# BOARD OF SELECTMEN January 25, 2011 Needham Public Services Administration Building Agenda

	6:45	Informal Meeting with Citizens
1.	7:00	RCN Cable Hearing
2.	7:10	Town Manager  Accept and Refer Zoning Amendment/Citizens' Petition Needham Center  Accept and Refer Zoning Amendment/Farmers' Market  Open Special Town Meeting Warrant Fiscal Year 2012 Proposed Annual Budget
3.	8:00	Executive Session – Exception 6

### **APPOINTMENTS**

1.	Council on Aging	Lianne Relich (term expires 6/30/2012)
2.	Green Communities Study	(term expires 12/31/2011)
	Committee	Romeo D'Agostino •Bill Dermody •Robert Ernst
		Natasha Espada • Michael Greis • George Kent
		Susan McGarvey • Michael McKay •Jeanne
		McKnight • Gary McNeil • Steve Popper • Ed
		Quinlan • Dan Walsh • Jerry Wasserman • Rick
		Zimbone

### CONSENT AGENDA \*=Backup attached

1.	1	Accept the following donations received to the Needham Health Department's Gift of
		Warmth Fund: Mr. Andrew N. Thoresen, Missions Board- The First Baptist Church in
	1	Needham - \$350; Sandra Robinson of The Needham Community Council - \$8,000; Saint
	;	Joseph Parish - \$1,000; Ann C. MacFate - \$100.

- 2. Accept the following donations received to the Police Department: \$5,000 from an anonymous donor; and \$250 from Wendy E. Lane of 348 Grove Street, Needham.
- 3.\* Approve a one day special Wine and Malt beverages license from Kathleen DeMayo of the Needham Education Foundation to hold a Leaders Circle Event on Thursday, February 3<sup>rd</sup> from 7:00 pm to 9:00 pm at the Needham Historical Society, 1147 Central Avenue, Needham.
- 4.\* Approve request for one day special Wine & Malt beverage license from Gloria Greis for the Needham Historical Society's Chocolate Creations & Champagne event to be held at the Historical Society, 1147 Central Avenue on Saturday, January 29, 2011 from 7:00 pm to 11:00 pm.
- 5.\* Ratify One Day Special Wine and Malt Beverages license request from Robert Parks of the Needham Exchange Club for their bi-monthly meeting that was held on January 20, 2011 at the Charles River Center, 59 E Militia Heights, Needham from 5:00 pm to 10:00 pm.
- 6.\* Approve requests for one day special Wine & Malt beverage licenses from Robert Parks of the Needham Exchange Club to hold their bi-monthly meetings on February 3<sup>rd</sup>, March 3<sup>rd</sup>, and May 5<sup>th</sup> at the Charles River Center, 59 E Militia Heights, Needham from 5:00 pm to 10:00 pm.

- 7. Accept the following gifts made to the Needham Cultural Council in support of New Year's Needham: \$150 from Not Your Average Joe's, and \$300 from the Needham Running Club.
- 8.\* Approve One Day Special Wine & Malt Beverage license request from Mike Riley, Needham Knights of Columbus to host a Super Bowl Party on Sunday, February 6, 2011 at The Knights of Columbus Council #1611, 1211 Highland Avenue, Needham from 4:00 pm to 10:00 pm.
- 9.\* Approve One Day Special Wines & Malt Beverages Only license request from Mike Riley, representing the Needham Knights of Columbus for a St. Patrick's Day Dinner/Dance, to be held on March 12, 2011 from 6:00 p.m. to 10:00 p.m. at The Knights of Columbus on 1211 Highland Avenue, Needham.
- 10.\* Approve Minutes from January 11, 2011.

#### **Board of Selectmen**

### AGENDA FACT SHEET for 1/25/2011

Agenda Item: RCN Cable License Extension

Presenter(s): Jonathan Tamkin, Cable Advisory Committee

#### 1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Cable Television Advisory Committee has recommended that the Needham Board of Selectmen, as Issuing Authority, and RCN-BecoCom, LLC as a cable television Licensee in Needham agree to extend the Cable Television Final License, dated April 25, 2000, until June 1, 2011 as the prior extension has expired. The granting of this extension ensures the Town will maintain an active cable license with RCN. Extension of the cable television license requires a public hearing.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)

Suggested Motion: That the Board vote to extend the cable television license between the Town and RCN-BecoCom, LLC until June 1, 2011.

- 3. BACK UP INFORMATION ATTACHED:
  - a. Cable Television Final License Amendment Report, December 2, 2010.
- 4. SIGN OFF/APPROVAL REQUIRED:

Refe	r to/Inform:	Repo	rt bacl	k to BOS	on:	 
_	osition by BOS on taken:	Prese	ent on f	future Aş	genda:	 
c. d.	Finance Director	yes yes	no no	NA NA		
b.	Town Counsel	yes	no	NA		
a.	Town Manager	yes	no	NA		

### CABLE TELEVISION FINAL LICENSE AMENDMENT REPORT TOWN OF NEEDHAM DECEMBER 2, 2010

### REPORT OF THE TOWN OF NEEDHAM ON THE REQUEST FOR AMENDMENT TO THE TOWN OF NEEDHAM CABLE TELEVISION FINAL LICENSE

### + Licensee:

RCN-BecoCom, LLC ("RCN") 105 West First Street South Boston, Massachusetts 02127

### + Issuing Authority:

Board of Selectmen Town of Needham Town Hall 1471 Highland Avenue Needham, Massachusetts 02492

#### + Date of the Final License Execution:

April 25, 2000

### + Proposed Effective Date of Final License Amendment:

January 25, 2011

### + Explanation of Final License Amendment:

See below.

### CABLE TELEVISION FINAL LICENSE AMENDMENT REPORT TOWN OF NEEDHAM DECEMBER 2, 2010

#### Section 2.2---TERM OF FINAL LICENSE

### + Description of proposed Amendment:

Section 2.2 has been amended to reflect the fact that the Town of Needham (the "Town") and RCN have agreed to extend the term of the Final License until June 1, 2011.

+ Text of amended Section 2.2: The Final License is hereby amended by deleting the section in its entirety and replacing it with the following:

The term of this Final License shall commence on April 25, 2000 and shall expire on June 1, 2011, unless sooner terminated as provided herein.

### + Purpose for which the Amendment is being made:

The Town and RCN have agreed to extend the current Final License term to allow the Town and RCN to continue ongoing renewal negotiations. In the meantime, RCN will continue operating in the Town in accordance with the terms and conditions in the Final License.

### + Date Amendment Received by the Issuing Authority and the Licensee:

December 2, 2010.

#### + Probable Effects on Cable Television Subscribers and other Concerned Parties:

Subscribers and other concerned parties will benefit from continued Cable Service(s) provided by RCN.

### CABLE TELEVISION FINAL LICENSE AMENDMENT REPORT TOWN OF NEEDHAM DECEMBER 2, 2010

### SIGNATURE PAGE

In Witness Whereof, this Amendment to the Cable Television Final License is hereby issued by the Board of Selectmen of the Town of Needham, Massachusetts, as Issuing Authority, and is hereby agreed to by RCN-BecoCom, LLC, this 25 day of January, 2011.

Chairman, John A. Bulian	_
Denise C. Garlick	
Maurice Handel	····
Gerald A. Wasserman	_
Daniel P. Matthews	
The Needham Board of Selectmen	
Pw.	
By:	Counsel

RCN-BecoCom, LLC

### **Board of Selectmen**

### AGENDA FACT SHEET for 1/25/2011

	Agenda Item:	Accept and Refer Zoning Amendment			
	Presenter(s):	Kate Fitzpatrick, Town Manager			
 . BR	IEF DESCRIPTION OF TO	OPIC TO BE DISCUSSED:			
citi: law Pla: disc	zens' petition for a zoning by- t, the Board has 14 days to acc nning Board for its review, he	nsor, has collected the requisite number of signatures to include a law amendment on a future Town Meeting Warrant. Under State ept the proposed amendment and refer the amendment to the aring, and report. The Board's action in this matter is not nelines set forth in the statute, the petition will not be ready for al Town Meeting Warrant.			
. vo	-	D OF SELECTMEN: [YES] NO (circle one)			
Sug by and	ggested Motion: That the	e Board vote to accept a proposed zoning amendment sought er the matter to the Planning Board for review, public hearing,			
Sug by and	ggested Motion: That the citizens' petition and to refer the properties of the contract of the	e Board vote to accept a proposed zoning amendment sought er the matter to the Planning Board for review, public hearing,			
Sug by and	ggested Motion: That the citizens' petition and to refel report.  CK UP INFORMATION A	e Board vote to accept a proposed zoning amendment sought er the matter to the Planning Board for review, public hearing,			
Sug by and . BA a. b.	ggested Motion: That the citizens' petition and to refer the report.  CK UP INFORMATION AT Citizens' Petition M.G.L. c. 40A Section 5	e Board vote to accept a proposed zoning amendment sought for the matter to the Planning Board for review, public hearing,			
Sug by and . BA a. b.	ggested Motion: That the citizens' petition and to refer the report.  CK UP INFORMATION AT Citizens' Petition M.G.L. c. 40A Section 5  GN OFF/APPROVAL REQUITOWN Manager	Board vote to accept a proposed zoning amendment sought er the matter to the Planning Board for review, public hearing,  TTACHED:  JIRED:  yes [no] NA			
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Sug by and a. b. SIC a. b. c. d.	ggested Motion: That the citizens' petition and to refer the report.  CK UP INFORMATION AT Citizens' Petition M.G.L. c. 40A Section 5  GN OFF/APPROVAL REQUITOWN Manager Town Counsel Finance Director	Board vote to accept a proposed zoning amendment sought er the matter to the Planning Board for review, public hearing,  ITACHED:  yes [no] NA			

Prepared by kpf

### Town of Needham Citizens' Petition for SCEIVED TOWN CLERK Quite 10 Warrant Article

Town Meeting for Which Petition is requested:	2011 JAN 11 PM 4:51
Primary Sponsor: Name Louis: Wol- Address 29 Commo Road I certif Signature Loub Wolfen	that I am a registered voter in the Town of Needham.

In accordance with M.G.L. c. 39 Section 10, the written requests of registered voters for insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The Selectmen shall submit such written requests to the Town Clerk/Registrars of Voters who shall check and forthwith certify the number of signatures so checked and certified shall be counted.

For an annual town meeting, a citizens' petition requires the certified signatures of ten or more registered voters. For a special town meeting, the signatures of 100 registered voters are required. The Selectmen shall call a special town meeting upon request, in writing, of two hundred registered voters or by four percent of the total number of registered voters, whichever number is lesser.

The deadline for submission of a petition for the Annual Town Meeting is the first Monday in February, ir accordance with Section 1.15 of the General By-laws of the Town of Needham. The deadline for submission of a petition for a special town meeting will be determined by the Board of Selectmen, and will generally be the date that the warrant is closed.

Note: If properly certified, the text of the proposed citizens' petition will appear in the warrant exactly a presented. The Board of Selectmen, as the Warrant Committee, reserves the right to include a summary of the Board's understanding of the intent of the article along with the petition itself. The name of the primar sponsor will appear in the warrant.

### Text of Citizens' Petition (Continue on other side or attach sheets as necessary)

To amend the zoning by-laws section 3.8.4.2 Building height requirements in the Needham Center Overlay District section (a) to read as follows:

(a) In Sub-District A: The minimum building height shall be two stories and twenty-seven feet and the maximum building height shall be two and one-half stories and thirty-five feet as of right. By Special Permit from the Planning Board, the maximum height of a building may be increased up to the following limits: three stories and thirty-seven (37) feet as shown in the Design Guidelines under Subsection 3.8.8 below.

This would be striking out four stories and forty-eight (48) feet. Provided that the fourth story is contained under a pitched roof or recessed from the face of the building ......

To amend the zoning by-laws section 3.9.4.2 Building height requirements in the Lower Chestnut Street Overlay Center Overlay District section (a) to read as follows:

The maximum building height in the Lower Chestnut Street Overlay District shall be two and one-half stories and thirty-five feet as of right. For lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit for a maximum building height of three stories and thirty-seven feet as shown in the Design Guidelines under Section 3.9.8 below.

This would strike out four stories and forty-eight (48) feet, provided that the fourth story is located under a pitched roof or recessed from the face of the building,

RECEIVED TOWN CLERK HEEDHAM, MA 02492

2011 JAN 11 PM 4: 49

### Town of Needham Citizens' Petition for Warrant Article

Signatures to be made in person with the name substantially as	NOW LIVING AT (street & number, if any)	Residence on January 1, 20
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Suran pluberan ANNA RKCCI Finescela Calo Cean Fands Thank	19 Ook Knoll for 15 Maring J.	
M. E KUSE Nuchi William	275 Charlestin St. 35 Sachen Road	Vr <u>a</u>

Registrars of Voters check thus against the name of each qualified Voter to be certified  For names not certified, use the code opposite:	<ul> <li>N - no such registered voter at that address</li> <li>S - unable to identify signature or address as that of voter:</li> <li>because of form or signature or address or illegible</li> <li>T - signed too many petitions.</li> </ul>
CERTIFICATION OF SIGNATURES	,
We certify that theabove Signatures checked thus are names of qualified voters of this town.	
	Registrars of Voters
Town	

CHIZORS Schithon for werent Article Martin Keans 1210 Greendale Arc. lauren Baum 1 Stockdale Road Enganne hussen We Howy la Kristopher Wissen 16 Homsy Laine ) 70 Central ave 45 Mendonsrook Rd. A. D. Buyer 15 Dvon Cir. 163 Manny St. neulles Donallon Rothert P. Vm 14 Elliott St. Heorge Killeen 100 Rosenany Way Zand Re 601 Hunnewell SX Kejha Thomph 7 NOODHAMDALE RD 29 Cimins RL Boul 265 Hillside Ry typice Wiene 42 Woodline Cir adem Weinslein 58 EYZARSEIM DENDER 7 BEAUTORI 12 Greendle Ave.

### Town of Needham Citizens' Petition for Warrant Article

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Town				
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### Town of Needham Citizens' Petition for Warrant Article

Town Meeting for Whic	h Petition is reques	ted:
Primary Sponsor: Address <u>29 Cimino</u> Signature Low Wid	Name Louis Ruad	I certify that I am a registered voter in the Town of Needham.

In accordance with M.G.L. c. 39 Section 10, the written requests of registered voters for insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The Selectmen shall submit such written requests to the Town Clerk/Registrars of Voters who shall check and forthwith certify the number of signatures so checked and certified shall be counted.

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### Text of Citizens' Petition (Continue on other side or attach sheets as necessary)

To amend the zoning by-laws section 3.8.4.2 Building height requirements in the Needham Center Overlay District section (a) to read as follows:

(a) In Sub-District A: The minimum building height shall be two stories and twenty-seven feet and the maximum building height shall be two and one-half stories and thirty-five feet as of right. By Special Permit from the Planning Board, the maximum height of a building may be increased up to the following limits: three stories and thirty-seven (37) feet as shown in the Design Guidelines under Subsection 3.8.8 below.

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### Town of Needham Citizens' Petition for Warrant Article

Residence on January 1, 20\_\_ If different (Street & number, if any

. Signatures to be made in person	NOW LIVING (street & numb		Residence on January 1, 20 If different (Street & number, if any
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CERTIFICATION OF SIGNATURES  We certify that the  Signatures checked thus are names of qualif	above fied voters of this town.		

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### Town of Needham Citizens' Petition for Warrant Article

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### Town of Needham Citizens' Petition for Warrant Article

Town Meeting for Whic	ch Petition is reques	ted: Mrch
Primary Sponsor: Address 29 Comins Signature Kart Wa		Uolfico I certify that I am a registered voter in the Town of Needham.

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### Town of Needham Citizens' Petition for Warrant Article

<ol> <li>Signatures to be made in person with the name substantially as</li> </ol>	NOW LIVING A (street & number,		e on January 1, 20 nt (Street & number, if any
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CERTIFICATION OF SIGNATURES			
We certify that the	above		
Signatures checked thus are names of qualifie	a voiers of this town.		
		Registrars of Voters	
Town			

### Town of Needham Citizens' Petition for Warrant Article

Town Meeting for Which	ch Petition is reques	ested: March	
Primary Sponsor: Address 29 Comina Signature Low We		I certify that I am a registered voter in the Town of Needhan	1.

In accordance with M.G.L. c. 39 Section 10, the written requests of registered voters for insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The Selectmen shall submit such written requests to the Town Clerk/Registrars of Voters who shall check and forthwith certify the number of signatures so checked and certified shall be counted.

For an annual town meeting, a citizens' petition requires the certified signatures of ten or more registered voters. For a special town meeting, the signatures of 100 registered voters are required. The Selectmen shall call a special town meeting upon request, in writing, of two hundred registered voters or by four percent of the total number of registered voters, whichever number is lesser.

The deadline for submission of a petition for the Annual Town Meeting is the first Monday in February, ir accordance with Section 1.15 of the General By-laws of the Town of Needham. The deadline for submission of a petition for a special town meeting will be determined by the Board of Selectmen, and will generally be the date that the warrant is closed.

Note: If properly certified, the text of the proposed citizens' petition will appear in the warrant exactly a presented. The Board of Selectmen, as the Warrant Committee, reserves the right to include a summary of the Board's understanding of the intent of the article along with the petition itself. The name of the primar sponsor will appear in the warrant.

### Text of Citizens' Petition (Continue on other side or attach sheets as necessary)

To amend the zoning by-laws section 3.8.4.2 Building height requirements in the Needham Center Overlay District section (a) to read as follows:

(a) In Sub-District A: The minimum building height shall be two stories and twenty-seven feet and the maximum building height shall be two and one-half stories and thirty-five feet as of right. By Special Permit from the Planning Board, the maximum height of a building may be increased up to the following limits: three stories and thirty-seven (37) feet as shown in the Design Guidelines under Subsection 3.8.8 below.

This would be striking out four stories and forty-eight (48) feet. Provided that the fourth story is contained under a pitched roof or recessed from the face of the building ......

To amend the zoning by-laws section 3.9.4.2 Building height requirements in the Lower Chestnut Street Overlay Center Overlay District section (a) to read as follows:

The maximum building height in the Lower Chestnut Street Overlay District shall be two and one-half stories and thirty-five feet as of right. For lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit for a maximum building height of three stories and thirty-seven feet as shown in the Design Guidelines under Section 3.9.8 below.

This would strike out four stories and forty-eight (48) feet, provided that the fourth story is located under a pitched roof or recessed from the face of the building,

### Town of Needham Citizens' Petition for Warrant Article

RECEIVED TOWN CLERE
HEEDHAM, MA 02492

2011 JAN 11 PM 5: 00

Town Meeting for Which	ch Petition is reques		MIL THE C. T.
Primary Sponsor: Address <u>29 Cimino</u> Signature Luck Wo	Name Louis Ruad	<u>Uol⊕ow</u> I certify that I am a registered voter in the	e Town of Needham.

In accordance with M.G.L. c. 39 Section 10, the written requests of registered voters for insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The Selectmen shall submit such written requests to the Town Clerk/Registrars of Voters who shall check and forthwith certify the number of signatures so checked and certified shall be counted.

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Note: If properly certified, the text of the proposed citizens' petition will appear in the warrant exactly as presented. The Board of Selectmen, as the Warrant Committee, reserves the right to include a summary of the Board's understanding of the intent of the article along with the petition itself. The name of the primary sponsor will appear in the warrant.

### Text of Citizens' Petition (Continue on other side or attach sheets as necessary)

To amend the zoning by-laws section 3.8.4.2 Building height requirements in the Needham Center Overlay District section (a) to read as follows:

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This would be striking out four stories and forty-eight (48) feet. Provided that the fourth story is contained under a pitched roof or recessed from the face of the building ......

To amend the zoning by-laws section 3.9.4.2 Building height requirements in the Lower Chestnut Street Overlay Center Overlay District section (a) to read as follows:

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This would strike out four stories and forty-eight (48) feet, provided that the fourth story is located under a pitched roof or recessed from the face of the building,

### Town of Needham Citizens' Petition for Warrant Article

1. Signatures to be made in person with the name substantially as registered  The first war and the first war war war war and the first war and the first war war and the first war and the firs	NOW LIVING (street & number  Significant  107 Fair Co  17 Bysadtose  7 17 Fair  349 Bysic  153 Frince ST		Residence on January 1, 20
Registrars of Voters check thus against the reach qualified Voter to be certified For names not certified, use the code opposite:  CERTIFICATION OF SIGNATURES  We certify that the  Signatures checked thus are names of qualified	above	S – unable to ide	

en egyphymines var sekken fra men syntre is abban egy fir til en en skettet fra filmer eller en en	
	Home [ Glossary   FAQs
	SITE SEARCH Site Search
Bills & Laws	BILLS & LAWS PEOPLE COMMITTEES EVENTS EDUCATE & ENGAGE MASS. BUDGET
Bills	General Laws
Existing Laws	Keyword/Phrase Chapter Section Starts Graps (Maps)
Drafting Manual	Search in side pages
Senate Calendar	
House Calendar	
Joint Rules	Topicas variation in the second control of t
Senate Rules	Print
House Rules	PART I ADMINISTRATION OF THE GOVERNMENT
Journals	(Chapters 1 through 182) PREV NEXT
de la constanta	TITLE VII CITIES, TOWNS AND DISTRICTS
A COLUMN TO THE PARTY OF THE PA	PREV NEXT
	CHAPTER 40A ZONING
Dec 1 Marie	PREV NEXT
Enter see	Section 5 Adoption or change of zoning ordinances or by-laws; procedure
455 T H = 450 T	PREV NEXT
T A POPULATION OF THE POPULATI	
	Section 5. Zoning ordinances or by-laws may be adopted and from time to time changed by amendment, addition or repeal, but only in the manner hereinafter provided. Adoption or change of zoning ordinances or by-laws may be initiated by the submission to the city council or board of selectmen of a proposed zoning ordinance or by-law by a city council, a board of selectmen, a board of appeals, by an individual owning land to be affected by change or adoption, by request of registered voters of a town pursuant to section ten of chapter thirty-nine, by ten registered voters in a city, by a planning board, by a regional planning agency or by other methods provided by municipal charter. The board of selectmen or city council shall within fourteen days of receipt of such zoning ordinance or by-law submit it to the planning board for review.  [Second paragraph effective until June 30, 2009. For text effective June 30, 2009, see below.]  No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held within sixty-five days after the proposed zoning ordinance or by-law is submitted to the planning board by the city council or selectmen or if there is none, within sixty-five days after the proposed zoning
A CONTRACTOR AND	planning board by the city council or selectmen. Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of said hearing, and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of said hearing. Notice of said hearing shall also be sent by mail, postage prepaid to the department of housing and community development, the regional planning agency, if any, and to the planning board of each abutting cities and towns. The department of housing and community development, the regional planning agency, the planning boards of all abutting cities and towns and nonresident property owners who may not have received notice by mail as specified in this section may grant a waiver of notice or submit an affidavit of actual notice to the city or town clerk prior to town meeting or city council action on a proposed zoning ordinance, by-law or change thereto. Zoning ordinances or by-laws may provide that a separate, conspicuous statement shall be included with property tax bills sent to nonresident property owners, stating that notice of such hearings under this chapter shall be sent by mail, postage prepaid, to any such owner who files an annual request for such notice with the city or town clerk no later than January first, and pays a reasonable fee established by such ordinance or by-law. In cases involving boundary, density or use changes within a district, notice shall be sent to any such nonresident property owner who has filed such a request with the city or town clerk and whose property lies in the district where the change is sought. No defect in the form of any notice under this chapter shall invalidate any zoning ordinances or by-laws unless such d

effective until June 30, 2009, see above.]

No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held within sixty-five days after the proposed zoning ordinance or by-law is submitted to the planning board by the city council or selectmen or if there is none, within sixty-five days after the proposed zoning ordinance or by-law is submitted to the city council or selectmen. Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of said hearing, and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of said hearing. Notice of said hearing shall also be sent by mail, postage prepaid to the department of housing and community development, the regional planning agency, if any, and to the planning board of each abutting city and town. The department of housing and community development, the regional planning agency, the planning boards of all abutting cities and towns and nonresident property owners who may not have received notice by mail as specified in this section may grant a waiver of notice or submit an affidavit of actual notice to the city or town clerk prior to town meeting or city council action on a proposed zoning ordinance, by-law or change thereto. Zoning ordinances or bylaws may provide that a separate, conspicuous statement shall be included with property tax bills sent to nonresident property owners, stating that notice of such hearings under this chapter shall be sent by mail, postage prepaid, to any such owner who files an annual request for such notice with the city or town clerk no later than January first, and pays a reasonable fee established by such ordinance or by-law. In cases involving boundary, density or use changes within a district, notice shall be sent to any such nonresident property owner who has filed such a request with the city or town clerk and whose property lies in the district where the change is sought. No defect in the form of any notice under this chapter shall invalidate any zoning ordinances or by-laws unless such defect is found to be misleading.

Prior to the adoption of any zoning ordinance or by-law or amendment thereto which seeks to further regulate matters established by section forty of chapter one hundred and thirty-one or regulations authorized thereunder relative to agricultural and aquacultural practices, the city or town clerk shall, no later than seven days prior to the city council's or town meeting's public hearing relative to the adoption of said new or amended zoning ordinances or by-laws, give notice of the said proposed zoning ordinances or by-laws to the farmland advisory board established pursuant to section forty of chapter one hundred and thirty-one.

No vote to adopt any such proposed ordinance or by-law or amendment thereto shall be taken until a report with recommendations by a planning board has been submitted to the town meeting or city council, or twenty-one days after said hearing has elapsed without submission of such report. After such notice, hearing and report, or after twenty-one days shall have elapsed after such hearing without submission of such report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law. If a city council fails to vote to adopt any proposed ordinance within ninety days after the city council hearing or if a town meeting fails to vote to adopt any proposed by-law within six months after the planning board hearing, no action shall be taken thereon until after a subsequent public hearing is held with notice and report as provided.

No zoning ordinance or by-law or amendment thereto shall be adopted or changed except by a two-thirds vote of all the members of the town council, or of the city council where there is a commission form of government or a single branch, or of each branch where there are two branches, or by a two-thirds vote of a town meeting; provided, however, that if in a city or town with a council of fewer than twenty-five members there is filed with the clerk prior to final action by the council a written protest against such change, stating the reasons duly signed by owners of twenty per cent or more of the area of the land proposed to be included in such change or of the area of the land immediately adjacent extending three hundred feet therefrom, no such change of any such ordinance shall be adopted except by a three-fourths vote of all members.

No proposed zoning ordinance or by-law which has been unfavorably acted upon by a city council or town meeting shall be considered by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or by-law is recommended in the final report of the planning board.

When zoning by-laws or amendments thereto are submitted to the attorney general for approval as required by section thirty-two of chapter forty, he shall also be furnished with a statement which may be prepared by the planning board explaining the by-laws or amendments proposed, which statement may be accompanied by explanatory maps or plans.

The effective date of the adoption or amendment of any zoning ordinance or by-law shall be the date on which such adoption or amendment was voted upon by a city council or town meeting; if in towns, publication in a town builetin or pamphlet and posting is subsequently made or publication in a newspaper pursuant to section thirty-two of chapter forty. If, in a town, said by-law is subsequently disapproved, in whole or in part, by the attorney general, the previous zoning by-law, to the extent that such previous zoning by-law was changed by the disapproved by-law or portion thereof, shall be deemed to have been in effect from the date of such vote. In a municipality which is not required to submit zoning ordinances to the attorney general for approval pursuant to section thirty-two of chapter forty, the effective date of such ordinance or amendment shall be the date passed by the city council and signed by the mayor or, as otherwise provided by ordinance or charter; provided, however, that such ordinance or amendment shall subsequently be forwarded by the city clerk to the office of the attorney general.

A true copy of the zoning ordinance or by-law with any amendments thereto shall be kept on file available for inspection in the office of the clerk of such city or town.

No claim of invalidity of any zoning ordinance or by-law arising out of any possible defect in the procedure of adoption or amendment shall be made in any legal proceedings and no state, regional, county or municipal officer shall refuse, deny or revoke any permit, approval or certificate because of any such claim of invalidity unless legal action is commenced within the time period specified in sections thirty-two and thirty-two A of chapter forty and notice specifying the court, parties, invalidity claimed, and date of filing is filed together with a copy of the petition with the town or city clerk within seven days after commencement of the action.

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### **Board of Selectmen**

### AGENDA FACT SHEET for 1/25/2011

	Agenda Item:	Accept and Refer Zoning Amendment
	Presenter(s):	Kate Fitzpatrick, Town Manager
1.	BRIEF DESCRIPTION OF TO	
	citizens' petition for a zoning by law, the Board has 14 days to acc Planning Board for its review, he	ponsor, has collected the requisite number of signatures to include a -law amendment on a future Town Meeting Warrant. Under State cept the proposed amendment and refer the amendment to the earing, and report. The Board's action in this matter is not melines set forth in the statute, the petition will not be ready for ial Town Meeting Warrant.
2.	VOTE REQUIRED BY BOAR	RD OF SELECTMEN: [YES] NO (circle one)
	Suggested Motion: That the by citizens' petition and to refand report.	e Board vote to accept a proposed zoning amendment sought fer the matter to the Planning Board for review, public hearing,
3.	BACK UP INFORMATION A	TTACHED:
	a. Citizens' Petition	
4.	SIGN OFF/APPROVAL REQ	UIRED:
	a. Town Manager	yes [no] NA
	b. Town Counsel	yes [no] NA
	c. Finance Director d. DPW	yes [no] NA yes [no] NA
	d. DPW	yes [no] NA
	Disposition by BOS Action taken:	Present on future Agenda:
	Refer to/Inform:	Report back to BOS on:
	*	

Prepared by kpf

RECEIVED TOWN CLERK NEEDHAM, MA 02492

## Town of Needham Citizens' Petition for Warrant Analyte JAN 20 PM 2: 27

# INSERT NEW USE CATEGORY UNDER AGRICULTURE IN TABLE 3.2.2: RECEIVED TOWN CLERK AGRICULTURE IN TABLE 3.2.2 Table 3.2.2: 2011 JAN 20 PM 2: 27

Periodic outdoor sale, but not to exceed once a week, during the season from May 15 to November 30 by a non-profit corporation or organization operating a farmers market for the sale of edible farm products, farmer raised flowers, farmer raised plants, firewood, homemade preserves, homemade baked goods, homemade soaps, farm wool products, and similar farm products, including the outdoor display of such merchandise. Outdoor display and outdoor sales are permitted on existing parking spaces, provided that adequate parking and loading are maintained.

INSERT SP in all zoning districts in Table 3.2.1 and Table 3.2.2 for the above use

### RECEIVED TOWN CLERK HEEDHAM. MA 02492

# Town of Needham 2011 JAN 20 PM 2: 27 Citizens' Petition for Warrant Article

	1. Signatures to be made in person	NOW LIVING		Residence on January 1, 20_	
	with the name substantially as registered Allan Friedran	(street & number	r, it any)	If different (Street & number	, if any
V	JEFFREY FRIEDMAN	460	02492		
	and the restate to the the	28 PERRAULT ROA	APT.	·	
?_~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	THE ETRANCIN SURET	1295 Great Plainx			
1	d Houle DAVID HOTT	783 WEBSZERS LE 79 HEND	erzson st		
Ance	Tim Ste Suna Tom Gol	<i>z</i>	ATTHE Rel a		
/ nuisa		180 DAMON, ROAT	02494	NT I ME	
√	W. Reiber While	7/ Schoolst	02/9/		
V	Mary Herzog /	86 Plymouth	Rd/0240	12=	
V	(Massey) My Sherry	39 GRANT O	TREGINE	SOHAM	
/	- Jeffrego Kicken	749 Great Plans Are	02492		<del></del>
V/	- July -	106 MANKE	a pice 02	- 4 9 Lane	
1	Trinda Dacis	833 Treat	1 Jalein	02478	
./ ./	- Cleana Kosellini	HB Howland St,	ANG	02492	
./	Emay a Mount			")	
A	Just -	4 Wendling P	a, 0299	I	
		~			
			A stademar consists as a constraint of	Bagger Bagger Bagger	<u> </u>
	Registrars of Voters check thus against the n	ame of	N – no such regist	ered voter at that address	i.
	each qualified Voter to be certified For names not certified, use the code opposite:		hecanse of for	nty signature or address as that of my or signature or address or illegi	,voter. ble
-			T – signed too ma	ny petitions (	7
	CERTIFICATION OF SIGNATURES	,	1	John W. Day, Chairman	
1	We certify that the Louistian	(14) above	1, 10	oldo B KITA	9:
	Signatures checked thus are names of qualified	l voters of this town.		Baidala B. LV789	<u> </u>
	×1V			M. Carlo	
	N 28 d Marie	<u>.</u>	Registrars of Vote	IS V Mary J. McCarry	ि ली १
Į	Town				:

### **Board of Selectmen**

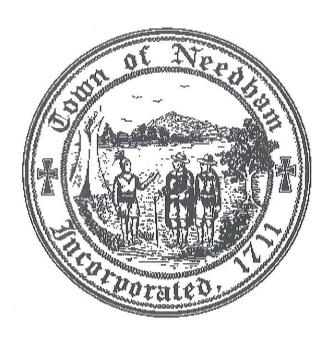
### AGENDA FACT SHEET for 1/25/2011

	Agenda Item:	Open Special Town Meeting Warrant
	Presenter(s):	Kate Fitzpatrick, Town Manager
1.	BRIEF DESCRIPTION OF TO	PIC TO BE DISCUSSED:
	Attached is a draft warrant con Special Town Meeting. The B meeting.	taining articles proposed for inclusion in the March 14, 2011 oard is scheduled to close the warrant at its February 8, 2011
2.		O OF SELECTMEN: [YES] NO (circle one)  oard open the warrant for the meeting to be held on March 14,
3.	a. Draft Special Town	TTACHED:  Meeting Warrant (dated 1.21.2011)
4.	SIGN OFF/APPROVAL REQU	TDEN.
٠.	a. Town Manager	yes no NA
	b. Town Counsel	yes no NA
	c. Finance Director	yes no NA
	d	yes no NA
	Disposition by BOS Action taken:	Present on future Agenda:
	Refer to/Inform:	Report back to BOS on:
	and the state of t	

Prepared by kpf

### SPECIAL TOWN MEETING

### WARRANT



### TOWN OF NEEDHAM

MONDAY, MARCH 14, 2011

7:30 P. M.

POLLARD MIDDLE SCHOOL

HARRIS AVENUE

**NEEDHAM** 

Additional Information on particular warrant articles will be made available from time to time at <a href="www.needhamma.gov/townmeeting">www.needhamma.gov/townmeeting</a> during the weeks leading up to the Special Town Meeting.

#### COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Newman Elementary School:

### MONDAY, THE FOURTEENTH OF MARCH, 2011

At seven-thirty in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: APPROPRIATE FOR PARKING AND ACCESS IMPROVEMENTS - POLLARD SCHOOL

To see if the Town will vote to raise and/or transfer and appropriate a sum for design, engineering, and constructing parking and access improvements at the Pollard Middle School, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Chapter 44 of the General Laws or any other enabling authority; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

### ARTICLE 2: AMEND THE FY 2011 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2011 Water Enterprise Fund Budget adopted under Article 24 of the May 2010 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item Appropriation Changing From: Changing To:</u>
201C Capital Outlay

and to meet this appropriation that a sum be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this 8th day of February, 2011.

John A. Bulian, Chairman Denise C. Garlick, Vice Chairman Gerald A. Wasserman, Clerk Maurice P. Handel Daniel P. Matthews

A TRUE COPY Attest: Constable: Town Clerk's Office Needham, MA 02492 First Class Mail U.S. Postage Paid Needham, MA Permit No. 58224

ATTN: SPECIAL TOWN MEETING WARRANT

### **Board of Selectmen**

### AGENDA FACT SHEET for 1/25/2011

	Agenda Item:	Fiscal Year 2012 Proposed Annual Budget			
	Presenter(s):	Kate Fitzpatrick, Town Manager			
1.	BRIEF DESCRIPTION OF TOP	PIC TO BE DISCUSSED:			
	We will present the Town Manager	s's Proposed Annual Budget for FY2012.			
2.	VOTE REQUIRED BY BOARD	OF SELECTMEN: YES [NO] (circle one)			
3.	BACK UP INFORMATION AT	ГАСНЕД:			
	a. FY2012 Proposed Annu	al Budget to follow under separate cover			
4.	SIGN OFF/APPROVAL REQUI	RED:			
	a. Town Manager	yes no NA			
	b. Town Counsel	yes no NA			
	c. Finance Director	yes no NA			
	d	yes no NA			
	Disposition by BOS				
	Action taken:	Present on future Agenda:			
	Refer to/Inform:	Report back to BOS on:			

Event Manager Name	Kathleen DeMayo	
(Name that will appear on license)	FATTONI OF FORTY	
Event Manager Address		
Event Manager Dhene Merrit		
Event Manager Phone Number		
Organization Representing (if applicable)	Needham Education Foundation	
Is the organization (if applicable)	Non-profit ☐ For profit	
you are representing non-profit? If	Proof of non-profit status is attached	
so, please attach proof of non-profit	Form of Proof: Certifizate of Exemptive	
status.		
Name of Event	DISCUSSION OF Scrence, Engineenna	
	Teennology & math	
Date of Event	toiscussion of scrence, Engineering Technology & Math 213/11	
License is for Sale of:		
Wines & Malt Beverages Only		
All Alcoholic Beverages (for	non-profit groups only)	
Requested Time for Liquor License		
Are tickets being sold in advance for	this event? ☐ YES \$ /per ticket ☑ NO	
Is there an admission fee for this event?   YES \$ /per ticket NO		
Are you using dues collected to purchase alcohol for this event?		
How many people are you expecting at this event? 30-40		
Name & address of event location. Please attach proof of permission to use this facility.		
Neednam Historical Society See attached		
Who will be serving the alcohol to you	ur guests? Hand & Paurine Hand	
Licensed Bartender- Helping Hands Pawme Hand 508-655-5227		
	beer and/or wine must have completed in the past three	
· · · · · · · · · · · · · · · · · · ·	alcoholic beverages server-training program. Please state	
	er and/or wine and attach proof of their training (certificate).	
	,	
	e the manner in which alcohol will be served to your guests.	
(For example, will guests be served alcohol or will they need to purchase it from the bar?) Please		
attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.		
Guests will be served alcord (beer twine) by bartender		
I understand that the alcohol purchased for this event must be purchased from a licensed		
wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and		
that I have received a current list of wholesalers. (A person holding a Section 14 license cannot		
	package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))	
Event Manager Signature:	when De Muyo Date: 1/16/11	

	Event Manager Name (Name that will appear on license)	GLORIA GREIS  LIN JAILLU P_4: 23
	Event Manager Address	23 Z31 JA1LL 0. P_4: 23
	Event Manager Phone Number	· · · · · · · · · · · · · · · · · · ·
	Organization Representing (if applicable)	NEEDHAM HISTORICAL SOCIETY
1	Is the organization (if applicable) you are representing non-profit? If	Non-profit
	so, please attach proof of non-profit status.	Form of Proof: determination letter
	Name of Event	CHOCOCATE + CHAMPAGNE
	Date of Event	JANUARY 29, 2011
	License is for Sale of:  Wines & Malt Beverages Onl All Alcoholic Beverages (for	
	Requested Time for Liquor License	
	Are tickets being sold in advance for	this event? YES \$ 30-35 per ticket NO
	Is there an admission fee for this eye	nt? YES \$ /per ticket NO
	Are you using dues collected to purch	ase alcohol for this event?
	How many people are you expecting	150 000
	1144 CENTRAL AENU	lease attach proof of permission to use this facility.  - Hur is own facility
	Who will be serving the alcohol to yo	
	JOHN NEEL PROFE	SSIONAL SERVICES, Greoly, MA
	years an appropriate Massachusetts a	beer and/or wine must have completed in the past three alcoholic beverages server-training program. Please state er and/or wine and attach proof of their training (certificate).
	JOHN NEFT, 109 CA	MBRIDGE TPK, LINCOLN, MA
	(For example, will guests be served al	e the manner in which alcohol will be served to your guests. lcohol or will they need to purchase it from the bar?) Please of the event facility with liquor delivery plan.
/	SERVICE by BARTEN	
	wholesaler/importer, manufacturer, that I have received a current list of v	chased for this event must be purchased from a licensed farmer-winery, farmer-brewery or special permit holder and wholesalers. ( <i>A person holding a Section 14 license cannot spackage store.</i> (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))
	Event Manager Signature:	Date:
Į	X Y X	4 Jonery 2011

Event Manager Name	Robert G. PARKS, NEEdhan,	
(Name that will appear on license)	ROBERT G. PARKS. NEEdhan PRESI-Elect Exchange Club.	
Event Manager Address		
Event Manager Phone Number		
	,	
Organization Representing	NEEdham ExchANGE Club	
(if applicable)		
	Non-profit	
so, please attach proof of non-profit	Form of Proof: HAND BOOK - ATTACK	
status.		
Name of Event  Bi-Monthly Meeting  Date of Event  Column	- NEEdhan Exchange Club	
Date of Event		
VANUARY DU ) 2011	February 3rd, March 3rd, and May 5th	
License is for Sale of:    Wines & Malt Beverages Only		
Wines & Malt Beverages Only All Alcoholic Beverages (for no	on-profit groups only)	
Requested Time for Liquor License	FROM: 5200 p.m. TO: 10100 p.m.	
Are tickets being sold in advance for the		
Is there an admission fee for this event	? YES \$ /per ticket NO	
Are you using dues collected to purcha	se alcohol for this event? YES NO	
Is there an admission fee for this event?     YES		
Name & address of event location. Please attach proof of permission to use this facility.		
Name & address of event location. Please attach proof of permission to use this facility.  (hanles 12) vencente 2  Militia Hellits		
Who will be serving the alcohol to your guests?		
MARTIN	MA16NE	
Bartenders and/or sérvers of alcohol, l	beer and/or wine must have completed in the past three	
years an appropriate Massachusetts alcoholic beverages server-training program. Please state		
	r and/or wine and attach proof of their training (certificate).	
SEE! E	shibit II, Attached,	
	the manner in which alcohol will be served to your guests.	
	cohol or will they need to purchase it from the bar?) Please	
	of the event facility with liquor delivery plan.	
+ 6 be punc	hased From BAR	
SEE; E	Exhibit III, AttAched,	
See: Exh; b; + III, A++Ach ed.  I understand that the alcohol purchased for this event must be purchased from a licensed		
wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and		
that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))  Event Manager Signature: Passa Needham Date: 1/13/2011		
Event Manager Signature: No.	NEEWHAM Date: 1/2/	
RUUTH HE	Exchange Club; Date: 1/13/2011	

	Ma , # 4	
Event Manager Name	MA-11 D.I.	
(Name that will appear on license)	Mike Rily	
Event Manager Address		
Event Manager Phone Number	-,	
Organization Representing (if applicable)	Needham Knights of Columbus    Non-profit Defor profit	
Is the organization (if applicable)	Non-profit For profit	
you are representing non-profit? If	Proof of non-profit status is attached	
so, please attach proof of non-profit	Form of Proof:	
status.		
Name of Event	Sun Boul Party	
Date of Event	Cuper 10001 Thing	
	Super Bowl Party Sunday February 6, 2011	
License is for Sale of:	, , , , , , , , , , , , , , , , , , ,	
Wines & Malt Beverages Onl		
All Alcoholic Beverages (for		
Requested Time for Liquor License	FROM: 4pm TO: 10pm this event? YES \$25 /per ticket \( \square\$ NO	
Are tickets being sold in advance for	this event? YES \$25 /per ticket NO	
Is there an admission fee for this event? YES \$25 /per ticket \( \sum \) NO		
Are you using dues collected to purchase alcohol for this event?  YES  NO  .		
How many people are you expecting at this event?		
Name & address of event location. P	lease attach proof of permission to use this facility.	
Who will be serving the alcohol to your guests?		
Who will be serving the alcohol to yo	our guests?	
Richard Ki	W3	
Bartenders and/or servers of alcohol	l, beer and/or wine must have completed in the past three	
1.	alcoholic beverages server-training program. Please state	
below who will be serving alcohol, be	eer and/or wine and attach proof of their training (certificate).	
Richard Kin	; }	
	be the manner in which alcohol will be served to your guests.	
-	alcohol or will they need to purchase it from the bar?) Please	
attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.		
	· · · · · · · · · · · · · · · · · · ·	
Purchase		
I understand that the alcohol purchased for this event must be purchased from a licensed		
wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and		
that I have received a current list of wholesalers. (A person holding a Section 14 license cannot		
murchago alasha bahayangga from a madaga atawa (MCI Ch. 100 Can 11 00, 00 1 CMB = 0.1)		
Event Manager Signature:	Date:	
Event Manager Signature:	hill f. Kely Judo, 204	

Event Manager Name		
(Name that will appear on license)	Mike Riley	
Event Manager Address		
Event Manager Phone Number	/	
Organization Representing (if applicable)	Needham Kazhrs of Columbus  Non-profit  For profit	
Is the organization (if applicable)	Non-profit For profit	
you are representing non-profit? If	Proof of non-profit status is attached	
so, please attach proof of non-profit	Form of Proof:	
status.		
Name of Event	St. Patrick's Day D'word Durce	
Date of Event	St- Patrick's Day Dinner/ Dunce Sutarday Murch 12,2011	
License is for Sale of:	Cuturday Murch 12,20"	
Wines & Malt Beverages Onl		
All Alcoholic Beverages (for		
Requested Time for Liquor License	FROM: TO:	
	lepin 10pm	
Are tickets being sold in advance for	FROM: TO: 10pm this event? TYES \$ 25 /per ticket \( \square\$ NO	
Is there an admission fee for this eve	nt? YES \$ /per ticket \( \square \) NO	
Are you using dues collected to purchase alcohol for this event? YES NO		
How many people are you expecting	100	
Name & address of event location. Please attach proof of permission to use this facility.		
1211 Highland 4	venue Needhan, MA 02492 ur guests?	
Who will be serving the alcohol to yo	ur guests?	
Dal I	Suite .	
Bartenders and/or servers of alcoho	wy, beer and/or wine must have completed in the past three	
	alcoholic beverages server-training program. Please state	
below who will be serving alcohol, be	eer and/or wine and attach proof of their training (certificate).	
	·	
Richard Li	<i></i> √(	
Please use the space below to describe the manner in which alcohol will be served to your guests.		
(For example, will guests be served alcohol or will they need to purchase it from the bar?) Please		
attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.		
Parchese		
I understand that the alcohol purchased for this event must be purchased from a licensed		
wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and		
that I have received a current list of wholesalers. (A person holding a Section 14 license cannot		
purchase alcoholic beverages from	a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))	
Event Manager Signature:	11 1 Date:	
Mu	m 1. Very / 20,2011	

# Town of Needham Board of Selectmen Minutes for January 11, 2011 Needham Public Services Administration Building

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. Call to Order:

A meeting of the Board of Selectmen was convened by Chairman John A. Bulian. Those present were Daniel P. Matthews, Gerald A. Wasserman, Denise C. Garlick, Maurice P. Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

Mr. Bulian congratulated Ms. Garlick who was sworn in last week as the Town's new State Representative.

7:00 p.m. FY 2011 Snow & Ice Program Update:

Richard P. Merson, DPW Director, Robert A. Lewis, Assistant DPW Director, and Rhain Hoyland, Highway Superintendent appeared before the Board to discuss how the Town handles preparation for a major snow event.

Mr. Merson said planning, preparation, and people are the three key pieces for handling a snowstorm. Mr. Merson said the staff at the DPW continually watch the weather forecasts and receive updates in the morning and afternoon. He said as a weather event begins to evolve discussion begins. Mr. Merson said the Town started planning for tonight's storm late last week. Mr. Merson said planning for snow events really begins during the summer with a review of equipment and lining up plowing contractors.

Mr. Bulian asked if the Town does any pre-treatment of the roadways. Mr. Merson said an anti-icing treatment process containing snowmelt is spread on major roadways around Town and the goal is to provide a first melting when snow reaches the ground, then sanding and salting can start. Mr. Merson said snow is plowed when there are two or more inches of snow.

Mr. Bulian announced the Needham School Superintendent has cancelled school for tomorrow, and asked Mr. Merson how the Town will handle the morning and evening rush hour when it is snowing heavily. Mr. Merson commented the DPW is one crew, unlike the police and fire department who have multiple shifts. He said it is the job of the DPW to provide safe public conditions, but workers must be given time to rest. Mr. Merson commented the storm coming tonight will begin around midnight and end in the late afternoon on Wednesday. He said when the storm does end it will take four to six hours to plow and push back all of the snow.

#### **CONSENT AGENDA**

- 1. Approve amended minutes from February 9, 2010, which now reflect the approved Board of Appeals fee of \$500 for Special Permit/All others
- Accept the following donation to the Needham Fire Department to help fund its Student Awareness of Fire Education program: Ms. Sara Romer & Mr. Andrew Kaplan -\$100
- 3. Accept donations made to the Needham Revitalization Trust Fund from the following residents: Anita P. Olson \$50; Daniel P. Matthews \$100.
- 4. Accept the following donations received to the Needham Health Department's Gift of Warmth Fund: Congregational Church of Needham- Outreach Committee - \$2,000; Shahin S. Sagafi - \$200; Mary Clare Siegal- \$100; Saint Joseph's Guild- \$350; Christ Episcopal Church- \$750; Carter Memorial Methodist Church- \$2,500; First Church of Christ, Scientist-\$100.00; and Rabbi Carl M. Perkins of Temple Aliyah- \$180
- 5. Accept the following donations received to the Council on Aging: First Baptist Church-\$500; the Andrews family-\$25; the Cruickshank family-\$50; the Gesner family-\$100; the Burbank family-\$275; Low Vision Group-\$60; the Aronson family-\$100; the DeLemos family-\$100; Wingate-\$50; the Hicks family-\$200; the Gilbert family-\$50; and a \$125 miscellaneous donation. Also accept the amount of \$1,556.60 in miscellaneous donations for Transportation for the Council on Aging.
- 6. Water & Sewer Abatement Order No. 1117
- 7. Accept the following donations made to the Needham Park and Recreation Commission for the planting of a tree at Perry Park in memory of Davis Johnson: Richard Fernandez-\$100, Brian Dies-\$50, Roger Cunningham-\$100, George Megaloudis-\$30, Nancy C. Smith-\$100, Johnathan Fox-\$50, Betsy Harris-\$50, Tina Souza-\$50, Larissa Drayer-\$45, Kristine Sullivan-\$50, Adam Dephoure-\$50, Michael Mockus-\$25, Paul Flack-\$25, and Parent Talk-\$100.
- 8. Accept donation of \$50.00 made to the Police Department for a child safety seat installation from Maile Naylor of 226 Fuller Street, Newton, MA 02465.

### 7:35 p.m. Town Manager:

Ms. Kate Fitzpatrick, Town Manager appeared before the Board with 4 items to discuss:

8:05 p.m. Discussion of Regional Agreement – Minuteman School:

Dr. Ed Bouquillon, Superintendent Minuteman Regional Vocational & Technical High School, Ernie Houle, Director of Community Education, and Jeff Stulin, Minuteman School Representative appeared before the Board to discuss the status of the Regional Agreement Task Force and proposed action that the School District will request of the 16 towns in the Minuteman School District.

Dr. Bouquillon stated 16 out of 16 member district towns approved Minuteman moving ahead with the MSBA on a feasibility study, with approval to borrow \$724,000. Dr. Bouquillon said Minuteman agreed to several items prior to the hiring of an Owners Project Manager and a design architect firm. He stated Minutemen agreed not to spend any of the \$724,000 until completion of an Enrollment Study, a Strategic Plan for the MSBA outlining educational programs, a Utilization Study, and changes to the Regional Agreement as recommended by the Regional Agreement Task Force. Dr. Bouquillon said the studies are in various stages of completion. He stated Minuteman experienced a 60% increase in its freshman class this year, and anticipates a similar increase next year. He said enrollment from Needham jumped from 16 to 26 students in one year. Dr. Bouquillon gave an overview of the Regional Agreement Task Force, and told the Board the Task Force agreed upon five recommendations as listed in the Draft Executive Summary. He stated four of the five recommendations have been agreed to unanimously by the Regional Agreement Task Force, but the Minuteman School Committee has not yet voted on the recommendations. Dr. Bouquillon said the Task Force was considering a change in the Apportionment of Capital Costs formula and have looked at 15 different models. Dr. Bouquillon told the Board components of each model cannot be vetted in time to ask the Towns to consider an Article change this year. He stated the Minuteman School Committee voted to remove the Article and have asked the Task Force to continue to meet to analyze models and deliver a recommendation no later than June 1, 2011 so the School Committee can prepare for next year's Town Meeting season. He stated the MSBA is supportive of the action. Dr. Bouquillon said the MSBA is reviewing the Enrollment Study draft, as well as the work done on the Strategic Planning and Educational Program Planning and expect to endorse the project. Dr. Bouquillon said communities have asked for more detail. He said a year from now more will be known about the project scope.

Jeff Stulin commented on the part of the Regional Task Force Agreement that has not been completed yet, and wanted the members to know that during the process of making revisions to the Regional Agreement, there has been amazing agreement. He said the amount of progress has been very encouraging, and that it is unfortunate the last piece cannot be put in place before Town Meeting.

Dr. Bouquillon said there is agreement to a three year rolling average of enrollment for operating as well as capital, and a five pupil minimum for operating and capital. He said two additional changes to the Regional Agreement include charging post graduate students a tuition. He said all post graduate

The Board discussed the resolutions to be discussed at the MMA Annual Business Meeting to be held on January 22, 2011 relative to transportation finance and administration and health insurance plan design authority.

Mr. Bulian stated there are two resolutions. He said the resolution calling for health insurance plan design authority for cities and towns has previously been approved by the Board. Mr. Bulian asked for discussion on the second resolution, Proposed Resolution on Transportation Finance and Administration. Mr. Wasserman gave a brief overview of the Resolution.

Motion by Mr. Matthews that the Board vote to authorize the Chairman to vote in favor of the Proposed Resolution on Transportation Finance and Administration.

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

### 8:40 p.m. Adjourn:

Motion by Mr. Matthews that the Board vote to adjourn the Board of Selectmen meeting of January 11, 2011.

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