

SELECT BOARD

February 26, 2019

Needham Town Hall

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- Eversource Energy Grant of Location: Oxbow Road Maureen Carroll, Eversource Energy Representative
2.	7:05	Innovation & Smart City Concepts in Needham Public Works • Carys Lustig, Director of Finance and Administration for Public Services • Roger MacDonald, Director of Management Information Systems
3.	7:15	Dockless Bike Share Program • Carys Lustig, Director of Finance and Administration for Public Services • David Davison, Assistant Town Manager/Director of Finance
4.	7:30	Town Manager • Streetscape Project/Great Plain Avenue Pre-signal • 2019 Annual Town Meeting Warrant • Town Manager's Report
5.	8:00	Board Discussion • Committee Reports

APPOINTMENTS

1.	Council of Economic Advisors	David Montgomery (term expires: 6/30/2021)
-----------	------------------------------	--

CONSENT AGENDA *=Backup attached

1.	Accept a \$50 donation made to the Needham Aging Services Donation Account from Lidia Panchenko, a Needham resident.
2.	Accept a donation of 14 boxes of Girl Scout Cookies made to the Needham Park and Recreation Commission from Caren and Stu Carpenter. The estimated value of the items is \$70.
3.	Grant permission for the Newton Needham Regional Chamber to use the Town Common and surrounding area for its Street Fair on Saturday, June 1, 2019, and the Fall Harvest Fair on Sunday, October 6, 2019. They would like to request rain dates of Saturday,

	June 8, 2019 and Sunday, October 13, 2019 respectively. Permission includes: Town Common for local businesses' booths; Businesses to have items for sale on sidewalk in front of their own stores; parking lot behind Town Hall and for one handicapped accessible portable toilet and one hand washing station (to be delivered and picked up on the same day); close Chapel Street from corner of Great Plain Avenue to the Chapel Street parking lot for food court, fire truck, touch the trucks, and Michelson's Shoe table; use of the Town's generator on Chapel Street to power the food court and other activities as needed; use of the outlets on the town common to provide requested electricity for popcorn and other activities as needed; trolley ride that will start at Highland Avenue by the Town Common and loop back around the town via Great Plain Avenue, Webster Street, May Street, and back to the Town Common; delivery and pickup of a dumpster in the parking lot behind town hall; delivery and pick up of trash cans to be placed around the event area including specifically at the food court and near the portable toilets; and any changes as recommended by the Needham Police Department. Also grant permission for meter free parking in the downtown area for both days.					
4.*	Approve and sign the Employment Agreement between the Town of Needham and the Town Manager for the period May 6, 2019 through May 5, 2022.					
5.*	Approve a Special One Day Wines and Malt Beverages license for Steve Volante, of Volante Farms, to host a Design & Drinks- Cupcake Decorating event on March 14, 2019 from 6:00 p.m. to 8:00 p.m. The event will be held at Volante Farms, 292 Forest Street, Needham.					
6.*	Approve Open Session and Executive Session minutes of February 12, 2019.					
7.	Accept a \$1,000 donation to the Needham Police Benefit Association from Shuli Li and Binyuan Sun.					
8.*	Approve Water & Sewer abatement #1269.					
9.	Grant permission for the following residents to hold block parties:					
	Name	Address	Party Location	Party Date	Party Rain Date	Party Time
	Celia Carboni	42 Greenwood Ave.	Greenwood Ave between Powers & Great Plain	7/20/19	4/21/19	2pm-11pm



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

MEETING DATE: 2/26/2019

Agenda Item	Public Hearing: Eversource Energy Grant of Location – Oxbow Road
Presenter(s)	Maureen Carroll, Eversource Energy Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 9 feet of conduit in Oxbow Road. This work is necessary to provide underground electric service to 77 Oxbow Road. 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 9 feet of conduit in Oxbow Road. This work is necessary to provide underground electric service to 77 Oxbow Road.	
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 h. Street Permit issued from DPW i. Photos	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

P.O. Box 920364 NEEDHAM, Ma. 02492 Telephone: (781) 455-7050
www.needhamma.gov/dpw

RECEIVED
TOWN OF NEEDHAM
SELECT BOARD

2019 FEB -8 P 2:19

TO: Nikki Witham, Selectmen Office
FROM: Judy Laffey, DPW Office
DATE:
RE:

For Selectmen Meeting of
Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 2-6-19

REVIEWER: R.A.W.

SITE LOCATION: # 77 OXBOW RD.

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

☒ A Sidewalk/Grass Strip Crossing Only

Peer Review TAR 2/8/19

B Work Within Paved Road Perpendicular Crossing

Peer Review _____

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

☐ Utility Conflicts

☒ Visible Trench Patch across Road/Sidewalk

☐ Crossing Perpendicular to Road N/A

☐ Abutters List Complete

☒ Public Road

☐ Photos Included

☐ Double Pole N/A

Department Head _____

COMMENTS:

TRENCH VISIBLE AS GRAVEL BETWEEN POLE AND E.H.N. AND
RISER ON POLE (SEE PHOTOS)
ATTACH STREET PERMIT



200 Calvary Street
Waltham, Ma 02453

January 31, 2019

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: 77 Oxbow Road
Needham, MA
W/O #2308614

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 9 feet of conduit in Oxbow Road.

The reason for this work is to provide underground electric service to 77 Oxbow Road.

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,

A handwritten signature in cursive script that reads "Richard M. Schifone". Below the signature is a circular stamp containing the number "17".

Richard M. Schifone, Supervisor
Rights and Permits

RMS/kj
Attachments

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

To the **Select Board** 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 January 30, 2019** and filed herewith, under the following public way or ways of said Town:

**Oxbow Road - Northwesternly from pole 429/10, approximately
930 feet west of Central Avenue, a distance of 9 ±
feet of conduit.**

w/o #2308614

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

By: Richard M. Schifone
Richard M. Schifone, Supervisor
Rights & Permits

Dated this 31st day of January

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2019

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:

**Oxbow Road - Northwesterly from pole 429/10, approximately
930 feet west of Central Avenue, a distance of 9 ±
feet of conduit.**

w/o #2308614

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. Debeneditis, Dated January 30, 2019** 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 Select Board or such officer or officers as it may appoint to supervise the work.

1
2
3
4
5

Select Board
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 _____ 2019 at _____ in said Town.

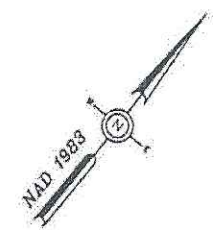
1
2
3
4
5

Select Board
the Town of
NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2019 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



SITE UNDER CONSTRUCTION

#77

#65

APPROX. PT.
OF PICKUP

EHH

APPROX. 930' TO
CENTRAL AVE

APPROX. R.O.W.

ES TO INSTALL 1 - 3" PVC PIPES
SCHEDULE 40
NO CONCRETE 9±

DIRT

GRASS

CBS

EDGE OF PAVEMENT

429/10

12" SEWER

12" SEWER

8" WATER

WG

8" WATER

EDGE OF PAVEMENT

WG

GRASS

GRASS

HYD

ASPHALT SIDEWALK

APPROX. R.O.W.

OXBOW RD

#76

#62

SECTION - 1

STREET SURFACE



SECTION OF PROPOSED LINE

1-IRON PIPE OR
1-PVC CONDUIT (SCH-40)
OR 1-FIBRE DUCT

FIGURE - 1



SCALE IN FEET

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARTNERS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE IN YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C#

Ward #

Work Order # 2308614

Surveyed by: PG/BP

Research by: PG

Plotted by: PG

Proposed Structures: LM

Approved: A DEBENEDICTIS

P#

NSTAR EVERSOURCE
ELECTRIC
d/b/a

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of OXBOW ROAD

NEEDHAM

Showing PROPOSED CONDUIT LOCATION

Scale 1"=20'

Date JANUARY 30, 2019

SHEET 1 of 1



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 February 26, 2019** upon petition of Eversource Energy dated **January 31, 2019** to install approximately 9 feet of conduit in Oxbow Road. The work is necessary to provide underground electric service to 77 Oxbow Road.

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

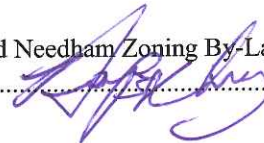
SELECT BOARD

Dated: February 15, 2019

77 OXBOW ROAD

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
TOWN OF NEEDHAM		1471 HIGHLAND AVE	NEEDHAM	MA	02492	1993040000600000	0 CHARLES RIVER ST
SHAMASH, EYTAN &	WOLFF, KRISTIN S.	76 OXBOW RD	NEEDHAM	MA	02492	1992140002600000	76 OXBOW RD
MACIEJCZAK, CHRISTOPHER &	MACIEJCZAK, LAUREN	94 OXBOW RD	NEEDHAM	MA	02492	1992140002500000	94 OXBOW RD
BOYD, JAMES L &	POLACH, LINDA L.	62 OXBOW RD	NEEDHAM	MA	02492	1992140002700000	62 OXBOW RD
JOHNSON, SUZETTE J.F.		65 OXBOW RD	NEEDHAM	MA	02492	1992140001700000	65 OXBOW RD
LEWIS, HERBERT D +	LEWIS, ELAINE	77 OXBOW RD	NEEDHAM	MA	02492	1992140001800000	77 OXBOW RD
HAMMER, NORMAN &	HAMMER, RANDY B.	89 OXBOW RD	NEEDHAM	MA	02492	1992140001900000	89 OXBOW RD

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.....





**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

470 Dedham Avenue, Needham, MA 02492
Call DPW @ (781) 455-7534 to extend permit dates.
Highway Division @ (781) 455-7548, Ext. 231

Dig Safe #2018-4702169
Paid \$325.00 #5452, Tocci Development

10813

NO underground electric conduit trench work
No sidewalk work

Needham, Mass. Dec. 18 2018

Permission is hereby granted to: Jack Malone LLC, 20 Chestnut St., Needham, MA 02492
Kerry Malone cell: 617.347.8356
to OPEN ☐ OCCUPY ☐ OBSTRUCT ☐ Builder is Tocci Dvlpt - David Tocci

which is described as 77 Oxbow Rd (NO Excavation in public property between 12/1/18-3/31/19)

for the purpose of Install new house foundation, reconnect water & sewer lines (19-53 & 19-0064)
New garage & driveway to street in accordance with Town specs.

from 7:00 A.M. 12/21/18 to 5:00 P.M. 2/26/19*

INSURANCE EXPIRES

The licensee hereby agrees: To conform to all requirements of State Laws and By-Laws of the Town and such requirements of the Director of Public Works, now or hereafter in force, relative to restoring the street to a satisfactory condition and to protecting the public by adequate lights and safeguards; and to indemnify and save harmless the Town of Needham from any and all loss, damage and expense sustained by reason of any act or omission by the licensee hereunder. NO ROAD PLATES during Nov. 15 - April 1.

Accepted by Kerry Malone

BOARD OF SELECTMEN

Title Superintendent

By PPN
Director of Public Works

Email: kmalone541@comcast.net
& drew.tm@hotmail.com

#77 OXBOW ROAD G.O.L. (POLE #429/10) NOTE: ELEC. HAND HOLE



#77 OXBOW ROAD G.O.L. (POLE # 429/10)



#77 OXBOW ROAD G.O.L. (POLE #429/10)



97 0x30w ROAD G.O.L. (POLE = 429/10)



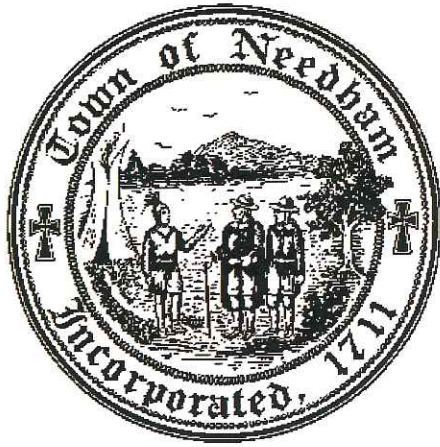


**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 02/26/2019

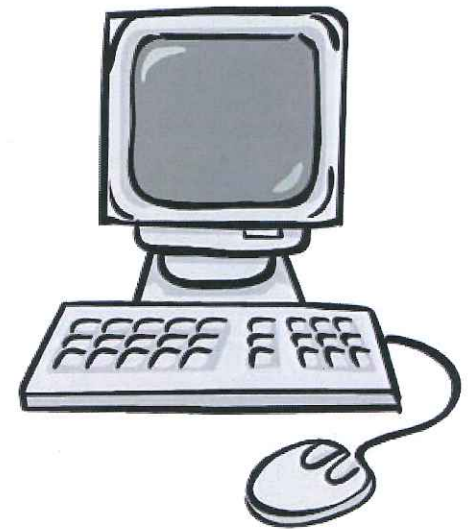
Agenda Item	Innovation & Smart City Concepts in Needham Public Works
Presenter(s)	Carys Lustig, Director of Finance and Administration for Public Services; Roger MacDonald, Director of Management Information Systems

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
In December of 2018 this presentation was delivered to representatives of Daxing, China who were visiting Needham to learn more about how the Town provides municipal services. This presentation highlights six different technologies that the Department of Public Works is using to improve service delivery, increase communication, and continue to provide more services without increasing resources.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion only.	
3.	BACK UP INFORMATION ATTACHED
a) PowerPoint entitled "Innovation & Smart City Concepts for Public Works"	



Innovation & Smart City Concepts in Public Works

Town of Needham



Commonwealth Connect - Report a Concern: Public Works Projects, Report A Pothole, Report A Street Light Outage

REQUESTSREPORT

Sort by: RecentFilter

A

Street Lights (1)

18 Sherman Street Needham, Massachusetts

about 1 hour ago · Fix it! · Share

B

Street Lights (2)

12 Hoover Road pole 14/66 cross st. TOWER, Needham, Massachusetts

about 1 hour ago · Fix it! · Share

C

Street Lights (1)

134 Garden Street Needham, Massachusetts

about 2 hours ago · Fix it! · Share

D

Potholes (2)

11-21 Pilgrim Road Needham, Massachusetts

about 7 hours ago · Fix it! · Share

E

Street Lights (1)

39 Wachusett Rd Needham, MA

about 8 hours ago · Fix it! · Share

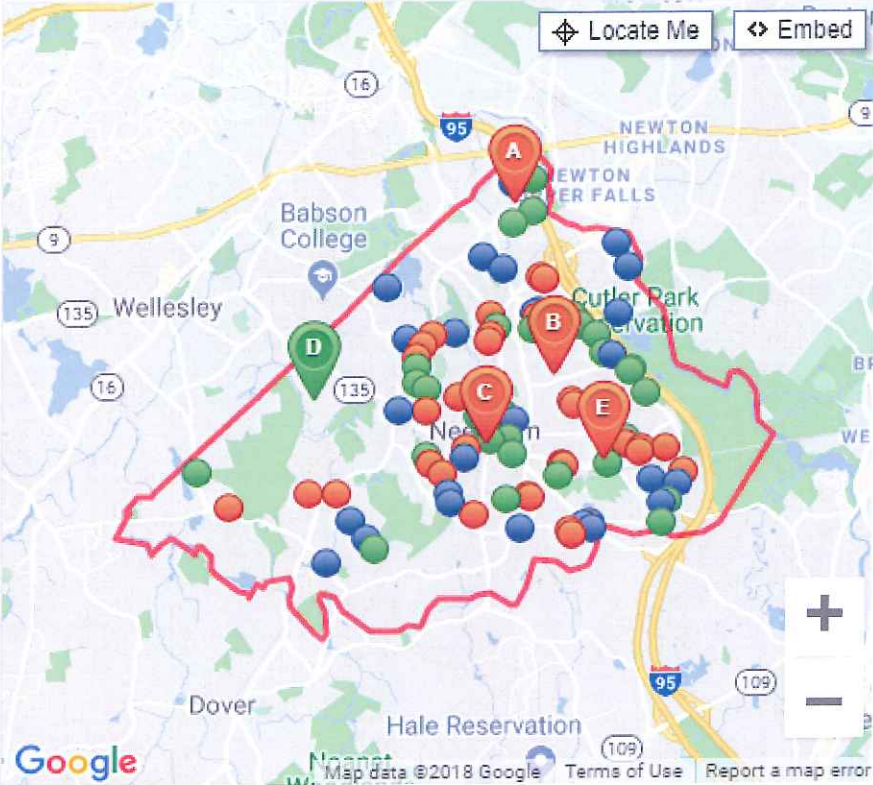
Street Lights (1)

569 Charles River Needham, Massachusetts

about 16 hours ago · Fix it! · Share

Search for issues nearby

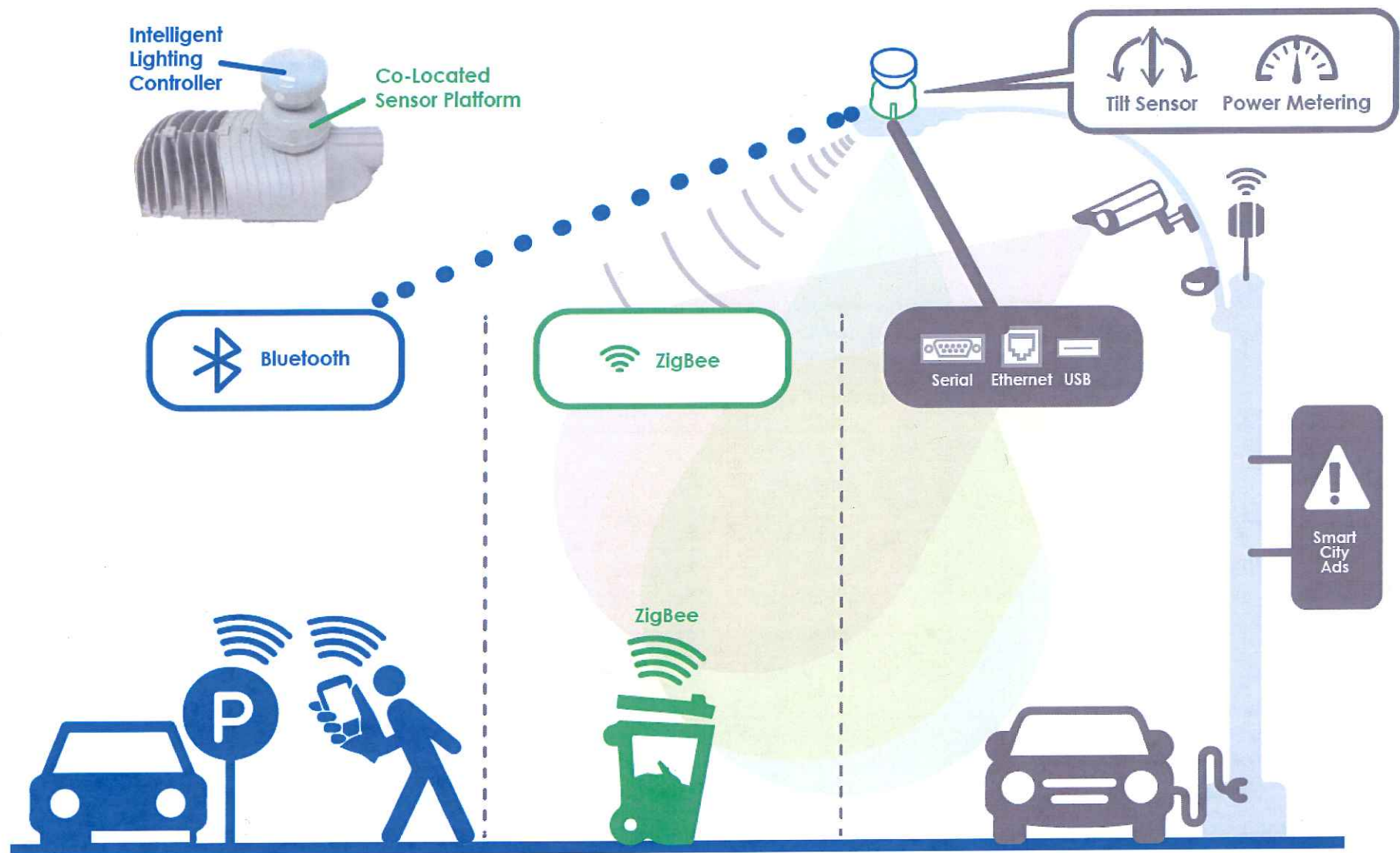
Locate MeEmbed



Last 30 days: 42 Opened | 39 Closed | 76 Acknowledged

Report an Issue

SeeClickFix powered by





Town of Needham Public Works Snow Event Rollup Report

Event #1

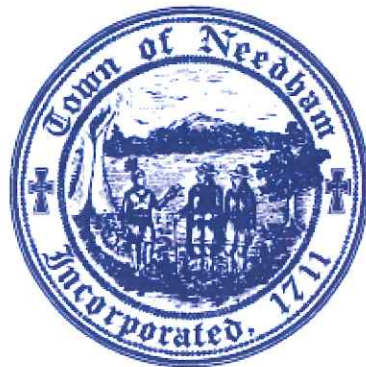
Storm Summary

Emp OT Hours	Emp OT Cost	Contractor Hours	Contractor Cost	Materials Cost	Storm Cost
454.00	\$ 19,491.65	25.50	\$ 2,280.00	\$ 10,195.39	\$ 31,967.04

Cost Details

Fuel Cost	\$ 2.53	x	484.5	=	\$ 1,225.78
Salt Cost	\$ 48.45	x	168.0	=	\$ 8,139.60
Sand Cost	\$ 0.00	x	0	=	\$ 0.00
Meltdown Cost	\$ 0.83	x	1000.0	=	\$ 830.00
Expenses/Meals					\$ 0.00
Storm Description	Snowfall: 5.75 in Low Temp: 30 °F High Temp: 40 °F Start Time: THU 07:00 am End Time: Precision Weather report from 1:00 PM states that snowfall will begin at approximately 8:00 PM. Total anticipated accumulation is 2"-3" before turning to rain after midnight. Rain should wash away snow accumulation before the morning commute. Some local weather stations are reporting higher snow accumulations. The chemical shift began applying salt with liquid deicing chemicals at 5:30PM. Snowfall began at 7:15PM at 9:15PM 1.5 inches was measured and DPW called up Phase 2 (modified chemical/plow). At 11 PM Snowfall remained heavy (3.5") and six additional trucks were called in to plow lots. Snow began to turn to rain but quickly turned back to heavy wet snow. A full plow operation was called at 12PM. Only 3 pickup truck contractors unit came in (10%)and DPW could only reach 30% strength in the overnight full plow operation. Total snowfall was over 6 inches before turning to rain around 2:30 AM. By 6:30 AM main roads were clear and most plow routes were opened up. Staff arriving at 7 AM were assigned to clean up side streets in specific routes and the sidewalk crews began their regular assignments.				

RECYCLING ONLY



Live, Work, Play, Needham

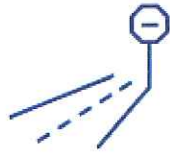


TRASH ONLY



Live, Work, Play, Needham





Complete Streets



MAPSONLINE STREETS SIDEWALKS SIGNS RAMPS REPORTS & SETTINGS

Find Properties

Results Summary

Ramps by Condition

Ramp ID	Ramp Material	Ramp Condition
41-19-2	Asphalt	Fair

Sidewalk Conditions by SCI

Sidewalk Segment ID	SCI	Sidewalk Material
GREAT PLAIN AVE	90	Asphalt
PRINCE ST-01-0d	90	Concrete

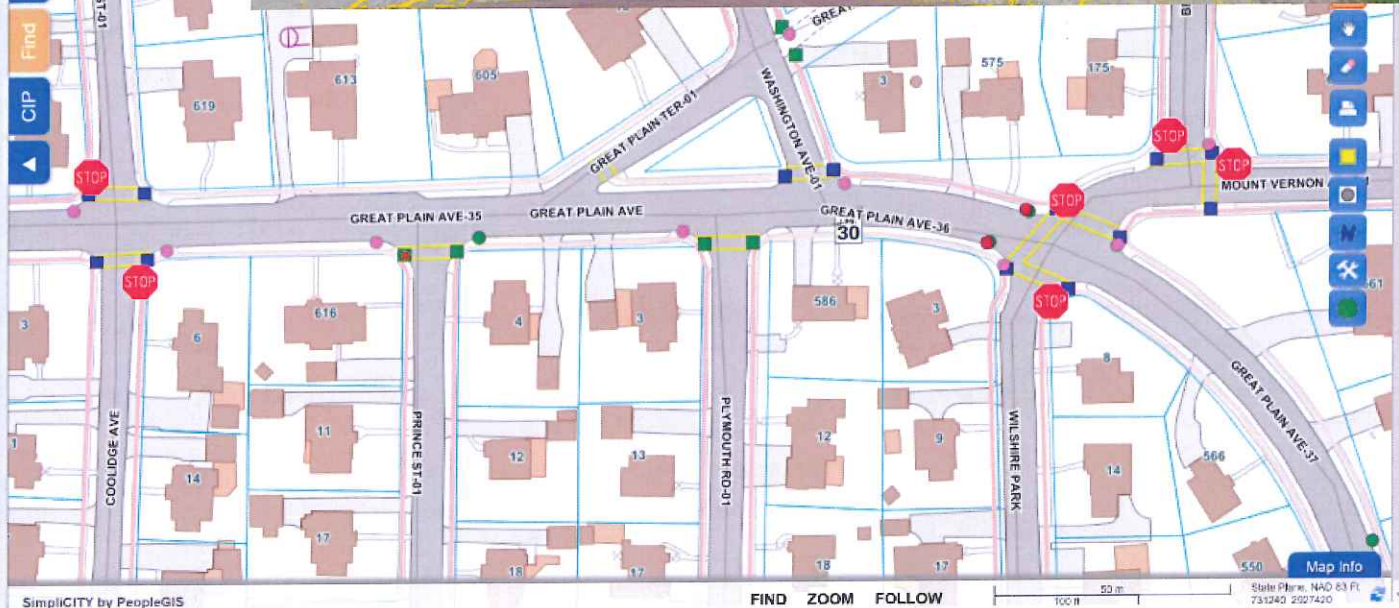
Parcel Information

Parcel ID	Location	Owner
19903300646000	616 GREAT PLAIN / CLAYMAN, ALAN E.	

Detail Information [Zoom To](#)

Ramp ID	41-19-2
Ramp Material	Asphalt
Ramp Condition	Fair
Detachable Warning Panel	No
Crosswalk Exist (Y/N)	Yes
Photo	
Link	Photoform

SimpliCITY by PeopleGIS







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

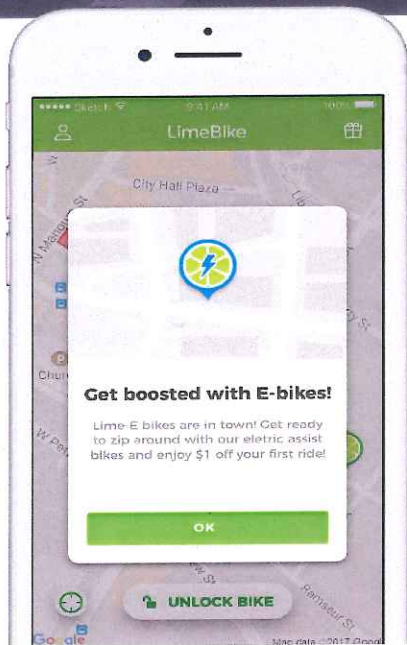
MEETING DATE: 2/26/2019

Agenda Item	Dockless Bike Share Program
Presenter(s)	Carys Lustig, Director of Administration & Finance/Public Services David Davison, Assistant Town Manager/Director of Finance

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Ms. Lustig and Mr. Davison will discuss with the Board the future of the dockless bike share program in Needham. They will also discuss the planned spring relaunch, including the transition of the bicycle fleet to all pedal-assist and using demand-based supply to determine the number of bicycles on the street.
2.	VOTE REQUIRED BY SELECT BOARD
	Vote to continue the Town's participation in the Dockless Bike Share Program: <i>Move that the Board supports the Town's continued participation in the Regional Bike Share Program and the movement to all pedal-assist bicycles for the 2019 season.</i> Vote to discontinue the Town's participation in the Dockless Bike Share Program: <i>Move that the Board withdraw its support of the Town's participation in the Regional Bike Share Program and request the termination of the agreement.</i>
3.	BACK UP INFORMATION ATTACHED
	E-Bikes Flyer

Lime-E

Electric Assist Bikes



What are Lime's electric assist bikes?

- Lime-E are similar to pedal bikes except that they provide riders with a small boost (assist) when pedaling
- They are **NOT** mopeds or motorcycles, the **electric assist stops if a rider is pedaling over 14.8 MPH**
- They are powered by a swappable battery pack that is housed above the rear wheel

Why do riders prefer our eBikes over pedal?

- Larger part of population can partake in micro-mobility
- Less effort means riders aren't sweaty on their commute

MAX RANGE:

62 miles

MAX SPEED:

14.8 MPH

WEIGHT

60 lbs (45 lbs for pedal)

LENGTH

5.74 ft (same as pedal)

PRICE FOR USERS:

\$1 basic unlocking fee
\$0.15/minute to ride



Side by side pictures of pedal & eBikes (I/III)



© 2017 LimeBike. Proprietary and confidential. Do not distribute.

Side by side pictures of pedal & eBikes (II/III)



© 2017 LimeBike. Proprietary and confidential. Do not distribute.

Side by side pictures of pedal & eBikes (III/III)



© 2017 LimeBike. Proprietary and confidential. Do not distribute.



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

MEETING DATE: 2/26/2019

Agenda Item	Streetscape Project/Great Plain Avenue Pre-signal
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will discuss the option of hiring an independent engineering firm to review the design of the Great Plain Avenue pre-signal and railroad pre-emption. The consulting engineer would review the VHB and BETA designs, conduct field visits to assess current operations and functionality, review regulations and guidelines for railroad pre-emption, and report findings and recommendations to the Select Board.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board vote to authorize the Town Manager to engage a consulting engineer to review the design of the Great Plain Avenue pre-signal and railroad pre-emption.	
3.	BACK UP INFORMATION ATTACHED
a. Memo to Select Board from Kate Fitzpatrick entitled Great Plain Avenue At-Grade Crossing, dated January 22, 2019	



Office of the
TOWN MANAGER

TOWN OF NEEDHAM

TOWN HALL
Needham, MA 02492-2669

COMPLETED

1/22/19

TEL: (781) 455-7500
FAX: (781) 449-4569

TO: Select Board
FROM: Kate Fitzpatrick
CC: Rick Merson, Director of Public Works
David Davison, Assistant Town Manager/Finance
Christopher Coleman, Assistant Town Manager/Operations
DATE: January 22, 2019
RE: Great Plain Avenue At-Grade Crossing

The Select Board has asked for a summary of the basis for installation of the pre-signal at the railroad crossing on Great Plain Avenue, an analysis of mitigation measures, and an evaluation of alternatives.

Preemption and Pre-signal

Highway-Rail Preemption is defined as the transfer of the normal operation of traffic signals to a special control mode by establishing wired connection between the traffic signal and the railroad control cabinets, also known as "interconnection." Pre-signal consists of traffic control signal faces that control traffic approaching a grade crossing in conjunction with the traffic control signal faces that control traffic approaching a highway intersection beyond the tracks. The pre-signal is the mechanism by which preemption occurs at the grade crossing.

Reasons for Preemption

Preemption of traffic signals near railroad crossings is an Institute of Transportation Engineers (ITE) recommended practice. "Preemption of traffic signals for railroad operations is a very complex process and the pre-emption system must be designed and operated for a specific location, often in unique conditions...Where a signalized highway intersection exists in close proximity to a railroad crossing, the railroad signal control equipment and the traffic signal control equipment should be interconnected and the normal operation of the traffic signals controlling the intersection should be preempted to operate in a special control mode when trains are approaching." (Preemption of Traffic Signals Near Railroad Crossings, An ITE Recommended Practice, 2006)

Preemption is recommended when highway traffic queues have the potential for extending across a nearby rail crossing. Where the clear storage distance is greater than 50 feet but less than 120 feet, pre-signals may be used but only after an engineering study determines that the queue extends into the track area. This specific distance is not the sole criterion for interconnecting railroad and highway signals – specific consideration is given where upstream signals cause vehicles to arrive in platoons that could result in long queue lengths. "Where the clear storage distance between the crossing and the highway

intersection stop line is not sufficient to safely store a design vehicle (typically the longest legal truck combination), or if vehicles regularly queue across the tracks, a pre-signal should be considered and an engineering study performed.” (Preemption of Traffic Signals Near Railroad Crossings, An ITE Recommended Practice, 2006)

Installation of the Pre-signal

VHB performed an engineering study and determined that the storage distance and common queuing of vehicles across the grade crossing on Great Plain Avenue warranted interconnection and the use of an updated pre-signal. Vehicles were observed multiple times queuing over the tracks. The prior pre-signal stopped vehicles in advance of the tracks, but allowed vehicles to queue on the tracks, creating the potential for collision.

When no train is approaching, the updated pre-signal stops vehicles prior to the crossing, preventing vehicles from queuing on the tracks. When the train is approaching, the train detection activates the immediate yellow and then red cycle at the grade crossing pre-signal. The Great Plain Avenue/Chapel Street signal remains green eastbound in order to clear vehicles, allowing them to pass through the intersection and clear any vehicles stopped on the tracks.

“Without pre-signals at highway-rail crossings, drivers may focus on the downstream highway traffic signal indications rather than the flashing-light signals located at the grade crossing. This type of driver behavior is especially undesirable during the beginning of the preemption sequence when the downstream traffic signals are typically green (in order to clear queued vehicles off the tracks) and the flashing-light signals are activated. Driver behavior at crossings equipped with pre-signals is modified because the driver stops at the railroad stop line even when a train is not approaching. By providing a consistent stopping location, with or without the presence of a train, the driver will not become confused as to a safe location to stop when a train is approaching.” (www.fra.dot.gov/Elib/Document/1369)

At-Grade Collisions

The Federal Railroad Administration Highway-Rail Grade Crossing Resource Guide notes that there were approximately 129,500 public at-grade crossings in the United States in 2014.

- More than 60% of collisions occur at crossings with automatic warning systems.
- 94% of train-vehicle collisions are attributed to driver behavior and poor judgment
- A motorist is 20 times more likely to die in a crash involving a train than a collision involving another vehicle
- The majority of highway rail collisions occur when the train is traveling less than 30 mph.

There were eight public rail-grade crossing accidents in Massachusetts in 2015, seven in 2016, nine in 2017 and eight in 2018 (through October).

Options Identified by consulting engineer

Option 1 – Modified Current Conditions

The first option maintains the current signal operation, which stops traffic on Great Plain Avenue eastbound at the crossing simultaneously with stopping traffic at Chapel Street. This strategy prevents vehicles from queueing over the tracks when no train is approaching. When a train approaches the crossing, vehicles do not need to be cleared off the tracks, and this allows the existing train detection points and the MBTA train schedule to be maintained. Motorist frustration with Option 1 may be mitigated by the following measures:

- Relocating Railroad Markings and refreshing all pavement markings;
- Improving signage for the pre-signal stop line;
- Increasing the Great Plain Avenue eastbound approach timing;
- Converting the Great Plain Avenue eastbound No Turn on Red at Dedham Avenue to No Turn on Red only during the pedestrian phase;
- Changing the Great Plain Avenue eastbound signal to turn green as soon as the gates are raised;
- Offsetting the pre-signal red by having it turn yellow when the Chapel Street signal turns red (done);
- Ensuring that the red cycle at the pre-signal turns green before the red cycle at Great Plain Avenue and Chapel Street turns green (done);
- Increasing traffic enforcement at Garden Street; and
- Truncating the walk cycle when a train pre-emption signal is received.

Option 2 – Preemption Only When Train is Approaching

The second option would allow for the traffic signal at the grade crossing to remain green at all times when no train is approaching. When a train is detected this signal would cycle to yellow and then red. This operation and timing must be based on an engineering analysis of the worst-case scenario which includes the need to clear a potential pedestrian movement at the Chapel Street intersection and then providing the required time to clear the traffic queue on Great Plain Avenue eastbound off the tracks. This would require the existing train detection point to be relocated to accommodate the additional time needed to clear the tracks, and the timing would increase from an existing 58 seconds to 98 seconds. This is the amount of time that stopped vehicles would have to wait at the grade crossing. Under this scenario, the train gate time requires an unusually long cycle to clear vehicles. This may be more frustrating for motorists as they will have to wait longer with the gates down and no train in sight. Increased wait time may cause drivers to go around the gates. Finally, adding 40 seconds to the schedule for all trains crossing Great Plain Avenue (inbound and outbound) would have a significant and detrimental effect on the MBTA schedule.

The Board inquired whether Option 1 can be maintained during the weekdays and Option 2 on days when the MBTA does not have scheduled train service at the grade crossing. VHB was asked to investigate the possibility of implementing such a strategy. Physical changes would still be required to change the detection point for the days when Option 2 is operational. These changes would be expensive, and would require review and approval by the MBTA. This option would also require a level of clock coordination between the railroad system and the traffic signal system which does not currently exist.

It is also highly unlikely that the railroad would be able to provide a "conditional detection point" system for the train. VHB contacted the manufacturer of the traffic signal control system installed on Great Plain Avenue and determined that railroad preemption programming does not have a time of day/day of week adjustable option. The preemption traffic signals can only receive a call from one detection point along the railroad tracks. VHB is unaware of any other type of controllers that have conditional preemption capability. VHB also attempted to identify an existing location in the United States that operates with different rail preemption based on a day of week schedule, and could not identify a similar application. Finally, from a maintenance perspective, any time of day operation relies on the accuracy of the internal clock within the signal control equipment. If a problem occurs with maintaining an accurate time of day/day of week schedule, signal operations meant for weekends could erroneously occur during a weekday, or vice versa, creating an unwanted condition.

Please let me know if you have any further questions or need additional information. At the Board's determination, we can arrange for a different engineering firm to provide the Board with a "second opinion" on the need for the pre-signal at Great Plain Avenue.



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

MEETING DATE: 2/26/2019

Agenda Item	2019 Annual Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will recommend that the Board vote to re-open the warrant for the 2019 Annual Town Meeting to insert two financial warrant articles – Rosemary Pool Staffing and Public Communications Staffing.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board vote to re-open the warrant for the 2019 Annual Town Meeting for the purpose of inserting two additional financial warrant articles, and to close the warrant subject to minor technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel.	
3.	BACK UP INFORMATION ATTACHED
a. Draft Warrant dated February 22, 2018	

TOWN OF NEEDHAM



2019 ANNUAL TOWN MEETING WARRANT

Election: Tuesday, April 9, 2019

Business meeting: Monday, May 6, 2019

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 2.22.2019

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 Annual Town Meeting.

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 10, 2018
TOWN OF NEEDHAM
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 and warn the Inhabitants of the Town of Needham qualified to vote in elections and in Town Affairs to meet in their respective voting places in said Town namely:

Precinct A	-	The Center at the Heights
Precinct B	-	The Center at the Heights
Precinct C	-	Newman School - Gymnasium
Precinct D	-	Newman School - Gymnasium
Precinct E	-	Broadmeadow School - Performance Center
Precinct F	-	Needham High School – Gymnasium
Precinct G	-	Needham High School – Gymnasium
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, NINTH DAY OF APRIL, 2019

from seven o'clock in the forenoon until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: ANNUAL TOWN ELECTION

To choose by ballot the following Town Officers:

and you are also required to notify the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall on Monday May 6, 2019 at 7:30 p.m. in the afternoon, then and there to act upon the following articles:

Warrant for the Annual Town Meeting

Monday, May 6, 2019 at 7:30 p.m. at Needham Town Hall

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

HUMAN RESOURCE ARTICLES

ARTICLE 3: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2019, as required by Massachusetts General Laws, Chapter 41, and Section 108:

Town Clerk	\$ (1)
Town Clerk with 6 years of service in that position	\$
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$x, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$x. The annual salary of \$x includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$x. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$x; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: In accordance with Massachusetts General Law Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits close to that of other full-time employees. Payment for longevity, as well as buy-back of sick leave and vacation no later than the time of separation from Town service, is included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000; such payment to be made no later than the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

ARTICLE 4: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM POLICE UNION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Union by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and

Settlements line to the appropriate lines in the Operating Budget for fiscal year 2020; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE 5: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM POLICE SUPERIOR OFFICERS ASSOCIATION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Superior Officers Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2020; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE 6: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM FIRE UNION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Fire Union by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2020; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

FINANCE ARTICLES

ARTICLE X: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$37,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR SENIOR CORPS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the Senior Corps program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid up to \$1,300 per year, which is applied to their property tax bills.

ARTICLE X: APPROPRIATE FOR COMPENSATED ABSENCES FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$125,000 for the purpose of funding the Compensated Absences Fund, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR TEMPORARY STAFFING PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$76,000 for the purpose of funding a temporary staffing program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR PARK & RECREATION POOL STAFFING

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$69,419 for the purpose of funding Rosemary Pool staffing, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR PUBLIC COMMUNICATIONS STAFFING

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$128,417 for the purpose of funding a Public Information Officer, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR RIDGE HILL/NIKE SITE CONSULTING & FEASIBILITY STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding the development of reuse plans for Ridge Hill and the NIKE site, and for a feasibility study for the demolition of structures at Ridge Hill, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR TOWN-OWNED LAND SURVEYS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for survey of Town-owned lands, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$640,000 for the purpose of funding the Public Facilities Maintenance Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$413,000 be transferred from Overlay Surplus and \$227,000 be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: DOWNTOWN SNOW REMOVAL PILOT PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$35,000 for the purpose of funding the Downtown Snow Removal Pilot Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR SMALL REPAIR GRANT PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding the Small Repair Grant Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 16: APPROPRIATE THE FY2020 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from Free Cash in the amount of \$2,068,301, from Overlay Surplus in the amount of \$500,000, from amounts Reserved for Debt Exclusion Offsets in the amount of \$105,159, and \$1,185,317 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 8 to the appropriate line items in order to fund the classification and compensation plan approved in accordance

with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 5 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted as shown on pages: **x-x**

ARTICLE X: APPROPRIATE THE FY2020 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2020, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Sewer Enterprise
FY2020**

Line #	Description	FY2018		FY2019		FY2020		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Salary & Wages	\$916,696	11.0	\$978,169	11.0	\$1,028,667	11.0	
201B	Expenses	\$415,773		\$439,727		\$451,947		
201C	Capital Outlay	\$43,646		\$50,000		\$50,000		
201D	MWRA Assessment	\$5,889,796		\$6,173,219		\$6,460,637		
201E	Debt Service	\$980,086		\$1,500,000		\$900,000		
202	Reserve Fund	Transfers Only		\$35,000		\$35,000		
TOTAL		\$8,245,997	11.0	\$9,176,115	11.0	\$8,926,251	11.0	
FY2020 Budget Percentage Change from FY2019 Budget								-2.7%

and to meet this appropriation that \$8,108,366 be raised from Sewer Enterprise Fund receipts, and that \$530,467 be raised from the Tax Levy and transferred to the Sewer Enterprise Fund; or take any other action relative thereto.

INSERTED BY: Select Board & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE THE FY2020 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2020, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Water Enterprise
FY2020**

Line #	Description	FY2018		FY2019		FY2020		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Salary & Wages	\$1,249,859	17.0	\$1,272,879	17.0	\$1,331,359	17.0	
301B	Expenses	\$1,013,144		\$1,137,563		\$1,209,762		
301C	Capital Outlay	\$23,092		\$20,000		\$15,000		
301D	MWRA Assessment	\$1,109,794		\$856,049		\$1,413,150		
301E	Debt Service	\$1,404,398		\$1,550,000		\$1,250,000		
302	Reserve Fund	Transfers Only		\$75,000		\$75,000		
TOTAL		\$4,800,287	17.0	\$4,911,491	17.0	\$5,294,271	17.0	
FY2020 Budget Percentage Change from FY2019 Budget								7.8%

and to meet this appropriation that the sum of \$4,737,170 be raised from Water Enterprise Fund receipts; or take any other action relative thereto.

INSERTED BY: Select Board & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: SET THE ANNUAL DEPARTMENT REVOLVING FUND SPENDING LIMITS

To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2020 beginning on July 1, 2019 for the revolving funds established in the Town's General By-Laws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, or take any other action relative thereto.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2020 Spending Limit
Home Composting	Department of Public Works	\$3,000
Immunization Program	Health and Human Services Department	\$25,000
Memorial Park Activities	Memorial Park Trustees	\$4,100
Needham Transportation	Health and Human Services Department	\$60,000
Public Facility Use	Public Facilities Department	\$250,000

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2020 Spending Limit
School Transportation	School Committee	\$819,000
Traveling Meals	Health and Human Services Department	\$75,000
Tree Replacement	Department of Public Works	\$25,000
Water Conservation	Department of Public Works	\$10,000
Youth Services Programs	Health and Human Services Department	\$25,000
Aging Services Programs	Health and Human Services Department	\$90,000

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE TRANSPORTATION IMPROVEMENT FEES

To see if the Town will vote to appropriate funds from the Commonwealth Transportation Infrastructure Fund in the sum of \$12,477.50 for the purpose of transportation infrastructure improvements, said sum to be spent under the direction of the Town Manager, or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Department of Transportation; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. The FY2019 Chapter 90 allocation for the Town was \$929,259. Unless circumstances require otherwise, the FY2020 Chapter 90 allocation will be directed to the design of the second phase of the downtown design improvement project.

ZONING / LAND USE ARTICLES

ARTICLE X: AMEND ZONING BY-LAW – HIGHWAY COMMERCIAL 1 ZONING DISTRICT

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

1. Amend Section 2.1, Classes of Districts, by adding the following term and abbreviation under the subsection Industrial:

“HC1 -- Highway Commercial 1”

2. Amend Section 3.2, Schedule of Use Regulations, by adding a new Section 3.2.7 as follows:

“3.2.7 Uses in the Highway Commercial 1 District

3.2.7.1 Permitted Uses

The following uses are permitted within the Highway Commercial 1 District as a matter of right:

- (a) Uses exempt from local zoning control pursuant to M.G.L. Chapter 40A, Section 3.
- (b) Public parks and playgrounds, municipal buildings or uses.
- (c) Retail establishment or combination of retail establishments serving the general public where each establishment contains less than 10,000 square feet of floor area and where all items for sale or rent are kept inside a building.
- (d) Manufacturing clearly incidental and accessory to a retail use on the same premises and the product is customarily sold on the premises.
- (e) Craft, consumer or commercial service establishment dealing directly with the general public.
- (f) Laundry or dry cleaning pick-up station with processing done elsewhere.
- (g) Professional, business or administrative office, but not including any of the following: a medical clinic or Medical Services Building or medical, surgical, psychiatric, dental, orthodontic, or psychologist group practices comprised of three or more such professionals (hereinafter “Group Practices”) or physical therapy, alternative medicine practices, wellness treatments, including but not limited to, acupuncture, yoga, chiropractic and/or nutrition services. “Professional” shall include professional medical, surgical, psychiatric, dental, orthodontic or psychologist practice by a group of two or fewer such professionals (“Non-group Practice”).
- (h) Bank or Credit Union.

(i) Wholesale distribution facilities in an enclosed structure, excluding the storage of flammable liquids, gas or explosives.

(j) Medical laboratory or laboratory engaged in scientific research and development, and experimental and testing activities including, but not limited to, the fields of biology, genetics, chemistry, electronics, engineering, geology, medicine and physics, which may include the development of mock-ups and prototypes.

(k) Radio or television studio.

(l) Light non-nuisance manufacturing, including but not limited to the manufacture of electronics, pharmaceutical, bio-pharmaceutical, medical, robotic, and micro-biotic products, provided that all resulting cinders, dust, flashing, fumes, gases, odors, smoke, noise, vibration, refuse matter, vapor, and heat are effectively confined in a building or are disposed of in a manner so as not to create a nuisance or hazard to safety or health.

(m) Telecommunications facility housed within a building.

(n) Other customary and proper accessory uses incidental to lawful principal uses. Further provided, accessory uses for seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Board of Selectmen in accordance with Section 6.9.

(o) More than one building on a lot.

(p) More than one use on a lot.

3.2.7.2 Uses Permitted By Special Permit

The following uses are permitted within the Highway Commercial 1 District upon the issuance of a Special Permit by the Special Permit Granting Authority under such conditions as they may require:

(a) Public light-rail train station.

(b) Adult day care facility.

(c) Private school, nursery, or kindergarten not otherwise classified under Section 3.2.7.1.

(d) Retail establishment or combination of retail establishments serving the general public where each establishment contains more than 10,000 but less than 25,000 square feet of floor area and where all items for sale or rent are kept inside a building.

(e) Equipment rental service but not including any business that uses outside storage.

(f) Hotel.

(g) Eat-in or take-out restaurant or other eating establishment except that a lunch counter incidental to a primary use shall be permissible by right.

(h) Veterinary office and/or treatment facility and/or animal care facility, including but not limited to, the care, training, sitting and/or boarding of animals.

(i) Indoor athletic or exercise facilities or personal fitness service establishment and/or outdoor pool(s) associated with such facilities.

(j) External automatic teller machine, drive-up window or auto-oriented branch bank accessory to a bank or credit union permitted under Section 3.2.7.1(h) hereof.

(k) Off-street parking for vehicles associated with a principal use located on a lot that comprises land in two or more districts where the use is not otherwise allowed in the district in which the parking is to be located.

l) Group Practices as defined in Section 3.2.7.1 and alternative medicine practices, physical therapy, and wellness treatments facilities including, but not limited to, acupuncture, yoga, chiropractic and/or nutrition services. Such uses may have customary and proper accessory uses incidental to the lawful principal uses, including but not limited to, pharmacies. If the principal use is located on the ground floor, then the affiliated pharmacy may be located there also.

(m) Live performance theaters, bowling alleys, skating rinks, billiard rooms, and similar commercial amusement or entertainment places.”

3. Amend Section 4.7.1, Specific Front Setbacks, by deleting the following provisions:

“(b) On the easterly side of Gould Street from Highland Avenue northerly to land of the New York, New Haven and Hartford Railroad Company, there shall be a fifty (50) foot building setback line;

(c) On the northerly side of Highland Avenue from Gould Street northeasterly to the property of the Commonwealth of Massachusetts, there shall be a fifty (50) foot building setback line.”

4. Amend Section 4, Dimensional Regulations, by adding a new Section 4.11 Dimensional Regulations for Highway Commercial Districts as follows:

“4.11 Dimensional Regulations for Highway Commercial Districts

4.11.1 Highway Commercial 1

Minimum Lot Area (Sq. Ft.)	Minimum Lot Frontage (Ft.)	Front Setback (Ft.) (1)	Side Setbacks (Ft.) (1) (3)	Rear Setback (Ft.) (3)	Maximum Height (Ft.) (1)	Maximum Lot Coverage (2) (4) (7)	Floor Area Ratio (5) (6)
20,000	100	5	10	10	70	65%	1.00

- (1) All buildings shall be limited to a height of 70 feet, except that, buildings within 50 feet of Highland Avenue and/or Gould Street shall be limited to a height of 54 feet unless the additional height is contained under a pitched roof or recessed from the face of the building in a manner approved by the Planning Board. Notwithstanding the forgoing, the Planning Board may allow by special permit a maximum height of up to 84 feet except within 50 feet of the aforementioned streets. If the height of a building is increased above the height of 54 feet, the front setback shall be increased to 15 feet and the side setback to 20 feet. Buildings and structures abutting Highland Avenue and/or Gould Street shall be set back at least 20 feet from said streets. Notwithstanding the location of any building and structures, a 20 foot landscaped, vegetative buffer area shall be required along the aforementioned street frontages in order to screen the development. Driveway openings, sidewalks, walkways and screened mechanical equipment shall be permitted in the

buffer area. Structures erected on a building and not used for human occupancy, such as chimneys, heating-ventilating or air conditioning equipment, solar or photovoltaic panels, elevator housings, skylights, cupolas, spires and the like may exceed the maximum building height provided that no part of such structure shall project more than 15 feet above the maximum allowable building height, the total horizontal coverage of all of such structures on the building does not exceed 25 percent, and all of such structures are set back from the roof edge by a distance no less than their height. The Planning Board may require screening for such structures as it deems necessary. Notwithstanding the above height limitations, cornices and parapets may exceed the maximum building height provided they do not extend more than 5 feet above the highest point of the roof.

- (2) Maximum lot coverage shall be 65% for all projects. However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet the maximum lot coverage may be increased to 75%.
- (3) No side or rear yard is required for shared parking structures between adjoining properties, but only on one side of each lot, leaving the other side- or rear yards open to provide access to the interior of the lot.
- (4) A minimum of 20% of total lot area must be open space. The open space area shall be landscaped and may not be covered with buildings or structures of any kind, access streets, ways, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas. Notwithstanding the preceding sentence, open space shall include pervious surfaces used for ways, access streets, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas. (Pervious surfaces shall not preclude porous pavement, porous concrete, and/or other permeable pavers.)
- (5) A floor area ratio of up to 1.75 may be allowed by a special permit from the Planning Board. In granting such special permit, the Planning Board shall consider the following factors: the ability of the existing or proposed infrastructure to adequately service the proposed facility without negatively impacting existing uses, including but not limited to, water supply, drainage, sewage, natural gas, and electric services; impact on traffic conditions at the site, on adjacent streets, and in nearby neighborhoods, including, but not limited to, the adequacy of the roads and intersections to safely and effectively provide access and egress; the environmental impacts of the proposal; and the fiscal implications of the proposal to the Town. In granting a special permit, the Planning Board shall also consider any proposed mitigation measures and whether the proposed project's benefits to the Town outweigh the costs and adverse impacts, if any, to the Town. Further, the Planning Board may allow a floor area ratio of up to 2.0, by special permit, where the applicant demonstrates, to the Board's satisfaction, that the proposed use will not generate peak hour trips in excess of 0.6 trips per 1,000 square feet of total development area.
- (6) The calculation of floor area in determining floor area ratio shall not include parking areas or structures.

4.11.2 Supplemental Dimensional Regulations

- (1) Parking structures and surface parking lots may not be located such that they front on public parks.

(2) Parking structures may have an active ground floor use, such as retail, office, institutional, or display, on sides facing a public way. Structured parking must be located at least 20 feet from adjacent buildings, but may be attached to the building it is servicing if all fire and safety requirements can be met.

(3) Buildings must have a public entrance facing one street on which the building fronts.

(4) Maximum uninterrupted facade length shall be 300 feet.

4.11.3 Special Permit Provision

The Planning Board may, by special permit, waive any or all dimensional requirements set forth above in this Section 4.11 (including sections 4.11.1 and 4.11.2), by relaxing each by up to a maximum percentage of 25% if it finds that, given the particular location and/or configuration of a project in relation to the surrounding neighborhood, such waivers are consistent with the public good, that to grant such waiver(s) does not substantially derogate from the intent and purposes of the By-Law. This section does not authorize the Planning Board to waive the maximum height regulations or reduce the 20 foot landscaped buffer area requirement along the streets specified, except as specifically provided in Sections 4.11.1 and 4.11.2. (By way of example, a 15' front yard setback could be waived to 11.25'; the 65% lot coverage could be waived to 81.25%; or the 20,000 sq. ft. minimum lot area could be waived to 15,000 sq. ft.)"

5. Amend Section 5.1.3, Parking Plan and Design Requirements, by adding at the end of the second sentence of subsection (j) which reads "Such parking setback shall also be twenty (20) feet in an Industrial-1 District" the words "and Highway Commercial 1 District."
6. Amend Section 7.2.5 of Section 7.2 Building or Use Permit, by adding after the words "Industrial-1 District," in the first sentence, the words "Highway Commercial 1 District,".
7. Amend Section 7.7.2.2, Authority and Specific Powers (of Design Review Board) by adding after the words "Industrial-1 District," in the first sentence of the second paragraph, the words "Highway Commercial 1 District,".

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Explanation:

ARTICLE X: AMEND ZONING BY-LAW – MAP CHANGE TO HIGHWAY COMMERCIAL 1

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

Place in the Highway Commercial 1 District all that land now zoned Industrial-1 and lying between the Circumferential Highway, known as Route 128/95 and Gould Street and between the Massachusetts Bay Transit Authority (M.B.T.A.) right-of-way and Highland Avenue. Said land is bounded and described as follows:

Beginning at a stone bound on the northerly layout line of Highland Avenue at the intersection of Gould Street as shown on a plan recorded at the Norfolk County Registry of Deeds, Plan No. 564 of 2001, Plan Book 489; thence turning and running southwesterly, westerly and northwesterly along a radius of 44.00 feet a distance of 80.06 feet to a stone bound on the easterly sideline of Gould Street; thence running northwesterly, northerly, and northeasterly along a curve of radius of 505.00 feet of said sideline of Gould Street a distance of 254.17 feet to a point on the said easterly sideline of Gould Street; thence running N10°49'50"E a distance of 284.29 feet to a point on the said easterly sideline of Gould Street at the intersection of TV Place, a privately owned Right of Way; thence continuing N10°49'50"E a distance of 160.00 feet more or less to a stone bound as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430I; thence continuing N10°49'50"E a distance of 84.82 feet to a stone bound located at the intersection of the easterly sideline of Gould Street and the southerly sideline of the M.B.T.A. Right of Way as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430; thence turning and running along said southerly M.B.T.A. Right of Way line northeasterly a distance of 1,219.55 feet to a point at the intersection of the westerly sideline of the Route 128 Right of Way and said southerly sideline of the M.B.T.A. Right of Way; thence turning and running S4°25'46"E a distance of 292.00 feet to a stone bound; then turning and running southwesterly along the Route 128 Right of Way a distance of 549.11 feet to a point; thence turning and running S13°34'58"W a distance of 451.02 feet to a point; thence turning and running S76°26'41"E a distance of 35.56 feet to a point; thence turning and running S13°34'58"W a distance of 67.34 feet to a point; thence running southwesterly along a curve of radius 245.45 feet a distance of 136.59 feet to a point; thence running southwesterly along a curve of radius 248.02 feet a distance of 38.04 feet to a point; thence running southwesterly along a curve of radius 1180.00 feet a distance of 140.09 feet to a point; thence turning and running S42°43'47"W a distance of 42.52 feet to a stone bound located in the westerly sideline of the Route 128 Right of Way; thence turning and running S63°56'51"W a distance of 361.46 feet to the point of beginning.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND ZONING BY-LAW – ACCESSORY DWELLING UNIT

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

8. Amend Section 1.3, Definitions, by adding the following term and definition in the appropriate alphabetical order:

“Accessory Dwelling Unit (ADU) – An apartment in a single-family detached dwelling that is a second, self-contained dwelling unit and a complete, separate housekeeping unit containing provisions for living, sleeping, cooking and eating. This unit is subordinate in size to the principal dwelling unit on a lot, constructed to maintain the appearance and essential character of the single-family dwelling.”

2. Amend Section 3.2, Schedule of Use Regulations, Subsection 3.2.1, Uses in the Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, Apartment A-1, Apartment A-2, Apartment A-3, Institutional, Industrial and Industrial-1 Districts, by inserting

immediately above the row that reads “Café or lecture room associated with a private school” a new entry, which shall read as follows:

<u>“USE</u>	<u>RRC</u> <u>SRA</u>	<u>SRB</u>	<u>GR</u>	<u>A-1,2</u> <u>& 3</u>	<u>I</u>	<u>IND</u>	<u>IND-1</u>
Accessory Dwelling Unit (See 3.15)	SP	SP	SP	SP	SP	SP	SP”

- Amend Section 3.2, Schedule of Use Regulations, Subsection 3.2.2, Uses in the Business, Chestnut Street Business, Center Business, Avery Square Business and Hillside Avenue Business Districts, by inserting immediately above the row that reads “Café or lecture room associated with a private school” a new entry, which shall read as follows:

<u>“USE</u>	<u>B</u>	<u>CSB</u>	<u>CB</u>	<u>ASB</u>	<u>HAB</u>
Accessory Dwelling Unit (See 3.15)	SP	N	N	SP	SP”

- Amend Section 3.2.3, Uses in the Neighborhood Business District, Subsection 3.2.3.2, Uses Permitted by Special Permit, by inserting a new paragraph (c) that reads “Accessory Dwelling Unit under Section See 3.15” and by renumbering former paragraphs (c) thru (o) as (d) thru (p) respectively.
- Amend Section 3, Use Regulations, by adding a new Section 3.15, Accessory Dwelling Units (ADUs), to read as follows:

“3.15 Accessory Dwelling Units (ADUs)

3.15.1 Intent

The intent and purpose of this section is to permit accessory dwelling units (ADUs) in single-family homes for occupancy by family and caregivers related to the owners of the property subject to the standards and procedures hereinafter set forth. It is also the intent to assure that the single-family character of the neighborhood will be maintained and that the accessory unit remains subordinate to the principal use of the living quarters.

3.15.2 Definition

The accessory dwelling unit (ADU) is an apartment in a second, self-contained dwelling unit as part of a single-family detached dwelling serving as a complete, separate housekeeping unit containing provisions for living, sleeping, cooking and eating. This unit shall be subordinate in size to the principal dwelling unit on a lot, constructed to maintain the appearance and essential character of the single-family dwelling.

3.15.3. Use Regulations

Such accessory dwelling unit (ADU) shall be permitted upon the issuance of a Special Permit by the Board of Appeals under the following use regulations:

- There shall be no more than one accessory dwelling unit on a lot to be located in the primary dwelling only, not in accessory buildings.

- (b) At least one of the units, the primary or accessory dwelling unit, shall be owner-occupied except for temporary absences of the owner as provided herein. For the purposes of this section, the "owner" shall be one or more individuals who constitute a family, who hold title directly or indirectly to the dwelling, and for whom the dwelling is the primary residence. Temporary absence of an owner of a property containing an accessory dwelling unit shall include an absence for a period of less than two years during which time the owner may rent the owner's unit as well as the second unit during the temporary absence provided:
- (1) Written notice thereof shall be made to the Building Commissioner on a form prescribed by him.
 - (2) The owner shall be resident on the property for at least two years prior to and between such temporary absences.
- (c) Occupancy of the unit that is not owner-occupied unit shall be limited to a member of the owner's family related by first degree of kinship, marriage or adoption or by a caregiver for a member of the owner's family.
- (d) The size of the accessory dwelling unit shall be limited to 850 square feet of living space and no more than one bedroom.
- (e) Off-street parking shall be provided for residents of both units with a minimum of one parking space per unit. There shall be screening in the area between the parking space required for the accessory dwelling unit and the nearest side lot line sufficient to minimize the visual impact on abutters such as evergreen or dense deciduous plantings, walls, fences, or a combination.
- (f) Adequate provisions for the proper disposal of sewage, waste, and drainage generated by the accessory dwelling unit shall be in accordance with Board of Health requirements.
- (g) Adequate provisions shall be required for compliance with the Massachusetts State Building Code for separate ingress and egress to the outside of each unit as determined by the Building Commissioner. To the extent possible, exterior passage ways and access ways shall not detract from the single-family appearance of the dwelling. An interior door way shall be provided between each living unit as a means of access for purposes of supervision and emergency response. All stairways to additional floors shall be enclosed within the exterior walls of the structure. Only one exterior entrance is allowed on a front facing façade of a dwelling with any other exterior entrances restricted to the side or rear of the structure.
- (h) The owner of record shall be responsible for submitting an accessory dwelling unit application to the Building Commissioner. Floor plans of the accessory unit and principal residence, along with a certified site plan, shall also be submitted with the application to the Building Commissioner. Appropriate fees as established and recorded shall be assessed for the initial application and each renewal of the occupancy permit as determined by the Building Commissioner.
- (i) The installation of the accessory dwelling unit shall require the issuance of a building permit by the Building Commissioner.
- (j) Occupancy of the accessory dwelling unit shall not take place without proof of the recorded Special Permit and an occupancy permit issued by the Building Commissioner. The initial occupancy permit shall remain in force for a period of five (5) years from the date of issue provided that ownership of the premises is not changed. Thereafter, permits may be issued by the

Building Commissioner for succeeding five-year periods provided that the structure and use continue to comply with the relevant provisions of the State Building Code and Needham By-laws. Occupancy permits shall not be transferable upon a change in ownership or occupancy unless an affidavit is presented to the Building Commissioner attesting to the fact that the circumstances under which the occupancy permit was granted shall continue to exist in the future.

- (k) In the case that the accessory dwelling unit has violated the terms of the Special Permit or the lawful use of such unit has expired or been terminated, the Building Commissioner may, in addition to other remedies, order the removal of any one or more of the provisions that create a separate dwelling unit, such as living, sleeping, cooking and eating. Upon the close and approval of permits required to remove such components will return the property back to a lawful single-family dwelling.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**ARTICLE X: 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.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Explanation:

ARTICLE X: 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.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: 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 44.5 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.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE X: APPROPRIATE FOR FIRST BAPTIST CHURCH PORCH PRESERVATION

To see if the Town will vote to raise and/or transfer and appropriate a sum for the First Baptist Church Porch Preservation, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR MODERNIZATION AND REDEVELOPMENT OF AFFORDABLE HOUSING CONSULTANT

To see if the Town will vote to raise and/or transfer and appropriate a sum for a modernization and redevelopment of affordable housing consultant, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR FISHER STREET TRAILHEAD DESIGN

To see if the Town will vote to raise and/or transfer and appropriate a sum for the Fisher Street Trailhead design, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR TOWN COMMON RENOVATION DESIGN

To see if the Town will vote to raise and/or transfer and appropriate a sum for the Town Common renovation design, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR PASSIVE RECREATION IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate a sum for passive recreation improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR ROSEMARY LAKE TRAIL PROJECT

To see if the Town will vote to raise and/or transfer and appropriate a sum for the Rosemary Lake Trail project, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR CRICKET FIELDHOUSE RENOVATIONS

To see if the Town will vote to raise and/or transfer and appropriate a sum for Cricket Fieldhouse renovations, 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 [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR CRICKET FIELD RENOVATIONS

To see if the Town will vote to raise and/or transfer and appropriate a sum for Cricket Field renovations, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR PLAYGROUND IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate a sum for playground improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from [source]; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to Massachusetts General Law Chapter 44B from the estimated FY2020 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee \$82,000

Reserves:

B. Community Preservation Fund Annual Reserve \$845,546

C. Community Housing Reserve \$312,071

D. Historic Resources Reserve \$0

E. Open Space Reserve \$312,071

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Town Meeting and voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve.

CAPITAL ARTICLES

ARTICLE 32: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$6,907,752 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that \$6,788,252 be transferred from Free Cash; that \$9,500 be transferred from Article 42 of the 2013 Annual Town Meeting for the DPW Boiler Replacement Design, that \$10,000 be transferred from Article 39 of the 2015 Annual Town Meeting for the High School Locker Reconfiguration & Addition, and that \$100,000 be transferred from Article 4 of the 2017 May Special Town Meeting for the DPW Boiler Replacement Design, Energy Efficiency Upgrade Improvements, and the High School Locker Reconfiguration & Addition, or take any other action relative thereto.

Group	Description	Recommended	Amendment
Community Services	Center at the Heights Computer Lab	\$50,000	
Community Services	Library Furniture Replacement	\$112,960	
DPW	DPW Boiler Replacement 470 Dedham Avenue	\$50,000	
DPW	Public Works Infrastructure Program	\$2,169,550	
DPW	Specialty Equipment - Tractor	\$68,000	
DPW	Traffic Improvements	\$50,000	
DPW	Transfer Station Property Improvements	\$295,000	
General Government	Town Multi-Function Printer Devices	\$35,600	
General Government	Town Offices Replacement Furniture	\$25,000	
Multiple	Building Management System Upgrade	\$392,000	
Multiple	Fleet Replacement Program	\$1,270,648	
Public Safety	Personal Protective Equipment	\$43,424	
Public Safety	Police and Fire Mobile and Portable Radios	\$617,550	
Public Safety	Public Safety Desktops, Printers and Peripherals	\$200,000	
Public Safety	Public Safety Mobile Devices	\$35,000	
Public Schools	Energy Efficiency Upgrade Improvements	\$57,000	
Public Schools	High School Locker Reconfiguration & Addition	\$50,000	
Public Schools	Mitchell School Restroom Upgrades	\$67,000	
Public Schools	Newman Preschool Playground Custom Shade Shelter	\$69,200	
Public Schools	Newman School Gym Floor	\$275,000	
Public Schools	Pollard School Blue & Green Gym Score Boards	\$30,000	
Public Schools	School Furniture & Equipment	\$35,000	
Public Schools	School Master Plan Supplement	\$125,000	
Public Schools	School Photocopier Replacement	\$52,470	
Public Schools	School Technology Replacement	\$632,350	
Public Schools	Sustainable Building Management Facility Assessment (Broadmeadow & Eliot)	\$100,000	
		\$6,907,752	

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

Center at The Heights Computer Lab

The purpose of this request is to replace the hardware and upgrade software associated with the Center at The Heights (CATH) Computer Lab. This will include desktops, laptops, servers, switches, firewall, and software upgrades. New models will take advantage of upgraded operating systems and faster processors to better serve the users of the Computer Lab.

Library Furniture

This request is for the second year of a four-year plan to replace library furniture. The Library has been open to the public for more than twelve years, and, due to heavy use, the furniture is beginning to show wear and tear. This request is to replace the community room audience stackable chairs.

Dpw Boiler Replacement Design/470 Dedham Avenue

This funding will support design of the replacement of the DPW/470 Dedham Avenue boiler with two high efficiency condensing boilers. The increase to two boilers is based on both the need for redundancy in the heating season and the desire to improve energy efficiency. The boiler at the DPW was installed in 1961 and is past its useful life. This project may be eligible for energy efficiency rebates to offset the cost of buying a more efficient model. The project includes the upgrade of heat piping throughout the building with the assumption that the building will need to remain in use for the foreseeable future.

Public Works Infrastructure Program

The Public Works Infrastructure Program allows the Department of Public Works to make improvements and repairs to Town infrastructure, including but not limited to roads, bridges, sidewalks, intersections, drains, brooks, and culverts. This program consists of multiple categories, each with their own sub-projects. This year's request includes funding for street resurfacing, the sidewalk program, bridge repairs, storm drain capacity improvements and storm drain system repairs.

Street Resurfacing

The Town has 279 lane miles of accepted road that require maintenance. The average lifecycle of a road is 15 to 20 years. Specialized surface treatments can be applied within this period of time to sustain or extend the lifecycle of the roadway based on usage. The Town targets 17 lane miles of road per year in order to resurface roads before they reach the end of their lifecycle. These roads are prioritized based on a pavement condition index (PCI). The Town targets roads with a PCI of less than 70 for resurfacing and specialized treatment, and less than 60 for repair and renovation. The primary strategy of this program is asphalt paving and incidental work, including asphalt berm curb, new grass shoulders, corner reconstruction including handicapped ramps, minor drainage improvements, street sign replacement, traffic markings, and signs. Target funding for street resurfacing in FY2020 is \$924,550.

Roadway Reconstruction

Town evaluates the sight distance, drainage, handicap ramps, sidewalks, subsurface utilities, public utility poles and overhead utilities of all roads. The physical condition of roads to be considered for full reconstruction includes shape, foundation and traffic volume. This is a multi-year process requiring surveying, designing, utility evaluation and construction. Some of the roads that may be targeted for full reconstruction in the future include: Marked Tree Road, Nehoiden Street, Kingsbury Street, sections of Central Avenue, and Webster Street from Dedham Avenue to South Street. No funding is allocated to the Roadway Reconstruction category in FY2020.

Guardrail

Many of the Town's guardrails are noncompliant and the DPW is preparing a plan to systematically upgrade existing guardrails to make them both compliant and aesthetically pleasing. No funding is proposed for this category in FY2020.

Sidewalk Program

This Program funds improvements to the network of sidewalks throughout the community. There are over 160 miles of accepted sidewalks in Needham. Over half of the Town's sidewalks do not comply with current standards and require significant improvements, including the installation of handicapped ramps. Sidewalk improvements must comply with Federal and State laws and construction standards. Target funding for the sidewalk program in FY2020 is \$512,500.

Traffic Signal & Intersection Improvements

This Program will fund traffic signal improvements, intersection improvements, and new traffic signal installations where none currently exist. In FY2020, DPW will evaluate intersection prioritization for future projects.

Bridge Repairs

Surrounded on three sides by the Charles River, the Town jointly maintains a number of bridges with neighboring communities. The Massachusetts Bridge Inspection Program has identified a number of bridges that have some level of deficiency and has recommended repairs. Target funding for bridge repair in FY2020 is \$100,000 (Newell's Bridge on Central Avenue into Dover – Design).

Storm Drain Capacity Improvements

This Program provides funding to improve roadway drainage capacity. The Town's Stormwater Master Plan identified a number of areas throughout Needham where improvements are required to resolve flooding problems and illicit discharge. Since the issuance of the Stormwater Master Plan numerous multi-unit developments have been built in the Town of Needham. These developments include new roads with drainage structures and roof or sump connections that are then connected to existing Town systems. These new connections have increased the load on the Town's drainage system and caused flooding in some areas. Unless circumstances dictate otherwise, FY2020 target funding of \$362,500 is planned for Ardmore Road and Hunnewell Street storm drain construction.

Storm Drain System Repairs

This Program provides funding to repair failing storm drainage infrastructure within Town easements that have been discovered through investigation work. These projects will include the replacement of existing culverts that have deteriorated over time and are restricting flow. This work will eliminate flooding and capacity issues in the immediate vicinity. Unless circumstances dictate otherwise, FY2020 funding in the amount of \$270,000 is targeted for construction activities at 470 South Street.

Brooks and Culverts – Repair and Maintenance

Flooding has caused the failure of retaining walls, resulting in extensive erosion and silt deposits in brooks and streams. The silt has provided a medium for vegetation and affected the flow of water, and the situation has resulted in the loss of useable abutting property and flooded basements. No funding is proposed for this category in FY2020.

DPW Specialty Equipment

Unit	Division	Year	Replacement	Amount
351	Parks & Forestry/DPW	2002	Tractor to be replaced in kind	\$68,000

Traffic Improvements

This funding would support projects that are recommended by the DPW and the Traffic Management Advisory Committee (TMAC). These recommendations include items such as permanent speed monitoring devices, traffic calming measures, and school zone enhancements. The proposed funding will support one or two construction-related requests per year, such as 500 feet of roadway granite curb installation, two school zone installations, two average traffic calming installations, several radar sign installations or sign and/or pavement markings.

Transfer Station Property Improvements

This request is to fund improvements to the Recycling & Transfer Station (RTS) facility to increase efficiency, comply with regulatory requirements, and improve the facility function. Presently the RTS is accessible to the public after hours. The installation of fencing will minimize public access and increase security. The RTS uses 100-yard open top containers to haul trash and recyclables. During the winter, the loaded trailers are left outside and the loads of trash or recyclables inside the containers often freeze, making the trailers impossible to empty until the loads thaw. The funding would enable the purchase and installation of a fabric-covered storage facility for four containers to prevent precipitation from accumulating. The Town is under obligation to separate the composting operations from the wetlands. This funding will allow the purchase and installation of 300 jersey barriers to create a barrier between the composting operation and the wetlands. Finally, the installation of an extended scale will accurately determine the weights of materials being shipped out of or dropped off at the RTS.

Town Multi-Function Printer Devices

This funding will allow for the replacement of multi-function copier/printers in the four primary Town locations (Town Hall, Public Services Administration Building, Public Safety, and Center at the Heights) as part of a planned replacement schedule. There are nine of these devices, only three of which were not purchased as part of the original construction project. Several of these devices are currently over six years old, and one over eight years old. The cycle for replacement of these multi-function printers is seven years.

Town Office Furniture Replacement

Furniture in heavy use is in need of replacement at the Public Services Administration Building and Town Hall, which opened in 2010 and 2011 respectively. The \$25,000 requested in Fiscal Year 2020 will allow for the purchase of replacement furniture including tattered audience chairs in Powers Hall and the conference tables in the Public Services Administration Building.

Building Management System Upgrade

The Town maintains a Building Management System (BMS) to manage the heating, ventilation, and air conditioning (HVAC) for all major facilities throughout Town. This system consists of internal sensors in the HVAC components and a back-end software product that allows Building Maintenance staff to review and diagnose HVAC issues both remotely and on-site. This system is critical to the maintenance of healthy air temperature within the buildings. Currently, the Town has three separate systems. This request is to upgrade and standardize all of the existing systems so that the Town is only maintaining one system. The system will work with all of the controls in all buildings, with the exception of the Newman School, which will require a conversion of the controls in order for this new system to communicate. The new system will simplify the hardware and software in each building, be more user friendly, and allow integration with the afterhours permitting system.

General Fund Fleet Replacement Program

The Town's fleet replacement program was established in FY2015. The program includes a budget and schedule for the Town's rolling stock fleet of appropriately 220 vehicles, trailers, and large specialized attachments and the School Department fleet of 14 vans and buses. General purpose vehicles include pickup trucks, a variety of sedans, SUV's, vans, and police vehicles (87). They comprise approximately 39 percent of the entire fleet. General purpose vehicles are utilized in every department and are relatively inter-changeable. The replacement of these vehicles can proceed on a regular schedule and should be part of the of the Town's recurring costs. The Town relies on a number of trailers for the purpose of moving tools and equipment, hauling trash and debris, and transporting special equipment. The Town has 47 trailers which represents approximately 23 percent of the fleet. Specialized, high value vehicles and snow and ice equipment comprise the other 38 percent of the fleet. These vehicles and equipment are just as integral to Town operations as the general purpose vehicles, but serve the unique purposes of specific departments or divisions. Included in this group are the high value vehicles such as ambulances, large

dump trucks, fire engines, street sweepers, and others for which appropriations need to be planned. Unless circumstances require otherwise, the proposed FY2020 fleet replacement schedule is as follows.

General Fund Fleet Program – General Purpose Vehicles

UNIT	DIVISION	YEAR	REPLACEMENT	AMOUNT
457	Building	2006	Ford Taurus to be replaced by Toyota FAV4 or similar	\$33,085
C-42	Fire	2013	Explorer to be replaced by an SUV	\$35,249
2	Fleet/DPW	2010	Ford F150 to be replaced in kind	\$37,060
92	Engineering/DPW	2012	Ford Explorer to be replaced by Ford Van	\$41,550
57	Highway/DPW	2012	Ford F350 to be replaced in kind	\$63,804
705	Building Maintenance/DPW	2006	Ford E250 to be replaced by Ford F150	\$37,060
715	Building Maintenance/DPW	Addition to Fleet	Ford Van	\$43,709
56	RSD/DPW	2010	Ford F150 to be replaced by Ford F250	\$50,332
Bus 14	Needham Public Schools	2012	School Bus to be replaced in kind	\$81,942
Van 1	Needham Public Schools	2011	Ford E150 Van to be replaced by similar passenger van	\$38,388
Van 2	Needham Public Schools	2011	Ford E150 Van to be replaced by similar passenger van	\$38,388

General Fund Fleet Replacement – Specialized Equipment

UNIT	DIVISION	YEAR	REPLACEMENT	AMOUNT
256	Parks & Forestry/DPW	2008	Brush Bandit Chipper	\$64,936
38	Parks & Forestry/DPW	2007	Aerial Lift	\$274,434

General Fund Fleet Replacement – Snow & Ice Equipment

UNIT	DIVISION	YEAR	REPLACEMENT	AMOUNT
102	Highway/DPW	2008	Large Tractor to be replaced in kind	\$252,140
107	Highway/DPW	2008	Sidewalk Tractor Plow to be replaced in kind	\$178,571

Truck Classification

Class 1 = Smallest Pick-up Trucks 6,000 lbs.

Class 2 = Full Size or 1/2 Ton Pick-up Trucks 6K to 10K lbs. (ex Ford F150 and F250)

Class 3 = Heavy Duty Pick-up Trucks 10K to 14K lbs. (ex Ford F350)

Class 4 = Medium Size Work Trucks 14K to 16K lbs. (ex Ford F450)

Class 5 = Medium Job Trucks 16K to 19.5K lbs. (ex Ford F550)

Class 6 = Medium to Large Trucks 19.5K to 26K (ex Ford F650)

Class 7 = Heavy Duty Trucks 26K to 33K (ex Ford F750) Requires Class B Commercial

Class 8 = Largest Heavy Duty Trucks 33K lbs. or more (ex 18-wheeler)

Personal Protective Equipment – Bunker Gear

This request is to replace Personal Protective Equipment ("PPE" or "bunker gear") for 20% of all firefighting personnel on an annual basis. The PPE requested includes boots, firefighting pants and coat. Firefighting personnel regularly work in toxic environments caused by spills, chemical releases and the products of combustion. Further, the toxicity of these carcinogens appears to be greater and more concentrated, due to the widespread use of synthetic and petroleum based building materials and furnishings found in modern construction. These contaminants, chemicals, toxins and carcinogens adhere to firefighters' bunker gear, thus creating a lingering exposure concern. Current safety practices dictate that firefighters be issued two sets of PPE, so that once contaminated the equipment can be washed and dried in equipment designed specifically for that purpose. Maintaining a second set of PPE allows for contaminated equipment to be washed and dried properly, while allowing personnel to remain available to respond to calls.

Police and Fire Mobile And Portable Radios

Radios are the primary communication tool between Fire and Police staff in the field and the dispatch center. Current radios have been discontinued by the manufacturer, or are at the end of their useful life. This funding will support the replacement of Police cruiser radios, Police portable radios, Fire portable and mobile radios, and Emergency Management portable radios.

Police and Fire Mobile And Portable Radios

Radios are the primary communication tool between Fire and Police staff in the field and the dispatch center. Current radios have been discontinued by the manufacturer, or are at the end of their useful life. This funding will support the replacement of Police cruiser radios, Police portable radios, Fire portable and mobile radios, and Emergency Management portable radios.

Public Safety Desktops, Printers And Peripherals

This request is to provide hardware for locations within the new public safety buildings. An estimated ninety (90) desktops and laptops are required. The majority of this hardware is located in the Fire Department, where there are few if any devices available currently. Often staff members in both Police and Fire are sharing equipment, requiring them to wait for others to finish their work. There are no available desktops or laptops for officers to use for online training or meetings.

Public Safety Mobile Devices

This funding will replace laptops and tablets that are used in the Needham Police and Fire Department Vehicles. The hardware is used to access multiple applications during daily operations. The hardware communicates with the Public Safety CAD software as well as State and Federal databases. The devices themselves are hardened military specification hardware manufactured for use in more intensive environments than normal off the shelf hardware.

Energy Efficiency Upgrade Improvements

An energy efficiency study was conducted for ten municipal buildings in 2011. The results of this study illustrate that if the Town makes an investment in recommended energy upgrades, the cost of these upgrades will pay for themselves within ten years. Unless circumstances require otherwise, FY2020 improvements will include the installation of bi-lighting throughout the building hallways to improve lighting at the Pollard Middle School, and the retro-commissioning of the HVAC at the High Rock School.

High School Locker Reconfiguration

This funding would support the reconfiguration of student physical education lockers at Needham High School to accommodate the increased student population. Currently, there are 508 lockers at the High School. The project will add 111 lockers in the boys' locker room and 104 lockers in the girls' locker room. Currently, each locker room has small, medium and large lockers. The reconfiguration would remove the doors and frames from the medium and large lockers, and would create three new, small lockers from every two medium lockers, and three new small lockers from every one large locker. (The existing small lockers would remain unchanged.) Additionally, a new bank of 30 lockers would be added in the boys' locker room, and 24 new lockers will be added in the girls' locker room.

Mitchell School Restroom Upgrades

There are currently six restrooms at the Mitchell that are not ADA/MAAB accessible. Many of the existing plumbing fixtures are 40 to 60 years old. The current stalls are not the proper size and do not have grab bars, the urinals and dispensers are not set at the proper height, the sinks do not have insulated pipes, and the restrooms do not have the minimum clearance or appropriate turning radius. The restrooms will be upgraded to meet ADA/MAAB requirements.

Newman Preschool Playground Custom Shade Shelter

The Newman Preschool playground is situated in a part of the school that has constant sunlight. Access to the playground is limited to cloudy days or to mild weather, given that there is no available shade. About half of the children who attend the preschool are identified as having special needs, and many struggle with their social-emotional skills. A custom shade shelter would increase the students' comfort and access to the playground, which in turn would create more meaningful social opportunities for them during the day.

Newman School Gym Floor

The floors at the Newman School gym are original to the building. Over the years, they have been subject to buckling. This buckling has accelerated in the past few years, making the conditions in the gym potentially unsafe. Due to the presence of asbestos-containing materials in the subfloor, temporary repairs are not possible. The existing flooring will be removed, the asbestos containing materials will be abated, and new wood sports flooring will be installed.

Pollard School Blue And Green Gym Score Boards

The Department is in the process of designing upgrades for both the Blue and Green gyms at the Pollard Middle School. These upgrades include replacement of the rubber flooring, replacement of siding, painting, and installation of padding, backboards, and winch mechanisms on the basketball hoops. In the Green gym, two sections of pull-out seating will be installed to accommodate classes. After those upgrades are made, the existing scoreboards will need to be replaced – they are beyond their useful life and the technology is outdated. They also contain incandescent bulbs, which are not energy efficient. The scoreboards in both gyms will be replaced with updated, electronic LED scoreboards. Shot clocks will be installed that have wireless controls and technology.

School Furniture & Equipment

In FY2005, Town Meeting approved funding to begin the replacement of furniture in poor and fair condition throughout the School Department. By FY2015, all furniture in poor condition was replaced in the schools. The FY2020 funding request will continue the replacement of furniture in fair condition at the Pollard School, provide funding for new classroom furniture as needed, and will address targeted furniture needs at Eliot and Mitchell Schools.

School Master Plan Supplement

Capital planning for the School Department has grown increasingly complex, given the pressing needs of accommodating Full-Day Kindergarten, providing capacity for a growing enrollment, and repairing and renovating aging facilities. These needs have made it difficult for the School Committee to prioritize the capital needs on the planning horizon. Meeting the identified needs within available resources and reasonable timeframes will require the School Department to carefully consider all of the possibilities and options for prioritizing and scheduling building projects going forward. The proposed study would develop recommendations for long-range school capital plans under different enrollment scenarios/trajectories and the practical considerations of aging buildings. Potential recommendations could involve other buildings and/or non-building solutions like redistricting.

School Photocopier Replacement

In May of 2003, Town Meeting authorized first year funding to establish a replacement cycle for school photocopiers. School photocopiers are located in all the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets etc. Currently the School Department owns 45 copy machines. Copier replacement is planned on a life-cycle basis, which projects when a copier should be replaced based on actual usage and the manufacturer's total estimated capacity. Copiers which are heavily used are replaced more frequently than copiers that are lightly used. This analysis assumes that copiers can be re-deployed around the District as needed, to better match projected usage with equipment capacity.

School Technology Replacement

The FY2020 request would fund the purchase of School Department technology, including desktop computers, printers, interactive white boards (IWBs), specialized instructional labs, projectors, video displays, security cameras and electronic door access controllers. The request also incorporates funding for school technology infrastructure, which consists of servers, network hardware, wireless infrastructure, data cabling and access points. The FY2020 request consists of \$519,350 for hardware (computers, printers, interactive white boards, door access controllers, projection screens and TV studio) and \$113,000 for infrastructure replacement (servers, network hardware, wireless data cabling and access points).

Facility Assessment For Sustainable Building Management

A facility assessment helps to guide major repairs and upgrades that may be required to ensure that older buildings remain sustainable. The Broadmeadow and Eliot Elementary Schools are approaching 20 years old, and may require upgrades beyond general maintenance. Many of the systems within the buildings, including heating, ventilation, and air conditioning (HVAC), boilers, and plumbing, are reaching the end of their useful life. A facility assessment will be conducted to determine the condition of the facility and to identify any major repairs and replacement needs.

ARTICLE X: APPROPRIATE FOR ATHLETIC FACILITY IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$2,500,000 for athletic facility improvements for turf field replacement, to be spent under the direction of the Town Manager,

and to meet this appropriation that said sum be transferred from the Athletic Facility Improvement Fund; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$831,487 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

Sewer Pump Station Improvements

The Town maintains nine sewer pump stations at elevations below the gravity system. Without these stations, sewage would not enter the Town's sewerage system at these locations. This project will fund the design and engineering of the replacement of the Lake Drive pump station. The pump station at this location is beyond its useful life and requires constant maintenance. The pumps are failing more frequently due to electrical or mechanical issues and require more personnel time and emergency funds to keep the station running. The plan is to replace the existing canister pump station with a new canister pump station.

Sewer Fleet Replacement – Specialized Equipment

Unit	Division	Year	Replacement	Amount
35	Sewer/DPW	1999	Catch Basin Cleaner to be replaced in kind.	\$201,487

ARTICLE: APPROPRIATE FOR WASTEWATER SYSTEM REHABILITATION

ARTICLE: APPROPRIATE FOR WASTEWATER SYSTEM REHABILITATION

To see if the Town will vote to raise, appropriate and/or transfer the sum of \$1,600,000 for sewer system rehabilitation, including costs incidental or related thereto, to be spent under the direction of the Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L. Chapter 29C, that to meet this appropriation that \$800,000 be transferred from Sewer Enterprise Retained Earnings, and that the Treasurer, with the approval of the Select Board, is authorized to borrow \$800,000 under M.G.L. Chapter 44, Section 7, M.G.L. Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Select Board, is authorized to borrow all or a portion of the amount from the Massachusetts Clean Water Trust (MCWT) established pursuant to M.G.L. Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a financing agreement and/or security agreement with the MCWT and/or loan agreement and financial

assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MCWT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Select Board, Town Manager, or other appropriate local official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Town recently completed a study identifying priority areas for inflow and infiltration removal for the next ten years. The Town of Needham, along with numerous other communities, is under Administrative Orders from the Department of Environmental Protection (DEP) to identify and remove Infiltration and Inflow (I/I) in existing sewer systems. Infiltration is defined as groundwater or storm water runoff that enters the system through deteriorated pipe or manhole structures that need to be repaired. Inflow is defined as clean, non-septic water, which is introduced to the system. This water is generally produced by residential sump pumps that drain basements. Unless circumstances require otherwise, this funding will support the design of the removal of the remaining locations of identified infiltration in the system by methods including replacing sewer manholes, lining sewer mains, replacing sewer mains and services, and testing and sealing joints.

ARTICLE: APPROPRIATE FOR WATER DISTRIBUTION SYSTEM IMPROVEMENTS

To see if the Town will vote to raise, appropriate and/or transfer the sum of \$4,791,500 for Water Distribution System Improvements, including costs incidental or related thereto, to be spent under the direction of the Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L. Chapter 29C, that to meet this appropriation that \$291,500 be transferred from Water Enterprise Retained Earnings, and that the Treasurer, with the approval of the Select Board, is authorized to borrow \$4,500,000 under M.G.L. Chapter 44, Section 7, M.G.L. Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Select Board, is authorized to borrow all or a portion of the amount from the Massachusetts Clean Water Trust (MCWT) established pursuant to M.G.L. Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a financing agreement and/or security agreement with the MCWT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MCWT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Select Board, Town Manager, or other appropriate local official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

Water System Rehabilitation

Through the Water System Rehabilitation Program, the Town's water infrastructure is continually evaluated to assess functionality and performance, and to identify areas in need of repair. Water infrastructure requires ongoing attention and periodic replacement, and portions of the Town's water infrastructure are 75+ years old and approaching the end of their useful life. A diligent rehabilitation program encompassing maintenance, repair, and replacement ensures a continual supply of water to the public. The Department of Public Works prioritizes replacement of water pipes based upon pipe condition, water break history, and adequacy of water flow to fire hydrants. Unless circumstances require otherwise, the FY2020 funding will support the replacement of water mains on Bennington Street from High Street to Concord Street, Country Way, and Alder Book Lane, and the design of water main replacement under Rosemary Lake.

Failing Lined Water Main Replacement

The existing water line dates from 1936-1939 and is cast iron with bitumastic or coal tar liner. The lining of these pipes breaks down over time, causing discoloration in the water and concern for the water quality in the areas serviced by this line. The Town began addressing this issue in 2008, when there was approximately 19,000 linear feet of piping in need of replacement. This funding will complete the project and replace the remainder of existing pipe – 5,500 linear feet of 14" water main – with a new 16" water main on Central Avenue from the intersection of Pine Street, and Marked Tree Road to High Rock Street. This project will include replacing the pipe and reconstruction of the road.

TOWN RESERVE ARTICLES

ARTICLE X: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$75,000 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Town Meeting by majority vote may appropriate into the fund and by a two-thirds vote appropriate from the fund. The 2012 Annual Town Meeting approved the creation of the Athletic Facility Improvement Fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures, particularly at Memorial Park and DeFazio Park Field Complex. **The balance in the fund as of March 30, 2019 was \$XX.***

ARTICLE 41: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$166,612 to the Capital Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section

5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Explanation: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Town Meeting by majority vote may appropriate into the fund and by a two-thirds vote appropriate from the fund. The 2004 Annual Town Meeting under Article 58 approved the creation of Capital Improvement Stabilization Fund for the purpose of setting aside funds for time-sensitive and critical capital item(s) at times when ordinary funding sources are limited or not available. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The recommended appropriation of is equal to the amount that the Town received from the sale of surplus equipment during FY2017. This was one of the sources identified to be contributed to the fund. The balance in the fund as of March 30, 2019 was \$XX.

ARTICLE 42: APPROPRIATE TO CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be raised from the Tax Levy, and that \$X be transferred from XX; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Town Meeting by majority vote may appropriate into the fund and by a two-thirds vote appropriate from the fund. The 2007 Annual Town Meeting under Article 10 approved the creation of the Capital Facility Fund, as part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation, or reconstruction relating to the structural integrity, building envelope, or MEP (mechanical, electrical, plumbing) systems of then-existing capital facilities. The balance in the fund as of March 30, 2018 was \$26,749.

ARTICLE X: APPROPRIATE FOR WORKERS COMPENSATION RESERVE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$283,706 to the Workers Compensation Reserve Fund, said sum to be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: *The purpose of this request is to replenish the Workers' Compensation Fund which is the Town's reserve fund for paying workers' compensation claims of a prior year and for lump sum settlements up to the limit of the Town's reinsurance limit (for both School and General Government employees.) Typically, the source of funds for this account is any remaining balance in the workers compensation line item contained in the employee benefits and assessments budget. Due to increases in salaries and expenses over the past decade, and the resolution of several long-standing cases, the fund balance has been declining.*

GENERAL ARTICLES & CITIZENS PETITIONS

ARTICLE X: AMEND GENERAL BY-LAW

To see if the Town will vote to amend the General By-Laws by To see if the Town will vote to amend its General By-laws by deleting where ever they appear the word "Selectmen" and the term "Board of Selectmen" and replacing them with the term "Select Board" except in Section 1.9 where the word "Selectmen" be replaced by the term "Select Board Members"; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 47: AMEND GENERAL BY-LAW/ELECTION OF OFFICERS

To see if the Town will vote to amend the General By-Laws by deleting Section 1.9 (k) and inserting in place thereof the following: "(k) Five members of the Board of Health for a term of three years."; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 49: ADOPT M.G.L. C. 44 SECTION 53F ½ - STORMWATER ENTERPRISE FUND

To see if the Town of Needham will accept the provisions of Chapter 44, § 53F½ of the Massachusetts General Laws to establish a stormwater utility as an enterprise fund effective fiscal year 2021; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: EXTINGUISH SEWER EASEMENT

To see if the town will vote to authorize the Select Board to extinguish a sewer and drain easement from Greendale Avenue to the Route 128 Right-of-Way; more fully described in an order of taking number 1959-4, dated July 14, 1959 and recorded at the Norfolk County Registry of Deeds in Book 3743, Page 551; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND GENERAL BY-LAW/STRETCH ENERGY CODE

To see if the Town will vote to amend its General By-Laws by adding thereto Section 3.10 entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the “Stretch Energy Code”, including future editions, amendments, or modifications thereto, as set forth below; or take any action relative thereto.

Section 3.10 STRETCH ENERGY CODE

3.10.1 Definitions

International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

3.10.2 Purpose The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

3.10.3 Applicability This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 115.AA, as indicated.

3.10.4 Stretch Energy Code The Stretch Energy Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into this section.

3.10.5 Enforcement The Stretch Energy Code is enforceable by the Building Commissioner effective January 1, 2020.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: HOME RULE PETITION – TOWN MEETING

To see if the Town will vote to authorize the Select Board to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that the legislation be adopted precisely as follows;

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

SECTION 1. Chapter 403 of the acts of 1971, as most recently amended by Chapter 341 of the Acts of 2018 be amended as follows:

In Section 11. Time, Notice, Conduct and Adjournment of Town Meeting, by striking out the first paragraph and inserting in its place the following paragraph: “The annual town meeting for the election of town officers and such other matters as may be voted on the official ballot thereof shall be held in February, March, April or May of each year, on a date fixed by by-law. The annual town meeting for the transaction of business by the representative town meeting shall be divided into two business meetings. The first business meeting shall be held in May of each year and the second business meeting shall be held in November of each year, on dates fixed by by-law. Proposed amendments to the Needham Zoning By-Law shall be considered during the second business meeting.”

SECTION 2. This act shall take effect January 1, 2020.

Or take any other action relative thereto.

INSERTED BY: Joshua Levy, et. al.
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: HOME RULE PETITION – RESOLUTION TO CALL FOR THE UNITED STATES TO “PULL BACK FROM THE BRINK” AND PREVENT NUCLEAR

**WAR—AN EXISTENTIAL THREAT TO THE FUTURE OF HUMANITY AND
THE PLANET**

Moved, that Town Meeting adopt the following Resolution, or take any other action in relation thereto:

**RESOLUTION TO CALL FOR THE UNITED STATES TO “PULL BACK FROM THE BRINK”
AND PREVENT NUCLEAR WAR—AN EXISTENTIAL THREAT TO THE FUTURE OF
HUMANITY AND THE PLANET**

WHEREAS, since the height of the Cold War, the United States and Russia have dismantled more than 50,000 nuclear warheads, but approximately 15,000 of these weapons still exist and, thus, still pose an intolerable risk to human survival; and

WHEREAS, approximately 95 percent of these weapons are in the hands of the United States and Russia, while the remainder are held by 7 other countries, namely, China, France, Israel, India, North Korea, Pakistan, and the United Kingdom; and

WHEREAS, nuclear war would directly kill hundreds of millions of people and cause unimaginable environmental damage; and

WHEREAS, there is a high probability that such a nuclear war would lead to catastrophic climate disruption dropping temperatures across the planet to levels not seen since the last ice age, thus resulting in the starvation of the vast majority of the human race, quite possibly leading to our extinction and the extinction of multiple other species; and

WHEREAS, even the use of a tiny fraction of these weapons would cause worldwide climate disruption and global famine; e.g., as few as a 100 Hiroshima-sized bombs (small by modern standards) would put at least 5 million tons of soot into the upper atmosphere and cause climate disruption across the planet, cutting food production and putting 2 billion people at risk of starvation; and

WHEREAS, despite the popular notion that these arsenals exist solely to guarantee they will never be used, on multiple occasions nuclear armed states have proceeded to the brink of using these weapons, and their use was narrowly averted; and

WHEREAS, former Defense Secretary Robert McNamara—speaking about the Cuban Missile Crisis in The Fog of War—said, “It was luck that prevented nuclear war”; and

WHEREAS, our nuclear policy must NOT be subject to the whims of “luck;” and

WHEREAS, the growing climate crisis is stressing communities around the world and intensifying the likelihood of conflict, and, thus, the danger of war and the possibility of escalating to nuclear war; and |
WHEREAS, the planned expenditure of more than \$1 trillion dollars to enhance the U.S. nuclear arsenal will not only increase the risk of nuclear disaster but also fuel a global arms race and divert crucial resources needed to assure the well-being of the American people and people all over the world; and

WHEREAS, in July 2017, 122 nations called for the elimination of all nuclear weapons by adopting the Treaty on the Prohibition of Nuclear Weapons.

BE IT RESOLVED THAT the Town of Needham, Massachusetts, acting through its elected Representative Town Meeting, calls upon our federal leaders and our nation to make nuclear disarmament

the centerpiece of U.S. national security policy and to work toward the goal of signing the Treaty on the Prohibition of Nuclear Weapons.

BE IT FURTHER RESOLVED that Town Meeting, calls upon our federal leaders and our nation to spearhead a global effort to prevent nuclear war by:

- renouncing the option of using nuclear weapons first;
- ending the president’s sole, unchecked authority to launch a nuclear attack;
- taking U.S. nuclear weapons off “hair-trigger” alert;
- cancelling all plans to add weapons to the U.S. nuclear arsenal that would make it more likely that leaders will initiate nuclear war; and
- actively pursuing a verifiable agreement among nuclear armed states to eliminate their nuclear arsenals.

BE IT FURTHER RESOLVED that Town Meeting requests that the Town Clerk send a copy of the Resolution adopted by Town Meeting to our U.S. Congressional Representative Joseph P. Kennedy, III, U.S. Senator Elizabeth Warren, U.S. Senator Edward J. Markey, and President Donald J. Trump.

INSERTED BY: Joseph McCabe, et. al.

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND ZONING BY-LAW – SELF STORAGE FACILITIES IN MIXED USE-128 DISTRICT

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

1. In Section 1.3 Definitions, by adding the following after the existing definition of “Retaining Wall” and before the existing definition of “Setback”:

“Self-Storage Facility – a climate-controlled facility constructed and configured to allow access to individuals or businesses who will lease individually self-contained units of the facility for the storage of personal or business possessions, excluding the storage of flammable liquids, gas or explosives.”

2. Section 3.2.6 Uses in the Mixed-Use-128 District, by adding a new subsection (m) to subsection 3.2.6.2 Uses Permitted By Special Permit, to read as follows:

“(m) Self-Storage Facility.”

3. Section 5.1.2 Required Parking, by adding a new subsection (21), to read as follows:

“(21) Self-Storage Facility

One space per 10,000 square feet of floor area,
plus one space per full-time employee”

INSERTED BY: Michael Suprenant, et. al.

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: OMNIBUS

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Select Board

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 7 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 under our hands at Needham aforesaid this 12th day of February, 2019.

DANIEL P. MATTHEWS, *Chair*
JOHN A. BULIAN, *Vice Chair*
MAURICE P. HANDEL, *Clerk*
MATTHEW D. BORRELLI
MARIANNE B. COOLEY

Select Board of Needham

A true copy,
ATTEST _____ 2019
 Constable (month) (day)
ATTEST _____ 2019
 Constable (month) (day)



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2019

Agenda Item	Town Manager's Report
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will update the Board on issues not covered on the agenda.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
3.	BACK UP INFORMATION ATTACHED
none	



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

MEETING DATE: 2/26/2019

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	

EMPLOYMENT AGREEMENT

**between
Town of Needham
and
Town Manager**

THIS AGREEMENT, pursuant to Chapter 41, Section 108N of the Massachusetts General Laws, made and entered into this 26th day of February 2019, by and between the Town of Needham, Commonwealth of Massachusetts, a municipal corporation, hereinafter called the "Town," acting by and through its Select Board, hereinafter called the "Board", and Kate Fitzpatrick, hereinafter called the "Town Manager", as follows:

WITNESSETH:

Whereas, the Town appointed Kate Fitzpatrick as Town Manager of the Town of Needham on February 22, 2005 to be effective May 6, 2005; and,

Whereas, the Town Manager is the Chief Executive Officer and Chief Financial Officer of the Town; and,

Whereas, the Board, under Chapter 41, Section 108N of the Massachusetts General Laws, may contract with the Town Manager regarding her salary, benefits, and severance pay; and,

Whereas, it is the desire of the Board to have a written contract which will establish the benefits, terms, conditions, and obligations of employment for the Town Manager; and,

Whereas, it is the desire of the Board to retain the services of the Town Manager and to provide inducement for her to remain in such Office; and,

Whereas, Kate Fitzpatrick agrees to accept the Office of Town Manager of said Town.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

Section 1. Duties

- 1.1 The Town hereby agrees to reappoint Kate Fitzpatrick as Town Manager of said Town to perform the functions and duties specified in the Town Charter, and to perform other legally permissible and proper duties and functions as the Board shall from time to time assign.
- 1.2 The Town Manager shall supervise, direct and be responsible for the efficient administration of all functions under her control as authorized by Town Charter.

Section 2. Term

- 2.1 The Town Manager's term of office shall be in accordance with the Town Charter, Section 20A (a) (1).
- 2.2 Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Board to terminate the services of the Town Manager in accordance with the Town Charter, subject only to the provisions set forth in Section 4 of this Agreement.
- 2.3 Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Town Manager to resign at any time from her position with the Town, subject only to the provisions set forth in Section 4.5 of this Agreement.
- 2.4 This Agreement shall become effective May 6, 2019, and shall be in full force and effect until May 5, 2022, subject to the provisions of Section 4 of this Agreement.
- 2.5 In the event that written notice is not given by either party to the other one hundred and eighty (180) days prior to the termination date as herein above provided, this Agreement shall be extended on the same terms and conditions as herein provided, for an additional period of one year. Said Agreement shall continue thereafter for one year periods unless either party hereto gives one hundred eighty (180) days written notice to the other party that the party does not wish to extend this Agreement for an additional one year term.

Section 3. Suspension

- 3.1 The Town may suspend the Town Manager for just cause, without pay and benefits, at any time during the term of this Agreement by the affirmative vote of a majority of the Board, but only after a public hearing, and provided further, that the Town Manager shall have been given written notice at least ten (10) days prior to such hearing, setting forth in detail the particulars of any just cause alleged to exist against her and the name of the party alleging the charges, if any. Just cause as used in this paragraph shall mean failure to carry out, through malfeasance, misfeasance, or nonfeasance, the responsibilities of the Office of Town Manager, the commission of a felony, and/or or the violation of any Federal or State felony law or statute.
- 3.2 The Town may place the Town Manager on Administrative Leave without just cause, but with pay and benefits, at any time during the term of this Agreement by the affirmative vote of a majority of the Board, but only provided that the Board is at that time investigating the Town Manager for some alleged act, conduct or omission amounting to malfeasance, misfeasance, or nonfeasance relating to the responsibilities of the office of Town Manager, and/or the commission of a felony, and/or or the violation of any Federal or State felony law or statute, and provided further, that this "paid" Administrative Leave cannot be longer than sixty (60) days.
- 3.3 Nothing contained in these Sections with respect to suspension or administrative leave shall be construed to violate any provision of the United States Fair Labor Standards Act or invalidate

the exempt status of the Office of Town Manager, and if necessary, this language shall be reformed such that no such violation or invalidation will occur or result.

Section 4. Termination and Severance Pay

- 4.1 The Town may terminate the services of the Town Manager before the expiration of the aforesaid term of employment, with or without just cause, by an affirmative vote of a majority of the Board in accordance with Section 20A (c) of the Town Charter, provided that the Board initiates the termination by adopting a resolution to this effect by the affirmative vote of a majority of the Board. A copy of the resolution shall be delivered to the Town Manager who shall have five (5) workdays after receipt in which to request a public hearing. If a hearing is requested, it shall be scheduled within two (2) weeks by the Board and be held in a public place. The Chair of the Select Board shall conduct the hearing. The Town Manager and Board may call witnesses and subpoena Town records. The Board shall, at the conclusion of that hearing or at its next meeting, vote on said termination.
- 4.2 In the event that the Town Manager is terminated by the Board, except for just cause as hereinafter provided, before expiration of the aforesaid term of employment and during such time that the Town Manager is willing and able to perform her duties under this Agreement, then in that event, the Town agrees to provide two (2) months termination notice and to pay the Town Manager a lump sum cash severance payment of six (6) months salary upon her termination. Additionally, the Town Manager shall be paid a lump sum cash payment in lieu of all accumulated vacation leave, and will be entitled to sick leave buy-back in accordance with the Town's Personnel Administration Plan. Any "hearing" that the Town Manager requests under Section 4.1 will not stay or lengthen the two (2) month termination notice described above.
- 4.3 If the Board seeks to avoid its obligations with respect to the payment of the severance sum and sick leave buy-back in Section 4.2, the termination must be found to have been for just cause (failure to carry out, through malfeasance, misfeasance, or nonfeasance, the responsibilities of the office of Town Manager, the commission of a felony, and/or the violation of any Federal or State felony law or statute). In this circumstance, the Board, in its resolution under Section 4.1 must itself call for a hearing and thereafter schedule and conduct same in accordance with Section 4.1. In the event that the Town Manager is terminated for just cause as voted by a majority of the Board, then the Town shall have no obligation to pay the aggregate severance sum or sick leave buy-back designated in section 4.2.
- 4.4 In the event that the Town, at any time during the term of this Agreement, reduces the salary or other financial benefits of the Town Manager (except as provided in section 12), or eliminates the position of Town Manager, or in the event that the Town refuses, following written notice, to comply with any other provisions benefiting the Town Manager herein, or if the Town Manager resigns following a request by the Board that she resign, then, in those events, the Town Manager may, at her option to be exercised within six (6) weeks of the occurrence of the event, be deemed to have been terminated

on the date she gives notice of such reduction, refusal to comply, or resignation, and the severance pay and sick leave buy-back provisions as stated in Section 4.2 shall be applicable.

- 4.5 In the event that the Town Manager voluntarily resigns her position with the Town before expiration of the aforesaid term of her employment, then the Town Manager shall give the Town three (3) months notice in advance unless the parties otherwise agree. A copy of the resignation shall be filed with the Town Clerk. During this three (3) month notice period, the Town Manager may not take vacation leave unless approved by the Chair of the Select Board. In the event that the Town Manager voluntarily resigns, without having been requested to do so by the Board, she shall not be eligible for severance benefits as set forth in Section 4.2, or sick leave buy-back, unless otherwise eligible under the Town's Personnel Administration Plan, but will be eligible for lump sum payment of accumulated vacation leave as set forth in Section 7.1.
- 4.6 This Section shall survive the termination of this Agreement.

Section 5. Compensation

- 5.1 The Town agrees to pay the Town Manager for services rendered under this Agreement a base salary, subject to applicable withholdings and deductions and payable in semi-monthly installments, as follows:

Effective Date	Increase	Salary
Effective May 6, 2019	3%	\$198,422
Effective July 1, 2020	3%	\$204,375
Effective July 1, 2021	3%	\$210,506

- 5.2 The Town Manager is not eligible for reimbursement for the use of a personal automobile for Town business. The Town Manager is eligible for reimbursement for out-of-pocket expenses such as parking and tolls. The Town Manager agrees to maintain automobile insurance coverage including the following minimum amounts:

- Damage to Someone Else's Property \$100,000
- Optional Bodily Injury to Others \$250,000/\$500,000

as well as a Personal Liability Umbrella Policy in the minimum amount of \$1,000,000.

- 5.3 The Town will make an annual payment of 7% of base pay to the 401A deferred compensation plan offered by the Town and selected by the Town Manager. The Town Manager shall notify the Town Accountant in writing of the deferred compensation plan in which the payment is to be made.
- 5.4 The Town shall reimburse the Town Manager up to \$4,500 toward the cost of disability, life, and/or liability insurance policies, as selected by the Town Manager. In filing for this reimbursement, the Town Manager shall provide a copy of the relevant insurance policy,

Coverage Selections Page and/or Declaration Page, and evidence of her payment for the disability, life, and/or liability insurance premiums.

- 5.5 The Board will consider a merit award payment of up to \$2,500 to the Town Manager that acknowledges progress toward achieving Town-wide goals and outstanding leadership. The merit award will be tied to the Town Manager's performance evaluation for that year and will be flexible enough to recognize excellence in responding to unanticipated challenges. The award will not become part of the Town Manager's base salary.

Section 6. Hours of Work

- 6.1 The Town Manager will devote full time and attention to the business of the Town and will not engage in any other business during office hours, except with the approval of the Board and in accordance with the Town Charter. It is recognized that the Town Manager must devote a great deal of time outside the normal office hours to the business of the Town, and to that end the Town Manager will be allowed to take reasonable compensatory time off as she shall deem appropriate during said normal office hours.
- 6.2 The Town Manager shall be a salaried officer of the Town.
- 6.3 The Town Manager may accept such speaking, writing, lecturing or other engagements of a professional nature as shall not interfere with her responsibilities to the Town of Needham.

Section 7. Authorized Leave

- 7.1 The Town Manager shall accrue 2.08 days of vacation leave each month (25 days per year). Any earned but unused vacation as of June 30 of each contract year shall be carried forward to the next contract year. No more than twenty (20) weeks of vacation leave, however, may be accumulated in total. Upon termination for whatever cause, the Town Manager shall be paid for all unused earned vacation leave. The Town Manager, at her option, may elect to have the Town "buy back" up to ten (10) vacation days (two weeks pay) per year. This buy-back will be subject to all legally required withholdings.
- 7.2 Bereavement Leave, civic duty leave, and legal holiday provisions of the Town's Personnel Administration Plan shall be applicable to the Town Manager.
- 7.3 The Town Manager shall receive three (3) personal days per fiscal year during the term of this Agreement. These may not be accumulated from one year to the next.
- 7.4 The Town Manager shall be allowed one and one-quarter ($1\frac{1}{4}$) day's sick leave for each month of service. Any portion of such leave not used in any year may be accumulated without limit. Sick leave buy-back provisions of the Town's Personnel Administration Plan shall be applicable to the Town Manager.

Section 8. Expenses

- 8.1 The Board hereby agrees to request in its budget sufficient funds for expenses of the Town Manager that can be used, at the discretion of the Town Manager, for out-of-state travel, professional development, educational expenses, professional and civic association dues, official meetings and customary office expenses.
- 8.2 The Town Manager shall be reimbursed for any expenses incurred in the performance of her duties, or as an official representative of the Town including attendance by her at civic or social events.
- 8.3 Any expenses that the Town Manager submits for such reimbursement must be accompanied by some written document, invoice, memo and/or evidence of payment supporting the reimbursement request.

Section 9. Performance Evaluations

- 9.1 The Board shall review and evaluate the Town Manager at least annually during this Agreement. This evaluation shall be based on goals and objectives developed jointly by the Board and Town Manager. Further, the Board may provide the Town Manager with a summary written statement of the findings of the Board and shall provide an adequate opportunity for the Town Manager to discuss her evaluation with the Board.
- 9.2 Annually, the Board, in conjunction with the Town Manager, shall define such goals and performance objectives which they deem necessary for the proper operation of the Town and in the attainment of the Board's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing.

Section 10. Indemnification

- 10.1 The Town shall defend, save harmless and indemnify the Town Manager against any tort, professional liability, claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of her duties as Town Manager, even if said claim is brought/filed following her termination from employment, provided that at the time of the alleged act or omission the Town Manager was then acting within the scope of her approved duties. Under these circumstances only, the Town (and/or its insurer) shall pay the amount of any settlement or judgment rendered thereon, and further, the Town (and/or its insurer) may compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon without recourse to the Town Manager.
- 10.2 In connection with those claims or suits involving the Town Manager in her professional capacity and covered under Section 10.1 above, the Town, at its sole option, shall either retain and pay for an attorney to represent the Town Manager (including all fees and costs) or reimburse the Town Manager for any attorneys' fees and costs incurred by the

Town Manager in connection with same, providing the Town Manager submits proper invoices and evidence of payment of same.

- 10.3 This Section shall survive the termination of this Agreement.

Section 11. General Provisions

- 11.1 The text herein shall constitute the entire agreement between the parties with regard to the matters set forth herein. There are no other understandings or agreements, verbal or otherwise, in relation thereto, between the parties except as expressly set forth herein. This Employment Agreement may be amended or modified only by a written instrument executed by the parties hereto or by their successors and assigns.
- 11.2 All provisions of the laws of the Commonwealth of Massachusetts relating to retirement, health, insurance, and other fringe benefits shall apply to the Town Manager as they generally apply to other employees of the Town, in addition to said benefits enumerated herein specifically for the benefit of the Town Manager, except as otherwise provided in this Agreement.
- 11.3 The provisions of the Town's Personnel Administration Plan and policies shall apply in those instances not otherwise addressed by this Employment Agreement. This Agreement shall prevail over any conflicting personnel provisions of the Town By-laws or personnel policies.
- 11.4 This Agreement shall become effective at 12:00 a.m. on May 6, 2019.
- 11.5 If any provision, or any portion thereof, contained in this Agreement, is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- 11.6 This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Town Manager.
- 11.7 For the purposes of the United States Fair Labor Standards Act, the Town Manager shall be considered an exempt employee.
- 11.8 This Employment Agreement is entered into in the Commonwealth of Massachusetts and shall be construed and interpreted in accordance with its laws.
- 11.9 This Employment Agreement is the result of negotiation and compromise by and among the parties and no party shall be prejudiced as having been the drafter of the Employment Agreement.

12. No Reduction in Benefits

- 12.1 The Town shall not at any time during the term of the Agreement reduce the salary, compensation, or other benefits of the Town Manager, except to the degree that such a reduction is across the board for all other general government employees of the Town.

13. Notices

- 13.1 Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

TOWN: Chair of the Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02492

TOWN MANAGER: Ms. Kate Fitzpatrick
38 Church Street
Holliston, MA 01746

IN WITNESS WHEREOF, the Town of Needham, Massachusetts has caused this Agreement to be signed and executed in its behalf by its Select Board, and duly attested by its Town Clerk, and the Town Manager has signed and executed this Agreement, both in duplicate, on the day and year first above written.

TOWN MANAGER

SELECT BOARD

Kate Fitzpatrick

Date

Attested:

Town Clerk: _____

Date: _____

Approved as to Legal Form:

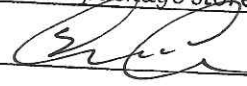
Town Counsel: _____

Date: _____

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

RECEIVED
TOWN OF NEEDHAM
SELECT BOARD

2019 FEB 12 A 10:53

Event Manager Name (Name that will appear on license)	Steve Volante		
Event Manager Address	292 Forest St. Needham, MA 02492		
Event Manager Phone Number	781-964-1821		
Organization Representing (if applicable)	Volante Farms		
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	Design : Drinks		
Date of Event	3/14/19 , 4/14/19		
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: 8pm	
Are tickets being sold in advance for this event?	☒ YES	\$ 75 /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?	20 - 30		
Name & address of event location. Please attach proof of permission to use this facility.	Volante Farms, 292 Forest St.		
Who will be serving the alcohol to your guests?	Lisa Pearce, Wine & Beer Manager		
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).			
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. Cash guest service 2 tickets for wine upon entry to the event. Snacks will be served			
☒ 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:	2/7/19		

**Town of Needham
Select Board
Minutes for February 12, 2019
Needham Town Hall
Select Board's Chamber**

6:15 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, and Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

Executive Session: Exception 2 (Town Manager Contract)

Motion by Mr. Handel that the Select Board vote to enter into Executive Session.

Exception 2 - To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. To reconvene in Open Session at 6:45 p.m.

Second: Mr. Borrelli. Mr. Matthews polled the Board. Unanimously approved 5-0.

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

7:00 p.m. The public portion of the Select Board meeting of February 12, 2019 was convened by Chair Daniel P. Matthews.

Mr. Matthews asked for a moment of silence to remember William M. Powers who passed away on January 31, 2019. He said Bill Powers, who was known to many people in the community, served in WWII at the Battle of the Bulge, was a member of the Board of Aldermen while living in Newton, was Superintendent of Schools in Needham, and served 41 years as a Town Meeting Member. Mr. Matthews said Mr. Powers was a mentor to many people, stood up for what he believed in, and always contributed in a civil manner sometimes under difficult circumstances. He commented Mr. Powers set an example that will stand the test of time. A moment of silence was observed.

Mr. Matthews commented, due to the weather, "Innovation & Smart City Concepts in Needham Public Works" and "Dockless Bike Share Program" as listed on tonight's agenda will be rescheduled for a later date.

7:02 p.m. Public Hearing: Eversource Energy Grant of Location - Arch Street
Maureen Carroll, Eversource Energy representative appeared before the Board requesting permission to install approximately 10 feet of conduit in Arch Street.

She stated this work is necessary to provide underground electric service to 116 Arch Street.

Ms. Fitzpatrick indicated all paperwork is in order for this Grant of Location.

Mr. Matthews invited public comment. No comments were heard.

Motion by Mr. Handel that the Select Board approve and sign a petition from Eversource Energy to install approximately 10 feet of conduit in Arch Street. This work is necessary to provide underground electric service to 116 Arch Street.

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

7:03 p.m.

Public Hearing: Eversource Energy Grant of Location - Rybury Hillway
Maureen Carroll, Eversource Energy representative appeared before the Board requesting permission to install approximately 14 feet of conduit in Rybury Hillway. She stated this work is necessary to provide underground electric service to 52 Rybury Hillway.

Mr. Matthews invited Vlad Vilkemir, homeowner and builder, to the table to discuss work done prior to receiving the Grant of Location. Mr. Matthews clarified for Mr. Vilkemir that the distance from the pole to the property line is a Town right-of-way, and the public has the right to know and be heard that work is being considered in the area. He commented sometimes there are problems that must be settled before digging commences. Mr. Matthews said most GOL's are straight forward, however sometimes there are instances where there is an objection, which can cost people a lot of money and/or delay their occupancy permit. Mr. Matthews told Mr. Vilkemir measures would be taken in the future if work is done prior to receiving the GOL. Mr. Vilkemir said he understood.

Ms. Fitzpatrick indicated all paperwork, other than permission for this Grant of Location, is in order.

Mr. Matthews invited public comment. No comments were heard.

Motion by Mr. Handel that the Select Board approve and sign a petition from Eversource Energy to install approximately 14 feet of conduit in Rybury Hillway. This work is necessary to provide underground electric service to 52 Rybury Hillway.

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

Mr. Borrelli suggested notice be placed on the building permit saying work cannot commence without a Grant of Location. Discussion ensued on ways of notifying excavators and builders that work can not begin prior to receiving a Grant of Location.

7:10 p.m. Appointments and Consent Agenda:
Motion by Mr. Handel that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA:

1. Water & Sewer Abatement Order #1268
2. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$100 from Charles River Center and \$200 from Needham Open Studios.
3. Accept a \$300 donation made to the Needham Health Division's Traveling Meals Program from Amy Sherman, a Canton resident.
4. Approve Open session minutes from January 29, 2019, and Executive session minutes from January 29, 2019.
5. Approve a Road Event form from Melissa Lassonde of Needham Baseball and Softball, to hold its opening day parade in Needham on April 28, 2019 from 10:30 a.m. to 11:45 a.m. The route of the parade was approved by the following departments: DPW, Police, Fire, and Park and Recreation.
6. Approve Road Event form from Hilary Ryan of The Charles River Center, to hold its 5K race and 1 mile walk in Needham on September 22, 2019 from 9:00 a.m. to 12:00 p.m. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.
7. Approve a request from the Needham Track Club to hold "The Great Bear Run" road race on Sunday, May 19, 2019 from 7:30 a.m. to 4:00 p.m. on the grounds of the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
8. Approve a request from Jessica Rice, who has submitted a Road Event form, to hold its "Jog Your Memory 5K Run/2 mile walk" on Sunday, September 15, 2019 from 6:00 a.m. to 11:00 a.m. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
9. Authorize and approve the Chair sign the Agreement and Waiver letters between the Select Board and Spiga Ristorante, and the Select Board and the Sheraton Needham Hotel.
10. Approve a Special One Day Wines and Malt Beverages license for Steve Volante, of Volante Farms, to host a Cooking Class event on March 2, 2019 from 1:00 p.m. to 3:00 p.m. The event will be held at Volante Farms, 292 Forest Street, Needham.
11. Approve a Special One Day Wines and Malt Beverages license for Steve Volante, of Volante Farms, to host a Design & Drinks - Cupcake Decorating event on April 4, 2019 from 6:00 p.m. to 8:00 p.m. The event will be held at Volante Farms, 292 Forest Street, Needham.
12. Approve three Special One Day Wines and Malt Beverages licenses for Steve Volante, of Volante Farms, to host "Dinner in the Field" events on July 11, 2019, July 25, 2019, and August 8, 2019 from 6:00 p.m. to 9:30 p.m. The events will be held at Volante Farms, 292 Forest Street, Needham.

13. Approve a 20B Exemption for Maureen Doherty who is an employee in the Needham Public Health Division to engage in work with the Park and Recreation Department as an Activity Instructor for the Early Release Day Programs; and a 20 B Exemption for Catherine Delano who is an employee in the Needham Public Health Division to engage in work with the Park and Recreation Department as an Activity Instructor for the NetGen Youth Tennis program.

14. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Sarah Mesnik	26 Dartmouth Avenue	Dartmouth Ave. near Lindbergh	6/1/19	N/A	4pm-8pm

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

7:10 p.m.

Portrait of a Needham Graduate:

Dan Gutekanst, Superintendent of Schools appeared before the Board outlining the process being used to develop a "Portrait of a Needham Graduate" for long range planning purposes.

A brief PowerPoint presentation was viewed.

Dr. Gutekanst commented on the opportunity for Needham schools to think about a shared vision for the future of our Pre-K to 12 students, prompted in part by today's fast paced world, rapid changes in technology, and discussion of full day kindergarten beginning next fall. He said children starting kindergarten in the fall 2019 will graduate high school in 2032 prompted discussion about what will the world be like for those students. He commented discussion included what are the biggest challenges facing students today, are they prepared based on curriculum, and what skills and attributes will they need in the years ahead. Dr. Gutekanst said the goal is a community partnership to prepare students for the future.

Dr. Gutekanst commented on the Portrait Committee including students, school committee, faculty and staff, parents, business and civic leaders, and community groups. He said four sessions have been held so far, and another session is scheduled for April 2019. Dr. Gutekanst discussed the five 'Portrait Competencies' of what a student might be like, as well as strategic priorities for the next three to five years. Dr. Gutekanst commented on the implications of adopting 'Portrait of a Needham Graduate,' saying the vision for our children and for strengthening our teachers and their work is coming together. He said the foundation is equity for all children, not just some children.

Ms. Cooley said, as a participant, she noted everyone left the room after every session energized about the possibilities for future teaching and learning.

Mr. Borrelli said well rounded children includes many attributes and is impressed by the direction the community is heading. He commented on the importance of community service to further the goal.

Mr. Matthews said the work is terrific and should be tied to the curriculum at some point. He said the world is changing more rapidly than society is equipped, and by bringing the problem into the schools makes a lot of sense.

The Board thanked Dr. Gutekanst for the presentation.

7:23 p.m.

Town Manager:

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

1. Utility Easement at 1154 Highland Avenue

Ms. Fitzpatrick said the petition grants the easement to NSTAR Electric, Eversource Electrical Service, and Verizon Telephone Service for the installation/placement of a new utility pole for the Memorial Park Field House project.

Mr. Matthews noted a public hearing is not required because it is the Town working within its own property.

Motion by Mr. Handel that the Board approve and sign the grant of utility easement to Verizon New England Inc. and NSTAR Electric Company d/b/a Eversource Energy to cover the placing of facilities at 1154 Highland Avenue, Needham.

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

2. Naming of Facilities - Jack Cogswell Building

Ms. Fitzpatrick said discussion of naming the new Central Avenue Storage Building occurred at the Select Board meeting of January 29, 2019, noting no additional feedback from the public was received from. She recommended the Board name the new Central Avenue Storage Building after Jack Cogswell. She commented work on the new building is well underway.

Motion by Mr. Handel that the Board vote to name the new Central Avenue Storage Building the "Jack Cogswell Building."

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

Mr. Matthews recognized the enormous amount of work and contribution by Mr. Cogswell and said it is good to be naming a public works facility for someone who advocated for pragmatic approaches to public works issues in ways citizens could understand and appreciate.

3. Close Annual Town Meeting Warrant

Ms. Fitzpatrick reviewed some items contained in the draft 2019 Annual Town Meeting Warrant, commenting there are six zoning articles, three citizens' petitions, and a proposed general Town by-law amendment to change the words "Selectman" and "Board of Selectman" to "Select Board" and "Select Board member." She asked the Board vote to close the warrant.

Motion by Mr. Handel that the Board vote to close the warrant for the 2019 Annual Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.

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

7:31 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

7:32 p.m. Adjourn:

Motion by Mr. Handel that the Board vote to adjourn the Select Board meeting of February 12, 2019.

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

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

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

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.

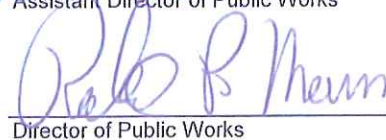
Water Sales:	-\$634.25
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$877.05
Transfer Station Charges:	\$0.00

Total Abatement: -\$1,511.30

Order #: 1269

Read and Approved:

 2/20/2019
Assistant Director of Public Works

 2/24/19
Director of Public Works

For the Board of Selectmen

2/26/19

Town of Needham
Water Sewer Billing System
Adjustment Form

Prepared			Customer	Location	Street		Irrigation	Domestic				Corrected
By:	Last Name	First Name	ID#	ID#	Number	Street Name	Water	Water	Sewer	Total	Reason	Last Read
DB	Devine	David	11827	842	238	Great Plain Avenue	\$0.00	-\$9.35	-\$281.19	-\$290.54	EC	N
DB	TRIFILETTI	ROBERT & MARIA	37353	10246	110	Noanett Road	\$0.00	-\$288.15	-\$274.71	-\$562.86	ACC	N
DB	COLAHAN & DALEY	CHRISTOPHER B	7475	16466	1328	Great Plain Avenue	\$0.00	-\$336.75	-\$321.15	-\$657.90	ACC	N

Total: -\$1,511.30

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:

O.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