

SELECT BOARD

January 8, 2019

Needham Town Hall

Revised Agenda

Note: Agenda subject to revision, start times are approximate and agenda items may be discussed at earlier or later times.

	6:45	Informal Meeting with Citizens <i>One or more members of the Select Board will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Select Board's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Public Hearing- New Wine & Malt Only Retail Package Store License for Gordon's Fine Wines of Needham, Inc. (77-79 Wexford Street) • Stephen V. Miller, Esquire • David Gordon, Proposed Manager
2.	7:00	Public Hearing- Eversource Energy Grant of Location: 7 Fair Oaks Park • Maureen Carroll, Eversource Energy Representative
3.	7:30	Eversource Issue Discussion • Jack Lopes, Eversource Energy
4.	7:45	Property Tax Relief/Taxation Aid Committee • Evelyn Poness, Treasurer • Members of the Committee
5.	8:00	Project Update • George Kent, Chair, PPBC • Steve Popper, Director of Design & Construction
6.	8:15	Town Manager • Open Annual Town Meeting Warrant • Accept and Refer Zoning- Dimensional And Use Regulations For the Transit Oriented Development Sub-District of the Lower Chestnut Street Overlay District • Discuss Updates of FY2019 – FY2020 Goals
7.	8:30	Board Discussion • Committee Reports

APPOINTMENTS

	None	
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CONSENT AGENDA *=Backup attached

1.	Accept the following donations made to the Needham Community Revitalization Trust Fund: \$250 from Maryruth Perras and \$400 from Edward & Carol De Lemos.
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2.*	Approve a Special One Day Wines & Malt Beverages License for Maxwell Sparr, of TripAdvisor to host an event for CCEF on January 8, 2019 from 6:00 p.m. to 9:00 p.m. The event will be held at TripAdvisor, 400 1 st Avenue, Needham.
3.	Accept a \$150 donation made to the Needham Public Health Division's Domestic Violence Action Committee from the Massachusetts Municipal Management Association.
4.	Accept the following donations made to the Needham Public Health Division's Gift of Warmth program: \$50 from Rosa Lynn Schoeff, a Framingham resident; \$100 from the Presbyterian Church in Needham; and \$250 from Mary Clare McEnerny Siegel, a Needham resident.
5.*	Approve Open Session minutes of December 18, 2018, December 19, 2018 , December 20, 2018, and December 21, 2018; and Executive Session minutes of November 27, 2018, December 4, 2018, and December 18, 2018.
6.	Approve a 2019 Sunday Entertainment License for Zucchini Gold, LLC d/b/a The Rice Barn, located at 1037 Great Plain Avenue, Needham.
7.*	Water & Sewer Abatement Order #1267



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 1/8/2019

Agenda Item	Public Hearing- New Wine & Malt Only Retail Package Store License for Gordon's Fine Wines of Needham, Inc. (77-79 Wexford Street)
Presenter(s)	Stephen V. Miller, Esquire David Gordon, Proposed Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Mr. Miller will present an application for a Wine and Malt Only Retail Package Store License for Gordon's Fine Wines of Needham, Inc., d/b/a Gordon's Fine Wine. Gordon's is a new package store that will be located at 77-79 Wexford Street. The store will consist of 9,790 square feet all on one floor, with approximately 2,500-3,000 square feet that will be used for retail space and about 7,500 – 7000 square feet that will be used for storage. There is one entrance located at the front and two exits located at the side and rear of the property.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Select Board approve the application for a new Wine and Malt Only Retail Package Store License under the Town of Needham Rules and Regulations Applicable to Package Stores for Gordon's Fine Wines of Needham, Inc, d/b/a Gordon's Fine Wine David Gordon, Manager, and to forward the approved Alcohol License application to the ABCC for approval.	
3.	BACK UP INFORMATION ATTACHED
1. Retail Application for License 2. Business Entity Summary/Articles of Incorporation 3. Corporate Vote 4. Tip Certifications 5. Floorplan 6. Business Certificate/Corporation Division Documents 7. Lease Agreement/Letter of Intent 8. Legal Notice Information All other pertinent documents relative to the application (confidential and financial) that need to be forwarded to the ABCC are on file in the Town Manager's Office.	



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street Boston, MA 02114

www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
Off-Premises-15	\$15 Package Store	Wine and Malt Beverages	Annual

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Is this license application pursuant to special legislation? ☐ Yes ☒ No Chapter Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name	Gordons Fine Wines of Needham, Inc.	FEIN	83-2026263
DBA	Gordon's Fine Wine	Manager of Record	David Gordon
Street Address	77-79 Wexford Street, Needham, MA 02494		
Phone	TBD	Email	dgordon@gordonswine.com
Alternative Phone	TBD	Website	TBD

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Square Footage:	+/- 9,790	Number of Entrances:	1	Seating Capacity:	N/A
Number of Floors	1	Number of Exits:	2	Occupancy Number:	TBD

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:	Stephen V. Miller, Esq.	Phone:	617-946-4600
Title:	Attorney	Email:	smiller@mqmlp.com

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	Corporation	Date of Incorporation	Sep 21, 2018
State of Incorporation	Massachusetts	Is the Corporation publicly traded?	☐ Yes ☒ No

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises (Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Richard Gordon	72 Redwood Rd, Newton Ma 02459		

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
President, Secretary, Treasurer, Director	100%	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

Additional pages attached? ☐ Yes ☒ No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☒ No

MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?
Please provide a copy of the management agreement.

☐ Yes ☒ No

APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☒ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Richard Gordon	\$15 Package Store	Gordon's Fine Wines and Liquors of f	Boston, MA
Richard Gordon	\$15 Package Store	Gordon's Waltham Pack, Inc.	Waltham, MA
Richard Gordon	\$15 Package Store	Gordon's Liquor, Inc.	Waltham, MA

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☒ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Richard Gordon	Distributor	N.P. Beverage Corp.	Lawrence, MA
Richard Gordon	Distributor	Constadine Boston Distributing Co.	Westwood, MA

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name 888 Illuminate PBB LLC

Landlord Phone N/A

Landlord Email N/A

Landlord Address 144 GOULD STREET, SUITE 152, NEEDHAM HEIGHTS, MA 02494

Lease Beginning Date 12/1/2018

Rent per Month 9,790

Lease Ending Date 12/1/2025

Rent per Year 117,480

Will the Landlord receive revenue based on percentage of alcohol sales?

☐ Yes ☒ No

APPLICATION FOR A NEW LICENSE**8. FINANCIAL DISCLOSURE**

A. Purchase Price for Real Estate	0
B. Purchase Price for Business Assets	\$250,000.00
C. Other (Please specify)	0
D. Total Cost	\$250,000.00

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Gordon's Fine Wines	\$250,000.00
Total:	\$250,000.00

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
N/A	N/A	N/A	☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

Financial contributions will be provided through existing funds of the corporation.

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? ☐ Yes ☒ No

Please indicate what you are seeking to pledge (check all that apply) ☐ License ☐ Stock ☐ Inventory

To whom is the pledge being made?

10. MANAGER APPLICATION**A. MANAGER INFORMATION**

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? ☒ Yes ☐ No *Manager must be a U.S. Citizen
If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? ☐ Yes ☒ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
March 2000	Present	Vice President	Gordon's Fine Wines & Liquors, Inc.	Richard Gordon

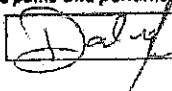
D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ☐ Yes ☒ No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature



Date

10/01/2018

ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

SECTION 6A: INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE (continued)

Name	License Type	License Name	Municipality
Richard Gordon	\$15 Package Store	Watertown Family Liquor Store, Inc.	Watertown, MA
Richard Gordon	\$15 Package Store	Gordon's Liquors of Newton, Inc.	Newton, MA

CORPORATE VOTE

The Board of Directors or LLC Managers of Gordons Fine Wines of Needham, Inc.
Entity Name
duly voted to apply to the Licensing Authority of Needham, MA and the
City/Town
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on Sep 24, 2018
Date of Meeting

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| ☒ New License | ☐ Change of Location | ☐ Change of Class (i.e. Annual / Seasonal) | ☐ Change Corporate Structure (i.e. Corp / LLC) |
| ☐ Transfer of License | ☐ Alteration of Licensed Premises | ☐ Change of License Type (i.e. club / restaurant) | ☐ Pledge of Collateral (i.e. License/Stock) |
| ☐ Change of Manager | ☐ Change Corporate Name | ☐ Change of Category (i.e. All Alcohol/Wine, Malt) | ☐ Management/Operating Agreement |
| ☐ Change of Officers/
Directors/LLC Managers | ☐ Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | ☐ Issuance/Transfer of Stock/New Stockholder | ☐ Change of Hours |
| | | ☐ Other <u> </u> | ☐ Change of DBA |

"VOTED: To authorize

Richard Gordon

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

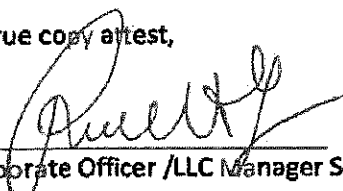
"VOTED: To appoint

David Gordon

Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,


Corporate Officer / LLC Manager Signature

For Corporations ONLY

A true copy attest,

Corporation Clerk's Signature

This is your official TIPS certification card. Carry it with you as proof of your TIPS certification.

Congratulations!

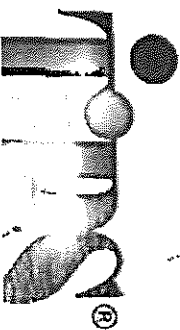
This card certifies that you have successfully completed the TIPS (Training for Intervention Procedures) program. We value your participation and dedication to the responsible sale, service, and consumption of alcohol.

By using the techniques you have learned, you will help to provide a safer environment for your patrons, peers, and colleagues and reduce the tragedies resulting from intoxication, underage drinking, and drunk driving.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 800-438-8377.

Sincerely,


Adam F. Chafetz
VPI President



ID#: 4909533 Name: David M Gordon

Exam Date: 9/25/2018 Expiration Date: 9/25/2021

TIPS eTIPS Off Premise 3.0 **CERTIFIED**

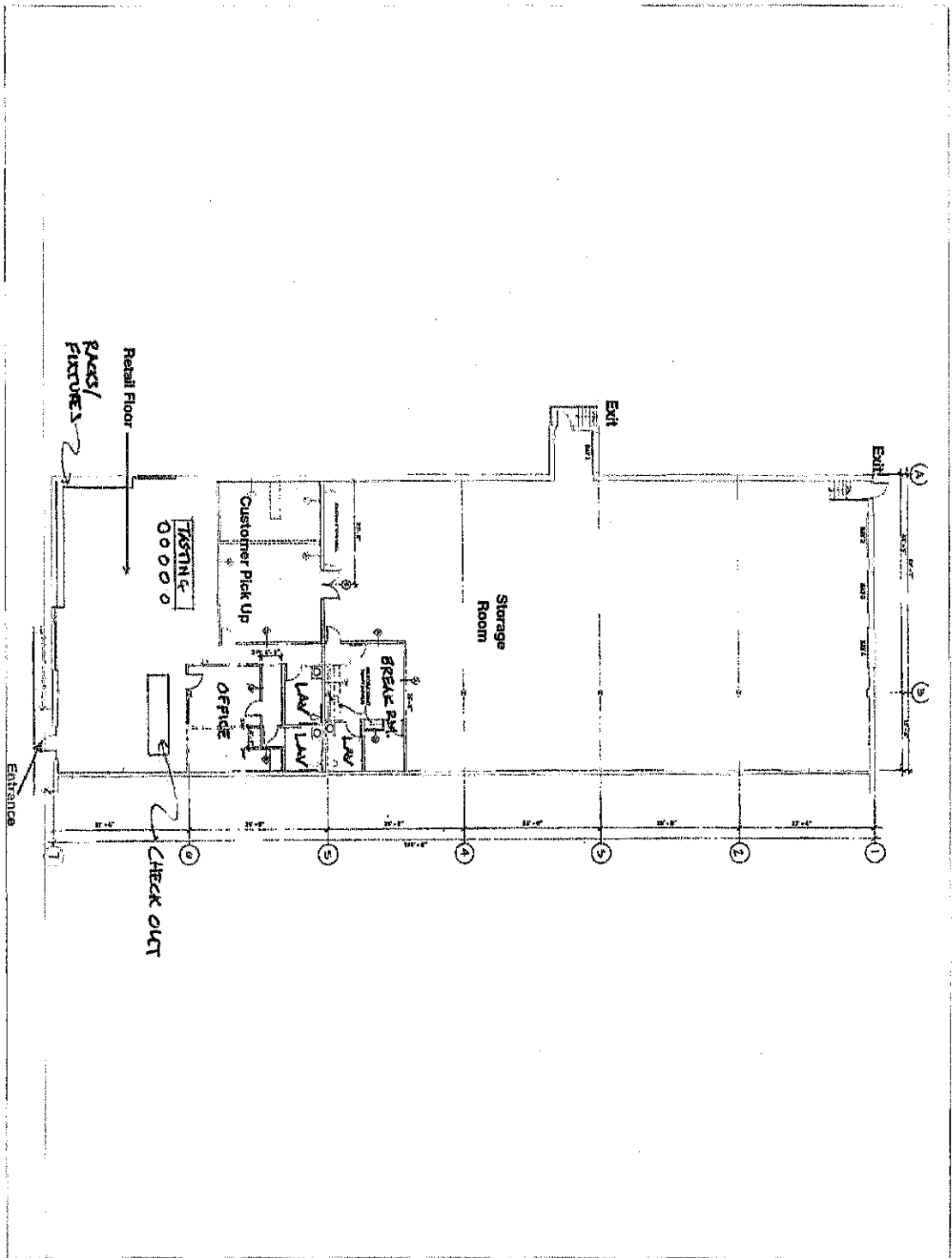
Issued: 9/25/2018

Expires: 9/25/2021

ID#: 4909533

David M Gordon
Gordons Fine Wines and Liquors
894 Main St
Waltham, MA 02451-7401

For service visit us online at www.gettips.com





Theodora K. Eaton, MMC
Town Clerk

The Commonwealth of Massachusetts Town of Needham

1471 Highland Avenue, Needham, MA 02492
Tel: 781-455-7500 / Fax: 781-455-1246

Fee: \$60.00

Certificate # 8580

Issue Date: 10-2-2018

Expiration Date: 10-2-2022

In conformity with the provisions of Chapter one hundred and ten, Section five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of

Name of Business: Gordon's Fine Wines is conducted at

Address of Business: 77-79 Wexford Street, Needham, MA 02494

Type of Business: Retail Package Store Telephone Number: TBD

Business is conducted by the following named persons: ** If a corporation is the owner, please provide the corporate name and address, plus the name and title of the signing officer.

Gordon 72 Redwood Rd, Newton Ma 02459

Full Name Street/City or Town/State/Zip Code

President of corporation: Richard Gordon 72 Redwood Rd, Newton Ma 02459

Full Name Street/City or Town/State/Zip Code

Full Name Street/City or Town/State/Zip Code

Full Name Street/City or Town /State/Zip Code

Signed [Signature]
(Signature)

(Signature)

(Signature)

(Signature)

The Commonwealth of Massachusetts

Middlesex SS.

Oct. 1, 2018

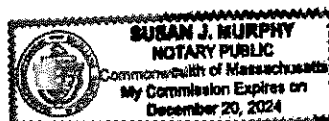
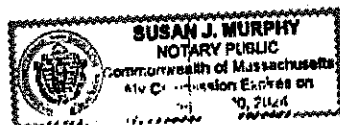
Personally appeared before me the above named
and made oath that the foregoing statement is true.

Richard A Gordon

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed. A statement under oath must be filed with the City/Town Clerk upon discontinuing, retiring or withdrawing from such business or partnership. (M.G.L. Chapter 110, s. 5 and Ch. 337 of the Acts of 1985)

My Commission Expires: December 20, 2024

(Seal)

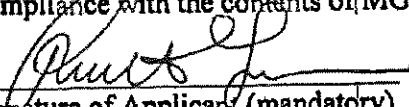


Susan J. Murphy
Notary Public

Title

Pursuant to MGL Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to the best of my knowledge and belief, have read and am in Compliance with the contents of MGL Chapter 62C, Section 49A (included with this application.


Signature of Applicant (mandatory)

By Corporate Officer (if applicable)

83-2026263
Either a Social Security Number or
Federal Identification Number Must be
Supplied

10/01/2018
Date

This License will not be issued unless this certification clause is signed by the applicant



Corporations Division

Business Entity Summary

ID Number: 001347163[Request certificate](#)[New search](#)**Summary for: GORDONS FINE WINES OF NEEDHAM, INC.****The exact name of the Domestic Profit Corporation:** GORDONS FINE WINES OF NEEDHAM, INC.**Entity type:** Domestic Profit Corporation**Identification Number:** 001347163**Date of Organization in Massachusetts:**
09-24-2018**Last date certain:****Current Fiscal Month/Day:** 09/30**The location of the Principal Office:****Address:** 72 REDWOOD ROAD**City or town, State, Zip code,** NEWTON, MA 02459 **USA**
Country:**The name and address of the Registered Agent:****Name:** RICHARD GORDON**Address:** 72 REDWOOD ROAD**City or town, State, Zip code,** NEWTON, MA 02459 **USA**
Country:**The Officers and Directors of the Corporation:**

Title	Individual Name	Address
PRESIDENT	RICHARD GORDON	72 REDWOOD ROAD NEWTON, MA 02459 USA
TREASURER	RICHARD GORDON	72 REDWOOD ROAD NEWTON, MA 02459 USA
SECRETARY	RICHARD GORDON	72 REDWOOD ROAD NEWTON, MA 02459 USA
DIRECTOR	RICHARD GORDON	72 REDWOOD ROAD NEWTON, MA 02459 USA

Business entity stock is publicly traded:**The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:**

Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares
CNP	\$ 0.00	275,000	\$ 0.00	100
Consent Confidential Data Merger Allowed Manufacturing				
View filings for this business entity: ALL FILINGS Administrative Dissolution Annual Report Application For Revival Articles of Amendment Articles of Chapter Surrender View filings				
Comments or notes associated with this business entity:				

[New search](#)

September 20, 2018

Mr. Joe Pearce
Director
Newmark Knight Frank
225 Franklin Street, 33rd Floor
Boston, MA 02210

RE: Proposal: 77-79 Wexford St, Needham, MA 02494

Dear Joe:

Thank you for your recent Counter-Proposal for Gordon Liquors at Wexford Street. Please review the following terms and respond at your earliest convenience.

PROPERTY:	77-79 Wexford Street, Needham, MA
TENANT:	Gordon's Liquors
LANDLORD:	888 Illuminate PBB LLC
PREMISES:	Approximately 9,790 Rentable Square Feet (RSF).
USE:	Retail liquor store/warehouse business that conforms with zoning code.
RENTAL ABATEMENT:	60 days of rental abatement in year one of lease (1 st month). Base rent only.
LEASE COMMENCEMENT & OCCUPANCY:	December 1, 2018 contingent upon effecting a lease termination with existing tenant in space, which is expected but not complete.
LEASE TERM:	Seven (7) Years
BASE RENT:	\$12.00 NNN. The rent shall escalate at \$.25/SF/YR.
TENANT IMPROVEMENTS:	The space shall be delivered in broom clean condition for the Tenant's use. Any additional air conditioning needed for Tenants use shall be paid for, installed and maintained by Tenant with the oversight and approval of Landlord. Details shall be outlined in a draft lease document. Landlord will deliver existing systems in workable condition.

LOADING:	Tenant shall have exclusive use of all docks and dock doors within the rentable area of the suite.
OPERATING EXPENSES AND REAL ESTATE TAX BASE YEARS:	This proposed Lease shall be a "NNN" lease where the tenant shall be responsible for its share of proportional expenses. The historical expenses have been in the range of the following: Taxes: \$1.68/RSF (estimate) Operating: \$.89/RSF (estimate) Other: \$.40/RSF (estimate; snow removal)
ELECTRICITY:	Tenant shall be responsible for its own electricity, which shall be individually metered and billed directly from the utility.
CLEANING:	Tenant shall be responsible for its own cleaning and disposal of trash. Any dumpster needed shall be the responsibility of the Tenant
BUILDING HOURS:	Tenant shall have exclusive use of the suite 24/7 or within the limits of any local town ordinances
BUILDING SECURITY:	Tenant shall be responsible for its own security. Landlord shall have no responsibility for the security of the Tenants suite.
INTERNET CONNECTIVITY:	Any Internet connectivity shall be the responsibility of the Tenant. Landlord believes, but does not warrant, that Comcast serves the building
CODE COMPLIANCE:	Landlord shall deliver the premises "as is". Tenant shall confirm the building is suitable for its use during the tenancy.
SIGNAGE:	Subject to all applicable municipal approvals and regulations, Tenant shall have rights to install signage in the building's signage system.
ASSIGNMENT & SUBLEASING:	Tenant shall have the right to assign or sublease the premises with Landlord's prior consent. Specific language is to be outlined in the draft lease document.
ROFO:	Tenant shall have a Right of First Offer on any contemplated sale of the building subordinate to the existing rights of other Tenants in the building. Details shall be outlined in a draft lease document.
PARKING:	Tenant shall have use of 15 parking spaces with this suite
SECURITY DEPOSIT:	TBD.

BROKERAGE:

Tenant and Landlord agree that Newmark Knight Frank shall be paid a full leasing commission for a signed lease with Gordon's Liquors at this location. State Street Real Estate shall be paid per existing listing agreement

**QUALIFYING
CONDITIONS:**

This Proposal is non-binding and is subject to withdrawal without notice. The letter is contingent upon Landlord and Tenant executing and delivering a mutually satisfactory lease document incorporating the terms hereof and such other terms and conditions as may be agreed upon between the parties. This document does not create a contract between the parties. This document is intended for discussion purposes only. This Proposal is contingent upon working out an acceptable lease termination with the existing Tenant, which the Landlord expects, but cannot guarantee.

X 
Gordon's Liquors Representative

Sincerely,



John T. McDonough
State Street Real Estate, Inc.

cc. Alex Mercuri

Sandy Cincotta

From: Sandy Cincotta
Sent: Friday, December 07, 2018 10:15 AM
To: legals@wickedlocal.com
Cc: Rashi Mangalick (rmangalick@mqmllp.com); Sandy Cincotta
Subject: Legal Notice for December 27

Please run the legal notice below in the December 27th edition of the Needham Times. Billing information follows. Kindly return email acknowledgement. If you have any questions, please contact me as soon as possible. Thank you.

LEGAL NOTICE

PUBLIC HEARING

Gordons Fine Wines of Needham, Inc - 77-79 Wexford Street New Wine and Malt Only Retail Package Store License

A public hearing will be held on Tuesday, January 8, 2019 in Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492 at 7:00 p.m. under the provisions of Chapter 138, Section 15 of the M.G.L. on the application of Gordons Fine Wines of Needham for a new Wine and Malt Only Retail Package Store License, located at 77-79 Wexford Street, Needham. The premise has 9,790 square feet in total with approximately 2,500 – 3,000 square feet to be used for retail space and the remaining space to be used for storage. There is one entrance located at the front and two exits located at the side and rear of the property.

The Board of Selectmen invites all residents and interested parties to provide input at this meeting. Public comments may also be directed to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or selectmen@needhamma.gov.

Board of Selectmen
Licensing Board for the Town of Needham
Needham Times, December 27, 2018

Billing Information:

Rhonda Gaudet
McDermott, Quilty & mailer LLP
28 State Street
Boston, MA 02109
617-946-4600
rgaudet@mqmllp.com

Regards,



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 1/08/2019

Agenda Item	Public Hearing: Eversource Energy Grant of Location – Fair Oaks Park
Presenter(s)	Maureen Carroll, Eversource Energy Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED Eversource Energy requests permission to install approximately 34 feet of conduit in Fair Oaks Park. This work is necessary to provide underground electric service at 7 Fair Oaks Park, Needham. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.
2.	VOTE REQUIRED BY SELECT BOARD <u>Suggested Motion:</u> Move that the Select Board approve and sign a petition from Eversource Energy to install approximately 34 feet of conduit in Fair Oaks Park. This work is necessary to provide underground electric service at 7 Fair Oaks Park, Needham.
3.	BACK UP INFORMATION ATTACHED (Describe backup below) a. Grant of Location Petition Review Sheet from DPW b. Letter of Application c. Petition d. Order e. Petition Plan f. Notice Sent to Abutters g. List of Abutters

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

P.O. Box 920364 NEEDHAM, Ma. 02492 Telephone: (781) 455-7550
www.needhamma.gov/dpw

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN

2018 DEC 17 P 2:40

TO: Nikki Witham, Selectmen Office

FROM: Judy Laffey, DPW Office

DATE: 12/17/18

RE: 7 Fair Oaks Park

For Selectmen Meeting of Jan 8, 2019

Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 11-27-18

REVIEWER: RWJ

SITE LOCATION: #7 FAIR OAKS PARK

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

A Sidewalk/Grass Strip Crossing Only

Peer Review _____

(B) Work Within Paved Road Perpendicular Crossing

Peer Review TM

C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway

Peer Review _____ Div. Head Review _____

D Other

Peer Review _____ Div. Head Review _____

☒ Petition Plan Consistent with Field Review

☐ Old Pole Removed N/A

☒ Diameter of Conduit

☐ Cables Transferred to New Pole N/A

☒ Depth of Conduit

☐ New Riser on Pole NO

☒ Utility Conflicts

☐ Visible Trench Patch across Road/Sidewalk NO

☒ Crossing Perpendicular to Road

☒ Abutters List Complete

☒ Public Road

☒ Photos Included

☐ Double Pole N/A

Department Head OK R. P. Peterson 12/17/18

COMMENTS:

POLE IN ISLAND, NO TRENCH PATCH, NO RISER ON POLE.

November 26, 2018

Board of Selectmen
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: 7 Fair Oaks Park
Needham, MA
W/O #2297620

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 34 feet of conduit in Fair Oaks Park.

The reason for this work is to provide underground electric service to 7 Fair Oaks Park.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,



Kelly-Ann Correia, Supervisor
Rights and Permits

KAC/kj
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

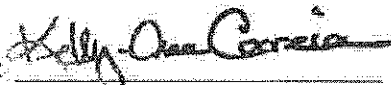
Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis, Dated November 21, 2018** and filed herewith, under the following public way or ways of said Town:

Fair Oaks Park - Westerly from pole 16/2, approximately 102 feet south of Kingsbury Street, a distance of 34 ± feet of conduit

W/O #2297620

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

By: 

Kelly-Ann Correia, Supervisor
Rights & Permits

Dated this 26th day of November

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2018

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

Fair Oaks Park - Westerly from pole 16/2, approximately 102 feet south of Kingsbury Street, a distance of 34 ± feet of conduit

W/O #2297620

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis**, Dated **November 21, 2018** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____
3 _____
4 _____
5 _____

Board of Selectmen
the Town of
NEEDHAM

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2018 at _____ in said Town.

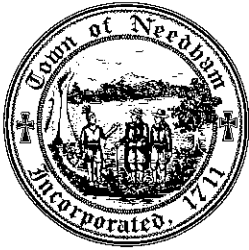
1 _____
2 _____
3 _____
4 _____
5 _____

Board of Selectmen
the Town of
NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Masssachusetts, duly adopted on the _____ day of _____, 2018 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on January 8, 2019** upon petition of Eversource Energy dated **November 26, 2018** to install approximately 34 feet of conduit in Fair Oaks Park. The work is necessary to provide underground electric service to 7 Fair Oaks Park, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

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

BOARD OF SELECTMEN

Dated: December 21, 2018

7 FAIR OAKS PK

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
BASSETT, MARTHA A. & CANTOR, MARIA & ARTHUR DESROCHES, JOAN C. TR. JOSEPH, JONATHAN P & SIMON, AVIS JANE	UDELSON, JAMES E. C/O CANTOR, MARIA C/O ROSOFSKY, ELI G. & KELLY A. JOSEPH, CHRISTINA R	4 FAIR OAKS PK 43 KINGSBURY ST 33 KINGSBURY ST 16 FAIR OAKS PK 7 FAIR OAKS PK	NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA MA	02492 02492 02492 02492 02492	1990490007000000 1992260001700000 1992260001600000 1990490008700000 1990530003300000	4 FAIR OAKS PK 43 KINGSBURY ST 33 KINGSBURY ST 16 FAIR OAKS PK 7 FAIR OAKS PK
GOSS, DAVID M. & BELLINGER, DAVID C. & JULIAN, JAMES R. JR. &	GOSS, HEATHER M. BELLINGER, JULIA A. MATTHEWS JULIAN, DEIRDRE M.	8 FAIR OAKS PK 19 FAIR OAKS PK 46 KINGSBURY ST	NEEDHAM NEEDHAM NEEDHAM	MA MA MA	02492 02492 02492	1990490008600000 1990530003400000 1990530003200000	8 FAIR OAKS PK 19 FAIR OAKS PK 46 KINGSBURY ST

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
for the Needham Board of Assessors.....



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 01/8/2019

Agenda Item	Eversource Energy Grant of Location Process
Presenter(s)	Jack Lopes, Eversource Energy

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
At the request of the Board, Mr. Lopes will discuss the step by step process of a Grant of Location once it is received by Eversource, the timeframes associated with this process. Mr. Lopes will also address the delays that have been reported between the time the GOL is approved by the Board and the work is performed in the field.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only	
3.	BACK UP INFORMATION ATTACHED
a. Procedures for Scheduling Utility Hearings	

Town of Needham

Procedures for Scheduling Utility Hearings

1. "Utility" any individual, firm, corporation, partnership and their agents and employees. (see M.G.L. Chapter 166 s 21 -28).
2. Any utility requesting permission for grant of location to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways must submit a petition to the Board of Selectmen.
3. The Board of Selectmen will schedule a public hearings on work orders that require use of the public way and notification of abutters.
4. When petitions are received by the Board of Selectmen they should be sent to the DPW Director for review and approval.
5. After approval of the Director of DPW the petition is forwarded to the Assessors Office to establish a certified list of abutters.
6. Contact the utility Right of Way Agent regarding scheduling the public hearing - a representative of the utility must attend the hearing.
7. Determine a date and time to schedule the public hearing (check with Town Administrator) create a data base (abutters, to the record and utility manager) and format with (bellatlantic.frm - when you go to file open under file type select WP merge form) substituting the specified information to merge with the data.
8. Mail out hearing notice to all abutters and the utility Right-of-Way Agent and post one (To the Record) on the bulletin board in the hallway.
9. The petition will be part of the Weekly Agenda packet in BoS packet.
10. After scheduled hearing with approval by B.o.S., complete the date and time of public hearing and forward all four copies to the Town Clerk for certification.
11. The Town Clerk will return three copies of the petition and order, one for the files, one for DPW and one to be sent to the utility.

GENERAL LAWS OF MASSACHUSETTS

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XXII. CORPORATIONS

CHAPTER 166. TELEPHONE AND TELEGRAPH COMPANIES, AND LINES FOR THE TRANSMISSION OF ELECTRICITY

CONSTRUCTION OF LINES FOR TRANSMITTING ELECTRICITY

Chapter 166: Section 22 Consent of municipal officers to construct or alter lines

Section 22. A company desiring to construct a line for such transmission upon, along, under or across a public way shall in writing petition the board of aldermen of the city or the selectmen of the town where it is proposed to construct such line for permission to erect or construct upon, along, under or across said way the wires, poles, piers, abutments or conduits necessary therefor. A public hearing shall be held on the petition, and written notice of the time and place of the hearing shall be mailed at least seven days prior thereto by the clerk of the city or by the selectmen of the town to all owners of real estate abutting upon that part of the way upon, along, across or under which the line is to be constructed, as such ownership is determined by the last preceding assessment for taxation. After a public hearing as aforesaid, the board of aldermen or the selectmen may by order grant to the petitioner a location for such line, specifying therein where the poles, piers, abutments or conduits may be placed, and in respect to overhead lines may also specify the kind of poles, piers or abutments which may be used, the number of wires or cables which may be attached thereto, and the height to which the wires or cables may run.

After the erection or construction of such line, the board of aldermen or selectmen may, after giving the company or its agents an opportunity to be heard, or upon petition of the company without notice or hearing, by order permit an increase in the number of wires or cables, and direct an alteration in the location of the poles, piers, abutments or conduits or in the height of the wires or cables. The board of aldermen or selectmen may, on written petition by two or more companies subject to this chapter, and having locations in any of the public ways of such city or town, without notice or hearing, by order transfer any such location from one of such companies to either or any of the other petitioners, or by order authorize any such company to attach its wires and fixtures to existing poles, piers or abutments of either or any of the other petitioners, or to maintain its wires or cables in the conduits of either or any of said other petitioners, or by order grant to said companies joint or identical locations for the maintenance of said existing poles, piers, abutments or conduits, to be used in common by them. The board of aldermen or selectmen may, on written petition by a company subject to this chapter having a location, or by two or more such companies having joint or identical locations, in any of the public ways of a city or town, in any case where a private way has been accepted as a public way, by order, without notice or hearing, grant a location or joint or identical locations to such company or companies for the maintenance of its or their poles, piers, abutments or conduits which were being maintained in such private way at the time of its acceptance as a public way. The board of aldermen or selectmen may, on written petition by two or more companies subject to this chapter, and after notice to abutting land owners and a hearing as

hereinbefore provided, by order grant to said companies joint or identical locations for the erection or construction of poles, piers, abutments or conduits, to be owned and used in common by them.

No order of the board of aldermen or selectmen shall be required for renewing, repairing or replacing wires, cables, poles, piers, abutments, conduits or fixtures once erected or constructed under the provisions of law, or for making house connections or connections between duly located conduits and distributing poles.

The order granting a location or an alteration or transfer thereof, or authorizing an increase in the number of wires or cables or attachments, such as are hereinbefore described, shall be recorded by the city or town clerk in books kept exclusively therefor, and where notice has been given as hereinbefore provided the clerk of the city or the chairman or a majority of the selectmen shall certify on said record that the order was adopted after due notice and a public hearing as hereinbefore prescribed, and no such order shall be valid without such certificate. The company or companies in whose favor the order is made shall pay for such record the fees provided by clause (62) of section thirty-four of chapter two hundred and sixty-two.

The board of aldermen or selectmen may under this section authorize the attachment of the wires and fixtures of a street railway or electric railroad company to the poles, piers and abutments of another owner, or the attachment of the wires and fixtures of another owner to the poles, piers and abutments of such company, and may grant joint or identical locations for the erection or construction of poles, piers, or abutments to be owned and used in common by such company and other owners, and locations for the transmission lines and telephone, signal and feed wires of such company in public ways or parts thereof, other than those public ways in which the tracks of such company are laid, and locations for additional poles to support, or alterations of locations for existing poles supporting, trolley or span wires; and all locations granted to a street railway or electric railroad company hereunder shall be subject only to revocation as provided in sections seventy-seven and eighty-two of chapter one hundred and sixty-one; but nothing contained in this section save as hereinbefore expressly set forth shall be held to apply to the poles, wires and other appliances and equipment which a street railway or electric railroad company, by a grant of location, or extension or alteration thereof, under any general or special law now or hereafter in force relating to street railways or electric railroads may be authorized to construct, maintain and operate in a public way; and no terms, restrictions and obligations, other than those imposed upon a grant of location for a street railway or electric railroad, or an extension or alteration thereof, under any general or special law now or hereafter in force relating thereto, shall be imposed upon locations granted to a street railway or electric railroad company hereunder, save locations for its transmission lines or telephone, signal or feed wires in public ways other than those public ways in which the tracks of such company are laid.

Return to:

**** [Next Section](#) ** [Previous Section](#) ** [Chapter Table of Contents](#) ** [Legislative Home Page](#)**



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 1/8/2019

Agenda Item	Property Tax Assistance/Taxation Aid Committee
Presenter(s)	Evelyn Poness, Treasurer Members of the Committee

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Ms. Poness and members of the Property Tax Assistance/Taxation Aid Committee are seeking the Board's input as to the direction and goals of the programs, and how they can be more effective. The Committee is evaluating whether the programs are achieving their objectives, and what changes may be useful. The Committee will update the Board on the status of both the voluntary and appropriated funds, review the proposed outreach to the community going forward, and discuss the annual warrant article relative to the appropriation to the Property Tax Assistance fund. Property Tax Assistance Committee Rick Zimbone, Jill Kahn, Elizabeth Handler, Tom Colarusso, and Evelyn Poness Taxation Aid Committee Rick Zimbone, Jill Kahn, Elizabeth Handler, Helen Newton, and Evelyn Poness	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. Eligibility requirements insert included in the current tax bill b. Spreadsheet of available balance and history of awards relative to the Taxation Aid Fund c. Spreadsheet of available balance and history of awards relative in the Property Tax Assistance Fund	



**Town of Needham
Town Hall
1471 Highland
Avenue
Needham, MA 02492**

Property Tax Relief Fund
Eligibility Requirements

The Property Tax Relief fund was established to provide taxation assistance for elderly or disabled citizens who are homeowners with limited income and assets. Assistance grants will be prioritized based on financial need and available funds. Eligibility criteria are as follows:

- Elderly is defined as a person who is at least 60 years old on or before the July 1 starting date of the fiscal year for which the application is made.
- Disabled is defined as a person who has been determined to be incapacitated from working by a recognized source such as Social Security, the U.S. Military, workers' compensation, or a retirement board.
- An applicant must be the titled owner of the property or hold a life estate in the property. If title is held by a trust, the applicant must be both a trustee and a 50% beneficiary of the trust in order to qualify. These conditions apply to both elderly and disabled applicants.
- Applicants must have resided in the town and must have occupied the taxed property for at least five complete calendar years prior to the aid grant submission deadline.
- Gross Income from all sources includes:
Wages, salaries, bonuses, public and private pensions, retirement income, social security, alimony, child support, interest and dividend income, net income from business, public assistance, disability, unemployment insurance, regular compensation and/or gifts from parties outside the household. Gross income may not exceed:
 - Single person - \$55,000
 - Couple - \$67,000
- Assets, which include stocks, bonds, CDs, IRAs, Annuities, and any tangible liquid asset, will be considered in determining both eligibility and aid amount.
- Extraordinary circumstances (e.g. an unusual expense burden such as a medical emergency) will be considered in the Taxpayer Assistance Committee's deliberations and decision process. This information will provide the Committee with flexibility to address unforeseen situations.

Application forms will be available by March 4th in the Assessor's Office at Town Hall as well as at the Center at the Heights (Senior Center), or can be downloaded from the Town of Needham website. Completed applications with all back-up financial information for 2019 must be filed with the Town Assessor's office no later than Friday, April 5, 2019. If you have any questions please contact either the Town Treasurer at 781-455-7500 ext. 208 or the Assessor's office at 781-455-7500 ext. 238.

History of awards from the Taxation Aid Fund

Contributions began:

2/24/04

Awards began

4/14/05

	Balance	Awards continued:	
Contributions 2/24/04 to 4/14/05	30,586.00	Awarded 4/17/2014	12,000.00
Awarded 4/14/05	11,900.00	Balance after awards	1,405.69
Balance after awards	18,686.00	Contributions 4/18/14 thru 6/30/14	905.00
contributions 4/15/05 to 4/03/06	16,387.00	Contributions 07/01/14 thru 4/21/15	12,449.31
Awards 04/03/06	14,500.00	Amt available for award	14,760.00
Balance after awards	20,573.00	Awarded 4/20/2015	12,000.00
contributions 04/03/06 to 03/15/07	15,414.00	Balance after awards 4/18/15	2,760.00
Awards 03/15/07	21,100.00	Contributions 4/21/15 thru 6/30/15	1,102.00
Balance after awards	14,887.00	Contributions 07/01/15 thru 4/23/16	6,802.00
contributions 03/15/07 to 03/10/08	15,234.00	Amt available for award	10,664.00
awards 03/10/08	22,000.00	Awarded 4/26/16	8,550.00
Balance after awards	8,121.00	Balance after awards	2,114.00
contributions 03/10/08 to 02/22/09	14,336.26	Contributions 04/26/16 thru 06/30/16	484.00
Available for award	22,457.26	Contributions 07/01/2016 thru 04/21/17	12,398.00
awarded 03/10/09	15,750.00	Amt available for Award	14,996.00
Balance after awards	6,707.26	Awarded 4/28/17	11,100.00
contributions 03/10/09 to 03/16/2010	13,488.24	Balance after awards	3,896.00
awarded 03/16/10	14,050.00	Contributions 4/22/17 thru 4/24/18	8,394.00
Balance after awards	6,145.50	available for Award	12,290.00
Contributions 3/17/10 to 4/11/11	17,414.19	Awarded 4/24/18	12,200.00
amt available for award	23,559.69	Balance after awards	90.00
awarded 4/11/2011	20,050.00	Contributions 4/25/18 thru 06/30/18	3,120.76
Balance after awards	3,509.69	Contributions 07/01/2018 thru 12/20/18	4,799.00
Contributions 4/12/11 thru 6/30/11	1,716.00		
Contributions 7/01/11 thru 4/17/12	13,340.00	Sub total available	8,009.76
amt available for award	18,565.69		
Awarded 4/18/12	16,500.00		
Balance after awards	2,065.69		
Contributions 4/18/12 thru 6/30/12	1,765.00		
Contributions 7/01/11 thru 4/10/13	12,060.00		
Amt available for award	15,890.69		
Awarded 4/15/13	14,000.00		
Balance after awards	1,890.69		
Contributions 04/11/13 thru 06/30/13	1,745.00		
Contributions 07/01/13 thru 04/17/14	9,770.00		
Amt Available for award	13,405.69		

History of awards from the Property Tax Assistance Program

Article # 25; May 7, 2009 ATM 1,000.00
Article # 17; 2010 ATM 15,000.00
Article # 12; 2010 STM 715.00
Article # 24; 2011 ATM 15,051.00
Article # 9; 2012 ATM 13,353.00
2013 ATM 15,025.00
Article # 9 2014 ATM 13,805.00
Article #8 2015 ATM 27,500.00
Article # 8 2016 ATM 13,222.00
Article # 6 2017 ATM 25,000.00
Article # 8 2018 ATM 25,000.00
Article # 8 2019 ATM 25,000.00

	number of awards	Balance	Average amount of award
Appropriation 5/7/09		1,000.00	
Awarded 3/16/10	37	1,000.00	27.03
Balance after awards		0.00	
Appropriation		15,715.00	
Awards 04/20/2011	33	15,715.00	476.21
Balance after awards		0.00	
Appropriation		15,051.00	
Awards 04/18/2012	32	15,051.00	470.34
Balance after awards		0.00	
Appropriation FY 13 based on 6/30/11 cont.		13,353.00	
awards	33	13,353.00	404.64
Balance after awards		0.00	
Appropriation FY14 based on 6/30/12 cont.		15,025.00	
awards 4/17/2014	25	15,025.00	601.00
Balance after awards		0.00	
Appropriation FY15 based on 6/30/13 cont		13,805.00	
Awards 4/21/15	18	13,805.00	766.94
Balance after awards		0.00	
Appropriation FY 16 2014 contrib 10,976		27,500.00	
Awards 4/26/16	20	18,700.00	935.00
Balance after awards		8,800.00	
Appropriation FY 17 based on 2015 contrib Available for award		13,222.00	
		22,022.00	
Awards 4/28/17	18	22,022.00	1,223.44
Appropriation FY 18 2016 contrib \$7,292		25,000.00	
Awards 4/24/18	26	25,000.00	961.54
Appropriation FY 19 2017 contrib \$14,044		25,000.00	



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 1/8/2019

Agenda Item	Project Update
Presenter(s)	George Kent, Chair, PPBC Steve Popper, Director of Design & Construction

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Mr. Kent and Mr. Popper will update the Board about the projects in the planning, design and construction phases under the jurisdiction of the PPBC.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. Permanent Public Building Committee Presentation to Select Board 1/8/2019 b. January 22, 2019 Special Town Meeting Warrant c. Mitchell Modular Classroom Project FAQ	

Permanent Public Building Committee

Presentation to Select Board 1/8/2019

Projects in Final Close Out (within budget and occupied)

- **Rosemary Recreation Complex**
- **High School Classroom Expansion**

Projects under Construction

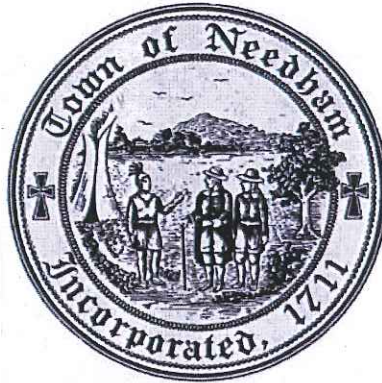
- **Sunita L. Williams Elementary School (includes Fields and Photo Voltaic)**
 - 65% complete
 - Expected occupancy: 9/1/2019
 - Budget: \$65.9 M
 - Remaining Contingency: \$11.0 M
- **Memorial Park Field House**
 - 30% complete
 - Expected Occupancy: 7/1/2019
 - Budget: \$6.25 M
 - Remaining Contingency: \$150 K
- **Public Safety Complex & Fire Station 2**
 - Mobilization: 1/22/2019
 - Expected Occupancy: July 2020 (FS1)
April 2021 (FS2)
January 2022 (HQ)
 - Budget: \$70 M (GMP \$54.79 M)
 - Remaining Contingency: \$1.1 M (CMR)
\$4.0 M (Owner)
- **DPW Central Avenue Offsite Storage**
 - Mobilization: 2/1/2019 (anticipated)
 - Expected Occupancy: October 2019
 - Budget: \$7.6 M
 - GC Bids: Due 1/10/2019
 - FSB Bids: 30% below estimate (received 12/18)

Permanent Public Building Committee

Presentation to Select Board 1/8/2019

- **Mitchell Elementary School Modular Classrooms**
 - Mobilization: April 2019
 - Budget: \$2.188 M (see warrant article)

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

TUESDAY, JANUARY 22, 2019

7:30 P.M.

Snow Date Monday, January 28, 2019

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

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

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall on:

TUESDAY, THE TWENTY SECOND DAY OF JANUARY, 2019

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

ARTICLE 1: APPROPRIATE FOR MITCHELL SCHOOL MODULAR CLASSROOMS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$630,000 for the construction of modular classrooms and any associated work at the Mitchell Elementary School, said sum to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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

Article Information: This Article requests approval of \$630,000 in supplemental funding for construction of two modular classrooms at the Mitchell School. Town Meeting has already appropriated a total of \$1,560,000 for this project, which is intended to provide necessary space in anticipation of implementation of full-day kindergarten in September of 2019. The additional funds are needed because the one bid received, although otherwise satisfactory, is greater than the appropriation, and Town Meeting approval of the requested amount is necessary for the project to go forward.

The Select Board, School Committee, and Permanent Public Building Committee (PPBC) have considered alternative options, such as redesign or rebidding the project. The difference between the appropriation and current bid is understood to be driven by tight market conditions. The boards believe that delaying the project would be unlikely to achieve material savings or decrease the cost. Further, delay would adversely affect the educational program, since the new classrooms would not be available for the September, 2019 full-day kindergarten start date.

Because of the time frame for the project, Town Meeting approval of an emergency preamble will be requested.

Additional information is below.

Since May 2018, Town Meeting has approved a total of \$1,560,000 for the construction of two modular classrooms at the Mitchell School: Town Meeting appropriated \$210,000 for design in May, 2018, followed by an additional \$1,350,000 for construction in October, 2018. These modular classrooms will supplement the school's 22 existing classrooms to provide the 24 classroom spaces necessary to implement full-day kindergarten at Mitchell School.

The bid process this fall resulted in only one bid for construction of the modular units. That \$1.73 million bid exceeded the anticipated construction budget by approximately \$630,000. The PPBC has stated that an additional appropriation of \$630,000, as requested in this Article, is needed in January, 2019 to proceed with the current bid, with an emergency preamble. If approved, a project award would be made in early spring to maintain a scheduled opening in September, 2019.

Several reasons may explain the higher than anticipated bid. There is uncertainty in the market relating to tariffs on imported construction materials, and an extremely tight market for labor given the amount of construction in the Boston metropolitan area. Additionally, there are a limited number of suppliers of these types of modular structures, and the extent of the site work required may have acted to limit interest in the project.

Rebidding or modifying the scope of the project, for example, by relocating or changing the building elements, or redesigning for on-site (as opposed to modular) construction, would delay implementation by one year and would likely increase total cost. Best estimates are that construction costs in the current market will continue to increase, with a limited pool of qualified bidders for the complicated Mitchell site.

Additionally, delay of the project would create significant operational challenges for the school, requiring compromises to the educational program. The new modular classrooms are intended to provide appropriate space for music and art, which will in turn free up space to meet the need for full day kindergarten, special education, English Language Learning, and literacy program spaces. If the space is not available in September of 2019, Mitchell School will still be able to provide full-day kindergarten but:

- Art classes would need to be delivered in regular classrooms, traveling as "Art on a Cart." That art program would be substantially altered due to the lack of space, materials, water, etc. Due to the lack of an elevator, two different sets of art resources would also be needed as well as a part time art teacher to assist with the delivery of the program.
- Teachers and staff would continue to instruct students requiring English Language Learning, special education, and literacy lessons in available hallways and stairwells. Some student testing and conferences would be held in closets, public spaces, or adjacent to staff toilet areas. Some parent and teacher conferences would be held in public spaces, which typically provide little or no privacy.
- Before and after school programs would be impacted and placed in the cafeteria with little ability to separate and program for different age groups.

The School Committee and Select Board request funding approval to proceed with the current bid. Although the current bid is higher than expected, the bidder is qualified and the PPBC believes the bidder can satisfactorily complete the project on time and within the revised budget. Timely completion of the modular classrooms will be a significant help in implementing full-day kindergarten in September.

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

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

Given into our hands at Needham aforesaid this 21st day of December, 2018.

Daniel P. Matthews, Chair
John A. Bulian, Vice Chair
Maurice P. Handel, Clerk
Matthew D. Borrelli, Member
Marianne B. Cooley, Member

Select Board of Needham

A TRUE COPY

Attest:

Constable:



NEEDHAM PUBLIC SCHOOLS

1330 HIGHLAND AVENUE * NEEDHAM, MA 02492
781-455-0400 EXT. 206 * 781-455-0417 (FAX)

Frequently Asked Questions January 2019 Special Town Meeting Article 1

1. What does this article accomplish?

Article 1 appropriates an additional \$630,000 for the purchase and installation of two modular classrooms at the Mitchell Elementary School. The additional funds would augment the \$1,560,000 total appropriation provided to date, for a total budget of \$2,190,000.

2. Why are the additional funds requested?

Recently, a single bid was received for the modular units from Triumph Modular Co. The \$1.73 million bid exceeded the anticipated construction budget of \$1.1 million by \$630,000. The PPBC has indicated that an additional appropriation of \$630,000 would be needed in January 2019 to proceed with the current bid, with an emergency preamble. If approved, a project award would be made in early Spring to maintain a scheduled opening in September 2019.

3. Would the project schedule be delayed as a result of needing to request additional funds?

If approved, a project award would be made by February 1, 2019 to maintain a scheduled opening in September, 2019. The PPBC is working with Triumph to clarify the schedule to make up the time despite a one-month delay in the contract award.

4. Why is an emergency preamble needed?

An emergency preamble is needed to permit the bidder, Triumph Construction, to immediately place the order for the modular units with the manufacturer to maintain the September 2019 scheduled opening date.

5. Why did the bid come in higher than expected?

The bid came in higher than expected for a number of reasons.

- a. First, there are a limited number of providers with the technical expertise to construct modular classrooms on the complicated Mitchell site. Although the chosen location provided the best proximity to the main entrance, allowed for the greatest amount of administrative surveillance and offered the most convenient access to utilities, it also was complicated by the presence of ledge and trees, as well as its proximity to existing wetlands. Triumph has the necessary expertise to undertake such a project. The extent of the site work involved may have acted to limit interest in the project.
- b. Second, the current market for modular classrooms is a competitive one, characterized by limited

supply and rapidly increasing prices. Over the past six months, the price of modular classrooms has increased significantly. Several reasons may explain the increase. There is uncertainty in the market relating to tariffs on imported construction materials, and an extremely competitive market for labor given the amount of construction in the Boston metropolitan area.

6. Why not rebid the project in hopes of securing more favorable pricing?

Since the bid process normally takes between three to four months to complete, a decision to rebid would effectively delay the project by one full year, since there would not be sufficient time to award a new contract and order the modular classrooms in time for the September 2019 scheduled opening of school.

In addition, given the limited pool of qualified bidders for the complicated Mitchell site, and current expectation for ongoing increases in construction costs over the next year, it is unlikely that rebidding would result in reduced project costs in one year's time.

7. Are there any guarantees that rebidding would reduce the overall project cost?

No, there are no guarantees that rebidding would reduce the overall project cost. Given the limited pool of qualified bidders for the complicated Mitchell site, and current expectation for ongoing increases in construction costs over the next year, it is unlikely that rebidding would result in reduced project costs in one year's time.

8. Are there any guarantees that other bidders would participate if the project were rebid?

No, there are no guarantees that other bidders would participate if rebid. As previously indicated, there are a limited number of bidders who are able to construct modular classrooms on complicated sites. In addition, the small scale of this project - with only two modular classrooms being purchased - could work against Needham in attracting potential bidders.

9. What is the impact of waiting one year to rebid the project?

Given the limited pool of qualified bidders for the complicated Mitchell site, and current expectation for ongoing increases in construction costs, delaying the project would be unlikely to achieve material savings, and costs might increase significantly. Further, delay would adversely affect the educational program, since the new classrooms would not be available for the September 2019 Full-Day Kindergarten start date. The impact on the educational program is described in Question #10.

10. Could Full Day Kindergarten be implemented at Mitchell in September 2019 without adding the new modular classrooms?

The new modular classrooms are intended to provide appropriate space for music and art, which would in turn free up space to meet the need for Full-Day Kindergarten, Special Education, English Language Learning, and literacy program spaces. If the space were not available in September of 2019, Mitchell School still would be able to provide Full-Day Kindergarten, although the lack of additional classrooms would create operational challenges for the school that would compromise the educational program.

- Without the addition of the modular classrooms, 25 art classes would need to be delivered on a traveling "cart" basis between the regular classrooms. The art program would be substantially altered due to the lack of space, materials, water, etc. In addition, due to the lack of an elevator, two different sets of art resources would be needed, as well as a part time art teacher to assist with the

delivery of the program on two different floors.

- Further, teachers and staff would continue to instruct students requiring English Language Learning, Special Education, and literacy lessons in available hallways and stairwells. Parent and teacher conferences would be held in public spaces, typically providing little or no privacy.
- Before and after school programs would be consolidated in the cafeteria, with little ability to provide differentiated programming for different age groups. Finally, some student testing and conferences would be held in closets, public spaces, or adjacent to staff toilet areas.

11. How would the educational program at Mitchell be adversely impacted if the modulars were not ready by September 2019?

Without the addition of the modular classrooms, 25 art classes would need to be delivered on a traveling "cart" basis between the regular classrooms. The art program would be substantially altered due to the lack of space, materials, water, etc. In addition, due to the lack of an elevator, two different sets of art resources would be needed, as well as a part time art teacher to assist with the delivery of the program on two different floors. Further, teachers and staff would continue to instruct students requiring English Language Learning, Special Education, and literacy lessons in available hallways and stairwells. Additionally, parent and teacher conferences would be held in public spaces, typically providing little or no privacy. Before and after school programs would be consolidated in the cafeteria with little ability to separate and program for different age groups. Finally, some student testing and conferences would be held in closets, public spaces, or adjacent to staff toilet areas. The school has already repurposed hallways, closets, the stage and other spaces for creative solutions to the overcrowding issues facing the school.

12. What other options to seeking additional funds were considered?

Several options were considered, but all were rejected on the basis that they would result in a one year delay to the project, were infeasible or were subject to cost constraints.

a. Could the bid scope be modified to allow for refurbished modular classrooms?

Yes, the bid documents could be modified to invite deduct alternatives for refurbished modular units and other value-added items, however, this approach has several downsides. Such a change would result in a one year time delay, due to the need to revise project drawings, rebid, modify the existing KASE classrooms with a smaller bid this summer, and seek additional funding at May 2019 Annual Town Meeting. The one year delay would create significant operational challenges for the school, would compromise the educational program and would have no guarantee of reducing overall project costs. Additionally, refurbished classrooms are subject to the same short supply market constraints and cost escalation factors as purchased classrooms.

b. Could the bid scope be modified to allow for leased modular classrooms?

The lease of modular classrooms also is an option, but would not result in appreciable benefits for the project, overall. Leased classrooms are subject to the same short supply market constraints and cost escalation factors as purchased classrooms. Additionally, leased units cost more than purchased units, due to the need to pay the additional interest expense over time. Leasing also would require rebidding and result in a one year delay. The Town meeting vote would require a two thirds majority vote to approve the project, because the lease is considered debt. Finally, there is also no guarantee that bidders would be interested in this solution and might only increase overall costs.

c. Could the building be constructed with normal 'stick build' construction?

Yes, the project could be redesigned for regular 'stick build' construction, although this approach has several challenges. The Town has not estimated project costs using this method of construction, which could result in similar costs and an extended schedule. Additionally, this change in scope would result in at least a one year delay to allow for additional design time, to modify the existing KASE classrooms with a smaller bid this summer, and seek additional funding at May 2019 Annual Town Meeting for design and construction. Additionally, new permits might be required from the Planning and Zoning Boards due to the design modifications. The on-site construction period would also be extended to between 9 and 12 months requiring construction at the school during the school year. (Part of the advantage of modular construction is that half of the construction is done off site and then the modular boxes are installed on the new foundation.)

d. Could the project be redesigned to relocate the modular classrooms to a more favorable site on the Mitchell campus?

Yes, the project could be redesigned to accommodate an alternate location on the playing field, which would allow for the installation of refurbished modular buildings and other deduct alternatives. However, the playing field site was studied during schematic design and rejected due to the distance from the existing school, the lack of direct surveillance for students attending art and music, and the elimination of the baseball playing fields at Mitchell. Additionally, such a change in scope would result in at least a one year delay to modify the existing KASE classrooms with a smaller bid this summer, and seek additional funding at May 2019 Annual Town Meeting for design, re-permitting and construction. Finally, new permits would be required from the Planning and Zoning Boards.

e. Could the Town repurpose the Pollard or Hillside modular classrooms and move them to Mitchell?

No, the Town could not re-use and relocate either the Pollard or Hillside modular units to Mitchell. Both sets of modulares are at the end of their useful life. In addition, the Pollard modulares currently are in use for Grades 7 and 8 at the Pollard site and the Hillside units are needed as temporary swing space for future Town projects

f. Is temporary redistricting possible?

Although temporary redistricting could ease the space constraint at Mitchell School in September 2019/20, additional classrooms still would be necessary to implement Full-Day Kindergarten for the redistricted students. The Broadmeadow, Hillside and Eliot schools border the Mitchell District. Each of these schools will be at or over capacity in terms of classroom use when Full-Day Kindergarten opens, and cannot accommodate additional students within their buildings.

13. What is the current capacity of the Mitchell School building?

Currently, the Mitchell School has 22 grade level classrooms. These classrooms include four sections each of Grades 1-5, and two classrooms for Kindergarten, for a total of 24 sections K-5, for 500 students. (Since Kindergarten currently is half-day, each Kindergarten classroom accommodates two sections each - one in the morning and none in the afternoon - for a total of four Kindergarten sections.) Two of these classrooms are modular classrooms, which were installed on the site in 2014.

The projected September 1, 2019 enrollment of the Mitchell School is 503 students.

14. How many additional classrooms are needed to Implement Full-Day Kindergarten?

To prepare for the anticipated implementation of Full-Day Kindergarten in September 2019, the Needham Public Schools commissioned Dore & Whittier Architects to conduct a space study to determine how best to implement the new program, given the District's existing inventory of classroom spaces.

The study revealed that Mitchell School will need to have four classrooms for Kindergarten when Full-Day Kindergarten is implemented, creating the need for two additional grade level classroom spaces. After 2030-31, the population of Mitchell School is expected to decline to three sections per grade level at all grades.

Based on the results of that study, the School Committee recommends that two additional modular classrooms be erected at the Mitchell Elementary School. The modular classrooms would supplement the school's 22 existing classroom spaces to provide the 24 classroom spaces deemed necessary in the first year of Full-Day Kindergarten in September 2019.

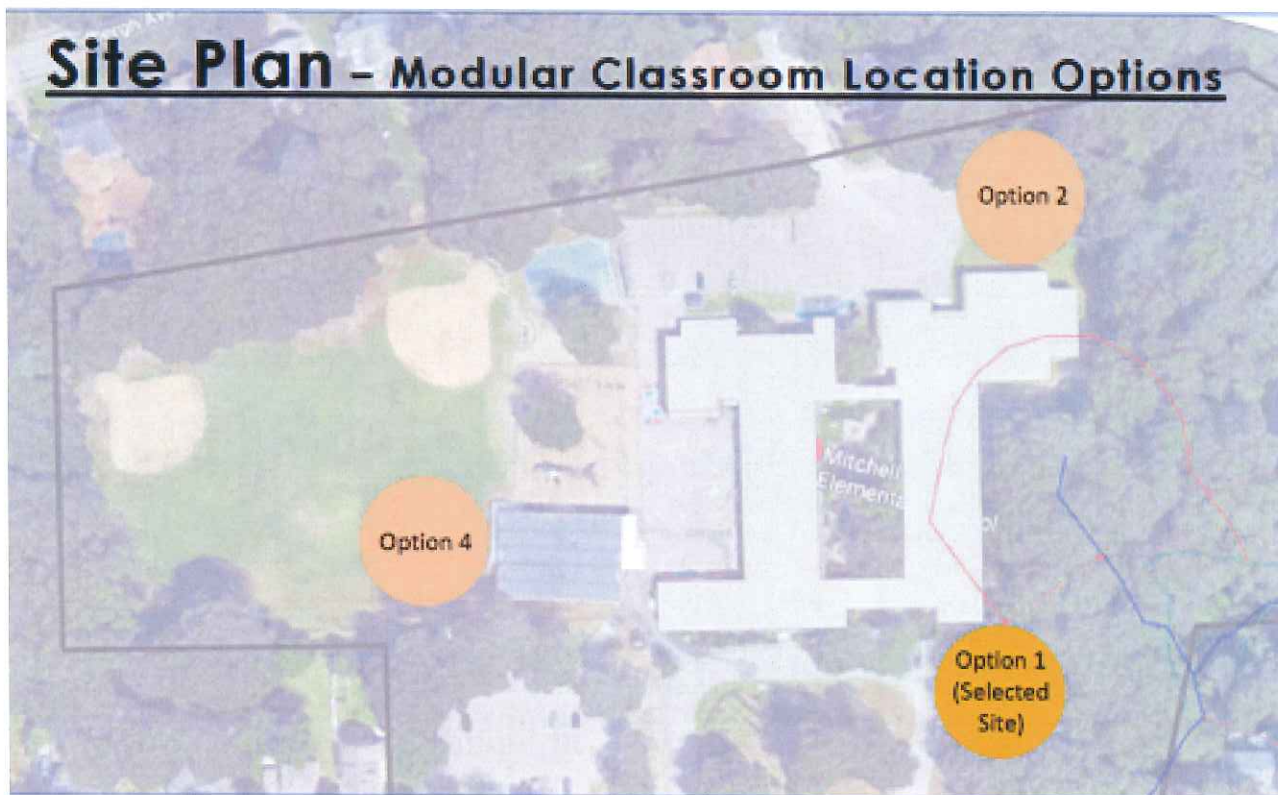
15. How will the new modular classrooms be used?

In September 2019, the four existing modular classrooms will be used as Kindergarten classrooms to house the four section Kindergarten program. This use will displace Music and Art from their current spaces, however, and will require that two new classrooms be added at the school. The new modular classrooms will provide space for Music and Art.

16. Where will the new modular classrooms be located on the Mitchell campus?

The new modular classrooms will be located in the front of the school, to the right of the circular driveway. The proposed location was selected on the basis that it offered the best proximity to the main entrance, offered the best location for administrative surveillance, allowed ease of access for before/after school programs, and provided good proximity to utility connections. The major drawback to the preferred site is slightly increased cost due to site conditions (trees and ledge), which will require the removal/ replanting of wetlands trees/shrubs.

A graphic showing the proposed location is presented on the next page. The chosen site is labeled "Option 1."



17. What other locations were considered?

The PPBC and Dore & Whittier Architects considered other potential locations for the new modular classrooms, including a location in the rear of the school, near the back entrance and bus loop (Option 2) and a location at the rear of the existing moduls, on the field (Option 4.) The Option 2 site was rejected on the basis that it had limited visibility from administration; had poor soil bearing capacity (leading to an approximately \$80,000 expense for soil removal/replacement); would have required new sewer, water and power connections from Lindbergh Avenue; and would have required sewer pumping (a maintenance issue.) The Option 4 site was rejected as being the most remote location, creating a bad weather access concern. In addition, the Option 4 site was not visible from the main school (a safety concern), encroached upon the playing field, was close to an abutter, and would have required a new sewer connection to Brookline Street.

18. Will the new modular classrooms have the same look and field as the existing modular classrooms?

Yes, the new modular classrooms will be constructed of the same materials and will have the same 'look and feel' as the existing modular classrooms. An exterior rendering of the proposed new classrooms appears on the next page.

Exterior Rendering



19. Will the new classrooms be connected to the school?

No, the new modular classrooms will be detached, with a canopy over the front ramp and steps. This is required to avoid triggering costly code upgrades to the main building, including fire/safety and accessibility improvements. These upgrades will be completed as part of the larger project to renovate Mitchell Elementary School in the future.

20. Will the installation of modular classrooms solve all space needs at the school?

No, installing additional modular classrooms will not address space deficiencies in the area of Physical Education, Special Education, cafeteria and overall storage. The space deficiencies in these areas will need to be addressed by the long-term project to renovate the school. However, the new modular classrooms will provide the additional space needed for Art and Music, starting in September 2019.

21. What alternatives to adding modular classrooms have been considered?

Dore & Whittier considered a number of potential solutions to addressing Mitchell's anticipated space needs, including the installation of two modular classrooms; the construction of a fabric structure gymnasium and renovation of the existing gym into Art and Music; and the installation of a pre-engineered gymnasium and renovating the existing gym into Art and Music. The modular classrooms were determined to be the most economical and practical option for creating space in the building.

22. When will the Mitchell Elementary School main building be renovated?

The School Committee has prioritized renovation of the Mitchell School as a top priority for the next ten-year period. Although the school has undergone several additions in the past fifty years, it is in need of total renovation/replacement to address building deficiencies and bring the building to a level of modernization comparable to the new Sunita L. Williams Elementary School. The School Department's Capital Improvement Plan calls for the school to be updated by September 2026, however, funding will be contingent upon the Massachusetts School Building Authority agreeing to partner with the Town to

complete this project. In addition, the School Committee will need to carefully balance needs imposed by growing enrollment in other areas of the District, and the need to update the Pollard Middle School (including modular classrooms at the end of their useful life), before a final funding plan is developed.

23. If Mitchell Elementary is renovated, what will happen to the modular classrooms?

If Mitchell Elementary School is renovated, the modular classrooms could be moved to meet classroom needs elsewhere in the District, or re-sold.

24. What is the total budget for the project?

With the additional funds request, the total budget for the project would be \$2,190,000, of which \$1,560,000 already has been appropriated by Annual Town Meeting. (In May 2018, Special Town Meeting appropriated \$210,000 for design, followed by an additional \$1,350,000 for construction in October 2018.) The balance of \$630,000 is needed for construction and is what is requested by Article 1.



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 1/8/2019

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

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board is scheduled to open the warrant for the 2019 Annual Town Meeting. The Warrant is scheduled to be closed on February 12th.	
2.	VOTE REQUIRED BY SELECT OF SELECTMEN
<i>Suggested Motion:</i> That the Board vote to open the warrant for the 2019 Annual Town Meeting.	
3.	BACK UP INFORMATION ATTACHED
a. Preliminary List of Warrant Articles, January 8, 2019	

Annual Town Election Committee and Officer Reports

HUMAN RESOURCES ARTICLES

Personnel Board

Select Board

Select Board

Select Board

Select Board

Select Board

Select Board

Select Board

Select Board

Select Board

Select Board

Select Board

Select Board

Finance Committee

Select Board &

Finance Committee

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Select Board

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CAPITAL ARTICLES

Rescind Debt Authorizations	Select Board
Appropriate for General Fund Cash Capital	Select Board
Appropriate for Athletic Facility Improvements	Select Board
Appropriate for DPW Boiler Replacement	Select Board
Appropriate for High School Locker Reconfiguration	Select Board
Appropriate for Energy Efficiency Upgrade Improvements	Select Board
Appropriate for Sewer Enterprise Fund Cash Capital	Select Board
Appropriate for Sewer System Infiltration & Inflow Removal	Select Board
Appropriate for Water Distribution System Improvements	Select Board

TOWN RESERVE ARTICLES

Appropriate to Athletic Facility Improvement Fund	Select Board
Appropriate to Workers Compensation Fund	Select Board
Appropriate to Capital Improvement Fund	Select Board
Appropriate to Capital Facility Fund	Select Board
Appropriate to Debt Service Stabilization Fund	Select Board
Appropriate to Stabilization Fund	Select Board
	Finance Committee

ZONING/LAND USE ARTICLES

Amend Zoning By-law – Amend Zoning By-Law Highway Commercial 1 Planning Board Zoning District	
Amend Zoning By-law – Map Change to Highway Commercial 1 Zoning Zoning District	Planning Board
Amend Zoning By-law – Accessory Dwelling Units	Planning Board
Amend Zoning By-law – Dimensional And Use Regulations For the Transit Oriented Development Sub-District of the Lower Chestnut Street Overlay District	Planning Board
Amend Zoning By-Law – Map Change to Chestnut Street Business District and Lower Chestnut Street Overlay District	Planning Board
Amend Zoning By-Law – Map Change to Transit Oriented Development Sub-District of Lower Chestnut Street Overlay District	Planning Board

GENERAL ARTICLES/ CITIZENS' PETITIONS/COMMITTEE ARTICLES

Amend General By-Law – Select Board	Select Board
Establish Stormwater Enterprise Fund	Select Board
Adopt Stretch Energy Code	Select Board
Accept Easements	Select Board
Abandon Easements	Select Board
Omnibus	Select Board



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 1/8/2019

Agenda Item	Accept and Refer Zoning – Dimensional And Use Regulations For the Transit Oriented Development Sub-District of the Lower Chestnut Street Overlay District
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
At its meeting on December 18th, the Planning Board voted to place the following article on the warrant for the 2019 Annual Town Meeting: “Dimensional And Use Regulations For the Transit Oriented Development Sub-District of the Lower Chestnut Street Overlay District.” At its meeting on January 8, 2019 the Planning Board intends to vote to place the following articles on the warrant for the 2019 Annual Town Meeting: “Amend Zoning By-Law – Map Change to Chestnut Street Business District and Lower Chestnut Street Overlay District,” and “Amend Zoning By-Law – Map Change to Transit Oriented Development Sub-District of Lower Chestnut Street Overlay District.” Under State law, the Board of Selectmen has 14 days to accept the proposed amendment and refer the amendment to the Planning Board for its review, hearing, and report. The Board’s action in this matter is not discretionary. The Planning Board has scheduled the public hearing on this zoning for January 29, 2019.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board vote to accept the following proposed zoning amendments: “Amend Zoning By-Law – Map Change to Chestnut Street Business District and Lower Chestnut Street Overlay District,” and “Amend Zoning By-Law – Map Change to Transit Oriented Development Sub-District of Lower Chestnut Street Overlay District” for referral to the Planning Board for its review, hearing, and report	
3.	BACK UP INFORMATION ATTACHED
a. Letter from Lee Newman, Director of Planning & Community Development dated December 19, 2018 b. Letter from Lee Newman, Director of Planning & Community Development dated January 8, 2019 c. Proposed Warrant articles d. Locus Map	



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN
500 Dedham Ave
Needham, MA 02492
2018 DEC 21 PM 2:39
781-455-7550

PLANNING

December 19, 2018

Ms. Kate Fitzpatrick
Town Manager
Town Hall
Needham, MA 02492

Re: Zoning Articles for 2019 Annual Town Meeting

Dear Ms. Fitzpatrick:

The Planning Board, at its meeting of December 18, 2018, voted to place the following articles on the warrant for the May 2019 Annual Town Meeting: (1) Amend Zoning By-Law – Dimensional And Use Regulations For The Transit Oriented Development Sub-District Of The Lower Chestnut Street Overlay District. Accordingly, please find the above-named articles as approved by the Planning Board for inclusion in the warrant of the 2019 Annual Town Meeting.

As you know, the Board of Selectmen will need to accept the articles and to then forward them to the Planning Board for review, public hearing and report. Please have the Selectmen act on the enclosed articles at their next meeting of Tuesday, January 8, 2019, so that the Planning Board can meet its statutory obligations. The Planning Board plans to schedule the public hearing on the articles for Tuesday, January 29, 2019.

Should you have any questions regarding this matter, please feel free to contact me directly.

Very truly yours,

NEEDHAM PLANNING BOARD

Lee Newman
Director of Planning and Community Development

cc: Planning Board

Enclosure



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

500 Dedham Ave
Needham, MA 02492
781-455-7550

PLANNING

January 8, 2019

Ms. Kate Fitzpatrick
Town Manager
Town Hall
Needham, MA 02492

Re: Zoning Articles for 2019 Annual Town Meeting

Dear Ms. Fitzpatrick:

The Planning Board, at its meeting of January 8, 2019, voted to place the following articles on the warrant for the May 2019 Annual Town Meeting: (1) Amend Zoning By-Law – Map Change to Chestnut Street Business District and Lower Chestnut Street Overlay District; and (2) Amend Zoning By-Law – Map Change to Transit Oriented Development Sub-District of Lower Chestnut Street Overlay District. Accordingly, please find the above-named articles as approved by the Planning Board for inclusion in the warrant of the 2019 Annual Town Meeting.

As you know, the Board of Selectmen will need to accept the articles and to then forward them to the Planning Board for review, public hearing and report. Please have the Selectmen act on the enclosed articles at their next meeting of Tuesday, January 8, 2019, so that the Planning Board can meet its statutory obligations. The Planning Board plans to schedule the public hearing on the articles for Tuesday, January 29, 2019.

Should you have any questions regarding this matter, please feel free to contact me directly.

Very truly yours,

NEEDHAM PLANNING BOARD

Lee Newman
Director of Planning and Community Development

cc: Planning Board

Enclosure

**ARTICLE 4: AMEND ZONING BY-LAW – DIMENSIONAL AND USE REGULATIONS
FOR THE TRANSIT ORIENTED DEVELOPMENT SUB-DISTRICT OF THE
LOWER CHESTNUT STREET OVERLAY DISTRICT**

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

1. Amend Section 3.9.3.2, Special Permit Uses, by adding the following language: “(e) within the Transit Oriented Development Sub-District (“TODD”), Multi-Family Dwelling development with dwelling units on the ground floor.”
2. By adding to the end of Section 3.9.4.1, Lot Area, Frontage and Setback Requirements, the following language:

“The following lot area, frontage, and setback requirements shall apply only to development in the TODD of the Lower Chestnut Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet.
- (b) Minimum Lot Frontage: 50 feet.
- (c) Minimum Front Setback: The lesser of 5 feet from the front property line or the average setback of abutting buildings within 100 feet on the same side of the street as the proposed development.
- (d) Maximum Front Setback. 150 feet from the front property line.
- (e) Minimum Side and Rear Setback for Non-Multi-Family Dwelling-Only Developments:
 - (1) For lots abutting a residential district, fifty (50) feet from the lot line abutting the residential district; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, the twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.2 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.
 - (2) For lots adjacent to the MBTA right-of-way, there shall be a minimum yard setback of twenty-five (25) feet from the lot line abutting the MBTA right-of-way, and the first ten (10) feet of the setback shall be suitably landscaped and not used for any other purpose, including an accessory use, except that within said ten (10) feet the Planning Board may grant a special permit for surface parking, provided that the parking area is suitably landscaped. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, except that within said fifteen (15) feet an underground parking structure is permitted if located entirely below the grade of the existing lot.
- (f) Multi-Family Dwelling-Only Development – Minimum Side and Rear Setback:

- (1) For Multi-Family Dwelling-only development on lots abutting a residential district, five (5) feet from the lot line abutting the residential district; for all other lots, no minimum yard setback shall apply.
 - (2) For Multi-Family Dwelling-only development on lots adjacent to the MBTA right-of-way, there shall be a minimum yard setback of five (5) feet from the lot line abutting the MBTA right-of-way, which area shall be suitably landscaped and not used for any other purpose.”
3. By adding to the end of Section 3.9.4.2, Building Height Requirements, the following language:

“The maximum building height in the TODD of Lower Chestnut Street Overlay District shall be two and one-half stories and thirty-five feet as of right. For lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit for a maximum building height of six (6) stories and eighty (80) feet, provided that the sixth story is located under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Section 3.9.8 below.

Buildings in the TODD of the Lower Chestnut Street Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.”
4. Amend Section 3.9.4.3, Building Bulk and Other Requirements, by adding at the end of the section the following language: “The provisions of subsection (b) (2) shall not apply to development within the TODD of the Lower Chestnut Street Overlay District”.
5. Amend Section 3.9.5, Off-Street Parking, by:

Adding a new subsection (a) (3), which shall read as follows:

“(a)(3) For dwelling units in a Multi-Family Dwelling-only development within the TODD, the minimum number of off-street parking spaces shall be one space per bedroom.”; and

Adding a new subsection Section 3.9.5(c), which shall read as follows:

“Within the TODD, in addition to the requirement for bicycle racks under Section 5.1.3(n) for a mixed use building, mixed-use development, or a Multi-Family Dwelling-only development, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.”
6. By adding a new Section 3.9.6.1, Affordable Housing in the TODD, which shall read as follows:

“Within the TODD, mixed-use buildings, mixed-use developments, and Multi-Family Dwelling-only developments with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of the By-Law. The following requirements shall apply to a development that includes affordable units:

 - (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.9.4.3.
 - (b) All other requirements of Section 3.8.6 shall apply.”
7. By adding a new Section 3.9.9, Drive Aisle Requirements in the TODD, which shall read as follows:

“Notwithstanding the provisions of Section 5.1.3(i), within the TODD of the Lower Chestnut Street Overlay District, the minimum width of aisles within parking areas providing access to parking spaces for one-way traffic for a Multi-Family-only Dwelling shall be 20 feet, with a 25-foot turning radius throughout in order to accommodate fire truck movements.”

Or take any other action relative thereto.

ARTICLE 5: AMEND ZONING BY-LAW – MAP CHANGE TO CHESTNUT STREET BUSINESS DISTRICT AND LOWER CHESTNUT STREET OVERLAY DISTRICT

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

- (a) Place in the Chestnut Street Business District a portion of land now zoned Single Residence B and located in the Massachusetts Bay Transit Authority (M.B.T.A.) right-of-way directly to the south and the west of land shown on Registry Plan No. 30 of 1955, Book 3333 Page 350, said description being as follows:

A certain parcel of land situated in the Commonwealth of Massachusetts, County of Norfolk, Town of Needham, being a portion of property owned by the Massachusetts Bay Transportation Authority and located westerly of Chestnut Street and being shown as PARCEL 2 on a plan entitled "RE-ZONING PLAN OF LAND IN NEEDHAM, MA (NORFOLK COUNTY)..." dated April 3, 2018, prepared by Beals and Thomas, Inc., being more particularly bounded and described as follows: Beginning at a point at the most southwesterly corner of Parcel 2 opposite station 481+69.94 of the monumented railroad base line of the Charles River Branch as shown on said plan thence running; NORTHEASTERLY by a curve having a radius of 2900.93 feet and a distance of 500.56 feet to a point at the northwesterly corner of land now or formerly of Castanea Dentata, LLC, thence turning and running; S 65° 51' 32" E 110.10 feet to a point, thence turning and running; S 28° 33' 01" E 136.06 feet to a point, said last two courses being by land now or formerly of Castanea Dentata, LLC, thence turning and running; SOUTHWESTERLY by a curve having a radius of 2900.13 feet and a distance of 491.57 feet to the point of beginning. Containing 53,681 square feet more or less.

- (b) Place in the Lower Chestnut Street Overlay District a portion of land now zoned Single Residence B and located in the Massachusetts Bay Transit Authority (M.B.T.A.) right-of-way directly to the south and the west of land shown on Registry Plan No. 30 of 1955, Book 3333 Page 350, superimposing said district over the Chestnut Street Business District as noted above, said description being as follows:

A certain parcel of land situated in the Commonwealth of Massachusetts, County of Norfolk, Town of Needham, being a portion of property owned by the Massachusetts Bay Transportation Authority and located westerly of Chestnut Street and being shown as PARCEL 2 on a plan entitled "RE-ZONING PLAN OF LAND IN NEEDHAM, MA (NORFOLK COUNTY)..." dated April 3, 2018, prepared by Beals and Thomas, Inc., being more particularly bounded and described as follows: Beginning at a point at the most southwesterly corner of Parcel 2 opposite station 481+69.94 of the monumented railroad base line of the Charles River Branch as shown on said plan thence running; NORTHEASTERLY by a curve having a radius of 2900.93 feet and a distance of 500.56 feet to a point at the northwesterly corner of land now or formerly of Castanea Dentata, LLC, thence turning and running; S 65° 51' 32" E 110.10 feet to a point, thence turning and running; S 28° 33' 01" E 136.06 feet to a point, said last two courses being by land now or formerly of Castanea Dentata, LLC, thence turning and running; SOUTHWESTERLY by a curve having a radius of 2900.13 feet and a distance of 491.57 feet to the point of beginning. Containing 53,681 square feet more or less.

Or take any other action relative thereto.

ARTICLE 6: AMEND ZONING BY-LAW – MAP CHANGE TO TRANSIT ORIENTED DEVELOPMENT SUB-DISTRICT OF LOWER CHESTNUT STREET OVERLAY DISTRICT

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

- a) Place in the Lower Chestnut Street Overlay District as the Transit Oriented Development Sub-District all land now zoned Chestnut Street Business District and Lower Chestnut Street Overlay District and depicted on Registry Plan No. 30 of 1955, Book 3333 Page 350, superimposing said sub-district over the Chestnut Street Overlay District, said description being as follows:

A certain parcel of land situated in the Commonwealth of Massachusetts, County of Norfolk, Town of Needham, being of property now or formally owned by Joseph and Giselda Cucci more particularly bounded and described as follows: Beginning at a point on the most southwesterly corner opposite station 476+75.57 of the monumented railroad base line as shown on said plan; thence running NORTHEASTERLY by a curve having a radius of 2900.93 feet and a distance of 374.84 feet to a point on the northwesterly corner of land now or formerly of MBTA Right of Way; thence turning and running SOUTHEASTERLY by a curve having a radius of 478.68 feet and a distance of 487.77 feet to a point on the westerly side of the Chestnut Street Right of Way; thence turning and running in the SOUTHERLY direction along the Chestnut Street Right of Way a distance of 45.5 feet to a point on the MBTA Right of Way; thence turning and running in the WESTERLY direction along said MBTA Right of Way a distance of 228.81 feet to a point; thence turning and continuing in the WESTERLY direction along said Right of Way a distance of 108.53 feet to a point; thence turning and running in the NORTHERLY direction along said Right of Way a distance of 136.06 feet to a point; thence turning and running in the WESTERLY direction a distance of 110.10 feet to the point of beginning. Containing 100,470 square feet more or less.

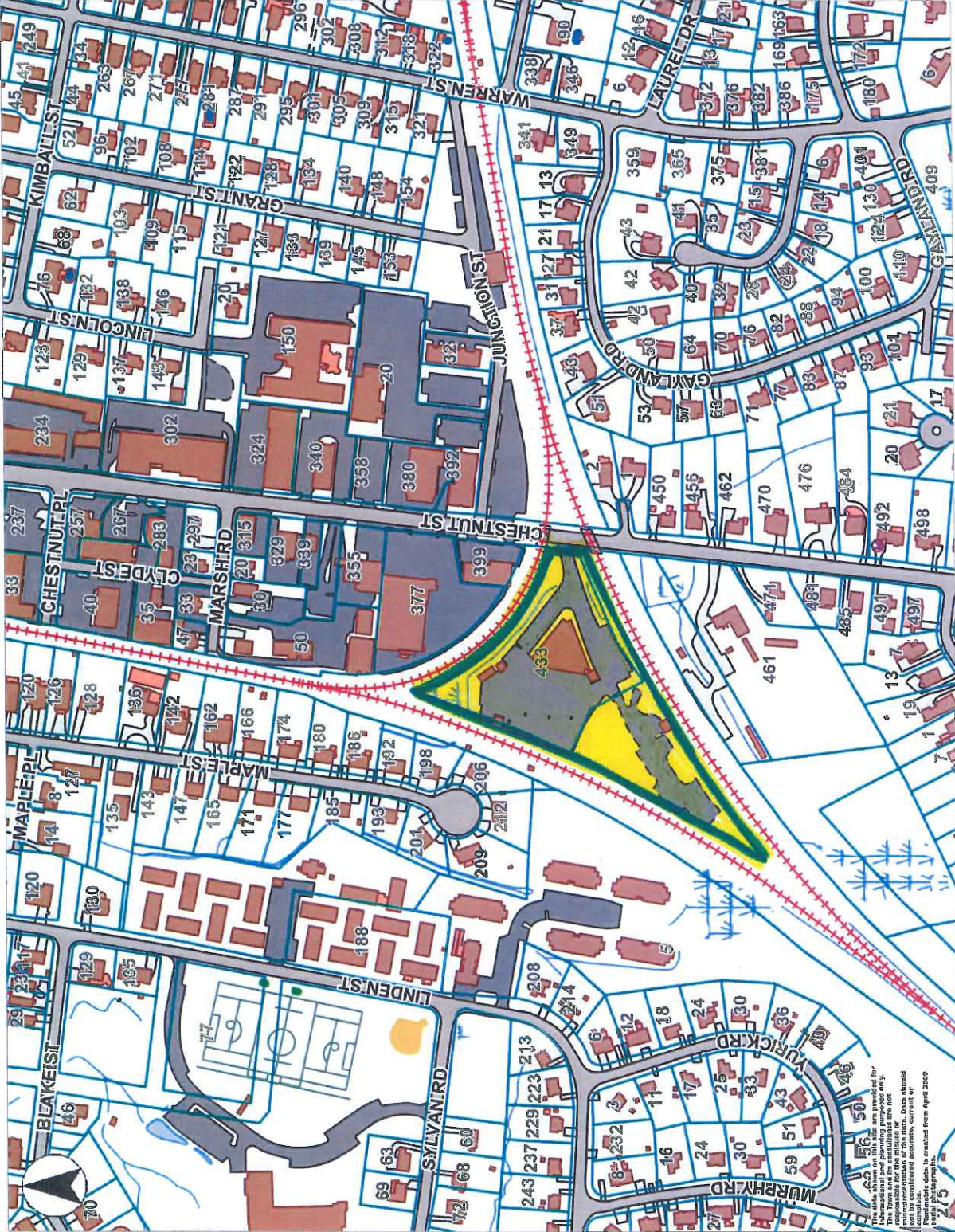
- (b) Place in the Lower Chestnut Street Overlay District as the Transit Oriented Development Sub-District all land now zoned Chestnut Street Business District and Lower Chestnut Street Overlay District and located in the Massachusetts Bay Transit Authority (M.B.T.A.) right-of-way directly to the south and the west of land shown on Registry Plan No. 30 of 1955, Book 3333 Page 350, superimposing said sub-district over the Chestnut Street Overlay District, said description being as follows:

A certain parcel of land situated in the Commonwealth of Massachusetts, County of Norfolk, Town of Needham, being a portion of property owned by the Massachusetts Bay Transportation Authority and located westerly of Chestnut Street and being shown as PARCEL 2 on a plan entitled "RE-ZONING PLAN OF LAND IN NEEDHAM, MA (NORFOLK COUNTY)..." dated April 3, 2018, prepared by Beals and Thomas, Inc., being more particularly bounded and described as follows: Beginning at a point at the most southwesterly corner of Parcel 2 opposite station 481+69.94 of the monumented railroad base line of the Charles River Branch as shown on said plan thence running; NORTHEASTERLY by a curve having a radius of 2900.93 feet and a distance of 500.56 feet to a point at the northwesterly corner of land now or formerly of Castanea Dentata, LLC, thence turning and running; S 65° 51' 32" E 110.10 feet to a point, thence turning and running; S 28° 33' 01" E 136.06 feet to a point, said last two courses being by land now or formerly of Castanea Dentata, LLC, thence turning and running; SOUTHWESTERLY by a curve having a radius of 2900.13 feet and a distance of 491.57 feet to the point of beginning. Containing 53,681 square feet more or less.

Or take any other action relative thereto.



- Parcels
Painted Lines
Crosswalk
Parking Line
Sports Lines
Court Striping
Field Striping
Fences
Hedge
Railroad Track
Trail
Building
Docks And Piers
Swimming Pool
Bridges
Sidewalks
Sewer
Driveway
Paved Driveway
Unpaved Driveway
Road
Paved Road
Unpaved Road
Parking Lots
Paved Parking Lot
Unpaved Parking Lot
Electrical
Electrical Substation
Sports
Baseball
Baseball Infield
Basketball and Tennis
Golf Course
Golf Bunker
Golf Fairway, Green, and Tee
Playground
Track and Field
Tennis
Wetlands
MA Highway
US Highway
Numbered Routes
Tow Boundary
Abutting Towns
Abutting Towns Mask
Road Centerlines
Waterbody
Streams And Drainage Dike





**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 1/8/2019

Agenda Item	Discuss Update of FY2019 – FY2020 Goals
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will update the Board on the status of the Board's FY2019 – FY2020 goals.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. FY2019 – FY2020 Board of Selectmen Goals Update, 1/8/2019	

Board of Selectmen/Town Manager
FY2019 – FY2020 Board of Selectmen Goals
 August 7, 2018, Revised October 23, 2018, **January 8, 2019 Update**

Board Goals	
1. Maximize the use of Town assets and ensure that Town and School services are housed in buildings that provide suitable and effective environments.	
Goal	Status
Work with the School Committee and Finance Committee to develop a plan for the implementation of full-day kindergarten. <i>(continuing strategy)</i>	<i>The School Committee's initial budget request includes funding for full-day kindergarten.</i>
Conduct an environmental assessment to facilitate discussion about the future use of Ridge Hill/Nike; determine the future use or disposition of Ridge Hill buildings. <i>(continuing strategy)</i>	<i>Weston & Sampson provided a final report on its analysis. The Town Manager will recommend additional funding to continue the evaluation of use of the parcels including two active uses, the dog park, the Community Farm and some type of road access, as well as the demolition of structures.</i>
Secure design funding for Fire and Police Stations at October 2018 STM and November 6, 2018 ballot. <i>(continuing strategy)</i>	<i>The STM and voters approved the funding of the project. Bidding is underway. The Town continues to work with Dedham with respect to communications, and will seek special permits for monopoles/structures for the communications system from the Planning Board this winter.</i>
Evaluate options for funding a DPW facility on Dedham Avenue and complete construction of a storage facility on Central Avenue. <i>(continuing strategy)</i>	<i>The project is funded and bidding is underway. The Town Manager will ask the Board to consider naming the building.</i>
In conjunction with the Memorial Park Trustees, complete the construction of a new fieldhouse at Memorial Park. <i>(continuing strategy)</i>	<i>The project is funded and under construction with a planned opening in the summer of 2019.</i>
Consider evaluation of options for accelerating ownership of Stephen Palmer land. <i>(new initiative)</i>	<i>Action on this goal is planned for FY2020.</i>
2. Ensure appropriate Regulation and Assessment of, and Investment in Infrastructure.	
Goal	Status
In conjunction with the City of Newton and MassDOT, monitor progress toward the renovation of Highland Avenue from Webster Street to the Charles River. <i>(continuing strategy)</i>	<i>MassDOT reports that the project will be ready for advertising in August of 2019.</i>
Monitor implications of the Add-a-Lane project and assure that Needham's interests are	<i>This project is substantially complete.</i>

addressed. <i>(continuing strategy)</i>	
Conduct an organizational study of the Building Maintenance operations. <i>(continuing strategy)</i>	<i>The Town received no bids from the second procurement process. The Town Manager will refine the scope and issue a targeted request for quotations.</i>
Establish a working group to gain a better understanding of the impact of commercial and residential growth on the Town's infrastructure, including but not limited to traffic, transportation, water, sewer, drains, roads and bridges, and school facilities, and to identify options for managing that impact. <i>(continuing strategy)</i>	<i>The RFP for the N2025 study will be issued in early winter, 2019.</i>
Develop a plan for NPDES compliance including a Stormwater By-Law and Regulations. <i>(continuing strategy)</i>	<i>The Stormwater By-law was approved at the October 10, 2018 Special Town Meeting and is awaiting approval of the Attorney General. The Town Manager will recommend that action on the development of regulations be deferred until the new By-law has been in effect for several months.</i>
Evaluate options for participation in the MassDOT Complete Streets Program and implement pedestrian safety initiatives. <i>(continuing strategy)</i>	<i>The Board reviewed the initial report of the pedestrian safety audit at its meeting on November 13, 2018. Design for the installation of pedestrian activated flashing beacons is underway, and procurement for the installation will begin this coming spring. The Town Manager will work with the consultant to identify safe and legal traffic calming measures that can be implemented in the shorter term. The Town used grant funding to purchase 10,000 reusable shopping bags that are being distributed in public buildings and in supermarkets. The bags include the pedestrian safety logo from the "Walk Aware Needham" campaign,</i>
3. Maintain and improve the vitality and economic success of the Town.	
Goal	Status
Work with Newton to implement the economic development plan for the N ² corridor; Evaluate the relationship between Needham Crossing and the N ² Innovation District and recommend a branding strategy for Needham Crossing. <i>(continuing strategy)</i>	<i>The Board reviewed options for signage/branding and agreed on a logo design (Option2).</i>
In conjunction with the Planning Board,	<i>The Board discussed this issue with the Planning</i>

evaluate options for the redevelopment of Chestnut Street and Industrial Zones along Route 128. <i>(continuing strategy)</i>	<i>Board and School Committee on December 19, 2018. The Planning Board will hold a public hearing on the zoning on January 29, 2019,</i>
Evaluate options for locating information kiosks in Needham Center. <i>(new initiative)</i>	<i>Action on this goal is planned for FY2020.</i>
4. Expand energy efficient and environmentally sound operations for the Town and its residents and businesses.	
Goal	Status
Continue to pursue options for limiting the use of plastic bags at certain retail establishments. <i>(continuing strategy)</i>	<i>Most of the target retailers are complying with the voluntary ban. The Town Manager and Board members will continue to seek voluntary compliance from the remaining retailers.</i>
Consider policy implications for including solar infrastructure in new construction. <i>(new initiative)</i>	<i>Action on this goal is planned for FY2020.</i>
Consider establishing an energy committee. <i>(new initiative)</i>	<i>Action on this goal is planned for FY2020.</i>
5. Maintain and develop amenities that contribute to the desirability of Needham as a place to live and work.	
Goal	Status
Consider the merits of a tree preservation by-law. <i>(continuing strategy)</i>	<i>Action on this goal is planned for FY2020.</i>
Coordinate with DCR to encourage access to Cutler Park. <i>(continuing strategy)</i>	<i>Action on this goal is planned for FY2020.</i>
Establish fishing areas at ponds and on the Charles River. <i>(continuing strategy)</i>	<i>Action on this goal is planned for FY2020.</i>
Evaluate options to reduce train horn noise. <i>(continuing strategy)</i>	<i>The Town is waiting for final word from the MBTA about the option of eliminating the grade crossing at the golf course. The Town Manager will recommend that the Board make a decision about quiet zone status in the near future.</i>
Develop a pilot program to address trash concerns Town-wide. <i>(continuing strategy)</i>	<i>The Town will implement a Big Belly pilot program at parks this spring.</i>
Evaluate options for regulating private trash pick-up on public ways. <i>(continuing strategy)</i>	<i>Action on this goal is planned for FY2020.</i>
Participate in the development and implementation of the Open Space plan. <i>(continuing strategy)</i>	<i>Action on this goal is planned for FY2020.</i>
In conjunction with the Planning Board, evaluate the possibility of recommending accessory dwelling unit zoning. <i>(continuing strategy)</i>	<i>The Board discussed this concept with the Planning Board and School Committee on December 19, 2018. The Planning Board's hearing on this matter</i>

<i>strategy)</i>	<i>is scheduled for January 29, 2019,</i>
Revitalize the Property Tax Assistance Program. <i>(continuing strategy)</i>	<i>The Property Tax Assistance/Taxation Aid Committee will meet with the Board of Selectmen on January 8, 2019.</i>
Work with the Park & Recreation Commission to create recreational opportunities in the downtown. <i>(continuing strategy)</i>	<i>Action on this goal is planned for FY2020.</i>
Discuss multi-modal transportation on the greenway between Newton and Needham. <i>(new initiative)</i>	<i>The Town Manager will reach out to the Mayor of Newton to set up a chairs meeting to discuss this and other topics.</i>
In conjunction with the Planning Board, develop an overall strategy for review of housing projects that are proposed. <i>(new initiative)</i>	<i>The Board discussed this topic with the Planning Board and School Committee on December 19, 2018. Members agreed to review the 2012 Chapter 40B Guidelines as a model framework for future consideration.</i>
Evaluate ways to improve parking at the Needham Center Post Office, on Hillside Avenue, and at other locations. <i>(new initiative)</i>	<i>The Town installed "No commuter Parking" signs on Great Plain Avenue and the Town Manager is working with the PO to encourage their staff not to park in the customer lot. The Town will change the parking meters directly in front of the PO to limit them to short term parking. The Town Manager has asked the staff in Planning and Community Development to evaluate all of the special permits and ZBA decisions in the Hillside Avenue area to get a sense of the parking demand before convening a working group to strategize options.</i>
In conjunction with the Park & Recreation Commission, support the expansion of hours of operation of the Pools at the Rosemary Recreation Complex from Memorial Day to Labor Day, if practicable.	<i>Funding that would provide for an extended season is included in the Park & Recreation Department budget submission for FY2020.</i>
6. Maintain and enhance the Town's Financial Sustainability.	
Goal	Status
Evaluate stabilization fund targets. <i>(new initiative)</i>	<i>The Assistant Town Manager/Director of Finance has begun a conversation about this topic with the Finance Committee.</i>
Evaluate hours of operation at the RTS. <i>(new initiative)</i>	<i>The Town has engaged a consultant to evaluate the efficiency of the RTS facility and staffing will be a component of the study.</i>
Evaluate senior property tax relief options. <i>(new initiative)</i>	<i>The Town Manager and Board members will conduct research on this topic.</i>

Develop a staffing plan for the Memorial Park Fieldhouse. <i>(new initiative)</i>	<i>A request for funding for staffing the facility is included in the initial FY2020 budget request.</i>
7. Evaluate Town Operations and Administration.	
Goal	Status
Develop and implement a policy guiding the use of banners on poles in the business districts. <i>(continuing strategy)</i>	<i>Action on this goal is planned for FY2020.</i>
Review the Town Manager evaluation process. <i>(continuing strategy)</i>	<i>The Board adopted an interim form and the Town Manager and immediate past chair will continue to refine the form and process and make a recommendation to the Board.</i>
Develop a funding strategy to meet the staffing needs of the Police and Fire Departments in the context of the current and planned growth in Needham Crossing. <i>(continuing strategy)</i>	<i>The FY2020 budget includes a proposal for funding 8 new firefighters (75% of which will be funded by a grant), and one new police officer. The Town Manager proposes to recommend an additional 2 police officers in FY2021. One police officer position was funded in FY2019.</i>
Update the fee structure for facility rentals, and work with the Schools to consider limiting access over the summer to accommodate capital improvements and preventive maintenance. <i>(continuing strategy)</i>	<i>The Board voted to approve the revised policy and fees at its meeting on October 23, 2018.</i>
Investigate options for moving permit application and inspection processes to electronic and/or web-based platforms. <i>(continuing strategy)</i>	<i>The Town Manager has asked a team of stakeholders to review options.</i>
Evaluate structure and efficiency of consolidated HHS Department. <i>(new initiative)</i>	<i>A chairs meeting was held on January 3, 2019 to discuss this topic as well as FY2020 budget priorities.</i>
In conjunction with other stakeholders, discuss ways to streamline presentations at Town Meeting. <i>(new initiative)</i>	<i>This goal is complete.</i>
Review policy implications of the allocation of liquor licenses. <i>(new initiative)</i>	<i>The Board continues to discuss the number of available licenses and their uses, as well as implications for license violations.</i>
Consider the merits of joining the opioid lawsuit. <i>(new initiative)</i>	<i>The Board determined that it is not in the Town's interest to participate in the lawsuit at this time.</i>
Consider criteria for reviewing proposed zoning changes. <i>(new initiative)</i>	<i>This topic was discussed with the Planning Board and School Committee on 12/19/2018 and discussion will continue in 2019.</i>
Evaluate the creation of a Public Information Officer to expand the Town's communications	<i>This position was included in the Town Manager's initial budget request for FY2020.</i>

In developing its statement of goals for the coming fiscal years, the Board identified both initiatives that may be addressed in future years, and general governing principles that guide the goal setting process. This list will continue to be updated and refined:

Future Initiatives

- Develop a plan for NPDES Compliance.
- Work with the Planning Board to consider a street naming policy.
- Consider a plan for snow removal in the business districts.
- Evaluate the concept of constructing a hockey rink in a public/private partnership.
- Evaluate options for locating alternative transportation options (e.g. ZipCar and bike share services) in Needham.
- Explore the creation of a stormwater enterprise fund.

Governing Principles

- Targeted options for property acquisition will be explored.
- The Town will work to develop a consensus with Newton regarding transportation options along the Highland Avenue/Needham Street corridor.
- Appropriate coordination of all the major road projects affecting the Town is a priority.
- Town policies and regulations will be reviewed and updated on a periodic basis.
- The Town will prioritize the reconstruction and repair of existing sidewalks before embarking on new sidewalk construction.
- Opportunities to install community art will be explored.
- The Town should be an age friendly community.
- The number of pedestrian accidents is concerning and should be addressed.
- The Town will conduct a Capital Facility Summit on a biennial basis.
- Emergency preparation and planning is a high priority.
- Opportunities for departmental consolidation and efficiency improvement will be identified and implemented.
- Opportunities to enhance communication with the public will always be considered.
- Opportunities to collaborate on additional programs and services that will benefit Needham's veterans will be explored and implemented.
- Opportunities for streamlining the permitting process will be explored and implemented.
- Opportunities to expand the distribution of notices of public hearings will be explored and implemented.



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 01/8/2019

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<i>Board members will report on the progress and / or activities of their Committee assignments.</i>	
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
(Describe backup below)	
None	

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Maxwell Sparr		
Event Manager Address	400 1 st Avenue, Needham, MA 02494		
Event Manager Phone Number	857-320-0426		
Organization Representing (if applicable)	TripAdvisor		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☐ Non-profit ☒ For profit ☐ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	CCEF		
Date of Event	1/8/19		
License is for Sale of:			
☒ Wines & Malt Beverages Only ☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	6pm	TO: 9pm
Are tickets being sold in advance for this event?	☐ YES \$	/per ticket	☒ NO
Is there an admission fee for this event?	☐ YES \$	/per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES	☒ NO	
How many people are you expecting at this event?	30		
Name & address of event location. Please attach proof of permission to use this facility.			
TripAdvisor: 400 1 st Avenue, Needham, MA 02494			
Who will be serving the alcohol to your guests?			
Bartender			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
Maxwell Sparr			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
Bar on Consumption			
☒ I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:			Date: 12/17/18

**Town of Needham
Board of Selectmen
Minutes for December 18, 2018
Needham Town Hall
Selectmen's Chamber**

6:45 p.m. Informal Meeting with Citizens:
Donna Vello, 141 Hawthorn Avenue and Irene Hammer-McLaughlin, 1012 Webster Street spoke with the Board about the environment and climate change. They asked the Board to support the Stretch Code and help the Town to obtain the designation as a "Green Community" under the Green Communities Act to receive grant money available to cities and towns for reducing energy consumption.

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

Christopher Coleman, Assistant Town Manager/Personnel appeared before the Board to congratulate and honor Kate Fitzpatrick, Town Manager, a top ten (and only northeast) finalist in the nationally recognized 2018 Leadership Trailblazer Award given by the League of Women in Government. Mr. Coleman said the Town is very proud of the exceptional work Ms. Fitzpatrick continues to do in local government and the leadership she has shown to all employees of the Town of Needham. It was noted Ms. Fitzpatrick is a leader on many fronts, particularly in supporting women trying to attain positions and increasing responsibility in local government. Also in attendance were Adam Chapdelaine, President of the MMA, Geoff Beckwith, Executive Director of the MMA, and Patricia Vinchesi, retired Town Administrator of Situate, MA, as well as many family, friends, and colleagues of Ms. Fitzpatrick.

Mr. Matthews commented Ms. Fitzpatrick is one of the best Town Managers in the field, continually showing professionalism, thoughtfulness, character, seriousness of purpose, courage, and compassion as a leader in Needham, surrounding communities, the state, and nationally. The Board congratulated Ms. Fitzpatrick on the well deserved award and thanked her for her service.

Ms. Fitzpatrick said she is amazed by the surprise honor, and thanked everyone for their support. Photographs were taken.

7:25 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented:

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Accept the following donations made to the Needham Public Health Division's Domestic Violence Action Committee (DVAC): \$25 from Clair Blum, a Needham resident, and \$100 from Ann MacFate, a Needham resident.**
- 2. Accept the following donations made to the Needham Public Health Division's Gift of Warmth Fund: \$400 from the Christ Episcopal Church in Needham, and \$1,000 from the Congregational Church of Needham.**
- 3. Accept a \$50 donation made to the Needham Aging Services Donation Account from Evelyn Amrhein, a West Roxbury resident.**
- 4. Approve a 2019 Common Victualler License for the following:**
 - LPM Holding Co., Inc. d/b/a Cutler Lake located at 117 Kendrick Street, Needham**
 - LPM Holding Co., Inc. d/b/a Kendrick Café located at 63 Kendrick Street, Needham**
- 5. Accept a \$2,500 donation made to the Needham Health Department's Substance Abuse Prevention & Education Program from Beth Israel Deaconess Hospital, Needham.**
- 6. Water & Sewer Abatement Order #1266**
- 7. Approve and sign application for recertification as Tree City USA for 2018.**
- 8. Ratify the actions of the Chair and Town Manager in signing Sister City agreement between the Town of Needham and Daxing District of Beijing.**
- 9. Approve Vehicle Expense Reimbursement Rate from 54.5 cents to 58.0 cents per mile consistent with the rate determined by the IRS. The effective date for this reimbursement rate would be January 1, 2019.**
- 10. Approve Open Session minutes of November 27, 2018 and December 4, 2018.**

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

7:25 p.m. Public Hearing: Underground Fuel Application - Parkman Way
Drew Arias, Lionstone Design Construction and David Lipshutz, Attorney and property trustee, Seegel, Lipshutz, and Lo, appeared before the Board to discuss an application to install (2) 1,000 gallon of propane fuel tanks underground at 32 Parkman Way, 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 standards and practices have been followed regarding propane tanks.

Mr. Matthews invited public comment.

Elaine Sidel, 607 Chestnut Street expressed concern about the size of the tanks and the amount of propane to be stored underground.

Mr. Arias commented on setting the tanks underground, distance to property lines, and elevation of the property. He said he does not have knowledge of any environmental concerns and the project is well within state and local standards. Mr. Lipshutz commented Devaney Energy, Newton, MA will install, monitor, maintain, and fill the tanks. He said an annual inspection is required by the Town.

Dennis Condon, Fire Chief said the tanks will be placed in an "ideal location" and will be safe. He said an oil tank aboveground is more of a hazard, noting state code allows underground tanks within 10ft. of a property line or building. He commented he went to the property with the town inspector, and is convinced the set up is safe. He commented Needham licensing requirements are greater than the Massachusetts State licensing code.

Discussion continued on safety, design, installation, and screening of the tanks.

Motion by Mr. Handel that the Board of Selectmen vote to approve and authorize the Chairman to sign a license for Lionstone Design Construction to install (2) 1,000 gallon propane fuel underground tanks at 32 Parkman Way, Needham.

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

7:37 p.m.

Introduce Director of Youth & Family Services:

Tim McDonald, Director of Health & Human Services appeared before the Board along with Sara Shine, Director of Youth & Family Services, who is the newly appointed Director of Youth & Family Services (YFS).

Ms. Shine told the Board of her 15 years of direct clinical work experience, and gave an overview of current YFS programs and services, highlighting new programs and community collaborations. A Powerpoint presentation was viewed.

The Board welcomed Ms. Shine to Needham and wished her well in her new position.

7:48 p.m.

Introduce Police Officer:

John Schlittler, Police Chief appeared before the Board to introduce newly transferred Police Officer Ron Poirier. He said Officer Poirier grew up in Needham, graduated from Needham High School, served five years in the U.S. Marine Corps, and worked for the Wellesley Police Department since 1998, transferring to the Needham Police Department in November, 2018. Chief Schlittler commented on Officer Poirier's vast experience in CCIT, elder affairs, field training, and as a background investigator. He said Officer Poirier is dedicated to Needham and the Town if fortunate to have him on the police force.

Mr. Matthews told Officer Poirier he comes to Needham highly recommended. He said he wants him to succeed and that during all types of situations the police are the "face of the Town" and counted on by residents. He wished him well.

The Board congratulated Officer Poirier and welcomed him to Needham.

7:54 p.m.

Diversion Program Update:

John Schlitter, Chief of Police, Catherine (Katie) McCullough, Juvenile Court Officer, and Kristen Lindley, LCSW, Diversion Program Coordinator appeared before the Board to introduce the new Diversion Program Coordinator, review the Diversion Program and Operation, and update current enrollment and completion.

Chief Schlitter explained the importance of police involvement in the Diversion Program and with the youth of Needham. He said the Diversion Program assists youth facing juvenile charges allowing them to avoid prosecution in exchange for their community service.

Kristen Lindley, LCSW, Diversion Program Coordinator showed a Powerpoint presentation and explained how the Diversion Program operates.

Katie McCullough, Juvenile Court Officer explained how youth come into the Diversion Program, appropriate means for accepting responsibility for their mistakes and how youth can contribute to the community and learn from their experience so that they will not re-offend.

Discussion ensued on the Diversion Program, interaction with Needham schools and youth services.

The Board thanked the presenters for the report and update, expressing their appreciation for the work they are doing for the youth of Needham.

8:03 p.m.

ASHER Program Update:

Dennis Condon, Fire Chief and John Schlitter, Chief of Police appeared before the Board to discuss their collaborative effort in developing the Active Shooter Hostile Event Response (ASHER) protocol. This response brings Fire/EMS personnel into an ongoing ASHER event, with police protection, to save lives prior to the scene becoming fully contained. This protocol is in keeping with the NFPA's ASHER 3000 protocol which is the National standard for these incidents. This collaboration between both Needham Public Safety departments was used as a case study model for other communities throughout the Commonwealth to build their programs from three separate training symposiums where both Chiefs and the School Superintendent made joint presentations.

Chief Condon and Chief Schlitter provided the Board with an update about the program and the integrated response of police, fire, EMS, rescue task force, and staging personnel. Discussion ensued on ASHER protocol, training, existing challenges, as well as schools, Needham employees, and community collaboration.

Chief Schlittler thanked the Town residents for their support. Chief Condon said the level of support for public safety received from the community is remarkable. He said it is a testament to how residents feel about public safety.

Mr. Matthews said the topic is very grim, but preparation is key.

The Board thanked Chief Condon and Chief Schlittler for their work and leadership.

7:45 p.m.

FY2018 Financial Audit:

Scott C. McIntire, CPA, Melanson & Heath Company, Alina Korsak, Audit Manager, Melanson & Heath Company, David Davison, Assistant Town Manager/Director of Finance appeared before the Board to discuss the recently completed audit of the Town's Financial Statements for fiscal year ended June 20, 2018. Evelyn Poness, Town Collector and Michelle Vaillancourt, Town Accountant were also in attendance.

Mr. Davison acknowledged the audit presentation is being presented within the goal of 180 days after the close of the fiscal year. He said this years audit went very well, with Town staff getting the necessary information to the auditors on time for them to do their work.

Scott McIntire spoke about the audit process and the results. He concurred the timeliness of the close of FY2018 was significantly faster than previous years. He said the Town's books and records are in good working order, and no significant audit entries were necessary in order for the financial statements to be presented according to generally accepted accounting standards. He commented on net pension liability (NPL) and other post employment benefits (OPEB), each of which are actuarially determined.

Alina Korsak discussed key account balances included in the "Annual Financial Report" for the year ending June 30, 2018, followed by the "Management Letter" for the year ending June 30, 2018, including four recommendations for the current year.

Mr. McIntire commented on Unassigned Fund Balance (page 22 of the audit) dropped by approximately \$1.9 million, noting the decline is not unexpected. He referred to the Budget and Actual Comparative Schedule (page 26) where revenues were greater and expenditures were less than expected. He focused on the Excess of Revenues and Other Sources Over Expenditures and Other Sources (page 26) of \$1,169,750. He commented page 26 represents some of the reasons why the Unassigned Fund Balance dropped.

Ms. Korsak referred to OBEP (page 77) and the Management Letter and 4 recommendations contained therein, including Compliance with Uniform Guidance, Preparing for GASB Statement 84, Follow Through on IT Audit Recommendations, and Enhance Oversight of Stipends.

Mr. Davison concluded saying with the implementation of GASB 75, it will be very telling over time as Needham has recognized the importance of dealing with the liabilities earlier rather than later, as compared to some communities who are not funding OPED liabilities on an actuarial schedule. He commented the Unassigned Fund Balance dropped in part due to the heavy capital investment the Town has made over the last few years, as well as using more cash on many projects.

Mr. Borrelli asked what contributed to closing out the year faster than in prior years. Mr. Davison said the close out of prior years was smoother, rather than quicker. Ms. Vaillancourt commented the close out was smoother, in part because her department is fully staffed and up to speed.

The Board thanked the presenters for their work and presentation.

9:02 p.m.

Town Manager:

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

1. Determination of Unique Status

Ms. Fitzpatrick said the Town is contemplating the acquisition by rent of space for public safety communications on the American Tower on Cabot Street, Needham. The replacement of the public safety communication system using a closed-loop microwave system on four structures in Needham is a critical component of the reconstruction of the Public Safety Building. Ms. Fitzpatrick reminded the Board that the October 10, 2018 Special Town Meeting approved a zoning amendment that allows the Planning Board, by Special Permit, to authorize the installation of communications equipment on preexisting, lawfully constructed towers. The project team will be seeking a Special Permit for this installation early in 2019. The consultant who designed the system has identified the Cabot Street area as necessary for the proper functioning of the new system.

Ms. Fitzpatrick recommended the Board vote to determine that advertising for the solicitation of proposals for this acquisition will not benefit the Town's interest because of the unique qualities of the property.

Motion by Mr. Handel that the Board vote to determine that in the case of the proposed acquisition by rent of space on the American Town on Cabot Street, advertising will not benefit the Town's interest because of the unique qualities of the location of the property needed. This determination is made on the basis that American Tower is the only pre-existing, lawfully constructed tower in the location needed for the functionality of the new public safety communications system.

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

2. Approve FY2020 - FY2024 Capital Improvement Plan

Ms. Fitzpatrick recommended that the Board approve the FY2020-2024 Capital Improvement Plan for transmittal to the Finance Committee.

Motion by Mr. Handel that the Board approve the FY2020 - 2024 Capital Improvement Plan for transmittal to the Finance Committee.

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

3. Accept and Refer Zoning - Highway Commercial 1 Zoning District, Map Change to Highway Commercial 1, and Accessory Dwelling Unit

Ms. Fitzpatrick asked the Board to accept and refer zoning for Highway Commercial 1 Zoning District, Map Change to Highway Commercial 1, and Accessory Dwelling Unit. She said a hearing is scheduled for January 22, 2019, and it anticipated the Planning Board will appear before the Board of Selectmen for discussion if they move forward on these items. The Board concurred on the importance of attending the Planning Board hearing, recognizing the Board of Selectmen meeting schedule conflicts with the Planning Board schedule.

Motion by Mr. Handel that the Board vote to accept the following proposed zoning amendments: "Amend Zoning By-Law Highway Commercial 1 Zoning District, Map Change to Highway Commercial 1, and Accessory Dwelling Unit," for referral to the Planning Board for its review, hearing, and report.

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

4. Community Preservation Act Funding Applications

Ms. Fitzpatrick updated the Board on CPA project applications that have been submitted for consideration in FY2020 by other parties, and asked the Board endorse the submission for design of the Fisher Street Trailhead at the Needham Rail Trail.

Motion by Mr. Handel that the Board vote to endorse the CPA funding application for the design of the Fisher Street trailhead at the Needham Rail Trail.

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

5. Town Manager Report

Ms. Fitzpatrick reported work continues with the Senate on the home rule petition to expand the Board of Health from 3 to 5 people, as well as achieve the goal of changing the name "Board of Selectmen" to "Select Board." She said she is hopeful the bill will be passed this legislative session.

Ms. Fitzpatrick reported Needham's sister city of Daxing, China visited last week. She said the visit included a signing ceremony and meetings with Needham's emergency planners, Olin College, Big Belly, Gillette Stadium, Beth Israel Deaconess in Needham, and at Shark Ninja. She commented students from Daxing were attending school at High Rock School doing art and engineering projects. She concluded it was a very good visit.

- 9:21 p.m. Board Discussion:
1. Committee Reports
No Committee Reports were made.

On behalf of the Board, Mr. Matthews wished everyone Season's Greetings and Happy New Year.

- 9:22 p.m. Executive Session: (Exceptions 3 and 6)
Motion by Mr. Handel 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. Bulian. Mr. Matthews polled the Board. Unanimously approved 5-0.

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

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

Note: The meeting adjourned at 10:15 p.m.

Minutes
Board of Selectmen Meeting
Center at the Heights
December 20, 2018

1:00 p.m. A special meeting of the Board of Selectmen was convened by Daniel Matthews. Also present were John Bulian, Moe Handel, Matthew Borrelli, Marianne Cooley, Assistant Town Manager David Davison, Assistant Town Manager Christopher Coleman, and Town Manager Kate Fitzpatrick.

The Board discussed the fiscal year 2019/2020 proposed goals and objectives: maximize the use of Town assets and ensure that Town and School services are housed in buildings that provide suitable and effective environments; ensure appropriate regulation and assessment of, and investment in infrastructure, maintain and improve the vitality and economic success of the Town; expand energy efficient and environmentally sound operations for the Town and its residents and businesses; maintain and develop amenities that contribute to the desirability of Needham as a place to live and work; maintain and enhance the Town's Financial Sustainability; and evaluate Town Operations and Administration.

The Board reviewed the status of each of the goals, and discussed changes to the goal status that the Town Manager will develop and present to the Board for discussion at an upcoming meeting. The Board also discussed the Green Communities Act, polling locations, affordable housing targets tied to the MSBA, meeting with community stakeholders, employee work hours, scheduling other committees to meet with the Board, diversity initiatives, paying for community festivals, the Mitchell School modular classrooms, a goal and vision statement, an employee value statement, saving strategies for the Emery Grover and DPW complex, a potential Special Town Meeting in January, the role of the CEA, and snow hauling.

4:40 p.m. **Motion: Mr. Handel moved that the meeting be adjourned. The motion was seconded by Mr. Borrelli. Unanimous: 5-0.**

**Minutes
Board of Selectmen Meeting
Needham Town Hall
December 21, 2018**

8:30 a.m. A special meeting of the Board of Selectmen was convened by Daniel Matthews. Also present were John Bulian, Moe Handel, Matthew Borrelli, Marianne Cooley, and Town Manager Kate Fitzpatrick.

The Board discussed the Mitchell Modular Classroom project and the need to hold a Special Town Meeting to seek supplemental appropriation. It was the consensus of the Board that delaying the project was not in the Town's interest both from a programmatic and financial perspective.

Motion: Mr. Handel moved that the Board call for a Special Town Meeting to be held on January 22, 2019, and to open and close the warrant for the meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel. Ms. Cooley seconded the motion. Unanimous: 5-0.

8:45 a.m. **Motion: Ms. Cooley moved that the meeting be adjourned. Mr. Bulian seconded the motion. Unanimous: 5-0.**

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

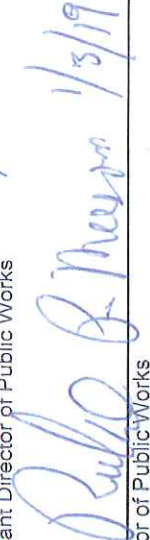
WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	-\$14.55
Water Irrigation:	-\$3,612.60
Water Admin Fees	\$0.00
Sewer Sales:	-\$13.27
Transfer Station Charges:	\$0.00
Total Abatement:	-\$3,640.42

Order #: 1267

Read and Approved:

 1/3/2018
Assistant Director of Public Works

 1/3/19
Director of Public Works

For the Board of Selectmen

1/8/19

**Town of Needham
Water Sewer Billing System
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
DB	O'Brien	Kevin	35489	17512	32	Canterbury Lane	-\$3,612.60	\$0.00	\$0.00	-\$3,612.60	ACC	N
DB	Levy	Alison & Craig	42291	1022	16	Green Street	\$0.00	-\$14.55	-\$13.27	-\$27.82	ACC	N

Total: -\$3,640.42

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

Legend:

Q.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.
 TWN = Town Project caused damage to private property
 EC = Extenuating Circumstances
 Equip = Equipment Malfunction
 UEW = Unexplained water loss
 ACC = Accidental Water Loss
 BP = Billing Period beyond 100 days
 COA = Council on Aging