

SELECT BOARD
April 14, 2020
Needham Town Hall
Agenda

Under Governor Baker’s emergency “Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20”, issued March 12, 2020 and in effect until termination of the emergency, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

To listen and view this virtual meeting on a phone, computer, laptop, or tablet, download the “Zoom Cloud Meeting” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the meeting 248 178 576 or click the link below to join the webinar: <https://zoom.us/j/248178576>.

	7:00	Board Reorganization
1.	7:00	Public Hearings- Eversource Energy Grant of Locations: 37 John Street, 141 Edgewater Drive, 189 Edgewater Drive • Maureen Carroll, Eversource Energy Representative
2.	7:10	Open & Continue Hearing – Spiga Restaurant – Change of Ownership, Manager and Beneficial Interest
3.	7:10	Open & Continue Hearing – Stormwater Mitigation Assessment
	7:15	2020 Annual Town Meeting School Department Warrant Articles • Anne Gulati, Assistant Superintendent for Finance & Operations
4.	7:30	Town Manager • Close June 15, 2020 Special Town Meeting Warrant • COVID-19 Update
5.	7:45	Board Discussion • Committee Reports

CONSENT AGENDA *=Backup attached

1.	Approve minutes of April 3, 2020 (open session).
-----------	--

NEEDHAM SELECT BOARD RE-ORGANIZATION MEETING FOR APRIL 14, 2020

1. Chair calls for nominations for the re-organization of the Select Board.

Chair: _____

Vice Chair: _____

Secretary/Clerk: _____

2. Members now change to new seating arrangement.
3. The Select Board regular meeting schedule for the year.

April 28, 2020	August 18, 2020	November 24, 2020	February 23, 2021
May 12, 2020	September 8, 2020	December 8, 2020	March 9, 2021
May 26, 2020	September 22, 2020	December 22, 2020	March 23, 2021
June 9, 2020	October 13, 2020	January 12, 2021	April 14, 2021*
June 23, 2020	October 27, 2020	January 26, 2021	April 27, 2021
July 21, 2020	November 10, 2020	February 9, 2021	

*Wednesday

4. Committee Secretary for Select Board: ☐ Sandy Cincotta

6. Recording Secretary for Select Board: ☐ Mary Hunt

-
-



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

MEETING DATE: 4/14/2020

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

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install 37 feet of conduit in John Street. This work is necessary to provide electric service to 37 John Street, Needham, MA. 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 37 feet of conduit in John Street. This work is necessary to provide electric service to 37 John Street, Needham, MA.	
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 Plans f. Notice Sent to Abutters g. List of Abutters	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

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

TO: Nikki Witham, Selectmen Office
FROM: Judy Laffey, DPW Office
DATE: march 30, 2020
RE: 37 John St.

For Selectmen Meeting of 4/15/20

Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 3-11-2020

REVIEWER: R.W.W.

SITE LOCATION: #37 JOHN ST.

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

A Sidewalk/Grass Strip Crossing Only

Peer Review _____

☒ 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 3"

☐ Cables Transferred to New Pole N/A

☒ Depth of Conduit

☒ New Riser on Pole No

☒ Utility Conflicts

☒ Visible Trench Patch across Road/Sidewalk No

☒ Crossing Perpendicular to Road

☒ Abutters List Complete

☒ Public Road

☒ Photos Included

☐ Double Pole N/A

Department Head OK R.P. Nersis 3/30/20

COMMENTS:

NO TRENCHING, NO RISER ON POLE AS OF 3-11-2020.
CONDUIT CROSSES OVER SEWER, DRAIN, ^{WATER} AND GAS LINES IN STREET.



200 Calvary Street
Waltham, Ma 02453

March 6, 2020

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: John Street
Needham, MA
W/O #2369844

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 37 feet of conduit in John Street.

The reason for this work is to provide electric service to 37 John Street.

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 black ink, appearing to read "R. Schifone", written over a horizontal line.

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. Debeneditis, dated March 4, 2020**, and filed herewith, under the following public way or ways of said Town:

John Street - **Southwesterly from pole 312/4, approximately
443 feet south of Central Avenue, a distance of
37 ± feet - conduit**

W/O #2369844

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**



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

Dated this 6th day of March

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2020

**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:

**John Street - Southwesterly from pole 312/4, approximately
443 feet south of Central Avenue, a distance of
37 ± feet - conduit**

W/O #2369844

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis**, dated **March 4, 2020** 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 _____ 2020 at _____ in said Town.

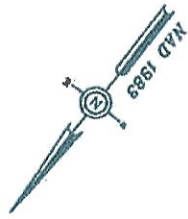
1	_____	
2	_____	
3	_____	
4	_____	
5	_____	

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 _____, 2020 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



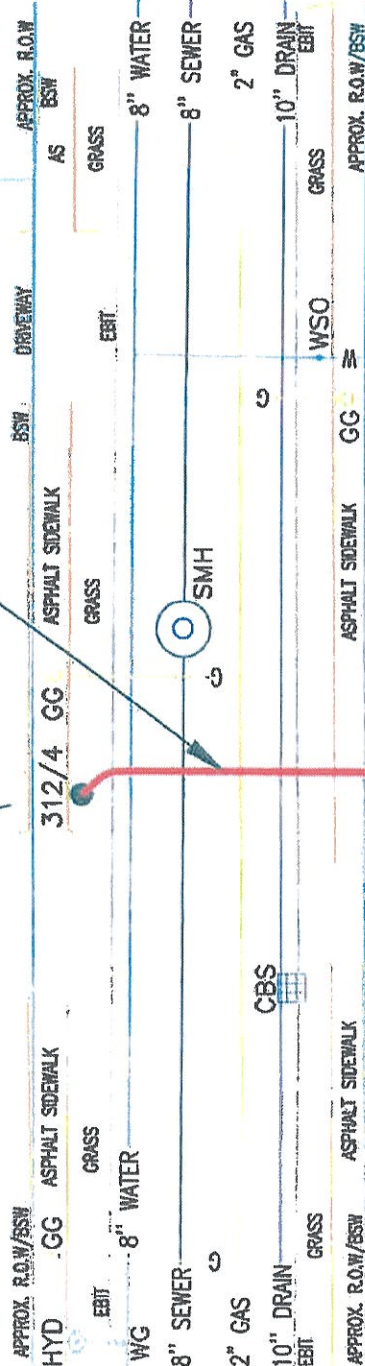
#46

#40

INSTALL 1 - 3" PVC PIPE
SCHEDULE 40
NO CONCRETE

443' ± TO
CENTRAL AVE

#34



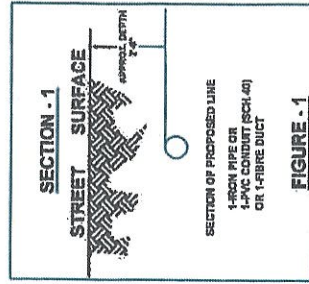
JOHN ST

APPROX. PT.
OF PICKUP

#31

#37

#45



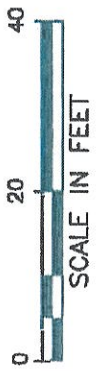
BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP YOU AGREE THAT NO WARRANTY OF ANY KIND OR EXPRESS OR IMPLIED IS MADE WITH RESPECT TO THE INFORMATION. NEITHER NEAR ELECTRIC COMPANY NOR ANY OF ITS EMPLOYEES OR AGENTS SHALL BE LIABLE FOR ANY LOSS OR DAMAGE, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR IN CONNECTION WITH THE INFORMATION OR ANY OF ITS EMPLOYEES OR AGENTS. THE INFORMATION IS PROVIDED AS IS, WITHOUT WARRANTY OF ANY KIND, AND THE USER ASSUMES ALL LIABILITY FOR THE INFORMATION. THE INFORMATION MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

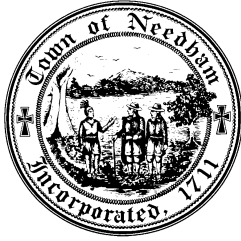
C# 45-20	Ward #
Work Order # 236844	Surveyed by: GG/JF
Research by: SC	Plotted by: LM
Proposed Structures: TL	Approved: A DEBENEKICIS
P#	Scale 1"=20'
	Sheet 1 of 1

ASTAR EVERSOURCE
ENGINEERING
1183 MASSACHUSETTS AVE. DORCHESTER, MASS. 02123

Plan of JOHN ST.
NEEDHAM
Showing PROPOSED CONDUIT LOCATION

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





Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

The Select Board will hold this public hearing as part of its virtual meeting on Tuesday, April 14, 2020 at 7:00 p.m. No in-person meeting will take place at the Needham Town Hall, 1471 Highland Avenue, Needham, MA.

To listen, view and participate in this virtual meeting on your phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. Zoom meeting ID information will be posted on the Select Board's agenda at www.needhamma.gov on April 10, 2020, alternatively you may call 781-455-7500 ext. 204.

NOTICE

To the Record

You are hereby notified that a virtual public hearing will be held **at 7:00 p.m. on April 14, 2020** upon petition of Eversource Energy dated **March 6, 2020** to install approximately 37 feet of conduit in John Street. This work is necessary to provide electric service to 37 John Street, Needham MA.

A public hearing is required and abutters should be notified.

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

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

SELECT BOARD

Dated: April 3, 2020

37 JOHN STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
WALLACE, ANTHONY G.		28 HORACE ST	NEEDHAM HTS	MA	02494	1990920002500000	28 HORACE ST
GIUMETTI, DONALD G.		P.O. BOX 1440	WESTPORT	MA	02790	1990920002600000	34 HORACE ST
SANDLER, DONALD R &	SANDLER, JACQUELINE	40 HORACE ST	NEEDHAM	MA	02492	1990920002700000	40 HORACE ST
MUKHERJEE, BRIAN H &	MUKHERJEE, ALEXA	46 HORACE ST	NEEDHAM	MA	02492	1990920002800000	46 HORACE ST
BRAU, RICARDO &	SUAREZ, LARA	54 HORACE ST	NEEDHAM HTS	MA	02494	1990920002900000	54 HORACE ST
KELLY, LOIS L.		61 HORACE ST	NEEDHAM HTS	MA	02494	1990920003000000	61 HORACE ST
MIDDLETON, GARY		55 HORACE ST	NEEDHAM HTS	MA	02494	1990920003100000	55 HORACE ST
JENKINS, KEVIN R.		49 HORACE ST	NEEDHAM	MA	02492	1990920003200000	49 HORACE ST
GELLER, GREGORY A. &	LORIA, ALYSON J.	43 HORACE ST	NEEDHAM HTS	MA	02494	1990920003300000	43 HORACE ST
HORMAN, PETER &	HORMAN, RACHEL	39 HORACE ST	NEEDHAM	MA	02494	1990920003400000	39 HORACE ST
AMODEO, GEREARD M &	AMODEO, JESSICA A	33 HORACE ST	NEEDHAM HTS	MA	02494	1990920003500000	33 HORACE ST
CHEE, AMY B		27 HORACE ST	NEEDHAM HTS	MA	02494	1990920003600000	27 HORACE ST
KATHERINE W. LESANTO, TR	THE 5 HORACE STREET NOMINEE TRUST	5 HORACE ST	NEEDHAM	MA	02494	1990920003700000	5 HORACE ST
CARBAJAL, MARIA D. TR.	CARBAJAL JOHN STREET REALTY TRUST	10 JOHN ST	NEEDHAM	MA	02494	1990920004000000	10 JOHN ST
REDMOND, PATRICK & JACQUELYN L.	C/O CHAVAN, AJIT BHIWAJI & MONICA AJIT	16 JOHN ST	NEEDHAM	MA	02492	1990920004100000	16 JOHN ST
RANIERI, LOUIS L. + LOURDES G., TRUSTEES	THE L & L TRUST	22 JOHN ST	NEEDHAM	MA	02494	1990920004200000	22 JOHN ST
BIELLIK, SUSAN &	BIELLIK, STEPHEN	28 JOHN ST	NEEDHAM	MA	02494	1990920004300000	28 JOHN ST
MOTA CONSTRUCTION CORP		34 JOHN ST	NEEDHAM HTS	MA	02494	1990920004400000	34 JOHN ST
MOTA CONSTRUCTION CORP		65 CAPE RD	MENDON	MA	01756	1990920004500000	40 JOHN ST
A.R.P. DEVELOPMENT LLC		7 MONTAGUE RD	DEDHAM	MA	02026	1990920004600000	46 JOHN ST
MACKINTOSH, BRIAN &	MACKINTOSH, KATHRYN	50 JOHN ST	NEEDHAM HTS	MA	02494	1990920004700000	50 JOHN ST
WONG, JOSEPH KIM YUN &	SUN, PHYLLIS PIKYI	33 FRANK ST	NEEDHAM	MA	02494	1990920004800000	33 FRANK ST
GARDELLA, JENNIFER R. &	SKROCE, STEVEN	45 JOHN ST	NEEDHAM	MA	02492	1990920004900000	45 JOHN ST
JAMES, DARIA M. TR.	VIGLIANO FAMILY 2016 IRREVOCABLE R	37 JOHN ST	NEEDHAM HTS	MA	02494	1990920005000000	37 JOHN ST
MUSE, SUSAN, TRUSTEE	EFH NOMINEE TRUST	27 PARKHURST DRIVE	ASHLAND	MA	01721	1990920005100000	31 JOHN ST
PLASTER, DENNIS +	PLASTER, CINDY ANN	25 JOHN ST	NEEDHAM HTS	MA	02494	1990920005200000	25 JOHN ST
RANIERI, LOUIS L., TR.	22 JOHN STREET TRUST	22 JOHN ST	NEEDHAM	MA	02492	1990920005300000	19 JOHN ST
WURCEL, BRIAN &	WURCEL, NINA	11 JOHN ST	NEEDHAM HTS	MA	02494	1990920005400000	11 JOHN ST
HESSER, MATHEW M. &	HESSER, RACHEL A.	7 JOHN ST	NEEDHAM HTS	MA	02494	1990920005500000	7 JOHN ST
ALAWAMI, AMEL HUSSAIN		360 CENTRAL AVE	NEEDHAM HTS	MA	02494	1990920005600000	360 CENTRAL AVE
TOTTEN, THOMAS M. TR.	THOMAS M. TOTTEN REVOCABLE TRUST	370 CENTRAL AVE	NEEDHAM	MA	02492	1990920005700000	370 CENTRAL AVE
TIERNEY, PAUL-JOHN E TR.	THE TIERNEY IRREVOCABLE TRUST	378 CENTRAL AVE	NEEDHAM	MA	02494	1990920005800000	378 CENTRAL AVE
GALLON, MATTHEW &	BLAZAR, DIANA	386 CENTRAL AVE	NEEDHAM HTS	MA	02494	1990920005900000	386 CENTRAL AVE
ROTHENBERG, ERIC P. & ELY, PAMELA	19 JENNIFER REALTY TRUST	19 JENNIFER CIR	NEEDHAM	MA	02494	1990920006000000	19 JENNIFER CIR
PETRINI, L. & SON, INC.		187 ROSEMARY STREET	NEEDHAM	MA	02494	1990920006400000	0 JENNIFER CIR
MINDICH, BRADLEY M. &	MINDICH, RACHAEL S.	26 JENNIFER CIR	NEEDHAM	MA	02494	1990920006500000	26 JENNIFER CIR
KOSOW, LAWRENCE &	KOSOW, RONI	20 JENNIFER CIR	NEEDHAM	MA	02494	1990920006700000	20 JENNIFER CIR
BATRA, AJAY K. &	BATRA, URVASHI	57 FRANK ST	NEEDHAM	MA	02494	1990920006800000	57 FRANK ST
AMSDEN, DAVID K. TR.	DAVID K. AMSDEN 2017 FAMILY TRUST	47 FRANK ST	NEEDHAM	MA	02492	1990920006900000	47 FRANK ST
GARDELLA, JENNIFER R &	SKROCE, STEVEN	45 JOHN ST	NEEDHAM	MA	02492	1990920007000000	0 FRANK ST
REARDON, MICHAEL W.	REARDON, CLAIRE M.	60 HORACE ST	NEEDHAM	MA	02494	1990930001100000	60 HORACE ST
KASSIFF, AMIR &	KASSIFF, ESTHER	62 LYNN RD	NEEDHAM	MA	02494	1990930001200280	62 LYNN RD
NOYMER, MICHAEL +	NOYMER, CAROL SHAPIRO	70 LYNN RD	NEEDHAM	MA	02494	1990930001200290	70 LYNN RD
CHOI, PETER & KIM &	MA, CHUN YAN	77 WILLIAM ST	NEEDHAM HTS	MA	02494	1990930001200300	77 WILLIAM ST

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

37 JOHN STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
CORKIN, LAUREN TR.	71 WILLIAM STREET REALTY TRUST	71 WILLIAM ST	NEEDHAM	MA	02494	1990930001200310	71 WILLIAM ST
OSHEROFF, ALAN R. +	OSHEROFF, DEBRA LEE	64 WILLIAM ST	NEEDHAM	MA	02494	1990930001200530	64 WILLIAM ST
SINGAL, GABRIEL E. &	SCHLUSSEL, JENNIFER S.	72 WILLIAM ST	NEEDHAM	MA	02494	1990930001200540	72 WILLIAM ST

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




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

MEETING DATE: 4/14/2020

Agenda Item	Public Hearing: Eversource Energy Grant of Location –141 Edgewater Drive
Presenter(s)	Maureen Carroll, Eversource Energy Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install 35 feet of conduit in Edgewater Drive. This work is necessary to provide electric service to 141 Edgewater Drive, Needham, MA. 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 35 feet of conduit in Edgewater Drive. This work is necessary to provide electric service to 141 Edgewater Drive, Needham, MA.	
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 Plans f. Notice Sent to Abutters g. List of Abutters	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

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

TO: Nikki Witham, Selectmen Office

FROM: Judy Laffey, DPW Office

DATE: 3/30/20

RE: 141 Edgewater Dr.

For Selectmen Meeting of 4/15/20

Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 3-11-2020

REVIEWER:

R.W.W.

SITE LOCATION: #141 EDGEWATER DR.

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

A Sidewalk/Grass Strip Crossing Only

Peer Review _____

☒ 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 3"

☐ Cables Transferred to New Pole N/A

☒ Depth of Conduit

☐ New Riser on Pole NO

☐ Utility Conflicts

☐ Visible Trench Patch across Road/Sidewalk No

☒ Crossing Perpendicular to Road

☒ Abutters List Complete

☒ Public Road

☒ Photos Included

☐ Double Pole N/A

Department Head OK R.C. Munn 3/30/20

COMMENTS:

NO TRENCHING. NO RISER ON POLE AS OF 3-11-2020.

CONDUIT CROSSES SEWER, WATER, AND GAS LINES IN STREET/BERM.



200 Calvary Street
Waltham, Ma 02453

March 6, 2020

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Edgewater Drive
Needham, MA
W/O #2368208

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 35 feet of conduit in Edgewater Drive.

The reason for this work is to provide electric service to 141 Edgewater Drive.

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 black ink, appearing to read "RMS", with a stylized flourish at the end.

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 March 5, 2020**, and filed herewith, under the following public way or ways of said Town:

**Edgewater Drive - Northerly from pole 402/13, approximately
831 feet east of Edgewater Lane, a distance
of 35 ± feet - conduit**

W/O #2368208

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**



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

Dated this 6th day of March

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2020

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:

**Edgewater Drive - Northerly from pole 402/13, approximately
831 feet east of Edgewater Lane, a distance
of 35 ± feet - conduit**

W/O #2368208

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis**, dated **March 5, 2020** 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 _____ 2020 at _____ in said Town.

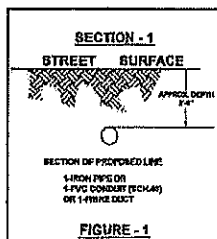
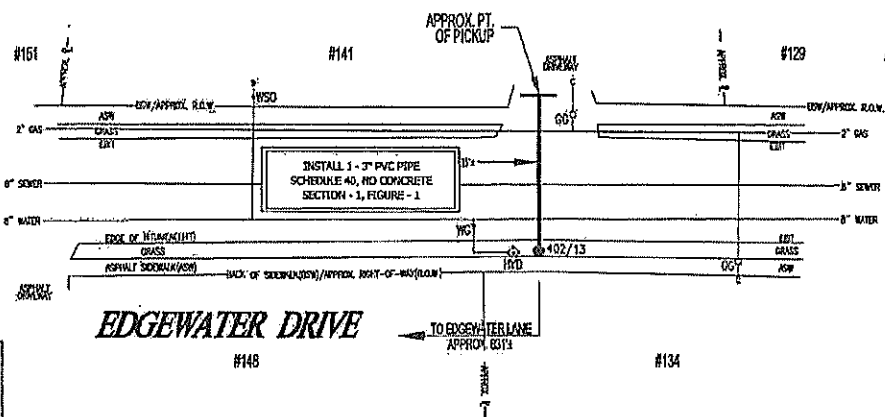
1	_____	
2	_____	
3	_____	
4	_____	
5	_____	

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 _____, 2020 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

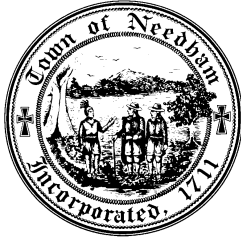


NOTE:
THE LOCATION OF UNKNOWN UTILITY STRUCTURES ARE FROM PLANS AND RECORDS AND ARE APPROXIMATE ONLY. IN ADDITION, SURFACE FEATURES OF UTILITIES AND STRUCTURES LOCATED BY FIELD SURVEY ARE SHOWN TO THEIR NEAREST 1/4\"/>

0 20 40
SCALE IN FEET

IN THE CITY OF BOSTON, I, THE ENGINEER, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THE ABOVE DRAWING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MASSACHUSETTS.
MASS. LAW
ENGINEER IS HOLDING OFFICE TO THE PUBLIC COMPANY
BOSTON, MASSACHUSETTS 02111

DATE	4-20-20	ATLAS EVERSOURCE 2554 2000 AVENUE OF THE STARS, SUITE 200 BOSTON, MA 02116
PROJECT	2554	
DESIGNED BY	DE/AF	FIELD
CHECKED BY	SC	REVISION
PROPOSED BY	SC	SHOWING PROPOSED CONDUIT LOCATION
APPROVED BY	A. DEZENDICIS	DATE
IN	1-20	DATE
	1 of 1	



Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

The Select Board will hold this public hearing as part of its virtual meeting on Tuesday, April 14, 2020 at 7:00 p.m. No in-person meeting will take place at the Needham Town Hall, 1471 Highland Avenue, Needham, MA.

To listen, view and participate in this virtual meeting on your phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. Zoom meeting ID information will be posted on the Select Board's agenda at www.needhamma.gov on April 10, 2020, alternatively you may call 781-455-7500 ext. 204.

NOTICE

To the Record

You are hereby notified that a virtual public hearing will be held **at 7:00 p.m. on April 14, 2020** upon petition of Eversource Energy dated **March 6, 2020** to install approximately 35 feet of conduit in Edgewater Drive. This work is necessary to provide electric service to 141 Edgewater Drive, Needham MA.

A public hearing is required and abutters should be notified.

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

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

SELECT BOARD

Dated: April 3, 2020

189 EDGEWATER DRIVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
SCHLAUCH, ROBERT W., TR	THE ROBERT W SCHLAUCH 1999 TRUST	134 EDGEWATER DR	NEEDHAM	MA	02492	1992010001300000	134 EDGEWATER DR
KATZ, FREDERIC, TR.	148 EDGEWATER DRIVE REALTY TRUST	148 EDGEWATER DR	NEEDHAM	MA	02492	1992010001400000	148 EDGEWATER DR
EICHNER, MARVIN A +	EICHNER, MARILYN R	160 EDGEWATER DR	NEEDHAM	MA	02492	1992010001500000	160 EDGEWATER DR
KILGORE, ROBERT A. &	KLEPPER-KILGORE, NANCY	172 EDGEWATER DR	NEEDHAM	MA	02492	1992010001600000	172 EDGEWATER DR
RHODES, R. STEVEN &	RHODES, CARA JO	182 EDGEWATER DR	NEEDHAM	MA	02492	1992010001700000	182 EDGEWATER DR
NECTOW, DAVID M.		190 EDGEWATER DR	NEEDHAM	MA	02492	1992010001800000	190 EDGEWATER DR
CRANNA, BRUCE &	CRANNA, JILL I	200 EDGEWATER DR	NEEDHAM	MA	02492	1992010001900000	200 EDGEWATER DR
SILVERMAN, MICHAEL S & HARRIET LEE, TRS	THE 18 EDGEWATER LANE REALTY TRUST	18 EDGEWATER LN	NEEDHAM	MA	02492	1992010002000000	18 EDGEWATER LN
GRIFFIN, JAMES &	MENA, LISA	218 EDGEWATER DR	NEEDHAM	MA	02492	1992010002500000	218 EDGEWATER DR
CHANNEN, PHILIP E. TR. &	CHANNEN, LISA C. TR.	228 EDGEWATER DR	NEEDHAM	MA	02492	1992010002600000	228 EDGEWATER DR
OSULLIVAN, JAMES B. JR. &	OSULLIVAN, MARIE E.	237 EDGEWATER DR	NEEDHAM	MA	02492	1992010002800000	237 EDGEWATER DR
BLAKELOCK, DAVID K.		217 EDGEWATER DR	NEEDHAM	MA	02492	1992010002900000	217 EDGEWATER DR
BARR, JOSEPH S. JR. & CONSTANCE S.	EDGEWATER DRIVE 205 REALTY TRUST	205 EDGEWATER DR	NEEDHAM	MA	02492	1992010003000000	205 EDGEWATER DR
CROSSON, MARY K. TR.	CROSSON REALTY TRUST	189 EDGEWATER DR	NEEDHAM	MA	02492	1992010003100000	189 EDGEWATER DR
GEORGE, JACOB &	WEAR- GEORGE, JENNIFER	151 EDGEWATER DR	NEEDHAM	MA	02492	1992010003200000	151 EDGEWATER DR
COLEMAN, COLIN A. &	COLEMAN, MARY ELIZABETH	141 EDGEWATER DR	NEEDHAM	MA	02492	1992010003300000	141 EDGEWATER DR
MCCARTHY, KEVIN F. &	MCCARTHY, KAREN J.	129 EDGEWATER DR	NEEDHAM	MA	02492	1992010003400000	129 EDGEWATER DR
HUNNICUTT, JONATHAN E &	HUNNICUTT, ANNA A	271 EDGEWATER DR	NEEDHAM	MA	02492	1992010003900000	271 EDGEWATER DR
DELANDERS, ZINA TR.	ZINA DELANDERS IRREVOCABLE TRUST	259 EDGEWATER DR	NEEDHAM	MA	02492	1992010004000000	259 EDGEWATER DR



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

MEETING DATE: 4/14/2020

Agenda Item	Public Hearing: Eversource Energy Grant of Location –189 Edgewater Drive
Presenter(s)	Maureen Carroll, Eversource Energy Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install 11 feet of conduit in Edgewater Drive. This work is necessary to provide electric service to 189 Edgewater Drive, Needham, MA. 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 11 feet of conduit in Edgewater Drive. This work is necessary to provide electric service to 189 Edgewater Drive, Needham, MA.	
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 Plans f. Notice Sent to Abutters g. List of Abutters	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

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

TO: Nikki Witham, Selectmen Office

FROM: Judy Laffey, DPW Office

DATE: 3/30/20

RE: 189 Edgewater Dr.

For Selectmen Meeting of 4/15/20

Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 3-11-2020

REVIEWER:

R.W.N.

SITE LOCATION: #189 EDGEWATER DR.

UTILITY REQUESTING:

EVERSOURCE

Conduit Work Area Description

☒ A Sidewalk/Grass Strip Crossing Only

Peer Review _____

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 4"

☐ Cables Transferred to New Pole N/A

☒ Depth of Conduit

☐ New Riser on Pole NO

☒ Utility Conflicts

☒ Visible Trench Patch across Road/Sidewalk NO

☒ Crossing Perpendicular to Road

☐ Abutters List Complete

☒ Public Road

☒ Photos Included

☐ Double Pole N/A

Department Head OK. RB. Merson 3/30/20

COMMENTS:

NO TRENCHING VISIBLE ON SIDEWALK, NO RISER ON POLE AS of 3-11-2020.



200 Calvary Street
Waltham, Ma 02453

March 6, 2020

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Edgewater Drive
Needham, MA
W/O #2369841

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 11 feet of conduit in Edgewater Drive.

The reason for this work is to provide electric service to 189 Edgewater Drive.

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 blue ink, appearing to read "R. Schifone".

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 March 5, 2020**, and filed herewith, under the following public way or ways of said Town:

**Edgewater Drive - Southeasterly from pole 402/18, approximately
72 feet south of Edgewater Lane, a distance
of 11 ± feet - conduit**

W/O #2369841

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**



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

Dated this 6th day of March

~~Town of NEEDHAM~~ Massachusetts

Received and filed _____ 2020

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:

**Edgewater Drive - Southeasterly from pole 402/18, approximately
72 feet south of Edgewater Lane, a distance
of 11 ± feet - conduit**

W/O #2369841

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis**, dated **March 5, 2020** 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 _____ 2020 at _____ in said Town.

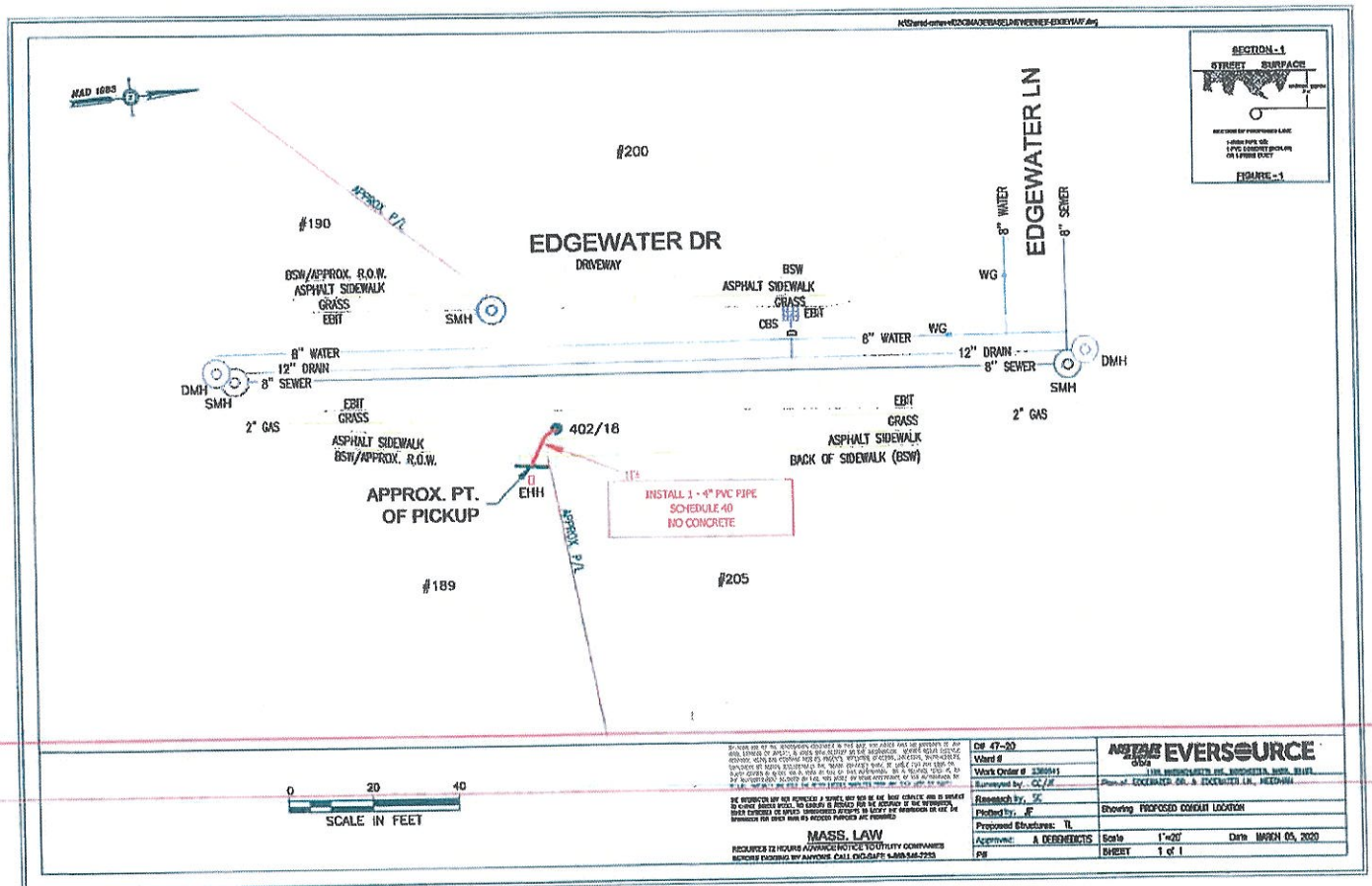
1	_____	
2	_____	
3	_____	
4	_____	
5	_____	

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**, Masssachusetts, duly adopted on the _____ day of _____, 2020 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



THESE PLANS ARE THE PROPERTY OF EVERSOURCE ENERGY CORPORATION. THEY ARE TO BE USED ONLY FOR THE PROJECT AND AT THE LOCATION SPECIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF EVERSOURCE ENERGY CORPORATION IS PROHIBITED. EVERSOURCE ENERGY CORPORATION ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THESE PLANS. THE USER OF THESE PLANS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE REGULATIONS. EVERSOURCE ENERGY CORPORATION DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THESE PLANS. THE USER OF THESE PLANS SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY AND COMPLETENESS OF THESE PLANS. EVERSOURCE ENERGY CORPORATION SHALL NOT BE LIABLE FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THESE PLANS. THE USER OF THESE PLANS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE REGULATIONS.

MASS. LAW
REQUIRE 24 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
 BEFORE EXCAVATING FOR ANYTHING. CALL 800-454-7273

OF 47-20	
Work Order #	138681
Drawn by	CE/JR
Checked by	CE
Proposed Structures	TL
Approved	A. DEMONTE
PS	

EVERSOURCE

1100 WASHINGTON ST., WASHINGTON, MA 01890

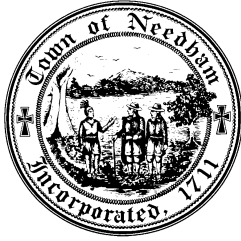
Phone: 800-454-7273 or 978-234-1111, 978-234-1112

Showing PROPOSED CONDUIT LOCATION

Scale: 1"=20'

Sheet: 1 of 1

Date: MARCH 05, 2020



Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

The Select Board will hold this public hearing as part of its virtual meeting on Tuesday, April 14, 2020 at 7:00 p.m. No in-person meeting will take place at the Needham Town Hall, 1471 Highland Avenue, Needham, MA.

To listen, view and participate in this virtual meeting on your phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. Zoom meeting ID information will be posted on the Select Board's agenda at www.needhamma.gov on April 10, 2020, alternatively you may call 781-455-7500 ext. 204.

NOTICE

To the Record

You are hereby notified that a virtual public hearing will be held **at 7:00 p.m. on April 14, 2020** upon petition of Eversource Energy dated **March 6, 2020** to install approximately 11 feet of conduit in Edgewater Drive. This work is necessary to provide electric service to 189 Edgewater Drive, Needham MA.

A public hearing is required and abutters should be notified.

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

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

SELECT BOARD

Dated: April 3, 2020

141 EDGEWATER DRIVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
EMILL, ANDREW &	QURESHI, ALIA	112 EDGEWATER DR	NEEDHAM	MA	02492	1992010001100000	112 EDGEWATER DR
SWETT, CHESTER, JR., TR		124 EDGEWATER DR	NEEDHAM	MA	02492	1992010001200000	124 EDGEWATER DR
SCHLAUCH, ROBERT W., TR	THE ROBERT W SCHLAUCH 1999 TRUST	134 EDGEWATER DR	NEEDHAM	MA	02492	1992010001300000	134 EDGEWATER DR
KATZ, FREDERIC, TR.	148 EDGEWATER DRIVE REALTY TRUST	148 EDGEWATER DR	NEEDHAM	MA	02492	1992010001400000	148 EDGEWATER DR
EICHNER, MARVIN A +	EICHNER, MARILYN R	160 EDGEWATER DR	NEEDHAM	MA	02492	1992010001500000	160 EDGEWATER DR
KILGORE, ROBERT A. &	KLEPPER-KILGORE, NANCY	172 EDGEWATER DR	NEEDHAM	MA	02492	1992010001600000	172 EDGEWATER DR
OSULLIVAN, JAMES B. JR. &	OSULLIVAN, MARIE E.	237 EDGEWATER DR	NEEDHAM	MA	02492	1992010002800000	237 EDGEWATER DR
BLAKELOCK, DAVID K.		217 EDGEWATER DR	NEEDHAM	MA	02492	1992010002900000	217 EDGEWATER DR
BARR, JOSEPH S. JR. & CONSTANCE S.	EDGEWATER DRIVE 205 REALTY TRUST	205 EDGEWATER DR	NEEDHAM	MA	02492	1992010003000000	205 EDGEWATER DR
CROSSON, MARY K. TR.	CROSSON REALTY TRUST	189 EDGEWATER DR	NEEDHAM	MA	02492	1992010003100000	189 EDGEWATER DR
GEORGE, JACOB &	WEAR- GEORGE, JENNIFER	151 EDGEWATER DR	NEEDHAM	MA	02492	1992010003200000	151 EDGEWATER DR
COLEMAN, COLIN A. &	COLEMAN, MARY ELIZABETH	141 EDGEWATER DR	NEEDHAM	MA	02492	1992010003300000	141 EDGEWATER DR
MCCARTHY, KEVIN F. &	MCCARTHY, KAREN J.	129 EDGEWATER DR	NEEDHAM	MA	02492	1992010003400000	129 EDGEWATER DR
HALLIDAY, THOMAS S. &	HALLIDAY, DARLYNN H.	111 EDGEWATER DR	NEEDHAM	MA	02492	1992010003500000	111 EDGEWATER DR
CUSICK, PAUL S &	CUSICK, CHRISTINE M	95 EDGEWATER DR	NEEDHAM	MA	02492	1992010003600000	95 EDGEWATER DR
PATKIN, SUSAN K. & ROGER A. TRS.	SUSAN K. PATKIN TRUST	73 EDGEWATER DR	NEEDHAM	MA	02492	1992010003700000	73 EDGEWATER DR
CADIGAN, JOHN B., JR. &	CADIGAN, ELEANOR M.	283 EDGEWATER DR	NEEDHAM	MA	02492	1992010003800000	283 EDGEWATER DR
HUNNICUTT, JONATHAN E &	HUNNICUTT, ANNA A	271 EDGEWATER DR	NEEDHAM	MA	02492	1992010003900000	271 EDGEWATER DR
DELANDERS, ZINA TR.	ZINA DELANDERS IRREVOCABLE TRUST	259 EDGEWATER DR	NEEDHAM	MA	02492	1992010004000000	259 EDGEWATER DR

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



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

MEETING DATE: 4/14/2020

Agenda Item	Continue Spiga Restaurant Change of Ownership, Manager and Beneficial Interest Public Hearing
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will request that the Select Board open and continue the Spiga Restaurant Change of Ownership, Manager and Beneficial Interest Public hearing to May 12, 2020.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board vote to continue the Spiga Restaurant Change of Ownership, Manager and Beneficial Interest Public hearing to May 12, 2020.	
3.	BACK UP INFORMATION ATTACHED (Describe backup below)
NONE	



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

MEETING DATE: 4/14/2020

Agenda Item	Continue Community Stormwater Mitigation Assessment Public Hearing
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Town Manager will request that the Select Board open and continue the Stormwater Mitigation Assessment Public hearing to May 12, 2020.
2.	VOTE REQUIRED BY SELECT BOARD
	<i>Suggested Motion:</i> That the Board vote to continue the Stormwater Mitigation Assessment Public hearing to May 12, 2020.
3.	BACK UP INFORMATION ATTACHED (Describe backup below)



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

MEETING DATE: 4/14/2020

Agenda Item	2020 Annual Town Meeting School Department Warrant Articles
Presenter(s)	Anne Gulati, Assistant Superintendent for Finance & Operations

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Ms. Gulati will provide the Board with an explanation of two articles contained in the Annual Town Meeting Warrant relating to School operations: Foster Care Transportation Reimbursement and Special Education Reserve Fund.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
a. Memos from Anne Gulati to the Needham School Committee dated January 11, 2020 (2)	



NEEDHAM PUBLIC SCHOOLS

OFFICE OF FINANCIAL OPERATIONS
ANNE GULATI, ASSISTANT SUPERINTENDENT
1330 HIGHLAND AVENUE * NEEDHAM, MA 02492
781-455-0400 EXT. 206 * 781-455-0417 (FAX)

January 11, 2020

To: Needham School Committee
From: Anne Gulati, Assistant Superintendent for Finance & Operations
RE: 2020 ATM Warrant Article Request - Foster Care Transportation Reimbursement

Background:

Under the Every Student Succeeds Act (ESSA), children in foster care are required to remain in their School of Origin as long as it is deemed to be in the best interest of the child. The School of Origin is responsible for funding the cost of transporting the foster care child to and from school. The Executive Office of Health and Human Services (EOHHS), in a partnership with the Department of Children and Families (DCF) and the Department of Elementary and Secondary Education (DESE), has developed a methodology that could reimburse a share of these transportation costs through Title IV-E, a section of the Social Security Act administered by DCF that provides federal reimbursement to states for services provided to children in foster care and other child welfare services. This voluntary program allows Local Education Authorities (LEAs) such as the Needham Public Schools to report their eligible transportation expenditures for children in foster care to the state to be claimed for federal reimbursement. It is estimated that LEAs will receive about 20% of reported costs in reimbursement. Reimbursement for transportation expenditures covered by any other federal funding source is not allowable (e.g., special education, homeless, Title I, etc.), even if that transportation is for a child in foster care, in order to avoid potential duplication of claiming.

The aforementioned agencies (DCF, EOHHS and DESE) have developed a voluntary, supplemental foster care transportation reimbursement program under the authority of M.G.L. Ch. 44 s. 70. Under this statute, a city or town, by vote of its town meeting, town council or city council, and with the approval of the selectmen, town manager or mayor, can authorize the LEA to enter into contracts to seek federal reimbursement for activities being carried out by the municipality, and to provide that payments for services under such contracts be made from the reimbursements or revenues recovered as a result of the services performed, without appropriation of such revenues.

If authorized, Needham could begin submit claims in FY21 for the foster care transportation expenses it has incurred in FY20. (Claims can be submitted for eligible payments incurred in the prior year.) The anticipated claim amount for FY20 is \$14,000, which could yield a reimbursement of \$2,800 (@ 20%) in the first year of implementation.

At present, the payments received under this program would be received by the General Fund, similar to Medicaid program receipts.

Warrant Article Request:

The purpose of the requested warrant article is to seek approval for the Needham Public Schools to enter into the attached MOU for the purposes of Title IV-E reimbursement.

ALG/alg
Attachment

**Memorandum of Understanding – Every Student Succeeds Act
Transportation Claiming Under Title IV-E of the Social Security Act**

This Memorandum of Understanding (MOU) has been created and entered into on _____, 2019 by and between the following parties in relation to the administration of school of origin transportation costs under the Every Student Succeeds Act (ESSA) to maximize Federal Financial Participation from the Federal Government through Title IV-E of the Social Security Act (Title IV-E):

Executive Office of Health and Human Services (EOHHS);

Department of Elementary and Secondary Education (DESE);

Department of Children and Families (DCF); and

_____**(Enter name)**
**Commonwealth City/Town/Regional School District or Local Education
Agency**

The Commonwealth of Massachusetts, Executive Office of Health and Human Services, Department of Elementary and Secondary Education, Department of Children and Families and _____ the City or Town or Regional School District of [] by and through [] (legal name and address of the Local Education Agency, hereinafter, the LEA), hereby agree to the following terms and conditions as they relate to reporting costs and receiving Title IV-E allowable federal reimbursement for said costs as they relate to transporting children eligible under Title IV-E foster care to and from their foster placement and their School of Origin, effective for dates of service on or after April 1, 2019.

RECITALS

WHEREAS, DCF is the single state agency designated to submit claims to the Administration of Children and Families (ACF) for the purposes of obtaining Title IV-E cost reimbursement; and

WHEREAS, the LEA desires to participate in the Title IV-E Claiming of Transportation Expenditures for Children in Foster Care (hereinafter, the “Program”) under the terms and conditions set forth in this Memorandum of Understanding (MOU);

WHEREAS, the scope of services and providers payable under the Program is defined by this MOU; and

NOW, THEREFORE, in consideration of the mutual obligations contained in this MOU, the parties agree as follows:

Section 1. DEFINITIONS

The following terms that appear capitalized throughout this MOU shall have the following meanings, unless the context clearly indicates otherwise.

Administration of Children and Families (ACF) – The agency responsible for the oversight and administration of services pertaining to children, youth, and families nationwide, as established under the authority of Section 6 of the Reorganization Plan No. 1 of 1953.

Certification of Qualified Expenditures or Certification of Qualifying Expenditures – For purposes of this agreement, an expenditure for Transportation that is certified, or attested to, by a contributing public agency or designated authority at a public agency that is eligible for reimbursement under Title IV-E of the Social Security Act.

Department of Children and Families (DCF) – The constituent agency within EOHHS providing services to children 0 through 22 years old who are at risk or have been victims of abuse or neglect, as well as their families, established under M.G.L. c. 18B, § 1.

Department of Elementary and Secondary Education (DESE) – The constituent agency within the Executive Office of Education responsible for the provision of a public education system of a sufficient quality to extend to all children, established under M.G.L. c. 69, § 1.

Every Student Succeeds Act (ESSA) – Federal Law passed in December 2015 governing United States K-12 public education policy (Public Law 114-95).

Executive Office of Health and Human Services (EOHHS) – The executive secretariat of the Commonwealth of Massachusetts established under M.G.L. c. 6A, § 2 that oversees DCF.

Individualized Education Program (IEP) – A written statement, developed and approved in accordance with federal special education law in a form established by the Department of Elementary and Secondary Education, that identifies a student's special education needs and describes the services a school district shall provide to meet those needs.

Local Education Agency (LEA) – See definition for Local Government Entity.

Local Government Entity – Pursuant to MGL c. 44, § 70 and for purposes of this MOU, a city or town, that by vote of its town meeting, town council or city council with the approval of the selectmen, town manager or mayor, authorizes the LEA to enter into this MOU and that is responsible, or assumes responsibility, either directly or indirectly through an agency or other political subdivision, for the non-federal share of the Program expenditures. Local Governmental Entity is also referred to as Local Educational Authority (LEA) in this MOU.

Metropolitan Council for Educational Opportunity (METCO) – a state-funded grant program run by DESE intended to expand educational opportunities, increase diversity, and reduce racial isolation by permitting students in Boston and Springfield to attend public schools in other communities that have agreed to participate, pursuant to M.G.L. c. 76, § 12A.

Reporting Tool – The mechanism, designed and agreed upon by EOHHS, DESE, and DCF, by which the LEA will report on costs associated with the Program and attest to the accuracy of said costs.

School of Origin – The school in which a child is enrolled at the time of placement in foster care. Pursuant to Elementary and Secondary Education Act, § 1111 (g)(1)(E)(i)), DESE and the LEAs must ensure that a child in foster care enrolls or remains in his or her school of origin unless a determination is made that it is not in the child’s best interest.

State Fiscal Year – The 12-month period commencing July 1 and ending June 30 and designated by the calendar year in which the fiscal year ends (e.g., State Fiscal Year 2019 starts on July 1, 2018 and ends June 30, 2019).

Title IV-E – an amendment to the Social Security Act that allows states to claim federal reimbursement for the costs of administering foster, adoptive, and guardianship services based on specific eligibility criteria.

Title IV-E Allowable Transportation Claiming Activities – The process through which an LEA requests payment based on Title IV-E-allowable actual incurred costs related to Administrative Activities. Administrative Activities Claiming is further described in Section 2.3 of this MOU.

Title IV-E Claiming of Transportation Expenditures for Children in Foster Care Program – The program through which Local Government Entities participate in administrative activities claiming of Title IV-E allowable expenditures of transportation for children in foster care.

Title IV-E Eligibility – children in foster care that meet the federal eligibility requirements outlined in the Social Security Act for foster care maintenance payments claimed on their behalf.

Title IV-E Federal Financial Participation (Title IV-E FFP) – The amount of the federal share that may be available based on the Certification of Qualifying Expenditures of an LEA for administrative activities related to the provision of transportation services to IV-E eligible foster care children to their School of Origin provided pursuant to this MOU.

Section 2. TERMS AND CONDITIONS

1. Subject to (a) the City/Town/Regional School District, hereinafter, Local Education Agency’s (LEA) voluntary compliance, as determined by EOHHS, with all submission and other requirements established by EOHHS, DESE, and DCF, hereto referred to as “the Commonwealth”; (b) all other state approvals; (c) federal approval of all necessary payment and funding methods and payment limits; and (d) the availability of Title IV-E

FFP, the Commonwealth will pay the LEA an amount equal to the final Title IV-E FFP amount received by the Commonwealth for the allowable Certification of Qualifying Expenditures of the LEA for that state fiscal year, less any contingency fees and other administrative costs.

2. The LEA shall submit to the DESE no later than October 1 of each year, a cost report and Certification of Qualifying Expenditures on a form designated by the Commonwealth and completed in accordance with the Commonwealth's instructions and signed by an officer who is an authorized signatory of the unit of government providing the non-federal share of Title IV-E allowable transportation expenditures associated with transporting children to/from his/her School of Origin.
3. Said certification shall provide that the LEA's reported expenditures are allowable costs for children in foster care who are covered under ESSA and exclude the following costs:
 - a. Any Individualized Education Program (IEP) transportation costs incurred for a child who is enrolled in MassHealth where transportation services are required under the IEP;
 - b. Any costs for children and youth considered homeless as defined by the McKinney-Vento Homeless Assistance Act's, 42 USC 11434(a)(2);
 - c. Participate in METCO as set forth in M.G.L. c. 76, § 12A; or
 - d. Any other federally funded form of transportation services.
4. The LEA shall comply with all Title IV-E transportation administrative and billing requirements set forth in this MOU or incorporated by reference and applicable laws, regulations or subregulatory guidance regarding these requirements.
5. The LEA must repay to the Commonwealth any amounts resulting from any overpayment, erroneous reporting, administrative fine, or otherwise, in accordance with this MOU, DESE's rules and regulations, and all other applicable state and federal laws.
6. In the event that a review by the Commonwealth, ACF, or any other state and federal oversight entity reveals that the LEA's claim resulted in a duplicate payment under one or more state or federal programs or that LEA did not follow the requirements in accordance with the terms specified herein or applicable state or federal laws for any fiscal year the Commonwealth retains the right to recover payments from the LEA for that fiscal year(s).
7. At any point during the MOU, if the Commonwealth, in its sole judgment, identifies any deficiency in the LEA's performance under the MOU, the Commonwealth may require the LEA to develop a corrective action plan to correct such deficiency. The corrective action plan must, at a minimum:
 - a. identify each deficiency and its corresponding cause;
 - b. describe corrective measures to be taken to address each deficiency and its cause;
 - c. provide a time frame for completion of each corrective measure;

- d. describe the target outcome or goal of each corrective measure (i.e., how the action taken will be deemed successful);
- e. describe the documentation to be submitted to the Commonwealth as evidence of success with respect to each corrective measure; and
- f. identify the person responsible for each corrective measure, and any other information specified by the Commonwealth.

The LEA shall submit any such corrective action plan to the Commonwealth and shall implement such corrective action plan only as approved or modified by the Commonwealth. Under such corrective action plan, the Commonwealth may require the LEA to (1) alter the manner or method in which the LEA performs any MOU responsibilities, and (2) implement any other action that the Commonwealth may deem appropriate.

The LEA's failure to implement any corrective action plan may, in the sole discretion of the Commonwealth, be considered breach of the MOU, subject to any and all agreement remedies including, but not limited to, termination of the MOU.

- 8. Any costs incurred by the Commonwealth to administer the LEA's participation in the ESSA transportation claiming program, including contingency fees payable to the Commonwealth contractors, if necessary, will be offset against amounts of federal revenue payable to the LEA under an ongoing MOU or withheld in a special payment arrangement in the case of MOU termination.
- 9. The LEA shall immediately disclose to the Commonwealth any non-compliance by the LEA with any provision of this MOU, or any state or federal law or regulation governing this MOU.
- 10. In the event that the Commonwealth receives written notification of a deferral or disallowance of Title IV-E FFP claimed on behalf of the LEA's services through the Certification of Qualifying Expenditures, receives written notification of an audit finding requiring the return of any such Title IV-E FFP, or otherwise reasonably determines that any such Title IV-E FFP will be deferred or disallowed if claimed, the Commonwealth shall so notify the LEA. At any time after the Commonwealth's receipt of such notice or other information, it may require the LEA to remit to the Commonwealth the amount of payment(s) under review, pending final disposition of such review. The Commonwealth shall specify such amount in a written remittance notice to the LEA and, within 30 days of the date of such remittance notice, the LEA shall repay to the Commonwealth an amount equal to the amount specified. In the absence of such a remittance notice, the LEA may, on its own initiative remit such amount to the Commonwealth. In the event the LEA for any reason retains payment amounts subject to deferral, disallowance, or audit findings as described herein, the LEA shall be liable for such amounts plus any interest assessed by the federal government on the Commonwealth. The Commonwealth shall provide to the LEA written notification of the amount of any federal interest assessed on

payment amounts retained by the LEA. In the event that the final disposition of the deferral, disallowance, or audit described herein requires the Commonwealth to return an amount previously paid by the LEA to the Commonwealth under these provisions, no such payment due to the LEA shall constitute a late payment or otherwise obligate the Commonwealth to pay to the LEA any interest on such payment. Any remittance pursuant to the provisions of the paragraph shall be in accordance with all applicable state law.

11. The LEA must maintain records that are accurate and sufficiently detailed to substantiate the legal, financial, and statistical information reported on the Certification of Qualifying Expenditure form. These records must demonstrate the necessity, reasonableness, and relationship of the costs (e.g., personnel, supplies, and services) to the provision of services and must be furnished upon request to the Commonwealth or its designees, or to any other federal and state officials and agencies authorized by law to inspect such information or their designees, including the United States Secretary of Health and Human Services, the Comptroller General of the United States, the Administration for Children and Families, the Governor of Massachusetts, the Massachusetts Secretary of Administration and Finance, the Massachusetts State Auditor, the Massachusetts Department of Elementary and Secondary Education, and the Massachusetts Department of Children and Families. These records include, but are not limited to, all relevant transportation payments, service dates related to transportation payments, and child count. The LEA must maintain documentation supporting the transportation costs: (1) associated with transporting children eligible under Title IV-E in foster care, including their names and dates of services provided; and (2) that the costs are associated with transporting these children to/from their School of Origin; and (3) that the costs are not excluded pursuant to Section 2.3 of this MOU. The LEA is required to maintain cost report work papers for a minimum period of seven years beyond the last quarter that a child's transportation costs are included on a claim or until the completion of any audit, whichever is longer, following the end of each cost reporting period.
12. The LEA and any of their business associates/subcontractors shall comply with the terms, conditions, and obligations relating to data privacy, security, and management of personal and other confidential information applicable to the LEA under this MOU, as well as any other laws, regulations and other legal obligations regarding the privacy and security of such information to which the LEA is subject.
13. The Terms and Conditions set forth in this MOU may be terminated by any party upon written notice to the other at the address set forth below. Notice shall be sent to:

Executive Office of Health and Human Services
Office of Federal Finance and Revenue
600 Washington Street, 7th Floor
Boston, MA 02111
Attn: Michael Berolini, Director

Local Education Agency Name

Local Education Agency Address

Local Education Agency Address

Attn: _____
Local Education Agency Contact

14. The Terms and Conditions may be amended at any time in writing, signed by all parties.
15. The Terms and Conditions shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.
16. No provision of the Terms and Conditions is or shall be construed as being for the benefit of, or enforceable by, any third party.
17. Rights and obligations, which by their nature should survive or which these Terms and Conditions expressly states will survive, will remain in full force and effect following termination or expiration of this MOU. Notwithstanding the generality of the foregoing, the rights and duties under paragraph 12 survive the termination or expiration of this MOU.

Signed by the respective duly authorized representatives of the parties hereto.

**COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE
OFFICE OF HEALTH AND HUMAN SERVICES**

By: _____
EOHHS Authorized Signatory

Name: _____(Print)

Date: _____

By: _____
DESE Authorized Signatory

Name: _____(Print)

Date: _____

By: _____
DCF Authorized Signatory

Name: _____(Print)

Date: _____

_____(Name)

Local Education Agency Authorized Signatory

By: _____
Local Education Agency Authorized Signatory

Date: _____

Name: _____(Print)

Position: _____

Phone Number: _____

Email Address: _____



NEEDHAM PUBLIC SCHOOLS

OFFICE OF FINANCIAL OPERATIONS
ANNE GULATI, ASSISTANT SUPERINTENDENT
1330 HIGHLAND AVENUE * NEEDHAM, MA 02492
781-455-0400 EXT. 206 * 781-455-0417 (FAX)

January 14, 2020

To: Needham School Committee
From: Anne Gulati, Assistant Superintendent for Finance & Operations
RE: 2020 ATM Warrant Article Request - Special Education Reserve Fund

Background:

M.G.L. Chapter 40, s. 13 E, as authorized by Section 24 of Chapter 218 of the Acts of 2016, provides for the establishment of a Special Education Stabilization fund. Although special education expenses are normally paid from the school operating budget, these expenses can increase unexpectedly by hundreds of thousands of dollars to meet Individualized Educational Plan requirements or changing student needs. A special education reserve fund would provide a transparent and manageable way to address extraordinary and unanticipated increases in special education, tuition and transportation, that otherwise could not be met by existing operational resources.

Under the law, a school district, by a majority vote of both the school committee and the legislative body, may establish and appropriate (or transfer) money to a reserve fund to be utilized in upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation. The balance in such reserve fund is limited to two per cent of the annual net school spending of the school district.

Additionally, funds in the reserve fund can only be expended or transferred out after a majority vote of both the School Committee and Selectmen. Once the fund is established, the Department of Elementary and Secondary Education allows the School Committee to include a separate line item within its annual budget request to appropriate monies into the stabilization fund. Alternatively, Town Meeting could take separate action to appropriate funds to the SPED Reserve Fund, by majority vote.

The School Department desires to create such a fund to provide a source of funding for extraordinary, unbudgeted increases in special education costs, including out of district tuitions and transportation. (Smaller, more moderate increases would be paid from school operational resources.) The balance in the fund would be built up gradually over time, via annual appropriations to the fund. The proposed first year contribution to the fund would be made in FY22, as part of the Town's regular budgeting process.

An initial, target fund balance amount of \$750,000 is suggested, with a maximum allowable balance equal to 2% of required net school spending, the statutory amount. (Needham's FY20 required net school spending amount is \$59,699,044, of which 2% equals \$1,193,980.) As a guideline, the School Department proposes that a limit also be imposed on the amount that could be expended within a fiscal year of \$1,000,000, or the available balance, whichever is less.

Warrant Article Request:

The purpose of the requested warrant article is to seek Town Meeting approval for the creation of a special education reserve fund under M.G.L. Ch. 40 s. 13 E.

Attachments:

- M.G.L. Ch. 40, Section 13E.
- DESE Advisory on Special Education Reserve Fund

ALG/alg
Attachment

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
Chapter 40	POWERS AND DUTIES OF CITIES AND TOWNS
Section 13E	SCHOOL DISTRICT RESERVE FUNDS TO PAY FOR UNANTICIPATED OR UNBUDGETED COSTS FOR SPECIAL EDUCATION, OUT-OF-DISTRICT TUITION OR TRANSPORTATION

Section 13E. Any school district which accepts this section, by a majority vote of the school committee and a majority vote of the legislative body or, in the case of a regional school district by a majority vote of the legislative bodies in a majority of the member communities of the district, may establish and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation. The balance in such reserve fund shall not exceed 2 per cent of the annual net school spending of the school district.

Funds shall only be distributed from the reserve funds after a majority vote of the school committee and a majority vote of the board of selectman or city council, or, in the case of a regional school district by a majority vote of the board of selectmen or city council in a majority of the member communities of the district.

The district treasurer may invest the monies in the manner authorized in section 54 of chapter 44 and any interest earned thereon shall be credited to and become part of the fund.



Security Portal (<https://gateway.edu.state.ma.us/>) | A-Z Index (</resources/A-Zindex.aspx>) | Powered by [Google Translate \(https://translate.google.com\)](https://translate.google.com)

School Finance and District Support (/finance/)

[Accounting & Auditing ▾ \(/finance/accounting/\)](/finance/accounting/)

[Chapter 70 Program \(/finance/chapter70/\)](/finance/chapter70/)

[Charter Schools \(/charter/finance/\)](/charter/finance/)

[Circuit Breaker \(/finance/circuitbreaker/\)](/finance/circuitbreaker/)

[Educational Collaboratives \(/finance/collaboratives/\)](/finance/collaboratives/)

[DESE Budget \(/finance/ESEbudget/\)](/finance/ESEbudget/)

[Grants/Funding Opportunities ▾ \(/grants/\)](/grants/)

[Nutrition Programs \(/cnp/nprograms/\)](/cnp/nprograms/)

[Regional Districts \(/finance/regional/\)](/finance/regional/)

[School Buildings \(/finance/sbuilding/\)](/finance/sbuilding/)

[School Choice \(/finance/schoolchoice/\)](/finance/schoolchoice/)

[School Finance Regulations \(/lawsregs/603cmr10.html\)](/lawsregs/603cmr10.html)

[Spending Comparisons ▾ \(/finance/statistics/\)](/finance/statistics/)

[Transportation \(/finance/transportation/\)](/finance/transportation/)

[Chapter 74 Nonresident Tuition \(/ccte/cvte/admissions/\)](/ccte/cvte/admissions/)

[School Finance Contacts \(/finance/contactus.html\)](/finance/contactus.html)

[Related Links \(/finance/links.html\)](/finance/links.html)

Advisory on Special Education Stabilization Fund

Section 24 of Chapter 218 of the Acts of 2016 provides for the establishment of a Special Education Stabilization fund. The law enables municipal and regional districts to establish a reserve fund that can be used in future years for unanticipated or unbudgeted costs of special education, out of district tuition or transportation.

Establishing, funding and making payments from the stabilization fund

In order to establish the fund the law requires a majority vote by both the School Committee and local legislative body. In the case of regional school districts the local legislative body means a majority vote of the legislative bodies in a majority of the member communities of the district. Once the fund is established, the school committee may include a separate line item in their annual budget request to appropriate monies into the stabilization fund. For regions, the amount to be appropriated to the stabilization fund is included in each member municipality's assessment. The balance in the reserve fund cannot exceed two percent of the annual net school spending of the school district.

Funds in the reserve fund can only be expended or transferred out after a majority vote of both the School Committee and Selectmen or City Council or in the case of regional school districts, a majority vote of the boards of selectmen or city councils of a majority of the member communities of the district.

Other areas districts may choose to consider when establishing the fund are:

- Maximum balance in the fund
- A limit on the amount that can be expended in a fiscal year

Reporting of activity in the stabilization fund

Annual appropriations into a stabilization fund should not be reported as an expenditure on the End of Year Financial Report. There is no reporting requirement for increasing the balance in the fund.

Expenditures from the fund should be reported as an additional appropriation of the school committee in the appropriate function codes on Schedules 1 and 3 of the End of Year Financial Report. Expenditures are made directly from the stabilization fund so a transfer into the general fund is not required.

Questions about this advisory should be directed to Jay Sullivan, associate commissioner, district & school finance, at 781-338-6594 or [✉](mailto:jsullivan@doe.mass.edu) jsullivan@doe.mass.edu (<mailto:jsullivan@doe.mass.edu>).

About this Site

[A-Z Site Index \(/resources/A-Zindex.aspx\)](/resources/A-Zindex.aspx)

[Policies \(/resources/policy.html\)](/resources/policy.html)

[Site Information \(/resources/howto.html\)](/resources/howto.html)

[Photo Credits \(/resources/credits.html\)](/resources/credits.html)

[Contact Webmaster \(https://massgov.service-now.com/\)](https://massgov.service-now.com/)

Most Requested

[Licensure \(/licensure/\)](/licensure/)

[Curriculum Frameworks \(/frameworks/\)](/frameworks/)

[MCAS \(/mcas/\)](/mcas/)

[MTEL \(/mtel/\)](/mtel/)

[Educator Services \(/educators/\)](/educators/)

[Educator Evaluation \(/edeval/\)](/edeval/)

[Job Opportunities \(/jobs/\)](/jobs/)

Comments/Questions

[Media & Public Records Requests \(/news/\)](/news/)

[Contact the Department \(/contact/\)](/contact/)

[Contact the Board \(/bese/contactinfo.html\)](/bese/contactinfo.html)

[Contact a District or School \(http://profiles.doe.mass.edu/search/search.aspx?leftNavId=11238\)](http://profiles.doe.mass.edu/search/search.aspx?leftNavId=11238)

[Problem Resolution \(/prs/\)](/prs/)

Stay Connected

 Follow us on Twitter (<https://twitter.com/maschoolsk12>)

 Like us on Facebook (<https://www.facebook.com/MassachusettsDESE/>)

 Watch us on YouTube (<https://www.youtube.com/user/massachusettsese>)

 Sign up to receive updates (</resources/newsletter-signup.aspx>)

 Register for a DESE event (</events.aspx>)

Contact Us

Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street, Malden, MA 02148-4906

Voice: (781) 338-3000

TTY: (800) 439-2370

 [Directions \(/contact/doedirections.html\)](/contact/doedirections.html)

Disclaimer: A reference in this website to any specific commercial products, processes, or services, or the use of any trade, firm, or corporation name is for the information and convenience of the public and does not constitute endorsement or recommendation by the Massachusetts Department of Elementary and Secondary Education.



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

MEETING DATE: 4/14/2020

Agenda Item	Close Special 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 close the warrant for the June 15, 2020 Special Town Meeting.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board vote to close the warrant for the June 15, 2020 Special Town Meeting, 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 April 10, 2020	

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, JUNE 15, 2020

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 4.10.2020

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

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

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

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

MONDAY, THE FIFTEENTH DAY OF JUNE, 2020

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

FINANCE ARTICLES

ARTICLE 4: APPROPRIATE FOR TRAFFIC CONSULTING & ENGINEERING

To see if the Town will vote to appropriate the sum of \$45,000 for planning and traffic consulting and engineering services, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from an available fund; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 5: AMEND THE FY2020 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2019 Operating Budget adopted under Article 18 of the 2019 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>

or take any other action relative thereto.

INSERTED BY:
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 6: APPROPRIATE FOR PAYMENT OF UNPAID BILLS OF PRIOR YEARS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$_____ for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, as follows, and that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

Department	Vendor	Description	Fiscal Year	Amount

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: State law requires Town Meeting action in order for the Town to make payment for bills received after the close of the fiscal year or in excess of appropriation.

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

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

Given into our hands at Needham aforesaid this 14th day of April, 2020.

Select Board of Needham

A TRUE COPY
Attest:

June 15, 2020
Special Town Meeting

Constable:

DRAFT 4.10.2020

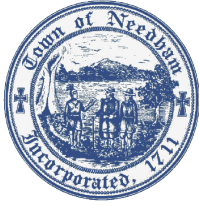


**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 04/14/2020

Agenda Item	COVID -19 Update
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will provide an update to the Board regarding COVID-19.	
2.	VOTE REQUIRED BY SELECT BOARD
None	
3.	BACK UP INFORMATION ATTACHED



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

MEETING DATE: 04/14/2020

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	

**Town of Needham
Select Board
Minutes for Friday April 3, 2020
By Zoom Video Conference
<https://zoom.us/j/607456201>**

3:00 p.m. Call to Order:

A meeting of the Select Board was convened by Chair John A. Bulian. Those participating were Maurice P. Handel, Matthew D. Borrelli, Daniel P. Matthews, and Town Manager Kate Fitzpatrick. Marianne B. Cooley did not participate. Also participating were Tim McDonald, Health and Human Services/Director, Dave Davison, Assistant Town Manager/Finance, and Denise Garlick, State Representative. Recording Secretary Mary Hunt recorded the meeting remotely.

Mr. Bulian announced this open meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020 due to the current state of emergency from the outbreak of the COVID-19 virus. He noted all public gatherings have been suspended and, as such, the requirement of the open meeting law to have all meetings in a public, accessible, physical location has been suspended and members of all public bodies are able to participate remotely. Mr. Bulian stated the meeting will not include public comment and the Needham Select Board and all attendees are convening by Zoom. He said all supporting documents used at this meeting are available on the Town's website.

3:03 p.m. COVID-19 Update - Emergency Operations Center and Health & Human Services: Tim McDonald, Health and Human Services/Director said the Needham Public Health department, Public Information Officer, and Emergency Management Administrator continue working from the Emergency Operations Center at the Rosemary Complex to help support the response to the COVID-19 pandemic. He said much of the work now concerns public education, the importance of social distancing, and assisting first responder agencies and long-term care facilities in dealing with patients and combating the virus. He commented Barbara Singer, Health Director/Needham Public Schools has been helping the Needham's public health nurses with contact tracing and other assistance. He said the Emergency Operations Center is organizing donations of Personal Protective Equipment from the Exchange Club, public schools, Chinese Friends of Needham, and private citizens. Donations are going to BID Needham, first responders, and other parties to make sure people with exposure to the public have the appropriate equipment to remain safe. Mr. McDonald reiterated public education and the importance of social distancing must continue to be conveyed to residents in order to stop the spread of the virus. He said he understands the challenge, but said it is critical for residents to stay physically apart from their friends and neighbors.

Mr. Borrelli asked for an update on parks where people have congregated, as well as mortality modeling data as it relates to Needham so the hospital and off-site locations can be prepared.

Mr. McDonald said a number of steps have been taken discouraging people from congregating at parks, including closing parking areas and restricting access with caution tape. He encouraged people to get outdoor activity and exercise, as long as they do it without congregating in groups. He said group activities, such as basketball, cannot take place as close proximity is how the infectious disease can spread. Mr. McDonald said data specific to Needham is not available, but the public health nurse, Chief Condon, Chief Schlittler, Town Manager, the head of BID Needham, and the Infection Control nurse at BID Needham are in regular contact to better understand community conditions and what can be expected from patients that first responders may have to assist. Mr. McDonald spoke about take-out food service saying Needham has a number of responsible restaurant operators and an environmental staff who do inspections. He said inspections continue and guidance has been given on how to conduct safe food take-out operations. He said he has full confidence in food service establishments to provide food in a safe and effective manner. He suggested people take food out of the container, use their own silverware, and to wash hands after coming in from outside. He said curbside pickup and free delivery are being offered.

3:12 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 Minutes of March 10, March 13, March 24 and March 27, 2020 (open session) and March 10, 2020 (Executive Session)**
- 2. Grant extension of Spring Licenses (issued by Select Board due to Expire on April 30, 2020) until July 1, 2020.**
- 3. Accept the following donations to the Towns: \$100 worth of surgical masks from the Chinese Friends of Needham and \$532 worth of gloves from the Needham Exchange Club.**

Second: Mr. Borrelli. Unanimously approved 4-0 by roll call vote.

3:12 p.m. COVID-19 Update Continuity of Operations:
Kate Fitzpatrick, Town Manager said it is an anxious time for everyone, thanking staff for continuing to show up to do the work of the Town and for the public.

Ms. Fitzpatrick commented on specific departments and the essential services provided to residents.

She said the Department of Public Works is on a split weekly shift to protect staff, stay healthy, and continue providing services. She said the Water and Sewer staff is working, along with a “skeleton crew” assisting with special tasks related to the Emergency Operations Center by moving in message boards, blocking parking

lots, and organizing school meal distribution by setting up temporary weather shelters. She said Recycling and Transfer Station employees are working on a split shift with the same amount of disposal volume. She said a new traffic pattern, effective immediately, will moderate the number of people entering the RTS at any given time and help with social distancing. She said bulky waste, swap shop, and Goodwill donation bins are closed. Ms. Fitzpatrick encouraged residents to drop trash at non-peak times, suggesting Tuesday-Friday as the best time. She said the Library is active with numerous online resources for children including ebooks, at home learning, and exploring the possibility of read aloud time, as well as on-line music performances. Ms. Fitzpatrick said the Park and Recreation department is organizing the “Shine On Needham” program encouraging residents to decorate homes to provide cheer and will distribute chalk to children to write messages on the sidewalk for people out walking. Ms. Fitzpatrick said the CATH provides box lunch from Springwell which are delivered to participants who need it, weekly grocery delivery in partnership Trader Joe’s, a generous one-time delivery of 60 pasta meal kits from Twirl of Arlington for lunch box participants, and daily email and video updates from CATH staff to seniors to help with social isolation. She said social services continue offering counseling and case management by phone. She said high school students are also volunteering for a new phone chat program to call and check in on senior citizens. Ms. Fitzpatrick said Dan Gutekanst, Schools Superintendent asked students to write letters to senior citizens and drop them off at the Emery Grover Building. The pen pal letters will be delivered to the Aging Services division for distribution to Needham seniors. Ms. Fitzpatrick commented the Travelling Meals program continues. She said Youth and Family Services continues with clinics on-line and a new #selfcareneedham initiative to promote self-care in the community. Ms. Fitzpatrick said schools collaborated with town departments to provide the Child Nutrition Program of grab and go food service for children and teens free of charge, regardless of need. She said the service is available Tuesday and Friday at the High Rock School by drive through. Ms. Fitzpatrick recognized the work by the Police and Fire Departments. She said Personal Protective Equipment stock is acceptable, but the Town continues looking for more supply.

Mr. Bulian asked residents to keep large trash items at home for the time being, and continue using yellow bags, as it equitably divides the cost among residents and maintains the system.

Mr. Borrelli said yellow bags are available for delivery by local establishments. He asked about keeping the police and fire stations sanitized.

Ms. Fitzpatrick said regular cleaning is taking place, as well as cleaning vehicles. She said employee temperatures are taken when they arrive at work, social distancing continues, and full PPE is worn. She said PPE and personal hygiene is what will keep everyone safe.

Mr. Matthews reiterated that residents should go to the RTS Tuesday-Friday.

Mr. Handel said Harvey's Hardware is not delivering yellow bags, but has a table set up at the store entrance to purchase bags. He reiterated revenue from the sale of yellow bags is needed to run the RTS.

Dave Davison said Governor Baker today signed into law an act granting authority to municipalities to ease some requirements, including extending the property tax bill due date to June 1, 2020 from May 1, 2020, wave accrued interest penalties on bills due during the state of emergency from March 10 to June 30, 2020 as long as the bill is paid in full, and grants an extension of the filing deadline for some exemption applications from April 1, 2020 to June 1, 2020. He commented on the delay of the annual Town Meeting, FY2021 town budget, and the Massachusetts income tax deadline extension to July 15, 2020. Mr. Davison said there is some easing in regulations allowing restaurants with alcoholic licenses to serve sealed containers of alcoholic beverages (wine and malt beverages only) with a food order. He commented on not for profit meetings and retirees.

Mr. Borrelli asked for creative ways the Board can help small businesses, and said discussion is needed to establish a fund.

Mr. Bulian said the issue of helping small businesses is complicated.

Mr. Handel said the Council on Economic Advisors will meet to discuss the issue, noting there are ways to help both residents and businesses. He said when the crisis is over, people will need to get their business up and running as quickly as possible.

Motion by Mr. Handel that the Select Board ratify and support the actions of the Town Manager that are authorized by the Act to Address Challenges Faced by Municipalities and State Authorities resulting from COVID-19,

and

Further, that the Select Board support and endorse the action to change the due date for FY2020 Fourth Quarter Property Tax Bills from May 1, 2020 to June 1, 2020,

and

Further, that the Select Board support and endorse the action to waive payment of interest and other late penalties on late payments for bills that were due after March 10, 2020 and paid before June 30, 2020 for Motor Vehicle Excise Tax, FY 2020 First Quarter Property Tax, Betterment Assessment, and Water or Sewer Bill.

Second: Mr. Borrelli. Unanimously approved 4-0 by roll call vote.

3:41 p.m. April Select Board Meetings:
Ms. Fitzpatrick recommended the Select Board change its scheduled meeting from April 15, 2020 to April 14, 2020.

Motion by Mr. Handel that the Select Board vote to change the Select Board meeting scheduled for Wednesday, April 15, 2020 to Tuesday, April 14, 2020.
Second: Mr. Borrelli. Unanimously approved 4-0 by roll call vote.

3:42 p.m. Call for Fall Town Meeting:
Ms. Fitzpatrick asked the Board to call for the Fall Town Meeting on Monday, October 5, 2020, with the possibility a second night would be scheduled for Wednesday, October 7, 2020.

Motion by Mr. Handel that the Select Board vote to call for a Special Town Meeting to be held on Monday, October 5, 2020, with a possible second night on Wednesday, October 7, 2020.
Second: Mr. Borrelli. Unanimously approved 4-0 by roll call vote.

Mr. Matthews noted the goal is to hold the Special Town Meeting on one night, but flexibility is needed, and Town Meeting Members should block out the two nights.

3:44 p.m. Town Manager:
Ms. Fitzpatrick proposed the next Select Board meeting be held on Thursday, April 9, 2020 at 4 p.m. by Zoom.

Mr. Bulian said times are challenging, but people are pulling together, practicing social distancing, and mostly conducting themselves appropriately. He thanked residents for their patience as the Town works to provide necessary and usual services in a safe manner.

3:45 p.m. Adjourn:
Motion by Mr. Handel that the Select Board vote to adjourn the Select Board meeting on Friday, April 3, 2020.
Second: Mr. Borrelli. Unanimously approved 4-0 by roll call vote.

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

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