

**Town of Needham
Board of Selectmen
Minutes for March 27, 2018
Needham Town Hall
Powers Hall**

6:30 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chair 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.

6:32 p.m. Babson College Scholarships:
Meredith Stover, Director of Financial Aid, Babson College appeared before the Board to discuss scholarship recommendations to local residents. 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.

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

New Applicants

Georgia Bregianos

Katherine Canavan

Ben Pasco-Anderson

Status

Blended MBA student

Accepted applicant to MSA program

Evening MBA student

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

6:37 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board of Selectmen vote to approved the Appointments and Consent Agenda as presented.

APPOINTMENTS

1. Human Rights Committee Christina Mathews (term expires 6/30/2020)

2. Property Tax Assistance Committee Jack Cogswell (term expires 6/30/2020)

CONSENT AGENDA

- 1. Approve a Special One Day All Alcoholic Beverages License for Nicola Dempsey, of St. Joseph Parish and Schools to hold its Spring Soiree event on Friday, April 6, 2018 from 7:30 to 11:00 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
- 2. Approve a Special One Day Wines & Malt Beverages License for Dinneen Grably, of the Gifford Cat Shelter to hold its Spring Soiree & Silent Auction**

on Saturday, April 21, 2018 from 6:00 p.m. to 10:00 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.

3. Accept the following donations made to the Needham Park and Recreation Commission's Arts in the Parks Summer Concert Series: \$800 from Copley Motorcars, and \$800 from Roche Brothers.
4. Approve a date and location change for the Eliot PTC to hold its 5K event on May 6, 2018. They did not hold the event on March 17, 2018 as was previously approved. The new route has been approved by the following departments: Park and Recreation, Police, Fire, and DPW.
5. Accept the following donation made to the Needham Community Revitalization Trust Fund: \$1500 from The Exchange Club of Needham, and \$200 from Needham Open Studios.
6. Approve Mobile Food Vendor applications for Capriotti's, Moyzilla, and Sam's Hot Dogs pending successful inspections from Public Health and Fire. Locations will be in the Needham Crossing area. Completed applications are on file in the Office of the Town Manager.
7. Approve a Special One Day Wines & Malt Beverages License for Maxwell Sparr of Trip Advisor to hold an event for Global Citizen on Tuesday, March 27, 2018 from 6:00 p.m. to 8:00 p.m. The event will be held at Trip Advisor, 400 First Avenue, Needham.
8. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Brooks Goddard	59 Otis St.	Otis St. between Webster & Manning	5/20/18	N/A	12pm-3pm

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

6:37 p.m.

Bike Share Program:

Dave Davison, Assistant Town Manager/Director of Finance and Kasia Hart, Metropolitan Area Planning Council appeared before the Board to review the regional bike sharing program in which the Town of Needham may be a participating member. Ms. Hart provided an overview of the bike share program, highlighting benefits communities realize from such a program, discussing how the service was procured, and confirming the next steps needed from the Town to proceed.

Mr. Bulian asked the cost for renting a bicycle, and how to obtain a helmet. Ms. Hart said a ride will cost \$1 per 30 minutes, and helmets must be provided by bike rental companies; vendors will inform users where to buy a helmet. She commented the technology is mobile app based.

Mr. Borrelli asked for the bike pick up location, and the number of bicycles anticipated in Needham. Ms. Hart said bicycles could be available in community designated areas determined by the Town. Mr. Borrelli said he is concerned about bicycles being left in congested areas. Ms. Hart said it is anticipated the system will be available beginning July 2018.

Motion by Mr. Handel that the Board vote to support the Town's participation in the Regional Bike Share Program and the actions to be taken by the Town Manager for the Town to participate in the regional program.

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

6:50 p.m.

Sign Notice of Intention of Street Layout: Pandolf Lane

Richard Merson appeared before the Board as the residents of Pandolf Lane have requested that Pandolf Lane be accepted as a Public Way. The Petition (Form 1) was received in December 2017, and shows residents requesting acceptance of the Right of Way.

Mr. Merson said the second step in the Street Acceptance process is to notify all interested parties of the intent to layout Pandolf Lane. He said a public meeting to layout Pandolf Lane, with a formal vote, will be scheduled at the Board of Selectmen's next available meeting at least 7 days after posting Form 2 and 2A.

Motion by Mr. Borrelli that the Board vote to approve and sign Form 2 and Form 2A indicating its intention to layout the following street: Pandolf Lane.

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

6:57 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with one item to discuss:

1. Annual Town Meeting Warrant

Kate Fitzpatrick, Town Manager reviewed final versions to the 2018 Annual Town Meeting Warrant. She asked the Board approve the final wording of the Warrant.

Motion by Mr. Bulian that the Board vote to approve the final wording of the 2018 Annual Town Meeting Warrant.

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

Ms. Cooley announced Thursday, March 29, 2018 as National Vietnam War Veteran's Day, recognizing all Needham residents who served during the Vietnam War.

The Board paused until 7:00 p.m. to begin public hearings and public discussion listed on tonight's agenda.

7:00 p.m.

Public Hearing: Application for a License to Store Fuel in Parking Structure located at 692-744 Greendale Avenue, Needham

Lars Unhjem, Mill Creek Residential appeared before the Board requesting a license to allow for parking of approximately 91 vehicles located in the ground and lower levels of Building A at the properties located at 692-744 Greendale Avenue, Needham. Section 4.3 of the Town of Needham General By-laws states that any

amount of liquid petroleum gas in excess of 500 gallons on a property requires a license issued by the Board of Selectmen.

Ms. Fitzpatrick said all paperwork is in order.

Ms. Cooley asked for Board comment. No comments were made.

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

Motion by Mr. Handel that the Board of Selectmen vote to approve and authorize the Chair to sign a license for Mill Creek Residential to allow for parking of approximately 91 vehicles located in the ground and lower levels of Building A at the properties located at 692-744 Greendale Avenue, Needham. Second: Mr. Bulian. Unanimously approved 5-0.

7:01 p.m.

Pedestrian Safety Discussion:

Ms. Cooley said discussion tonight is because of the deaths of Talia Newfield and Adrienne Garrido on February 10, 2018. She said the accident investigation continues and results are not yet known. Ms. Cooley read a letter from Craig Newfield, seconded by Pedro Jose Garrido, neither of whom was able to attend tonight's discussion. Ms. Cooley acknowledged the many thoughtful and descriptive letters and photos received from residents about areas of concern in Needham. She said all information is helpful and included in the public record.

Ms. Fitzpatrick gave a powerpoint presentation on pedestrian accident data, recent safety improvements, and next steps being considered by the Town. She stated poor visibility, distraction, and speed are all factors in car crashes. Ms. Fitzpatrick identified areas of concern including schools, Great Plain Avenue in Needham Center, Nehoiden Street, May Street, and the intersection of Dedham/Warren/Harris Avenues. A map was shown outlining pedestrian accident data from June 2015-February 2018. Ms. Fitzpatrick commented on the possibility of lowering the current prima facie speed limit (30 mph) across Town or on certain streets.

Ms. Cooley invited public comment, first asking Steve Delisi, Chair of the Traffic Management Advisory Committee and Heidi Black, Chair of the School Committee for comment.

Steve Delisi, 54 Elmwood Road said two meetings have been held since the accident. He told the Board that speed and crosswalk visibility are most concerning. He said signage and pedestrian activated lights were mentioned by residents.

Heidi Black, 7 Maple Terrace, and Chair of the School Committee, said safety of students, faculty, and staff is the top priority in Needham public schools. She said at various grade levels skills are taught that promote student, rider, and pedestrian safety, and include the bike rodeo, walking school bus, bus safety drills, pedestrian

safety, sidewalk safety, and student crossing guards furthering safety efforts for smaller children. She supports the effort to create a safety zone around Needham High School, and the School Committee is ready to cooperate and collaborate as the Town considers additional safety measures.

Ms. Cooley announced State Representative Denise Garlick's attendance at the discussion.

Phyllis Mays, 141 Chestnut Street addressed the dangers of the intersection at West Street and Hillside Avenue. An overhead photograph was viewed. She suggested a traffic study be completed and asked for a crosswalk to be installed.

Karen Wilfred, 7th grade teacher at Pollard Middle School said the Needham Times recently printed her letter to the editor on the issue of pedestrian safety. Ms. Wilfred said she has a unique perspective as she walks the same routes as students to school. She reiterated points in her letter and comments made by her students including poor visibility due to fencing and cars parked at corners, complicated crossing at Great Plain Avenue, and lack of crossing guards at intersections for students who stay after school. She said a review of Needham's crosswalks, crossing signals, and school zones will produce streets that not only allow for safe walking, but promote, encourage and prioritize safety.

Michele McQuillen, 9 Holland Terrace, appreciates the efforts of the TMAC and police. She told the Board of a recent driving experience she had at the same crosswalk where the accident happened. She said the intersection will not be easy to fix and the entire surrounding area must be addressed. Ms. McQuillan said she does not understand why drivers do not slow down on Webster Street, Manning Street, and in the community as a whole.

Ford Peckham, 26 Lawton Road said there are not enough police in a rapidly growing town. He said drivers talking on the phone are just as dangerous as texting while driving. He implored the State Representative and Senators for legislation making it illegal to talk or text while driving unless using a hands free device. Mr. Peckham said driving habits are horrible and are the cause for increased insurance rates. Mr. Peckham concluded people must take responsibility, and the problem is "on us" to solve.

Kathy Walsh, 12 Greenwood Avenue said drivers are "riding her bumper" on Webster Street. She said the intersection is not well lit and supports pedestrian activated lights at crosswalks and lower speed limits. She said the high school periphery is an active walking area for adults and students.

Felicia Mathais, 354 Webster Street said there has been an increase in traffic on Webster Street in the last 20 years, creating a more hazardous situation at crosswalks and intersections. She said she and her neighbors presented information to the TMAC on three occasions, but a request for adding a pedestrian walk signal,

removal of excess signage, and a 'No Right on Red' at hours before and after school took persistence of more than a year until the request was met. She commented basic safety at crosswalks, including flashing lights and bell signals must be a Town priority. Ms. Mathias also asked for a re-evaluation of the street lighting on Webster Street.

Thomas Crimlisk, 4 Memorial Circle commented on sidewalk safety on Linden Street and Oak Street. He commented on the possibility of driverless cars, instead of spending money on more roads and flashing lights.

Steve Markman, 10 Elizabeth Circle commented street lighting in all of Needham should be evaluated. He explained his neighborhood is very dark and he is surprised people have not been hit. He commented on removal of the crosswalk at the train track on Great Plain Avenue, saying people are using the painted-over crosswalk even though there is signage.

Marvin Stick, 272 Greendale Avenue said he was thrilled to hear of the potential 25 mph, acknowledging it may be too fast in some areas. He told the Board the traffic in his area of Kendrick Street, Greendale Avenue, Nevada Road is a risk to cyclists and pedestrians. He asked the situation be addressed as quickly as possible.

Amy Levingston, 3 Tolman Street said crossing Central Avenue into Newman School is very difficult and she appreciates having police at the crosswalk in the morning and afternoon.

Ally Van Duzen, Pollard staff said snow removal patterns must be considered during the winter, as crosswalks are sometimes not shoveled after a snowstorm.

Andrew Lundquist, 673 Webster Street agreed speed is an issue. He suggested strategies be considered for the bus stop at Holland Street as there is not a crossing guard at 7 a.m.

Leslie Meinhardt, 42 Marshall Street, a commuter, said it is a blessing she is not hit when walking to and from the train. She suggested the traffic consultant and the Board of Selectmen walk the streets to notice fellow citizens are not yielding to pedestrians. She said people are not paying attention or slowing down, and suggested banners be hung urging caution and slow driving. Ms. Meinhardt also commented cyclists riding on sidewalks are dangerous.

Ted Steinberg, 210 Hillside Avenue said it feels good to be heard by elected officials. He reiterated people should feel safe in crosswalks and on sidewalks, commenting distracted driving must be addressed. He said no safety measures will help if drivers are not looking at the road. He said it is time to find solutions.

Roopal Patel, 7 Curtis Road said the crosswalk at North Hill Avenue and Great Plain Avenue is terrifying to cross. She said she drives her children to school even though she lives close to Newman School.

John Newcomb, 657 Webster Street said some measures can be taken to minimize the probability of another accident. He commented that pedestrian activated warning lights are worth considering, as well as an evaluation of lighting on main roads and participation in the Complete Streets Program. He asked “What kind of community do we want to be,” and that pedestrian safety should be a priority over other items in the budget. He asked to honor the memory of Talia and Adrienne by bringing about positive change.

Wendy Landman, Walk Boston Executive Director, which is a pedestrian advocacy organization to help make cities and towns safer for all walkers, urged the Board for a systems approach when taking on the issue of making streets and sidewalks safer. Ms. Landman said speed is the greatest contributor of danger for pedestrians, suggesting traffic calming measures for long lasting impact. Ms. Landman offered the assistance of Walk Boston.

Lisa Cherbuliz, 17 Lindbergh Avenue said she is a walker, biker, runner, and driver. She commented children who do not drive, many of whom are distracted while walking, can’t know how invisible they are to cars. Ms. Cherbuliz supports comments of other speakers, but said any action must be multi-pronged. She suggested more people should be walking, and said parents are models for their children. Ms. Cherbuliz said a cultural shift and behavior in town must change and that “we are all the solution.” She said rules do not matter if people are not paying attention while driving, walking, running, or biking.

Anne Finucane, 25 Sargent Street agreed with comments, particularly comments made by Karen Wilfred. She said she is concerned with Great Plain Avenue from Hersey station to Wilshire Park because of the sharp bend and intersection at Beaufort Avenue.

Mary Coulter, 191 Maple Street said the intersection of Dedham/Harris/Warren is very dangerous, noting many accidents occurred close to her home when she lived on Dedham Avenue. She told the Board of one such accident on November 1, 2004 while waiting with her children for a school bus when she was hit by a truck, as well as several other accidents she witnessed at the intersection. She implored the Board take action to make the intersection safer before another person gets hurt or killed.

Richard Oppenheimer, 668 Webster Street said behavior must change advocating for all safety measures mentioned tonight, including lights at all crosswalks. He said the only thing that will change the behavior of drivers is if they know there is good enforcement of laws. Mr. Oppenheimer said police must do more enforcement.

Georgina Arrieta-Rutenik, 236 Greendale Avenue supports the comments made by neighbor Marvin Stick. She said it is difficult to walk her dog on her street. She concurred with comments made by previous speakers.

High Rock School student, 7 Curtis Road said kids should not be scared when in a crosswalk. He said the most important thing is for drivers to be alert and not distracted while driving.

Marc Lazar, Lindbergh Avenue said he does not understand why there has not been hyper-enforcement of speeding laws since the accident. He said he has seen no change on Webster Street.

Kathleen Culver, 1472 Great Plain Avenue agreed the crosswalk at Great Plain Avenue and North Hill Avenue is ignored by drivers. She said drivers do not yield and it is Massachusetts culture that people are in a hurry. Ms. Culver supports pedestrian activated flashing lights, lower speed limits, greater enforcement by police, and brighter lights. She said Needham is no longer a “sleepy town.”

Matt Ladoux, 271 Warren Street concurred the Dedham Avenue/Warren Street intersection is dangerous. He suggested more control over how the intersection is navigated, greater police enforcement, and a reduction of speed limits. He commented he is contemplating moving due to speed on Warren Street.

Connie Leacock, 778 Greendale Avenue said the speed limit should be lowered. She asked the speed limit be reduced.

Margaret Gray, 114 Marked Tree Road said her street has a hill and bend in the road. She commented landscape trucks are a distraction when stopped in the middle of the road.

Patricia Banks, 67 Maple Street said painted green crosswalks “need to go.” She commented the crosswalk at the corner of Great Plain Avenue and Maple Street is very dangerous. She explained a situation last week of a woman attempting to cross the street. She said the intersection is a prime location for a pedestrian activated light. Ms. Banks said side streets should have a speed limit of 20 mph.

Paula Markman, 10 Elizabeth Circle urged the Board to make changes before another person is hit. She explained she has been hit twice by cars.

Ann Weinstein, 3 Carey Road said her street is very busy, asking the Board to consider Carey Road in any traffic study. She commented Michael Dorfman, hit and killed by a car on Great Plain Avenue in 2007, was the father of her friend. She asked that he be remembered and part of the discussion record.

Lloyd Bain, 67 Maple Street said he is constantly being tailgated on Webster Street and High Rock Street while going the 30 mph limits. He said a six year surcharge should be placed on insurance as a way to deter drivers from speeding, not signaling, and tailgating. He said Maple Street is a drag way. He commented Dedham recently lowered its speed limit to 25 mph on all secondary roads and non-posted streets. He highly recommends Needham do the same, along with serious police enforcement. Mr. Bain said people are distracted, and in many cases, just do not care. He said children need to be educated when crossing the street, not text, and look both ways. Mr. Bain said if drivers and walkers are ticketed, they will learn to follow the laws.

Ms. Cooley thanked everyone for their input and comments, noting everyone has a responsibility when driving. She acknowledged there are many things Needham could improve.

Mr. Bulian thanked residents, saying everyone needs to do better. He reiterated children watch everything their parents do; he implored people to put their phone down when driving and to stop texting. He agreed children need to be educated when walking. He commented short term solutions and capital planning should be done.

Mr. Matthews said people feel the loss of Talia and Adrienne, and others mentioned. He said people need to be careful and courteous, and it only takes one person to make it dangerous for everyone. Mr. Matthews concurred people who are breaking the law by driving dangerously are not just people passing through Needham, but residents of the Town. He said in the weeks after the accident it seemed there was a huge change in behavior, but slowly bad driving habits have returned. He said it is not enough to rely on people to drive safely, but traffic calming measures, enforcement, and lower speed limits are options. Mr. Matthews said change must be deliberate to avoid unintended consequences, saying there are things that can be done promptly. He concluded it is the community who will decide the kind of community it wants to be.

Mr. Borrelli said discussion was powerful. He commented things are changing rapidly, and the consultant will analyze different areas requiring change. He agreed crosswalk lights, enforcement, and lower speed limits are necessary. He said emails were also received about lighting at Hersey station.

Mr. Handel said many good suggestions for improving the infrastructure were heard. He commented everyone needs to change the driving culture in Massachusetts.

Ms. Cooley thanked everyone for their input.

8:58 p.m. Law Enforcement Update:

John Schlittler, Chief of Police provided the Board with an update on gun laws in the Commonwealth and how they relate to the Town of Needham. Chief Schlittler said the biggest thing to understand is that the state law book regarding gun licensing is constantly changing. He reviewed with the Board a list including silencers, sharing a database of information with Connecticut, New Jersey, New York, and Rhode Island on individuals prohibited from purchasing or possessing firearms, and the possibility of adding a mental health database. He commented on laws for temporarily suspending a firearms license include mental health, criminal charges, convictions, and restraining orders. Chief Schlittler commented gun license ownership data in Needham shows approximately 150 (FID) Firearm Identification cardholders, 42 Firearm Identification cardholders Restricted Chemical and Propellant Only, 887 Resident Class A large capacity license to carry a firearm, and 3 Resident Class C non-large capacity license to carry a firearm. He further commented on age requirements, process for obtaining a firearm in Massachusetts, and storage of firearms. Chief Schlittler said firearms are not allowed on public property, schools, or in federal buildings. He commented discussion with the Needham School Superintendent, as well as school principals, indicates consensus for not arming teachers. He said there are many reasons for not arming teachers, and balance must be met for educating and keeping students safe. Chief Schlittler reiterated the ALICE Protocol continues as part of school training and drills. Chief Schlittler said assault weapons were banned in Massachusetts under federal guidelines in 1994 and recently enhanced by Attorney General Healy in 2016.

Denise Garlick, State Representative commented in 2014 the Massachusetts legislature passed the Gun Violence Reform Law. She reiterated Massachusetts has the strictest gun laws in the country and the lowest rate of death by guns, which she said is not a coincidence. She said assault weapons and bump stocks are banned. She commented it is an ironic discussion of putting guns in schools that is occurring when scissors are banned. Ms. Garlick said the Massachusetts Teachers Association voted unanimously to prohibit guns in schools by teachers.

Mr. Matthews said the subject is serious, explaining recent action in Congress requiring states grant reciprocity for gun permits from other states. He said the idea there would be a partisan effort at the federal level to force reciprocity is a threat for those who want careful and serious firearm restrictions, and requires a response.

Ms. Cooley referred to a Boston Globe article indicating if other states had the same gun laws as Massachusetts and the same rate of death from guns, then there would be 27,000 fewer deaths in the United States.

The Board thanked Chief Schlittler for the update.

9:18 p.m.

Public Hearing: Comcast Corporation - Chestnut Street

Motion by Mr. Bulian that the Board of Selectmen vote to continue Public Hearing: Comcast Corporation - Chestnut Street to April 11, 2018.

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

9:18 p.m. Public Hearing: Comcast Corporation - 2nd Avenue
Manuel Furtado, Comcast Corporation representative appeared before the Board requesting permission to install approximately 68' of 1x4" conduit in street starting on 2nd Avenue Pole NT/NT crossing 2nd Avenue for 68' onto private property as shown on design plan. Comcast reports that this work is for a new 400 unit apartment building. Mr. Furtado said the Town Engineer has agreed to the design.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Comcast Corporation to 1.) install approximately 225' of conduit in the street: starting on 2nd Avenue Pole NT Crossing 2nd Avenue for 45' and continuing on A Street for 180' to existing conduit on private property as shown on design plan;11 and 2.) to install approximately 68' of 1x4" conduit in street starting on 2nd Avenue Pole NT/NT crossing 2nd Avenue for 68' onto private property as shown on design plan.

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

9:20 p.m. Board Discussion:
1. Committee Reports
No Committee Reports were made.

9:20 p.m. Adjourn:
Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of March 27, 2018.
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=>