

SELECT BOARD

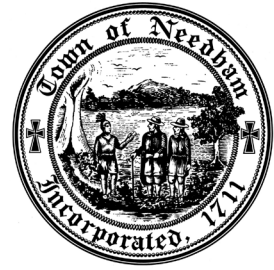
Meeting Agenda

6:00 p.m. June 27, 2023

NEEDHAM TOWN HALL

Select Board Chambers & Zoom

Revised



Pursuant to Chapter 2 of the Acts of 2023, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

To listen and view this virtual meeting on a phone, computer, laptop, or tablet, download the “Zoom Cloud Meeting” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the meeting or click the link below to join the webinar:

Link:

<https://us02web.zoom.us/j/83513916152?pwd=RnRubzhEelFVQkFSbGJKVm5La3VJdz09>

Webinar ID: 835 1391 6152

Passcode: 389812

	6:00	Public Comment Period Citizens are encouraged to inform the Office of the Town Manager in advance via email (OTM@needhamma.gov), telephone (781) 455-7500 extension 204, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes. The Board’s policy on public participation in meetings can be found here .
1.	6:00	Recognition of Accomplishment: Needham High School Boys Volleyball Team
2.	6:00	Recognition of Service: David Roche
3.	6:00	Joint Meeting with Board of Assessors Appointment to Vacancy on Board of Assessors
4.	6:20	Weights & Measures Intergovernmental Agreement - Katie King, Assistant Town Manager/Director of Operations - David Roche, Building Commissioner
5.	6:30	General Update – Department of Public Works Carys Lustig, Director of Public Works

6.	6:45	Set Water and Sewer Rates • Dave Davison, Assistant Town Manager/Director of Finance
7.	7:00	Town Manager • Downtown Streetscape Refresh Project Priority Setting • American Rescue Plan Act Funding
8.	7:15	Board Discussion • Open Meeting Law Complaint • Committee Reports

APPOINTMENT CALENDAR *Supporting Documents in Packet

1.*	Appoint the individuals listed in the supporting documents to respective committees and terms.
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CONSENT AGENDA *Supporting Documents in Packet

1.	Accept the following donation made to the Needham Public Health's Gift of Warmth Program: \$300.00 from the Christ Episcopal Church in Needham.
2.	Approve a request from William Gallagher of Needham Running Club to hold the road event "Needham Backyard Ultra" in Needham. The event is scheduled for Saturday, September 16, 2023, 8:00 a.m. The event and route have been approved by the following departments: Fire, Police, Public Works, and Park & Recreation.
3.	Approve a request from Hilary Ryan of Charles River Center to hold the road event "Charles River Center 5k Run/1 Mile Walk" in Needham. The event is scheduled for Sunday, September 24, 2023, 9:00 a.m. The event and route have been approved by the following departments: Fire, Police, and Public Works.
4.	Approve a request from Jennifer Shadrack of Three Squares New England to hold the road event "Ride for Food" in Needham. The event is scheduled for Sunday, October 1, 2023, 8:00 a.m. The event and route have been approved by the following departments: Fire, Police, and Public Works.
5.	Ratify a One Day Special Wine & Malt Beverages License for Elizabeth Kiraly of Bone Up Brewing Company to serve and sell beer at Invictus Boston Invitational on Saturday, June 24, from 11:00 a.m. to 4:00 p.m. The event was held at CrossFit One Nation - Needham, 10 Charles Street, Needham.
6.	Authorize the placement of "Go Fourth" lawn signs at the Town Hall and Public Services Administration Building through July 4, 2023.
7.*	Approve changes to vehicle expense reimbursement rates.
8.*	In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, adopt a revised classification and compensation plan (G Schedule) for FY2024.
9.*	Approve open session minutes of April 12, 2023; April 25, 2023; May 9, 2023; May 23, 2023; and June 13, 2023 & executive session minutes of May 23, 2023.
10.	Approve a Common Victualler License for Hungry Poet King Restaurant Group, LLC.
11. *	Approve Revision to the Quiet Zone Working Group Composition & Charge
12.*	Approve 20B Exemptions for the following individuals to engage in work with the Needham Park and Recreation Department: Natalia Rezende and Zoe Baker.



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

Agenda Item	Joint Meeting with Board of Assessors: Appointment of Board Member
Presenter(s)	Select Board and Board of Assessors

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Kevin Keane, Vice Chair of the Select Board, and John Bulian, Chair of the Board of Assessors, interviewed several applicants for a current vacancy on the Board of Assessors. Mr. Keane and Mr. Bulian recommend that Arthur Tzouros be appointed to serve until the next Town Election.
2.	VOTE REQUIRED BY SELECT BOARD
	Suggested Motion: That the Select Board and Board of Assessors vote to appoint Arthur Tzouros to the Board of Assessors until the next Town Election.
3.	BACK UP INFORMATION ATTACHED
	a. Letter dated April 25, 2023 from Theodora K. Eaton, Town Clerk b. Letter dated April 27, 2023 from John Bulian, Chair, Board of Assessors



Theodora K. Eaton, MMC
Town Clerk

TOWN OF NEEDHAM

Office of the Town Clerk

1471 Highland Avenue, Needham, MA 02492-0999

Telephone (781) 455-7500 x216

Fax (781) 449-1246

Email: Teaton@needhamma.gov

RECEIVED
TOWN OF NEEDHAM
SELECT BOARD

2023 APR 25 P 12:59

April 25, 2023

Select Board and
Board of Assessors
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Dear Members of the Select Board and the Board of Assessors:

Due to the vacancy of the elected membership of the Board of Assessors due to the resignation of Assessor Barry S. Pollack effective April 10, 2023, I just want to send this memo as a reminder of the procedure for appointing of Assessor.

Once again I would like to outline the methodology for filling a vacancy on an elected board under Massachusetts General Laws Chapter 41, Section 11, Subsection 81A:

"The remaining members (Board of Assessors) write to the Select Board, within one month of the vacancy, informing them of the vacancy. Then, the Select Board, with the remaining members of the Board of Assessors, after one week's public notice, fill the vacancy by roll call vote. If the remaining members do not inform the Select Board within one month, the Select Board fill the vacancy by themselves. In either case, a majority vote of all the officials eligible to vote is required to select a replacement. Whoever is selected must be a registered voter in the town and perform the duties of the office until the next Annual Town Election or until another person is qualified."

Please advise the new member to come to the Town Clerk's Office to be sworn in as an Assessor Commissioner.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Theodora K. Eaton, MMC,
Town Clerk

Cc: Kate Fitzpatrick, Town Manager
Melissa Motto, Administrative Assessor

Board of Assessors
Town of Needham
1471 Highland Avenue
Needham, MA 02492

RECEIVED
TOWN OF NEEDHAM
SELECT BOARD

2023 APR 28 A 8:44

April 27, 2023

Select Board
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Dear Members of the Select Board:

This letter constitutes formal notice by the remaining members of the Board of Assessors pursuant to Chapter 41, Section 11, Subsection 81A of the Massachusetts General Laws of a Board of Assessors vacancy due to the resignation of Assessor Barry S. Pollack effective April 10, 2023.

We look forward to working with the Select Board to fill this vacancy for a term lasting until the next Annual Town Election.

Please do not hesitate to reach out to the Board or to Director of Assessing Melissa Motta to begin coordinating the process of selecting a replacement.

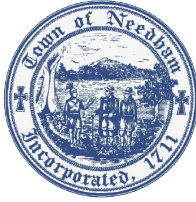
Regards,



John Bulian, Chair



Michael Niden, Member



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

Agenda Item	Weights & Measures Intergovernmental Agreement
Presenter(s)	Katie King, Assistant Town Manager/Director of Operations David Roche, Building Commissioner

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Under M.G.L. c.98, Section 34, Needham is required to appoint a sealer to enforce laws pertaining to weighing and measuring devices, who performs tests and inspects of various scales and metered devices for safety and consumer protection. The Massachusetts Division of Standards used to perform this service for the Town for a fee but has ended that contract. Subsequently, Norfolk County has established a regional program to provide this service for interested municipalities. This intergovernmental unit agreement defines the terms by which the county will fulfill this requirement on the Town's behalf.
2.	VOTE REQUIRED BY SELECT BOARD
	Suggested Motion: To adopt the Intergovernmental Unit Agreement for services of a certified sealer of weights and measures between the County of Norfolk and the Town of Needham.
3.	BACK UP INFORMATION ATTACHED
	a. Intergovernmental Unit Agreement b. Fee Schedule

INTERGOVERNMENTAL UNIT AGREEMENT

For

SERVICES OF A CERTIFIED SEALER OF WEIGHTS & MEASURES

BETWEEN THE COUNTY OF NORFOLK AND

THE TOWN OF NEEDHAM

THIS INTERGOVERNMENTAL UNIT AGREEMENT ("Agreement") is made and entered into as of this ____ day of _____ 2023 by and between the COUNTY OF NORFOLK ("The County"), a subdivision of the Commonwealth organized under the laws of the Commonwealth of Massachusetts with a principal address of 614 High St, Dedham, MA 02026, acting by and through its Board of County Commissioners and its County Director, and the TOWN OF NEEDHAM ("Needham"), a municipal corporation organized under the laws of the Commonwealth of Massachusetts with a principal address of 1471 Highland Avenue Needham, MA 02492, acting by and through its Town Manager with the authorization of the Select Board, with no personal liability to each of the aforementioned public officials (hereinafter collectively "the parties").

WHEREAS, Chapter 40, Section 4A of the General Laws, as amended, allows the Needham's Chief Executive Officer, with the authorization of the Select Board, to enter into agreements with another governmental unit, including the County, to jointly perform activities or undertakings which any one of them is authorized by law to perform; and,

WHEREAS, Chapter 98, Section 34 of the General Laws, as amended, requires municipalities with more than 20,000 inhabitants to appoint a sealer to enforce the

law pertaining to weighing and measuring devices and to the giving of false or insufficient weight or measure; and

WHEREAS, the County will have in its employ a certified Sealer of Weights and Measures at the commencement of Fiscal Year 2024 who will be equipped and capable of performing the testing and inspections of various scales and metered devices necessary for a municipality to comply with the weights and measures enforcement system required by Chapter 98, Section 34 of the General Laws; and

WHEREAS, Needham does not presently have a certified Sealer of Weights and Measures on its staff; and

WHEREAS, Needham has explored the options available to municipalities to satisfy the obligations established pursuant to Chapter 98, Section 34 of the General Laws and has chosen to enter into this contract with the County pursuant to Chapter 40, Section 4A of the General Laws; and

WHEREAS, the County has obtained authorization for this undertaking pursuant to M.G.L. c. 40, §4A by vote of Needham's Select Board as attested to by a certified copy thereof contained in Appendix "A"; and

WHEREAS, the parties have agreed to establish a mechanism for compensating the County for such Weights and Measures services; and

WHEREAS, the parties have agreed that the fees charged by the Sealer of Weights and Measures to the individual businesses for inspections within Needham (*see Appendix "B"*) will be remitted to Needham's Treasurer/Collector.

THEREFORE, for good and valuable consideration, including the mutual promises and benefits set forth below, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. TERM

The term of this Agreement shall be three (3) years, commencing on July 1, 2023, and terminating on June 30, 2026.

2. PAYMENT

Needham has agreed to pay the County (1) a one-time capital startup fee of ten thousand dollars and 00/100 (\$10,000.00) and (2) a flat fee of twelve thousand dollars and 00/100 (\$12,000.00) per year for each year of this agreement. The one-time capital startup fee and first annual flat fee shall be payable upon the execution of this Agreement, and subsequent annual flat fees shall be payable on or before October 1st in each subsequent year (FY 2025 and FY 2026) for the services rendered by the County under this Agreement.

3. OBLIGATIONS OF THE COUNTY

The County shall furnish Needham with weights and measures services consistent with Mass. Gen. Laws, c. 98, § 34 during the Term, as follows:

a. The County shall test and seal those commercial weighing and measuring devices located in Needham at the time the County visits device owners whose devices, in the County's sole determination, are required by Massachusetts law to be tested and sealed.

b. The County shall inspect those retail businesses operating in Needham which in the County's sole determination are subject to the provisions of M.G.L. c. 98, § 56D for compliance with said Section 56D at least once every two years.

c. The County shall inspect those retail businesses operating in Needham which in the County's sole determination are subject to the provisions of M.G.L. c. 6, § 115A, M.G.L. c. 94, §§ 184A-184E, or M.G.L. c. 94, §§ 295A-295O for compliance with the unit pricing, item pricing, or price advertising requirements contained in those statutes.

d. The County shall test and seal or inspect such other weights and measures devices located in, or businesses operating in Needham which, in the County's sole determination, must be so tested and sealed or inspected pursuant to Massachusetts law.

e. In the performance of its work under this paragraph 3, the County shall duly account for the list of all devices requiring inspection to be provided by Needham, and shall investigate and respond to reports from Needham of new businesses that have commenced operating in Needham which Needham has reason to believe are subject to weights and measures testing and sealing or inspection.

f. The County shall investigate those consumer complaints against businesses operating in Needham that are received by the County pursuant to Paragraph 4 and that, in the County's sole determination, relate to weights and measures violations.

g. The County shall have the sole authority to determine the timing of the performance of its responsibilities contained in this paragraph 3.

h. The County shall provide Needham with a summary of all businesses in the Municipality where the County tested and certified devices or conducted inspections during the Term (“Inspections Summary”) on a monthly basis. The County will also include in the Inspection Summary the number and class of devices tested, with sufficient detail to allow Needham to generate an accurate invoice.

i. The County will also maintain and submit all requisite reporting documents to the Division of Standards.

4. OBLIGATIONS OF NEEDHAM

Needham will present individual businesses with an invoice for device inspections, payable to Needham, based on the information provided by the County in paragraph 3(h). Needham will provide the County with a list of all devices requiring inspection by the County Sealer of Weights and Measures. Needham will be responsible for the collection of all fees levied by the County for device inspections. Needham shall notify the County when new businesses commence operating in Needham which Needham has reason to believe are subject to weights and measures testing and sealing or inspection, as described in paragraph 3 above. The County shall not be responsible for the testing and sealing or inspection of any such new businesses unless and until Needham has provided the name and address of any such new business to the County. Needham may notify the County of any complaints Needham receives about potential weights and measures violations in Needham.

5. PERSONNEL

For the purposes of this Agreement, the County shall maintain in its employ a duly certified Sealer of Weights and Measures and necessary support staff, who shall provide all services hereunder in Needham. The County will perform the services requested under this Agreement in compliance with all applicable laws and regulations, and in a manner consistent with that degree of skill and care ordinarily exercised by Sealers of Weights and Measures currently practicing in the same locality under similar conditions. The County makes no other warranties or representations, either expressed or implied, regarding the services provided hereunder.

6. COMPENSATION & FEES

The compensation and fees paid to Needham shall be determined, assessed, invoiced, and paid to Needham pursuant to the fee schedule set forth in Appendix "B".

7. DEFAULT

Needham's failure to pay outstanding amounts due under this Agreement shall constitute a breach of the Agreement. Such a breach authorizes the County, in its sole determination, to terminate the Agreement after providing at least thirty (30) days written notice of such breach and termination to Needham.

8. DISPUTE RESOLUTION

No suit upon any claim or cause of action upon, or for damages upon, by reason of, or growing out of, this Agreement or its non-performance or faulty performance, shall be filed or maintainable by any party unless notice of such claim or cause of action be

first given to the other party at its above-noted address not less than sixty (60) days prior to filing. In the event any dispute of any kind should arise between the parties concerning the construction of this Agreement or the breach thereof, such dispute may, by agreement of the parties, be submitted to an arbitrator selected by the American Arbitration Association. The proceedings before said arbitrator shall be governed by the rules and regulations of said Association, and the award and determination of said arbitrator shall be binding and conclusive upon the parties and they herewith agree to abide thereby. Any costs associated with arbitration shall be split evenly between the parties. The parties may also mutually agree to use other forms of alternative dispute resolution, including mediation, to address disputes arising under this Agreement. Notwithstanding the above, the parties reserve the right, either in law or equity, to file suit with the District Court of Norfolk County, Massachusetts or Superior Court of Norfolk County, Massachusetts in the nature of specific performance or other proceeding to enforce or compel performance of any or all terms and conditions herein.

9. ANNUAL STATEMENT

The County shall keep accurate records of services performed, costs incurred, and payments received under the terms of this Agreement. An annual report of this information shall be made available to Needham on or before February 1 of the following fiscal year.

10. MAXIMUM FINANCIAL LIABILITY

The maximum extent of Needham's financial liability in connection with this Agreement shall not exceed the amount validly appropriated by, or available to, Needham for said purpose.

11. LIABILITY

Pursuant to MGL c. 40, s. 4A, each party shall be liable only for the acts and omissions of its own employees and not for the employees of any other agency in the performance of this Agreement to the extent provided by the Massachusetts Tort Claims Act, M.G.L. c. 258. By entering into this Agreement, none of the parties has waived any governmental immunity or limitation of damages which may be afforded to it by operation of law.

12. AMENDMENT

No officer, official, agent, or employee of Needham shall have the power to amend, modify or alter this Agreement or waive any of its provisions or to bind Needham by making any promise or representation not contained herein. Any modification to this Agreement shall be by a written amendment duly authorized by the parties. Said amendment shall be executed in the same manner as this Agreement is executed.

13. ASSIGNMENT

The duties and obligations established by this Agreement shall not be assigned or transferred by any party without the express written consent of the parties, said consent to be made with the same formalities as are required for the execution of this Agreement.

14. GOVERNING LAW

This Agreement and all rights of the parties hereunder shall be governed by the laws of the Commonwealth of Massachusetts.

15. INDEMNIFICATION

To the extent permitted by law, Needham agrees to indemnify and hold harmless the County, and any employee or agent thereof (each of the foregoing being hereafter referred to individually as an “Indemnified Party”), against all liability, including any expenses and reasonable attorney fees, to third parties (other than liability resulting primarily from the gross negligence of the Indemnified Party) arising from any action or inaction of the County in the provision of services under this Agreement on behalf of Needham. Needham’s obligation to indemnify any Indemnified Party will survive the expiration or termination of the Agreement by either party for any reason. The County may, at its option, conduct the defense in any third-party action arising from the Agreement and Needham promises to fully cooperate with such defense.

16. TERMINATION

Needham, acting through its Town Manager, may withdraw from and terminate its participation in this Agreement provided it gives not less than thirty (30) days advance written notice to the County of its intent to terminate as of a stated date certain. Such termination shall take effect on the date following the termination date specified in said notification. Such termination shall not relieve Needham from any obligations of payment or indemnification that may have arisen hereunder prior to such termination, nor from any financial obligations that may extend beyond the termination date. Upon such termination, the County shall prepare a full statement

of outstanding unpaid financial obligations under this Agreement and present the same to Needham for payment within thirty (30) days thereafter. Upon receipt of a notice to terminate, the County shall consider whether to a) continue under an amended version hereof, or b) dissolve this Agreement in a manner and on a date agreeable to all, in which case Needham shall thereafter be solely responsible for the provision of its own weights and measures enforcement system within its corporate jurisdiction.

17. WAIVER

The obligations and conditions set forth in this Agreement may be waived only by a writing signed by the party waiving such obligation or condition. Forbearance by a party shall not be construed as a waiver, nor limit the remedies that would otherwise be available to that party under this Agreement or applicable law. No waiver of any breach or default shall constitute or be deemed evidence of a waiver of any subsequent breach or default.

18. HEADINGS

The paragraph headings herein are used for convenience only, are not part of this Agreement, and shall not affect the interpretation of this Agreement.

19. REPRESENTATIONS AND WARRANTIES

Needham has been fully authorized to execute this Agreement and no further action is required for Needham to perform its obligations hereunder. This Agreement has been duly executed by the undersigned on behalf of the parties and constitutes a valid and binding obligation of the parties. The undersigned executing this Agreement on

behalf of Needham has the right, power, authority, and legal capacity to enter into this Agreement and to bind Needham thereby. The execution, delivery, and performance of this Agreement by Needham does not and will not violate, conflict with, or result in a breach of, or constitute a default under, any of the terms, conditions, or provisions of any statute, law, or regulation of any jurisdiction as such law or jurisdiction relates to Needham, or any judgment, order, injunction, decree or award of any court or arbitrator, administrative agency, or government or regulatory body against or binding upon Needham. There are no actions pending before any court or governmental authority or, to Needham's knowledge, any investigations pending, or actions threatened, that question or challenge the validity of this Agreement or any action taken or to be taken by Needham in connection with the obligations undertaken pursuant to this Agreement.

20. SEVERABILITY

If any provision contained herein is determined by a court of competent jurisdiction to be unenforceable, for any reason, or beyond the scope of the statutory provisions of Chapter 40, § 4A of the General Laws, as amended, then it is the intention of the parties that the remaining provisions hereof shall continue in full force and effect.

21. NOTICES

Any notices or communications related to this Agreement shall be in writing and sent by email and mail, concurrently,

For County of Norfolk:

John Cronin
County Director

614 High Street
Dedham, MA 02026
jcronin@norfolkcounty.org

For Town of Needham:

Kate Fitzpatrick, Town Manager
Needham Town Hall
1471 Highland Avenue
Needham, MA 02492
kfitzpatrick@needhamma.gov

Notice shall be deemed to have been received at the time of actual receipt of any hand delivery, upon the date of verified delivery by a courier of package delivery service, or three (3) business days after the date of any properly addressed notice sent by first class mail.

22. COMPLETE AGREEMENT

This Agreement constitutes the entire agreement between the parties concerning the subject matter hereof, superseding all prior agreements and understandings. Any other agreements or understandings made or offered, whether oral or written, between the parties concerning the subject matter hereof that are not contained in this Agreement and its amendments are hereby declared invalid.

IN WITNESS WHEREOF the parties hereto have entered into this Agreement under seal as of the day and year first written above.

COUNTY OF NORFOLK

TOWN OF NEEDHAM

By: _____

By: _____

Its: _____

Its: _____

Date: _____

Date: _____



Town of Needham
 Building Department
 500 Dedham Avenue
 Needham, MA 02492
 781-455-7550, Ext. 537

Town of Needham - Weights and Measures Fees

Balances & Scales

Over 10,000 lbs.	\$50.00
5,000 to 10,000 lbs.	\$30.00
1,000 to 5,000 lbs.	\$20.00
100 to 1,000 lbs.	\$20.00
More than 10 lbs., Less than 100 lbs.	\$5.00
10 Pounds or Less	\$5.00

Weights

Avoirdupois (Each)	\$0.50
Metric (Each)	\$0.50
Apothecary (Each)	\$0.50
Troy (Each)	\$0.50

Capacity Measures

<i>Vehicle Tanks</i>	
Each Indicator	\$5.00
Each 100 Gals or Fraction Thereof	\$2.00
<i>Liquid</i>	
1 Gallon or Less	\$0.50
More than 1 gallon	\$1.00

Liquid Measuring Meters

Needham

Water	
Inlet 1/2" or less	
Oil, Grease	\$4.00
Inlet more than 1/2" to 1"	
Gasoline	\$6.00

Inlet more than 1"	
Vehicle Tank Pump	\$17.50
Vehicle Tank Gravity	\$20.00
Bulk Storage	\$40.00
Bulk Meter	
Company Supplies Prover	\$20.00

Pumps

Each Stop on Pump	\$2.00
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Other Devices

Taxi Meters	\$6.00
Odometer - Hubodometer	\$6.00
Leather Meas. (Semi-Annual)	\$4.00
Fabric Measuring	\$4.00
Wire-Rope Cordage	\$4.00

Scanners

1 - 3	
4 - 10 Registers	
11+	

Linear Measure

Yard Sticks	\$0.50
Tapes	\$0.50

Miscellaneous

Milk Jars (per Gross)	\$8.00
Dry Measures	\$0.50
Reverse Vending Machine	
Adjusting	



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

Agenda Item	General Update – Department of Public Works
Presenter(s)	Carys Lustig, Director of Public Works

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Director of Public Works will provide a general update from the Department of Public Works, to include: status updates on major construction projects scheduled for completion this season; solicitation of feedback on intended changes to the right of way layout on specific roadway projects; and an update to the Town's standard guardrail specification.
2.	VOTE REQUIRED BY SELECT BOARD
	N/A – Discussion Only
3.	BACK UP INFORMATION ATTACHED
	a. DPW Update Presentation



DPW 2023 Construction Projects Update

June 27, 2023

Director of Public Works, Carys Lustig

Construction Updates

- Early start to season given mild temperatures in the Winter
- Coordinating more with Eversource and working on appropriate payment opportunities to mitigate infrastructure damage
- Eversource has 4 active crews operating in Needham
- Looking to update the Street Opening Permit for greater accountability
- Still some supply chain issues, although in different areas than last year, HVAC equipment, curb, vehicles
- ARPA and Earmark work including searching for Grant Opportunities
- Continue to have staffing transitions, particularly at the field staff level





Project Updates

- Surface Treatments
 - Double Rubber Chip - Meadowbrook Rd, Blacksmith Dr, Meadow Ln, Elizabeth Cr, Prospect St, Lewis St, Brentwood Cr, Trout Pond Ln, Dale St, Birch St, McCulloch St, Glen Gary Rd, Castle Pl, Hasenfus Cr, Crescent Rd, Union St
 - Micro Surfacing – Chestnut St (Town of Dover to Eversource Work), High Rock St (RR Bridge to Central Ave), Chapel St
- Paving – Rolling Ln, Brookside Rd, Bridle Trail Rd, Carleton Dr, Cutlet Rd, Harris Ave, Warren St, Fair Oaks Pk, Central Ave, Reservoir St, Carter St, West St, Rosemary St, Aldridge Rd, Emerson Rd, Emerson Pl, Nichols Rd, Hazelton Ave
- Sidewalk Improvements – Central Ave (Country Way to beyond Carleton Dr), Ardmore Rd, Pinewood Rd, Dell Ave – Both sides, Holmes St, Bancroft St, Central Ave (Gould to 128 Bridge), Saint Mary's St - West side

Project Updates

- Finishing Central at Marked Tree Water Main
- Finishing Walker Pond Phase I
- Starting Walker Pond Phase II
- Rosemary St Water Main Replacement
- 128 Interceptor Sewer Relining – Phase I
- Lake Drive Pump Station
- Concord @ Burnside Drainage
- Small Diameter Water Main Replacement – Elizabeth Cir, Wyoming Ave, Clarke Rd & Glendale Rd,
- Lead service replacement program
- Brook & Culvert Cleaning



Project Updates

- McLeod Field
- Complete Town Common
- Vehicle GPS Upgrade
- RTS Building Ventilation Upgrades
- RTS Employee Trailer Replacement
- RTS Delivery Study and DPW Feasibility Study
- Library Chiller – delay
- Pollard Locker Room Upgrade
- Replace 2 NHS Boilers
- Replace Mitchell Boiler
- Flooring replacement at Broadmeadow, Eliot, NHS





Changes to Existing Layout or Conditions

- Guardrail standard detail update
- Webster at South St Intersection Improvements - traffic and pedestrians safety improvement
- Tower Ave, Paul Revere Rd, and Hoover Road Intersection Improvement – traffic and pedestrians safety improvement

Guardrail



Current guardrail to be replaced at Farley Pond



Proposed replacement for low volume, low speed roads and areas – Pressure Treated Wood Post Guardrail

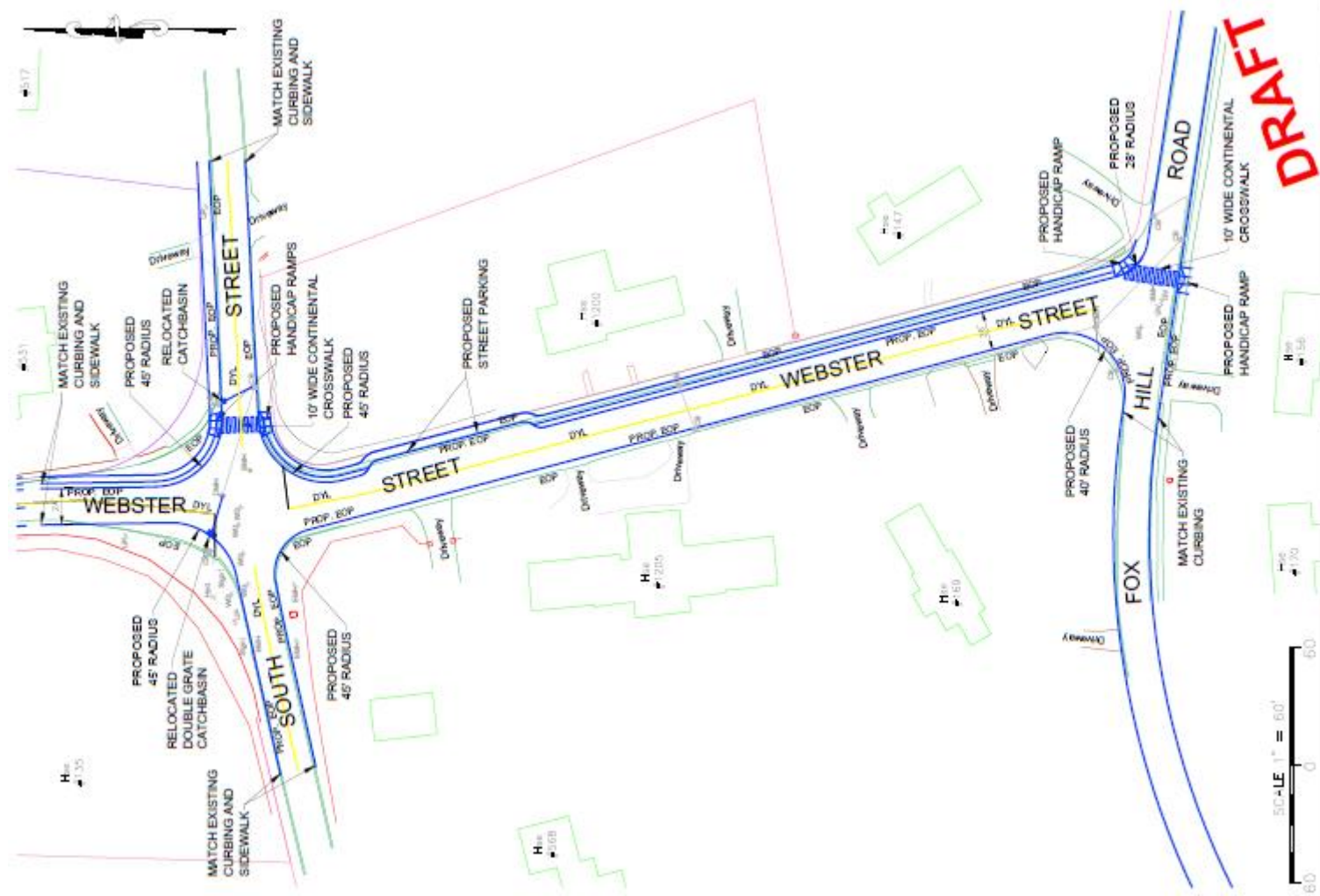


Current guardrail to be replaced at Dedham Ave and Central Ave



Proposed replacement for high volume roads – Corten Rail with Steel Posts or equivalent

Webster at South Street



Tower Ave, Paul Revere Rd, and Hoover Road Intersection



Future Upcoming Upgrades

- Dedham Ave – surface, ramps, striping, and pedestrian access
- Webster St (GPA to West) – improve striping and install traffic calming measures to implement a Safety Zone after Eversouce finishes work
- Tower Ave, Paul Revere Rd, and Hoover Road Intersection Improvement – traffic and pedestrians safety improvement
- Downtown Streetscape Improvements – GPA at Linden to GPA at Warren
- Highland Ave Corridor TIP
- Chestnut St Bridge
- Central at Centre St Bridge
- New Mobility and Transportation Committees



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

Agenda Item	Set Water and Sewer Rates
Presenter(s)	David Davison, Assistant Town Manager/Director of Finance
1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board held a Public Hearing regarding the water and sewer rates at its June 13, 2023 meeting. The Water and Sewer Rate Structure Committee voted to recommend the rate structure that was presented to the Board that evening. The step rates for both water and sewer, both primary and secondary meters would be increased. There are no changes recommended to the basic service charges or meter fees.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board approve the proposed water and sewer rates identified on schedule below and that they be effective July 1, 2023; and further that the Board approve a Septage Disposal fee of \$85.00 per 1,000 gallons.	



Select Board TOWN OF NEEDHAM AGENDA FACT SHEET

Description		Current Rate	Proposed Rate	\$ Change	% Change
Basic Service Fee - Monthly		\$5.00	\$5.00	\$0.00	0.0%
Basic Service Fee - Quarterly		\$15.00	\$15.00	\$0.00	0.0%
Water - Primary Meter					
Step 1		\$3.24	\$3.30	\$0.06	1.9%
Step 2		\$3.46	\$3.53	\$0.07	2.0%
Step 3		\$4.35	\$4.43	\$0.08	1.8%
Step 4		\$5.34	\$5.44	\$0.10	1.9%
Basic Service Fee - Monthly		\$1.34	\$1.34	\$0.00	0.0%
Basic Service Fee - Quarterly		\$4.00	\$4.00	\$0.00	0.0%
Water - Secondary Meter					
Step 1		\$5.50	\$5.60	\$0.10	1.8%
Step 2		\$5.93	\$6.04	\$0.11	1.9%
Step 3		\$6.57	\$6.69	\$0.12	1.8%
Step 4		\$8.74	\$8.91	\$0.17	1.9%
Basic Service Fee - Monthly		\$4.00	\$4.00	\$0.00	0.0%
Basic Service Fee - Quarterly		\$12.00	\$12.00	\$0.00	0.0%
Sewer					
Step 1		\$9.53	\$9.82	\$0.29	3.0%
Step 2		\$10.52	\$10.84	\$0.32	3.0%
Step 3		\$11.35	\$11.69	\$0.34	3.0%
Step 4		\$12.38	\$12.75	\$0.37	3.0%
Prices are per 100 cubic feet (CF)					
3.	BACK UP INFORMATION ATTACHED				
None					



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

Agenda Item	Downtown Streetscape Refresh Project Priority Setting
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Town Manager will ask the Select Board to consider components of the Downtown Streetscape Refresh Project and discuss initial priorities. The Board will also have the opportunity to discuss the components to be considered. The Board will also plan to discuss priorities and next steps for community engagement at its next regularly scheduled meeting on July 25th.
2.	VOTE REQUIRED BY SELECT BOARD
	N/A – Discussion Only.
3.	BACK UP INFORMATION ATTACHED
a.	Downtown Streetscape Project Refresh Initial Priority Setting

Downtown Streetscape Project Refresh Initial Priority Setting
Great Plain Avenue from Linden Street to Warren Street
June 27, 2023

Use of Right of Way

	<u>Component</u>	<u>Priority</u>
1	Dedicated Bike Lane - seperated, onstreet, or raised	
2	Wider sidewalks for pedestrians, street furniture, on-street dining, and trees	
3	Maintain the same speed/timing of cars traveling through the Downtown	
4	Maintain existing number of on-street Parking Spaces in Downtown	
5	Ensure that no increased traffic is experienced on side streets abutting the Downtown	
6	Pedestrian safety at crossings including lights, bumpouts, single direction crossings, RRFBs, multiple lanes of traffic	
7	Installation of informational kiosks	
8	Public Art	
9	Installation of gateway structures for placemaking and banners	
10	Installation of wayfinding signage	

Initial Ranking Priorities 1 - 10 with 1 being the highest priority

Detailed Preferences - Great Plain Avenue Linden to Chapel/Chestnut

	<u>Component</u>	<u>Ranking</u>
1	Wider sidewalks for pedestrians, street furniture, on-street dining, and trees	
2	Maintain existing number of on-street Parking Spaces in Downtown	
3	Dedicated Bike Lane - seperated, onstreet, or raised	
4	Maintain existing number of car traffic lanes	

Initial Ranking Priorities 1 - 4 with 1 being the highest priority

Detailed Preferences - Great Plain Avenue Chapel/Chestnut to Highland/Dedham

	<u>Component</u>	<u>Ranking</u>
1	Wider sidewalks for pedestrians, street furniture, on-street dining, and trees	
2	Maintain existing number of on-street Parking Spaces in Downtown	
3	Dedicated Bike Lane - seperated, onstreet, or raised	
4	Maintain existing number of car traffic lanes	

Initial Ranking Priorities 1 - 4 with 1 being the highest priority

Downtown Streetscape Project Refresh Initial Priority Setting
Great Plain Avenue from Linden Street to Warren Street
June 27, 2023

Detailed Preferences - Great Plain Avenue Highland/Dedham to Warren

	<u>Component</u>	<u>Ranking</u>
1	Wider sidewalks for pedestrians, street furniture, on-street dining, and trees	
2	Maintain existing number of on-street Parking Spaces in Downtown	
3	Dedicated Bike Lane - seperated, onstreet, or raised	
4	Maintain existing number of car traffic lanes	

Initial Ranking Priorites 1 - 4 with 1 being the highest priority

Biking Preference

	<u>Component</u>	<u>Ranking</u>
1	Commuter biking amenity on street, share the road	
2	Marked on street bike lane	
3	Seperated bike line on street	
4	Raised seperated bike line	

Initial Ranking Priorites 1 - 4 with 1 being the highest priority

Funding Preferences

	<u>Component</u>	<u>Ranking</u>
1	Accrue and utilize CH90 Funding	
2	Seek Town appropriation	
3	Seek other grant funding	
4	Some combination of funding sources	

Initial Ranking Priorites 1 - 4 with 1 being the highest priority

Other

	<u>Component</u>	<u>Ranking</u>
1		
2		
3		
4		

Initial Ranking Priorites 1 - 4 with 1 being the highest priority



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

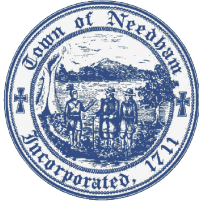
Agenda Item	American Rescue Plan Act Funding
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED								
The Town Manager will provide the Board with an update on ARPA spending, commitments, grants, and projects, and will recommend that the Board approve certain transfers within spending categories.									
2.	VOTE REQUIRED BY SELECT BOARD								
<i>Suggested Motion:</i> That the Board approve the updated ARPA Proposal Budget dated June 21, 2023 to include reallocation of the technology improvement lines and update of the Town Reservoir Sediment Removal project. The Town has four projects pending with Norfolk County: <table><tr><td>Walker Category 2 (ARPA-1032):</td><td>\$356,000</td></tr><tr><td>Walker Category 3 (ARPA-1166):</td><td>\$400,000</td></tr><tr><td>Town Reservoir Sediment Removal (ARPA -1033):</td><td>\$2,142,500</td></tr><tr><td>128 Sewer Interceptor (ARPA-1178):</td><td>\$3,000,000</td></tr></table>		Walker Category 2 (ARPA-1032):	\$356,000	Walker Category 3 (ARPA-1166):	\$400,000	Town Reservoir Sediment Removal (ARPA -1033):	\$2,142,500	128 Sewer Interceptor (ARPA-1178):	\$3,000,000
Walker Category 2 (ARPA-1032):	\$356,000								
Walker Category 3 (ARPA-1166):	\$400,000								
Town Reservoir Sediment Removal (ARPA -1033):	\$2,142,500								
128 Sewer Interceptor (ARPA-1178):	\$3,000,000								
3.	BACK UP INFORMATION ATTACHED								
a. ARPA Proposal Budget with Expended Balances dated June 21. 2023									

ARPA Proposal Budget with Expended Balance

Category	Description	State/County	Budget	Adjusted Budget	Total Expended	Available	Encumbered
COVID-19 Direct Impact	Contact Tracers	State	\$60,000.00	\$23,910.00	\$23,910.00	\$0.00	
	Epidemiologist	State	\$140,000.00	\$216,077.47	\$101,689.72	\$114,387.75	\$114,387.75
	Public Health Nurse	State	\$160,000.00	\$279,083.00	\$119,853.00	\$159,230.00	\$159,230.00
	Mental & Behavioral Health Staffing	State	\$190,000.00	\$265,548.00	\$114,864.18	\$150,683.82	\$150,683.82
	Mental & Behavioral Health Services	State	\$190,000.00	\$48,350.75	\$44,488.25	\$3,862.50	\$3,862.50
	COVID-19 Test Kits for School Staff and residents of limited means and those in high risk groups	State	\$229,800.00	\$229,800.00	\$229,800.00	\$0.00	
	Other - Rentals	State	\$4,246.00	\$4,246.00	\$4,246.00	\$0.00	
	Other - Town COVID-19 Test Kits	State	\$2,984.78	\$2,984.78	\$2,984.78	\$0.00	
	Other - Not yet assigned	State	92,969	0	0	0	
	Subtotal		1,070,000	1,070,000	641,836	428,164	428,164
Ventilation Upgrades	Library Chiller	State	0	369,000	0	369,000	333,549
	Subtotal		0	369,000	0	369,000	333,549
Technology Improvements	Support for Hybrid Meetings, Communications & Remote Work	State	175,000	241,123	18,571	222,553	222,553
	NeoGov E-Forms Module	State	31,613	31,613	17,568	14,046	14,046
	Other - Not yet assigned	State	68,387	2,263	0	2,263	0
	Subtotal		275,000	275,000	36,138	238,862	236,599
Economic Development	Grant Program	State	460,000	445,000	375,979	69,021	11,521
	Public Art	State	20,000	20,000	15,623	4,377	0
	Other - Rental of Tents	State	18,725	18,725	18,725	0	0
	Other - Not yet assigned	State	1,275	16,275	0	16,275	0
	Subtotal		500,000	500,000	410,327	89,673	11,521
Water/Sewer/Drains	Temp Project Manager	State	500,000	471,337	0	471,337	0
	Rosemary Sluice Gate Replacement/NPDES Stormwater	State	600,000	600,000	1,073	598,927	30,927
	Other - Not yet assigned	State	340,337	0	0	0	0
			1,440,337	1,071,337	1,073	1,070,263	30,927
		State total	3,285,337	3,285,337	1,089,374	2,195,962	1,040,759
Infrastructure*	Town Reservoir Clean-up Construction	County	2,070,000	2,142,500	0	2,142,500	0
	Walker Pond Category 2 Construction	County	356,000	356,000	17,137	338,863	338,863
	Walker Pond Outlet	County	0	400,000	0	400,000	0
	128 Sewer Interceptor Project Design	County	0	0	0	0	0
	128 Sewer Interceptor Project Construction	County	0	3,000,000	0	3,000,000	0
	South St Water Main Construction	County	0	0	0	0	0
	Allowance for Water/Sewer/Drains	County	3,487,848	15,348	0	15,348	0
	Subtotal	County total	5,913,848	5,913,848	17,137	5,896,711	338,863
	Grand Total		9,199,185	9,199,185	1,106,512	8,092,673	1,379,621

updated 6/21/23



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

Agenda Item	Open Meeting Law Complaint
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board was notified about a complaint filed with the Office of the Attorney General by Margaret Abruzese alleging that the Board deliberated outside of a public meeting. In accordance with M.G.L. c. 30A, the Board is required to issue a response to the complaint within 14 business days.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Board authorize Town Counsel to prepare and submit a response to the Open Meeting Law complaint.	
3.	BACK UP INFORMATION ATTACHED
a. Open Meeting Law Complaint filed by Margaret Abruzese	



The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place
Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

Instructions for filing a complaint:

- o Fill out the attached two-page form completely and sign it. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address it. At the same time, the body must send the Attorney General a copy of the response. The public body may delegate this responsibility to its counsel or a staff member, but only after it has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with that the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, e-mail, or by hand, but only once you have waited for 30 days after filing the complaint with the public body.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by e-mail at openmeeting@state.ma.us.



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Margaret Last Name: Abruzese

Address: 30 Bridle Trail Rd

City: Needham State: MA Zip Code: 02492

Phone Number: 6174292264 Ext.

Email: mabruzese02492@gmail.com

Organization or Media Affiliation (if any):

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/town, county or region, if applicable): Needham Select Board

Specific person(s), if any, you allege committed the violation:

Date of alleged violation: May 9, 2023

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

Please see attached.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

I would like the Select Board to release the minutes and any video of the May 9, 2023 executive session. I would like the Select Board to list out the dates of all executive sessions held by the SB regarding the Foster Property since 2021. I also would like the Board to release the minutes and any video of all SB executive sessions regarding the Foster Property which took place prior to the March 6, 2023 vote to sign the Development Agreement and Purchase & Sale Agreement with Northland.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: _____

Date: _____

5/7/23

Description of alleged violation:

On May 9, 2023, the Select Board went into executive session. The reason given was “Executive Session Exception #6: Real Property – Foster Property, Charles River Street” (see Agenda attached). I believe this was an improper use of Executive Session because the purpose of the real property exception – “the need for confidentiality in considering the value of property to be purchased, exchanged or leased in order to avoid impairment to the negotiating position of a governmental body” (Allen v. Belmont Board of Selectmen, 58 Mass. App. Ct. 715, 720) – is not met here.

The “Foster Property” refers to a complex real estate transaction wherein Northland Residential was to purchase the Foster Property (also known as Castle Farm) and then sell 34 acres of that property to Needham for conservation/passive recreation. Needham signed a Development Agreement for a 40B LIP development on Northland’s retained portion of the property and a Purchase & Sale Agreement with Northland for the property to be sold to Needham on or about March 6, 2023; however, Northland did not sign those documents.

At the Select Board meeting on March 28, 2023, Chair Marianne Cooley made the following statement:

“As many of you know, the Select Board voted to approve the Development Agreement and Purchase and Sale Agreement with Northland Residential at its March 6 meeting. These agreements provided for the Town’s acquisition of 34 acres of the Castle Farm property on Charles River Street, in partnership with Northland, which was set to acquire the remainder of this property.

The Select Board has just received word that there has been a significant breakdown in the agreement between the Foster Trust (the sellers of the Castle Farm property) and Northland. This is concerning because the Town’s acquisition of the 34 acres presupposes a successful transaction between the Fosters and Northland. We do understand that the Fosters and Northland will be continuing to discuss the terms of a Northland acquisition, and for our part we remain hopeful that they will be able to bridge any points of disagreement between them that have recently emerged.

But for now at least, it appears that there are questions to be resolved between the Fosters and Northland before the Town’s agreements with Northland can proceed. We’ll provide an additional update on this as soon as we are able. “

The Needham Observer online newspaper in its article of June 7, 2023 reiterates that Northland has not reached an agreement to purchase the property from the Foster Estate. Ms. Cooley indicated to the Observer that DHCD had been in touch with the Town regarding the LIP project.

<https://needhamobserver.com/castle-farm-purchase-lingers-in-limbo/>

Given that status, it does not appear that the Executive Session was called for the purpose of discussing the value of the Foster Estate or Needham’s purchase, sale, lease of the Foster property in order to avoid impairment to the negotiating position of Needham vis-à-vis Northland. “[T]he proper application of Purpose 6 is to protect a public body’s negotiating position vis-à-vis other parties to a transaction and not to escape the inconvenience of public scrutiny or opposition.” **OML 2022-119**. Discussion of a LIP Development Agreement does not fall within the scope of Exception 6. **OML 2020-158**.

SELECT BOARD

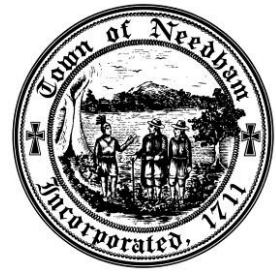
Meeting Agenda

6:00 p.m. May 9, 2023

NEEDHAM TOWN HALL

Select Board Chambers & Zoom

Revised



Pursuant to Chapter 2 of the Acts of 2023, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

To listen and view this virtual meeting on a phone, computer, laptop, or tablet, download the “Zoom Cloud Meeting” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the meeting or click the link below to join the webinar:

Link:

<https://us02web.zoom.us/j/83691338205?pwd=RE42OUVDeHZTNi9BQjhiMUxRcXRKUT09>

Webinar ID: 836 9133 8205

Passcode: 358382

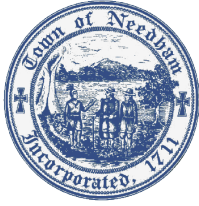
One tap mobile: +13126266799,,83691338205#

	6:00	Public Comment Period Citizens are encouraged to inform the Office of the Town Manager in advance via email (OTM@needhamma.gov), telephone (781) 455-7500 extension 204, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes. The Board’s policy on public participation in meetings can be found here .
1.	6:00	Human Rights Committee Discrimination Complaint Process • Tina Burgos, Chair, Human Rights Committee • Marlene Schultz, Member, Human Rights Committee
2.	6:20	FY2022 Audit • Marcum LLP (Independent Auditors) • David Davison, Assistant Town Manager/Director of Finance
2.	6:20	Town Manager • Select Board Goals Update & Planning
3.	6:35	Board Discussion • Office Hours Schedule – Summer 2023 • Committee Reports

4.	6:40	Executive Session Exception #6: Real Property – Foster Property, Charles River Street
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CONSENT AGENDA

1.	Accept the following donation made to the Needham Community Revitalization Trust Fund: \$250 from Eric Valentino.				
2.	Approve a One Day Special License from Paula Jacobson of the Charles River YMCA for Saturday, May 20, 2023, 6:30-11:00PM for their Annual Giving Gala. The event will be held at the Powers Hall. All documents are in order.				
3.	Grant permission for the following residents to hold block parties:				
	Name	Address	Party Location	Date	Rain Date
	Jeremy Klein	338 Nehoiden St	Washburn Avenue	5/13/23	N/A
	Jamie Brad Silverberg	55 Rybury Hillway	52 -66 Rybury Hillway	5/20/23	N/A



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/27/2023

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Board members may report on the progress and / or activities of their Committee assignments.	
2.	VOTE REQUIRED BY SELECT BOARD
N/A – Discussion Only	
3.	BACK UP INFORMATION ATTACHED
None	

Committee	Name	Expiration
Board Of Appeals	Nikolas Ligris	6/30/2026
Board Of Appeals	Howard S Goldman	6/30/2026
Commission on Disabilities	Alexa Moore	6/30/2026
Commission on Disabilities	Felix Zemel	6/30/2026
Conservation Commission	Sue Barber	6/30/2026
Conservation Commission	Polina Sofran	6/30/2026
Conservation Commission	Reade Everett	6/30/2025
Conservation Commission	Fred Moder	6/30/2024
Council of Economic Advisors	William Day	6/30/2026
Council of Economic Advisors	Mathew D. Talcoff	6/30/2026
Council On Aging	Edward Cosgrove Jr	6/30/2026
Council On Aging	Susan Mullaney	6/30/2026
Design Review Board	Robert Dermody	6/30/2026
Design Review Board	Mark Gluesing	6/30/2026
Design Review Board	Felix Zemel	6/30/2026
Golf Course Advisory Committee	Patrick McKeirnan	6/30/2026
Historical Commission	Marshall Davis	6/30/2026
Housing Needham Advisory Group	Heidi Frail	6/30/2024
Housing Needham Advisory Group	Kevin Keane	6/30/2024
Housing Needham Advisory Group	Michael Diener	6/30/2024
Human Rights Committee	Marlene Schultz	6/30/2026
Human Rights Committee	Tina Burgos	6/30/2026
MBTA Advisory Board	Duncan Allen	6/30/2026
Mobility Planning and Coordination Committee	Moe Handel	6/30/2026
Mobility Planning and Coordination Committee	Duncan Allen	6/30/2026
Mobility Planning and Coordination Committee	Justin McCullen	6/30/2026
Mobility Planning and Coordination Committee	Carys Lustig	6/30/2026
Mobility Planning and Coordination Committee	Alex Clee	6/30/2026
MWRA Advisory Board	John Terry	6/30/2026
Needham Community Television Dev Corp	Richard Dollase	6/30/2026
Needham Community Television Dev Corp	Peter E. Hess	6/30/2026
Needham Community Television Dev Corp	Dan Schwartz	6/30/2026
Needham Community Television Dev Corp	Vipul Bhushan	6/30/2025
Needham Council for Arts and Culture	Joni Schockett	6/30/2026
Needham Council for Arts and Culture	Heather Simmons	6/30/2026
Needham Council for Arts and Culture	Abby Bernstein	6/30/2026
Needham Council for Arts and Culture	Manya Hughes	6/30/2026
Needham Council for Arts and Culture	Christine Mawhinney	6/30/2026
Needham Council for Arts and Culture	Michael Niden	6/30/2026
Property Tax Assistance Committee	Jill C Kahn-Boesel	6/30/2026
Quiet Zone Working Group	John Connolly	6/30/2024
Quiet Zone Working Group	Marianne Cooley	6/30/2024
Quiet Zone Working Group	Duncan Allen	6/30/2024
Quiet Zone Working Group	Justin McCullen	6/30/2024
Quiet Zone Working Group	Lars Unhjem	6/30/2024
Quiet Zone Working Group	Kate Fitzpatrick	6/30/2024

Rail Trail Advisory Committee	Christopher Gerstel	6/30/2026
Rail Trail Advisory Committee	John Bulian	6/30/2026
Rail Trail Advisory Committee	James Goldstein	6/30/2026
Rail Trail Advisory Committee	Dmitry Gorenburg	6/30/2026
Rail Trail Advisory Committee	Gerry Koss	6/30/2026
Regional Transportation Advisory Council	Shane Mark	6/30/2026
Technology Advisory Board	Michael M Mathias	6/30/2026
Technology Advisory Board	Carl M. Rubin	6/30/2026
Town-Financed Community Housing Oversight Committee	Cathy Dowd	6/30/2026
Town-Financed Community Housing Oversight Committee	Katie King	6/30/2026
Town-Financed Community Housing Oversight Committee	Dave Davison	6/30/2026
Traffic Safety Committee	Guus Driessen	6/30/2026
Traffic Safety Committee	Justin McCullen	6/30/2026
Traffic Safety Committee	John McGrath	6/30/2026
Water/Sewer Rate Structure Committee	John Terry	6/30/2026
Water/Sewer Rate Structure Committee	Harold Burger	6/30/2026

MEMORANDUM

TO: SELECT BOARD

FROM: DAVID DAVISON, ASSISTANT TOWN MANAGER/DIRECTOR OF FINANCE

SUBJECT: VEHICLE EXPENSE REIMBURSEMENT

DATE: THURSDAY, JUNE 8, 2023

CC: KATE FITZPATRICK, TOWN MANAGER; KATIE KING, ASSISTANT TOWN MANAGER/DIRECTOR OF OPERATIONS; CHUCK MURPHY-ROMBOLETTI, DIRECTOR OF HUMAN RESOURCES; MICHELLE VAILLANCOURT, TOWN ACCOUNTANT; ANNE GULATI, ASSISTANT SUPERINTENDENT FOR FINANCE AND OPERATIONS

The Town's Personnel Policy #509 under Section V (Procedures) Subsection A 2 states "When an employee is authorized to use a personal automobile for work-related travel, he or she shall be reimbursed at a rate established by the Board of Selectmen [Select Board] upon the recommendation of the Assistant Town Manager/Director of Finance." The purpose of this memo is to recommend to the Board that the rate should be adjusted.

The current rate for reimbursement to an employee for personal use of the employee's vehicle for Town business is 62.5 cents per mile. The mileage rate is intended to include the cost of fuel and oil, repairs, insurance, and general wear and tear on the automobile. The national organization, AAA does an annual report on the cost of operating a motor vehicle in U.S. Their report showed that the cost has increased from the prior year. The composite average cost for 2022 was 71.5 cents per mile which compares to 64.4 cents per mile in 2021. AAA's report incorporates average cost for fuel, insurance, depreciation, maintenance, government fees (license, registration, taxes), and financing.

The table below from AAA data shows the average cost per mile for different vehicle types in 2020, 2021 and 2022. Two new categories were added (compact SUV's and midsize pickups) in 2021 due to the increased popularity. AAA's study shows that the cost for every type of vehicle, except all-electric vehicles, increased during 2022, and the greatest contributor to the increased cost was fuel.

<i>Based on Driving 15,000 miles annually</i>	<i>Small Sedan</i>	<i>Medium Sedan</i>	<i>Compact SUV (FWD)</i>	<i>Hybrid Vehicle</i>	<i>SUV 4WD</i>	<i>Midsize Pickup</i>	<i>Electric Vehicle</i>	<i>Composite Average</i>
<i>Cost Per Mile 2020</i>	50.1 cents	58.2 cents	N/A	54.3 cents	66.9 cents	N/A	60.8 cents	63.7 cents
<i>Cost Per Mile 2021</i>	48.2 cents	62.4 cents	56.6 cents	60.1 cents	66.5 cents	62.8 cents	62.0 cents	64.4 cents
<i>Cost Per Mile 2022</i>	54.6 cents	69.0 cents	62.2 cents	64.6 cents	75.4 cents	70.3 cents	60.3 cents	71.5 cents

Although there may be many methods and sources to determine what is the cost of operating a vehicle, I continue to recommend that the rate be set based on the standard mileage rate (SMR) method used by the Internal Revenue Service which should prove to be the simplest method of accounting and probably the most often used to determine the cost to the employee for reimbursement purposes.

The IRS rate is based on an annual study of the fixed and variable costs of operating an automobile. The standard mileage rate for 2023 has been calculated at 65.5 cents per mile. Although individual costs will differ, fluctuations are inevitable; the IRS rate is readily accessible and updated on a schedule which the Town has and may continue to rely. Therefore, I recommend to the Board that it vote to change the rate from 62.5 cents to 65.5 cents per mile consistent with the rate determined by the IRS. The effective date for this reimbursement rate would be July 1, 2023.

I will be available should you have questions. Thank you.

Town of Needham - Salary/Wage Tables

FY2024 (Effective July 1, 2023)

Non-Represented Positions: *General Government Employees*

FY2024 - Effective July 1, 2023

Annual Salary for FLSA Exempt Positions

Grade	Step 1	2	3	4	5	6	7	8	9	10	11
15	\$119,190.00	\$125,150.00	\$130,157.00	\$134,062.00	Merit Range						\$166,866.00
14	\$108,355.00	\$113,772.00	\$118,323.00	\$121,873.00	Merit Range						\$151,696.00
13	\$98,505.00	\$103,430.00	\$107,567.00	\$110,793.00	Merit Range						\$137,906.00
12	\$89,549.00	\$94,026.00	\$97,788.00	\$100,722.00	Merit Range						\$125,369.00
11	\$77,610.00	\$82,660.50	\$86,970.00	\$90,538.50	\$93,697.50	\$96,720.00	\$99,508.50	\$102,121.50	\$104,461.50	\$106,528.50	\$108,673.50
10	\$73,924.50	\$78,721.50	\$82,836.00	\$86,229.00	\$89,232.00	\$92,079.00	\$94,750.50	\$97,207.50	\$99,430.50	\$101,439.00	\$103,486.50
9	\$70,414.50	\$74,997.00	\$78,897.00	\$82,134.00	\$84,981.00	\$87,711.00	\$90,265.50	\$92,605.50	\$94,750.50	\$96,642.00	\$98,572.50
8	\$67,723.50	\$71,311.50	\$74,256.00	\$76,908.00	\$79,443.00	\$81,841.50	\$84,045.00	\$86,073.00	\$87,886.50	\$89,622.00	\$91,416.00
7	\$64,486.50	\$67,937.51	\$70,707.00	\$73,261.50	\$75,679.50	\$77,961.00	\$80,047.50	\$81,978.00	\$83,674.50	\$85,351.50	\$87,067.50
6	\$61,405.50	\$64,701.00	\$67,333.50	\$69,771.00	\$72,072.00	\$74,236.50	\$76,225.50	\$78,078.00	\$79,696.50	\$81,295.50	\$82,933.50
5	\$58,480.50	\$61,620.00	\$64,135.50	\$66,436.50	\$68,640.00	\$70,687.50	\$72,618.00	\$74,353.50	\$75,913.50	\$77,415.00	\$78,975.00
4	\$55,107.00	\$58,071.00	\$60,450.00	\$62,614.50	\$64,681.50	\$66,612.00	\$68,425.50	\$70,063.50	\$71,506.50	\$72,949.50	\$74,412.00
3	\$50,115.00	\$52,786.50	\$54,951.00	\$56,920.50	\$58,812.00	\$60,567.00	\$62,205.00	\$63,706.50	\$65,013.00	\$66,319.50	\$67,665.00
2	\$45,552.00	\$47,989.50	\$49,939.50	\$51,753.00	\$53,449.50	\$55,048.50	\$56,550.00	\$57,895.50	\$59,104.50	\$60,294.00	\$61,503.00
1	\$41,418.00	\$43,641.00	\$45,435.00	\$47,053.50	\$48,613.50	\$50,076.00	\$51,402.00	\$52,650.00	\$53,761.50	\$54,834.00	\$55,926.00

Hourly Rates for FLSA Non-Exempt Positions (37.5 Hours/week)

Grade	Step 1	2	3	4	5	6	7	8	9	10	11
GT11	\$39.80	\$42.39	\$44.60	\$46.43	\$48.05	\$49.60	\$51.03	\$52.37	\$53.57	\$54.63	\$55.73
GT10	\$37.91	\$40.37	\$42.48	\$44.22	\$45.76	\$47.22	\$48.59	\$49.85	\$50.99	\$52.02	\$53.07
GT09	\$36.11	\$38.46	\$40.46	\$42.12	\$43.58	\$44.98	\$46.29	\$47.49	\$48.59	\$49.56	\$50.55
GT08	\$34.73	\$36.57	\$38.08	\$39.44	\$40.74	\$41.97	\$43.10	\$44.14	\$45.07	\$45.96	\$46.88
GT07	\$33.07	\$34.84	\$36.26	\$37.57	\$38.81	\$39.98	\$41.05	\$42.04	\$42.91	\$43.77	\$44.65
GT06	\$31.49	\$33.18	\$34.53	\$35.78	\$36.96	\$38.07	\$39.09	\$40.04	\$40.87	\$41.69	\$42.53
GT05	\$29.99	\$31.60	\$32.89	\$34.07	\$35.20	\$36.25	\$37.24	\$38.13	\$38.93	\$39.70	\$40.50
GT04	\$28.26	\$29.78	\$31.00	\$32.11	\$33.17	\$34.16	\$35.09	\$35.93	\$36.67	\$37.41	\$38.16
GT03	\$25.70	\$27.07	\$28.18	\$29.19	\$30.16	\$31.06	\$31.90	\$32.67	\$33.34	\$34.01	\$34.70
GT02	\$23.36	\$24.61	\$25.61	\$26.54	\$27.41	\$28.23	\$29.00	\$29.69	\$30.31	\$30.92	\$31.54
GT01	\$21.24	\$22.38	\$23.30	\$24.13	\$24.93	\$25.68	\$26.36	\$27.00	\$27.57	\$28.12	\$28.68

Hourly Rates for FLSA Non-Exempt Positions (40 Hours/week)

Grade	Step 1	2	3	4	5	6	7	8	9	10	11
GF11	\$37.31	\$39.74	\$41.81	\$43.53	\$45.05	\$46.50	\$47.84	\$49.10	\$50.22	\$51.22	\$52.25
GF10	\$35.54	\$37.85	\$39.83	\$41.46	\$42.90	\$44.27	\$45.55	\$46.73	\$47.80	\$48.77	\$49.75
GF09	\$33.85	\$36.06	\$37.93	\$39.49	\$40.86	\$42.17	\$43.40	\$44.52	\$45.55	\$46.46	\$47.39
GF08	\$32.56	\$34.28	\$35.70	\$36.98	\$38.19	\$39.35	\$40.41	\$41.38	\$42.25	\$43.09	\$43.95
GF07	\$31.00	\$32.66	\$33.99	\$35.22	\$36.38	\$37.48	\$38.48	\$39.41	\$40.23	\$41.03	\$41.86
GF06	\$29.52	\$31.11	\$32.37	\$33.54	\$34.65	\$35.69	\$36.65	\$37.54	\$38.32	\$39.08	\$39.87
GF05	\$28.12	\$29.63	\$30.83	\$31.94	\$33.00	\$33.98	\$34.91	\$35.75	\$36.50	\$37.22	\$37.97
GF04	\$26.49	\$27.92	\$29.06	\$30.10	\$31.10	\$32.03	\$32.90	\$33.68	\$34.38	\$35.07	\$35.78
GF03	\$24.09	\$25.38	\$26.42	\$27.37	\$28.28	\$29.12	\$29.91	\$30.63	\$31.26	\$31.88	\$32.53
GF02	\$21.90	\$23.07	\$24.01	\$24.88	\$25.70	\$26.47	\$27.19	\$27.83	\$28.42	\$28.99	\$29.57
GF01	\$19.91	\$20.98	\$21.84	\$22.62	\$23.37	\$24.08	\$24.71	\$25.31	\$25.85	\$26.36	\$26.89

Independent Town Workers Association (ITWA): Administrative/Support and Professional/Technical Positions
FY2024 - Effective July 1, 2023
Annual Salary for Exempt Positions

Grade	Step 1	2	3	4	5	6	7	8	9	10	11
I-11	\$77,610.00	\$82,660.50	\$86,970.00	\$90,538.50	\$93,697.50	\$96,720.00	\$99,508.50	\$102,121.50	\$104,461.50	\$106,528.50	\$108,673.50
I-10	\$73,924.50	\$78,721.50	\$82,836.00	\$86,229.00	\$89,232.00	\$92,079.00	\$94,750.50	\$97,207.50	\$99,430.50	\$101,439.00	\$103,486.50
I-09	\$70,414.50	\$74,997.00	\$78,897.00	\$82,134.00	\$84,981.00	\$87,711.00	\$90,265.50	\$92,605.50	\$94,750.50	\$96,642.00	\$98,572.50
I-08	\$67,723.50	\$71,311.50	\$74,256.00	\$76,908.00	\$79,443.00	\$81,841.50	\$84,045.00	\$86,073.00	\$87,886.50	\$89,622.00	\$91,416.00
I-07	\$64,486.50	\$67,937.51	\$70,707.00	\$73,261.50	\$75,679.50	\$77,961.00	\$80,047.50	\$81,978.00	\$83,674.50	\$85,351.50	\$87,067.50
I-06	\$61,405.50	\$64,701.00	\$67,333.50	\$69,771.00	\$72,072.00	\$74,236.50	\$76,225.50	\$78,078.00	\$79,696.50	\$81,295.50	\$82,933.50
I-05	\$58,480.50	\$61,620.00	\$64,135.50	\$66,436.50	\$68,640.00	\$70,687.50	\$72,618.00	\$74,353.50	\$75,913.50	\$77,415.00	\$78,975.00
I-04	\$55,107.00	\$58,071.00	\$60,450.00	\$62,614.50	\$64,681.50	\$66,612.00	\$68,425.50	\$70,063.50	\$71,506.50	\$72,949.50	\$74,412.00
I-03	\$50,115.00	\$52,786.50	\$54,951.00	\$56,920.50	\$58,812.00	\$60,567.00	\$62,205.00	\$63,706.50	\$65,013.00	\$66,319.50	\$67,665.00
I-02	\$45,552.00	\$47,989.50	\$49,939.50	\$51,753.00	\$53,449.50	\$55,048.50	\$56,550.00	\$57,895.50	\$59,104.50	\$60,294.00	\$61,503.00
I-01	\$41,418.00	\$43,641.00	\$45,435.00	\$47,053.50	\$48,613.50	\$50,076.00	\$51,402.00	\$52,650.00	\$53,761.50	\$54,834.00	\$55,926.00

Hourly Rates for Non-Exempt Positions (37.5 Hours)

Grade	Step 1	2	3	4	5	6	7	8	9	10	11
I-11	\$39.80	\$42.39	\$44.60	\$46.43	\$48.05	\$49.60	\$51.03	\$52.37	\$53.57	\$54.63	\$55.73
I-10	\$37.91	\$40.37	\$42.48	\$44.22	\$45.76	\$47.22	\$48.59	\$49.85	\$50.99	\$52.02	\$53.07
I-09	\$36.11	\$38.46	\$40.46	\$42.12	\$43.58	\$44.98	\$46.29	\$47.49	\$48.59	\$49.56	\$50.55
I-08	\$34.73	\$36.57	\$38.08	\$39.44	\$40.74	\$41.97	\$43.10	\$44.14	\$45.07	\$45.96	\$46.88
I-07	\$33.07	\$34.84	\$36.26	\$37.57	\$38.81	\$39.98	\$41.05	\$42.04	\$42.91	\$43.77	\$44.65
I-06	\$31.49	\$33.18	\$34.53	\$35.78	\$36.96	\$38.07	\$39.09	\$40.04	\$40.87	\$41.69	\$42.53
I-05	\$29.99	\$31.60	\$32.89	\$34.07	\$35.20	\$36.25	\$37.24	\$38.13	\$38.93	\$39.70	\$40.50
I-04	\$28.26	\$29.78	\$31.00	\$32.11	\$33.17	\$34.16	\$35.09	\$35.93	\$36.67	\$37.41	\$38.16
I-03	\$25.70	\$27.07	\$28.18	\$29.19	\$30.16	\$31.06	\$31.90	\$32.67	\$33.34	\$34.01	\$34.70
I-02	\$23.36	\$24.61	\$25.61	\$26.54	\$27.41	\$28.23	\$29.00	\$29.69	\$30.31	\$30.92	\$31.54
I-01	\$21.24	\$22.38	\$23.30	\$24.13	\$24.93	\$25.68	\$26.36	\$27.00	\$27.57	\$28.12	\$28.68

Building Custodians and Trades International Association (BCTIA): DPW/Building Maintenance**BCTIA: Custodians and Trades (1st Shift)****FY2024 - Effective July 1, 2023***Hourly Rates for FLSA Non-Exempt Positions (40 Hours/week)*

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
B7	\$31.01	\$32.32	\$33.67	\$35.03	\$36.35	\$37.62	\$38.85	\$40.02	\$40.94	\$41.85
B6	\$29.53	\$30.78	\$32.05	\$33.34	\$34.59	\$35.81	\$36.97	\$38.08	\$38.96	\$39.87
B5	\$28.12	\$29.30	\$30.51	\$31.75	\$32.94	\$34.09	\$35.20	\$36.25	\$37.09	\$37.98
B4	\$26.51	\$27.63	\$28.78	\$29.95	\$31.07	\$32.15	\$33.20	\$34.19	\$34.98	\$35.78
B3	\$24.09	\$25.11	\$26.16	\$27.21	\$28.23	\$29.22	\$30.18	\$31.08	\$31.80	\$32.52
B2	\$21.89	\$22.83	\$23.78	\$24.74	\$25.68	\$26.58	\$27.44	\$28.26	\$28.92	\$29.57
B1	No Positions									

BCTIA: Custodians and Trades (2nd Shift)**FY2024 - Effective July 1, 2023***Hourly Rates for FLSA Non-Exempt Positions (40 Hours/week)*

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
B7	\$32.26	\$33.57	\$34.92	\$36.28	\$37.60	\$38.87	\$40.10	\$41.27	\$42.19	\$43.10
B6	\$30.78	\$32.03	\$33.30	\$34.59	\$35.84	\$37.06	\$38.22	\$39.33	\$40.21	\$41.12
B5	\$29.37	\$30.55	\$31.76	\$33.00	\$34.19	\$35.34	\$36.45	\$37.50	\$38.34	\$39.23
B4	\$27.76	\$28.88	\$30.03	\$31.20	\$32.32	\$33.40	\$34.45	\$35.44	\$36.23	\$37.03
B3	\$25.34	\$26.36	\$27.41	\$28.46	\$29.48	\$30.47	\$31.43	\$32.33	\$33.05	\$33.77
B2	\$23.14	\$24.08	\$25.03	\$25.99	\$26.93	\$27.83	\$28.69	\$29.51	\$30.17	\$30.82
B1	No Positions									

Needham Independent Public Employees Association (NIPEA): DPW/Laborers & Field Staff**FY2024 - Effective July 1, 2023***Hourly Rates for Non-Exempt Positions (40 Hours)*

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
N7	\$31.16	\$32.48	\$33.83	\$35.21	\$36.53	\$37.81	\$39.04	\$40.21	\$41.14	\$42.06
N6	\$29.67	\$30.93	\$32.21	\$33.51	\$34.77	\$35.99	\$37.15	\$38.27	\$39.15	\$40.07
N5	\$28.25	\$29.46	\$30.67	\$31.91	\$33.11	\$34.26	\$35.37	\$36.43	\$37.28	\$38.16
N4	\$26.63	\$27.76	\$28.93	\$30.10	\$31.22	\$32.31	\$33.36	\$34.36	\$35.16	\$35.96
N3	\$24.21	\$25.25	\$26.30	\$27.36	\$28.38	\$29.37	\$30.32	\$31.23	\$31.95	\$32.69
N2	\$22.00	\$22.94	\$23.90	\$24.87	\$25.81	\$26.70	\$27.57	\$28.41	\$29.06	\$29.71
N1	No positions									

Needham Police Union: *Officers and Sergeants*

FY2024 - Effective July 1, 2023

Hourly Rates for Non-Exempt Positions (40 Hours)

GRADE	MINIMUM	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
P-2					\$40.25	\$41.80	\$42.65	\$43.48	\$44.81
P-1			\$28.68	\$30.08	\$31.54	\$33.08	\$34.69	\$35.39	\$36.45

Police Superior Officers Association: *Lieutenants*

FY2024 - Effective July 1, 2023

Annual Salary for Exempt Positions

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
Lieutenant		\$133,221	\$136,884	\$140,650	\$144,516	\$148,853

Needham Firefighters Local 1706**Fire Unit A: *Firefighters, Lieutenants, Captains***

Effective July 1, 2023 (FY24)

Hourly Rates for Non-Exempt Positions (42 Hours)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Captain						\$42.92	\$45.07	\$45.98	\$47.39
Lieutenant				\$36.42	\$37.94	\$39.48	\$41.47	\$42.30	\$43.57
Firefighter		\$27.43	\$28.80	\$30.24	\$31.75	\$33.33	\$35.03	\$35.73	\$36.81

Fire Unit A: *Inspector, EMS Administrator*

Effective July 1, 2023 (FY24)

Hourly Rates for Non-Exempt Positions (40 Hours)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Fire Inspector		\$28.80	\$30.22	\$31.74	\$33.32	\$34.98	\$36.75	\$37.49	\$38.63
EMS Administrator		\$28.80	\$30.22	\$31.74	\$33.32	\$34.98	\$36.75	\$37.49	\$38.63

Fire Unit C: *Deputy Chiefs*

Effective July 1, 2023 (FY24)

Hourly Rates for Non-Exempt Positions (42 Hours)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Deputy Chief				\$45.17	\$47.16	\$49.11	\$51.55	\$53.63	\$54.17

Fire Unit C: *Assistant Fire Chief*

Effective July 1, 2023 (FY24)

Annual Salary for Exempt Positions

Grade	Step 1	Step 2	Step 3
Assistant Fire Chief	\$139,900	\$143,400	\$147,000

FISCAL YEAR 2023		
<u>SCHEDULE A</u>		
Effective July 1, 2022		
Full-time and regular part-time position classifications with corresponding classification		
Position Title	Grade/Class.	FLSA status
Administrative Analyst	6	exempt
Administrative Assistant	I-03	non-exempt
Administrative Specialist	I-05	non-exempt
Animal Control Officer	GF07	non-exempt
Applications Administrator	I-07	exempt
Arborist	N-5	non-exempt
Assistant Building Commissioner	10	exempt
Assistant Director of Aging Services/Counseling and Volunteers	11	exempt
Assistant Director of Aging Services/Programs and Transportation	10	exempt
Assistant Director of Assessing	9	exempt
Assistant Director of Finance/Procurement Officer	9	exempt
Assistant Director of Human Resources	10	exempt
Assistant Director of Park & Recreation	11	exempt
Assistant Director of Public Health for Community & Environmental Health	11	exempt
Assistant Director of Public Health for Nursing & Behavioral Health	11	exempt
Assistant Director of Public Library	12	exempt
Assistant Director of Public Works/Building Maintenance	13	exempt
Assistant Director of Public Works/Operations	13	exempt
Assistant Superintendent	9	exempt
Assistant Town Accountant	9	exempt
Assistant Town Clerk	6	exempt
Assistant Town Engineer	11	exempt
Assistant Town Manager/Director of Finance	15	exempt
Assistant Town Manager/Director of Operations	15	exempt
Assistant Town Planner	7	exempt
Assistant Treasurer/Collector	9	exempt
AutoCAD Technician	GF04	non-exempt
Benefits Administrator	6	exempt

Position Title	Grade/Class.	FLSA status
Building Commissioner	12	exempt
Building Maintenance Manager	11	exempt
Building Maintenance Supervisor	9	exempt
Business Manager	11	exempt
Carpenter	B7	non-exempt
Chief Wastewater Operator	N-7	non-exempt
Children's Librarian	7	exempt
Children's Services Assistant	GT05	non-exempt
Civil Engineer	7	exempt
Clinician	I-07	exempt
Compliance Coordinator	6	exempt
Computer Operator	I-03	non-exempt
Conservation Manager	9	exempt
Conservation Specialist	I-06	non-exempt
Contract Administrator	8	exempt
Craftworker (Building Maintenance)	B4	non-exempt
Craftworker (DPW)	N-4	non-exempt
Custodian	B2	non-exempt
Deputy Fire Chief	F-4	non-exempt
Deputy Fire Chief, Operations	F-5	non-exempt
Deputy Police Chief	14	exempt
Director of Aging Services	13	exempt
Director of Assessing	12	exempt
Director of Communications and Community Engagement	10	exempt
Director of Design and Construction	13	exempt
Director of Health and Human Services	14	exempt
Director of Human Resources	14	exempt
Director of Management Information Systems	14	exempt
Director of Park and Recreation	12	exempt
Director of Planning and Community Development	13	exempt
Director of Public Library	14	exempt
Director of Public Works	15	exempt

Position Title	Grade/Class.	FLSA status
Director of Youth and Family Services	12	exempt
Division Superintendent, Highway	12	exempt
Division Superintendent, Parks and Forestry	12	exempt
Division Superintendent, Solid Waste/Recycling	12	exempt
Division Superintendent, Water/Sewer	12	exempt
Economic Development Manager	9	exempt
Electrician	B7	non-exempt
Emergency Management Administrator	11	exempt
EMS Administrator	EMS Administrator	non-exempt
Engineering Aide	GF02	non-exempt
Engineering Technician	GF05	non-exempt
Environmental Health Agent	I-07	non-exempt
Equipment Mechanic	N-5	non-exempt
Field Assessor	I-06	non-exempt
Finance Assistant	I-04	non-exempt
Fire Business Manager	9	exempt
Fire Captain	F-3	non-exempt
Fire Chief	Contract	exempt
Fire Inspector	Fire Inspector	non-exempt
Fire Lieutenant	F-2	non-exempt
Firefighter	F-1	non-exempt
Fleet Supervisor	10	exempt
GIS/Database Administrator	I-07	exempt
Heavy Motor Equipment Operator (HMEO)	N-4	non-exempt
Human Resources Assistant	GT05	non-exempt
HVAC Supervisor	9	exempt
HVAC Technician	B7	non-exempt
Inspector of Plumbing & Gas	GT07	non-exempt
Inspector of Wires	GT07	non-exempt
Laborer 2	N-2	non-exempt
Laborer 3	N-3	non-exempt
Library Assistant	GT03	non-exempt

Position Title	Grade/Class.	FLSA status
Library Children's Supervisor	10	exempt
Library Circulation Supervisor	9	exempt
Library Reference Supervisor	10	exempt
Library Technical Services Supervisor	10	exempt
Library Technology Specialist/Archivist	11	exempt
Local Building Inspector	GT06	non-exempt
Management Analyst	8	exempt
Master Mechanic	N-7	non-exempt
Network Manager	I-11	exempt
Office Assistant	I-02	non-exempt
Park Ranger	B3	non-exempt
Payroll Coordinator	I-06	non-exempt
Plumber	B7	non-exempt
Police Administrative Specialist	I-06	non-exempt
Police Chief	Contract	exempt
Police Lieutenant	P-3	non-exempt
Police Maintenance Assistant	GF03	non-exempt
Police Officer	P-1	non-exempt
Police Sergeant	P-2	non-exempt
Project Manager	10	exempt
Public Health Nurse	I-09	exempt
Public Safety Dispatch Supervisor	GF10	non-exempt
Public Safety Dispatcher	GF07	non-exempt
Public Works Inspector	N-6	non-exempt
Public Works Technician	N-5	non-exempt
Recreation Supervisor	I-08	non-exempt
Reference Librarian/Digital Media Specialist	7	exempt
Reference Librarian/Program Specialist	7	exempt
Reference Librarian/Young Adult	7	exempt
Retirement Administrator*	9	exempt
Retirement Assistant*	GT04	non-exempt
Scalehouse Attendant	N-4	non-exempt

Position Title	Grade/Class.	FLSA status
Senior Administrative Coordinator	I-07	non-exempt
Senior AutoCAD Technician	GF06	non-exempt
Senior Custodian	B3	non-exempt
Senior Project Manager	12	exempt
SHINE Assistant Program Coordinator	GT07	non-exempt
SHINE Program Coordinator	GT08	non-exempt
Substance Use Prevention Program Coordinator	8	exempt
Support Services Manager	10	exempt
Survey Party Chief	GF06	non-exempt
Technical Services Assistant	GT03	non-exempt
Technology Support Technician	I-06	non-exempt
Town Accountant	12	exempt
Town Engineer	13	exempt
Town Manager	Contract	exempt
Town Treasurer and Tax Collector	12	exempt
Transportation Coordinator	GT06	non-exempt
Traveling Meals Coordinator	GT05	non-exempt
Wastewater Operator	N-5	non-exempt
Water Treatment Facility Manager	10	exempt
Water Treatment Operator	N-5	non-exempt
Working Foreman	N-7	non-exempt
Zoning Specialist	GT06	non-exempt
*Needham Contributory Retirement Board position titles		

**Town of Needham
Select Board
Minutes for Wednesday, April 12, 2023
Select Board's Chamber
and
Via ZOOM
<https://us02web.zoom.us/j/83866600545>**

- 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, and Kate Fitzpatrick, Town Manager. Dave Davison, ATM/Finance (via Zoom), Katie King, ATM/Operations, Myles Tucker, Support Services Manager, and Mary Hunt, Recording Secretary were also in attendance.
- 6:00 p.m. Public Comment Period:
Steven Frail, 29 Powers Street spoke with the Board about a warrant article for the May 2023 Town Meeting regarding SUV fleet replacement. He asked whether the Town has considered electric vehicles, knowing that climate change is an issue. He said an opportunity exists to replace five fossil fuel burning vehicles with green vehicles. He suggested the Town look at federal rebates when replacing vehicles and consider making changes before Town Meeting.
- 6:05 p.m. Theodora Eaton, Town Clerk swore in returning member Marianne Cooley and newly elected member Catherine Dowd to three years positions on the Select Board.
- Ms. Cooley noted the momentous occasion, as it is the first time in Needham's 313-year history that the Town is governed by a board with a female majority.
- 6:07 p.m. Board Reorganization:
The Select Board accepted nominations for reorganization of the Select Board:
- Motion by Mr. Keane that the Select Board vote to nominate Marcus Nelson to serve as Chair of the Town of Needham Select Board.**
Second: Ms. Frail. No vote was taken.
- Mr. Nelson said that previously he had every intention of accepting the position as Chair of the Select Board. However, he said that over the prior year he had unforeseen personal and professional changes and said that it would not be in the best interest of the Town to accept the position. Mr. Nelson respectfully declined the nomination as Chair of the Town of Needham Select Board.
- Motion by Mr. Keane that the Select Board vote to nominate Marianne Cooley to serve as Chair of the Town of Needham Select Board.**
Second: Ms. Frail. Unanimously approved 5-0.

Mr. Nelson said Ms. Cooley's leadership and service to Needham is valued and it is right to have Ms. Cooley continue as Chair of the Select Board.

Ms. Frail concurred, saying she appreciates Ms. Cooley's service and counts on her expertise as Chair.

Mr. Keane concurred.

Motion by Mr. Nelson that the Select Board vote to nominate Kevin Keane to serve as Vice Chair of the Town of Needham Select Board.

Second: Ms. Frail. Unanimously approved 5-0.

Motion by Mr. Nelson that the Select Board vote to nominate Heidi Frail to serve as Clerk of the Town of Needham Select Board.

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

The Board repositioned itself and members took their designated places at the table. A gift of thanks was presented to Ms. Cooley acknowledging her service as Chair during the prior term.

6:15 p.m. Public Hearing: Eversource Energy Grant of Location - 37 Forest Street
Joanne Callender, Eversource Energy representative spoke with the Board via Zoom, requesting permission to install approximately 15 feet of conduit in Forest Street. This work is necessary to provide underground service to a traffic signal at 37 Forest Street, Needham.

Ms. Fitzpatrick stated all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approved and sign a petition from Eversource Energy to install approximately 15 feet of conduit in Forest Street, Needham.

Second: Ms. Frail. Unanimously approved 5-0.

6:16 p.m. Public Hearing: Eversource Energy Grant of Location - 212 Forest Street
Joanne Callender, Eversource Energy representative spoke with the Board via Zoom, requesting permission to install approximately 15 feet of conduit in Forest Street. This work is necessary to provide underground service to a traffic signal at 212 Forest Street, Needham.

Ms. Fitzpatrick stated all paperwork is in order.

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

Motion by Ms. Frail that the Select Board approved and sign a petition from Eversource Energy to install approximately 15 feet of conduit in Forest Street, Needham.

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

6:17 p.m. Public Hearing: Outdoor Dining License – French Press, LLC, d/b/a French press. Raja Spencer, Manager spoke with the Board regarding an application to establish an outdoor dining space in a parklet on three spaces located on Chapel Street adjacent to the restaurant.

The applicant has used the parklet area since 2020 in an arrangement similar to the proposed, set up in accordance with state emergency orders and local rules. In the context of the COVID-19 pandemic. The applicant is requesting seasonal use of the space during the designated outdoor dining season of April 1 through November 30, the applicant has also applied to the select board for an alteration of premises for their liquor license.

Ms. Cooley invited public comment.

Paul Good, 30 Walnut Street commented the outdoor seating is terrific and he is fully supportive of Mr. Spencer's request.

Motion by Ms. Frail that the Select Board vote to approve an Outdoor Dining License for French Press, LLC., d/b/a French Press.

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

6:22 p.m. Public Hearing: Alteration of Premises for a Wine and Malts License in a Restaurant- French Press LLC, d/b/a French Press

Raja Spencer, Manager spoke with the Board regarding an amendment to expand the licensed premises to include: adding 22 outdoor seats under a pergola to be used year-round and 18 outdoor seats in a parklet to be used seasonally.

It was noted the applicant has used the parklet area since 2020 in an arrangement similar to the proposed set-up in accordance with state emergency orders and local rules in the context of the COVID-19 pandemic. The applicant has also received a special permit from the Planning Board to allow for construction and use of the pergola as proposed. The applicant has also applied to the Select Board for an Outdoor Dining License since the parklet portion of the proposed premises is located on street parking spaces.

Ms. Fitzpatrick stated all paperwork is in order.

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

Motion by Ms. Frail that the Board vote to approve the Amendment for Alteration of Premises Application received from French Press, LLC, d/b/a French Press and vote to forward the Amendment application to the ABCC for review and final approval.

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

6:23 p.m.

Citizens Petition: Single Use Plastic Bags

Robert Fernandez, Lead Petitioner and Kathy Riaz, Petitioner discussed the citizens petition filed to prohibit single use plastic check out bags in Needham.

Mr. Fernandez stated the point of the petition is to ask Town Meeting to ban all thick and thin plastic bags currently being distributed at retail and restaurants in Needham. He encouraged people to use reusable bags when shopping in stores.

Ms. Riaz commented on a survey sent to approximately 75 businesses. She said, in general, the businesses are supportive of the initiative.

Mr. Fernandez read a letter from Evan Raskin, EARTHDAY.ORG, National Campaign Manager & Global Climate Correspondent and former Needham resident, who has given an official endorsement of the proposed plastic bag ban by-law. Mr. Fernandez noted a letter from the Sierra Club, MA who also supports the initiative.

Fourth grade students from Sunita Williams Elementary School shared with the Board their service-learning project which seeks to understand plastic, pollution, and how to reduce it. George Goneconto, 4th grade teacher said the project is supported by Green Needham.

The Board thanked the children and the presenters for the information.

Ms. Cooley invited public comment.

Wells Blanchard, 580 High Rock Street and member of the Solid Waste Advisory Board said the thick plastic bags get caught in the machines at the Recycling and Transfer Station. He said he supports the petition.

David Rudolf, 143 Highgate Street said he volunteers for the Sierra Club and supports the ban. He said Needham is virtually one of the only towns in Metrowest which has not banned single use bags. Mr. Rudolf encouraged people to use reusable bags.

Ms. Frail thanked the presenters for spearheading the initiative. She said there are many ways for people to take action, saying she is inspired by the presenters for taking action and bringing forth their citizens' petition.

Ms. Cooley echoed the sentiment that people use reusable bags for shopping. She said merchants in Town have told her 30%-40% of customers request double bagging, which only increases the cost for everyone.

The Board thanked Mr. Fernandez and Ms. Rias for the presentation.

6:40 p.m. Discussion of Zoning Articles on the Annual Town Meeting Warrant:
Lee Newman, Director of Planning & Community Development (via Zoom), and Planning Board members Adam Block, Jeanne McKnight, Artie Crocker, Natasha Espada, and Paul Alpert provided the Board with the Planning Board's position on the zoning articles contained in the Annual Town Meeting warrant.

Mr. Block identified four zoning articles to be discussed including amending Accessory Dwelling Unit by-law, corrections and renumbering to be made to zoning by-laws, amending the side setback by-law, and an amendment to the by-law related to three car garages.

Ms. Frail expressed concern over the article to "Amend Zoning By-law - Accessory 3-Car Garage Use in Single Residence B, General Residence, Business, and Industrial Districts" stating a three car garage in a single residence neighborhood is "a lot of garage" suggesting changing the by-law removes any last barrier to destruction of older homes and encourages larger and larger homes. Ms. Frail said neighbors must be able to weigh in on building projects in their neighborhoods.

Mr. Keane commented on three car garages, economic disparity, and young families who are unable to move to Needham. He said it is important for homeowners to control the look of their neighborhoods.

Discussion ensued on ADUs, attached three car garages, and impacts on building large homes.

The Board thanked the presenters for the information.

7:24 p.m. Appointments and Consent Agenda:
Motion by Mr. Nelson 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. Update SB-PERS-003 Policy Contributory Insurance Rules and Regulations (extend Opt-out Program to 2025).**
- 2. Approve minutes for February 15, 2023 (open session) and March 14, 2023 (open and executive session).**
- 3. Approve two One Day Special Licenses from Leslie Laputz of PanMass Challenge for Friday, August 4, 2023, 2:00-8:00 PM and Sunday, August 6,**

2023, 10:00am – 4:00pm for PanMass Challenge. The event will be held at the Trim Parking Lot, Babson College. All documents are in order.

- 4. Approve a One Day Special License from Leslie Nelken of the League of Women Voters of Needham for Thursday, May 18, 2023, 6:00-8:30 PM for their Annual Meeting. The event will be held at the Center at the Heights multipurpose room. All documents are in order.**
- 5. Approve a One Day Special License from Gloria Greis of the Needham History Center & Museum for Saturday, April 29, 2023, 6:30-11:00PM for the Spring into Springtime Gala. The event will be held at the History Center. All documents are in order.**
- 6. Declare April 26, 2023 Doris Kearns Goodwin Day in Needham.**
- 7. Approve a one-day suspension as penalty for the failure of an alcohol compliance check on December 7, 2022 for Vinodivino3 LLC, d/b/a Vinodivino.**
- 8. Approve 20B Exemption for the following individual to engage in work with the Needham Planning and Community Development Department: Kristan Patenaude.**

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

7:25 p.m. Public Hearing: Relative to Suspended Alcohol License – Poet King, LLC d/b/a Hungry Coyote (Continued)
Michael Magerer, Applicant Counsel and Nezahualcoyotl Leon, LLC Manager spoke with the Board regarding Poet King, LLC d/b/a Hungry Coyote, 1185 Highland Ave, proposed action seeking relief from the indefinite suspension of its Section 12 All Alcohol liquor license, as order by the Board in its Suspension Decision dated January 14, 2022. This hearing is a continuation from February 14th, 2023.

Ms. Cooley noted since the last hearing, the applicant informed staff that they intend to submit a Change of Manager application to appoint a new Manager of Record to replace Leona Leon in the near future.

Mr. Magerer said after careful consideration a new application will be submitted naming Nezahualcoyotl Leon as Manager.

Ms. Cooley closed the public hearing and asked for a new application to come before the Board within the next three months.

Motion by Ms. Frail that the Select Board vote to close Public Hearing: Relative to Suspended Alcohol License – Poet King, LLC d/b/a Hungry Coyote and take no action because the licensee no longer intends for Leona Leon to serve as a Manager of Record and, further, to authorize the Town Manager to notify the Licensee in writing that the Board will hold a hearing to cancel the license for non-use unless the following occurs within the next three (3) months:

1. **The Select Board votes to approve a Change of License Manager application appointing someone other than Leona Leon to the position of a Licensed Manager.**
2. **The Select Board finds the new proposed License Manager of sufficient character to serve as the License Manager and votes to lift the suspension order dated January 14, 2022; or**
3. **The Select Board approves an application transferring the license to a new corporate entity.**

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

7:29 p.m. Public Hearing: ABCC Amendment Application for Change of Officers and Change of Stock Interest – Poet King, LLC d/b/a Hungry Coyote (Continued from February 14, 2023)
Michael Magerer, Applicant Counsel and Nezahualcoyotl Leon, LLC Manager discussed an application for a Change of Officers and Change of Stock Interest.

Ms. Cooley said since the last application no other information has been received relating to the amendment for the Change of Officers and Change of Stock Interest. Mr. Magerer confirmed Ms. Cooley is correct. However, he stated he made changes, at the Select Board's request, to the Unit Purchase and Sale Agreement to remove the confidentiality provision and correct a typographical error. Mr. Magerer said the information was sent to Mr. Tucker in the Office of the Town Manager today, which he said has been signed and resubmitted.

Ms. Cooley suggested the Board vote to deny the application as Mr. Leon will be the only individual with a direct or indirect beneficial or financial interest in the license, and he will have significant control over the operation of the establishment. She said the Board, at this point, does not find him to be of sufficient character to hold an interest in the license. She said there is concern due to the history of ignoring the orders of the Town (local municipal bodies) including the disregard for the Summary Suspension Order of the Needham Board of Health, as well as other delays in obtaining documents.

Discussion ensued on the Board's request for a new manager and their role.

Motion by Ms. Frail the Select Board vote to deny the application submitted by Poet King Restaurant Group, LLC d/b/a Hungry Coyote on December 21, 2022, for a change of officers, change of ownership interest, and transfer of stock as approval of this application does not support the common good for the following reasons:

- While Mr. Leon will not be the license manager, Mr. Leon will be the only individual with a direct or indirect, beneficial or financial interest in the license and has shared that he will exhibit significant control over the operation of the establishment and the Board does not find him to be of sufficient character to hold an interest in this license;
- Mr. Leon has a history of ignoring orders of local municipal bodies, including blatant disregard for a Summary Suspension Order of the Needham Board of Health.
- Mr. Leon has delayed in providing documents requested by the Select Board relevant to this hearing, further demonstrating his refusal to work with municipal enforcement bodies,

And to authorize Town Counsel to draft a decision capturing the Board's discussion and vote, and authorize the Town Manager to sign said decision and send notice of the decision to the ABCC and the Licensee, as required under Chapter 138 of the General Laws.

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

Ms. Cooley said she looks forward to seeing Mr. Leon again with a corporate structure that can work for the Town and support the operation of a license.

7:50 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Board regarding 5 items:

1. Outdoor Space Use Permit Policy

Myles Tucker presented the Board a proposal for Select Board Policy SB-LIC-0002: Outdoor Space Use Permits. Mr. Tucker said this proposal incorporates input from the Board on a draft proposal of this policy discussed at its meeting on March 28, 2023.

Motion by Mr. Nelson that the Select Board vote to adopt Select Board Policy SB-LIC-002: Outdoor Space Use Permits.

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

2. Town Alcohol Regulations - Proposed Revisions

Mr. Tucker discussed with the Board proposed revisions to the Town Alcohol Regulations, following Board input at its March 28, 2023 meeting and a proposed change relative to farm stands.

Discussion ensued on the revisions including an updated list of suspensions and violations, compliance check offenses and required training.

The Board thanked Mr. Tucker for the discussion.

3. Establish the Community Stormwater Mitigation Assessment Schedule of Rates

Dave Davison, ATM/Finance reminded the Board of a presentation made at its March 10, 2023 meeting regarding the recommendations to adopt a fee schedule for the purpose of funding future capital improvements to manage stormwater runoff. He noted the Board held a Public Hearing regarding the proposal and the rate structure at its March 28, 2023 meeting. The proposed schedule has been modified based on public input so that a property which has 200 square feet or less of impervious cover will not be subject to the fee.

Ms. Frail reminded folks stormwater treatment is federally mandated and the fee is intended to cover new capital expenses, not maintenance or existing services.

Motion by Mr. Nelson that the Board adopt the revised schedule for community stormwater mitigation assessments identified on schedule below and that they be effective January 1, 2024; further that the Town Manager is authorized to abate and/or adjust the fee upon the recommendation of the Director of Public Works, with supporting documents, if 1) there was an error in the billing amount; 2) there was an error in calculating the impervious area; 3) the identification of the property owner was invoiced in error; or 4) other similar circumstances.

Community Stormwater Mitigation Assessment					
Impervious Surface Square Footage					
Tier	Sq Ft Low	Sq Ft High	Annual Fee	Quarterly	Monthly
1	0	200	\$0.00	\$0.00	\$0.00
2	201	4,000	\$38.20	\$9.55	\$3.18
3	4,001	8,000	\$80.00	\$20.00	\$6.67
4	8,001	20,000	\$200.00	\$50.00	\$16.67
5	20,001	45,000	\$400.00	\$100.00	\$33.33
6	45,001	90,000	\$600.00	\$150.00	\$50.00
7	90,001	175,000	\$800.00	\$200.00	\$66.67
8	175,001	345,000	\$1,000.00	\$250.00	\$83.33
9	345,001	685,000	\$1,200.00	\$300.00	\$100.00
10	685,001	and above	\$1,500.00	\$375.00	\$125.00
Annual assessment is billed on a quarterly or monthly schedule based on the utility account type.					

Annual assessment is billed on a quarterly or monthly schedule based on the utility account type.

Second: Ms. Frail. Unanimously approved 5-0.

4. Positions on Warrant Articles

The Board reviewed and took positions on articles in the Annual Town Meeting Warrant and the Special Town Meeting Warrant. Ms. Fitzpatrick said newly elected Select Board member Catherine Dowd will recuse herself from any article having to do with the Needham Public Schools.

ANNUAL TOWN MEETING WARRANT ARTICLES

Article 1 - ANNUAL TOWN ELECTION - No vote required.

Article 2 - COMMITTEE AND OFFICERS REPORTS - No vote required.

Article 3 - ESTABLISH ELECTED OFFICIALS' SALARIES

**Motion by Mr. Nelson that the Board vote to support Article 3 - ESTABLISH ELECTED OFFICIALS' SALARIES in the Annual Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 5-0.**

Article 4 - APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

**Motion by Ms. Frail that the Select Board vote to support Article 4 - APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM in the Annual town Meeting Warrant.
Second: Mr. Nelson. Unanimously approved 5-0.**

Article 5 - APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM

**Motion by Mr. Nelson that the Select Board vote to support Article 5 - APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM in the Annual Town Meeting Warrant.
Second: Ms. Frail. Approved 4-0-1. Ms. Dowd abstained.**

Article 6 - APPROPRIATE FOR SMALL REPAIR GRANT PROGRAM

**Motion by Mr. Nelson that the Select Board vote to support Article 6 - APPROPRIATE FOR SMALL REPAIR GRANT PROGRAM in the Annual Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 5-0.**

Article 7 - APPROPRIATE FOR COMPENSATED ABSENCES FUND

**Motion by Mr. Nelson that the Select Board vote to support Article 7 - APPROPRIATE FOR COMPENSATED ABSENCES FUND in the Annual Town Meeting Warrant.
Second: Ms. Frail. Unanimously approved 5-0.**

Article 8 - APPROPRIATE FOR OUTSIDE RECRUITMENT SERVICES

**Motion by Ms. Frail that the Select Board vote to support Article 8 - APPROPRIATE FOR OUTSIDE RECRUITMENT SERVICES in the Annual Town Meeting Warrant.
Second: Mr. Nelson. Unanimously approved 5-0.**

Article 9 - APPROPRIATE FOR TEMPORARY STAFFING SERVICES

Motion by Ms. Frail that the Select Board vote to support Article 9 - APPROPRIATE FOR TEMPORARY STAFFING SERVICES in the Annual Town Meeting Warrant.

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

Article 10 - APPROPRIATE FOR TOWN-OWNED LAND SURVEYS

Motion by Ms. Frail that the Select Board vote to support Article 10 - APPROPRIATE FOR TOWN-OWNED LAND SURVEYS in the Annual Town Meeting Warrant.

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

Article 11 - APPROPRIATE FOR FLEET REFURBISHMENT

Motion by Mr. Nelson that the Select Board vote to support Article 11 - APPROPRIATE FOR FLEET REFURBISHMENT in the Annual Town Meeting Warrant.

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

Article 12 - APPROPRIATE THE FY2024 OPERATING BUDGET

Motion by Mr. Keane that the Select Board vote to support Article 12 - APPROPRIATE THE FY2024 OPERATING BUDGET in the Annual Town Meeting Warrant.

Second: Ms. Frail. Approved 4-0-1. Ms. Dowd recused herself.

Article 13 - APPROPRIATE THE FY2024 SEWER ENTERPRISE FUND BUDGET

Motion by Mr. Nelson that the Select Board vote to support Article 13 - APPROPRIATE THE FY2024 SEWER ENTERPRISE FUND BUDGET in the Annual Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 14 - APPROPRIATE THE FY2024 WATER ENTERPRISE FUND BUDGET

Motion by Ms. Frail that the Select Board vote to support Article 14 - APPROPRIATE THE FY2024 WATER ENTERPRISE FUND BUDGET in the Annual Town Meeting Warrant.

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

Article 15 - AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

Motion by Ms. Frail that the Select Board vote to support Article 15 - AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS in the Annual Town Meeting Warrant.

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

Article 16 - SET THE ANNUAL DEPARTMENT REVOLVING FUND SPENDING LIMITS

Motion by Ms. Frail that the Select Board vote to support Article 16 - SET THE ANNUAL DEPARTMENT REVOLVING FUND SPENDING LIMITS in the Annual Town Meeting Warrant.

Second: Mr. Nelson. Approved 4-0-1. Ms. Dowd abstained.

Article 17 - AMEND ZONING BY-LAW - ACCESSORY 3 - CAR GARAGE USE IN SINGLE RESIDENCE B, GENERAL RESIDENCE, BUSINESS, AND INDUSTRIAL DISTRICTS

Motion by Mr. Keane that the Select Board vote not to support Article 17 - AMEND ZONING BY-LAW - ACCESSORY 3 - CAR GARAGE USE IN SINGLE RESIDENCE B, GENERAL RESIDENCE, BUSINESS, AND INDUSTRIAL DISTRICTS in the Annual Town Meeting Warrant.

Second: Mr. Nelson. Approved 4-1. Ms. Cooley voted nay.

Article 18 - AMEND ZONING BY-LAW - ACCESSORY DWELLING UNITS (ADU'S)

Motion by Mr. Keane that the Select Board vote to support Article 18 - AMEND ZONING BY-LAW - ACCESSORY DWELLING UNITS (ADU'S) in the Annual Town Meeting Warrant.

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

Article 19 - AMEND ZONING BY-LAW CORRECTIVE ZONING AMENDMENTS

Motion by Mr. Keane that the Select Board vote to support Article 19 - AMEND ZONING BY-LAW CORRECTIVE ZONING AMENDMENTS in the Annual Town Meeting Warrant.

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

Article 20 - AMEND ZONING BY-LAW - SINGLE RESIDENCE B AND GENERAL RESIDENCE SIDE SETBACK

Motion by Ms. Frail that the Select Board vote to support Article 20 - AMEND ZONING BY-LAW - SINGLE RESIDENCE B AND GENERAL RESIDENCE SIDE SETBACK in the Annual Town Meeting Warrant.

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

Article 21 - APPROPRIATE TO COMMUNITY PRESERVATION FUND

Motion by Ms. Frail that the Select Board vote to support Article 21 - APPROPRIATE TO COMMUNITY PRESERVATION FUND in the Annual Town Meeting Warrant.

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

Article 22 - APPROPRIATE TO COMMUNITY PRESERVATION FUND SUPPLEMENT

Motion by Mr. Nelson that the Select Board vote to support Article 22 - APPROPRIATE TO COMMUNITY PRESERVATION FUND SUPPLEMENT in the Annual Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 23 - APPROPRIATE FOR NEEDHAM HOUSING AUTHORITY SEABEDS COOK PRESERVATION

Motion by Ms. Frail that the Select Board vote to support Article 23 - APPROPRIATE FOR NEEDHAM HOUSING AUTHORITY SEABEDS COOK PRESERVATION in the Annual Town Meeting Warrant.

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

Article 24 - APPROPRIATE FOR DEFAZIO PLAYGROUND DESIGN

Motion by Mr. Nelson that the Select Board vote to support Article 24 - APPROPRIATE FOR DEFAZIO PLAYGROUND DESIGN in the Annual Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 25 - APPROPRIATE FOR GENERAL FUND CASH CAPITAL

Motion by Ms. Frail that the Select Board vote to support Article 25 - APPROPRIATE FOR GENERAL FUND CASH CAPITAL in the Annual Town Meeting Warrant.

Second: Mr. Nelson. Approved 4-0-1. Ms. Dowd recused herself.

Article 26 - APPROPRIATE FOR FIRE LADDER TRUCK

Motion by Ms. Dowd that the Select Board vote to support Article 26 - APPROPRIATE FOR FIRE LADDER TRUCK in the Annual Town Meeting Warrant.

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

Article 27 - APPROPRIATE FOR ROOFTOP UNIT REPLACEMENT

Motion by Mr. Nelson that the Select Board vote to support Article 27 - APPROPRIATE FOR ROOFTOP UNIT REPLACEMENT in the Annual Town Meeting Warrant.

Second: Mr. Keane. Approved 4-0-1. Ms. Dowd recused herself.

Article 28 - APPROPRIATE FOR QUIET ZONE

Motion by Mr. Nelson that the Select Board vote to support Article 28 - APPROPRIATE FOR QUIET ZONE in the Annual Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 29 - APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE

Motion by Ms. Frail that the Select Board vote to support Article 29 - APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE in the Annual Town Meeting Warrant.

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

Article 30 - APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

Motion by Mr. Keane that the Select Board vote to support Article 30 - APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL in the Annual Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 31 - APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

Motion by Ms. Frail that the Select Board vote to support Article 31 - APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL in the Annual Town Meeting Warrant.

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

Article 32 - APPROPRIATE FOR WATER SYSTEM DISTRIBUTION IMPROVEMENTS - SOUTH STREET

Motion by Ms. Frail that the Select Board vote to support Article 32 - APPROPRIATE FOR WATER SYSTEM DISTRIBUTION IMPROVEMENTS - SOUTH STREET in the Annual Town Meeting Warrant.

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

Article 33 - RESCIND DEBT AUTHORIZATION

Motion by Ms. Frail that the Select Board vote to support Article 33 - RESCIND DEBT AUTHORIZATION in the Annual Town Meeting Warrant.

Second: Mr. Nelson. Approved 4-0-1. Ms. Dowd abstained.

Article 34 - APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

Motion by Mr. Nelson that the Select Board vote to support Article 34 - APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND in the Annual Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 35 - STORMWATER STABILIZATION FUND

Motion by Ms. Frail that the Select Board vote to support Article 35 - STORMWATER STABILIZATION FUND in the Annual Town Meeting Warrant.

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

Article 36 - Town Hall Saturday Hours - Defer.

Article 37 - AMEND GENERAL BY-LAWS - NON-CRIMINAL DISPOSITIONS

Motion by Ms. Frail that the Select Board vote to support Article 37 - AMEND GENERAL BY-LAWS - NON-CRIMINAL DISPOSITIONS in the Annual Town Meeting Warrant.

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

Article 38 - AMEND GENERAL BY-LAWS - TRANSPORTATION COMMITTEE

Motion by Mr. Keane that the Select Board vote to support Article 38 - AMEND GENERAL BY-LAWS - TRANSPORTATION COMMITTEE in the Annual Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 39 - CITIZENS PETITION

Motion by Mr. Keane that the Select Board vote to support Article 39 - CITIZENS PETITION in the Annual Town Meeting Warrant.

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

Article 40 - Omnibus

SPECIAL TOWN MEETING WARRANT

Article 1 - FUND COLLECTIVE BARGAINING AGREEMENT - NEEDHAM FIRE UNION

Motion by Mr. Keane that the Select Board vote to support Article 1 - FUND COLLECTIVE BARGAINING AGREEMENT - NEEDHAM FIRE UNION in the Special Town Meeting Warrant.

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

Article 2 - HOME RULE PETITION TO EXEMPT FIRE DEPARTMENT FROM CIVIL SERVICE

Motion by Ms. Frail that the Select Board vote to support Article 2 - HOME RULE PETITION TO EXEMPT FIRE DEPARTMENT FROM CIVIL SERVICE in the Special Town Meeting Warrant.

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

Article 3 - AMEND THE FY2023 OPERATING BUDGET - Defer.

Article 4 - APPROPRIATE TO CAPITAL IMPROVEMENT FUND - Defer.

Article 5 - APPROPRIATE TO CAPITAL FACILITY FUND - Defer.

Article 6 - APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND - Defer.

Article 7 - APPROPRIATE TO DEBT SERVICE STABILIZATION FUND - Defer.

Article 8 - AMEND TOWN CHARTER - PERSONNEL BOARD

Motion by Mr. Keane that the Select Board vote to support Article 8 - AMEND TOWN CHARTER - PERSONNEL BOARD in the Special Town Meeting Warrant.

Second: Ms. Dowd. Unanimously approved 5-0.

Article 9 - AMEND GENERAL BY-LAW - PERSONNEL BOARD

Motion by Mr. Nelson that the Select Board vote to support Article 9 - AMEND GENERAL BY-LAW - PERSONNEL BOARD in the Special Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 10 - PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) ACCESS AND CABLE RELATED FUND ACCEPTANCE

Motion by Ms. Frail that the Select Board vote to support Article 10 - PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) ACCESS AND CABLE RELATED FUND ACCEPTANCE in the Special Town Meeting Warrant.

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

Article 11 - APPROPRIATE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) PROGRAMMING

Motion by Ms. Frail that the Select Board vote to support Article 11 - APPROPRIATE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) PROGRAMMING in the Special Town Meeting Warrant.

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

Article 12 - ESTABLISH OPIOID SETTLEMENT STABILIZATION FUND

Motion by Ms. Frail that the Select Board vote to support Article 12 - ESTABLISH OPIOID SETTLEMENT STABILIZATION FUND in the Special Town Meeting Warrant.

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

Article 13 - APPROPRIATE TO OPIOID SETTLEMENT STABILIZATION FUND

Motion by Ms. Frail that the Select Board vote to support Article 13 - APPROPRIATE TO OPIOID SETTLEMENT STABILIZATION FUND in the Special Town Meeting Warrant.

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

5. Town Manager Report

Ms. Fitzpatrick identified Tuesday, May 9, 2023 for the Select Board to hold a hearing for applicants interested in the new all alcohol license (ballot question #2 on the town election held April 11, 2023).

8:45 p.m. Board Discussion:

1. Open Meeting Law Complaint

Ms. Cooley said the Select Board received an Open Meeting Law complaint on April 23, 2023 from Mr. Joseph Abruzese, 30 Bridle Trail Road alleging the Select Board improperly discussed the Development Agreement for the Foster property outside of an open meeting. It was also alleged the Select Board failed to

adequately discuss the Agreement, including a letter dated February 20, 2023 from Dan Hill, attorney, as well as failure to post attorney Hill's letter on the Town's website.

Ms. Cooley said the Select Board denies the Open Meeting Law complaint, noting that when the Select Board met on February 28, 2023 it had received the Agreement the day before the meeting. She stated the Select Board knew, generally, what was going to be in the Agreement noting a sample Development Agreement was given at Town Meeting and that the Board continually stated the shape of the deal did not change while going through the process from fall 2022 to February 2023. Ms. Cooley also said attorney Hill's letter arrived on the day of the Select Board meeting and the Board agreed to defer a vote so everyone on the Board would have time to review all documentation. Ms. Cooley said when the Select Board met again, some discussion was had before voting to approve the Development Agreement. She said the Development Agreement currently remains unsigned. Ms. Cooley stated the Select Board acknowledged on February 28, 2023 and on March 6, 2023 that it had received and considered attorney Hill's letter. She said the letter included some suggestions which were inactionable based on negotiations. She reiterated a vote was taken and the issue moved forward.

Ms. Cooley said the complaint requests the release of the Executive Session minutes held on a series of dates under Exception 6 to discuss the Town's acquisition of some or all of the Castle Farm property along Charles River Street. She noted the resulting Development Agreement and Purchase and Sale Agreement with Northland Residential saying a binding P&S and signed Development Agreement is lacking, so release of the minutes would be detrimental to the negotiating position and defeat the purpose of the Executive Session.

Ms. Cooley said the Select Board remains hopeful negotiations will continue and that a Purchase and Sale Agreement will be agreed to between parties. She reiterated there is currently no reason to release minutes. Ms. Cooley clarified attorney Hill's letter was not published on the Town's website, noting there is no requirement under the Open Meeting Law for the Select Board to publish documents that it chooses not to publish. She said there is also an allegation the Select Board violated the Open Meeting Law by not publishing the Development Agreement "soon enough" for people to review. She stated there is no requirement under the Open Meeting Law that packets be published on Town websites. Ms. Cooley said the fact that the Town publishes packets at all is a service given to Town members, but not an obligation under the Open Meeting Law. Ms. Cooley said, at this point, the Select Board would like Christopher Heep, Town Counsel to respond to the complaint on its behalf, documenting the request and that the Select Board does not see a violation of the Open Meeting Law based on its understanding of the facts.

Motion by Ms. Frail that the Select Board authorize Town Counsel to prepare and submit a response to the Open Meeting Law complaint.

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

2. Ballot Questions

Ms. Cooley thanked Needham voters for passage of both ballot questions at the April 11, 2023 Town election. She thanked Dan Matthews, former Select Board member and current Town Meeting Member for his efforts in getting voters to pass question #1 “Shall the Town of Needham Remove the Chief of Police and Police Department from Civil Service?”

Ms. Cooley commented on the passage of ballot question #2 “Shall the Town of Needham grant additional licenses for the Sale of all alcoholic beverages?” She noted comments from the Board of Health are appreciated and will be considered as the Town moves forward.

3. Committee Reports

Ms. Frail reported the Active Recreation Assets Working Group met last week and held a public hearing on draft regulations. She noted the draft recommendations changed prior to the hearing, and the location of a new skate park moved to the quarry area at Claxton Field from Cricket Field. She noted other amenities previously recommended for Claxton Field include pickleball courts. She said a meeting will be held to finalize the regulations so the Town can move forward with these projects.

8:56 p.m.

Adjourn:

Motion by Ms. Frail that the Select Board vote to adjourn the Select Board meeting of Wednesday, April 12, 2023.

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, April 25, 2023.

**Town of Needham
Select Board
Minutes for Tuesday, April 25, 2023
Select Board's Chamber
and
Via ZOOM**

<https://us02web.zoom.us/j/83866600545>

- 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, Catherine Dowd, and Kate Fitzpatrick, Town Manager. Dave Davison, ATM/Finance, Katie King, ATM/Operations, Myles Tucker, Support Services Manager, and Mary Hunt, Recording Secretary (via Zoom) were also in attendance.
- 6:00 p.m. Public Comment Period: No comments were heard.
- 6:01 p.m. Arbor Day Proclamation:
Mr. Olsen presented the Board the 2023 Arbor Day proclamation, celebrating the 151st anniversary of the first Arbor Day. He commented on activities taking place at Newman Elementary School, Sunita Williams Elementary School, Riverside Park, and a collaboration with Green Needham to celebrate Arbor Day.
- Mr. Keane read a Certificate of Appreciation recognizing Jim Abusamra, arborist from Hartney Greymont who is retiring after many years of service to Needham.
- Mr. Olsen and the Select Board thanked Mr. Abusamra for his dedication to Needham. A photograph was taken.
- Motion by Mr. Keane that the Select Board vote to approve and sign the Arbor Day Proclamation recognizing Friday, April 25, 2023 as Arbor Day in the Town of Needham.**
Second: Ms. Frail. Unanimously approved 5-0.
- 6:15 p.m. Public Hearing - Crown Castle Grant of Location: 148 Chestnut St.
Bill Conway, Crown Castle NG East LLC representative, requested permission to install two sections of communication conduit in Chestnut Street, consisting of approximately 33 feet and approximately 130 feet respectively. This work is necessary to provide telecommunications service to Beth Israel Deaconess Hospital at 148 Chestnut St, Needham.
- Ms. Fitzpatrick said all paperwork is in order.
- Ms. Cooley invited public comment. No comments were heard.

Motion by Ms. Frail that the Select Board approve and sign a petition from Crown Castle NG East LLC to install approximately 163 feet of communications conduit in Chestnut Street.

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

6:16 p.m. Director of Public Works:
Carys Lustig, Director of Public Works and Tom Ryder, Town Engineer spoke with the Board regarding two items:

1. Sign Notice of Traffic Regulation – Highland Avenue

Ms. Lustig told the Board the Traffic Management Advisory Committee (TMAC) requested a school zone be established on Highland Avenue in the vicinity of Needham High School. A school zone is defined as “an area in the roadway which is posted and marked in accordance with the standards prescribed by MassDOT and the Town of Needham Traffic Rules and Regulations to indicate the applicability of the statutory speed limit of twenty (20) miles per hour for all vehicles within the zone.”

Motion by Ms. Frail that the Select Board vote to approve and sign the Notice of Traffic Regulation Permit #Z23-04-25 for the establishment of a school zone on Highland Avenue between Oakland Avenue and Rosemary Street, a distance of 780 feet.

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

2. Bus Shelters in Needham

Ms. Lustig provided the Board an update on the opportunity to acquire one or more bus shelters for installation on Route 59 from the MBTA as part of a new MBTA Street Furniture Program, Bus Shelter Purchasing Program, and potential locations for installation. This program may be extended or continued with future funding opportunities and sidewalk reconstruction plans.

Discussion ensued on bus ridership, possible installation sites, and use of solar powered lights.

The Board thanked Ms. Lustig and Mr. Ryder for the discussion.

6:32 p.m. Appointments and Consent Agenda:

Motion by Ms. Frail 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 the calendar year 2023 Spring Licenses as follows. This approval is predicated on the receipt of all completed required paperwork.**

Establishment

Closet Exchange – Designer & Boutique
 Closet Exchange – Consignment Drop Off
 Crosby Jewelers, Inc.
 Segaloff’s Jewelers
 2nd Hand Rose of Needham
 Needham Bowlaway
 Lt. Manson H. Carter Post 2498 VFW
 Building Association, Inc.
 Go Green Airport Express LLC

License Type

Sale of Second Hand Articles
 Sale of Second Hand Articles
 Sale of Second Hand Articles
 Sale of Second Hand Articles
 Sale of Second Hand Articles
 Bowling Alley
 Pool Table

Taxi/Livery License

2. **Approve a One Day Special License for Frederica LaLonde of the Mitchell PTC for Friday, May 5, 2023, 7:00-10:00 PM. The event will be held at the Rosemary Recreation Complex, pending Police Department review and approval. All documents are in order.**
3. **Accept the following donations made to The Needham Free Public Library: from Anne & Jay Kirby, \$100 in memory of Barbara Cusack; from James Hunt, Enter the Realm of the Golden Eagle, by David H. Ellis (estimated value \$60); from Ellen Grossman, Mexico: The Cookbook, by Margarita Currillo Arronte (estimated value \$34); and from Anna Killelea, nine children’s books (estimated total value \$100).**
4. **Accept a donation made to The Needham Park and Recreation Department by Franklin Sports of four pickleball nets (estimated value \$800).**
5. **Approve minutes for March 28, 2023 (open session), April 4, 2023, and April 7, 2023.**

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

6:33 p.m.

Needham Local Transportation Study:

Amy Haelsen, Economic Development Manager, and Gal Kramer and Cathal O’Gorman, Via Strategies provided an overview on the study they are conducting for the Town that is focused on evaluating the existing local transportation options in Needham, identifying gaps in service, and making recommendations for new services or changes to existing services.

Mr. O’Gorman said Via Strategies focuses on transportation planning while considering new technologies and mobility options, as well as traditional transportation methods.

Ms. Kramer gave a brief overview of the study and timeline, noting the goal is to evaluate the existing transportation options in Needham, identify gaps in service, and make recommendations for new services or existing services. A PowerPoint presentation was shown. Ms. Kramer explained the idea of microtransit, saying Needham may be a good candidate for a microtransit system. Ms. Kramer commented on a survey currently being promoted to help fill in the transportation needs and identify whether microtransit would serve the needs. She encouraged folks to take the survey and said it will be available until May 15.

Discussion ensued on businesses in Needham Crossing who were required to provide shuttle service under their special permit and the possibility of consolidating shuttle services for cost effectiveness.

Ms. Cooley stated the Select Board has been concerned about providing local mobility for some time, saying she looks forward to understanding solutions the Town may be able to access.

The Board thanked Ms. Haelsen, Mr. O’Gorman, and Ms. Kramer for the presentation.

6:50 p.m.

Town Manager:

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

1. Final Alcohol Regulations

Myles Tucker, Support Services Manager presented the Board with the final Town Alcohol Regulations, following Board feedback at its April 21, 2023 meeting.

Motion by Ms. Frail that the Select Board adopt revised Regulations for the Sale of Alcoholic Beverages.

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

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

2. Positions on 2023 Warrant Articles

The Board took positions on the remaining articles in the Annual Town Meeting warrant and in the Special Town Meeting warrant.

Annual Town Meeting Warrant

Article 37 - AMEND GENERAL BY-LAWS - NON-CRIMINAL DISPOSITIONS

Motion by Mr. Keane that the Select Board vote to amend and adopt Article 37 - AMEND GENERAL BY-LAWS - NON-CRIMINAL DISPOSITIONS in the Annual Town Meeting Warrant.

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

Article 36 - TOWN HALL SATURDAY HOURS

Motion by Mr. Nelson that the Select Board vote to adopt Article 36 - TOWN HALL SATURDAY HOURS in the Annual Town Meeting Warrant.

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

Discussion ensued on Article 25 - APPROPRIATE FOR GENERAL FUND CASH CAPITAL

Ms. Frail commented that the Chair of the Climate Action Committee recently discussed with the Board the idea of replacing SUVs and hybrid SUVs with electric

vehicles. She referenced objections to the idea in a recently received email response.

Discussion ensued on fleet replacement, electric vehicles, how current hybrid vehicles are used by various departments, the number of Town charging stations, and changes already made by the Town under the Green Communities Act.

Article 28 - APPROPRIATE FOR QUIET ZONE

Ms. Cooley noted the Select Board motion to adopt Article 28 at the last Select Board meeting. She noted discussion by the Finance Committee and 2015 Quiet Zone cost data used by the Select Board. Ms. Cooley said data from 2015 is “a lifetime ago,” new technologies are available, and that more work needs to be done regarding permitting Quiet Zones. Ms. Cooley noted the proposal to withdraw Article 28 with the understanding of a “feasibility refresh” to consider the scope of the project at intersections, costs, permitting, with a goal of bringing a design and construction article to Town Meeting next spring (May 2024). She acknowledged some people may feel it is a step backward, but said she believes it is the right step for the Select Board and the Town at this time. Ms. Cooley reiterated that Town Meeting Members have a legitimate right to know the overall cost of a project, which she said is not known at this time. She also commented on a lawsuit in Beverly, MA, and the uncertainty it brings to the project. Ms. Cooley recommended the Select Board withdraw Article 28 and bring it back next year.

Ms. Fitzpatrick suggested the “refresh” would allow for updated cost estimates, permitting, and solving the issues of the golf course crossing, among other items.

Discussion ensued on formulating a working group, and any potential downfall from not moving forward or using funds at this time.

Motion by Mr. Keane that the Select Board vote to withdraw Article 28 - APPROPRIATE FOR QUIET ZONE from the Annual Town Meeting Warrant.

Second: Ms. Frail. Approved 4-1. Mr. Nelson voted nay.

Special Town Meeting Warrant

Article 3 - AMEND THE FY2023 OPERATING BUDGET

Motion by Mr. Keane that the Select Board vote to adopt Article 3 - AMEND THE FY2023 OPERATING BUDGET in the Special Town Meeting Warrant.

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

Article 4 - APPROPRIATE TO THE CAPITAL IMPROVEMENT FUND

Motion by Mr. Nelson that the Select Board vote to amend and adopt Article 4 - APPROPRIATE TO THE CAPITAL IMPROVEMENT FUND in the Special Town Meeting Warrant.

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

Article 5 - APPROPRIATE TO CAPITAL FACILITY FUND

Motion by Mr. Nelson that the Select Board vote to withdraw Article 5 - APPROPRIATE TO CAPITAL FACILITY FUND in the Special Town Meeting Warrant.

Second: Ms. Frail. Unanimously approved 5-0.

Article 6 - APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

Motion by Ms. Frail that the Select Board vote to withdraw Article 6 - APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND in the Special Town Meeting Warrant.

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

Article 7 - APPROPRIATE TO DEBT SERVICE STABILIZATION FUND

Motion by Ms. Frail that the Select Board vote to withdraw Article 7 - APPROPRIATE TO DEBT SERVICE STABILIZATION FUND in the Special Town Meeting Warrant.

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

7:45 p.m. Board Discussion:

1. Committee Reports:

Ms. Frail reported that the Active Recreation Assets Working Group held its final meeting proposing recommendations for creating and locating a skatepark, pickleball courts, and off leash dog areas. She said the recommendations will be sent to property holders and the Select Board for further consideration.

Ms. Cooley reported the Climate Action Planning Committee met two weeks ago with Eversource Energy representatives responsible for long term data analysis and forecasting infrastructure needs in the Commonwealth. She also commented on the MWRA project and distribution of electric power to homes in Needham. Ms. Cooley said a better understanding is necessary for future planning of distributing electricity to homes.

7:50 p.m. Executive Session: Exception 3 (Potential Litigation)

Motion by Mr. Keane that the Select Board vote to enter into Executive Session under 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: Ms. Keane. Unanimously approved 5-0 by roll call vote.

8:15 p.m. Executive Session concluded and the Select Board adjourned.

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, May 9, 2023.

**Town of Needham
Select Board
Minutes for Tuesday, May 9, 2023
Select Board's Chamber
and
Via ZOOM**

<https://us02web.zoom.us/j/83691338205>

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, Catherine Dowd, and Kate Fitzpatrick, Town Manager. Dave Davison, ATM/Finance, Katie King, ATM/Operations, and Mary Hunt, Recording Secretary were also in attendance.

6:01 p.m. Public Comment Period: No comments were heard.

6:02 p.m. Human Rights Committee Discrimination Complaint Process:
Tina Burgos, Chair, Human Rights Committee and Marlene Schultz, Member, Human Rights Committee presented the Select Board with a recommendation to establish a discrimination complaint process for members of the Needham community who believe their human or civil rights have been violated and are looking for resources or support.

Discussion ensued on the Discrimination Complaint Process and associated flowchart, remedies and resolutions for a complaint, and data tracking.

Motion by Ms. Frail that the Select Board vote to approve the Human Rights Committee's proposed discrimination complaint process.

Second: Kevin Keane. Unanimously approved 5-0.

The Board thanked Ms. Burgos, Ms. Schultz, and members of the Human Rights Committee for their work.

6:13 p.m. Appointments and Consent Agenda:
Motion by Mr. Keane 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. Accept the following donation made to the Needham Community Revitalization Trust Fund: \$250 from Eric Valentino.**
- 2. Approve a One Day Special License from Paula Jacobson of the Charles River YMCA for Saturday, May 20, 2023, 6:30-11:00PM for their Annual Giving Gala. The event will be held at the Powers Hall. All documents are in order.**
- 3. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Time
Jeremy Klein	338 Nehoiden Street	Washburn Avenue	5/13/23	N/A	3pm-9pm
Jamie Brad Silverberg	55 Rybury Hillway	52 -66 Rybury Hillway	5/20/23	N/A	12pm-8pm

Second: Ms. Frail. Unanimously approved 5-0.

6:14 p.m. Town Manager:
Kate Fitzpatrick, Town Manager spoke with the Board regarding 1 item:

1. Select Board Goals Update & Planning

Ms. Fitzpatrick discussed progress toward the Board's FY2023-FY2024 goals and planning for FY2024-FY2025. She commented on several of the 74 Select Board goals, noting the amazing amount of work already accomplished.

Ms. Fitzpatrick noted there are a number of items on the goals list that will require significant Select Board member participation, likely in the form of a committee. She noted the Town Seal project, tree summit, Quiet Zone, DHCD/MBTA zoning, Affordable Housing Trust, and streetscape project. She asked Board members to let her know of any items which they would like to work on and stressed the importance of prioritizing goals.

Ms. Cooley said input will be sought from other boards and committees prior to the Select Board meeting over the summer to discuss goals.

6:30 p.m. Board Discussion:

1. Office Hours Schedule - Summer 2023

The Board discussed scheduling office hours during the summer months, agreeing to hold hours once a month during June, July, and August.

2. Committee Reports

Ms. Frail reported she and Mr. Keane will meet to discuss the Select Board Code of Conduct next week. She said the meeting will be public and invited folks to join online.

6:40 p.m. Executive Session Exception #6: Real Property – Foster Property, Charles River Street

Motion by Mr. Keane that the Select Board vote to enter into Executive Session under Exception 6 to consider the purchase, exchange, lease or value of real estate if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Not to return to open session prior to adjournment.

Second: Ms. Frail. Unanimously approved 5-0 by roll call vote.

7:05 p.m. Executive Session concluded and the Select Board adjourned.

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, May 23, 2023 at 6 p.m.

**Town of Needham
Select Board
Minutes for Tuesday, May 23, 2023
Select Board's Chamber
and
Via ZOOM**

<https://us02web.zoom.us/j/83691338205>

- 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, Catherine Dowd, and Kate Fitzpatrick, Town Manager. Dave Davison, ATM/Finance, Katie King, ATM/Operations (via Zoom), and Mary Hunt, Recording Secretary were also in attendance.
- 6:00 p.m. Public Comment Period:
Michael Ruddy, 69 Melrose Avenue asked for clarity on overdue taxes from Tripadvisor.
- 6:01 p.m. Recognition of Former Trustees of the Needham Free Public Library Thomas Harkins and Carol Thomas:

Mr. Keane read a Certificate of Appreciation recognizing Carol Thomas for her nine years of service as a Trustee of the Needham Free Public Library.

Mr. Keane read a Certificate of Appreciation recognizing Thomas Harkins for his 47 years of service as a Trustee of the Needham Free Public Library.

The Select Board thanked Ms. Thomas and Mr. Harkins for their service to Needham, noting the tremendous changes that have happened to the library over the years due to their leadership. The Board wished Ms. Thomas and Mr. Harkins well in their retirement.

A photograph was taken.
- 6:07 p.m. Ms. Cooley read a statement regarding the Marvin Henry case and release of the settlement sum to the public. She commented on disclosure of the amount required by law, including the Massachusetts public record law. Ms. Cooley noted three requests for release of the public record document have been received, noting the unredacted settlement agreement will be released to the requesters shortly. Ms. Cooley stated that the Town does not intend to otherwise discuss or disclose the settlement sum, as further revelation beyond the request of the requesters is not required by law and, therefore, inconsistent with the settlement agreement. Ms. Cooley commented on other important aspects of the parties joint resolution of the case.

6:13 p.m. Public Hearing: Eversource Grant of Location: Webster Street and Lindbergh Avenue
Joanne Callender, Eversource Energy representative, Jason Kaminsky, Eversource Energy representative, and Richard Schifone, Eversource Energy representative requested permission to install approximately 80 feet of conduit in Webster Street and approximately 665 feet of conduit in Lindbergh Avenue. The reason for this work is to upgrade electric facilities in the area.

Kate Fitzpatrick, Town Manager stated all paperwork is in order.

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

Motion by Ms. Frail that the Select Board, pursuant to the petition submitted by NStar Electric Company d/b/a Eversource Energy, to order and adopt a Grant of Location with conditions to the petitioner for the installation of electric distribution lines and related facilities under and within those public ways known as Lindbergh Avenue and Webster Street, and to certify that the same was adopted after due notice and a public hearing as required by Chapter 166, Section 22 of the Massachusetts General Laws.
Second: Mr. Nelson. Unanimously approved 5-0.

6:18 p.m. Public Hearing: Eversource Grant of Location: Fisher Street
Joanne Callender, Eversource Energy representative requested permission to install approximately 15 feet of conduit in Fisher Street. The reason for this work is to provide electric service to 12 Russell Road.

Ms. Fitzpatrick stated all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Eversource Energy to install approximately 15 feet of conduit in Fisher Street.
Second: Ms. Frail. Unanimously approved 5-0.

6:19 p.m. Appointments and Consent Agenda:
Motion by Mr. Keane that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

1. Catherine Dowd Alternate Representative, Metropolitan Area Planning Council
Term Exp: 6/30/2024

CONSENT AGENDA

1. Approve open session minutes of May 1, 2023, May 3, 2023, and May 8, 2023; and executive session minutes of April 25, 2023 and May 9, 2023.

2. **Accept the following donations made to The Needham Free Public Library: Be the Magic, by Diane Pienta (estimated value \$22), gifted by the author; from Carol Thomas, The Wounded World, by Chad L. Williams (estimated value \$30); and from Faith Crisley, Horse, by Geraldine Brooks (estimated value \$22).**
3. **Approve a 2023 Weekday and Sunday Entertainment license for the Rotary Club of Needham who will be hosting a carnival July 20 – July 23, 2023, pending approval from the following departments: Police, Fire, Public Works.**
4. **Approve a One Day Special Wine & Malt Beverages License for Monique Goodrow-Trach of Needham Pool & Racquet Club to hold its New Member Reception event on Friday, June 2, 2023 from 6:00 p.m. to 9:00 p.m. The event will be held at Needham Pool & Racquet, 1545 Central Avenue, Needham.**
5. **Accept the following donation made to the Needham Community Revitalization Trust Fund: \$100 from The Charles River Center.**
6. **Approve a new Sale of Second Hand Articles License for West Bridgewater Coin & Jewelry Buyers LLC.**
7. **Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Date	Time	Rain Date
Ella Lasic	46 Rolling Lane	Rolling Lane	6/12/23	3:30pm-8pm	6/19/23

Second: Ms. Frail. Unanimously approved 5-0.

6:22 p.m. Public Hearing: Change of Alcohol License Category & Change of Hours – Volante Farms, Inc d/b/a Volante Farms
David Volante, Manager spoke with the Board seeking to change the category of their license to an All-Alcohol Section 15 License. The Town of Needham currently has one available All-Alcohol Section 15 License.

The applicant is also seeking to amend their hours of operation from:

- Weekdays 9:00 AM – 7:00 PM, Saturdays 9:00 AM – 6:00 PM, and Sundays: 12:00 PM – 5:00 PM to;
- Weekdays 8:00 AM – 7:30 PM and Weekends 8:00 AM to 6:30 PM

Ms. Cooley reiterated that Volante Farm has never had an alcohol compliance failure during their many years of operation.

Ms. Cooley invited public comment.

Michael Ruddy, 69 Melrose Street said he supports the application. He asked for clarification on alcohol regulations in relation to food stores vs. farm stands.

Motion by Ms. Dowd that the Board vote to approve the Amendment for Change of Category and Change of Hours application received from Volante Farms, Inc d/b/a Volante Farms and vote to forward the Amendment application to the ABCC for review and final approval.

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

6:32 p.m. Approve Sale of Bond Anticipation Notes:
David Davison, Assistant Town Manager/Finance and Veronica Harvey, Town Treasurer/Collector reviewed the results of the two bond anticipation note sales and to discuss future borrowings with the Board.

Motion by Ms. Frail that the Select Board vote to approve and sign Motions A-F as drafted in the Agenda Fact Sheet provided for tonight's meeting as follows:

Motion A

Move that the sale of \$2,940,000, 4.75% percent Series A General Obligation Bond Anticipation Notes and payable June 30, 2023 to Piper Sandler & Co. at par plus \$323.40 premium and accrued interest, if any, and \$3,060,000, 4.50% Series B General Obligation Bond Anticipation Notes (the "Notes") of the Town dated May 26, 2023 to Piper Sandler & Co. at par plus \$8,721.00 premium and accrued interest, if any.

Motion B

Move that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 10, 2023, and a final Official Statement dated May 16, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Motion C

Move that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Motion D

Move that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax exempt status of the tax-exempt Notes and to comply with relevant securities laws.

Motion E

Move that any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same

document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Motion F

Move that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

6:41 p.m. Director of Public Works:
Carys Lustig, Director of Public Works and Shane Mark, Assistant Director of Public Works spoke with the Select Board regarding four items:

1. Public Works Week Proclamation

Mr. Keane read a proclamation recognizing the week of May 21 to May 27, 2023 as National Public Works Week in the Town of Needham.

Motion by Mr. Keane that the Select Board vote to approve and sign the Public Works Week Proclamation

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

Ms. Lustig commented on activities such as “Touch the Trucks” and other events that honor and celebrate Needham town staff for all of their work.

2. Sign Notice of Traffic Regulation – A Street

Motion by Mr. Keane that the Select Board vote to approve and sign the Notice of Traffic Regulation Permit #SS23-05-23 requiring that A Street southbound be designated as a stopped street at the intersection of First Avenue.

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

3. Sign Notice of Traffic Regulation – Central Avenue

Motion by Mr. Nelson that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SPEED23-05-23-2 for the amendment of an existing speed limit on Central Avenue between Bess Road and Horace Street, and to authorize the Town Manager to certify in writing to Massachusetts Department of Transportation that such regulation is consistent with the public interests.

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

4. Sign Notice of Traffic Regulation – Dedham Avenue

Motion by Ms. Frail that the Select Board vote to approve and sign the Notice of Traffic Regulation Permit #SPEED23-05-23-1 for the amendment of an existing speed limit on Dedham Avenue between the Dedham Town Line and Bradford Street, and to authorize the Town Manager to certify in writing to Massachusetts Department of Transportation that such regulation is consistent with the public interests.

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

6:57 p.m.

Sewer Rate Relief:

David Davison, Assistant Town Manager/Finance discussed with the Board the rate offered to communities that have made sewer infrastructure improvements which were financed by debt. The State has distributed \$379 to the Town of Needham for this purpose. A flat per account credit is recommended.

Motion by Ms. Dowd that the Select Board approve a one-time flat sewer rate credit of \$0.04 per account billed during the months of June, July, and August to reflect the State sewer rate relief money received from the Commonwealth.

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

7:02 p.m.

FY2022 Financial Audit:

Scott McIntire, CPA, Marcum LLP (Independent Auditors) and David Davison, Assistant Town Manager/Director of Finance met with the Board to discuss the recently completed audit of the Town's general purpose financial statements for FY 2022.

Mr. McIntire presented a PowerPoint presentation giving a brief overview of the Town's Financial Statements for fiscal year ended June 30, 2022. He reviewed the audit process, the Management Letter, and the Independent Auditor's Report, saying the financial statements for the Town of Needham are in accordance with generally accepted accounting principles for local governments. Mr. McIntire commented on the Managements' Discussion and Analysis, including two key accounts: Net Pension Liability (approximately \$44.1 million) and the Net OPEB Liabilities (approximately \$72.4 million). Mr. McIntire commented on the Unassigned General Fund Balance of \$29.4 million, noting an improvement from the prior year of approximately \$1 million. He also noted the Assigned General Fund Balance, General Fund Budget, Free Cash, Sewer Enterprise Fund, and Water Enterprise Fund. Mr. McIntire concluded with recommendations including formalizing and following through on plans to update some policies and procedures, as well as to prepare for two new GASB statements for FY2023.

Ms. Cooley said she is glad to hear the Town is following through on recommendations to be implemented over the next year, and that the auditor's opinion continues to be good.

It was noted the Town Accountant, Director of Assessing, the Town Treasurer, and Richard Reilly, Finance Committee member were in attendance.

The Board thanked Mr. McIntire and Mr. Davison for the presentation.

7:30 p.m.

Housing Needham (HONE) Advisory Group:

Katie King, Assistant Town Manager/Director of Operations spoke with the Board regarding the MBTA Communities Act requiring Needham to adopt a zoning district “of reasonable size in which multi-family housing is permitted as of right” by December 2024.

Ms. King said the Town will embark on an 18-month community engagement process to shape this proposed zoning for Town Meeting’s consideration. Staff recommend the creation of a Housing Needham (HONE) Advisory Group to lead this effort and promote coordination amongst key Town Boards, with a composition aimed at reflecting a variety of perspectives and expertise. Ms. King reviewed the composition of the proposed Advisory Group and the draft timeline through to December 2024.

Discussion ensued on Advisory Group composition and the anticipated time commitment for committee members.

Ms. Cooley commented the zoning will be work for the Planning Board next year, and will require the involvement of many people. She thanked Ms. King for preparing the Town for success.

Discussion ensued on the work, guidance from the state, community outreach, and the detailed DHCD model that has been made available.

7:48 p.m.

Board Discussion:

1. Committee Reports

Ms. Cooley reported Hank Haff, Director of Design and Construction requested a letter of support for the MAPC’s application for a federal climate pollution reduction grant, which would include Needham as part of the region that the grant is intended to cover. She said that since it is a federal grant, support is necessary from various communities and asked that the Select Board authorize Ms. Fitzpatrick to send a letter on its behalf indicating support and participation in the grant.

Motion by Mr. Keane that the Select Board vote to authorize the Town Manager to write a letter on its behalf endorsing the MAPC’s effort to support the Federal Climate Pollution Reduction grant.

Second: Ms. Frail. Unanimously approved 5-0.

Mr. Keane reported the Climate Action Plan Committee hired a consultant, KLA, who is working on a greenhouse gas study. He said two votes were taken by the

Climate Action Plan Committee, one regarding zoning for solar energy and one regarding the opt-in building code.

7:55 p.m. Executive Session - Exception 2: To Conduct Strategy Sessions in Preparation for Negotiations with Non-Union Personnel

Motion by Mr. Nelson that the Select Board vote to enter into Executive Session under Exception 2 to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel 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: Ms. Frail. Unanimously approved 5-0 by roll call vote.

8:15 p.m. Executive Session concluded and the Select Board adjourned.

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, June 13, 2023 at 6:00 p.m.

**Town of Needham
Select Board
Minutes for Tuesday, June 13, 2023
Select Board's Chamber
and
Via ZOOM**

<https://us02web.zoom.us/j/80968374046>

- 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 (via Zoom), Catherine Dowd, and Kate Fitzpatrick, Town Manager. Dave Davison, ATM/Finance, Katie King, ATM/Operations, and Mary Hunt, Recording Secretary (via Zoom) were also in attendance.
- 6:00 p.m. Public Comment Period: No comments were heard.
- 6:01 p.m. Proclamation - Juneteenth:
Mr. Keane read a proclamation declaring June 19, 2023 as Juneteenth in the Town of Needham.
- Motion by Mr. Nelson that June 19th, 2023 be declared Juneteenth in the Town of Needham and that all residents be encouraged to observe Juneteenth as a celebration of the resilience of Black Americans and an opportunity for education about the true history of this country.**
Second: Ms. Dowd. Unanimously approved 5-0 by roll call vote.
- 6:02 p.m. Proclamation - Pride Month:
Mr. Keane read a proclamation declaring June 2023 as Pride Month in the Town of Needham.
- Motion by Mr. Nelson that June 2023 be declared Pride Month in the Town of Needham and that all residents be encouraged to recognize and acknowledge the contributions of the LGBTQIA+ members of our community as we continue to advance the principles of liberty, equality, inclusivity, and justice for all.**
Second: Ms. Dowd. Unanimously approved 5-0 by roll call vote.
- 6:03 p.m. Public Hearing - Grant of Location:
Ross Goudeau, Verizon representative and Joanne Callender, Eversource Energy representative spoke with the Select Board regarding a Grant of Location.
1. Joint Grant of Location: 140 Kendrick Street
Ross Goudeau, Verizon representative stated Verizon New England and Eversource Energy are requesting permission to place one pole approximately 353 feet westerly of the centerline of Third Avenue and approximately 65 feet easterly

from existing pole, P.35/16A. Mr. Goudeau said the petition is necessary to provide new communications and electrical service to support a solar project happening at 140 Kendrick Street, Needham.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Verizon New England and Eversource Energy to place one pole approximately 353 feet westerly of the centerline of Third Avenue and approximately 65 feet easterly from existing pole, P.35/16A.

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

6:08 p.m. Public Hearings - Eversource Energy Grant of Location:
Joanne Callender, Eversource Energy representative spoke with the Select Board regarding three Grants of Location.

2. Public Hearing: Eversource Grant of Location - 140 Kendrick Street

Ms. Calendar of Eversource Energy requests permission to install approximately 8 feet of conduit in Kendrick Street. The reason for this work is to provide electric service to 140 Kendrick Street.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Eversource Energy to install approximately 8 feet of conduit in Kendrick Street.

Second: Ms. Dowd. Unanimously approved 5-0 by roll call vote.

3. Public Hearing: Eversource Grant of Location - 377 Chestnut Street

Ms. Callendar stated Eversource Energy is requesting permission to install approximately 82 feet of conduit in Chestnut Street. The reason for this work is to provide underground service to 377 Chestnut Street.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Eversource Energy to install approximately 82 feet of conduit in Chestnut Street.

Second: Ms. Dowd. Unanimously approved 5-0 by roll call vote.

4. Public Hearing: Eversource Grant of Location - 1177 Central Avenue
Ms. Callendar said Eversource Energy is requesting permission to install approximately 14 feet of conduit in Central Avenue. The reason for this work is to provide underground service to a new home at 1177 Central Avenue.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Eversource Energy to install approximately 14 feet of conduit in Central Avenue.

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

6:15 p.m. Appointments and Consent Agenda:
Motion by Mr. Keane 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 one-day license suspension as penalty for an alcohol compliance check failure on April 12, 2023 by Ceed Corp d/b/a Cook Needham.**
- 2. Approve Executive Session Minutes of May 23, 2023.**
- 3. Authorize the placement of Pride Month lawn signs at the Town Hall and Public Services Administration Building through June 30, 2023.**
- 4. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$1500 from The Exchange Club of Needham and \$325 from Hearth Pizzeria.**
- 5. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Time	Party Rain Date
Ratify - Ari Cohen	32 Virginia Rd.	Virginia Rd 38, 33, 32, 26, 23, & 20	6/3/23	2-6pm	N/A
Ratify - Rebecca Carrier	17 Hollow Ridge Road	Hollow Ridge Road	6/10/23	5-9pm	6/16/23
Janine Helwig	158 Meadowbrook Road.	Newell Ave & Prospect St. intersection	9/9/23	3:30-8:30 pm	9/10/23

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

6:15 p.m. Public Hearing - Sewer and Water Rates:
The Water and Sewer Rate Structure Committee, along with David Davison, Assistant Town Manager/Finance, Carys Lustig, Director of Public Works, and

Michael Retzky, Superintendent of Water and Sewer met with the Select Board to discuss the water and sewer rates recommendation. It was noted the Water and Sewer Rate Structure Committee met on April 4, 2023, April 28, 2023, and again on May 11, 2023 to finalize its recommendation to the Board. Mr. Davison stated several factors must be considered with a rate recommendation including expenditures, volume, the current rate structure, and rate options. He noted withdrawal of the Coke-a-Cola bottling operations is a factor in the rate increase, as well as inflation. Discussion ensued on the impact of the Covid pandemic and use of irrigation. It is anticipated that the Select Board will vote on final water and sewer rates at its meeting on June 27, 2023.

Ms. Cooley noted significant analysis went into the rate recommendation.

Ms. Cooley invited public comment. No comments were heard. She said the public comment period will remain open until the Select Board takes a vote at the meeting on June 27, 2023.

6:35 p.m. Public Hearing: Alcohol License Hearing - Pancho's Taqueria
Carlos Chavira, Owner & Manager of Record and John Schlittler, Chief of Police met with the Board to consider the modification, suspension, revocation, or cancellation of the Section 12 Restaurant All Alcohol license for Pancho's Taqueria Needham LLC d/b/a Pancho's Taqueria.

Chief Schlittler presented testimony relative to an alcohol compliance check failure on April 12, 2023. Chief Schlittler reminded the Board this is the third compliance violation for Pancho's Taqueria.

Ms. Cooley reiterated there are two issues: this is the third violation and training requirements. She noted even though Mr. Chavira has implemented additional training, the staff member who served the alcohol had not been trained.

Discussion ensued on T.I.P.S Certification and the use of an ID scanner. Mr. Nelson noted that this is the third violation in a year and a half. Ms. Cooley noted no questions or comments have been received from the public.

The Select Board discussed suspension of the alcohol license, the number of days of the suspension and whether the days will be served immediately and consecutively, sending notice to the ABCC, and the violation of required training.

Motion by Mr. Keane that:

1.

- a. The Select Board finds sufficient evidence that, on April 12, 2023, Pancho's Taqueria Needham LLC d/b/a Pancho's Taqueria violated 204 CMR 2.05(2) permitting an illegality on the licensed premises, to wit: Chapter 138, Section**

34, sale or delivery of an alcoholic beverage to a person under twenty-one years of age; and

- b. That the Select Board suspend Pancho's Taqueria Needham LLC d/b/a Pancho's Taqueria Section 12 Restaurant All Alcoholic Liquor License for a period of 3 day(s) to be served consecutively on set dates in the future; and**
- c. That the Select Board authorize the Town Manager to draft and send notice of the Select Board's decision to the Licensee and to the Alcoholic Beverages Control Commission. And**

2.

- a. That the Select Board finds sufficient evidence that, on April 12, 2023, Pancho's Taqueria Needham LLC d/b/a Pancho's Taqueria violated Town of Needham Alcohol Regulations (Revised July 26, 2022): Section 4.6.11 relative to training required by staff who serve alcoholic beverages; and**
- b. That the Select Board suspend Pancho's Taqueria Needham LLC d/b/a Pancho's Taqueria Section 12 Restaurant All Alcoholic Liquor License for a period of 1 day to be served consecutively on set dates in the future; and**
- c. That the Select Board authorize the Town Manager to draft and send notice of the Select Board's decision to the Licensee and to the Alcoholic Beverages Control Commission.**

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

7:00 p.m. Town Manager:
Kate Fitzpatrick, Town Manager spoke with the Board regarding four items:

- 1. Housing Needham (HONE) Advisory Group**
Ms. King, ATM/Operations reminded the Select Board that at its meeting on May 23, 2023 it discussed a draft composition and charge for the Housing Needham Advisory Group. The MBTA Communities Act requires Needham to adopt a zoning district "of reasonable size in which multi-family housing is permitted as of right" by December 2024. She noted the Town will embark on an 18-month community engagement process to shape this proposed zoning for Town Meeting's consideration. Ms. King said staff recommend the creation of a Housing Needham (HONE) Advisory Group to lead this effort and promote coordination amongst key Town boards, with a composition aimed at reflecting a variety of perspectives and expertise. Ms. King recommends that the Select Board vote to adopt the HONE Advisory Group Composition and Charge.

Motion by Mr. Nelson that the Select Board vote to adopt the Housing Needham (HONE) Advisory Group Composition and Charge.

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

2. Mobility Planning Coordinating Committee

Ms. Fitzpatrick reminded the Board that at its meeting on January 10, 2023 the Board voted to approve changes to the Rail Trail Advisory Committee charge, and name and charge changes for the existing Traffic Management Advisory Committee to the Transportation Safety Committee. She noted action on changing the Transportation Committee to become the Mobility Planning Coordinating Committee was dependent on Town Meeting action. Ms. Fitzpatrick stated that the 2023 Annual Town Meeting voted unanimously to support the removal of the Transportation Committee from the General By-laws, and is recommending that the Board vote to adopt the composition and charge for the Mobility Planning Coordinating Committee.

Motion by Mr. Nelson that the Board vote to adopt the composition and charge for the Mobility Planning Coordinating Committee.

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

3. Quiet Zone Working Group

Ms. Fitzpatrick commented that after withdrawing the warrant article for the design of the Quiet Zone, the Select Board committed to a process for refreshing the feasibility study, with a goal of seeking combined design and construction funding at the 2024 Annual Town Meeting. Ms. Fitzpatrick recommends that the Board create a working group of stakeholders to provide feedback during the feasibility refresh process, and approve the composition and committee charge for the working group.

Motion by Mr. Keane that the Select Board vote to adopt the composition and charge for the Quiet Zone Working Group.

Second: Ms. Dowd. Unanimously approved 5-0 by roll call vote.

4. Town-Financed Community Housing Oversight Committee

Ms. Fitzpatrick said the Community Preservation Committee has proposed the creation of a committee to oversee the Town's investment in large-scale community housing projects. She noted the Committee will work with consultants hired by the applicants and will provide the CPC with multi-disciplinary expertise and feedback in monitoring the Town's investment. Ms. Fitzpatrick asked the Select Board to approve the composition and charge for the Town-Financed Community Housing Oversight Committee (T-CHOC).

Motion by Mr. Keane that the Board vote to adopt the composition and charge for the Town-Financed Community Housing Oversight Committee (T-CHOC).

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

7:15 p.m. Board Discussion:

1. Committee Reports

Mr. Keane reported the Climate Action Planning Committee met, noting the consultant KLA has started its greenhouse gas study which includes community meetings. He noted the path forward is optimistic. He mentioned a survey was included in the News You Need(ham) and will be available on the Climate Action Planning Committee website for folks to give input.

Mr. Nelson reported NUARI met last night for its annual meeting. He said many positive thoughts were expressed and that it was nice to hear from the members and also to understand “how far we need to go.” Mr. Nelson said it was a chance to recognize how much work has already been done and see the many motivated people from all walks of life who want to be part of the solution in making Needham a place where people want to live. He commented on conversations for discussion at elementary schools.

Ms. Cooley noted progress vs. goals and the steps taken toward improving. She noted the creation of conversation space to understand the challenges and discomforts, and what that might mean going forward. She commented on policing, schools, and community engagement.

Ms. Dowd shared her thoughts from holding office hours, noting concerns received from constituents. She said one comment was regarding riding bicycles in the downtown and Needham Heights areas. She said another comment was regarding light pollution and the types of lighting in use in Needham.

Office hours are scheduled for July 15 (Mr. Nelson via Zoom) and August 8 (Ms. Cooley in the Select Board’s Chamber).

7:26 p.m. Adjourn:

Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board meeting of Tuesday, June 13, 2023.

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

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, June 27, 2023 at 6:00 p.m.

Town of Needham

Quiet Zone Working Group

Committee Charge & Composition

Type:	Semi-Permanent (for duration of project)
Legal Reference:	Select Board Vote
Appointing Authority:	Select Board
Number of Voting Members:	Six (6)
Term of Appointment	FY2024
Special Municipal Employee	Yes
Staff Support	Director of Public Works/Designee(s)

Members	Year Appointed	Term Expiration	Membership
John Connelly	2023	2024	Finance Committee
Justin McCullen	2023	2024	MPCC Member
Marianne Cooley	2023	2024	Select Board
Duncan Allen	2023	2024	MBTA Advisory Board Rep
Lars Unhjem	2023	2024	SQN Member
Kate Fitzpatrick	2023	2024	Town Manager

Composition:

- One Current Member of the Finance Committee
- One Current Member of the Select Board*
- One Current Member of the Transportation/Mobility Planning Coordinating Committee
- The Town's Representative to the MBTA Advisory Board
- One Current Members of Safer Quieter Needham
- The Town Manager (ex officio)*

* Regular municipal employees serving on the Committee remain regular municipal employees, even though the committee members are designated as special municipal employees

Purpose:

The QZ Working Group will provide input to the Town in the selection of a consultant for the Quiet Zone Refresh Project, and provide input and guidance to the selected consultant during the course of the study.

Charge:

- The Working Group will provide input and feedback to the Town Manager and Select Board relative to the quiet zone feasibility refresh project.
- The Working Group will serve as the evaluation committee for the selection of a consultant.
- The Working Group will serve as a resource to the consultant with respect to the development of the study and final report.
- The Working Group will make recommendation to the Select Board regarding next steps in this project.

Charge and Composition Adopted: June 13, 2023

Charge and Composition Revised: June 27, 2023

SME Status Voted: June 13, 2023



NEEDHAM PARK AND RECREATION DEPARTMENT

Rosemary Recreation Complex
178 Rosemary Street
Needham, MA 02494
Tel: (781) 455-7930

June 7, 2023
Needham Select Board
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Dear Chair Marianne Cooley and Select Board members,

The purpose of this letter is to request your approval for me to hold more than one appointed position with the Town.

The multiple appointed positions that I wish to hold are:

1. Teacher's Aide with Needham Public Schools
2. Summer Camp Counselor for the Needham Park & Recreation Department

There will be no conflict with any School Department responsibilities, as the schools are not in session during the summer months. I will work 20-30 hours per week, for six weeks.

Please do not hesitate to contact me if I can provide any further information.

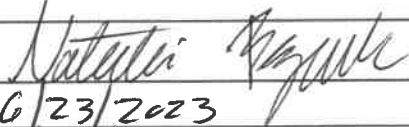
Sincerely,

Natalia Rezende

**DISCLOSURE BY MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(b)**

	MUNICIPAL EMPLOYEE INFORMATION
Name of municipal employee:	Natalia Rezende
Title/ Position	Counselor
Fill in this box if it applies to you.	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	Needham Park and Recreation
Agency Address	178 Rosemary St.
Office phone:	(781)- 455- 7930
Office e-mail:	parkandrecreation@needhamma.gov
	Check one: ☐ Elected or ☒ Non-elected
Starting date as a municipal employee.	July 1, 2023
BOX # 1 Select either STATEMENT #1 or STATEMENT #2. Write an X beside your financial interest.	ELECTED MUNICIPAL EMPLOYEE I am an elected municipal employee. ☐ STATEMENT #1: I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. OR ☐ STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency. My financial interest in a municipal contract is: ☐ I have a non-elected, compensated municipal employee position. ☐ A municipal agency has a contract with me. ☐ I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization. ☐ I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.
BOX # 2 Select either STATEMENT #1 or STATEMENT #2.	NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE I am a non-elected municipal employee. ☐ STATEMENT #1: I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.

Write an X beside your financial interest.	My financial interest in a municipal contract is: ☐ A municipal agency has a contract with me, but not an employment contract. ☐ I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization. -- OR -- ☒ STATEMENT # 2: I will have a new financial interest in a contract made by a municipal agency. My financial interest in a municipal contract is: ☒ I have a non-elected, compensated municipal employee position. ☐ A municipal agency has a contract with me. ☐ I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization. ☐ I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.
FINANCIAL INTEREST IN A MUNICIPAL CONTRACT	
Name and address of municipal agency that made the contract	Needham Park and Recreation 178 Rosemary St. Needham MA, 02494
Please put in an X to confirm these facts.	"My Municipal Agency" is the municipal agency that I serve as a municipal employee. The "contracting agency" is the municipal agency that made the contract. ☒ My Municipal Agency is not the contracting agency. ☒ My Municipal Agency does not regulate the activities of the contracting agency. ☒ In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency. ☒ The contract was made after public notice or through competitive bidding.
FILL IN THIS BOX OR THE BOX BELOW	ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU. - Please explain what the contract is for. Needham Park and Recreation – Summer Counselor
FILL IN THIS BOX OR THE BOX ABOVE	ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY. - Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for?

What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it. -\$15.79
Date when you acquired a financial interest	July 1, 2023
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. N/A
Date when your immediate family acquired a financial interest	N/A
Write an X to confirm each statement.	FOR A CONTRACT FOR PERSONAL SERVICES – Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency). I will have a contract with a municipal agency to provide personal services. ☒ X The services will be provided outside my normal working hours as a municipal employee. ☒ X The services are not required as part of my regular duties as a municipal employee. ☒ X For these services, I will be compensated for not more than 500 hours during a calendar year.
Employee signature:	
Date:	6/23/2023

Attach additional pages if necessary.

NOT A PERSONAL SERVICES CONTRACT – File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

FOR CONTRACTS FOR PERSONAL SERVICES ONLY:

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

CERTIFICATION BY HEAD OF CONTRACTING AGENCY

	INFORMATION ABOUT HEAD OF CONTRACTING AGENCY
Name:	Stacey Mulroy
Title/ Position	Park and Recreation Director
Municipal Agency:	Needham Park and Recreation
Agency Address:	178 Rosemary St. Needham MA,02494
Office Phone:	(781)-455-7930
	CERTIFICATION
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.
Signature:	
Date:	06/26/2023

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,
BOARD OF SELECTMEN OR TOWN COUNCIL**

	INFORMATION ABOUT APPROVING BODY
Name:	
Title/ Position	
Agency Address:	
Office Phone:	
	APPROVAL
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	



NEEDHAM PARK AND RECREATION DEPARTMENT

Rosemary Recreation Complex
178 Rosemary Street
Needham, MA 02494
Tel: (781) 455-7930

June 7, 2023
Needham Select Board
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Dear Chair Marianne Cooley and Select Board members,

The purpose of this letter is to request your approval for me to hold more than one appointed position with the Town.

The multiple appointed positions that I wish to hold are:

1. Teacher's Aide with Needham Public Schools
2. Summer Camp Counselor for the Needham Park & Recreation Department

There will be no conflict with any School Department responsibilities, as the schools are not in session during the summer months. I will work 20-30 hours per week, for six weeks.

Please do not hesitate to contact me if I can provide any further information.

Sincerely,

Zoe Baker

Zoe Baker

**DISCLOSURE BY MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(b)**

	MUNICIPAL EMPLOYEE INFORMATION
Name of municipal employee:	Zoe Baker
Title/ Position	S.T.E.M. Specialist
Fill in this box if it applies to you.	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	Needham Park and Recreation
Agency Address	178 Rosemary St.
Office phone:	(781)- 455- 7930
Office e-mail:	parkandrecreation@needhamma.gov
	Check one: ☐ Elected or ☒ Non-elected
Starting date as a municipal employee.	July 1, 2023
BOX # 1	ELECTED MUNICIPAL EMPLOYEE
Select either STATEMENT #1 or STATEMENT #2.	I am an elected municipal employee.
Write an X beside your financial interest.	☐ STATEMENT #1: I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. OR ☐ STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency. My financial interest in a municipal contract is: ☐ I have a non-elected, compensated municipal employee position. ☐ A municipal agency has a contract with me. ☐ I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization. ☐ I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.
BOX # 2	NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE
Select either STATEMENT #1 or STATEMENT #2.	I am a non-elected municipal employee.
	☐ STATEMENT #1: I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.

Write an X beside your financial interest.	My financial interest in a municipal contract is: ☐ A municipal agency has a contract with me, but not an employment contract. ☐ I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization. -- OR -- ☒ STATEMENT # 2: I will have a new financial interest in a contract made by a municipal agency. My financial interest in a municipal contract is: ☒ I have a non-elected, compensated municipal employee position. ☐ A municipal agency has a contract with me. ☐ I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization. ☐ I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.
FINANCIAL INTEREST IN A MUNICIPAL CONTRACT	
Name and address of municipal agency that made the contract	Needham Park and Recreation 178 Rosemary St. Needham MA, 02494
Please put in an X to confirm these facts.	"My Municipal Agency" is the municipal agency that I serve as a municipal employee. The "contracting agency" is the municipal agency that made the contract. ☒ My Municipal Agency is not the contracting agency. ☒ My Municipal Agency does not regulate the activities of the contracting agency. ☒ In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency. ☒ The contract was made after public notice or through competitive bidding.
FILL IN THIS BOX OR THE BOX BELOW	ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU. - Please explain what the contract is for. Needham Park and Recreation – Summer STEM Specialist
FILL IN THIS BOX OR THE BOX ABOVE	ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY. - Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for?

What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it. -\$18.43
Date when you acquired a financial interest	July 1, 2023
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. N/A
Date when your immediate family acquired a financial interest	N/A
Write an X to confirm each statement.	FOR A CONTRACT FOR PERSONAL SERVICES – Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency). I will have a contract with a municipal agency to provide personal services. ☒ X The services will be provided outside my normal working hours as a municipal employee. ☒ X The services are not required as part of my regular duties as a municipal employee. ☒ X For these services, I will be compensated for not more than 500 hours during a calendar year.
Employee signature:	<i>Joe Baker</i>
Date:	06/08/2023

Attach additional pages if necessary.

NOT A PERSONAL SERVICES CONTRACT -- File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

FOR CONTRACTS FOR PERSONAL SERVICES ONLY:

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

CERTIFICATION BY HEAD OF CONTRACTING AGENCY

	INFORMATION ABOUT HEAD OF CONTRACTING AGENCY
Name:	Stacey Mulroy
Title/ Position	Park and Recreation Director
Municipal Agency:	Needham Park and Recreation
Agency Address:	178 Rosemary St. Needham MA, 02494
Office Phone:	(781)-455-7930
	CERTIFICATION
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.
Signature:	
Date:	02/16/2023

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,
BOARD OF SELECTMEN OR TOWN COUNCIL**

	INFORMATION ABOUT APPROVING BODY
Name:	
Title/ Position	
Agency Address:	
Office Phone:	
	APPROVAL
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	