

**Town of Needham
Select Board
Minutes for Tuesday, July 25, 2023
Powers Hall
and
Via ZOOM**

<https://us02web.zoom.us/j/83513916152>

- 6:02 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Marianne Cooley. Those present were Kevin Keane, Heidi Frail, Marcus Nelson, Catherine Dowd, and Town Manager, Kate Fitzpatrick. Dave Davison, ATM/Finance, Katie King, ATM/Operations, and Mary Hunt, Recording Secretary (via Zoom) were also in attendance.
- 6:04 p.m. Public Comment Period: No comments were heard.
- 6:05 p.m. Ms. Cooley commented that a resolution was presented last week to Anne Hudson to celebrate her 100th birthday. The Select Board congratulated Ms. Hudson and wished her all the best on her milestone birthday.
- 6:07 p.m. Proclamation: 2023 Purple Heart Community
Mr. Keane read a proclamation recognizing August 7, 2023 as Purple Heart Day in the Town of Needham.
- Motion by Mr. Keane that the Select Board vote to proclaim August 7, 2023 as Purple Heart Day in the Town of Needham. The Select Board encourages residents and businesses to display the American Flag and recognize Purple Heart recipients, honoring the service and sacrifice of our military personnel. Second: Ms. Frail. Unanimously approved 5-0.**
- 6:09 p.m. Introduce Building Commissioner Joseph Prondak:
Katie King, ATM/Director of Operations introduced Joe Prondak, newly appointed Building Commissioner. Ms. King said she has been impressed with Mr. Prondak's expertise, skill, and knowledge of building code regulations enforced at a local level since he began working for Needham a short time ago. The Board welcomed Mr. Prondak to Needham and wished him well in his new position.
- 6:12 p.m. Introduce Director of Communications & Community Engagement Amy Haelsen:
Kate Fitzpatrick, Town Manager introduced Amy Haelsen, the newly appointed Director of Communications & Community Engagement. Ms. Fitzpatrick gave a brief background of Ms. Haelsen's work experience, including the three years she spent as Needham's Economic Development Manager.
- Ms. Haelsen said she is delighted in her new role with the Town of Needham and very excited to continue the great work already started in the town.

The Board wished Ms. Haelsen the very best in her new role and thanked her for her service to Needham.

6:15 p.m. Needham Local Transportation Study:
Gal Kramer, Via Strategies, Cathal O’Gorman, Via Strategies, Amy Haelsen, Director of Communications & Community Engagement, and Tyler Gabrielski, Management Analyst, Department of Public Works provided an overview of the study recently completed for the Town which evaluated existing local transportation options in Needham and identified the gaps in service. The Via Strategies team shared their recommendations for transportation alternatives.

A PowerPoint presentation titled “Needham Local Transportation Study” dated July 25, 2023 was viewed.

Ms. O’Gorman gave a project overview, commenting on existing transportation options, public engagement highlights, reviewed transportation alternatives, and reviewed recommendations.

Discussion ensued on the cost to operate services, federal funds and grants available, transit modes, and ridership.

The Board thanked the presenters for the information.

6:53 p.m. Public Hearing: Eversource Grant of Location – Canavan Circle
Joanne Callender, Eversource Energy representative requested permission to install approximately 1,391 feet of conduit and seven new utility holes in Canavan Circle, approximately 341 feet of conduit and two new utility holes in Standish Road, approximately 116 feet of conduit in Alden Road and approximately 25 feet of conduit in Stewart Road. The reason for this work is to upgrade the conduit and cable system in the area.

Ms. Fitzpatrick said all paperwork is in order.

Ms. Frail asked the duration of the project. Ms. Callendar said “a few weeks.”

Mr. Keane noted the size of the project, suggesting consideration be given to placing the conduit underground.

Ms. Cooley invited public comment.

Jim Masterman, 53 Canavan Circle noted this is phase 2 of the project in the neighborhood. He asked if the road will be resurfaced.

Ms. Fitzpatrick said the road will be resurfaced, restored, and left as originally found.

Motion by Mr. Keane that the Select Board approve and sign a petition from Eversource Energy to install approximately 1,391 feet of conduit and seven new utility holes in Canavan Circle, approximately 341 feet of conduit and two new utility holes in Standish Road, approximately 116 feet of conduit in Alden Road and approximately 25 feet of conduit in Stewart Road.
Second: Ms. Frail. Unanimously approved 5-0.

7:07 p.m. Public Hearing: Recycling and Transfer Station User Fees and Charges
Bill Connor, Vice Chair of the Solid Waste Disposal & Recycling Advisory Committee, David Davison, ATM/Finance, Carys Lustig, Director of Public Works (via Zoom), Cecilia Simchak, Director of Finance & Administration for Public Services, and Matthew DeMarrais, Superintendent of the Recycling & Solid Waste Division spoke with the Board regarding user fees and charges of the Recycling and Transfer Station (RTS).

Mr. Davison reviewed the recommended changes to the rates proposed by the Solid Waste Disposal & Recycling Advisory Committee at its meeting on May 16, 2023. Mr. Davison commented the last time rates changed was in 2013, nearly 10 years ago. He commented on three fee increases at the RTS including the fee for disposal of fluorescent tubes, the fee for the disposal of printers, and the increase in the tipping fee.

Mr. Connor noted tipping fee rates at the scale were compared with those in surrounding communities. He said, historically, Needham's rates are "in line" with neighboring towns. However, Mr. Connor noted that since Needham has not increased rates in over 10 years the fees are lower, therefore attracting more outside commercial activity to the RTS than is preferred.

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

Discussion ensued on Needham's rates compared to surrounding communities.

It was noted that the Select Board will vote on the rates at its next meeting on August 15, 2023, and the public is welcome to submit feedback to the Select Board at selectboard@needhamma.gov.

7:24 p.m. Public Hearing: Application for a Transfer of an All-Alcohol License – Vinodivino3 LLC d/b/a Vinodivino
Thomas Miller, Applicant Counsel and Michael Mendes, Proposed Manager spoke with the Board regarding Vinodivino3 LLC d/b/a Vinodivino's application for the transfer of an All Alcoholic Beverages Liquor License, Section 15 package store operated at 922 Highland Avenue, Needham, MA. The applicant is requesting the appointment of Michael Mendes as Manager of Record.

Ms. Cooley reminded Mr. Mendes that the Town takes the service of alcohol very seriously and that he is personally responsible to make sure alcohol is not purchased by or served to minors.

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

Discussion ensued on the use of ID scanners.

Motion by Ms. Frail that the Select Board vote to approve the Section 15 All Alcohol License transfer application submitted by Vinodivino3 LLC d/b/a Vinodivino including the appointment of Michael Mendes as Manager of Record, and if so approved forward the application to the ABCC for review and final approval.

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

7:33 p.m. Appointments and Consent Agenda:
Motion by Mr. Keane that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENT CALENDAR

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| 1. Election Workers for 2023-2024. | See attached. |
| 2. Elizabeth Kaponya | Housing Needham Advisory Group
Term Exp: 6/30/2024 |
| 3. Timothy Bulger | Mobility Planning and Coordination Committee
Term Exp: 6/30/2026 |
| 4. Paul Molta | Mobility Planning and Coordination Committee
Term Exp: 6/30/2026 |
| 5. Rick Zimbone | Town Financed Community Housing Oversight Committee
Term Exp: 6/30/2026 |
| 6. Rhonda Spector | Town Financed Community Housing Oversight Committee
Term Exp: 6/30/2026 |
| 7. Donna Mullin | Traffic Safety Committee
Term Exp: 6/30/2025 |
| 8. Rebecca Tarantino | Traffic Safety Committee Term
Exp: 6/30/2025 |
| 9. Barry McNeilly | Traffic Safety Committee
Term Exp: 6/30/2024 |
| 10. Tom Ryder | Traffic Safety Committee
Term Exp: 6/30/2024 |
| 11. Rhain Hoyland | Traffic Safety Committee
Term Exp: 6/30/2024 |

CONSENT AGENDA *Supporting Documents in Packet

1. Authorize the Town Manager to approve and file with the ABCC One-Day Special Alcohol Licenses on behalf of the Select Board in its role as Local Licensing Authority.
- 2.* 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.
- 3.* In accordance with M.G.L. c. 30B Section 16, determine that in the case of the proposed license of the parking lot associated with 870 Great Plain Avenue, Needham, advertising would not benefit the Town's interest because of the unique qualities of the location on the basis that the property abuts the municipal parking lot on Dedham Avenue.
- 4.* Approve open session minutes of June 27, 2023.
5. Approve a request from Allan Eyden, Road Coordinator of PanMass Challenge, to hold the road event "PanMassachusetts Challenge" in Needham. The event is scheduled for Saturday, August 5, 2023, and Sunday, August 6, 2023, at 6:30 a.m. The event and route have been approved by the following departments: Fire, Police, and Public Works.
6. Approve a request from Maura Holt-Ling, Development Associate for the Annual Bike-A-Thon, to hold the road event "Bikes Not Bombs: 36th Annual Bike-A-Thon." The road event will pass through Needham on Sunday, September 10, 2023, with a rain date of Sunday, September 24, 2023. The route was approved by the following departments: Public Works, Police, and Fire.
- 7.* Approve 20B Exemption for the following individual to engage in work with the Needham Park and Recreation Department: Chuck Dowe.
8. Approve a Taxi/Livery License application for a new Taxi/Livery service, Xplorea LLC, to conduct business in Needham. All required paperwork has been submitted.
9. Accept the following donations made to The Needham Free Public Library: Little Tail, Big Tails, by Bonnie Pandya (estimated value \$27), gifted by the author, in honor of her daughter, Sunita Williams; from Keith and Lynn McClelland, Cinnamon Twisted, by Janet Bolin (estimated value \$17); from Caryn Kovacs, 27 titles (estimated value \$1,091); from Ann MacFate, \$300 given in memory of Irene MacFate; from Lynn O'Leary on behalf of Helen Maxwell's book club, \$100 in memory of Barbara Cusack; from Laurie Anello, \$30 in memory of Barbara Cusack; from Dedham Savings Bank, \$100 to purchase a Kindle Fire as a Grand Prize for the Children's Summer Reading Program; from Hong Zong, \$150; from Lois and Bill Bacon, \$100 in memory of Sam Stern; The Writings of Henry D. Thoreau (estimated value \$23), anonymously given; a puzzle (estimated value \$20), anonymously given; and from Tom and Barbara Harkins, \$25 in memory of Barbara Cusack.
10. Accept the following donation made to Needham Youth & Family Services: \$1,250 from the Becca Schmill Foundation.
11. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$100 from The Rotary Club of Needham, \$200 from Needham Open Studios, and \$2000 from Mr. C. Bruce Johnstone.

12. **Accept the following donation made to the Needham Town Hall display case: four painted wooden blocks with an estimated value of \$20 each (\$80 total) from Lisa Vergara.**
13. **Accept the following donation made to the Needham Public Health's Gift of Warmth Program: \$50.00 from Claire Blum.**
14. **Ratify a One Day Special Wine & Malt Beverages License for Monique GoodrowTrach of Needham Pool and Racquet Club to serve and sell beer at the annual cornhole tournament for members on Saturday, July 15, from 6:00 p.m. to 10:00 p.m. The event was held at Needham Pool and Racquet Club, 1545 Central Avenue, Needham.**
15. **Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Time	Party Rain Date
Katherine Calzada	9 Morton Street	Morton Street	9/9/23	11am-3pm	9/16/23
Nicole Foster	38 Mayflower Rd.	Mayflower Rd. between GPA & Alden Rd	9/9/23	4pm-8pm	9/10/23

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

7:34 p.m. Alcohol License Revocation Hearing: Poet King Restaurant Group, LLC d/b/a Hungry Coyote, Matt Saiia, License Owner
Poet King Restaurant Group, LLC d/b/a/ Hungry Coyote, 1185 Highland Avenue currently holds an On-Premises Pouring Liquor License that has been suspended by order of the Select Board, acting as the local licensing authority under M.G.L. c.138, per its Suspension Decision dated January 14, 2022.

Ms. Cooley noted that neither Mr. Matt Saiia, License Owner, nor any other representative, were present at tonight's hearing. She listed documentation included as part of the record for tonight's proceeding: a.) Notice of hearing dated July 13, 2023 from the Town Manager to the Licensee b.) Notice of Decision dated April 19, 2023 from the Town Manager to the Licensee c.) Minutes of the Select Board's April 12, 2023 meeting d.) Minutes of the Select Board's February 14, 2023 meeting e.) Notice of Decision dated January 14, 2022 from the Town Manager to the Licensee f.) Minutes and video of the Select Board's January 11, 2022 meeting. She read a list of the facts before the Select Board. Ms. Cooley said that since neither the License Owner nor a representative is present tonight, there are no additional facts.

Ms. Cooley asked for comment or questions from the Select Board. No comments or questions were heard. Ms. Cooley recommended the Select Board vote to revoke the Alcohol License at this time.

Motion by Ms. Cooley that the Select Board vote to:

- (1) Cancel the On-Premises Pouring Liquor License issued to Poet King Restaurant Group, LLC d/b/a/ Hungry Coyote, 1185 Highland Avenue, Needham, for failing to operate a restaurant with alcohol service as outlined in its Section 12 liquor license, pursuant to G.L. c.138, § 77, and for failing to appoint a license manager, pursuant to G.L. c.138, §§23 and 64, effective 10:00 AM on July 28, 2023;**
- (2) Order the Licensee to return its liquor license to the Select Board's office by 10:00 AM on said date; and**
- (3) authorize the Town Manager to send notice of the cancellation to the Licensee and the Alcoholic Beverages Control Commission.**

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

Myles Tucker, Support Services Manager noted the effective date for canceling the On Premises Pouring Liquor License issued to Poet King Restaurant Group should read July 26, 2023 (not July 28, 2023) and that the liquor license, which has been suspended for this entire year, is already in the possession of the Select Board.

Motion by Mr. Keane that the Select Board vote to amend the main motion to reflect changes as stated above.

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

7:40 p.m.

DPW Complex Feasibility Study Update:

Hank Haff, Director, Building Design & Construction, Michael Richard, Weston & Sampson Engineers, Inc., Carys Lustig, Director of Public Works (Zoom), Shane Mark, Assistant Director of Public Works, Stuart Chandler, Chair, PPBC, and George Kent, PPBC member presented an update on the DPW Complex Feasibility Study.

Mr. Chandler said the purpose of the feasibility study is to determine efficient use of DPW facilities designed to incorporate recommendations and build a construction phase concept for implementation. He noted the information is meant as an update, not a final report. He commented on the challenges of the project, Weston and Sampson, and that the feasibility is going well.

Ms. Cooley commented the Town is also trying to understand its fiscal picture moving forward, noting the project is “a one time event” that could be done in phases to fit within the town’s budget at different points in time.

Mike Richard, Weston and Sampson presented a PowerPoint presentation titled “DPW Complex Feasibility Study, Progress Update” dated July 25, 2023.

George Kent said there is no easy solution or any easy sites, noting the DPW has been neglected over the years. He commented on parcel 74 along Greendale

Avenue, saying use of the parcel could be a potential issue with residents living in the neighborhood.

Mr. Chandler noted the PPBC feasibility working group meets twice a month on Monday, suggesting residents attend the meetings. He said information is available, encouraging residents to take part in the process and give their input.

Discussion ensued on environmental considerations in the building process of the new DPW Complex.

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

8:15 p.m.

Town Manager:

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

1. Non-Criminal Disposition By-Law Update

Ms. Fitzpatrick discussed staff recommendations for revamping the Non-Criminal Disposition By-Laws. She said fines ranging from \$10 to \$300 are a deterrent, noting a possible tiered approach. Ms. Fitzpatrick said discussions continue and asked the Board for their input on the tiered approach.

The Board concurred a tiered approach is best, noting \$300 as set by the state is not much of a fine for a number of irrevocable events. A vote by the Board will take place at a future Select Board meeting.

2. Needham Branding & Town Seal Committee Charge & Composition

Ms. Fitzpatrick discussed the proposed Needham Branding & Town Seal Committee Charge and Composition. She said the Committee will assist the Board in its goal #1.10: "Upgrade Town Seal to improve graphic quality and historical accuracy." She asked the Board for its input and feedback on the composition and charge, saying further discussion will occur at the Select Board's August meeting.

3. Call for Special Town Meeting

Ms. Fitzpatrick recommended that the Select Board vote to call for a Special Town Meeting to be held on October 30, 2023. The Board is scheduled to open the warrant for the Special Town Meeting on August 15th, 2023.

Motion by Mr. Keane that the Select Board vote to call for a Special Town Meeting to be held on October 30, 2023 at Needham Town Hall.

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

4. Municipal Electricity Aggregation Update

Ms. Fitzpatrick reminded the Board a working group was created to provide advice and assistance on the implementation of the municipal electricity aggregation program. She said the firm MassPowerChoice has been engaged to lead the effort.

Ms. Fitzpatrick said there are several threshold decisions for the Board to make before the draft plan can be completed. Preliminary decisions are scheduled for the Board's August 15, 2023 meeting and a public hearing on the draft aggregation plan is scheduled for December. She commented the decisions include:

1. Program Name:
 - "Needham Power Choice"
2. Program Logo:
 - Similar to the logo created for Sustainable Needham
3. Program Default:
 - Three Tier Structure – default/some additional renewables; 100% green option, and basic option
4. Program Option Names:
 - Needham Standard, Needham 100% Green, Needham Budget
5. Funding for the Town:
 - Consultant is exploring the possibility of establishing a financial assistance fund.

Ms. Fitzpatrick said a vote by the Select Board is scheduled for August 15, 2023.

5. Downtown Streetscape Refresh Project Priority Setting

Ms. Fitzpatrick said that at its meeting on June 27th, the Select Board was asked to consider components of the Downtown Streetscape Refresh Project and discuss initial priorities. Board members ranked different components to be used as the basis of next steps for community engagement.

A Powerpoint presentation titled "Downtown Streetscape Refresh Project Priority Setting, Select Board Rankings" dated July 25, 2023 was viewed.

Ms. Fitzpatrick discussed category rankings, noting Board priorities include family, recreation, and biking to downtown stores and shops, rather than commuter biking. She commented on possible funding including Chapter 90 funds and grants.

Ms. Fitzpatrick told the Board the Norfolk County Commissioners formally approved a \$2 million reservoir sediment removal project. She said two of four county projects are fully approved, noting monies are sent directly to the town rather than by reimbursement. She commented on projects including Walker Pond and relining sewer pipes along Route 128.

8:38 p.m.

Board Discussion:

1. Recognize Influential Business Leaders of Color

The Board recognized the 13 individuals highlighted by the Charles River Regional Chamber as the Most Influential Business Leaders of Color. These individuals have a connection to the Town of Needham and Ms. Cooley read the list of names. The Board congratulated these influential business leaders who have close ties to Needham.

2. Town of Needham Community Standards for Municipal Workplaces

The Board discussed the draft Needham Community Standards for Municipal Workplaces. The Code of Conduct Subcommittee (Kevin Keane & Heidi Frail) met to draft the statement.

Mr. Keane said the standards are expectations of how people will conduct themselves in a civil manner and work together in municipal buildings.

Ms. Frail said everyone has a responsibility to each other to act in a civil manner, and the standards are a way of letting community members know that if they encounter a problem, there is a process to handle and resolve issues.

Ms. Cooley said feedback is welcome and that the draft is available for everyone to view on the Town's website.

Mr. Nelson thanked Mr. Keane and Ms. Frail for their work on this topic. He said it is important to have standards and accountability for being decent human beings.

Ms. Cooley said a vote will be taken at a future Select Board meeting.

3. Committee Reports

Mr. Keane reported the Climate Action Committee met on July 6th, with much of the discussion centered around the Opt-in Specialized Stretch Energy Code, as well as the greenhouse gas report. He commented on KLA and the strategies and goals, which he said will be forthcoming.

8:45 p.m.

Adjourn:

Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board meeting of Tuesday, July 25, 2023.

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

The next Select Board meeting is scheduled for Tuesday, August 15, 2023.

A list of all documents used at this Select Board meeting is available at:
<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>