

**Town of Needham
Select Board
Minutes for Tuesday, August 15, 2023
Select Board's Chamber
and
Via ZOOM
<https://us02web.zoom.us/j/86502992599>**

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, and Town Manager, Kate Fitzpatrick. Catherine Dowd was not in attendance. 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:

Dave Sherman, 100 Rosemary Way thanked the DPW for completing roadwork on Central Avenue. He said the new road work is a big improvement.

Irene Francesconi, 5 George Aggott Road expressed concern about the weather event on August 8, 2023. She said the entire first floor of her home was decimated due to the culvert behind her home which crested. She asked whether the town could do something about storm drainage, how residents affected by the storm can get financial support, and whether funding is available from FEMA, MEMA, or the state to upgrade the Alderbrook culvert.

Rachel Nissi, 450 Chestnut Street said her home was severely affected by the weather event on August 8, 2023. She said backed up storm drains created a lake in her neighborhood which broke through her basement door allowing 5 ft. of water into her home. She said all systems in her home have been destroyed and that she is disappointed by the town's response and lack of empathy or support. Ms. Nissi said she has reached out to the Select Board and Town Manager but has not received any response. Ms. Nissi asked about the Town's plans for preventing such an event in the future, and how it intends to help all residents and businesses impacted by the storm. She said in a time of crises, she would have expected the town to do more to help residents. Ms. Nissi asked for answers, regular communication, and an actionable plan.

Joshua Levy, 1606 Great Plain Avenue commented on the town's 2002 stormwater master plan noting 11 areas were identified as "problem areas." He said the Town's new master plan was published showing two of the 11 areas were remediated. He encouraged the Select Board to be proactive in addressing known and other potential problem areas. Mr. Levy said multi-unit buildings and large residential developments have been built in the past few years which, he said, stress the Town's drainage system. He said the drainage system must be fixed alongside any development the town does for Needham's housing initiative.

6:09 p.m. Overdose Awareness Day Proclamation:
Mr. Keane read a proclamation recognizing August 31, 2023 as International Overdose Awareness Day in Needham.

Motion by Mr. Keane that the Select Board approve and sign a proclamation declaring August 31, 2023 as International Overdose Awareness Day in the Town of Needham.

Second: Mr. Nelson. Unanimously approved 4-0.

Ms. Cooley invited members of the community to join the event recognizing International Overdose Awareness Day on August 31, 2023 at Memorial Park at 6:30 p.m.

6:11 p.m. Public Hearings - Eversource Energy Grant of Locations:
Joanne Callender, Eversource representative spoke with the Board regarding 3 Grant of Locations:

1. 1330 Highland Avenue - Emery Grover

Eversource Energy requests permission to install approximately 14 feet of conduit in Highland Avenue. The reason for this work is to provide service to 1330 Highland Avenue.

Ms. Fitzpatrick, Town Manager said all paperwork is in order.

Ms. Cooley invited public comment.

John Kalin, 15 Hoover Road objected to the project due to his claim that Eversource Energy is involved in certain Town problems. He said it is important for the community to help people affected by the August 8, 2023 storm as much as possible. He said he is in a good position to try and help people.

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

Second: Mr. Nelson. Unanimously approved 4-0.

2. 23 Briarwood Circle

Eversource Energy requests permission to install approximately 7 feet of conduit in Briarwood Circle. The reason for this work is to provide underground service to 23 Briarwood Circle.

Ms. Fitzpatrick, Town Manager, asked for clarification on the pole number.

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

Motion by Mr. Keane that the Select Board approve and sign a petition from Eversource Energy to install approximately 7 feet of conduit in Briarwood Circle.

Second: Ms. Frail. Unanimously approved 4-0

3. 492 Chestnut Street

Eversource Energy requests permission to install approximately 15 feet of conduit in Chestnut Street. The reason for this work is to provide underground service to 492 Chestnut Street.

Ms. Fitzpatrick said all paperwork is in order.

Ms. Frail asked for clarification on the pole and house number.

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

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

Second: Ms. Frail. Unanimously approved 4-0.

6:21 p.m.

Set Recycling and Transfer Station User Fees and Charges:

Mr. Davison reminded the Board that it held a Public Hearing regarding the recycling and transfer station fees and rates at its July 25, 2023 meeting. The Solid Waste Disposal and Recycling Advisory Committee voted to recommend the proposed changes that were presented to the Board that evening. The over the scale rates would increase from \$140 to \$200 per ton and the minimum charge would change from \$25 to \$30. The fee for disposal of a small printer would increase from \$2.50 to \$5.00 and the \$1.00 fee per fluorescent lamp would be eliminated.

Ms. Cooley said many emails were received by the Select Board concerning the matter in the last 24 hours. She said she is prepared to move forward on the item with the exception of the Per Ton Scale Rate. She noted it has been a significant period of time since a rate increase, recognizing operational reasons for the increase related to the volume of haulers. She suggested the Board think about a system that considers out of town haulers, the kind of materials being brought to the RTS, and incremental increases.

Mr. Davison stated the Solid Waste and Recycling Advisory Committee is scheduled to meet in September, noting the item can be addressed at a later date. He commented that rates have not been increased in 10 years, increasing costs for transporting the disposal to Milbury, and the decision by the Board to discontinue charging residents an annual fee for using the RTS.

Discussion ensued on the cost of the service that the Town provides and a gradual increase.

Jeff Heller, Chair, Solid Waste and Recycling Advisory Committee supports addressing the item at a later date, in a timely fashion. He suggested gathering usage data. Mr. Heller implored the Board to look at a previous study as it relates to the “common good.” He commented that people who use a private hauler have a responsibility, noting costs are shared equally and appropriately amongst the tax base. He said to take the comments of a small number of people who pay for their trash to be hauled and think they have no responsibility for the town’s disposal of trash is shortsighted. He suggested people who purchase a sticker and pay through the tax base would also have comments if the costs were cast upon them. He noted the Solid Waste Advisory Committee continually discusses the idea of fairness.

The Board agreed to vote the item with the expectation of the over the scale rate per tonnage.

Motion by Ms. Frail that the Select Board approved the proposed rates identified on the Schedule effective September 1, 2023, with the exception of the Per Ton Scale Rate.

Second: Mr. Keane. Unanimously approved 4-0.

6:42 p.m.

EV Charging Station Cost Recovery:

Dave Davison, ATM/Finance, Carys Lustig, DPW/Director, and Cecilia Simchak spoke with the Board regarding the costs associated with Needham’s EV charging stations. Mr. Davison told the Board it will hold a public hearing in September about implementing a rate for charging private vehicles at Town charging stations. He said while use of electric vehicles is being promoted, it is becoming increasingly costly for the town. He said rate recommendations are forthcoming.

Ms. Simchak discussed potential fees the Town could implement for private use of EV charging stations located around Needham. She said the fees would be comparable to fees in surrounding towns.

Ms. Lustig gave a brief background on the history of EV stations in Needham, how they have evolved, and their use for both Town and private vehicles.

Discussion ensued on implementing policies for charging hours for Town and private vehicles, grant funding, the availability of parking spaces for non-electric and electric vehicles, and the timeline for implementing rates.

The Board thanked Mr. Davison, Ms. Lustig, and Ms. Simchak for the discussion.

6:52 p.m.

Stormwater Management Update:

Carys Lustig, Director of Public Works, spoke with the Board concerning the storm on August 8, 2023.

Ms. Lustig gave a broad overview of Needham's stormwater system, the town's response during the August 8th event, and the town's plan going forward. Ms. Lustig acknowledged the issue is deeply personal for many people and understands the emotional connection people have to their property.

Ms. Cooley thanked Ms. Lustig and staff of the DPW for their "all hands on deck" approach while the storm was occurring and during cleanup. She said the effort was huge, particularly since the event was unexpected and happened with very little notice. She noted Ms. Lustig's interview on the Needham Channel explaining what occurred. Ms. Cooley thanked residents for inputting storm data into the SeeClickFix app which, she said, is helpful in determining whether the event will be declared a federal emergency. She noted federal funding criteria, saying 18 inches of water on the first floor is challenging to meet in this area, and that a basement is not considered "first floor." She said the Town will make its case to the government, and hopefully get some help for residents affected by the storm.

Discussion ensued on flooding, sewage overflow, potential costs for upgrading Needham's infrastructure, and how to help residents who sustained damage, particularly residents with standing water in their home.

Ms. Frail acknowledged the destruction, noting the enormous amount of activity directed at helping people. She thanked the police, fire, and DPW employees who did their best to keep roads open and people safe.

Ms. Cooley reiterated residents should continue inputting storm data into SeeClickFix and that additional comments can be sent to the Select Board at selectboard@needhamma.gov.

7:30 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Board regarding 4 items:

1. American Rescue Plan Act Funding

Ms. Fitzpatrick provided the Board an update on ARPA spending, commitments, grants, and projects. She also recommended that the Board approve certain transfers within spending categories: Increase Technology Improvements by \$200,000 and decrease Rosemary Sluice Gate by \$200,000.

Motion by Ms. Frail that the Select Board vote to approve certain transfers within spending American Rescue Plan Act Funding categories: Increase Technology Improvements by \$200,000 and decrease Rosemary Sluice Gate by \$200,000.

Second: Mr. Nelson. Unanimously approved 4-0.

The Board thanked Ms. Fitzpatrick for the update.

2. Open October 30, 2023 Special Town Meeting Warrant

Ms. Fitzpatrick reviewed articles contained in the October 30, 2023 Special Town Meeting Warrant. She recommended that the Board vote to open the warrant for the October 30, 2023 Special Town Meeting, noting the Warrant is scheduled to be closed on September 26, 2023.

Discussion ensued on the Article: Appropriate for Roadway Improvement (Eversource). Ms. Lustig noted the town is collaborating with Eversource Energy on road repaving due to the gas main replacement mandate which is creating a significant burden on town roads. Claxton Field Improvements, Foster Property Open Space Zoning Non-Binding Resolution, and other articles were also discussed.

Motion by Mr. Nelson that the Select Board vote to open the warrant for the October 30, 2023 Special Town Meeting.

Second: Ms. Frail. Unanimously approved 4-0.

3. Municipal Electricity Aggregation Program

Ms. Fitzpatrick reminded the Board that at its meeting on July 25, 2023, the Select Board reviewed several threshold decisions for the Board to make before the draft plan could be completed. Ms. Fitzpatrick recommended that the Select Board act on the recommendations presented.

Motion by Mr. Keane that the Select Board vote:

1. That the program name will be “Needham Power Choice”
2. That the program logo should be similar to the logo created for Sustainable Needham.
3. That the program default and names should be:
 - Needham Standard (some additional renewables)
 - Needham 100% Green (100% green option)
 - Needham Budget (basic option)

Second: Ms. Frail. Unanimously approved 4-0.

4. Needham Branding & Town Seal Committee Charge & Composition

Ms. Fitzpatrick reminded the Select Board that at its meeting on July 25, 2023 the Board discussed the proposed Needham Branding & Town Seal Committee Charge and Composition. This Committee will assist the Board in its goal to upgrade the Town Seal to improve graphic quality and historical accuracy. Ms. Fitzpatrick recommended that the Board approve the charge and composition of this committee.

Motion by Ms. Frail that the Board vote to approve the Composition & Committee Charge for the Needham Branding & Town Seal Committee.

Second: Mr. Nelson. Unanimously approved 4-0.

8:07 p.m. Appointments and Consent Agenda:
Motion by Mr. Keane that the Select Board vote to approve the Appointments and Consent Agenda as presented.
Second: Ms. Frail. Unanimously approved 4-0.

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA

1. Approve open session minutes of July 25, 2023.
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 (Schedule A).
3. Amend the Town Financed Community Housing Oversight Committee Charge and Composition.
4. Approve Bar Service Area Waivers to the following establishments, retroactive to the date of initial alcohol license approval: French Press LLC, Latin-A Group LLC, PM Story Corporation, Pancho's Taqueria Needham LLC, 365 Management Company LLC, Needham Food and Beverage LLC, Ceed Corporation, and Blue Restaurant Needham LLC.
5. Accept the following donation to Needham's Aging Services Division: \$20 from Dorothea and Sheldon Buckler.
6. Accept the following donation to Needham's Domestic Violence Action Committee (DVAC) program: \$25 from Claire Blum.
7. Approve a Common Victualler License for Beth Israel – Trotman Family Glover Café.
8. Accept the Needham Commission on Disabilities approved grant request from the School Department for \$3,000 for the purchase of equipment for the Intensive Learning Center program.
9. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Time	Party Rain Date
Kiran Kintali	40 Ardmore Rd.	Ardmore Rd. & Lakin St	9/9/23	2pm-8pm	9/10/23
Jen Bannon	61 Jarvis Circle	Jarvis Circle/ Corner of Nardone Road	9/9/23	3pm-9pm	9/10/23
Jennifer Lucarelli	58 Avalon Rd	Avalon Road	9/9/23	2pm-9pm	9/10/23
Paul Kaboub	57 Parkinson Street	Parkinson bet. Webster & Manning	9/9/23	4pm-8pm	9/23/23
Cindy Osgood	27 Laurel Dr	21 Laurel Drive	9/9/23	3pm-8pm	N/A
Eric Kaplan	33 Elmwood Rd	Elmwood Rd bet. Fuller Rd & Lancaster Rd	9/9/23	4pm-8pm	9/10/23

Julie Dananberg	36 Rosemary Street	Rosemary St. bet. Highland & Webster	9/10/23 4pm-7pm	10/1/23
Debra Whitney	36 Hunting Rd	Sachem Rd/ David Rd	9/10/23 2pm-7pm	N/A
Kristen Young	130 Hoover Rd	Hoover Rd between Webster St & Manning St	9/17/23 4pm-8pm	N/A
Kim Karelis	7 Rolling Lane	Rolling Lane	9/23/23 4pm-10pm	N/A
Alex Orquiza	44 Bennington Street	Bennington St. between High St & Concord St.	9/23/23 5pm-10pm	N/A

NOTICE OF APPROVED ONE-DAY SPECIAL ALCOHOL LICENSES

Hosting Organization	Primary Contact	Location	Date
Temple Beth Shalom	Joelle Schatz	670 Highland Avenue	10/1/23
Restaurant Associates	Ben Cevelo	400 First Avenue	8/16/23

Second: Ms. Frail. Unanimously approved 4-0.

8:08 p.m.

Board Discussion:

1. Town Manager Performance Evaluation

Ms. Cooley stated that in accordance with the Town Manager Evaluation Policy, the Select Board prepares an annual performance evaluation of the Town Manager. Each member of the Board completes his or her own evaluation. The individual evaluations are then compiled into a consensus evaluation overview document. Board policy calls for the overview to be released at a meeting of the Select Board. Ms. Cooley thanked the Board for their input and asked for approval of the Town Manager Consensus Evaluation Overview Document dated August 8, 2023, and to authorize a merit award of up to \$2,500. Ms. Cooley thanked Ms. Fitzpatrick for her leadership and dedication over many years.

The Board expressed its appreciation to Ms. Fitzpatrick and thanked her for her dedication to Needham.

Ms. Fitzpatrick thanked the Board for its support of her and the staff, and for their active participation and many initiatives.

Motion by Mr. Keane that the Board vote to approve the Town Manager Consensus Evaluation Overview Document dated August 8, 2023, and authorize the Chair to approve a merit award of up to \$2,500 to the Town Manager, as provided for in Section 5.5 of the Employment Agreement between the Town and the Town Manager.

Second: Ms. Frail. Unanimously approved 4-0.

2. Town of Needham Community Standards for Municipal Workplaces

Ms. Cooley reminded the Board that at its meeting on July 25, 2023 the Board discussed the Draft Needham Community Standards for Municipal Workplaces. The Code of Conduct Subcommittee (Kevin Keane & Heidi Frail) met to draft this statement. Ms. Cooley asked the Board to approve the Town of Needham Community Standards for Municipal Workplaces.

Ms. Cooley commented that the world has changed since the pandemic, and the document recognizes civil standards of how people work and speak with each other. She said all Needham employees and staff deserve to be treated excellently, hence the crafting of the document Community Standards for Municipal Workplaces.

Motion by Ms. Frail that the Board vote to approve the Town of Needham Community Standards for Municipal Workplaces.

Second: Mr. Nelson. Unanimously approved 4-0.

3. Goal Setting

Ms. Cooley noted that the Board recently held goal-setting meetings and next steps in the process. She read the vision statement that was discussed by the Board at its meetings on August 3rd and 4th:

“Needham is a safe and welcoming town that people are proud to call home, where neighbors care, respect differences, and contribute to the global community.”

She thanked the Board for their work.

4. Committee Reports

Mr. Nelson reported one person joined him during office hours held in July and

Ms. Cooley reported she did not have anyone stop by during office hours she held August.

8:25 p.m. Adjourn:

Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board meeting of Tuesday, August 15, 2023.

Second: Ms. Frail. Unanimously approved 4-0.

The next Select Board meeting is scheduled for Tuesday, September 12, 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=>