

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

- 6:15 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, Matthew D. Borrelli, and Town Manager Kate Fitzpatrick. Maurice P. Handel did not attend the meeting. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.
- 6:15 p.m. Executive Session: (Exceptions 3 and 6)
Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.
- Exception 3 - To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.**
- Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.**
- Second: Mr. Borrelli. Ms. Cooley polled the Board. Unanimously approved 4-0.**
- 6:45 p.m. Informal Meeting with Citizens: Informal Meeting with Citizens was not held.
- 6:45 p.m. Meeting with Planning Board:
The Board of Selectmen met with the Planning Board prior to the public portion of the meeting to discuss food truck regulations.
- 7:15 p.m. The public portion of the Board of Selectmen meeting of July 25, 2017 was convened by Chairwoman Marianne B. Cooley.
- 7:15 p.m. Presentation of Unsung Heroine Awards:
State Representative Denise Garlick and State Senator Richard Ross appeared before the Board to present recipients Carol Read and Alison Borrelli with the Unsung Heroine Award.
- Ms. Cooley explained the Unsung Heroine Award is given by the Commission on the Status of Women, which gathers nominations from across the Commonwealth. She commented both women were invited to the Massachusetts State House the last

week of June 2017 to receive their award. She said Ms. Read and Ms. Borrelli have played key roles in a number of programs in Needham.

Ms. Cooley recognized Ms. Borrelli's dedication to volunteering including leading a committee to raise money for the 911 First Responders Memorial and improvements to the Green's Field playground. She noted Ms. Borrelli is the president of the Needham Historical Society, Director of the Needham Library Foundation, member of the Newton Needham Chamber of Commerce Scholarship Committee, and a business owner.

Ms. Cooley recognized Ms. Read, Program Manager of the Needham Health Department, former Director of the Needham Coalition for Substance Abuse Prevention, and volunteers her time in her hometown of Medfield, MA.

State Representative Garlick read and presented Ms. Read a citation, and offered congratulations to both women.

State Senator Richard Ross read and presented Ms. Borrelli a citation, and offered congratulations to both women.

The Board of Selectmen offered their congratulations.

7:30 p.m. Public Hearing - Eversource: South Street
Maureen Carroll, Eversource representative appeared before the Board requesting permission to install approximately 11 feet of conduit in South Street.

Ms. Cooley invited public comment. No comments were made.

Kate Fitzpatrick, Town Manager said all paperwork is in order.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 11 feet of conduit in South Street. This work is necessary to provide underground electric service at 124 South Street, Needham.

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

7:32 p.m. Public Hearing - Eversource: Helen Road
Ms. Cooley said a request was made to continue the Public Hearing to the next Board of Selectmen meeting on August 15, 2017.

She asked for and noted no interested residents attended the public hearing.

Motion by Mr. Bulian that the Board of Selectmen vote to continue Public Hearing - Eversource: Helen Road to August 15, 2017.

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

7:32 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. Board of Appeals (Reappointment) Kathleen Lind Berardi (Term Expires 6/30/2020)
2. Design Review Board (Reappointment - Richard M. Riley (Term Expires 6/30/2020) Alternate)
3. Election Workers to be provided under separate cover.

CONSENT AGENDA

1. Accept the following gifts received by the Needham Public Library for the period of May 5, 2017 to June 30, 2017: Rose A. Doherty donated a copy of South Boston on Parade: A History of South Boston's Evacuation Day and Saint Patrick's Day Parade (\$18.95); Ruth Bobick donated a copy of her book, Six Remarkable Hull-House Women (\$20.00); Additional gifts in memory of Betty Ann Keane, totaling \$677.50 were received from: John & Denise Perre, Nicholas Evans, Cheryl & Michael O'Leary, Rachel Ann McAlpine, Sally Ann McGurkin, Mr. & Mrs. Richard Matulis, Michael & Kathy Basile, Michael & Patricia Noonan, Geraldine F. Donohue, Catholic Charities Castle Rock Office, Jon & Kem Sawyer, Judith R. Sidel, Chris & Jim Woods, Saint Joseph High School, Karen Jerome Skillins; Claire Blum made a donation in memory of Milton Berman (\$50.00); Ann MacFate made a donation in memory of Irene MacFate (\$250.00); The Library Foundation of Needham gave the library \$3,000 in support of the One Community, One Book program; The Friends of the Needham Public Library gave the library a copy of Kevin Comtois' book, Troubadours & Troublemakers (\$14.95); The Friends also donated \$200.00 in memory of Roberta Haskell Crocker; Karen Jerome Skillins made a donation in memory of Roberta Haskell Crocker (\$37.50); Jerry Goldstein gave the library a copy of Needham Celebrates 300, 1711- 2011; R.A. Stefanowicz gave the library a copy of the 1977 Needham High School yearbook (\$25.00); The St. Joseph Centennial Committee donated a copy of Hidden in Plain Sight: Decoding the Art, Architecture and Symbolism of St. Joseph Church; Penguin Random House Library Marketing gave the library a copy of Radical Hope: Letters of Love and Dissent in Dangerous Times (\$15.95); Shirley Pratt donated a copy of her book, Revelation: Dorothy's Story from Death to Rebirth (\$15.00); Amit Kapoor donated 6 DVD/ blu-Rays (\$119.00): The Girlfriend Experience, Power (Complete Second Season), The Royals (Season Two), Survivor's Remorse (complete second season), Orange is the New Black (Season Three), and Casual (Season One).
2. Accept the following donation made to the Needham Community Revitalization Trust fund: \$500 from Holly and Bruce Johnstone.
3. Ratify a One Day Special Wines & Malt Beverages License request for Gloria Greis of the Needham Historical Society who hosted a Paint Night event on July 11, 2017 from 6:30 p.m. to 10:30 p.m. The event was held at the Needham Historical Society, 1147 Central Avenue, Needham.

4. **Approve Special One Day Wines & Malt Beverages license for Anne-Marie Bajwa, of the Charles River Center to hold its Charles River Center 5K run/1mile walk event on September 24, 2017 from 12:00 p.m. to 3:00 p.m. This event will be held at the Charles River Center, 59 E. Militia Heights Drive, Needham.**
5. **Accept the following donations made to Needham Youth Services: \$150 from the Anime Club at Needham High School; and \$100 from Timothy M. McDonald. The monies will be used to sponsor Needham Youth Services Programs.**
6. **Approve a Special One Day Wines & Malt Beverages license for Leslie J. Laputz of the Pan Mass Challenge to host an event at the end of the Pan Mass Challenge on Sunday August 6, 2017 from 12:00 p.m. to 5:00 p.m. The event will be held in Trim Lot (in Needham), which is at Babson College, 231 Forest Street, Babson Park.**
7. **Approve minutes of June 30, 2017 meeting.**
8. **Approve 2017 Mobile Food Truck license for a new food truck vendor – KHF LLC d/b/a The Dining Car.**
9. **Water & Sewer Abatement Order #1240**
10. **Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Naomi Goldman	93 Gayland Rd	Gayland Rd	9/16/17	9/23/17	4pm-7pm
Jeanne Martin	139 Plymouth Rd	Plymouth Rd Ext.	9/9/17	9/10/17	1pm-7pm
Liz Lawlor	76 Howland St	Pleasant/Howland Streets	9/16/17	9/17/17	4pm-7pm
Kristen Vacanti	138 Brookside Rd	138/144 Brookside Road	9/9/17	9/30/17	12pm-8pm
Amanda Armstrong	100 Mayflower Rd	Mayflower Road	9/9/17	9/10/17	4pm-8pm

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

7:33 p.m. Director of Public Works:
Richard P. Merson, DPW Director appeared before the Board with 2 items to discuss:

1. Sign Notice of Traffic Regulation - Hampton Avenue
Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign the Notice of Traffic Regulation #P17-07-25 for Hampton Avenue, time limited in designated places, west side Ellis Street to Beech Street.
Second: Mr. Borrelli. Unanimously approved 4-0.

2. Downtown Improvement Project Update
Mr. Merson updated the Board on the status of the Downtown Improvement Project, saying the project is mid-way through the second phase with installation of brick pavers in the crosswalk box. He said this phase is labor intensive and will affect traffic and businesses. He commented notice of the start of Phase 3 is on the Town's website and social media. He said sequencing of the process is "holding

together” with only a few interruptions for some extra utility work. Mr. Merson commented the Needham Police Department is doing a great job handling traffic detours. He said once work is completed in the intersections, power for the traffic control system will be connected.

Ms. Cooley noted completed electrical work in the vault was delayed by outside contractors. Ms. Cooley said a list of Frequently Asked Questions developed by the Town Manager will be on the Town’s website. She said the project is being completed in five phases rolled out over multiple years. Ms. Cooley asked when residents will see a change in the timing of traffic lights? Mr. Merson said the shutoff of power for the switch over will occur at 12:01 a.m. until 8:00 a.m. on Thursday, July 27, 2017. He explained additional details need to be put in place for the Town to fine tune lights, sensors, and camera systems.

Mr. Bulian thanked Mr. Merson and Ms. Fitzpatrick for their work. He reiterated his unhappiness with the new lights at the train tracks, but noted the improvements. Mr. Bulian suggested residents review the list of FAQ on the Town’s website and provide additional comments to the Board of Selectmen.

Mr. Borrelli thanked Mr. Merson. He said more work needs to be done to figure out the crosswalk and mandated traffic light at the railroad track.

Ms. Cooley thanked Mr. Merson for the update.

7:50 p.m.

Verizon Small Cell Antenna Discussion:

Betsy Mason, Attorney, McLane Middleton and Dr. Donald Hayes, independent consultant and radiation specialist appeared before the Board to discuss a request from Cello Partnership d/b/a Verizon Wireless to install twelve (12) separate wireless small cell antennas and supporting equipment on existing electrical distribution poles in the Town of Needham.

Ms. Cooley stated since the last meeting, Cello Partnership d/b/a Verizon Wireless committed to doing pre and post installation testing at any potential cell sites approved by the Board of Selectmen. She said the Board is considering conditions for small cell sites, however none are currently in place. She commented another area of concern is the issue of double poles, noting new poles are already in place at a number of locations and old poles have not been removed. Ms. Mason said landline Verizon, Eversource, and National Grid are “admittedly pretty terrible” about removing old poles when new poles are put in place. She explained replacement of the poles is within the control of the pole owners, and is not part of the wireless division. She said she is disturbed to hear old poles had not been removed. Ms. Cooley said double poles are of grave concern and a tremendous irritation, and the Town wants the double poles removed. Ms. Mason said Ms. Cooley’s comments are understood.

Mr. Borrelli said he would only support “going live” when old poles are removed. He commented other towns have conditions including removal of old poles. Mr. Borrelli commented on the appearance of the small cell tower, which must blend in with its surroundings. Ms. Mason said the thought is to minimize the appearance.

Ms. Cooley commented on the maximum exposure on Melrose Avenue. She noted concern of other vendors adding to poles in open areas. She asked about the impact to citizens. Dr. Hayes commented the predictions are based upon worst case, and would most likely not occur unless under extreme conditions. Discussion ensued on maximum exposure. Dr. Hayes suggested periodic monitoring of the area to make sure levels do not go above limits.

The Board agreed to consider each site independently.

Motion by Mr. Matthews that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham, MA SC06, Utility Pole #7 located near 609 Webster Street, Needham.

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

Mr. Borrelli commented on the agreement on the double poles and post testing subject to Needham Board of Health approval. Ms. Cooley said agreement on double poles and post testing will, at some point, be part of the order of conditions.

Mr. Borrelli commented he is not comfortable with the pole location at 97 Melrose Avenue and asked for alternatives. Mr. Bulian agreed. Mr. Matthews suggested denying the petition at 97 Melrose Avenue without prejudice.

Ms. Mason said Verizon would prefer withdrawing application SC03 MA, Utility Pole #14 located near 97 Melrose Avenue.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham SC04 MA, Utility Pole #27-0 located near 7 Stevens Road, Needham.

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

Mr. Borrelli clarified SC-04 is a double pole location, adding Verizon must be cognizant of street trees.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham SC05 MA, Utility Pole #146/25 located near 189 Harris Avenue, Needham.

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

Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham SC07 MA, Utility Pole #67 located near 443 Great Plain Avenue, Needham.
Second: Mr. Bulian. Unanimously approved 4-0.

Ms. Cooley noted SC07 is a site with less coverage when compared with other sites.

Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham SC09 MA, Utility Pole #97/51 located near Dedham Avenue and South Street, Needham.
Second: Mr. Bulian. Unanimously approved 4-0.

Mr. Borrelli noted a letter of support was received regarding site SC09. Discussion ensued on the appearance of this cell tower.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham SC19 MA, Utility Pole #116-1 located near 1250 Great Plain Avenue, Needham.
Second: Mr. Borrelli. Unanimously approved 4-0.

Ms. Cooley noted SC19 is an area needing more coverage.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham SC21 MA, Utility Pole #72-3 located near 33 Chestnut Place, Needham.
Second: Mr. Borrelli. Unanimously approved 4-0.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Cello Partnership d/b/a Verizon Wireless to install a wireless small cell antenna and supporting equipment at Verizon Site Name: Needham W SC03 MA, Utility Pole #25 located near 1437 Great Plain Avenue, Needham.
Second: Mr. Borrelli. Unanimously approved 4-0.

Ms. Cooley stated that Board of Selectmen will consider conditions and looks forward to pre and post testing. She thanked the proponents for working with the Town and stated there are residents who look forward to improved cell phone coverage.

Mr. Borrelli commented on formulating regulations, noting the City of Waltham's regulation barring other small cell facilities from installing small cell antenna within 120 ft. of an existing pole with a small cell antenna.

Ms. Cooley thanked residents for their input.

8:30 p.m.

Mobile Food Vendor Regulations Public Hearing:

Ms. Cooley said the Board of Selectmen has been working on revised regulations for the possibility of Mobile Food Vendors for over a year, working with other selected Boards in Town, particularly the Planning Board and the Park and Recreation Commission. She asked Mr. Matthews if he had any comments since he has been working closely on the issue for some time.

Mr. Matthews stated the issues include creating food truck opportunities in parts of Town not serviced by restaurants, i.e. Needham Crossing, utilizing parks including DeFazio and Claxton Field, and whether or not to allow food trucks in the business districts.

Ms. Fitzpatrick said input and ideas were received from residents.

Ms. Cooley invited Dave DiCicco, Park and Recreation Commission, to comment on regulations and how the Commission is thinking about applying potential regulations.

Mr. DiCicco said the issue is complicated as it involves user groups using concessions for fundraising efforts. He acknowledged proper staffing can be challenging, and there may be an opportunity to help by allowing food carts. He said draft regulations answer many questions for the Park and Recreation Commission. He commented on proposed hours of operation and regulations at DeFazio Park developed by the Park and Recreation Commission. Mr. DiCicco said the idea of “Food Truck Friday” or a food fest at Claxton Field is being explored by the Park and Recreation Commission. He asked the Board of Selectmen if the draft policy is “ready to go” and whether Park and Rec can move forward. He said criteria to choose vendors must be decided.

Ms. Cooley said regulations are open for discussion and anticipates a vote by the Board of Selectmen in August. She noted the attendance of Doug Fox, proponent of the Citizen’s Petition at Town Meeting.

Ms. Cooley invited public comment.

Doug Fox, 43 Marked Tree Road thanked the Board of Selectmen for the progress made on allowing food trucks. He commented on the fee structure and the possibility of food trucks at certain fields. He urged the Board consider allowing food trucks in the downtown.

Joshua Levy, 42 Village Lane echoed sentiments of Mr. Fox. He encouraged the Board to focus on food truck meals close to where people work, not just concessions at fields.

Greg Reibman, President, Newton Needham Chamber of Commerce urged delaying a decision allowing food trucks in the downtown until completion of the Streetscape Project.

Ms. Cooley closed the public hearing and asked for comments from the Board.

Mr. Borrelli said he supports a food truck day. He said there may be an opportunity in the future for a small cart in an underserved location just outside of the downtown not affecting brick and mortar restaurants.

Ms. Cooley said a vote will be taken in August.

8:51 p.m.

Town Manager:

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

1. Regulations for the Sale of Alcoholic Beverages

Ms. Fitzpatrick reviewed proposed revisions to the Town's regulation for the sale of alcoholic beverages and recommended the Board approve the revisions.

Motion by Mr. Bulian that the Board of Selectmen vote to approve the revised Regulations for the Sale of Alcoholic Beverages effective July 25, 2017.

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

Mr. Matthews thanked the Town Manager, and the public for contributing to the discussion. He said he is hopeful the regulations will allow service that people want and provide opportunities for businesses while maintaining public safety.

Mr. Bulian said revised regulations will hopefully attract the type of establishment for more people and families.

2. Acceptance of Access Easement and Declaration of Restrictive Covenant

Ms. Fitzpatrick said the Planning Board has requested the Board of Selectmen accept and execute an Access Easement and Declaration of Restrictive Covenant from Mary Stare Wilkinson and Bradford Wilkinson to the Town of Needham. She said the documents were required by the Planning Board as a condition of the Board's approval of the Cartwright Road Definitive Subdivision Plan. She said Town Counsel has determined Town Meeting approval is also required, and this easement will be placed on a future Town Meeting warrant.

Motion by Mr. Bulian that the Board of Selectmen accept and authorize the Chairwoman to sign the Access Easement and Declaration of Restrictive Covenants by Mary Stare Wilkinson and Bradford Wilkinson to the Town of Needham.

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

3. Call for Special Town Meeting and Open Special Town Meeting Warrant
Motion by Mr. Bulian that the Board of Selectmen vote to call for a Special Town Meeting on Monday, October 2, 2017 and open the warrant for the meeting.

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

8:58 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

8:58 p.m. Adjourn:

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

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

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=>