

**Town of Needham
Select Board
Minutes for January 28, 2020
Needham Town Hall
Select Board's Chamber**

6:45 p.m. Informal Meeting with Citizens:
Terence Ryan, 79 Evelyn Road spoke with the Board about the Highway Commercial 1 Zoning Proposal in the Muzi Ford/Gould Street area. He commented on the Wingate buildings and asked that more green space be included in any plan.

Artie Crocker, 17 Fairlawn Street spoke with the Board about a public hearing held at the Broadmeadow School on Monday, January 27, 2020 regarding the Highway Commercial 1 Zoning Proposal. He asked that future discussions accurately represent what is being proposed, suggesting people should know there have been conversations with the property owner. Mr. Crocker spoke of the importance of trust in any of the discussions. He asked that more green space be part of the plan.

7:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair John A. Bulian. Those present were Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Introduce Water & Sewer Superintendent:
Richard Merson, DPW Director appeared before the Board to introduce newly promoted Water and Sewer Superintendent Sean Harrington. He gave a brief background on Mr. Harrington's work experience at the Boston Water and Sewer Commission and as Assistant Superintendent for Needham's Water, Sewer, and Drains Division.

Mr. Harrington said he enjoys working in the field and thanked the Town of Needham for the opportunity.

The Board congratulated Mr. Harrington on his promotion and wished him well in his new position.

7:05 p.m. Appointments and Consent Agenda:
Motion by Mr. Borrelli that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA:

- 1. Approve a Special One Day Wine & Malt Beverages Only license for Robert Timmerman of the Needham Knights of Columbus to host its annual Super**

- Bowl Party for Seminary Support on Sunday, February 2, 2020 from 4:00 p.m. to 11:00 p.m. The event will be held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.**
- 2. Approve a Special One Day Wine & Malt Beverages Only license for Robert Timmerman of the Needham Knights of Columbus to host its annual Saint Patrick's Day Dinner Dance on March 14, 2020 from 5:00 p.m. to 11:00 p.m. The event will be held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.**
 - 3. Grant permission for the Newton Needham Regional Chamber to use the Town Common and surrounding area for its Street Fair on Saturday, June 6, 2020, and the Fall Harvest Fair on Sunday, October 4, 2020. They would like to request rain dates of Saturday, June 13, 2020 and Sunday, October 11, 2020 respectively. Permission includes: Town Common for local businesses' booths; Businesses to have items for sale on sidewalk in front of their own stores; parking lot behind Town Hall and for one handicapped accessible portable toilet and one hand washing station (to be delivered and picked up on the same day); close Chapel Street from the corner of Great Plain Avenue to the Chapel Street parking lot for food court, fire truck, touch the trucks, and Michelson's Shoe table; use of the Town's generator on Chapel Street to power the food court and other activities as needed; use of the outlets on the town common to provide requested electricity for popcorn and other activities as needed; trolley ride that will start at Highland Avenue by the Town Common and loop back around the town via Great Plain Avenue, Webster Street, May Street, and back to the Town Common; delivery and pickup of a dumpster in the parking lot behind town hall; delivery and pick up of trash cans to be placed around the event area including specifically at the food court and near the portable toilets; and any changes as recommended by the Needham Police Department. Also grant permission for meter free parking in the downtown area for both days.**
 - 4. Accept a \$100 donation made to the Needham Health Division's Gift of Warmth Program from Philip and Lynda Coburn.**
 - 5. Accept the following donations made to the Needham Aging Services Donation Account: \$50 from Susan Smolin; and \$150 from Ellen & Michael Knizeski.**
 - 6. Approve a Special One Day All Alcoholic Beverages license for Marty Goldberg, of the Temple Beth Shalom to host its comedy night on March 7, 2020 from 7:00 p.m. to 11:00 p.m. The event will be held at Temple Beth Shalom, 670 Highland Avenue, Needham.**
 - 7. Approve a Special One Day Wines & Malt Beverages license for Sandra Rizkallah of Plugged-In Band Program to host its British Invasion – Beatle Juice event on April 4, 2020 from 5:00 p.m. to 11:00 p.m. The event will be held in Powers Hall at Town Hall, 1471 Highland Avenue, Needham.**
 - 8. Approve a request from Lindsey Itzkowitz, of the National Celiac Association, to hold its "NCA Run for Celiac 5K", on May 30, 2020 from 7:00 a.m. to 2:00 p.m. The route of the ride has been approved by the following departments, DPW, Police, Fire, and Park and Recreation.**

9. Approve a request from the Exchange Club of Needham to sponsor 4th of July fireworks on Friday, July 3, 2020 and activities on Friday, July 3, 2020, and Saturday, July 4, 2020. Activities on the 4th will include a Flag Raising on the Town Common, the Grand Parade, a 5K road race, the Crafts Fair/Flea Market, and athletic competitions for younger children. Coordination of all additional activities will be made with appropriate Town Departments.
10. Sign the Warrant for the State Primary Election Warrant scheduled for March 3, 2020.
11. Approve Open Session minutes of January 14, 2020 and Executive Session minutes of December 17, 2019.
12. Approve a Special One Day All Alcoholic Beverages License for Georgina Arrieta Ruetenik, of The Wily Network to host a fundraiser on February 1, 2020 from 3:30 p.m. to 7:30 p.m. The event will be held at 220 Reservoir Street, Suite 32, Needham, MA.
13. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$100 from Jennifer Tirnauer, \$100 from Lawrence Kistler, \$50 from Kate Carter, and \$100 from The Charles River Center.
14. Approve and sign updated Common Victualler licenses to all three Dunkin Donuts establishments in Needham as they have all changed corporation and establishment names. The Common Victualler licenses were originally approved and signed at the December 3, 2019 Select Board meeting. The changes are as follows: Highland Avenue Donuts, Inc. d/b/a Dunkin Donuts (CV-2020-22) to ND Donuts, LLC d/b/a Dunkin'; Fred's Coffee Shop d/b/a Dunkin Donuts (CV-2020-16) to ND Donuts, LLC d/b/a Dunkin'; and Chestnut Street Donuts d/b/a Dunkin Donuts (CV-2020-12) to ND Donuts, LLC d/b/a Dunkin'.
15. Water and Sewer Abatement Order #1286.
16. Accept a \$50 donation made to the Needham Park and Recreation Commission in honor of Patty Carey from Lois and Bill Bacon. They would like the money to go towards the Department's Ice Skating program.
17. Authorize the Town Manager to sign all documents relating to the Town's website with .Gov Domain Registration.
18. Approve a Special One Day Wines & Malt Beverages License for Gloria Greis of the Needham History Center & Museum to hold its "Champagne & Chocolate Goes to the Movies" event on February 8, 2020 from 7:00 p.m. to 11:00 p.m. The event will be held in Powers Hall, 1471 Highland Avenue, Needham MA.

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

7:05 p.m.

Town Manager:

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

1. FY2021 Budget Presentation

Ms. Fitzpatrick presented the proposed annual balanced budget for fiscal year 2021.

She said the theme for the year is service and how services are provided to residents. She commented on initiatives to improve safety and the continued focus on maintaining a sustainable and resilient financial plan for the Town. She commented on core budget priorities adopted by the Select Board, noting the primary goal of the Board is the maintenance and optimization of existing Town services while being mindful of the availability of revenue for appropriation. Ms. Fitzpatrick referred to the Overall General Fund Budget Summary saying the budget is increasing by 4.5% to \$203,453,955. Ms. Fitzpatrick commented on Budgeting Best Practices and the use of Free Cash to fund operations. She noted a slight increase in estimated property taxes, saying Needham is a community that relies heavily on property taxes supplemented by state aid and local receipts, including motor vehicle excise and hotel excise taxes. Ms. Fitzpatrick indicated the Governor's budget shows an increase in state aid to Needham mainly attributed to the implementation of full day kindergarten. Ms. Fitzpatrick commented on Budget Drivers such as school enrollment, employee benefits, and staffing. She said over the past ten years, school enrollment in Needham has increased by 6.5%, or 348 additional students, representing an average annual increase in enrollment of .7% per year. She highlighted additional staffing in the Finance Department, Planning & Community Development, Police Department, Fire Department, Public Works Department, Health & Human Services, Library, and Park & Recreation over the last year. Ms. Fitzpatrick commented on items not funded in the prior year budget, highlighting community events, network security, software, a recording secretary for the DRB, the SPAN program, library subscriptions, and pool staffing among other items. Ms. Fitzpatrick said many items will be brought back next year, in particular a dedicated Public Health Director in Board of Health, increased programs at the Center at the Heights, library space planning and staff, police vehicles, and additional staffing in the Public Works department among other items. Ms. Fitzpatrick commented the recommended budget increase for the Needham public schools is 6.2% totaling \$80,738,396 and includes 17 full-time equivalent employees. Discussion ensued on the Enterprise Fund Budgets and the concept of the Stormwater Stabilization Fund. Ms. Fitzpatrick commented on the newly built Jack Cogswell building on Central Avenue, noting a formal opening event will be held in the spring. Ms. Fitzpatrick spoke about items Beyond the Operating Budget, including Compensated Absences Fund, Property Tax Assistance Program, Public Facilities Maintenance Program, Town Owned Land Surveys, Billing and Collection Applications, a Parking Study, and the Athletic Facility Improvement Fund among other items. Ms. Fitzpatrick asked members of the Select Board if they had any questions.

Mr. Borrelli asked if any paid staff positions are being paid through a warrant article? He also commented on the Athletic Facility Improvement Fund, noting the fund is lower than in the past and needs to be built up again to fund new turf.

Ms. Fitzpatrick said some paid staff positions have transitioned and/or have sufficient funding. She commented that the addition of a Public Information Officer is invaluable, saying the position has two years of funding.

Ms. Cooley asked the timeline for getting free cash certified and will there be additional funds available? She commented that she is happy to see funding for events and funds for planning and public health.

Dave Davison, Assistant Town Manager/Finance said he anticipates free cash to be certified by March 2020 at a level comparable to prior years.

Mr. Matthews commented an impressive amount of work goes into preparing the budget. He said the Town does a good job with all town and public education services. He noted things cost more than people think and that Needham is a high tax community compared to statewide averages. He commented on mandated costs and departments devoted to their mission, noting there are many trade-offs in avoiding Proposition 2 ½ overrides to make the budget work. He said Needham delivers very good value for taxpayer dollars.

Mr. Bulian said the presentation gives residents an overview of where the money is spent, and items being considered in the coming fiscal year. He said he hopes for continued success, and that it is clear to him that people enjoy living in Needham.

The Board thanked Ms. Fitzpatrick and Mr. Davison for the presentation.

2. Town Manager Report

Ms. Fitzpatrick reminded the Board of the upcoming public meeting on the Complete Street Prioritization study to be held on Tuesday, February 4, 2020 in Powers Hall. She said the Town website has a list of locations recommended by the consultant as options for the Prioritization Plan. She encouraged residents interested in the topic to attend the meeting.

Ms. Fitzpatrick reported the Massachusetts Municipal Association recently held a workshop in which a new advertising campaign (masstowncareers.org) was announced, promoting jobs in the public sector and local government. A short video was viewed highlighting public sector jobs in the Commonwealth.

7:45 p.m. Board Discussion:

1. Highway Commercial 1 Zoning Proposal

Mr. Bulian said the Select Board attended the Highway Commercial 1 Zoning meeting sponsored by the Needham Heights Neighborhood Association held last night at the Broadmeadow School. He recognized Mr. Handel for comment.

Mr. Handel said he realized after the meeting there is a lot of misunderstanding about planning and the planning process. He said the meeting was to gather information about perceptions about discussions over the last six years leading up to the current status with a proposal that failed to reach two-thirds majority at Town Meeting in the fall 2019. He read his prepared statement commenting on the

Channel 5/Muzi Ford property, noting it is currently an unattractive parcel of land that could be made a more attractive and effective buffer between residential Needham and Route 128/I95 if new zoning were adopted. He said the property should be put to a better, more environmentally sensitive and mutually valuable use, however, that will not occur under current zoning. He discussed zoning using the Special Permit process can provide both the tools and means to achieve desired and costly changes. He commented on the available tools and means of the Special Permit process that could be used, including a supermajority vote of the elected Planning Board members, extensive public hearings, and significant modifications to the Special Permit that could be made after adoption requiring further public notifications and hearings. He said Needham does not own the site and cannot buy the improvements many folks would like to see. He said the means come through the Special Permit, adding value to a potential development through a higher density and height for those developers willing to meet extra conditions in order to gain more value from more and better rentable space. He said a meaningful public process is part of the method and provides a win-win situation for the Town, neighbors, owners, and future occupants of this very important highway related location. He commented it is clear from the meeting last night that the Planning Board is listening to public concerns. He said he is inclined to be supportive of the Planning Board as it moves forward or if they don't move forward. He commented on the notion of waiting for a potential developer before rezoning is ever proposed, noting it is unrealistic to think that approach and uncertainty would result in anyone coming forward to engage with the Town on the issue. Mr. Handel said Needham's record of attracting high quality corporate development using incentives in the Special Permitting process is the envy of neighboring municipalities.

Mr. Borrelli said the project is missing a comprehensive vision and more public input, suggesting hiring a consultant with expertise in developing a master plan for the area. He said if the Town wants development of the site, they will overwhelmingly vote for it. He commented starting with a vision, density, and use ideas will bring people together to gain consensus.

Mr. Matthews said there were many positive contributions at the meeting last night. He said it seemed to him that the idea was new for many people at the meeting and that it is incumbent on the presenters and Select Board to make sure townspeople understand the basics, i.e. why change zoning in this privately held property? He said having a strong business community is important for Needham and there is a reason to try and maximize the value of commercially zoned properties that is in the best interest of the community. Mr. Matthews said he believes the general approach by the Planning Board is good. He commented the idea of allowing a significant increase in commercial activity subject to the special permit process will allow the Planning Board to address issues of massing, appearance, traffic, open space, environmental, and sustainability. He said creating a framework will allow the private sector to work within guidelines to come forward with a plan, noting the Needham Crossing development. Mr. Matthews said it is up to the Planning Board to decide whether or not to present to Town Meeting in the spring of 2020 if a plan

is ready, or to wait another year to get it right. Mr. Matthews concluded the goal is to have a plan that works best for the whole community.

Mr. Bulian said he believes there should be more meetings and more discussion as to the use of the parcel. He said from the meeting last night, he believes environmental sustainability, green space, and less height must be seriously considered, suggesting office space may be the best use of the parcel. He said traffic will be one of the biggest issues for the area, including Gould Street. Mr. Bulian said he wants to see what the Planning Board brings forward, either in the spring or fall of 2020. He concluded by saying that any future development of the site will look far better, rather than the current parcel having a lot of cars and a lot of asphalt. He said change is difficult for some people, but the Select Board is obligated to make the best decisions for all of the townspeople.

Ms. Cooley said she was surprised the idea was new for many people attending the meeting last night. She said that although she heard concerns about sustainability and the notion that the area is the gateway to Needham, the role of the Planning Board is to create the conditions that create the right feel. She said traffic is a big concern, noting there are things that can be done by special permit to mitigate traffic and improve transportation. She said the Planning Board has indicated it wants consensus moving forward, but which did not exist last spring. She said she would like to have a goal of bringing the topic back to spring Town Meeting, recognizing there may be more work that needs to be done. Ms. Cooley concluded there is support for the idea of something new and that people would appreciate having an entrance to town that they feel Needham is worthy of today. She said developers will respond with a framework and an articulate vision for the area.

Discussion ensued on current and new zoning, development of the parcel, and moving the project forward.

2. Committee Reports

Ms. Cooley reported she and Mr. Borrelli attended a meeting on future school needs and enrollment. She said data suggests school population will stay flat for a long time, with shifts between elementary and high school. She said there is a sense that in order to support school enrollment more flexibility around the margins is necessary with possible spot redistricting. She said schools will be full, but it does not appear more schools or school additions need to be built. She noted many families now moving to Needham already have children, unlike in the past when people moved to Needham without children.

Mr. Borrelli said the meeting was “eye opening,” commenting 288 homes sales annually need to turnover to stay at the baseline. He said the numbers include apartment projections and overlay zoning projections.

8:32 p.m. Executive Session: Exception 3 - Potential Litigation

Motion by Mr. Handel that the Select Board vote to enter into Executive Session.

Exception 3 - To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Not to return to open session prior to adjournment.

Second: Mr. Borrelli. Mr. Bulian polled the Board. Unanimously approved 5-0.

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

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