Cosgrove, member of the Board of Health said the issue will be discussed at the next Board of Health meeting.

Ms. Fitzpatrick said additional information, including specific cost data will be presented at the next Board of Selectmen meeting on June 26, 2018.

- 8:25 p.m. Director of Public Works:
Tony Del Gaizo, Town Engineer appeared before the Board with two items to discuss:
1. Sign Notice of Traffic Regulation Revision - Kendrick Street:
Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #HV18-06-12 for the amendment of existing Permit #3477 Heavy Commercial Vehicle Exclusion for Kendrick Street by removing the exclusion for that portion of Kendrick Street between Third Avenue and the Route I-95 southbound on-ramp.
Second: Mr. Borrelli. Unanimously approved 5-0.
 2. Sign Order of Taking for Town Way (Form 3) for Pandolf Lane:
Motion by Mr. Handel that the Board vote to approve and sign the Order of Taking for Town Way (Form 3) for Pandolf Lane.
Second: Mr. Borrelli. Unanimously approved 5-0.

8:30 p.m. Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with three items to discuss:

1. Determination of Unique Status/Parking Lot at 870 Great Plain Avenue
Ms. Fitzpatrick said the Town is contemplating entering into a license agreement with the First Church of Christ Scientist for the continued use of its parking lot for municipal parking. The parking lot is immediately adjacent to the Town's municipal parking lot on Dedham Avenue, and has been in use for municipal public parking for decades. In accordance with M.G.L. c. 30B, a public procurement process is not required if the Board of Selectmen determines that advertising will not benefit the Town's interest because of the unique qualities of the parcel. Ms. Fitzpatrick asked the Board declare the parcel is of a unique status.

Motion by Mr. Borrelli that the Board vote to determine that in the case of the proposed license of the parking lot associated with 870 Great Plain Avenue, advertising will not benefit the Town's interest because of the unique qualities of the property. This determination is made on the basis that the property abuts the municipal parking lot on Dedham Avenue.

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

2. Rules and Regulations for the Use of School Facilities
Ms. Fitzpatrick updated the Board on progress to the revision of the Rules and Regulations for Use of School Facilities and the proposed schedule for consideration and action. She commented the schools are used heavily year round. She said rates charged by the Town are significantly lower than surrounding communities. Ms. Fitzpatrick commented discussion will continue and a public hearing may be warranted.

Mr. Bulian concurred a public hearing is important to inform local groups and hear resident comment.

3. Town Manager's Report
Ms. Fitzpatrick updated the Board saying Rebecca Ping, the Town's Emergency Management Program Coordinator is customizing the emergency guidelines and training staff in each Town building.

8:41 p.m. Board Discussion:

1. Committee Reports
Ms. Cooley reported on an effort begun by school superintendent Daniel Gutekanst called "Portrait of a Needham Graduate," where he gathered approximately 60 people including school staff and community members who are working to understand the environment students enter after graduating from Needham High School. She commented on readings about how children learn and teaching today, as was discussed during the most recent session. She said two sessions are planned for the fall 2018. Ms. Cooley commented the goal is to talk about the direction of the schools and to think about key skills and knowledge all children need to be successful, within the framework of equity for all children in the district. A next

step, she said, includes reaching out to the community so people understand the goals and strategic priorities of the schools.

Ms. Cooley said she looks forward to reporting again in the fall with the proposal.

8:45 p.m.

Adjourn:

Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of Tuesday, June 12, 2018.

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

A list of all documents used at this Board of Selectmen meeting are available at:

<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>