

BOARD OF SELECTMEN

March 22, 2016 5:30 p.m.

Needham Town Hall

Agenda

Note: Agenda subject to revision, start times are approximate and agenda items may be discussed at earlier or later times. No informal session will be held at this meeting.

1.	5:30	Executive Session Exception 3
2.	6:00	Babson College Scholarships • Melissa Shaak, Babson College
3.	6:15	Town Manager • Open Special Town Meeting Warrant • Non-essential Outdoor Water Use Restriction CY2016 • Approve Plan for Transfer of Jurisdiction of Land • Positions on Warrant Articles
4.	6:30	Public Hearing- Verizon Grant of Location: Kimball Street for Grant Street • Penny Kane, Right of Way Specialist
5.	6:35	Board Discussion • Close Food Truck Hearing
6.	6:45	Public Hearings – Marijuana Dispensary Letter of Support/Non – Opposition • Sage Cannabis, Inc. (6:45 – 7:15) • Massachusetts Patient Foundation, Inc. (7:15 – 7:45) • Medical Marijuana of Massachusetts, Inc. (7:45 – 8:15)

APPOINTMENTS

There are no appointments for this meeting.

CONSENT AGENDA *=Backup attached

1.*	Approve Employment Agreement between the Town and the Town Manager for the period May 6, 2016 through May 5, 2019.
2.*	Ratify a One Day Special Wines & Malt Beverages license request from Barry Goldemberg, of Restaurant Associates at TripAdvisor, who hosted an event for Mt. Ida Inclusive Design Symposium. The event was held on March 18, 2016 from 5:00 p.m. to 9:00 p.m. at TripAdvisor, 400 First Avenue, Needham.
3.	Accept a \$300 donation made to the Needham Health Department's Gift of Warmth Fund from FRIENDS of Needham Board of Health & Traveling Meals Program.
4.	Accept donations made to the Needham Cultural Council's NeedArts fund from the following people: \$30- Rozina Siddiqui, \$30- Bernice and Samuel Behar, \$30- Chia L. Chan, \$30- Nina Gurwitz, \$30- Nancy Walton, \$30- Robert Larson, \$30- Naomi Wilsey, \$30- Peter Goldberg, \$30 Susan Goldman, \$30- Elise Miller, \$30- Anne Nydam, \$30- Gail

	Fischer, \$30- Mary Hensley, \$30- Donna DeMaria, \$30- Amy Lassman, \$30- Judith Silverstein, \$30- Judith Ogilvie, \$30- Katherine Zola, \$30- Candace Sidner, \$30- Sheryl Scipione, \$30- Eva Demjen, \$30- Joanne Ellman, \$30- Sally Goldfard; \$30- Sylvia Quiroga, \$30- Nancy Present-Van Broekhoven, and \$30- Susan Patkin.				
5.*	Approve minutes of March 8, 2016 meeting.				
6.	Approve a request from the Sheraton Needham Hotel to extend its liquor license on April 23 until 1:00 a.m. for the Hungarian Ball event they are having at the hotel. The Police Department has approved this request.				
7.	Accept a \$100 donation made to the Needham Community Revitalization Trust fund from the Charles River Center.				
8.*	Water & Sewer Abatement #1214				
9.*	In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, adopt a revised classification and compensation plan for fiscal year 2016.				
10.	Grant permission for the following residents to hold block parties:				
Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Andrew Allen	955 Webster Street	900 Block of Webster Street	7/23/16	7/30/16	12PM-3PM



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Babson College Scholarships
Presenter(s)	Melissa Shaak, Director of Financial Aid, Babson College

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED																
The Board of Selectmen awards scholarships to local residents from a fund made available to the Town from Babson College. The number of scholarships and their size is determined by the Board of Selectmen and the Financial Aid Office of Babson College. Melissa Shaak and Moe Handel met recently and reviewed all the applications.																	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO														
<i>Suggested Motion:</i> That the Board of Selectmen votes to award the Town of Needham Babson Scholarships to the following applicants: <table><thead><tr><th><u>Current Recipients</u></th><th><u>Status</u></th></tr></thead><tbody><tr><td>Jordan Cohen</td><td>Senior expecting to graduate December 2016</td></tr><tr><td>Zachary Kohl</td><td>Current sophomore</td></tr><tr><th colspan="2"><u>New Applicants</u></th></tr><tr><td>Alicia Calcagni</td><td>Admitted to the Undergraduate Program for September 2016</td></tr><tr><td>Christine Cheung</td><td>Started Blended Learning MBA March 2016</td></tr><tr><td>John Farquharson</td><td>Started Evening MBA January 2016</td></tr></tbody></table>				<u>Current Recipients</u>	<u>Status</u>	Jordan Cohen	Senior expecting to graduate December 2016	Zachary Kohl	Current sophomore	<u>New Applicants</u>		Alicia Calcagni	Admitted to the Undergraduate Program for September 2016	Christine Cheung	Started Blended Learning MBA March 2016	John Farquharson	Started Evening MBA January 2016
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John Farquharson	Started Evening MBA January 2016																
3.	BACK UP INFORMATION ATTACHED	YES	NO														
a. Listing of Awards (confidential)																	



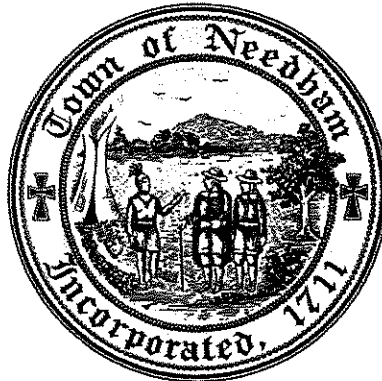
**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Open Special Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board is scheduled to open the warrant for the May 9, 2016 Special Town Meeting. The Warrant is scheduled to be closed on April 13th.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board vote to open the warrant for the May 9, 2016 Special Town Meeting.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Special Town Meeting Warrant dated 3.18.2016			

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, MAY 9, 2016

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

Additional information on particular warrant articles will be made available from time to time at www.needhamma.gov/townmeeting during the weeks leading up to the Special Town Meeting.

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

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

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

MONDAY, THE NINTH DAY OF MAY, 2016

At 7:30 in the afternoon, then and there to act upon the following articles, viz:

HUMAN RESOURCE ARTICLES

ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT – FIRE UNION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Fire Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2017; or take any other action relative thereto.

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

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

ARTICLE 2: FUND COLLECTIVE BARGAINING AGREEMENT – POLICE SUPERIOR OFFICERS' ASSOCIATION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Superior Officers' Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2016 and fiscal year 2017; or take any other action relative thereto.

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

Article Information:

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

FINANCE ARTICLES

ARTICLE 3: FIRE PRE-PLANNING INSPECTION PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$55,000 for a Fire Pre-Planning Inspection Program, to be spent under the direction of the Town Manager, and to meet this appropriation that \$55,000 be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This funding will enable the Fire Prevention Division to secure the services of an inspector to conduct pre-fire planning inspections of Town buildings, schools, and commercial establishments. Information gathered at these inspections - such as pictures, floor plans, hazardous material locations and amounts - will be entered into the public safety computer-aided dispatch database and will be readily accessible to emergency responders and dispatchers. Approximately 1,400 sites require information gathering and input, which will be completed over 2 to 2 ½ years.

ARTICLE 4: AMEND THE FY2016 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2016 Operating Budget adopted under Article 16 of the May 2015 Annual Town Meeting, and amended under Article 9 of the November 2, 2015 Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
27A	HHS Salary & Wages	\$1,186,457	\$1,148,360
27B	HHS Expenses	\$245,245	\$283,342

INSERTED BY: Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 5: APPROPRIATE FOR PAYMENT OF UNPAID BILLS OF PRIOR YEARS

To see if the Town will vote to raise and/or transfer and appropriate a sum for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, as follows, and that \$5,916 be transferred from Overlay Surplus; or take any other action relative thereto.

Department	Vendor	Description	Fiscal Year	Amount
DPW	Global Montello Group Corp	Fuel	2015	\$5,541
Public Facilities	East Coast Security Services, Inc.	Annunciator Programming	2014	\$375

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

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

GENERAL ARTICLES / CITIZENS' PETITIONS / COMMITTEE ARTICLES

ARTICLE 6: MINUTEMAN SCHOOL BONDING

To see if the Town will approve the amount of \$144,922,478 for the purpose of paying costs of designing, constructing and originally equipping a new district school, to be located at 758 Marrett Road, Lexington, Massachusetts, and for the payment of all other costs incidental and related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee. To meet this appropriation, the District is authorized to borrow said amount, under and pursuant to Chapter 71, Section 16(d) of the General Laws, and the District Agreement, as amended, or pursuant to any other enabling authority. The District acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA shall not exceed the lesser of (i) forty four and three quarters percent (44.75%) of eligible, approved Project costs, as determined by the MSBA, or (ii) the total maximum grant amount determined by the MSBA, and that the amount of borrowing authorized pursuant to this vote shall be

reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

CAPITAL ARTICLES

ARTICLE 7: APPROPRIATE FOR PROPERTY ACQUISITION

To see if the Town will vote to raise and/or transfer and appropriate \$762,500 for the acquisition of real property known as 609 Central Avenue (Assessors Map 108, Lot 11), and for associated costs, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and further that this is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 8: APPROPRIATE TO CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L. Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing)

systems of then existing capital facilities. The December 31, 2015 balance in the fund was \$1,309,428.

ARTICLE 9: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Explanation: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The December 31, 2015 balance in the fund was \$669,913.

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

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

Given into our hands at Needham aforesaid this 13th day of April, 2016.

MAURICE P. HANDEL, Chairman
MATTHEW D. BORRELLI, Vice Chairman
MARIANNE B. COOLEY, Clerk
DANIEL P. MATTHEWS
JOHN A. BULIAN

Selectmen of Needham

A TRUE COPY

Attest:

Constable:



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Non-essential Outdoor Water Use Restriction – Calendar Year 2016
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will recommend that the Board vote to maintain the two-day per week calendar-triggered non-essential water use restriction for calendar year 2016. Properties with even street numbers may water lawns (and perform other allowed non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on Mondays and Thursdays. Properties with odd street numbers may water lawns (and perform other non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on Tuesdays and Fridays. No lawn watering via sprinklers or automatic irrigations system is allowed on Saturday, Sunday or Wednesday. Watering of lawns, gardens, flowers and ornamental plants by means of a hand held hose is allowed at all hours during the restricted period.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Suggested Motion: that the Board vote to maintain the two-day per week calendar-triggered non-essential water use restriction for calendar year 2016.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Public Notice, Mandatory Odd/Even Non-essential Outdoor Water Use Restriction for Residential and Commercial Customers - Calendar Year 2016			



Public Notice

Mandatory ODD/EVEN Non-essential Outdoor Water Use Restriction

For Residential & Commercial Customers

The Town of Needham's mandatory non-essential outdoor water use restriction is effective May 1, 2016 through September 30, 2016. Non-essential water use is allowed two days per week before 9:00 a.m. and after 5:00 p.m. This restriction is in accordance with the Town's Department of Environmental Protection (DEP) Water Management Act Permit, and is in keeping with regional water conservation efforts.

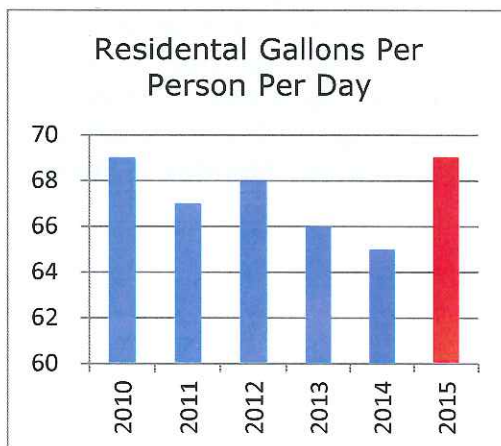
Odd/Even Outdoor Water Use Restriction

Properties with **even** street numbers may water lawns (and perform other allowed non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on **Mondays and Thursdays**.

Properties with **odd** street numbers may water lawns (and perform other non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on **Tuesdays and Fridays**.

No lawn watering via sprinklers or automatic irrigations system is allowed on Saturday, Sunday or Wednesday.

Watering of lawns, gardens, flowers and ornamental plants by means of a **hand held hose is allowed at all hours** during the restricted period.



The policy of the Commonwealth is to reduce residential water use to 65 gallons per person per day to ensure a sustainable drinking water supply and to protect natural resources and stream flow for aquatic life. Needham has been unable to consistently meet this requirement and residential use in Needham increased to 69 gallons in 2015. Accordingly, the Town is seeking the cooperation of all residents in achieving the required standard. Failure to comply with the provisions of the mandatory restriction may result in a fine in accordance with Section 2.2.5.5 of the General By-laws.

April 1, 2016

In the event that the Massachusetts Drought Management Task Force declares a drought advisory (or higher), non-essential outdoor water use will be allowed only one day per week before 9:00 a.m. and after 5:00 p.m.

Non-essential outdoor water uses that are subject to the mandatory Odd/Even restriction are:

- Irrigation of lawns and landscaping via sprinklers or automatic irrigation systems;
- Washing of vehicles, except in a commercial car wash or as necessary for operator safety; and
- Washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply surface treatments such as paint, preservatives, stucco, pavement or cement.

The following uses are allowed while the mandatory restriction is in place:

- Watering of lawns, gardens, flowers and ornamental plants by means of a hand-held hose.
- Irrigation to establish a new lawn and new plantings during the months of May and September. Please contact the Town if you intend to do so, so that we may ensure you do not receive an enforcement notice.
- Irrigation of public parks and recreation fields by means of automatic sprinklers outside the hours of 9:00 a.m. and 5:00 p.m.

Water uses NOT subject to the mandatory restrictions are those required for health or safety reasons, by regulation, for the production of food and fiber, for the maintenance of livestock, or to meet the core functions of a business (e.g. irrigation by golf courses as necessary to maintain tees, greens, and limited fairway watering, or irrigation by plant nurseries as necessary to maintain stock).

Under typical weather conditions, lawns require only one inch of water per week to remain healthy. Further information about the mandatory water use restriction and on efforts to reduce outdoor water use is available at <http://needhamma.gov/waterrestriction>. Questions about the mandatory non-essential outdoor water restriction should be directed to the Department of Public Works, Water & Sewer Division at (781) 455-7550 – select option 2 then 1 on the automated telephone system - between 8:30 a.m. and 5:00 p.m., Monday – Friday or by email at dpwadmin@needhamma.gov.

The Town of Needham thanks you for your cooperation.

April 1, 2016



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Approve Plan for Transfer of Jurisdiction of Land
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board of Selectmen, Park and Recreation Commission, and School Committee held a joint meeting on February 9th to review and discuss potential options for the transfer of primary jurisdiction of certain parcels. The parties were in agreement on the proposal and each will take a vote on the proposed transfer and on the terms of the use of the parcels in the form of a Memorandum of Agreement. Articles to transfer the jurisdiction of the parcels are contained in the 2016 Annual Town Meeting Warrant. Prior to Town Meeting action, each board must also vote that the parcel is no longer needed for its original purpose.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Suggested Motions: Moved: That the Board of Selectmen determines that the following described properties under the control of this Board and held for general municipal purposes are no longer needed for that purpose and that notice of that determination be given to the Board of Selectmen under the provisions of G.L. chapter 40, section 15A. The properties are described as: - Greene’s Field (Assessors Map 50, Parcel 31.02), consisting of 2 acres more or less. - A portion of DeFazio Park (Assessors Map 302), consisting of 4.71 acres more or less beginning at a point on the southerly jurisdictional line of the Park & Recreation Commission, said point being 709.74’ distant from the easterly sideline of Dedham Avenue where an iron rod was set; thence running S45°15’46”E a distance of 518.63’; thence turning and running N07°06’51”E a distance of 299.99’; thence turning and running N12°37’43”E a distance of 195.50’; thence turning and running N17°28’38”E a distance of 468.62’ to an iron road set on the southerly sideline of the MBTA right of way; thence turning and running along said MBTA right of way S80°12’28”W a distance of 52.25’ to an iron rod set on the southerly sideline of said MBTA right of way; thence turning and running			



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

S43°45'08"W along said southerly jurisdictional line of the Park & Recreation Commission a distance of 777.36' to the point of beginning.

Moved: That the Board of Selectmen determines that the following described properties under the control of this board and held for general municipal purposes are no longer needed for that purpose and that notice of that determination be given to the Board of Selectmen under the provisions of G.L. chapter 40, section 15A. The properties are described as:

1. A portion of DeFazio Park (Assessors Map 302) consisting of 9 acres more or less, beginning at a point on the easterly sideline of Dedham Avenue where an iron rod was set adjacent to the entrance driveway to DeFazio Athletic Complex, said point being at the intersection of the southerly jurisdictional line of the Park & Recreation Commission and the easterly sideline of Dedham Avenue; thence running southerly along the sideline of Dedham Avenue S46°14'52"E a distance of 563.00'; thence turning and running N43°45'08"E a distance of 641.12'; thence turning and running N07°06'51"E a distance of 74.41'; thence turning and running N45°15'46"W a distance of 518.63'; thence turning and running S43°45'08"W along said southerly Park & Recreation Commission jurisdictional line a distance of 709.74' to the point of beginning.
2. A portion of DeFazio Park (Assessors Map 302) consisting of 0.27 acres more or less, beginning at a point on the easterly lot line of the DeFazio Complex lot 15.90 feet south of the intersection of said easterly lot line of the DeFazio Complex lot and the southerly Town of Needham Lease Line to the Golf Course where an iron pipe was found; thence running S 07°06'51" W a distance of 72.81'; thence turning and running S 04°14'32" W a distance of 21.72'; thence turning and running S 53°28'31" W a distance of 339.16'; thence turning and running N 43°45'08" E a distance of 409.47' to the point of beginning.
3. The property known as Owen's Farm and adjacent parcels (Assessors Map 310 parcel 3, and Assessors Map 108 parcels 5, 6, 7, 9, 10, and 27) consisting of 10.31 acres more or less.

Moved: That the Board of Selectmen approves and authorizes the chairman to sign the Agreement between the Board of Selectmen, School Committee and Park and Recreation Commission.

3.	BACK UP INFORMATION ATTACHED	YES	NO
	a. Memorandum of Understanding b. Maps of parcels under consideration for jurisdictional transfer c. M.G.L. c. 40 Section 15A		

AGREEMENT

This Agreement is by and between the Board of Selectmen of the Town of Needham ("Selectmen"), the School Committee of the Town of Needham ("School Committee") and the Park and Recreation Commission of the Town of Needham ("Park & Recreation Commission") collectively referred to as "the parties."

WHEREAS: The parties wish to ensure appropriate stewardship of all Town land; and

WHEREAS, the current primary jurisdiction of the parcels listed below is as follows: "Parcel 74" (Park & Recreation Commission), Daley Building Site (School Committee), 29 Glen Gary Road/Hillside School (School Committee), Nike Site (School Committee), Greene's Field (Selectmen), Owens Farm and adjacent parcels (Selectmen), and portions of DeFazio Park (School Committee, Selectmen and Park & Recreation Commission) and is more particularly described on Exhibit A; and

WHEREAS, the Selectmen, School Committee and Park & Recreation Commission seek to transfer primary jurisdiction of certain parcels amongst the three entities; and

WHEREAS, such transfers require a vote of two-thirds of Town Meeting (Mass. G.L. Ch. 40, §15A), and in the case of Parcel 74, a vote of two-thirds of each branch of the Massachusetts General Court (Mass. Const. Amend. Art. 49, as amended by Mass. Const. Amend. Art. 97); and

WHEREAS, the property at 29 Glen Gary Rod/Hillside School remains in active use by the School Committee, and the potential siting of a school at DeFazio Park will not occur for many years;

BE IT AGREED as follows:

1. The Hillside School will remain available for educational use and/or shared swing space related to capital projects in the Town until the School Committee by majority vote determines that said use is no longer required.
2. The portion of DeFazio Park transferred to the jurisdiction of the School Committee will remain in active use as a parking lot and ancillary uses associated with the DeFazio Field Complex under the management of the Park and Recreation Commission and Department until Town Meeting approves the funding for construction of a school on that site.
3. It is understood that a temporary construction lay down area will be necessary near/adjacent to the proposed school site, and the parties will cooperate to accommodate for the space(s) needed.
4. The Board of Selectmen will be mindful of the importance of the vegetated buffer contained on "Parcel 74" when contemplating changes in the use of that parcel.
5. The parties acknowledge and agree to consult with each other prior to undertaking any major construction or renovation to the parcels enumerated herein.
6. The provisions of this Agreement shall take effect upon the completion of the transfer of primary jurisdiction.

Witness our hands and seals this _____ day of _____ 2016.

Town of Needham

Board of Selectmen/Date

School Committee/Date

Park and Recreation Commission/Date

Exhibit A

Description of Jurisdiction Transfer

Parcel 74 on Greendale Avenue (Assessors' Map 57, Parcel 1), containing 11.7 +/- acres, from the Park and Recreation Commission to the Board of Selectmen for general municipal purposes. *(Note: the description and size of this parcel is subject to change upon the completion of an on-going property survey).*

29 Glen Gary Road/Hillside School (Assessors Map 102, Parcel 1) consisting of 24 +/- acres from the School Committee to the Board of Selectmen for general municipal purposes.

Nike Site (Assessors Map 306, Parcel 11), consisting of 19.1 +/- acres from the School Committee to the Board of Selectmen for general municipal purposes.

Daley Building Site (Assessors Map 70, Parcel 29), consisting of 40,232 s.f. +/-, from the School Committee to the Board of Selectmen for general municipal purposes.

Greene's Field (Assessors Map 50, Parcel 31.02), consisting of 2 +/- acres, from the Board of Selectmen to the Park and Recreation Commission for recreation purposes.

A Portion of DeFazio Park (Assessors Map 302), consisting of 4.71 +/- acres beginning at a point on the southerly jurisdictional line of the Park & Recreation Commission, said point being 709.74' distant from the easterly sideline of Dedham Avenue where an iron rod was set; thence running S45°15'46"E a distance of 518.63'; thence turning and running N07°06'51"E a distance of 299.99'; thence turning and running N12°37'43"E a distance of 195.50'; thence turning and running N17°28'38"E a distance of 468.62' to an iron rod set on the southerly sideline of the MBTA right of way; thence turning and running along said MBTA right of way S80°12'28"W a distance of 52.25' to an iron rod set on the southerly sideline of said MBTA right of way; thence turning and running S43°45'08"W along said southerly jurisdictional line of the Park & Recreation Commission a distance of 777.36' to the point of beginning, from the Board of Selectmen to the Park and Recreation Commission for recreational purposes.

A Portion of DeFazio Park (Assessors Map 302), consisting of 10.66 +/- acres beginning at a point on the easterly sideline of Dedham Avenue at the intersection of the southerly sideline of the MBTA right of way where an iron rod was set; thence running along said easterly sideline of Dedham Avenue S46°14'52"E a distance of 828.62' to an iron rod; thence turning and running N43°45'08"E along a jurisdictional line of the Park & Recreation Commission a distance of 1121.10' to a point on the southerly sideline of the MBTA right of way where an iron rod was set; thence turning and running along said MBTA right of way sideline S80°12'28"W a distance of 1394.52' to the point of beginning, from the School Committee to the Park and Recreation Commission for recreational purposes.

A Portion of DeFazio Park (Assessors Map 302), consisting of 9 +/- acres, beginning at a point on the easterly sideline of Dedham Avenue where an iron rod was set adjacent to the entrance driveway to DeFazio Athletic Complex, said point being at the intersection

of the southerly jurisdictional line of the Park & Recreation Commission and the easterly sideline of Dedham Avenue; thence running southerly along the sideline of Dedham Avenue S46°14'52"E a distance of 563.00'; thence turning and running N43°45'08"E a distance of 641.12'; thence turning and running N07°06'51"E a distance of 74.41'; thence turning and running N45°15'46"W a distance of 518.63'; thence turning and running S43°45'08"W along said southerly Park & Recreation Commission jurisdictional line a distance of 709.74' to the point of beginning, and a portion of DeFazio Park (Assessors Map 302) consisting of 0.27 acres more or less, beginning at a point on the easterly lot line of the DeFazio Complex lot 15.90 feet south of the intersection of said easterly lot line of the DeFazio Complex lot and the southerly Town of Needham Lease Line to the Golf Course where an iron pipe was found; thence running S 07°06'51" W a distance of 72.81'; thence turning and running S 04°14'32" W a distance of 21.72'; thence turning and running S 53°28'31" W a distance of 339.16'; thence turning and running N 43°45'08" E a distance of 409.47' to the point of beginning from the Board of Selectmen to the School Committee for educational purposes.

Property known as Owens Farm and adjacent parcels (Assessors Map 310 parcel 3, and Assessors Map 108 parcels 5, 6, 7, 9, 10, and 27) consisting of 10.31 +/- acres from the Board of Selectmen to the School Committee for educational purposes.

Town of Needham Massachusetts 2016 Land Swap Sites



WELLESLEY

NEWTON

BOSTON

DEDHAM

WESTWOOD

DOVER



Legend

- ★ Land Swap Properties
- Red Line
- State Route 1A
- State Route 1B
- State Route 1C
- Water Bodies
- Town Boundaries

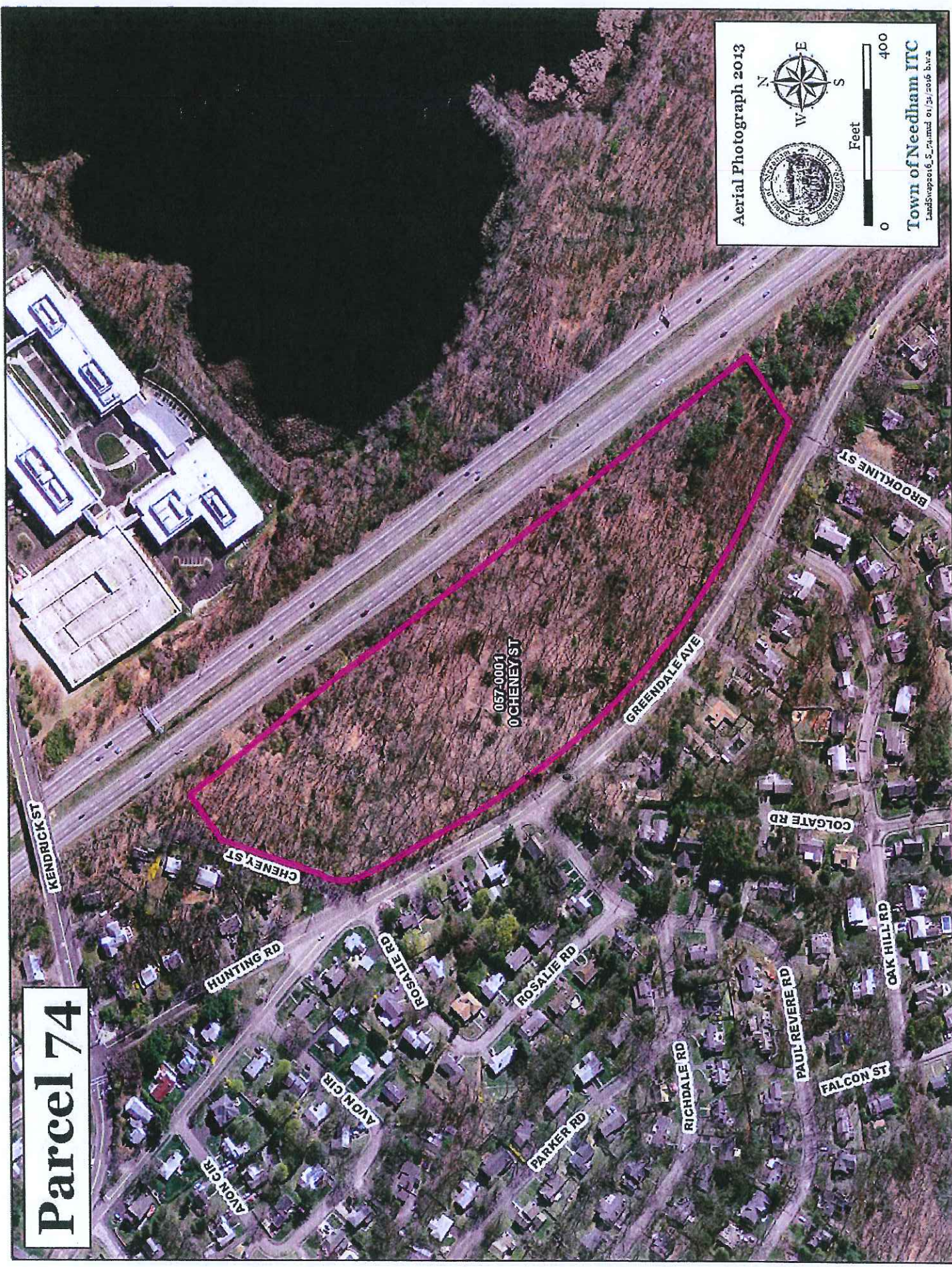
All data is for display and planning purposes only and is not intended to be used for legal or financial purposes. The Town of Needham warrants no liability for errors or omissions in this data.

This map was prepared by the Town of Needham and is not intended to be used for legal or financial purposes. The Town of Needham warrants no liability for errors or omissions in this data.

Town of Needham GIS
Information Technology Center
www.needhamma.gov/gis
781.326.7200

Project Manager: Kathleen M. Sullivan, GIS Analyst
Date: 11/14/2016

Parcel 74

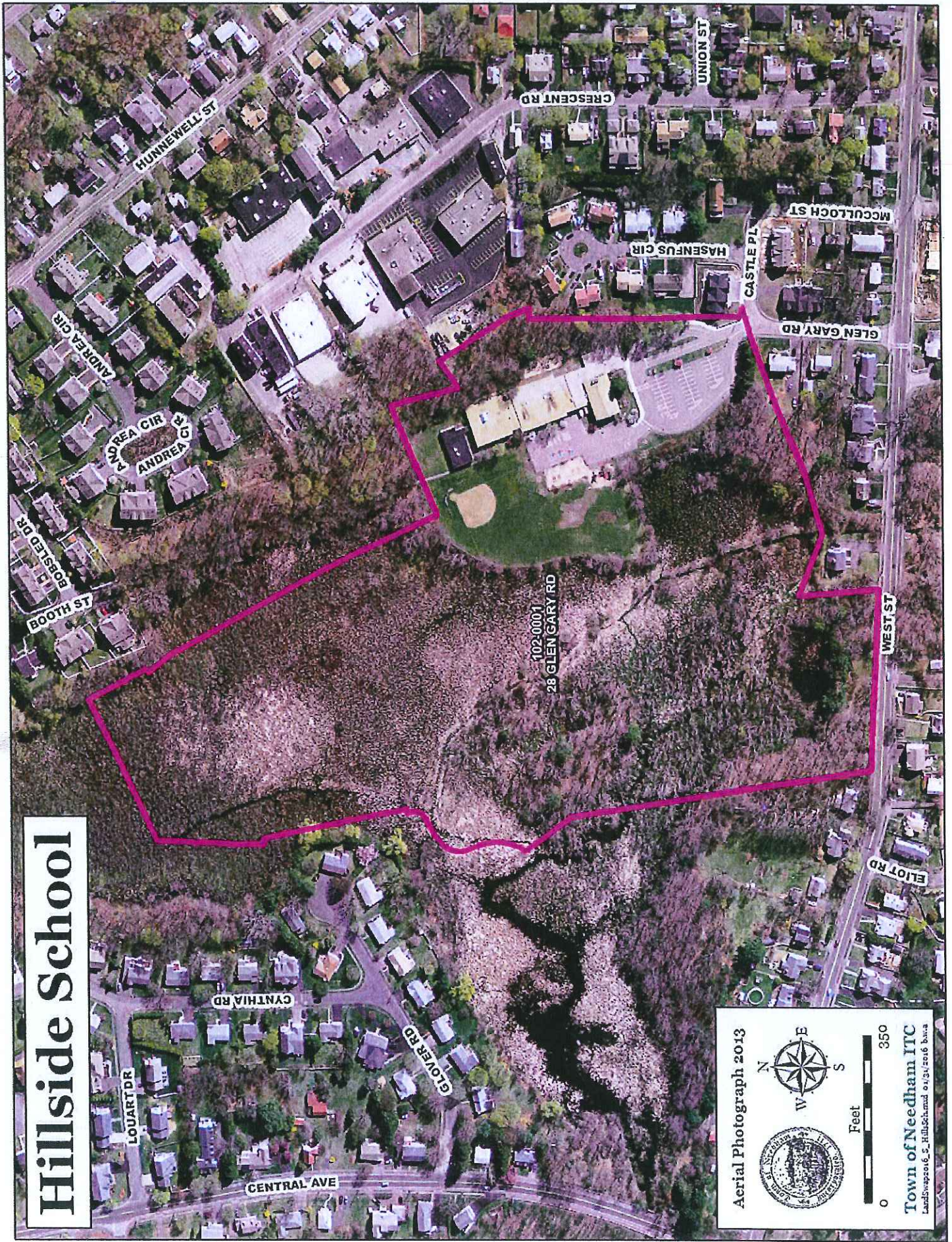


Aerial Photograph 2013



Town of Needham ITC
Landswapset S.74.mxd 01/31/2016 b.w.a

Hillside School



102-0001
28 GLEN GARY RD

Aerial Photograph 2013



0 350
Feet

Town of Needham ITC
Landwarp66.5, Hillside 01/24/2016 bva

Nike Site

306-0011
OF PINE ST

RIDGE HILL
RESERVATION

STARR RIDGE RD

CENTRAL AVE

CARLETON DR

PINE ST

CHARLES RIVER ST

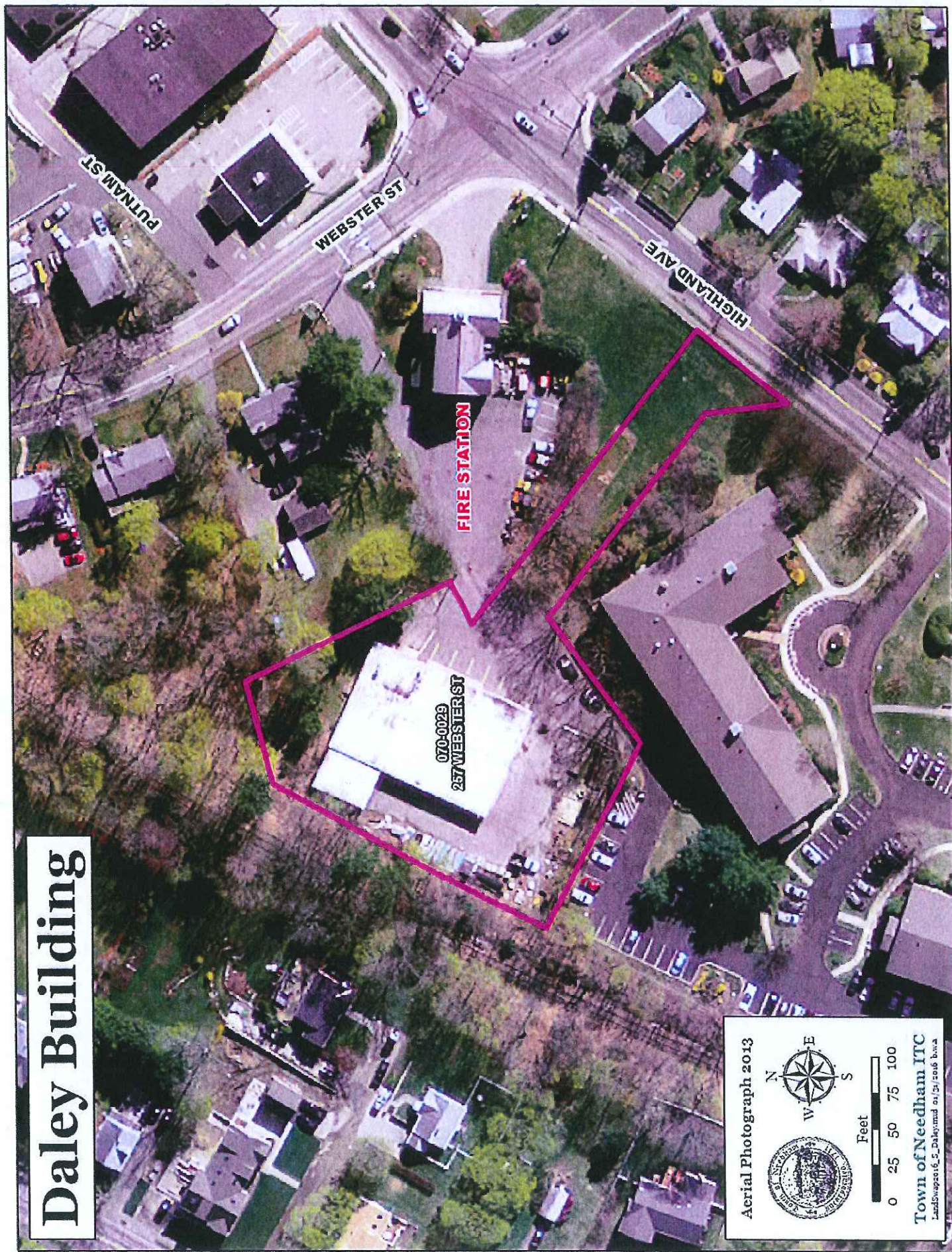
Aerial Photograph 2013



Feet
0 600

Town of Needham ITC
Lockdown 2016 5_Nike.mxd 01/31/2016 bwa

Daley Building



Aerial Photograph 2013



Feet
0 25 50 75 100

Town of Needham ITC
LastSwapped: 6_2_Daley.mxd on 04/26/2016 bwa

Greene's Field



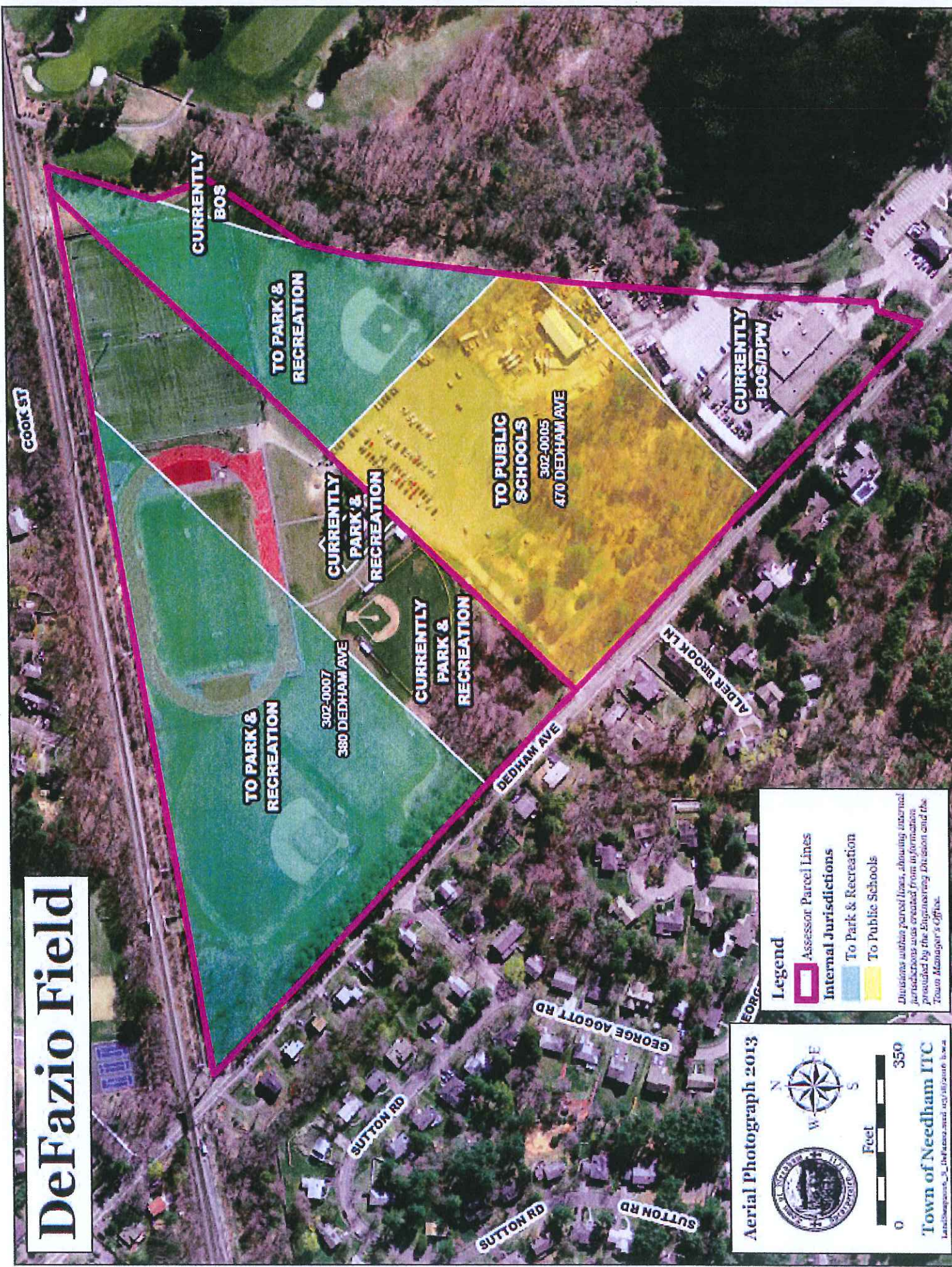
Aerial Photograph 2013



Feet
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Town of Needham ITC
LandUse0016_5_07Field.mxd 01/31/2016 b.w.a

DeFazio Field



Aerial Photograph 2013



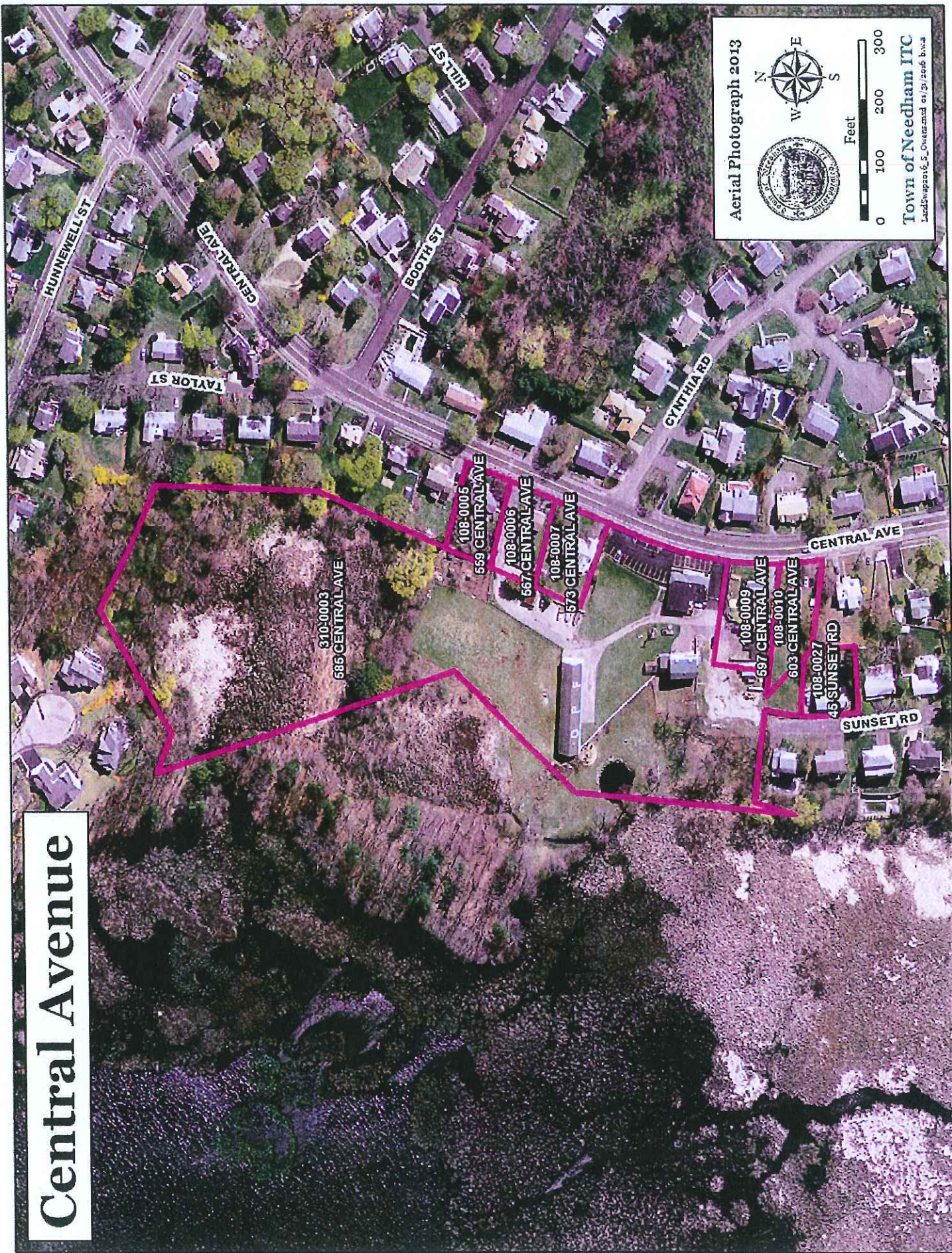
Town of Needham ITC

Legend

- Assessor Parcel Lines
- Internal Jurisdictions
 - To Park & Recreation
 - To Public Schools

Divisions within parcel lines, showing internal jurisdictions are created from information provided by the Engineering Division and the Town Manager's Office.

Central Avenue



Aerial Photograph 2013



Feet

0 100 200 300

Town of Needham ITC

LandSwap2016_S_Owners.mxd 01/21/2016 bwa



Print

PART I ADMINISTRATION OF THE GOVERNMENT**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.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Positions on Warrant Articles
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board will review articles contained in the Annual Town Meeting Warrant.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board vote to support (not to support) article _____ in the Annual Town Meeting Warrant.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Status of Articles (3.17.16) b. 2016 Annual Town Meeting Warrant Draft 3.18.2016			

Status of Articles 3.17.2016

#	Article	Status	BOS Position	FC Position	BOS	FC
1	Annual Town Election					
2	Committee And Officer Reports					
3	Establish Elected Officials' Salaries			Adopt	Dan	
4	Fund Collective Bargaining Agreement – Fire Union				Dan	
5	Fund Collective Bargaining Agreement – Police Superior Officers' Association				Dan	
6	Fund Collective Bargaining Agreement – Building Custodian and Tradesman Independent Association				Dan	
7	Accept Chapter 73, Section 4 of the Acts of 1986			Adopt	Moe	
8	Appropriate for Needham Property Tax Assistance Program			Adopt	Moe	
9	Appropriate for Senior Corps			Adopt	Moe	
10	Appropriate for Emergency Preparedness Program			Adopt	Marianne	
11	Appropriate for Public Facilities Maintenance Program			Adopt	John	
12	Appropriate the FY2017 Operating Budget			Adopt	Matt	
13	Appropriate the FY2017 RTS Enterprise Fund Budget			Adopt	John	
14	Appropriate the FY2017 Sewer Enterprise Fund Budget			Adopt	John	
15	Appropriate the FY2017 Water Enterprise Fund Budget			Adopt	John	
16	Continue Departmental Revolving Funds			Adopt	Matt	
17	Authorization to Expend State Funds for Public Ways			Adopt	Matt	
18	Amend Zoning By-Law – Mixed-Use Overlay District				Moe	
19	Amend Zoning By-Law – Map Change to Mixed-Use Overlay District				Moe	
20	Amend Zoning By-Law – Permitted Uses in New England Business Center District				Moe	
21	Amend Zoning By-Law – Maximum Building Bulk				John	
22	Amend Zoning By-Law – Special Permit Granting Authority in Center Business District				Moe	

Status of Articles 3.17.2016

23	Amend Zoning By-Law – Retaining Walls					Marianne	
24	Amend Zoning By-Law – Minimum Side and Rear Line Setbacks: Accessory Structures					Marianne	
25	Citizens Petition – Needham Town Meeting – Food Truck Article					John	
26	Amend General By-Law - Historic Demolition Delay				No position	Moe	
27	Amend General By-Law – Future School Needs Committee					Matt	
28	Accept Access Easement – Oak and Cypress				No position	John	
29	Transfer of Property for Municipal Use – Greendale Avenue	Amend				Dan	
30	Transfer of Property for Municipal Use – Hillside School, Daley Building & Nike Site					Dan	
31	Transfer of Property for Parkland Use – Greene’s Field & A Portion of DeFazio Park					Dan	
32	Transfer of Property for Recreational Use – A Portion of DeFazio Park					Dan	
33	Transfer of Property for Educational Use – A Portion of DeFazio Park & Central Avenue (“Owen’s Farm”)					Dan	
34	Home Rule Petition – Change in Use of Property on Greendale Avenue under Article 97	Amend				Dan	
35	Appropriate for Community Housing Specialist					Moe	
36	Appropriate for Memorial Field Drain Improvements					Matt	
37	Appropriate for Trail Improvements – Student Conservation					Matt	
38	Appropriate Transfer to Conservation Fund					Dan	
39	Appropriate for Rosemary Lake Sediment Removal Design					John	
40	Appropriate for Rosemary Recreation Complex Design					Matt	
41	Appropriate to Community Preservation Fund					Matt	
42	Rescind Debt Authorizations				Adopt	Matt	
43	Appropriate for General Fund Cash Capital					Matt	

Status of Articles 3.17.2016

44	Appropriate for Public Works Infrastructure Program					Marianne	
45	Appropriate for RTS Enterprise Fund Cash Capital				Adopt	Marianne	
46	Appropriate for RTS Fleet Replacement				Adopt	Marianne	
47	Appropriate for Sewer Enterprise Fund Cash Capital				Adopt	Marianne	
48	Appropriate for Water Enterprise Fund Cash Capital				Adopt	Marianne	
49	Appropriate to Athletic Facility Improvement Fund					Matt	
50	Appropriate to Debt Service Stabilization Fund					Matt	
51	Appropriate to Stabilization Fund					Marianne	
52	Omnibus					Matt	

TOWN OF NEEDHAM



DRAFT 3.18.2016

2016 ANNUAL TOWN MEETING WARRANT

Election: Tuesday, April 12, 2016

Business meeting: Monday, May 2, 2016

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 3.18.2016

Additional information on particular warrant articles will be made available from time to time at www.needhamma.gov/townmeeting during the weeks leading up to Annual Town Meeting.

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 12, 2016
TOWN OF NEEDHAM
COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

To either of the constables in the Town of Needham in said County. Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Needham qualified to vote in elections and in Town Affairs to meet in their respective voting places in said Town namely:

Precinct A	-	The Center at the Heights
Precinct B	-	The Center at the Heights
Precinct C	-	Newman School - Gymnasium
Precinct D	-	Newman School - Gymnasium
Precinct E	-	Broadmeadow School - Performance Center
Precinct F	-	Needham High School – Gymnasium
Precinct G	-	Needham High School – Gymnasium
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

Warrant for the Annual Town Meeting

Monday, May 2, 2016 at 7:30 p.m. at Needham Town Hall

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

HUMAN RESOURCE ARTICLES

ARTICLE 3: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2016, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$79,750
Town Clerk with 6 years of service in that position	\$96,500 (1)
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$6,755, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$53,574. The annual salary of \$96,500 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$9,928. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$13,900; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

PERSONNEL BOARD RECOMMENDS THAT: Article be Adopted

Article Information: In accordance with M.G.L. Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits close to that of other full-time employees. Payment for longevity, as well as buy-back of sick leave and vacation no later than the time of separation from Town service, is included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000; such payment to be made no later than the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

ARTICLE 4: FUND COLLECTIVE BARGAINING AGREEMENT – FIRE UNION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Fire Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2017; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

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

ARTICLE 5: FUND COLLECTIVE BARGAINING AGREEMENT – POLICE SUPERIOR OFFICERS' ASSOCIATION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the

Town and the Needham Police Superior Officers' Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2017; or take any other action relative thereto.

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

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

ARTICLE 6: FUND COLLECTIVE BARGAINING AGREEMENT – BUILDING CUSTODIAN AND TRADESMAN INDEPENDENT ASSOCIATION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Building Custodian and Tradesman Independent Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2016; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting
PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

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

FINANCE ARTICLES

ARTICLE 7: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986

To see if the Town will vote to accept, for fiscal year 2017, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 100% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid in the preceding

year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2016, the cumulative increase above the statutory limit was 100%.

ARTICLE 8: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$13,222 for the purpose of funding the Needham Property Tax Assistance Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$13,222 be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The voluntary fund received \$13,222 in fiscal year 2015.

DRAFT 3.18.2016

ARTICLE 9: APPROPRIATE FOR SENIOR CORPS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the Senior Corps program, said sum to be spent under the direction of the Town Manager and to meet this appropriation that \$15,000 be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid up to \$1,000 per year, which is applied to their property tax bills.

ARTICLE 10: APPROPRIATE FOR EMERGENCY PREPAREDNESS PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$70,000 for the purpose of funding an emergency preparedness program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$70,000 be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 11: APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$590,000 for the purpose of funding the Public Facilities Maintenance Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$400,000 be transferred from Free Cash and \$190,000 be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: *The Public Facilities Maintenance Program has been removed from the cash capital article given that the program supports maintenance activities, and many of the projects do not meet the definition of capital expenditure. The program includes annual maintenance of public buildings throughout the Town and School Department, including, but not limited to, asbestos abatement, duct cleaning, painting, and other repairs and necessary upgrades. Unless circumstances require otherwise, the FY2017 program will fund duct cleaning at the Hillside School, Public Services Administration Building, Library, and Eliot School, flooring replacement at the Broadmeadow and Pollard Schools, wood floor refinishing, renovation of two bathrooms, replacing seats in the auditorium and replacing lockers at the Pollard School, and Xeriscaping at Needham High School.*

ARTICLE 12: APPROPRIATE THE FY2017 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$70,000, from Free Cash in the amount of \$1,763,165, from the overlay surplus in the amount of \$500,000, from amounts reserved for debt exclusion offsets in the amount of \$93,445, and \$456,313 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 8 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted as Shown on **Pages X - X**

ARTICLE 13: APPROPRIATE THE FY2017 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2017, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**RTS Enterprise
FY2017**

Line #	Description	FY2015		FY2016		FY2017		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Salary & Wages	\$665,545	10.0	\$739,993	10.0	\$766,816	10.0	
101B	Expenses	\$1,204,176		\$1,153,651		\$1,200,969		
101C	Operating Capital	\$79,318		\$86,000		\$86,500		
101D	Debt Service	\$117,108		\$150,000		\$150,000		
102	Reserve Fund	Transfers Only		\$25,000		\$25,000		
TOTAL		\$2,066,147	10.0	\$2,154,644	10.0	\$2,229,285	10.0	
FY2017 Budget Percentage Change from FY2016 Budget								3.5%

and to meet this appropriation that \$1,420,000 be raised from the tax levy and transferred to the RTS Enterprise Fund, and that \$20,096 be transferred from RTS Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town of Needham provides residents with recycling and waste disposal services at the Town's Recycling Center and Transfer Station (RTS). The RTS is a residential drop-off facility with a pay-per-throw program. To use the RTS, residents must obtain a special sticker which is affixed to the windshield of the vehicle transporting recycling and/or trash into the RTS. Residents may purchase special bags for their non-recyclable trash disposal or may haul trash into the center and have it weighed before disposing, paying a fee. These fees combined cover some of the costs for operating the RTS. The RTS is one of the most utilized facilities within the Town - approximately 75% of Needham residents directly utilize the facility. The majority of the remaining 25% of Needham residents utilize the RTS through subscription hauler services. The RTS also provides disposal and recycling services for many Town departments along with material processing and snow dump services for the Department of Public Works. Additionally, the RTS provides a variety of other specialty recycling options for residents such as books, clothing, and many others.

FY2017 will be the third year with the new funding model for the Recycling and Transfer Station Enterprise, which now includes a higher contribution from the General Fund to offset the loss of revenue collected through the annual sticker fee that was paid by residents. This payment, along with pay-per-throw bags and other rubbish disposal fees and miscellaneous revenue, provides the funds to support and operate the center. The General Fund contribution of \$1,420,000 for FY2017 is the same as FY2016. Direct financing of the facility through the tax levy expands access to the facility, and recognizes the "public good" aspect of many of the recycling, yard waste, and waste ban item disposal services. The

contribution was held flat through the use of retained earnings, an increase in recycling revenue and pay-to-throw charges, and rental income from SolarCity the operator of the solar array on RTS property.

The recommended operating budget for FY2017 is \$2,229,285 or \$74,641 (3.5%) more than the FY2016 budget. The \$26,823 (3.6%) change in salary and wages line reflects the collective bargaining agreement for FY2017 with the Union. The RTS has 10 full-time employees, of which 8 are members of the NIPEA union. The \$47,318 (4.1%) increase in the expense line results primarily from higher cost for solid waste hauling and disposal (\$21,926); use of an outside service to grind wood waste due to the removal of wood grinder from service, which was offset in part by the expenses no longer incurred for repairs to the wood grinder (\$8,900); and rental of excavator annually for material moving (\$8,000). The balance of the increase is for various operational expenses that are higher due to contract prices, volume, and/or increased activity. The operating capital line is \$500 (0.6%) more than FY2016 and the funds are used to replace an open top trailer and roll-off containers. The open top trailer is used to haul trash to the waste to energy plant in Millbury. The roll-off containers are used by residents to drop off trash and recycling; these are part of an annual replacement schedule.

Debt service is level funded at \$150,000, and supports the debt capacity requirements to continue the current RTS operations. The reserve fund is level dollar as well for FY 2016.

The RTS also reimburses the General Fund for costs incurred and paid by the general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs.

ARTICLE 14: APPROPRIATE THE FY2017 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2017, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Sewer Enterprise

FY2017

Line #	Description	FY2015 Expended FTE	FY2016 Current Budget FTE	FY2017 Recommended FTE	Town Meeting Amendments
201A	Salary & Wages	\$930,174 12.0	\$987,170 12.0	\$1,019,922 12.0	
201B	Expenses	\$338,417	\$402,011	\$415,585	
201C	Capital Outlay	\$24,442	\$50,000	\$50,000	
201D	MWRA Assessment	\$5,466,144	\$5,462,757	\$5,718,107	
201E	Debt Service	\$1,338,092	\$1,500,000	\$1,500,000	
202	Reserve Fund Transfers Only		\$35,000	\$35,000	
	TOTAL	\$8,097,269 12.0	\$8,436,938 12.0	\$8,738,614 12.0	
FY2017 Budget Percentage Change from FY2016 Budget					3.6%

and to meet this appropriation that \$519,846 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and \$404,156 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

Article Information: This article funds the operation of the Town's sanitary sewer system. The Town's sewage collection system consists of more than 130 miles of collector and interceptor sewers, 6,500 sewer manholes, and nine sewer pump stations. The Town's sewer system is a collection system that discharges its wastewater to the Massachusetts Water Resources Authority (MWRA) system for treatment. Approximately 65% of the Town's sewer collection system is a gravity-only system, and 35% of the sewer system is pumped into the gravity system. Needham has two principal points of discharge into the MWRA system and nine other public locations where subdivisions discharge to the MWRA system. Personnel maintain and operate 22 sewer pumps, motors, switchgear, gates, valves, buildings, and grounds contained in nine pumping facilities located throughout town.

The Division also oversees the collection and transportation of Stormwater (drains program) originating from rain and snow storms for discharge into streams, brooks, rivers, ponds, lakes, flood plains and wetlands throughout town. Stormwater and associated discharges are now considered by the federal government as potentially contaminated, and have come under increasingly severe discharge performance standards. The intention is to reduce or eliminate contaminants contained in the flow washed from ground surfaces considered to be harmful to the environment.

The operating budget of \$8,738,614 for FY2017 is \$301,676 more than the current FY2016 budget, an increase of 3.6%. This increase is mainly due to the increase in the MWRA assessment for the Town's sewerage and wastewater disposal. The increase in the assessment represents nearly 86% of the total increase in the budget for FY2017. No new spending requests were presented with this budget. The Sewer Enterprise Fund budget includes the costs of the drains program because the daily work is performed by Enterprise Fund staff and operationally it is more effective to budget and monitor this work through the Sewer Enterprise Fund budget. However, the costs not associated with Sewer operations are funded by taxation and not by Sewer use fees. The table below provides a breakout between the sewer operations and the drains program to compare the budget change in the two operations from the current year.

Budget Line	FY2017 Sewer Operations	FY2017 Drains Program	FY2017 Recommended Budget	FY2016 Sewer Operations	FY2016 Drains Program	Current FY2016 Sewer Budget
Salary & Wages	\$650,739	\$369,183	\$1,019,922	\$634,673	\$352,497	\$987,170
Expenses	\$264,922	\$150,663	\$415,585	\$260,020	\$141,991	\$402,011
Capital Outlay	\$50,000	\$0	\$50,000	\$50,000	\$0	\$50,000
MWRA Assessment	\$5,718,107	\$0	\$5,718,107	\$5,462,757	\$0	\$5,462,757
Debt Service	\$1,500,000	\$0	\$1,500,000	\$1,500,000	\$0	\$1,500,000
Reserve Fund	\$35,000	\$0	\$35,000	\$35,000	\$0	\$35,000
Total	\$8,218,768	\$519,846	\$8,738,614	\$7,942,450	\$494,488	\$8,436,938
	FY2017 Sewer Operations \$ Change	FY2017 Drains Operations \$ Change	FY2017 Sewer Enterprise \$ Change	FY2017 Sewer Operations % Change	FY2017 Drains Operations % Change	FY2017 Sewer Enterprise % Change
Salary & Wages	\$16,066	\$16,686	\$32,752	2.5%	4.7%	3.3%
Expenses	\$4,902	\$8,672	\$13,574	1.9%	6.1%	3.4%
Capital Outlay	\$0	\$0	\$0	0.0%		0.0%
MWRA Assessment	\$255,350	\$0	\$255,350	4.7%		4.7%
Debt Service	\$0	\$0	\$0	0.0%		0.0%
Reserve Fund	\$0	\$0	\$0	0.0%		0.0%
Total	\$276,318	\$25,358	\$301,676	3.5%	5.1%	3.6%

The FY2017 Sewer operations portion of the budget is \$276,318 higher, an increase of 3.5% over the current year. The preliminary MWRA assessment for FY2017 is \$255,350 more than the current appropriation. The final assessment from the MWRA will be affected by the amount of sewer rate relief that is provided to the Authority by the Commonwealth, which will not be known until after the budget is voted by the Legislature and approved by the Governor. The FY2017 drains operations portion of the budget is \$25,358 (5.1%) more than the current year.

The salary and wages line is \$1,019,922 for FY2017 which is an increase of \$32,752 or 3.3%. The sewer division has 12 full-time employees of which 11 are members of the NIPEA union. The Town and the Union have a collective bargaining agreement in place for FY2017. There is no increase in the number of funded positions.

The increase in expense line is due to inflationary, regulatory, and monitoring efforts. The expense line is \$415,585 which is \$13,574 or 3.4% more than the current year. The increase is primarily attributable to higher electric and natural gas costs. The cost per kWh is increasing and natural gas use is higher because of the new sewer pump station (Reservoir B) which opened last year. Most other expense changes were offsetting where an increase in one expense type was offset by a decrease in another expense.

The operating capital line is level funded at \$50,000 for FY2017. This budget line pays for grinder replacements and allows the department to continue its annual \$25,000 allocation for sewer pump and small power equipment replacement. The plan for FY2017 is the replacement of the Great Plain Avenue Pump Station grinder and replacement of pump (#2) at the West Street pump station.

The sewer debt service budget line is also level dollar at \$1,500,000 for FY2017, which is in keeping with the overall sewer capital infrastructure-funding plan for long term investments. The reserve fund is level dollar for FY2017. The budget plan for FY2017 includes the use of \$404,156 from sewer retained earnings. The \$519,846 to be transferred from the tax levy is to pay for drains-related programs.

The Sewer Enterprise Fund also reimburses the general fund for costs incurred and paid by General Fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Sewer Enterprise Fund budget is a self-supporting account. Sewer user fees and charges cover the cost of the sewer operations and the general fund payment supports the drains program.

ARTICLE 15: APPROPRIATE THE FY2017 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2017, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Water Enterprise
FY2017**

Line #	Description	FY2015		FY2016		FY2017		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Salary & Wages	\$1,049,485	16.0	\$1,105,680	16.0	\$1,134,686	16.0	
301B	Expenses	\$1,055,256		\$1,034,526		\$1,079,267		
301C	Capital Outlay	\$19,197		\$30,500		\$4,000		
301D	MWRA Assessment	\$1,193,697		\$1,012,962		\$1,043,468		
301E	Debt Service	\$1,545,746		\$1,550,000		\$1,550,000		
302	Reserve Fund Transfers Only			\$75,000		\$75,000		
TOTAL		\$4,863,381	16.0	\$4,808,668	16.0	\$4,886,421	16.0	
FY2017 Budget Percentage Change from FY2016 Budget								1.6%

or take any other action relative thereto.

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

Article Information: This article funds the Town's water system. The Town's water distribution system is a single service pressure zone system supplied by two sources. The Town's primary source of water is the Charles River Well Field which is able to produce up to 4.6 million gallons of water per day (the Town is registered for approximately 4.0 million gallons of water per day). The current water withdrawal permit from the Department of Environmental Protection (DEP) allows approximately 2.9 million gallons of water per day to be pumped. The Charles River Well Field consists of three groundwater-pumping stations. Needham's second water source is a connection to the Massachusetts Water Resources Authority (MWRA) surface water supply originating at the Quabbin Reservoir and delivered through the Metrowest Tunnel and the Hultman Aqueduct. This water is pumped into the Needham system at the St. Mary's Pumping Station located at the corner of St. Mary Street and Central Avenue. This supply is used when the Town's demand for water is greater than the local supply, and serves as a backup should the Town's wells need to be taken off-line. Water Division staff operate the water treatment plant and also operate, maintain, and repair the Town-wide water distribution system. The system is comprised of more than 135 miles of water mains, 1,166 public hydrants, 3,400 water gate valves, and 9,800 water service connections. This system supports approximately 14,100 installed meters.

The overall operating budget for FY2017 is \$77,753 (3.6%) more than the FY2016 budget. One of the contributing factors in the increase for FY2017 is the MWRA assessment for the Town's use of water. The MWRA bills the Town for actual water consumption in the calendar year preceding the new fiscal year; the FY2017 water assessment is based on CY2015 water use. The Town's use of MWRA water was up approximately 9% from the prior year. The preliminary water assessment for FY2017 is \$1,043,468 which is \$30,506 (3.0%) more than the assessment for FY2016. The final assessment from the MWRA is not expected until the end of the State budget process.

Water Production	2013	2014	2015
Water Production*	1,267.8	1,235.9	1,256.8
Water Production from MWRA	354.8	279.0	304.1
Water Production from Town Wells	913.0	956.9	952.7
Percentage from MWRA	28.0%	22.6%	24.2%
*millions of gallons			
Water meters replaced	945	1,224	1,153
Percentage of the total number of water meters in place for that year	6.7%	8.4%	7.8%

The salary and wage expense line shows an increase of \$29,006 (2.6%) over the FY2016 budget. The Enterprise Fund has 16 full time employees of which 13 are unionized. Twelve employees are members of the NIPEA union and one employee is a member of the ITWA union. The Town has collective bargaining agreements with both unions for FY2017. As with the RTS and Sewer enterprise budgets, there is no increase in the number of funded positions.

The Water Enterprise Fund expense line is \$44,741 higher than the current budget, approximately 4.3% more. The increase results from higher energy costs (\$33,533) increase in repairs and maintenance (\$14,500), other purchase of services (\$11,000), communications (\$8,600), and various other expenses (\$2,500). The increase was offset in part by reductions in professional and technical services (\$14,525), governmental charges (\$5,000), vehicle supplies (\$4,467), and other supplies (\$1,400). The higher energy costs are in electricity and natural gas for similar reasons as the Sewer Enterprise saw, higher charge for electricity for FY2017 and opening of the new pump station which converted from oil to natural gas. The cost for natural gas is less than the cost would have been if it new facility remained on oil heat. The increase costs for repairs include road trench repairs when water pipes are accessed by digging in the public way. Communication expenses are higher due to the increased rate charged to the Town for telemetering and emergency dialers. The reduction to the professional and technical expense and other supplies is based on contracts and anticipated demand for service. Vehicle supplies are lower due to much lower diesel and gasoline costs.

The operating capital amount of \$4,000 is \$26,500 (87%) less than budgeted for FY2016. The budget provides for a nominal power equipment replacement allowance. Debt service is level funded at \$1,550,000, which is based on approved projects, and is in keeping with the overall water capital infrastructure-funding plan for long term investments. The water reserve fund is level dollar for FY2017

The Water Enterprise Fund also reimburses the general fund for costs incurred and paid by general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Water Enterprise Fund budget is a self-supporting account. Water user fees and charges cover the entire cost of operations.

ARTICLE 16: CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2016:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2017 Budget
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,000
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation Program for COA	\$60,000
Water Conservation	DPW Director	Sale of Water Conservation Devices	Encourage Residential Water Conservation	\$10,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home Composting Bins	\$3,000
Youth Services Activities	Youth Services Director	Program Receipts	Costs related to Youth Service and Community Programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling Meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with Immunization and Educational Programs	\$25,000
School Transportation Program	School Committee	Fee-Based Transportation Program Receipts	Pupil and Other District-wide Transportation	\$819,000
Facility Activity Use	Director of Facility Operations	Fee-Based Facility Use	Community Facility Use	\$250,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in

any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.

ARTICLE 17: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Department of Transportation; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY2017 award amounts had not been released.

ZONING / LAND USE ARTICLES

ARTICLE 18: AMEND ZONING BY-LAW – MIXED-USE OVERLAY DISTRICT

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

(a) In Section 2.1, Classes of Districts, by adding a new Overlay District designation category as follows:

“MUOD - Mixed-Use Overlay District”

(b) In Section 3, Use Regulations, by inserting a new Subsection 3.14, Mixed-Use Overlay District, to read as follows:

“3.14 Mixed-Use Overlay District

3.14.1 Purpose of District

The purposes of the Mixed-Use Overlay District (hereinafter referred to as the “MUOD”) include but are not limited to:

- (a) Promoting a range and balance of land uses;
- (b) Facilitating integrated physical design and encouraging interaction among activities;
- (c) Permitting mixed use (commercial and residential) on individual development sites that are currently zoned within Mixed Use-128 and the northern Highland Commercial-128, i.e. the northern portion of Highland Commercial-128 abutting the Mixed Use-128 zoning district (hereinafter “the abutting Highland Commercial-128”);
- (d) Permitting mixed use (commercial and residential) within the area currently zoned Mixed Use-128

- and the abutting Highland Commercial-128;
- (e) Establishing controls which will facilitate responsible development while protecting the public interest by limiting the aggregate amount of development;
- (f) Permitting flexible development on individual lots;
- (g) Promoting site features and layouts conducive to a variety of uses;
- (h) Promoting a pedestrian-friendly living and working environment; and
- (i) Providing housing in Needham.

3.14.2 Scope of Authority

The MUOD is an overlay district superimposed on the Mixed Use-128 and the abutting Highland Commercial-128 District. All uses permitted by right or by Special Permit in the pertinent underlying zoning district shall be similarly permitted in the MUOD, subject to further provisions of this Section. Where the MUOD authorizes uses not otherwise allowed in the underlying district, specifically multifamily residential, the provisions of the MUOD shall control. The Planning Board shall be the Special Permit Granting Authority (“SPGA”) for every MSP (as defined below) and any other Special Permit required for development whether permitted by Special Permit in the underlying zoning district or in the MUOD. Nothing herein shall be construed to supersede the provisions of other overlay districts applicable in the MUOD, except as set forth herein.

3.14.3 Definitions

Concept Plan: An optional submittal for a Master Special Permit which provides a preliminary site plan for MUOD projects detailing the proposed character, uses, site layout, impacts and amenities. The requirements of the Concept Plan are set forth in the following sections.

Master Special Permit (“MSP”): The Special Permit that an applicant must obtain as a precondition to or in conjunction with obtaining any Site Plan Review approvals as provided in the Section 7.4 Site Plan Review.

Mixed-Use Project: Residential uses alone or in combination with retail, commercial, office, municipal, and/or service establishments, as may be approved by the Planning Board for the MUOD by issuance of the MSP.

Site Plan Review: The Site Plan Review that an applicant must obtain as part of approval for any MUOD project.

MUOD: The Mixed-Use Overlay District (“MUOD”) comprising the land presently part of the Mixed Use-128 District and the abutting Highland Commercial-128 District.

3.14.4 Approval Process

3.14.4.1 Overview

Prior to applying for a building permit for a MUOD project, the following review sequence is recommended.

- (a) Concept Plan at the discretion of applicant.
- (b) Master Special Permit application and MUOD Plan Review application.

The Planning Board shall promulgate and adopt rules and regulations governing applications in the MUOD. Such rules and regulations shall take effect upon their filing with the Town Clerk, and applications must be submitted on a form provided by the Planning Board and must be in accordance with those rules and regulations, as they may be amended from time to time.

After approval of the Site Plan, no structure previously approved by Site Plan Review may be used for a use different from that approved or changed structurally, and no exterior features may be changed, unless the Planning Board or its designee approves such changes in such manner as the Planning Board determines applicable.

3.14.4.2 Concept Plan

Prior to the application for approval of any MUOD project, a Concept Plan may be filed with the Planning Board for review at a scheduled public meeting or meetings. The Concept Plan shall generally define the proposed mixed use project's character, uses, site layout, impacts and amenities. The Planning Board shall provide written commentary regarding whether the Concept Plan is in compliance with the provisions of this MUOD. A Concept Plan submission, if chosen to be made by an applicant, at a minimum shall include:

- (a) A preliminary survey plan signed by a registered surveyor;
- (b) A preliminary site development plan (signed by a registered architect or other pertinent design/engineering professional) showing the location and footprint(s) of all proposed buildings, general site grading with finish floor elevations, parking locations and total spaces allocated, landscaping concepts, roads, walkways, egress and access roads, open space and wetlands;
- (c) A preliminary utilities plan showing the proposed location of all germane utilities such as water supply, sewer service, storm water, gas, electric and other germane and or similar utilities;
- (d) A preliminary subdivision plan, if applicable;
- (e) Proposed buildings as to location, use classification, general architectural design, and size; and
- (f) A zoning chart detailing uses and dimensional requirements (existing, required and proposed) including the need for special permits and/or waivers.

After review of the Concept Plan, the Planning Board shall provide written comments to the applicant regarding the consistency of the Concept Plan with the objectives and criteria of the MUOD. The Planning Board may, in its written comments, provide suggestions regarding any and all aspects of the Concept Plan. The Planning Board shall advise the applicant of the Planning Board's comments within sixty (60) days following submittal of the Concept Plan, unless such time is extended by written agreement of the Planning Board and the applicant. The comments of the Planning Board on the submitted Concept Plan shall be advisory in nature and shall be without binding effect on either the Planning Board or the applicant. Said comments shall not be subject to appeal.

3.14.4.3 Master Special Permit (MSP)

Every MUOD project must obtain a MSP issued by the SPGA. The purpose of the MSP is to specify the design, architectural character, site layout and improvements, traffic improvements, traffic impacts and their mitigation, adequate egress and access from and to the site, environmental impacts and their mitigation, specific locations and uses for buildings, public amenities, future division of the property, and other information required for the public and boards of the Town.

No MSP shall be granted unless the proposed project is in compliance with the performance standards set forth in Section 3.14.9.

A MSP shall govern all future development in a particular MUOD project. All construction and associated improvements must be in compliance with the MSP.

The applicant must supply the Planning Board with sufficient copies of the application for a MSP, along with all supporting documents and plans, as are necessary to provide to other local boards, agencies, and officials for review and comment.

Any proposed structure or improvement to the site must be in compliance with the MSP. Anyone seeking in the future to construct any structure, or make any improvement not approved by the MSP, or change to a different use from that approved by MSP, must apply to the Planning Board for approval of such changes in such manner as the Planning Board determines applicable. Such change or modification must meet all the performance standards then in effect.

3.14.4.4 Special Permit and Site Plan Review within the MUOD.

Within the MUOD, the uses permitted by right or by Special Permit in the pertinent underlying zoning district shall be similarly permitted in the MUOD, subject to further provisions of this Section.

In addition to the uses allowed by right or by special permit in the underlying zoning districts, the following residential uses are allowed by MUOD-MSP: multifamily dwellings (defined herein as four or more dwelling units) and multifamily dwellings above commercial uses in the MUOD. Single, two-family, or three family dwellings are not allowed.

MSP and other special permits must be obtained prior to or in conjunction with the Site Plan Review application. In subsequent applications seeking modifications to construct any structure, or make any improvement not approved by the MSP, or change to a different use from that approved by the MSP, those modifications must be obtained prior to or in conjunction with the application to modify the Site Plan Review decision.

The purpose of the Site Plan Review shall be to ensure that any proposed building and site improvements are in compliance with the MSP, the uses approved therein, efficient site flow and improvements, requisite traffic improvements and mitigation of project impacts, adequate egress and access from and to the project, mitigation of environmental impacts, and designation of specific locations and uses for buildings, structures and public amenities. Site Plan Review shall include the following components for review and approval: building design and elevations, directional signage, landscaping, lighting, parking, and compliance with the MSP. The application shall also be reviewed for compliance with performance standards set forth in Section 3.14.9 and with the specific conditions of the proposed MUOD MSP.

The Planning Board shall hold its hearing on a MSP, other special permits, and Site Plan Review application only after receipt of complete applications.

After approval of the Site Plan Review application, special permits (if applicable), and MUOD MSP, no structure previously approved may be changed to a different use or changed structurally, and no exterior features may be changed, unless the Planning Board or its designee approves such changes in such manner as the Planning Board determines applicable to the particular change.

3.14.5 Special Permit Decision Criteria

Any special permits required for uses and/or dimensional requirements in the underlying zoning districts shall be subject to the criteria set forth in other sections of this Zoning By-Law in regards to the granting of special permits.

When the application is for a MSP, the Planning Board shall consider, in addition to the criteria set forth in other sections of the Zoning By-Law with regard to the granting of special permits, whether the MUOD project complies with the use regulations, dimensional requirements and performance standards set forth herein. The MSP shall be granted in the MUOD by the Planning Board only upon the Board's written determination that the adverse effects, if any, of the proposed MUOD project will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the site

3.14.6 Special Permit Conditions

Where the Planning Board grants any special permit and/or MSP, the Board may impose additional reasonable conditions, safeguards and limitations on time and use, including but not limited to the following:

- (a) A phasing schedule for construction of each component part of the project which ensures integration of residential, nonresidential and municipal uses;
- (b) A demolition and construction schedule, including a construction traffic management plan;
- (c) Hours of operation, site maintenance, delivery and waste removal times and lighting schedule;
- (d) Recording of approved special permits, MSP, and Site Plan Review decision in the Norfolk Registry of Deeds, and if registered land, in the Norfolk Registry District of the Land Court prior to the issuance of any building permits.
- (e) All development shall be in compliance with plans approved in the MSP, other special permits and Site Plan Review decision and with all applicable federal, state, and local laws, rules and regulations and By-Laws.
- (f) If circumstances so warrant, with respect to a MSP, continued monitoring of off-site impacts to traffic and the environment in appropriate locations with regard to MUOD development; and
- (g) The Planning Board or its designated representative shall have the right to make inspections during the construction process at the applicant's expense.

3.14.7 Time Limit

Until such time as the MSP and Site Plan Review decision are issued for a MUOD project, and the appeal period following the Planning Board's decisions has expired with no appeal having been filed, or any filed appeal has been finally determined by a court of competent jurisdiction, the provisions of the underlying zoning shall solely govern the use and development of the property comprising the MUOD. At the time the MSP and Site Plan Review decisions are final, provided that the requirements of G.L. ch.40A, Section 6 paragraph 1 are met, the zoning of the MUOD shall apply. If an applicant has not made effective use of an issued MSP within two years of its issuance, then the MSP shall expire; provided, however, that the Planning Board may, upon application filed prior to such expiration, extend the MSP for one additional time period of up to three years. Nothing in this section is intended nor shall it be construed to affect the protections afforded special permits under G.L. ch.40A, Section 6.

3.14.8 Dimensional Requirements

The dimensional requirements of any MUOD project shall be governed by the dimensional requirements of the underlying zoning district(s) except as follows:

- (a) Height Limit: 70 feet and up to 84 feet by special permit, except within 350 feet of a river, in which event the building shall be limited in height to 54 feet.
- (b) Maximum Lot Coverage: 65%.

- (c) Minimum set back requirements from all lot boundaries shall be consistent with the setback requirements of the underlying district.
- (d) Maximum FAR: 3.0 (not to include parking garages or below grade parking).
- (e) As to residential units, parking shall be provided at 1.5 parking spaces per unit, except affordable units may be allowed to provide only 1 parking space per unit. Commercial development shall meet off-street parking requirements of the underlying district.
- (f) The Minimum Lot size for development for a MUOD project shall be two (2) acres.
- (g) Consistent with Section 4.9.3 of the Needham Zoning By-Law, the Planning Board by special permit may waive any applicable dimensional regulation, including the regulations noted above, by 25%. However, this ability to grant waivers shall not include the limits on height and/or lot size. The ability to grant waivers from the parking requirements for residential units shall be governed by the special permit provisions of Section 5.1.1.5 of the Needham Zoning By-Law.

3.14.9 Performance Standards

The development of a MUOD project in the MUOD shall comply with the following performance standards in lieu of those set forth elsewhere in the Zoning By-Law:

3.14.9.1 Residential Development

- (a) Residential Development Cap: In the MUOD district no more than 250 dwelling units shall be permitted.
- (b) At least 40% but not more than 70% of all dwelling units within any MUOD project shall be one-bedroom units.
- (c) At least 10% of all dwelling units shall be Affordable Units as defined below.

3.14.9.2 Landscaping

The applicant shall prepare a landscaping plan showing that the MUOD project will meet the landscaping requirements of the Needham Zoning By-Law and the following standards: promote the establishment, protection, and enhancement of the natural landscape; ensure appropriate use of plant material in new construction; preserve natural tree cover; and promote the inclusion of new tree planting in order to reduce visual blights, noise and glare, prevent soil erosion, reduce stormwater runoff, increase ground water discharge, create shade and reduce solar overheating.

3.14.9.3 Massing

Any buildings proposed for a MUOD project shall provide visual relief along the façade of each building.

Building design throughout a MUOD project shall include designs which promote visual relief by varying roof lines, height and other aesthetic features.

3.14.9.4 Screening and Buffer Requirements

A MUOD project shall provide an appropriate visual barrier between features of the MUOD project and public streets and abutting properties. Dumpsters, trash handling areas, mechanical equipment at ground level or roof top, service entrances, utility facilities for building operation, loading docks or spaces and similar components shall be subject to visual barrier as determined by the Planning Board.

3.14.9.5 Stormwater Management

The stormwater management system serving any MUOD project shall comply with all applicable federal, state and local laws, rules, regulations and By-Laws.

3.14.9.6 Roadways

In order to assure there is adequate access and egress for emergency vehicles and normal traffic expected in the Mixed-Use Project, and safe pedestrian access, the roadways serving the MUOD project shall comply with the Zoning By-Law. An applicant must demonstrate that the adequacy of the roadways providing access and egress to and from the MUOD project and within the site itself ensures safe vehicular and pedestrian traffic.

3.14.9.7 Parking and Loading Standards

An application for a MUOD MSP shall include a parking plan setting forth the number of parking spaces and loading areas, the location and design of same, including lighting and landscaping. If required by the Planning Board, the application shall also include a parking and loading study which support such plan. The required off street parking spaces may be accommodated by employing at-grade parking areas, parking garages or below grade parking areas. Further, podium parking, a form of below grade parking, shall be allowed if the parking structure is not more than 4 feet above finished grade and designed and/or landscaped in a manner that the Planning Board deems sufficient to properly buffer the podium parking structure from view.

3.14.9.8 Affordable Units

The following standards shall apply in the MUOD. All Mixed-Use Projects shall include Affordable Units; further at least 10% of the dwelling units shall be Affordable Units. The term "Affordable Unit" shall mean a dwelling unit reserved in perpetuity for rental or ownership by a household earning less than 80% of area median family income, and priced to conform with the standards of the Massachusetts Department of Housing and Community Development ("DHCD") for rental or ownership units set forth in 760 CMR56, as amended from time to time, in order that such Affordable Unit shall be included in the DHCD Subsidized Housing Inventory. Affordable Units shall be subject to the following conditions:

- (a) The Affordable Unit shall be affordable in perpetuity. A Deed restriction or other suitable restriction (hereinafter the "Restriction") shall assure this condition. The Restriction shall run with the land and, without limiting the foregoing, shall be structured to survive any and all foreclosures.
- (b) Where the Affordable Units are proposed for sale, the continuing enforcement of the Restriction through subsequent re-sales shall be the subject of a Monitoring Agreement.
- (c) The Restriction and Monitoring Agreement shall be drafted in compliance with State requirements, as amended from time to time, and guidelines promulgated thereunder. The Restriction and Monitoring Agreement shall be subject to the review and approval of Town Counsel prior to the issuance of a certificate of occupancy for any Affordable Unit.
- (d) The Affordable Unit shall conform to the standards of DHCD for inclusion in the DHCD Subsidized Housing Inventory.
- (e) A right of first refusal as to the sale of an Affordable Unit shall be granted to the Town or its designee for a period not less than 90 days after notice thereof.
- (f) Affordable Units shall satisfy the design and construction standards of the Local Initiative Program, as amended from time to time, with regard to distinguishability from market rate units.
- (g) Each Affordable Unit must be constructed and an occupancy permit obtained at the rate of at least one Affordable Unit for every nine market rate units.
- (h) In computing the number of required Affordable Units, any fraction of a unit must be rounded up, and the result shall be the number of Affordable Units to be required.

- (i) All required Affordable Units must be built within the MUOD project and not off-site.

3.14.10 Peer Review

The Planning Board, at the expense of the applicant and pursuant to M.G.L. Chapter 44, Section 53G, may engage qualified peer reviewers, including, but not limited to, traffic engineers, civil engineers, landscape architects, wetlands scientists, lighting technicians, and experts on impacts, to review all Concept Plans, special permit applications, MSP, and Site Plan Review applications.

3.14.11 Rules and Regulations

The Planning Board shall adopt rules and regulations for the implementation of this Section.

- (c) In Section 7.6 Planning Board Subsection 7.6.1 Special Permit Granting Authority, by inserting the words “3.14” between the words “3.10” and “4.2.4”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PLANNING BOARD RECOMMENDS THAT: **Article be Adopted**

Article Information: As part of its ongoing mission to evaluate Town-wide economic conditions and to make recommendations to promote and encourage new and existing businesses, the Council of Economic Advisors (“the CEA”) has been studying the implementation of a residential overlay in the Mixed-Use-128 and adjacent Highland Commercial-128 zoning districts in Needham Crossing, which overlay was first recommended in the Goody Clancy Zoning and Land Use Planning Study in 2001. To assure that any residential overlay proposal would, firstly, have in and of itself a positive fiscal impact and, secondly, have a positive economic impact on surrounding target areas, the CEA secured funding from the Massachusetts Housing Partnership and engaged the services of John Connery of Connery Associates to draft the required zoning article and to provide a formal fiscal analysis of its impact. After months of study, meetings with businesses, owners and residents in the area, and analysis, the recommended zoning approach was forwarded to the Board of Selectmen. Public hearings on the zoning proposal were held by the Planning Board in September of 2015. The article before you represents the zoning approach as recommended by the Planning Board for adoption of Town Meeting.

The zoning amendment establishes the purposes to be served by the Mixed-Use Overlay District including: permitting a mix of residential and commercial uses on the same site or within the District, establishing controls which will facilitate responsible development while protecting the Town’s fiscal and other interests, permitting flexible development on individual lots, and providing additional housing. The amendment sets out the procedure for seeking a Master Special Permit from the Planning Board in the Overlay and establishes specific special permit and site plan review requirements.

Based on fiscal projections, the amendment would allow for the establishment of a Mixed-Use Overlay District in which up to 250 units of residential units in the Overlay would be permitted. The number and makeup of the units was determined to provide a long-term sustainable positive tax base. Units in any project would be at least forty percent, but not more than seventy percent, one-bedroom. Ten percent of such housing would be affordable so that the Town would maintain the percentage required of its housing stock as affordable under the requirements of MGL Chapter 40B. Because the type of development most likely to provide a positive overall economic impact are larger residential facilities (on a somewhat

smaller scale than Charles River Landing), the zoning provides for a two-acre minimum lot size. Unlike Downtown residential development, the zoning plan does not recommend isolated smaller residential projects over commercial ones. Single family, two-family and three-family development are not allowed. The amendment also sets out the off-street parking requirement for the residential units—1.5 parking spaces per unit (except for affordable units which is 1 parking space per unit). Any commercial development within the project must meet the underlying zoning districts' parking requirements.

Most of the dimensional requirements of the underlying zoning districts are incorporated into the Overlay. The amendment permits the allowable Floor Area Ratio to be increased to 3.0 (not including parking garages or structures) in order to incent the residential development. Like the underlying zoning, the amendment permits the Planning Board to waive dimensional requirements (except height and/or lot size restrictions) up to 25% by special permit. The amendment also provides guidelines for landscaping, massing of buildings or structures, screening and buffer requirements, roadways for access and egress, parking and loading and storm water management. The Planning Board is also expressly authorized to engage a peer review consultant at the applicant's expense.

Because the Planning Board, CEA and study consultant have concluded future development of the Mixed Use-128 and adjacent Highland Commercial-128 zoning districts depends on Needham's ability to be responsive to the requirements of future development, they are recommending adoption of the Overlay. Providing sufficient multi-family housing for workers is necessary for the continuing development of our economic engine in Needham Crossing. Town Meeting has been supportive of the flexible zoning needed to incent businesses to locate in Needham Crossing and it has been successful. This is the next step.

ARTICLE 19: AMEND ZONING BY-LAW – MAP CHANGE TO MIXED-USE OVERLAY DISTRICT

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

- (a) Place in the Mixed-Use Overlay District all that land described under Article 3, paragraph 2 of the March 25, 2002 Special Town Meeting, superimposing that district over the existing Mixed-Use 128 District (MU-128), said description being as follows:

“Beginning at the point of intersection of the easterly sideline of the Circumferential State Highway Layout of 1953, and the centerline of the MBTA right-of-way thence running northeasterly by said centerline to a point with its intersection with the centerline of the Charles River, thence turning and running southeasterly by the centerline of the Charles River to its intersection with a line 100 ft. northerly and parallel to the northerly sideline of Highland Avenue, thence turning and running westerly by said parallel line to its intersection with the westerly most sideline of Highland Circle, thence turning and running by said centerline northwesterly and westerly to the point of intersection with a line 200 ft. northerly from and parallel to the northerly sideline of Highland Avenue, thence running westerly by said parallel line to a point of intersection with the easterly lot line of Lot 2, as shown on a plan recorded in the Norfolk County Registry of Deeds as Plan 1364 of 1988, thence running southerly by said lot line to a point, thence turning and running westerly by the southerly lot line of Lot 2 to the point of intersection with the easterly sideline of Brook Road thence continuing in the same direction of said lot line to the intersection of the line of the end of Brook Road at the easterly sideline of the Circumferential Highway Layout of 1953, thence northerly by said Highway Layout to the point of beginning.”

- (b) Place in the Mixed-Use Overlay District all that land described under Article 3, paragraph 3 of the March 25, 2002 Special Town Meeting, superimposing that district over the existing Highland Commercial -128 District (HC-128) located north of Highland Avenue, said description being as follows:

“Beginning at the point of intersection of the centerline of Highland Avenue and the easterly sideline of the Circumferential State Highway Layout of 1953, known as Route 128 (Interstate Route 95); thence running northerly along said sideline of the Circumferential State Highway to the point of intersection of said Circumferential Highway and the westerly projection of the southerly lot line at the end line of Brook Road of Lot 2 as shown on a plan recorded in the Norfolk County Registry of Deeds as Plan 1364 of 1988, thence running easterly by said projection and said southerly lot line of Lot 2 to a point, thence turning and running northerly by the easterly lot line of Lot 2 to a point of intersection with a line 200 ft. from a parallel to the northerly sideline of Highland Avenue, thence running easterly by said line 200 ft. from and parallel to the northerly sideline of Highland Avenue to the point of intersection of the southerly most centerline of Highland Circle, thence running easterly and southeasterly by said centerline of Highland Circle to the intersection with a line 100 ft. northerly from and parallel to the northerly sideline of Highland Avenue, thence running by said parallel line easterly to the centerline of the Charles River, thence running easterly by said centerline of the Charles River to the northerly centerline of Highland Avenue, thence running westerly by said centerline to the point of beginning.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting
PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information: This article describes the geographical boundaries of the new Mixed-Use Overlay District. The Mixed-Use Overlay District would include all land located in the Mixed-Use-128 (MU-128) District. The Mixed-Use-128 (MU-128) District is bounded by Route 128 to the west, the rear lot lines of properties on Highland Avenue to the south, the Charles River to the east, and the elevated rail line to the north. Also included in the Mixed-Use Overlay District is the portion of the Highland Commercial-128 (HC-128) District located north of Highland Avenue. The affected portion of the Highland Commercial-128 District includes all properties fronting on the north side of Highland Avenue between Route 128 and the Needham/Newton Town line. The district boundary typically follows the rear lot lines of properties along the north side of Highland Avenue to a depth of 200 feet.

ARTICLE 20: AMEND ZONING BY-LAW – PERMITTED USES IN NEW ENGLAND BUSINESS CENTER DISTRICT

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

- (a) Amend Section 3.2.4 Uses in the New England Business Center District, Subsection 3.2.4.1, Permitted Uses, by deleting from the first sentence of paragraph (j) the words “only” and “multi-story” so that the section shall now read as follows:

“(j) On the ground floor of a building, consumer and commercial service establishments dealing directly with the general public; business service centers; retail establishments; pharmacies (not affiliated with Group Practices as defined in Section 3.2.4.1, physical therapy, alternative medicine, wellness treatments such as acupuncture, yoga, chiropractic and/or nutrition services); day care uses (other than adult day care establishments requiring a special permit under Section 3.2.4.2 (b) hereof); indoor athletic and exercise facilities; and laundry and dry-cleaning pick-up stations where processing is done elsewhere. Except for day care uses and indoor athletic and exercise facilities, each business establishment shall be limited to 15,000 square feet of floor area.

- (b) Amend Section 3.2.4 Uses in the New England Business Center District, Subsection 3.2.4.2, Uses Permitted by Special Permit, by deleting from the first sentence of paragraph (f) the words “provided they are located on the ground floor of a multi-story building” and by adding a new sentence to the end of the section so that the entire section shall now read as follows (new language added):

“(f) Eat in or take-out restaurants or other eating establishments, including coffee shops. Further provided that drive-thru restaurants or other eating establishments are prohibited. Each eat in or take-out restaurant or other eating establishments, including coffee shops, shall be limited to 15,000 square feet of floor area.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 21: AMEND ZONING BY-LAW – MAXIMUM BUILDING BULK

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

- (a) Amend Section 4.4, Dimensional Requirements for Commercial Districts, Subsection 4.4.2, Maximum Building Bulk, by revising paragraph (c) thereof so that it shall read as follows (new language underlined):

“(c) Buildings and structures which are located on property in the Chestnut Street Business District are not limited to the maximum lot coverage requirements of this Section 4.4.2 as specified in Table 1, but shall have a maximum floor area ratio of 0.7. Notwithstanding the foregoing to the contrary and subject to all other requirements of the district, the Planning Board acting as a special permit granting authority may issue a special permit in the Chestnut Street Business District that exempts the floor area of an underground parking garage and the floor area of the underground portion of a building devoted in whole or in part to the parking of automobiles from being counted as floor area for purposes of determining maximum floor area ratio.”

- (b) Amend Section 4.4, Dimensional Requirements for Commercial Districts, Subsection 4.4.2, Maximum Building Bulk, by revising paragraph (e) thereof so that it shall read as follows (new language underlined):

“(e) In other Commercial Districts (ASB, HAB) there is no limitation on lot coverage, but buildings shall not be constructed, reconstructed, extended, enlarged or arranged so that the following floor area ratios are exceeded. The limits for mixed uses on the same premises shall be interpolated between the limits below in proportion to their floor areas.

(1) For eating establishments, or any use providing service to patrons while in autos, or any use having gas pumps the maximum floor area ratio shall be 0.35.

(2) For all other uses in these districts the maximum floor area ratio shall be 0.7.

Notwithstanding the foregoing to the contrary and subject to all other requirements of the district, the Planning Board acting as a special permit granting authority may issue a special permit in the Avery Square Business District and Hillside Avenue Business District that exempts the floor area of an underground parking garage and the floor area of the underground portion of a building devoted in whole or in part to the parking of automobiles from being counted as floor area for purposes of determining maximum floor area ratio.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information:

**ARTICLE 22: AMEND ZONING BY-LAW – SPECIAL PERMIT GRANTING AUTHORITY
IN CENTER BUSINESS DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 7.4, Site Plan Review, Subsection 7.4.2, Definitions, by adding the underlined language at the end of the fifth paragraph, so that the entire paragraph shall now read as follows (new language underlined):

“In the Center Business District, a MAJOR PROJECT is any construction project which creates or adds gross floor area; or any project which involves a change in part or all of an existing building or lot from one use category to another as defined under Subsection 3.2.2 of this By-Law and which results in an increase in the number of required parking spaces by 10 or more new off-street parking spaces or which results in an increase in the required number of loading spaces; or any project which results in the construction of any additional off-street parking spaces; or any project which results in any new curb- or driveway-cut. Notwithstanding the aforementioned if a special permit is otherwise required under Subsection 1.4 or Subsection 3.2.2 of this By-Law the project shall be deemed a MAJOR PROJECT.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 23: AMEND ZONING BY-LAW – RETAINING WALLS

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

- (a) Amend Section 1.3 Definitions, by adding the following term and definition in the appropriate alphabetical location as follows:

“Retaining Wall - A wall or terraced combination of walls used at a grade change to hold soil and other earth material at a higher position. Retaining walls may be attached to or independent from other structures. The exposed side of a retaining wall shall be known as a “face”. The area between a lower wall and a successive higher wall shall be known as a “terrace.”

- (b) Amend Section 1.3 Definitions, by revising the existing definition of the term “Structure”, so that the entire definition shall now read as follows: (new language underlined):

“Structure – anything constructed or erected, the use of which requires a fixed location on the ground or attached to something located on the ground including an artificial or a constructed swimming pool having a depth of water of two (2) feet or more or a water surface area of at least one hundred (100) square feet when filled to capacity, but excluding a fence, boundary wall, retaining wall, public utility pole, public utility supporting device or a structure with less than one hundred square foot ground coverage and a height of less than eight (8) feet.”

- (c) Amend Section 6, Special Regulations, by inserting a new Subsection 6.11, Retaining Walls, to read as follows:

“6.11 Retaining Walls

6.11.1 Purpose and Intent

The Town of Needham adopts this section to accomplish and ensure the following:

- (a) To allow for the review of retaining walls of a size that may impact surrounding buildings, land, and uses;
- (b) To require the construction of retaining walls in a manner consistent with engineering and construction best practices; and
- (c) To lessen the impact of large retaining walls on abutting properties and the public by encouraging the use of landscaping and aesthetically pleasing design elements.

6.11.2 Applicability

The regulations and requirements contained herein shall apply to all retaining walls erected in the Town of Needham.

6.11.3 General Provisions

- (a) Determining Retaining Wall Height - The height of a retaining wall shall be the distance from the grade at the base of the face of the wall to the top of the finished wall. Terraced walls shall be measured in the same manner.
- (b) Walls Within Yard Setbacks – No retaining wall shall be built within the required yard setback except a retaining wall (i) with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter, or (ii) as allowed by a Special Permit issued in accordance with Subsection 6.11.5 of this Section. Notwithstanding the above, retaining walls may graduate in height from four (4) to seven (7) in height when providing access to a garage or egress entry doors at the basement level, measured from the basement or garage floor to the top of the wall. The wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.
- (c) Walls Outside Yard Setbacks. No retaining wall with a face greater than twelve (12) feet in height shall be built except as allowed by Special Permit issued in accordance with Subsection 6.11.5 of this Section.
- (d) Fall Protection - All retaining walls over four (4) feet in height shall be required to provide fall protection if so determined by the Building Inspector. Fall protection systems may include, but shall not be limited to, permanent landscaping or fencing as approved by the Building Inspector.
- (e) Terracing - Terracing of retaining walls is allowed and encouraged. In a terraced retaining wall system, if two (2) retaining walls are separated by a distance at least one times (1x) the height of the higher of the two (2) walls, the walls shall be considered as separate walls; if two (2) retaining walls are separated by a distance less than one times (1x) the height of the higher of the two (2) walls, the walls shall be considered as a single wall.
- (f) Nonconforming Retaining Walls - Retaining walls legally constructed prior to the adoption of these regulations shall be allowed to remain in their existing state; however, significant changes or alterations to such walls shall be made in conformity with these regulations. The repair and routine maintenance, as determined by the Building Inspector, of nonconforming retaining walls shall be allowed without requiring conformity with these regulations.

6.11.4 Design Review and Permitting

- (a) Design Review - Design Review shall be required for all retaining walls requiring a special permit. The Design Review Board shall review retaining walls in accordance with Section 7.7, Design Review, and shall consider such requests under those criteria contained in Subsection 7.7.4, Design Criteria, of Section 7.7. The Design Review Board shall submit an advisory recommendation to the applicant and the permit granting authority prior to the issuance of a special permit.
- (b) Permitting - A building permit shall be required, consistent with the requirements of the Town of Needham Building Department, for all retaining walls that retain four (4) or more feet of unbalanced fill.

6.11.5 Special Permit Provisions

The Board of Appeals shall consider requests for special permits in accordance with this Section and Section 7.5 of the Zoning Bylaw and a Special Permit for a retaining wall may be issued provided the Board of Appeals finds:

- (a) That the retaining wall will not cause an increase of water flow off the property;
- (b) That the requested retaining wall will not adversely impact adjacent property or the public;
- (c) That the report of the Design Review Board has been received and considered.
- (d) Amend Section 7.7 Design Review, Subsection 7.7.2, Design Review Board, Subparagraph 7.7.2.2, Authority and Specific Powers, by revising the first paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“The Design Review Board shall review requests for site plan review and approval submitted in accordance with Section 7.4 Site Plan Review and requests for special permits in accordance with Section 4.2.5 Planned Residential Development, Section 4.2.4 Flexible Development and Section 6.11 Retaining Walls and, for a minor project that only involves a change in the exterior façade of a building in the Center Business District, shall review and may approve such façade change.”

- (e) Amend Section 7.7 Design Review, Subsection 7.7.2, Design Review Board, Subparagraph 7.7.2.2, Authority and Specific Powers, by adding a new sentence at the end of the fourth paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“It shall evaluate such requests based on Subsection 7.7.4 Design Criteria below. Its findings and recommendations, along with any suggested restrictions and conditions, shall be transmitted to the applicant and Planning Board, acting as a special permit granting authority for “Major Projects” under Site Plan Review, Planned Residential Developments and Flexible Developments and to the applicant and Board of Appeals, acting as a special permit granting authority, under Section 6.11 Retaining Walls. Such advisory reports of the Design Review Board shall be transmitted to the Building Inspector and applicant in all other instances as described in the two paragraphs above for “Minor Projects” under Site Plan Review, building permits in all non-residential districts and sign permits. For a minor project that only involves a change in the exterior of a building in the Center Business District, the Design Review Board shall be the review and approval entity for such façade changes.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information:

**ARTICLE 24: AMEND ZONING BY-LAW – MINIMUM SIDE AND REAR LINE
SETBACKS: ACCESSORY STRUCTURES**

To see if the Town will vote to amend the Needham Zoning By-Law , Section 4.2, Dimensional Regulations in Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence , and Institutional Districts, Subsection 4.2.3, Minimum Side and Rear Line Setbacks: Accessory Structures, by revising the paragraph, so that the entire subsection shall now read as follows (new language underlined):

“4.2.3 Minimum Side and Rear Line Setbacks: Accessory Structures

No accessory building or structure, excepting fences, shall be constructed, altered or relocated so that any part thereof shall be less than ten (10) feet from any other building or structure or less than five (5) feet from the side or rear lines of the lot on which such building or structure is located. Notwithstanding the foregoing five (5) foot setback from the rear or side lines of the lot, any accessory building or structure which exceeds 15’ in height must comply with the underlying district’s rear and/or side setback requirements. Notwithstanding the foregoing, an accessory pergola need not comply with the requirements of the preceding sentences but said pergola must comply with all dimensional setback requirements from abutting properties and from streets and ways, and said pergola shall not be constructed or placed in a position where it would prevent the use of a designated fire lane or reduce access to any building. For purposes of this paragraph, “pergola” means an open frame structure consisting of colonnades or posts with a latticework roof designed to support climbing plants, either standing alone or attached to another building or structure. Notwithstanding the foregoing, an accessory building or structure associated with a pool use which is less than eleven (11) feet in height and has less than one-hundred (100) square feet of ground coverage need not comply with the foregoing ten (10) foot distance from any other building or structure requirement as said requirement pertains to the placement of the accessory building or structure from the edge of the pool, provided that such accessory building or structure is placed no less than eight (8) feet from the edge of the pool.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information:

GENERAL ARTICLES / CITIZENS’ PETITIONS / COMMITTEE ARTICLES

ARTICLE 25: CITIZENS PETITION – NEEDHAM TOWN MEETING – FOOD TRUCK ARTICLE

Section 1: Definitions

Food Truck - A readily movable trailer or motorized wheeled vehicle, currently registered with the Massachusetts Division of Motor Vehicles, designed and equipped to cook, prepare, and serve food.

Section 2: Authorized Locations and Restrictions for Food Truck Sales in or on Designated Public Right of Way Areas

- 2.1 Food trucks may be located in public right of way areas as designated by the article. A food truck may not be located in or on any portion of a designated public right of way when and where such location would prevent the safe use of the public right of way by motor vehicles, pedestrians, and/or customers. The vending location shall not otherwise interfere with the movement of motor vehicles in the area.
- 2.2 Authorize the following locations for food trucks
- a: Needham Center – adjacent to the town common – no more than two trucks
 - b: Needham Heights – adjacent to the heights common – no more than one truck
 - c: Second Avenue across the street from Charles River Landing
 - d: First Avenue across the street from 40 A Street
 - e: Cabot Place, once all constructions projects have been completed on the street
- 2.3 Food trucks shall comply with applicable provisions of the Town of Needham General By-laws with respect to locations near schools and recreation facilities.
- 2.4 Food trucks must be positioned at least 15 feet from the customer entrance of a traditional (brick and mortar) restaurant.
- 2.5 Food trucks shall be positioned on designated right of way areas and shall not block drive entrances, exits, access to loading and/or service areas, or emergency access and fire lanes. Food trucks must also be positioned at least 20 feet away from fire hydrants, any fire department connection, driveway entrances, alleys, and handicapped parking spaces.
- 2.6 Each year, the Board of Selectmen shall establish an open period from December 1 to January 30 of the following year for applications to operate a food truck in public right of way areas. Should the number of applicants exceed available locations within the public right of way, then the Town Manager will create an equitable distribution of available locations among qualified applicants. If locations are available after the close of the open period and after issuance to those applicants who applied during the open period, then applicants may apply after the open period but any permits issued will be on a first come first served basis.
- 2.7 Food Truck vendors shall comply with all local, county and state tax regulations, including but not limited to retail sales applicable to food and beverages.

Section 3: Public Safety and Nuisance Prevention

- 3.1 Food truck vendors must obtain requisite licenses or permits for operation from the Needham Health Department, Police Department, Fire Department, and Board of Selectmen.
- 3.2 Temporary connections to potable water are prohibited. All plumbing and electrical connections shall be accordance with the State Building Code.
- 3.3 Grease must be contained and disposed of in accordance with State Sanitary Code.
- 3.4 Grey water must be contained and disposed of in accordance with State Sanitary Code.
- 3.5 Food trucks must have the following fire extinguisher on board during hours of operation: one 15 lb. multipurpose subject to the determination of the Fire Chief or his designee.

- 3.6 Food trucks may not operate as a drive-in/drive-up/drive-through operation. All service must be walk-up by customers.
- 3.7 Trash and recycling receptacles shall be provided for customers and trash and recyclables shall be removed from the site daily.
- 3.8 If a food truck is proposed to operate after dark, the vendor must provide appropriate lighting.
- 3.9 No signage shall be allowed other than signs permanently attached to the motor vehicle and a portable menu sign no more than 9 square feet in display area on the ground in the customer waiting area.
- 3.10 No food truck shall make or cause to be made any unreasonable or excessive noise or odor.
- 3.11 No food truck shall set up tables, chairs, umbrellas or similar facilities (except standing counters and tables without chairs or stools).

Section 4: Permitting

- 4.1 A food truck will be licensed by the Town's Health Department and Fire Department before issuance or renewal of the Food Truck Permit from the Board of Selectmen, which must be prominently displayed on the truck.
- 4.2 A fee in the amount of \$250.00 annually for an up-to five day a week seasonal permit shall be paid upon issuance of the Food Truck Permit. Fee is regardless of the number of days per week licensed.
- 4.3 Food truck vendors must obtain requisite insurance, bonding and workers compensation as required from time to time by the Board of Selectmen.
- 4.4 Food Truck vendors must obtain a Massachusetts Hawker and Peddler License (issued through the Police Department).
- 4.5 Violation of any of the provisions of this Section may result in revocation of the permits and licenses issued to the vendor to operate in Needham.
- 4.6 A fee in the amount of \$25 for a permit valid for up to one week ("Limited Food Truck Permit") shall be paid upon the issuance of the Limited Food Truck Permit. Such permit shall be issued only to the extent spaces are available; that is, not otherwise occupied by seasonal Food Truck Permit holders. Seasonal permit requests shall have precedence over limited ones. All regulations related to seasonal food trucks apply.

INSERTED BY: Doug Fox et. Al.

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

ARTICLE 26: AMEND GENERAL BY-LAW - HISTORIC DEMOLITION DELAY

To see if the Town will vote to amend Section 2.11 of the General By-laws by deleting the number “6” in sections 2.11.5.5.4, 2.11.5.5.5, and 2.11.5.5.6 and inserting in place thereof the number “12”; and by deleting in sections 2.11.5.6 and 2.11.5.8 the word “Inspector” and inserting in place thereof the word “Commissioner”; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information: This article would extend the Historic Demolition Delay By-law from the current six months to twelve months. The Board of Selectmen adopted a goal to work to preserve the traditional New England structures that are included in the Town’s Inventory of Historic Places because they contribute to the architectural fabric of the community. The longer moratorium may provide developers seeking to demolish such assets with an incentive to preserve them instead. Only structures that are included on the Town’s Inventory of Historic Places are subject to the By-law, and inclusion on the inventory is voluntary. The article would also update the title of the Building “Commissioner” from the prior title of “Inspector.”

ARTICLE 27: AMEND GENERAL BY-LAW – FUTURE SCHOOL NEEDS COMMITTEE

To see if the Town will vote to amend the Town’s General Bylaws by deleting Section 2.7.2.1 and inserting in place thereof the following:

“2.7.2.1 There shall be a Future School Needs Committee consisting of seven members, two appointed by each of the Finance Committee, the School Committee and the Board of Selectmen and one member by the Town Moderator. The Chairman shall be designated from time to time by vote of the Committee. It shall be the responsibility of the Future School Needs Committee to review professionally-developed estimates of the Town’s current and projected student population, and to provide information, guidance and feedback to the demographer in developing these estimates. The appointees shall have a background in demography, urban planning, business/economics, mathematics, or a related field, if qualified individuals with the necessary expertise are available for appointment.”

and by inserting a new section 2.7.2.2 as follows:

“2.7.2.2 Initially three members shall be appointed for the term of three (3) years (one each by the Finance Committee, School Committee and Board of Selectmen), three members shall be appointed for a term of two (2) years (one each by the Finance Committee, School Committee and Board of Selectmen), and one (1) member shall be appointed for a term of one (1) year (by the Town Moderator). Thereafter, as the term for which the members were initially appointed expires, their successors shall be appointed for a term of three (3) years each. In the event of a vacancy occurring in the membership other than by the expiration of the term of a member, a successor shall be appointed to serve the balance of the unexpired term.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: For many years, the Future School Needs Committee - volunteers who have generously offered their time and expertise - has provided estimated student enrollment information to assist the School Committee, Town Boards, and Town Meeting to anticipate and understand the current and projected student population. Over time, the projections have typically provided good short-term enrollment information based on historical enrollment and census data. However, even a small variance between project and actual enrolment can result in the development of a budget that provides for too many or too few classrooms in a given year. The recommended proposal would reconstitute the Future School Needs Committee so that its primary charge would be to review and make recommendations regarding professionally developed enrollment estimates, as opposed to the prior practice of developing the estimates itself. The proposal also ensures the involvement of the Town boards involved in the school capital planning process – the Board of Selectmen, the School Committee, and the Finance Committee – in the committee appointment process.

ARTICLE 28: ACCEPT ACCESS EASEMENT – OAK AND CYPRESS

To see if the Town will vote to authorize the Selectmen to accept a grant of back-up easement from Jorge L. Oslan, Manager, Oak Street LLC on a plan entitled “Definitive Plan of the Subdivision of Land in the Town of Needham, 66 Oak Street, Needham, Massachusetts,” prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, Sheet 1 of 5, Lotting Plan, dated August 15, 2011, revised August 30, 2011, November 29, 2011, December 21, 2011, December 11, 2013, March 31, 2014, December 30, 2014, April 6, 2015 and November 5, 2015 (for information only), on file with the Needham Planning Board; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information: As a condition of approval of the Oak Street Subdivision, the Planning Board required that the Developer grant the Town and abutters a Back-Up Easement that is included in the roadway layout for Cypress Street. The Back-up Easement grants to the Town and abutters the right to use the back-up area for the purpose of turning vehicles around. Town Meeting approval of such easements is required in order for them to be effective.

ARTICLE 29: TRANSFER OF PROPERTY FOR MUNICIPAL USE – GREENDALE AVENUE

To see if the Town will vote to transfer the control of a parcel of land known as “Parcel 74” on Greendale Avenue (Assessors’ Map 57, Parcel 1), containing 11.7 acres more or less, from the Park and Recreation Commission to the Board of Selectmen for general municipal purposes in accordance with M.G.L. Chapter 40, Section 15A; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Board of Selectmen, School Committee, and Park and Recreation have engaged in an evaluation of the primary jurisdictional authority of certain parcels of with the goal of ensuring the appropriate stewardship of all Town land. This article would transfer the primary

jurisdiction of the property known as "Parcel 74" on Greendale Avenue from the Park and Recreation Commission to the Board of Selectmen for general municipal use. While no plans have been developed for the specific use of the parcel, it is evident that access to land for municipal operations will be needed in the future. Because this property was acquired as parkland, a home rule petition and Act of the Legislature will be required to finalize this transfer. A formal survey of the area is underway and a more specific legal description will be presented as an amendment to the article.

ARTICLE 30: TRANSFER OF PROPERTY FOR MUNICIPAL USE – HILLSIDE SCHOOL, DALEY BUILDING & NIKE SITE

To see if the Town will vote to transfer the control of parcels known as 28 Glen Gary Road/Hillside School (Assessors Map 102, Parcel 1) consisting of 24 acres more or less; the Nike Site (Assessors Map 306, Parcel 11), consisting of 19.1 acres more or less; and the Daley Building Site (Assessors Map 70, Parcel 29), consisting of 40,232 square feet more or less, from the School Committee to the Board of Selectmen for general municipal purposes in accordance with M.G.L. Chapter 40, Section 15A; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Board of Selectmen, School Committee, and Park and Recreation have engaged in an evaluation of the primary jurisdictional authority of certain parcels of with the goal of ensuring the appropriate stewardship of all Town land. This article would transfer primary jurisdictional authority from the School Committee to the Board of Selectmen for the Hillside School and the Daley Building Site for general municipal use. The Board of Selectmen and School Committee intend to enter into a Memorandum of Understanding setting forth the terms of use of the Hillside School while it remains in active school use.

ARTICLE 31: TRANSFER OF PROPERTY FOR RECREATIONAL USE – GREENE'S FIELD & A PORTION OF DEFAZIO PARK

To see if the Town will vote to transfer the control of the parcel known as Greene's Field (Assessors Map 50, Parcel 31.02), consisting of 2 acres more or less, and a portion of DeFazio Park (Assessors Map 302), consisting of 4.71 acres more or less beginning at a point on the southerly jurisdictional line of the Park & Recreation Commission, said point being 709.74' distant from the easterly sideline of Dedham Avenue where an iron rod was set; thence running S45°15'46"E a distance of 518.63'; thence turning and running N07°06'51"E a distance of 299.99'; thence turning and running N12°37'43"E a distance of 195.50'; thence turning and running N17°28'38"E a distance of 468.62' to an iron rod set on the southerly sideline of the MBTA right of way; thence turning and running along said MBTA right of way S80°12'28"W a distance of 52.25' to an iron rod set on the southerly sideline of said MBTA right of way; thence turning and running S43°45'08"W along said southerly jurisdictional line of the Park & Recreation Commission a distance of 777.36' to the point of beginning, from the Board of Selectmen to the Park and Recreation Commission for recreational use in accordance with M.G.L. Chapter 40, Section 15A; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Board of Selectmen, School Committee, and Park and Recreation Commission have engaged in an evaluation of the primary jurisdictional authority of certain parcels of with the goal of ensuring the appropriate stewardship of all Town land. This article would transfer Greene's Field and a portion of the DeFazio Field Complex from the Board of Selectmen to the Park and Recreation Commission for recreational use.

ARTICLE 32: TRANSFER OF PROPERTY FOR RECREATIONAL USE – A PORTION OF DEFAZIO PARK

To see if the Town will vote to transfer the control of and a portion of DeFazio Park (Assessors Map 302), consisting of 10.66- acres more or less, beginning at a point on the easterly sideline of Dedham Avenue at the intersection of the southerly sideline of the MBTA right of way where an iron rod was set; thence running along said easterly sideline of Dedham Avenue S46°14'52"E a distance of 828.62' to an iron rod; thence turning and running N43°45'08"E along a jurisdictional line of the Park & Recreation Commission a distance of 1121.10' to a point on the southerly sideline of the MBTA right of way where an iron rod was set; thence turning and running along said MBTA right of way sideline S80°12'28"W a distance of 1394.52' to the point of beginning, from the School Committee to the Park and Recreation Commission for recreational purposes in accordance with M.G.L. Chapter 40, Section 15A; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Board of Selectmen, School Committee, and Park and Recreation have engaged in an evaluation of the primary jurisdictional authority of certain parcels of with the goal of ensuring the appropriate stewardship of all Town land. This article would transfer a portion of DeFazio Field Complex from the School Committee to the Park and Recreation Commission for recreational use.

ARTICLE 33: TRANSFER OF PROPERTY FOR EDUCATIONAL USE – A PORTION OF DEFAZIO PARK & CENTRAL AVENUE ("OWEN'S FARM")

To see if the Town will vote to transfer the control of a portion of DeFazio Park (Assessors Map 302) consisting of 9 acres more or less, beginning at a point on the easterly sideline of Dedham Avenue where an iron rod was set adjacent to the entrance driveway to DeFazio Athletic Complex, said point being at the intersection of the southerly jurisdictional line of the Park & Recreation Commission and the easterly sideline of Dedham Avenue; thence running southerly along the sideline of Dedham Avenue S46°14'52"E a distance of 563.00'; thence turning and running N43°45'08"E a distance of 641.12'; thence turning and running N07°06'51"E a distance of 74.41'; thence turning and running N45°15'46"W a distance of 518.63'; thence turning and running S43°45'08"W along said southerly Park & Recreation Commission jurisdictional line a distance of 709.74' to the point of beginning, a portion of DeFazio Park (Assessors Map 302) consisting of 0.27 acres more or less, beginning at a point on the easterly lot line of the DeFazio Complex lot 15.90 feet south of the intersection of said easterly lot line of the DeFazio Complex lot and the southerly Town of Needham Lease Line to the Golf Course where an iron pipe was found; thence running S 07°06'51" W a distance of 72.81'; thence turning and running S 04°14'32" W a distance of 21.72'; thence turning and running S 53°28'31" W a distance of 339.16'; thence turning and running N 43°45'08" E a distance of 409.47' to the point

of beginning, and the property known as Owen's Farm and adjacent parcels (Assessors Map 310 parcel 3, and Assessors Map 108 parcels 5, 6, 7, 9, 10, and 27) consisting of 10.31 acres more or less from the Board of Selectmen to the School Committee for educational purposes in accordance with M.G.L. Chapter 40, Section 15A ; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Board of Selectmen, School Committee, and Park and Recreation have engaged in an evaluation of the primary jurisdictional authority of certain parcels of with the goal of ensuring the appropriate stewardship of all Town land. This article would transfer the parcel of land known as Owen's Farm and a portion of the DeFazio Park Complex from the Board of Selectmen to the School Committee for educational purposes. The Board of Selectmen, School Committee and Park and Recreation Commission intend to enter into a Memorandum of Understanding setting forth the terms of use of the parking lot at DeFazio Park until such time as the area is needed for school construction.

ARTICLE 34: HOME RULE PETITION – CHANGE IN USE OF PROPERTY ON GREENDALE AVENUE UNDER ARTICLE 97

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Manager approves amendments to the bill before enactment by the General Court. The Town Manager is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO THE CHANGE FROM PARKLAND USE TO GENERAL MUNICIPAL USE OF A PORTION OF THE PROPERTY KNOWN AS "PARCEL 74" ON GREENDALE AVENUE IN THE TOWN OF NEEDHAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Town of Needham is authorized to change the use the property known as "Parcel 74" on Greendale Avenue which portion is more fully described in the following section, from parkland use to general municipal use in accordance with the authority set forth in Article of Amendment 97 of the Constitution.

SECTION 2. The portions of the property hereby affected by the change in use are identified as follows: a parcel of land known as "Parcel 74" on Greendale Avenue (Assessors' Map 57, Parcel 1), containing 11.7 acres more or less.

SECTION 3. This act shall become effective upon passage.

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Because this property was acquired as parkland, a home rule petition and Act of the Legislature will be required to finalize this transfer contemplated under Article 29. A formal survey of the area is underway and a more specific legal description will be presented as an amendment to the article.

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 35: APPROPRIATE FOR COMMUNITY HOUSING SPECIALIST

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$60,000 for Community Housing Specialist, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article would provide partial funding of the Town's Community Housing Specialist for the next three years, continuing the practice of using a combination of CPA funds and the General Fund to support the position. This position provides technical and administrative support related to affordable housing issues, supporting various Town boards and departments, coordinates with state agencies, and assists in the implementation of the Town's housing goals.

ARTICLE 36: APPROPRIATE FOR MEMORIAL FIELD DRAIN IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$490,500 for Memorial Field drain improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article would fund drainage improvements at the base of the Memorial Park hill, decreasing the amount of run-off that reaches the park and athletic fields and improving their condition. The design was completed with CPA funds.

ARTICLE 37: APPROPRIATE FOR TRAIL IMPROVEMENTS – STUDENT CONSERVATION ASSOCIATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for trail improvements – student conservation, to be spent under the direction of the Town Manager, and to meet

this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Funding under this article will allow the Conservation Department to invite the Massachusetts Student Conservation Association to Needham to make trail improvements over the next two summers at various locations, possibly including Ridge Hill Reservation, Farley Pond Conservation, and Rosemary Lake trails. The funds will cover the fee for the group, in ten day project segments, plus materials needed for the projects. The Town will provide a location for the team to camp while working on the projects. With an appropriation from the CPA funds, this organization successfully completed several projects at Ridge Hill during the summer of 2015.

ARTICLE 38: APPROPRIATE TRANSFER TO CONSERVATION FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for transfer to conservation fund, and to meet this appropriation that said sum be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Conservation Commission has requested that \$50,000 be transferred to the Conservation Fund. This fund was established in 1963, under MGL Ch. 40, Sec. 8C, to provide financial resources for the purchase of open space. CPA funds were previously transferred to the Conservation Fund in 2008 and 2009.

ARTICLE 39: APPROPRIATE FOR ROSEMARY LAKE SEDIMENT REMOVAL DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$118,000 for Rosemary Lake sediment removal design, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article would fund the design for removal of sediment in Rosemary Lake. The Town has been completing projects along Rosemary Brook, improving the quality of water that leads into Rosemary Lake. The next step is to remove the sediment from Rosemary Lake, which will lead to better water quality downstream, as Rosemary Brook continues through Needham Heights, eventually meeting the Wellesley water lands and then the Charles River.

ARTICLE 40: APPROPRIATE FOR ROSEMARY RECREATION COMPLEX DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$550,000 for Rosemary Recreation Complex design, to be spent under the direction of the Town Manager and Permanent Public Building Committee, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article will fund the second phase of the design of this project - finalizing the design documents and advancing the project through various permitting agencies. The concept is to build two smaller pools within the current pool, providing summer recreational swimming as well as a fitness/competitive pool. The building would be partially re-used, with an addition to meet the requirements for the outdoor pool, and to have year-round use on the new second floor for Park and Recreation programming space and offices for two Town departments, including Park and Recreation. Only the portions of the project related to outdoor recreation are eligible for CPA funding.

ARTICLE 41: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to M.G.L. Chapter 44B from the estimated FY2017 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee \$82,000

Reserves:

B. Community Preservation Fund Annual Reserve	\$1,537,037
C. Community Housing Reserve	\$292,700
D. Historic Resources Reserve	\$0
E. Open Space Reserve	\$292,700

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Town Meeting and voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic

preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve.

CAPITAL ARTICLES

ARTICLE 42: RESCIND DEBT AUTHORIZATION

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
Senior Center	2011 STM November	14	8,051,808	\$11,758
Total				\$11,758

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: When a project is financed by borrowing, the project has been completed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded, and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids.

ARTICLE 43: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$1,491,117 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that \$1,439,117 be transferred from Free Cash and \$52,000 be transferred from Article 36 of the 2011 Annual Town Meeting; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Public Schools	School Copier Replacement	\$39,330	
Public Schools	School Furniture	\$45,000	
Public Schools	Technology Replacement	\$307,750	
Public Schools	High School Classroom Expansion Alternatives Feasibility Study	\$65,000	
Public Schools	Pollard Locker Replacement	\$41,157	
Public Schools	High School Gym Upgrade	\$130,557	

Group	Description	Recommended	Amendment
Public Works	Fuel Island Relocation & Upgrade Design	\$131,000	
Public Facilities	Energy Efficiency Upgrade Improvements	\$38,154	
Community Services	Memorial Park Building & Grounds Feasibility Study	\$50,000	
General Fund/Multiple	Fleet Replacement Program	\$643,169	
		\$1,491,117	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

SCHOOL COPIER REPLACEMENT School photocopiers are located in all the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets, etc. Currently the School Department owns 48 copy machines. The FY2017 request will replace four copy machines. Copier replacement is planned on a lifecycle analysis, which projects when a copier should be replaced based on actual usage and the manufacturer's total estimated capacity. Copiers that are heavily used are replaced more frequently than copiers that are lightly used. A seven-year maximum is assumed for most machines, even if they have not yet reached maximum copy allowances, given the additional operating expense associated with servicing and maintaining older equipment, as well as the difficulty in obtaining replacement parts. This analysis assumes that copiers are re-deployed around the District, as needed, to match copier use with equipment capacity.

SCHOOL FURNITURE This request continues the replacement cycle for school furniture in poor and fair condition at Hillside, Mitchell, Newman and Pollard. In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. As of FY2015, all furniture in poor condition has been replaced at these schools. The FY2017 funding request will continue the replacement of furniture in fair condition at these schools, and will allow for the purchase of furniture needed for enrollment growth.

TECHNOLOGY REPLACEMENT This request is for funding to purchase School Department technology, including computers, printers, and servers. Also included in the request are funds for infrastructure upgrades to the School Department data network. The FY2017 request of \$648,450 represents a \$196,750 increase over the FY2017 projection submitted previously in the FY2016-2020 CIP. Of the \$648,450 requested, only \$307,750 meets the Town's definition of capital to be eligible for funding in the CIP. The \$196,750 increase requested in FY2017 consists of \$159,750 in hardware replacement, \$31,000 in elementary network wiring and \$6,000 in new Audio Visual equipment.

The FY2017-2021 School Technology request includes several changes from prior years. One change is the reconfiguration of the K-5 technology model from a desktop computer-based model to a digital device model. The current model for technology is one teacher desktop computer and two to three student desktop computers per classroom, all of which are hard-wired to the network. In addition, classrooms in Grades 1-5 contain an interactive whiteboard (IWB). Most of the current student desktops are between five and ten years old and are not capable of running today's current web applications. The new elementary model classroom consists of a teacher laptop, three classroom Digital Learning Devices (DLDs) and an IWB. The DLDs would be connected to a wireless network. The new model includes one

or two shared carts of DLDs per school for class project and school-wide testing purposes. The FY2017 CIP allocates \$178,000 to purchasing the DLD devices.

To support the new DLD technology model the elementary classrooms need access to a sufficient wireless network. The FY2017 CIP increase includes \$78,500 in funding for networking (\$31,000) and wireless hardware (\$47,500) for the Hillside and Mitchell Schools.

The FY2017-2021 School technology request reflects a plan for replacing IWBs throughout the District. While the industry standard replacement cycle is five years, the plan includes funds to maintain a six-year cycle, which requires the replacement of approximately 30 IWB/year. The average cost of replacing an IWB is \$5,000.

The FY2017-2021 request includes funds to implement a pilot 1 to 1 (BYOD) initiative at Needham High School at a cost of \$35,000 for 100 DLDs. There is \$35,000 in the FY2017 CIP request to purchase 100 DLDs to pilot 1 to 1 (BYOD) at the High School.

Finally, the District is proposing to change the replacement cycle for school technology, to remain consistent with the new DLD model. Currently, desktop devices are replaced on a seven-year (or more) cycle. The FY2017-FY2021 CIP request reflects a shorter, three-year replacement cycle for DLDs (reflecting their shorter lifespan) and a four-year cycle for teacher laptops.

HIGH SCHOOL CLASSROOM EXPANSION ALTERNATIVES FEASIBILITY STUDY This project will provide funding to study classroom expansion alternatives at Needham High School. The District has determined that there is a need to add classroom space at Needham High School to support the anticipated student population increase above the design capacity of the school. Since 2008, several spaces at NHS have been repurposed to function as classrooms, however the number available is below the identified need. The October 2014 Special Town Meeting approved \$200,000 to subdivide two large classroom spaces into four classrooms. In addition, the School Committee has been evaluating several possible construction options, including the construction of six modular-type classrooms near the epicenter of the school and in close proximity to the academic core. In response to concerns about the overall cost and affordability of the proposed project, the School Department has requested \$50,000 to study possible alternatives involving the creation of administrative and storage space to enable further conversion of space within the academic areas to classroom use and/or the construction of classroom space in other areas of the building.

POLLARD MIDDLE SCHOOL LOCKER REPLACEMENT The current lockers at the Pollard school are too small to accommodate the storage needs of the modern student population. The width of the existing lockers is only 6" - the proposed replacement lockers are 12" wide. In FY2016, half of the lockers (600 units) were replaced. This funding will complete the locker replacement project at the Pollard School, which is not scheduled for renovation or reconstruction in the near term.

HIGH SCHOOL GYM UPGRADE The High School A Gym was not included in the 2009 renovation project. The bleachers are beyond their useful life and are proposed for replacement in FY2017. The bleachers that are currently installed are difficult to maintain and use, requiring frequent repair. Future projects proposed for the A Gym include lighting replacement in FY2018, and flooring and equipment reconfiguration in FY2019 and FY2020. This gym is a high demand space and is in constant use by the Schools and community.

FUEL ISLAND RELOCATION & UPGRADE DESIGN The Town is reliant on the fuel dispensing system at the DPW for the majority of its diesel vehicles and all of its gasoline vehicles. Currently DPW, Fire Department, School Department, and other Town vehicles rely on this filling station. As of

September 1, 2013, the DPW filling location became the sole location for Police Department vehicles. The Police Department consumes a large volume of gasoline, and the new reliance on this station represents a dramatic increase over previous demand. The reasons for relocation and replacement of the system include the general age and condition of the station, the location of current station (including its proximity to wetlands and groundwater table, susceptibility to flooding, and compatibility with the potential expansion of the DPW operations building), inadequate access and maneuverability, and insufficient capacity. This funding request supports the design of the relocation and replacement of the gas/diesel island.

PUBLIC FACILITIES ENERGY EFFICIENCY UPRGRADE IMPROVEMENTS The Public Facilities Department completed an engineering study for energy upgrades at ten key buildings in 2011. An Energy Efficiency Upgrade Improvements plan was implemented after the results of the study illustrated that the Town's investment in selected and recommended energy upgrades would pay for themselves within 10 years. Unless circumstances dictate otherwise, fiscal year 2017 funding will be allocated to retro-commissioning the HVAC controls at the High School, and replacing parking lot HID lighting with LED lighting at the High Rock School, Public Safety Building, and the High School.

MEMORIAL PARK BUILDING & GROUNDS FEASIBILITY STUDY This funding will support a full review of the Memorial Park Building and grounds, leading to recommendations for the renovation and/or reconstruction of the building to meet the current needs of the park and the community. The current facility has storage located on the lower level, and public restrooms accessed from the exterior. On the upper level, there are two meeting spaces, a kitchenette, restrooms and storage rooms. The 2014 Facilities Master Plan anticipated that community needs would likely require construction of a new building, with rooms directly related to the use of the park (meeting rooms, restrooms, concession, storage) as well as upper floor space to meet other community recreation needs.

FLEET REPLACEMENT The Town's fleet replacement program was established in FY2015. This represents a budget and schedule for the Town's rolling stock fleet of appropriately 200 vehicles, trailers, and large specialized attachments. General purpose vehicles include pickup trucks, a variety of sedans, SUV's, vans, and police vehicles (75). They comprise approximately 37 percent of the entire fleet. General purpose vehicles are utilized in every department and are relatively interchangeable. The replacement of these vehicles can proceed on a regular schedule and should be considered part of the Town's base recurring costs. The Town relies on a number of trailers for the purpose of moving tools and equipment, hauling trash and debris, and transporting special equipment. The Town has 47 trailers which represents approximately 23 percent of the fleet. Specialized, high value vehicles, and snow and ice equipment comprise of the other 40 percent of the fleet. These vehicles and equipment are just as integral to Town operations as the general purpose vehicles, but serve the unique purposes of specific departments or divisions. Included in this group are high value vehicles such as ambulances, large dump trucks, fire engines, street sweepers, and others for which appropriations need to be planned.

CORE FLEET REPLACEMENT Unless circumstances require otherwise, the core fleet replacement planned for FY2017 includes the following:

Unit/Division	Year	Replacement	Amount
120/Highway	2004	Utility Trailer	\$23,031
706/PFD	2006	Econoline Van	\$35,073
C2/Fire	2010	Ford Expedition	\$56,635
C3/Fire	2008	Ford Explorer	\$46,116
C43/Fire	2013	Ford Explorer	\$35,123

404/HHS	2004	Ford 350 Van	\$87,354
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FLEET REPLACEMENT – SPECIALIZED EQUIPMENT Unless circumstances require otherwise, the fleet replacement – specialized equipment planned for FY2017 includes the following:

Unit/Division	Year	Replacement	Amount
47/Highway	2007	10 Wheel Dump	\$223,109
70/Parks	2009	F550 Dump	\$68,363
71/Parks	2009	F550 Dump	\$68,363

ARTICLE 44: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,700,000 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, to be spent under the direction of the Town Manager, and to meet this appropriation that \$950,000 be transferred from Free Cash and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$750,000 under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Public Works Infrastructure Program allows the Department of Public Works to make improvements and repairs to Town infrastructure, including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts.

Street Resurfacing This program is essential to ensure the structural and surface integrity of the Town's 123 linear miles of accepted streets. The primary strategy of this program is asphalt paving and incidental work. Incidental work may include asphalt berm curb, new grass shoulders, corner reconstruction including handicapped ramps, minor drainage improvements, street sign replacement, traffic markings, and signs. Applying this repair strategy in a timely manner will extend the useful life of the roadway for up to 15 years. Installing a monolithic asphalt berm curb better defines the edge of road, improves drainage and protects the shoulder from erosion. The average useful life for asphalt paving is 15 years; target funding for street resurfacing in FY2017 is \$621,000.

Traffic Signal & Intersection Improvements This program funds traffic signal improvements and intersection improvements, and new traffic signal installations where none currently exist. No funding is targeted for this program in FY2017.

Sidewalk Program This Program funds improvements to the network of sidewalks throughout the community. There are over 160 miles of accepted sidewalks in Needham, and more than half do not comply with current standards and require significant improvements including the installation of handicapped ramps. All sidewalk improvements must comply with Federal and State laws and construction standards. Current estimates have identified over \$20,000,000 in backlogged sidewalks in need of repair. The average useful life for asphalt sidewalk is over 30 years. Unless circumstances dictate otherwise, the target funding for the sidewalk program in FY2017 is \$404,000.

Storm Drain Capacity Improvements This program provides funding to improve roadway drainage capacity. The Town's Stormwater Master Plan has identified a number of areas throughout Needham where improvements are required to resolve flooding problems and illicit discharge. Locations for improvements have been prioritized within the plan. Since the issuance of the Stormwater Master Plan, numerous multi-unit developments have been built or are planned in the Town. These developments include new roads with drainage structures and roof or sump connections that are then connected to existing Town systems. These new connections have increased the load on the Town's drainage system and caused flooding in some areas. Unless circumstances dictate otherwise, FY2017 funding is targeted for Taylor Street / Central Avenue – Engineering (\$32,500) and Hunnewell Street/Ardmore Road Engineering, Design & Construction - \$437,500).

Storm Drain System Repairs This request is to replace drainage infrastructure within Town easements that are discovered through investigation work. This request is part of the Town's plan to identify and improve drainage throughout the Town. This funding will allow the Department to replace a badly damaged 100 foot section of 18" reinforced concrete drain pipe within a Town easement adjacent to 470 South Street. This replacement includes extensive wetland consulting and permitting which is a major factor in the cost of this project. Unless circumstances dictate otherwise, FY2017 funding is targeted for 470 South Street/Construction (\$80,000) and for various locations to upgrade or repair the system (\$25,000).

Brooks and Culverts – Repair and Maintenance The increasing number of severe storms has resulted in numerous complaints and subsequent investigations of the Town's brooks, streams and culverts. The Brooks & Culverts Program will address poorly draining brooks, streams, waterways and culverts throughout the Town that have been severely damaged by heavy rains/storms in the past. Flooding has caused the failure of retaining walls, resulting in extensive erosion and silt deposits in brooks and streams. The silt has provided a medium for vegetation and affected the flow of water, and the situation has resulted in the loss of useable abutting property and flooded basements. The current conditions are beyond the means of DPW equipment and personnel. Such repairs require detailed investigation, plan of recommended improvements, design drawing and specifications, environmental permitting and bidding of construction to be overseen by the Town's Engineering Division. This will eventually return the waterways to a condition that the DPW will be able to maintain. The EPA is currently finalizing stronger requirements for stormwater and permitting under the NPDES permit. The Town will need to continue to demonstrate its efforts regarding cleaning and improvements to water quality of brooks and culverts. Unless circumstances dictate otherwise, FY2017 funding is planned for continued wall repair in various locations (\$100,000).

ARTICLE 45: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$238,000 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that \$22,073 be transferred from Article 42 of the 2007 Annual Town Meeting, and that \$215,927 be transferred from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
RTS	Swap Loader with Attachments	\$120,000	
RTS	Property Improvements	\$68,000	
RTS	Stormwater Plan	\$50,000	
		\$238,000	

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

SWAP LOADER WITH ATTACHMENTS This article will address two operational concerns at the RTS. The packer truck at the RTS is five years old – half of its estimated life – but requires numerous repairs due to the nature of the piece of equipment. The Town has had to rent a packer during down times, with corresponding delays in service. Additionally, there is a need for a more efficient watering system at the RTS to minimize the dust onsite and to aid in the composting process by keeping the compost wet in summer months so it can continue to process. These two needs can be addressed with the conversion of existing unit #5 (a 2011 Six Wheel Dump Truck) into a Swap Loader truck. Unit #5 will be converted and both a Packer body and water tank body will be purchased. This will increase the utilization of unit #5 and address the two pressing operational issues without the need to expand the RTS equipment inventory. The Swap Loader truck can be used with the proposed packer body while the existing Packer truck is being serviced or repaired, and can provide additional collection capacity during busy times of the year and during special events when additional trash pick-up is required. The proposed mobile water tank body will be utilized during those spring, summer and fall months when the compost area is dry and in need of dust control to prohibit dust from interfering with operations.

RTS PROPERTY IMPROVEMENTS This article will fund improvements to the Recycling & Transfer Station (RTS) facility to increase efficiency, comply with regulatory requirements, and improve functionality. FY2017 funding is proposed for the installation of anti-litter fencing (\$32,000) and the replacement of a retaining wall (\$36,000). The fencing project includes the installation of 850 linear feet of anti-litter fencing to reduce the amount of litter that is blown out of the facility onto the street and across Central Avenue to Claxton Field and the Town Forest. The fencing will significantly reduce or negate the need for staff to clean up Claxton Field or enter the wetlands to remove litter. The foundation walls at the rear of the transfer station are steep and held in place with an engineered Gabion retaining wall system (a wire mesh filled with rock). The wall is starting to fail as the wire mesh is coming apart. To repair the retaining wall and replace it with a new interlocking concrete block system, the existing Gabion system will be removed, the site prepared for the new wall, and new concrete installed.

RTS STORMWATER PLAN The Recycling and Transfer Station (RTS) composting operation is presently operating pursuant to a Conservation Commission Negative Determination of Applicability (NDA). This NDA was put in place as a result of potential adverse impacts to the wetlands from the compost operations. The NDA calls for the mitigation of potential stormwater issues at the site. At the present time, untreated stormwater runoff is entering a perennial stream that feeds the wetlands abutting the composting operations. In order to be compliant with the NDA this project will include the design of a silt detention basin at the compost area, the design of a new detention basin at the base of the landfill that will control stormwater runoff from the Materials Processing Area and the road behind the Salt Shed, design of the regrading of the materials processing area to ensure that all stormwater runoff is diverted from the wetlands, design of a stormwater management collection system for the proposed paving of the road behind the Salt Shed, and investigation and design of the drainage system adjacent to the Salt Shed.

ARTICLE 46: APPROPRIATE FOR RTS FLEET REPLACEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$269,000 for RTS Fleet Replacement, to be spent under the direction of the Town Manager, and to meet this appropriation that the

Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$269,000 under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: **FLEET REPLACEMENT – SPECIALIZED EQUIPMENT** Unless circumstances require otherwise, the RTS fleet replacement – specialized equipment planned for FY2017 includes the following:

Unit/Division	Year	Replacement	Amount
104/RTS	2007	Front-End Loader	\$269,000

ARTICLE 47: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$73,860 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that \$10,335 be transferred from Article 69 of 2006 Annual Town Meeting and \$63,525 be transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Sewer	Sewer Main Extension Zone 1 & 2 Design	\$73,860	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

There are eight homes with private septic systems in Needham that are within Massachusetts Department of Environmental Protection's Zone II areas. The Town has prioritized the extension of the sewer system to allow these homes to connect as part of its aquifer protection mandate. The Zone I and Zone II aquifer protection area for the Charles River Well No. 1 encompasses an area that includes private septic systems. Zone I includes land within the protective four hundred (400) foot radius around an existing or potential public water supply well or well field. Zone II includes the area of an aquifer that would potentially be affected by nearby septic systems. All three of Needham's wells are located in an area that is vulnerable to contamination from nearby septic systems, and extending the sewer main to allow access to homes within Zones I & II will reduce this risk. The sewer main ends at 827 Charles River Street, and the extension would run from 828 Charles River Street to Winding River Road and extend 712 feet up Winding River Road. This new sewer main will allow five homes that are currently on septic systems to connect to the Town sewer, subject to a betterment fee. FY2017 funding will support the design of 712 linear feet of 8" gravity sewer pipe installation and five sewer manholes.

ARTICLE 48: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$345,679 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that \$345,679 be transferred from Water Enterprise Fund retained earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Water	Fire Flow Improvements Study	\$20,000	
Water	Water Service Connections	\$200,000	
Water	Water System Rehabilitation Program	\$82,000	
Water	Fleet Replacement Program	\$43,679	
		\$345,679	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

FIRE FLOW IMPROVEMENTS STUDY *The Water System Master Plan has identified fire flow adequacy as a priority improvement. A fire flow adequacy analysis was conducted under maximum daily demand that determined that the existing system is unable to meet the minimum 20 pounds per square inch of pressure (psi) in the higher elevations of Town – Tower Hill and Birds Hill. The proposed feasibility study will provide options for meeting the minimum psi level in the most cost-effective manner.*

WATER SERVICE CONNECTIONS *The primary purpose of this program is to remove old iron pipe water services that may contain lead from the water distribution system. Old water services are to be replaced prior (at least one year) to a road reconstruction/paving project. If this project is not funded it leaves an element of the subsurface infrastructure susceptible to failure before the useful life of the reconstructed roadway has been realized. Prior appropriations are currently under contract with water service connection replacements estimated to be one and one half years ahead of the road resurfacing program. The FY2017 funding will provide approximately one year's value of water service replacements, which will fall in line with the road resurfacing program schedule. System wide, there are approximately 1,100 services that still need to be replaced in the system.*

WATER SYSTEM REHABILITATION PROGRAM *Water infrastructure requires ongoing attention and periodic replacement, and portions of the Town's water infrastructure are 75+ years old and approaching the end their useful life. A diligent rehabilitation program encompassing maintenance, repair, and replacement ensures a continual supply of water to the public. The Department of Public Works prioritizes replacement of water pipes based upon pipe condition, water break history, and adequacy of water flow to fire hydrants. Unless circumstances require otherwise, FY2017 funding is intended for engineering and design for a new 8" main for Alfreton Road from Highland Avenue to Webster Street (500 l.f.), engineering and design for a new 8" main on Bennington Street from High Street to Concord Street (650 l.f.), and engineering and design for a new 8" main on Country Way (1,200 l.f.).*

FLEET REPLACEMENT *Unless circumstances require otherwise, the Water core fleet replacement – specialized equipment planned for FY2017 includes the following:*

Unit/Division	Year	Replacement	Amount
26/Water	2011	F150 to F250	\$43,679

TOWN RESERVE ARTICLES

ARTICLE 49: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$994,496 to the Athletic Facility Improvement Fund, as provided under Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The 2012 Annual Town Meeting approved the creation of an athletic facility stabilization fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures, particularly at Memorial Park and DeFazio Park Field Complex. The replacement of the synthetic turf fields at Memorial Park and DeFazio Park Field Complex is estimated to be \$2.5 million in the 2020 timeframe, and \$344,496 of the recommended appropriation is intended for these fields: \$44,496 from the annual method of benchmarking to Park and Recreation administrative fee receipts, and \$300,000 from Free Cash. FY2017 represents the second in a five year plan to allocate \$300,000 per year to fully fund the synthetic turf replacement. The recommended appropriation also includes \$650,000 in support of the effort, begun in FY2016, for the renovation or reconstruction of the Memorial Park Building. Additional funds will be recommended over the next several years, as circumstances permit, and a feasibility study for the Memorial Park building is proposed under Article 43. The December 31, 2015 balance in the fund was \$1,973,058.

ARTICLE 50: APPROPRIATE TO DEBT SERVICE STABILIZATION FUND

To see if the Town will vote to raise and/or transfer and appropriate \$612,595 to the Debt Service Stabilization Fund, and to meet this appropriation that \$362,595 be raised from the Tax Levy and \$250,000 be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The November 2, 2015 Special Town Meeting approved the creation of a Debt Service Stabilization Fund (DSSF) to set aside funds to pay certain debt obligations. This fund is intended to be part of the Town's overall planning strategy for addressing capital facility needs. The fund provides added flexibility by smoothing out the impact of debt payments in years when the debt level is higher than is typically recommended. The fund would also be beneficial at times when interest rates are higher than expected. The plan for the fund is designed to ensure that the monies are not depleted in a single year, and that the amount available for appropriation is known before the budget year begins.

The FY2017 recommended funding is based on the amount of net revenue estimated from the Town's participation in the solar array/net metering program (\$362,595), and assumes a reallocation of the additional \$250,000 appropriated to the debt service budget in FY2016 for a total of \$612,595.

ARTICLE 51: APPROPRIATE TO STABILIZATION FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Stabilization Fund, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Municipalities are authorized under M.G.L. Chapter 40, Section 5B to establish stabilization funds. Monies appropriated to the Stabilization Fund remain in the fund and carry forward from one fiscal year to another. The interest earned on the stabilization fund remains with the fund. The money from the Stabilization Fund can be appropriated for any lawful municipal purpose. Appropriations both into and from the fund require a two-thirds majority vote of Town Meeting. Although the monies in the general Stabilization Fund may be appropriated for any lawful purpose, it is recommended that appropriations from the Stabilization Fund be limited to extraordinary unforeseen events or exceptionally negative fiscal conditions. Maintaining this fund serves an important function in that it represents the Town's commitment to prudent financial planning. State law restricts the amount that may be maintained in stabilizations funds to not more than ten percent of the Town's prior year tax levy, and not more than ten percent of the Town's equalized valuation, which is calculated bi-annually by the Department of Revenue. As of December 31, 2015, the balance in the fund was \$3,913,385.

ARTICLE 52: OMNIBUS

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least 7 days before said meeting.

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

Given under our hands at Needham aforesaid this 9th day of February 2016.

MAURICE P. HANDEL, *Chairman*
MATTHEW D. BORRELLI, *Vice Chairman*
MARIANNE B. COOLEY, *Clerk*
DANIEL P. MATTHEWS
JOHN A. BULIAN

Selectmen of Needham

A true copy,
ATTEST _____ **2016**
Constable (month) (day)



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Public Hearing- Verizon and Eversource Energy: Kimball Street for 92 Grant Street
Presenter(s)	Penny Kane, Verizon Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
Verizon and Eversource Energy requests permission to relocate one pole (p. 8/7), on Kimball Street. This work is necessary to accommodate a new driveway for the property at 92 Grant Street. The Department of Public Works has approved this petition, based on Verizon and Eversource Energy's commitment to adhere to the Town's regulation that if applicable, 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
<u>Suggested Motion:</u> Move that the Board of Selectmen approve and sign a petition from Verizon and Eversource Energy to relocate one pole (p. 8/7), on Kimball Street. This work is necessary to accommodate a new driveway for the property at 92 Grant Street.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below) a. Letter of Application b. Petition c. Order d. Petition Plan e. Notice Sent to Abutters f. List of Abutters			

Penny Kane
Right of Way



RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN

125 Lundquist Drive
Braintree, MA 02184

Phone 781-849-6320
Fax 781-380-8854
penny.l.kane@verizon.com

February 10, 2016

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

RE: Petition for Verizon job #4A0CT8Y
Kimball Street, Needham, MA
(For 92 Grant St.)

Dear Honorable Board of Selectmen:

Enclosed please find a petition on behalf of Verizon New England Inc. and NStar Electric Company d/b/a Eversource Energy to relocate one Pole (P.87), on Kimball Street as shown on the attached plan.

This pole relocation is necessary in order to accommodate a new driveway for the property at #92 Grant Street.

A Public hearing and notice to abutters is not required. But if necessary a Verizon representative will attend the Public hearing. Should any questions or comments arise concerning this matter prior to the hearing, please contact me at (781) 849-6320. Your Assistance is greatly appreciated.

Sincerely,

Penny Kane
Right of Way Specialist

Enc

OK to proceed
TMYL, DPW Engr. Dept.
3/4/16
OK R.P. Nelson
DPW Director 3/7/16

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

February 5, 2016

To the Board of Selectmen

in **NEEDHAM**, Massachusetts

VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Kimball Street:

Relocate one (1) JO pole, P.87, to a point on the southerly side of Kimball Street approximately 8' westerly from its existing location, said point being approximately 80' easterly from the centerline of Grant Street.

This pole relocation is necessary in order to accommodate a new driveway for the property at #92 Grant Street.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations 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-VZ N.E. Inc. Plan No. **4A0CT8Y** Dated **February 5, 2016.**

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

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By _____
Manager - Rights of Way

Dated this _____ day of _____, 2016.

NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY

By _____
Manager - Rights of Way

Dated this _____ day of _____, 2016.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

By the Board of Selectmen of the Town of NEEDHAM, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY dba
EVERSOURCE ENERGY be and they are hereby granted joint or identical locations 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 Companies may deem necessary,
in public way or ways hereinafter referred to, as requested in petition of said Companies dated the 5th day of
February, 2016

Kimball Street:

**Relocate one (1) JO pole, P.87, to a point on the southerly side of Kimball Street
approximately 8' westerly from its existing location, said point being approximately
80' easterly from the centerline of Grant Street.**

**This pole relocation is necessary in order to accommodate a new driveway for the
property at #92 Grant Street.**

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-VZ N. E. Inc. No. **4A0CT8Y** in a package Dated **February 5, 2016**,
filed with said petition.

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:

Kimball Street
1 JO pole to be relocated

Also that permission be and hereby is granted to each of said Companies to lay and maintain
underground laterals, cables and wires in the above or intersecting public ways for the purpose of making
connections with such poles 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 for the
Town of NEEDHAM, Massachusetts held on the _____ day of _____ 2016.

Town Clerk

We hereby certify that on _____ 2016, at _____ o'clock _____ m., at the _____ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY 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 Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Board of 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 for the Town of **NEEDHAM**, Massachusetts, on the _____ day of _____ 2016, 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:

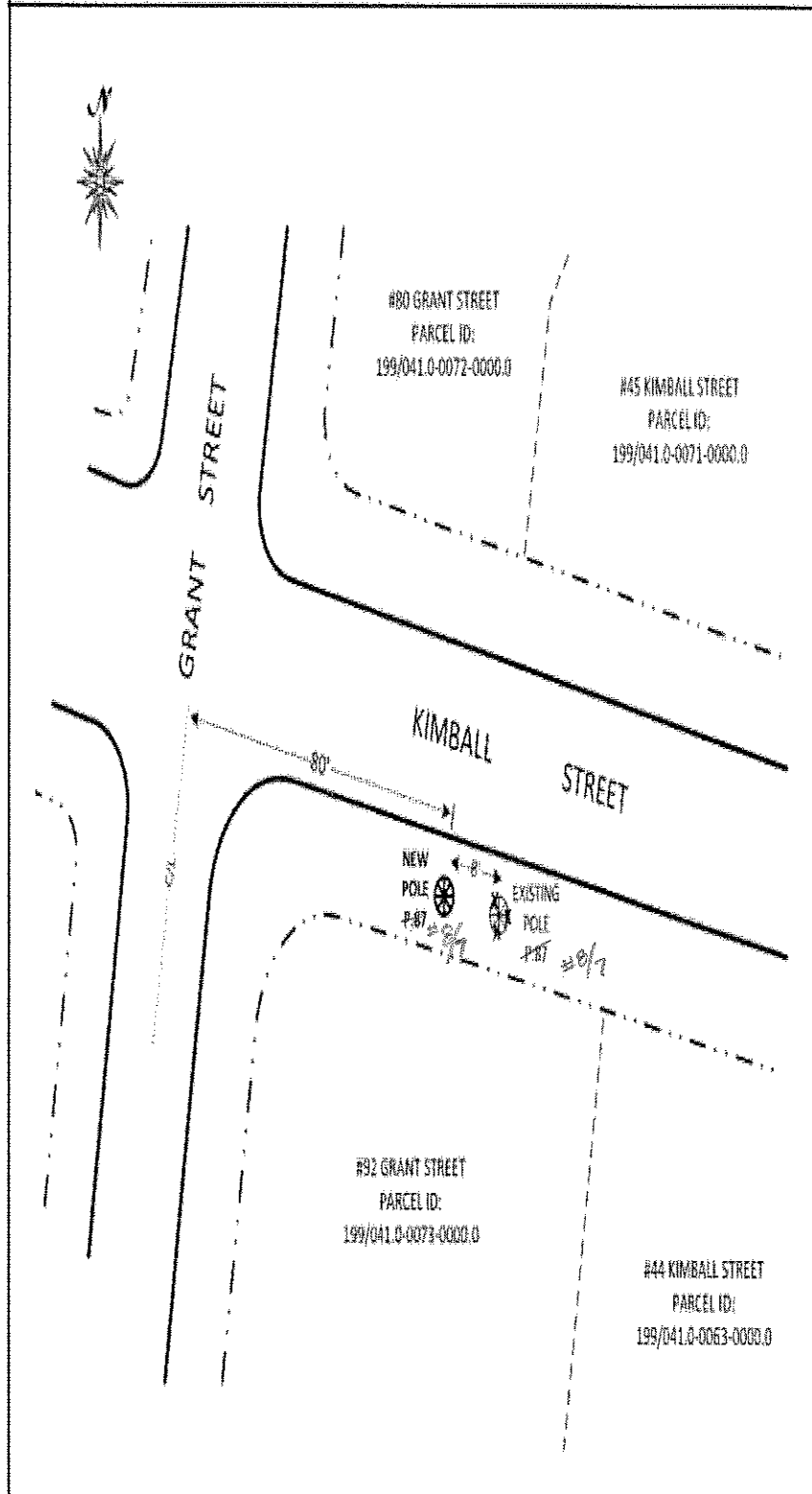
Town Clerk

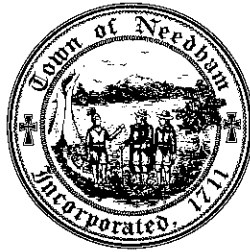
VERIZON NEW ENGLAND INC. AND
NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

DATE: FEBRUARY 5, 2016

SHOWING

PROPOSED RELOCATION ONE POLE ON KIMBALL STREET





NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 6:30 p.m. on March 22, 2016** upon petition of Verizon New England Inc. and NSTAR Electric Company d/b/a Eversource Energy dated **February 10, 2016** to relocate one Pole on Kimball Street. This pole relocation is necessary in order to accommodate a new driveway for the property at 92 Grant Street. A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Verizon New England Inc. representative, Penny Kane at 781-849-6320.

Maurice P. Handel
Matthew D. Borrelli
Marianne B. Cooley
Daniel P. Matthews
John A. Bulian

BOARD OF SELECTMEN

Dated: March 8, 2016

92 GRANT STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
HOURIGAN, MICHAEL P. & SEGEL, JOEL & APPEL, ROY + ARENDELL, ROBERT L. & SHENG, BO & MI NINGFANG FLOITGRAF, WOLFGANG K, TR & FUCHS, MICHAEL I. JOYCE, JAMES E. & HERMAN, ELLIOT B. & KIMBERLY B. BUTNARU, MAGDA +	DEVINE, JOANNE E. SEGEL, LAURA SIPSER STRASSFELD, MALA A. ARENDELL, STEPHANIE A. FLOITGRAF, JEANNE M., TR C/O OAKCREST BUILDERS LLC JOYCE, MAUREEN B C/O COX, CHRISTOPHER & JULIE BUTNARU, AVNER	267 WARREN ST 263 WARREN ST 44 KIMBALL ST 41 KIMBALL ST 45 KIMBALL ST 80 GRANT ST 4 HOPEDALE ST 96 GRANT ST 62 KIMBALL ST 81 GRANT ST	NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM MENDON NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA MA MA MA MA MA MA	02492 02492 02492 02492 02492 02492 01756 02492 02492 02492	1990410006100000 1990410006200000 1990410006300000 1990410006600000 1990410007100000 1990410007200000 1990410007300000 1990410007400000 1990460000100000 1990470002200000	267 WARREN ST 263 WARREN ST 44 KIMBALL ST 41 KIMBALL ST 45 KIMBALL ST 80 GRANT ST 92 GRANT ST 96 GRANT ST 62 KIMBALL ST 81 GRANT ST

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
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Close Public Hearing – Regulation of Food Trucks & Carts
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board of Selectmen held a public hearing regarding the subject of Food Trucks/Carts in the Town of Needham on March 8, 2016. The Board voted to continue the public hearing until March 22, 2016 to allow for additional public comment.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Vote:</i> That the Board of Selectmen vote to close the Public Hearing – Regulation of Food Trucks and Carts.			
3.	BACK UP INFORMATION ATTACHED	YES	NO



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/22/2016

Agenda Item	Public Hearing – Registered Marijuana Dispensary Letter of Support/Non-Opposition
Presenter(s)	Public Hearing

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
In accordance with the Board’s Registered Marijuana Dispensary Applications Policy (BOS-ADMIN-004), this public hearing has been scheduled to hear presentations from three organizations who were invited by the Massachusetts Department of Public Health (DPH) to submit a siting profile as part of their applications for registration as a RMD. All applicants have submitted hard copies of their respective siting profiles and appropriate documentation related to selected proposed locations. Abutters to the proposed location areas have been notified and initial consultations with the Town Manager have been completed. Each applicant is seeking a letter of support or non-opposition from the Board. <u>Presentation order:</u> 6:45: Sage Cannabis, Inc. – Attorney: Roy Cramer, 7:15: Massachusetts Patient Foundation, Inc. – Attorney(s): George Guinta, Jr and Andrew Fine 7:45: Medical Marijuana of Massachusetts, Inc. Attorney(s): Robert Smart and Jonathan Herlihy			
	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Copy of Abutter Notification b. Copy of Board of Selectmen Policy (BOS-ADMIN-004) c. Siting Applications & Supporting Materials issued under separate cover			



TOWN OF NEEDHAM

TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669

Office of the
BOARD OF SELECTMEN

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

INFORMATION REGARDING REGISTERED MARIJUANA DISPENSARIES IN THE TOWN OF NEEDHAM Public Hearing Scheduled for March 22, 2016

You are receiving this letter because you are the owner of record of property within 300 feet of the Town of Needham's zoning districts that allow the siting of Registered Medical Marijuana Dispensaries (RMDs).

The voters of the Commonwealth voted to approve the cultivation and sale of medical marijuana which was adopted into law as Chapter 369 of the Acts of 2012 – An Act for the Humanitarian Medical Use of Marijuana.

Applicants who wish to locate a facility in Needham are required by the Massachusetts Department of Public Health to receive a letter of support or non-opposition from the Board of Selectmen in order to proceed. Accordingly, the Board has adopted a policy relative to the siting of RMDs within the Town. A copy of the policy is on the other side of this notice.

Under the terms of the policy, the Board of Selectmen will hold a public hearing to consider at least one and possibly more applications on **March 22nd** at the Needham Town Hall. To find up-to-date information about the RMD siting process and notices of public hearings related to this subject, please visit the "NOTIFY ME" section of the Town's website. You will be able to register to receive notification of RMD public hearings through email and text message. By registering for NOTIFY ME you will automatically receive notices as they are available. To register for NOTIFY ME, visit: <http://www.needhamma.gov/notifyrmd> and complete your email and/or phone information. You will receive an email requesting confirmation of your email address, which will activate your registration.

If you have any questions or need additional information, please contact the Office of the Town Manager at 781-455-7500 extension 0.

Board of Selectmen	
Policy Number:	BOS-ADMIN-004
Policy:	Registered Marijuana Dispensary Applications

Policy:

The Board of Selectmen may provide a letter of support or non-opposition, or take any other action relative thereto, with respect to any application seeking to locate a Registered Marijuana Dispensary (RMD) in Needham after a public hearing and consultation with the Town Manager.

Prior to the hearing being scheduled:

1. The applicant entity must have filed an Application of Intent with the State Department of Public Health (DPH) and received an invitation to submit a siting profile from DPH.
2. The applicant entity shall submit a hard copy and a PDF copy its current draft Siting Profile to the Town Manager. Other than Section C (Letter of Support or Non-Opposition) and its attachment, the Siting Profile shall be complete, including attachments.

The applicant entity shall promptly provide a hard copy and a PDF copy of any amendments to its draft Siting Profile and, prior to filing with DPH, a hard copy and a PDF copy of its final Siting Profile, to the Town Manager.

In the event of any changes to the Siting Profile after a letter of support or non-opposition has been approved by the Board, other than completion of Section C and necessary attachments thereto, the hearing shall be reopened unless the Town Manager determines that the changes are minor or technical in nature.

Other than compliance with the Open Meeting Law, the hearing on approval of a letter of support or non-opposition shall not require any specific form of notice. Notwithstanding the foregoing, the Town Manager shall attempt to provide reasonable public notice at least fourteen days before the hearing by measures such as: posting on the Town's website, email to the Needham Times, Hometown Weekly, and The Needham Channel, and a list serve available to the public through the Notify Me feature of the Town website.

Initial Hearing(s) under this policy:

- a. Prior to scheduling the first hearing or hearings to be held under this policy, the Town Manager shall request the Town Engineering Department to compile a list of abutters for all properties in or within in three hundred feet of any zone where an RMD may be allowed by special permit under the Town's zoning bylaw, and shall send a postcard notice to those abutters inviting them to sign up for the list serve referenced above.
- b. Because the Board may find it in the public interest to limit the number of letters of support or non-opposition it issues regarding RMDs in Needham, the first hearing under this policy shall not be held until at least sixty days after the Board receives a request for hearing from an applicant holding a DPH invitation to submit a siting profile. The Board may hear all applications received during that sixty day period before deciding any of them.

Board of Selectmen

Policy Number: BOS-ADMIN-004

Policy: Registered Marijuana Dispensary Applications

Policy:

The Board of Selectmen may provide a letter of support or non-opposition, or take any other action relative thereto, with respect to any application seeking to locate a Registered Marijuana Dispensary (RMD) in Needham after a public hearing and consultation with the Town Manager.

Prior to the hearing being scheduled:

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Initial Hearing(s) under this policy:

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- b. Because the Board may find it in the public interest to limit the number of letters of support or non-opposition it issues regarding RMDs in Needham, the first hearing under this policy shall not be held until at least sixty days after the Board receives a request for hearing from an applicant holding a DPH invitation to submit a siting profile. The Board may hear all applications received during that sixty day period before deciding any of them.

Effective: 8/18/2015

EMPLOYMENT AGREEMENT

**between
Town of Needham
and
Town Manager**

THIS AGREEMENT, pursuant to Chapter 41, Section 108N of the Massachusetts General Laws, made and entered into this 13th day of April, 2016, by and between the Town of Needham, Commonwealth of Massachusetts, a municipal corporation, hereinafter called the "Town," acting by and through its Board of Selectmen, hereinafter called the "Board", and Kate Fitzpatrick, hereinafter called the "Town Manager", as follows:

WITNESSETH:

Whereas, the Town appointed Kate Fitzpatrick as Town Manager of the Town of Needham on February 22, 2005 to be effective May 6, 2005; and,

Whereas, the Town Manager is the Chief Executive Officer and Chief Financial Officer of the Town; and,

Whereas, the Board, under Chapter 41, Section 108N of the Massachusetts General Laws, may contract with the Town Manager regarding her salary, benefits, and severance pay; and,

Whereas, it is the desire of the Board to have a written contract which will establish the benefits, terms, conditions, and obligations of employment for the Town Manager; and,

Whereas, it is the desire of the Board to retain the services of the Town Manager and to provide inducement for her to remain in such Office; and,

Whereas, Kate Fitzpatrick agrees to accept the Office of Town Manager of said Town.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

Section 1. Duties

- 1.1 The Town hereby agrees to reappoint Kate Fitzpatrick as Town Manager of said Town to perform the functions and duties specified in the Town Charter, and to perform other legally permissible and proper duties and functions as the Board shall from time to time assign.
- 1.2 The Town Manager shall supervise, direct and be responsible for the efficient administration of all functions under her control as authorized by Town Charter.

Section 2. Term

- 2.1 The Town Manager's term of office shall be in accordance with the Town Charter, Section 20A (a) (1).
- 2.2 Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Board to terminate the services of the Town Manager in accordance with the Town Charter, subject only to the provisions set forth in Section 4 of this Agreement.
- 2.3 Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Town Manager to resign at any time from her position with the Town, subject only to the provisions set forth in Section 4.5 of this Agreement.
- 2.4 This Agreement shall become effective May 6, 2016, and shall be in full force and effect until May 5, 2019, subject to the provisions of Section 4 of this Agreement.
- 2.5 In the event that written notice is not given by either party to the other one hundred and eighty (180) days prior to the termination date as herein above provided, this Agreement shall be extended on the same terms and conditions as herein provided, for an additional period of one year. Said Agreement shall continue thereafter for one year periods unless either party hereto gives one hundred eighty (180) days written notice to the other party that the party does not wish to extend this Agreement for an additional one year term.

Section 3. Suspension

- 3.1 The Town may suspend the Town Manager for just cause, without pay and benefits, at any time during the term of this Agreement by the affirmative vote of a majority of the Board, but only after a public hearing, and provided further, that the Town Manager shall have been given written notice at least ten (10) days prior to such hearing, setting forth in detail the particulars of any just cause alleged to exist against her and the name of the party alleging the charges, if any. Just cause as used in this paragraph shall mean failure to carry out, through malfeasance, misfeasance, or nonfeasance, the responsibilities of the Office of Town Manager, the commission of a felony, and/or or the violation of any Federal or State felony law or statute.
- 3.2 The Town may place the Town Manager on Administrative Leave without just cause, but with pay and benefits, at any time during the term of this Agreement by the affirmative vote of a majority of the Board, but only provided that the Board is at that time investigating the Town Manager for some alleged act, conduct or omission amounting to malfeasance, misfeasance, or nonfeasance relating to the responsibilities of the office of Town Manager, and/or the commission of a felony, and/or the violation of any Federal or State felony law or statute, and provided further, that this "paid" Administrative Leave cannot be longer than sixty (60) days.
- 3.3 Nothing contained in these Sections with respect to suspension or administrative leave shall be construed to violate any provision of the United States Fair Labor Standards Act or invalidate

the exempt status of the Office of Town Manager, and if necessary, this language shall be reformed such that no such violation or invalidation will occur or result.

Section 4. Termination and Severance Pay

- 4.1 The Town may terminate the services of the Town Manager before the expiration of the aforesaid term of employment, with or without just cause, by an affirmative vote of a majority of the Board in accordance with Section 20A (c) of the Town Charter, provided that the Board initiates the termination by adopting a resolution to this effect by the affirmative vote of a majority of the Board. A copy of the resolution shall be delivered to the Town Manager who shall have five (5) workdays after receipt in which to request a public hearing. If a hearing is requested, it shall be scheduled within two (2) weeks by the Board and be held in a public place. The Chairman of the Board of Selectmen shall conduct the hearing. The Town Manager and Board may call witnesses and subpoena Town records. The Board shall, at the conclusion of that hearing or at its next meeting, vote on said termination.
- 4.2 In the event that the Town Manager is terminated by the Board, except for just cause as hereinafter provided, before expiration of the aforesaid term of employment and during such time that the Town Manager is willing and able to perform her duties under this Agreement, then in that event, the Town agrees to provide two (2) months termination notice and to pay the Town Manager a lump sum cash severance payment of six (6) months salary upon her termination. Additionally, the Town Manager shall be paid a lump sum cash payment in lieu of all accumulated vacation leave, and will be entitled to sick leave buy-back in accordance with the Town's Personnel Administration Plan. Any "hearing" that the Town Manager requests under Section 4.1 will not stay or lengthen the two (2) month termination notice described above.
- 4.3 If the Board seeks to avoid its obligations with respect to the payment of the severance sum and sick leave buy-back in Section 4.2, the termination must be found to have been for just cause (failure to carry out, through malfeasance, misfeasance, or nonfeasance, the responsibilities of the office of Town Manager, the commission of a felony, and/or or the violation of any Federal or State felony law or statute). In this circumstance, the Board, in its resolution under Section 4.1 must itself call for a hearing and thereafter schedule and conduct same in accordance with Section 4.1. In the event that the Town Manager is terminated for just cause as voted by a majority of the Board, then the Town shall have no obligation to pay the aggregate severance sum or sick leave buy-back designated in section 4.2.
- 4.4 In the event that the Town, at any time during the term of this Agreement, reduces the salary or other financial benefits of the Town Manager (except as provided in section 12), or eliminates the position of Town Manager, or in the event that the Town refuses, following written notice, to comply with any other provisions benefiting the Town Manager herein, or if the Town Manager resigns following a request by the Board that she resign, then, in those events, the Town Manager may, at her option to be exercised within six (6) weeks of the occurrence of the event, be deemed to have been terminated

on the date she gives notice of such reduction, refusal to comply, or resignation, and the severance pay and sick leave buy-back provisions as stated in Section 4.2 shall be applicable.

- 4.5 In the event that the Town Manager voluntarily resigns her position with the Town before expiration of the aforesaid term of her employment, then the Town Manager shall give the Town three (3) months notice in advance unless the parties otherwise agree. A copy of the resignation shall be filed with the Town Clerk. During this three (3) month notice period, the Town Manager may not take vacation leave unless approved by the Chairman of the Board of Selectmen. In the event that the Town Manager voluntarily resigns, without having been requested to do so by the Board, she shall not be eligible for severance benefits as set forth in Section 4.2, or sick leave buy-back, unless otherwise eligible under the Town's Personnel Administration Plan, but will be eligible for lump sum payment of accumulated vacation leave as set forth in Section 7.1.
- 4.6 This Section shall survive the termination of this Agreement.

Section 5. Compensation

- 5.1 The Town agrees to pay the Town Manager for services rendered under this Agreement a base salary, subject to applicable withholdings and deductions and payable in weekly installments, as follows:

<u>Effective Date</u>	<u>Increase</u>	<u>Salary</u>
Effective May 6, 2016	3%	\$181,584
Effective July 1, 2017	3%	\$187,032
Effective July 1, 2018	3%	\$192,643

- 5.2 The Town Manager is not eligible for reimbursement for the use of a personal automobile for Town business. The Town Manager is eligible for reimbursement for out-of-pocket expenses such as parking and tolls. The Town Manager agrees to maintain automobile insurance coverage including the following minimum amounts:

- Damage to Someone Else's Property \$100,000
- Optional Bodily Injury to Others \$250,000/\$500,000

as well as a Personal Liability Umbrella Policy in the minimum amount of \$1,000,000.

- 5.3 The Town will make an annual payment of 7% of base pay to the 401A deferred compensation plan offered by the Town and selected by the Town Manager. The Town Manager shall notify the Town Accountant in writing of the deferred compensation plan in which the payment is to be made.
- 5.4 The Town shall reimburse the Town Manager up to \$4,000 toward the cost of disability, life, and/or liability insurance policies, as selected by the Town Manager. In filing for this

reimbursement, the Town Manager shall provide a copy of the relevant insurance policy, Coverage Selections Page and/or Declaration Page, and evidence of her payment for the disability, life, and/or liability insurance premiums.

Section 6. Hours of Work

- 6.1 The Town Manager will devote full time and attention to the business of the Town and will not engage in any other business during office hours, except with the approval of the Board and in accordance with the Town Charter. It is recognized that the Town Manager must devote a great deal of time outside the normal office hours to the business of the Town, and to that end the Town Manager will be allowed to take reasonable compensatory time off as she shall deem appropriate during said normal office hours.
- 6.2 The Town Manager shall be a salaried officer of the Town.

Section 7. Authorized Leave

- 7.1 The Town Manager shall accrue 2.08 days of vacation leave each month (25 days per year). Any earned but unused vacation as of June 30 of each contract year shall be carried forward to the next contract year. No more than twenty (20) weeks of vacation leave, however, may be accumulated in total. Upon termination for whatever cause, the Town Manager shall be paid for all unused earned vacation leave. The Town Manager, at her option, may elect to have the Town "buy back" up to ten (10) vacation days (two weeks pay) per year. This buy-back will be subject to all legally required withholdings.
- 7.2 Bereavement Leave, civic duty leave, and legal holiday provisions of the Town's Personnel Administration Plan shall be applicable to the Town Manager.
- 7.3 The Town Manager shall receive three (3) personal days per fiscal year during the term of this Agreement. These may not be accumulated from one year to the next.
- 7.4 The Town Manager shall be allowed one and one-quarter ($1\frac{1}{4}$) day's sick leave for each month of service. Any portion of such leave not used in any year may be accumulated without limit. Sick leave buy-back provisions of the Town's Personnel Administration Plan shall be applicable to the Town Manager.

Section 8. Expenses

- 8.1 The Board hereby agrees to request in its budget sufficient funds for expenses of the Town Manager that can be used, at the discretion of the Town Manager, for out-of-state travel, professional development, educational expenses, professional and civic association dues, official meetings and customary office expenses. All out-of-state expenses shall require prior authorization of the Chairman of the Board of Selectmen or his/her designee.

- 8.2 The Board supports the Town Manager's attendance at the ICMA/Senior Executive Institute for local government managers at the University of Virginia once during the duration of this Agreement at Town's expense.
- 8.3 The Town Manager shall be reimbursed for any expenses incurred in the performance of her duties, or as an official representative of the Town including attendance by her at civic or social events.
- 8.4 Any expenses that the Town Manager submits for such reimbursement must be accompanied by some written document, invoice, memo and/or evidence of payment supporting the reimbursement request.

Section 9. Performance Evaluations

- 9.1 The Board shall review and evaluate the Town Manager at least annually during this Agreement. This evaluation shall be based on goals and objectives developed jointly by the Board and Town Manager. Further, the Board may provide the Town Manager with a summary written statement of the findings of the Board and shall provide an adequate opportunity for the Town Manager to discuss her evaluation with the Board.
- 9.2 Annually, the Board, in conjunction with the Town Manager, shall define such goals and performance objectives which they deem necessary for the proper operation of the Selectmen's department and in the attainment of the Board's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing.

Section 10. Indemnification

- 10.1 The Town shall defend, save harmless and indemnify the Town Manager against any tort, professional liability, claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of her duties as Town Manager, even if said claim is brought/filed following her termination from employment, provided that at the time of the alleged act or omission the Town Manager was then acting within the scope of her approved duties. Under these circumstances only, the Town (and/or its insurer) shall pay the amount of any settlement or judgment rendered thereon, and further, the Town (and/or its insurer) may compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon without recourse to the Town Manager.
- 10.2 In connection with those claims or suits involving the Town Manager in her professional capacity and covered under Section 10.1 above, the Town, at its sole option, shall either retain and pay for an attorney to represent the Town Manager (including all fees and costs) or reimburse the Town Manager for any attorneys' fees and costs incurred by the Town Manager in connection with same, providing the Town Manager submits proper invoices and evidence of payment of same.

- 10.3 This Section shall survive the termination of this Agreement.

Section 11. General Provisions

- 11.1 The text herein shall constitute the entire agreement between the parties with regard to the matters set forth herein. There are no other understandings or agreements, verbal or otherwise, in relation thereto, between the parties except as expressly set forth herein. This Employment Agreement may be amended or modified only by a written instrument executed by the parties hereto or by their successors and assigns.
- 11.2 All provisions of the laws of the Commonwealth of Massachusetts relating to retirement, health, insurance, and other fringe benefits shall apply to the Town Manager as they generally apply to other employees of the Town, in addition to said benefits enumerated herein specifically for the benefit of the Town Manager, except as otherwise provided in this Agreement.
- 11.3 The provisions of the Town's Personnel Administration Plan and policies shall apply in those instances not otherwise addressed by this Employment Agreement. This Agreement shall prevail over any conflicting personnel provisions of the Town By-laws or personnel policies.
- 11.4 This Agreement shall become effective at 12:00 a.m. on May 6, 2016.
- 11.5 If any provision, or any portion thereof, contained in this Agreement, is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- 11.6 This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Town Manager.
- 11.7 For the purposes of the United States Fair Labor Standards Act, the Town Manager shall be considered an exempt employee.
- 11.8 This Employment Agreement is entered into in the Commonwealth of Massachusetts and shall be construed and interpreted in accordance with its laws.
- 11.9 This Employment Agreement is the result of negotiation and compromise by and among the parties and no party shall be prejudiced as having been the drafter of the Employment Agreement.

12. No Reduction in Benefits

- 12.1 The Town shall not at any time during the term of the Agreement reduce the salary, compensation, or other benefits of the Town Manager, except to the degree that such a reduction is across the board for all other general government employees of the Town.

13. Notices

- 13.1 Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

TOWN: Chairman of the Board of Selectmen
Town Hall
1471 Highland Avenue
Needham, MA 02492

TOWN MANAGER: Ms. Kate Fitzpatrick

IN WITNESS WHEREOF, the Town of Needham, Massachusetts has caused this Agreement to be signed and executed in its behalf by its Board of Selectmen, and duly attested by its Town Clerk, and the Town Manager has signed and executed this Agreement, both in duplicate, on the day and year first above written.

TOWN MANAGER

BOARD OF SELECTMEN

Kate Fitzpatrick

Date

Attested:

Town Clerk: _____

Date: _____

Approved as to Legal Form:

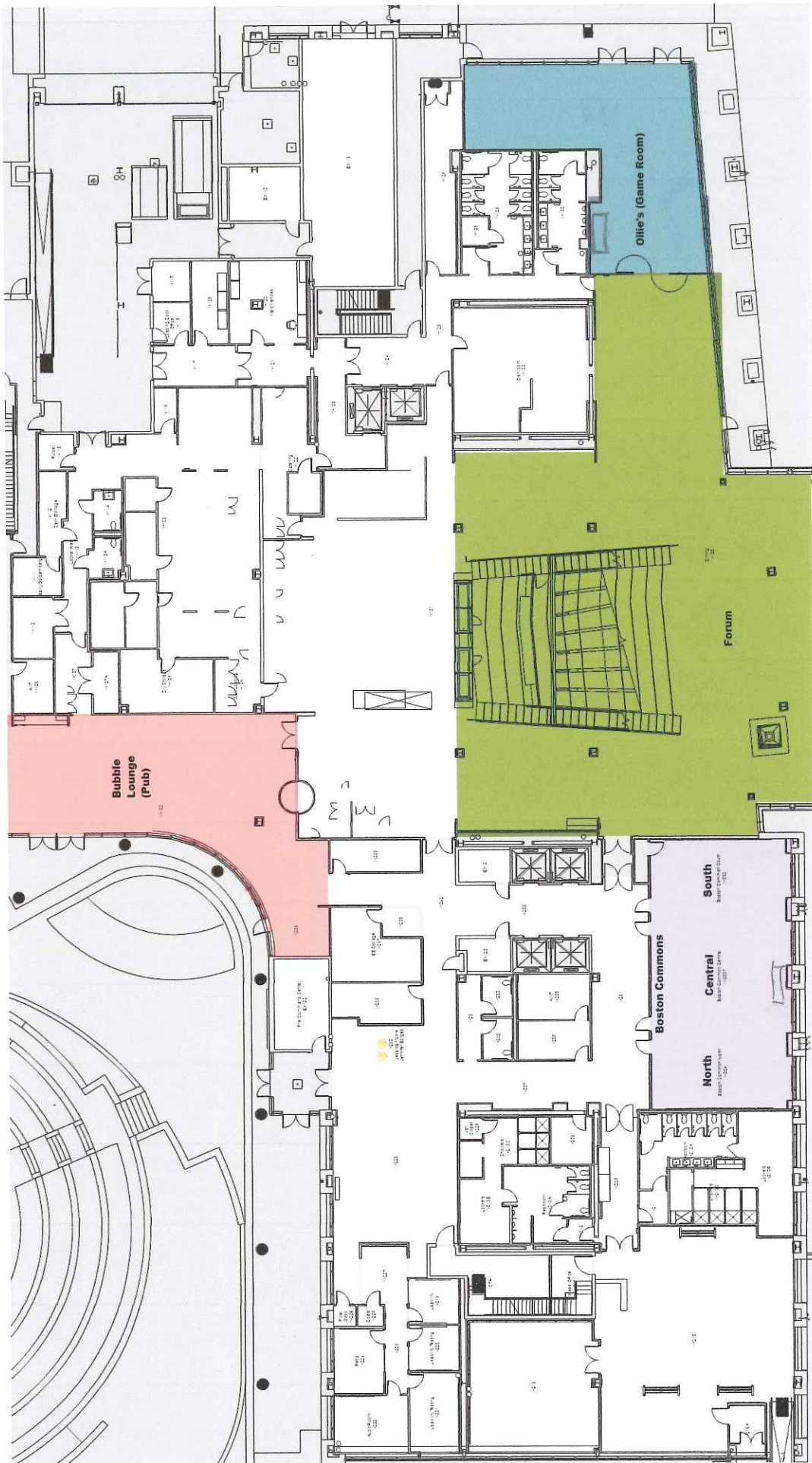
Town Counsel: _____

Date: _____

pd. cash 3/9/16

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)	Barry Goldemberg Barry.goldemberg@compass-usa.com		
Event Manager Address	400 First Ave, Needham MA 02494		
Event Manager Phone Number	781 800 5858		
Organization Representing (if applicable)	RESTAURANT ASSOCIATES [Signature]		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☒ Non-profit ☐ For profit ☐ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	MT 10A INCLUSIVE DESIGN Symposium		
Date of Event	3/8/16		
License is for Sale of:			
☒ Wines & Malt Beverages Only ☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM: 5pm	TO: 9pm	
Are tickets being sold in advance for this event?	☐ YES \$ /per ticket	☒ NO	
Is there an admission fee for this event?	☐ YES \$ /per ticket	☒ NO	
Are you using dues collected to purchase alcohol for this event?	☐ YES	☒ NO	
How many people are you expecting at this event?	30		
Name & address of event location. Please attach proof of permission to use this facility.			
400 First Ave Needham, MA 02494			
Who will be serving the alcohol to your guests?			
Barry Goldemberg will be serving to guests			
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).			
Amy Sinclair			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
Guests will be served alcohol. There will be no exchange of money.			
☒ 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: [Signature]			Date: 3/6/16



UNDERGRADUATE MINORS

HONOR PROGRAMS

REGISTRAR

COLLEGE CATALOG

ACADEMIC CALENDAR

GLOBAL CONNECTIONS

GRADUATE PROGRAMS

NATIONAL CENTER FOR DEATH EDUCATION

CONTINUING EDUCATION

ONLINE AND HYBRID LEARNING

ACADEMIC SUPPORT



The First-Ever Inclusive Design Symposium is coming to Mount Ida College

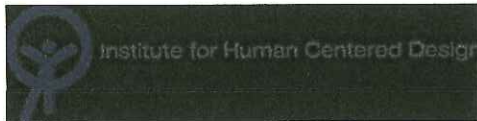
Friday and Saturday, March 18 & 19

*Join us for a 2-day event focusing on accessibility and usability in design, featuring a Design-A-Thon, where teams of faculty, staff, students and professionals will design and display their creations. Join us on campus for a sampling of innovative design, guest speakers and discussion. **This event is open to the public and everyone is invited to participate.***

Overview

The Symposium will feature members of the New England community including students and faculty, interior designers, architects, care-givers, and community members with or without disabilities. Participants will enjoy speakers and participate in team empathy exercises, while using design as a medium to move beyond stereotypes and build compassionate, practical solutions. Guest speakers will include Brett Heising from brettapproved.com, Valerie Fletcher, Executive Director of the Institute for Human Centered Design, and GRIT.

Contributors



This conference has been approved by the Interior Design Continuing Education Council Inc. (IDCEC). Design Professionals can earn a maximum of .8 CEUs over the two day symposium. \$20 for a single day or \$35 for both. Please bring a check or cash- no credit cards will be accepted.

What is a Design-A-Thon?

Partner institution Marymount University held a similar event last year—
Take a look.

Aging Well by Design-athon (March 2014)

Friday, March 18th

- 9:00 AM – 9:30 AM Welcome and Breakfast
- 9:30 AM – 10:30 AM Kick-off Event Speakers
- 10:30 AM – 12:00 PM Break into Interdisciplinary Design Teams for Empathy Activities
- 12:00 PM – 1:00 PM Lunch/Lunchtime Talks
- 1:00 PM – 2:30 PM Explore
- 2:30 PM – 3:00 PM Rapid Reporting
- 3:00 PM – 5:30 PM Make Sessions Begin
- 5:30 PM Happy Hour, Networking, Socialize

Saturday, March 19th

- 9:00 AM – 9:30 AM Breakfast
- 9:30 AM – 12:00 PM Continue Make Sessions
- 12:00 PM – 1:00 PM Lunch/Lunchtime Talks
- 1:00 PM – 2:30 PM Presentation Finishing Touches
- 2:30 PM – 3:30 PM Share – Presentations, Judging
- 3:30 PM – 4:30 PM Break for Participants/Judging
- 4:30 PM – 5:30 PM Keynote Speaker(s) and Awards Ceremony
- 5:30 PM – 7:00 PM Exhibition Opening and Reception

REGISTER!

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Commercial Photography (B.S.)

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Fashion Design (B.S.)

Fashion Industry Marketing & Management (B.S.)

Game Art (B.S.)

Graphic Design (B.S.)

Interactive Media (B.S.)

Interior Design (B.S.)

Design Week

> Animation

> Commercial Photography

> Fashion Design

> Fashion Industry Marketing & Management

> Game Art

> Graphic Design

> Interior Design

Inclusive Design Symposium at Mount Ida College

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**Town of Needham
Board of Selectmen
Minutes for March 8, 2016
Powers Hall
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: Ivan Millan-Pulecio, Owner/Manager, Hearth Pizzeria spoke with the Board about a proposed change in his restaurant - from malt/wine to All Alcohol with the addition of a bar and 10-12 stools. The proposed change will put the restaurant over the 10% as stipulated in the Board's regulations. Board members referred Mr. Millan-Pulecio to the Building and Planning Departments and indicated that the restaurant must comply with existing regulations.

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Maurice P. Handel. Those present were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Introduce Police Officers:
John Schlittler, Chief of Police introduced newly appointed Police Officers Matthew Doukas, Edward Timmerman, and Adrienne Anderson.

Chief Schlittler said the officers recently graduated from a 26 week training program. He said the recruits excelled during the 26 week program, finishing near the top of the class in all categories. He gave a brief background of each officer, noting they are all lifelong residents of Needham. Chief Schlittler pointed out the past involvement in community service related events, commenting each officer has very strong ties to Needham. He welcomed Officers Doukas, Timmerman, and Anderson to the service of the Town.

The Board congratulated the officers and wished them well while serving the Town of Needham.

7:10 p.m. West Roxbury to Needham Reliability Project:
Jack Lopes, Community Relations Representative, Eversource Energy, Domenic Nicotera, Project Manager, Eversource Energy, and Mike Howard, Epsilon Associates outlined for the Board plans for improving the reliability of the transmission lines between West Roxbury and Needham.

A powerpoint presentation was viewed.

Mr. Lopes explained a strong transmission line is vital to the safety, security, and economic prosperity of the Greater Boston region, noting the transmission system

serves a critical role to ensuring that electricity flows with a high degree of reliability to where power is needed. He commented on a recent study, and ways to proactively address inadequate transmission resources to serve the electrical needs in the Great Boston and Southern New Hampshire area.

Mr. Nicotera said Eversource has worked closely with the Town over the last year, planning the project and determining the preferred route of the new transmission lines. He said the project consists of both overhead and underground sections of transmission line from West Roxbury to Needham, including 2.5 miles of new underground cable construction located primarily in public streets generally between the Valley Road area and Chestnut Street. Maps of the area were shown. Mr. Nicotera said the preferred route of the new lines requires State approval, as well as the approval of the Town and the Park and Recreation Commission, as an easement is necessary at the point that the lines cross Town property near Route 128. He said a traffic management plan will be developed with the Town maintaining access to businesses, residences, and for pedestrian safety. Mr. Nicotera said prior to starting the project Eversource will communicate and work closely with neighbors in the community throughout the process by providing door to door outreach, informational mailings, door hangings, advertisements, and website project updates. He said input from residents and business owners is welcome. He commented Eversource is in the process of preparing the final petition, including seeking environmental permits from various government agencies. Mr. Nicotera said two open houses will be held; one on March 23, 2016 in Boston and one on March 30, 2016 at the Broadmeadow School. He said construction is anticipated to commence in the summer 2017 continuing over an 18-month period, with completion by the end of 2018.

Kate Fitzpatrick, Town Manager indicated the preferred route includes an easement over Park and Recreation land, requiring approval of the Park and Recreation Commission and Town Meeting. She said Mr. Lopes and Mr. Nicotera will meet with the Park and Recreation Commission on Monday, March 14, 2016.

Mr. Handel asked how tall and how close will the towers be to residential property?

Mr. Nicotera said 2 towers will be located west of Route 128. He said a transition tower will be located at or around the Valley Road cul-de-sac, the point at which the transmission wires go from overhead to underground. He said the tower will be no closer than the current tower, commenting there is space in between what will be the new towers and the existing remaining towers. He said the 2.5 miles of underground construction is estimated to be 6-7 months.

Mr. Bulian asked for a larger map of the area of Valley Road, Peacedale Road, and Intervale Road. Mr. Bulian said he will review the map in detail after the hearing and make sure residents know about the March 30, 2016 informational meeting.

Mr. Borrelli said using door hangings is a great way to communicate with residents. Mr. Nicotera said a mailing will be sent to residents via a certified abutters list detailing the March 30, 2016 Open House. Ms. Fitzpatrick said at the request of the Town of Needham, Eversource has included all residents along the existing transmission right-of-way so that they have an understanding of what is happening. Mr. Lopes pointed out the Open Houses are not required by the Department of Public Utilities, but rather Eversource feels it needs to engage the community at the start of the project. He said advertisements will appear in the local newspapers and the Boston Globe. Mr. Lopes said his contact information will be made available in all communications.

Mr. Borrelli asked about a traffic detour plan. Mr. Nicotera said final design is not yet complete, but minor detouring is typical with approval by the Town.

Ms. Cooley asked if the project will overlap with other scheduled projects? Ms. Fitzpatrick said the project will commence after other major construction projects.

The Board thanked Mr. Lopes and Mr. Nicotera for the presentation.

7:35 p.m.

Appointments and Consent Agenda:

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

APPOINTMENTS No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Accept the following donations made to the Needham Public Health Department's Gift of Warmth Fund: \$6,000 from the Needham Community Council, and \$1,000 from the First Baptist Church in Needham.**
- 2. Accept a donation of \$25 made to the Needham Police Department's Car Safety Seat Installation Program from Vivian Bendix, a Framingham resident.**
- 3. Accept a gift of \$250 made to the Needham Police Department from Jonathan T. Lee, a Needham resident.**
- 4. Approve a One Day Special Wines & Malt Beverages License for Hannah M. Mecaskey of The Last Call Foundation to host its "Bowl for a Cause" event at the Needham Bowlaway, 16 Chestnut Street, Needham, on Thursday, March 10, 2016 from 7:00 p.m. to 10:00 p.m.**
- 5. Approve a One Day Special Wines & Malt Beverages License for Nicki Ramshaw, of Needham Community Theatre, Inc. to host its 60th Anniversary Reception at the Needham Historical Society, 1147 Central Avenue, on Friday, April 1, 2016 from 4:00 p.m. to 10:00 p.m.**
- 6. Authorize the Town Manager to appoint David Davison as Acting Town Manager for the period March 23 through April 10, 2016, and to authorize Christopher Coleman to serve as Acting Town Manger in the event that David Davison is unable to perform the duties of Acting Town Manager for any reason.**

7. **Water & Sewer Abatement Order #1213**
8. **Approve a One Day Special Wines & Malt Beverages License for Barry Goldemberg, of Restaurant Associates at TripAdvisor, to host the Needham Community Council's 86th Annual Celebration event on Thursday, March 24, 2016 from 7:00 p.m. to 8:30 p.m. TripAdvisor is located at 400 First Avenue, Needham.**
9. **Approve a request from Elana Sable of The Walker School to have its "Walk/Run for Walker" event on Sunday, October 2, 2016 from 9:00 a.m. to 10:30 a.m. Walkers/Runners will participate in either a one mile or three mile walk/run through town. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
10. **Approve road event form from Stephen Mortimer of Needham Baseball and Softball, to hold its opening day parade in Needham on May 1, 2016 from 11:00 a.m. to 12:00 p.m. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
11. **Approve a request from Michelle Harris, of PLGA Foundation d/b/a A Kids' Brain Tumor Cure, to ride a large portion of its "Geared Up for Kids 2016" bike ride through Needham. The bike ride will be starting at 8:00 a.m. at Needham High School and ending at 12:00 p.m. at Needham High School. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**
12. **Approve minutes of February 19, 2016 and February 23, 2016 meetings.**

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

7:35 p.m. Community Preservation Committee - Proposals Under Review:
Gary Crossen, Chair and Patty Carey, Director of Park and Recreation consulted with the Board about the projects currently under review by the Community Preservation Committee for the 2016 Annual Town Meeting.

Mr. Crossen commented the Seabeds Way Emergency Repairs project has been withdrawn as alternative funding has been identified. He reviewed 7 projects including proposals for a Community Housing Specialist, Memorial Park Drainage, Trail Improvements - Student Conservation Association, Transfer of Funds to Conservation Fund, Rosemary Lake Sediment Removal, and the Rosemary Recreation Complex. Mr. Crossen also commented on a \$1,000,000 placeholder for the purchase of any potential open space parcel. He said currently there is no particular parcel under consideration.

Ms. Cooley asked for clarification on funding of the Trail Improvements - Student Conservation Association and the amount of money currently in the fund. Mr. Crossen said the authorized funding is for 2 years allowing for flexibility in scheduling and projects. Mr. Crossen said the current balance of the fund is just under \$200,000.

Ms. Fitzpatrick reiterated the purpose of the consultation is for the Board to give input to the CPC. She said the Board is already familiar with the projects that involve the capital plan. She noted the Rosemary Lake Sediment Removal project is funding for design, and part of the community's response to storm water and water quality permits. She said the project also has implications on the timing and ability of the Town to construct the Rosemary Pool within the lake.

Mr. Borrelli commented he supports all the projects. He noted the Memorial Park Drainage and the Rosemary Recreation Complex, and that he is grateful to the CPC for its consideration, as the projects are very important to the Town.

Mr. Crossen stated there is some desire by the CPC and some stakeholders to understand how the Rosemary Pool Complex and other capital needs fits together before voting on the project in a few weeks. He asked the Board for additional input. Mr. Crossen said the Community Preservation Committee will hold a public hearing on Wednesday, March 9, 2016 at 7:30 at Town Hall, and will vote on March 23, 2016.

7:40 p.m. Public Hearing - Regulation of Food Trucks and Carts:

Mr. Handel said the purpose of the public hearing is to gather input with respect to the Board of Selectmen's policy on food trucks and other vendors in Town, not to hold a public hearing on a Citizen's Petition. He said the matter of the Citizen's Petition will be heard before Town Meeting in May 2016.

Ms. Fitzpatrick said the Board adopted a goal of reviewing its policy on food trucks to determine whether there are any changes that should be made based on feedback and comments from the community. She said some stakeholders from different Boards met over the fall and came up with some questions to ask the Board of Selectmen, where they may want to see changes in the policy, or even perhaps amendments in the Town by-laws. Ms. Fitzpatrick noted the amount of pending construction in Needham Crossing and the one good location for food trucks is probably ok for this summer. She said there are a couple of other places on the right-of-way that could be considered but none rose to the level of making sense right now. She commented conversation also centered on whether people wanted to see the policy expanded beyond the underserved area. She considered the difference between a food truck and food cart, and the possibility of locating in areas with pedestrian access. She commented on the possibility of food trucks and/or carts at athletic events, sidewalk sales, and the July 4th celebration. Ms. Fitzpatrick commented on a possible food truck rally held once a year or "food truck Friday" at Claxton Field. She said many of the ideas would require a change to the Town by-law which limits where hawkers and peddlers can set up.

Mr. Handel explained the reason the Board adopted a policy with respect to the issue was because it was mindful of the efforts the Town has made over the last several years to enhance the viability of the downtown businesses, especially the restaurants which have blossomed and made Needham a "go to" place. He said the

Board was mindful of not creating a situation unfair to restaurants. He noted much public comment and discussion on the issue has already occurred.

Mr. Handel invited Devra Bailin, Director of Economic Development and Peter Atallah, member of the Council of Economic Advisors to comment. Ms. Bailin referred to a letter date February 24, 2016 to the Board of Selectmen from the Council of Economic Advisors outlining concerns with respect to allowing food trucks in the downtown and Avery Square. She said the CEA is concerned about the unfair nature of competition. She said many restaurants struggle for lunch trade and pay considerable rent, taxes, and permitting fees. She said by allowing food trucks to be placed in close proximity to "brick and mortar" establishments is unfair and detrimental to other businesses in the downtown. Ms. Bailin said the CEA is concerned about using public parking spaces to accommodate food trucks. Mr. Atallah said the CEA understands the interest in having food trucks, but there needs to be a balance with existing retail vendors.

Mr. Handel opened the public hearing.

Letiana Yin-Tate, General Manager, Bertucci's is opposed to food trucks in downtown Needham. She agreed with Ms. Bailin, that restaurants struggle for lunch business while employing staff under all conditions.

Steve Waller, Owner, Center Cafe said he and his wife are not against food trucks in underserved areas of Needham (DeFazio and Memorial Fields) or at athletic events. He said he is concerned about the overall personality and look of Needham, and is opposed to food trucks in the downtown and Avery Square.

Diane Wang, Partner, Gari Restaurant said her experience has shown a 10% drop in business in Brookline when food trucks were allowed to operate. She shared her concern about parking and traffic, and said she is opposed to allowing food trucks in Needham.

Doug Fox, 43 Marked Tree Road said food trucks are the fastest growing sector of the restaurant industry, with \$2.7 billion in sales expected in 2017. He commented Needham had the start of a thriving food truck business until regulations were put in place and included a \$1000 fee. He said the fee is 2 times the fee paid in Boston for much more volume. He referred to a survey he conducted on-line in which 446 Needham residents responded, commenting 83.79% of respondents said they wanted more access to food trucks, while 73.39% of the respondents said they wanted food truck access in Needham Center or Needham Heights. He said 72.58% of respondents support sacrificing 2 to 4 parking spaces for trucks. Mr. Fox agreed there is an amazing restaurant scene in Needham, but said there is a lack of fast, casual, take out establishments. He said he does not want food trucks to compete with local restaurants, but rather keep people from going to fast, casual, chain restaurants outside of Needham. Mr. Fox commented on the fear of restaurants going out of business because of a couple of food trucks, pointing out Needham

survived for 10 years with the “hot dog guy.” He urged the Board consider paying for a proper survey to gather additional data. He said it is important elected officials meet the needs of the citizens and not just the needs of the businesses.

Michael Niden, 79 Maple Street read a letter from Aaron Krug, Owner, 3 Squares restaurant who opposes allowing food trucks in Needham. Mr. Niden said he is an active organizer of the Great Hall concert series saying 50% of funding comes from sponsors. He said if restaurants lose money due to food trucks, the Great Hall concert series will lose sponsorships. Mr. Niden said too many people would be affected.

Glenn Mulno, 40 Morten Street is opposed to allowing food trucks in Needham Center, Needham Heights, or DeFazio Field. He suggested a compromise suggesting Memorial Field may be a good location when the parking lot is not in use.

Kevin Tortorella, Owner, Boston’s Baddest Burger and Sandwich Company said the food truck industry will not set up in where they are not welcome. He commented there are many risks as a food truck owner and that his business survives in industrial areas, not in downtown locations. He said many types of subcontractors, including plumbers and electricians, work in Needham without paying any fee and millions of dollars of food is delivered by FEDEX, UPS, and Amazon.

Ron Stoloff, 48 Linden Street, Owner, Blue Ribbon BBQ (restaurants and food truck) said competition is good. He said restaurants have competitive advantages such as shelter from the weather and bathrooms, noting the food truck season is typically limited to nicer weather. He said he appreciates the concern restaurant owners have about competition, but competition is good. He commented there is a segment of the population not being served by “brick and mortar” restaurants and food trucks would enhance the dining experience in Needham.

Konstantina Choros, Owner, Sweet Corner said Needham has a population of 30,000 residents and less than 500 people responded to the survey done by Doug Fox. She said it is not a good sample of what Needham residents really want. She said many of her customers do not want food trucks and it would be unfair to her business. She commented she gives back to the community by supporting various organizations and if food trucks are allowed, she will not be able to continue to do so. Ms. Choros pointed out that while she can provide shelter and a bathroom, they come at a cost to heat and provide air conditioning.

Robert Larson, 150 Tudor Road said it is important to support the health and vitality of the mercantile businesses. He said customers to shops would diminish by the intrusion of any other kind of commerce, and is self defeating. Mr. Larson said he does not feel Needham needs any food trucks as there are plenty of places to eat.

Ford Peckham, 26 Lawton Road is opposed to food trucks or carts in the downtown or Avery Square. He is concerned about traffic and the danger for pedestrians. He said the Citizen's Petition is using a political process to get an economical advantage, and is just plain wrong.

Brian Weinstein, 79 South Street said he is a proponent for a less restrictive approach to food trucks in Needham Center. He said the food trucks would provide residents quick, healthy food options. He acknowledged the downside of more traffic. He said expanding food truck regulations is good for business. He commented the farmers market did not decimate Roche Brothers or Sudbury Farms. He suggested a compromise.

Steve Gilman, Sante Mobile Farmhouse Cafe said his business is based in Needham, and would love to do business in the Town, but not necessarily by being parked outside a restaurant everyday. He said he is not looking to hurt anyone's business in any way, but wants to add value to Needham. He said competition is a good thing and forces people to do better. He commented exploring different areas of Needham on an interim basis, perhaps starting with special or athletic events. He suggested a food truck festival would be a step in the right direction.

Steve Rosenstock, 44 Bess Road said he favors competition but that it must be fair and equal. He said having a food truck at special events or festivities would enhance the program, but he is not in favor of food trucks on a regular basis. He said there is too much traffic already and would interfere with the impending streetscape project. Mr. Rosenstock said he does not object to a canteen truck at a construction site, but is opposed to having food trucks on an on-going basis.

Paul Good, 30 Walnut Street, member of the Needham Business Association said the Board of the NBA voted not to support the Citizen's Petition. He said food trucks have a function within Needham, but must be in an appropriate way. He said there are economic contributions from individual businesses to the Town through many charitable donations and by hiring workers.

Olivia Fraini, 58 Spring Road said food trucks would bring a variety of affordable dining options to Needham, especially for teens looking for a quick meal.

Greg Reibman, President, Newton-Needham Chamber of Commerce, supports the food truck regulations adopted in 2013. He said he opposes expanding the regulations because "brick and mortar" restaurants pay taxes and other fees in excess of what food truck operators would contribute. He noted restaurants provide jobs and are always willing to help when civic and youth groups look for donations and volunteers. He said the vibrancy of "brick and mortar" establishments is essential to the success of the downtown streetscape project, retailers, and services. He noted the Newton-Needham Chamber of Commerce Board of Directors voted unanimously, with 1 abstention, to oppose expansion of the regulations. Mr. Reibman urged the Board of Selectmen to do the same.

Mr. Handel asked for Board comment.

Mr. Bulian said he is a fan of food trucks, but acknowledged not every downtown is appropriate for food trucks. He said the Board of Selectmen, working with other Town boards, has worked hard over the years to create an environment that has led to the attraction of restaurants in the downtown. He said having food trucks in the downtown is not a fair playing field. Mr. Bulian said for the Town to give up 4 parking spaces in prime downtown isn't fair. He acknowledged the interest in food trucks, but cautioned a thoughtful, careful approach is needed. He noted Town Meeting approved the streetscape project beginning in July 2016. Mr. Bulian said after full build out of Needham Crossing it may make sense to have food trucks as part of the ability to feed the population working in the area.

Mr. Borrelli said it is the job of the Board of Selectmen to balance the needs of citizens and businesses. He said rent, overhead, commercial taxes, sponsorships, jobs, and the money spent in Needham leads him to believe that "brick and mortar" businesses must be protected. Mr. Borrelli suggested a food truck day or at events at Claxton and DeFazio Fields.

Ms. Cooley said she favors loosening food truck restrictions, but not in Needham Center or Avery Square.

Mr. Matthews challenged the notion there is not affordable, healthy options available in Needham. He said food trucks serve a purpose for quick, seasonal, vacation, or special events. Mr. Matthews recognized the rapid expansion of delivery, which he said is another reason for him to not get the Town government to favor one group over another, in terms of public resources. He suggested calling "brick and mortar" establishments "fixed location" restaurants and food trucks "mobile/temporary" facility. He commented he does not believe Town government is protecting the "fixed location" restaurant, but rather regulating them. He said the cost to open an ice cream store is expensive and many "amenities" are actually required mandates. He commented the food offered by food trucks may not be different from what is already available from restaurants. He noted Town regulations were put in place decades ago, noting the limited number of drive thru restaurants. Mr. Matthews said if the food truck industry is as big and profitable as purported be, then a \$1000 annual fee should not be an obstacle. He commented all the fixed location restaurants, except in rare occurrences, are all on private property. He said there has to be an awfully strong reason to take a public space and provide it for a temporary business. Mr. Matthews said Needham's restaurants are highly regulated and required to do many things at their own expense in order to do business in the Town. He said he would not look to expanding food trucks, but the idea of having them in certain places could be considered.

Mr. Handel said establishing a business in the downtown is an arduous, time consuming, and expensive process because zoning governs land use, and not

activity that happens on the street. He said the by-law does not allow for fast food in the downtown, and by any definition a food truck is fast food. Mr. Handel said the Board is interested in finding ways to accommodate the need for food alternatives at sporting and private events in Needham in a way that preserves the viability of the downtown. He pointed out the streetscape project is set to begin in July 2016 in the downtown and continue for 3 or 4 years. He challenged the notion that food served from a food truck is healthy. Mr. Handel asked for a motion to continue the public hearing until March 22, 2016.

Motion by Mr. Bulian that the Board of Selectmen vote to continue the Public Hearing - Regulation of Food Trucks & Carts until March 22, 2016.

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

The Board recessed for 2 minutes.

9:00 p.m.

Planning & Community Development Projects Presentation - Center 128 and 2nd Avenue Residences:

Lee Newman, Director of Planning & Community Development appeared before the Board with an update on the Center 128 East, Center 128 West, and 2nd Avenue Residences projects located in the area of Needham Crossing. A Powerpoint presentation was viewed showing aerial photographs and maps. She spoke about the existing conditions of the parcel and the the overall urban design plan for the 3 individual pieces of land. Ms. Newman said the project includes 4 new office buildings, 1 structured parking garage, 2 hotels, 2 renovated General Dynamics buildings, and a residential development of 390 units of housing. She said the project is expected to last approximately 5 years.

Mr. Handel thanked Ms. Newman for the presentation. Ms. Newman said it has been exciting to be to be involved in zoning which started in 2001 and with highway improvements, she said the infrastructure is ready to be implemented. She said the Town was smart in its planning to take advantage of its strategic position.

Mr. Matthews commented on zoning and asked how retail service fits within the project. Ms. Newman said it is hoped that once the housing and jobs are created, the demand for retail will follow.

Mr. Borrelli said Needham is very lucky to have Ms. Newman and various boards and committees working together to move the project along. He thanked Ms. Newman for her work.

Mr. Bulian commented it is a phenomenal project and the presentation shows what the future holds in Needham Crossing.

Ms. Fitzpatrick commented it is "Needham Rising."

Mr. Handel commented Needham is viewed as a model for dealing with development in a timely and effective way. He thanked Ms. Newman for the presentation.

9:15 p.m. Water Bill Credit:

Dave Davison, Assistant Town Manager/Director of Finance and Evelyn Poness, Treasurer/Collector discussed the current outlook for utility rates for next year and the recommendation for a one-time water rate credit for the 4th quarter.

Motion by Mr. Bulian that the Board authorize a one-time \$90.00 flat rate credit for residential regular water accounts billed during the fourth quarter of FY2016.

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

9:20 p.m. Town Manager:

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

1. Determination of Unique Status

Ms. Fitzpatrick said the Town is contemplating the acquisition of the property known as 609 Central Avenue for educational use. She said the parcel is immediately adjacent to property acquired by the Town that will be the location of a new elementary school to replace the Hillside School, and the proposed acquisition will benefit the design of the project. In accordance of M.G.L. c. 30B, 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.

Motion by Mr. Bulian that the Board vote to determine that in the case of the proposed acquisition of 609 Central Avenue, 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 is immediately adjacent to property acquired by the Town that will be the location of a new elementary school to replace the Hillside School, and the acquisition will benefit the design of the project.

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

2. Sister City Arrangement - Daxing, Beijing, PCR

Ms. Fitzpatrick said the Foreign Affairs Office of the People's Government of Daxing District, Beijing has invited Moe Handel, Matt Borrelli, and Ms. Fitzpatrick to visit Daxing as part of a cultural exchange. She said the visit is intended to expand the "sister city" relationship that has developed between the Daxing and Needham School Districts to incorporate the general government side of each community. Ms. Fitzpatrick provided the Board with a description of the purpose of the trip and votes required for acceptance of reimbursement of expenses for Town officials by a third party. Ms. Fitzpatrick said The Needham Channel will also take part in the visit and film a documentary of the trip.

Motion by Mr. Bulian that the Board vote to authorize the Town Manager to sign a sister city letter of intent with the Mayor of Daxing District, Beijing, PRC to enhance mutual understanding and friendship between the two communities, and to approve and authorize the Chairman to sign a Form for Disclosure by Non-Elected Public Employee of Travel Expenses Serving a Legitimate Public Purpose as required by 930 CMR 5.08 (2)(d)1, finding that the acceptance of the reimbursement, waiver or payment of travel expenses will serve a legitimate public purpose, and will promote the interests of the Town of Needham, and that such public purpose outweighs any special non-work related benefit to the Town officials or the person providing the reimbursement, waiver or payment.

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

3. 2016 Annual Town Meeting

Ms. Fitzpatrick discussed the revised Annual Town Meeting Warrant and asked the Board for its endorsement of several changes. The changes affect Article 10 - Appropriate For Emergency Preparedness Program, Article 43 - Appropriate For General Fund Cash Capital, and removal of Article 50 - Appropriate To Capital Improvement Fund and Article 51 - Appropriate To Capital Facility Fund, both of which she said would appear in the Special Town Meeting Warrant.

Motion by Mr. Bulian that the Board vote to approve the proposed changes to the 2016 Annual Town Meeting Warrant.

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

9:30 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made at this meeting.

9:35 p.m. Executive Session - (Exceptions 2 and 3):

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

Exception 2 - To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel.

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 litigating position of the public body and the chair so declares.

Not to return to open session prior to adjournment.

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

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

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

Note: Meeting adjourned at 9:54 p.m.

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:	-\$305.70
Water Irrigation:	-\$474.40
Water Admin Fees	\$0.00
Sewer Sales:	-\$507.70
Transfer Station Charges:	\$0.00
Total Abatement:	-\$1,287.80

Order #: 1214

Read and Approved:

[Signature] 3/17/2016

Assistant Director of Public Works

[Signature] 3/17/16

Director of Public Works

For the Board of Selectmen

Date: 3/22/16

**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
DB	Micozzi Management Inc		31819	9334	902	Highland Avenue	\$0.00	-\$202.80	-\$238.00	-\$440.80	ACC	N
DB	Adler	Aaron M	32525	19142	320	Cedar Street	-\$474.40	\$0.00	\$0.00	-\$474.40	ACC	N
JO	Council on Aging (1)						\$0.00	-\$102.90	-\$269.70	-\$372.60	COA	N

Total: -\$1,287.80

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.
 TWN = Town Project caused damage to private property
 EC = Extenuating Circumstances
 Equip = Equipment Malfunction
 UEW = Unexplained water loss
 ACC = Accidental Water Loss
 BP = Billing Period beyond 100 days
 COA = Council on Aging

FISCAL YEAR 2016			
<u>SCHEDULE A</u>			
Effective July 1, 2015			
Full-time, part-time, temporary, and seasonal position classifications with corresponding compensation schedules			
CLASS TITLE	GRADE/SCHEDULE	FLSA status	MGL C 268A
Activity Instructor	Schedule C	exempt	exempt
Administrative Analyst	GE-18	exempt	
Administrative Assistant (non-represented)	G-14	non-exempt	
Administrative Assistant	I-14	non-exempt	
Administrative Coordinator	I-15	non-exempt	
Administrative/Office Support Specialist I, II, III (AOSS)	Schedule C	non-exempt	exempt
Administrative Specialist	I-15	non-exempt	
Animal Control Officer	GU-16	non-exempt	
Animal Inspector	Schedule C	Stipend	
Applications Administrator	IE-20	exempt	
Assistant Building Commissioner	GE-21	exempt	
Assistant Cataloger	G-14	non-exempt	
Assistant Children's Librarian	G-15	non-exempt	
Assistant Director of Assessing	GE-20	exempt	
Assistant Director of Human Resources	GE-20	exempt	
Assistant Director of Public Library	GE-21	exempt	
Assistant Director of Public Works	K-26	exempt	
Assistant Director, Park & Recreation	GE-20	exempt	
Assistant Executive Director, Council on Aging	GE-20	exempt	
Assistant Program Coordinator	G-15	non-exempt	
Assistant Superintendent	GE-20	exempt	
Assistant Town Accountant	GE-20	exempt	
Assistant Town Clerk	GE-18	exempt	
Assistant Town Engineer	GE-22	exempt	
Assistant Town Manager/Director of Finance	K-28	exempt	
Assistant Town Manager/Director of Operations	K-28	exempt	
Assistant Town Planner	GE-19	exempt	
Assistant Treasurer/Collector	GE-20	exempt	
Autocad Technician	GU-16	non-exempt	
Building Commissioner	K-24	exempt	
Building Monitor I, II	Schedule C	non-exempt	exempt
Care/Veterans Graves & Coordinator of Ceremonies	Schedule C	Stipend	exempt
Carpenter	BT-2	non-exempt	
Children's Librarian	GE-18	exempt	
Chief Pumping Station Operator	W-7	non-exempt	

Civil Engineer	GE-19	exempt	
Community Housing Specialist	G-19	non-exempt	
Computer Operator	I-15	non-exempt	
Conservation Specialist	I-17	non-exempt	
Contract Administrator	GE-21	exempt	
Council on Aging, Executive Director	K-23	exempt	
Craftsworker	BT-2	non-exempt	
Custodian	BC-1	non-exempt	
Department Assistant 1	I-12	non-exempt	
Department Assistant 2	I-13	non-exempt	
Department Specialist	I-14	non-exempt	
Deputy Fire Chief	F-4	non-exempt	
Deputy Fire Chief, Operations	F-5	non-exempt	
Director of Assessing	K-24	exempt	
Director of Conservation	K-22	exempt	
Director of Design and Construction	K-26	exempt	
Director of Economic Development	K-22	exempt	
Director of Facilities Operations	K-26	exempt	
Director of Human Resources	K-25	exempt	
Director of Management Information Systems	K-25	exempt	
Director of Park and Recreation	K-24	exempt	
Director of Planning and Community Development	K-25	exempt	
Director of Public Health	K-24	exempt	
Director of Public Library	K-24	exempt	
Director of Public Works	K-28	exempt	
Director of Youth Services	K-23	exempt	
Division Superintendent, Highway	K-24	exempt	
Division Superintendent, Parks and Forestry	K-24	exempt	
Division Superintendent, Solid Waste/Recycling	K-24	exempt	
Division Superintendent, Water/Sewer	K-24	exempt	
Election Clerk	Schedule C	non-exempt	exempt
Election Inspector	Schedule C	non-exempt	exempt
Election Warden	Schedule C	non-exempt	exempt
Electrician	BT-3	non-exempt	
Engineering Aide	GU-15	non-exempt	
Environmental Health Agent	I-20	non-exempt	
Equipment Mechanic	W-5	non-exempt	
Facility Operations Shift Supervisor	GE-20	exempt	
Field Assessor	I-18	non-exempt	
Finance and Procurement Coordinator	GE-21	exempt	
Finance Committee, Executive Secretary	GE-19	exempt	
Fire Captain	F-3	non-exempt	
Fire Chief	*	exempt	
Fire Director of Administrative Services	IE-20	exempt	

Fire Lieutenant	F-2	non-exempt	
Firefighter	F-1	non-exempt	
Fleet Supervisor	K-22	exempt	
General Services Assistant (GSA)	Schedule C	non-exempt	exempt
GIS/Database Administrator	IE-20	exempt	
Glazer/Craftsperson	BT-2	non-exempt	
Heavy Motor Equipment Operator	W-4	non-exempt	
Human Resources Administrator	GE-18	exempt	DELETE
HVAC Technician	BT-3	non-exempt	
Information Technology Specialist (ITS)	Schedule C	exempt	exempt
Inspector of Plumbing & Gas	G-19	non-exempt	
Inspector of Wires	G-19	non-exempt	
Laborer 2	W-2	non-exempt	
Laborer 3	W-3	non-exempt	
Laborer/Trades Assistant Year 1 ,2, 3 ,4	Schedule C	non-exempt	exempt
Library Assistant	G-13	non-exempt	
Library Children's Supervisor	GE-19	exempt	
Library Circulation Supervisor	GE-17	exempt	
Library Reference Supervisor	GE-19	exempt	
Library Technical Services Supervisor	GE-19	exempt	
Library Technology Specialist/Archivist	GE-19	exempt	
Lineman	FA-1	non-exempt	
Local Building Inspector	G-20	non-exempt	
Management Analyst	GE-20	exempt	
Master Mechanic	W-7	non-exempt	
Network Manager	IE-23	exempt	
New Year's Needham Coordinator	Schedule C	Stipend	
On-call Public Health Nurse	Schedule C	exempt	exempt
Parking Clerk	Schedule C	non-exempt	
Payroll Coordinator	I-18	non-exempt	
Playground Maintenance Specialist	Schedule C	non-exempt	
Plumber	BT-3	non-exempt	
Police Chief	*	exempt	
Police Lieutenant	P-3	non-exempt	
Police Maintenance Assistant	GU-15	non-exempt	
Police Matron	Schedule C	non-exempt	
Police Officer	P-1	non-exempt	
Police Sergeant	P-2	non-exempt	
Professional/Technical Support Specialist I, II, III	Schedule C	non-exempt	exempt
Program Support Assistant I, II, III	Schedule C	non-exempt	exempt
Program Coordinator	G-16	non-exempt	
Project Manager	K-22	exempt	
Public Health Nurse	IE-20	exempt	
Public Safety Dispatch Supervisor	GU-19	non-exempt	

Public Safety Dispatcher	GU-15	non-exempt	
Public Works Craftsworker	W-4	non-exempt	
Public Works Inspector	W-6	non-exempt	
Public Works Specialist 1	W-4	non-exempt	
Public Works Specialist 2	W-5	non-exempt	
Public Works Technician	W-5	non-exempt	
Pumping Station Operator	W-5	non-exempt	
Recording Secretary	Schedule C	non-exempt	exempt
Recreation Specialist I	Schedule C	exempt	exempt
Recreation Specialist II	Schedule C	exempt	exempt
Recreation Specialist III	Schedule C	exempt	exempt
Recreation Specialist IV	Schedule C	exempt	exempt
Recreation Specialist V	Schedule C	exempt	exempt
Recreation Supervisor	I-16	non-exempt	
Reference Librarian/Audio Visual Specialist	GE-18	exempt	
Reference Librarian/Program Specialist	GE-18	exempt	
Registrar of Voters	Schedule C	Stipend	
Seasonal Driver Traveling Meals I, II	Schedule C	non-exempt	exempt
Senior Administrative Coordinator	I-17	non-exempt	
Senior Autocad Technician	GU-19	non-exempt	
Senior Corps Participant	Schedule C	non-exempt	exempt
Senior Custodian 1	BC-2	non-exempt	
Senior Custodian 2	BC-3	non-exempt	
Senior Program Coordinator	G-20	non-exempt	
Senior Project Manager	K-23	exempt	
Senior Trip Coordinator	Schedule C	non-exempt	exempt
Social Worker 1	IE-18	exempt	
Social Worker 2	IE-19	exempt	
Special Assignment Support (SAS)	Schedule C	non-exempt	exempt
Special Detail Worker 1	Schedule C	non-exempt	exempt
Special Detail Worker 2	Schedule C	non-exempt	exempt
Student Intern 1 - 4	Schedule C	non-exempt	exempt
Substitute - Building Inspector	Schedule C	non-exempt	
Substitute - Plumbing and Gas Inspector	Schedule C	non-exempt	
Substitute - Wiring Inspector	Schedule C	non-exempt	
Superintendent, Fire Alarm	FA-2	non-exempt	
Supervisor of Administration/DPW	K-22	exempt	
Support Services Manager	K-22	exempt	
Survey Party Chief	GU-18	non-exempt	
Systems Analyst	IE-18	exempt	
Technology Support Technician	I-19	non-exempt	
Town Accountant	K-24	exempt	
Town Counsel	Schedule C	exempt	
Town Engineer	K-26	exempt	

Town Manager	Contract	exempt	
Town Treasurer and Tax Collector	K-24	exempt	
Traffic Supervisor	Schedule C	non-exempt	exempt
Tree Climber	W-4	non-exempt	
Van Driver	Schedule C	non-exempt	exempt
Warehouse Person	BT-1	non-exempt	
Water Treatment Facility Manager	GE-21	exempt	
Working Foreman	W-6	non-exempt	
Needham Contributory Retirement Board Titles			
Department Specialist/Retirement	G-14	non-exempt	
Retirement Administrator	GE-20	exempt	
<u>SCHEDULE A STIPENDS</u>			
All Stipends must be approved by the Town Manager prior to payment.			
(Additional compensation for specific assignments)			
(1) Additional \$75.00 per month when assigned to and performing the duties of Deputy Tree Warden.			
(2) Additional \$1,500 per year when performing the duties of Assistant Parking Clerk			
(3) Additional \$1,200 when assigned to and performing the duties of Registered Land Surveyor as designated by the Director of Public Works.			
(4) Additional \$1,200 when an employee other than the Assistant Town Manager/Finance Director is designated as the Chief Procurement Officer.			
(5) Designated Wiring Inspector in accordance with M.G.L. c. 166 s 32.			
(6) Additional \$1,500 when assigned as Assistant Director of Emergency Management			
(7) Additional \$2,000 when assigned as Director of Emergency Management			
(8) Additional \$1,500 when assigned Youth Center Coordinator responsibilities			
(*) Compensation set by employment agreement in accordance with M.G.L. c. 41 s. 108O			
(**) Outreach Worker is PT position; moved to Schedule C as Program Assistant II			
Positions exempt from the distribution of summaries and the online training associated with the Conflict of Interest Law in accordance with MGL c 268A as approved by the Board of Selectmen			

Rates Effective July 1, 2015
Schedule C
Rates for Part-Time, Seasonal, and Temporary Positions
Unless Otherwise Noted Rates Are Hourly

New Title	Rate
Activity Instructor Group	
Activity Instructor Group A	\$10.00
Activity Instructor Group B	\$11.00
Activity Instructor Group C	\$12.00
Activity Instructor Group D	\$15.00
Activity Instructor Group E	\$18.00
Activity Instructor Group F	\$21.00
Activity Instructor Group G	\$25.00
Activity Instructor Group H	\$28.00
Activity Instructor Group I	\$30.00
Activity Instructor Group J	\$32.00
Activity Instructor Group K	\$35.00
Activity Instructor Group L	\$50.00
Activity Instructor Group M	\$75.00
Administrative/Office Support Specialist I (AOS)	\$20.65
Administrative/Office Support Specialist II (AOS+)	\$24.63
Administrative/Office Support Specialist III (AOS++)	\$25.50
# Animal Inspector	\$2,500
Building Monitor I	\$11.85
Building Monitor II	\$18.84
# Care of Graves - Veterans Coordinator of Ceremonies	\$2,500
* Election Clerk	\$175.00
* Election Inspector	\$145.00
* Election Warden	\$175.00
General Services Assistant (GSA)	\$10.00
^ Information Technology Specialist (ITS)	\$45.00
Laborer/Trades Assistant Year One	\$12.02
Laborer/Trades Assistant Year Two	\$12.45
Laborer/Trades Assistant Year Three	\$12.88
Laborer/Trades Assistant Year Four	\$13.32
# New Year's Needham Coordinator	\$5,000
On-call Public Health Nurse	\$31.00
Parking Clerk	\$25.50
Playground Maintenance Specialist	\$17.00
Police Matron	\$20.65

New Title	Rate
Professional/Technical Support Specialist I (PTS)	\$26.93
Professional/Technical Support Specialist II (PTS+)	\$31.00
Professional/Technical Support Specialist III (PTS++)	\$38.88
Program Support Assistant I (PSA)	\$17.00
Program Support Assistant II (PSA+)	\$22.44
Program Support Assistant III (PSA++)	\$27.78
Recording Secretary	\$20.65
Recreation Specialist I Year One	\$10.00
Recreation Specialist I Year Two	\$10.20
Recreation Specialist II Year One	\$11.15
Recreation Specialist II Year Two	\$11.50
Recreation Specialist III Year One	\$12.05
Recreation Specialist III Year Two	\$12.45
Recreation Specialist IV Year One	\$14.00
Recreation Specialist IV Year Two	\$14.50
Recreation Specialist V Year One	\$16.55
Recreation Specialist V Year Two	\$17.10
# Registrar of Voters	\$545
Seasonal Driver Traveling Meals I	\$14.65
Seasonal Driver Traveling Meals II	\$17.00
Senior Corps Participant	\$10.00
## Senior Trip Coordinator	\$150
^ Special Assignment Support (SAS)	\$75.00
&& Special Detail Worker 1	\$37.00
& Special Detail Worker 2	\$41.00
Student Intern 1	\$10.50
Student Intern 2	\$14.25
Student Intern 3	\$17.25
Student Intern 4	\$21.00
Substitute - Building Inspector	\$28.00
Substitute - Plumbing and Gas Inspector	\$26.00
Substitute - Wiring Inspector	\$26.00
# Town Counsel	\$75,140
Traffic Supervisor	\$20.65
Van Driver	\$17.00

* Rate set by the Board of Selectmen, rate is per election day

Annual Rate

Per Event

^ Maximum Hourly Rate by Individual Agreement

& Effective January 1, 2016

&& Effective March 15, 2016

Schedule C positions have no, or limited, benefits, unless specified in the job announcement, there are no fringe benefits such as health insurance, retirement, or paid time off.