

BOARD OF SELECTMEN

April 11, 2012

Needham Town Hall

Agenda

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Board Reorganization
2.	7:00	Zoning Articles ▪ Lee Newman, Director of Planning and Community Development and Bruce Eisenhut, Chairman of Planning Board
3.	7:15	Presentation by Citizens' Petitioners ▪ Pesticide Free Zone- Susan Abbott ▪ Citizens' Petition- Stacie Shapiro and Bob Smart
4.	7:30	Town Manager ▪ Utility Bill Rate Credits ▪ Initiate and Refer Zoning Amendment ▪ Close Special Town Meeting Warrant ▪ Positions on Special and Annual Town Meeting Warrants
5.	8:00	Board Discussion ▪ MBTA Service Cuts ▪ Committee Reports
6.	8:15	Executive Session (Exception 3)

APPOINTMENTS

1.	Council of Economic Advisors	Michael Wilcox (Major Tenant NEBC) (term expires: 6/30/2013)
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CONSENT AGENDA *=Backup attached

1.*	Approve Special One Day All Alcoholic Beverages license for Alice Christenson of the John Eliot PTC to hold its PTC Spring Auction Fundraiser on Saturday, May 5, 2012 from 7:00 p.m. to 12:00 a.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.
2.*	Approve Special One Day All Alcoholic Beverages license for Andrew Bartlett of St. Sebastian's School to hold its 25 th and 50 th Reunion Dinner from 6:00pm to 10:00pm on Friday, May 18, 2012 in Ward Hall at St. Sebastian's School, 1191 Greendale Avenue, Needham.
3.*	Approve Special One Day All Alcoholic Beverages license for Ed Davis of St.

	Sebastian's School to hold its 2012 Reunion Weekend events from 12:00 p.m. to 10:00 p.m. on Saturday, May 19, 2012 in Ward Hall at St. Sebastian's School, 1191 Greendale Avenue, Needham.
4.	Accept donation made to the Needham Community Revitalization Trust Fund from the following resident: Daniel P. Matthews - \$ 100.
5.	Accept a grant in the amount of \$7,015 from the Fireman's Fund Insurance Company to the Needham Fire Department to be used for extrication equipment. The funds will be used to purchase a new power supply for the "Jaws of Life".
6.	Accept the following grants given by the Commission on Disabilities on March 20, 2012: \$775 to the Needham Community Council to purchase a Classic Perkins Braille and a ream of Braille paper; \$650 to the High Rock and Pollard PTC's Inclusion and Awareness Community Week to pay partial fee to Travis Roy; and \$115 to the High Rock and Pollard PTC's Inclusion and Awareness Community Week to purchase the film "Including Samuel."
7.*	Approve Special One Day Wines & Malt Beverages license for Mike Riley of Needham Knights of Columbus to hold a 100 th Anniversary event from 5:00 p.m. to 9:00 p.m. on Saturday, April 21, 2012 at the Needham Knights of Columbus, 1211 Highland Avenue, Needham.
8.	Accept the following donations made to the Needham Police Department for the Car Safety Seat Installation Program in memory of David W. Jones: ▪ \$50 from Sandra Bourdages, 267 Bearsden Road, Athol, MA 01331 ▪ \$25 from Viola E. Miller, 21 Wellesley Avenue, Needham, MA 02494
9.*	Approve application for a 2012 Common Victualler license from Swizzles of Needham, LLC d/b/a Swizzles Frozen Yogurt located at 1450 Highland Avenue, Needham.
10.	Approve \$285 in donations received for the Student Awareness of Fire Education program made in memory of David W. Jones from: Robert and Viola Miller, Louis and Lena Sostilio, Linda Hayes Webb & John McClare Shugert, Ronald and Susan Stering, Barbara Coveney Harkins, Anthony Cefalo, Elizabeth and David Demirjian, and Michael and Jacqueline Ferrara.
11.*	Approve minutes from March 13, 2012 meeting.
12.*	Water & Sewer Abatement Order #1140
13.*	Approve application for Sunday Entertainment license from Jeffrey Friedman on behalf of the Needham Farmers Market, Inc. to allow for music at its location on the front lawn of the Unitarian Universalist Church.

NEEDHAM BOARD OF SELECTMEN RE-ORGANIZATION MEETING FOR APRIL 11, 2012

1. Town Clerk swears in the Elected Officials.
2. Chairman calls for nominations for the re-organization of the Board of Selectmen.

Chairman: _____

Vice Chairman: _____

Secretary/Clerk: _____

3. Members now change to new seating arrangement.
4. The Board of Selectmen regular meeting schedule for the year.

May 8, 2012	August 21, 2012	November 27, 2012	February 26, 2013
May 22, 2012	September 11, 2012	December 4, 2012	March 5, 2013
June 12, 2012	September 18, 2012	December 18, 2012	March 19, 2013
June 26, 2012	October 2, 2012	January 8, 2013	April 2, 2013
July 17, 2012	October 23, 2012	January 22, 2013	April 10, 2013 (Wed)
	November 13, 2012	January 29, 2013	April 23, 2013
		February 12, 2013	

5. Committee Secretary for Board of Selectmen: ☐ Sandy Cincotta

 6. Recording Secretary for Board of Selectmen: ☐ Mary Hunt

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Board of Selectmen

AGENDA FACT SHEET for 4/11/2012

Agenda Item: Proposed Zoning Amendments

Presenter(s): Lee Newman, Director of Planning and Community Development
Bruce Eisenhut, Chairman, Planning Board

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Ms. Newman and Mr. Eisenhut will provide background information on the proposed zoning amendments contained in the Annual and Special Town Meeting warrants.

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.	Other _____		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 4/11/2012

Agenda Item: Citizens' Petition – Pesticide Free Zone

Presenter(s): Ms. Susan Abbott

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Ms. Abbott will discuss Article 22 of the Annual Town Meeting Warrant – a citizens' petition concerning the establishment of a pesticide-free zone on land owned or managed by the Town of Needham.

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.	Other _____	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 4/11/2012

Agenda Item: Citizens' Petition – Citizens United

Presenter(s): Ms. Stacie Shapiro and Mr. Bob Smart

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Ms. Shapiro and Mr. Smart will discuss Article 23 of the Annual Town Meeting Warrant – a citizens' petition concerning the Supreme Court's decision in the Citizens United case.

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.	Other _____	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 April 11, 2012

Agenda Item: Utility Bill Rate Credits
Presenter(s): David Davison, ATM/Finance Director
Evelyn Poness, Town Treasurer/Collector

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

We will discuss the current outlook for utility rates for next year, the status of sewer rate relief from the State, and utility credits for the 4th quarter.

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

Suggested Motion: Move that the Board authorizes a one time **\$65.00** flat rate credit for residential accounts billed during the fourth quarter of FY2012 to reflect local rate relief, and further move that the Board approve a one-time flat sewer rate credit of **\$0.11** per account billed during the fourth quarter of FY2012 to reflect the State sewer rate relief money received from the Commonwealth, and further move that following credits as rate relief set forth below:

Regular commercial and residential water accounts billed between April 1, 2012 and June 30, 2012:

Step one: a credit of **\$0.50** per hundred cubic feet of usage

Step two: a credit of **\$0.75** per hundred cubic feet of usage

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 dbd 04/06/2012

Board of Selectmen

AGENDA FACT SHEET for 4/11/2012

Agenda Item: Initiate and Refer Zoning Amendment

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Attorney Roy Cramer, on behalf of Normandy GAP-V Needham, LLC and Normandy GAP-37A Needham, LLC, has requested that the Board of Selectmen initiate an amendment to the Zoning By-law to allow the construction of an outdoor pool associated with an indoor athletic or exercise facility in the New England Business Center zoning district. Referral to the Planning Board at this time would allow for the inclusion of an article in the Special Town Meeting warrant.

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

Suggested Motion: That the Board vote to initiate an amendment to the Zoning By-law to enable the construction of an outdoor pool associated with indoor athletic or exercise facilities, and to refer the matter to the Planning Board for review, public hearing, and report.

3. BACK UP INFORMATION ATTACHED:

- a. Letter from Roy Cramer dated March 28, 2012
- b. Assessors' Map 300
- c. M.G.L. c. 40A Section 5

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	[no]	NA	_____
b.	Town Counsel	yes	[no]	NA	_____
c.	Finance Director	yes	[no]	NA	_____
d.	Other _____	yes	[no]	NA	_____

Disposition by BOS

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

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

FRIEZE CRAMER ROSEN & HUBER LLP
COUNSELLORS AT LAW

60 WALNUT STREET, WELLESLEY, MASSACHUSETTS 02481
781-943-4000 • FAX 781-943-4040

ROY A. CRAMER
781-943-4030
RAC@128LAW.COM

March 28, 2012

Needham Board of Selectmen
Ms. Kate Fitzpatrick, Town Manager
1471 Highland Avenue
Needham, MA 02492

Re: Proposed Zoning Change

Dear Board of Selectmen Members and Ms. Fitzpatrick:

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, I request on behalf of Normandy GAP-V Needham, LLC and Normandy GAP-37A Needham, LLC, the property owners of parcels 15, 16, 28 and 29 of Map 300 (also known as 360 First Avenue, 410 First Avenue, 66B Street and 37A Street), that the Board of Selectmen initiate a zoning change that would add to Section 3.2.4.2, Uses Permitted by Special Permit in the New England Business Center Zoning District, after the words "(e) Indoor Athletic or Exercise Facilities" the words "and/or Outdoor Pool(s) Associated with Such Facilities".

In addition, I ask on behalf of said property owners that the Board of Selectmen sponsor the zoning change and refer same to the Needham Planning Board for review and public hearing so that it may be heard at the May 14, 2012, Special Town Meeting.

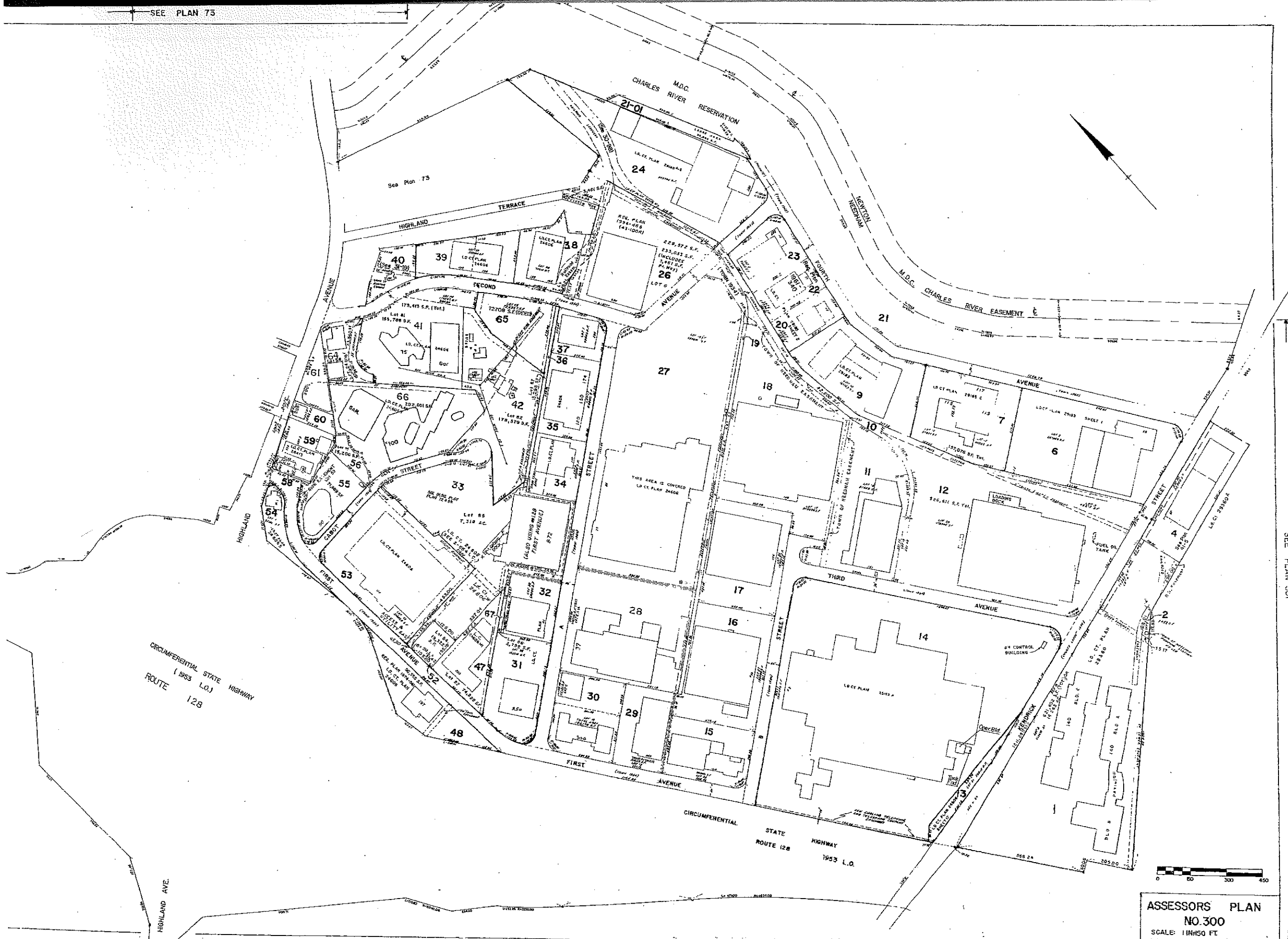
Thank you for your cooperation.

Very truly yours,



Roy A. Cramer

copy to: Lee Newman (lnewman@needhamma.gov)
Devra Bailin (dbailin@needhamma.gov)
Justin Krebs (jkrebs@normandyrealty.com)
Kevin Daly (kdaly@walshcompany.com)



SEE PLAN 301

ASSESSORS PLAN
NO. 300
SCALE: 1"=50 FT.
A. L. DEL GAZO, P.E. - TOWN ENGINEER

SEE PLAN 72

SEE PLAN 87

SEE PLAN 36

SEE PLAN 59

SEE PLAN 57

**PART I** ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 40A** ZONING**Section 5** Adoption or change of zoning ordinances or by-laws; procedure

Section 5. Zoning ordinances or by-laws may be adopted and from time to time changed by amendment, addition or repeal, but only in the manner hereinafter provided. Adoption or change of zoning ordinances or by-laws may be initiated by the submission to the city council or board of selectmen of a proposed zoning ordinance or by-law by a city council, a board of selectmen, a board of appeals, by an individual owning land to be affected by change or adoption, by request of registered voters of a town pursuant to section ten of chapter thirty-nine, by ten registered voters in a city, by a planning board, by a regional planning agency or by other methods provided by municipal charter. The board of selectmen or city council shall within fourteen days of receipt of such zoning ordinance or by-law submit it to the planning board for review.

No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held within sixty-five days after the proposed zoning ordinance or by-law is submitted to the planning board by the city council or selectmen or if there is none, within sixty-five days after the proposed zoning ordinance or by-law is submitted to the city council or selectmen. Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of said hearing, and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of said hearing. Notice of said hearing shall also be sent by mail, postage prepaid to the department of housing and community development, the regional planning agency, if any, and to the planning board of each abutting city and town. The department of housing and community development, the regional planning agency, the planning boards of all abutting cities and towns and nonresident property owners who may not have received notice by mail as specified in this section may grant a waiver of notice or submit an affidavit of actual notice to the city or town clerk prior to town meeting or city council action on a proposed zoning ordinance, by-law or change thereto. Zoning ordinances or by-laws may provide that a separate, conspicuous statement shall be included

with property tax bills sent to nonresident property owners, stating that notice of such hearings under this chapter shall be sent by mail, postage prepaid, to any such owner who files an annual request for such notice with the city or town clerk no later than January first, and pays a reasonable fee established by such ordinance or by-law. In cases involving boundary, density or use changes within a district, notice shall be sent to any such nonresident property owner who has filed such a request with the city or town clerk and whose property lies in the district where the change is sought. No defect in the form of any notice under this chapter shall invalidate any zoning ordinances or by-laws unless such defect is found to be misleading.

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

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

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

No proposed zoning ordinance or by-law which has been unfavorably acted upon by a city

council or town meeting shall be considered by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or by-law is recommended in the final report of the planning board.

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

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

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

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

Board of Selectmen

AGENDA FACT SHEET for 4/11/2012

Agenda Item: 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 May 14, 2012.

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

Suggested Motion: That the Board approve and close the May 14, 2012 Special Town Meeting Warrant as presented by the Town Manager, subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.

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:** _____

Prepared by kpf

Board of Selectmen

AGENDA FACT SHEET for 4/11/2012

Agenda Item: Annual and Special Town Meeting Articles

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Board will review articles contained in the Annual and Special Town Meeting Warrants.

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

Suggested Motion: That the Board vote to support (not to support) articles _____ in the Annual Town Meeting Warrant.

Suggested Motion: That the Board vote to support (not to support) articles _____ in the Special Town Meeting Warrant.

3. BACK UP INFORMATION ATTACHED:

- a. 2012 Annual Town Meeting Warrant (to be provided under separate cover)
- b. May 14, 2012 Special Town Meeting Warrant Draft dated 4.6.2012
- c. Status of Articles 3.28.2012

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	_____

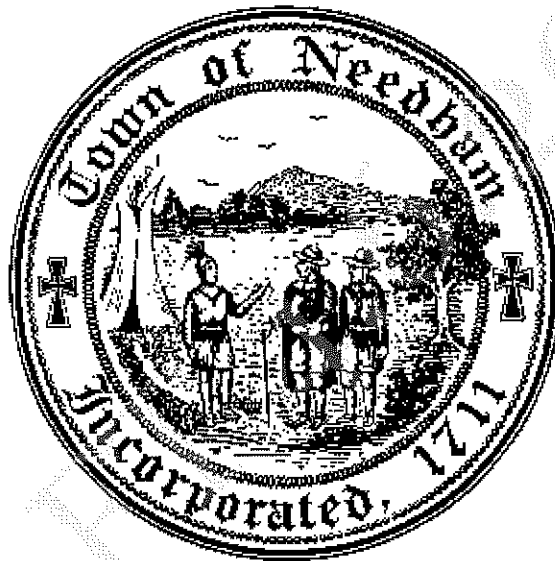
Disposition by BOS

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

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

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, MAY 14, 2012

7:30 P. M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

NEEDHAM

DRAFT 4.6.2012

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.

**May 14, 2012 Special Town Meeting Warrant
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Article 5	Amend Zoning By-Law – Description of Flood Plain Districts and Flood Plain Regulations
Article 6	Amend Zoning By-Law – Uses in the New England Business Center District
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Article 8	Appropriate for Property Acquisition
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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 Town Hall:

MONDAY, THE FOURTEENTH DAY OF MAY, 2012

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

ARTICLE 1: 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 2: 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 3: AMEND THE FY2012 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 and awarded at November 7, 2011 STM, 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:
3	Health Insurance	\$9,519,724	TBD
4	Retiree Insurance & Insurance Liability Fund	\$3,906,275	TBD
23	Minuteman Assessment	\$562,637	\$592,989
10	Reserve Fund	\$ 1,166,524	TBD
28B	Public Facilities Expenses	\$4,666,935	TBD
28C	Public Facilities Capital	\$0	

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 4: APPROPRIATE FOR PAYMENT OF UNPAID BILLS OF PRIOR YEARS

To see if the Town will vote to raise and/or transfer and appropriate a sum for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, as follows, and that \$4,346.04 be transferred from Overlay Surplus; or take any other action relative thereto.

Department	Vendor	Description	Fiscal Year	Amount
Department of Public Facilities	Allston Supply Company, Inc	Custodial Maintenance Supplies – Public Safety	FY2011	\$ 199.16
Department of Public Facilities	Allston Supply Company, Inc	Custodial Maintenance Supplies – Public Schools	FY2011	\$4,078.88
Department of Public Facilities	Allston Supply Company, Inc	Custodial Maintenance Supplies – Public Services	FY2011	\$ 10.57
Department of Public Facilities	Allston Supply Company, Inc	Custodial Maintenance Supplies – Library	FY2011	\$ 57.43
Total				\$4,346.04

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: State law requires Town Meeting action in order for the Town to make payment for bills received after the close of the fiscal year or bills in excess of appropriation.

ARTICLE 5: AMEND ZONING BY-LAW - DESCRIPTION OF FLOOD PLAIN DISTRICTS AND FLOOD PLAIN DISTRICT REGULATIONS

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

- (a) In Section 2.3, Description of Flood Plain Districts, by revising the first paragraph thereof so that the entire paragraph shall read as follows (new language underlined):

“The Floodplain District is herein established as an overlay district. The areas included in the Flood Plain Districts are defined as follows:”

- (b) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.1, by adding a new paragraph 2.3.1 to read as follows:

“2.3.1 All special flood hazard areas within the Town of Needham designated as Zone A, AE, or AH on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Needham are panel numbers 25021C0016E, 25021C0017E, 25021C0018E, 25021C0019E, 25021C0028E, 25021C0036E, 25021C0037E, 25021C0038E, and 25021C0039E dated July 17, 2012. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and Engineering Department.”

- (c) In Section 2.3, Description of Flood Plain Districts, by renumber former paragraphs 2.3.1, 2.3.2, 2.3.3, 2.3.4, 2.3.5, 2.3.6, and 2.3.7 as paragraphs 2.3.2, 2.3.3, 2.3.4, 2.3.5, 2.3.6, 2.3.7 and 2.3.8 respectively.

- (d) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.3, Uses Requiring a Special Permit, by adding language to the first sentence of subparagraph (a) so that the entire subparagraph shall read as follows (new language underlined):

“(a) All new construction and substantial improvements (the cost of which exceeds 50 percent of the market value of the structure before the improvements) of residential structures which have the lowest floor, including basement or cellar, elevated to or above the flood plain elevation defined on the Norfolk County Flood Insurance Rate Maps (the 100-year flood plain elevation) and the Town of Needham Zoning Map. No new construction or substantial improvement shall be permitted unless it can be demonstrated by the applicant that the cumulative effect of the proposed development will not increase the water surface elevation of the 100-year flood.

- (e) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.3, Uses Requiring a Special Permit, by adding language to the first sentence of subparagraph (b) so that the entire subparagraph shall read as follows (new language underlined):

“(b) All new construction and substantial improvements (the cost of which exceeds 50 percent of the market value of the structure before the improvement) of non-residential structures which have the lowest floor, including basement or cellar, elevated to or above the flood plain elevation defined on the Norfolk County Flood Insurance Rate Maps (the 100-year flood elevation) and the Town of Needham

Zoning Map or are flood proofed and watertight to the applicable flood elevation. In the case where watertight flood proofing is permitted, a registered professional engineer or architect shall certify to the Building Inspector that the methods used are adequate to withstand flood depth pressures and velocities impact and the uplift of forces and other factors associated with the 100-year flood. No new construction or substantial improvement shall be permitted unless it is demonstrated by the applicant that the cumulative effect of the proposed development will not increase the water surface elevation of the 100-year flood.”

- (f) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.5, General Provisions Relating to Flood Plain District, by adding language to the first sentence of subparagraph (a) so that the entire subparagraph shall read as follows (new language underlined):

“(a) All development in the Flood Plain District, including structural and non-structural activities, whether permitted by right or by special permit shall be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following: (i) Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR); (ii) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00); (iii) Inland Wetlands Restriction, DEP (currently 310 CMR 13.00); and (iv) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5). Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.”
- (g) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.5, General Provisions Relating to Flood Plain District, by revising the first sentence of subparagraph (c) so that the entire subparagraph shall read as follows (new language underlined):

“(c) Base flood elevation data shall be provided for subdivision proposals or other developments of greater than 50 lots or 5 acres, within unnumbered A zones, as shown on the Norfolk County Flood Insurance Rate Map (FIRM) dated July 17, 2012.”
- (h) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.5, General Provisions Relating to Flood Plain District, by revising the first sentence of subparagraph (d) so that the entire subparagraph shall read as follows (new language underlined):

“(d) Within areas designated Zone A, AH, and AE, along watercourses that have not had a regulatory floodway designated, as shown on the Norfolk County Flood Insurance Rate Map (FIRM), Floodway Map, and Flood Insurance Study, dated July 17, 2012, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.”
- (i) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.6, National Flood Insurance Program (NFIP) Requirements, by revising the first sentence of the first paragraph so that the entire paragraph shall read as follows (new language underlined):

“Reference is hereby made to the Norfolk County Flood Insurance Rate Map (FIRM) and Flood Insurance Study dated July 17, 2012 – both of which are on file in the office of the Town Clerk, Planning Board, Building Official, Conservation Commission and Engineering Department. In granting special permits authorized above under Subsections 3.3.3 and 3.3.4, the Board of Appeals shall, as appropriate, require the following as conditions of approval:”

- (j) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.6, National Flood Insurance Program (NFIP) Requirements, by revising the first sentence of subparagraph (c) so that the entire subparagraph shall read as follows (new language underlined):

“(c) Require that adjacent communities, the site coordination office and the NFIP State Coordinator at the Massachusetts Department of Conservation and Recreation be notified prior to any alteration or relocation of a water course, and that a copy of such notification be submitted to the Federal Emergency Management Agency (FEMA) Administrator.”

or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 6: AMEND ZONING BY-LAW—USES IN THE NEW ENGLAND BUSINESS CENTER DISTRICT

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

Amend Section 3.2.4, Uses in the New England Business Center District, Subsection 3.2.4.2 (e) by adding after the words “Indoor athletic or exercise facilities”, the words “and/or outdoor pool(s) associated with such facilities.”

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

PLANNING BOARD RECOMMENDS THAT:

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: *Indoor athletic or exercise facilities are allowed by special permit in the New England Business Center District (NEBC). This amendment would allow the addition of an outdoor pool or pools to be provided as an additional amenity to such facilities in the NEBC if approved by the special permit granting authority.*

ARTICLE 7: CHANGE IN USE AND CONVEYANCE OF REAL PROPERTY

To see if the Town will vote to change the use of parcels of land between Great Plain Avenue, the Dedham Town line, the Charles River and I-95 from highway purposes and water supply purposes to conservation and recreation purposes and to authorize the Board of Selectmen to convey same to the Commonwealth of Massachusetts for conservation and recreation purposes; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 8: APPROPRIATE FOR PROPERTY ACQUISITION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,175,000 for the acquisition of real property known as 59 Lincoln Street and 89 School Street, and associated improvements thereto, 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 M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 9: EXTINGUISH SEWER EASEMENT – NEHOLDEN STREET

To see if the Town will authorize the Board of Selectmen to abandon a sewer easement at 263 Nehoiden Street, in the town of Needham, being more fully described in a grant to the Town recorded at the Norfolk Registry of Deeds in Book 4818, page 462 and to accept the grant of a new sewer easement and sidewalk easement at 263 Nehoiden Street as shown on a plan entitled Grant of Easements Plan of Land, 263 Nehoiden Street, Needham, Mass.", dated January 2, 2012, scale 1" = 20', prepared by Field Resources, Inc. which is on file at the Needham Engineering Department; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information:

ARTICLE 10: APPROPRIATE FOR WORKERS COMPENSATION RESERVE FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum 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: The purpose of this request is 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 up to the limit of the Town's reinsurance limit (for both School and General Government employees.) Typically, the source of funds for this account is any remaining balances in the workers

compensation line item contained in the employee benefits and assessments budget. Due to increases in salaries and expenses over the past decade, and the resolution of several long-standing cases, the fund balance has been declining. The Town appropriated a total of \$494,288 to the fund at the 2011 Annual Town Meeting and the November 7, 2011 Special Town Meeting. The target balance for the fund is \$1,000,000.

ARTICLE 11: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, 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: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The December 31, 2011 balance in the fund is \$561,688.

ARTICLE 12: APPROPRIATE FOR CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L. Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, 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: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing) systems of then existing capital facilities. The December 31, 2011 balance in the fund is \$734,117.

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 into our hands at Needham aforesaid this 11th day of April 2012.

MAURICE P. HANDEL, *Chairman*
GERALD A. WASSERMAN, *Vice Chairman*
DANIEL P. MATTHEWS, *Clerk*
JOHN A. BULIAN

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

DRAFT 4.6.2012

(This page has been left intentionally blank.)

**Town Clerk's Office
Needham, MA 02492**

**First Class Mail
U.S. Postage Paid
Needham, MA
Permit No. 58224**

ATTN: SPECIAL TOWN MEETING WARRANT

2012 Annual Town Meeting Status of Articles March 28, 2012

Article	Title	Status	BOS Rec.	FC Rec.	BOS Member
3	Establish Officials' Salaries			Adopt	
4	Fund Collective Bargaining Agreement - Fire Union			RATM	
5	Fund Collective Barg. Agreement - Pub. Facilities Custodial, Trades			RATM	
6	Transfer of Budgetary Fund Balance			Adopt	
7	Accept Chapter 73, Section 4 of the Acts of 1986			Adopt	
8	Appropriate for Senior Corps			Adopt	
9	Appropriate for Needham Property Tax Assistance Program			Adopt	
10	Appropriate the FY 2013 Operating Budget			Adopt	
11	Appropriate the FY 2013 RTS Enterprise Budget			Adopt	
12	Appropriate the FY 2013 Sewer Enterprise Budget			Adopt	
13	Appropriate the FY 2013 Water Enterprise Budget			Adopt	
14	Continue Departmental Revolving Funds			Adopt	
15	Authorization to Expend State funds for Public Ways			Adopt	
16	Amend Zoning By-Law: Definition of a Structure			RATM	
17	Amend Zoning By-Law: Definitions			RATM	
18	Amend Zoning By-Law: Dimensional Regulations			RATM	
19	Amend Zoning By-Law: Off-Street Parking Requirements			RATM	
20	Amend General By-Law (fines)			No position taken*	
21	Home Rule Petition - Off-Premises Sale of Alcohol	Preamble		No position taken*	
22	Pesticide Free Zone on Land Owned or Managed by Town of Needham			RATM	
23	Citizens' Petition - Citizens United Resolution			RATM	
24	Artifact Storage Upgrade / Needham Historical Society			Adopt	
25	South Street Home/Charles River ARC	To be Withdrawn		RATM	
26	Heritage Project/Historical Inventory			Adopt	
27	Town of Needham Historical Vital Records Preservation			Adopt	
28	Appropriate to Community Preservation Fund			Adopt	
29	Rescind Debt Authorization			RATM	
30	Appropriate for General Fund Cash Capital			RATM	
31	Appropriate for Property Acquisition (37-39 Lincoln St.)			Adopt	
32	Appropriate for Fire Ladder Truck			Adopt	
33	Appropriate for Public Works Infrastructure Program			Adopt	
34	Appropriate for DPW Complex Renovations			RATM	
35	Appropriate for RTS Enterprise Fund Cash Capital			Adopt	
36	Appropriate for Sewer Enterprise Fund Cash Capital			Adopt	
37	Appropriate for Water Enterprise Fund Cash Capital			RATM	
38	Appropriate for Workers Compensation Reserve Fund			Adopt at \$125,000	
39	Establish and Appropriate to Athletic Facility Improvement Fund			Adopt at \$282,728	
40	Appropriate to Capital Improvement Fund			RATM	
41	Appropriate to Capital Facility Fund			RATM	
42	Omnibus			Rec at TM	

Board of Selectmen

AGENDA FACT SHEET for 4/11/2012

Agenda Item: MBTA/Commuter Rail Service Delivery Reduction

Presenter(s): Board Discussion

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Board will discuss the recent action taken by the MassDOT Board of Directors on a service delivery plan that included the discontinuance of commuter rail service on the Needham line on Saturdays.

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.	Other _____	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 04/11/2012

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

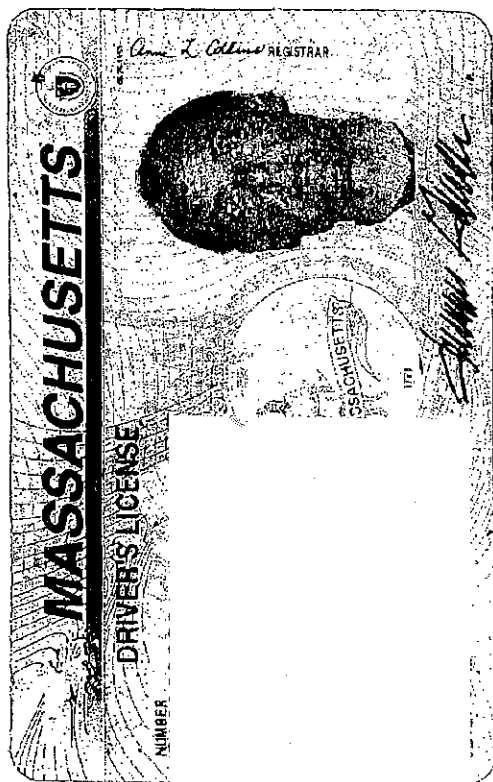
Action taken: _____ **Present on future Agenda:** _____

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)	Alice Christenson		
Event Manager Address	27 Spring Street; Needham		
Event Manager Phone Number	781. 223. 3868		
Organization Representing (if applicable)	John Eliot PTC		
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	John Eliot PTC Spring Fundraiser		
Date of Event	May 5th		
License is for Sale of: ☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	7:00pm	TO: Midnight
Are tickets being sold in advance for this event?	☒ YES	\$ 25 /per ticket	☐ NO
Is there an admission fee for this event?	☐ YES	\$ /per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☐ 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. Town Hall, James Hugh Power St Hall			
Who will be serving the alcohol to your guests? PARK SERVERS, INC			
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). PAUL RUFO & FRANCIS GOODE			
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. Purchase from 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: 3/23/12	

O.K. PAB



This is your Official TIPS® Certification Card.

Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

Congratulations!

By successfully completing the TIPS (Training for Intervention Procedures) program, you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or colleagues by using the techniques you have learned and taking a positive approach towards alcohol use.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 703-524-1200. Thank you for your dedication to the responsible sale and consumption of alcohol.

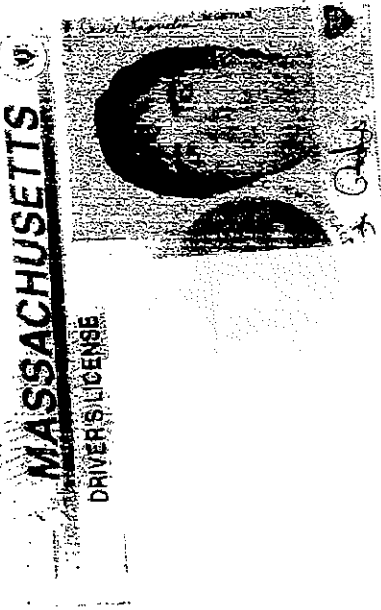
Sincerely,

Adam F. Chafetz
President, HCI

IMPORTANT: Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS, Inc. for assistance or additional information, contact Health Communications, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.

(3070)

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For service visit us online at www.getlips.com		



tips	Concessions	SSN: XXX-XX-XXXX
Issued:	1/6/2010	Expires: 11/30/2012
ID#:	2708032	D.O.B.: XX/XX/XXXX
PAUL RUFO		
79 Oak Ave.		
W. Newton, MA 02465-1814		
For service visit us online at www.gellips.com		
Gerard Dawson, 50360		

(5075)

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You Are Cordially Invited...

Please join us for



An Auction to Benefit the John Eliot PTC

An evening with hors d'oeuvres, drinks,
and desserts, plus a live and silent auction.

All proceeds benefit the John Eliot PTC.

Saturday, May 5, 2012

Needham Town Hall

7:00 pm

Tickets: \$25 in advance by 4/27, \$30 at the door

For more ticket information, contact Bridget Akinc: bridgetakinc@yahoo.com

_____ (number of tickets) x \$25 = _____ (amount enclosed)

Name _____

Please make a check out to John Eliot PTC and attach it to this form, then drop it off at the front office.

ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN

781 455 7512

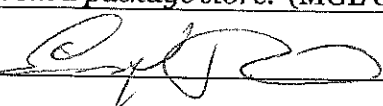
EVENT INFORMATION SHEET

(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Andrew Bartlett		
Event Manager Address	1191 Greendale Ave.		
Event Manager Phone Number	781-247-0121		
Organization Representing (if applicable)	St. Sebastian's School		
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	25th and 50th Reunion Dinner		
Date of Event	5-18-12		
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	TO: 10:00
Are tickets being sold in advance for this event?	☒ YES	\$ 30 /per ticket	☐ NO
Is there an admission fee for this event?	☐ YES	\$ /per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☒ YES	☐ NO	
How many people are you expecting at this event?	75		
Name & address of event location. Please attach proof of permission to use this facility.			
Ward Hall			
Who will be serving the alcohol to your guests?			
Sage Dining Services			
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).			
Sage Dining Services			
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.			
Bartenders will serve drinks to guest at the 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:
Andrew Bartlett			3/12/12

O.K. Bob

**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)	Ed Davis		
Event Manager Address	1191 Greendale Ave		
Event Manager Phone Number	781-247-0158		
Organization Representing (if applicable)	St. Sebastian's School		
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	2012 Reunion Weekend		
Date of Event	5/19/12		
License is for Sale of:			
☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	12:00 PM	TO: 10:00 PM
Are tickets being sold in advance for this event?	☒ YES	\$ 60 /per ticket	☐ NO
Is there an admission fee for this event?	☐ YES	\$ /per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☒ YES	☐ NO	
How many people are you expecting at this event?			
Name & address of event location. Please attach proof of permission to use this facility.			
Ward Hall			
Who will be serving the alcohol to your guests?			
Sage Dining Services			
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).			
Sage Dining Services			
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.			
Bartenders will serve drink to guest at the 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:	
		3/20/12	

OK BOD

ST. SEBASTIAN'S SCHOOL Reunion

Friday & Saturday, May 18-19, 2012

Friday, May 18

25th Reunion Reception & Dinner (1987)

6:00 p.m.

50th Reunion Reception & Dinner (1962)

6:00 p.m.

* both receptions and dinners will be held in the Birmingham Academic Building

Saturday, May 19

Headmaster's Luncheon (Classes of 1945-62)

12:00 p.m.

* to be held at the Headmaster's House (57 South Street, behind Athletic Fields)

* Headmaster Bill Burke, Assistant Headmaster Mike Nerbonne, and students to discuss life at St. Sebastian's Today

Campus Tours and Sporting Events

2:00 p.m.

* tours to start from the Birmingham Academic Building

* watch varsity baseball and tennis and JV lacrosse play Brooks

Alumni Memorial Mass (All Reunion Years)

4:00 p.m.

* to be held in the Chapel of St. Sebastian

Headmaster's Cocktail Reception (All Reunion Years)

5:00 p.m.

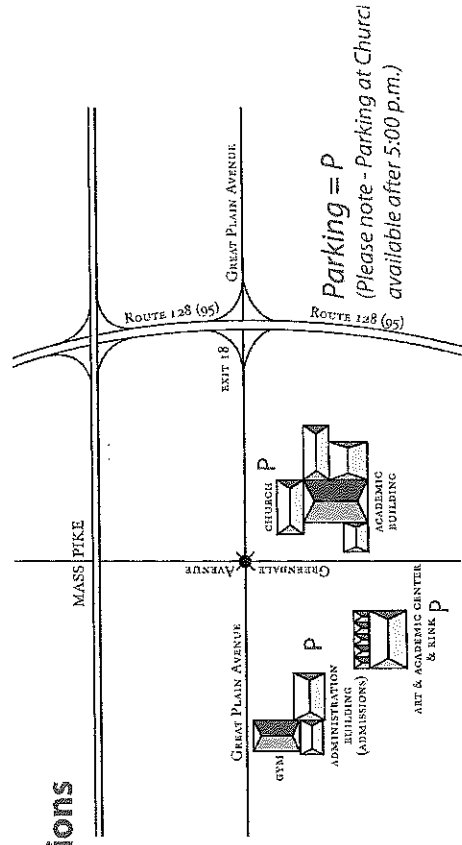
* to be held in Arrows Hall outside the Flynn Family Gymnasium

Reunion Clambake (All Reunion Years)

6:00 p.m.

* to be held in Ward Hall (Birmingham Academic Building)

Directions



From 128 North

• Exit 18 (Great Plain Ave.)

• Right off ramp

• Left at light onto Greendale Ave.

From 128 South

• Exit 18 (Great Plain Ave.)

• Left off ramp

• Left at light onto Greendale Ave.

Ward Hall
Alumni Dinner

Podium
mic

8

8

8

8

8

8

8

8

BAR



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For service visit us online at www.gettips.com

Congratulations!

You have successfully completed the ServSafe Alcohol® Responsible Alcohol Service Training and Certification Program. This is your official ServSafe Alcohol® Certification Card and provides confirmation that you have studied and are knowledgeable about how to serve alcohol responsibly.

Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at www.ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

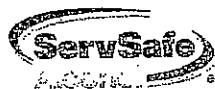
Sincerely,



David Gilbert

Chief Operating Officer, National Restaurant Association
Executive Director, National Restaurant Association Solutions

In Alaska, you must laminate your card for it to be valid.



ID NO. 5518831

CARD NO. 6880829

ServSafe Alcohol® CERTIFICATE

TERESA RHINEHART

Card expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION

1/30/2010



Student Name	TERESA RHINEHART
Class Number	665052
Exam Date	1/30/2010
Expiration Date	1/30/2013

Overall Point Score	52
Overall % Score	86
Passing % Score	75
Status	PASSED

NOTE: You can access your score and certification information anytime at www.ServSafe.com with the class number provided on this form.

Please make a copy of your ServSafe Alcohol Certificate Card for your records. Replacement copies can be obtained for a fee by completing the Certificate and Score Release Request form available at www.ServSafe.com.

Please feel free to address any questions regarding your certification.



176 West Jackson Boulevard, Suite 1500
Chicago, IL 60604-2814
1-800-SERV-SAFE
312-715-1010 in Chicago land

www.ServSafe.com

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ID NO. 5052529

CARD NO. 6430596

ServSafe Alcohol® CERTIFICATE

KATIE CAMPBELL

Card expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION
5/5/2009

**NATIONAL
RESTAURANT
ASSOCIATION**
SOLUTIONS™

This is your Official TIPS Certification Card.

Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

Congratulations!

By successfully completing the TIPS (Training for Intervention Procedures) program, you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or colleagues by using the techniques you have learned and taking a positive approach towards alcohol use.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 703-524-1200. Thank you for your dedication to the responsible sale and consumption of alcohol.

Sincerely,



Adam F. Clinter
President, HCI

IMPORTANT! Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS for assistance or additional information, contact Health Communications, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.

TIPS a TIPS On-Premise	
Issued	5/25/2009
ID#	2586285
SSN	XXX-XX-XXXX
Expires	07/29/2012
DOB	XX/XX/XXXX
Michael Alherton 5 JFK St #401 Cambridge, MA 02138-4916	
For service visit us online at www.gettips.com	



On Premise
Issued: 2/16/2010
ID#: 2726832

SSN: XXX-XX-XXXX
Expires: 1/16/2013
D.O.B.: XX/XX/XXXX

ALDRIN AGAS
48a Trull St
Somerville, MA 02145-3630

For service visit us online at www.gettips.com
Benjamin Stoller, 46030

Harvard Bartend



eTIPS On Premise

SSN: XXX-XX-XXXX

Issued:

6/10/2010

Expires: 6/10/2013

ID#:

2799975

D.O.B.: XXX/XX/XXXX

Lauren Corigliano
380 Highland Ave
Somerville, MA 02144-2508

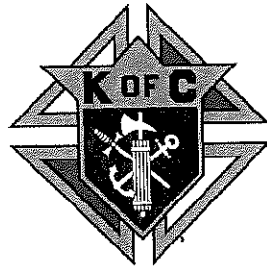
For service visit us online at www.gettips.com

**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)	Mike Riley		
Event Manager Address			
Event Manager Phone Number	781-956-0472		
Organization Representing (if applicable)	Needham Knights of Columbus		
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	100 th Anniversary		
Date of Event	April 21, 2012		
License is for Sale of: ☒ Wines & Malt Beverages Only ☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	5pm	TO: 9pm
Are tickets being sold in advance for this event?	☒ YES	\$50 /per ticket	☐ NO
Is there an admission fee for this event?	☒ YES	\$50 /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?	100		
Name & address of event location. Please attach proof of permission to use this facility. 1211 Highland Ave Needham, MA 02492			
Who will be serving the alcohol to your guests? Matt Ching			
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). see attached			
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. see attached			
☒ 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: <i>Mike J. Riley</i>			Date: 3/28/2012

O.K. PdA

Knights of Columbus
Father Daniel J. Kennedy Needham Council 1611
Serving Needham Catholic Parishes and the Community since 1912



Please join the Officers and Members of the Father Daniel J. Kennedy – Needham Knights of Columbus Council 1611 as we celebrate our 100th Anniversary.

When: Saturday April 21, 2012

Time: Social hour 6:00 PM, followed by dinner and speaking program

Where: 1211 Highland Avenue, Needham MA

Tickets are \$50.00 (MUST BE PAID FOR IN ADVANCE)

Attire is Business formal

For tickets and to RSVP no later then April 2 please contact Mark Murray 781-724-2307 or mmurray741@verizon.net

CERTIFICATION NUMBER:

67043

ALCOHOL INTERVENTION METHODS
CERTIFIES:

MATTHEW L CHING

CAMPBELL TRENT
508-756-8542

APR 10 2013 EXPIRES:

**TOWN OF NEEDHAM**For Calendar Year: 2012**APPLICATION/ RENEWAL FOR A COMMON VICTUALLER LICENSE**

The undersigned hereby applies for a Common Victualler License in accordance with the provisions of the Statutes relating thereto:

Name of Corporation: Swizzles of Needham, LLCName of Establishment (d/b/a): Swizzles Frozen Yogurt

If business is a Corporation / Corporate Name and Officers: _____

If business is not a Corporation, Name of Owner: Adam Kessner, Managing MemberEmail Address: adam@swizzlesyogurt.comAddress of Establishment: 1450 Highland Ave NeedhamContact Person (name who will receive notices under this license): Laura Smith

Mailing Address (of contact person), if different from Establishment: _____

10 Mount Vernon St. Winchester, MA 01890Establishment's Days of Operation: Monday - SundayEstablishment's Hours of Operation: 11 am - 10 pmManager: Laura Smith # of Staff: 4 # of Seats: 24Telephone Number: (978) 590-9482 Fax Number: _____Signature of Owner: [Signature] Date: 4/3/12

(If corporation, signature of a duly authorized agent of the corporation)

A certificate of insurance showing evidence that the applicant has workers' compensation insurance must be included with this completed application.

If you currently hold an alcoholic beverages license, you must provide a copy of a certificate of liquor liability insurance in the minimum amount of \$100,000/person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage before your alcoholic beverages license will be renewed.

Pursuant to MGL Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have read and am in compliance with the contents of M.G.L. Chapter 62C, Section 49A (on reverse side of this application).

Signature of Applicant (Mandatory): Adam Kessner, Managing Member

By Corporate Officer (if applicable)

36-4724068 TAX ID4/3/12

Either a Social Security Number

Date (required)

This License will not be issued unless this certification clause is signed by the applicant.



The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Swizzles of Needham, LLC
Address: 1450 Highland Ave
City/State/Zip: Needham, MA 02492 Phone #: 917-662-0080

Are you an employer? Check the appropriate box:

1. ☒ I am an employer with 5 employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity.
[No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☒ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Advocate Brokerage Corp
Insurer's Address: 820 Scarsdale Ave
City/State/Zip: Scarsdale, NY 10583
Policy # or Self-ins. Lic. #: 16 WECDD4457 Expiration Date: 4/11/13

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 4/3/12
Phone #: 917-662-0080

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
6. Other _____

Contact Person: _____ Phone #: _____

www.mass.gov/dia

**Town of Needham
Board of Selectmen
Minutes for March 13, 2012
Needham Town Hall**

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.

7:00 p.m. New Online GIS System Presentation:
Roger MacDonald, Director of MIS and Benjamin Anderson, GIS Administrator appeared before the Board and presented a demonstration of the function and availability of the Town's GIS on the internet. Mr. MacDonald explained GIS and said GIS is a tool used to produce, study, and analyze information related to places. Mr. MacDonald said to access the website go to www.mapsonline.net/needhamma or from the Town's website. Mr. Anderson said he is conducting many long term projects to modernize the Town's existing GIS and CAD software as well as all of the accompanying electronic infrastructure and data.

The Board thanked Mr. MacDonald and Mr. Anderson for the presentation.

7:15 p.m. Consent Agenda and Appointments:
Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda as presented.

- 1. Approve application for calendar year 2012 Sale of Second-Hand Articles from Home Savvy LTD, d/b/a Cherry Picked, located at 225 Highland Avenue.**
- 2. Accept donation made to the Needham Community Revitalization Trust Fund from "Not Your Average Joe's"- \$295.59.**
- 3. Accept \$50 donation made to The Needham Health Department's Gift of Warmth from First Church of Christ, Scientist, 870 Great Plain Avenue, Needham.**
- 4. Water & Sewer Abatement Order #1138**
- 5. Accept donation of a 250th Anniversary Town of Needham ashtray from Roy Kelley, 52 Beaufort Avenue, Needham.**
- 6. Approve, sign, and forward to the ABCC a petition to pledge the Alcoholic License for Petit Robert, 45 Chapel Street, Needham.**
- 7. Approve request from the Needham Cultural Council to use the Town Common for a Spring Arts Festival on Saturday, June 9, 2012 from 10:00 a.m. to 3:00 p.m. In case of rain, event will be held in Powers Hall.**

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

7:15 p.m.

Trails Improvement Update:

Patty Carey, Director of Park and Recreation, and Karen Peirce, Assistant Director of Park and Recreation appeared before the Board with an update on the Town's Trails Improvement Initiative. Ms. Carey reminded the Board of the Master Plan of Needham's trails completed in 2008. Ms. Peirce said the Conservation Commission, Park and Recreation Commission, and staff have been working on the creation of a volunteer trail stewardship program. She said she is currently soliciting volunteers who will assist the Town in reporting any concerns, and minor maintenance efforts conducted on volunteer days. A copy of the Needham Trails Steward Program was provided to the Board.

Mr. Handel suggested contacting the Town's service clubs to help on Volunteer Day scheduled for April 28, 2012.

Mr. Wasserman suggested a connecting trail from Ridge Hill Reservation to the Nike site.

7:25 p.m.

Community Preservation Program:

Mark Gluesing, CPC Chair, Janet Bernardo, CPC Vice Chair, and Patty Carey, Director of Park and Recreation appeared before the Board to discuss projects under consideration for the May 2012 Annual Town Meeting, and the Committee's evaluation process. Mr. Gluesing said there are four projects under consideration including community housing and historical preservation. He asked for the Board's feedback.

1. The Charles River Center

Mr. Gluesing said the application is for a 5 bed care facility of approximately 3,000 sq. ft. located at 1254 South Street, Needham. He said The Charles River Center application seeks \$500,000 to assist in building a new home. Mr. Gluesing commented the home would be part of the Town's affordable housing units because of the nature of the occupants, who are moderately to severely disabled residents. Mr. Gluesing said the land was purchased for \$355,000, the construction estimate is \$800,000, and operational costs are approximately \$600,000 which is paid for by the State. He said more cost information is expected. Mr. Gluesing commented if the CPC approves the application there is currently not enough money in the housing category to cover the full amount, and that \$15,000 would be taken from the general reserve fund to cover the total amount. He asked Board members for questions or comments.

Mr. Bulian said it looks like a good project and services a population in need of housing and adds 5 units to the Town's affordable housing stock. Mr. Bulian said he is concerned with exceeding the amount of money currently in the housing category. He asked if the size of the project could be expanded. Mr. Gluesing said the project could not be expanded due to wetlands. Mr. Bulian asked

whether the Needham Housing Authority has been made aware of the project. Mr. Gluesing said the Housing Authority is aware of the project.

Mr. Wasserman clarified the project is for one group home with 5 bedrooms on the property and will fit with the neighborhood. He commented a project like this is very worthwhile and helpful to the Town in serving residents. Mr. Wasserman is in favor of the project.

Mr. Matthews asked about a similar project by The Charles River Center in the town of Wayland. Mr. Matthews asked what The Charles River Center would do if it does not get the appropriation. Mr. Gluesing said they would seek alternative funding.

Mr. Bulian commented on proposals within the legislature with respect to changing the ability to use CPA money for field renovations. He said he would be interested in requesting use of funds from CPC. He commented as part of the Town's overall planning he would like to know the likelihood of the legislation's passing. Mr. Gluesing said there is an article in the legislature to expand the scope of CPA funding for recreational upgrades to land already owned.

Mr. Matthews commented the key issue the Town needs is the ability to use CPC funds to improve and renovate existing parks. He said he is troubled by the Coalition's bill and feels the math does not work. He said he believes if the bill passes it could jeopardize the whole program. Mr. Matthews commented he feels by having the Coalition require Needham and other towns concerned about the parks issue support the new fees bill as a condition of having that paragraph in the legislation doesn't make sense. He said Needham should support the Coalition's bill one more year, but asks the CPC to not support it in the future. Mr. Matthews said the Town can put forward the bill to allow the use for just existing parks. He said there would be a lot of support in other CPC communities.

Mr. Wasserman supports Mr. Matthews's comments. He said he would support the other proposals in the future but not in one block bill, as they have very little chance of passing.

Mr. Gluesing recused himself from the meeting.

2. Artifact Storage Upgrade/Needham Historical Society

Ms. Bernardo explained the Historical Society is seeking funding for archival materials and for a Collections Assistant to help address the proper storage and organization of artifacts. She stated the Historical Society is requesting \$25,000 for the project.

3. Heritage Project/Needham Historical Commission

Ms. Bernardo explained the project is to inventory homes, bridges, and buildings of historic importance. She said the Historical Commission is considering

including up to 65 properties with an estimated \$400 to inventory each house. She mentioned the Historical Commission also wants to convert the 1978 inventory into electronic format. The request from the Historical Commission is for \$25,000.

4. Preservation of Historical Records

Ms. Bernardo said Tedi Eaton, Town Clerk is requesting \$28,914 to preserve vital records from the early 1900's including death certificates, intentions & returns of marriage, birth certificates, and miscellaneous records.

8:10 p.m.

MBTA Fare Increase and Service Delivery Proposal:

Richard Creem, Transportation Committee and Steve McKnight, Transportation Committee member appeared before the Board with an update on the MBTA fare increase and service delivery proposal, and provided recommendations from the Transportation Committee.

Mr. Creem reminded the Board the MBTA is in the midst of one of the most serious crisis in its history. He commented on the \$161 million deficit that must be resolved before July 1, 2012. Mr. Creem said the MBTA and MassDOT have proposed the largest fare increase in history, 46% or 39% over the base this year, coupled with drastic service reductions. Mr. Creem said the T Advisory Board, of which he is a member, did not accept the increase and has put forth a creative proposal that would minimize service reductions and somewhat mitigate the fare increase. Mr. Creem commented, in short, the T is on a "death spiral" and something must be done. He stated the Transportation Committee has looked at the issue from a local perspective by holding a public hearing limited to Needham residents, without the participation of MBTA personnel. Mr. Creem presented a PowerPoint prepared by the Needham Transportation Committee and shown at the public hearing held of February 27, 2012.

The Transportation Committee recommends the Town not support a major fare increase or a substantial reduction in service because neither course of action addresses the root cause of the crisis. Mr. Creem believes the solution to the problem is not at 10 Park Plaza or with the Secretary of Transportation, but rather on Beacon Hill. The Transportation Committee recommends calling on the State legislature for an appropriate remedy to preserve affordable transportation and broad based public mass transportation services. Mr. Creem presented a letter dated March 13, 2012 to Senators Ross and Rush and Representative Garlick and asked the Board of Selectmen for their endorsement.

Mr. McKnight commented it is not just a commuter rail issue, but rather an issue for everyone in Town. He expressed concern regarding sustainable development and said the work done by the Planning Board on transit oriented development and the work done on the development of the Industrial Park is now at risk.

Mr. Wasserman asked whether the burden to Needham is the same as other communities. Mr. Creem argued the Town is probably bearing more than it should because the Needham branch is more efficient and compact than other branches. Mr. Wasserman said he supports the work of the Transportation Committee.

Mr. Bulian thanked the Committee for their work and commented the scenarios are not good. Mr. Bulian said he is concerned about the aging equipment of the commuter rail.

Mr. Matthews said the Board needs to take a position and act in order to engage in the legislature for a better outcome. He said he agrees with the major points of the Transportation Committee's analysis, and feels broad based taxes ought to be part of the solution. He commented that while it is a regional problem, Needham is better off than other communities. He said the Town has a right to represent the needs of constituents but the Town must be aware of how the issue affects everyone. Mr. Matthews said he agrees with the approach of the Transportation Committee to MBTA service cuts. He said the purpose of the MBTA is service, so the service ought to be delivered at a reasonable price. Mr. Matthews commented on the fare increase and said if the MBTA Advisory Board said it could deal with a 25% increase as part of the solution, then that should carry a lot of weight with the Town. Mr. Matthews said the Town needs to be part of the solution to raise revenue, whether it is a gas tax, income tax, or more local assessments, and the Town must support it as sound policy. He said it would show the Town is trying to make the government work for the good of the public.

Motion by Mr. Wasserman that the Board vote to approve and sign a letter to the Town's legislative delegation concerning the Proposed FY13 MBTA Fare Increase and Service Reduction.

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

9:00 p.m.

Greene's Field Study Committee:

Mr. Bulian, Patty Carey, Director of Park and Recreation, and Rochelle Golden, committee member updated Board on the status of their work and shared preliminary recommendations regarding refurbishment of Greene's Field.

Ms. Carey said the committee has met ten times since August 2011. She said the committee determined the current layout of the park is the best design. She showed a diagram of the entire field what Greene's Field could look like after renovation. She commented three vendors completed concept plans and said the cost for a new playground is \$150,000-\$175,000. Ms. Golden commented the park is not just for children, but intergenerational and for the entire community. She said it would include a covered shelter for picnics.

Mr. Bulian said the next step is for the Board of Selectmen to endorse the plan and begin fundraising. Mr. Bulian asked if anyone had any questions.

Mr. Wasserman asked for additional details before making a decision at the next Board of Selectmen meeting.

Mr. Matthews said it would be helpful to see a report and schematic from the Committee. Mr. Matthews said a public hearing should be held so people have an opportunity to make comments prior to making final decisions.

9:25 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Annual Town Meeting Warrant

Ms. Fitzpatrick updated the Board on the status of the Annual Town Meeting Warrant. She said there were a few changes to the draft warrant and it is expected there will be one or two minor technical corrections before printing. She said fines with respect to hunting have been evaluated and stricter fines are proposed, consistent with public health fines. She said that presentations with respect to zoning are likely at the April Board of Selectmen meeting.

Mr. Wasserman informed the Board that after discussion with the Town Manager and supporters of the Stretch Energy Code it has been decided it is a little too soon bring it to Town Meeting. Mr. Wasserman proposed the warrant article on the Stretch Code be withdrawn.

Motion by Mr. Wasserman that Article X: Adoption of Stretch Energy Code as defined in the draft 2012 Annual Town Meeting Warrant dated March 9, 2012 be withdrawn.

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

2. Special Town Meeting Warrant

Ms. Fitzpatrick reviewed the preliminary list of articles for inclusion in the May 14, 2012 Special Town Meeting Warrant. She told the Board it will be asked to open the Special Town Meeting Warrant at the Board of Selectmen meeting on March 27, 2012.

3. New Year's Needham Committee

Ms. Fitzpatrick reminded the Board the Cultural Council has been running New Year's Needham for several years and has come to the conclusion this year it cannot continue the event. Ms. Fitzpatrick proposed to the Board a Town committee be formed to organize the event.

Motion by Mr. Wasserman that the Board of Selectmen vote to create a New Year's Needham Committee to plan, execute, and oversee operational logistics of New Years' Needham, and to approve the charge and composition of the Committee as outlined on the attached proposal dated March 13, 2012.

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

9:30 p.m.

Board Discussion:

1. Sale of Alcohol for Consumption Off-Premises

The Board discussed the final form of motion relative to the sale of alcohol for consumption off-premises.

Mr. Bulian asked whether a public hearing will be held to discuss the wording of the Home Rule Petition.

Mr. Handel said if the Home Rule Petition is adopted there will be public hearing with respect to each license, but not on the wording of the Article. He said the Home Rule Petition establishes the Town's ability to issue up to six all alcoholic licenses in 2013, with an additional two licenses commencing January 1, 2018. He said there will be a lot of public discussion before a referendum is held.

Mr. Bulian is concerned how it will all work and about the number of licenses.

Mr. Handel said the wording if adopted by a Home Rule amendment and passed by a referendum of the Town, before which there will be plenty of discussion, does not mandate that there be six licenses. He said it allows the Board to make an informed decision on each applicant. Mr. Handel said he does not see the need for a hearing before Town Meeting, given the fact there will be plenty of opportunity for public discussion prior to a referendum.

Mr. Wasserman said he was thinking along the same lines as Mr. Bulian. He said the Article is a much more concrete proposal of what the Town is going to do, and once at Town Meeting it will go to the legislature. He feels a public hearing would be beneficial.

Mr. Bulian said holding a public hearing would also be beneficial to Town Meeting members prior to the annual Town Meeting.

Mr. Matthews said the wording of the Home Rule Petition clarifies and limits the scope. He said it makes sense to take the recommendation of the Chair and put it in the warrant. He said further discussion is expected. He said it is important to layout standards for businesses to be licensed, particularly convenience stores which he feels are not appropriate. He said locations also need to be vetted.

Mr. Bulian said the first public hearing was about the concept of allowing the off-premises sale of alcohol. He said "the devil is in the details" and when people talk about locations it gives rise to questions, concerns, debate, arguments, and disagreements. He said once the Planning Board puts into the public domain potential locations, he feels tremendous public response will follow. He said these are questions that need to be vetted as part of moving forward to Town Meeting.

Mr. Matthews clarifies "location" can have two meanings, either 'categories of location' or 'specifics of location'. He said it is important to adopt zoning standards in which there will be public input, all before a referendum. Specific licenses will have a public hearing before the Board.

Mr. Wasserman said he will vote for the motion, but feels a hearing for Town Meeting members where the public is invited is important.

Motion by Mr. Matthews that the Board approve the attached form of motion for the home rule petition warrant article: "Home Rule Petition – Off-Premises Sale of Alcohol".

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

2. Committee Reports

No reports were made.

A list of all documents used at this Board of Selectmen meeting are available at:

<http://www.needham.gov/Archive.aspx?AMID=99&Type=&ADID=>

9:50 p.m.

Executive Session (Exceptions 3 and 6):

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 6 – To consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.

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

(The meeting adjourned at 10:15 pm.)

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

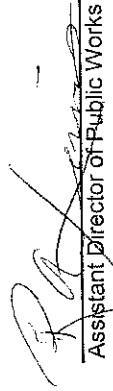
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

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:	\$38,859.05
Water Irrigation:	\$0.00
Water Service:	\$0.00
Sewer Sales:	\$249.45
Transfer Station Charges:	\$0.00
Total Abatement:	\$39,108.50

Order #: 1140

Read and Approved: 4/6/2012


Assistant Director of Public Works

For the Board of Selectmen

Date: 4/11/2012


Director of Public Works

**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
By: MK	Reddish	Michael	36317	18154	69	Windsor Road	\$0.00	\$38,647.55	\$0.00	\$38,647.55	M.R.E.	N
	MK	Council on Aging						\$211.50	\$249.45	\$460.95		N

Total: \$39,108.50

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 spigot 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 programmed incorrectly causing reading to be transferred incorrectly to billing system
UE = Under estimated during town wide estimate
UEW = Unexplained water loss
P.F. = Pool and Rink Fill
M.R.E. = Meter Reading Error
Billing = Steps were charged incorrectly
COA = Council On Aging

BILLED	CY2011 - 2012	Name Michael Reddish 69 Windsor RD	CUST# 36317 LOC 18154	(TO BE ABATED)
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Bill Date	WA	amount	WA	amount	Variance
Stp 1	6	15.00	Stp 1	6 15.00	0.00
Stp 2	21	78.75	Stp 2	0 0.00	(78.75)
Stp 3	15	60.00	Stp 3	0 0.00	(60.00)
Stp 4	8752	38,508.80	Stp 4	0 0.00	(38,508.80)
	8794	38,662.55		6 15.00	-\$38,647.55

AMOUNT DUE (TO BE ABATED)

6.00

-\$38,647.55

SUMMARY:	To be abated	REASON: Meter Read Turned over Error
Water	-\$38,647.55	
Sewer	\$0.00	
Irrigation	\$0.00	
Total	-\$38,647.55	



TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone: (781) 455-7550 Fax: (781) 449-9173

MEMORANDUM

DATE: April 6, 2012

TO: Kate Fitzpatrick, Town Manager

FROM: Bob Lewis, Assistant Director of Public Works *Rax*

RE: **Water Abatement for 69 Windsor Road**

Attached you will find a water abatement work sheet for the above referred address. The reason for abating this account is due to a meter reader "roll-over". The HTE accounting system does not recognize reading roll-overs therefore this account was inadvertently bill for consumption not used.



For Calendar Year: 2012

TOWN OF NEEDHAM

APPLICATION FOR LICENSE FOR PUBLIC ENTERTAINMENT ON SUNDAY

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN
2012 APR -5 A 10:57

The undersigned hereby applies for a License for Public Entertainment on Sunday in accordance with the provisions of the statutes relating thereto:

Name of Establishment: Needham Farmers Market, Inc. (nonprofit)

Applicant (must be an individual): Jeff Friedman

If Business is a Corporation / Corporate Name and Officers: Jeff Friedman, President;
Jeff Richman (Treasurer); Emily Roach, Secretary.

If Business is not a Corporation, Name of Owner: _____

Address of Establishment: 23 Dedham Ave., First Parish in Needham, Unitarian Universalist ^{Front Lawn}

Mailing Address: 28 Pennaunt Rd, Apt #1 Telephone Number: 781.400.1036

Email Address: friedman.esq@aol.com Fax Number: _____

Describe the type of entertainment at your Establishment: live music by individual or
small group

The entertainment above mentioned is to be in keeping with the character of the Lord's Day and not inconsistent with its due observance.

No change to be made in the program without permission of the authorities granting and approving the license.

Signature of Applicant: Jeffrey Friedman Date: 4/5/12

A certificate of insurance showing evidence that the applicant has workers' compensation insurance must be included with this completed application.

Pursuant to M.G.L. Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Signature of Applicant (Mandatory)

By Corporate Officer
(If applicable)

Either a Social Security Number
Or Federal Identification Number
Must Be Supplied

Date (required)

This License will not be issued unless this certification clause is signed by the applicant.



The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Needham Farmers Market, Inc.

Address: 10 Jeff Friedman, 28 Perrault Road, Apt. #1, Needham, MA 02494

City/State/Zip: Needham, MA 02494

Phone #: 81.400.1036

Are you an employer? Check the appropriate box:

1. ☐ I am a employer with _____ employees (full and/ or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☒ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☐ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☒ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Not Applicable

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____

Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: Jeffrey Friedman (President)

Date: 4/5/12

Phone #: 81.400.1036

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
6. Other _____

Contact Person: _____

Phone #: _____