

**Town of Needham
Select Board
Minutes for Tuesday, November 12, 2024
Select Board Chambers 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 Kevin Keane. Those present were Vice Chair Heidi Frail, Marianne Cooley, Cathy Dowd, Joshua Levy, and Town Manager Kate Fitzpatrick. David Davison, Deputy Town Manager/Director of Finance, Katie King, Deputy Town Manager, and Susan Metropol, Recording Secretary, were also in attendance.
- 6:01 p.m. Public Comment Period:
- Laura Tashie, 108 Newell Avenue, advocated for the Nicotine Free Generation Policy. After hearing about the increased use of nicotine and the access youth have to these products, she has become an advocate to protect younger generations from these products. This policy may be perceived as taking away rights from adults, but could do so much to create a community where youth and young adults do not have access to these types of substances. Addressing the concerns of convenience store owners, she believes that this is a time of industry disruption, and the policy allows store owners to pivot over a long period of time.
- Isabel Tashie, 108 Newell Avenue, is a junior at Needham High School and offered a youth perspective on this topic. She noted she has held multiple leadership positions at the state level to address nicotine and tobacco issues in communities. She referenced her own peers' experiences with nicotine and tobacco and emphasized that the current laws do not protect children from manipulation.
- 6:10 p.m. Public Hearing: Grant of Location – 365 Charles River Street:
Presenter: Joanne Callender, Eversource Representative
- Eversource Energy requested permission to install approximately 20 feet of conduit in Charles River Street. The reason for this work is to provide service to 365 Charles River Street. The Department of Public Works has approved this petition, based on Eversource Energy'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.
- Motion by Ms. Frail that the Board vote to approve and sign a petition from Eversource Energy to install approximately 20 feet of conduit in Charles River Street.**
Second: Ms. Dowd. Unanimously approved 5-0.

6:11 p.m. Application for Amendment to an All-Alcohol Restaurant License – Ceed Corp, d/b/a Cook Needham:
Presenters: Stephanie Maldonado, Proposed Manager of Record, Edison Gutierrez, Owner

Cook Needham, 109 Chapel Street, has applied for a Change of Manager. The review indicated that Stephanie Maldonado meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol. The requisite filing materials appear to be in order.

Mr. Gutierrez, Owner, explained that the previous Manager of Record has had health challenges and therefore they are requesting a new Manager of Record. Ms. Maldonado has been working with Mr. Gutierrez for approximately nine years and at previous establishments as catering manager and bar manager. Ms. Maldonado presented her experience in the restaurant industry for more than 20 years, working in multiple restaurants. She expressed confidence in her knowledge and ability to manage the bar at Cook Needham responsibly. Ms. Maldonado added that as a prior bar manager at 3 Amigos Bar & Grill in Malden, Massachusetts, she did not have any issues. Ms. Maldonado added that Cook Needham has an ID scanner.

**Motion by Ms. Dowd that the Board, as Local Licensing Authority, approve and sign an application for a Change of Manager for Cook Needham, 109 Chapel Street, and to forward this application to the ABCC for approval.
Second: Ms. Cooley. Unanimously approved 5-0.**

6:16 p.m. Keno License: Needbobcon, Inc. d/b/a Conrad's:
Presenter: Robert Conrad, Owner

Needbobcon, Inc. d/b/a Conrad's located at 1257 Highland Avenue has applied to the Massachusetts State Lottery Commission (MSLC) for a Keno license. Keno is a screen-based game regulated by the Commonwealth via the MSLC. If opposed to the issuance of this license, the Select Board must take an "official action" where the applicant has the opportunity to appear, to include a scheduled meeting. The Town received an extension from the MSLC to hold this meeting outside of the standard 21-day window from receipt of the notification letter. There is currently one active Keno license in Needham, located at The Village Club.

Discussion ensued regarding the Board's concerns about access to participation and how restaurant gambling is controlled and monitored. Board members also discussed the location of Conrad's and the potential access for minors to this type of activity.

**Motion by Ms. Dowd that the Board vote to object to the issuance of a Keno license to Needbobcon, Inc. d/b/a Conrad's and authorize the Town Manager to notify the Massachusetts State Lottery Commission of their objection.
Second: Ms. Frail. Unanimously approved 5-0.**

6:35 p.m. Concept Dog Park and Trails: Hillside, Mills, and Rosemary Lake:
Presenters: Carys Lustig, Director of Public Works, Stacey Mulroy, Director of Park & Recreation, Thomas Ryder, Town Engineer

The Active Recreation Assets Working Group recommended several potential locations for the Town to permit off-leash dogs. Staff presented information relative to the feasibility of allowing off-leash dogs at three of these locations: Mills Field, the former Hillside School, and the Rosemary Trail.

Ms. Lustig and Mr. Ryder discussed the advantages and disadvantages of each site, taking into consideration lighting, trash receptacles, seating areas, accessibility, and shade. The Town engaged Fuss & O'Neill in order to assess the sites as well.

Discussion ensued with Board members about the length of trails available at each site, the amenities that may need to be upgraded at each location, and other Town activities for which the fields and trails are currently used. Board members also asked questions about the budget for this project and how each site compares in this way, in addition to safety concerns about off-leash areas that are close to other public spaces, such as the parking lot at the Rosemary Recreation Complex. In summary, work will continue to investigate Rosemary as a short-term option and Mills Field as a smaller park in the Capital Improvement Plan.

7:30 p.m. Town Manager:

Zero Emission Vehicle First Policy

Board members reviewed the proposed Zero Emission First Vehicle Policy, which was discussed at their October 22, 2024 meeting. Gabby Queenan, Sustainability Manager, answered questions from Board members about the Town's procurement process for Electric Vehicles.

Motion by Ms. Frail that the Board vote to adopt SB-ADMIN-007, Zero-Emission First Vehicle Policy.

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

Needham Power Choice Program Options

At its meeting on October 22, the Select Board discussed next steps in the Town's municipal electricity aggregation program, Needham Power Choice. Ms. Fitzpatrick and Ms. Queenan recommended that the Board adopt the following guidance for the three programs levels:

- Needham Basic: The price chosen should be below the anticipated average price of Eversource's default service over the contract term. This option should include the minimum percentage of renewable electricity required by state law.
- Needham Standard: The price chosen should be no higher than the anticipated average price of Eversource's default service over the contract term, and below the Eversource default service price if possible. This option should include

more MA Class I Renewable Energy Credits (RECs) than the minimum required by state law while remaining within the price conditions.

- Needham 100% Green: This program should include 100% MA Class I RECs.

Motion by Ms. Cooley that the Board vote:

- That the price chosen for the Needham Basic program should be below the anticipated average price of Eversource's default service over the contract term and include the minimum percentage of renewable electricity required by state law; and
- That the price chosen for the Needham Standard Program should be no higher than the anticipated average price of Eversource's default service over the contract term, and below the Eversource default service price if possible, including more MA Class I RECs than the minimum required by state law while remaining within the price conditions; and
- That the Needham 100% Green Program should include 100% MA Class I RECs.

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

MBTA Communities Act Zoning Referendum

The Town Manager, Deputy Town Manager Katie King, and Town Counsel Chris Heep updated the Board on procedures related to the potential referendum on the action of Town Meeting on Articles 8, 9, 10, and 11 – the Base Compliance Plan and the Neighborhood Housing Plan.

Ms. Fitzpatrick referenced Section 13 of the Town Charter, which outlines that petitioners have 20 days, excluding Sundays and legal holidays, to submit the petition requiring 3,764 valid signatures. Ms. Fitzpatrick then reviewed the procedure involving the Select Board if a special election is needed. Attorney Heep and Ms. King also provided information regarding the timing of the election, the form of the ballot, and funds that may be at risk if the Town is non-compliant with the MBTA Communities Act.

7:40 p.m.

Appointment Calendar and Consent Agenda:

Motion by Ms. Frail that the Board vote to approve the Appointment Calendar and Consent Agenda.

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

APPOINTMENT CALENDAR

1.	Shuaib Raza	Council of Economic Advisors Term Exp: 6/30/2026
2.	Adam Block	Council of Economic Advisors Term Exp: 6/30/2027
3.	Adam Meixner	Council of Economic Advisors Term Exp: 6/30/2027
4.	Lise Elcock	Council of Economic Advisors

		Term Exp: 6/30/2027
5.	Bhuren Patel	Council of Economic Advisors Term Exp: 6/30/2027
6.	Kevin Keane	Needham Center Project Working Group Term Exp: 6/30/2027
7.	Felix Zemel	Needham Center Project Working Group Term Exp: 6/30/2027
8.	Lise Elcock	Needham Center Project Working Group Term Exp: 6/30/2027
9.	Diane Nanni	Needham Center Project Working Group Term Exp: 6/30/2027
10.	Avery Newton	Needham Center Project Working Group Term Exp: 6/30/2027
11.	Heidi Frail	Tree Preservation Planning Committee Term Exp: 6/30/2026
12.	Joshua Levy	Tree Preservation Planning Committee Term Exp: 6/30/2026
13.	Fred Moder	Tree Preservation Planning Committee Term Exp: 6/30/2026
14.	Artie Crocker	Tree Preservation Planning Committee Term Exp: 6/30/2026

CONSENT AGENDA

1.	Approve Open Session Minutes of October 8, 2024; October 17, 2024; October 21, 2024; and October 22, 2024 and Executive Session Minutes of October 22, 2024.
2.	Accept the following donation made to the Needham Community Revitalization Trust Fund: \$114 from Mr. & Mrs. Ryan McKee
3.	Accept the following donation made to Needham Youth & Family Services: \$50 from the Pollard School Committee
4.	Accept the following donation made to the Needham Health Division: \$350 from Volante Farms \$25 from Caire Blum
5.	Accept the following donations to the Needham Aging Services Division: \$1,600 from Maryanne Dinell \$25 from Mirtha Leslie \$100 from Harry Friedman \$10 from Donna Jachowicz \$5 from Kalpana Shah
6.	Approve and sign the contract extension between the Town and the Town Manager.

NOTICE OF APPROVED BLOCK PARTIES

Name	Address	Party Location	Date	Time	Rain Date
Bryan McCorry	61 Bradford Street	Cleveland Road	10/20/24	1pm-4pm	N/A

NOTICE OF APPROVED ONE-DAY SPECIAL ALCOHOL LICENSES

Hosting Organization	Event Title	Location	Event Date
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	10/30/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	10/31/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/06/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/07/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/13/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/14/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/20/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/21/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/27/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	11/28/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/04/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/05/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/11/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/12/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/18/2024

North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/19/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/25/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/26/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	12/31/2024
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/01/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/15/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/02/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/08/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/09/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/15/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/16/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/22/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/23/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/29/2025
North Hill Needham, Inc.	Intermission Lounge Open House	865 Central Avenue	1/30/2025

*Note: A maximum of thirty (30) one-day special alcohol licenses may be issued to a single entity per calendar year

7:41 p.m. Town Manager (Continued):

Request to Discharge Firearm on Public Property

Ted Van Sickle has asked the Select Board to approve a request to discharge a firearm for the purpose of duck hunting on public property, located on the Charles River approximately 900 feet to the southeast of the Town's Charles River Water Treatment Facility. Per Town By-Laws, this request must be approved by the Select Board. Mr. Van Sickle could not attend this meeting and requested the decision be

made in his absence. Board members discussed the implications of approving this request, considering the distance of and public access to the area.

Motion by Ms. Cooley that the Board vote to deny a request by Ted Van Sickle to discharge a firearm on public property located on the Charles River approximately 900 feet to the southeast of the Town's Charles River Water Treatment Facility.

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

American Rescue Plan Act Funding

Ms. Fitzpatrick recommended that the Board vote to approve a request for reallocation between line items in the following categories:

- COVID-19 Direct Impact
- Ventilation Upgrades
- Technology Improvements
- Water Sewer Drains

Motion by Ms. Frail that the Board vote to approve the requested reallocation of funding for the Town's ARPA Allotment.

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

Town Manager Report

- Ms. Fitzpatrick reported that a Poet Laureate has been selected and a press release will be published in due course.
- Mr. Davison provided an update on the water and sewer online billing system. Town Treasurer Ellyse Glushkov explained in further detail how the Department has been addressing concerns and questions from residents. Due to issues with the auto-pay feature in the online system, residents have been advised to make one-time payments until this issue is resolved.

8:07 p.m.

Nicotine Free Generation Overview:

Presenter: Timothy McDonald, Director of Health & Human Services

Mr. McDonald provided an overview of the Nicotine Free Generation concept and the Board of Health's consideration to amend its Article 1: Regulation Affecting Smoking and the Sale and Distribution of Tobacco Products in Needham. The biggest potential change is the proposed adoption of the Nicotine Free Generation (NFG) policy, whereby the legal sales age would move from 21 years old to a gatekeeping date of January 1, 2004 (as an example) making persons born after that date forever ineligible to purchase nicotine and tobacco products in the Town of Needham.

Board members discussed the changes made by this policy, enforcement, and whether this policy has been effective in smoking cessation and youth tobacco use rates. Board members asked about realistic efforts to encourage smoking cessation and what other municipalities have found as a result of similar initiatives.

Motion by Mr. Levy that the Board vote to ask the Town Manager to submit comments on behalf of the Select Board to the Board of Health for their November 22 hearing regarding the adoption of the Nicotine Free Generation Policy.

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

8:40 p.m.

Board Discussion:

Town Manager Search Process

The Board discussed a timeline for the Town Manager search process and a request for quotes for a search consultant. Board members discussed the importance of finalizing this decision by April 1, 2025, to ensure the new Town Manager is approved by the current sitting Board. Ms. Dowd noted that this process is aligned with the best practices of the Mass Municipal Association, including collaborating with a consultant through the entirety of the process.

Motion by Ms. Frail that the Board vote to approve the request for quotes for a Town Manager search consultant as presented and the Composition and Charge.

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

Committee Reports

Ms. Cooley reported that Tighe & Bond was awarded the design contract for the various proposed Quiet Zones in Needham. Tighe & Bond has recommended that this be completed as a single project and not breaking out intersections.

Ms. Cooley also reported that she and Ms. Dowd met as part of the Subcommittee to Study the Minuteman School for the fall update with Heidi Driscoll, the new Superintendent of the Minuteman School. The student population continues to grow, with the school discussing how they will provide additional capacity going forward. Ms. Cooley noted that Pollard is working collaboratively with Minuteman to identify students who might benefit from these efforts.

Ms. Frail spent an afternoon with Girl Scout Brownie Troop 64025, discussing voting and the issues that are important to them.

Ms. Dowd reported that T-CHOC met to approve some expenditures and are on track to apply for funding at the end of November. The full update will occur on December 10.

Mr. Levy reported that the Stormwater By-Law Working Group is in the process of developing a draft by-law after examining the examples from Natick and Weston. This includes understanding the minimum amount of water that is required to be kept on property and the factors affecting this amount.

Mr. Keane reported that the Branding & Town Seal Committee continues their work on the Town Seal and branding.

9:04 p.m.

Adjourn:

Motion by Ms. Frail that the Select Board vote to adjourn the Select Board meeting of Tuesday, November 12, 2024.

Second: Ms. Cooley. 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>

A recording of this Select Board Meeting is available at:

<https://www.youtube.com/watch?v=dyDzwROfplM>

The next Select Board meeting is scheduled for Tuesday, November 26, 2024, at 6:00 p.m.