

**Town of Needham
Select Board
Minutes for Tuesday, December 6, 2022
Select Board's Chamber
and
Via ZOOM
<https://us02web.zoom.us/j/83097722481>**

- 6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Marianne Cooley. Those present were Marcus Nelson, Kevin Keane, Heidi Frail, Matthew Borrelli, and Kate Fitzpatrick, Town Manager. Dave Davison, ATM/Finance, Katie King, ATM/Operations, Myles Tucker, Support Services Manager, Kristin Scoble, Administrative Specialist, and Mary Hunt, Recording Secretary were also in attendance.
- 6:00 p.m. Public Comment Period: No public comments were heard.
- Ms. Cooley updated residents on the status of the Foster property on Charles Rivers Street. She said the purchase and sale agreement has been fully executed as of December 1, 2022. She noted the 60-day due diligence period through the end of January 2023. Ms. Cooley said a meeting with neighbors will be set within the next week. She asked that neighbors interested in the project provide their email address to receive updates.
- 6:01 p.m. Public Hearing: Alteration of Premises s for an All-Alcohol License in a Hotel – Needham Food and Beverage, LLC d/b/a The Heights
Ms. Cooley said the applicant has asked that the public hearing be continued to January 10, 2023.
- Motion by Mr. Nelson that the Select Board vote to continue Public Hearing: Alteration of Premises for an All-Alcohol License in a Hotel – Needham Food and Beverage, LLC d/b/a The Heights to January 10, 2023.**
Second: Mr. Borrelli. Unanimously approved 5-0.
- 6:02 p.m. Public Hearing: Application for a Transfer of an All-Alcohol License – Needham Center Fine Wines
Allen Levin, Applicant Counsel and Viralkumar Patel, Proposed Manager spoke with the Board regarding Lianos Liquors Inc., d/b/a Needham Center Fine Wines application for the transfer of an All Alcoholic Beverages Liquor License, section 15 package store operated at 1013 Great Plain Avenue, Needham, MA. The applicant is requesting the appointment of Viralkumar Patel as Manager of Record.
- Mr. Levin indicated Mr. Patel is T.I.P.S certified and holds six other liquor licenses in Massachusetts. He said he is aware and capable of following the rules and

regulations for the service of alcohol for the Commonwealth, the ABCC, and the Town of Needham.

Mr. Patel said he has over 10 years' experience in the liquor business with no violations.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Borrelli reminded Mr. Patel of the history of liquor licenses in Needham. He said Needham Center Fine Wines is in a prominent downtown location and hopes Mr. Patel will run a similar type of business established by Mr. Lianos. Mr. Borrelli wished Mr. Patel continued success in his business at the location.

Discussion ensued on the day-to-day operations and having a T.I.P.S. certified Assistant Manager.

Ms. Cooley commented on Needham's history of the service of alcohol and said she hopes Mr. Patel will ask everyone for identification.

Ms. Cooley invited public comment. No comments were heard.

Motion by Mr. Borrelli to approve the Section 15 All Alcohol License transfer application submitted by Lianos Liquors Inc, d/b/a Needham Center Fine Wines including the appointment of Viralkumar Patel as Manager of Record, and so approved forward the application to the ABCC for review and final approval.

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

6:12 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

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| 1. Tophar Cox | Needham Council on Arts and Culture Term Exp: 6/30/2025 |
| 2. Kavita Deodhar | Needham Council on Arts and Culture Term Exp: 6/30/2025 |
| 3. Stephen Dornbusch | Needham Council on Arts and Culture Term Exp: 6/30/2024 |
| 4. Heidi Frail | Council of Economic Advisors Term Exp: 6/30/2025 |
| 5. Polina Safran | Conservation Commission Term Exp: 6/30/2023 |
| 6. Susan Welby | Active Recreation Areas Working Group Term Exp: 6/30/2023 |

CONSENT AGENDA *=Backup attached

- 1.* Approve a request from Emma Bagnell, Race Coordinator for the Great Bear Run to hold the race in Needham. The event is scheduled for Sunday, May 21, 2023. The route of the race has been approved by the following Town departments; DPW, Police, Fire and Park & Recreation.**
- 2. Approve for calendar year 2023 requests for license renewals of Restaurant – All Alcoholic Licenses for each of the following establishments (subject to receipt of required completed paperwork):**

- Bertucci's Restaurants, LLC d/b/a Bertucci's
 - Blue Restaurant Needham LLC d/b/a Blue on Highland
 - Capella LLC d/b/a Cappella
 - Ceed Corp d/b/a Cook Needham
 - Fu Yuan, Inc. d/b/a Fuji Steak House
 - Sol Soul Family Foods, LLC d/b/a Hearth Pizzeria
 - Poet King Restaurant Group LLC. d/b/a Hungry Coyote
 - Latin-A Group LLC d/b/a Latina Kitchen and Bar
 - SAI Restaurants, Inc. d/b/a Masala Art
 - New Garden, Inc. d/b/a New Garden Restaurant
 - Pancho's Taqueria Needham, LLC d/b/a Pancho's Taqueria
 - Spiga, LLC d/b/a Spiga
 - Eat Farmhouse LLC d/b/a The Farmhouse
 - Henry Hospitality Inc. d/b/a The James
 - Fusion Cuisine, Inc. d/b/a Gari
 - Low and Zhang Co. d/b/a Mandarin Cuisine Locus
 - Needham Food and Beverage LLC d/b/a The Heights
3. Approve for calendar year 2023 request for license renewal of Restaurant – Wine and Malt Beverage License for the following establishment (subject to receipt of required completed paperwork):
 - French Press LLC d/b/a French Press Bakery & Café
 - PM Story Corporation d/b/a Little Spoon
 4. Approve for calendar year 2023 requests for license renewals of Package Stores All Alcoholic Beverages for the following establishments (subject to receipt of required completed paperwork):
 - Innovative Distributing Concepts, LLC d/b/a Bin Ends
 - Gordon's Fine Wines of Needham Inc. d/b/s Gordon's Fine Wine
 - Lianos Liquors, LLC d/b/a Needham Center Wine & Spirits
 - Needham Wine & Spirits, LLC d/b/a Needham Wine & Spirits
 - Reveler Beverage Company, LLC d/b/a Reveler Beverage
 - Vinodivino 3, LLC d/b/a Vinodivino
 5. Approve for calendar year 2023 requests for license renewals of Package Stores Wine and Malt Beverages for the following establishments (subject to receipt of required completed paperwork):
 - The Needham General Store, LLC • Volante Farms Inc
 6. Approve for calendar year 2023 request for Innholder – All Alcoholic License Renewal for the following establishments (subject to receipt of required completed paperwork):
 - Needham 365 Bev, LLC. d/b/a Residence Inn
 - Needham Lending Company d/b/a Sheraton Needham Hotel
 7. Approve for calendar year 2023 requests for license renewals of Club – All Alcoholic Beverage Licenses for the following establishments (subject to receipt of required completed paperwork):
 - The Needham Golf Club Inc.
 - Village Club Building Assoc. Inc. d/b/a The Village Club
 - Lt. Manson Carter Post #2498 V.F.W. of U.S.

8. Approve for calendar year 2023 requests for license renewals of Common Victualler Licenses for the following establishments (subject to receipt of required completed paperwork):
 - Bagels' Best, Inc. d/b/a Bagels' Best Café
 - Bertucci's Restaurants, LLC d/b/a Bertucci's
 - Blue on Highland, LLC d/b/a Blue on Highland
 - C & D Management, Inc. d/b/a Brothers Pizza & Restaurant
 - Coffee and Fresh Bagels Inc. d/b/a Café Fresh Bagel
 - Capella LLC d/b/a Cappella
 - 1095, LLC d/b/a Comella's Restaurant
 - Ceed Corp. d/b/a Cook Needham
 - K & K Pie Company, Inc. d/b/a Domino's Pizza
 - Lin and Xie Corp. d/b/a Dragon Chef Restaurant
 - ND Donuts d/b/a Dunkin'
 - ND Donuts d/b/a Dunkin'
 - ND Donuts d/b/a Dunkin'
 - French Press LLC d/b/a French Press Bakery & Café
 - Select Group, Inc. d/b/a Fresco Restaurant
 - Fu Yuan, Inc. d/b/a Fuji Steak House • Fusion Cuisine d/b/a Gari
 - Needham Food and Beverage LLC d/b/a The Heights
 - Henry Hospitality Inc. d/b/a The James
 - Latin-A Group LLC d/b/a Latina Kitchen and Bar
 - Low and Zhang Co. d/b/a Mandarin Cuisine Locus
 - SAI Restaurants, Inc. d/b/a Masala Art
 - McDonald's Restaurant – Needham
 - D & L Enterprises, Inc. d/b/a Mighty Subs
 - A New Leaf • New Garden Inc. d/b/a New Garden Restaurant
 - Boston Bread LLC d/b/a Panera
 - Pancho's Taqueria Needham, LLC d/b/a Pancho's Taqueria
 - PM Story Corp. d/b/a Little Spoon
 - Needham 365 Bev. LLC d/b/a Residence Inn
 - Needham Cabot Concessions, LLC d/b/a Sheraton Needham Hotel
 - Spiga, LLC • Starbucks Coffee Company
 - Sol Soul Family Foods LLC d/b/a Hearth Pizzeria
 - Yeat Inc. d/b/a Sweet Basil
 - H & B Pizza, Inc. d/b/a Sweet Tomatoes Pizza
 - Treat LLC d/b/a Treat Cupcake Bar
 - Village Club Building Assoc. Inc.
 - Volante Farms
 - The Cookie Monstah, Co
9. Approve for calendar year 2023 the following requests for Class I & Class II Used Car Dealer Licenses (subject to receipt of required completed paperwork):
 - Auto International Ltd.- Class II
 - Center Automotive – Class II
 - Chestnut Motors - Class II

- Copley Motorcars – Class II
 - Needham Service Center – Class II
10. Approve for calendar year 2023 requests for various license renewals as detailed below for the following establishments (subject to receipt of required completed paperwork):
- Needham 365 Bev., LLC d/b/a Residence Inn - Innkeeper
 - Needham Cabot Concessions, LLC d/b/a Sheraton Needham Hotel – Innkeeper
 - Needham Food and Beverage, LLC d/b/a The Heights - Innkeeper
 - Olin College – Lodging License
 - Babson College – Lodging License
 - Yeat Inc. d/b/a Sweet Basil – Special Permit (Carry In Beer/Wine)

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

6:13 p.m. Public Hearing: Tax Classification
The Board of Assessors including members Walter McDonough, Arthur Tzouros, and Barry Pollack, along with Melissa Motta, Director of Assessing (via Zoom), and David Davison, Assistant Town Manager/Director of Finance spoke with the Select Board regarding the allocation of the fiscal year 2023 tax levy among the various classes of property in Town.

Mr. Tzouros presented information contained in the “Classification Hearing, FY2023” dated December 6, 2022, along with the Assessor’s Report FY2023. He read a statement summarizing changes in the Assessor’s office over the last year including the hiring of Melissa Motta as Director of Assessing. Mr. Tzouros commented on teardown land sales activity, a detailed study, and valuation adjustments done for each of the 23 designated land neighborhoods to bring them into compliance with the statistical standards acceptable to the Massachusetts Department of Revenue. He commented on adjustments to the valuation tables that determine the “cost” attributed to the building portion of the equation. Mr. Tzouros addressed construction labor and materials costs, which he said rose considerably in the last few years. Mr. Tzouros noted commercial property owners reported fairly even income and expenses this year, hence relatively modest commercial property increases. He commented residential “new growth” has remained relatively stable for FY2023, with a slight drop, due in part to fewer new condo starts, but commercial and industrial growth ticked up slightly. He noted new growth in the area of Business Personal Property was back to its normal range after a significant jump in FY2022 due to an Eversource one-time utility infrastructure project. He also commented on the use of 2 growth collection vendors who proved beneficial in gathering data necessary to calculate this component of the tax levy. Mr. Tzouros reiterated residential sales thus far in CY 2022 have been very solid, noting these sales will be used to calculate property values for FY2024.

Discussion ensued on the shift in rates resulting in higher commercial rates vs. residential rates, as well as the current residential factor of 0.8928.

Ms. Motta commented on residents who might see an increase in their residential tax bill from last year, averaging 6.93%. She noted the increase in value from last year averages 9.63%. Ms. Motta said all properties are recalculated each year.

Ms. Cooley invited public comment. No comments were heard.

**Motion by Mr. Borrelli that the Select Board establish a residential factor of 0.8928 for the purposes of setting the Fiscal Year 2023 tax rates.
Second: Mr. Nelson. Unanimously approved 5-0.**

The Board of Assessors recognized Chip Davis, who recently retired as Director of Assessing, thanking him for his work. They noted he was a tremendous asset for many years to the Town of Needham.

6:30 p.m. Town Manager:
Kate Fitzpatrick, Town Manager spoke with the Board regarding 5 items.

1. Appointment Protocol

Myles Tucker, Support Services Manager discussed proposed revisions to the Select Board protocol governing committee appointments. Mr. Tucker discussed proposed revisions which seek to improve clarity; simplify required processes; increased definition between “standard” and “joint” appointments; and establish protocol for appointment of Select Board members to other committees.

Mr. Tucker summarized the policy Protocol for Appointments Made by the Select Board (policy number SB-ADMIN-003).

The Board thanked Mr. Tucker for his work to update the appointment protocol.

2. Capital Policies Update

Kate Fitzpatrick, Town Manager, David Davison, Assistant Town Manager/Finance, and Katie King, Assistant Town Manager/Operations discussed with the Board proposed revisions to the Capital Improvement Policies and Debt Management Policies.

Ms. Fitzpatrick commented on several items, recommending that the Select Board consider amending at its meeting on December 20, 2022, for inclusion in the Capital Improvement Plan Policies.

Ms. Cooley commented she appreciates the update to make the policies more current and useful.

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

3. Preliminary FY2024 – FY2028 Capital Improvement Plan

Ms. Fitzpatrick discussed with the Board the Capital Project Requests Preliminary Tier One Recommendations FY 2024 – 2028 in the Capital Improvement Plan. She said a vote on the final plan is scheduled for December 20, 2022.

Discussion ensued on Quiet Zone Safety Upgrades, School Technology, DeFazio Playground Renovation, and Traffic Improvements. Also discussed was funding for replacement of public safety fire apparatus and the possibility of establishing a fund to pay for future purchases.

The Board thanked Ms. Fitzpatrick, Mr. Davison, and Ms. King for the discussion.

4. Review Budget Priorities

Kate Fitzpatrick, Town Manager David Davison, Assistant Town Manager/Director of Finance Katie King, Assistant Town Manager/Director of Operations reviewed proposed budget priorities for the FY2024 Operating and Capital Budgets.

Mr. Borrelli commented on funding multi modal transportation and suggested funding the Public Information Officer position through the operating budget, rather than through a warrant article.

5. Town Manager Report

Ms. Fitzpatrick thanked Town staff for the amazing Blue Tree lighting event held on Sunday, December 1, 2022, on Greene's Field. She noted many people came out for the event.

7:15 p.m. Board Discussion:

1. Report on Goal Progress

Ms. Cooley reported that she and Mr. Nelson met with members of the Historic Commission to discuss the possibility of establishing a historic district. She noted the process is significant and that a committee must be established to determine the process and policies. Ms. Fitzpatrick said the Historic Commission has been invited to the Select Board meeting on December 20, 2022 to discuss a draft charge.

2. Committee Reports

No Committee Reports were made.

7:17 p.m. Adjourn:

Motion by Mr. Borrelli that the Select Board vote to adjourn the Select Board meeting of December 6, 2022.

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

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

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

The next Select Board meeting is scheduled for Tuesday, December 20, 2022.