

**Town of Needham
Board of Selectmen
Minutes for April 25, 2017
Selectmen's Chamber
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: No activity.

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

7:00 p.m. Public Hearing: Alteration of Premises - Village Club - Permission to Extend Coverage of Licensed Premises
Robert R. Giumetti, Jr., Manager, James G. Healy, Village Club member, and Bob Papetti, Village Club member appeared before the Board to discuss the Village Club Building Association's current Club Liquor License allowing service of alcoholic beverages in its lower level. Highlandville Hall, rental space located on the first floor is not included in the license description; thereby requiring the need to apply for a One Day Special License for each event held in that room and have liquor service. The Village Club seeks to expand the description of licensed premises to include Highlandville Hall so alcohol service can be provided in the rental area.

Mr. Healy referred to the Village Club's request in 2004/05 for a Club Permit, noting public hearings were held and much testimony was heard. He said the Board decided to grant a license to the Village Club for its Club Room, noting that since that time, the Village Club has requested One Day Special Licenses for functions held in Highlandville Hall. He said a permit has never been denied, noting the administrative burden when applying for a One Day Special Permit. Mr. Healy commented the request is not to change the permit, but rather allow a permit for the entire facility. Mr. Healy said the request is no different from what other establishments have in Needham. He commented meetings were held with neighbors of the Village Club to respond to resident concerns. Mr. Healy said the Village Club will not allow patrons to park on Morton Street, but in the Kindercare lot, and on Highland Avenue. Mr. Healy reiterated nothing at the Club will change other than having the ability to rent the facility without having to apply for a One Day Special Permit.

Mr. Giumetti commented on the many ways the Village Club gives back to Needham.

Ms. Cooley asked for Board questions.

Mr. Bulian asked how many parking spaces are in the Village Club lot and the Kindercare lot? Mr. Papetti said the Village Club has 30 parking spaces and Kindercare has 50+ spaces, and also noted parking along Highland Avenue.

Ms. Cooley invited public comment.

Glenn Mulno, 40 Morton Street said the Village Club is a good neighbor. He expressed concern about parking on both sides of Morton Street, and would like the Club to commit to a better parking system, including more cones/signage. Mr. Mulno suggested a periodic check-in with the Village Club would be an opportunity for residents to discuss any issues.

Deborah LeClaire, 46 Morton Street agreed with Glenn Mulno's comments. She asked what incentive is there to being a good neighbor if the permit is approved? She suggested the permit be tied to consequences should the neighborhood relationship and/or expectations deteriorate.

Kenneth LeClaire, 46 Morton Street is opposed to signage. He commented it is not an administrative burden or much effort to apply for a permit. Mr. LeClaire said restrictions should be tied to the permit. He asked about enforcement if a permit is granted. Mr. LeClaire commented that people park on Morton Street even though cones are in place.

Bernardo Aumond, 36 Mellen Street said the parking proposal scatters patrons farther in to the neighborhood, saying many people are heard at night outside the Club. He said expanding the license benefits the owner and patrons, not the neighborhood. Mr. Aumond said intentions are good but hard to control and enforce. He opposes license expansion.

Christine Murphy, 52 Morton Street said the parking lot is too small to hold cars for 185 people. She said she is concerned about noise, hours of operation, and lack of supervision outside the building. Ms. Murphy commented there is a disconnect with what is supposed to be happening versus what is really happening. She suggested more supervision and clear hours of operation if the license is approved. Ms. Murphy said late night events should not be happening in a residential neighborhood.

Lisa Morris, 15 Morton Street asked if it is less expensive for guests to rent the hall if a One Day Special Permit is not required? Mr. Healy said the price is the same. Ms. Morris said it is dangerous entering/leaving Webster Street due to cars being parked close to the intersection on both sides. She commented most weekend summer nights she has to close her windows due to noise or is awakened by people talking and drinking at cars near her window. She agreed with Ms. Murphy that the Village Club must take direct responsibility for more supervision.

Bill Hagan, 12 Morton Street said the Village Club is doing a lousy job governing parking. He also commented it is not an administrative burden to apply for a One Day Special Permit. He suggested the Town give the Village Club 25 licenses up front to avoid any perceived hassle. Mr. Hagan asked why the MBTA parking lot two blocks away is not used and said Kindercare does not have more than 25 parking spaces.

Al Israel, 34 Morton Street said part of the problem is the Village Club does not have anyone representing the Club at functions. He said there is a lot of noise and beer containers. He noted a change in Village Club administration could change what happens at the Club. Mr. Israel said parking is a nightmare in the winter. He suggested that a police detail be required at functions.

Mr. Healy reiterated the Club is not increasing the number, type, or nights when functions are held. He agreed it makes sense to hold an annual meeting with the neighborhood. Mr. Healy noted a citizen who has a complaint about an establishment with a permit, can go to the Town Manager or Board of Selectmen at any time. He said there is oversight and that residents can tell the Village Club of problems at any time. He agreed a function manager is a good idea, but police details are very expensive.

Mr. Matthews asked the proposed hours of operation? Mr. Healy said the Village Club is agreeable to whatever hours are appropriate and lawful.

Discussion ensued attempting to clarify hours of operation, including time of last call and closing.

Mr. Borrelli said the Club does a lot of good for the Town, noting neighborhood feedback is a good thing, and an annual meeting would be an opportunity to discuss parking, supervision, and signage. He agreed having a function manager is a good idea. Mr. Borrelli said it is reasonable to allow the Club the opportunity to streamline paperwork and supports granting a one year license.

Mr. Handel said he believes there is “more teeth” in an annual license and a lot more at stake. He said a granting a one year license may be a better way to go.

Mr. Bulian said granting the Club a One Day Special Permit has never been questioned by anyone from the neighborhood. He said he supports granting the Club an annual license with requirements including an on-site manager. He suggested residents contact the Board of Selectmen, Town Manager, and Village Club with concerns. He said police detail is unnecessary.

Mr. Handel suggested the neighbors should have the ability to communicate with an onsite manager when an event is being held.

Christine Murphy, 52 Morton Street asked for clarification on hours of operation.

Kate Fitzpatrick, Town Manager said currently, Village Club hours of operation are: Sunday noon-8 p.m., Monday 3:30 p.m.-7 p.m., Tuesday 3:30 p.m.-10:30 p.m., Wednesday 3:30 p.m.-9 p.m., Thursday 3:30 p.m.-11 p.m., Friday 3:30 p.m.-11 p.m., and Saturday 3:00 p.m.-7:00 p.m.

Discussion ensued on hours of operation.

Al Israel, 34 Morton Street asked for the phone number of a Club member responsible for resolving issues late at night.

Bernardo Aumond, 36 Mellen Street reiterated the Club has no control of patrons leaving the premises. He said he has called the police a couple of times due to people lingering late at night in the parking lot.

Ms. Cooley asked for comments from the Board.

Mr. Matthews commented the Board of Selectmen can either deny the application and review it again next year, or approve the application with conditions. He said the Club is responsible for patrons and/or can enforce responsibility of parking, supervision, and leaving the premises on its users. He said additional signage is possible if it is what the neighborhood wants. He said a police detail is not necessary, acknowledging that applying for a One Day Special License does create more paperwork, but if it is an essential safeguard, that is a different matter. Mr. Matthews pointed out having an annual license will lead to functions because permitting is burdensome, and if not required, the Club will get more requests. He said restrictions could be written in to the license, however he is not in favor of that approach. He commented if the Board is to approve a license, hours must be set. In fairness to the community, he said proposed hours must be noticed and that the Club cannot run the function hall under the current hours. Mr. Matthews suggested continuing the public hearing until the May 30, 2017 Board of Selectmen meeting so the Village Club can decide on the hours it wants, and consider all the criticisms and questions raised tonight. He said the time could also be used by the Board of Selectmen to consider possible license restrictions. Mr. Matthews reiterated if issues are not resolved under a license, the recourse for neighbors is to complain to the Town Manager's office.

Mr. Bulian and Ms. Cooley said they are supportive of Mr. Matthews suggestion to continue the public hearing until May 30, 2017.

Mr. Borrelli said he does not favor imposing restrictions to the license, but it is up to the Village Club to deal with the issues raised by the neighborhood. He said a one year license could be reviewed next year.

Discussion ensued on the hours of operation.

Ms. Cooley said the Village Club has done exactly what is required by filling out all necessary paperwork with the Town and the ABCC, but the difference is there has not been adequate supervision. She said the Board of Selectmen want to be able to support the Village Club, but also want the neighbors to be able to sleep. She reiterated the hours for both operations must be documented and noticed.

Motion by Mr. Matthews that the Board of Selectmen vote to continue Public Hearing - Village Club Building Association - Alteration of Premises until May 30, 2017 at 7 p.m. or as the schedule allows.

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

Mr. Matthews noted current Village Club paperwork for the ABCC contains current Club hours, but would be useless in a license. He said as an element of the license, there is nothing in the paperwork requesting a change in hours of operation, which must be done. He noted the many moving parts requiring attention by the Village Club and the Town of Needham.

8:15 p.m.

Discussion with Property Tax Assistance Committee:

Evelyn Poness, Town Treasurer/Collector, members of the Property Tax Assistance Committee (Elizabeth Handler, Jill Kahn-Boesel, and Tom Colaruso) and members of the Taxation Aid Committee (Elizabeth Handler, Tom Colaruso, and Jack Cogswell) appeared before the Board to discuss the FY2017 Property Tax Assistance Program and proposed marketing efforts.

Ms. Poness explained the Property Tax Assistance Program is a voluntary fund and the Taxation Aid Program is a contributory fund for the elderly and disabled. She said over the last several years contributions to the voluntary fund have been down. She commented letters to the editor, the ability to make on-line contributions, Facebook notices, website improvements, a commercial on the Needham Channel, and targeted times of year to include envelopes in water and tax bills have made a difference in persuading people to contribute. She said contributions for 2016 totaled \$7,292, 2015 totaled \$13,222, and 2014 totaled \$10,975. She commented since taking extra steps, contributions to the fund for 2017 as of April 21, 2017, total \$12,882. Ms. Poness said the goal is for every household to receive 1 or 2 envelopes per year, noting that Mr. Matthews' suggestion of creating a timeline for strategic targeting of contributions year to year will be utilized.

Mr. Borrelli asked if prior donors are targeted? He asked if thank you notes are sent to contributors? Ms. Poness said as Collector, she is not permitted to solicit contributions, but the committee is allowed. Ms. Poness said she will be sending thank you notes very soon.

Ms. Cooley asked the number of people needing assistance? Ms. Poness said the number of people applying for assistance is down. She said the Senior Center will be contacted to encourage seniors to complete an application, and that a flyer will be included in delivery from the Traveling Meals program.

Mr. Matthews said the slow downtrend in contributions has been reversed, and that he is optimistic about future contributions to the program.

The Board thanked both committees for their work.

8:27 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. Traffic Management Advisory Committee Seth Bauer (Term Expires 6/30/2020)**

CONSENT AGENDA

- 1. Approve road race event form from Hilary Ryan of The Charles River Center, to hold its 5K race and 1 mile walk in Needham on September 24, 2017 from 8:00 a.m. to 2:00 p.m. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 2. Approve a request from Greg Jundanian, of Three Squares New England, who is organizing its annual fundraiser “The Ride for Food” bike ride to benefit food pantries in numerous communities including Needham, to have a portion of its ride to go through Needham. The event is scheduled for September 24, 2017 from 9:30 a.m. to 1:00 p.m. The route of the ride has been approved by the following departments, DPW, Police, Fire, and Park and Recreation.**
- 3. Ratify a Special One Day All Alcoholic Beverages License for Ernest A. Steeves of The Village Club who hosted an event for and Association Gathering/Birthday Party on Saturday, April 15, 2017 from 7:00 p.m. to 11:00 p.m. The event was held in Highlandville Hall at the Village Club, 83 Morton Street, Needham, MA.**
- 4. Approve a Special One Day All Alcoholic Beverages License for Ernest A. Steeves of The Village Club to host a fundraiser for the Broadmeadow Elementary School on Saturday, April 29, 2017 from 7:00 p.m. to 11:00 p.m. The event will be held in Highlandville Hall at the Village Club, 83 Morton Street, Needham, MA.**
- 5. Approve a One Day Special Wines & Malt Beverages license for Fred Daly, of St. Sebastian’s School to host its Reunion Weekend events on May 19, 2017 from 6:00 p.m. to 10:00 p.m., and on May 20, 2017 from 5:00 p.m. to 9:00 p.m. The event on the 19th will be held in the Birmingham Academic Building and the event on the 20th will be held in Ward Hall. Both are located at 1191 Greendale Avenue, Needham.**
- 6. Approve a Special One Day Wines & Malt Beverages License for Morgan Murphy, of Trip Advisor to host an event for Bryant, a Networking Reception, on May 3, 2017 from 5:00 p.m. to 7:00 p.m. The event will be held at Trip Advisor headquarters, 400 First Avenue, Needham, MA.**

7. **Accept the following donations made to the Needham Public Health Department's Gift of Warmth Fund: \$500 from Hillcrest Gardens; and \$500 from First Baptist Church in Needham.**
8. **Approve the Rotary Club Carnival banners presented by the Needham Community Revitalization Trust Fund to be part of the Chapel Street Banner Showcase Display Program. These banners will be displayed to raise awareness of the upcoming three day Carnival in July sponsored by the Rotary Club.**
9. **Approve design of new banner for the Needham Farmers Market which reflects the change in venue. These banners are part of the Chapel Street Banner Showcase Display Program.**
10. **Approve a request from Jessica Rice, who has submitted a Road Event form, to hold its "Jog Your Memory 5K Run/2 mile walk" on Sunday, September 17, 2017 from 6:00 a.m. to 11:00 a.m. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.**
11. **Accept \$250 donation made to the Needham Health Department's Substance Abuse Prevention and Education account from the Exchange Club of Needham.**
12. **Accept donation of 6 x 10 nylon American Flag to fly at Avery Square from Ted Shaughnessy of Henderson Properties Partnership.**
13. **Water and Sewer Abatement Order #1236.**
14. **Approve regular session Board of Selectmen minutes for March 17, 2017, March 28, 2017 and April 12, 2017.**
15. **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 St.	Webster St. between Dedham Ave/ & Howland St.	7/8/17	7/9/17	12pm-3pm
Sharon Ellis	192 Maple St.	Maple St. cul-de-sac	6/17/17	6/24/17	4pm-9pm

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

8:29 p.m. NBC Universal Tax Increment Financing Proposal:
Representatives from NBC Universal including Brian O'Leary, Senior Vice President & Tax Counsel, Robert Hendrick, Senior Director, Global Real Estate, Jon Sutich, Manager of Government and Regulatory Affairs (Comcast), and Mike St. Peter, President & General Manager, NBCU Owned Television Stations of Boston, and representatives from KPMG LLP including Ulrich Schmidt, Manager Director and Robert Chase, Senior Manager appeared before the Board to outline the basis for their proposed relocation to Needham, and the benefits of the tax increment financing proposal included in the May 8, 2017 Special Town Meeting Warrant.

Brian O'Leary gave a brief background of NBC Universal, including news, sports, and entertainment. He said there are several NBC Universal facilities around

Boston, noting if the vision comes to fruition NBC Universal will integrate its businesses in Needham Crossing. A Powerpoint presentation was viewed describing “Project Owl” (a name derived from NBC Universal’s Harry Potter theme park rides and the owl, signifying if all parties come together on this project it would be a very wise decision). Mr. O’Leary said there are currently 375 employees in Massachusetts and the full scope of investment is estimated to be \$125 million. Mr. O’Leary thanked the Board for its support and recognized the opportunity NBC Universal and Needham will have.

Robert Hendrick described the timeline stating the building is anticipated to be operational by the first quarter 2019.

Mr. O’Leary commented on economic benefits to the Town of Needham, including 375 jobs, increased taxes, and a direct effect on small and medium businesses supplying goods to NBC Universal.

Robert Chase explained the next steps including approval of the TIF Agreement at Needham’s Special Town Meeting, approval by the state of Massachusetts, meeting with the Planning Board, and Design Review Board.

Ms. Cooley asked for Board questions or comments.

Mr. Bulian said this is a very exciting project for the Town of Needham.

Mr. Matthews said this project is a “win-win” for both parties, but cautioned Town Meeting approval of the TIF is required. He said the development is a “game changer” (as was TripAdvisor) for Needham Crossing, noting even with reduced taxes from the TIF the net increase to the Town is more than if a standard office building was built.

Mr. Borrelli said at first he was skeptical, but now believes the project is a “game changer.” He said the tangible and intangible assets are huge for Needham. He asked if NBC Universal plans to add more employees over the next 5 years? Mr. O’Leary said there is potential for growth, but there are no commitments right now.

Mr. Handel said this project is the culmination of years of strategy by the Town of Needham, and it is terrific opportunity for both parties.

Ms. Cooley thanked the presenters for coming before the Board.

8:50 p.m.

Town Manager:

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

1. Positions on Warrant Articles

Annual Town Meeting Warrant:

Motion by Mr. Handel that the Board vote to support Article 23 - Amend Zoning By-law - Dimensional Residential in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 24 - Amend Zoning By-law - Side Yard Setback in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 25 - Amend Zoning By-law - Height Residential in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 26 - Amend Zoning By-law - FAR Single Residence B in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to refer Article 27 - Amend Zoning By-law - Side Yard Setback in the Annual Town Meeting Warrant to the Planning Board for further study.

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

Motion by Mr. Handel that the Board vote to refer Article 28 - Amend Zoning By-law - Garage Setback in the Annual Town Meeting Warrant to the Planning Board for further study.

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

Motion by Mr. Handel that the Board vote to support Article 29 - Amend Zoning By-law - Lot Coverage in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to refer Article 30 - Amend Zoning By-law - Front Side Special Permit in the Annual Town Meeting Warrant to the Planning Board for further study.

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

Ms. Fitzpatrick commented motions to amend or emergency preamble on Article 39, Article 43, and Article 44 will be presented next Monday, May 1, 2017.

Motion by Mr. Borrelli that the Board vote to withdraw Article 52 - Appropriation for Workers Compensation Fund in the Annual Town Meeting Warrant.

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

Article 55 - Appropriate for Capital Facility Fund - Defer.

Special Town Meeting Warrant:

Motion by Mr. Handel that the Board vote to support Article 1 - Application of Bond Premium in the May 8, 2017 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 2 - Approve TIF NBCU in the May 8, 2017 Special Town Meeting Warrant.

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

Article 3 - Appropriate for Rental Office Space - Defer.

Motion by Mr. Handel that the Board vote to support Article 4 - Appropriate for Town Hall Stair Modifications in the May 8, 2017 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 5 - Rescind Borrowing Authorization in the May 8, 2017 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to withdraw Article 6 - Appropriate for Workers Compensation Fund in the May 8, 2017 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 7 - Appropriate for Athletic Facility Improvement Fund in the May 8, 2017 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 Capital Facility Fund in the May 8, 2017 Special Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Board vote to withdraw Article 9 - Appropriate to Debt Service Stabilization Fund in the May 8, 2017 Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 10 - Accept M.G.L. Sale of Alcohol on Sunday in the May 8, 2017 Special Town Meeting Warrant.

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

Article 11 - Citizens Petition Veterinary Uses in Mixed Use 128 - Defer.

2. Facility Financing Plan Update

Dave Davison, Assistant Town Manager appeared before the Board with an updated draft facility financing plan dated April 21, 2017 for review and comment.

Mr. Davison explained the plan has been updated from the last version presented to the Board in June 2016. He commented changes include several project timelines, as well as better cost estimations for some of the projects being contemplated. The projects include the Needham High School classroom expansion, Memorial Park building, public safety buildings. He commented on the Stabilization Funds, particularly the Debt Service Stabilization Fund. He said the creation of the Debt Service Stabilization Fund is a key component, and one of the reasons why the Town can confidently tell Town Meeting that the High School classroom expansion project can be done within the operating revenues of the Town and not require a debt exclusion override. He stated, without the Debt Service Stabilization Fund, the plan would not be possible. He asked if Board members had any questions or comments.

Ms. Fitzpatrick noted the updated plan also includes the accelerated schedule for the new Hillside School on Central Avenue.

Ms. Cooley commented this plan is the first concrete example of how the Debt Service Stabilization Fund fills in gaps allowing for certain projects.

Mr. Borrelli said seeing the Debt Service Stabilization Fund come to fruition is terrific, and acknowledged Mr. Davison's foresight in recommending the creation of the Debt Stabilization Fund. He commented putting the dollar amount for the High School expansion project within the levy is an amazing feat.

Ms. Cooley commented on the very careful use of cash by the Town.

Ms. Fitzpatrick said the plan also includes a path forward for the Memorial Park building in the future, if the project stays at its estimated amount. She commented the public safety building project is large and complicated, most likely requiring an override.

Mr. Handel commented the Town has many identified capital needs being approached in a very prudent, well thought out strategy, noting it reflects well on the Town and helps to keep the AAA rating.

The Board thanked Mr. Davison for his work.

9:29 p.m.

Board Discussion:

1. Committee Reports

Ms. Cooley reminded the Board a public hearing on the Eversource Reliability Project will be held tomorrow night, April 26, 2017 at 7 p.m. in Powers Hall. She said nearly 800 abutters along contemplated routes have been notified.

9:30 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of April 25, 2017.

Second: Mr. Handel. 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=>