

**Town of Needham
Board of Selectmen
Minutes for September 6, 2016
Selectmen's Chamber
Needham Town Hall**

7:00 p.m. Informal Meeting with Citizens: No activity.

7:15 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Matthew D. Borrelli. Those present were Maurice P. Handel, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Marianne B. Cooley and Daniel P. Matthews arrived at 7:20 p.m.

7:15 p.m. Recognition of Freia David:
Mr. Borrelli read a Certificate of Appreciation recognizing Freia David on 32 years of cheerful and outstanding customer service to the residents of and visitors to the Needham McDonald's restaurant.

State Representative Denise Garlick told Ms. David she is a role model and hero for the community.

7:20 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:

1. **Technology Advisory Board** **Kerry Hurwitch (term expires 6/30/2019)**

CONSENT AGENDA

1. **Accept the following donations made to the Needham Community Revitalization Trust fund: \$1000 from the New Years Needham Committee for the 2016 Banner cycle and \$1500 from Needham Public Library.**
2. **Water & Sewer Abatement Order #1222**
3. **Approve and sign letters to private trash haulers working inside of Needham regarding placement of items on streets and sidewalks.**
4. **Approve a Special One Day Wines & Malt Beverages license for Mark McDonough of the Needham Exchange Club to hold its Oktoberfest event on Saturday, October 22, 2016 from 7:00 p.m. to 10:45 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
5. **Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Ratify -Eileen Smith	21 LaSalle Road	LaSalle Road	9/4/16	9/5/16	4pm-11pm
Stephanie Arendell	41 Kimball Street	Grant St between	9/10/16	9/11/16	4pm-7pm

		Kimball & School			
Liz Lawlor	76 Howland Street	Pleasant St. between Kimball & Howland	9/10/16	9/11/16	4pm-7pm
Judith Gragg	115 Dawson Drive	Cul-de-sac on Dawson Drive	9/11/16	9/18/16	4pm-7pm
Julie Middleton	74 Henderson St.	Miller Street	9/17/16	N/A	3pm-10pm
Claudette Shea	107 Grosvenor Rd	Grosvenor Rd	9/17/16	9/24/16	4pm-8pm
Kim Stone	45 Greendale Ave	Park St between Greendale & Webster	9/17/16	N/A	4pm-8pm
Beth Champagne	37 Ware Road	Ware Road	9/17/16	N/A	2pm-9pm
Sue Pouliot	54 Eaton Road	54 Eaton Rd	9/24/16	9/25/16	4pm-8pm
Rhonda Silva	7 Berkshire Road	34 Berkshire Road	9/24/16	N/A	3pm-5pm
Mia Rizzo	64 Pinewood Road	Pinewood Road	9/24/16	10/1/16	3pm-9pm
Dale McCarthy	72 Stevens Road	Stevens Road	9/25/16	10/2/16	4pm-6:30pm
Holly Charbonnier	94 Sachem Road	Davonport Rd	10/1/16	N/A	2pm-6pm
Marianne McGowen	185 Maple Street	Maple St., south of Oak St.	9/17/16	N/A	4pm-9pm
Kara Collin	57 Broad Meadow Road	Broad Meadow Road	9/17/16	N/A	2pm-9pm
Kate Deeley	61 Kenney Street	Lois Lane/Barbara Road	9/17/16	9/18/16	3pm-11pm
Lauren Baum	73 Stewart Road	Stewart Road	9/17/16	N/A	5pm-11pm
Jennifer Adler	85 Mayflower Road	Mayflower Road	9/10/16	9/11/16	4pm-8pm

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

7:20 p.m. Public Hearings - Eversource Energy:
Maureen Carroll, Eversource Representative appeared before the Board with 3 items to discuss:

1. Central Avenue

Ms. Carroll requested permission to install 14 feet of conduit in Central Avenue. She said this work is necessary to provide underground electric service to a new residential development off Central Avenue, Needham.

Mr. Borrelli invited public comment. No comments were made.

Ms. Fitzpatrick indicated all paperwork is in order.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install 14 feet of conduit in Central Avenue. This

work is necessary to provide underground electric service to a new residential development off Central Avenue, Needham.

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

2. 1689 Central Avenue

Ms. Carroll requested permission to install about 8 feet of conduit in Central Avenue. She said this work is necessary to provide underground electric service to 1689 Central Avenue, Needham.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Borrelli invited public comment. No comments were made.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 8 feet of conduit in Central Avenue. This work is necessary to provide underground electric service to 1689 Central Avenue, Needham.

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

3. Greendale Avenue

Ms. Carroll requested permission to install about 124 feet of conduit in Greendale Avenue. She said this work is necessary to provide underground electric service to a new residential development off Greendale Avenue, Needham.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Borrelli commented 124 feet is quite lengthy, and asked how long the project will take to complete, noting Greendale Avenue is a busy road.

Ms. Carroll explained the plan and said once approved a street opening permit will be sought.

Mr. Borrelli invited public comment. No comments were made.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 124 feet of conduit in Greendale Avenue. This work is necessary to provide underground electric service to a new residential development off Greendale Avenue, Needham.

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

Mr. Bulian clarified the location and asked whether there were any issues regarding streets, street opening permits, or running the conduit. Ms. Carroll said the petition is for a new development off Greendale Avenue. She said once the street opening permit is granted work hours will be determined by the Town, along with police detail.

7:26 p.m. Eversource West Roxbury to Needham Reliability Project:

Eversource Energy representatives Jack Lopes, Community Relations and Domenic Nicotera, Project Manager, and Mike Howard, Epsilon Associates (Eversource Consultant) appeared before the Board with an update on the progress of the right of way reliability project.

A powerpoint presentation was viewed.

Dominic Nicotera said the project update follows a meeting Eversource Energy had with the Park and Recreation Commission on August 22, 2016. He noted meeting with the Board of Selectmen on March 8, 2016, and briefly reiterated the project is primarily driven by the ISO-NE requirement to strengthen the grid across the region. He said the Needham project stretches into the City of Boston and affects the overhead transmission line running along the MBTA commuter rail easement. The project, he said, is to separate the two circuits that currently exist on one set of structures or poles onto two sets of structures or poles. He noted the overhead portion of the project begins at the Boston substation, travelling up to the Chestnut Street substation at the Greendale Avenue area, where it will then go underground through the streets of Needham.

Mr. Howard commented on maps showing the “Preferred UG Route (2.6 miles),” “Noticed Alternative UG Route (3.0 miles),” and “Potential Variations to Preferred Route.” He commented on the transition point from overhead line construction to underground line construction at Valley Road. He explained the preferred plan of getting the transmission line over the MBTA railroad tracks to properly line up with the angle to go underground across the “Gravel Pit” parcel. He explained a second possible route, which is not preferred due to greater construction challenges and wetlands. He explained a third possible route, commenting it is not preferred as there is a challenging railroad bridge, wetlands, and sewers. Mr. Howard showed a slide reviewed and approved by the Parks and Recreation Department showing Geotechnical Data Collection on the Gravel Pit parcel. He showed a graph depicting a 30 ft. wide easement that will contain the underground transmission line across the Gravel Pit parcel, which he said is the subject of a warrant article before Town Meeting in October 2016. Photos of the Gravel Pit were shown. Mr. Howard discussed permitting and pointed out the EFSB Public Statement Hearing on September 27, 2016 will be held in Powers Hall. He outlined the next steps, schedule, and community outreach for the project.

Mr. Borrelli said the project is major and will greatly affect Needham for 18 months. He said the Town needs to hear from residents at the public hearing. He asked for Board comment.

Mr. Handel asked if both lines will be live, and whether residents near the underground portion of the project will be affected by electrical noise or magnetic implications? Mr. Nicotera said both lines will be live. Mr. Lopes said electromagnetic studies have been done as part of the project, which he said is public information. He said residents will have the opportunity to ask questions of

the consultants at the public hearing. Mr. Howard said there is slight hesitation to comment because the topic is complicated, and one on which the gradient engineers will focus. He said the engineers will be at the public hearing on September 27, 2016 to answer questions, but he said the short answer from a lay persons' expertise is "there should be no adverse effect from the work." Mr. Handel commented on the trouble the Town has had on maintaining clearance on the overhead lines, and asked if both portions of the project should be underground? Mr. Nicotera said the intent of the project, as put forth by ISO-NE, is to have two diverse circuit paths geographically. Mr. Handel commented there is an alternative route that is not the preferred route, and there could be a second alternative to the overhead route at some point in time, which would eliminate the tree clearing. Mr. Lopes said Eversource Energy is currently following the directive from ISO-NE, which is to separate the two lines within a budget. He said anything beyond the directive would have to be approved by ISO-NE. Mr. Handel said it would be good to have people thinking along those lines, given the Towns' experience. Mr. Lopes said the idea could be brought up to management.

Mr. Bulian said since the meeting at Broadmeadow School, the neighbor on Valley Road whose house was to be effected has been satisfied. He said he feels cautiously trepidatious towards the project and wonders how the neighborhoods will be affected. He said he is looking forward to the public hearing on September 27, 2016.

Mr. Borrelli echoed Mr. Bulian's concerns. He asked for a brief explanation of the street logistics. Mr. Nicotera discussed digging trenches, alignment, planning for the work well in advance prior to approaching a school, hours of operation, and cleanliness. Mr. Lopes said work near a school is usually scheduled for July and August when school is out. Mr. Borrelli asked when will the route be determined? Mr. Nicotera said typically the EFSB has historically shown to go with the preferred route presented. He explained three necessary criteria must be met including best cost, least environmental impact, and meeting the need as proposed by ISO-NE for the project. Mr. Borrelli asked if paving will be shoulder to shoulder? Mr. Lopes said it depends, but details would be worked out in the Community Host Agreement. Mr. Howard clarified the siting board will ultimately determine the route and that the Town's opinion is very important in making a decision. Mr. Borrelli said he appreciates the communication thus far from Eversource Energy.

Ms. Fitzpatrick noted the Board of Selectmen has been adamant that neither route be what Eversource Energy could do by right, ie. running another set of poles down the existing right-of-way. She clarified that it is not an option under consideration.

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

7:55 p.m. Change of Manager - New Garden Restaurant:

King Pui (Raymond) So, Proposed Manager appeared before the Board to discuss an application for a change in manager at New Garden, Inc., d/b/a New Garden Restaurant, 40 Chestnut Place, Needham.

Mr. Matthews reminded Mr. So of the rules of the Town and that they must be followed. Mr. So acknowledged the rules will be followed.

Motion by Mr. Matthews that the Board of Selectmen approve and sign an application for a Change in Manager to King Pui So for New Garden Restaurant, 40 Chestnut Place, Needham and to forward this application to the ABCC for approval.

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

7:58 p.m.

Barriers to Healthy Aging Study:

Timothy Muir McDonald, Director of Public Health, Jamie Brenner Gutner, Executive Director, Council on Aging, and Lynn Schoeff, Public Health Coordinator appeared before the Board with an update on the recently completed Healthy Aging Study, which was an assessment of two domains of livability: community conditions and barriers to senior-friendly housing and transit in Needham.

Mr. McDonald explained data for the study was collected from interviews and focus group discussions conducted by Lynn Schoeff, the primary author of the report. He said a detailed quantitative survey was completed by 650 Needham residents. He said the report is not surprising in its context, but some details should be cause for concern for the Town. He commented seniors recognize Needham as a nice place to live, but there is a gap between how much they want to stay in Town versus how likely they think they can stay in Needham because of costs, accessibility, and transportation.

Lynn Schoeff explained the process of gathering information, which focused on transportation, housing, and pedestrian safety. She said the focus groups were fascinating in that people were engaged and positive about Needham, but concerned about their ability to remain in Needham. She also commented on whether or not existing homes are age friendly and the number of people who assumed their home was age friendly, which she said concerns her. She said she was surprised by people overestimating the future ability to deal with certain kinds of barriers.

Jamie Gutner said affordability means different things to different people.

Mr. Bulian commented there are a multitude of programs and resources available to seniors experiencing hardship. He asked how the Town can make seniors aware of the programs that exists? He asked whether the Council on Aging could have a list of contractors available to assess homes for the purpose of retrofitting to provide people the ability to stay in their homes longer?

Ms. Gutner said it is a lengthy discussion, and that there are resources available. She said oftentimes people don't want hear until they are ready to hear it.

Mr. Bulian suggested reaching out to family members, as many seniors are not connected to the internet.

Mr. McDonald suggested the possibility of accessory dwelling units.

Mr. Borrelli said there are limited options for housing in Needham. He said he supports accessory units on a limited use, overlay zones, and a long term strategy for mixing housing and transporation. He commented something must be done about the housing stock.

Mr. Handel concurred Needham suffers from a lack of housing alternatives.

Mr. McDonald commented on senior isolation and depression, coupled with the loss of a spouse, transition to retirement, and the prospect of moving out of the community, which are real serious issues from a public health perspective.

Mr. Matthews said aging happens in stages, noting when people can no longer drive there are transportation issues. He commented half the housing stock in Needham is 1/4 acre lots with a car parked in front, but that does no good if one is not able to drive. He noted data shows dissatisfaction with "The Ride." He said he was surprised to see dissatisfaction with the cab vendor in Needham, commenting it needs to be addressed. He said the COA could have a role in ride/share opportunities, as transportation access is a big part of the issue. Mr. Matthews noted the new development coming to Needham, which will have accessibility features and access to public transportation. Mr. Matthews pointed out Needham is a market driven economy that has worked pretty well for people who are in roughly the top 20% of national economics. He noted the Town does provide public housing, handling its share of 40B housing to make sure the community welcomes people at both ends of the economic scale, as best we can. He noted the group of people in the middle is feeling the squeeze and the Town is not in a position to subsidize certain things at great cost. He said there are lots of things the Town can do to make sure Needham is welcoming, where people are treated fairly.

Ms. Cooley said one of the biggest challenges is "watching when someone is fine, until they are not fine." She said a lot of needs happen very quickly when someone is not fine.

Mr. Bulian said he is not a proponent of accessory apartments, but would like to see more information from other communities. He noted the large scale apartment complexes being built, in addition to construction at Wingate and North Hill which add more cars. He commented that while the Add-a-Lane project is important, it is adding a lane for work started 20 years ago when really even more lanes are needed. He said there could be tens of thousands more people working and living

in the business districts in the future. Mr. Bulian said to be cautious and understand all of the implications of adding accessory apartments, and what they do to the services the Town provides.

Denise Garlick, State Representative commended the Council on Aging for their report. As Chair of the Joint Committee on Elder Affairs for the Massachusetts legislature, Ms. Garlick confirmed 4 points to the discussion: 1) people will age in the Metrowest region 2) there are many stages to aging 3) reaching out multigenerationally, and 4) the economics of affordability. She said it is important to find new and creative ways to meet the services. She said the civic and interfaith organizations in Needham must share information to begin developing a plan. Ms. Garlick offered the resources of the State and looks forward to working on the issue.

Mr. Borrelli thanked Mr. McDonald, Ms. Schoeff, and Ms. Gutner for the presentation.

8:25 p.m. Budget Consultation - FY2018 - 2022 Pro Forma:
Kate Fitzpatrick, Town Manager and Dave Davison, Assistant Town Manager/Finance provided the Board with an overview of the five year, pro forma budget analysis for fiscal years 2018-2022. Mr. Davison presented the Selectmen with the "Town of Needham General Fund Revenue and Expenses FY2018-FY2022 Pro Forma" dated September 6, 2016. He said the Pro Forma is similar to other Pro Forma budgets, but has been expanded because of a number of projects under consideration by the Town which will have an impact in terms of costs. He said there are also extra demands, as noted by the Board and recognized by the community, that will need to be addressed. In particular, he noted the incorporation of public safety/medical services and full day kindergarten into the Pro Forma. He noted external activities that benefit residents including the Minuteman referendum vote taking place on September 20, 2016. Mr. Davison reviewed Revenues and Expenses, noting a budget gap of \$2.2 million in FY2018. He noted fluctuations in the budget gap in the future years due to the opening of facilities and stronger revenues from property taxes. Mr. Davison commented on minimal growth in State aid, including Chapter 70. He said the approach to State aid continues to be cautious because the State is already announcing a sizable gap between revenues and expenditures in FY2018. Mr. Davison noted the legislature and the Governor have worked to try and not reduce major aid, but also cannot give as much to towns. He said the theme at all levels of government is medical inflation which is driving much of the woes. Mr. Davison spoke about core recurring revenues growing by roughly 3.3%-4.3%, which he said is higher than usually estimated so far out due to the strong commercial real estate market. Mr. Davison said the overview is fairly positive, but cautions expenditures can jump up and revenues can drop down. He pointed out the cost of expenses as going up based upon the 5 year average change in the Consumer Price Index. He commented on the impact of energy, repair and maintenance of facilities, and technical services on expenses. He said changes in these categories can significantly impact various operating budgets.

Ms. Fitzpatrick commented the document represents an amazing amount of work and that the Town is moving toward multi-year budgeting. She said incorporating full day kindergarten, other administrative and Police and Fire needs highlight the great importance placed on the Debt Service Stabilization Fund in the next two years. She noted the recommendation and intention to put more recurring revenue into the fund. She said recurring revenue is being built up in order to make sure the incremental gap deficit in later years is lower.

Mr. Borrelli agreed putting more money in the Debt Services Stabilization Fund is a good idea, and that the Town must keep doing it.

Ms. Cooley suggested Town Meeting is an opportunity to educate members and have a conversation about the budget document.

Mr. Borrelli said the document is forward looking and manageable.

The Board thanked Mr. Davison for his work and the presentation.

9:10 p.m.

Town Manager:

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

1. Policy for Use of Electronic Message Boards

Ms. Fitzpatrick recommended the adoption of a policy governing the use of electronic message boards. She said the policy would apply to fixed location boards such as the one at the RTS, and not to mobile electronic boards, the use of which is governed under Policy BOS-DPW-007. Ms. Fitzpatrick said comments from the public have been received concerning the timing, color, and use of animation that may require additional discussion.

Mr. Borrelli agreed further discussion of comments from residents is necessary. He suggested voting the policy at the next Board of Selectmen meeting.

2. October 2016 Special Town Meeting Positions on Warrant Articles

The Board took positions on articles contained in the October 5, 2016 Special Town Meeting.

Article 1 - defer.

Motion by Mr. Handel that the Board vote to support Article 2 - Appropriate for Hillside School Construction in the October 5, 2016 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 3 - Appropriate for Hillside School Outside Play Areas in the October 5, 2016 Special Town Meeting Warrant.

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

Article 4 - defer.

Article 5 - defer.

Article 6 - defer.

Motion by Mr. Handel that the Board vote to support Article 7 - Amend the FY2017 RTS Enterprise Fund Budget in the October 5, 2016 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 8 - Appropriate for NPDES MS4 Permit in the October 5, 2016 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 9 - Appropriate for Eliot School Traffic Safety Improvements in the October 5, 2016 Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to support Article 10 - Acceptance of Easement - 1001-1015 Central Avenue in the October 5, 2016 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 11 - Grant of Easement - Greendale Avenue in the October 5, 2016 Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to support Article 12 - Amend General By-law - Notification in the October 5, 2016 Special Town Meeting Warrant.

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

Motion by Mr. Matthews that the Board vote to recommend that Article 13 - Citizen's Petition - Amend Zoning By-law in the October 5, 2016 Special Town Meeting Warrant be referred back to the Planning Board and absent referral that the Board recommend that the article not be adopted.

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

3. Accept Conservation Restriction - 41 Woodworth Road (Lot 50)
Motion by Mr. Handel that the Board accept and sign the Conservation Easement to the Town of Needham from Thomas G. and Sharon M. Sipp for the land referenced in the document.
Second: Mr. Bulian. Unanimously approved 5-0.

9:30 p.m. Board Discussion:

1. Minuteman School Referendum

Mr. Matthews explained the district-wide referendum on the bonding for the renovation of Minuteman High School will be held on September 20, 2016. He noted that under the Town Meeting rules for the process in the region, unanimous approval was required but 1 of 16 Town Meetings rejected the proposal, therefore leading to the ballot referendum. He said all voting for Needham will be held at the Center at the Height, 300 Hillside Avenue, Needham from 12 noon - 8 p.m. Mr. Matthews encouraged all residents to vote. He commented absentee ballots are now available at the Town Clerk's office for people unable to get to the polls on September 20.

Motion by Mr. Matthews that the Board vote to support the referendum on the bonding for a new Minuteman High School.
Second: Ms. Cooley. Unanimously approved 5-0.

Mr. Borrelli thanked Mr. Matthews and Ms. Cooley for their work on the Minuteman High School renovation project.

2. Noise By-Law

The Board discussed the possibility of amending hours of the existing Noise By-law by changing Sunday hours to 9 a.m. to 8 p.m. from 7 a.m. to 8 p.m.

Mr. Handel said construction noise is periodic and temporary, while gardening/landscaping noise is more frequent. He said each type of noise is distinctive and should be considered differently.

Mr. Borrelli pointed out Section 3.8 Noise Regulation under consideration is for construction activity conducted under a building permit.

Mr. Bulian said making a slight change in the hours provides relief for residents on Sunday mornings.

Ms. Cooley supports the change saying it is not unreasonable. She questioned the \$50 fine, suggesting a fine escalation for multiple violations at the same site. Mr. Bulian concurred.

Mr. Matthews agreed with having more quiet on Sunday mornings, and that the change is not to unduly burden people. He said he would want to know if people

are continually paying fines at the same site. Mr. Matthews said it is reasonable to make the change.

Mr. Borrelli said he supports changing the hours, but suggested neighbors should also talk to each other. Mr. Borrelli said the next step is to gather information and to hold a public hearing.

3. Trash Haulers

Ms. Cooley stated notices will be sent to trash haulers reminding haulers and residents to be more respectful of where trash bins are placed. She said bins should not be placed on sidewalks or in the street, as it can be hazardous.

Mr. Matthews clarified if residents have a private hauler picking up trash, barrels may be placed in the driveway as long as they are not a hazard, but before the sidewalk. He said bins may not be placed in the public right-of-way, before or after pickup of trash.

9:40 p.m.

Adjourn:

Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of September 6, 2016.

Second: Mr. Bulian. 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=>