



TOWN OF NEEDHAM

TOWN HALL
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Office of the
TOWN MANAGER

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TO: Tedi Eaton, Town Clerk
FROM: Kate Fitzpatrick, Town Manager
CC: Select Board
David Davison, Assistant Town Manager
Katie King, Assistant Town Manager
Chris Heep, Town Counsel
RE: Annual Town Election Ballot Questions
DATE: February 22, 2023, Revised February 28, 2023

At its meeting on February 14, 2023 the Select Board voted to place the following two questions on the 2023 Annual Town Election Ballot.

Question 1.

Shall the acceptance by the Town of Needham of Chapter 39 of the Acts of 1924, entitled "An Act placing the chief of police and members of the police department of the Town of Needham under civil service," be revoked?

YES ____ NO ____

Fair and Concise Summary

The Chief of Police and the members of the Police Department were placed within the Massachusetts civil service system when the Town voted at the March 8, 1926 Annual Town Election to accept Chapter 39 of the Acts of 1924, *An Act Placing the Chief of Police and Members of the Police Department of the Town of Needham Under the Civil Service*.

The Town and the Needham Police Union recently reached agreement to remove the Police Department from civil service, to allow for the use of a more efficient, locally created recruitment system, to select candidates based on criteria in addition to exam scores, to expand the pool of available candidates, and to allow the Town to hire the most qualified candidates. Upon removal from civil service, a human resources policy will govern hiring of entry level officers, and the collective bargaining agreement will replace the promotional process

The May 9, 2022 Special Town Meeting voted to support the removal of the Police Department from the civil service system. Massachusetts General Laws c. 4, §4B states that a town may revoke its acceptance of a law in the same manner that the law was

originally accepted. Accordingly, withdrawing the Police Department from civil service requires approval of the voters on the official ballot of the Town.

A yes vote on Question 1 would remove the Chief of Police and the Members of the Police Department from civil service and provide local control over the recruitment and promotion of personnel.

A no vote on Question 1 would result in no change to the civil service status of the Chief of Police or Police Department and the recruitment and promotion of personnel would remain under state regulation and control.

Question 2

Shall an act passed by the General Court in the year 2022, entitled 'An Act authorizing the town of Needham to grant additional licenses for the sale of all alcoholic beverages not to be drunk on the premises' be accepted?

YES ____ NO _____

Fair and Concise Summary

The Select Board licenses establishments that sell alcohol for off premises consumption (a/k/a package stores). The Select Board's authority to issue package store licenses comes from Chapter 207 of the Acts of 2012, a special act that applies exclusively to Needham. Chapter 207 allows the Select Board to issue a maximum of eight package store licenses in Town, and all eight have already been issued.

In towns where liquor licensing is not covered by a special act, Massachusetts General Laws c.138, §17 allows for one All Alcohol package store license and one Wine and Malt Only package store license for every 5,000 residents of the town. Based on Needham's population, switching to the quota system in Massachusetts General Laws c.138, §17 would allow the Select Board to issue seven All Alcohol package store licenses and seven Wine and Malt Only package store licenses.

The October 25, 2021 Special Town Meeting voted unanimously to petition for new special legislation switching Needham to the General Laws c.138, §17 quota system; this special legislation has now passed, but requires approval of the voters in order to become effective. If approved, the available licenses would change as follows:

Type of License	Existing Licenses	Standard ch. 138 Licenses	Change
All Alcohol	6	7	+1
Wine & Malt	2	7	+5
Total	8	14	+6

A yes vote on Question 2 would amend Chapter 207 to authorize the Select Board to issue the number of package store licenses generally allowed by General Laws c.138, §17.

A no vote on Question 2 would not amend said Chapter 207 and make no change to the number of package store licenses that the Select Board may issue.