

Town of Needham
Select Board
Minutes for Tuesday, August 18, 2020
By Zoom Video Conference
<https://us02web.zoom.us/j/81178733033>

- 5:45 p.m. Informal Meeting with Citizens:
Fernanda Pinto, a rising junior at Needham High School spoke with the Board proposing that the Town of Needham change the name of Columbus Day to Indigenous People’s Day. She explained that while Christopher Columbus discovered America, he also committed serious crimes. She suggested the Town consider changing the name of the October holiday to celebrate and honor native Americans. She asked the Board the next steps she could take to move the issue forward.
- Mr. Borrelli cautioned that the issue is not “cut and dry” and that Christopher Columbus is a revered and beloved figure in the Italian community. He said there is a way to celebrate Christopher Columbus and the cultural impact he had versus another day to honor indigenous people. Mr. Borrelli said the subject is sensitive and he is not inclined to make any change. Ms. Cooley said some communities have chosen to jointly name the holiday recognizing both the important cultural identity of Christopher Columbus and indigenous people.
- 6:01 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Maurice P. Handel. Those participating were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, and Town Manager Kate Fitzpatrick. Town staff participating included Dave Davison, Assistant Town Manager/Finance, Katie King, Assistant Town Manager/Operations, and Sandy Cincotta, Support Services Manager. Recording Secretary Mary Hunt recorded the meeting remotely.
- Mr. Handel announced this open meeting is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020 due to the current state of emergency from the outbreak of the COVID-19 virus. He noted all public gatherings have been suspended as advised and directed by the Commonwealth. And, as such, suspending the requirement of the open meeting law to have all meetings in a public, accessible, physical location while encouraging and allowing members of all public bodies to participate remotely. Mr. Handel stated the meeting will not include public comment and the Needham Select Board and all attendees are convening by Zoom, as posted on the Town’s website identifying how the public may join. He said all supporting documents used at this meeting are available on the Town’s website www.needhamma.gov.
- 6:02 p.m. Certificate of Appreciation - Elaine Saunders, Commission on Disabilities Committee

Mr. Borrelli read a Certificate of Appreciation awarded to Elaine Saunders, Commission on Disabilities for her many years of distinguished service. The Board thanked Ms. Saunders for her service to the Town of Needham.

Motion by Mr. Borrelli in recognition of over 29 years of distinguished service to the Town of Needham. Thank you for your oversight and guidance to the Needham Commission on Disabilities and for your selfless dedication in serving as a member from when the Commission was first established in 1991 and as Co-Chair for so many years. Congratulations!

Second: Mr. Bulian. Unanimously approved 5-0 by roll call vote.

6:04 p.m. Public Hearing: Eversource Energy Grant of Location - Marked Tree Road: Maureen Carroll, Eversource Energy representative requested permission to install approximately five feet of conduit in Marked Tree Road. This work is necessary to provide underground electric service to 169 Marked Tree Road Needham.

Ms. Fitzpatrick said all paperwork is in order, however work was done prior to receiving approval.

Juan Wolf, general contractor said this is the first home he has built in Needham and that he was unaware of the permit process for a GOL. He apologized to the Board for this error, saying the work was reversed to allow for Eversource to complete its work.

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

Motion by Mr. Bulian that the Select Board approve and sign a petition from Eversource Energy to install approximately 5 feet of conduit in Marked Tree Road. This work is necessary to provide underground electric service to 169 Marked Tree Road, Needham.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

Mr. Borrelli said he is frustrated by the number times work has been done prior to receiving approval from the Board. He said while guidelines and notices have been put in place, this situation happens too often. He suggested instituting a fine for these offenses.

Mr. Bulian explained the importance of Select Board approval, as it allows abutters to weigh in on the project.

6:12 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

- 1. Various Committee Reappointments See list attached.**
- 2. Human Rights Committee Marcus Nelson (term expires 6/30/2023)**

3. Rail Trail Advisory Committee Stacey Mulroy (term expires 6/30/2023)
4. MWRA Advisory Board Sean Harrington (term expires 6/30/2023)

CONSENT AGENDA

1. Accept the following donations made to Needham Youth & Family Services' Volunteers Around Needham Program: \$20 from the Kline family; \$20 from the Franco Family; and \$25 from the Kelleher family.
2. Approve corrected G Schedule for the FY2021 Classification and Compensation Plan.
3. Approve the following grant applications made to the Needham Commission on Disabilities: David Summergrad requested a grant for payment of the \$200 honorarium for Lillian Elmore's presentation via Zoom, sponsored by the Needham Diversity Initiative. Lillian is a senior at Lexington High School who has cerebral palsy and gave an inspirational talk on empowerment, living with disabilities, accessibility and all challenges; and Julie Muse-Fisher, along with Mary Ricci and Kate Groton, requested a grant for up to \$2600 to support various initiatives for the new Intensive Learning Center (ILC) at Pollard Middle School.
4. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$100 from Mr. Joseph Leghorn.
5. Accept a donation of a 6x10 nylon flag to fly at Avery Square from Ted Shaughnessy, a Needham resident.
6. Accept various donations from the Town of Needham's Bi-centennial celebration in 1911 and other assorted memorabilia from a Needham native that was born in 1913. Items were donated by his son, Sandy Bucknam. Some items include a pennant, three small plates, a medal and various pictures.
7. Approve minutes from July 21, 2020 meeting.
8. Approve, sign and return the 2020 Final Boundary Validation Program form from the U.S. Census Bureau.
9. Approve donation from the Needham Fire Department of a turnout gear dryer to the Medway Fire Department.
10. Water and Sewer Abatement Order #1294.
11. Disband the Cable Advisory Television Committee with thanks to its members.
12. Approve banner flag design for the showcase banner program on Chapel Street that reads Shop Local, Wear a Mask, Keep Needham Safe. This is an initiative from the Needham Health Department.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

6:13 p.m.

COVID-19 Update:

Tiffany Zike updated the Board on the Town's response to the COVID-19 pandemic. She said the Public Health Department has been working to guide schools in reopening. She commented on the number of confirmed cases of COVID-19 in Needham, saying residents are paying attention and heeding the warnings, as indicated in the leveling off of cases. Ms. Zike spoke about the total number of daily confirmed cases. She indicated case numbers for Needham will change and be adjusted over the next few weeks due to an issue at a lab where some false positive cases were revoked. She said the Needham Public Health department is working on a COVID appropriate flu clinic for the end of September. Ms. Zike commented Olin College is reopening, noting one third of the number of students will be on campus. Ms. Zike commented Needham is doing well, people

understand the necessity of wearing a mask, however she noted some reports of people not wearing masks. Ms. Zike commented nursing homes and independent long-term care facilities are regularly contacted, seem to be doing well, and have a handle on their processes. Ms. Zike commented that face coverings need to fit to work properly.

Ms. Cooley commented it is worthwhile for citizens to know that they do not have to be the “mask police.” She said the rule is to wear a mask indoors with other people, and if outside and unable to maintain six feet of distance, then a mask is also required.

6:28 p.m.

Superintendent of Schools Update:

Dan Gutekanst, Superintendent of Schools updated the Board on race equity issues in the schools and provided information about plans for re-opening this fall.

Dr. Gutekanst said race equity in the schools is a work in progress, ongoing, and a community effort. He said Needham Public Schools have an exceptionally strong relationship with the Needham Police Department, particularly through the School Resource Program who collaborate to help students, staff, and families solve problems. PowerPoint slides were shown describing the “Race, Equity, Access & Leadership Coalition” (REAL) which provides a structure and framework to support and guide efforts to be culturally proficient, anti-racist, and to eliminate barriers for all children. Discussion ensued on actions and plans to be taken to ensure growth. Dr. Gutekanst highlighted various activities, forums, and programs that have taken place over the last year focused on ensuring equity in the schools.

Mr. Handel asked the Board for questions and comments.

Mr. Borrelli commented that diversity is terrific, but unity is sometimes missing. He said supporting the School Resource Officer and diversity is not mutually exclusive. He said he is hopeful we can be diverse and united as a community and celebrate differences.

Ms. Cooley said it was interesting to hear the status of race equity in the schools. She asked Dr. Gutekanst for an overview of reopening the schools in the fall and whether there are any particular concerns or worries where the Select Board can be helpful?

Dr. Gutekanst said schools are on track to reopen schools September 14, 2020 in a hybrid model, where half the children attend school one week and the other half attend the next week. He explained the purpose of the hybrid model is to minimize the number of students in contact at any one time and allow for social distancing. Dr. Gutekanst praised the School Committee for their work. He said an enormous amount of work and negotiation with the Needham Teachers Association is required prior to teachers returning to the schools on August 31, 2020. He commented, however, many teachers and families are anxious about health safety

and whether school building ventilation systems will be adequate for students returning to school. He commented each building's ventilation system is currently being studied, noting he is hopeful any issues are minimal and can be easily fixed. Dr. Gutekanst said if ventilation issues or the trajectory of the COVID-19 disease suggest schools should not open, then remote learning will be necessary. Dr. Gutekanst concluded many moving parts must come together quickly.

Mr. Bulian said the task is extraordinarily challenging. He said the hope is, as we enter the winter flu season, the hybrid model will work. However, dynamics may change, and remote learning may be necessary.

Dr. Gutekanst said currently the right thing is to bring children back to school. However, approximately 600-700 students are already choosing remote learning due to health or personal reasons, essentially creating a ninth school in Needham. He said the task is enormously costly, noting an additional appropriation will be requested at the October 2020 Town Meeting. He said current health and science trends suggest schools can open safely, but if things change schools will close and an excellent remote learning experience will be provided to students. He commented cloth masks or surgical type masks will be required for staff and students.

Mr. Matthews said a lot of ground is being covered between race equity and the COVID response. He said a sustained effort is needed, but believes the Town is on the right track in safely reopening schools. He thanked Dr. Gutekanst for his work and offered the Select Board's help if needed.

Mr. Handel asked about safety on buses, particularly for METCO students.

Dr. Gutekanst said one child per seat will be required, and the hybrid model makes it possible for children to spread out on the bus. He said windows will remain open for ventilation, even in cold months.

Ms. Cooley thanked Dr. Gutekanst for the plan, which she said is guided by science. She said she understands the anxiety, but with the infection levels in Needham, the town is "in a good place for now." She said she appreciates children returning to school, as that is where everyone would like them.

Ms. Fitzpatrick said the number of details worked out by the leadership team is mind boggling. She thanked everyone for the work.

7:19 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Board regarding 6 items:

1. Appoint Interim Director of Public Works

Ms. Fitzpatrick recommended that the Select Board vote to approve the appointment of Carys Lustig as Interim Director of Public Works effective October

1, 2020 in accordance with Section 20 (c) of the Town Charter. She said Richard Merson, Director of DPW has decided to retire after 48 years of service to the Town.

The Board congratulated Ms. Lustig and wished her well in her new position.

Motion by Mr. Bulian that the Select Board vote to approve the appointment of Carys Lustig as Interim Director of Public Works effective October 1, 2020 in accordance with Section 20 (c) of the Town Charter.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

2. Needham Unites Against Racism Initiative

Ms. Fitzpatrick provided the Board with information gathered as a result of the July 21st Listening Session and made recommendations for next steps. She noted that posted on the Unite Against Racism page on the Town's website is a list of 82 items of suggestions from the community. She reported on the "Lived Experiences" project, a flyer promoting the Attorney General's discrimination hotline, and the authorization by the Select Board to hire an investigator to look into an incident in the Needham police department in January 2020. Ms. Fitzpatrick said the topic should be included in future meetings, suggesting forming a working group to collaborate with the Select Board on a shared vision for racial equity in Needham.

3. Small Cell Wireless Facilities Policy

Ms. Fitzpatrick presented the Select Board highlights from the proposed Small Cell Wireless Facilities Policy. This proposed policy has been developed by outside counsel specializing in the industry, and includes input collected by town departments and the Board of Health. She said the policy will be posted on the town's website and asked the Board to consider adopting the policy at a meeting in September or October 2020. A PowerPoint was viewed. She asked the Board for their questions and input.

Mr. Borrelli said the policy is a great summary of feedback heard at the public hearings.

Ms. Cooley said it is interesting in the year and a half since discussions, how little progress has been made in thinking about the spacing implications and multiple vendors approaching the town for 5G services. She said it creates interesting questions going forward.

Ms. Fitzpatrick said the policy stipulates the Select Board may waive any provision. She said the question of multiple providers blanketing the Town with facilities with a short range is a very open question.

Ms. Cincotta told the Board FCC guidelines provide that if Needham's regulations prove to be too burdensome on the utility, the utility has the right to proceed.

4. Open Special Town Meeting Warrant

Ms. Fitzpatrick reviewed articles in the Special Town Meeting warrant and recommended the Board open the warrant for the October 4, 2020 Special Town Meeting. She said the warrant is scheduled to be closed on September 8, 2020.

Motion by Mr. Bulian that the Select Board vote to open the warrant for the October 4, 2020 Special Town Meeting.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

5. Regulations for the Sale of Alcohol Beverages

Ms. Fitzpatrick recommended that the Select Board approve revisions to the Town's regulations for the sale of alcoholic beverages. She said the revision includes consequences and fines for violations of the policy. Mr. Handel thanked Ms. Cooley and Mr. Bulian for their work on the regulations.

Motion by Mr. Bulian that the Select Board vote to approve the revised Regulations for the Sale of Alcoholic Beverages effective August 18, 2020.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

6. Town Manager Report

Ms. Fitzpatrick reported the Commonwealth is facing level 2 drought conditions and asked residents to be careful with firepits and mindful of water usage.

Ms. Fitzpatrick reported the Highland Corridor Project (corner of Highland Avenue at Webster Street to Route 9 in Newton) is finally starting and expected to reach completion in August 2023. Mr. Bulian said it is incumbent upon MassDOT to have a good, steady stream of communication with property and business owners.

Ms. Fitzpatrick reported the retirement of Detective Paul Droney after 37 years of service to the Town. The Board wished Detective Droney all the best in his retirement.

Ms. King was asked to update the Board on the status of the Park and Recreation summer programs. Ms. King said the Park and Rec has been able to extend the season by one week for programs (ending Friday August 21st) and pool (closing August 30th). She indicated high school and college students are starting later than anticipated and have agreed to finish the season. Ms. King reported all playgrounds are now open to the public and meet maintenance standards required by the Town. She thanked the staff of Park and Recreation and Parks and Forestry for their hard work.

Ms. Fitzpatrick reported the first "Dine Around Needham" dinner event is scheduled for Thursday, August 20, 2020. She named several restaurants participating in the event.

Ms. Fitzpatrick reminded the board that early voting begins on Saturday and Sunday, August 22 and 23 from noon to 5 p.m. at Town Hall, and all next week Monday - Thursday 9 a.m. to 5 p.m. and Friday 9 a.m. to noon. She said over 8,600 ballots have been sent to residents, and that people are very satisfied with the ability to vote by mail. Mr. Handel encouraged residents to return ballots to the red drop box outside Town Hall.

7:47 p.m.

Board Discussion:

1. Town Manager Evaluation

Mr. Bulian said he compiled individual evaluations and reviewed some of the comments by the Select Board. He echoed the sentiment of Board members, saying Ms. Fitzpatrick has a “playbook” for all types of situations that may occur in Needham. Mr. Bulian said this year has been difficult, but Ms. Fitzpatrick has kept Needham moving forward, balancing the safety needs and practical needs to keep the government operating. Mr. Bulian said Ms. Fitzpatrick is a high performing Town Manager in every important aspect of her position.

The Board concurred with Mr. Bulian’s assessment and said they were very grateful for her hard work.

Ms. Fitzpatrick said it is an honor to work in Needham serving in the role as Town Manager.

Motion by Mr. Bulian that the Board vote to approve the Town Manager Consensus Evaluation Overview Document dated August 11, 2020.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

2. Update of FY2020 - FY2021 Goals

The Board discussed the status of its FY2020 - FY2021 goals and began planning for FY2021-FY 2022 goals. Ms. Fitzpatrick asked the Board to consider its priorities for the upcoming fiscal year. She indicated the Unite Against Racism initiative will be included. In the short term, she said opening the Rosemary Pool Complex was a high priority. She said the next six weeks will be devoted to reopening schools.

3. Town Common Preservation

The Board discussed use of the Town Common and ways to ensure that the space remains an appropriate gathering place for the community.

Mr. Handel said the Town Common is a public space for the entire community. He said currently there is no regulation about what can be placed on the surface by private individuals or groups, suggesting it is important to develop a common understanding of what is appropriate on the Common and around Town Hall. Mr. Handel said he believes it prudent not to allow decoration on the Common without express approval from the Town. Mr. Handel referred to recent political statements, saying the sentiment did not necessarily reflect every perspective.

Mr. Borrelli concurred, saying people are constantly being bombarded by messages and that no matter what the message says or promotes, it should not be allowed. He said the Town is spending a lot of money renovating the Common and should not have chalking or graffiti diminishing its appearance.

Mr. Matthews suggested moving slowly on adopting a new policy, perhaps beginning on a case by case basis.

Ms. Cooley suggested reaching out to the people who did the chalking on the Common. She said while she is not opposed to chalking, she is supportive of a policy. However, she said chalking is a healthy form of expression, suggesting there may be places in town where chalking could be done.

Mr. Handel concurred, saying free expression is an important aspect of our community.

Mr. Bulian agreed with Ms. Cooley and Mr. Matthews. He suggested the tent currently on the Common become a seasonal amenity for people to gather and enjoy a take-out meal.

Mr. Handel agreed the Common is a place for the community to come together, and that the tent promotes gatherings.

Mr. Borrelli reiterated the historic block including the Common should be a place where people can go and not see messaging. He said discussion can occur in other places in Needham where messaging may be appropriate.

Mr. Handel concluded the Common is a place where all residents should feel comfortable. He said it is called a “Common” because it belongs to everyone.

4. Committee Reports

No Committee Reports were made.

8:07 p.m.

Adjourn:

Motion by Mr. Bulian that the Select Board vote to adjourn the Select Board meeting of Tuesday, August 18, 2020.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

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

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