

**Select Board
Minutes for September 24, 2019
Needham Town Hall
Select Board's Chamber**

6:15 p.m. Executive Session- Exception 3: Potential Litigation & Collective Bargaining

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

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

Exception 3 - To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Second: Ms. Cooley. 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 September 24, 2019 was convened by Chair John Bulian.

7:00 p.m. Introduce Newly Promoted Fire Officers and Newly Appointed Firefighters:
Dennis Condon, Fire Chief introduced Deputy Chief Matt Bagnell, Captain Brian Stark, Lieutenant Nicholas Ceurvels, and Firefighters Ben Hall, Dennis Miller, Kevin Lehberger, Chad McMahon, Pat Glebus, Brad Lynch, Cody Whalen, Jessica Sears, Will Miranda, Dave Brissenden, John Walsh, Christopher Stirling, John Fitzgerald, Jonathan Yule, and Josh Stanton.

Chief Condon said the town received a federal SAFER grant making it possible to hire and staff a second full time ambulance at fire station #2 in Needham Heights.

Mr. Matthews said public safety staff is the “face of the town” for residents. He commented that all of the hires are qualified, have the complete confidence of the Select Board, and are valued by the town. He reiterated Needham is a good town, due, in part, to its uniformed service.

The Board congratulated the new hires, noting the diverse pool of candidates, and wished them well in their service to Needham.

7:17 p.m. Public Hearings: Eversource Grant of Locations
Maureen Carroll, Eversource Energy representative appeared before the Board to discuss 3 Grant of Locations:

1. Country Way

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Bulian 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 5 feet of conduit in White Pine Road. This work is necessary to provide underground electric service to 304 Country Way, Needham.

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

2. Carleton Drive

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Bulian invited public comment.

Lois Merrill, 31 Bridle Trail Road said she is concerned about the removal and replacement of approximately one ft. of the grass berm. She asked that the grass, once removed, be properly maintained and not sit in the sun. Ms. Carroll explained the Town oversees work done by Eversource and if there is a problem, it will be fixed to Ms. Merrill's satisfaction.

Motion by Mr. Handel that the Select Board approve and sign a petition from Eversource Energy to install approximately 38 feet of conduit and one (1) manhole in Carleton Drive. This work is necessary to provide underground electric service to 37 Carleton Drive, Needham.

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

3. Taylor Street

Ms. Fitzpatrick indicated all paperwork is in order noting, however, work was completed prior to Select Board authorization. She said in this particular case, the project was not a tear down and that the builder, Derek Depre, was unaware of Town rules regarding street openings. She said Mr. Depre apologized and that she believes Mr. Dupre acted in good faith.

Mr. Bulian 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 5 feet of conduit in Taylor Street. This work is necessary to provide underground electric service to 145 Taylor Street, Needham.

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

7:24 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. Approve a 20B Exemption for Brenda Considine-Miskin who is an employee at the Sunita Williams Elementary School as a Teaching Assistant to engage in work with the Park and Recreation Department as an Activity Instructor for the Breathe and Stretch to Unwind and Dance and Stretch and Unwind programs.**
- 2. Approve a 20B Exemption for Edmund Farrell who is an employee at the Needham Public Schools as the Nutrition Manager to engage in work with the Park and Recreation Department as an Activity Instructor for the Adult Badminton, Ice Skating, and Ski & Snowboard programs.**
- 3. Approve August 20, 2019 and September 10, 2019 open session minutes.**
- 4. Accept the donation from the Village Club of two granite benches and brick pavers to be installed at the Memorial Park Field House. This improvement to the project, located between the park entrance and the field near the water bubbler, has been approved by the Planning Board at its 9/3/2019 meeting. The donation is valued at approximately \$3,500.**
- 5. In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, adopt a compensation plan for Schedule K for fiscal year 2020.**
- 6. Water & Sewer Abatement Order #1280**
- 7. Approve a request for a One Day Special Wines and Malt Beverages license for Robert Timmerman II, of Needham Knights of Columbus to host its Music Bingo Night on Friday, September 27, 2019 from 6:00 p.m. to 11:00 p.m. The event will be held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.**
- 8. Approve a request for a One Day Special Wines and Malt Beverages license for Robert Timmerman II, of Needham Knights of Columbus to host its**

annual Oktoberfest event on Friday, October 18, 2019 from 6:00 p.m. to 11:00 p.m. The event will be held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.

9. Approve a 20B Exemption for Regina Tedeschi-Sharpe who is an employee at the Needham Public Schools as a Substitute Teacher at the Newman Preschool to engage in work with the Park and Recreation Department as an Activity Instructor for the Early Release Day programs.
10. At the request of the PPBC, support the allocation of up to \$270,000 for landscaping and entrance relocation at the Cogswell Building/RTS.
11. Accept a \$500 donation made to the Needham Public Health Division's Substance Prevention Alliance of Needham (SPAN) from the Needham Knights of Columbus.
12. Ratify revised hourly rate schedule (Appendix B) for the Custodial and Monitoring staff for Powers Hall and the Center at the Heights events.
13. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Naomi Goldman	93 Gayland Road	Gayland Road	10/5/19	10/6/19	3pm-6pm
Seema Pandya	43 Valley Road	30-47 Sterling Road	10/26/19	10/27/19	11am-6pm
Allison Premo	354 Brookline Street	1 block of Brookline St. between Webster St. & Manning St.	10/27/19	N/A	3:30pm-5pm

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

7:24 p.m. Public Hearing: Verizon New England and Eversource Energy Grant of Location - Bancroft Street

Ross Bilodeau, Verizon New England, Inc. appeared before the Board requesting permission to relocate one (1) JO pole, P.3, on the easterly side of Bancroft Street to a point approximately 15' southerly from its original location, being approximately 133' from existing pole, P.2, located on the easterly side of Bancroft Street. He said this work is necessary to accommodate for new construction.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Handel that the Select Board approve and sign a petition from Verizon New England Inc. and Eversource Energy to relocated one (1) JO pole, P.3, on the easterly side of Bancroft Street to a point approximately 15' southerly from its original location, being approximately 133' from existing pole, P.2, located on the easterly side of Bancroft Street. This work is necessary to accommodate for new construction.

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

7:26 p.m.

Public Works Awards Recognition:

Kate Fitzpatrick, Town Manager commented the American Public Works Association recognized the Town of Needham and the City of Newton for their renovation and preservation of the historic Eliot Street bridge on Central Avenue, a project completed in 2017. She congratulated Tony Del Gaizo, Rick Merson, and the entire project team who were on hand to receive the "Project of the Year" award in Seattle, WA on September 9, 2019.

Ms. Fitzpatrick also asked the Select Board to recognize Rick Merson, Director of Public Works for being awarded the Harry S. Swearingen award for outstanding chapter achievement and excellence in chapter service. Established in 1958, the award honors Harry Swearingen who worked tirelessly on behalf of APWA and its mission. A career employee of the City of Los Angeles, Swearingen was an active member of the Southern California Chapter of the APWA. Ms. Fitzpatrick noted the national recognition and congratulated Mr. Merson.

Mr. Merson said it has been very rewarding to take the opportunity to give back and pay forward where possible. He said the APWA New England Chapter is renowned and forward thinking/acting in many areas now adopted at the national level. He noted public works as a first responder, and the Fallen Heroes program. He thanked the Board for their support.

The Board congratulated and thanked Mr. Merson for his work and dedication to the Town of Needham.

Denise Garlick, State Representative commented the quality of life for residents of Needham is because of, in many ways, the work of Mr. Merson. She said much of the work is done late at night or underground and not always seen but appreciated. She said being nationally recognized is a great opportunity to thank Mr. Del Gaizo and Mr. Merson.

7:38 p.m.

Needham Cultural Council Utility Art Box Project:

Catherine (Charly) Nanda and Julia Gould of the Needham Cultural Council appeared before the Board to discuss the Art Box Project Request for Proposal to gather designs for a vinyl wrap to be installed on a local traffic control box. Ms. Nanda said the project was open to any artist having a Needham connection. Out of 18 applicants and 21 designs received, the Cultural Council unanimously selected the winner at its meeting on September 16, 2019. The artist chosen is designer Anne McCaffry and her design titled “Summer Days at Rosemary.”

Motion by Mr. Handel that the Board approve the submitted design entitled “Summer Days at Rosemary” by Anne McCaffrey for vinyl wrap production and installation on the traffic control box located at Webster Street and Great Plain Avenue.

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

7:45 p.m.

Green Communities Designation:

Kate Fitzpatrick, Town Manager, Cecilia Simchak, Administrative Analyst, Nick Hill, Volunteer, and Beth Greenblatt, Beacon Integrated Solutions appeared before the Board to provide information about the Commonwealth’s Green Community Designation. Endorsement of an Energy Reduction Plan and Fuel-Efficient Vehicle Policy by both the Select Board and the School Committee is necessary prior to submission of an application, the deadline of which is October 31, 2019.

Ms. Fitzpatrick commented on the Board’s goal of continuing to explore whether Needham should join the Green Communities program, and what would be needed to receive the designation.

A Powerpoint presentation was viewed titled “Presentation to Select Board on Green Communities Designation.” Ms. Simchak reviewed the criteria required to submit an application to become a Green Community.

Discussion ensued on fuel efficient requirements, cost of energy efficiency, and the availability of grant money. Mr. Borrelli pointed out the decision is not whether or not to apply for Green Community status, but rather whether or not to enter into an agreement where there may be future mandates or state requirements. He said he wants to know how a Green Community Designation benefits Needham. Mr. Borrelli commented on the deadline of October 31, asking what would happen if the date were to be extended into next year? Nick Hill, volunteer said the “five year clock” started in FY2018, so there would be less time for planning. Mr. Borrelli asked whether the fuel-efficient policy is different from what the Town is currently doing? Ms. Fitzpatrick said Needham is moving in the right direction and is fairly

certain that the recommended vehicles will be in compliance with the policy. Mr. Borrelli said until he knows there is more financial benefit vs. regulations, it is better to wait on making a decision.

Ms. Cooley said it would be helpful to see a map of all the participating communities in the Commonwealth, along with the grant money they have received. She commented on the town's ability to meet the 20% cost reduction and looks forward to seeing additional cost information and how it fits in with the Town's capital plan. Ms. Cooley said it appears there is a small "upside" with relatively low additional cost, which could net additional money that could be used in a positive way. Discussion ensued on CO2 reduction and the use of electricity. Ms. Cooley asked for information data on usage trends, buildings to target, building benchmark profiles, and school and water treatment facility benchmark profiles. She said it will be helpful to compare Needham with other communities.

Mr. Matthews thanked the presenters for their work. He commented human caused climate change is a worldwide issue. He said while the program is not perfect, it makes sense to join if it is consistent with the town's best interest. He commented of the five criteria, the toughest of which is reaching 20% energy reduction, noting Needham is in a better position than other towns. He stressed if Needham commits to the program, it must follow through. Discussion ensued on BTU usage, the Town's ability to keep to the current heating standards, and advanced system technology.

Mr. Bulian announced a public hearing regarding Green Community Designation will be held on Wednesday, October 16, 2019 in Powers Hall.

8:14 p.m. Director of Public Works:

Richard P. Merson, Director of Public Works appeared before the Board to discuss one item:

1. Notice of Traffic Regulation - Gibson Street

Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P19-09-24 for Gibson Street, Time Limited in Designated Places, Both sides, from Manning Street to Page Road - 1 Hour Parking, 7:15 - 8:15 AM and 2:00 PM - 3:30 PM, School Days.

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

8:15 p.m. Approve the Sale of Bonds:

Dave Davison, Assistant Town Manager/Finance and Evelyn Poness, Town Collector appeared before the Board to review the results of the bond and discuss the Town's S&P rating.

Mr. Davison said the Town had very favorable bids for its 25-year bond issue, a reflection of Needham's overall credit quality and AAA rating. He reviewed various projects including the Water System Rehabilitation Program, Central Avenue Elementary School (Williams), Water Distribution System, Rosemary Recreation Complex - CPA, High School Expansion Design and Construction, Public Safety Building & Station 2 Design and Construction, and the Memorial Park Field House Project. Mr. Davison asked the Board to approve the sale of the bonds. It was noted Theodora K. Eaton, Town Clerk was in attendance as a witness.

Ms. Fitzpatrick recognized Mr. Davison and Ms. Poness and staff for working to maintain Needham's AAA rating and noted the incredible interest rate. The Board signed the corresponding documents.

Motion by Mr. Handel that the Board vote to approve Motions A-G as presented below:

Motion A

Move that the sale of the \$27,500,000 General Obligation Municipal Purpose Loan of 2019 Bonds of the Town dated October 1, 2019 (the "Bonds") to Citigroup Global Markets Inc. at the price of \$30,311,816.15 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on August 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2020	\$3,225,000	5.000%	2032	\$1,165,000	4.00%
2021	1,280,000	5.000	2033	1,165,000	2.625
2022	1,270,000	5.000	2034	1,165,000	2.625
2023	1,265,000	5.000	2035	915,000	2.750
2024	1,255,000	5.000	2036	915,000	2.750
2025	1,255,000	5.000	2037	910,000	2.875
2026	1,255,000	5.000	2038	755,000	2.875
2027	1,245,000	5.000	2039	755,000	2.875
2028	1,245,000	5.000	2040	755,000	3.000
2029	1,240,000	5.000	2041	750,000	3.000
2030	1,170,000	4.000	2044	1,380,000	3.000
2031	1,165,000	4.000			

Motion B

Move that the Bonds maturing on August 1, 2044 (a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due August 1, 2044

Year	Amount	Year	Amount	Year	Amount
2042	\$460,000	2043	460,000	2044*	460,000

*Final Maturity

Motion C

Move that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 10, 2019 and a final Official Statement dated September 17, 2019 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Motion D

Move that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Motion E

Move that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Motion F

Move that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

Motion G

Move that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

8:30 p.m.

Town Manager:

Kate Fitzpatrick spoke with the Board about two items:

1. Special Town Meeting Warrant

The Board took positions on articles in the Special Town Meeting Warrant:

**Motion by Mr. Borrelli that the Board vote to support Article 2 - Amend the FY2020 Sewer Enterprise Fund Budget in the Special Town Meeting Warrant.
Second: Ms. Cooley. Unanimously approved 5-0.**

Motion by Mr. Borrelli that the Board vote to support Article 3 - Amend the FY2020 Water Enterprise Fund Budget in the Special Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion by Mr. Borrelli that the Board vote to support Article 4 - Appropriate Transportation Improvement Fees in the Special Town Meeting Warrant.

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

Article 5 - Amend Zoning By-Law - Highway Commercial 1 Zoning District - Defer

Article 6 - Amend Zoning By - Law Map Change to Highway Commercial 1- Defer

Article 7 - Amend Zoning By - Law - Accessory Dwelling Unit - Defer

Motion by Mr. Borrelli that the Board vote to support Article 8 - Appropriate for Pollard School Gym in the Special Town Meeting Warrant.

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

2. Town Manager Report

Ms. Fitzpatrick reported an agreement has been reached by procurement with a new engineering firm (TEC) to look at the town's Complete Streets program. She said grant money has been secured amounting to \$37,968.32 to furnish a Complete Streets Prioritization Plan that will include 15 recommended projects over the next 5 years. She said the first step in the process is for TEC to propose to Needham the criteria identifying priorities. She said public meetings will be held.

8:40 p.m.

Board Discussion:

1. Committee Reports

No Committee Reports were made.

8:40 p.m.

Adjourn:

Motion by Mr. Borrelli that the Board vote to adjourn the Select Board meeting of Tuesday, September 24, 2019.

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

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

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