

BOARD OF SELECTMEN
April 24, 2012
Needham Town Hall – Powers 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	Public Hearing: NSTAR – 300 Hillside Avenue
2.	7:00	Public Hearing: Verizon – 300 Hillside Avenue
3.	7:00	Public Hearing: NSTAR – Reservoir B (temporary service) NSTAR – Reservoir B (permanent service)
4.	7:00	Public Shade Tree Hearing- Beech Street Public Shade Tree Hearing – Washburn Avenue <ul style="list-style-type: none"> • Edward Olsen, Superintendent, Parks & Forestry/Tree Warden
5.	7:15	Department of Public Works <ul style="list-style-type: none"> • Grant of Sewer Easement – Wilson Lane
6.	7:20	Land Management Practices <ul style="list-style-type: none"> • Kate Fitzpatrick, Rick Merson, Ed Olsen, Patty Carey, Patty Barry
7.	7:30	Public Hearing on Retail Sale of Alcoholic Beverages
8.	8:30	Town Manager <ul style="list-style-type: none"> • Approve Easement Agreement/Eaton Square • Conveyance of Property to DCR • Town Meeting Warrant Articles
9.	8:50	Board Discussion <ul style="list-style-type: none"> • Greene's Field Play Structure • Committee Reports
10.	9:00	Executive Session Exceptions 2 and 3

APPOINTMENTS

1.	Suzanne Saevitz	New Years Needham Committee (term expires 6/30/2014)
2.	Jim Moonan	New Years Needham Committee (term expires 6/30/2014)
3.	Jerry Wasserman	New Years Needham Committee (term expires 6/30/2014)

CONSENT AGENDA *=Backup attached

1.	Accept donation made to Needham Youth Services in the amount of \$700 from the Needham Community Council. The monies are to be used to sponsor Needham Youth Services' 2012 Project VAN.
2.	Accept \$ 500 donation made to the Needham Revitalization Trust Fund from the

	Needham Business Association for the maintenance fund.																				
3.	Approve \$700 in donations received for the Student Awareness of Fire Education program made in memory of David W. Jones from: William and Marilyn Jones, Douglas and Michelle Teasdale, Michael and Rebecca Lescarbeau, James and Diane Daugherty, Randal Benoit and Marsha Peters, and Dennis and Cindy Plaster.																				
4.	Approve the calendar year 2012 Spring Licenses as follows. This approval is predicated on the receipt of all completed required paperwork before April 30, 2012. <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Establishment</th> <th style="text-align: left;">License Type</th> </tr> </thead> <tbody> <tr> <td>Veteran's Taxi of Newton, LLC</td> <td>Taxi/Livery</td> </tr> <tr> <td>Lt. Manson H. Carter Post 2498 VFW Building Association, Inc.</td> <td>Pool Table</td> </tr> <tr> <td>Second Time Around</td> <td>Sale of Second Hand Articles</td> </tr> <tr> <td>Closet Exchange – Best of the Mall</td> <td>Sale of Second Hand Articles</td> </tr> <tr> <td>Closet Exchange – Designer & Boutique</td> <td>Sale of Second Hand Articles</td> </tr> <tr> <td>Closet Exchange – Consignment Drop Off</td> <td>Sale of Second Hand Articles</td> </tr> <tr> <td>Closet Exchange – Last Chance Store</td> <td>Sale of Second Hand Articles</td> </tr> <tr> <td>Crosby Jewelers, Inc.</td> <td>Sale of Second Hand Articles</td> </tr> <tr> <td>Janet Cotter Design</td> <td>Sale of Second Hand Articles</td> </tr> </tbody> </table>	Establishment	License Type	Veteran's Taxi of Newton, LLC	Taxi/Livery	Lt. Manson H. Carter Post 2498 VFW Building Association, Inc.	Pool Table	Second Time Around	Sale of Second Hand Articles	Closet Exchange – Best of the Mall	Sale of Second Hand Articles	Closet Exchange – Designer & Boutique	Sale of Second Hand Articles	Closet Exchange – Consignment Drop Off	Sale of Second Hand Articles	Closet Exchange – Last Chance Store	Sale of Second Hand Articles	Crosby Jewelers, Inc.	Sale of Second Hand Articles	Janet Cotter Design	Sale of Second Hand Articles
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Janet Cotter Design	Sale of Second Hand Articles																				
5.*	Approve a request from the Exchange Club of Needham to sponsor 4 th of July fireworks on Tuesday, July 3, 2012 (rain date of July 7, 2012) and activities on Wednesday, July 4, 2012. Coordination of all additional activities will be made with appropriate Town Departments.																				
6.*	Accept minutes from February 28, 2012, March 27, 2012, and April 11, 2012 meetings, and Executive Session minutes from February 28, 2012, March 13, 2012, and April 11, 2012.																				
7.*	Approve Special One Day All Alcoholic Beverages license request from Suzanne Leslie of Newman School PTC to hold a Vegas Night fundraiser on Friday, May 4, 2012 from 6:00 p.m. to midnight at The Masonic Hall, 1101 Highland Avenue, Needham.																				
8.*	Water & Sewer Abatement Order #1141																				
9.	Approve and sign letters to Governor Patrick, Senate President Murray, and Speaker DeLeo concerning MBTA commuter rail service.																				

Board of Selectmen

AGENDA FACT SHEET for April 24, 2012

Agenda Item: Public Hearing: NSTAR Petition for Hillside Avenue

Presenter(s): Maureen Carroll, NSTAR

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

NSTAR requests permission to install approximately 3 feet of conduit at Pole 32/26 on Hillside Avenue, Needham. This work is necessary to provide underground electric service for new building, Needham Senior Center at 300 Hillside Avenue, Needham.

The Department of Public Works has approved this petition, based on NSTAR's commitment to adhere to regulation that **all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.**

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

Suggested Motion: Move that the Board of Selectmen approve and sign petition from NSTAR to install approximately 3 feet of conduit at Pole 32/26 on Hillside Avenue, Needham. This work is necessary to provide underground electric service for new building, Needham Senior Center at 300 Hillside Avenue, Needham.

3. BACK UP INFORMATION ATTACHED:

- a. Letter of Application
- b. Petition
- c. Order
- d. Petition Plan
- e. Notice Sent to Abutters
- f. List of Abutters

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:** _____



200 Calvary Street
Waltham, Massachusetts 02453

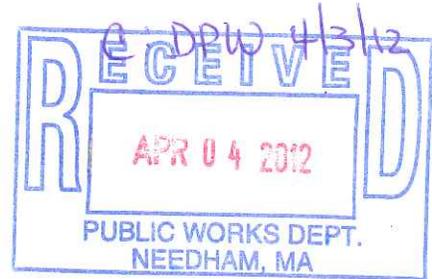
RECEIVED
BOARD OF NEEDHAM
TOWN OF SELECTMEN

2012 APR -3 P 2:36

March 5, 2012

Board of Selectmen
Town Hall
1471 Highland Ave
Needham, MA 02192

#300
RE: Hillside Ave
Needham, MA
W.O. #1859192



Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company for the purpose of obtaining a Grant of Location to install approximately 3'± feet of conduit at pole 32/26 on Hillside Ave, Needham.

This work is necessary to provide underground electric service for new building, Needham Senior Center @ #300 Hillside Ave.

Your prompt attention to this matter is appreciated. If you have any questions please contact Maureen Carroll at (617) 369-6421.

Sincerely,

William D. Lemos-Supervisor
Rights & Permits

WDL/aw
Attachments

OK TO
PROCEED
THRU
4/13/12
DPW
Engineering
OK Rps/aw
DPW DL
4/13/12

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR
CONDUITS
AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

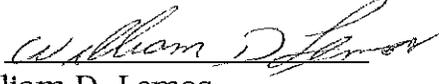
Respectfully represents **NSTAR Electric Company** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated February 24, 2012**, and filed herewith, under the following public way or ways of said Town:

Hillside Ave - Northeasterly @ pole 32/26 approximately 159'± feet south of Union Street a distance of about 3'± feet - conduit

(WO. 1859192)

NSTAR ELECTRIC COMPANY

BY 
William D. Lemos
Rights & Permits, Supervisor

Dated this 5th day of March 2012

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2012

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM**

WHEREAS, **NSTAR ELECTRIC COMPANY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

Hillside Ave - Northeasterly @ pole 32/26 approximately 159'± feet south of Union Street a distance of about 3'± feet - conduit

(WO. 1859192)

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated February 24, 2012** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____
3 _____
4 _____
5 _____
Board of Selectmen
the Town of
NEEDHAM

CERTIFICATE

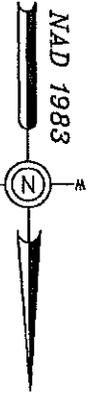
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2012 at _____ in said Town.

1 _____
2 _____
3 _____
4 _____
5 _____
Board of Selectmen
the Town of
NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2012 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts



APPROX. PT.
OF PICKUP

HILLSIDE AVE

32/25

32/26

3±

CUSTOMER TO INSTALL
2 - 4" PVC PIPES
SCH. 40 NO CONC.

57/1

UNION ST

NOTE: POLES ARE TO BE RELOCATED 5-7' BACK BY
VERIZON TO ACCOMMODATE STREET WIDENING



SCALE IN FEET



NSTAR
ELECTRIC

GIS SERVICES
1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

C#	
Ward #	
Work Order #	1859192
Surveyed by	
Structures by	TQ
Plotted by	MR
Approved	A. DEBENEDICTIS
P#	

Plan of HILLSIDE AVE.

NEEDHAM

Showing PROPOSED CUSTOMER CONDUIT LOCATION

Scale 1"=20'

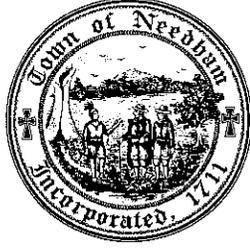
Date FEB. 24, 2012

SHEET 1 of 1

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC, NOR GAS CORPORATION, NOR ITS AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD NSTAR ELECTRIC & GAS CORPORATION HARMLESS FROM ANY SUCH LOSS OR INJURY. THE INFORMATION DOES NOT REPRESENT A SURVEY, AND IS NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on April 24, 2012** upon petition of NSTAR dated March 5, 2012 to install approximately 3 feet conduit at pole 32/26, Hillside Avenue, Needham. This work is necessary to provide underground electric service for a new building, Needham Senior Center@#300 Hillside Avenue. A public hearing is required and abutters should be notified.

Gerald A. Wasserman
Daniel P. Matthews
John A. Bulian
Maurice Handel
Matthew Borrelli

BOARD OF SELECTMEN

Dated: April 13, 2012

300 HILLSIDE AVENUE

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/099.0-0013-0000.0	280	HILLSIDE AVE	HENDERSON, JOAN A. & SHAUGHNESSY, FRED J., SR., TRUSTEES	280 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0014-0000.0	0	HILLSIDE AVE	MASSACHUSETTS BAY TRANSPORTATION C/O TOWN OF NEEDHAM	1471 HIGHLAND AVE	NEEDHAM	MA	02492
199/099.0-0015-0000.0	335	HILLSIDE AVE	FRONGILLO, WILLIAM D. & GAIL A., TRS FRONGILLO INVESTMENT REALTY TRUST	23 MARY LN	CUMBERLAND	ME	04110
199/099.0-0017-0000.0	323	HILLSIDE AVE	HAWKRIDGE, TIMOTHY E. & LYNE, MARY	323 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0018-0000.0	321	HILLSIDE AVE	PIERRON, MARY LOU	321 HILLSIDE AVENUE	NEEDHAM	MA	02494
199/099.0-0019-0000.0	311	HILLSIDE AVE	MANNING, FRANCIS T.	311 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0020-0000.0	309	HILLSIDE AVE	MCKAY, STEVEN H., TR & MCKAY, DONNA M., TR	309 HILLSIDE AVE	NEEDHAM	MA	02492
199/099.0-0021-0000.0	297	HILLSIDE AVE	R. TOCCI CONTRACTING, INC	573 CENTRAL AVE.	NEEDHAM	MA	02492
199/099.0-0021-0297.0	297	HILLSIDE AVE	PANSUK, WALTER D. & SONIA A., TRS. BORDER ROAD REALTY TRUST	60 BORDER ROAD	NEEDHAM	MA	02492
199/099.0-0021-0299.0	299	HILLSIDE AVE	BRUCKNER, EDWARD M. & BRUCKNER, DEBRA E.	299 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0022-0000.0	283	HILLSIDE AVE	KALLIN, KELLEY E & D'AMBROSIO C/O D'AMBROSIO, KELLEY K. & ANTHONY,	283 HILLSIDE AVE	NEEDHAM	MA	02494

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

Board of Selectmen

AGENDA FACT SHEET for March 27, 2012

Agenda Item: Public Hearing: Verizon and NSTAR Petition for Hillside Avenue

Presenter(s): Ellen Joy, Verizon

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Verizon and NSTAR request permission to relocate four poles and install an anchor all on the southerly side of Hillside Avenue. The work is necessary to allow for a street cut and driveway for a new Senior Center.

The Department of Public Works has approved this petition, based on Verizon and NSTAR's commitment to adhere to regulation that **all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.**

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

Suggested Motion: Move that the Board of Selectmen approve and sign petition from Verizon and NSTAR to relocate four poles and install an anchor all on the southerly side of Hillside Avenue. The work is necessary to allow for a street cut and driveway for a new Senior Center.

3. BACK UP INFORMATION ATTACHED:

- a. Letter of Application
- b. Petition
- c. Order
- d. Petition Plan
- e. Notice Sent to Abutters
- f. List of Abutters

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:** _____



125 High Street/Oliver Tower, Floor 5
Boston, MA 02110

April 10, 2012

Chairman
Board of Selectmen
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Enclosed please find one joint petition (9AD587) from Verizon New England Inc. and Nstar Electric Company to relocate four poles and install an anchor all on the southerly side of Hillside Avenue in order to allow for a street cut and driveway for a new senior center.

Notice to abutters is required as well as a public hearing.

Sincerely,

A handwritten signature in cursive script that reads "Ellen M. Joy".

Ellen M. Joy
Verizon Right of Way Manager
125 High Street, Oliver Tower, Floor 5
Boston, MA 02110
Phone: 617-743-4524
Fax: 617-737-2771
Email: ellen.m.joy@verizon.com

enc.

OK RRM
Daw DR
4/10/12

PETITION FOR NEW JOINT POLE LOCATIONS

April 10, 2012

To the **Board of Selectmen**
of **Needham, Massachusetts**

VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY request permission to locate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way:

Hillside Avenue

Four (4) Poles and one (1) Anchor

The petition proposes to relocate four jointly owned poles and install one anchor all on the southerly side of Hillside Avenue. This petition is necessary in order to provide for a street cut and driveway for a new senior center.

Wherefore they ask that they be granted a joint location for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VERIZON No. 9AD587 dated 04/10/2012.

Also for permission to lay and maintain underground laterals, conduits, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles, conduits and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire and police telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

VERIZON NEW ENGLAND INC.

By Ellen M. Jay
Manager Rights of Way

Dated this 10th day of April, 2012.

NSTAR ELECTRIC

By William D. Linn
Supervisor Rights and Permits

Dated this 13 day of April, 2012.

ORDER FOR JOINT POLE RELOCATION

In Board of Selectmen of the Town of Needham, Massachusetts

Notice having been given and a public hearing held, as provided by law,
ORDERED: That the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY be and they are hereby granted a joint relocation for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Company may deem necessary, in the public way hereinafter referred to, as requested in petition of said Company dated the 10th day of April, 2012.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked-VERIZON No. 9AD587 dated 04/10/2012 - filed with said petition. There may be attached to said poles by said VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC wires and cables not to exceed the necessary amount of wires, cables and fixtures and all of said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 16 feet elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected and the number of poles which may be erected thereon under this order:

Hillside Avenue

Four (4) Poles and One (1) Anchor

The petition proposes to relocate four joint owned poles and install one anchor on the sidewalk on the southerly side of Hillside Avenue. This petition is necessary for a street cut and driveway for a new senior center.

Also that permission be and hereby is granted to said Company to lay and maintain underground laterals, conduits, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles, conduits and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Needham, Massachusetts, held on the _____ day of _____ 2012.

Clerk of Selectmen

We hereby certify that on _____ 2012, at _____ o'clock _____ m., at the _____ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Selectmen of the Town of Needham, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Needham, Massachusetts, on the _____ day of _____ 2012, and recorded with the records of location orders of said Town, Book _____, Page _____. this certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk

PETITION PLAN VERIZON NEW ENGLAND INC

Municipality: NEEDHAM, Massachusetts

No. 9AD587

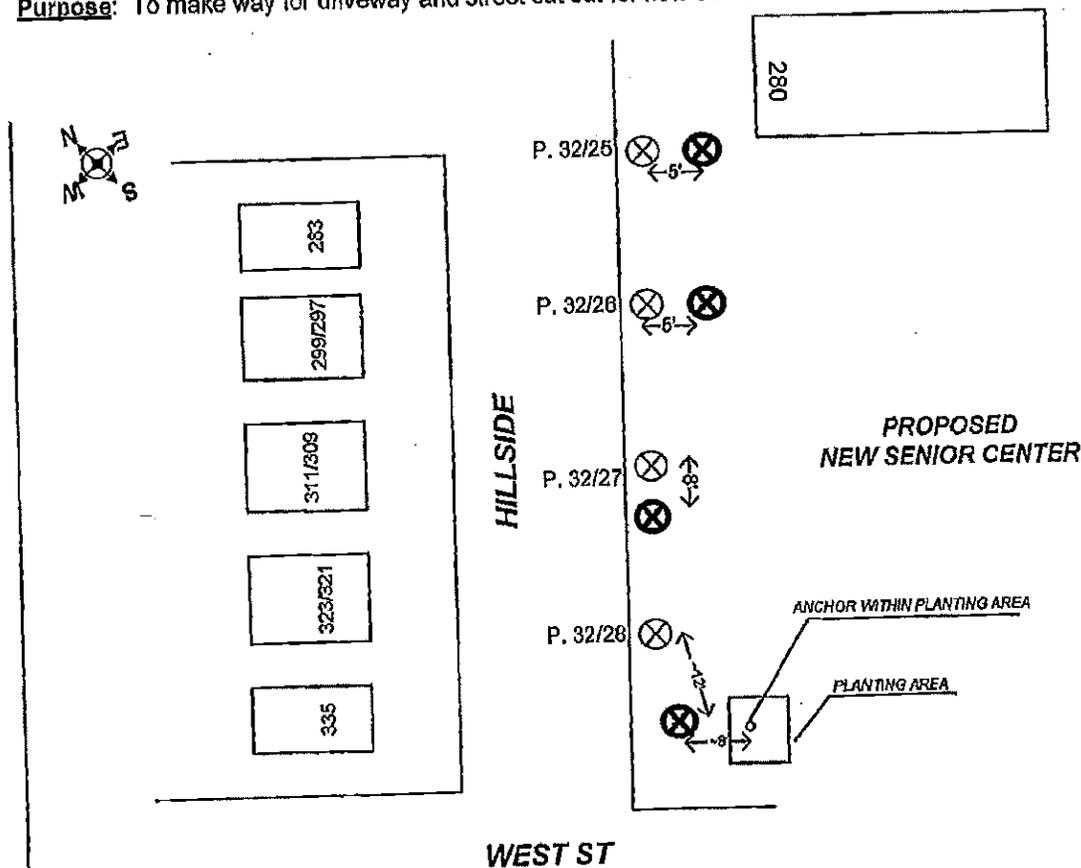
Electric-Power Co.: NSTAR

Date: 04/10/2012

Showing: PROPOSED RELOCATION OF JOINT POLES AND INSTALLATION OF ANCHOR

Proposed: Relocate poles 32/25 26 27 and 28 on Hillside Ave.

Purpose: To make way for driveway and street out out for new senior center.



WEST ST

*Drawing Not To Scale
All Distances Are Approximate*

Prepared By: Phillippe Desroses 781 849-6313

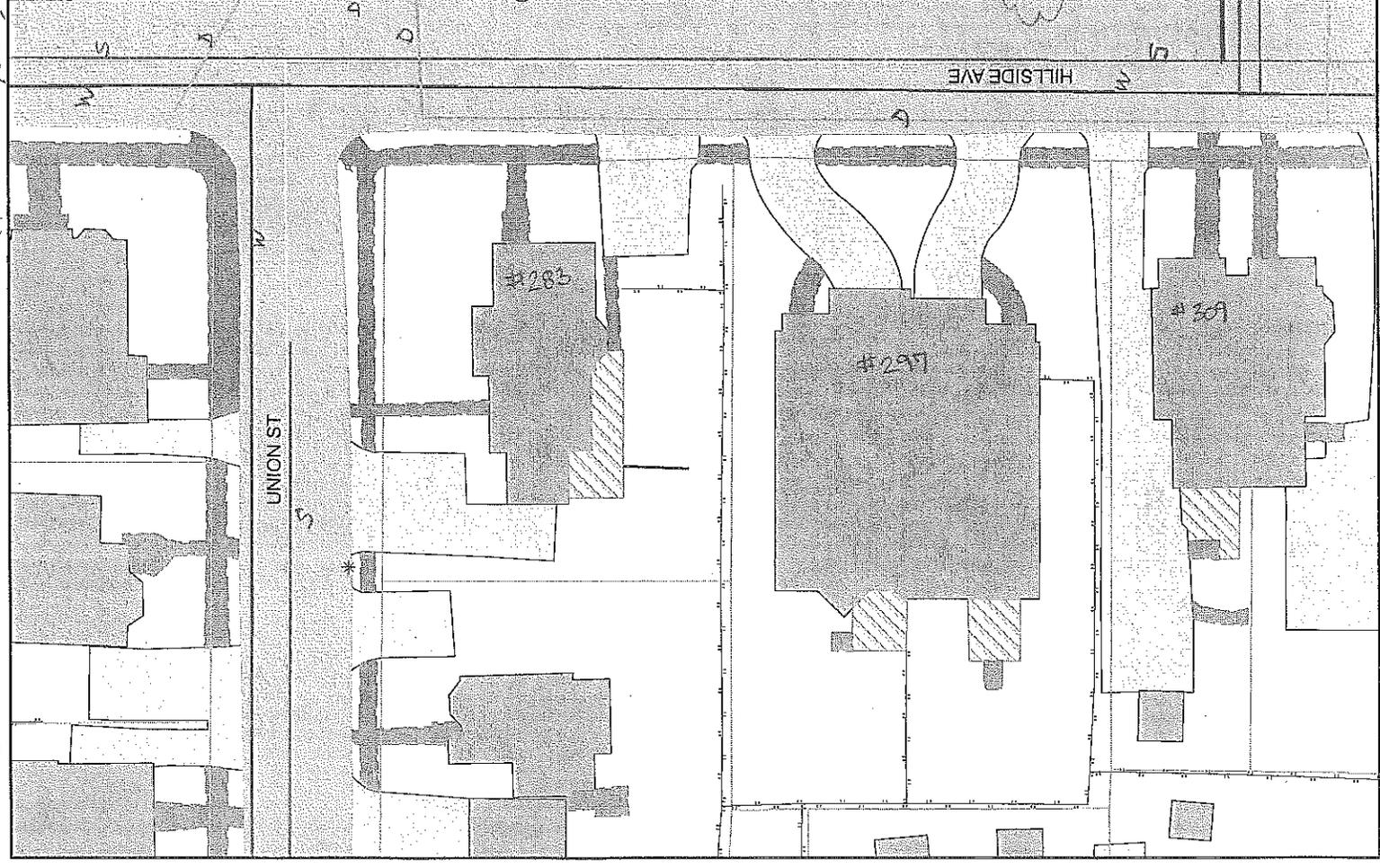
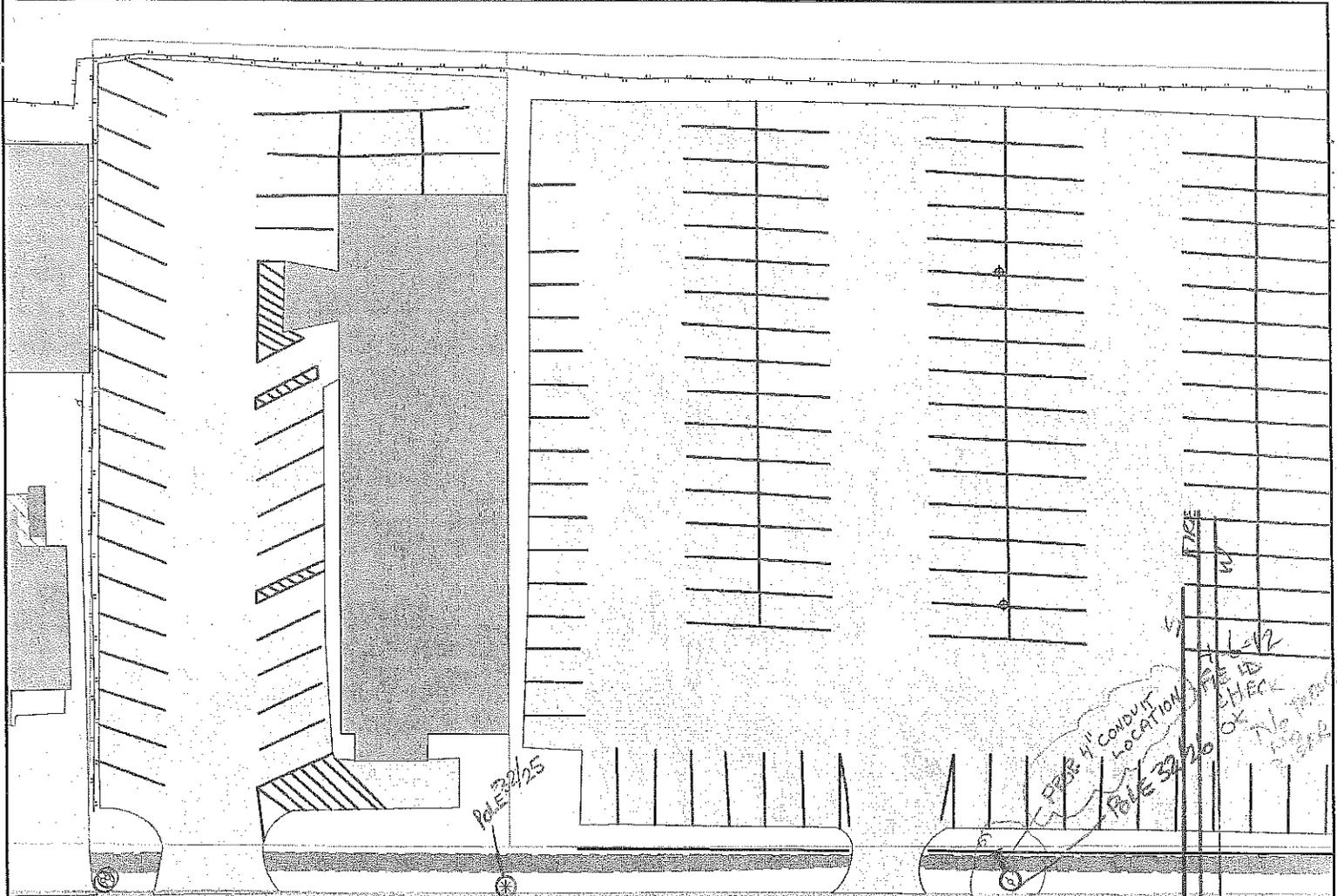
LEGEND

Checked By: _____

- | | |
|---|---|
| <ul style="list-style-type: none"> - Existing J.O. Pole to Remain* - Existing Verizon N.E. Inc. S.O. Pole to Remain** - Existing Verizon N.E. Inc. Location to be Held Jointly - Existing Verizon N.E. Inc. Pole Location to be Abandoned - Existing Verizon N.E. Inc. Manhole - Existing Verizon N.E. Inc. Buried Cable - Existing Verizon N.E. Inc. Conduit | <ul style="list-style-type: none"> - Proposed J.O. Pole Location* - Proposed Verizon N.E. Inc. S.O. Pole Location** - Existing Power Co. Location to be Held Jointly - Existing Power Co. Pole Location to be Abandoned - Existing J.O. Pole Location to be Abandoned* - Proposed Verizon N.E. Inc. Manhole Location - Proposed Verizon N.E. Inc. Conduit Location - Proposed Verizon N.E. Inc. Buried Cable Location |
|---|---|

*J.O. Indicates Poles Jointly-Owned by Verizon N.E., Inc. & Power Co.
**S.O. Indicates Poles Solely-Owned by Verizon N.E., Inc. or Power Co.

300 HILLSIDE AVE. G.O.L.L. (POLE 52/26)



HILLSIDE AVE

UNION ST

17
Avery Square

855
Highland Ave

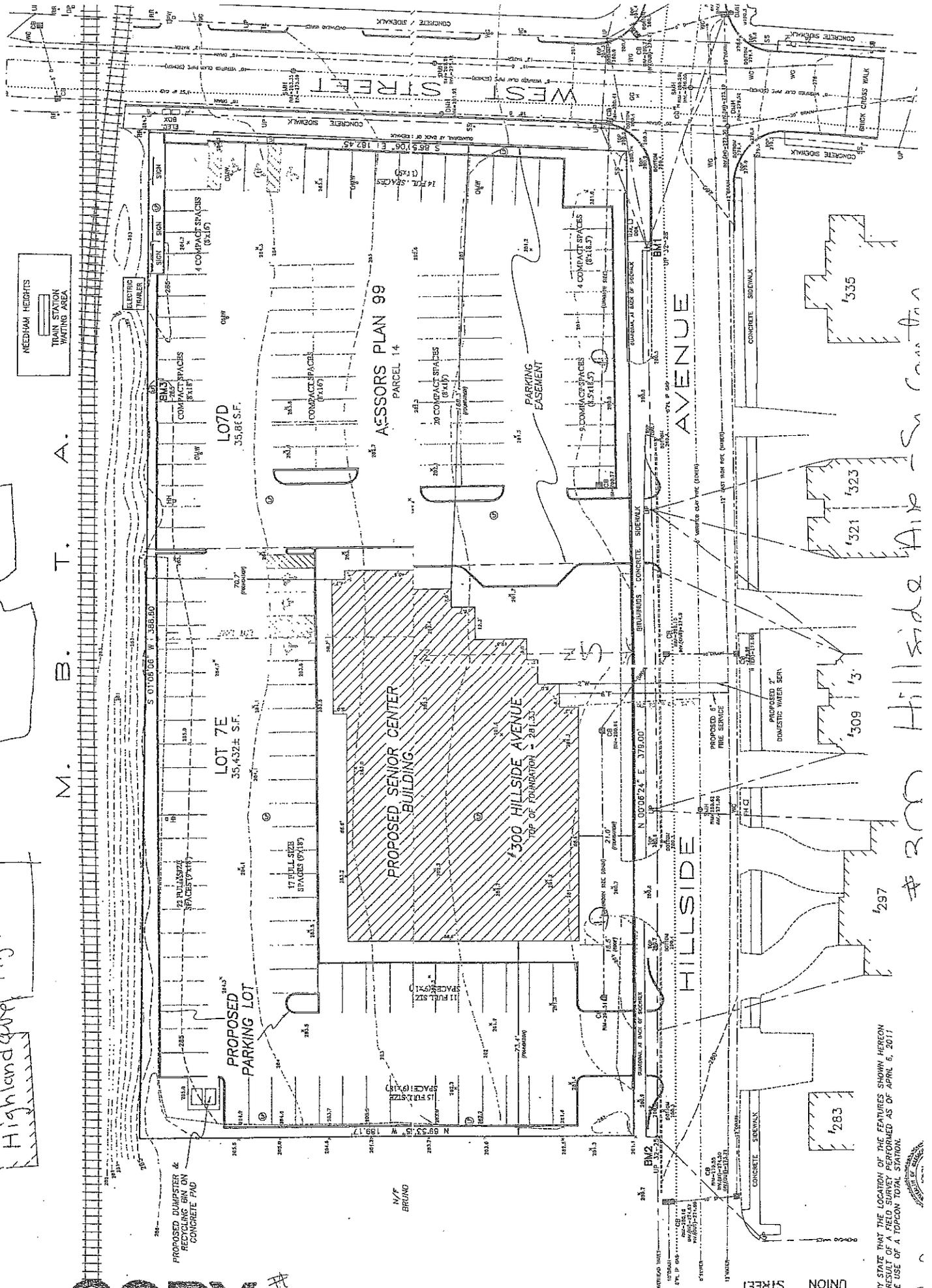
845
Highland Ave

M. B. T. A.

COPY

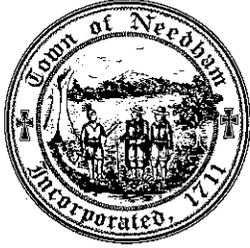
300 Hillside Ave.

300 Hillside Ave - S. Canton



I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF APRIL 6, 2011 WITH THE USE OF A TOPCON TOTAL STATION.





NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on April 24, 2012** upon petition of Verizon dated April 10, 2012 to relocate four poles and install one anchor all on the southerly side of Hillside Avenue. This petition is necessary in order to provide for a street cut and driveway for a new senior center @#300 Hillside Avenue. A public hearing is required and abutters should be notified.

Gerald A. Wasserman
Daniel P. Matthews
John A. Bulian
Maurice Handel
Matthew Borrelli

BOARD OF SELECTMEN

Dated: April 17, 2012

300 HILLSIDE AVENUE

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/099.0-0013-0000.0	280	HILLSIDE AVE	HENDERSON, JOAN A. & SHAUGHNESSY, FRED J., SR., TRUSTEES	280 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0014-0000.0	0	HILLSIDE AVE	MASSACHUSETTS BAY TRANSPORTATION C/O TOWN OF NEEDHAM	1471 HIGHLAND AVE	NEEDHAM	MA	02492
199/099.0-0015-0000.0	335	HILLSIDE AVE	FRONGILLO, WILLIAM D. & GAIL A., TRS	23 MARY LN	CUMBERLAND	ME	04110
199/099.0-0017-0000.0	323	HILLSIDE AVE	HAWKBRIDGE, TIMOTHY E. & LYNE, MARY	323 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0018-0000.0	321	HILLSIDE AVE	PIERRON, MARY LOU	321 HILLSIDE AVENUE	NEEDHAM	MA	02494
199/099.0-0019-0000.0	311	HILLSIDE AVE	MANNING, FRANCIS T.	311 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0020-0000.0	309	HILLSIDE AVE	MCKAY, STEVEN H., TR & MCKAY, DONNA M., TR	309 HILLSIDE AVE	NEEDHAM	MA	02492
199/099.0-0021-0000.0	297	HILLSIDE AVE	R. TOCCI CONTRACTING, INC	.573 CENTRAL AVE.	NEEDHAM	MA	02492
199/099.0-0021-0297.0	297	HILLSIDE AVE	PANSUK, WALTER D. & SONIA A., TRS.	60 BORDER ROAD	NEEDHAM	MA	02492
199/099.0-0021-0299.0	299	HILLSIDE AVE	BORDER ROAD REALTY TRUST				
			BRUCKNER, EDWARD M. & BRUCKNER, DEBRA E.	299 HILLSIDE AVE	NEEDHAM	MA	02494
199/099.0-0022-0000.0	283	HILLSIDE AVE	KALLIN, KELLEY E & D'AMBROSIO C/O D'AMBROSIO, KELLEY K. & ANTHONY,	283 HILLSIDE AVE	NEEDHAM	MA	02494

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



Board of Selectmen

AGENDA FACT SHEET for April 24, 2012

Agenda Item: Public Hearing: NSTAR Petition for Reservoir Street
Presenter(s): Maureen Carroll, NSTAR

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

NSTAR requests permission to install approximately 104 feet of conduit at padmount #23516 on Reservoir Street, Needham. This work is necessary to provide new temporary service for existing pump station during expansion at Reservoir Street.

The Department of Public Works has approved this petition, based on NSTAR's commitment to adhere to regulation that **all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.**

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

Suggested Motion: Move that the Board of Selectmen approve and sign petition from NSTAR to install approximately 104 feet of conduit at padmount #23516 on Reservoir Street, Needham. This work is necessary to provide new temp service for existing pump station during expansion at Reservoir Street.

3. BACK UP INFORMATION ATTACHED:

- a. Letter of Application
- b. Petition
- c. Order
- d. Petition Plan
- e. Notice Sent to Abutters
- f. List of Abutters

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:** _____



200 Calvary Street
Waltham, Massachusetts 02453



April 12, 2012

Board of Selectmen
Town Hall
1471 Highland Ave
Needham, MA 02192

#274
RE: Reservoir Street (temp)
Needham, MA
W.O. #1858939

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company for the purpose of obtaining a Grant of Location to install approximately 104'± feet of conduit at padmount#23516 on Reservoir Street, Needham.

This work is necessary to provide new temp service for existing pump station during expansion @ Reservoir Street.

Your prompt attention to this matter is appreciated. If you have any questions please contact Maureen Carroll at (617) 369-6421.

Sincerely,

William D. Lemos-Supervisor
Rights & Permits

OK TMM
to proceed
4/13/12

WDL/aw
Attachments

OK Rmm
OPW OR
4/17/12

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR
CONDUITS
AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

Respectfully represents **NSTAR Electric Company** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated April 4, 2012**, and filed herewith, under the following public way or ways of said Town:

Reservoir Street - At Padmount #23516 south approximately 1180'± feet southeast of Central Ave a distance of about 104'± feet - conduit

(WO. 1858939)

NSTAR ELECTRIC COMPANY

BY 
William D. Lemos
Rights & Permits, Supervisor

Dated this 12th day of April 2012

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2012

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

WHEREAS, **NSTAR ELECTRIC COMPANY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

Reservoir Street - At Padmount #23516 south approximately 1180'± feet southeast of Central Ave a distance of about 104'± feet - conduit

(WO. 1858939)

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A.Debenedictis, Dated April 4, 2012** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____ Board of Selectmen
3 _____ the Town of
4 _____ **NEEDHAM**
5 _____

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2012 at _____ in said Town.

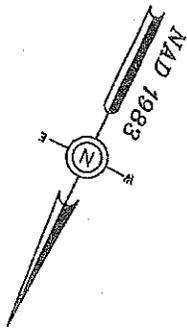
1 _____
2 _____ Board of Selectmen
3 _____ the Town of
4 _____ **NEEDHAM**
5 _____

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Masssachusetts, duly adopted on the _____ day of _____, 2012 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts

S:\SHARED\CINAGE\BASELINS\NEE\RESERVA.dwg



CUSTOMER TO INSTALL
2-4" SECONDARY DUCT
FROM PMH23516 TO MAIN SWITCH

AREA UNDER
CONSTRUCTION

APPROX. LOC. OF
PMH23516

APPROX. PT.
OF PICKUP

#DPW

204/28

204/29

204/29-1

1100'± TO
CENTRAL AVE

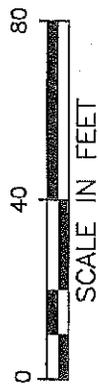
RESERVOIR ST

204/30

204/30-1A

#292

STATE CIRCUMFERENTIAL HWY. (RTE 128)



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC & GAS CORPORATION NOR ITS AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD NSTAR ELECTRIC & GAS CORPORATION HARMLESS FROM ANY SUCH LOSS OR INJURY. THE INFORMATION DOES NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE, AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO WARRANTY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESS OR IMPLIED, IN ANY UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



GIS SERVICES
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of RESERVOIR ST
NEEDHAM

Showing PROPOSED TEMPORARY CUSTOMER CONDUIT LOCATION

Scale 1"=40'

Date APRIL 4, 2012

SHEET 1 OF 1

C#

Ward #

Work Order # 1858939

Surveyed by NSTAR

Structures by TQ

Plotted by LM

Approved A. DEBENEDICTIS

P#



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on April 24, 2012** upon petition of NSTAR dated April 12, 2012 to install approximately 104 feet of conduit at padmount #23516 on Reservoir Street, Needham. This work is necessary in order to provide new temp service for existing pump station during expansion @ Reservoir Street. A public hearing is required and abutters should be notified.

Gerald A. Wasserman
Daniel P. Matthews
John A. Bulian
Maurice Handel
Matthew Borrelli

BOARD OF SELECTMEN

Dated: April 17, 2012

274 RESERVOIR ST

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/001.0-9999-9999.0	0	ROUTE 128	COMMONWEALTH OF MASSACHUSETTS DEPT. OF PUBLIC WORKS - MDC	10 PARK PLAZA	BOSTON	MA	02116
199/075.0-0034-0000.0	295	RESERVOIR ST	TOCCI, DAVID F. C/O TRIDENT REAL ESTATE LLC	581 MAIN STREET	WILMINGTON	MA	01887
199/075.0-0036-0000.0	292	RESERVOIR ST	STEWART, MALCOLM C. & GLENN D., TRS. C/O GLENN D. STEWART	1645 HIGH ST	WESTWOOD	MA	02090
199/080.0-0001-0000.0	274	RESERVOIR ST	TOWN OF NEEDHAM SEWER DEPART-PUMPING STA	1471 HIGHLAND AVE	NEEDHAM	MA	02492
199/080.0-0002-0000.0	220	RESERVOIR ST	PETRINI, GREGORY L. TRUSTEE 200-220 RESERVOIR STREET REALTY TRUST	187 ROSEMARY ST	NEEDHAM HTS	MA	02494

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



Board of Selectmen

AGENDA FACT SHEET for April 24, 2012

Agenda Item: Public Hearing: NSTAR Petition for Pump Station B- Reservoir Street

Presenter(s): Maureen Carroll, NSTAR

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

NSTAR requests permission to install approximately 35 feet of conduit at Pole 204/28 on Reservoir Street, Needham. This work is necessary to provide service to new pump station B at Reservoir Street.

The Department of Public Works has approved this petition, based on NSTAR's commitment to adhere to regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.

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

Suggested Motion: Move that the Board of Selectmen approve and sign petition from NSTAR to install approximately 35 feet of conduit at Pole 204/28 on Reservoir Street, Needham. This work is necessary to provide service to new pump station B at Reservoir Street.

3. BACK UP INFORMATION ATTACHED:

- a. Letter of Application
b. Petition
c. Order
d. Petition Plan
e. Notice Sent to Abutters
f. List of Abutters

4. SIGN OFF/APPROVAL REQUIRED:

Table with 4 rows (a-d) and 5 columns: Title, yes, no, NA, and a signature line.

Disposition by BOS

Action taken: Present on future Agenda:

Refer to/Inform: Report back to BOS on:



200 Calvary Street
Waltham, Massachusetts 02453



April 12, 2012

Board of Selectmen
Town Hall
1471 Highland Ave
Needham, MA 02192

#274
RE: Reservoir Street
Needham, MA
W.O. #1857382

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company for the purpose of obtaining a Grant of Location to install approximately 35'± feet of conduit at pole 204/28 on Reservoir Street, Needham.

This work is necessary to provide service to new pump station B @ Reservoir Street.

Your prompt attention to this matter is appreciated. If you have any questions please call Maureen Carroll at (617) 369-6421.

Sincerely,

William D. Lemos-Supervisor
Rights & Permits

OK to proceed
TW
4/13/12

WDL/aw
Attachments

OK Permits
aw/aw
4/17/12

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR
CONDUITS
AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

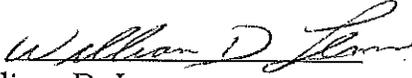
Respectfully represents **NSTAR Electric Company** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated April 4, 2012**, and filed herewith, under the following public way or ways of said Town:

Reservoir Street - Southeasterly @ pole 204/28 approximately 1100'± feet south of Central Ave a distance of about 35'± feet - conduit

(WO. 1857382)

NSTAR ELECTRIC COMPANY

BY 
William D. Lemos
Rights & Permits, Supervisor

Dated this 12th day of April 2012

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2012

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

WHEREAS, **NSTAR ELECTRIC COMPANY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

Reservoir Street - Southeasterly @ pole 204/28 approximately 1100'± feet south of Central Ave a distance of about 35'± feet - conduit

(WO. 1857382)

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated April 4, 2012** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____ Board of Selectmen
3 _____ the Town of
4 _____ **NEEDHAM**
5 _____

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2012 at _____ in said Town.

1 _____
2 _____ Board of Selectmen
3 _____ the Town of
4 _____ **NEEDHAM**
5 _____

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Masssachusetts, duly adopted on the _____ day of _____, 2012 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts

S:\SHARED\CHANGES\BASELINES\WEE\RESERVA.dwg

CUSTOMER TO INSTALL
2 - 4" PVC PIPES
TYPE EB IN CONCRETE

35'±

AREA UNDER
CONSTRUCTION

APPROX. PT.
OF PICKUP

APPROX. LOC. OF
PMH23516

#DPW

204/29-1

204/29

204/28

1100'± TO
CENTRAL AVE

RESERVOIR ST

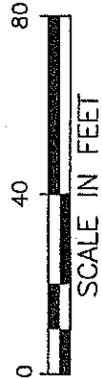
204/30

204/30-1A

#292

1988
KAD

STATE CIRCUMFERENTIAL HWY. (RTE 128)



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MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



GIS SERVICES
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02123

C#

Ward #

Work Order # 1867382

Surveyed by NSTAR

Structures by TQ

Plotted by LM

Approved A. DEBENEDICTIS

P#

Plan of RESERVOIR ST

NEEDHAM

Showing PROPOSED CUSTOMER CONDUIT LOCATION

Scale 1"=40'

Date APRIL 4, 2012

SHEET 1 OF 1



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on April 24, 2012** upon petition of NSTAR dated April 12, 2012 to install approximately 35 feet of conduit at pole 204/28 on Reservoir Street, Needham. This work is necessary in order to provide service to new pump station B @ Reservoir Street. A public hearing is required and abutters should be notified.

Gerald A. Wasserman
Daniel P. Matthews
John A. Bulian
Maurice Handel
Matthew Borrelli

BOARD OF SELECTMEN

Dated: April 17, 2012

274 RESERVOIR ST

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/001.0-9999-9999.0	0	ROUTE 128	COMMONWEALTH OF MASSACHUSETTS DEPT. OF PUBLIC WORKS - MDC	10 PARK PLAZA	BOSTON	MA	02116
199/075.0-0034-0000.0	295	RESERVOIR ST	TOCCI, DAVID F. C/O TRIDENT REAL ESTATE LLC	581 MAIN STREET	WILMINGTON	MA	01887
199/075.0-0036-0000.0	292	RESERVOIR ST	STEWART, MALCOLM C. & GLENN D., TRS. C/O GLENN D. STEWART	1645 HIGH ST	WESTWOOD	MA	02090
199/080.0-0001-0000.0	274	RESERVOIR ST	TOWN OF NEEDHAM SEWER DEPART-PUMPING STA	1471 HIGHLAND AVE	NEEDHAM	MA	02492
199/080.0-0002-0000.0	220	RESERVOIR ST	PETRINI, GREGORY L. TRUSTEE 200-220 RESERVOIR STREET REALTY TRUST	187 ROSEMARY ST	NEEDHAM HTS	MA	02494

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

Board of Selectmen

AGENDA FACT SHEET for 04/24/12

Agenda Item: 7:15 pm Public Hearing for the removal of three (3) Public Shade Trees at 27 Beech St.

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

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED: The Town of Needham pertaining to 27 Beech St. has petitioned for the removal of three trees one Norway maple, one Red Maple, one White Oak located on Town Property. The Town of Needham would like to replace the water service and repair the sidewalk and the construction would impact the tree. The trees are located within the Town layout on the grass berm between the sidewalk and roadway. The Tree Warden can see no way of replacing the water service and repairing the sidewalk with out removing the trees and recommends granting permission for the removal of the 3 trees.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES NO (circle one) Under M.G.L. Ch 87, Requires a Vote by the Board of Selectmen Suggested Motions:

1. "That the Board vote to approve and sign the Public Shade Tree Hearing Form for the removal of three trees in front of 27 Beech St."

3. BACK UP INFORMATION ATTACHED:

- 1. Legal Ad published in Needham Times, issues 4/12/12, 4/19/12
2. List of Notified Abutters
3. Public Shade Tree Hearing Approval Form
4. Approval Letter from Tree Warden E. Olsen to B.O.S. dated 4/20/12

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

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

Staff use: Disposition by BOS:

Action taken: _____

Present on future Agenda:

Refer to/Inform: _____

Report back to BOS by: _____

Needham Times paper
4/19/12

Legal ad

27 BEECH STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that the Department of Public Works has petitioned for the removal of three (3) PUBLIC SHADE TREES at 27 Beech St. in the front of the property.

SPECIES	DIAMETER
Norway Maple	7 inches
Red Maple	4 inches
Oak	9 inches

Condition
Fair
Fair
Fair

Permission is respectfully requested to remove three (3) Public Shade Trees, which will impact the replacement of water service and sidewalk repair.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, 1471 Highland Ave., Needham, Massachusetts at 7:00 P.M. Tuesday the 24th day of April, 2012, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12722019
Needham Times 4/12, 4/19/12

Needham TIMES paper

4/12/12

Legal ad

27 BEECH STREET
LEGAL NOTICE
NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that the Department of Public Works has petitioned for the removal of three (3) PUBLIC SHADE TREES at 27 Beech St. in the front of the property.

<u>SPECIES</u>	<u>DIAMETER</u>
Norway Maple	7 inches
Red Maple	4 inches
Oak	9 inches

Condition
Fair
Fair
Fair

Permission is respectfully requested to remove three (3) Public Shade Trees, which will impact the replacement of water service and sidewalk repair

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, 1471 Highland Ave., Needham, Massachusetts at 7:00 P.M. Tuesday the 24th day of April, 2012, at which time and place all interested persons may appear and be heard.

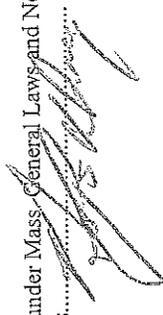
Needham Board of Selectmen

AD#12722019

27 BEECH ST

<u>PARCEL ID</u>	<u>St.No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>	
					<u>OWNER CITY</u>	<u>OWNER ZIP</u>
199/085.0-0003-0000.0	0	HAMPTON AVE	TOWN OF NEEDHAM THE CHESTER R MILLS PLAYGROUND	1471 HIGHLAND AVE	NEEDHAM MA	02492
199/085.0-0004-0000.0	16	BEECH ST	REGAN, MARY K. & REGAN, DENNIS J.	16 BEECH ST	NEEDHAM HTS, MA	02494
199/085.0-0005-0000.0	14	BEECH ST	COVINO, CARMELA P.	14 BEECH ST	NEEDHAM MA	02494
199/085.0-0009-0000.0	13	BEECH ST	DOUGLAS, ROBERT W. & DOUGLAS, DIANE M.	13 BEECH ST	NEEDHAM HTS MA	02494
199/085.0-0010-0000.0	19	BEECH ST	DOROSHENKO, VICTORIA & DOROSHENKO, VYACHESLAV	19 BEECH ST	NEEDHAM HTS MA	02494
199/085.0-0011-0000.0	27	BEECH ST	GALLANT, ANNE C/O GALLANT, THOMAS E.	27 BEECH ST	NEEDHAM HTS MA	02494
199/085.0-0012-0000.0	33	BEECH ST	TRACEY, GERALD T & TRACEY, JULIE L	33 BEECH ST	NEEDHAM MA	02494

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



NOTICE

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that The Department of Public Works pertaining to 27 Beech St has petitioned for the removal of three (3) PUBLIC SHADE TREES

As follows: At 27 Beech St . in the front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
Norway Maple	7 inches	Fair
Red Maple	14 inches	Fair
White Oak	9 inches	Fair

Permission is respectfully requested to remove three (3) Public Shade Trees, which will impact replacement of water service and sidewalk repair.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:15 P.M., Tuesday the 24th day of April, 2012 , at which time and place all interested persons may appear and be heard.

Tree Removal Petition:

APPROVED

NOT APPROVED

Needham Board of Selectmen

April 20, 2012

Board of Selectmen
Town Hall
Needham, MA 02492

RE: TREE REMOVAL AT 27 BEECH STREET.

Dear Members of the Board:

The Town of Needham pertaining to 27 Beech St. has petitioned for the removal of three trees located on Town Property. The Town of Needham wants to replace the water service and repair the sidewalk and this would impact the trees. The trees are located within the Town layout on the grass berm between the sidewalk and roadway. Since I found the trees in fair condition, not a hazard to the public and can see no option of replacing the water service and repairing the sidewalk without avoiding the trees, a Public Shade Tree Hearing is required.

Therefore, in keeping with previous Town policy on the removal of live trees, and in accordance with Massachusetts General Laws Chapter 87 Section 3, and after public hearing, I recommend granting permission for the removal of three trees.

Sincerely,



Edward Olsen
Tree Warden / Superintendent, Parks and Forestry Division

Board of Selectmen

AGENDA FACT SHEET for 04/29/08

Agenda Item: 7:15 pm Public Hearing for the removal of one (1) Public Shade Tree at 20 Washburn Ave.

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

1. **BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:** Tracy and Scott Belval at 20 Washburn Ave. have petitioned for the removal of one Sugar maple located on Town Property. The Belval's are worried about the safety of this Town tree. The tree is located within the Town layout on the grass berm between the sidewalk and the roadway. The base of the tree is approximately 12 inches from the existing driveway apron, on the right side. The Tree Warden recommends granting permission for the removal of the 23 1/2 inch Sugar maple. He further recommends that the tree be removed at the owner's expense using a contractor pre approved by the Town.

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

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

Suggested Motions:

1. "That the Board vote to approve and sign the Public Shade Tree Hearing Form for the removal of one 23 1/2 -inch Sugar maple tree in front of 20 Washburn Ave."

3. **BACK UP INFORMATION ATTACHED:**

1. Legal Ad published in Needham Times, issues 4/12/12, 4/19/12
2. List of Notified Abutters
3. Public Shade Tree Hearing Approval Form
4. Approval Letter from Edward J. Olsen to B.O.S. dated 4/24/12

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

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

Staff use: Disposition by BOS:

Action taken: _____ Present on future Agenda: _____

Refer to/Inform: _____ Report back to BOS by: _____

Board of Selectmen

AGENDA FACT SHEET for 04/29/08

Agenda Item: 7:15 pm Public Hearing for the removal of one (1) Public Shade Tree at 20 Washburn Ave.

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

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED: Tracy and Scott Belval at 20 Washburn Ave. have petitioned for the removal of one Sugar maple located on Town Property. The Belval's are worried about the safety of this Town tree. The tree is located within the Town layout on the grass berm between the sidewalk and the roadway. The base of the tree is approximately 12 inches from the existing driveway apron, on the right side. The Tree Warden recommends granting permission for the removal of the 23 1/2 inch Sugar maple. He further recommends that the tree be removed at the owner's expense using a contractor pre approved by the Town.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES NO (circle one) Under M.G.L. Ch 87, Requires a Vote by the Board of Selectmen

Suggested Motions:

- 1. "That the Board vote to approve and sign the Public Shade Tree Hearing Form for the removal of one 23 1/2 -inch Sugar maple tree in front of 20 Washburn Ave."

BACK UP INFORMATION ATTACHED:

- 1. Legal Ad published in Needham Times, issues 4/12/12, 4/19/12
2. List of Notified Abutters
3. Public Shade Tree Hearing Approval Form
4. Request Letter from Tracy and Scott Belval to E. Olsen dated 3/26/12
5. Approval Letter from Tree Warden E. Olsen to B.O.S. dated 4/24/12

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

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

Staff use: Disposition by BOS:
Action taken: Present on future Agenda:
Refer to/Inform: Report back to BOS by:

Needham Times Paper
4/12/12
Legal AD

20 WASHBURN AVENUE
LEGAL NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Tracy and Scott Beival of 20 Washburn Ave have petitioned for the removal of one (1) PUBLIC SHADE TREE at 20 Washburn Ave. in the front of the property.

SPECIES
Sugar Maple

DIAMETER
23.5 inches

CONDITION
Fair

Permission is respectfully requested to remove one (1) Public Shade Trees, which they consider to be a hazard to their property.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, 1471 Highland Ave, Needham, Massachusetts at 7:00 P.M. Tuesday the 24th day of April, 2012, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12722013
Needham Times 4/12, 4/19/12

Needham Times paper
4/19/12
Legal act

20 WASHBURN AVENUE
LEGAL NOTICE
TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Tracy and Scott Belval of 20 Washburn Ave have petitioned for the removal of one (1) PUBLIC SHADE TREE at 20 Washburn Ave. in the front of the property.

SPECIES
Sugar Maple

DIAMETER
23.5 inches

CONDITION
Fair

Permission is respectfully requested to remove one (1) Public Shade Trees, which they consider to be a hazard to their property.

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, 1471 Highland Ave, Needham, Massachusetts at 7:00 P.M. Tuesday the 24th day of April, 2012, at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen

AD#12722013
Needham Times 4/12, 4/19/12

20 WASHBURN AV L

PARCEL ID	St No.	Street	Owner Names	Mailing Address		
				OWNER CITY	State	OWNER ZIP
199/051.0-0058-0000.0	313	NEHOIDEN ST	MCCORMICH, SARAH P. & BASSETT, MICHAEL R.	NEEDHAM	MA	02492
199/051.0-0059-0000.0	323	NEHOIDEN ST	CALVERT, M. JANE	NEEDHAM	MA	02492
199/051.0-0065-0000.0	30	WASHBURN AVE	STEVERMAN, BENJAMIN J. & STEVERMAN, ANNE F.	NEEDHAM	MA	02492
199/051.0-0066-0000.0	20	WASHBURN AVE	BELVAL, SCOTT A. & BELVAL, TRACY C.	NEEDHAM	MA	02492
199/051.0-0067-0000.0	9	WASHBURN AVE	DOWNEY, ALLEN BENJAMIN & DOWNEY, LISA MARY	NEEDHAM	MA	02492
199/051.0-0068-0000.0	15	WASHBURN AVE	KICKHAM, TIMOTHY C. & KICKHAM, LINDA A.	NEEDHAM	MA	02492
199/051.0-0069-0000.0	19	WASHBURN AVE	KASINGER, JAMES R.	NEEDHAM	MA	02492
199/051.0-0070-0000.0	27	WASHBURN AVE	SHERMAN, STEPHEN J. & SHERMAN, SUSAN J. SLOANE	NEEDHAM	MA	02492

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



NOTICE

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Tracy and Scott Belval of 20 Washburn Ave. have petitioned for the removal of one (1) PUBLIC SHADE TREE

as follows: At 20 Washburn Ave. on the right front of the property

<u>SPECIES</u>	<u>DIAMETER</u>	<u>CONDITION</u>
<u>Sugar Maple</u>	<u>23 1/2 inches</u>	<u>Fair</u>

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

A PUBLIC HEARING will be held in the Office of the Board of Selectmen, Town Hall, Needham, Massachusetts at 7:15 P.M., Tuesday the 24th day of April, 2012, at which time and place all interested persons may appear and be heard.

Tree Removal Petition:

APPROVED

NOT APPROVED

Needham Board of Selectmen

From: "Edward Olsen" <eolsen@needhamma.gov>
Subject: (No Subject)
Date: March 27, 2012 8:48:11 AM EDT
To: <ibelval@rcn.com>

MAR 28 PM 3:12

1 Attachment, 53 KB

Edward J. Olsen, Superintendent

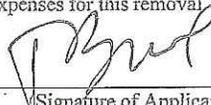
Department of Public Works
Parks & Forestry Division
781 455 7550 Ext 316

APPLICATION FOR PUBLIC HEARING FOR THE REMOVAL OF LIVING PUBLIC SHADE TREES

1. NAME OF APPLICANT Tracy + Scott Belval
2. ADDRESS OF APPLICANT 20 Washburn Ave, Needham, MA 02442
3. TYPE OF TREE Maple
4. LOCATION OF TREE 20 Washburn Ave
5. REASON FOR REMOVAL dangerous

This application shall be accompanied by a filing fee of \$100.00 to cover the cost of advertising, notification and administrative expenses for a Public Hearing, required under M.G.L., Ch. 87, Sec. 3, governing the removal of Living Public Shade Trees.

This application does not guarantee the applicant that permission for removal will be granted. However, if permission is granted, the applicant will bear all expenses for this removal.

By: 
(Signature of Applicant)
Date: 3/26/12

FOR OFFICE USE ONLY:

Application accepted:

Date: _____

By: _____

A Public Hearing will be held in the office of the Board of Selectmen, Town Hall, Needham, Massachusetts, at: _____ p.m., _____ the _____ day of _____ 20____, at which time and place all interested persons may appear and be heard.

April 24, 2012

Board of Selectmen
Town Hall
Needham, MA 02492

RE: TREE REMOVAL AT 20 Washburn AVE.

Dear Members of the Board:

Tracy and Scott Belval at 20 Washburn Ave. have petitioned for the removal of one Sugar maple located on Town Property. The Belval's have concerns about the health and safety of this Town tree. The tree is located within the Town layout on the grass berm between the sidewalk and roadway. Since I found the tree in fair condition, not a hazard to the public a Public Shade Tree Hearing is required.

Therefore, in keeping with previous Town policy on the removal of live trees, and in accordance with Massachusetts General Laws Chapter 87 Section 3, and after public hearing, I recommend granting permission for the removal of the 23 1/2 -inch Sugar Maple. I further recommend that this tree is removed at the owner's expense by a contractor approved by the Town Of Needham.

There is not adequate space for a tree replacement at this location.

Sincerely,



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

Board of Selectmen

AGENDA FACT SHEET for

Agenda Item: Grant of Sewer Easement-Wilson Lane

Presenter(s): Rick Merson, DPW Director

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The property owners at 100 Wilson Lane have made an application to the MWRA in order to have a direct connection to the MWRA's sewer main that abuts their property. Currently this area of town does not have town sewer service. The property owners have agreed to grant the town an easement from the Right of Way at Wilson Lane through their property in order to allow for future sewer connections.

The property owners will construct and maintain the sewer main within said easement until such time the Town decides to extend sewer to this area.

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

Suggested Motion:

"That the Board vote to approve and sign the Grant of Sewer Easement for 100 Wilson Lane."

3. BACK UP INFORMATION ATTACHED:

1. Grant of Sewer Easement document from the property owners
2. Easement plan
3. Sewer extension plan

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

- | | | | | |
|---------------------|--------------------------------------|-------------------------------------|----|------------------------|
| a. Town Manager. | Yes | <input checked="" type="radio"/> No | NA | _____ |
| b. Town Counsel | <input checked="" type="radio"/> Yes | <input type="radio"/> No | NA | approved to form _____ |
| c. Finance Director | Yes | <input checked="" type="radio"/> No | NA | _____ |
| d. Accountant | Yes | <input checked="" type="radio"/> No | NA | _____ |

Staff use: Disposition by BOS:	
Action taken: _____	Present on future Agenda: _____
Refer to/Inform: _____	Report back to BOS by: _____

AWD

GRANT OF SEWER EASEMENT
FROM
STEPHEN O'BRIEN AND TRIET NGUYEN
TO
THE TOWN OF NEEDHAM, MASSACHUSETTS

THIS AGREEMENT, made this 21st day of December, 2011, by and between Stephen O'Brien and Triet Nguyen co-owners of 100 Wilson Lane, Needham, Massachusetts, hereinafter referred to as "GRANTOR" and the Town of Needham, a municipality organized under the laws of the Commonwealth of Massachusetts, hereinafter referred to as the "GRANTEE" or "TOWN".

WHEREAS, the GRANTOR is the owner of certain land located at 100 Wilson Lane in Needham, Massachusetts; containing 9.65 acres more or less, under the deeds recorded in Book 27938 page 548 at the Norfolk Registry of Deeds and as shown on a plan of land recorded herewith entitled "David Richardson, 100 Wilson Lane, Needham Massachusetts, plan of land", and

WHEREAS, there is shown on the plan entitled "Easement Plan of Land" prepared by Kelly Engineering Group, Civil Engineering Consultants, 0 Campanelli Drive, Braintree, Massachusetts 02184, dated May 19, 2011 (the "Plan") and revised October 20, 2011, a certain sewer easement, to wit: that certain "proposed 20 foot wide sewer easement" (the "Sewer Easement"), running from Wilson Lane in a southwesterly direction through lots 1 and 2 to the MWRA sewer line all as shown on the Plan.

WHEREAS, the GRANTOR have delivered to the Town of Needham for its approval a duly executed Grant of Sewer Easement for the sewer line shown on the Plan; and

WHEREAS, the grant of easement herein by the Grantor is intended to benefit the Town of Needham and the Grantor;

NOW THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, the parties agree as follows:

1. The Grantor does hereby grant to the Town of Needham, Massachusetts, the right and perpetual easement and right of way over, across, under and through said Sewer Easement shown on said Plan, upon completion of constructing by the Grantor and acceptance by the Town of the proposed sewer lines situated therein, for the purpose of laying, relaying, constructing, reconstructing, altering, maintaining and operating within, under and through the same, sewer lines for the direction or re-direction of sewerage, together with the right of ingress to and egress from the same for said purposes.

2. Prior to exercising such easement, the Town agrees to give notice to the owners or their successors to any portion of the land of the fact that it desires to commence such exercise. The Town shall have the right to perform such activities in exercise of such easement, provided that the Town shall use reasonable care not to damage any structures, landscaping or other improvements which may exist on the remainder of the lot outside the easement.
3. The Town agrees by its acceptance hereof that, from and after the Grantor give notice in writing to the Town's Department of Public Works that it has completed the laying and constructing of the sewer line for the direction or redirection of sewage and the Director of Public Works notifies the Grantor that the sewer was constructed in accordance with the standards of the Town's Department of Public Works, then the Grantor and any subsequent title holders will maintain and operate such lines within, under and through the Sewer Easement until such time in the future that the Town shall decide to maintain the easement. The Town shall issue a letter to all parties at such time it intends to take over maintenance of said sewer easement.
4. All work performed by the Grantor or the Grantee in the Sewer Easement shall be in good and workmanlike manner. In performing the permitted work hereunder the Grantee shall not do any work which is inconsistent with the intent and purpose of this easement or which will create any nuisance, nor shall Grantee commit any act or waste which be harmful or which will interfere with any of the adjoining land and premises.
5. All work to be performed by the Grantor under this Agreement shall be at the Grantor's sole cost and expense.
6. The Grantee and Grantor each agree to hold the other harmless and indemnified up to \$100,000 per claim, losses or damage for property damage or personal injury or liability, or either, resulting in anyway by reason of it's own activities in the Easement Area.
7. The Grantor hereby reserves the right for themselves, their respective heirs, and successors to use and enjoy the Sewer Easement area for all legal purposes.
8. The within grant of easement shall be binding upon the Owner and all respective successors and assigns and shall inure to the benefit of the Town of Needham, Massachusetts, and the benefits and burdens hereof shall run with the land described in and subject to the Plan.
9. Notice shall be given to the owner of 100 Wilson Lane as shown on the records of the Needham Assessor's office.

Witness our hands and seals this 21st day of December, 2011.



Stephen O'Brien



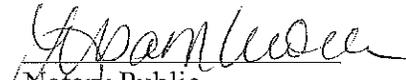
Triet Nguyen

COMMONWEALTH OF MASSACHUSETTS

_____, ss

December 21, 2011

Then personally appeared the above named Stephen O'Brien and acknowledged the foregoing instrument to be his free act and deed, before me,



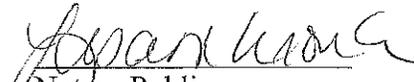
Notary Public
My Commission Expires

COMMONWEALTH OF MASSACHUSETTS

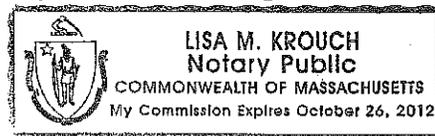
_____, ss

December 21, 2011

Then personally appeared the above named Triet Nguyen and acknowledged the foregoing instrument to be his free act and deed, before me



Notary Public
My Commission Expires



ACCEPTANCE BY THE TOWN OF NEEDHAM

The foregoing Grant of Sewer Easement hereby is accepted by the town of Needham, subject to the terms and conditions set forth therein.

TOWN OF NEEDHAM
By its Board of Selectman

By: _____

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 2011

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be his free act and deed, before me

Notary Public
My Commission Expires

Approved as to form:



David Tobin, Esquire
Town Counsel

Sewer Connection Plan

100 Wilson Lane
Needham, MA



REFERENCES:
DEEP FILE NO.

SURVEY: KELLY ENGINEERING GROUP

No.	Date	Comments

Columbia Design Group, LLC
Consulting Engineers

14 Upham Avenue
Boston, MA 02125
Tel: 617.562.1974 Fax: 617.567.7740

Project:
O'Brian Residence

Date: July 19, 2011
Scale: 1" = 20'

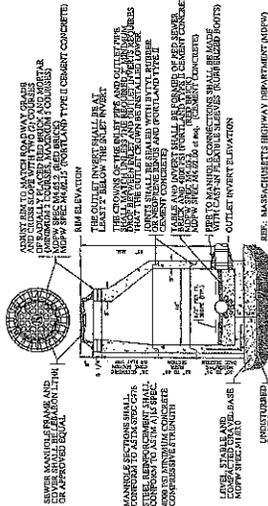
Drawn by: PG
Project No.: 2010-141

C-1

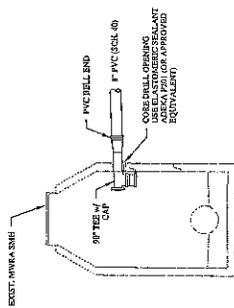


GENERAL NOTES

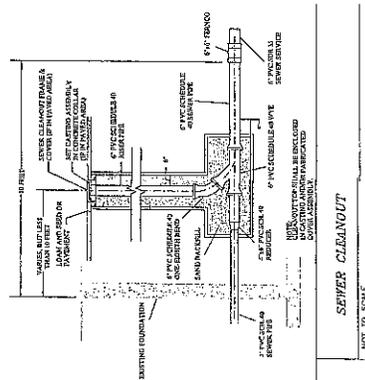
- THE PLAN FOR THE LAYOUT AND CONSTRUCTION OF ANY SEWER CONNECTION SHALL BE IN ACCORDANCE WITH THE REGULATIONS OF THE BOARD OF PUBLIC WORKS OF THE CITY OF BOSTON, MASSACHUSETTS, AND THE REGULATIONS OF THE BOARD OF PUBLIC WORKS OF THE CITY OF NEEDHAM, MASSACHUSETTS.
- THESE NOTES SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATIONS AND THE CONTRACT DOCUMENTS FOR THE PROJECT.
- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.



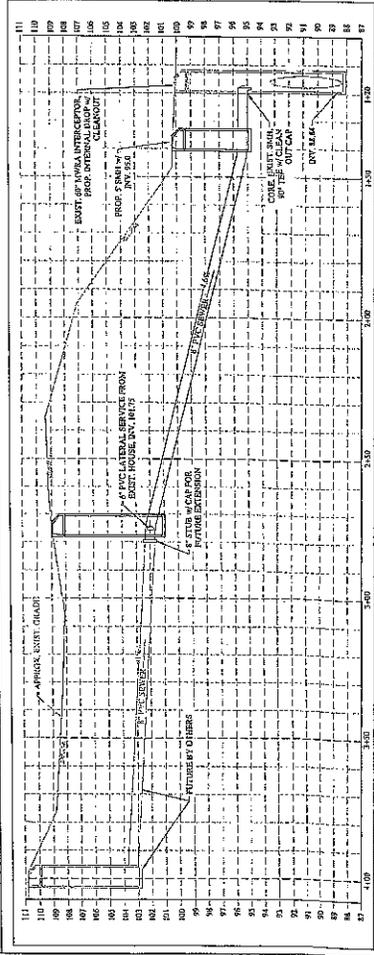
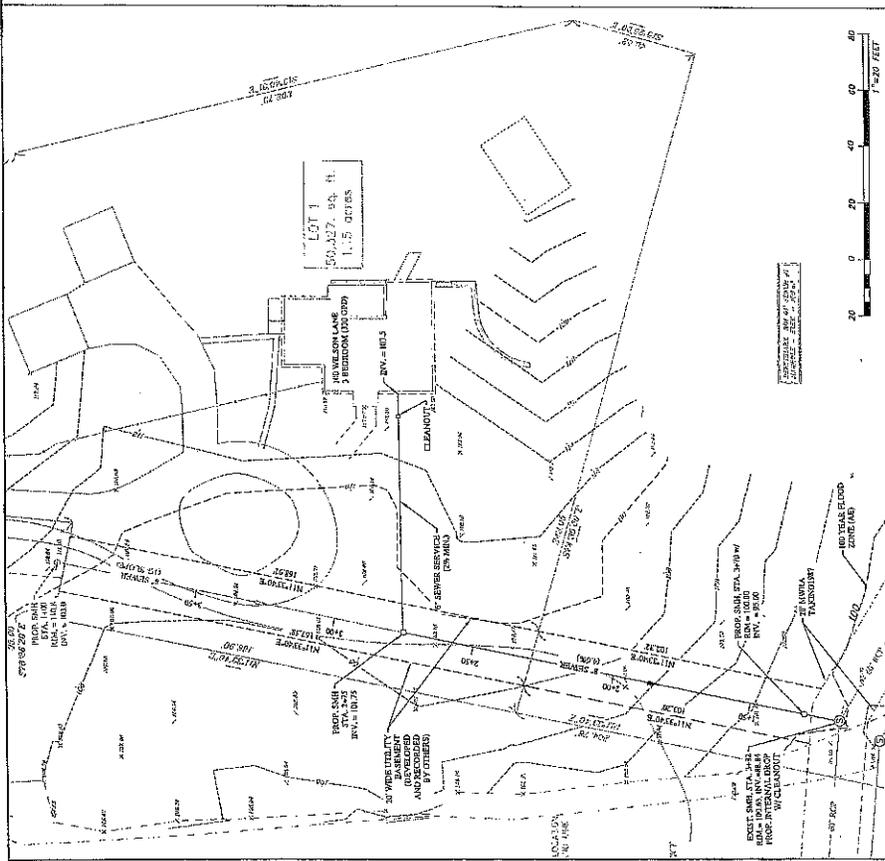
TYPICAL SEWER MANHOLE DETAIL



INSIDE DITCH AT EXISTING AREA SEWER MANHOLE



SEWER CLEANOUT



SCALE: 1" = 20' HORIZONTAL
1" = 2' VERTICAL

Board of Selectmen

AGENDA FACT SHEET for 4/24/2012

Agenda Item: Land Management Practices

Presenter(s): Kate Fitzpatrick, Town Manager
Ed Olsen, Parks and Forestry Superintendent
Rick Merson, Director of Public Works
Patty Carey, Director of Park and Recreation
Patty Barry, Director of Conservation

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

We will discuss the Town's Integrated Pest Management Policy, and the Town's approach to land management and herbicide and pesticide use.

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

3. BACK UP INFORMATION ATTACHED:

- a. IPM Policy
- b. Additional information to be provided under separate cover.

4. SIGN OFF/APPROVAL REQUIRED:

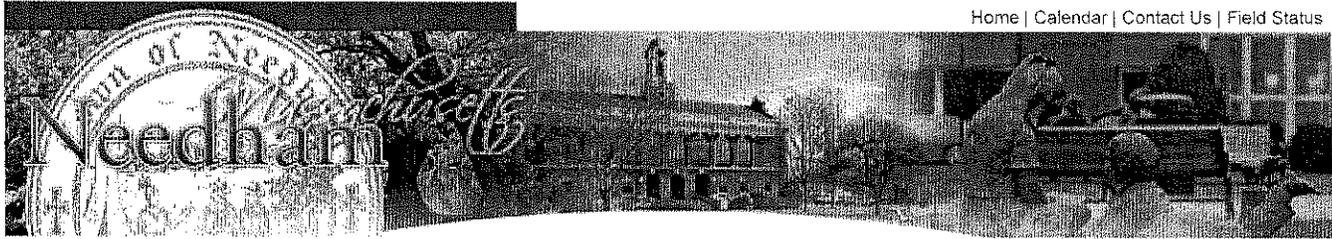
a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

Action taken: _____ Present on future Agenda: _____

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

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You are here: [Home](#) > [Departments](#) > [Public Works](#) > [Parks & Forestry Division](#) > [Integrated Pest Management](#)

Integrated Pest Management Policy

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[Integrated Pest Management](#)

[Pest Fact Sheets](#)

[Sidewalk Clearance](#)

[Tree Planting](#)



Preface

The Town of Needham recognizes that public agencies should be a model of environmentally responsible practices. Employing an integrated pest management (IPM) policy allows the Town to accrue the financial benefits of planning, prevention and responsible management, while reducing the use of pesticides that pose a health risk to people directly through breathing, drinking, ingesting or skin absorption of toxic products or via delayed exposures from contaminated soil, food, air, water utensils, and toys.

The Town of Needham has already introduced IPM principles into its parks, landscaping and building maintenance programs. The purpose of developing an IPM policy is to formalize and institutionalize the current practices dating back many years and to provide general guidance in the creation of integrated pest management policies and site-specific plans in compliance with the requirements of the *Act to Protect Children and Families from Exposure to Harmful Pesticides*, Chapter 85 of the Acts of 2000.

Needham IPM Policy

The Town of Needham will commit to IPM principles and practices and incorporate them into all landscape maintenance and building maintenance and construction work. This policy will apply to work by contractors hired by the Town as well as to work done by town employees.

IPM Defined

IPM is a problem-solving approach to landscape and building management designed to prevent and control undesirable weeds, insects, fungi and rodents. IPM relies on the use of site-specific information about environmental conditions and the dynamics of human characteristics and activities, and pest biology and behavior to prevent, resist and control pests that interfere with the purpose and use of a particular site. When a pest has exceeded a predetermined threshold at a particular site, all appropriate pest control strategies are employed including modifying the habitat, modifying maintenance practices, modifying user behavior, and, if all else fails, using pesticides as a last resort, and only within specific guideline for least toxic selection and use.

Pests Defined

Pests are undesirable plants, insects, fungi and rodents. Common examples in the landscape are grubs, chinch bug, crabgrass, knotweed, and a variety of plant diseases. Insects, weeds, and fungi can become a significant problem on our athletic fields and other public grounds. They can destroy or overtake large areas of turf resulting in lack of playability, large renovation costs, and unsafe conditions for players. Common pests in buildings are ants, lice, cockroaches, termites, mice and other rodents that thrive when food and other conditions are available. They can create hygiene and safety problems, cause damage to building structures and, if nothing else, cause a nuisance.

IPM Policy Goals

The goal of Needham's IPM Policy is to promote the health, safety, quality and sustainability of public buildings and landscapes and maximize the enjoyment and use of public buildings and grounds for functional, recreational (both active and passive) and ornamental purposes. The goals of this policy are

to:

- Require all pesticide applicators to be certified and licensed.
- Ensure that all support and supervisory personnel receive training and continuing education on the use of pesticides.
- Reduce the use of pesticides through common sense principles of IPM, to the point of no pesticide use whenever possible and practical.
- Provide healthy, high quality and sustainable buildings, parks and public open spaces.
- Prevent the contamination of buildings, soil, air, and water and protect people (especially children and other vulnerable populations), animals and beneficial plants and insects from toxic exposures.
- Assure cooperation and communication between town departments by setting standard operating procedures for the control of pests.
- Recognize and support the programmatic and economic impact of changes in procedures and processes that may be required to meet these goals
- Establish a formal IPM Committee with representation from the boards and committees that approved the policy. This committee will meet annually or as needed. This committee is not meant to supersede the individual committees at each school required under the Child Protection Act.

IPM Practices

The Town of Needham will develop site-specific building and landscape maintenance plans for all sites, which will incorporate pest prevention and control measures.

These plans will:

- Specify site-assessment protocols, testing methods, and the timing and/or type of maintenance practices
- Require the monitoring of site conditions and pest populations
- Establish pest thresholds
- Recommend how to educate users or modify user behavior (including modifying public access, traffic or use patterns)
- Define record-keeping requirements, with school building reports that are consistent with Section IV of School Committee policy EBAB and evaluation criteria
- Establish conditions for building re-occupancy after pesticide or herbicide application
- Enable the use of expert assistance and resources to solve problems
- If determined to be necessary, identify the conditions for use of pesticides

IPM Selection Guidelines

The Town will develop guidelines for considering all appropriate intervention options, including changes in cultural, mechanical, physical, biological and chemical measures, or no action. Criteria for selecting pest control interventions commensurate with these guidelines shall, in order of priority, be or provide:

- Least toxic to people, beneficial insects and plants and the aquatic environment.
- Most species-specific.
- Highest level of anticipated effectiveness.
- Greatest need for ongoing use and maintenance of field or facility.
- Timely coordination and scheduling with the Park & Recreation Department and the schools to ensure safest use of all fields or facilities.

Use of Pesticides for Aesthetic Purposes

The Town of Needham supports limiting pesticide use for aesthetic purposes. The Town recognizes that the safe use of playing fields to prevent injuries from recreational and organized team activities may require the use of chemicals. Any chemicals used will follow the IPM application and notification guidelines as outlined in this Policy and in the Children's

Safety and Protection Act.

Restrictions on the use of Pesticides and Herbicides

As referenced under the principals of The Children's and Families' Protection Act and as part of each schools plan the application of any pesticide or herbicide may be performed only by certified applicators. If a pest situation is deemed an emergency an emergency waiver form should be submitted to the Needham Health Department to determine if the single use waiver is warranted.

IPM Implementation

For IPM to be successful in the schools and other town buildings and fields, it must be supported by:

- Administration
- Building and field maintenance staff
- Custodial staff
- Teachers
- Students
- Parents

Failure to comply with site-specific guidelines could result in unnecessary infestations and potentially require the use of pesticides to mitigate the problem. All must understand that pests may be present while the source of a problem is identified and eliminated.

The Municipal Building Maintenance Board, the Department of Public Works and the School Department principals will keep copies of their site-specific plans available for public review. Copies of plans will also be filed with the Needham Health Department and the MA Department of Food and Agriculture. The Needham Health Department will serve as the liaison for questions from the community.

Approved by:

- Needham Board of Health 6/14/02
- Needham School Committee 6/18/02
- Needham Municipal Building Maintenance Department 6/18/02
- Needham Park and Recreation Department 6/25/02
- Needham Board of Selectmen 6/25/02
- Needham Conservation Committee 6/27/02
- Needham Permanent Public Building Department 7/08/02
- Needham Library Board of Trustees 7/09/02
- Needham Council on Aging Board of Directors 9/05/0

Board of Selectmen

AGENDA FACT SHEET for 4/24/2012

Agenda Item: Sale of Alcohol for Consumption off Premises

Presenter(s): Public Hearing

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Board will hold a public hearing on its proposal for retail sale of alcohol in Needham.

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

3. BACK UP INFORMATION ATTACHED:

a. Notice of Hearing

4. SIGN OFF/APPROVAL REQUIRED:

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

Disposition by BOS

Action taken: _____ Present on future Agenda: _____

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



Office of the
TOWN MANAGER

TOWN OF NEEDHAM

TOWN HALL

Needham, MA 02492-2669

TEL: (781) 455-7500

FAX: (781) 449-4569

TDD: (781) 455-7558

Public Hearing on the Retail Sale of Alcohol in Needham

The Board of Selectmen will hold a public hearing regarding its proposal of the retail sale of alcohol in Needham on Tuesday, April 24, 2012, 7:30 pm at the Needham Town Hall in Powers Hall, 1471 Highland Avenue, Needham.

The proposal would authorize the Town to issue a maximum of six licenses for alcoholic beverages or just beer and wine. In 2018, the maximum that may be issued will increase by two additional licenses. At no time would the Town be able to issue more than six full licenses for sale of all alcoholic beverages. Other licensing regulations related to the Retail Sale of Alcohol in Needham that may be issued by the Board of Selectmen as licensing authority will also be discussed.

The Board of Selectmen invites all residents and interested parties to provide input at this meeting. Public comments may also be directed to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or selectmen@needhamma.gov.

Needham Times
April 19, 2012

Board of Selectmen

AGENDA FACT SHEET for 4/24/2012

Agenda Item: Approve Easement Agreement/Eaton Square

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The November 7, 2011 Special Town Meeting approved the abandonment of Eaton Square as a public way. The Needham Bank is proposing to design and construct a building addition, public plaza, and new public/private parking lot by combining the Eaton Square parking lot with adjacent private properties. The project will result in an increase in the number of available public parking spaces in the area. This Easement Agreement continues the Eaton Square right of way by agreement until the construction of the relocated parking lot entrance is complete. At that time, the easement will expire.

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

Suggested Motion: that the Board vote to approve and sign the Easement Agreement by and between the Town of Needham and the Needham Bank.

3. BACK UP INFORMATION ATTACHED:

a. Easement Agreement by and between the Town of Needham and the Needham Bank.

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:** _____

Law Offices of
PETER A. ZAHKA, II, P.C.

12 School Street
Dedham Square
Dedham, MA 02026

Tel. 781/329-2601
Fax 781/326-0617

January 17, 2012

Tobin & Grunebaum
55 William Street
Wellesley, MA 02481

Att: David Tobin, Esq.

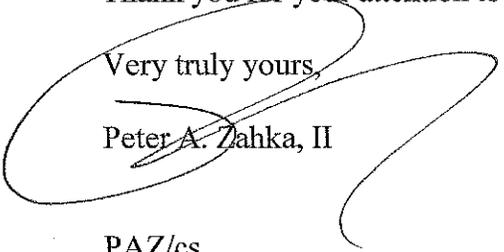
Re: Eaton Square

Dear David:

Relative to the above matter enclosed please find two (2) originals of the "Easement Agreement by and between the Town of Needham and Needham Bank" which have been duly executed on behalf of the Bank and notarized. I have also attached to each Agreement a copy of the October 20, 2011, easement plan.

Kindly return a fully executed original Agreement to this office at your earliest convenience. Thank you for your attention to this matter.

Very truly yours,


Peter A. Zahka, II

PAZ/cs

Enc.

cc: Vic Taylor

**EASEMENT AGREEMENT
BY AND BETWEEN
THE TOWN OF NEEDHAM
AND
NEEDHAM BANK**

This Easement Agreement (“**Agreement**”) is made as of this ____ day of January, 2012 by and between the **TOWN OF NEEDHAM**, a municipal corporation with a principal place of business at 1471 Highland Avenue, Needham MA 02492 (“**Town**” or “**Grantee**”) and the **NEEDHAM BANK**, A BANKING CORPORATION with a principal place of business at 1063 Great Plain Ave., Needham, MA 02492 (“**Bank**”)

RECITALS

WHEREAS, Town is the owner of an easement in Needham, Mass., for the purposes of a public way known as Eaton Sq., as shown on a plan entitled Street Discontinuance Plan Eaton Square Needham Massachusetts 02492 prepared by Cuoco & Cormier Engineering Associates Inc., dated October 20, 2011, (“**Plan**”), a copy of which is attached hereto marked Exhibit 1,

WHEREAS, the Bank owns parcels of land shown on the aforesaid plan which abut said public way (“**Bank Premises**”),

WHEREAS, the town owns a parcel of land shown on the aforesaid plan, which abuts said public way (“**Town Premises**”)

WHEREAS, the Town intends to discontinue the public way known as Eaton Sq. so that the Bank may construct a building on a portion of said way and construct a public pedestrian access area and public plaza over a portion of said way and the Bank intends to grant the Town easements over its land to provide pedestrian and motor vehicle access to the Town Premises that abuts the public way and the Bank’s Premises;

NOW, THEREFORE, in consideration of the foregoing and the mutual promises set forth herein and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the Bank and the Town hereby covenant and agree as follows:

1. **Effective Date.** The grant of the Easement (hereinafter defined) shall be effective upon discontinuance of Eaton Sq. as a public way.

2. **Easement.**

(a) **Grant of Easement.** The Bank hereby grants to the Town, and as appurtenant to the Town’s Premises and burdening the Bank’s Premises, a perpetual non-exclusive easement over the entire area designated Eaton Sq. on said Plan (“**Easement Area**”) for vehicular and pedestrian ingress and egress between the Town’s Premises, Garden Street and Great Plain Avenue (“**Easement**”) including, without limitation, the right to maintain, repair and replace, from time to time, driveways, walkways, lighting fixtures, utilities, and any other ancillary fixtures, systems and equipment within the Easement

Area that exist at the time of the grant of this easement for the benefit of the Town's Premises and any other land abutting the Easement Area owned by the Town.

(b) No Modification of Easement Area. Except in an emergency, the Bank shall not construct or locate any improvements, fixtures and/or equipment of any kind whatsoever in, on or under the Easement Area, without Town's prior written consent, which consent shall not be unreasonably withheld.

3. Termination Date

This easement shall terminate upon the recording of a new pedestrian and motor vehicle access easement to Town's Premises that has been approved by the Town Manager and recorded at the Norfolk Registry of Deeds.

- 4. Entire Agreement.** This Agreement contains the entire agreement of the parties hereto with respect to the subject matter hereof, and no representations, inducements, promises, or agreements, oral or otherwise, between the parties hereto with respect to the subject matter hereof not embodied herein shall be of any force or effect.
- 5. Amendment or Modification.** This Agreement may only be amended or modified by a declaration in writing mutually agreed to, executed and acknowledged by the Bank and the Town. Any modification or amendment shall be duly recorded with said Registry of Deeds.
- 6. Limited Liability.** In no event shall any partner, trustee, principal, officer, director, shareholder, employee or agent of the Town or the Bank have or incur any personal liability for any of the liabilities or obligations of the Town or the Bank hereunder, respectively and no personal judgment shall be sought, levied or enforced against any such person individually.
- 7. Severability.** If any provision of this Agreement shall to any extent be invalid or unenforceable, the remainder of this Agreement (or the application of such provision to persons or circumstances other than those in respect of which it is invalid or unenforceable) shall not be affected, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 8. Counterparts.** This Agreement may be signed in three counterparts, each of which shall be deemed an original, and all of such counterparts shall constitute one and the same instrument.
- 9. Successors and Assigns.** The obligations and benefits created pursuant hereto shall run with the land and be binding upon and inure to the benefit of the parties hereto and their successors, assigns, and affiliates, respectively.

10. **Agreement.** This Agreement shall be construed and interpreted under and pursuant to the laws of the Commonwealth of Massachusetts is to take effect as a sealed instrument, sets forth the entire agreement between the parties and may be cancelled, modified or amended only by a written instrument executed by both the Town and Grantee.
11. **Hold Harmless.** The Town and the Bank shall hold each other harmless against all suits and claims of liability of every name and nature, for or on account of any injuries to persons or damage to property arising out of the exercise of this easement.

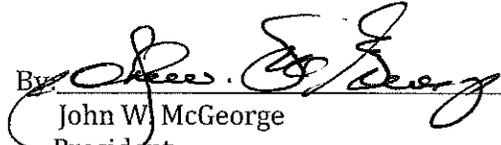
[The balance of this page is intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of this _____ day of February, 2011.

TOWN OF NEEDHAM

NEEDHAM BANK

By: _____
Selectman

By: 
John W. McGeorge
President

Date of Execution: _____

Selectman

Selectman

Selectman

Selectman

Date of Execution: _____

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

_____, 2011

On the 12 day of Jan, 2011, before me, the undersigned notary public, personally appeared George W. McGeorge, proved to me through satisfactory evidence of identification, which was my personal knowledge of said George W. McGeorge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as General Manager of the Massachusetts Bay Transportation Authority.

Notary Public [Signature]
Print Name: Rose Putnam
My commission expires: 2-7-2014

COMMONWEALTH OF MASSACHUSETTS

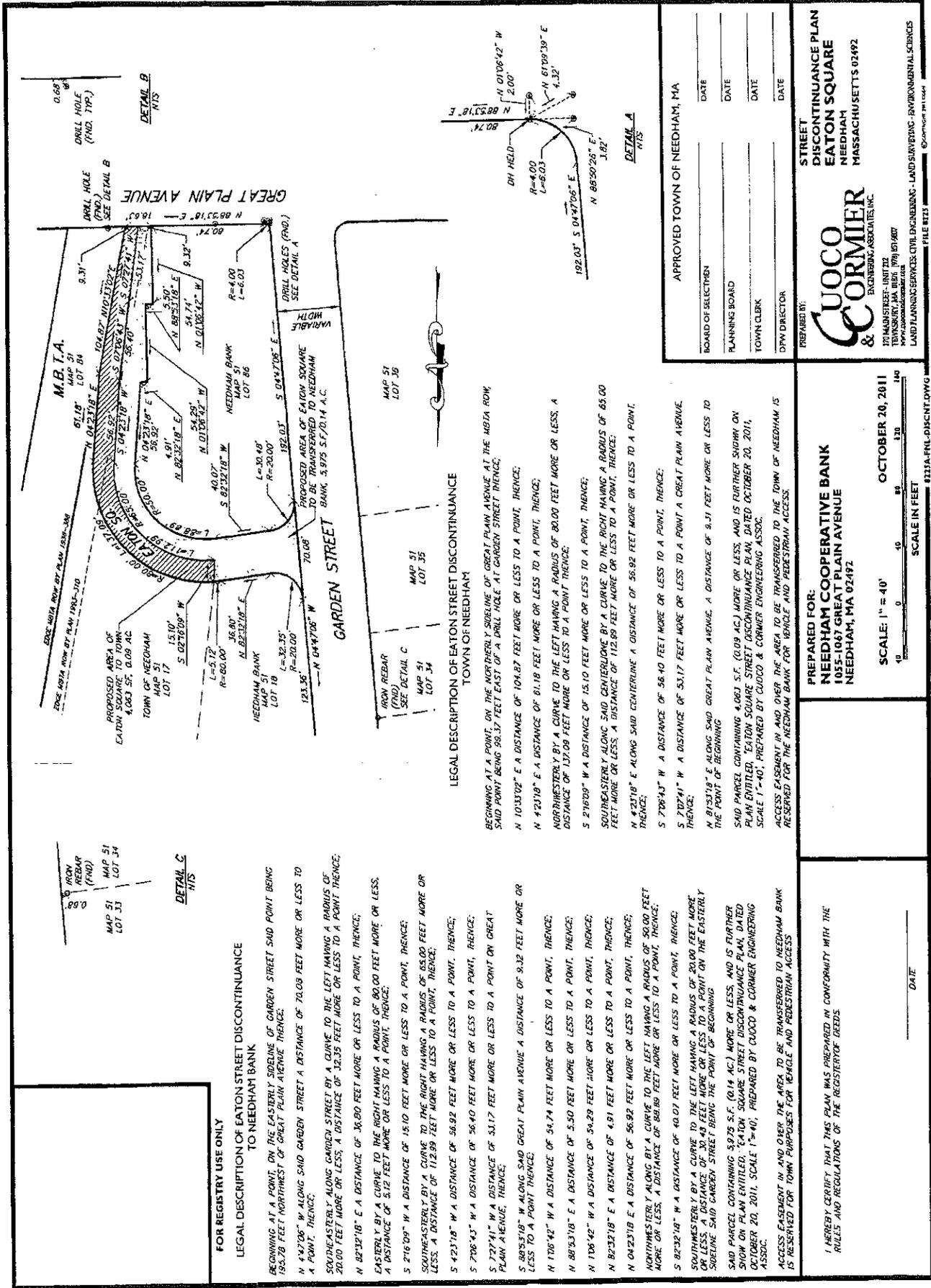
Norfolk, ss

_____, 2011

On the ____ day of _____, 2011, before me, the undersigned notary public, personally appeared _____, a Selectman of the Town of Needham, proved to me through satisfactory evidence of identification, which was my personal knowledge of said _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as General Counsel of the Massachusetts Bay Transportation Authority.

Notary Public _____
Print Name: _____
My commission expires: _____

EXHIBIT 1
(Discontinuance Plan)



CUOCO & CORMIER ENGINEERING ASSOCIATES, INC.
 170 MAIN STREET - UNIT 112
 NEEDHAM, MA 02461
 LAND SURVEYING, CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL SCIENCES

APPROVED TOWN OF NEEDHAM, MA

BOARD OF SELECTMEN _____ DATE _____
 PLANNING BOARD _____ DATE _____
 TOWN CLERK _____ DATE _____
 DPW DIRECTOR _____ DATE _____

PREPARED BY: _____

STREET DISCONTINUANCE PLAN
EATON SQUARE
 NEEDHAM
 MASSACHUSETTS 02492

FILE #123

PREPARED FOR:
NEEDHAM COOPERATIVE BANK
 1055-1067 GREAT PLAIN AVENUE
 NEEDHAM, MA 02492

SCALE: 1" = 40'

OCTOBER 20, 2011

SCALE IN FEET

DATE _____

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS

Board of Selectmen

AGENDA FACT SHEET for 4/24/2012

Agenda Item: Conveyance of Property to DCR

Presenter(s): Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

In accordance with the provisions of M.G.L. c. 40 Sections 15, 15A, and 15B, a vote of the Board of Selectmen is required to determine that the property to be conveyed to the Division of Conservation and Recreation under Article 7 of the Special Town Meeting Warrant is no longer needed.

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

Suggested Motion: that the Board vote to determine that the parcel of land adjacent to Great Plain Avenue and the Charles River of approximately 5 acres is not longer needed for highway or water supply purposes.

3. BACK UP INFORMATION ATTACHED:

- a. M.G.L. c. 40 Sections 15, 15A, and 15B
- b. Site Location Map
- c. Topographic and Boundary Survey Plan

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:** _____



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE VII CITIES, TOWNS AND DISTRICTS

CHAPTER 40 POWERS AND DUTIES OF CITIES AND TOWNS

Section 15 Abandonment of rights in realty; conditions

Section 15. If any officer of a city or town having charge of any land, easement or right taken for such city or town, otherwise than by purchase, notifies the city council or the selectmen that, in his opinion, such land, easement or right, or part thereof, is no longer required for public purposes, and if thereafter the city council or the inhabitants of the town by a two thirds vote authorize the conveyance of such land, or of part thereof, or the abandonment of such easement or right, or part thereof, and specify the minimum amount to be paid for such conveyance or abandonment, the mayor or the selectmen may, for such amount or a larger amount, and upon such other terms as the mayor or selectmen shall consider proper, convey said land, or part thereof, by deed, or declare said easement or right, or part thereof, to be abandoned. Such declaration, being recorded in the registry of deeds for the district where the land is situated, shall extinguish the easement or right, or part thereof.

No land heretofore or hereafter acquired by eminent domain by one city or town within the limits of another city or town shall be conveyed under this section unless the mayor or selectmen authorized to convey such land offer to convey such land to the city or town wherein such land lies for the minimum amount specified as aforesaid, nor unless such offer is not accepted within six months after notice thereof is given to the mayor or selectmen of the city or town wherein such land lies by the mayor or selectmen authorized to convey, nor unless such conveyance is made within three months after the expiration of said six months. Land so offered to a city or town wherein it lies may be purchased by such city or town whether or not needed for the municipal purposes of such city or town, and, if so purchased and if such land is not needed for municipal purposes, it shall be disposed of as such city or town shall determine.



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE VII CITIES, TOWNS AND DISTRICTS

CHAPTER 40 POWERS AND DUTIES OF CITIES AND TOWNS

Section 15B Water supply works; sale or exchange of property

Section 15B. A town, city, or district authorized to furnish water for domestic purposes, may, with the advice and approval of the state department of environmental protection, sell at public or private sale, or may exchange any real property, or any easements, whether taken by eminent domain or otherwise, no longer needed for public water supply works under its charge, or may from time to time lease any property not then so needed, or may permit the use thereof by the public for recreational purposes; and may in its discretion, by lease, license or other agreement, permit the construction and maintenance on any land under its control of towers, poles, wires, and other structures for the purpose of transmitting electric power over lands and water held for water supply purposes; provided, that such lease, license or agreement will not, in the opinion of the said department, affect or interfere with the water supply; and provided, further, that said city, town or district may, with the approval of said department, revoke said lease, license or agreement for cause to be determined by it.

No land acquired by eminent domain by a city or town within the limits of another city or town, and no land of a district so acquired, may be sold or exchanged pursuant to this section unless it is offered to be conveyed to the city or town wherein it lies for a minimum amount, specified by vote of the city council or a town or district meeting, for which the city, town or district owning it is willing to sell it, nor unless such offer is not accepted within six months after notice thereof is given to the mayor or selectman of the city or town wherein such land lies, nor unless such conveyance is made within three months after the expiration of such six months.



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE VII CITIES, TOWNS AND DISTRICTS

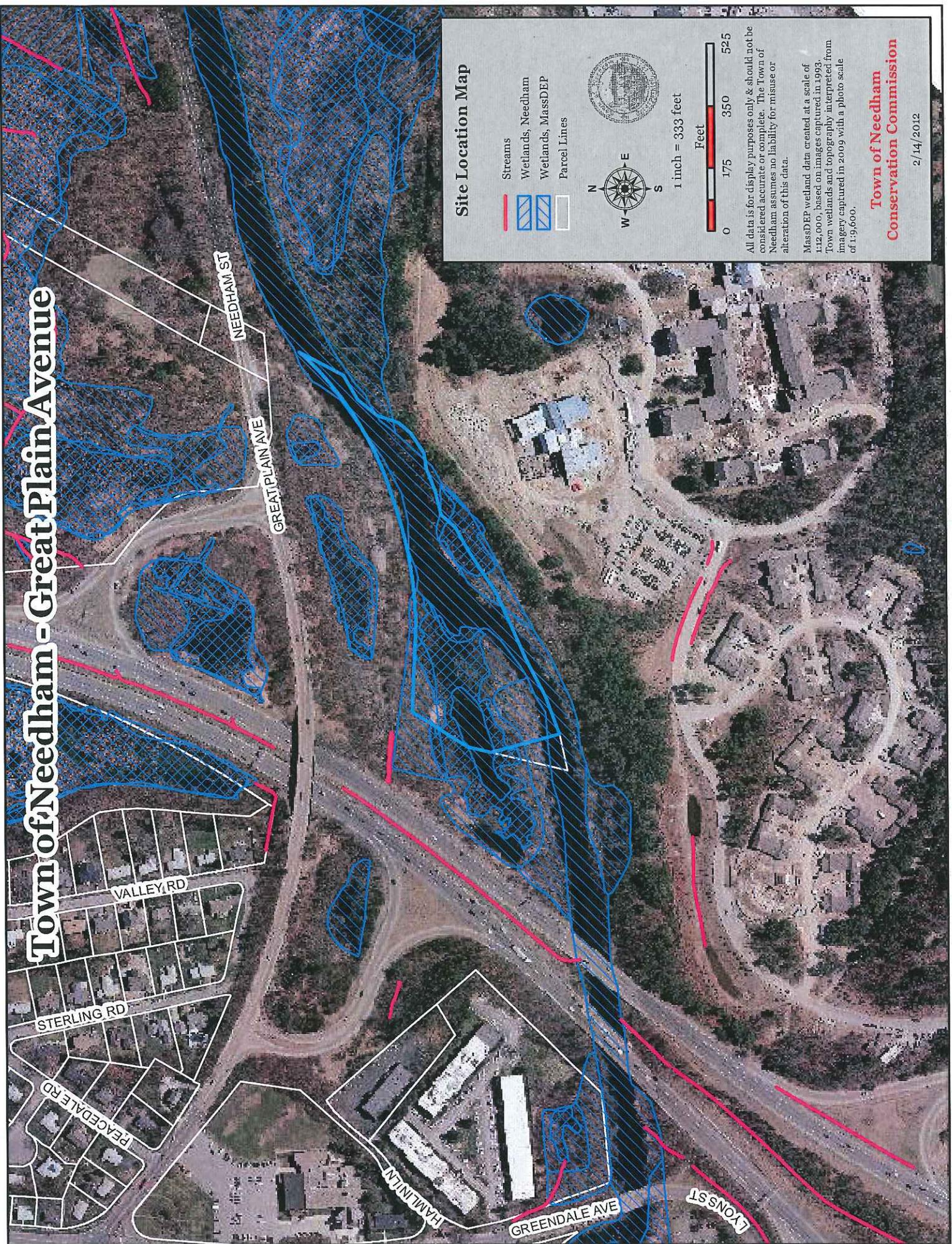
CHAPTER 40 POWERS AND DUTIES OF CITIES AND TOWNS

Section 15A Transfer of land; procedure

Section 15A. Whenever a board or officer having charge of land, including land acquired for playground purposes pursuant to the provisions of section fourteen of chapter forty-five, but excluding land acquired for park purposes, constituting the whole or any part of an estate held by a city or town within its limits for a specific purpose shall determine that such land is no longer needed for such purpose, whether such land was acquired before or after the effective date of this section and whether acquired by eminent domain, purchase, gift, devise or otherwise, such board or officer shall forthwith give notice of such determination to the city council of the city or the board of selectmen of the town. At any time after the receipt of such notice, the city council of the city by a two thirds vote of all its members, in the case of a city having a city manager, with the approval of said city manager, and in the case of other cities, with the approval of the mayor, or the town by a two thirds vote at a regular or special town meeting, may transfer the care, custody, management and control of such land to the same or another board or officer of the city or town for another specific municipal purpose, any provision of general or special law to the contrary notwithstanding; provided, that no such transfer shall be valid if it is in violation of any term or condition of the title of the city or town to such land.

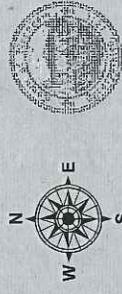
In any city or town which accepts the provisions of this paragraph, when land is being transferred for the purpose of constructing low and moderate income housing, the vote required of the city council or the town meeting shall be by a majority vote.

Town of Needham - Great Plain Avenue



Site Location Map

- Streams
- Wetlands, Needham
- Wetlands, MassDEP
- Parcel Lines



1 inch = 333 feet



All data is for display purposes only & should not be considered accurate or complete. The Town of Needham assumes no liability for misuse or alteration of this data.

MassDEP wetland data created at a scale of 1:12,000, based on images captured in 1993. Town wetlands and topography interpreted from imagery captured in 2009 with a photo scale of 1:9,600.

**Town of Needham
Conservation Commission**

2/14/2012

SEE SHEET 1

NW

301-6
MULLON
1916-261 EMBANKMENT TRAILING &
1989-332 OUTLAIN DEED
AREA = 4.07 ACRES

301-6
MULLON REALTY TRUST
4322-266 & 4346-1
AREA = 6.81 ACRES

ROUTE 128 INTERSTATE 95
(Northbound)



TOP OF SEDIMENT

LOADING UNITS OF MALE 21 AREA STATE
BROWNS LANE MOBILITY ANNUAL

100' ± ALONG RIVER BANK
100' ± ALONG E. DITCH
100' ± ALONG RIVER BANK
100' ± ALONG RIVER BANK

CHARLES RIVER

TOWN LINE FOLLOWS THREAD OF CHARLES RIVER.
LINE DISTORTED FROM AERIAL PHOTO.

LEDHAM
DISHMAN



DATE	REVISIONS
	NIEBBIAN

TOPOGRAPHIC AND BOUNDARY SURVEY PLAN
GREAT PLAIN AVENUE

GREEN INTERNATIONAL AFFILIATES, INC.
CONSULTING ENGINEERS
WESTFORD, MASSACHUSETTS

SCALE	20	DATE	4/26/02	PROJECT NO.	10017.018
APPROVED:		DESIGNED BY:		DRAWN BY:	PAI
		CHECKED BY:	PAL	PLAN NO.	1
					OF 4

Board of Selectmen

AGENDA FACT SHEET for 4/24/2012

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. Status of Articles 4.18.2012

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:** _____

2012 Annual Town Meeting Status of Articles April 18, 2012

<u>Article</u>	<u>Title</u>	<u>Status</u>	<u>BOS Rec.</u>	<u>FC Rec.</u>	<u>BOS Member</u>
3	Establish Officials' Salaries		Adopt	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	Adopt	
7	Accept Chapter 73, Section 4 of the Acts of 1986		Adopt	Adopt	
8	Appropriate for Senior Corps		Adopt	Adopt	
9	Appropriate for Needham Property Tax Assistance Program		Adopt	Adopt	
10	Appropriate the FY 2013 Operating Budget		Adopt	Adopt	
11	Appropriate the FY 2013 RTS Enterprise Budget		Adopt	Adopt	
12	Appropriate the FY 2013 Sewer Enterprise Budget		Adopt	Adopt	
13	Appropriate the FY 2013 Water Enterprise Budget		Adopt	Adopt	
14	Continue Departmental Revolving Funds		Adopt	Adopt	
15	Authorization to Expend State funds for Public Ways		Adopt	Adopt	
16	Amend Zoning By-Law: Definition of a Structure			RATM	
17	Amend Zoning By-Law: Definitions	To be Withdrawn?		RATM	
18	Amend Zoning By-Law: Dimensional Regulations		Adopt	RATM	
19	Amend Zoning By-Law: Off-Street Parking Requirements		Adopt	RATM	
20	Amend General By-Law (fines)		Adopt	No position taken*	
21	Home Rule Petition - Off-Premises Sale of Alcohol			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	Adopt	
25	South Street Home/Charles River ARC	To be Withdrawn		RATM	
26	Heritage Project/Historical Inventory		Adopt	Adopt	
27	Town of Needham Historical Vital Records Preservation		Adopt	Adopt	
28	Appropriate to Community Preservation Fund		Adopt	Adopt	
29	Rescind Debt Authorization		Adopt	RATM	
30	Appropriate for General Fund Cash Capital	Amend		RATM	
31	Appropriate for Property Acquisition (37-39 Lincoln St.)		Adopt	Adopt	
32	Appropriate for Fire Ladder Truck		Adopt	Adopt	
33	Appropriate for Public Works Infrastructure Program		Adopt	Adopt	
34	Appropriate for DPW Complex Renovations	Amend		RATM	
35	Appropriate for RTS Enterprise Fund Cash Capital		Adopt	Adopt	
36	Appropriate for Sewer Enterprise Fund Cash Capital		Adopt	Adopt	
37	Appropriate for Water Enterprise Fund Cash Capital	Amend	Adopt	RATM	
38	Appropriate for Workers Compensation Reserve Fund		Adopt	Adopt	
39	Establish and Appropriate to Athletic Facility Improvement Fund		Adopt	Adopt	
40	Appropriate to Capital Improvement Fund	Amend		RATM	
41	Appropriate to Capital Facility Fund	Amend		RATM	
42	Omnibus				
	* There may be a financial impact, but it is not clearly quantifiable				

2012 SPECIAL TOWN MEETING STATUS OF ARTICLES APRIL 11, 2012

<u>Article</u>	<u>Title</u>	<u>Status</u>	<u>BOS Rec.</u>	<u>FC Rec.</u>	<u>BOS Member</u>
1	Fund Collective Bargaining Agreement - Police Union			RATM	
2	Fund Collective Bargaining Agreement - Police Superior Officers Assoc			RATM	
3	Amend the FY2012 Operating Budget	Amend		RATM	
4	Appropriate for Payment of Unpaid Bills of Prior Years		Adopt	RATM	
5	Amend Zoning By-Law - Description of Flood Plain Districts and Flood Plain Regulations		Adopt	RATM	
6	Amend Zoning By-Law - Uses in the New England Business Center District			RATM	
7	Change in Use and Conveyance of Real Property		Adopt	Adopt	
8	Appropriate for Property Acquisition		Adopt	Adopt	
9	Extinguish Sewer Easement - Nehoiden Street		Adopt	No position taken	
10	Appropriate to Workers Compensation Reserve Fund	Amend		RATM	
11	Appropriate to Capital Improvement Fund	Amend		RATM	
12	Appropriate for Capital Facility Fund	Amend		RATM	

Board of Selectmen

AGENDA FACT SHEET for 4/24/2012

Agenda Item: Greene's Field Play Structure

Presenter(s): Board Discussion

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Board will discuss the report of the Greene's Field Play Structure Working Group and the plan for the project moving forward.

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

Suggested Motion: That the Board accept the report of the Greene's Field Play Structure Working Group and endorse the proposed plan in concept.

3. BACK UP INFORMATION ATTACHED:

a. Greene's Field Play Structure Working Group Report and Recommendations

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Administrator	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

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

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

TO: Board of Selectmen
FROM: Greene's Field Play Structure Working Group
DATE: April 6, 2012
RE: Recommendation

The Greene's Field Play Structure Working Group was created by the Board of Selectmen at its meeting on April 26, 2011 to: evaluate the entire Greene's Field parcel and make recommendations relative to the alignment of the park, in consideration of use of the park for play, passive recreation, and youth sports, while evaluating options for replacing the play structure with one that is reminiscent of the iconic nature of the prior play structure, is aesthetically pleasing, is suitable for younger children, and is consistent with current standards for play structures.

Greene's Field is a 2.5 acre park bordered by Great Plain Avenue and Pickering Street. The park consists of areas for passive recreation, soccer, youth baseball, basketball, and a playground area. The Greene's Field Play Structure was installed in 1989, through a collaboration of the Needham Women's Club and other community organizations. At that time, the goal was to create a play space that would be iconic in the Town Center and make a statement that children were important to the community. Though originally intended for school-aged children, the playground became a favorite destination for pre-school families. The wooden structure was declared unsafe and removed in 2010.

The Committee met ten times since August 30, 2011. All meetings were posted, and agendas were listed on the Town's website. Some residents attended the initial meeting and shared ideas during a "blue sky" discussion. Those notes appear at the end of this report.

The Committee discussed the positive aspects of park, concerns about the park, and the general layout. The Committee came to the conclusion that the basic layout should remain the same, with three major areas: passive recreation, active sports, and playground. Identified improvements included the following:

Passive Recreation

- Create a welcome area
- Install benches and picnic tables
- Install a gazebo (tentative)
- Include gardens (Xeriscape)
- Repair drainage system
- Add a walking path to perimeter, working it safely around other park features
- Replace fencing along Warren Street backyards

Active sports & Recreation

- Apply an asphalt overlay on basketball court and install new backboards
- Install an irrigation system
- Renovate natural turf (possible sod rather than seed) and try to move the field to a higher level of maintenance when strong turf has grown in

- Renovate backstop and player bench area

Note: some of these recommendations are included in a future capital request under Athletic Field Master Plan.

Play Structure

The primary mission for the committee was to recommend how the former playground might be replaced. The Committee met with three vendors to learn about playground equipment. Individual members of the Committee visited a variety of playground sites, focusing on quality and play value, and reported back to committee. The Committee recommends the following design features:

- Greene's Field is an iconic park in the Town Center, and the design should be reflective of the Needham community.
- The structure should have a "nature" feel with natural colors.
- The structure should have features for two distinct age ranges – one that is challenging for younger children and that provides different options from other playgrounds for older children.
- Fencing should be installed around the perimeter of the playground area so that parents can sit and watch their children without fear of the children wandering into the Street.
- The plan should either retain existing trees in their existing location or relocate the trees on the site. The project should provide shade where possible.
- The structure should incorporate accessible features, meeting or exceeding ADA and AAB code requirements.
- A shade shelter or gazebo and picnic tables should be incorporated into the plan, along with benches throughout playground area.

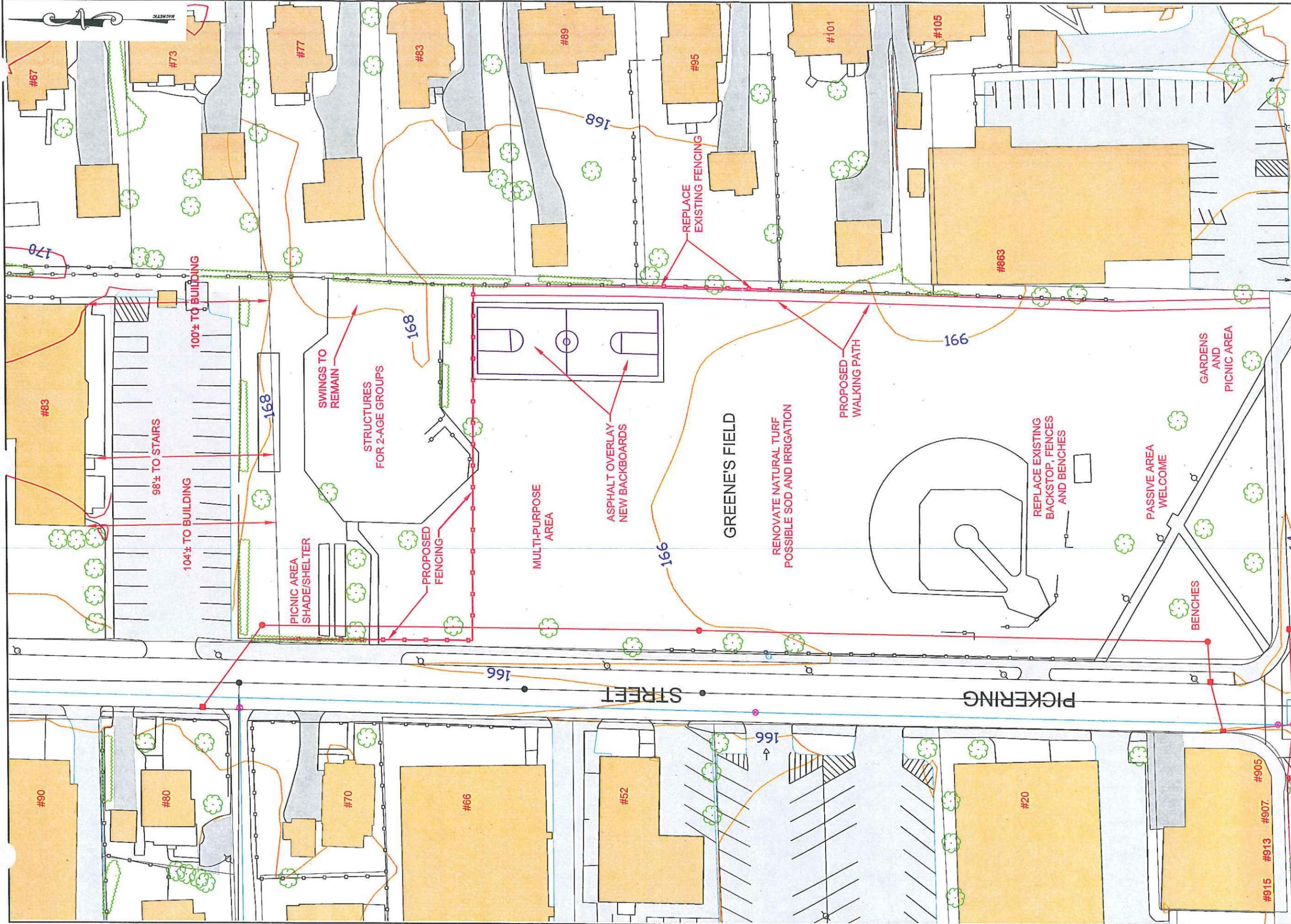
Financing

The Committee determined that approximately \$150,000 to \$175,000 will be required for equipment, installation, surfacing, fencing, benches, and picnic area features. Financing options include:

- Solely private financing – this option would require that the Town license the property to a non-profit organization and the accept the improvements made (similar to the Fields of Dreams project);
- A combination of private and public financing – this option would require the identification of funds and a Town Meeting appropriation to close the gap between donations and the final cost. This option would also require public procurement; and
- Solely public financing – this option would require identification of funds and Town Meeting appropriation to close the gap between donations and the final cost. This option would also require public procurement.

The Committee recommends that the volunteers who are interested in fundraising be given the opportunity to get started before a final decision is made on the financing plan.

The members of the Committee thank the Board for the opportunity to participate in this exciting project: John Bulian, Alison Borrelli, Larry Cohen, Greg Condon, Sally Dempsey, Dave DiCicco, Amy Franco, Rochelle Goldin, Mary Ann Pierce, Alison Rivers, Andrea Shorthose, Lois Sockol, and staff liaisons Ed Olsen, Patty Carey, and Nicole DiCicco.



Survey	XXX
Draft	TGS
Check	ALD
Job. No.	XXXXXX
Sheet	1 of X
Dwg. No.	

GREENE'S FIELD
 GREAT PLAIN AVENUE/PICKERING STREET
 SCALE: 1"=50'
 DATE: MARCH 28, 2012
 GREAT PLAIN AVENUE and PICKERING STREET
 NEEDHAM, MA

Prepared for: ENGINEERING DEPARTMENT
 DEPARTMENT OF PUBLIC WORKS
 NEEDHAM, MA 02492
 NEEDHAM DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 470 Dedham Avenue, Needham, MA 02492
 (781) 455-7538

DATE	REVISION	BY

DRAFT



Board of Selectmen

AGENDA FACT SHEET for 04/24/2012

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

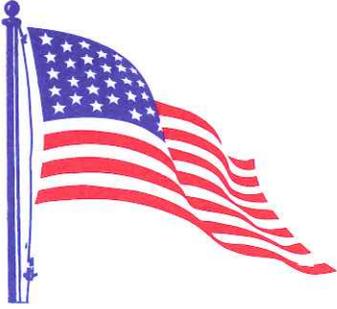
4. SIGN OFF/APPROVAL REQUIRED:

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:** _____



Needham 4th of July Celebration



AmSen K

April 17, 2012

SPONSORED BY THE EXCHANGE CLUB OF NEEDHAM, INC.

Kate Fitzpatrick, Town Manager
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Dear Kate,

Thank you in advance for your support of the Exchange Club and its endeavor to bring to Needham its traditional 4th of July celebration this year. We do plan on the fireworks display this year on July 3rd at Memorial Park. The rain date is July 7th.

Celebration activities will fall on Tuesday July 3rd and Wednesday July 4th and will include a Flag Raising on the Town Common, the Grand Parade, a 5K road race, the Crafts Fair/Flea Market, and athletic competitions for younger children,

A certificate of liability insurance with the Town of Needham will be provided.

With your permission we would like to initiate discussions with the DPW, Fire, Police, Park & Recreation, Public Facilities, Health, and any other departments in order to receive their support in ways that would enhance these days celebrating the birth of our country.

We would also like to place our customary signs announcing our event on the community signs as you enter the Town beginning the week prior to the events.

If you have any questions, please contact me at any time at 781-258-6402 or via email at smrcpa@gmail.com.

Looking forward to a wonderful celebration,

Steve Rosenstock
Needham Exchange Club
Fourth of July Committee

**Town of Needham
Board of Selectmen
Minutes for February 28, 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. Introduction of Firefighter:
Paul Buckley, Fire Chief appeared before the Board to introduce newly appointed Firefighter Edward Sullivan.

The Board welcomed Firefighter Sullivan. Mr. Matthews told Firefighter Sullivan he is the “face of the Town” as a first responder. Mr. Wasserman said everyone understands the difficulty of the work of firefighters and appreciates the work of all Town employees. Mr. Handel concurred with the comments made by the Board and wished Firefighter Sullivan well in his new position.

7:05 p.m. Public Hearing - NSTAR Petition for Central Avenue:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 5 feet of conduit at Pole 8/104 on Central Avenue, Needham.

**Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 5 feet of conduit at Pole 8/104 on Central Avenue, Needham. This work is necessary to provide underground electric service for a new structure at 829 Central Avenue.
Second: Mr. Matthews. Unanimously approved 4-0.**

7:08 p.m. Consent Agenda and Appointments:
Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda as presented.

- 1. Accept donation made to the Needham Health Department’s Gift of Warmth from the following: \$50 from Lindsay and Garth Greimann, 975 Memorial Drive Apt. 1108, Cambridge MA.**
- 2.* Approve minutes from February 14, 2012 meeting and February 14, 2012 Executive Session.**
- 3.* Approve One Day Special Wines and Malt Beverages Only license from Matt Borrelli of Citizens for Matt Borrelli to host a “Matt Borrelli for Selectmen Kickoff Party” on Friday, March 9, 2012 from 5:00 p.m. to 8:00 p.m. at The Village Club, 83 Morton Street, Needham.**

- 4.* Approve a request from the Needham Track Club to hold "The Great Bear Run" road race on Sunday, May 6, 2012 from 10:00AM to 2:45 PM on the grounds of the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
5. Accept \$50 donation made to the Needham Commission on Disabilities in honor of BJ Cataldo to thank her for her discussion with 4th graders on Learning Disabilities as part of the Broadmeadow Disability Awareness Program.
- 6.* Approve a request from the Middle School PTC & Needham SEPAC hold a walk on Saturday, April 28, 2012 from 11:00 a.m. to 12:00 p.m. on the grounds and in the area around the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
7. Support Youth Services' "Needham Unplugged" for the month of March including its annual no-meeting night which will be held on Thursday, March 15, 2012.
8. Grant permission for the Needham Business Association to use the Town Common and surrounding area for its Street Fair on Saturday, June 2, 2012 and Harvest Fair on Saturday, October 6, 2012. Permission includes any changes as recommended by the Needham Police Department.

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

7:10 p.m.

Rail Trail Update:

Tad Staley of the Bay Colony Rail Trail Project Committee appeared before the Board with an update on the status of the Committee's exploration of the concept of a three town shared use trail from Needham to Medfield.

Mr. Staley showed a presentation outlining the proposed Rail Trail and gave an overview of the 7 mile trail. Mr. Staley told the Board the MBTA is interested in leasing the corridor to the towns through which the trail travels at no cost. Mr. Staley said the goal of Rail Trail Project Committee is to build the trail at no cost to the Town and raise funds privately. He asked the Board authorize the Town Manager to submit a letter to the MBTA expressing interest in leasing the corridor.

Motion by Mr. Bulian that the Board authorize the Town Manager to send a letter to the MBTA expressing interest in exploring the possibility of entering into a lease agreement covering the unused rail corridor most recently operated by the Bay Colony Railroad.

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

7:30 p.m.

FY2011 Financial Audit:

Dave Davison, Assistant Town Manager/Director of Finance, Scott McIntire, Melanson Heath & Company, P.C., and Alina Korsak, Melanson Heath & Company P.C. appeared before the Board with an update on the recently

completed audit of the Town's general purpose financial statements for FY2011 and their recommendations.

Mr. McIntire said the audit went very well. He told the Board there were no disagreements on the application of generally accepted accounting principles. Mr. McIntire reviewed the Independent Auditors' Report and said the financial statements of the Town are in accordance with generally accepted accounting principles for government entities in the United States. Mr. McIntire noted the General Fund Unassigned Fund balance as of June 30, 2011 of \$8,864,000. He said the figure increased by over \$2,000,000 from the prior year and is driven by favorable results from the Overlay Account from FY2011. He commented the \$8,864,000 represents about 7.4% of the General Fund Expenditures and is a key indicator for rating agencies. Mr. McIntire commented on the recommendations and said there were areas that needed minor adjustments including dealing with ambulance receivables, water receivables, and reconciling withholding liabilities with subsequent disbursement of the money at year end. He also recommends clearing reconciling items on a monthly basis, monitoring the police detail deficit, and clearing cash reconciliation items. Mr. McIntire noted none of the items are "material" to the Town, but important enough to bring to the attention of management and the Board.

The Board thanked Mr. Davison and Mr. McIntire for their work and thorough job in preparing the audit information.

8:00 p.m.

DPW Director:

Kate Fitzpatrick, Town Manager noted Mr. Merson's 40th anniversary working for the DPW and the Town of Needham. The Board congratulated Mr. Merson.

Rick Merson, DPW Director and Anthony Del Gaizo, Town Engineer appeared before the Board to discuss 3 items.

1. Order of Taking (Alteration) for a Town Way (Form 3) for Reservoir Street

Mr. Del Gaizo said Reservoir Street in the location directly in front of the existing Sewage Pumping Station at 274 Reservoir Street was favorably adopted by vote at the November 2011 Special Town Meeting. He said this meeting is the next step in the procedure for laying out and altering town ways where the Selectmen adopt the Order of Acceptance and have the Order recorded at the Registry of Deeds.

Motion by Mr. Wasserman that the Board vote to approve and sign the Order of Taking for Town Way (Form 3) for a portion of Reservoir Street. Second: Mr. Bulian. Unanimously approved 4-0.

2. Order of Taking (Discontinuance or Abandonment) for a Town Way (Form 3) for Eaton Square

Mr. Del Gaizo said the Order of Taking has to do with the proposed addition to Needham Cooperative Bank and the streetscape improvement of Eaton Square

located between Great Plain Avenue and Garden Street. Mr. Del Gaizo commented Town Meeting has voted favorably to discontinue and abandon Eaton Square as previously constructed and laid out by the Board of Selectmen at the November 2011 Special Town Meeting. He said this Order of Taking (Form 3) is the next step in the procedure for laying out abandoning and/or discontinuing Eaton Square.

Motion by Mr. Wasserman that the Board vote to approve and sign the Order of Taking for Town Way (Form 3) for abandonment and/or discontinuance of Eaton Square.

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

3. Grant of Drainage Easement – Jarvis Circle

Mr. Del Gaizo said the property owners of 54-56 Jarvis Circle (Lot 33) are currently in the process of developing a condominium complex at Jarvis Circle. He said the developer discovered that they could not find a recorded easement granted to the town for this existing drainage system. Mr. Del Gaizo commented the current owners have prepared plans and documents in order to formally grant the town easements for the benefit of maintaining, constructing, and repairing the drainage system. Mr. Del Gaizo recommends the Board accept the grant of easement.

Motion by Mr. Wasserman that the Board vote to approve and sign the Grant of Drainage Easement for 54-56 Jarvis Circle.

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

8:10 p.m.

Town Manager:

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

1. RTS Rate Setting

Ms. Fitzpatrick reminded the Board it held a public hearing on RTS rate proposal at the February 14, 2012 meeting. She said no further comment has been received and asked the Board approve the recommended rate structure.

Motion by Mr. Wasserman that the Board approve the rates as shown on attachment A, and further that the rates for the pay-to-throw bags be effective on April 1, 2012 and the scale rate be effective July 1, 2012.

Further move that the Board reaffirms and requires that the RTS sticker be affixed to the window of the vehicle for entrance into the RTS facility.

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

2. Annual Town Meeting Warrant

Ms. Fitzpatrick reviewed with the Board the draft Annual Town Meeting Warrant. She said the placeholder article for funding for a feasibility study for wireless master box system and removal of the fire box system has been removed from the

warrant. Based on information gathered from Wellesley, it was determined a cost analysis could be done in-house. Ms. Fitzpatrick asked Board members to let her know if they would like a special presentation on any of the articles prior to Town Meeting. She noted a document contained in the Selectmen packet that attempts to summarize the changes to the General By-law which are mostly technical in nature, but specifically mentioned the use regulation of the bow and arrow.

3. Special Town Meeting

Ms. Fitzpatrick reviewed a preliminary list of articles to be included in the May 14, 2012 Special Town Meeting Warrant. She said the Board is scheduled to open the warrant at its March 27, 2012 meeting.

8:15 p.m.

Board Discussion:

Mr. Handel told the Board the Council on Economic Advisors concluded its seminars with real estate owners and developers in the Highland Avenue corridor/Wexford Street area. He said there are some interesting perceptions and information about the kinds of things the Town can be doing from a regulatory and zoning perspective to enhance development in the area. He said more information is forthcoming.

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=>

8:20 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.

(Note: The meeting adjourned at 9:05 p.m.)

**Town of Needham
Board of Selectmen
Minutes for March 27, 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. Recognition of Needham High School Dance Team:
Dan Gutekanst, Superintendent of Schools and Micah Hauben, Director of Athletics appeared before the Board along with members of the Needham High School Dance Team. The Board offered its congratulations to the team, Head Coach Paula Callanan, and Assistant Coach Trish Masi. Mr. Handel pointed out the team captured its second state title in a row, danced during half-time at the division one super bowl, and at Gillette Stadium. A proclamation was read in recognition of the 2012 Needham Dance Team and its win at the Winter State Dance Championship, March 2012.
- 7:00 p.m. Consent Agenda and Appointments:
Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.

APPOINTMENTS

1. **Council of Economic Advisors Walter Collins – NBA representative**

CONSENT AGENDA *=Backup attached

- 1.* **Approve application for calendar year 2012 Sale of Second-Hand Articles from Above and Beyond Consignment, located at 1016 Great Plain Avenue.**
- 2.* **Water & Sewer Abatement Order #1139**
- 3.* **Special Sewer Assessment Order #588**
4. **Approve a donation of a used stand up freezer made to the Needham Park and Recreation Commission for the Rosemary Pool Complex from the Needham Community Council.**
- 5.* **Approve a revision of the Procedure for Designer Selection by Town Agencies to reflect current State procedures.**

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

- 7:00 p.m. Proclamation – National Health Week:
Emily Carroll, Needham Health Department, appeared before the Board. Mr. Handel read a proclamation declaring April 2-8, 2012 as National Public Health

Week, with a theme of “A Healthier America Begins Today: Join the Movement!” in Needham, Massachusetts.

Motion by Mr. Handel that the Board of Selectmen vote to sign a proclamation declaring April 2-8, 2012 to be National Public Health Week in Needham, Massachusetts.

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

7:10 p.m. Proclamation – Outstanding Work:
Mr. Handel read a proclamation from the Town of Needham awarded to Sandra J. Cincotta in recognition for her outstanding work in making Powers Hall a premier event and meeting space to be enjoyed by the Needham community. The Board congratulated Ms. Cincotta. Ms. Fitzpatrick commented on the many ways Ms. Cincotta has been instrumental in making Powers Hall a leading event space for the Town.

7:12 p.m. Public Hearing – Verizon and NSTAR Petition for Central Avenue:
Ellen Joy, Verizon representative appeared before the Board requesting permission to install an anchor and guy at existing Pole #8/76 on Central Avenue. This work is necessary to hold the pole safe.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from Verizon and NSTAR to install an anchor and guy at existing Pole #8/76 on Central Avenue. This work is necessary to hold the pole safe.

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

7:13 p.m. Public Hearing – Verizon and NSTAR Petition for Thorpe Road:
Ellen Joy, Verizon representative appeared before the Board requesting permission to install an anchor and guy at existing pole #145/5 on Thorpe Road. This work is necessary to remove a guy wire from a tree that is to be taken down.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from Verizon and NSTAR to install an anchor and guy at existing Pole #145/5 on Thorpe Road. This work is necessary to remove a guy wire from a tree that is being taken down.

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

7:14 p.m. Public Hearing – NSTAR Petition for Wayne Road:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 4 feet of conduit at Pole 343/10 on Wayne Road, Needham. This work is necessary to provide underground electric service for a new home at 47 Wayne Road.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 4 feet of conduit at Pole 343/10 on

**Wayne Road, Needham. This work is necessary to provide underground electric service for a new home at 47 Wayne Road.
Second: Mr. Wasserman. Unanimously approved 4-0.**

7:15 p.m. Public Hearing – NSTAR Petition for Glendale Road:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 4 feet of conduit at Pole 211/11 on Glendale Road, Needham. This work is necessary to provide underground electric service for a new home at 84 Glendale Road.

**Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 4 feet of conduit at Pole 211/11 on Glendale Road, Needham. This work is necessary to provide underground electric service for a new home at 84 Glendale Road.
Second: Mr. Wasserman. Unanimously approved 4-0.**

7:20 p.m. Babson College Scholarships:
Melissa Shaak, Director of Financial Aid, Babson College appeared before the Board to discuss scholarship recommendations to local residents from a fund made available to the Town of Needham from Babson College. Mr. Wasserman acknowledged the relationship the Town has with Babson College in providing scholarships to Needham residents. He stated the program has worked well and that Babson has been very generous with scholarships over the years. He thanked Ms. Shaak and Babson College. Ms. Shaak said it is a pleasure for Babson College to support Needham residents with scholarships.

Motion by Mr. Wasserman that the Board of Selectmen votes to award the Town of Needham Babson Scholarships to the following applicants:

Kelsey Bronski	Current sophomore
Lauren Confort	Current sophomore
Anthony Elian	Current sophomore
Susanna Kroll	Current sophomore
Flynn Lincoln	Current junior
Julia Salamone	Current first-year student (on leave spring 2012)
Nicholas Wong	Current first-year student
Matthew Leskanic	Enrolling at Babson Fall 2012

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

7:25 p.m. Department of Public Works:
Richard Merson, DPW Director and Tony Del Gaizo, Town Engineer appeared before the Board with 2 items to discuss:

1. DPW Projects Update

Mr. Merson provided the Board with a status of recently completed work, on-going activities, and upcoming work for the 2012 Construction Season, and projects currently in development. Mr. Merson referred to "DPW Project Report" dated March 27, 2012 and told the Board of recently completed work, on-going work, new work, and projects in the design phase.

Ms. Fitzpatrick highlighted the Highland Avenue water main replacement – Webster Street to Hunting Road/Gould Street and said the DPW is pushing completion of the project as the Town is aggressively pursuing funding for the reconstruction of the roadway.

2. Amendment of Street Permit Procedures and Regulations

Mr. Merson said the DPW is proposing revisions to the April 2, 2010 Street Permit Procedures and Regulations in order to address some of the program's administration issues. He outlined the key points of the changes to the document and mentioned a new category in the fee schedule relative to homeowners doing work on the public sidewalks in front of their homes. Mr. Del Gaizo said a new license fee will also go into effect for contractors.

Motion by Mr. Bulian that the Board vote to approve Street Permit Procedures & Regulations effective April 1, 2012.

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

7:35 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 5 items to discuss:

1. Determination of Unique Status/59 Lincoln Street and 89 School Street

Ms. Fitzpatrick said the Town has identified two parcels for acquisition that are proposed for funding in the May 14, 2012 Special Town Meeting Warrant. In accordance with M.G.L. c. 30B, she said a public procurement process is not required if the Board of Selectmen determines that advertising will not benefit the Town's interest because of the unique qualities of the parcel. Ms. Fitzpatrick asked the Board determine that advertising and procuring these parcels is not in the Town's interest because of the unique qualities of the parcels, noting possible expansion of the police and fire department in the future.

Mr. Bulian said he understands the motion simply makes a determination of unique status. He said he is not necessarily in agreement with the acquisition and wants to discuss the matter at a future Board meeting or public hearing.

Motion by Mr. Wasserman that the Board vote to determine that in the case of the proposed acquisition of 59 Lincoln Street and 89 School Street, advertising will not benefit the Town's interest because of the unique qualities of the location of the property needed. This determination is made

**on the basis that the property abuts the Police and Fire Station and will be used for future expansion of Police and Fire operations.
Second: Mr. Matthews. Unanimously approved 4-0.**

2. Conveyance of Land to Algonquin Gas Transmission, LLC
Ms. Fitzpatrick reminded the Board the November 8, 2010 Special Town Meeting voted to change the use of 375 square feet of land at Ridge Hill (near Mary Chilton Road) from conservation to municipal use and to authorize the sale of the land to Algonquin Gas. She said the action was taken because it was determined that Algonquin's existing data building was built on Town land. She said Special Town Meeting also voted to authorize a home rule petition to obtain Legislative approval for the sale of the land. Ms. Fitzpatrick said the Legislature approved the sale and in return Algonquin Gas provided a \$50,000 contribution to the Conservation Trust Fund of the Town.

**Motion by Mr. Wasserman that the Board of Selectmen execute the necessary deed to convey 375 sq. ft. of land off Mary Chilton Road to Algonquin Gas Transmission, LLC, as authorized by Chapter 164 of the Acts of 2011 of the General Court.
Second: Mr. Bulian. Unanimously approved 4-0.**

3. Accept and Refer Zoning Amendment
Ms. Fitzpatrick said the Planning Board has voted to place an article on the warrant for the May 14, 2012 Special Town Meeting Warrant as follows: Amend Zoning By-law; Description of Flood Plain Districts and Flood Plain District Regulations. She asked the Board accept the proposed amendment and refer the amendment back to the Planning Board for its review, hearing, and report.

**Motion by Mr. Bulian that the Board vote to accept the proposed zoning amendment and to refer the matter to the Planning Board for review, public hearing, and report.
Second: Mr. Wasserman. Unanimously approved 4-0.**

4. Open Special Town Meeting Warrant
Ms. Fitzpatrick reviewed a draft of the Special Town Meeting Warrant for the May 14, 2012 Special Town Meeting. She asked the Board to open the Special Town Meeting Warrant.

**Motion by Mr. Wasserman that the Board vote to call for a Special Town Meeting and open the warrant for the meeting to be held on May 14, 2012 at the Needham Town Hall.
Second: Mr. Bulian. Unanimously approved 4-0.**

5. Annual Town Meeting Articles
Ms. Fitzpatrick reviewed with the Board the revised Annual Town Meeting Warrant. She asked the Board consider including the following changes:

1. Amend Article 32 Change Ladder Truck from borrowing to cash
2. Amend Article 38 Appropriate \$125,000 to Workers Compensation Fund
3. Amend Article 39 Appropriate \$282,728 to Athletic Facility Improvement Fund
4. Delete Article 42 Stabilization Fund (at the Request of the Finance Committee)

Motion by Mr. Wasserman that the Board vote to approve the proposed changes to articles 32, 38, 39, and 42 in the 2012 Annual Town Meeting Warrant.

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

7:55 p.m.

Board Discussion:

1. Town Manager Performance Evaluation

Mr. Handel said in accordance with its policies, the Board of Selectmen prepares an annual performance evaluation of the Town Manager. He said each member of the Board completes an evaluation that are then compiled into a consensus evaluation document containing a numerical average for each point of evaluation and a summary of overall evaluation comments. The Board's policy, he said, calls for the overview to be released at a meeting of the Board of Selectmen. Mr. Handel commented the Town Manager Consensus Evaluation was superb.

Motion by Mr. Wasserman that the Board vote to approve the Town Manager Consensus Evaluation Overview Document dated March 27, 2012.

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

Mr. Wasserman commented he knows many Town Managers and Town Administrators, and said Ms. Fitzpatrick ranks among the top qualified Town Managers in the state of Massachusetts.

Mr. Bulian thanked Ms. Fitzpatrick for all of her work.

Mr. Matthews said Ms. Fitzpatrick does an outstanding job for the Town.

Mr. Handel thanked Ms. Fitzpatrick for all of her work.

2. Committee Reports

Mr. Matthews said he met with the Needham Minuteman sub-committee to discuss the annual budget and the capital development plan for the regional high school. He said on the operating side things appear to be in very good order. He said the facilities issues are somewhat harder because unanimous consent is required among all 16 districts. Mr. Wasserman said Needham's enrollment has increased at Minuteman because the school has improved. Mr. Wasserman said he is part of the building committee for the Minuteman School, and the first meeting was held in late February. He said the MSBA lengthened the amount of time the school has to do its feasibility study without losing their approval to support the school. Mr. Wasserman said topics under consideration include enrollment, programs, and construction. Mr. Wasserman discussed a possible timeline for design and construction of a new building.

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

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

8:00 p.m.

Adjourn:

Motion by Mr. Wasserman that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of March 27, 2012.

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

**Town of Needham
Board of Selectmen
Minutes for April 11, 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, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

Reorganization of the Board:

Tedi Eaton, Town Clerk, swore in the newly elected Officials- Mr. Handel, Mr. Bulian, and Mr. Borrelli.

The Board accepted nominations for re-organization of the Board of Selectmen:

Motion by Mr. Bulian that the Board of Selectmen vote to nominate Gerald A. Wasserman to serve as Chairman of the Town of Needham Board of Selectmen.

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

Motion by Mr. Bulian that the Board of Selectmen vote to nominate Daniel P. Matthews to serve as Vice-Chairman of the Town of Needham Board of Selectmen.

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

Motion by Mr. Matthews that the Board of Selectmen vote to nominate John A. Bulian to serve as Clerk of the Town of Needham Board of Selectmen.

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

The Board repositioned itself and Mr. Wasserman took his place as Chairman.

Motion by Mr. Matthews that the Board of Selectmen vote to approve the Schedule of Meetings for the year.

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

Motion by Mr. Bulian that the Board of Selectmen vote to appoint Sandy Cincotta to serve as Committee Secretary for the Town of Needham Board of Selectmen.

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

Motion by Mr. Bulian that the Board of Selectmen vote to appoint Mary Hunt to serve as Recording Secretary for the Town of Needham Board of Selectmen.

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

Mr. Wasserman presented a plaque to Mr. Handel expressing the Town's appreciation for his dedicated service while serving as Chairman of the Board of Selectmen.

7:10 p.m.

Appointments and Consent Agenda:

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

APPOINTMENTS

1. Council of Economic Advisors Michael Wilcox (Major Tenant NEBC)
(term expires: 6/30/2013)

CONSENT AGENDA

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 25th and 50th 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, 119 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 100th 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.
14. Approve Special One Day All Alcoholic Beverages license for Charles Wright of the Needham Village Club Scholarship Committee to hold its annual Village Club Scholarship fundraiser from 7:00 p.m. to 11:45 p.m. on Saturday, April 21, 2012 at the Village Club, 83 Morton Street, Needham.

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

Mr. Wasserman said the Board has signed and will present a certificate to the Needham Knights of Columbus on the occasion of the organization's 100th anniversary.

7:10 p.m.

Proposed Zoning Amendments:

Lee Newman, Director of Planning and Community Development and Bruce Eisenhut, Chairman, Planning Board appeared before the Board providing background information on the proposed zoning amendments contained in the Annual and Special Town Meeting warrants. Ms. Newman said Article 16 in the Annual Town Meeting warrant is a Citizens' Petition seeking to amend the definition of the term "structure" by defining the deck area around a pool as structure. She said the Planning Board will continue its public hearing on the Article until April 23, 2012. Ms. Newman said Article 17 in the Annual Town Meeting warrant establishes a definition of a studio and attempts to address the discrepancy between the classes of professionals so that an artist can see clients within the house. Ms. Newman said the Planning Board has voted to support Article 17. Ms. Newman said Article 18 in the Annual Town Meeting warrant is a provision clarifying that if a lot that is conforming relative to its frontage or size is reduced and made non-conforming because of a public taking then it is given "grandfathered" protection. Additionally, Ms. Newman said a lot which has an existing structure that is made non-conforming through an action by a third party that affects the setback of the structure is also given "grandfathered" protection.

Ms. Newman said Article 19 of the Annual Town Meeting warrant is a “housekeeping” issue and an effort to clarify the by-law to match the historical practice of the Board. Ms. Newman said Article 5 of the Special Town Meeting warrant is to ensure the Town retains eligibility to provide citizens with insurance under the FEMA Flood Plain Program. She said the Article recognizes FEMA’s new Flood Plain maps and incorporates them through a direct reference into the Town’s by-law.

Mr. Wasserman thanked Ms. Newman for the presentation.

7:30 p.m.

Presentation by Citizens’ Petitioners

1. Citizens’ Petition – Pesticide Free Zone:

Susan Abbott appeared before the Board to 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. Ms. Abbott said using organic products used to be considered too troublesome and expensive is now considered a very healthy thing to do. She said the trustees of Beth Israel Hospital have agreed to maintain the lawns and gardens using organic products. She said the Town could be a model for what residents could and should be doing to maintain their property.

The Board suggested Ms. Abbott provide the final version of the wording of the Article before the Selectmen take it under consideration. Mr. Wasserman asked Ms. Abbott for more information concerning the cost of using organic products prior to the next Board of Selectmen meeting on April 24, 2012.

2. Citizens’ Petition – Citizens United:

Stacie Shapiro and Bob Smart appeared before the Board to discuss Article 23 of the Annual Town Meeting Warrant – a citizens’ petition concerning the Supreme Court’s decision in the Citizens United case. Mr. Smart said the Article has been rewritten since appearing on the Warrant. He stated the resolutions that are requested have stayed the same, but the “Whereas” clauses have changed. He said the resolution being proposed calls on State and Federal representatives to seek an amendment to the Constitution to overturn the Citizens United decision. Mr. Smart explained the Citizens United decision. He said the decision by the Supreme Court took away Congress’ power to treat corporations and unions differently from individuals in terms of campaign financing. The Supreme Court decision says Congress cannot regulate in this area. Mr. Smart said experience and common sense would suggest the expenditure of corporate and union treasury money has undue power to influence and corrupt the legislative process at all levels of government.

Mr. Wasserman asked Mr. Smart to comment on how the proposal affects Town Meeting and Needham. Mr. Smart said matters like this can come before Town Meeting for consideration, and that constitutional amendments do not come along very often.

Mr. Borrelli said he is troubled by the precedent it would set, but agrees it is up to Town Meeting to decide the issue. He said he is concerned about the Board of Selectmen weighing in on the issue and doesn't see the Needham connection at this time.

Mr. Handel noted it is not a partisan political issue and that there is a wide spectrum of political belief that supports addressing the issue.

Mr. Matthews said this is a case where the warrant is being rewritten and the Board will likely make a decision on how to proceed on April 24, 2012. He asked Mr. Smart finalize the Article and submit it to the Town Manager not later than April 20, 2012.

Mr. Wasserman commented this is something that has broad support, and is a local issue that will affect every level of government. He said the Board of Selectmen must decide whether they want to speak out about it or not. Mr. Wasserman thanked Mr. Smart and Ms. Shapiro for the presentation.

8:00

Town Manager:

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

1. Utility Bill Rate Credits

David Davison, ATM/Finance Director and Evelyn Pones, Town Treasurer/Collector discussed 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. Mr. Davison asked the Board for approval of a rate credit for residential accounts.

Motion by Mr. Bulian that the Board authorize 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 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

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

2. Initiate and Refer Zoning Amendment

Kate Fitzpatrick asked the Board to initiate a zoning amendment on behalf of Normandy GAP-V Needham, LLC and Normandy GAP-37A Needham, LLC 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. She said referral to the Planning Board at this time would allow for the inclusion of an article in the Special Town Meeting warrant.

Motion by Mr. Handel that the Board vote to initiate an amendment to the Zoning By-law to 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” and to refer the matter to the Planning Board for review, public hearing, and report.

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

3. Close Special Town Meeting Warrant

Motion by Mr. Bulian 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.

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

4. Annual and Special Town Meeting Articles

The Board took positions on Annual and Special Town Meeting Warrant Articles.

2012 Annual Town Meeting Warrant Articles:

Motion by Mr. Bulian that the Board vote to support Article 3 – Establish Officials’ Salaries in the Annual Town Meeting Warrant.

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

Article 4 – Defer Action

Article 5 – Defer Action

Motion by Mr. Handel that the Board vote to support Article 6 –Transfer of Budgetary Fund Balance in the Annual Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Board vote to support Article 7 – Accept Chapter 73, Section 4 of the Acts of 1986 in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 8 – Appropriate for Senior Corps in the Annual Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to support Article 9 – Appropriate for Needham Property Tax Assistance Program in the Annual Town Meeting Warrant.

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

**Motion by Mr. Bulian that the Board vote to support Article 10 –Appropriate the FY 2013 Operating Budget in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 11 – Appropriate the FY 2013 RTS Enterprise Budget in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 12 –Appropriate for FY 2013 Sewer Enterprise Budget in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 13 – Appropriate for FY 2013 Water Enterprise Budget in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 14 – Continue Departmental Revolving Funds in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 15 – Authorization to Expend State funds for Public Ways in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

Article 16 – Defer

Article 17- Defer

**Motion by Mr. Handel that the Board vote to support Article 18 – Amend Zoning By-Law: Dimensional Regulations in the Annual Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

**Motion by Mr. Handel that the Board vote to support Article 19 – Amend Zoning By-Law: Off-Street Parking Requirements in the Annual Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 20 – Amend General By-Law(fines) in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

Article 21 – Defer Action

Ms. Fitzpatrick suggested the Board may want to consider an emergency preamble and Mr. Wasserman asked for wording of the emergency preamble for the next Board meeting.

Article 22 – Defer Action

Article 23 – Defer Action

Motion by Mr. Handel that the Board vote to support Article 24 – Artifact Storage Upgrade/Needham Historical Society in the Annual Town Meeting Warrant.

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

Article 25 – To be withdrawn

Motion by Mr. Bulian that the Board vote to support Article 26 – Heritage Project/Historical Inventory in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 27 – Appropriate for Town of Needham Historical Vital Records Preservation in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 28 – Appropriate to Community Preservation Fund in the Annual Town Meeting Warrant.

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

Motion by Mr. Matthews that the Board vote to support Article 29 – Rescind Debt Authorization in the Annual Town Meeting Warrant.

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

Article 30 – Defer

Motion by Mr. Borrelli that the Board vote to support Article 31 – Appropriate for Property Acquisition (37-39 Lincoln Street) in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 32 – Appropriate for Fire Ladder Truck in the Annual Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to support Article 33 – Appropriate for Public Works Infrastructure Program in the Annual Town Meeting Warrant.

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

Article 34 – Defer Action

Ms. Fitzpatrick told the Board that an amendment will be presented at the next Board of Selectmen meeting on April 24, 2012.

Motion by Mr. Bulian that the Board vote to support Article 35 – Appropriate for RTS Enterprise Fund Cash Capital in the Annual Town Meeting Warrant.

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

**Motion by Mr. Bulian that the Board vote to support Article 36 – Appropriate for Sewer Enterprise Fund Cash Capital in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Handel that the Board vote to support Article 37 – Appropriate for Water Enterprise Fund Cash Capital in the Annual Town Meeting Warrant.
Second: Mr. Bulian. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 38 – Appropriate for Workers Compensation Reserve Fund in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Bulian that the Board vote to support Article 39 –Establish and Appropriate to Athletic Facility Improvement Fund in the Annual Town Meeting Warrant.
Second: Mr. Handel. Unanimously approved 5-0.**

Article 40 – Defer Action

Article 41 – Defer Action

Article 42 – No Action Required

2012 Special Town Meeting Warrant Articles

Article 1 – Defer Action

Article 2 – Defer Action

Article 3 – Defer Action

Motion by Mr. Handel that the Board vote to support Article 4 – Appropriate for Payment of Unpaid Bills for Prior Years in the Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 5 – Amend Zoning By-Law – Description of Flood Plain Districts and Flood Plain Regulations in the Special Town Meeting Warrant.

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

Article 6 – Defer Action

Motion by Mr. Handel that the Board vote to support Article 7 – Change in Use and Conveyance of Real Property in the Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 8 – Appropriate for Property Acquisition in the Special Town Meeting Warrant.

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

Mr. Bulian commented that while he is not opposed to acquiring the parcels of land included in the Article, he is concerned with the way acquisitions are being financed. He said the Town continues to add long term debt to the 3% levy, and feels the Board of Selectmen needs to adopt a policy for financing similar acquisitions. Mr. Wasserman said he agrees there must be a policy, but the two properties in question cannot be ignored for long term strategic planning.

Motion by Mr. Handel that the Board vote to support Article 9 – Extinguish Sewer Easement – Nehoiden Street in the Special Town Meeting Warrant.

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

Article 10 – Defer

Article 11 – Defer

Article 12 – Defer

9:00 p.m.

Board Discussion:

1. MBTA/Commuter Rail Service Delivery Reduction

The Board discussed 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. Ms. Fitzpatrick acknowledged the hard work done by the Board, the Transportation Committee and legislators in keeping Bus 59 as it plays a vital role in the lives of many residents. Mr. Creem, Transportation Committee Chairman said the MBTA Finance Committee voted to recommend to the full Advisory Board that service cuts are unacceptable and the MassDOT must come up with a better solution. Mr. Creem said it would not hurt for the Town of Needham to go on record and express its concern about Saturday service cuts. Mr. Matthews suggests the Town Manager draft a letter to the MBTA to address the situation to move it to a better solution.

2. Committee Reports

Mr. Bulian reported the PTC's of High Rock and Pollard Middle Schools are holding "Middle School Community Week" the week of April 23, 2012.

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=>

9:10 p.m.

Executive Session (Exceptions 3)

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

Second: Mr. Handel. Mr. Wasserman polled the Board. Unanimously approved 5-0.

(Note: The meeting adjourned at 9:25 p.m.)

**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)	Dyanne Flies Suzanne Leslie		
Event Manager Address	1155 Central Ave, Needham, Ma		
Event Manager Phone Number	02492		
Organization Representing (if applicable)	Newman School PTC		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input checked="" type="checkbox"/> Non-profit	<input type="checkbox"/> For profit	
	<input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Vegas Night		
Date of Event	5/4/12		
License is for Sale of:			
<input checked="" type="checkbox"/> Wines & Malt Beverages Only			
<input checked="" type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	5/4/12 6pm	TO: 5/4/12 midnight
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES	\$ 45/per ticket	<input type="checkbox"/> NO
		80 couple	
Is there an admission fee for this event?	<input checked="" type="checkbox"/> YES	\$ 45/per ticket	<input type="checkbox"/> NO
		80 couple	
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> 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.			
Masonic Hall 1101 Highland Ave, Needham, Ma			
Who will be serving the alcohol to your guests?	George McCabe 02492		
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.			
Purchase from bar.			
<input checked="" type="checkbox"/> 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:	Dyanne Flies		Date: 5/13/12



JOIN US FOR A NIGHT OUT IN VEGAS, BABY!

BLACK JACK, CRAPS AND POKER. SILENT AUCTION. RAFFLE.

**FRIDAY, MAY 4, 2012
7:30 - 11:30 PM**

MASONIC LODGE, 1101 HIGHLAND AVE, NEEDHAM, MA

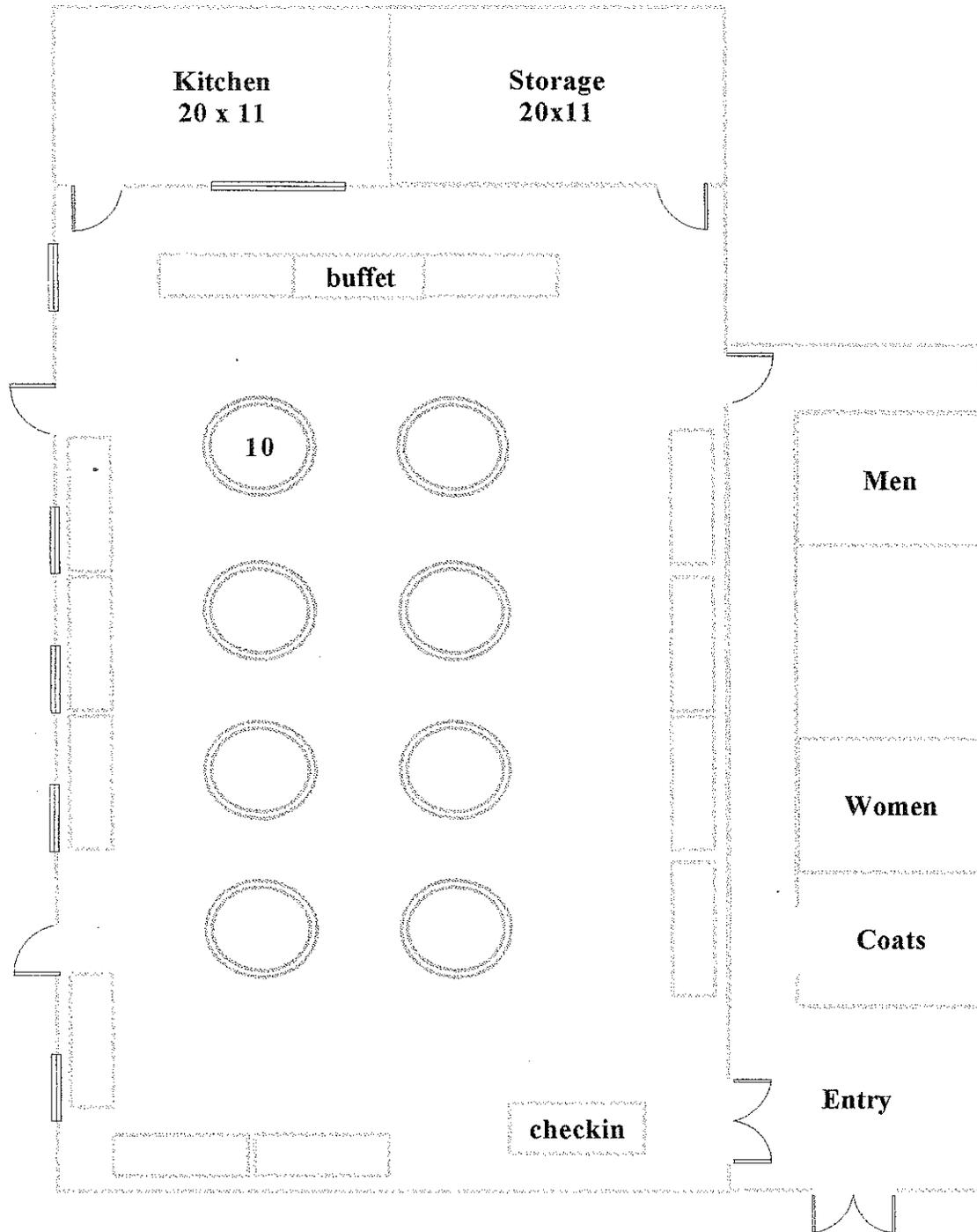
TICKETS ON SALE NOW AT WWW.NEWMANPTC.ORG

\$45 PER PERSON/\$80 PER COUPLE (INCLUDES CHIPS)

LIGHT HORS D'OEUVRES AND DESSERT WILL BE SERVED. CASH BAR.

ALL PROCEEDS WILL GO DIRECTLY TO SUPPORT THE NEWMAN PLAYGROUND.

Vegas Night at the Masonic Hall Needham, MA



Measurements are approximate



ID NO. 6383910

CARD NO. 8895810

ServSafe Alcohol[®] ADVANCED CERTIFICATE

GEORGE MCCABE

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

DATE OF EXAMINATION

3/19/2012



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

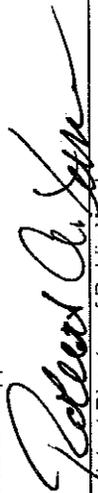
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

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:	\$317.25
Water Irrigation:	\$444.05
Water Service:	\$15.00
Sewer Sales:	\$748.35
Transfer Station Charges:	\$0.00
Total Abatement:	\$1,524.65

Order #: 1141

Read and Approved: 4/20/2012


Assistant Director of Public Works


Director of Public Works

For the Board of Selectmen

Date: 4/24/2012

Town of Needham
Water Sewer Billing System
Adjustment Form

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
VR	Reservitz	David	30385	2342	90	Morningside Rd	\$444.05	\$0.00	\$0.00	\$444.05	Equip	N
JO	Council on Aging							\$317.25	\$748.35	\$1,065.60		N
JO	Service Fee									\$15.00		N

Total: \$1,524.65

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