

**Town of Needham
Select Board
Minutes for Tuesday, March 12, 2024
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 Vice Chair Kevin Keane, Cathy Dowd, Marcus Nelson, and Town Manager Kate Fitzpatrick. Heidi Frail was present via Zoom. David Davison, Deputy Town Manager/Director of Finance, Katie King, Deputy Town Manager, and Susan Metropol, Recording Secretary, were also in attendance.

6:00 p.m. Public Comment Period:
No hands raised for public comment.

Ms. Cooley noted that she received a letter regarding dogs. She reminded dog-walkers to keep their dogs on leash when walking in an on-leash area.

6:02 p.m. Approve Sale of Bond Anticipation Note:
Presenters: David Davison, Deputy Town Manager/Director of Finance and Diane Ryan, Acting Town Treasurer/Collector

Mr. Davison presented before the Board to ask for approval of a bond anticipation note of \$2,705,000. It is a short term note of three months at an interest rate of 4% with a premium of \$3,922.55, which brings the true interest rate cost to the town of Needham to 3.4135%. This rate is lower than all rates in CY 2022 but not as low as CY 2018. The Town Clerk was present to observe the proceedings.

Motion by Mr. Nelson that the Board appoint Cathy Dowd as temporary Clerk of the Board for this meeting.

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

Motion by Mr. Nelson that the Board approve the following motions as presented in the materials:

Motion A: move to approve the sale of \$2,705,500 4.00 percent General Obligation Bond Anticipation Notes of the Town dated March 15, 2024 and payable June 14, 2024 (the "Notes"), to Fidelity Capital Markets, a Division of National Finance Services LLC, at par and accrued interest, if any, plus a premium of \$3,922.25.

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 dates February 29, 2024, and a final Official Statement dated

March 6, 2024, 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 15C-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 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 for all motions: Ms. Dowd. Unanimously approved 5-0.

6:10 p.m.

Grant of Location Engineering Review Process:

Presenters: Carys Lustig, Director of Public Works and Tom Ryder, Town Engineer

Tom Ryder discussed the DPW’s review process of Grant of Location petitions. He noted that any utility incorporated in Massachusetts must request a Grant of Location in order to conduct work in a public way. This process requires a public hearing, with abutters notified seven days in advance. The Engineering Department also inspects the site, ensures there are no conflicts with other utilities, ensure it is a public way, and documents the site with photos.

Select Board members reviewed the Grant of Location Petition Review Form, which was instituted six years ago. Discussion ensued about whether Needham is unique in requiring a public hearing and the situations in which abutters may be more inclined to comment. Ms. Lustig added that the DPW has emphasized the importance of waiting for the Grant of Location before beginning construction to Eversource. Additionally, the online permitting process includes a stop check in the application process to ensure that the construction company acquires a Grant of Location before continuing the application process.

6:27 p.m. Public Hearing: Eversource Grant of Location – 70 Country Way:
Presenter: Joanne Callender, Eversource Representative

Joanne Callender presented that Eversource is seeking a permit to provide underground service to the home at 70 Country Way. The reason for this work is to change service from overhead to underground and to upgrade service. The Department of Public Works has approved this petition, based on Eversource's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.

Jessica Zelfand Munroe, 80 Country Way, raised concerns about the ground that residents could be exposed to during construction. Mr. Ryder explained the process for ensuring there is a heavy layer of gravel over any natural material. The utility is required to conduct a limited removal action if they find a contaminant as they install a utility. Mr. Ryder noted that the work will take approximately one day and will be resealed when work is completed.

Gretchen Siletto, 70 Country Way, explained that her household is upgrading the service to 400A service in order to avoid overloading the current transformer. She added that she and several other abutters have recently dug pools and tested surrounding soil.

Motion by Mr. Keane that the Board vote to approve and sign a petition from Eversource Energy to install approximately 70 feet of conduit in Country Way. Second: Ms. Dowd. Unanimously approved 5-0.

6:40 p.m. Overview of Existing Stormwater Bylaw:
Presenters: Carys Lustig, Director of Public Works, Tom Ryder, Town Engineer, Justin Savignano, Assistant Town Engineer, and Joe Prondak, Building Commissioner

The presenters provided an overview of Article 7 of the Town's General Bylaws, which covers stormwater to include current requirements for new construction, and how Town staff review applications and monitor compliance. Mr. Ryder presented background information on the procedures that were in place prior to the Bylaw

and the reasons for why the Bylaw was adopted, including the efforts to reduce pollutants and mitigation of stormwater runoff.

Mr. Ryder's presentation also included what the Town requires of builders for erosion control and preventing water runoff into other properties as presently in the bylaws. Staff also shared some of their initial thoughts of potential policy challenges for further consideration by the recently appointed Stormwater Bylaw Working Group, including NPDES requirements to improve stormwater quality, capacity constraint in the existing infrastructure during intense weather events, and continued commercial and residential development in flood sensitive areas.

Mr. Ryder noted suggested actions include a site plan review with the Town Engineering Department for new builds to review stormwater impacts, certification by a Civil Engineer, adopting regulations with separate permit procedures, and setting threshold in the regulations not the Bylaw. Discussion ensued about the importance of distinguishing quality and capacity when discussing the Stormwater Bylaw and clarity surrounding action to be taken regarding new construction and the responsibility of abutters.

7:10 p.m.

Great Plain Avenue Corridor Redesign – GPI Concept Presentation

Presenters: Carys Lustig, Director of Public Works and Tyler Gabrielski, Director of Streets & Transportation

GPI Concept Project Team

Presenters: John Diaz, Principal in Charge, Carolyn Radisch, Project Manager, Zachary Wassmouth, Lead Civil, Ron Headrick, Lead Landscape Architect

Members of the GPI Concept project team began by introducing their vision for the redesign project. Mr. Diaz highlighted the team's similar project experiences and their commonalities with the Great Plain Avenue redesign, including:

- Improved sidewalks
- Protected bike lanes
- Traffic calming
- Pedestrian safety
- Tree preservation
- Accessible design
- Intersection changes
- Lane changes
- Green infrastructure
- Parking changes

The team also emphasized the importance of the public engagement process by offering opportunities for feedback at open houses and pop-up stations. Other important factors include ensuring stakeholders are involved in the entire process.

The presenters raised initial project design concepts, including travel lane reduction and separating bike lanes from vehicles using parking as a buffer.

Discussion ensued about the project design approach, including prioritizing a multimodal experience, supporting businesses, and emphasizing safety for all users. Select Board members expressed particular interest in ensuring that there is ongoing communication with the public, the best methods of improving tree growth and survival, and analyzing foot traffic in town to improve economic vitality. Ms. Cooley emphasized the importance for the Town to implement changes that do not close off other opportunities in the future.

7:48 p.m. Appointment Calendar and Consent Agenda:
Motion by Mr. Keane that the Board vote to approve the Appointment Calendar and Consent Agenda as presented.
Second: Mr. Nelson. Unanimously approved 5-0.

APPOINTMENT CALENDAR

1.	Tyler Gabrielski	Transportation Safety Committee Term Exp: 6/30/2024
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CONSENT AGENDA

1.	Accept the following donation made to the Needham Health Division: \$1,000 from Darshana & Sandeep Thakore for Needham’s Traveling Meals program
2.	Accept the following donations made to the Needham Free Public Library: - From the Friends of the Needham Free Public Library, \$100 in honor of Alexander Jaszek; - From Heather and Andy Marsh, \$500; - From the Needham Community Council, \$100 for “Rethink the Internet” book clubbooks; - From Sue Kaplan, \$100; - From Tova Speter, \$55 for art books; and - From Lin Bain, \$20 for art books.
3.	Accept the following donations made to the Needham Aging Services Division: \$15 from Fitzroy Danglad \$25 from David Embree \$50 from Carolann Fales \$25 from John Banik
4.	Approve and Sign Integrated Collective Bargaining Agreement between the Town and the Needham Independent Public Employee Association for the Period of July 1, 2022 – June 30, 2024.
5.	Approve a request from Rachel Happel, Temple Beth Shalom, to hold the road event “Matzah Madness 5K and Fun Run.” The event is scheduled for Saturday, April 27, 2024, at 10:00 am – 1:00 pm. The event and route have been approved by the following departments: Fire, Police, and Public Works.

6.	Approve minutes of February 13, 2024 Open Session and February 27, 2024 Open and Executive Session.
7.	Approve and Sign Water Sewer Abatement #1325.
8.	Designate the Needham Town Hall as the Early Voting location for the Annual Town Elections and approve the Early Voting Hours as listed: Saturday, March 30, 10am-2pm, Monday, April 1, 10am-2pm, Tuesday, April 2, 10am-2pm & 7pm-9pm, Wednesday, April 3, 10am-2pm, Thursday April 4, 10am-2pm, and Friday, April 5, 10am-2pm.

7:48 p.m. Town Manager:

Annual Town Meeting Warrant

Ms. Fitzpatrick noted the updates to the Annual Town Meeting Warrant.

Motion by Mr. Nelson that the Board vote to amend the 2024 Annual Town Meeting Warrant.

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

Open May 13, 2024 Special Town Meeting

The Select Board opened the Warrant for the May 13, 2024 Special Town Meeting. The Warrant is scheduled to be closed on March 26th.

Motion by Ms. Dowd that the Board call for a Special Town Meeting and vote to open the warrant for the May 13, 2024 Special Town Meeting.

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

Climate Action Committee Composition & Charge

Ms. Fitzpatrick recommended that the Board create a composition and charge for a Climate Action Committee to follow the work of the Climate Action Plan Committee. The new standing committee will advise the Town and the Select Board on the implementation of policies and practices to achieve the objectives of the Climate Action Roadmap. The composition of the new committee was discussed including the youth member being a voting member.

Motion by Mr. Keane that the Board vote to approve the Charge and Composition of the Climate Action Committee.

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

Street Parking Fee Waiver and Support Infrastructure Display Policy

Ms. Fitzpatrick reviewed an updated proposed policy to govern street parking municipal fee waivers and displays on parking meters. As the governing body responsible for street parking fees, the Select Board has historically granted permission from Town or third parties to waive or buy-out parking meter fees absent a formal policy. Ms. Fitzpatrick recommended the adoption of the policy, amended following Board input at its January 9, 2024 meeting, to govern this practice in the future, and to provide clear regulation relative to decoration of parking meters.

Motion by Mr. Keane that the Board vote to approve the Street Parking Fee Waiver and Support Infrastructure Display Policy (SB-ADMIN-010).
Second: Mr. Nelson. Unanimously approved 5-0.

American Rescue Plan Act (ARPA) Funding

Ms. Fitzpatrick provided an update on ARPA funding. There are no changes to the budget at this time. All of the funds must be spent by the end of CY 2024. There is a total of \$678,000 uncommitted funds. There is currently \$2 million allocated to the town reservoir cleanup awaiting permitting and \$2.4 million for the upcoming sewer project.

Town Manager Report

- Ms. Fitzpatrick reminded the Board of the Annual Town Election on April 9, including the question regarding the removal of the Fire Department from Civil Service.

8:04 p.m. Board Discussion:

Committee Reports

Ms. Frail reported on the most recent Housing Needham Working Group (HONE) meeting including the two maps being finalized. HONE has received full analysis from consultants and is awaiting the fiscal analysis. The final public meeting will take place on March 28 at 7:00 p.m. in Powers Hall and Zoom. The committee will receive public comment through the public meeting.

Ms. Dowd presented the update from Town Financed Community Housing Committee (T-CHOC) with a letter from the Committee, emphasizing the need to redevelop the units at Linden Chambers to improve the quality of housing and create new housing. The Needham Housing Authority has been prioritizing using ARPA funding first before using CPC funding from the Town. Ms. Dowd noted that Town support is critical for attracting the State money.

8:14 p.m. Adjourn:
Motion by Ms. Frail that the Select Board vote to adjourn the Select Board meeting of Tuesday, March 12, 2024.
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, March 26, 2024, at 6:00 p.m.