

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, MAY 13, 2024

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

Additional information on particular warrant articles will be made available from time to time at www.needhamma.gov/townmeeting during the weeks leading up to the Special Town Meeting.

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 the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall on:

MONDAY, THE THIRTEENTH DAY OF MAY 2024

At seven thirty o'clock in the afternoon, then and there to act upon the following articles, viz.:

FINANCE ARTICLES

ARTICLE 1: AMEND THE FY2024 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2024 Operating Budget adopted under Article 12 of the 2023 Annual Town Meeting and amended under Article 5 of the October 30, 2023 Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
2	Debt Service	\$17,543,250	\$17,557,775
10	Reserve Fund	\$2,000,000	\$1,985,475

or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article is to amend the FY2024 operating budget by reducing the Reserve Fund by \$14,525 and increasing the Debt Service line by \$14,525. The increased funding to the Debt Service budget will allow the Town to pay off a \$2.7 million Bond Anticipation Note (BAN) which comes due on June 14, 2024 in full rather than rolling the \$14,525 balance into the next fiscal year and incurring additional refinancing costs to do so.

ARTICLE 2: APPROPRIATE FOR TOWN-OWNED LAND SURVEYS

To see if the Town will vote to raise and/or transfer and appropriate \$100,000 for surveys of Town-owned land, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town has acquired land over the years that has either never been surveyed or has outdated and unverified survey records. There have been times when the Town proceeded with construction on these parcels with surveys that were incomplete or incorrect, which caused delays and increased project costs. This request is to conduct surveys on land that the Town has acquired that would prevent these situations, reduce unnecessary expenses, and assist in long range planning. The survey work would include performing research, field work, analysis, the installation of bounds or markers, drafting work and recording of the completed plan. The proposed amount of \$100,000 per year will support, on average, two surveys or one more complex survey.

ARTICLE 3: UNPAID BILLS OF A PRIOR YEAR

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$23,653.42 for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, as follows, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

Department	Vendor	Description of Goods/Services	Fiscal Year	Amount
Public Works	SeeClickFix	Annual License	2023	\$6,253.42
Public Works	MMA	Annual Meeting	2023	\$555.00
Finance (ITC)	SHI	iasWorld SaaS Maintenance	2021	\$16,845.00

or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: State law requires Town Meeting action for the Town to make payment for bills received after the close of the fiscal year or bills in excess of appropriation.

ARTICLE 4: APPROPRIATE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) PROGRAMMING

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$471,675 for the purpose of funding and supporting public, educational, and government (PEG) programming provided by the Needham Channel, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the PEG Access and Cable Related Fund; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to appropriate funds to make payments to the Needham Channel during the year. Included in every cable bill from the cable operators is a line item to provide for the costs of local cable television services. These monies are retained in a special revenue account (Public, Educational, and Governmental (PEG) Access and Cable Related Fund) created pursuant to the provisions of Massachusetts General Laws Chapter 44, section 53F¾ and approved at the May 8, 2023 Special Town Meeting under Article 10, and are to be used to support local cable programming for the Town's PEG

channels. These funds will be used to continue these informational and educational services, which may include, but are not limited to, equipment purchases, contracted services, construction services, and labor expenses.

CAPITAL ARTICLES

ARTICLE 5: APPROPRIATE FOR AUDITORIUM UPGRADES AND IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate \$344,558 for School auditorium upgrades and improvements, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: In November, 2022, the Needham Public Schools, working in collaboration with the Permanent Public Building Committee (PPBC), procured Hewshott International to conduct a feasibility study of upgrading and/or replacing the theatrical lighting and sound equipment in the Town's three performance auditoriums at Newman Elementary School, Pollard Middle School, and Needham High School. Hewshott completed its study in April, 2023. In the course of its work, Hewshott surveyed the theaters, observed performances, and met with staff, students and community members to learn about their experiences, challenges and needs. The study concluded that Pollard and NHS require significant work to replace their decades-old systems, and that the newer Newman system requires updating, to conform with fundamental technology shifts in the industry. The identified upgrades broadly include converting audio systems from analog to digital, replacing wireless equipment with newer systems that conform to FCC-assigned operating frequencies, upgrading video equipment to "high definition" and widescreen aspect ratios, replacing obsolete lamp-based fixtures with LED lighting, and repairing/replacing rigging equipment to conform with current safety standards and codes.

Hewshott prioritized the identified repairs into seven groupings, which would be needed to bring Needham's lighting and sound equipment to industry benchmark in the three auditoriums: 1. immediate repairs to correct deficiencies relating to safety and code/standard compliance; 2. repairs recommended within one year to correct code compliance issues; 3. upgrades to make existing systems operational; 4. minor construction, focused on equipment that can be re-used/incorporated into future phases; 5. non-theatrical lighting upgrades, including LED installation; 6. major construction, requiring general, electrical, and theatrical contractors; and 7. optional enhancements.

The immediate repairs were made during the Spring and Summer of 2023. This request is for \$97,355 to complete the code compliant repairs in the second grouping for code compliance in the Newman School, Pollard School, and Needham High School auditoriums. These repairs include: reinforcement of the rigging connections, as well as repairs to the loudspeaker rigging, and replacement of non-functioning lamps in the stage work lights. An emergency preamble will be requested to allow the Town to complete these repairs during the summer months, when school is not in session. Additionally, \$247,203 is requested for detailed design to accomplish the necessary upgrades at the Newman School in FY2026. The planned upgrades to the Pollard Auditorium would take place in conjunction with the Pollard School addition/renovation project. The upgrades to the NHS Auditorium are planned for FY2027 (design) and FY2028 (construction).

ARTICLE 6: RESCIND DEBT AUTHORIZATIONS

To see if the Town will vote to rescind the authorization to borrow, which was approved at a prior Town Meeting, where the purpose of the borrowing is no longer required nor necessary:

Project	Town Meeting	Article	Authorized	Rescind
Hillside School Construction (Sunita L. Williams Elementary School)	October 5, 2016 Special Town Meeting	2	\$57,542,500	\$226,633

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: When a project is financed by borrowing, the project has been completed or otherwise closed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded 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, and/or favorable bids.

GENERAL ARTICLES

ARTICLE 7: AMEND GENERAL BY-LAWS - FINES UNDER SECTION 3.5

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

1. Deleting Section 3.5.7 in its entirety; and
2. Amending the table contained in Section 8.2.2 so that the row applicable to Section 3.5 reads as follows:

3.5	Abandoned, Wrecked, Dismantled or Discarded Vehicles	\$100	Per Day	Any Sworn Police Officer
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or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Section 3.5 of the General By-Laws regulates abandoned, wrecked, dismantled and discarded vehicles. General By-Laws Section 3.5.7 historically stated that any person that violates Section 3.5 "shall be deemed to have committed a misdemeanor." Upon review of the comprehensive by-law changes relative to non-criminal dispositions, which were approved under Article 14 of the October 30, 2023 Special Town Meeting, the Attorney General's Municipal Law Unit (MLU) noted that the quoted text

intruded into the realm of criminal law, and was therefore beyond the Town's authority. The MLU disapproved the quoted text from Section 3.5.7, and noted that Town's enforcement of Section 3.5 is limited to the imposition of fines. This article proposes to delete Section 3.5.7 in its entirety, because it is unnecessary to refer to non-criminal fines outside of the comprehensive schedule now provided in Section 8 of the General By-Laws. In addition, this article proposes to delete the reference to a misdemeanor that appears in the table contained in Section 8.8.2, and to revise that table to provide a \$100/day penalty for violation of Section 3.5.

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 fourteen (14) 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 into our hands at Needham aforesaid this 26th day of March 2024.

Marianne B. Cooley, Chair
Kevin Keane, Vice Chair
Heidi Frail, Clerk
Marcus A. Nelson, Member
Catherine Dowd, Member

Select Board of Needham

A TRUE COPY

Attest:

Constable: