Town of Needham
Select Board
Minutes for Tuesday, February 11, 2025
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, Cathy Dowd, Marianne Cooley, 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:

Steve Volante, 75 Central Ave, Volante Farms, commented that he supports the "Skip the Stuff" Bylaw. He also commented that the plastic water bottle ban is challenging for restaurants. The biggest issue is cost to profit margins for businesses. Green Needham's data collection from the previous year reported an approximate $2,000 decrease for businesses if they were to ban plastic water bottles. Mr. Volante noted that this is a large cost for any fast casual restaurant to absorb.

Hedy Jarras, 320 Chestnut Street, owner of Sweet Tomatoes Pizza, commented regarding her concern about the plastic water bottle ban and the effect on profit margins for small businesses. She expressed that it should be the consumer's choice whether they would like to consume water from a plastic container.

Greg Reibman, President of the Charles River Regional Chamber, commented on the three Bylaws proposed. The Chamber supports the "Skip the Stuff" Bylaw, noting that it is good for restaurants and for the environment. However, the Chamber asks that there be enough time for restaurants to adjust. The Chamber also supports the Black Plastic Ban Bylaw with the exception of containers that are 4 ounces or smaller since they are not recyclable. Finally, the Chamber does not support the Plastic Bottle Ban Bylaw. He noted that the cost is too much for small businesses to absorb; canned water can cost restaurants five times as much as plastic. He concluded by listing reasons the Chamber is opposed to a plastic bottle ban.

Barry Pollack, 15 Pandolf Lane, commented on how the Town can work towards healing from the division following the Special Election on the MBTA Communities Act. He noted that active listening needs to be emphasized in future processes. He requested that the Board have interactive forums for these important issues in the future. He also requested that the Board unanimously oppose any amendment from the floor or otherwise before Town Meeting.

Jeff Polak, Director of Operations, Coca-Cola Beverages Northeast, commented that he has worked at Coca-Cola for 38 years and they employ about 400 Massachusetts residents. He emphasized Coca-Cola's investments in the community and their facility. He expressed Coca-Cola's opposition to the proposal that would ban plastic bottles in Needham. He stated that this ban would threaten jobs and hurt local businesses who would face a significant revenue loss as a result of consumers taking their business to other towns. Mr. Polak added that Coca-Cola believes there are more creative solutions than banning an easily recyclable item in the recycling stream. He noted that bottles and caps are fully recyclable, and their 20-ounce products are now sold in plastic bottles that are made from 100% recycled plastic. Mr. Polak urged the Board to engage with all relevant stakeholders to protect our environment without harming our local economy.

Frank Ding, 89 Linden Street, commented on the issue of Chinese Communist Party and perceived attacks on human rights and freedom. Mr. Ding urged the Board to raise awareness of these alleged attacks and their impact on opinion, freedom of speech, religious liberty, and the democratic process.

6:23 p.m. Public Hearing: Verizon Cable License Ascertainment:
Presenter: Myles Tucker, Support Services Manager

A public hearing was held by the Needham Select Board in its capacity as cable license issuing authority following a request by Verizon New England Inc. ("Verizon") to initiate the cable license renewal process. The current license expires on August 14, 2027. The purpose of this public hearing was to assess future cable-related needs and interests and review the performance of Verizon under its current license. This ascertainment hearing is required by Federal law.

Michael Greis, 384 Webster Street, Chair of the Needham Cable Television Development Corporation, commented that he has been part of this process for many years, and he hopes that Verizon will continue to invest in Needham so that the Needham Channel can continue to provide the services that Needham residents want.

Marc Mandel, Executive Director, Needham Channel, added that Verizon has been a capable and responsive partner. He hopes that Verizon maintains support in terms of operational capital and capital equipment.

Mr. Levy asked about public access fees and whether they are passed on to customers. Mr. Mandell responded that Verizon is legally allowed to pass a certain portion of the cost to the subscriber, but it is largely held by them. Ms. Frail asked about Town communications and how this collaboration could be utilized to improve communication with residents.

6:34 p.m. Public Hearing: Eversource Grant of Location – 111 Windsor Road:

Presenter: Joanne Callender, Eversource Energy

Eversource Energy requested permission to install approximately 46 feet of conduit in Windsor Road. The reason for this work is to provide service to 111 Windsor Road. 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 46 feet of conduit in Windsor Road.
Second: Ms. Dowd. Unanimously approved 5-0.

6:36 p.m. Public Hearing: Application for a New All-Alcohol Beverages License – North Hill Needham, Inc. d/b/a North Hill
Presenters: Thomas Miller, Esq., McDermott, Quilty, Miller & Hanley LLP – Applicant Counsel, Briana Tucker, Proposed Manager of Record – North Hill Needham, Inc. d/b/a North Hill, Bethany Mercer, Director of Operations – North Hill Needham, Inc. d/b/a North Hill

North Hill Needham, Inc. d/b/a North Hill has applied for a new Section 12 Continuing Care Retirement Community All-Alcohol Beverages License at 865 Central Avenue, Needham, MA. The applicant requested the appointment of Briana Tucker as Manager of Record. There are currently 14 All-Alcohol On-Premises licenses available.

Mr. Miller presented the application and credentials and background information on the reasons for application, citing the programing to enhance the lives of North Hill residents for socializing and leisure. Mr. Miller noted that part of the application includes a self-service tap wall, which is not new to the Town or the Commonwealth. Mr. Miller assured that this will function in compliance with the ABCC and the Town. It will be monitored continuously by a TIPS-certified individual when in operation to ensure safe operation and is only activated by an RFID unique to each user with a limit of two drinks per 24-hour period.

Mr. Miller introduced Briana Tucker, who he noted has been with North Hill for more than two years and has been a director of dining for almost a decade in other locations. She is experienced in these environments and meets the requirements for a Manager of Record and is TIPS certified.

Discussion ensued among Board members and presenters regarding the spaces where alcohol will be served, the hours of operation, and the process for ensuring consumers are of legal age.

Mark Miskin, 860 Central Avenue, commented that he lives across the street from the entrance to North Hill. He expressed his safety concerns for those who live, drive, and walk on Central Avenue. He asked if there is a drink limit in the dining facility. Ms. Tucker responded that there is a limit of one drink accompanying a meal in the dining venues.

Motion by Ms. Frail that the Board vote to:

1. Move to find that the issuance of an on-premises liquor license, pursuant to Section 12 of Chapter 138 of the General Laws, to North Hill Needham Inc, d/b/a North Hill, located at 865 Central Avenue, with Brianna Tucker as the manager of record, will not be detrimental to the educational and spiritual activities of schools and churches within a five hundred feet radius of the establishment;

2. Move to issue said license to North Hill Needham Inc, as outlined in the application and subject to the rules and regulations of the ABCC and the following Sections of the Town of Needham Regulations for the Sale of Alcohol Beverages: 2, 3, 5.3, 5.4, 6, excepting Section 6.2 and substituting the phrase "Continuing Care Retirement Community" for the phrase "club and veterans' organization", and 10; and

3. Authorize the Town Manager to send written notice of this decision to the applicant pursuant to Section 16C and the ABCC pursuant to Section 16B.

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

7:00 p.m. DPW Phase I – Schematic Design Update:
Presenters: Hank Haff, Director, Build Design & Construction Department, Ken Sargent, Sr. Project Manager, BDCD, Carys Lustig, Director, Public Works, Shane Mark, Assistant Director, Public Works, Tyler Cofelice, Project Manager, Weston & Sampson Engineers, Mike Richard, Discipline Leader, Facilities Group, Weston & Sampson Engineers

Town staff and representatives from Weston & Sampson provided an updated on the addition to the Jack Cogswell Building at the RTS to house the DPW Fleet Maintenance Division. Hank Haff presented an overview of the design process thus far, including the process that led to four different options for design. Mr. Haff noted that Phase 1 of Option 4 is the topic of this discussion, which is the addition to the Jack Cogswell Building for Fleet Maintenance.

Mr. Cofelice presented on the design for this project. This includes the Cogswell Building, renovation of the last bay in the storage garage, and the Fleet Maintenance Addition. He also provided an overview of both the exterior and interior spaces, with the goal of making the building a net zero building. Requirements include permits from the Planning Board (Site Plan Special Permit and Design Review

Board) and the Conservation Commission (Notice of Intent). Permits will also be required for the geothermal wells through the Board of Health. The anticipated project costs come to a total of $19.6 million, in addition to two bid alternates for rooftop solar and converting the current existing storage garage to an air source heat pump or electric heat. There are approximately $1.7 million worth of grants potentially applicable to the project through State, Federal, and Green Communities grants. The proposed schedule is to have bids in hand by October 2025.

Discussion ensued regarding some of the design choices for the Fleet Maintenance Addition, alternate potential plans for funding, and the effects of potential tariffs on funding. Mr. Levy expressed concern about cost of this project, and Ms. Lustig responded by emphasizing the priority for this project due to safety concerns for staff and operations.

7:31 p.m. Appointment Calendar and Consent Agenda:
Motion by Ms. Cooley that the Board vote to approve the Appointment Calendar and Consent Agenda.
Second: Ms. Frail. Unanimously approved 5-0.

APPOINTMENT CALENDAR

1.	Wooseong Kwon	Mobility Planning and Coordination Committee Term Exp: 6/30/2027

CONSENT AGENDA

1.	Approve Open Session Minutes of January 21, 2025
2.	Approve a Common Victualler license application for Needbobcon, Inc. d/b/a Conrad's Restaurant
3.	Accept the following donation made to the Needham Community Revitalization Trust Fund: • $3,200 from Lois Sockol
4.	Accept the following donation made to Needham Youth & Family Services: • $300 from the Patrick C. Forde Memorial Fund, Inc. toward future community programming
5.	Accept the following donations made to Needham Public Health Division for Needham's Gift of Warmth program: • $100 from Bruce Howell • $500 from Nick Morris-Kliment, Christ Episcopal Church • $150 from Peter Atallah • $100 from Alyssa Kence • $1,000 from Rachel Busby • $100 from Ramin Abrishamian
6.	Accept the following donations made to the Needham Aging Services Division: • $100 from Viktor Goldmakher • $250 from Ellen Knizeski

	• $75 from The Committee to Elect Michael W. Morrissey
7.	Approve the donation and dedication of the following celebration benches to be placed by the Needham Community Revitalization Trust Fund as proposed during the January 28, 2025 meeting of the Select Board: • John E. Goodfellow, USMC Bench at Amity Path, valued at $3,100 • Elin Soderholm Bench at Avery Common, valued at $3,150
8.	Approve and Sign Water Sewer Abatement 1336
9.	Request the assignment of Police Officers to 2025 Annual Town Election polling places and to Town Hall at the close of polls, and to delegate selection of Police Officers to the Chief of Police.
10.	Approve Early Voting Hours for the 2025 Annual Town Election as listed: • Saturday, March 29, 2025: 9:00 AM – 5:00 PM • Monday, March 31, 2025: 8:00 AM – 5:00 PM • Tuesday, April 1, 2025: 8:00 AM – 6:00 PM • Wednesday, April 2, 2025: 8:00 AM – 5:00 PM • Thursday, April 3, 2025: 8:00 AM – 5:00 PM • Friday, April 4, 2025: 8:00 AM – 12:30 PM

7:32 p.m. Eversource Gas Proposed Winter Work:
Presenters: Carys Lustig, Director of Public Works

Ms. Lustig presented the request on behalf of Eversource to change the location of winter work from three locations in Town to Parish Road due to leak concerns on Parish Road. Ms. Lustig reiterated that DPW has been clear with Eversource that they cannot conduct work on two active work sites at a time.

7:35 p.m. Plastic Warrant Articles:
Presenters: Kathy Raiz, Green Needham, Rob Fernandez, Green Needham

Kathy Raiz, 84 Wildwood Drive, and Rob Fernandez, 19 Bradford Street, representatives of Green Needham, asked the Board to sponsor some or all of three proposed General Bylaws at the May 12, 2025 Special Town Meeting, as an alternative to their being filed as Citizens' Petitions:

1. "Skip the Stuff": As proposed, this Bylaw would prohibit establishments from providing single-use utensils or condiments, unless the customer has asked for them.
2. Single Use Plastic Ban – Black Plastic: As proposed, this Bylaw would prohibit establishments from using or providing utensils, dishes, or containers made from black plastic.
3. Single Use Plastic Ban – Water Bottles: As proposed, this Bylaw would prohibit the sale of plain water in plastic bottles that are one liter or smaller.

Ms. Raiz provided further information about each of the three Bylaws. Board members asked questions of Ms. Raiz and Mr. Fernandez about the cost differences for business owners between black and other plastic, where consumers will be able to buy water if stores decide against selling aluminum water bottles, and what they believe motivates consumer behavior where posed with a choice between water in an aluminum bottle that is more expensive or a soda in a plastic bottle that is less expensive. Following discussion, the motions below were made.

Motion by Mr. Levy that the Board vote to sponsor the "Skip the Stuff" Bylaw, subject to revisions to be made by Town Counsel.
Second: Ms. Frail. Unanimously approved 5-0.

Motion by Ms. Dowd that the Board vote to sponsor the Single Use Plastic Ban – Black Plastic Bylaw, subject to revisions to be made by Town Counsel and conditional upon the results of the Public Hearing.
Second: Ms. Frail.

Ms. Cooley noted her hesitation in supporting this ban and recognized the difficulty for restaurant-owners to attend public hearings in the evenings during their primary time of business. Ms. Frail suggested that these stakeholders submit feedback in written form.

Unanimously approved 5-0.

8:17 p.m. Town Manager:

Close 2025 Annual Town Meeting Warrant
Ms. Fitzpatrick recommended that the Board vote to close the warrant for the 2025 Annual Town Meeting. Ms. Fitzpatrick highlighted the following items:

- Community Preservation Act: all items are being included at this point; CPC representatives will present to the Select Board at the meeting on February 25 for their required consultation.
- General Bylaws: amends the contracting period for oil and fuel for five years to include electricity, fuel, propane, natural gas, and oil. This will work to ensure best pricing for these energy resources.
- Software Licensing and Maintenance Agreements: extend to 10 year agreements.
- Health Department and Board of Health: have asked that the Immunization Program Revolving Fund be changed to a Clinical Services Program Revolving Fund for costs associated with medical countermeasures, distribution, disease testing, and other clinical programs.
- Provisions of the HERO Act: Town staff will be presenting to the Select Board. These provisions would expand the availability of some exemptions for veterans.
- Proposal of a Capital Equipment Fund Article at the Special Town Meeting

- Recommendation to the Select Board to consider an Energy Efficiency Rebate Revolving Fund in the Special Town Meeting that would allow the Town to utilize rebates to spend them back on energy efficient programs.
- Two Citizens' Petitions:
    - Leaf Blowers
    - Nuclear Disarmament

Mr. Levy commented on the Town's current debt and asked to discuss this at an upcoming Select Board meeting. He also commented that there were several articles that he would like further information on for Town Meeting. Discussion ensued regarding whether more specificity is needed.

Motion by Mr. Levy that the Board vote to close the warrant for the 2025 Annual Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.

Ms. Cooley noted that Accessory Dwelling Units (ADUs) are expected to be discussed at the Fall Town Meeting following work on behalf of the Planning Board related to a provision regarding Site Plan Review.

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

Stephen Palmer Development Review Committee
The October 21, 2024 Special Town Meeting appropriated funding for a consultant to evaluate the potential redevelopment of the Stephen Palmer Building. Ms. Fitzpatrick reported that at the Special Town Meeting in October, the Town received appropriation for two studies: 1) Planning study to determine a plan for the relocation of tenants and 2) Redevelopment proposal to coordinate stakeholders to determine the best use of the site and/or building. Ms. Fitzpatrick recommended that the Board appoint a committee to help facilitate this work.

Town Manager Report
- Consistent with the Board's policy, Ms. Fitzpatrick released Executive Session minutes from September 11, 2023.
- The Town was notified by the Town of Dover that they received approval to design the Central Avenue/Centre Street Bridge. MassDOT is assisting with some of the design costs.
- Ms. Fitzpatrick also reported that the Town was notified on Friday, February 7 that the Town has achieved interim compliance with EOHLC with regards to the MBTA Communities Act.

8:38 p.m. Board Discussion:

Tree Preservation Planning Committee Recommended Appointment
The Board discussed the recommended appointment of Oscar Mertz to serve on the Tree Preservation Planning Committee. Mr. Mertz was recommended by the Large

House Review Study Committee to serve as its representative on the Tree Preservation Planning Committee. Mr. Levy expressed his concern that this appointment appears political due to the fact that this individual is a candidate in a contested race upcoming in April. Discussion ensued among Board members regarding this particular appointment and the potential to review policy to examine situations like this in the future.

Motion by Ms. Cooley that the Board vote to appoint Oscar Mertz as the Large House Study Group representative to the Tree Preservation Planning Committee for a term to expire on June 30, 2026.
Second: Ms. Dowd. Approved 4-1, with Mr. Levy opposed.

Future Select Board Goals
The Board discussed potential future initiatives to be added to the Select Board goals this summer. Mr. Levy raised the Noise Bylaw and outlined the reasons to revisit this.

Town Manager Search Process
Board members discussed the status of the search process. Mr. Keane noted that the deadline for applications is Friday, February 14.

Committee Reports
Mr. Levy reported on the Stormwater Bylaw Working Group. The group discussed the Alder Brook design for rehabilitation to reduce phosphorus running into Alder Brook and therefore less into the Charles River. This would also hopefully remediate some of the flooding in that area. This would be a six-phase project, with Phase 1 involving a reconfiguration of the DeFazio lot and contouring of the surface to lead water into the stream. There is no identified funding for construction at this time.

Ms. Frail reported that the Tree Preservation Planning Committee is working on scheduling its first meeting now that the Committee is complete.

Ms. Dowd reported that T-CHOC met and discussed Linden Chambers. The Seabeds Way and Captain Cook Drive project is no longer eligible for the kind of funding that was anticipated. Ms. Dowd noted that the Committee will wait to see what the Community Preservation Committee and Town Meeting votes and will oversee it following these outcomes.

Mr. Keane reported that Community Conversations is planning their next event for conversations on race. He also attended three of the four Envision Needham tours. The MWRA Tunnel Information Session was successful and a beneficial opportunity for residents to ask questions and receive detailed answers.

8:58 p.m. Adjourn:

Motion by Ms. Frail that the Select Board vote to adjourn the Select Board Special Meeting of Tuesday, February 11, 2025.
Second: Ms. Dowd. 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, February 25, 2025, at 6:00 p.m.

A video recording of the February 11, 2025 Select Board meeting can be found at https://www.youtube.com/watch?v=SEe_Tg-BzFo&ab_channel=TownofNeedhamMA or at https://www.needhamchannel.org/2025/02/needham-select-board-2-11-25/.