

BOARD OF SELECTMEN

September 27, 2011

Needham Public Services Administration Building

Agenda

	6:45	Informal Meeting with Citizens
1.	7:00	Swear in New Police Chief Philip E. Droney
2.	7:00	Change of Manager – Not Your Average Joe’s Restaurant Louis Capodilupo, Manager
3.	7:05	Public Hearing Tree Hearing - 66 Grant Street Ed Olsen, Parks & Forestry Superintendent
4.	7:05	Public Hearing Tree Hearing - 70 Grant Street Ed Olsen, Parks & Forestry Superintendent
5.	7:05	Public Hearing Tree Hearing - 522 High Rock Street Ed Olsen, Parks & Forestry Superintendent
6.	7:15	Needham 300 Update Bill Tilberg and Valerie Herman, Co-Chairs
7.	7:30	Public Hearing – Green Communities Study Committee
8.	8:30	Town Manager - Accept and Refer Zoning Amendments - Close Special Town Meeting Warrant - Sewer Rate Relief Application - Proposed Changes to Group Health Insurance Offerings
9.	9:00	Board Discussion - Amend Meeting Schedule - Committee Reports
10.	9:05	Executive Session (exceptions 2, 3, and 6)

APPOINTMENTS

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CONSENT AGENDA *=Backup attached

1.*	Approve One Day Special All Alcoholic Beverages Only license for Michael Despres of The Village Club to hold a Needham Fire Halloween Party from 7:00pm to 11:30pm on Thursday, October 29, 2011 at the Village Club, 83 Morton Street, Needham.
2.*	Approve One Day Special All Alcoholic Beverages Only license for Michael Despres of The Village Club to hold a “Wacky Western Wedding” from 6:00pm to 11:30pm on Saturday, October 8, 2011 at the Village Club, 83 Morton Street, Needham.
3.	Approve request from the Needham Business Association to hold Annual Blue Tree Ceremony on Saturday, November 26, 2011 at 4:30 p.m. in Avery Square and Blue Tree festivities at the Town Common at 5:00 p.m.
4.	Approve request from the Needham Business Association to have “meter-free” parking

	in Needham Center and Needham Heights on Saturdays between Thanksgiving and Christmas.				
5.*	Approve minutes from September 13, 2011 meeting.				
6.*	Water & Sewer Abatement Order No. 1131.				
7.*	Approve a request from Michael Sapers of CATZ to hold a road race on Saturday, October 15, 2011 from 7:00AM to 3:00 PM in the New England Business Center area.				
8.	Accept a framed sketch of Needham from 1887 from former Needham residents, Judy and Paul McGreenery of 40 Driftway #29, Scituate, MA 02066.				
9.	Grant permission for the following residents to hold a block party:				
Name	Address	Party Location	Date	Rain date	Time
Marian Slavin	291 Nehoiden St	Washburn Ave	9/24/11	9/25/11	4-11pm 3-10pm
Carter Memorial United Methodist Church	800 Highland Avenue	Church Parking Lot & Alfreton St	10/8/11		12:30-3:00pm
Valerie St. Peters	15 Fairfield St	Fairfield St	10/31/11		3-8pm
Liz Berkman	113 Melrose Ave	Between Melrose & Elliott	10/15/11	10/16/11	12-5pm
Susan Maxwell	62 Warren St	Warren St between May and Great Plain	10/9/11		12-6pm
Meghan Thress	67 Ellicott St	Hatfield Park (green where Ellicott & Melrose join)	10/15/11	10/16/11	12-4pm

Board of Selectmen

AGENDA FACT SHEET for 9/27/2011

Agenda Item: Swearing in of Police Chief

Presenter(s): Tedi Eaton, Town Clerk
Tom Leary, Chief of Police

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Town Clerk Tedi Eaton will swear in Philip E. Droney as the next Chief of the Needham Police Department. Out-going Chief Leary will make a brief presentation.

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

3. BACK UP INFORMATION ATTACHED:

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Administrator	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:** _____

Board of Selectmen

AGENDA FACT SHEET for September 27, 2011

Agenda Item: Change of Manager, Not Your Average Joe's Restaurant

Presenter: Louis Capodilupo, Proposed Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Not Your Average Joe's Restaurant, 109 Chapel Street, has requested a change in manager. Our review indicates that Mr. Capodilupo meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol.

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

Suggested Motion: Move that the Board of Selectmen approve and sign an application for a Change in Manager to Louis Capodilupo for Not Your Average Joe's Restaurant, 109 Chapel Street, Needham and to forward this application to the ABCC for approval.

3. BACK UP INFORMATION ATTACHED:

1. Cover Letter
2. Petition for Change of License
3. Personal Information Form
4. Manager Application
5. Serve Safe Certificate
6. Not Your Average Joe's vote of Board of Directors
7. Copies of checks for payment of associated processing fees

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	<u>ABCC</u>	[yes]	no	NA	_____

Disposition by BOS

Action taken: _____ **Present on future Agenda:** _____

Refer to/Inform: _____ **Report back to BOS on:** _____



August 18, 2011

Board of Selectmen
Town of Needham
1471 Highland Avenue
Needham, MA 02492-2669

Dear Board Members:

Not Your Average Joe's, Inc. would like to respectfully request a change of manager to the Liquor License for our location at 109 Chapel Street, Needham, MA to Louis Capodilupo, as Ralph Vitiello has moved to our Watertown location.

Enclosed please find the following:

- The ABCC required online forms
- Check in the amount of \$200 payable to the ABCC
- Copy of the ServSafe Alcohol Certification
- Vote of the Corporate Board appointing the new manager

Please contact me with the next available date for an appearance before the Board of Selectmen.

Thank you, in advance, for your assistance and please contact me should you require any additional information.

Sincerely,

Christine Carlson
Licensing Department
Not Your Average Joe's
774-213-2949 p
774-213-2899 f
ccarlson@nyajoes.com

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

Personal Information Form

1. Licensee Information:

Legal Name of Licensee:	Not Your Average Joe's, Inc.	Business Name (d/b/a):	Not Your Average Joe's
Address:	109 Chapel Street	ABCC License Number: (If existing licensee)	77000002
City/Town:	Neddham Neddham @	State:	MA Zip Code: 02492
Phone Number of Premise:	781-453-9300	EIN of License:	04-3461276

2. Personal Information:

Individual Name:	Louis Capodilupo	Home Phone Number:	781-956-1556
Address:	5 Atwood Avenue, Apt 1	E-mail Address:	lcapodilupo@nyajoes.com
City/Town:	Norwood	State:	MA Zip Code: 02062
Social Security Number:	[REDACTED]	Date of Birth:	12/28/1980 10/28/1980 @
Place of Employment:	Not Your Average Joe's, 151 Campanelli Drive, Suite C, Middleboro, MA 02346		
Have you ever been convicted of a state, federal or military crime? Yes ☐ No ☒			
If yes, attach an affidavit as to all charges and disposition.			

3. Financial Interest:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

None

IMPORTANT ATTACHMENTS: For all cash contributions, attach last 3 months of bank statements for the source(s) of this cash.
If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature	<i>Louis Capodilupo</i>	Date	8/25/11
Title	General Manager	(If Corporation/LLC Representative)	

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

Manager Application

All proposed managers are required to complete a [Personal Information Form](#), and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. Licensee Information:

Legal Name of Licensee:	Not Your Average Joe's, Inc.	Business Name (d/b/a):	Not Your Average Joe's
Address:	109 Chapel Street		
City/Town:	Needham	State:	MA
		Zip Code:	02492
ABCC License Number: (If existing licensee)	77000002	Phone Number of Premise	781-453-9300

2. Manager Information:

Name:	Louis Capodilupo	Cell Phone Number:	781-956-1556
Are you a U.S. Citizen:	Yes ☒ No ☐	Court and Date of Naturalization:	
(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)			
List the number of hours per week you will spend on the licensed premises:	50+		
Have you ever been charged or convicted of a state, federal or military crime?	Yes ☐ No ☒		
If yes, attach an affidavit as to all charges and disposition.			
Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages?	Yes ☐ No ☒		
If yes, please describe:			
Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled?	Yes ☐ No ☒		
If yes, please describe:			
Have you ever been the Manager of Record of a license that was issued by this Commission?	Yes ☐ No ☒		
If yes, please describe:			
Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):			
See Attached			

If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Louis Capodilupo

Date

8/25/11

Additional Space

Please note which question you are using this space for.

Employment: Louis Capodilupo

Feb 2007 - Present
Manager, multiple locations
Not Your Average Joe's
151 Campanelli Drive, Suite C
Middleboro, MA 02346
774-213-2800

Nov 2003 - Feb 2007
Manager
Starbucks Coffee Corporation
Boston, MA

June 2002 - Nov 2003
Manager
The Ground Round
Norwell, MA



863871

Class List

Class #: 863871
Instructor: SANDRA Kerrigan
InstructorID: 520906
(oldID = 621086)
Class Address: 151 Camponelli
Drive, Suite C
Middleboro, MA
02346 United
States

Course: ServSafe Alcohol
Course & Advanced
Exam
Sponsor: Not Your Average
Joe's
151 Camponelli
Drive, Suite C
Middleboro, MA
02346 United States

Exam Date: 5/26/2010
Hours of Training: 0
Exam Location: MA

<u>Student</u>	<u>Person ID</u>	<u>SSN</u>	<u>Grade</u>	<u>Hold</u>	<u>Cert. Number</u>
BELLEY, MICHAEL T	1508914	*****	93		7127445
BIGGART, MEREDITH A	5769465	*****	93		7127446
* CAPODILUPO, LOUIS J	3854176	*****	88		7127447
FLANAGAN, KERRI	5769466	NULL	88		7127448
HOVSEPIAN, COURTNEY E	5769467	*****	95		7127449
LAFARGE, PETER	1659630	*****	98		7127450
LOWRE, PETER S	738215	*****	96		7127451
MANCUSO, JOSEPH J	3228485	*****	95		7127452
MEDREA, ALINA	5770611	NULL	90		7128775
OVERTON, SHAVONNE M	5769469	NULL	86		7127453
PAGE, EMILY R	5769470	*****	90		7127454
SATTERFIEL, DAVID	5769471	*****	91		7127455
TOWNSEND, JASMINE N	5769472	NULL	98		7127456

Total Number of Students:

13

**NOT YOUR AVERAGE JOE'S, INC.
CLERK'S CERTIFICATE**

I, **Joseph McGuire, Clerk of Not Your Average Joe's, Inc.**, a Delaware corporation authorized to do business in the Commonwealth of Massachusetts (the "Corporation") having a usual place of business in Middleboro, Massachusetts, hereby certify that I have custody of its corporate record, and that the following is a true copy of a vote passed by the Board of Directors with a resolution that was adopted as follows:

RESOLVED: That the manager of the Needham, MA restaurant for the purpose of the Company's liquor license is changed from Ralph Vitiello to Louis Capodilupo.

IN WITNESS WHEREOF, I hereunto subscribe my name as Clerk this 1st day of August, 2011.



Joseph McGuire, Clerk

Board of Selectmen

AGENDA FACT SHEET for 9/27/2011

Agenda Item: 7:05 pm

Public Hearing for the removal of one (1) Public Shade Tree at 66 Grant Street.

Presenter:

Edward J. Olsen, Tree Warden / Parks & Forestry
Superintendent

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

George Xiarhos of 66 Grant Street has petitioned for the removal of one Honey Locust tree located on town Property. Mr. Xiarhos wants to protect his sewer line from any further encroachment from tree roots. The tree is located within the Town layout on the grass berm between the sidewalk and roadway. The tree roots have grown into the sewer pipe that leads from the sidewalk and into the house. The Tree Warden recommends granting permission for the removal of the 20 inch Honey Locust. He further recommends that there be some sum of money paid to the "Town of Needham" for future tree planting. He is recommending an amount of \$200.00.

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

Under M.G.L. Ch 87, Requires a Vote by the Board of Selectmen

Suggested Motions:

1. "That the Board vote to approve and sign the Public Shade Tree Hearing Form for the removal of one 20 -inch Honey Locust tree in front of 66 Grant Street."
2. "That the Board vote to approve the sum of \$200.00 be paid to the "Town of Needham" for future tree planting"

3. BACK UP INFORMATION ATTACHED:

1. Legal Ad published in Needham Times, issues 9/15/11, 9/22/11
2. List of Notified Abutters
3. Public Shade Tree Hearing Approval Form
4. Request Email from G. Xiarhos to E. Olsen dated 8/02/11
5. Approval Letter from Tree Warden E. Olsen

4. SIGN OFF/APPROVAL REQUIRED: (circle one)

a. Town Manager	Yes	<u>No</u>	NA	_____
b. Town Counsel	Yes	<u>No</u>	NA	_____
c. Finance Director	Yes	<u>No</u>	NA	_____
d. Town Accountant	Yes	<u>No</u>	NA	_____

Staff use: Disposition by BOS:

Action taken: _____

Present on future Agenda: _____

Refer to/Inform: _____

Report back to BOS by: _____

Legal Notices

9-15-11

522 HIGH ROCK STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 522 High Rock St. on the left front of the property.

SPECIES	DIAMETER
Oak	30 inches
CONDITION	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree, which will impact the widening of the existing driveway.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591832
Needham Times 9/15, 9/22/11

66 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that George Xiarhos of 66 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 66 Grant St. on the right front of the property.

SPECIES	DIAMETER
Honey Locust	20 inches
CONDITION	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591849
Needham Times 9/15, 9/22/11

70 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 70 Grant St. on the right front of the property.

SPECIES	DIAMETER
Honey Locust	16 inches

CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen
AD#12591855
Needham Times 9/15, 9/22/11

Legal Notices

9-22-11

522 HIGH ROCK STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 522 High Rock St. on the left front of the property.

SPECIES	DIAMETER
Oak	30 inches
CONDITION	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree, which will impact the widening of the existing driveway.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591832
Needham Times 9/15, 9/22/11

66 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that George Xiarhos of 66 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 66 Grant St. on the right front of the property.

SPECIES	DIAMETER
Honey Locust	20 inches
CONDITION	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591849
Needham Times 9/15, 9/22/11

70 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 70 Grant St. on the right front of the property.

SPECIES	DIAMETER
Honey Locust	16 inches

CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen
AD#12591855
Needham Times 9/15, 9/22/11

cc: Ed Olsen
Kew N
Rpm

ABUTTER'S NOTICE

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that George Xiarhos of 66 Grant Street has petitioned for the removal of one (1)

PUBLIC SHADE TREE

as follows: At 66 Grant St.on the right front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
<u>Honey Locust</u>	<u>20 inches</u>	<u>good</u>

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:00 P.M., Tuesday the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

If you have any questions, please call my office at 781-455-7548 ext 216.

Edward J. Olsen
Tree Warden / Supt. Parks and Forestry Div.

66 GRANT ST

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER</u>	<u>CITY</u>	<u>State</u>
199/040.0-0075-0000.0	62	GRANT ST	LAILAW, TANYA M & LAILAW, NICHOLAS G	62 GRANT ST	NEEDHAM	NEEDHAM	MA
199/041.0-0069-0000.0	66	GRANT ST	XIARHOS, GEORGE + XIARHOS, ELIZABETH C.	66 GRANT STREET	NEEDHAM	NEEDHAM	MA
199/041.0-0070-0000.0	70	GRANT ST	LESTER, LAURA L.	151 COUNTRY CLUB RD	NEEDHAM	NEEDHAM	MA
199/047.0-0018-0000.0	55	GRANT ST	DECKER, ERIC W. & DECKER, WENDY E.R.	55 GRANT ST	NEEDHAM	NEEDHAM	MA
199/047.0-0019-0000.0	61	GRANT ST	MCPHERSON, BRIAN P.	17 GRANT ST	NEEDHAM	NEEDHAM	MA
199/047.0-0020-0000.0	65	GRANT ST	NG, YUEN TIN & CHEUNG, YAT KAI NG	65 GRANT ST	NEEDHAM	NEEDHAM	MA
199/047.0-0021-0000.0	69	GRANT ST	KATZ, JEFFREY A. & KATZ, LAURA L.	105 MEETINGHOUSE CIRCLE	NEEDHAM	NEEDHAM	MA
199/047.0-0022-0000.0	81	GRANT ST	BUTNARU, MAGDA + BUTNARU, AVNER	81 GRANT ST	NEEDHAM	NEEDHAM	MA

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
For the Needham Board of Assessors.....

Online Form Submittal Contact Ed Olsen

From: support@civicplus.com
Sent: Tuesday, August 02, 2011 11:32 AM
To: Judy Oakes; Edward Olsen; Kevin Naughton
Subject: Online Form Submittal: Contact Ed Olsen

The following form was submitted via your website: Contact Ed Olsen

Full Name:: George Xiarhos

Email Address:: gx@comcast.net

Address:: 66 Grant St

City/Town:: Needham

State:: MA

Zip Code:: 02492

Telephone Number:: 781 444 9384

Comments / Questions: Hi Ed, (8/2/11)

I respectfully request the removal of the tree in front of my house.

The connection to the sewer line has been compromised and the roots of the tree are growing into the sewer line. (this has been a problem for us for a few years, and we had a major backup due to roots in the line. And every 2-3 years I need to hire a service to clean out the sewer line of roots.)

This means I need to replace the sewer line connection running from my house to the street. Unfortunately, this will cause more damage to the roots of the tree.

Please let me know if you can help me with the process of removing the tree.

If you have any questions please contact me.

Regards,
George

Additional Information:

Form submitted on: 8/2/2011 11:32:01 AM

Submitted from IP Address: 66.31.109.145

Referrer Page: <http://www.needhamma.gov/index.aspx?NID=235>

Form Address: <http://www.needhamma.gov/forms.aspx?FID=228>

September 27, 2011

Board of Selectmen
Town Hall
Needham, MA 02492

RE: TREE REMOVAL AT 66 Grant Street

Dear Members of the Board:

George Xiarhos of 66 Grant Street has petitioned for the removal of one Honey Locust tree located on Town Property. Mr. Xiarhos wants to protect his sewer line from any further encroachment from tree roots. The tree is located within the Town layout on the grass berm between the sidewalk and roadway. The tree roots have grown into the sewer pipe that leads from the sidewalk and into their house. Since I found the tree in good condition, not a hazard to the public a Public Shade Tree Hearing is required.

Therefore, in keeping with previous Town policy on the removal of live trees, and in accordance with Massachusetts General Laws Chapter 87 Section 3, and after public hearing, I recommend granting permission for the removal of the 14-inch Honey Locust for protection against future sewer back ups. I further recommend that there be some sum of money paid to the "Town of Needham" for future tree planting. For this hearing, I am recommending an amount of \$200.00.

Sincerely,

Edward J. Olsen
Tree Warden / Superintendent, Parks and Forestry Division

NOTICE

TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that George Xiarhos of 66 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE

as follows: At 66 Grant Street, on the left front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
<u>Honey Locust</u>	<u>20 inches</u>	<u>good</u>

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:00 P.M., Tuesday the 27th day of September 2011,

at which time and place all interested persons may appear and be heard.

Tree Removal Petition:

- ☐ **APPROVED**
- ☐ **NOT APPROVED**

Donation to "Town of Needham" Tree Planting Program in the amount of _____

- ☐ **APPROVED**
- ☐ **NOT APPROVED**

Needham Board of Selectmen

Board of Selectmen

AGENDA FACT SHEET for 09/27/11

Agenda Item: 7:00 pm Public Hearing for the removal of three (1) Public Shade Trees at 70 Grant Street

Presenter: Edward J. Olsen, Tree Warden / Parks & Forestry Superintendent

1. **BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:** Laura Lester of 70 Grant Street is requesting permission to have one Public Shade Tree removed. Mrs. Lester is worried about the health and safety of her family due to this tree's comprised root system. The Tree Warden does not object to the removal of the tree and has requested \$200.00 be paid to the Town of Needham for future tree planting.
2. **VOTE REQUIRED BY BOARD OF SELECTMEN:** ☒ YES ☐ NO (circle one)
Under M.G.L. Ch 87, Requires a Vote by the Board of Selectmen
Suggested Motions:
 1. "That the Board votes to approve and sign the Public Shade Tree Hearing form for the removal of one Honey Locust tree on the berm in front of 70 Grant Street."
 2. "That the Board votes to approve the sum of \$200.00 to be paid to the Town of Needham for future tree planting"
3. **BACK UP INFORMATION ATTACHED:**
 1. Legal Ad published in Needham Times, issues 9/15/11, 9/22/11
 2. List of Notified Abutters
 3. Public Shade Tree Hearing Approval Form
 4. Request Letter from L. Lester to E. Olsen dated 9/08/11
 5. Approval Letter from Tree Warden E. Olsen to B.O.S. dated 9/27/11
4. **SIGN OFF/APPROVAL REQUIRED: (circle one)**

a. Town Admin.	Yes	☒ No	NA	_____
b. Town Counsel	Yes	☒ No	NA	_____
c. Finance Director	Yes	☒ No	NA	_____
d. Comptroller	Yes	☒ No	NA	_____

Staff use: Disposition by BOS:

Action taken: _____

Present on future Agenda: _____

Refer to/Inform: _____

Report back to BOS by: _____

Legal Notices

9-15-11

522 HIGH ROCK STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 522 High Rock St. on the left front of the property.

<u>SPECIES</u>	<u>DIAMETER</u>
Oak	30 inches
<u>CONDITION</u>	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree, which will impact the widening of the existing driveway.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591832
Needham Times 9/15, 9/22/11

66 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that George Xiarhos of 66 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 66 Grant St. on the right front of the property.

<u>SPECIES</u>	<u>DIAMETER</u>
Honey Locust	20 inches
<u>CONDITION</u>	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591849
Needham Times 9/15, 9/22/11

70 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 70 Grant St. on the right front of the property.

<u>SPECIES</u>	<u>DIAMETER</u>
Honey Locust	16 inches

CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591855
Needham Times 9/15, 9/22/11

Legal Notices

9-22-11

522 HIGH ROCK STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 522 High Rock St. on the left front of the property.

<u>SPECIES</u>	<u>DIAMETER</u>
Oak	30 inches
<u>CONDITION</u>	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree, which will impact the widening of the existing driveway.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591832
Needham Times 9/15, 9/22/11

66 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

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<u>SPECIES</u>	<u>DIAMETER</u>
Honey Locust	20 inches
<u>CONDITION</u>	
good	

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591849
Needham Times 9/15, 9/22/11

70 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 70 Grant St. on the right front of the property.

<u>SPECIES</u>	<u>DIAMETER</u>
Honey Locust	16 inches

CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591855
Needham Times 9/15, 9/22/11

cc: Ed Olsen
Kew N
Rpm

ABUTTER'S NOTICE

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1)

PUBLIC SHADE TREE

as follows: At 70 Grant St. on the right front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
<u>Honey Locust</u>	<u>16 inches</u>	<u>good</u>

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:00 P.M., Tuesday the 27th day of September, 2011,

at which time and place all interested persons may appear and be heard.

If you have any questions, please call my office at 781-455-7548 ext 216.

Edward J. Olsen
Tree Warden / Supt. Parks and Forestry Div.

70 GRANT ST

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/041.0-0069-0000.0	66	GRANT ST	XIARHOS, GEORGE + XIARHOS, ELIZABETH C.	66 GRANT STREET	NEEDHAM	MA	02492
199/041.0-0070-0000.0	70	GRANT ST	LESTER, LAURA L.	151 COUNTRY CLUB RD	NEWTON CTR	MA	02459
199/041.0-0071-0000.0	45	KIMBALL ST	TORRISI, BRIAN E. & TORRISI, KIMBERLY RYAN	45 KIMBALL ST	NEEDHAM	MA	02492
199/041.0-0072-0000.0	80	GRANT ST	FLOITGRAF, WOLFGANG K, TR & FLOITGRAF, JEANNE M., TR	80 GRANT ST	NEEDHAM	MA	02492
199/047.0-0019-0000.0	61	GRANT ST	MCPHERSON, BRIAN P.	17 GRANT ST	NEEDHAM	MA	02492
199/047.0-0020-0000.0	65	GRANT ST	NG, YUEN TIN & CHEUNG, YAT KAI NG	65 GRANT ST	NEEDHAM	MA	02492
199/047.0-0021-0000.0	69	GRANT ST	KATZ, JEFFREY A. & KATZ, LAURAL	105 MEETINGHOUSE CIRCLE	NEEDHAM	MA	02492
199/047.0-0022-0000.0	81	GRANT ST	BUTNARU, MAGDA + BUTNARU, AVNER	81 GRANT ST	NEEDHAM	MA	02492

Certified as list of parties in interest under Mass General Laws and Needham Zoning By-Law, to the Best of our knowledge
For the Needham Board of Assessors.....

September 8, 2011

To whom it may concern,

I'm writing to please ask for a hearing to remove a particular honey locust tree which stands in the front of our property at 70 Grant Street in Needham. This tree has been compromised with its root system being cut off when a water pipe repair was made early this year. I have been told by several tree experts that this tree is too much at risk for not thriving and therefore is dangerous to continue to stand there.

Thank you very much for your time regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Louise Lester". The signature is fluid and cursive, with the first name "Laura" being the most prominent.

Laura Louise Lester

p. 617-244-5343

September 27, 2011

Board of Selectmen
Town Hall
Needham, MA 02492

RE: TREE REMOVAL AT 70 Grant Street

Dear Members of the Board:

Wendy Hyde of 70 Grant Street has petitioned for the removal of one Honey Locust tree located on Town Property. Mrs. Hyde is worried that this tree may fall down in a storm due to its' roots having been cut with the recent water service excavation work . The tree is located within the Town layout on the grass berm between the sidewalk and roadway. Since I found the tree in good condition, not a hazard to the public a Public Shade Tree Hearing is required.

Therefore, in keeping with previous Town policy on the removal of live trees, and in accordance with Massachusetts General Laws Chapter 87 Section 3, and after public hearing, I recommend granting permission for the removal of the 14-inch Honey Locust for protection against future sewer back ups. I further recommend that there be some sum of money paid to the "Town of Needham" for future tree planting. For this hearing, I am recommending an amount of \$200.00.

Sincerely,

Edward J. Olsen
Tree Warden / Superintendent, Parks and Forestry Division

NOTICE

TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE

as follows: At 70 Grant Street, on the front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
<u>Honey Locust</u>	<u>16 inches</u>	<u>good</u>

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:00 P.M., Tuesday the 27th day of September 2011,

at which time and place all interested persons may appear and be heard.

Tree Removal Petition:

☐ **APPROVED**

☐ **NOT APPROVED**

Donation to "Town of Needham" Tree Planting Program in the amount of _____

☐ **APPROVED**

☐ **NOT APPROVED**

Needham Board of Selectmen

Board of Selectmen

AGENDA FACT SHEET for 09/27/11

Agenda Item: 7:00 pm Public Hearing for the removal of (1) Public Shade Tree at 522 High Rock Street

Presenter: Edward J. Olsen, Tree Warden / Parks & Forestry Superintendent

1. **BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:** Matt Hughes on behalf of Nick Scola of 522 High Rock Street is requesting permission to have one Public Shade Tree removed. Mr. Hughes is worried about the health and safety of Scola family due to this tree's compromised root system. This tree's root system was compromised from construction of the new asphalt driveway. The Tree Warden does not object to the removal of the tree requested as long as the removal of the tree and stump is at Mr. Hughes's expense and \$200.00 be paid to the Town of Needham for future tree planting.
2. **VOTE REQUIRED BY BOARD OF SELECTMEN:** ☒ YES ☐ NO (circle one)
Under M.G.L. Ch 87, Requires a Vote by the Board of Selectmen
Suggested Motions:
 1. "That the Board votes to approve and sign the Public Shade Tree Hearing form for the removal of one Oak tree on the berm in front of 522 High Rock Street."
 2. "That the Board votes to approve the sum of \$200.00 to be paid to the Town of Needham for future tree planting"
3. **BACK UP INFORMATION ATTACHED:**
 1. Legal Ad published in Needham Times, issues 9/15/11, 9/22/11
 2. List of Notified Abutters
 3. Public Shade Tree Hearing Approval Form
 4. Request Email from M. Hughes to E. Olsen dated 9/06/11
 5. Approval Letter from Tree Warden E. Olsen to B.O.S. dated 9/27/11
4. **SIGN OFF/APPROVAL REQUIRED: (circle one)**

a. Town Admin.	Yes	☐ No	NA	_____
b. Town Counsel	Yes	☐ No	NA	_____
c. Finance Director	Yes	☐ No	NA	_____
d. Comptroller	Yes	☐ No	NA	_____

Staff use: Disposition by BOS:

Action taken: _____

Present on future Agenda: _____

Refer to/Inform: _____

Report back to BOS by: _____

Legal Notices

9-15-11

522 HIGH ROCK STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 522 High Rock St. on the left front of the property.

SPECIES DIAMETER
Oak 30 inches
CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree, which will impact the widening of the existing driveway.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591832
Needham Times 9/15, 9/22/1166 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that George Xiathos of 66 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 66 Grant St. on the right front of the property.

SPECIES DIAMETER
Honey Locust 20 inches
CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591849
Needham Times 9/15, 9/22/1170 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 70 Grant St. on the right front of the property.

SPECIES DIAMETER
Honey Locust 16 inches

CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.
Needham Board of Selectmen

AD#12591855
Needham Times 9/15, 9/22/11**Legal Notices**

9-22-11

522 HIGH ROCK STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 522 High Rock St. on the left front of the property.

SPECIES DIAMETER
Oak 30 inches
CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree, which will impact the widening of the existing driveway.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12591832
Needham Times 9/15, 9/22/1166 GRANT STREET
LEGAL NOTICE
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TOWN OF NEEDHAM
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SPECIES DIAMETER
Honey Locust 20 inches
CONDITION
good

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Needham Board of Selectmen

AD#12591849
Needham Times 9/15, 9/22/1170 GRANT STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Wendy Hyde of 70 Grant Street has petitioned for the removal of one (1) PUBLIC SHADE TREE at 70 Grant St. on the right front of the property.

SPECIES DIAMETER
Honey Locust 16 inches

CONDITION
good

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Charles River Conference Room, Public Services Administration Building, 500 Dedham Ave., Needham, Massachusetts at 7:00 P.M., Tuesday, the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.
Needham Board of Selectmen

AD#12591855
Needham Times 9/15, 9/22/11

cc: Ed Olsen
Kevin N
Kpm

ABUTTER'S NOTICE

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1)

PUBLIC SHADE TREE

as follows: At 522 High Rock St. on the left front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
<u>Oak</u>	<u>30 inches</u>	<u>good</u>

Permission is respectfully requested to remove one (1) Public Shade Tree, which will impact the widening of the existing driveway.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:00 P.M., Tuesday the 27th day of September, 2011, at which time and place all interested persons may appear and be heard.

If you have any questions, please call my office at 781-455-7548 ext 216.

Edward J. Olsen
Tree Warden / Supt. Parks and Forestry Div.

522 HIGH ROCK ST

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/141.0-0044-0000.0	515	HIGH ROCK ST	NEWTON, ROBERT C + NEWTON, ELAINE C	515 HIGH ROCK ST	NEEDHAM	MA	02492
199/141.0-0045-0000.0	521	HIGH ROCK ST	PEDERSEN, MARGARET E	521 HIGH ROCK ST	NEEDHAM	MA	02492
199/141.0-0046-0000.0	529	HIGH ROCK ST	FREEMAN, LAURA D. & FREEMAN, DANIEL J.	529 HIGH ROCK ST	NEEDHAM	MA	02492
199/141.0-0054-0000.0	530	HIGH ROCK ST	JEKOWSKY, ELIJOT & ROBBINS-JEKOWSKY, LYN	530 HIGH ROCK ST	NEEDHAM	MA	02492
199/141.0-0055-0000.0	522	HIGH ROCK ST	CUOZZO, ANTHONY F C/O SCOLA, NICHOLAS J & ANNE M.	522 HIGH ROCK STREET	NEEDHAM	MA	02492
199/141.0-0056-0000.0	516	HIGH ROCK ST	NORTHUP, KERRY R & NORTHUP, MARIE M.	516 HIGH ROCK ST	NEEDHAM	MA	02492

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
For the Needham Board of Assessors.

From: Matt Hughes [matt@pinewooddevelopments.com]

Sent: Tuesday, September 06, 2011 10:56 AM

To: Edward Olsen

Subject: RE: Tree hearing request

Ed Olsen,

On behalf of Nick Scola, owner of 522 High Rock St, I am requesting we be allowed to remove a tree owned by the town of Needham in the front of his property

The existing tree is in the line of his new driveway apron and will make it very unsafe for he and his family to get out of his driveway on a regular basis, we are more than happy to donate 2 small trees and plant them on the town land in front of this property, but just a little further away from the driveway

Look forward to hearing from you

Matt Hughes

Pinewood Developments & Associates Inc

(781) 449-0014

September 27, 2011

Board of Selectmen
Town Hall
Needham, MA 02492

RE: TREE REMOVAL AT 522 High Rock Street

Dear Members of the Board:

Matt Hughes on behalf of Nick Scola of 522 High Rock Street has petitioned for the removal of one Oak tree located on Town Property. Mr. Hughes wants to protect his client's home and family from any potential damage from this tree falling. The tree is located within the Town layout on the grass berm between the sidewalk and roadway. The tree roots have been compromised due to recent excavation from construction of the new driveway. Since I found the tree in good condition, not a hazard to the public a Public Shade Tree Hearing is required.

Therefore, in keeping with previous Town policy on the removal of live trees, and in accordance with Massachusetts General Laws Chapter 87 Section 3, and after public hearing, I recommend granting permission for the removal of the 14-inch Honey Locust for protection against future sewer back ups. I further recommend that there be some sum of money paid to the "Town of Needham" for future tree planting. For this hearing, I am recommending an amount of \$200.00.

Sincerely,

Edward J. Olsen
Tree Warden / Superintendent, Parks and Forestry Division

NOTICE

TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Nick Scola of 522 High Rock Street has petitioned for the removal of one (1) PUBLIC SHADE TREE

as follows: At 522 High Rock Street, on the left front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
<u>Oak</u>	<u>30 inches</u>	<u>good</u>

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:00 P.M., Tuesday the 27th day of September 2011,

at which time and place all interested persons may appear and be heard.

Tree Removal Petition:

☐

APPROVED

☐

NOT APPROVED

Donation to "Town of Needham" Tree Planting Program in the amount of _____

☐

APPROVED

☐

NOT APPROVED

Needham Board of Selectmen

Board of Selectmen

AGENDA FACT SHEET for 9/27/11

Agenda Item: Needham 300 Update

Presenter(s): Valerie Herman, Bill Tilburg, Co-Chairs

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Ms. Herman and Mr. Tilburg will update the Board with the activities of the Needham 300 Committee.

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

3. BACK UP INFORMATION ATTACHED:

4. SIGN OFF/APPROVAL REQUIRED:

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:** _____

Board of Selectmen

AGENDA FACT SHEET for 9/27/2011

Agenda Item: Green Communities/Stretch Code Hearing

Presenter(s): Green Communities Study Committee

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Members of the Green Communities Study Committee will make a brief presentation about the work of the Committee, its recommendations, the Green Communities Act, and the Stretch Code. Members of the public have been invited to provide comment.

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

3. BACK UP INFORMATION ATTACHED:

a. Notice of Public Hearing

4. SIGN OFF/APPROVAL REQUIRED:

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:** _____



Office of the
TOWN MANAGER

TOWN OF NEEDHAM
TOWN HALL
Needham, MA 02492-2669

TEL: (781) 455-7500
FAX: (781) 449-4569
TDD: (781) 455-7558

**Public Hearing on the Stretch Code and
other Green Communities Qualifications**

A Public Hearing will be held on Tuesday, September 27, 2011 at the Public Services Administration Building, Charles River Conference Room, 500 Dedham Avenue, Needham at 7:30 p.m. The Green Communities Study Committee has recommended to the Board of Selectmen that the Town adopt the Stretch Code as part of its endeavor to become a Green Community. The Stretch code is an energy saving modification to the building code. The Board of Selectmen invites all residents and interested parties to provide input at this meeting.

Information on the Stretch Code and other Green Communities qualifications can be found on the Town's website at www.needhamma.gov/gcsc.

Public comments may also be directed to the Board of Selectmen, c/o Public Services Administration Building, 500 Dedham Avenue, Needham, MA or scincotta@needhamma.gov.

Needham Times
September 15, 2011

Board of Selectmen
AGENDA FACT SHEET for 9/27/11

Agenda Item: Accept and Refer Zoning Amendments
Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

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

Suggested Motion: At the request of the Planning Board that the Board vote to accept the following amendments to the Zoning By-Laws: (1) (1) Amend Zoning Bylaw: Definitions; (2) Amend Zoning By-Law: Dimensional Regulations for New England Business Center; (3) Amend Zoning By-Law: Dimensional Regulations; (4) Amend Zoning By-Law – Off-Street Parking Requirements, for referral to the Planning Board for review, public hearing, and report.

3. BACK UP INFORMATION ATTACHED:

- a. Letter from Lee Newman, Planning Director dated September 22, 2011
- b. Amend Zoning By-Laws 1 through 4 as detailed above

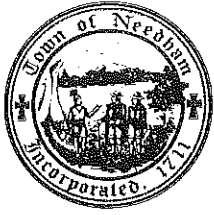
4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	[no]	NA	_____
b.	Town Counsel	yes	[no]	NA	_____
c.	Finance Director	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:** _____



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

500 Dedham Ave
Needham, MA 02492
781-455-7500

PLANNING

September 22, 2011

Ms. Kate Fitzpatrick
Town Manager
Town Hall
Needham, MA 02492

Re: Zoning Articles for 2011 Special Town Meeting

Dear Kate:

The Planning Board at its meeting of September 20, 2011 voted to place the following articles on the warrant for the November 2011 Special Town Meeting: (1) Amend Zoning Bylaw: Definitions; (2) Amend Zoning By-Law: Dimensional Regulations for New England Business Center; (3) Amend Zoning By-Law: Dimensional Regulations; (4) Amend Zoning By-Law – Off-Street Parking Requirements. Accordingly, please find the above-named articles as approved by the Board for inclusion in the warrant of the 2011 Special Town Meeting.

As you know, the Board of Selectmen will need to accept the articles and to then forward them to the Planning Board for review, public hearing and report. Please have the Selectmen act on the enclosed articles at their next meeting of Tuesday, September 27, 2011, so that the Planning Board can meet its statutory obligations. The Planning Board plans to schedule the public hearing on the articles for Tuesday, October 18, 2011.

Should you have any questions regarding this matter, please feel free to contact me directly.

Very truly yours,

NEEDHAM PLANNING BOARD

Lee Newman
Planning Director

cc: Planning Board

Enclosure

Article 2: Amend Zoning By-Law - Definitions

To see if the Town will vote to amend the Needham Zoning By-Law, Section 1.3 Definitions, by adding the following term and definition in appropriate alphabetical order as follows:

“Studio - premises used by a professional artist as a workroom and/or as a workplace where art is taught to, practiced by, or studied with others.”

Or take any other action relative thereto.

Article 3: Amend Zoning By-Law – Dimensional Regulations for New England Business Center

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.8 Dimensional Regulations for New England Business Center

Amend 4.8 Table

By changing Front Setback from 20 feet to 15 feet.

By changing Maximum Lot Coverage from 50% to 65%

By changing Floor Area Ratio from 0.40 to 1.00

By changing Maximum Height from 68 feet to 84 feet

Amend Footnote (1)

By changing the first sentence to read: “No building shall exceed a height of 84 feet.”

Amend Footnote (2)

By changing first sentence to read: “Maximum lot cover shall be 65% for all projects.”

By changing second sentence to read: “However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet the maximum lot coverage may be increased to 75%.” (75% replaces 60%)

Amend Footnote (4)

By changing the sentence to read: “A 25-foot front yard setback must be maintained for structured parking.” (25-foot replaces 30-foot.)

Amend Footnote (6)

By changing first sentence to read: “A floor area ratio of up to 1.75 may be allowed by a special permit from the Planning Board.” (1.75 replaces 1.1)

By changing third sentence to read: “Further, the Planning Board may allow a floor area ratio of up to 2.0, by special permit, where the applicant demonstrates, to the Board’s satisfaction, that the proposed use will not generate peak hour trips in excess of 0.6 trips per 1,000 square feet of total development area.” (2.0 replaces 1.5)

2. In Section 4.8.1 Supplemental Dimensional Regulations for New England Business Center

Amend subsection (4)

By changing the first sentence to read: “A minimum of 20% of the total lot area must be open space.” (20% replaces 25%)

By adding the following sentence at the end of this subsection 4: “Notwithstanding the preceding sentence, open space shall include pervious surfaces used for ways, access streets, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas, green roofs and any areas used for groundwater recharge and sediment removal processes.”

3. In Section 4.8.2 Floor Area Ratio, Incentives

Amend Section 4.8.2

By changing the first sentence to read: “In the New England Business Center District the maximum floor to area ratio (FAR) permitted by right shall be 1.00.” (1.00 replaces 0.4.)

4. Add New Section 4.8.3

The Planning Board may, by special permit, waive any or all dimensional requirements set forth above in this Section 4.8 (including sections 4.8.1 and 4.8.2), up to a maximum percentage of 25% if it finds that, given the particular location and/or configuration of a project in relation to the surrounding neighborhood, such waivers are consistent with the public good, that to grant such waiver(s) does not substantially derogate from the intent and purposes of the By-Law or the Goals of the District Plan, and that such waivers are consistent with the requirements of Section 6.8. This section does not authorize the Planning Board to waive the maximum height regulations.

Or take any other action relative thereto.

Article 4: Amend Zoning By-Law – Dimensional Regulations

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.1 Basic Requirements, Subsection 4.1.3, Reduction of Area and Frontage Requirements, by revising the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

“4.1.3 Reduction of Area, Frontage, and Setback Requirements

No lot shall be reduced in area or frontage if it already has or will be caused to have less area or frontage than required by this section, except by a taking by eminent domain or a conveyance for a public purpose. Such lots reduced in area or frontage by a taking by eminent domain or a conveyance for a public purpose shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming lots. Further, if an existing structure is rendered nonconforming as to setback (or more non-conforming as to setback) by a taking by eminent domain or conveyance for a public way or access way or by the approval of a subdivision way for a third-party, said structure shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming structures.”

Or take any other action relative thereto.

Article 5: Amend Zoning By-Law – Off-Street Parking Requirements

To see if the Town will vote to amend the Needham Zoning By-Law, Section 5.1 Off-Street Parking Requirements, Subsection 5.1.3 Parking Plan and Design Requirements, by modifying the first Sentence of Section 5.1.3 (a) Parking Lot Illumination by deleting the words “at least one foot candle” and replacing them with the words “an average of one foot candle” so that the sentence shall now reads as follows:

“(a) Parking Lot Illumination – All parking areas which are proposed to be illuminated shall provide an illumination level of an average of one foot candle.”

Or take any other action relative thereto.

Board of Selectmen

AGENDA FACT SHEET for 9/27/2011

Agenda Item: Close Special Town Meeting Warrant

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Board will vote to close the Special Town Meeting Warrant for November 7, 2011.

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

Suggested Motion: That the Board approve and close the November 7, 2011 Special Town Meeting Warrant as presented by the Town Manager, subject to minor technical corrections to be made by the Town Manager and Town Counsel.

3. BACK UP INFORMATION ATTACHED:

- a. Draft Special Town Meeting Warrant

4. SIGN OFF/APPROVAL REQUIRED:

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

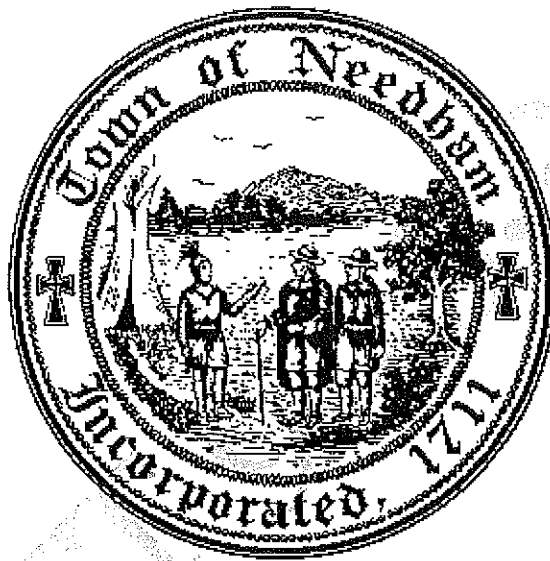
Action taken: _____ **Present on future Agenda:** _____

Refer to/Inform: _____ **Report back to BOS on:** _____

Prepared by kpf

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, NOVEMBER 7, 2011

7:30 P. M.

NEEDHAM TOWN HALL

HIGHLAND AVENUE

NEEDHAM

DRAFT 9.23.23

Additional Information on particular warrant articles will be made available from time to time at www.needhamma.gov/townmeeting 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 Pollard Middle School:

MONDAY, THE SEVENTH OF NOVEMBER, 2011

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

ARTICLE 1: ABANDON EATON SQUARE RIGHT OF WAY

To see if the Town will vote to abandon and/or discontinue the following streets or portion thereof, previously constructed and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the abandonment, discontinuance, taking or acceptance of easements as shown on said plan: Eaton Square from Great Plain Avenue to Garden Street; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Needham Co-Operative Bank is proposing to design and construct a building addition, public plaza, and new public/private parking lot by combining the Eaton Square parking lot with adjacent private properties. The project will result in an increase in the number of available public parking spaces in the area. In order for the properties to be combined, the layout of Eaton Square has to be abandoned and/or discontinued to allow for the new parking lot, public plaza and building addition to be constructed. The request will establish new property lines to redefine property ownerships. This transaction will eliminate the layout of Eaton Square on file with the Town and Registry of Deeds.

ARTICLE 2: LAYOUT OF RESERVOIR STREET

To see if the Town will vote to accept the following streets or portion thereof, previously constructed and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plan: A Portion of Reservoir Street; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The design of the new Reservoir B Sewage Pumping Station requires a modification to the layout of Reservoir Street in order for the Station to be constructed outside of the 100-year flood plain associated with the Charles River. The request will establish a new property line that will follow the front wall of the new pumping station. This transaction will amend the layout of Reservoir Street on file with the Town and Registry of Deeds, but will have no impact on the road structure itself.

ARTICLE 3: AMEND ZONING BY-LAW – APARTMENT -2 ZONING DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.3, Dimensional Regulations for Apartment Districts, as follows:

1. To add a third and fourth sentence to footnote* in Section 4.3.1 Table of Regulations (applicable to Apartment Districts) that states: “Provided further, however, in the Apartment-2 Zoning District, there shall be a maximum of 4 stories, a maximum height of 50 feet, and four (4) floors may be used for human occupancy, if (i) the structure or portion of the structure that is four stories and permitted to be used for human occupancy is utilized as a convalescent or nursing home and supportive and/or accessory use, and (ii) the height of the structure that exceeds 40 feet is utilized as a convalescent or nursing home and supportive or accessory uses. If a building contains two or more uses, then only that portion of the building that is utilized as a convalescent or nursing home, and supportive and/or accessory uses thereto, can reach a maximum height of 50 feet; or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 4: AMEND ZONING BY-LAW – DEFINITIONS

To see if the Town will vote to amend the Needham Zoning By-Law, Section 1.3 Definitions, by adding the following term and definition in appropriate alphabetical order as follows:

“Studio - premises used by a professional artist as a workroom and/or as a workplace where art is taught to, practiced by, or studied with others.”

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**ARTICLE 5: AMEND ZONING BY-LAW/DIMENSIONAL REGULATIONS FOR
NEW ENGLAND BUSINESS CENTER**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.8 Dimensional Regulations for New England Business Center

Amend 4.8 Table

By changing Front Setback from 20 feet to 15 feet.

By changing Maximum Lot Coverage from 50% to 65%

By changing Floor Area Ratio from 0.40 to 1.00

By changing Maximum Height from 68 feet to 84 feet

Amend Footnote (1)

By changing the first sentence to read: "No building shall exceed a height of 84 feet."

Amend Footnote (2)

By changing first sentence to read: "Maximum lot cover shall be 65% for all projects."

By changing second sentence to read: "However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet the maximum lot coverage may be increased to 75%." (75% replaces 60%)

Amend Footnote (4)

By changing the sentence to read: "A 25-foot front yard setback must be maintained for structured parking." (25-foot replaces 30-foot.)

Amend Footnote (6)

By changing first sentence to read: "A floor area ratio of up to 1.75 may be allowed by a special permit from the Planning Board." (1.75 replaces 1.1)

By changing third sentence to read: "Further, the Planning Board may allow a floor area ratio of up to 2.0, by special permit, where the applicant demonstrates, to the Board's satisfaction, that the proposed use will not generate peak hour trips in excess of 0.6 trips per 1,000 square feet of total development area." (2.0 replaces 1.5)

2. In Section 4.8.1 Supplemental Dimensional Regulations for New England Business Center

Amend subsection (4)

By changing the first sentence to read: "A minimum of 20% of the total lot area must be open space." (20% replaces 25%)

By adding the following sentence at the end of this subsection 4: "Notwithstanding the preceding sentence, open space shall include pervious surfaces used for ways, access streets, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas, green roofs and any areas used for groundwater recharge and sediment removal processes."

3. In Section 4.8.2 Floor Area Ratio, Incentives

Amend Section 4.8.2

By changing the first sentence to read: "In the New England Business Center District the maximum floor to area ratio (FAR) permitted by right shall be 1.00." (1.00 replaces 0.4.)

4. Add New Section 4.8.3

The Planning Board may, by special permit, waive any or all dimensional requirements set forth above in this Section 4.8 (including sections 4.8.1 and 4.8.2), up to a maximum percentage of 25% if it finds that, given the particular location and/or configuration of a project in relation to the surrounding neighborhood, such waivers are consistent with the public good, that to grant such waiver(s) does not substantially derogate from the intent and purposes of the By-Law or the Goals of the District Plan, and that such waivers are consistent with the requirements of Section 6.8: This section does not authorize the Planning Board to waive the maximum height regulations.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 6: AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.1 Basic Requirements, Subsection 4.1.3, Reduction of Area and Frontage Requirements, by revising the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

"4.1.3 Reduction of Area, Frontage, and Setback Requirements

No lot shall be reduced in area or frontage if it already has or will be caused to have less area or frontage than required by this section, except by a taking by eminent domain or a conveyance for a public purpose. Such lots reduced in area or frontage by a taking by eminent domain or a conveyance for a public purpose shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming lots. Further, if an existing structure is rendered nonconforming as to setback (or more non-conforming as to setback) by a taking by eminent domain or conveyance for a public way or access way or by the approval of a subdivision way for a third-party, said structure shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming structures."

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 7: AMEND ZONING BY-LAW – OFF-STREET PARKING REQUIREMENTS

To see if the Town will vote to amend the Needham Zoning By-Law, Section 5.1 Off-Street Parking Requirements, Subsection 5.1.3 Parking Plan and Design Requirements, by modifying the first Sentence of Section 5.1.3 (a) Parking Lot Illumination by deleting the words “at least one foot candle” and replacing them with the words “an average of one foot candle” so that the sentence shall now reads as follows:

“(a) Parking Lot Illumination – All parking areas which are proposed to be illuminated shall provide an illumination level of an average of one foot candle.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**ARTICLE 8: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM
INDEPENDENT TOWN WORKERS ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Independent Town Workers Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: The Town and the Independent Town Workers Association have reached agreement on contract provisions that would require the conversion of all members of the bargaining unit to so called Rate Saver health insurance plans effective January 1, 2012 with a corresponding increase in wages of 1%, a one time payment of \$500 in fiscal year 2012, a change in the employer match to employees' personal retirement savings plans, a 2% increase in base wages in fiscal year 2013, and a 2.5% increase in base wages in fiscal year 2014.

ARTICLE 9: FUND COLLECTIVE BARGAINING AGREEMENT – POLICE UNION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE 10: FUND COLLECTIVE BARGAINING AGREEMENT – POLICE SUPERIOR OFFICERS ASSOCIATION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Superior Officers' Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2012; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE 11: APPROPRIATE TO WORKERS COMPENSATION FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$344,288 to the Workers Compensation Reserve Fund, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: As noted at the 2011 Annual Town Meeting, the Town has a plan to replenish the Workers Compensation Fund, which is the Town's reserve fund for paying workers compensation claims of a prior year and for lump sum settlements for both School and General Government employees. The target balance of the fund is \$800,000. This past Spring, the Town was notified that it will be receiving a payment of \$32,969 from Walgreens. This payment is the result of a settlement between Walgreens and the Office of the Attorney General after an investigation revealed that the company was overcharging public entities for prescription drugs under the workers compensation system. In addition, the Town has been notified of a one-time reimbursement for Medicare Part D premiums for fiscal year 2007 in the amount of \$311,319.

ARTICLE 12: ADOPTION OF STRETCH ENERGY CODE

To see if the Town will vote to amend its General By-Laws by adding thereto Section 3.10 entitled "Stretch Energy Code" for purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 120 AA of the Massachusetts Building Code, 780 CMR, the "Stretch Energy Code", including amendments or modifications thereto, as set forth below; or take any action

relative thereto.

Section 3.10 STRETCH ENERGY CODE

3.10.1. Definitions.

International Energy Conservation Code (IECC) 2009 – The International Energy Conservation Code is a building code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency. Commencing on July 1, 2010, the baseline energy conservation requirements of the Massachusetts Building Code will default to IECC and Massachusetts amendments.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, the Stretch Energy Code is the International Energy Conservation Code (IECC) 2009 with amendments contained herein, in effect as of July 1, 2011.

3.10.2 Purpose. The purpose of 780 CMR 120 AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

3.10.3 Applicability. The Stretch Energy Code applies to residential and commercial buildings. Buildings not included in the scope of this code shall comply with 780 CMR 13, 34, 61 or 93, as applicable.

3.10.4 Stretch Code. The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, including any amendments or modifications thereto, in effect on July 1, 2011, is herein incorporated by reference into this Section.

3.10.5 Enforcement. The Stretch Code shall be enforced by the Building Inspector.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 13: AMEND THE FY 2012 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 Operating Budget adopted under Article 25 of the May 2011 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</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
3	Health Insurance	\$ 9,601,203	\$ 9,519,724
22A	Building Inspector Salary and Wages	\$452,113	\$440,113
22B	Building Inspector Expenses	\$16,095	\$28,095
24	Needham Public Schools	\$48,436,371	\$48,501,371
25A	Public Works Salary and Wages	\$3,025,205	\$3,041,684

or take any other action relative thereto.

INSERTED BY: Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 14: AMEND THE FY 2012 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 RTS Enterprise Fund Budget adopted under Article 26 the May 2011 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From:	Changing To:
101A	Personnel	\$639,479	\$885,283

or take any other action relative thereto.

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

Article Information: The proposed amendment to the Personnel line item is to implement the provisions of the collective bargaining agreement which provided a 1% increase in wages at the time of conversion to the lower premium, higher out-of-pocket cost health insurance plan.

ARTICLE 15: AMEND THE FY 2012 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 Sewer Enterprise Fund Budget adopted under Article 27 the May 2011 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From:	Changing To:
201A	Personnel	\$881,180	\$886,973
201D	MWRA Assessment	\$5,337,491	\$5,291,080

or take any other action relative thereto.

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

Article Information: The proposed amendment to the Personnel line item is to implement the provisions of the collective bargaining agreement which provided a 1% increase in wages at the time of conversion to the lower premium, higher out-of-pocket cost health insurance plan. In addition, the final assessment voted by the Massachusetts Water Resources Authority was slightly lower than the preliminary estimate that was available at the time of the Annual Town Meeting.

ARTICLE 16: AMEND THE FY 2012 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 Water Enterprise Fund Budget adopted under Article 28 the May 2011 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From:	Changing To:
301A	Personnel	\$1,016,863	\$1,023,091
301D	MWRA Assessment	\$605,448	\$610,028

or take any other action relative thereto.

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

Article Information: The proposed amendment to the Personnel line item is to implement the provisions of the collective bargaining agreement which provided a 1% increase in wages at the time of conversion to the lower premium, higher out-of-pocket cost health insurance plan. In addition, the final assessment voted by the Massachusetts Water Resources Authority was slightly higher than the preliminary estimate that was available at the time of the Annual Town Meeting.

ARTICLE 17: APPROPRIATE FOR PAYMENT OF UNPAID BILLS OF PRIOR YEARS

To see if the Town will vote to raise and appropriate \$2,728.57 for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, as follows:

Department	Vendor	Description	Fiscal Year	\$Amount
Water Enterprise	Ricca Chemical Company	Drinking Water Chemicals	2011	\$ 461.22
Water Enterprise	Ricca Chemical Company	Drinking Water Chemicals	2011	\$ 111.57
RTS Enterprise	E.L. Harvey & Sons	Trucking Service Rental	2011	\$2,155.78

and to meet this appropriation that \$2,155.78 be raised from RTS receipts and that \$572.79 be raised from Water receipts; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 18: APPROPRIATE FOR NEW SENIOR CENTER

To see if the Town will vote to raise and/or transfer and appropriate a sum for construction of a Senior Center, said sum to be to be spent under the direction of the Town Manager/Permanent Public Building

Committee, and to meet this appropriation, that 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, and further that \$23,192 be transferred from Article 33 of the May 1993 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 19: APPROPRIATE FOR SEWER PUMP STATION/RESERVOIR B

To see if the Town will vote to raise, and/or transfer and appropriate a sum for renovations and improvements to the Great Plain Avenue sewer pump station, including without limitation all costs thereof as defined in Section 1 of G.L. c.29C; to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under G.L. c.44, §7, G.L. c.29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to G.L. c.29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or a loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager is authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available to the project, or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 20: AMEND COMMUNITY PRESERVATION ACT RESERVES

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2012 Community Preservation Fund Reserve appropriations adopted under Article 34 of the May 2011 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

	Changing From:	Changing To:
C. Community Preservation Fund Annual Reserve	\$	\$
D. Community Housing Reserve	\$	\$
E. Historic Resources Reserve	\$	\$
F. Open Space Reserve	\$	\$

And to meet these appropriations that \$XXX be raised from FY2012 CPA receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation 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 27th day of September, 2011.

Maurice P. Handel, Chairman
Gerald A. Wasserman, Vice Chairman
Daniel P. Matthews, Clerk
John A. Bulian
James G. Healy

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
Tuesday, September 27, 2011**

Agenda Item: **Approve and Sign Sewer Rate Relief Application**

Presenter(s): **Kate Fitzpatrick, Town Manager
David Davison, ATM/Finance Director
Evelyn Poness, Treasurer/Collector**

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

History of the State's sewer rate relief program and the steps required to apply for the funds. The Board would need to execute the applicable if the Board votes to apply for the funds.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO

Suggested motion: That the Board of Selectmen approve and execute the FY 2012 Sewer Rate Relief Application

3. BACK UP INFORMATION ATTACHED:

- a. Copy of the Application to be signed by the Board

4. OTHER APPROVAL REQUIRED:

Disposition by BOS

Action taken: _____ Present on future Agenda: _____

Refer to/Inform: _____ Report back to BOS on: _____
Prepared by dbd 09/23/2011

Massachusetts Department of Revenue Division of Local Services
COMMONWEALTH SEWER RATE RELIEF FUND

APPLICATION FOR FY2012 DISTRIBUTION

NEEDHAM

City/Town/District/Authority

A. RECORD OF ELIGIBLE INDEBTEDNESS:

List permanent debt issued for more than five years (i.e., do not list bond anticipation notes) on or after January 1, 1990 wholly or in substantial part to finance or refinance the costs of planning, design, or construction of any water pollution control project or part thereof required to meet the provisions of the Federal Water Pollution Control Act (33 USC, sec. 1251 et seq.) and secs. 26 to 53 inclusive of M.G.L. Ch. 21 or any wastewater collection or transportation project related thereto. Attach additional sheets if needed.

Any project for which state grants were received is ineligible.

Projects financed through the Mass. Water Pollution Abatement Trust are also ineligible unless the total debt issued through MWPAT exceeded \$50,000,000 on June 30, 1995.

Project Number	Project Name	Issue Date	Original Amount*	FY2012 Debt Service*	Grants Received?
West St. Pump Station					
1. Art. # 58		06/15/99	\$1,939,000	\$150,194	N
2. Art. # 59	Sewer Force Main	06/15/99	881,800	64,995	N
3. Art. #55	Sewer Sys Rehab	06/01/05	425,000	44,200	N
4. Art#49	Sewer Pump Sta.	12/15/05	484,500	62,840	N
5. Art#9	Sewer Main Reh	06/15/07	2,000,000	141,781.25	N
6. Art#49	Sewer Pump St.	06/01/09	500,000	61,500	N
7. Art# 45	Sewer Pump St.	12/15/09	550,000	45,200	N
8. Art #9	Sewer Main Reh.	12/15/09	320,000	28,762.50	N
9. Art# 9	Sewer Main Reh.	06/15/10	145,000	18,075	N
10.					

Total FY2012 Debt Service \$ 617,547.75

*Attach a debt service schedule for the life of the bonds unless submitted previously.

B. PROJECT DESCRIPTIONS

For new indebtedness eligibility being requested from the FY2012 Commonwealth Sewer Rate Relief Fund, i.e., eligibility requests from new applicants or additional eligibility requests from prior year award recipients, please provide descriptions of each project. Example project descriptions have been provided at the end of this application. You may need to consult with your Public Works staff to assist in developing project descriptions. Please add additional sheets if necessary.

Project Number	Project Name	Project Description
<u>7</u>	<u>Sewer Pump Station</u>	<u>Art#45: 5/19/08 STM This was used for the pump station improvements/construction at Great Plain Avenue pump Station. This included new emergency generator, Pump Controls, Plumbing, Electrical wiring, Ventilation Grinder and Building repairs.</u>
<u>8</u>	<u>Sewer Main Rehab.</u>	<u>Art#9: 11/07/2005 STM this was used for the moving of town sewer lines before the state starts the RT 128/I95 project in the Needham section. This was to move our sewer mains that zigzagged across the highway. We now cross the highway at 90 degree angles. and have discontinued our sewer manholes that are in the travel lanes of the highway.</u>
<u>9</u>	<u>Sewer Main Rehab.</u>	<u>Art.#9: 11/07/2005 see 8 above. This was a continuation of the work.</u>

Steven Nadeau, Construction 781-455-7538 Ext.219

Contract Administrator
Contact Person for Project Description

Telephone Number

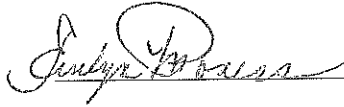
C. USE OF AWARD PROCEEDS:

Describe briefly how the award, if any, will be used to reduce rates in the current or future years, or finance capital projects which would otherwise be financed through borrowing. Example Use of Award Proceeds statements have been provided at the end of this application.

Funds received will be used to provide a credit to sewer customers. The amount awarded the Town of Needham will offset the debt service expense for the year by the actual relief received.

D. CERTIFICATION:

We certify that the above listed debt was issued on or after January 1, 1990 for a term greater than five years to finance or refinance the costs of planning, design or construction of a water pollution control project or part thereof required to meet the provisions of the Federal Water Pollution Control Act (33 USC, secs. 1251 et seq.) and secs. 26 to 53 inclusive of M.G.L. Ch. 21.

Mayor	_____	Exec. Director	_____
Manager	_____	Commissioners	_____
Selectmen	_____		_____
	_____		_____
	_____	Treasurer	
	_____	Phone	<u>781-455-7500 x. 208</u>
	_____	Fax	<u>781-449-4569</u>

E. Wire Transfer Instructions

Payments to cities and towns will be made to accounts to which other state local aid payments are wired. For any district or authority, please indicate your bank routing number and account below.

Bank Routing Number

Account Number

F. Return by Friday, October 14, 2011 by mail or fax:

Division of Local Services
Attn: William C. Meehan, Supervisor of Public Finance
P.O. Box 9569
Boston, Mass. 02114-9569 Fax (617) 626-3916

Board of Selectmen

AGENDA FACT SHEET for 9/27/2011

Agenda Item: **Modify Group Health Insurance Offerings**

Presenter(s): **Kate Fitzpatrick, Town Manager**

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

I will recommend that the Board of Selectmen approve modifications to the Towns' group health insurance offerings for management and non-represented employees.

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

Suggested Motion: That the Board of Selectmen approve the proposed amendment to the Contributory Insurance Rules and Regulations including the elimination of traditional HMO/EP plans and the implementation of a Health Reimbursement Arrangement plan for non-represented employees for fiscal years 2012, 2013 and 2014.

3. BACK UP INFORMATION ATTACHED:

- a. Recommendation to modify group health insurance offerings dated September 23, 2011
- b. Proposed amendment to the Contributory Insurances Rules and Regulations

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	[no]	NA	_____
b.	Town Counsel	yes	[no]	NA	_____
c.	Finance Director	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:** _____



TOWN OF NEEDHAM

TOWN HALL

1471 Highland Avenue
Needham, MA 02492-2669

Office of the
TOWN MANAGER

TEL: (781) 455-7512
FAX: (781) 449-4569
TDD: (781) 455-7558

TO: Board of Selectmen
FROM: Kate Fitzpatrick, Town Manager *Kate*
DATE: September 23, 2011
RE: Proposed Changes to Group Health Insurance Program

Consistent with our effort to moderate fixed costs and lower post-employment legacy costs, I am recommending immediate changes to the group health insurance offerings for managers and non-represented employees.

I propose that effective January 1, 2011, traditional HMO plans no longer be available for management and non-represented employees. All management and non-represented employees who are currently enrolled in a traditional HMO plan will be required to re-enroll in a Rate Saver plan in order to continue coverage.

Transition of management and non-represented employees will occur at the same time as the transition of employees covered by the ITWA bargaining unit. Employees covered by the DPW bargaining unit (NIPEA) transitioned to the Rate Saver Plans on July 1, 2011, as did School employees covered under Units B, C, D, and E. School Unit A employees (school teachers) transitioned to the Rate Saver plans on July 1, 2010. Discussions with several other municipal unions are on-going.

Conversion to the Rate Saver plans mid-year will enable the Town and employees to experience premium savings immediately. Enrollment of employees in the Rate Saver plans may also impact our ability to mitigate service delivery cuts in FY2013, and on our ability to continue to set aside funds for post-employment health insurance ("OPEB") for our employees once they retire.

To be consistent with employee groups who have transition to the Rate Saver programs, and mindful of the fact that management and non-represented employees have not had a general wage increase since 2009, I further recommend that in consideration of the transition of all of these employees to Rate Saver plans, these two groups receive a 1% increase in base wages effective January 1, 2012.

I also recommend that the Town extend its Health Reimbursement Arrangement (HRA) plan to these employees in order to ease the transition to the lower-premium, higher out-of-pocket cost plans, especially for those who have a higher incidence of co-pays and deductibles. The program would be in effect from January 1, 2011 through the remainder of fiscal year 2012, and in FY2013 and FY2014. Employees would be eligible to seek reimbursement for out-of-pocket expenses under the following parameters:

Individual Plan: Qualifying Expenses from \$351 to \$2,000
Family Plan: Qualifying Expenses from \$1,051 to \$4,000.

While the Town now has greater flexibility in making plan design changes through the provisions of the Municipal Health Insurance Reform law, we continue to believe that negotiated agreements, when possible, are more beneficial to the Town in the long run. I appreciate the cooperative spirit of the Town's employees in meeting this challenge.

Please let me know if you have any questions or need additional information in support of this recommendation.

***Board of Selectmen**

Policy Number: Group Insurance.001

Contributory Insurance Rules and Regulations

Date Approved/Revised: **October 13, 1998**
 May 11, 1999
 March 24, 2009
 September 23, 2011

Chairman, Board of Selectmen

Policy: The Town of Needham, acting by and through its duly elected Board of Selectmen, and in accordance with Section 14 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts, does hereby adopt and establish the following rules and regulations governing certain eligibility and administrative guidelines for the Town's contributory insurance benefit offerings. The Board of Selectmen specifically reserves the right to add to, modify, and/or delete any and all provisions of these rules and regulations at any time.

Section 1. Divorced or Separated Spouses

In the event that a court of competent jurisdiction grants a judgment of divorce or of separate support, the divorced employee and his or her spouse may remain eligible for benefits under the Town's group insurance benefit program, in accordance with Section 9H of M.G.L.c. 32B, provided that each of the following conditions are met:

- (a) In the event that the employee/subscriber is not remarried:
 - 1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
 - 2. The employee/retiree must maintain a family plan (or multiple individual plans, if over 65) covering him/herself and his or her divorced or separated spouse (and any qualified dependents, if applicable).
- (b) In the event that the employee/subscriber remarries and wishes to enroll his or her new spouse as a dependent under the Town's group insurance benefit program:
 - 1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the spouse of the Town employee/retiree remain on a Town-offered group insurance plan.

2. The Town shall have the right to require that the divorced or separated spouse enroll in a separate, individual policy, unless a rider to an employee's/retiree's family plan is authorized by the applicable insurance company.
3. The Town of Needham employee/retiree shall be responsible to pay the full monthly premium (100% of the premium) for the plan in which the divorced/separated spouse is enrolled, or 100% of any additional cost for a rider to the employee's family plan, if authorized by the applicable insurance company.
4. Such payments for the premium in which the divorced/separated spouse is enrolled shall be made by means of deducting the premium from the regular pay (or pension) of the eligible employee/retiree, and the employee/retiree shall be required to seek reimbursement from the divorced/separated spouse on his or her own accord. The Town Manager/designee reserves the right to waive this condition for extenuating circumstances. In the event that a waiver is granted, the divorced or separated spouse will be billed directly.

Section 2. Retiree Eligibility

Upon retirement, eligible individuals may participate in the Town's contributory group insurance program, to the extent allowed by the various insurance providers, and in accordance with Section 18 of M.G.L. c. 32B, provided that they otherwise qualify under M.G.L. c. 32B, and further provided that each of the following criteria applies:

- (a) The individual must have retired from service to the Town of Needham, and be receiving a retirement allowance in accordance with M.G.L. c. 32 from either the Town of Needham Contributory Retirement System or the State Teachers' Retirement System (except as specifically provided in M.G.L. c. 32B §9).
- (b) The individual was qualified and eligible to participate in the Town's group insurance program as an active employee of the Town of Needham.
- (c) An individual who is enrolled in a traditional HMO/EPO at the time of his or her retirement from Town Service will be eligible to participate in a traditional HMO/EPO prior to conversion to a Medicare Plan in accordance with M.G.L. c. 32B Section 18. An individual who is not enrolled in the Town's group health insurance plan at the time of retirement from Town service, or who is enrolled in a Rate Saver plan at the time of retirement from Town Service, will be ineligible to participate in a traditional HMO/EPO. A retiree who, prior to conversion to a Medicare Plan, terminates group health coverage for any period of time or who switches to a Rate Saver Plan will thereafter be ineligible to participate in a traditional HMO/EPO plan in the future.

Section 3. Part-time Teacher Eligibility

Part-time teachers classified as .5 FTE or greater shall be determined to be working 20 hours or more per week for the Town, and shall therefore be considered employees in accordance with M.G.L. c. 32B section 1.

Section 4. Temporary and Seasonal Employee Eligibility

Temporary employees working 20 hours per week or more, whose service to the Town is expected to last six months or longer, shall be eligible for benefits in accordance with M.G.L. c. 32B. Seasonal employees whose service to the Town is expected to last less than six (6) months, regardless of the number of hours worked per week, shall be ineligible for benefits in accordance with M.G.L. c. 32B

Section 5. Compensated Part-time Elected Official Eligibility

Paid elected officials earning a minimum of \$1,000 per fiscal year shall be considered eligible for insurance in accordance with M.G.L. c. 32B Section 2 4. Nothing in the section shall affect the eligibility for insurance of elected officials who were receiving compensation in an amount less than \$1,000 as of the date of this policy.

Section 6. Retention of Insurance While on Unpaid Leave

- (a) Employees on designated family medical leave in accordance with the Family Medical Leave Act of 1993, as amended, shall be entitled to continue their insurance contribution during the term of the leave.
- (b) Employees who are on unpaid medical leave, which is not designated as family medical leave, shall be entitled to continue their insurance contribution rate during the period that the unpaid leave is determined to be medical leave by the Office of the Town Manager.
- (c) Employees on approved, unpaid leave which has not been designated as FLMA or medical leave shall be eligible for insurance if they are on the payroll (i.e. receive wages) for at least one day per calendar month.
- (d) Employees on approved, unpaid leave which has not been designated as FMLA or medical leave, and who do not receive wages for at least one day per calendar month, shall contribute 100% of the premium for that calendar month.
- (e) Employees shall be eligible to continue their group insurance while on leave of absence for no longer than two consecutive calendar years, after which time they shall cease to be considered employees for group insurance purposes.

Section 7. Employee Termination

Employee premium contributions are made one month in advance of coverage. Upon termination, employee coverage will cease approximately one month from the date of separation from the payroll.

Section 8. Non-Represented Employees

Effective January 1, 2012, traditional HMO/EPO plans will no longer be available for non-represented employees.

Section 9. Health Reimbursement Arrangement

- (a) The Town will provide a Health Reimbursement Arrangement (HRA) program in fiscal years 2012 (effective 1/1/2012), 2013, and 2014 for non-represented employees. The HRA program will expire on June 30, 2014.**
- (b) Non-represented employees will be eligible for reimbursement for qualified expenses consisting of office visits/primary care, office visits/specialist, emergency room visits, in-patient hospitalization, same day surgery, diagnostic imaging, prescription drugs/retail and prescription drugs/mail order. Employees will be eligible for reimbursement only for the difference between their current co-payment and the co-payment of the Rae Saver plan.**
- (c) Employees will be eligible for reimbursement for qualified expenses at the following thresholds:**

Individual Plan: Expenses incurred from \$351 up to \$2,000

Family Plan: Expenses incurred from \$1,051 up to \$4,000.

Board of Selectmen

REVISED AGENDA FACT SHEET for 9/27/2011

Agenda Item: Amend Meeting Schedule

Presenter(s): Board Discussion

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Board will discuss the possibility of changing its November, 2011 meeting schedule.

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

Suggested Motion: That the Board change its meeting schedule for the month of November to November 8th and November 29th.

3. BACK UP INFORMATION ATTACHED:

4. SIGN OFF/APPROVAL REQUIRED:

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:** _____

Prepared by kpf

Board of Selectmen

AGENDA FACT SHEET for 9/27/2011

Agenda Item: Committee Reports

Presenter(s): Board Discussion

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Board members will report on the progress and / or activities of their Committee assignments.

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

3. BACK UP INFORMATION ATTACHED:

None

4. SIGN OFF/APPROVAL REQUIRED:

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:** _____

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Michael Despres
Event Manager Address	83 Morton St. Needham MA 02494
Event Manager Phone Number	781 690 6190
Organization Representing (if applicable)	Village Club
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☒ Non-profit ☐ For profit ☐ Proof of non-profit status is attached Form of Proof: _____
Name of Event	Needham Fire Halloween Party
Date of Event	October 29 th 2011
License is for Sale of:	
☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License	FROM: 7:00 PM TO: 11:30 PM
Are tickets being sold in advance for this event?	☒ YES \$ 10. ⁰⁰ /per ticket ☐ NO
Is there an admission fee for this event?	☒ YES \$ 15. ⁰⁰ /per ticket ☐ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES ☒ NO
How many people are you expecting at this event?	150
Name & address of event location. Please attach proof of permission to use this facility.	
Village Club Hall, 83 Morton St Needham	
Who will be serving the alcohol to your guests?	
2 Bartenders	
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	
D. LaValle + S. Milliken certificates on file	
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.	
Guests will purchase alcohol from a bar	
☒ 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:	Date: 9/15/11

The Village Club
83 Morton Street
Needham MA
02494

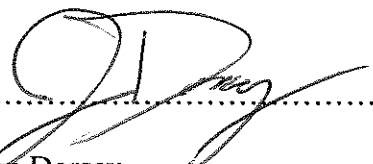
September 16, 2011

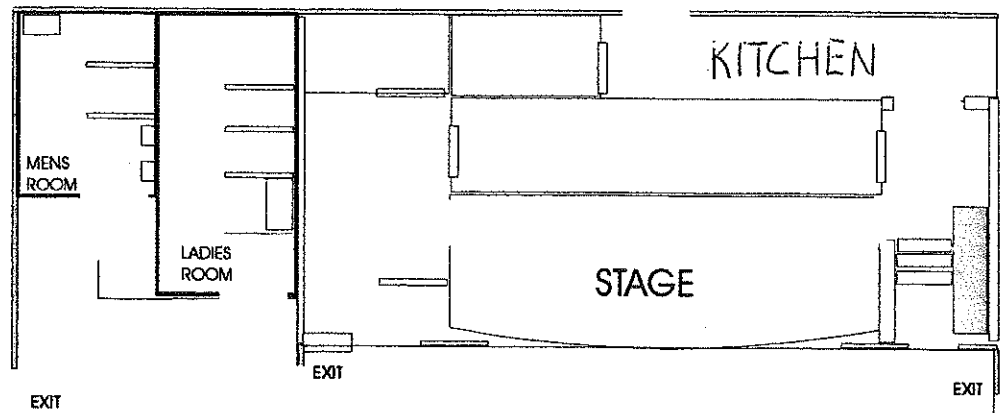
To whom it may concern;

The Board of Directors of the Village Club Building Association Inc. has hereby granted permission for the use of the Village Club Hall.

Date: 10/29/11

Event: Halloween Party

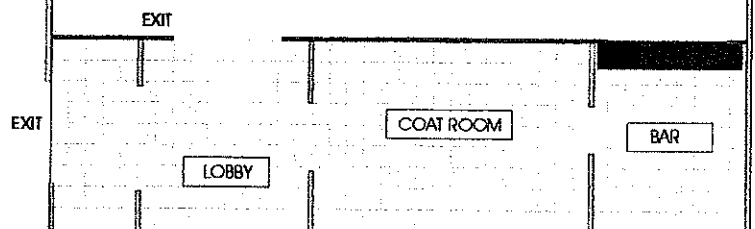

.....
John Dorsey
V.P./Secretary



The Village Club
HIGHLANDVILLE HALL
Needham, Ma

HIGHLANDVILLE HALL

60' X 40'
SEATING 185 max
w/ dancing 155



HAPPY HALLOWEEN

Needham Fire annual Halloween Party

October 29th, 7:30pm to Midnight

Village Club
83 Morton St, Needham



Everyone welcome for a great night!

- Cash prizes for best male costume, best female costume and best couple themed costume
- 50/50 Raffle
- Drinks and snacks
- Only \$10 per ticket prior to Oct 15th or \$15 at the door

For tickets or info call Nick at 508-254-8039, or Mike at 508-838-3910

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Michael Despres
Event Manager Address	83 Morton St Needham MA 02494
Event Manager Phone Number	781 690-6190
Organization Representing (if applicable)	Village Club
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☒ Non-profit For profit ☐ Proof of non-profit status is attached Form of Proof: _____
Name of Event	Wacky Western Wedding
Date of Event	Saturday October 8 th 2011
License is for Sale of: ☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License	FROM: 6:00 PM TO: 11:30 PM
Are tickets being sold in advance for this event?	☒ YES \$ 45. ⁰⁰ /per ticket ☐ NO
Is there an admission fee for this event?	☒ YES \$ 45. ⁰⁰ /per ticket ☐ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES ☒ NO
How many people are you expecting at this event?	150
Name & address of event location. Please attach proof of permission to use this facility.	
Village Club Hall, 83 Morton St	
Who will be serving the alcohol to your guests?	
2 Bartenders	
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	
P. Klein and E. Fales certificates are f/k	
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.	
Guests will purchase alcohol from a bar	
☒ 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:	Michael R. Despres Date: 9/15/11

The Village Club
83 Morton Street
Needham MA
02494

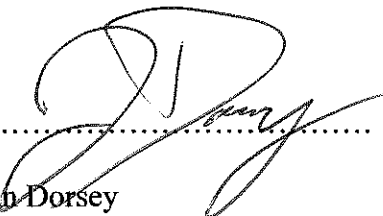
September 16, 2011

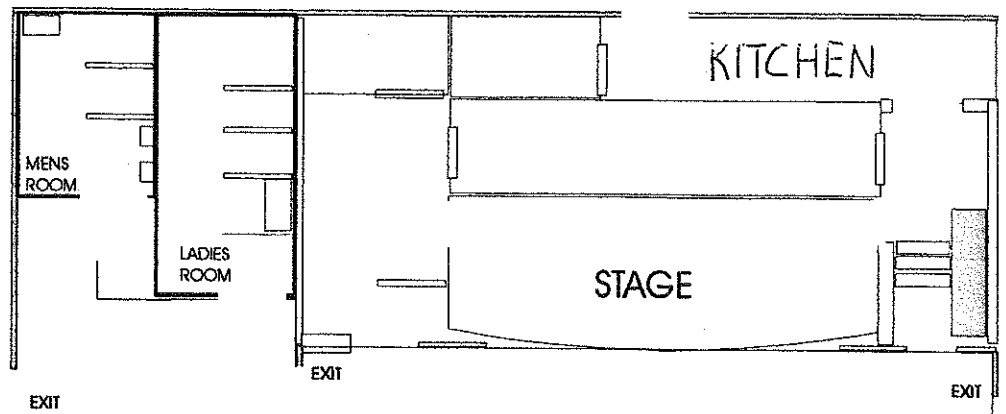
To whom it may concern;

The Board of Directors of the Village Club Building Association Inc. has hereby granted permission for the use of the Village Club Hall.

Date: 10/8/11

Event: Wacky Wedding

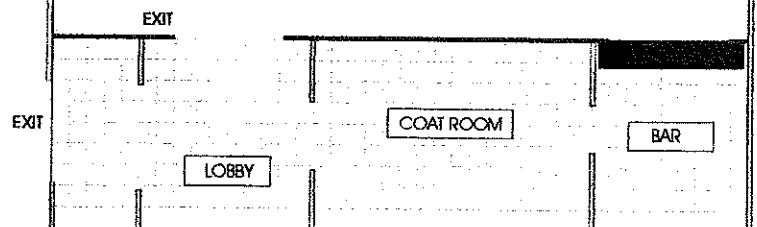

.....
John Dorsey
V.P./Secretary



The Village Club
HIGHLANDVILLE HALL
Needham, Ma

HIGHLANDVILLE HALL

60' X 40'
SEATING 185 max
w/ dancing 155



Wacky Western Wedding

Jimmy Cracorn loves Jenny Raleigh more than Roy Rogers loved Trigger, so they're getting hitched. You'll join best man, Trey LePark, and the rest of the bridal party for line dancing, rodeo riding, and good old fashioned grub!

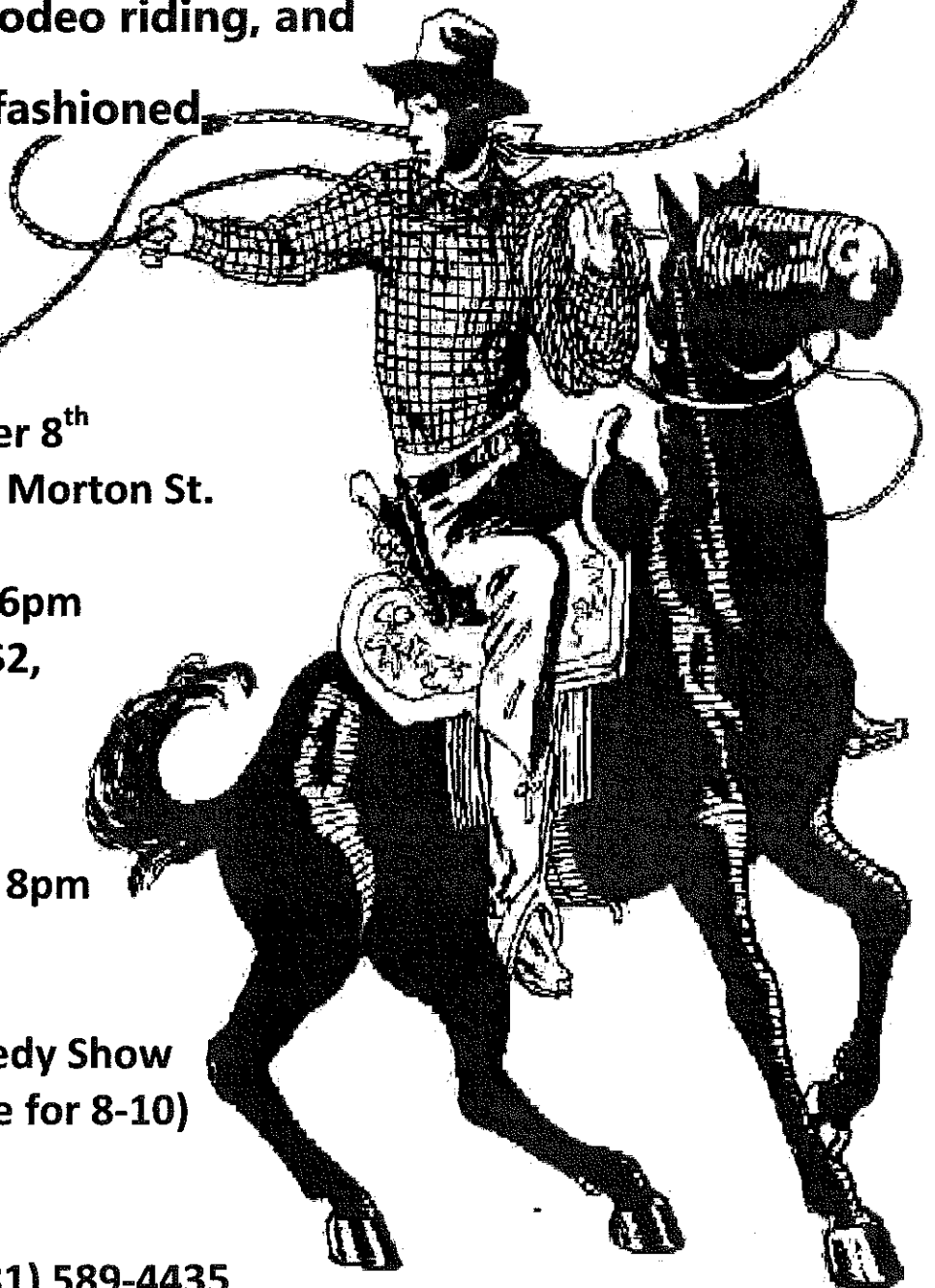
WHEN: Saturday, October 8th
WHERE: Village Club – 83 Morton St.
Needham, MA
TIME: Cocktail Hour at 6pm
(Domestic Beer \$2,
Drinks \$3)

Show at 7:30pm
Dinner served at 8pm

TICKETS: \$45 per person
Dinner and Comedy Show
(Purchase a Table for 8-10)

FOR TICKETS CONTACT:

Rob Giumetti (781) 589-4435
Steve Pitocchelli (781) 727-1838



**Town of Needham
Board of Selectmen
Minutes for September 13, 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 Maurice P. Handel. Those present were Gerald A. Wasserman, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Mr. Healy was not present.
- 7:00 p.m. 9/11 Observance:
Mr. Handel offered some thoughts about the tenth anniversary of the September 11, 2001 terrorist attacks and asked the Board for its comments. Mr. Wasserman recognized the loss of citizens from Needham. He commented, the Board of Selectmen meeting held that evening showed a determination to move forward. He said that while it is important to remain vigilant against attacks, it is also important to remain vigilant about maintaining democracy. Mr. Matthews commented on the ceremony held at Memorial Field on Sunday, September 11, 2011. He said the country remains a beacon of hope for all of humanity in the effort for peace. Mr. Handel noted the efforts of first responders from Needham who went to New York to assist.
- 7:05 p.m. Public Hearing – NSTAR Brookline Street:
Maureen Carroll, NSTAR representative, appeared before the Board requesting permission to install approximately 8 feet of conduit at Pole 16/3 on Brookline Street, Needham.
- Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 8 feet of conduit at Pole 16/3 on Brookline Street, Needham. This work is necessary to provide new underground electric service for a new home at 354 Brookline Street. Second: Mr. Wasserman. Unanimously approved 4-0.**
- 7:06 p.m. Introduction of Fire Lieutenant:
Paul Buckley, Fire Chief appeared before the Board to introduce newly promoted Fire Lieutenant James Piersiak. Chief Buckley said Fire Lieutenant Piersiak is another example of the qualified fire management team in the Town of Needham. He thanked Town Manager Kate Fitzpatrick for her assistance in the process. The Board congratulated Mr. Piersiak on his promotion and wished him well in his new position.

7:10 p.m. Historical Inventory:
Richard Hardy, Chair, Historical Commission appeared before the Board to discuss the Town of Needham's Inventory of Historical Homes Volume II as compiled by the Needham Historical Commission and distributed in June 2011. Mr. Hardy said this edition is the first major addition to the inventory since Volume I published in 1978. He said 45 structures were added to the inventory. Mr. Hardy thanked the CPC for the funding and hiring a consultant. Mr. Hardy said Volume II is an electronic version showing the history, color photograph, and location of the properties. He commented one of the goals of the Historical Commission is to update the 1978 version and have all of the information on the Town's website for Needham residents.

Mr. Handel thanked Mr. Hardy for his work and stated it is valuable information for the Town of Needham.

Ms. Fitzpatrick thanked the CPA for its funding and the volunteers who worked on the project.

7:20 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with 6 items to discuss:

1. Open Special Town Meeting Warrant

Ms. Fitzpatrick asked that the Board open the Special Town Meeting Warrant for November 7, 2011. Ms. Fitzpatrick briefly reviewed the articles in the draft warrant and said the Board is scheduled to close the warrant at its September 27, 2011 meeting.

**Motion by Mr. Wasserman that the Board vote to open the warrant for the Special Town Meeting to be held on November 7, 2011 at the Town Hall.
Second: Mr. Bulian. Unanimously approved 4-0.**

2. Accept and Refer Zoning Amendment

Ms. Fitzpatrick asked the Board to accept and refer Amend Zoning By-Law: Apartment A-2 Zoning District for North Hill to the Planning Board for its hearing in November.

**Motion by Mr. Matthews that the Board vote to accept and refer Amend Zoning By-Law: Apartment A-2 Zoning District to the Planning Board for review, public hearing, and report.
Second: Mr. Bulian. Unanimously approved 4-0.**

3. Metro Boston Consortium for Sustainable Communities

Ms. Fitzpatrick told the Board the Planning and Community Development Department of Needham has been working with the City of Newton to file a

request for a feasibility grant to explore the reuse of the MBTA right of way for economic development and transit expansion. She said that in order to be eligible for certain grants, communities must become a member of the Metro Boston Consortium for Sustainable Communities. The purpose of the Consortium, she said, is to guide the implementation of the regional planning document – MetroFuture: Making a Greater Boston Region. She asked for the Board’s authorization to apply for membership.

Motion by Mr. Wasserman that the Board approve and authorize the Town Manager to apply for membership in the Metro Boston Consortium for Sustainable Communities.

Second: Mr. Bulian. Unanimously approved 4-0.

4. City of Boston Hazmat Route

Ms. Fitzpatrick told the Board the City of Boston is proposing a change in the routing of certain hazardous materials along the I93/I95 corridor. She stated MassDOT has held a series of hearings over the summer attended by representatives of Town departments concerning the transportation of non-radioactive hazardous materials. She said the Town of Needham has the opportunity to file written commentary until September 23, 2011. Ms. Fitzpatrick stated the primary concern for the Town is that construction to widen the highway and increase its capacity is on-going and will be for several years. She stated during the construction process, there are often temporary lane changes and barriers, which coupled with the actual construction, can increase the chances for accidents. Ms. Fitzpatrick said Chief Buckley proposed at a hearing that the changes to the routing designation, if allowed, be delayed until after the “Add-a-Lane” project. Another concern Ms. Fitzpatrick mentioned is the method the public safety departments are using to identify where accidents may occur.

Mr. Handel asked if there was consensus among the Board to allow the Town Manager to draft of letter to MassDOT indicating its concerns and request a delay of a decision until after the “Add-a-Lane” project is complete.

Mr. Matthews commented a letter should be drafted by the Town Manager suggesting to MassDOT that there are overall concerns warranting further study and that no action should be taken until after the completion of the “Add-a-Lane” project.

The Board agreed with approach suggested by Mr. Matthews and asked the Town Manager to draft a letter to MassDOT.

5. Town Hall Project Update

Ms. Fitzpatrick updated the Board on the Town Hall construction project stating the renovation nearly complete. She said the plan to move employees out of 500 Dedham Avenue is scheduled for October 7th through October 11th, and the newly renovated Town Hall will be open for business on Wednesday, October 12,

2011. Mr. Handel pointed out the project and the moves associated with it are highly complex, challenging, and affect many people. He said the project has been extremely well managed and thanked the Town Manager for her efforts.

6. Fiscal Year 2013 Budget Consultation

Ms. Fitzpatrick provided the Board with a copy of the FY 2013 Budget Schedule. She stated the Finance Committee was asked for feedback, and said guidelines will be issued to department managers.

7:45 p.m. Board Discussion:

1. Boston Region Metropolitan Planning Organization

The Board discussed the election process for town and sub-region representatives on the Boston Region Metropolitan Planning Organization. Mr. Handel said the towns of Foxboro, Franklin, Walpole, Topsfield, Hopkinton, Wellesley, Wayland, Natick, and Dover have so far voted or indicated a willingness to support Needham's nomination. He said Needham has been asked to support Norwood Board Chairman Michael J. Lyons to serve in the TRIC sub-region seat, and the Town of Natick has asked that Needham support Board Chairman Charles M. Hughes for the other At-large Town seat.

Ms. Fitzpatrick said the towns of Southboro, Westwood, Wakefield, Millis, Medway, Wrentham, and Stoneham have also signed on to the town's candidacy.

Motion by Mr. Matthews that the Board vote to nominate Michael J. Lyons, Chairman of the Norwood Board of Selectmen to represent the TRIC sub-region, and to nominate Charles M. Hughes, Chairman of the Natick Board of Selectmen to represent one At-Large Town seat; and to authorize the Chairman to sign the nomination form on behalf of the Town.

Second: Mr. Bulian. Unanimously approved 4-0.

2. Committee Reports

Mr. Bulian reported the Greene's Field Committee met on August 30, 2011 to discuss options for renovation of Greene's Field. He stated a meeting will be held on Tuesday, September 20, 2011 to consider options.

Mr. Wasserman mentioned that at the next Board of Selectmen meeting on September 27, 2011 a hearing will be held on the Green Communities program and encouraged the public to attend.

Mr. Handel stated the CEA will meet on Wednesday, September 14, 2011 finalizing its work on proposed revisions to the zoning by-law as it affects the NEBC.

8:05 p.m. **Consent Agenda and Appointments:**

Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda as presented.

APPOINTMENTS

1.	Cable Television Advisory Committee	Peter Hess (6/30/2014)
2.	Human Rights Committee	Marlene Schultz (6/30/2014)
3.	Technology Advisory Committee	Kenneth Freundlich (6/30/2013) Clifford Hayden (6/30/2013)
4.	Traffic Management Advisory Committee	Mark Rosen (6/30/2013)

CONSENT AGENDA *=Backup attached

1.*	Approve One Day Special Wines & Malt Beverages Only license for David E. Drake of Needham Cares, Inc. to hold its Needham Cares 3 rd Annual Barbeque from 7:00pm to 11:00pm on Saturday, September 24, 2011 at the Needham Historical Society, 1147 Central Avenue, Needham.				
2.	Approve request from the Needham Youth Commission to declare Thursday, March 15, 2012 as Needham Unplugged.				
3.	Accept donation made to the Needham Community Revitalization Trust Fund from the following residents: Holly & Bruce Johnstone- \$ 500.				
4.*	Approve One Day Special All Alcoholic Beverages license for Ed Davis of St. Sebastian's School to hold its Alumni Dinner from 6:00pm to 10:00pm on Thursday, October 6, 2011 in Ward Hall at St. Sebastian's School, 1191 Greendale Avenue, Needham.				
5.	Withdraw license previously approved by the Board of Selectmen for a 1,000 gallon fuel underground storage tank at 126 Jarvis Circle submitted by Heavner Construction.				
6.	Approve free parking at all the meters downtown for the Needham Business Association's Harvest Fair on October 1, 2011.				
7.*	Water & Sewer Abatement Order No. 1130				
8.					
9.	Grant Permission for the following residents to hold a block party:				
	Name	Address	Party Location	Date	Rain Date Time
	Abby Alford	70 Whitman Road	Whitman Road	9/10/2011	n/a 3:30pm-5:00pm
	Kelly Allen	103 Sylvan Road	Harding Road	9/10/2011	n/a 3:00pm-7:30pm
	Stephanie Arendell	41 Kimball St.	Corner of Grant and Kimball St.	9/10/2011	9/11/2011 3:00pm-6:30pm
	Carolyn Bickford	14 Gordon Road	Gordon Road	9/10/2011	09/17/2011 3:00pm-

					7:00pm
Carrie Bush	62 Prince Street	Prince Street	9/10/2011	n/a	3:00pm-6:00pm
Carolyn Leskanic	40 Wildwood Dr	End of Webster where it meets Fox Hill up until 40 Wildwood	9/18/2011	9/25/2011	3:00pm-7:00pm
David Crispi	76 Kingsbury Street	Pickering Street between Kingsbury and May	9/10/2011	9/11/2011	3:00pm-7:00pm
Diane DerMarderosian	26 Greenwood Ave.	Greenwood Avenue	9/10/2011		12:00pm-6:00pm
Laura Fields	55 Nardone Road	Julia Road-blocking one end at Nardone and the other at Bess Road	9/10/2011		2:30pm-6:00pm
David Harris	94 Cynthia Road	Wildale Circle	9/10/2011		3:00pm-6:00pm
Marnie Kaufman	60 Savoy Road	Savoy Road	9/10/2011		3:00pm-7:00pm
Amy Kennedy	76 Old Farm Road	Old Farm Road	9/10/2011		3:00pm-7:00pm
Angela Ledbury	17 Paul Revere Road	Paul Revere Road	9/10/2011		4:00pm-7:00pm
Betty Lee	34 Highland Court	Highland Court	9/10/2011		3:00pm-5:30pm
Sylvia Lewinstein	105 High Street	Bennington Street	9/17/2011		4:00pm-8:00pm
Lisa Lewis	74 Canterbury Lane	Canterbury Lane	9/10/2011	9/11/2011	3:00pm-6:30pm
Allegra Lowitt	68 Brewster Drive	Brewster Drive	9/10/2011	9/11/2011	4:30pm-6:30pm
Laura McGovern	43 Newell Avenue	Elizabeth Circle	9/10/2011	09/11/2011	3:00pm-6:30pm
Michaela McMahon Popeo	75 Eaton Road	Eaton Road	9/10/2011		4:00pm-7:00pm
Julie Middleton	74 Henderson Street	Henderson Street/Miller St.	9/10/2011	9/11/2011	3:00pm-10:00pm
Michael Normile	5 Larkspur Lane	Larkspur Lane	9/10/2011	09/11/2011	4:00pm-7:00pm
Brian Quist	23 Wilshire Park	Wilshire Park	9/10/2011		3:00pm-6:30pm
Tanya Rogers	215 Garden Street	Garden Street	9/10/2011		4:00pm-6:00pm
Joan Sullivan	256 Brookline Street	Holmes Street	9/10/2011		3:00pm-6:00pm

Claudette Shea	107 Grosvenor Rd	Grosvenor Rd	9/10/11	9/17/11 changed from 9/11/11	3:00pm- 7:00pm
Jessica Srinivas	93 Hillside Ave	Pinegrove- Greenough-Avery	9/10/11		4:00pm- 8:00pm
Barbara Suarez	201 Tower Ave	Lindbergh Ave between Tower Ave and Paul Revere Rd	9/10/11	9/11/11	4:00pm- 8:00pm
Toni Ann Simmons	102 Manning St	Manning & Homestead intersection	9/10/11		5:00pm- 7:00pm
John & Ting Sherry	130 Birds Hill Ave	Birds Hill & Thornton Rd	9/10/11	9/11/11	4:30pm- 6:30pm
Marcia S. Izzy	67 Green St	Green St	9/10/11	9/17/11	3:00pm- 6:30pm
Liz Lawlor	76 Howland St	Howland St & Pleasant St	9/17/11	9/18/11	4:00pm- 7:00pm
Marianne McGowen	185 Maple St	100 Maple St	9/10/11	9/17/11	3:00pm dark
Linda Delaney	57 Marked Tree Rd	Curve St –corner Marked Tree Rd	9/10/11		4:00pm- 6:30pm
Michelle Hoffmeister	101 Clarke Circle	101 Clarke Circle	9/10/11		3:30pm- 6:30pm
Cindy Goss	75 Plymouth Rd	Plymouth Rd	9/11/11		3:00pm- 7:00pm
Blair Merriman	68 Meadowbrook Rd	Meadow Lane	9/10/11	9/11/11	2:00pm- 6:30pm
Peter Bates	966 Greendale Ave	Greendale Terrace	9/10/11		4:00pm- 7:00pm
Sarah Ledbury	140 Hoover Rd	Hoover Rd	9/10/11		3:30pm- 6:30pm
Dale McCarthy	72 Stevens Rd	Stevens	9/10/11		12:00pm- 2:00pm
J. Morehead	26 Manning St	block on Manning between Thorpe & High	9/10/11		5:00pm- 7:30pm

Second: Mr. Wasserman. Unanimously approved 4-0.

8:10 p.m. Executive Session (Exception 3 and Exception 2)

Motion by Mr. Matthews that the Board of Selectmen vote to enter into Executive Session.

Exception 3 – To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares; and

Exception 2 – To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel. Not to return to open session prior to adjournment.

Second: Mr. Bulian. Mr. Handel polled the Board. Unanimously approved 4-0.

Note: The meeting adjourned at 8:25pm.

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR
(cc: TOWN COMPTROLLER)

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales: -\$211.50

Water Irrigation: -\$42,937.33

Water Service: \$0.00

Sewer Sales: -\$2,214.25

Transfer Station Charges: \$0.00

Total Abatement: -\$45,363.08

Order #: 1131

Read and Approved: 9/23/2011


DPW Office Manager


Director of Public Works

For the Board of Selectmen

Date: 9/27/2011

**Town of Needham
Water Sewer Billing System
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
PC	Freid	Kim	33123	23892	810	South St	\$0.00	\$0.00	-\$1,715.35	-\$1,715.35	Leak	N
PC	Vinnikova	Tatyana	21369	3042	529	Greendale Ave	\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N
PC	Vergara	David	10067	6172	21	Greenwood Ave	\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N
PC	Needham Golf		2015	19276	49	Green St	-\$42,937.33	\$0.00	\$0.00	-\$42,937.33	Billing	Y

Total: -\$45,363.08

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

Legend:

O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.
O.E. Error = Over estimation was issued
Leak = Leak in house or at spicket that caused loss of water, with proof of repair
O.E. = High estimation of consumption to have customer respond to meter upgrade/exchange request
TWN = Town Project caused damage to private property
Equip = Equipment Malfunction
Prog. = Meters programed incorrectly causing reading to be transferred incorrectly to billing system
UE = Under estimated during town wide estimate
UEW = Unexplained water loss
P.F. = Pool Fill
M.R.E = Meter Reading Error
Billing = Steps were charged incorrectly
COA = Council On Aging

Approved by: Police

Fire
DPW
park + recreation.

500 Dedham Ave
Needham, MA

**Town of Needham, Massachusetts
Road Race Event Form**

Name of Organization: CATZ (Competitive Athlete Training Zone)	
Organization Mailing Address: 114 First Avenue Needham, MA 02494	
Primary Contact: Michael Sapers	Contact Title: Co-CEO
Contact Address: same as mailing	
Contact Phone (Day): 781-449-2289	Contact Phone (Cell): 617-953-5300
Contact Email: msapers@catzsports.com	
Event Date(s): 10/15/11	Date Expected to be in Needham: 10/15/11
Earliest Time Expected in Needham: 7am	Latest Time Expected in Needham: 3pm
Number of Expected Participants: 200	Number of Expected Spectators at Peak Time:
Is event for-profit or not-for-profit? not-for-profit	Are participants charged a fee? yes

Estimated Number of Vehicles: 100	What type of Parking is needed: Parking lots surrounding facility
Are event organizers available to meet with members of the Town to plan event? yes if needed	
What will be done in case of inclement weather? cancelled if severe	
Are there other events that take place at the same time as this one, just before or just after this event? Health fair on our property before and after race	
Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked: We will use our parking lots and get permission from owners of lots around us to use them for the half day	
Will neighborhoods be impacted by parking and traffic? No	
What activities are planned for the start of the race (if in Needham)? Marketing booths Obstacle Course Information giving	
What activities are planned for the end of the race (if in Needham)? Food Fitness Challenge PT evaluations Chiropractic Exams	
What facilities are needed for the start of the race (if in Needham)? The street outside CATZ	
What facilities are needed for the end of the race (if in Needham)? Just our own	
Once the event begins, how long will it take to complete the event? 45 minutes max	

Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	yes
Will volunteers be placed along the route?	yes
Will you be using a sound system? If yes, please describe where and when it will be used.	NO
Will there be any food served?	yes
Will portable toilets be used?	NO
Will hydration stops be set up along route? If yes, please include these on route plan.	yes
If the event takes place after dark, what is the plan to meet lighting needs?	N/A
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	Physical Therapists on hand
Does the event take place during commuter times?	NO
Is school in session during the event? Will school drop off or pick up be impacted by the event?	NO
Are businesses open during the time of the event?	NOT MOST
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	No
Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	No
What is the plan to handle trash?	Volunteers along route
Please attach event route map, include map and text of route.	



Address **114 1st Ave**
Needham, MA 02494

Get Google Maps on your phone



Text the word "GMAPS" to 466453

