

**Town of Needham
Select Board
Minutes for Tuesday, September 12, 2023
Select Board's Chamber
and
Via ZOOM
<https://us02web.zoom.us/j/89068374046>**

6:00 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, Deputy Town Manager/Finance, Katie King, Deputy Town Manager/Operations, and Mary Hunt, Recording Secretary were also in attendance.

6:00 p.m. Public Comment Period:
Xuan Dong, 48 Hawthorn Avenue spoke with the Board about the drain line running through his backyard and repeated flooding in his neighborhood. He expressed frustration stating there has been a lack of action and communication from the town, and asked for an on-site visit by town officials and qualified engineers to assess and evaluate the drain line. Mr. Dong suggested a comprehensive plan be implemented to solve the problem.

James Goldstein, Bay Colony Rail Trail commented on the Board's draft goals for FY2024-25. He noted the three initiatives regarding the rail trail are "to begin in 36 months or more." He suggested the initiative for evaluating funding options for the rail trail to High Rock Street and Needham Junction be given priority, suggesting the near term of 0-18 months. He said a feasibility study was completed more than three years ago.

Ellen Fine, 161 Greendale Avenue spoke with the Board regarding the August 8th flooding event and aftermath. She expressed frustration with the town's response and said more could have been done to help residents. She suggested several immediate actions in response to the crisis including calling MEMA, Red Cross, Salvation Army, and setting up crisis counseling. Ms. Fine commented that a one-time service from the DPW or RTS to pick up wet and damaged items would have been helpful. She said residents who experienced flooding should gather with town officials to discuss best ideas and best practices for future incidents. She said the town completely failed its residents.

6:14 p.m. Certificate of Appreciation - Mary Hunt:
Mr. Keane read a Certificate of Appreciation recognizing Mary Hunt for 14 years of service to the Town of Needham as Recording Secretary for the Select Board.

The Board thanked Ms. Hunt for her work and wished her well.

6:16 p.m. Introduce Tatiana Swanson, Director of Human Resources:
Ms. Fitzpatrick introduced Tatiana Swanson, newly promoted Director of Human Resources. Ms. Fitzpatrick said Ms. Swanson has worked for the town since 2012 and wished her well in her new position.

Ms. Cooley commented she is happy Ms. Swanson chose to work in Needham and continues to grow and learn new things. She said shared values make Needham a good place to work, and wished her well.

Ms. Swanson thanked the Board and Ms. Fitzpatrick for the opportunity as Director of Human Resources.

6:20 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

1.	Denise Garlick	Town Financed Community Housing Oversight Committee	Term Exp: 6/30/2026
2.	Nikolaos Ligris	Zoning Board of Appeals	Term Exp: 6/30/2025
3.	Artie Crocker	Climate Action Plan Committee	Term Exp: 6/30/2024
4.	Megan Anderson	Historical Commission	Term Exp: 6/30/2025
5.	Kate Fitzpatrick	Needham Branding and Town Seal Committee	Term Exp: 6/30/2024
6.	Felix Zemel	Design Review Board	Term Exp: 6/30/2024
(Administrative Reappointment to Correct Board Member Term Expiration Dates)			
7.	Robert Dermody	Design Review Board	Term Exp: 6/30/2024
(Administrative Reappointment to Correct Board Member Term Expiration Dates)			
8.	Joshua Levy	Housing Needham Advisory Group	Term Exp: 6/30/2024
9.	Marshall Davis	Needham Branding and Town Seal Committee	Term Exp: 6/30/2024
10.	Leah Wolkovich-Quartey	Single Parcel Local Historic District Study Committee	Term Exp: 6/30/2026

CONSENT AGENDA *Supporting Documents Attached

- 1.* Approve open session minutes of August 15, 2023.**
- 2. Accept the following donations to the Needham Free Public Library: • From Barbara Kochaniak, \$400 for Polish books; • From Ellen Sullivan, \$50 for Children's books, in memory of Theodore Daoust Riley; and, • From Liz Bercume, \$50 for Children's books, in honor of Luke Twomey on his fourth birthday.**
- 3. Accept the following donation to the Needham Health Division: • \$150 from Friends of Denise Garlick for the Domestic Violence Action Committee (DVAC)**
- 4. Approve a request from Jill Barber, Membership Director of YMCA, to hold the road event "Race to Kick Cancer 5K" in Needham. The event is scheduled for Sunday, November 12, 2023, at 10:00 a.m. The event and route have been approved by the following departments: Fire, Police, Park and Recreation, and Public Works.**
- 5.* Approve partial road closure of Pickering Street (from Great Plain Ave to just before the entrance of the Walgreens Parking Lot) from 8:30 a.m. to 4:00 p.m. during the Needham Harvest Fair on Sunday October 2, 2022.**
- 6. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Date	Time	Rain Date
Ratify – Robert Petitt	80 Robinwood Ave	Robinwood Ave	9/4/23	4pm-9pm	N/A
Ratify – Neeti Mehta	55 North Hill Ave	Howe Road	9/9/23	3pm-10pm	9/10/23
Ratify – Kate Deeley	61 Kenney Street	Kenney Street	9/9/23	3pm-11pm	9/10/23
Dan O'Neill	75 Kimball Street	Corner of Grant And Kimball St.	9/17/23	4:30pm-6:30pm	9/22/23
Claudette Shea	107 Grosvenor Rd	Between 92 & 107 Grosvenor Rd.	9/17/23	4:30pm-6:30pm	9/24/23
Laura Raff	52 Wilshire Park	52 Wilshire Park	9/23/23	4pm-9pm	9/24/23
Katie Philippi	33 Spring Road	67 Spring Road	9/30/23	1pm-10pm	10/1/23
Lisa Madkins	18 Bobsled Drive	Bottom of Bobsled Drive	9/30/23	5pm-9pm	10/1/23
Denise Arrondo	21 Prince Street	Prince Street	9/30/23	5pm-8pm	10/1/23
Amy Hurley	130 South Street	Corner of Needhamdale Road & Green Street	10/1/23	4pm-9pm	N/A
Rebecca Regan	60 Eaton Road	Eaton Road	10/1/23	3pm-8pm	9/30/23
Maureen Callahan	67 Bradford Street	Cleveland Road	10/15/23	1pm-4pm	N/A
Liz Lawlor	76 Howland Street	Pleasant St/ Howland St.	10/21/23	4pm-6:30pm	10/22/23

NOTICE OF APPROVED ONE-DAY SPECIAL ALCOHOL LICENSES

Hosting Organization	Primary Contact	Location	Date
Temple Beth Shalom	Joelle Schatz	670 Highland Avenue	08/25/2023

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

6:21 p.m. August 8th Stormwater Management Update - Department of Public Works: DPW Director Carys Lustig provided an update of work done by DPW in response to the August 8th weather event and included plans for moving forward on stormwater improvements and mitigation on both public and private property.

Ms. Lustig said data has been collected through See-Click-Fix from homeowners and elsewhere to create a heatmap of impacted areas from the August 8th storm. She said approximately 200 homes were affected by flooding of interior spaces. She said the DPW received numerous insurance claims and Freedom of Information Act requests, which she said are time consuming for staff to investigate and thoroughly document. She asked folks to call the town prior to submitting a FOIA request. Ms. Lustig provided clarification on Stormwater Quality vs. Stormwater Capacity and the requirements and mandates of both programs, their overlap, and their difference. Ms. Lustig said work continues with gathering information through See-Click-Fix and neighborhood meetings will begin this week to discuss mitigation strategies, which she noted is labor intensive and not something that will be instantaneous.

Discussion continued on coordination with staff and the hiring of a new sustainability manager to work on climate change challenges, the capital improvement plan, funding sources, and drainage infrastructure improvements the Town has made.

Katie King, Director of Operations commented on FEMA's Federal Disaster Assistance Program and the U.S. Small Business Disaster Assistance (SBA) Loan Program. She said different thresholds must be met to qualify for assistance, noting Needham (and other towns) did not meet the criteria or thresholds to qualify for the SBA loan program. She acknowledged the news is tough to hear for anyone affected by the storm, noting surrounding towns are in a similar situation.

The Board thanked Ms. Lustig and Ms. King for the information.

6:49 p.m.

DPW Feasibility Study - Update:

Michael Richard, Weston & Sampson Engineers, Jeff Alberti, Weston & Sampson, Hank Haff, Director Building Design & Construction, Carys Lustig, Director of Public Works, Shane Mark, Assistant Director of Public Works, and Mike Retzky, Superintendent Water and Sewers provided an update on the four design options being studied for the Needham DPW Feasibility Study.

A PowerPoint presentation titled "DPW Complex Feasibility Study" dated September 12, 2023 was viewed.

Mike Richard reviewed the agenda. He said tasks completed to date include space considerations, building assessments, potential scenarios, site selection, and test pits. He commented on recent flooding at 470 Dedham Avenue. Mr. Richard presented the four options under consideration.

Discussion ensued on Option 1-4, the key benefits and challenges for each option, phasing, and associated costs.

Ms. Frail asked for an estimated timeline and how the project fits within the capital plan and other anticipated spending. She asked about the building specifications in relation to fossil fuel and climate change.

Mr. Nelson asked why it is a challenge to introduce a new site as part of the DPW operations. Mr. Richard said there can be some pushback from the community and that changes may have to occur (sidewalk changes, road improvements etc.). Mr. Nelson commented on square footage of the project and housing the current fleet of vehicles.

Ms. Dowd commented on the cost of each option and asked why the Town would want to pay more for any of the options. Ms. Lustig referred to a study completed several years ago that considered a "consolidated option," which has not found funding in the capital plan. She said the idea of breaking the project into small components (Option 2, 3, or 4) could assist with obtaining funding.

Mr. Keane commented on the fields at the Hillside School. He asked about fleet maintenance at the Cogswell Building, noting the RTS is the biggest customer, suggesting the proximity makes sense.

Ms. Cooley said Option 4 is very interesting and is an excellent option to consider. She commented on the cost of the project.

The Board thanked the presenters for the information.

7:24 p.m. Needham Newton Community Way Feasibility Study - Update:
Shane Mark, Assistant Director of Public Works, Carol Radisch, Senior Transportation Planner GPI, and John Diaz, Vice President/Director of Innovation GPI, presented an update on the Needham Newton Community Way Feasibility Study

Ms. Radisch presented a PowerPoint presentation titled “Needham-Newton Community Way” dated September 12, 2023, and read names of members of the Community Way Working Group. She commented on the Scope and Area Overview of the project, which begins at Webster Street, heading east over Route 128 for 0.9 mile to connect up with the Upper Falls Greenway in Newton. Ms. Radisch told the Board of the survey responses from both communities, noting most respondents said they would use the trail for recreation, rather than for commuting to work or school. Ms. Radisch said the preference for Bike/Ped Only, rather than Bike/Ped/Shuttle Bus. Discussion ensued on design considerations for the bridge crossing Route 128 and the Charles River Bridge, preliminary construction cost estimates, and next steps should the project move forward.

The Board discussed connectivity with the Bay Colony Rail Trail, as well as the green line commuter rail in Newton Highlands, and the role of the MBTA.

The Board thanked the presenters for the update.

8:00 p.m. Opt-In Specialized Energy Code:
Katie King, Deputy Town Manager, Ian Finlayson, Acting Director, Energy Efficiency Division, Massachusetts Department of Energy Resources, Stephen Frail, Chair, Climate Action Plan Committee, Joe Prondak, Building Commissioner, and Hank Haff, Director, Building Design & Construction spoke with the Board about the Opt-In Specialized Energy Code.

Ms. King reminded the Board that the state of Massachusetts has three sets of standards for building energy performance: (1) a required base energy code, (2) an optional, more energy efficient stretch energy code, and (3) a new opt-in specialized energy code that was created to ensure new construction meets greenhouse gas limits set by the State for 2025 – 2050. It was noted that Needham adopted the stretch energy code in 2019, effective January 1, 2020.

Ms. King said the Select Board has placed an article on the October Town Meeting warrant to adopt the opt-in specialized energy code, to be effective July 1, 2024. She said future public engagement opportunities include an information session hosted by the Building Commissioner on September 27 at 4 pm (Public Services Administration Building, 500 Dedham Avenue & Zoom) and a public hearing on this article is planned for the Select Board's meeting on October 10th.

Mr. Finlayson presented a PowerPoint overview of what the opt-in specialized energy code is and how the code aligns with the Town's climate action plan. He commented on the History of HERS ratings in MA energy code and the Stretch Code (July 2024) and the Specialized Code (January 2024) for new Residential Low Rise & Multi-family homes, municipal and commercial buildings, and the use of solar energy.

Mr. Frail spoke about why Needham's Climate Action Committee has recommended adoption of the Opt-In Specialized Energy Code. He asked the Select Board to co-sponsor an article for Fall Special Town Meeting 2023 to accept the Opt-in Specialized Energy Code. He said if approved by Town Meeting, the new code would go into effect July 1, 2024.

Discussion ensued on new and renovation construction using electric/solar, the costs of building, and incentives.

The Board thanked the presenters for the information.

9:05 p.m.

Town Manager:

Ms. Fitzpatrick spoke with the Select Board regarding 2 items:

1. Special Town Meeting Warrant Update

Ms. Fitzpatrick reviewed an updated version of the Special Town Meeting Warrant. She said the warrant is scheduled to be closed at the next Select Board meeting on September 26, 2023. She noted presentations at the next Select Board meeting will include the Board by Health and Human Services, Department of Public Works, and Park and Recreation. She commented on the non-criminal dispositions tier structure and items no longer deemed necessary or require updating, including littering, sale of cigarettes by machine, grazing of animals on Town property, coasting (sledding) in streets, use of sidewalks for motorized vehicles and bicycles, discharge of bows and arrows, and other items.

Ms. Cooley reiterated the warrant will be closed at the next Select Board meeting on September 26, 2023.

2. Town Manager Report

Ms. Fitzpatrick reported the housing project at 1180 Great Plain Avenue will include 4 affordable housing units. She said 483 applications were received for the 4 units, of which 157 met Needham's criteria.

9:15 p.m. Board Discussion:

1. Select Board Goal Setting FY 2024-2025

The Board discussed the FY 2024-2025 goals and initiatives. Ms. Fitzpatrick reminded the Board it is scheduled to adopt the goals and initiatives at its meeting on September 26, 2023.

Discussion ensued on the Rail Trail project from Dover to the Junction.

2. Committee Reports

Ms. Frail reported the Housing Needham Advisory Group (HONE) working group held its first meeting last Thursday which she said was very informative and well attended. She commented on MBTA communities/compliance and community engagement. She encouraged folks to look at the Hot Topics section of the town's website to learn more about the timeline and to join public meetings. She said the presentation by the consultants was fantastic.

Mr. Keane reported he held September office hours for residents and that discussions were very good. Ms. Cooley stated office hours will continue in September (Ms. Frail) and October (Ms. Dowd and Mr. Nelson). She said more information on exact dates can be found in the town's newsletter.

Ms. Cooley noted yesterday was the 22nd anniversary of September 11, 2001.

9:30 p.m. Adjourn:

Motion by Mr. Keane that the Select Board vote to adjourn the Select Board meeting of Tuesday, September 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, September, 26, 2023 at 6:00 p.m.