

SELECT BOARD
6:00 p.m. August 18, 2020
Needham Town Hall
Revised 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 81178733033 or click the link below to join the webinar: <https://us02web.zoom.us/j/81178733033>.

		Informal Meeting with Citizens <i>One or more members of the Select Board will be available between 5:45 and 6:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Select Board's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	6:00	Certificate of Appreciation – Elaine Saunders, Commission on Disabilities Committee
2.	6:00	Public Hearing: Eversource Energy Grant of Location- Marked Tree Road Maureen Carroll, Eversource Energy Representative
3.	6:05	COVID-19 Update Tiffany Zike, Public Health Nurse
4.	6:20	Superintendent of Schools Update Dan Gutekanst, Superintendent of Schools
5.	6:50	Town Manager - Appoint Interim Director of Public Works - Needham Unites Against Racism Initiative - Small Cell Wireless Facilities Policy - Open Special Town Meeting Warrant - Liquor License Regulations - Town Manager Report
6.	7:20	Board Discussion - Town Manager Evaluation - Update of FY2020 – FY2021 Goals - Town Common Preservation - Committee Reports

APPOINTMENTS

1.	Various Committee Reappointments	See list attached.
2.	Human Rights Committee	Marcus Nelson (term expires 6/30/2023)
3.	Rail Trail Advisory Committee	Stacey Mulroy (term expires 6/30/2023)
4.	MWRA Advisory Board	Sean Harrington (term expires 6/30/2023)

CONSENT AGENDA *=Backup attached

1.	Accept the following donations made to Needham Youth & Family Services' Volunteers Around Needham Program: \$20 from the Kline family; \$20 from the Franco Family; and \$25 from the Kelleher family.
2.*	Approve corrected G Schedule for the FY2021 Classification and Compensation Plan.
3.*	Approve the following grant applications made to the Needham Commission on Disabilities: David Summergrad requested a grant for payment of the \$200 honorarium for Lillian Elmore's presentation via Zoom, sponsored by the Needham Diversity Initiative. Lillian is a senior at Lexington High School who has cerebral palsy and gave an inspirational talk on empowerment, living with disabilities, accessibility and all challenges; and Julie Muse-Fisher, along with Mary Ricci and Kate Groton, requested a grant for up to \$2600 to support various initiatives for the new Intensive Learning Center (ILC) at Pollard Middle School.
4.	Accept the following donations made to the Needham Community Revitalization Trust Fund: \$100 from Mr. Joseph Leghorn.
5.	Accept a donation of a 6x10 nylon flag to fly at Avery Square from Ted Shaughnessy, a Needham resident.
6.*	Accept various donations from the Town of Needham's Bi-centennial celebration in 1911 and other assorted memorabilia from a Needham native that was born in 1913. Items were donated by his son, Sandy Bucknam. Some items include a pennant, three small plates, a medal and various pictures.
7.*	Approve minutes from July 21, 2020 meeting.
8.*	Approve, sign and return the 2020 Final Boundary Validation Program form from the U.S. Census Bureau.
9.*	Approve donation from the Needham Fire Department of a turnout gear dryer to the Medway Fire Department.
10.*	Water and Sewer Abatement Order #1294.
11.	Disband the Cable Advisory Television Committee with thanks to its members.
12.*	Approve banner flag design for the showcase banner program on Chapel Street that reads Shop Local, Wear a Mask, Keep Needham Safe. This is an initiative from the Needham Health Department.

**Certificate Of
Appreciation**

**From The
Town of Needham, Massachusetts
Select Board**

Awarded to:

ELAINE R. SAUNDERS

In recognition of over 29 years of distinguished service to the Town of Needham. Thank you for your oversight and guidance to the Needham Commission on Disabilities and for your selfless dedication in serving as member from when the Commission was first established in 1991 and as Co-Chair for so many years. Congratulations!

Signed this 18th day of August 2020

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



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

MEETING DATE: 08/18/2020

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

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 5 feet of conduit in Marked Tree Road. This work is necessary to provide underground electric service to 169 Marked Tree Road, Needham. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY SELECT BOARD
<u>Suggested Motion:</u> Move that the Select Board approve and sign a petition from Eversource Energy to install approximately 5 feet of conduit in Marked Tree Road. This work is necessary to provide underground electric service to 169 Marked Tree Road, Needham.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. DPW Review Sheet b. Letter of Application c. Petition d. Order e. Petition Plan f. Notice Sent to Abutters g. List of Abutters	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

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

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

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

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 7-28-2020 REVIEWER: RWW.
SITE LOCATION: #169 MARKED TREE RD. UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

- | | | |
|---|------------------|------------------|
| ☒ A Sidewalk/Grass Strip Crossing Only | Peer Review | <u>8/5/20 mm</u> |
| 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. <u>N/A</u> |
| ☒ Diameter of Conduit <u>3"</u> | ☐ Cables Transferred to New Pole <u>N/A</u> |
| ☒ Depth of Conduit | ☒ New Riser on Pole |
| ☒ Utility Conflicts | ☒ Visible Trench Patch across Road/Sidewalk |
| ☐ Crossing Perpendicular to Road <u>N/A</u> | ☐ Abutters List Complete |
| ☒ Public Road | ☒ Photos Included |
| ☐ Double Pole <u>N/A</u> | |

Department Head _____

COMMENTS:

IT APPEARS THAT THE TRENCH AND RISER ON THE POLE
HAVE BEEN INSTALLED. NO CONNECTION OVERHEAD AS YET.
* SPOKE WITH OWNER (JUAN) HE WILL ATTEND MEETING TO DISCUSS WORK DONE PRIOR
TO PERMIT. OKAY TO PROCEED mm



200 Calvary Street
Waltham, Ma 02453

July 24, 2020

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Marked Tree Road
Needham, MA
W/O #2392180

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 5 feet of conduit in Marked Tree Road.

The reason for this work is to provide underground electric service to 169 Marked Tree road.

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

Very truly yours,

Richard M. 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 July 21, 2020**, and filed herewith, under the following public way or ways of said Town:

Marked Tree Road - **Northwesterly from pole 41/20,
approximately 17 feet west of
Fairview Road, a distance of
5 ± feet – conduit**

W/O #2392180

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

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

Dated this 24th day of July
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:

Marked Tree Road - Northwesternly from pole 41/20, approximately 17 feet west of Fairview Road, a distance of 5 ± feet – conduit

W/O #2392180

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 **July 21, 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 _____

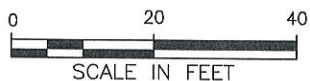
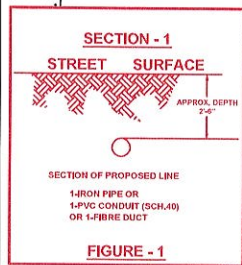
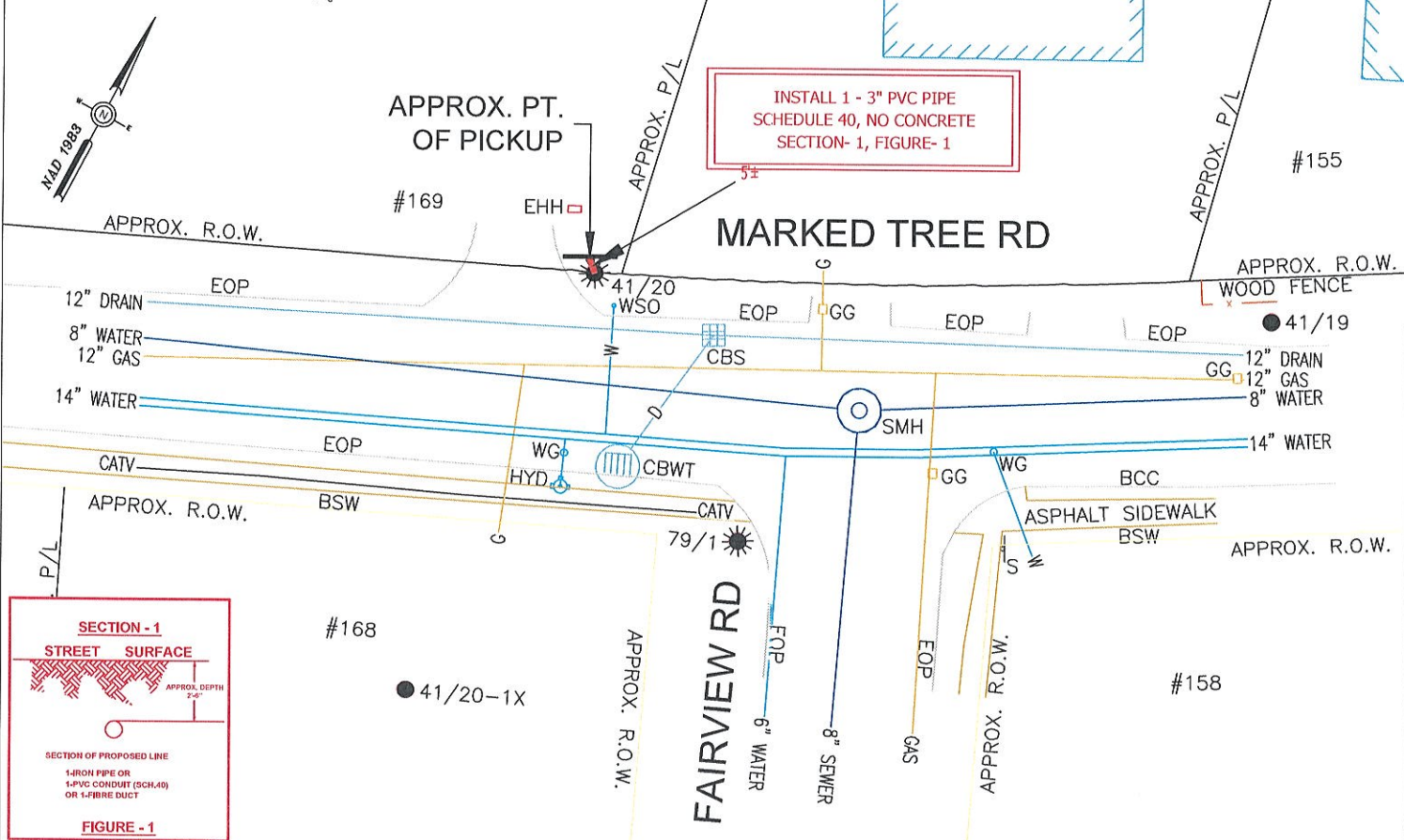
Select Board
the Town of
NEEDHAM

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

N:\SHARED-nmas-v02\IMAGE\BASELINE\NNEE-MARKEDAD.dwg



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

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

MASS. LAW

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

C# 144-20	NSTAR EVERSOURCE Electric d/b/a 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02126
Ward #	
Work Order # 2392180	Plan of MARKED TREE ROAD
Surveyed by: JC/GR	NEEDHAM
Research by: JC	Showing PROPOSED CONDUIT LOCATION
Plotted by: GR	
Proposed Structures: TL	
Approved: A DEBENEDICTIS	Scale 1"=20' Date JULY 21, 2020
P#	SHEET 1 of 1

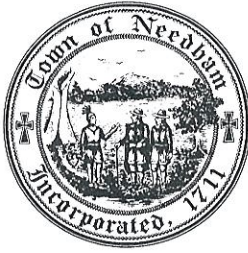
1" = 40'











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, July 21, 2020 at 6:00 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 August 14, 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 6:00 p.m. on August 18, 2020** upon petition of Eversource Energy dated **July 24, 2020** to install approximately 5 feet of conduit on Marked Tree Road. This work is necessary for underground electric service to 169 Marked Tree Road, Needham.

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.

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

SELECT BOARD

Dated: August 7, 2020

169 MARKED TREE RD

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
SUN, ENOCH Y. &	MA, YEN S.	493 HIGH ROCK ST	NEEDHAM	MA	02492	1991370000100000	493 HIGH ROCK ST
BANDES, MICHAEL S. &	BANDES, BETH K.	158 MARKED TREE RD	NEEDHAM	MA	02492	1991380007800000	158 MARKED TREE RD
VINCENZO, GABRIELE A. &	VINCENZO, CHRISTINE C.	5 FAIRVIEW RD	NEEDHAM	MA	02492	1991380008100000	5 FAIRVIEW RD
SAGAR, MANISH & VANYA I. TRS.	SAGAR FAMILY TRUST	176 MARKED TREE RD	NEEDHAM	MA	02492	1991380008200000	176 MARKED TREE RD
LUNETTA, CATHERINE S.		182 MARKED TREE RD	NEEDHAM	MA	02492	1991380008500000	182 MARKED TREE RD
PETERSON, EMMA L. &	MOLTA, PAUL C.	155 MARKED TREE RD	NEEDHAM	MA	02492	1991410001200000	155 MARKED TREE RD
REYNOLDS, CHRISTOPHER M. &	REYNOLDS, JENNIFER M.	159 MARKED TREE RD	NEEDHAM	MA	02492	1991410001300000	159 MARKED TREE RD
CIMON, DONALD R. & BARBARA A., TRS	CIMON FAMILY REALTY TRUST	169 MARKED TREE RD	NEEDHAM	MA	02492	1991410001400000	169 MARKED TREE RD
EKBERG, ROBERT L. &	EKBERG, AURA MARINA HIGUERA	177 MARKED TREE RD	NEEDHAM	MA	02492	1991410001500000	177 MARKED TREE RD
FIREMAN, ERIC A. &	WINDSOR, CLAIR K.	11 COLONIAL RD	NEEDHAM	MA	02492	1991410001700000	11 COLONIAL RD
CAPODILUPO, LAWRENCE P III &	CAPODILUPO, KRISTEN M.	19 COLONIAL RD	NEEDHAM	MA	02492	1991410006400000	19 COLONIAL RD

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



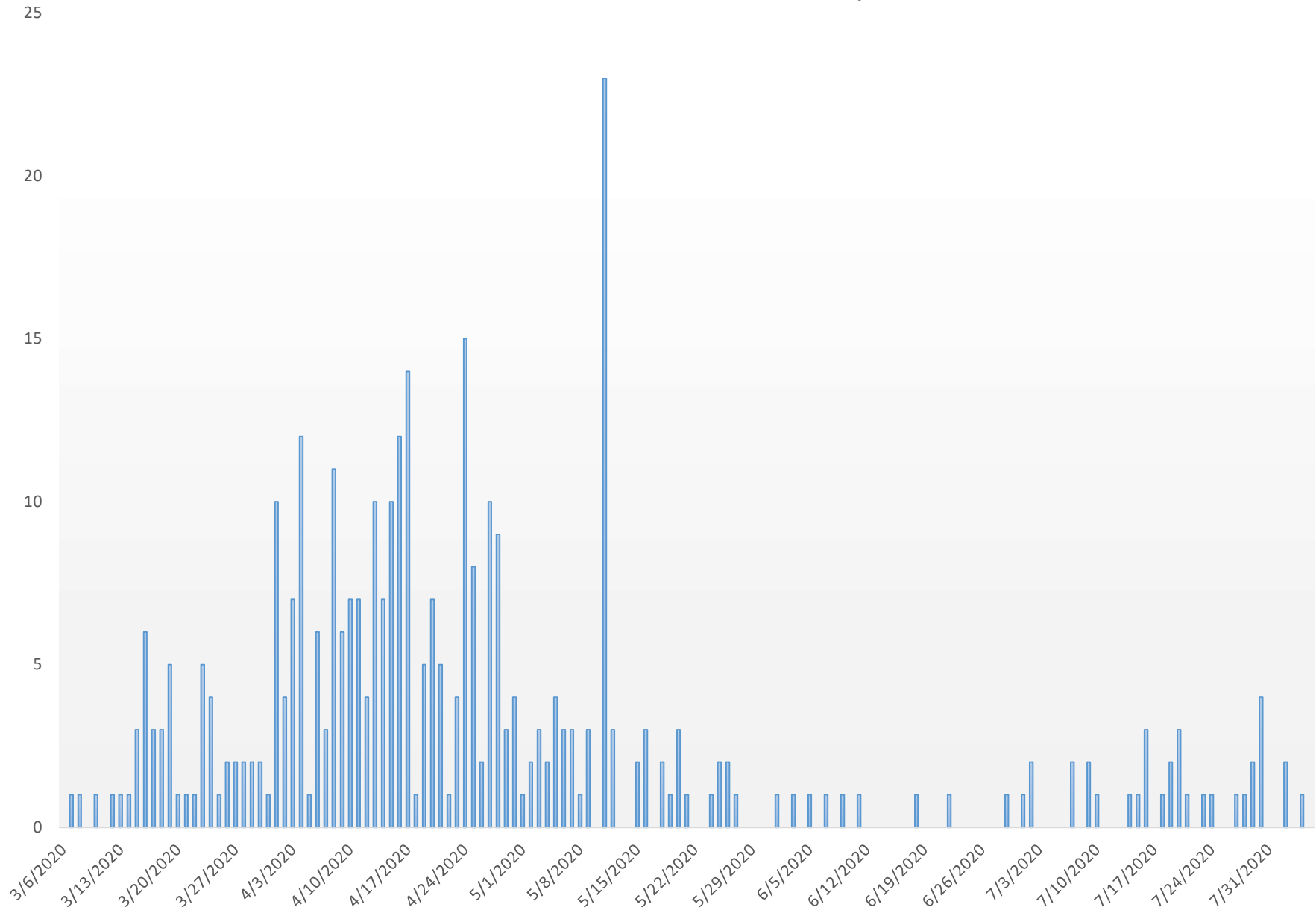

**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 8/18/2020

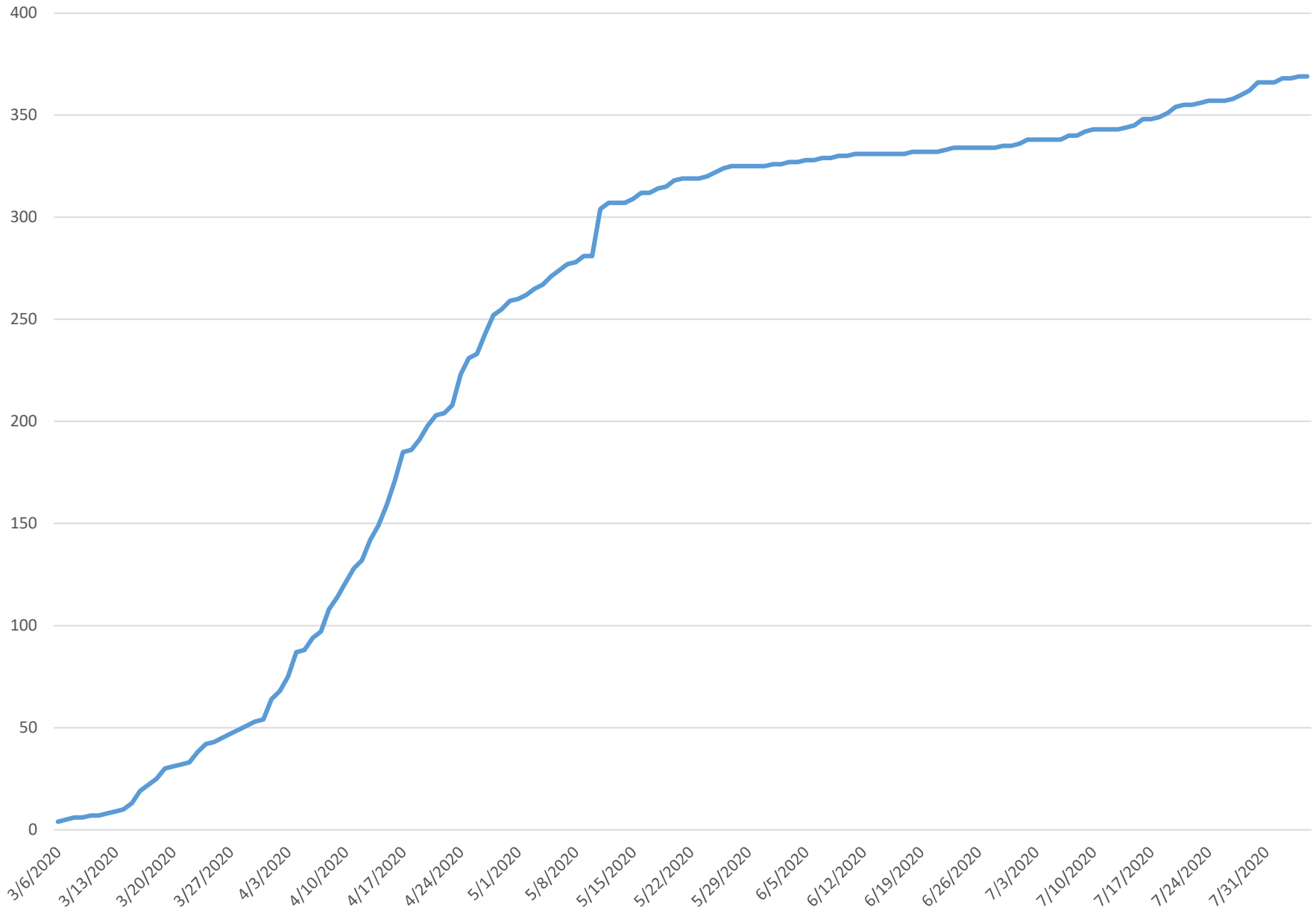
Agenda Item	COVID-19 Update
Presenter(s)	Tiffany Zike, Public Health Nurse

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Ms. Zike will update the Board on the Town's response to the COVID-19 pandemic.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
a. Needham-Total New Cases Daily as of 8.5.2020 b. Needham Total Confirmed Cases as of 8.5.2020	

Needham-Total New Cases Daily



Needham Total Confirmed Cases





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

MEETING DATE: 8/18/2020

Agenda Item	Superintendent of Schools Update
Presenter(s)	Dan Gutekanst, Superintendent of School

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Superintendent will update the Board on race equity issues in the schools and will provide information about plans for re-opening this fall.	
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED



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

MEETING DATE: 8/18/2020

Agenda Item	Appointment of Interim Director of Public Works
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will recommend that the Select Board vote to approve the appointment of Carys Lustig as Interim Director of Public Works effective October 1, 2020 in accordance with Section 20 (c) of the Town Charter.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Select Board vote to approve the appointment of Carys Lustig as Interim Director of Public Works effective October 1, 2020 in accordance with Section 20 (c) of the Town Charter.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. Resume for Carys Lustig	

Carys Lustig

Versatile and passionate manager with over 12 years of experience in both operations and administrative roles within municipal environments searching for an opportunity to provide leadership within local government.

EXPERIENCE

Town of Needham, Department of Public Works— *Director of Finance and Administration for Public Services*

December 2017 - Present

As a member of the senior leadership team, provide financial and administrative leadership for the department in the areas of procurement, capital and operating budgeting, accounting, human resources administration, union contract administration, customer service, and general management.

Town of Needham - *Liaison to the Community Preservation Committee*

August 2017 - Present

Provide professional staff assistance and management to the appointed board responsible for evaluating applications and making recommendations at Town Meeting for funding approval.

Town of Needham - *Acting Director of Building Maintenance*

August 2016 - December 2017

In conjunction with responsibilities of the Supervisor of Administration, provided management for all building maintenance duties conducted within Town and School owned buildings.

Town of Needham, Department of Public Works - *Supervisor of Administration*

August 2012 - December 2017

Provided supervision for all administrative, financial, and customer service activities.

Town of Needham, Department of Public Facilities - *Administrative Analyst*

July 2008 - August 2012

Provided support to the Director of Public Facilities on all financial and administrative decisions.

Town of Needham - *Intern*

Intermittently from December 2005 - June 2008

EDUCATION

Suffolk University, Sawyer Business School, Boston, MA — *Master of Public Administration*

Goucher College, Baltimore, MD — *Bachelor of Arts, Political Science*

SKILLS

Complex problem solving

Team leadership in both formal and informal roles

Ability to follow through and close out projects

Customer service

PROFESSIONAL QUALIFICATIONS

Massachusetts Certified Public Purchasing Official

Leadership ICMA 2017-2019, International City Managers Association

Emerging Leadership Academy 2014-2015, American Public Works Association (APWA)

Certificate in Local Government Leadership & Management 2012, Massachusetts Municipal Association (MMA)

PROFESSIONAL EXPERIENCE

Leadership & Strategic Planning

- Implemented training program to respond to COVID-19 remote work.
- Developed valuable relationships across the Town of Needham.
- Demonstrated ability to identify and grow talent.
- Filled role of Planning Section Chief in Incident Command Response to Covid-19.
- Participated in collective bargaining process with two unions.
- Participated and took lead role in Town-wide employee engagement and solutions groups projects..
- Managed capital planning process for Public Works.
- Taken on multiple roles within the organization simultaneously to ensure continuity of operations.
- Worked with staff to create supportive work culture.
- Instituted training program for front line managers.

Community Engagement and Public Outreach

- Coordinated a socially distanced outdoor Town Meeting, the first in a 300 year history.
- Initiated a quick webpage change to respond to COVID-19 emergency.
- Scheduled, organized, facilitated, and presented at public meetings, conferences, and workshops.
- Worked with various community groups on Town projects.
- Established social media presence for the DPW.
- Created a pilot project to test out different LED lighting types, and collected feedback using a citizen survey to determine preferable lighting type.

Program Administration & Management

- Developed a Work From Home policy.
- Drafted the Town's Complete Streets policy for Select Board approval and managed consultant to develop prioritization plan.
- Managed streetlight LED conversion program.
- Set-up SchoolDude systems across multiple platforms,. implemented regional Commonwealth Connect utilizing SeeClickFix, and used PeopleGIS to establish several work flow systems.
- Provided oversight on building maintenance construction projects.
- Managed heating failures in elementary school with no school closure.

Procurement, Contract, & Financial Management

- Managed operating and capital budgets in a collaborative process.
- Managed all purchasings for horizontal construction and building maintenance.
- Created operating budget format that was adopted Town-wide.
- Established contracts for on-call service to reduce emergency procurements.

AWARDS

Public Works Manager of the Year Award, Administrative Management 2017, APWA

Young Leader Award, Public Sector 2016, New England APWA

PRESENTATIONS & PUBLICATIONS

Transportation Issues Pavement Management July 2017 - Massachusetts Municipal Managers Association (MMA) Monthly Meeting

Automation of Snow Operations Paperwork with Web-Based Tools May 2016 & November 2015 - APWA, NE Regional Conference & North American Snow Conference

New Technology in Pavement Management in Snow & Ice Operations January 2016, Panelist - MMA Annual Trade Show

Emerging Leaders are a presence at the 2015 Congress - APWA Reporter Magazine, November 2015, p. 44-45

Trends and Innovation in Public Works April 2015 - MMA Monthly Meeting



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

MEETING DATE: 8/18/2020

Agenda Item	Needham Unites Against Racism
Presenter(s)	Kate Fitzpatrick, Town Manager Katie King, Assistant Town Manager/Director of Operations

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will provide the Board with information gathered as a result of the July 21st Listening Session and will make recommendations for next steps.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
a. Needham Unite Against Racism Initiative Public Comments	

Needham Unite Against Racism Initiative Public Comments

This list includes all community input received by the Select Board via the 7/21 listening session and written communications received prior to 8/10/2020.

#	Category	Recommendation
1	Anti-Discrimination Actions	Establish a discrimination complaint process. Can include complaints against Town employees, non-employees, or both.
2	Anti-Discrimination Actions	Post the Equal Justice Placard to designate Needham as an "Equal Justice Town" in all public buildings in Needham.
3	Anti-Discrimination Actions	Post information about the Office of the Attorney General's hotline for reporting incidents of bias or discrimination on the Town's website and widely distribute.
4	Anti-Discrimination Actions	Empower the Needham Human Rights Committee to serve as a repository for discrimination complaints to be heard, validated, and acted upon.
5	Anti-Discrimination Actions	Reschedule the Over Zero launch event to build appropriate responses to bias and hate and build community resilience.
6	Boards & Commissions	Diversify boards and commissions. Set diversity goals for membership.
7	Boards & Commissions	Engage existing groups of active Black, Latino, Asian and other community groups to help recruit new applicants and volunteers.
8	Boards & Commissions	Review the formation of nominated and elected boards to make sure you have the right diversity both in disciplines and demographics.
9	Boards & Commissions	Identify how to better advertise and recruit for appointed and elected positions.
10	Boards & Commissions	Encourage all Boards and Commissions to identify racial equity goals and actions under their jurisdictions.
11	Boards & Commissions	Collect and publish demographic data for Boards & Commissions. Track progress publicly.
12	Boards & Commissions	Empower and better utilize the Needham Human Rights Committee (NHRC).
13	Boards & Commissions	Provide the Needham Human Rights Committee with funding to lead on data collection and learning initiatives for the Town.
14	Boards & Commissions	Ask Needham Human Rights Committee to be the point of contact for story gathering and making recommendations.
15	Boards & Commissions	Have the Human Rights Committee be actively involved as Select Board deliberates next steps for NUARI.
16	Boards & Commissions	Hire a consultant for training on racial issues for the entire town starting with the Select Board, Town Moderator, Town Manager, and Finance Committee.
17	Communication	Remind people that we all have a lot of learning to do. This is ongoing work that needs to be done to reverse and overcome decades and centuries of systemic racism and oppression.
18	Communication	Change the name of Columbus Day to Indigenous People's Day.
19	Communication	Display Black Lives Matter, Hate Has No Home Here, and One Needham signs on Town properties and digital message boards.
20	Communication	Create a town-wide common language that is actively anti-racist and market this with signs, communications, news pieces, etc.

Needham Unite Against Racism Initiative Public Comments

This list includes all community input received by the Select Board via the 7/21 listening session and written communications received prior to 8/10/2020.

#	Category	Recommendation
21	Communication	The Select Board should immediately make a bold series of public statements and actions to inform the public of the specifics of the stories, as they are relayed to the town, repeatedly stating in response to each story that the board unanimously condemns these actions and that treatment of this kind will not be tolerated in our town.
22	Communication	Look at the language we use on the town's website - not much about diversity or equity, inclusion right now.
23	Communication	Collect public questions and post information where it is readily available to all.
24	Community Dialogue & Lived Experiences	Encourage more dialogue and more humility.
25	Community Dialogue & Lived Experiences	Find a way to get white residents to really hear what black and brown people have experienced and not get defensive or hostile.
26	Community Dialogue & Lived Experiences	Teach about and learn true history. Do not be afraid to relate the past to the present. Acknowledge that white people built a great portion of the country's wealth on theft of land and on the backs of slaves. Need to start there to better understand systemic racism.
27	Community Dialogue & Lived Experiences	Do not be defensive or explain away incidents.
28	Community Dialogue & Lived Experiences	Continue the listening sessions and do what you can to get people to use the Lived Experiences survey.
29	Community Dialogue & Lived Experiences	Track down people who left Needham, if possible, to hear their stories, as well.
30	Community Dialogue & Lived Experiences	Don't dismiss personal stories or treat them as an "n of 1". Need to react to them appropriately, transparently, to face imperfections and to create change.
31	Community Dialogue & Lived Experiences	Do not wait for more stories to take action.
32	Community Dialogue & Lived Experiences	Widely share the Lived Experiences Project questionnaire and outcomes.
33	Community Dialogue & Lived Experiences	When hearing personal stories and lived experiences, start from a place of believing and of gratitude because those who are sharing do so at great personal risk.
34	Community Dialogue & Lived Experiences	Board members should educate themselves on white supremacy with their own resources as many white Americans have begun to do. Relying entirely on the minority members of our community to explain and relive experiences of minor to traumatic racism for our education is unacceptable. We should not demand free emotional and physical labor from BIPOC to dismantle the racism they face. It is the board's responsibility as leaders and the responsibility of all white Americans to understand the structures of white supremacy on which our nation is built.
35	Community Dialogue & Lived Experiences	Defer to the weak, poor, sick; defer to the minority. This will require a moral change.
36	Community Dialogue & Lived Experiences	Can we survey public sentiment? Can we include inclusion/welcoming questions in our annual town survey?
37	Needham Public Schools	Incorporate diversity into the curriculum as we review each subject area.
38	Needham Public Schools	Support and align the Town's efforts with those already underway at the Needham Public Schools.

Needham Unite Against Racism Initiative Public Comments

This list includes all community input received by the Select Board via the 7/21 listening session and written communications received prior to 8/10/2020.

#	Category	Recommendation
39	Needham Public Schools	Teach the real history of this country via school curriculum. We need to learn about the past; teach our kids about actual history (slavery, Civil War, reconstruction, redlining, etc). If we ignore the past we are not going to change.
40	Needham Public Schools	Continued development of NPS equity initiatives and curriculum revision in the schools.
41	Needham Public Schools	Have Needham Public Schools analyze participation in accelerated classes by race and if disparities exist, address them.
42	Needham Public Schools	Address micro and macro aggressions in schools, urgently and directly.
43	NUARI Structure & Process	Host smaller, more intimate meetings for discussions. Set at regular, recurring times. Make as standard as other government business (e.g. traffic, budgets, etc.). Consider breakout rooms.
44	NUARI Structure & Process	Set up communication structures and transparency.
45	NUARI Structure & Process	For future sessions, hire a trained facilitator; set clear introduction and goals; commitments to change from town government, law enforcement, local businesses, etc should be made.
46	NUARI Structure & Process	Offer a timetable for future work and a framework for how it will happen.
47	NUARI Structure & Process	Put "Unite Against Racism Update" as the first item on every agenda for the Select Board and make it required for all other town departments and boards.
48	NUARI Structure & Process	Create a roadmap for law enforcement, local businesses, schools, town government, etc to own the equity initiative without Black people having to evidence the racism we know exists.
49	NUARI Structure & Process	Need better options for format and ways to communicate for those who feel uncomfortable in public/on zoom/large groups.
50	NUARI Structure & Process	Do not wait until you know the "perfect" thing to do. Take action now, incorporate BIPOC in decisions, and develop a level of candor and trust because mistakes will be made.
51	NUARI Structure & Process	Do not just create a plan. Need input from communities of color. Map out new ways to communicate with relevant stakeholders and get BIPOC input. Build/strengthen those relationships.
52	NUARI Structure & Process	Balance urgent need for action with mapping out how we will prioritize equity over the long term.
53	NUARI Structure & Process	Convene a diverse group of people to set town's equity goals.
54	NUARI Structure & Process	Do data collection for baseline and determine ways to measure progress towards goals.
55	Partnerships & Engagement	Collaborate with businesses; offer anti-discrimination, implicit bias trainings for employees.
56	Partnerships & Engagement	Convene conversations between members of Needham Diversity Initiative, Human Rights and other equity-focused community groups and the Select Board, neighborhood associations, law enforcement.
57	Partnerships & Engagement	Schedule presentation from Lived Experiences Project in September or talk with them about how they want to present findings and make recommendations.
58	Partnerships & Engagement	Hold multi-cultural events to celebrate diversity and learn about each other.

Needham Unite Against Racism Initiative Public Comments

This list includes all community input received by the Select Board via the 7/21 listening session and written communications received prior to 8/10/2020.

#	Category	Recommendation
59	Partnerships & Engagement	Create a network of different organizations, a "rapid response" network.
60	Partnerships & Engagement	Better engage METCO families in the Needham community.
61	Partnerships & Engagement	Determine better ways of public engagement and reaching people of color.
62	Systemic Change	Put in programs to encourage communities of color, businesses of color to create a critical mass of people in Needham. Change policies and practices to create housing options that bring diversity in an authentic way, that provide business opportunities to bring people of color to Needham.
63	Systemic Change	Do a Town Equity Audit. Hire a consultant who can do a full audit and make recommendations for action, policy revision, and systems change.
64	Systemic Change	Create diversity, equity, and inclusion goals for the Town.
65	Systemic Change	Interrogate systemic policy/institutional issues rather than just individual stories.
66	Systemic Change	Have data you can use to help you understand where there are differences of experiences, outcomes, results based on race. Understanding how your actions contribute to that.
67	Systemic Change	Create a public dashboard and data portal. Have agreed upon measures to track. Have plans that are publicly facing with known commitments of resources and time. Ask the public and staff to be accountable to those goals.
68	Systemic Change	Focus time and energy on fixing processes, procedures, and systems that - nearly always unintentionally - perpetuate racialized outcomes.
69	Systemic Change	Make a long-term commitment of organizational change, cultural change, community change.
70	Systemic Change	Apply a race equity lens to not only police but other community sectors, like public health and our local economy. Assemble a program that hits on many different parts of the community: housing, health, schools, police, commerce.
71	Systemic Change	Build more affordable and middle income housing; if we want diversity we can't just have luxury homes.
72	Town Employees & Departments	Set procurement equity goals. How can we increase participation from minority-owned businesses? How can we include them in more or larger public contracts? How do we help them scale? Review recently updated DCAMM goals.
73	Town Employees & Departments	Increase hiring of Black employees in all departments and in the schools - at all levels of employment.
74	Town Employees & Departments	Provide training for all professionals in the town.
75	Town Employees & Departments	Create targeted changes through collaborative discussion with law enforcement regarding restructuring, training, possible redirecting of funds. Encourage law enforcement to come forward proactively to the community versus responding to demands, reactions, accusations.
76	Town Employees & Departments	Support and fund the Diversity Series at the Needham Free Public Library. Find funds so that they can expand their efforts.
77	Town Employees & Departments	Track and publish employee demographic data.

Needham Unite Against Racism Initiative Public Comments

This list includes all community input received by the Select Board via the 7/21 listening session and written communications received prior to 8/10/2020.

#	Category	Recommendation
78	Town Employees & Departments	The Town should be actively working to make the public, particularly BIPOC, less fearful of police. A PR campaign will not be enough. The Town must make substantive changes to the rules of engagement to assure the public that calling the police is actually safe.
79	Values & Guiding Principles	When listening, start from a place of believing.
80	Values & Guiding Principles	Take a restorative justice approach: acknowledgment of the violation by the perpetrator (or representative of that), offering not simply an apology, but taking ownership of the wrong and pathway for repair. Those who have been victims of racism (whether purposeful or incidental), must be offered opportunities to have a say, be heard and understand that reparations will be offered.
81	Values & Guiding Principles	Acknowledge that Needham is no exception; racism exists here as it does everywhere.
82	Values & Guiding Principles	Create a document of principles or statement of values/commitment to action.

**Needham Unite Against Racism Initiative (NUARI) Next Steps
Recommendations for the Select Board**

- (1) Report out on what has already been done:
 - (a) Promoted Lived Experiences Project on NUARI website.
 - (b) Summarized all recommendations that the Select Board has received to date via the 7/21 listening session and other communications. Posted on NUARI website.
 - (c) Posted flyer promoting the Attorney General's discrimination hotline in Town Hall.
- (2) Take immediate action:
 - (a) Add NUARI update to upcoming Select Board agendas.
 - (b) Reschedule Over Zero Needham Response/Resiliency Network Workshop.
 - (c) Reach out to Lived Experiences Project to discuss their next data release and how best to use those anonymized stories and themes to inform future actions.
 - (d) Establish a discrimination complaint process.
 - (e) Promote website that summarizes all Board, Commission, and Committee vacancies and how to apply.
 - (f) Adopt a goal to diversify the candidate pool for Boards, Commissions and Committees.
- (3) Establish a NUARI Working Group to:
 - (a) Ensure a diverse group from the Needham community are leading this Initiative.
 - (b) Articulate a recommended vision for racial equity in Needham and guiding principles that will inform all future actions.
 - (c) Establish protocols and practices for getting community feedback, with a specific focus on engaging Black, Indigenous, and people of color (BIPOC), and others who have been marginalized due to their race or ethnicity. Strategies should be identified to keep Needham's racial equity work informed by BIPOC input but owned by Town leadership and the broader community.
 - (d) Set up communication structures to ensure the sustainability and accountability of the Initiative.
 - (e) Discuss and prioritize other recommendations that have been submitted to the Select Board.



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

MEETING DATE: 08/18/2020

Agenda Item	Small Cell Wireless Facilities Policy
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Ms. Fitzpatrick will present the Select Board with highlights from the proposed Small Cell Wireless Facilities Policy. This proposed policy has been developed by outside counsel that specializes in this industry. The proposed policy includes input collected by Town Departments and the Board of Health.	
2.	VOTE REQUIRED BY SELECT BOARD
None Required.	
3.	BACK UP INFORMATION ATTACHED
a. PowerPoint presentation of policy highlights b. Proposed Draft Small Cell Wireless Facilities Policy dated August 13, 2020	

Town of Needham Small Wireless Facilities Policy

HIGHLIGHTS

The U.S. Congress has **prohibited local adoption of RF exposure regulations** other than requirements making the wireless provider certify compliance with the FCC's RF exposure standards and this can include **requiring a showing that emission standards are met on a "cumulative" basis** looking at aggregate provider emissions at certain locations, subject to FCC criteria.

The proposed policy requires small wireless providers to certify compliance with FCC RF emissions and exposure regulations.

- Requires small wireless providers to certify compliance with FCC RF emissions and exposure regulations.
- SWF (small wireless facility antenna) may not extend more than 10 feet above the pole supporting them, or 60 feet in total in height above the ground, whichever is lower in height.
- No part of the SWF shall extend further than four (4) feet from the pole if installed twenty (20) feet or higher above the ground or further than two (2) feet if installed below 20 feet above the ground.

- No part of the SWF shall extend below eight (8) feet above ground level.
- If technically feasible and not unduly burdensome, the SWF shall not be installed within 180 feet of another pole-mounted SWF or within 50 feet of a residence or school property.
- The dimensions of the antenna shall not exceed sixteen (16) inches in diameter or forty (40) inches in height.

- Appearance of SWF shall be similar or reasonably blend with the appearance of the existing equipment on the pole and the color of the pole.
- No SWF shall be installed on double poles.
- No SWF shall be placed upon poles which cannot safely structurally support additional equipment.
- No SWF shall cause damage to public shade trees, and provider will exercise diligent efforts to reasonably minimize the need for significant tree trimming.

TOWN OF NEEDHAM NEEDHAM SELECT BOARD

SMALL CELL WIRELESS FACILITIES POLICY

I. Statement of Purpose & Authority

A. *Purpose*

The purpose of the Town of Needham Small Cell Wireless Facilities Policy (“Policy”) is to establish a process and application criteria for permitting the placement of small cell wireless facilities within the Town’s public ways and/or on Town Property. The goal of this policy and the application process shall to be to ensure the safety, non-interference, and visual quality of the public right of way and the Town generally, while also providing the benefits of improved cell service consistent with applicable law and this Board’s statutory grant of location role and practices.

B. *Authority*

The Select Board holds a wide range of authorities and responsibilities relative to public ways, traffic rules, parking, permits, licenses, approvals, and enforcement of regulations on the use and maintenance of public ways under applicable laws, including but not limited to its well established authority over the public ways pursuant to the Massachusetts grant of location statutes, M.G.L. c. 166 §§ 21 and 22 and statutes on municipal regulation of the public way, *e.g.*, M.G. L. c. 166 § 25 *et seq*; and pursuant to the long recognized police power responsibilities of Select Boards and towns over the municipal public ways and municipal property. Regarding further authority of the Department of Public Works and municipal officials over the public way also see Town of Needham Bylaws (‘Bylaw’) Section 2.2.5.1.4 *Street Occupancy Permits*; Bylaw Section 2.2.5.1.7 *Construction and Maintenance of Overhead Poles*; Bylaw Section 2.2.5.4 *Trench Safety* and Bylaw Section 8.2.2.4 on Police Regulations, titled ‘*Street Occupancy Permit/Excavation in a Public Way*’ (attached as Exhibit 1) and incorporated herein to the extent applicable. The Select Board is also the general authority for similarly scoped access rights to most Town properties.

Implementation of this Policy shall be pursuant and subject to the Federal Communications Commission (FCC) Small Cell Wireless Order, *In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order*, FCC WT Docket Nos. 17-79 and 17-84, released September 27, 2018 (“*FCC Small Cell Wireless Order*” or “*FCC Order*”) and 47 United States Code §§ 253 and 332, respectively the federal statutes on telecommunications in the public right-of-way and wireless siting); and any other

applicable laws and regulations. Further, the FCC Order specifically mandates that municipalities, after publication and due consideration, adopt objective standards, policies or regulations consistent with the FCC Order to have authority to regulate small wireless facilities. Consistent with the foregoing, to the extent required by applicable law, it shall be the policy of the Select Board and its Designee(s) to review and act on Small Wireless Facilities applications in a manner that does not effectively prohibit or materially inhibit Small Cell deployments and is non-discriminatory with respect to similarly situated applicants.

II. Definitions:

- A. “*Antenna*” means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.
- B. “*Applicable Codes*” means the building, fire, electrical, plumbing, and mechanical and other codes adopted by the Commonwealth of Massachusetts and applicable within the Town of Needham.
- C. “*Application*” means a written request or petition for a permit to collocate or otherwise locate small wireless facilities in the ROW consistent with and including the information called for in this Policy and applicable law and shall be in the form of an Application or petition for a grant of location pursuant to applicable Massachusetts grant of location law including M.G.L. c. 166 §§ 21-22 *et seq.* unless applicant demonstrates and the Town finds that a particular Application is not subject to said grant of location law.
- D. “*Board Designated Agent*” means a lawfully designated Town department, government body and/or employee or official as may be authorized by the Select Board to review applications prior to public hearing and/or establish Design and Public Safety Rules and Regulations subject to the Select Board reserving ultimate control and authority to approve or disapprove such Design and Public Safety Rules and Regulations. The Department of Public Works (DPW), Department of Public Health and the Town Manager are Board Designated Agents for review of Applications prior to grant of location public hearing or proceedings and for providing customary and lawful assistance to the Select Board as determined and directed by the Select Board.
- E. “*Collocate*” means to install, mount, maintain, modify, operate, or replace small wireless facilities on or adjacent to a pole or wireless support structure existing at the time of Application. “Collocation” has a corresponding meaning.
- F. “*Communications service provider*” means a cable operator, as defined in 47 U.S.C. § 522(5); a provider of information service, as defined in 47 U.S.C. § 153(24); a telecommunications carrier, as defined in 47 U.S.C § 153(51); a Wireless Provider or a provider substantially equivalent to any of the aforementioned categories of Communications services providers.

- G. *“Design Rules and Regulations”* means additional reasonable, lawful, non-discriminatory aesthetic, safety and/or right-of-way management standards for SWFs set by the Board Designated Agent or other appropriate Town authority, provided that such standards shall be published and considered at a public hearing with sufficient public notice.
- H. *“Double Poles”* means any set of presently co-located utility poles erected directly alongside one another and typically connected to one another for any purpose including, but not limited to, replacing an aging pole, shoring up a damaged pole, or adding more equipment than can be borne by a single pole.
- I. *“Micro Wireless Facility”* means a wireless facility that meets the following qualifications: (i) is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height; and (ii) any exterior antenna is no longer than 11 inches.
- J. *“Person”* means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization.
- K. *“Pole”* means a pole or similar structure that is or may be used in whole or in part for communications, electric transmission or distribution, lighting, signage, or a similar function.
- L. *“Public Shade Tree”* means trees as defined by M.G.L. c. 87 sec 1.
- M. *“Rights-of-Way”* or *“ROW”* means the area on, below, or above a public roadway, highway, street, sidewalk, alley, utility easement, or similar property, but not including a federal interstate highway, in the Town.
- N. *“Small wireless facility,” “SWF” or “Small cell wireless facility”* means a wireless facility that meets the Federal Communications Commission definition of Small Wireless Facility as set forth in Section 1.1312(e)(2) of the FCC’s Small Cell Wireless Order.
- O. *“Wireless facility”* means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, Antennas, coaxial or fiber-optic cable, regular and backup power supplies and rectifiers, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term does not include the structure or improvements on, under, or within which equipment is collocated.
- P. *“Wireless provider”* means a person who provides wireless services or builds or installs wireless communication transmission equipment, wireless facilities or wireless support structures.

- Q. “*Wireless services*” means any services, whether at a fixed location or mobile, provided to the public using wireless facilities.
- R. “*Wireless support structure*” means a freestanding structure, such as a monopole; a tower, either guyed or self-supporting; or, other existing or proposed structure designed to support or capable of supporting wireless facilities. Such term does not include a pole.

III. Permit Requirements & Prohibitions

A. *Applicability*

1. No person shall locate a small wireless facility in the ROW without first applying for and obtaining a permit for it, except if and as otherwise provided in this policy.
2. A permit shall not be required for: (i) routine maintenance of an existing small wireless facility; (ii) the replacement of a small wireless facility with another small wireless facility that is substantially similar or smaller in size, weight, and height; or (iii) the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are strung on cables between existing poles, in compliance with applicable codes.

B. *Small Wireless Facilities (SWF) Requirements*

SWFs in the ROW shall comply with the following requirements:

1. The SWF will not interfere with the safety and convenience of ordinary travel over the ROW or access as required by the Americans with Disabilities Act (“ADA”) before or after installation of the SWFs and/or other related equipment;
2. The SWF may not extend more than ten feet above the pole supporting them, or 60 feet total in height above the ground, whichever is lower in height;
3. The appearance of the SWF shall be similar to and reasonably blend with the appearance of (a) the existing equipment on the pole or on other nearby poles (b) the color of the pole, or (c) another color reasonably requested by the Board Designated Agent and/or by the Select Board;
4. The dimensions of the Antenna shall not exceed sixteen (16) inches in diameter or forty (40) inches in height;
5. No part of the SWF shall extend further than four (4) feet from the pole if installed twenty (20) feet or higher above the ground or further than two (2) feet if installed below 20 feet above the ground;

6. No part of the SWF shall extend below eight (8) feet above ground level;
7. If technically feasible and not unduly burdensome, the subject SWF shall not be installed within 180 feet of another pole-mounted SWF or within 50 feet of a residence or school property and shall exercise diligent efforts to meet the foregoing standards;
8. No SWF shall be installed on double poles;
9. No SWF shall be installed on poles with existing SWF or other substantial wireless equipment already in place if poles are reasonably available without existing SWF or other substantial wireless equipment already in place, except that equipment may be replaced with or without permit in a manner consistent with this policy;
10. No SWF shall cause damage to public shade trees and the SWF provider shall exercise diligent efforts to locate facilities in a manner designed to reasonably minimize the need for significant tree trimming;
11. No SWF shall be placed upon poles which cannot safely structurally support additional equipment;
12. To protect lawful and reasonable aesthetic and location interests of the Town and its residents, an applicant shall in its application disclose whether it provides multiple hardware, design, color and aesthetic options and features that may reduce the size and/or improve upon visual characteristics of the small cell hardware.
13. Applicant shall state in its application if, when and how it is available to voluntarily meet with the Town Engineer, the Town Planner, the Director of Public Works and/or a designee of the Select Board to discuss public safety; right-of-way management practices; size, color, concealment and other design options, if any, and to discuss other Town information needs, if any.
14. Any additional non-discriminatory aesthetic, safety or other lawful requirements set forth in Design Rules and Regulations approved by the Select Board or Board Designated Agent if sufficient public notice to has been provided prior to adoption of additional requirements.

C. Waiver of Requirements

The Select Board or its Designated Agent may waive one or more of the requirements in this Policy upon good cause shown. Such waivers shall be granted in a non-discriminatory manner.

D. Installation & Access

All SWFs shall be installed in accordance with the applicable codes in force at the time of installation including but not limited to electrical, fire, building, mechanical and construction codes and/or such other codes as in effect and applicable in the Commonwealth of Massachusetts.

E. Access

Wireless providers and their employees, agents, and contractors shall have a right of access to Town-permitted poles, wireless support structures and small wireless facilities in the ROW in accordance with the reasonable and non-discriminatory policies of the Town and/or pole and conduit owners applicable to all utilities with facilities in the ROW or doing work in the ROW.

F. Repairs

A wireless provider shall repair, at its sole cost and expense, any damage to Town streets, sidewalks, curbs, gutters, trees, parkways, Town poles (if any) or other property, utility lines and systems, or sewer or water systems or lines resulting from the collocation of a small wireless facility in the ROW or the installation of a pole in the ROW. The wireless provider shall restore such areas, structures and systems to substantially the same condition in which they existed prior to the damage.

IV. Application:

A. Manner of Application

A wireless provider seeking a Town of Needham permit under this Policy, or its duly authorized representative, shall apply to the Office of the Select Board by filing an Application, paper or electronic, including the information as may be required under all parts of this Policy and applicable law, including but not limited to the information required in Policy Section IV.B, Application Contents. The Application should include a cover letter from the Applicant or its representative summarizing the subject matter and contents of the Application and Exhibits to the Application.

B. Application Contents

The Application shall be filed and processed in accordance with Massachusetts grant of location law, including M.G.L. c. 166 §§ 21 – 22 and such lawful Town grant of location regulations and/or policies as may be applicable. It shall be the responsibility of the Applicant to prepare and file a form of written Application and

cover letter containing the information as may be required under this Policy and applicable law. Copies of the Applications as filed shall be made available to the public at the Department of Public Works or such other Town offices as determined by the Select Board. Applications shall be supplemented by Applicant with Exhibits and continuation sheets if and as needed to contain at minimum the information required by all parts of this Policy and applicable law, including but not limited to the following:

1. The wireless provider's name, address, telephone number, and e-mail address;
2. The name address, telephone number, and e-mail address of the wireless provider's representative, if different than the wireless provider;
3. For use in the event of approval of the application, an emergency contact number available 24/7 for use by Town public safety officials in the event of an emergency warranting immediate notification of pole and/or conduit attachers;
4. A general description of the proposed work and an engineering diagram showing the small wireless facility as mounted on the pole or structure, including underground or on ground conduit, if any, or other equipment, with dimensions specifically including the elevation of the proposed equipment;
5. A site plan signed by a professional engineer, with sufficient detail to identify the location of the site and show the proposed location of the facilities the applicant seeks to install in the ROW, including any manholes or poles and the size, type, and depth of any conduit or enclosure, and showing street fixtures, lampposts, traffic lights and any other street installations within the area shown on the site plan;
6. Photographs of the proposed equipment as installed in other jurisdictions, if any. If not installed in other jurisdictions, please include photographs of the equipment as proposed for installation;
7. The pole number(s) if applicable;
8. The total number of small cell wireless facilities within the Town that Applicant estimates it will be applying to deploy within the public ways of the Town (above and beyond those applied for in any one application and grant of location petition);
9. The expected useful life of the equipment;
10. A statement signed by a professional radio frequency engineer as to how the proposed pole is the most feasible location for an SWF;

11. A radio frequency emissions report demonstrating or certifying that the compliance of the proposed SWF with the maximum permissible exposures adopted by the Federal Communications Commission (FCC), including FCC regulations, standards and guidance on RF emissions and facility operations applicable to uncontrolled general population exposure. Further, where there are multiple sources of emissions at or proximate to a location the report filed with the application shall reasonably certify and show compliance cumulative of all sources of RF emissions affecting a given area to the extent provided for by the FCC as set forth in OET Bulletin 65 and related FCC guidance or regulations, including the FCC LSGAC *Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance*, Page 6 (June 2, 2000);
12. Certification by the applicant that direct abutters were sent notice of the application via certified mail, and further, that a public notice of the petition has been advertised at the applicant's expense;
13. Where applicable, the written consent of the pole or facility owner subject to SWF installation;
14. Proof of liability insurance for installation of SWFs with insurance coverage meeting requirements set forth in Part VII below; and/or
15. Insurance certificates for any SWF or related equipment located in the public Right-of-Way showing insurance coverage meeting requirements set forth in Part VII below. Said insurance certificate shall name the Town and its Departments as additional insureds.
16. If and to the extent any proposal to locate a small wireless facility in the ROW includes underground and/or on ground equipment or installation, the Application shall set forth information required hereunder with respect to above ground installations with respect to underground or on ground installations to the extent applicable. Any underground or on-ground work shall comply with local bylaws and policies with respect to street occupancy permits, trench safety and other laws if and to the extent applicable. Applicants are advised to consult with the Department of Public Works regarding street occupancy permit procedures and trench safety requirements that may be in addition to and separate from Grant of Location proceedings and other applicable requirements.

C. Application Fee

An application fee of Five Hundred Dollars (\$500) per application payable to the Town of Needham. The \$500 application fee shall cover up to five (5) locations, which each additional location per application subject to a One Hundred Dollar (\$100) per location fee.

V. Applications with New Poles:

A request by a wireless provider for a grant of location to install a new pole in the right-of-way in order to support small wireless facilities shall be processed and determined in a non-discriminatory manner pursuant to the provisions of applicable law, including but not limited to the Massachusetts grant of location statute, M.G.L. c. 166, §§ 21, 22 *et seq.*, the Town's grant of location bylaws and/or regulations if and as applicable. A request to install an SWF at a new location (not a collocation) shall be approved or denied within the F.C.C. ninety (90) day time limit for reviewing a filing of a complete application (including grant of location petition in Massachusetts) unless the FCC 90-day timetable is tolled in accordance with the FCC Small Wireless Order and applicable law. An application for a new pole shall include a non-recurring fee of One Thousand Dollars (\$1,000.00).

VI. Additional Requirements

1. An SWF Provider deploying facilities in the Town shall annually submit to the Office of the Town Manager a certificate of compliance with FCC limits and standards applicable to facility operations and RF emissions applicable to uncontrolled general population exposure, including but not limited to the standards under FCC OET Bulletin 65 and related guidance. Further, where there are multiple sources of emissions at or proximate to a location the applicant shall reasonably certify and show compliance cumulative of all sources of RF emissions affecting a given area to the extent provided for by the FCC as set forth in OET Bulletin 65 and related FCC guidance or regulations, including the FCC LSGAC *Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance*, Page 6 (June 2, 2000).
2. SWF Providers shall ensure that replacement poles, if necessary, are installed at a minimum height necessary to accommodate the small cell antenna equipment.
3. SWF equipment shall not include lights unless required under applicable federal or state law.
4. Facilities shall not emit noise greater than 43dB at one meter (3.28 feet) if technically feasible, and in no case shall emit noise greater than 58 dB at one meter on streets in areas zoned commercial and/or industrial and not greater than 52 dB at one meter in areas zoned residential.
5. In the event of Town installation of Town-owned poles, attachments to Town Poles shall only be permitted where the wireless provider applicant has executed a license agreement with the Town.
6. Small Wireless Providers shall comply with generally applicable Town bylaws and policies and applicable law including but not limited to Town lawful

requirements and policies for police detail deployments in and around Small Wireless ROW work and installation sites.

7. *Non-Exclusivity* - To maximize collocation and prevent cluttering of street that may result from installation of new poles, it is the policy of the Town that wireless facility providers not enter into exclusive arrangements with any person for the right to collocate on poles or in conduits and other facilities in Town public ways or on Town property.

VII. Insurance

A wireless provider that has been granted a permit to place a small wireless facility on a pole in the ROW shall maintain in effect, during the time that its small wireless facility is located in the ROW, commercial general liability insurance and commercial automobile liability insurance covering the Town against claims, injury or damage to persons or property caused by the proposed work, in amounts of \$1,000,000 per occurrence and \$2,000,000 annual aggregate, and \$2,000,000 for each personal injury liability and shall maintain an umbrella liability coverage of at least \$5,000,000.00 per occurrence with a \$5,000,000.00 Annual Aggregate naming the Town as an additional insured. On request of the Town, such wireless provider shall provide certificates of insurance or other evidence of the above coverage. Such a provider may self-insure any required coverage as long as it or its parent maintains a net worth of at least \$200 million.

VIII. Review of Small Wireless Facility Applications

A. *Board Designated Agent Review*

1. The application shall be date-stamped upon receipt by the Select Board Office. Within ten (10) days of receiving an application, the Select Board or a Board Designated Agent will determine and notify the applicant by e-mail if an application is incomplete, and the Select Board or a Board Designated Agent will identify the missing information. The processing deadline in this section shall be tolled from the date of the e-mail notice of incompleteness to the date the applicant provides the missing information. That processing deadline also may be tolled by agreement of the applicant and the Board Designated Agent or by agreement of the applicant and the Select Board if and as applicable.
2. The Select Board or Board Designated Agent, as determined by the Select Board, will coordinate scheduling of a public hearing on petitions for a grant of location and applications for approvals hereunder. At the public hearing testimony and evidence will be accepted regarding the Applicant's showing ability and intent to comply with this Policy and applicable law, including consideration of whether the proposed collocation or other location fails to comply with applicable codes, this Policy including but not limited to the requirements of Section III.B of this Chapter. The Select Board or Board Designated Agent will issue a permit upon approval of an application.

3. All applications shall be processed on a non-discriminatory basis. Once the Select Board or a Board Designated Agent has determined that an Application is complete in accordance with Section VIII. A. 1 above, the Select Board or its Board Designated Agent will schedule and convene a public hearing of the Select Board to consider the Application, such that a determination may be made on any Application for any Installation(s) on an existing structure within sixty (60) days of initial receipt of the Application by the Town, and on a new structure within ninety (90) days of receipt of the Application by the Town consistent with FCC Small Wireless Facility rules and subject to applicant providing such additional information as may be lawfully required.
4. The Select Board or a Board Designated Agent shall document the basis for a denial, including the specific code provisions or requirements of Section III.B or noncompliance with other sections of this Policy and applicable law on which the denial is based, and send the documentation to the applicant on or before the day the Select Board or a Board Designated Agent denies the application. The applicant may cure the deficiencies identified by the Select Board or Board Designated Agent and resubmit the application within 60 days of the denial without paying an additional application fee. The Select Board or Board Designated Agent shall approve or deny the revised, complete application within 35 days. Any subsequent review shall be limited to the deficiencies cited in the denial.

B. Appeal

Within 30 days of any denial by the Select Board or a Board Designated Agent of an initial application or a resubmitted application, the applicant may appeal a decision of a Board Designate Agent to the Select Board or move for reconsideration of a Select Board decision as applicable, and the Select Board will make a decision within 30 days of the appeal or motion to reconsider. The Board shall base its decision exclusively on whether the Select Board or Board Designated Agent's determination that the proposed collocation or location decision fails to comply with applicable law and this Policy, or was otherwise not reasonably supported by evidence, or was arbitrary and capricious. If the initial denial was by the Select Board, the applicant may within 30 days of a denial appeal to the Select Board for reconsideration and the Select Board shall complete its review on reconsideration within thirty (30) days of a filing of a written petition for reconsideration accompanied by a statement of the legal basis for applicant's arguments in favor of reversal of the initial decision.

An applicant may in its discretion file a consolidated application to collocate small wireless facilities at multiple locations. The denial of one or more facilities in a consolidated application shall not delay processing of any other facilities in the same application, and the Town will issue a single permit for all approved locations. If any facility in a consolidated application is denied, each such facility may be the subject of an appeal or motion for reconsideration of a resubmitted application as provided

above. In all such proceedings the Select Board shall afford the applicant a fair and reasonable opportunity to be heard.

C. Permit Duration

A permit issued under this Chapter shall be presumed to be of unlimited duration, unless the Select Board and applicant otherwise stipulate; provided, however, that such permit shall expire if construction of the proposed facility is not commenced within twelve (12) months of the permit issuance date or is commenced and then suspended for more than six (6) month unless the delay is caused by the lack of commercial power or communications facilities at the site, in which case these periods are automatically extended until six months after such facilities become available at the site. The Select Board or Board Designated Agent and the applicant may also agree to extend the period within which construction must commence or may be suspended.

IX. Abandonment and Removal of SWFs:

A. Removal

Within ninety (90) days following written notice from the Town, a wireless provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small wireless facilities collocated or otherwise located on a pole or structure in a public ROW whenever the Town has reasonably determined that such action is necessary for the construction, repair, maintenance, or installation of any Town improvement in the ROW or the operations of the Town in the ROW.

B. Abandonment

The Town may require a wireless provider to remove a small wireless facility permitted hereunder within 180 days after the date that the facility ceases to be used unless the wireless provider gives the Town reasonable evidence that it is diligently working to place the facility or pole back in service. Should the wireless provider fail to timely remove the small wireless facility or pole, the Town may remove such facility and recover the actual, reasonable cost of such removal from the wireless provider.

Upon written request of the Select Board or its designated agent the SWF provider shall within 45 days of such request provide the Select Board a written inventory, including location information, of all small wireless facilities deployed in the town and all small wireless facilities not being used for six months or longer or known to be abandoned and not in use.

X. Indemnification

As a condition of its permit, a wireless provider granted a permit under this Policy shall defend, indemnify, and hold harmless the Town, its Select Board, other boards, commissions, officials, officers, agents, contractors, volunteers, and employees from and against any and all loss, damages, liability, claims, suits, costs and expenses, including court costs and reasonable attorney's fees resulting from the negligence of the wireless provider, its officers, agents, or employees in connection with the permitted work. This indemnity provision shall apply regardless of the merit or outcome of such claim or suit.

XI. Severability

If any provision or section of this Policy, or the application thereof to any person or circumstances, shall to any extent be invalid or unenforceable, the remainder of this Policy or the application of such term to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term of this Lease shall be valid and be enforced to the fullest extent permitted by law.

Exhibit 1 – Related Town of Needham Bylaws

If and to the extent applicable, Applicants for approval of Small Wireless Facilities placements in the Town of Needham's public ways may be subject to other applicable laws, including but not limited to the Town of Needham bylaws on Street Occupancy Permits; Installations on Chestnut Street and Trench Safety in effect as of the date hereof including those set forth in this **Exhibit 1** (below) for the Applicant's convenience and reference. Applicants are advised to check with Public Works and review the Town's bylaws for current information on street occupancy, underground installations, trenching, street cuts and regarding grant of location policies and related information.

Section 2.2.5.1.4 of the Town of Needham Bylaw on Street Occupancy Permits

Section 2.2.5.1.4 - Street Occupancy Permit Except as herein provided, a Street Occupancy Permit, issued by the Director of Public Works, in such form and content as said Director may require, must be obtained before undertaking any work, including, without limitation, construction, repair, maintenance or reconstruction work, in, within or affecting a public way. The person responsible for such work or in charge of those performing such work shall review such work with the Director of Public Works and the Police Chief, or their designees, to determine whether or not such work will result in the disruption of the normal flow of traffic or cause a safety hazard to pedestrian or vehicular traffic, the person responsible for such work, or in charge of those performing such work, shall follow the safety precautions ordered by the Director of Public Works and the Police Chief, or their designees, including but not limited to, the hiring of a Needham Police Officer, under the existing regulations governing privately paid police details, to direct traffic and minimize the vehicle safety hazards connected with such work.

No work shall be commenced in, within or affecting a public way until those persons responsible for such work comply with the requirements of Sub-section 2.2.5.1.4. The Town of Needham is exempt from these requirements of this sub-section. Whoever violates the provisions of Sub-section 2.2.5.1.4 shall be subject to a fine not exceeding one hundred dollars (\$100) each day being a separate offense.

The Chief of Police or Director of Public Works, or their respective designees, are hereby authorized to stop any work on any way conducted in violation of this sub-section.

Section 2.2.5.1.7 of the Town of Needham Bylaw on Poles along Chestnut Street

Section 2.2.5.1.7 - Construction and Maintenance of Overhead Poles

Any person, firm, corporation or partnership, or their agents and employees, granted any license, permission or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways, is forbidden from installing or constructing, and shall remove immediately, any poles, overhead wires and associated overhead structures which are located on, along or across Chestnut street between its intersection with School Street and the railroad bridge at Needham Junction.

Section 2.2.5.4 of the Town of Needham Bylaw on Trench Safety

Section 2.2.5.4 - Trench Safety

2.2.5.4.1 The Town Manager is authorized to designate a local permitting authority for issuing trench permits and/or licenses under the regulations promulgated by the Commonwealth of Massachusetts Department of Public Safety and Division of Occupational Safety in accordance with Chapter 82A of the General Laws relative to excavation and trench safety.

2.2.5.4.2 A trench is defined as a subsurface excavation greater than three feet in depth and is fifteen feet or less between the soil walls as measured from the bottom.

2.2.5.4.3 The Select Board may, from time to time enact fees to cover the costs of processing said permits and for enforcement thereof.

2.2.5.4.4 The Select Board may, from time to time, and after a public hearing, enact local rules and regulations consistent with Chapter 82A relative to the trench permitting process, the standard and special conditions for issued permits, and the enforcement of issued permits.

2.2.5.4.5 The Town may perform temporary repairs to private property if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations issue by the Select Board in accordance with Section 2.2.5.4.4. Said repairs shall be considered necessary to abate an immediate hazard.

Section 8.2.2.4 V. - Police Regulations

Section 8.2.2.4 V. - Street Occupancy Permit/Excavation in a Public Way

Enforcement Agent: Director of Public Works

Fine Schedule: \$300 per offense

Doc.Needham Small Cell Policy 8.13.20



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

MEETING DATE: 8/18/2020

Agenda Item	Open 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 open the warrant for the October 4, 2020 Special Town Meeting. The Warrant is scheduled to be closed on September 8th.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board vote to open the warrant for the October 4, 2020 Special Town Meeting.	
3.	BACK UP INFORMATION ATTACHED
a. Draft Special Town Meeting Warrant, dated August 14, 2020	

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

SUNDAY, OCTOBER 4, 2020

1:00 P.M.

MEMORIAL PARK PARKING LOT

92 ROSEMARY STREET

DRAFT 8.14.2020

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:

SUNDAY, THE FOURTH DAY OF OCTOBER 2020

At 1:00 in the afternoon, then and there to act upon the following articles:

FINANCE ARTICLES

ARTICLE X: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

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

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Property Tax Assistance Program provides assistance to elderly and disabled taxpayers in need. This appropriation complements donations by private parties to the "Voluntary Tax Relief Program" authorized by statute. The goal of the Select Board is to set a target annual appropriation for the Property Tax Assistance Program equal to the amount of private contributions to the voluntary program during the preceding fiscal year. The voluntary fund received \$11,006 in fiscal year 2019.

ARTICLE X: APPROPRIATE FOR COVID-19 ECONOMIC DEVELOPMENT GRANT PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding a COVID-10 economic development grant program for small businesses, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from XX; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR COVID-19 EXPENSES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$XX for the purpose of funding COVID-19 related expenses to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from XX; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR BILLING AND COLLECTION SOFTWARE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,075,000 for the purpose of funding the development, design, acquisition, installation and implementation of new municipal billing and collection applications, network, hardware, and related technology, and the decommissioning and phase out of the Town's existing enterprise billing and collection applications, including prior accounting and financial reporting applications, and other related expenses to be spent under the direction of the Town Manager, and to meet this appropriation that X be raised from the tax levy, X be raised from enterprise receipts, and that X be transferred from XX; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND THE FY2021 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2021 Operating Budget adopted under Article X of the 2020 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>
9	Reserve Fund	TBD	TBD

or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE TRANSPORTATION IMPROVEMENT FEES

To see if the Town will vote to appropriate funds from the Commonwealth Transportation Infrastructure Fund in the amount of \$21,390 for the purpose of transportation infrastructure improvements, said sum to be spent under the direction of the Town Manager; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Chapter 187 of the Acts of 2016 established a Commonwealth Transportation Infrastructure Fund. Each Transportation Network Company (such as Uber and Lyft) is assessed \$0.20 per ride to fund transportation improvements. One-half of the amount received from the Fund is to be distributed proportionately to each city and town based on the number of rides that originated in that city or town. The distributed funds must be used to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town. Funding for Transportation Improvements in FY2021 will be allocated to pedestrian and bicycle safety initiatives, unless circumstances require otherwise.

ZONING ARTICLES

ARTICLE X: AMEND ZONING BY-LAW – AVERY SQUARE OVERLAY DISTRICT

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

- (a) Amend the definition of “Independent Living Apartments” in Section 1.3, Definitions, by (i) adding the words “or Avery Square Overlay District” after the words “Elder Services Zoning District”; (ii) deleting the word “only” before the words “residential uses”; and (iii) adding to the end of the definition the sentence “; provided, however, that within the Avery Square Overlay District, as provided in Section 3.15.3.2(d), below, such Independent Living Apartments may be located in a building that also houses Assisted Living and/or Alzheimer’s/Memory Loss Facilities but need not be part of a Continuing Care Retirement Community.”, so that it reads as follows:

“A building in the Elder Services Zoning District or Avery Square Overlay District containing three or more dwelling units, which building houses residential uses and support services accessory thereto, intended primarily as independent living units for individuals aged 55 years or older, and/or families with at least one family member aged 55 years or older, within a Continuing Care Retirement Community; provided, however that within the Avery Square Overlay District, as provided in Section 3.15.3.2(d), below, such Independent Living Apartments may be located in a building that also houses Assisted Living and/or Alzheimer’s/Memory Loss Facilities, but need not be part of a Continuing Care Retirement Community.”

- (b) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“ASOD-- Avery Square Overlay District”

- (c) Amend Section 3, Use Regulations, by adding a new Subsection 3.15, Avery Square Overlay District, to read as follows:

“3.15 Avery Square Overlay District

3.15.1 Purposes of District

The purposes of the Avery Square Overlay District (“ASOD”) are to promote the health, safety, and general welfare of the community by creating opportunities for housing primarily serving individuals 55 years old or older, who wish to live in independent apartments and/or who may need to live in Assisted Living and/or Alzheimer’s/Memory Loss facilities, within walking distance of goods and services, public transportation, and the civic life of the town; to promote a vibrant, walkable area within the ASOD, and to encourage and allow redevelopment of the existing property within the ASOD in a manner that will further these purposes. Toward these ends, development in the Avery Square Overlay District shall, as set forth in this Section 3.15, be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district provided that such development complies with all other requirements of this Section 3.15.

3.15.2 Scope of Authority

In the Avery Square Overlay District, all requirements of the underlying district shall remain in effect except where this Section 3.15 provides an alternative to such requirements, in which case the requirements of this Section 3.15 shall prevail. If the provisions of the Avery Square Overlay District are silent on a requirement that applies in the underlying district, the requirements of the underlying district shall apply.

By filing an application for a Special Permit, site plan review or building permit under this Section 3.15, an applicant shall be deemed to accept and agree to the provisions and requirements of this Section 3.15. If an applicant elects to proceed pursuant to zoning provisions of the underlying district, the provisions and requirements of this bylaw applicable in the underlying district shall control and the provision of the Avery Square Overlay District shall not apply.

3.15.3 Use Regulations

3.15.3.1 Permitted Uses

The following uses are permitted in the Avery Square Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) Public, semi-public and institutional uses permitted as of right in the underlying district.
- (c) Business uses permitted as of right in the underlying district.
- (d) accessory uses permitted as of right in the underlying district.

3.15.3.2 Special Permit Uses

The following uses are allowed in the Avery Square Overlay District by Special Permit issued by the Planning Board:

- (a) All uses allowed by special permit in the Avery Square Business District as set forth in Section 3.2.2 of this Bylaw, except those uses permitted as a matter of right as set forth in Section 3.15.3.1, above.

- (b) Assisted Living and/or Alzheimer's/Memory Loss Facilities
- (c) Independent Living Apartments.
- (d) Mixed-use buildings containing, as primary uses, such uses as are allowed by special permit or by right in the Avery Square Overlay District or the Avery Square Business District, as well as accessory uses subordinate to and customarily incidental to the primary uses.

3.15.4 Dimensional Regulations

3.15.4.1 Building Height and Related Requirements

The maximum building height (including mechanical structures such as HVAC equipment) in the Avery Square Overlay District shall be 44 feet. This height limitation shall not apply to elevator shaft overruns, which shall not exceed a maximum height of 49 feet.

A building or structure which is located on property in the Avery Square Overlay District may include, but not exceed, four (4) stories, all of which may be occupied.

For the fourth story, minimum setback requirements, measured from the façade(s) of the building on which such fourth story is located, shall be as follows: from the eastern façade of the building (facing Highland Ave), fifteen (15) feet; from the northern façade of the building (closest to and facing West Street), one hundred and ten (110) feet; from the western façade of the building, zero (0) feet; from the southern façade of the building, thirty-five (35) feet. No fourth story setback from the north-facing building façade is required with respect to any portion of any building that is set back from West Street at least two hundred (200) feet.

The total floor area of any fourth floor addition to the existing building may not exceed thirty-five percent (35%) of the total roof area of the existing building. Mechanical equipment, including but not limited to HVAC equipment, whether or not enclosed, shall not be included in the calculation of maximum allowable floor area hereunder.

Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other height limitations nor any other limitations contained in Section 4.4.3.

3.15.4.2 Building Bulk and Other Requirements

The maximum floor area ratio in the Avery Square Overlay District shall be 1.1. Property contiguous with and in common ownership with property in the Avery Square Overlay District shall be included in the lot for purposes of calculating floor area ratio. The enclosed area of a building devoted to off-street parking shall not be counted as floor area for purposes of determining the maximum floor area ratio. Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other limitations on floor area ratio, lot coverage, or building bulk such as are contained in Sections 4.4.2, 4.4.7 and 4.4.9.

3.15.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 and the regulations for enclosed parking in Section 4.4.6 shall apply in the Avery Square Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:

- (1) For Independent Living Apartments, there shall be one space per Apartment.
 - (2) For Assisted Living units and Alzheimer's/Memory Loss units, the parking requirement shall be one space for every two beds, plus one space for each two employees on the largest shift.
- (b) Notwithstanding anything to the contrary elsewhere in this Bylaw, including but not limited to Section 4.4.8.4, in the event that land located in the Single Residence B Zoning District
- (1) is adjacent to the Avery Square Overlay District;
 - (2) is in common ownership with adjacent land located in the Avery Square Overlay District; and
 - (3) prior to approval of this Section 3.15, was improved as a parking area associated with a building located in the Avery Square Overlay District;
- then, provided that said land extends into the Single residence B Zoning District not more than one hundred (100') feet from the boundary line between the Single Residence B Zoning District and the Avery Square Business District, said land may, as a matter of right, be used as a parking area accessory to uses permitted in the Avery Square Overlay District by right or by special permit.

3.15.6 Affordable Housing

Any mixed-use building with ten or more Independent Living Apartments shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) If the Applicant provides at least one-half of the affordable Independent Living Apartments for households with incomes at or below 50% of area median income, the remaining affordable Independent Living Apartments may be rented to households with incomes up to 100% of area median income even if the latter units are not eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.
 - (b) For a development with ten or more Independent Living Apartments, twelve and one-half percent (12.5%) of the Independent Living Apartments shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number. There shall be no affordable housing requirement for nursing homes, convalescent homes, Assisted Living and Alzheimer's/Memory Loss Facilities, or residential care institutions or facilities.
 - (c) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size, energy efficiency, quality, convenience, and unit-specific real estate-related amenities to the development's market-rate units. Services and other amenities that may be purchased by residents on a voluntary basis are not to be considered unit-specific real estate-related amenities and are excluded from such comparability requirements.
 - (d) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
 - (e) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction."
- (d) Amend Section 4.4.4 Front Setback, by adding the following paragraph after the fourth paragraph of that section:

“In the Avery Square Overlay District, the setback, if any, shall be kept open and landscaped with grass, plants, and other non-paving materials such as mulch, and shall be unpaved except for patios, walks, and driveways as defined in section 4.4.5. Walls (including walls serving in part as retaining walls) no higher than 36 inches above the grade of the patios, as well as fencing and privacy screening, along the front and side edges of the patios, shall be allowed in the Avery Square Overlay District.”

- (e) Amend Section 4.4.6 Enclosed Parking, by adding the phrase “for each square foot” before the words “of parking space (excluding driveways and aisles)” on the fourth line of the first paragraph of that section so that it reads as follows:

“Whenever off-street parking is provided underground and/or within a building itself, the maximum area coverage of the building may be increased up to the limits of the required setback as provided herein. The lot coverage of the building may be increased up to 2 ½ % points above the maximum allowed percentage, by one square foot for each square foot of parking space (excluding driveways and aisles) that is underground and/or within the building itself.”

Parking which is under a building or partially underground shall, except for driveways, be separated from the street line by building space occupied by the principal use, not by parking.

In the Center Business District, enclosed parking shall be entirely below the grade of adjoining streets measured at their respective center lines. Access to enclosed parking shall be from the rear of the building. If provided, enclosed parking shall not be visible from the street. The placement of parking underground shall not raise the first non-parking floor of a structure above grade. Municipal parking facilities in the Center Business District shall be exempt from this provision.”

- (f) Amend Section 7.6.1 Special Permit Granting Authority, by adding the number “3.15” after the number “3.14” on the second line of that Section so that it reads as follows:

“The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 3.10, 3.14, 3.15, 4.2.10, 4.2.11, 4.2.12, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this Bylaw. In all other cases the Board of Appeals shall act as the Special Permit Granting Authority. Procedures and decision criteria for the Planning Board shall be the same as specified in Section 7.5.2 and Section 7.5.3 (second and fourth paragraphs) for special permits acted on by the Board of Appeals, except where alternative or supplemental criteria are specified, such as at Sections 3.4 and 6.6.”

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**ARTICLE X: AMEND ZONING BY-LAW – MAP CHANGE TO AVERY SQUARE
OVERLAY DISTRICT**

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

- (a) Place in the Avery Square Overlay District all that land described as follows, and superimposing that District over the existing Avery Square Business District:

Beginning at the point of intersection of the westerly sideline of Highland Avenue and the northerly sideline of what was formerly known as Hildreth Place (said former Hildreth Place as shown on Needham Town Assessors Map 63); thence running northerly by the westerly sideline of Highland Avenue to the point of curvature of a curve having a radius of 20 feet and an arc length of 29.27 feet; said curve being a property rounding of the intersection of the westerly sideline of Highland Avenue and the southerly sideline of West Street; thence running northerly, northwesterly, and westerly by said curve to the point of tangency of said curve located on the southerly sideline of West Street; thence running westerly by the southerly sideline of West Street to the point of intersection of the southerly sideline of West Street and the easterly right of way line of MBTA property; thence running southerly by said easterly right of way line of MBTA property to the intersection of the easterly right of way line of MBTA property and the northerly sideline of what was formerly known as Hildreth Place; thence running easterly by the northern boundary of what was formerly known as Hildreth Place, to the point of beginning.

The land is also shown on Needham Town Assessors Map 63, Parcel 37, but excluding any land to the south of the northerly sideline of what was formerly known as Hildreth Place.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

CAPITAL ARTICLES

ARTICLE X: APPROPRIATE FOR WALKER LANE SEWER

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$270,000 for the purpose of constructing an extension of the sewer main in Walker Lane to allow for new service from 77 Walker Lane through 31 Walker Lane, to be spent under the direction of the Town Manager, and to meet this appropriation that \$170,000 be raised from Sewer Enterprise Fund receipts, \$9,000 be transferred from Article 15 of the November 2011 Special Town Meeting, \$36,000 be transferred from Article 9 of the May 2013 Special Town Meeting, \$12,000 be transferred from Article 44 of the 2015 Annual Town Meeting, and \$43,000 be transferred from Article 45 of the 2015 Annual Town Meeting; and to authorize the assessment of betterments on the properties benefitting thereby in accordance with the provisions of Massachusetts General Laws Chapters 80 and 83; and to authorize the Select Board to acquire by purchase, gift, or eminent domain or otherwise, easements for utility purposes to permit the installation, maintenance and repair of Town sewer line within Walker Lane; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: RESCIND DEBT AUTHORIZATION

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
Hillside School Construction (Sunita L. Williams Elementary School)	2016 October STM	2	\$57,542,5000	\$9,000,000
Total				\$9,000,000

or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: When a project is financed by borrowing, the project has been completed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids.

COMMUNITY PRESERVATION ARTICLES

ARTICLE X: APPROPRIATE FOR EMERGENCY RENTAL ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate \$100,000 for an emergency rental assistance program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR FIRST BAPTIST CHURCH PRESERVATION & RESTORATION

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

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR NEEDHAM COMMUNITY FARM GROWING BED EXPANSION

To see if the Town will vote to raise and/or transfer and appropriate a sum for Needham Community Farm Growing Bed Expansion, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from XXX; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR FIRST PARISH CHURCH STEEPLE PRESERVATION

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

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to Massachusetts General Law Chapter 44B from the estimated FY2021 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

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

Reserves:

B. Community Preservation Fund Annual Reserve	\$ 865,724
C. Community Housing Reserve	\$334,615
D. Historic Resources Reserve	\$0
E. Open Space Reserve	\$334,615

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

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

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

CITIZENS PETITIONS AND GENERAL ARTICLES

ARTICLE X: CITIZEN'S PETITION/AMEND ZONING BY-LAW – MAP CHANGE TO GENERAL RESIDENCE B ZONING DISTRICT

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

Place in the Single Residence B Zoning District (i) all that land now zoned Single Residence A bounded generally to the northwest by a point at the northwesterly end of Parcel 73 on Needham Assessor's Map No. 66, to the northeast by the State Circumferential Highway, to the southeast by Kendrick Street, and to the northwest by Hunting Road; said land comprising Parcels 65, 66, 67, 68, 69, 70, 71, 72 and 73 on said Map No. 66 and Parcels 25, 26 and 27 on Needham Assessor's Map No. 58; as well as (ii) all that land now zoned Single Residence A bounded generally to the northwest by Kendrick Street, to the northeast by the State Circumferential Highway, to the southeast by Cheney Street, and to the southwest by Hunting Road, said land comprising Parcels 1, 2, 3, 4, 18, 19, 20, 21, 22, 23 and 24 on said Map No. 58.

So much of said land comprising Parcels 65, 66, 67, 68, 69, 70, 71, 72 and 73 on said Map No. 66 and Parcels 25, 26 and 27 on Needham Assessor's Map No. 58 being bounded and described as follows: Beginning at a point on the northeasterly side of Hunting Road at the northwesterly end of Parcel 73 on Needham Assessor's Map No. 66; thence running southeasterly along the southwesterly side of the State Circumferential Highway a distance of 1,792.15 feet to Kendrick Street; thence running westerly and northwesterly along the northerly side of Kendrick Street, 328.72 feet to Hunting Road; thence running northwesterly along the northeasterly line of Hunting Road, 1,359.60 feet, to the point of beginning.

And so much of said land comprising Parcels 1, 2, 3, 4, 18, 19, 20, 21, 22, 23 and 24 on Needham Assessor's Map No. 58 being bounded and described as follows: Beginning at a point on the southerly side of Kendrick Street, at the intersection with Hunting Road, thence running westerly 250.08 feet to the southwesterly side of the State Circumferential Highway; thence running generally southeasterly along the southwesterly side of the State Circumferential Highway a distance of 224.63 feet to Cheney Street; thence running southerly along the westerly line of Cheney Street a distance of 371.7 feet to the intersection with Hunting Road; thence running northwesterly along Hunting Road, a distance of 14.19 feet; thence running southerly by Hunting Road, along a curved line, a distance of 68.91 feet; thence running northwesterly along the

northeasterly side of Hunting Road 444.24 feet; thence running along a curved line at the intersection of Hunting Road and Kendrick Street a distance of 95.20 to the point of beginning.

Be any or all of said measurements, more or less.

Or take any other action relative thereto.

INSERTED BY: Select Board on behalf of Bruno DiFazio, et al

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

Article Information: This article describes the geographical area proposed to be placed in the Single Residence B Zoning District. The affected area consists of 23 separate parcels of land, containing, in total, approximately 360,892 square feet of land, located between the Circumferential Highway (Route 128) and Hunting Road, starting at the property known and numbered 176 Hunting Road and continuing to Cheney Street. The affected area is currently located within the Single Residence A zoning district. The Planning Board's recommendation on the article will be made at Town Meeting.

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 8th day of September 2020.

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

Select Board of Needham

A TRUE COPY

Attest:

Constable:



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

MEETING DATE: 8/18/2020

Agenda Item	Regulations for the Sale of Alcoholic Beverages
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will recommend that the Board approve revisions to the Town's regulations for the sale of alcoholic beverages.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<i>Suggested Motion:</i> That the Board vote to approve the revised Regulations for the Sale of Alcoholic Beverages effective August 18, 2020.	
3.	BACK UP INFORMATION ATTACHED
a. Town of Needham Regulations for the Sale of Alcoholic Beverages dated 8.18.2020	



TOWN OF NEEDHAM

REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

- I. Types of Licenses to be Granted in Needham
- II. Compliance
- III. Special License Provisions
- IV. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town
- V. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders
- VI. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants and Function Rooms
- VII. Rules and Regulations applicable to Clubs and Veterans Organizations seeking and issued Alcoholic Beverage Licenses within the Town authorized by Special Act of the General Court (Chapter 3 of the Acts of 1977)
- VIII. Rules and Regulations applicable to One-Day Special Event Licenses
- IX. Rules and Regulations applicable to Package Stores
- X. Violations – Determination of Penalties

The Needham Select Board, acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Needham. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

The Town of Needham issues the types of alcoholic beverages licenses listed below. All licenses shall comply with Chapter 138 of the Massachusetts General Laws, and Chapter 204 of the Code of Massachusetts Regulations, as they relate to the specific type of license.

- 1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board. (M.G.L. c.138, s.11, D; 11/7/72 election)
- 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.11, E; 11/4/80 election; M.G.L. c.138, s.12; Chapter 32 of the Acts of 2014; 4/8/2014 election)
- 1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; Chapter 169 of the Acts of 2001; 11/8/01 election)
- 1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; 11/8/88 election)
- 1.5 One Day Special Event: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.14)

- 1.6 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.7 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)

II. COMPLIANCE

- 2.1 The issuance of a license by the Select Board for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.
- 2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission or the Town's bylaws may result in the revocation, suspension or cancellation of the license.

III. SPECIAL LICENSE PROVISIONS (applicable to Restaurants only)

- 3.1 Bar Service The sale or service of alcoholic beverages for consumption at any unapproved Bar Service Area is prohibited. For the purposes of these regulations, Bar Service Area is defined as service across a counter at which alcoholic drinks are prepared to patrons who may or may not be waiting to dine. Bar Service Areas are permitted only in locations expressly approved and authorized by the Select Board. Such authorization may be granted under the following conditions:
 - a) The Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the Bar Service areas;
 - b) No more than a total of fifteen (15) seats or twenty percent (20%) of the total seats in the premises, whichever is less, shall be allowed in the Bar Service area(s), except that the Board may after hearing, with notice pursuant to M.G.L. Chapter 138 section 15A, authorize a greater number where such seats are intended for food service customers as part of the licensee's business plan;
 - c) The seats in the Bar Service areas are included when calculating the number of seats in the premises;
 - d) All food and beverages on the menu served in the public dining room shall be available for service to the patrons in the Bar Service areas; and
 - e) Each licensee with bar seating shall annually as part of its license renewal application provide the Select Board with a statement certified by a Certified Public Accountant as to the percentage the annual sales for the previous period

of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic beverages. If the percentage exceeds thirty-five percent (35%), the Select Board may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may after hearing modify the license to require the licensee to reduce its amount of Bar Service Area seating.

IV. GENERAL RULES AND REGULATIONS APPLICABLE TO HOLDERS OF LICENSES TO SELL ALCOHOLIC BEVERAGES WITHIN THE TOWN

This section shall apply to any and all alcoholic beverages licenses issued by the Board to eligible restaurants, clubs, veterans' organizations, innholders licensees, package stores and, with noted exceptions, one-day special event licensees. The Licensing Board reserves the right to add to, amend, modify or revoke these rules and regulations at such time or times as the Licensing Board deems appropriate.

Subject to further limitations fixed or from time to time modified by the Select Board with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

- 4.1 Fire Safety Inspections (applicable to Restaurants, Innholders & Clubs only)
Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety In the Commonwealth, requires that every license holder under M.G.L. Chapter 138 Section 12 must submit as a precondition of renewal of the license "a valid certificate of inspection issued by a local inspector and signed by the head of the fire department for the city, town or district in which the premises is located." No license shall be issued for the sale of alcoholic beverages in the Town until such time as a copy of the valid certificate of inspection has been filed with application.
- 4.2 Hours of Operation
The hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public. The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any licensee shall be from 11:00 a.m. to 11 p.m. on secular days and from 10:00 a.m. to 11 p.m. on Sundays, unless otherwise determined by the Select Board. The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any licensee shall be from 9:00 a.m. to 10:00 p.m., Monday through Saturday, including legal holidays, and 12:00 noon to 6:00 p.m. on Sundays, unless otherwise determined by the Select Board. Holiday sales hours are further limited to the holiday schedule set by the ABCC.

- 4.2.1 The Board may adjust hours for individual and/or classifications of licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.
- 4.2.2 No patron shall be served or sold alcoholic beverages within the licensed premises before or after the hours stated in the license.
- 4.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.
- 4.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.
- 4.2.5 With the exception of the licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while actually engaged in cleaning, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises.

4.3 Payment of Charges and Taxes

Applicants and licensees must pay, in full, all taxes and charges owed to the Town on a current basis prior to the issuance of a new license, the transfer of an existing license and/or the annual renewal of a license.

4.4 Filing and Application Requirements (excludes One Day Special Event Licenses)

4.4.1 Abutter Notification

When conducting a public hearing to consider the issuance of a license to sell or serve wine, malt and/or alcoholic beverages, the Board shall require the applicant to notify all owners of property within a 300-foot radius of the premises to be licensed

4.4.2 Insurance

No license shall be issued for the sale of alcoholic beverages (one day special licenses excluded) in the Town until such time as the applicant shall present to the Select Board a certificate of insurance showing that the applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of \$100,000 per person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage.

4.4.3 Fees

All license fees of the Board are incorporated in these rules and regulations as Attachment I, Schedule of Town of Needham Liquor License Fees. These fees shall be non-refundable.

4.4.3.1 Filing Fees All required filing fees shall be paid in full at such time as the application is filed. The Board's filing fee shall be paid by check, made payable to the "Town of Needham." Filing fees required by the Commission must be by certified check or bank treasurers check made payable to the "Commonwealth of Massachusetts" and/or the "Alcoholic Beverages Control Commission." Filing fees shall not be pro-rated for any reason.

4.4.3.2 License Fees All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The payment of the license fee shall be by cash, certified check or bank treasurer's check payable to "Town of Needham." The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

4.4.4 Floorplans – On Premises Licenses (M.G.L. Ch 138 s.12)

4.4.4.1 With the exception of applicants for package store licenses and a one-day special events license and without limiting the application of Chapter 6 of the State Building Code, applicants or licensees shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;
- b) the location of any proposed Bar Service Areas and cocktail lounges (for innkeepers license only);
- c) areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
- d) entrances and exits;
- e) kitchens and/or food preparation areas;
- f) take out areas;
- g) storage areas;
- h) restrooms;
- i) all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;

- j) total occupant load; and
- k) other spaces, or in relevant cases, exterior premises for which approval of the Board for the sale of alcoholic beverages is requested. Approval of the use of exterior space will only be allowed if there is a physical barrier and signage restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

4.4.4.2 The number and location of all seats, chairs, and stools upon or within the licensed premises must be approved in writing by the Board. In no event shall the total number of seats, chairs, and stools upon the licensed premises exceed the maximum seating capacity nor the maximum occupancy capacity of the licensed premises.

4.4.4.3 No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without prior written approval of the Board.

4.4.4.4 Outdoor seating shall be excluded from the seating capacity used to determine the type of license granted to applicant.

4.5.5 Floor Plans – Off Premise Licenses (M.G.L. Ch 138 s. 15)

4.5.5.1 Applicants for a package store license shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed;
- b) gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages;
- c) entrances and exits;
- d) storage areas;
- e) restrooms;
- f) cash register areas.

4.5.5.2 Applicants shall submit a plan for signage including window display signs.

4.6 General and Miscellaneous Provisions

4.6.1 No alcoholic beverages shall be taken from the building so approved in the licenses, with exception of approved exterior seating noted on floorplan, as noted in section 4.4.4.1 (k). This does not apply to package stores.

- 4.6.2 No licensee shall sell alcoholic beverages in any part of the premises not specified on this license. No change of such area or location shall be made without prior written approval of the Select Board. The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.
- 4.6.3 The licensed premises must be well lighted at all times.
- 4.6.4 There shall be no indecent or immoral entertainment on the licensed premises.
- 4.6.5 Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.
- 4.6.6 The licensed premises shall be subject, at all times, to inspection by members of the Select Board, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Select Board.
- 4.6.7 Food service shall be available in all areas where alcoholic beverages are to be served for consumption on premises.
- 4.6.8 Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery is permitted. Alcoholic beverages may be consumed only from glassware. Package stores and one day licenses are excluded from this provision.
- 4.6.9 No licensed restaurant or package store may permit the use of any amusement service such as electronic games on the premises.
- 4.6.10 Service of alcoholic beverages shall be by a server/wait person (applicable to on premise licensees only).
- 4.6.11 At all times that the licensed premises are open for the sale or service of alcoholic beverages, the licensee shall have on the premises a manager or assistant manager who has successfully completed an in-person alcoholic beverage server training program satisfactory to the Select Board. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant manager shall have full authority to make decisions concerning the operation of the establishment.
 - a) A current employee roster shall be available upon request to the Town for all licensed establishments. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham

Select Board, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.

- b) Any employee engaged in the sale and handling of alcoholic beverages must complete Select Board approved courses in alcohol safety training and have on file with the licensee, and available for inspection by the Town, a copy of current training certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.
- c) All managers, assistant managers, and bartenders shall be required to attend an in-person alcoholic beverage server training program satisfactory to the Select Board once every two years. Newly hired employees shall complete a Town-approved training program upon employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees who are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.
- d) No licensee shall allow any employee to sell, or participate in the stocking, handling, or preparation for sale of beverage alcohol until such employee has viewed a town-approved training video and signed a statement, a copy of which is to be maintained by the licensee, confirming that the employee has viewed that training video and that the employee acknowledges his/her obligation to abide by the rules and regulations of the Needham Select Board, the Alcoholic Beverages Control Commission, and Massachusetts laws regarding the sale of alcohol.

4.6.12 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.

V. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNOLDERS

Subject to further limitations fixed or from time to time modified by the Select Board with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

- 5.1 No application for an alcoholic beverage license shall be accepted except from qualified owners of a hotel having a dining room capacity of not less than ninety-nine [99] persons and living capacity of not less than fifty [50] rooms.
- 5.2 Each applicant shall submit to the Select Board with each application for a license a floor plan of the building or that portion of the building on which is clearly marked and designated the location of the proposed seating arrangement, service bars,

dining rooms, function rooms or other rooms in which approval of the Select Board for the sale of alcoholic beverages is requested.

- 5.3 Cocktail lounges are permitted with the approval of the Select Board but limited to approved areas by the Select Board with appropriate identification of the specific location documented by the Inspector of Buildings.
- 5.4 The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.

VI. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS AND FUNCTION ROOMS

Subject to further limitations fixed or from time to time modified or amended by the Select Board acting as the duly constituted Licensing Board of the Town of Needham with respect to this class of license, the General Laws of Massachusetts and the Regulations of the Alcoholic Beverages Commission, the following rules and regulations shall be in full force and effect:

- 6.1 It is the policy and purpose of the Select Board acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an accommodating and incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.
- 6.2 The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.
- 6.3 No function room may be separately licensed.
- 6.4 No alcohol license will be issued to any applicant unless such applicant is the licensee named in a common victualler's license and has operated a restaurant and function rooms for the twelve-month period immediately preceding the filing of an application. When deemed appropriate by the Select Board this provision may be waived.
- 6.5 Service of food must be available in all areas in which alcoholic beverages are to be served. Where a function room is available, the service of alcoholic beverages is permitted as authorized herein and may be closed to the general public.

VII. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS SEEKING AND ISSUED ALCOHOLIC BEVERAGE LICENSES WITHIN THE TOWN AUTHORIZED BY SPECIAL ACT OF THE GENERAL COURT (CHAPTER 3 OF THE ACTS OF 1977)

Licenses issued by the Needham Select Board shall be subject to the minimum requirements of G.L. Chapter 138, Regulations of the Alcoholic Beverage Commission and the following regulations of the local Licensing Board and any amendments thereto hereinafter adopted:

- 7.1 Every club applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Licensing Board.
- 7.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 7.3 Each applicant shall furnish the Licensing Board with a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Licensing Board.
- 7.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.
- 7.5 Each licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

VIII. RULES AND REGULATIONS APPLICABLE TO ONE-DAY SPECIAL EVENT LICENSES

The Board will review requests for One-Day Special Event Licenses in accordance with section 14 of Chapter 138 of the General Laws after receipt of the following documentation. A public hearing is not required for the issuance of a One-Day Special Event License.

- 8.1 Request for the sale of alcohol under a Special License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on secular days and 12:00 p.m. and 12:00 a.m. on Sundays.
- 8.2 One-Day licenses are exempt from the legal notice and publication requirements.

- 8.3 No special event license will be granted to a licensed premise of any person whose application for a license is pending before the licensing authorities.
- 8.4 No person shall be granted a special license for more than 30 days in a calendar year.
- 8.5 Forms and documentation required for One-Day Special License:
- a) ABCC Notice of Approval of Special License (completed by the Town)
 - b) Town of Needham Select Board Event Information Sheet
 - c) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
 - d) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
 - e) Written evidence of the owner's permission to use the proposed licensed premises.
 - f) Proof of Non-profit Status (if request is for all alcoholic beverages).
 - g) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
 - h) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
 - i) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)
- 8.6 The One-Day Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The One-Day Special Event Manager shall display such special One-Day License where sale of alcoholic beverages is taking place.

IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES (M.G.L. CH 138, SEC. 15)

9.1 General Provisions

- 9.1.1 Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display.
- 9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall

be placed or permitted by a retail package store licensee upon or within the licensed premises, or upon any area under the direction and control of the licensee.

- 9.1.3 Where the liquor licenses are granted to serve the public, licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Select Board may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.
- 9.1.4 No consumption of alcoholic beverages shall be permitted on the premises outside of the licensed hours of operation.
- 9.1.5 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not.
- 9.1.6 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 9.1.7 The licensing of liquor establishments, and what constitutes the public convenience in Needham, will be subject to the informed discretion of the Select Board. In determining suitability for licenses, the Select Board will consider the proximity of the proposed premises to neighborhoods, especially residential neighborhoods, and other sensitive areas as determined by the Board.
- 9.1.8 Section 15 licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.
- 9.1.9 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the licensee will comply with the Town of Needham Sign By-law, as from time to time amended.
- 9.1.10 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.
- 9.1.11 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall

be offered for sale upon the request of a customer from a location within the premises to which customers do not have direct access, such as behind a counter.

9.2 Hours Of Operation

9.2.1 For all deliveries conducted off the licensed premises, the licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

- a) Deliveries must be made during the operating hours of the store.
- b) Deliveries shall be made by persons no less than 21 years of age.
- c) A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

9.2.2 All transactions for the sale of alcoholic beverages must be completed on or before the closing hour set out in this section.

9.2.3 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

9.3 Consumption On Premises Prohibited Except Sample Tastings

9.3.1 Consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, by any person is strictly prohibited except for sample tasting.

9.4 Limitations On Transferability Of Off-Premises Section 15 Licenses

9.4.1 An application for a transfer of ownership at the same location or transfer of location may be granted by the Board after a public hearing in compliance with these regulations and state law.

9.5 Food Store Alcohol License Requirements

9.5.1 A food store is defined as a grocery store or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal,

family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Select Board shall determine whether an applicant is a food store as set out herein and in compliance with any and all requirements.

- 9.5.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Select Board reserves the right to consider each of these factors when determining if an applicant will be considered a convenience store.
- 9.5.3 Any applicant for a Section 15 License (whether for an original application, change of ownership or change of location) must provide with the application materials, a floor plan evidencing the gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages. The licensee may not materially change the portions of its premises dedicated to sale, storage or display of alcoholic beverages without the approval of the Select Board. The licensee may not be open for business except during its licensed hours for sale of alcoholic beverages unless it has applied for and received approval by the Select Board of plan to properly secure all alcoholic beverages on the premises from public access during that time.
- 9.5.4 Regular sales and operation of the food store must continue during all times when the sales of wine and malt beverages are permitted.
- 9.5.5 Package store licenses issued to food stores shall be limited to wine and malt beverages only.

X. VIOLATIONS – DETERMINATION OF PENALTIES

- 10.1 Any violation of the Town's Liquor Regulations, Regulations of the Alcoholic Beverages Control Commission, and/or General Laws Chapter 138 may be grounds for action by the Select Board (Board), as Local Licensing Authority, including the modification, suspension, revocation, nonrenewal or cancellation of a license.
- 10.2 In determining the appropriate action in any given case, the Board will consider the

violation alleged, the facts of the case, other relevant factors including the licensee's prior record, and aggravating or mitigating circumstances.

- 10.3 In ordering suspensions, the Select Board may, within its discretion, order a suspension with one or more days to be served and the remainder to be held in abeyance for such time as the Select Board may determine.
- 10.4 A licensee shall have a right to notice and public hearing before modification, suspension, revocation, nonrenewal or cancellation of a license by the Board, except that the Board may under emergency circumstances as allowed by Law suspend the license pending hearing.
- 10.5 A licensee may waive its right to hearing, and the Board in such cases may make findings and act without hearing on recommendation of the Town Manager. The Board may, however, require that a hearing be held notwithstanding such a waiver, in which case the licensee shall have notice of hearing and an opportunity to be heard before action is taken on modification, suspension, revocation, nonrenewal or cancellation of a license, except that Select Board may under emergency circumstances as allowed by Law suspend the license pending hearing.
- 10.6 On the days when Suspension of License is being served, the Licensee will publicly post at its public entrance(s) a notice of the Suspension in a form as the Board or Town Manager may direct. The Board may also post notice of violation hearings, findings, decisions, and orders to the Town's website and Town's social media.
- 10.7 The town conducts, and expects to continue to conduct, routine compliance checks of licensees, including, but not limited to, service to underage persons checks using agents of the Needham Police Department.
 - 10.7.1 The following schedule of recommended discipline is a guideline intended to illustrate the range of disciplinary action that the Select Board may impose for service to underage violations identified in compliance checks. The Select Board is not limited by these guidelines and may impose greater or lesser discipline based on consideration of the violation alleged, the facts of the case, other relevant factors including the licensee's prior record, and aggravating or mitigating circumstances
 - 10.7.2 In calculating the number of prior offenses under this guideline, the Select Board will consider determined violations occurring within the five (5) years preceding the date of current violation.
 - 10.7.3 Compliance Check Violation Guideline Penalties:
 - 10.7.3.1 FIRST OFFENSE:
Written warning, or Suspension of one day.
 - 10.7.3.2 SECOND OFFENSE:
Suspension, one to three days.

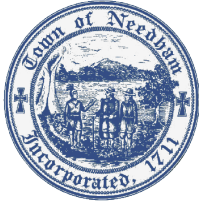
- 10.7.3.3 THIRD OFFENSE:
Public hearing required.
Suspension, three to five days.
- 10.7.3.4 FOURTH OFFENSE:
Public Hearing required.
Suspension, Five (5) to Ten (10) Days
Licensee shall be required as a condition of the license to provide the Board with a satisfactory written plan, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license, to assure that a further offence will not occur.
- 10.7.3.5 FIFTH OFFENSE:
Public hearing required.
Minimum ten (10) day suspension. Based on relevant circumstances as determined by the Board, the Board may order a longer suspension of any length, imposition of conditions on or other modifications of the license, disqualification of the manager of record, compulsory initiation by the licensee of transfer of ownership to a responsible party to be approved by the Board, non-renewal, or revocation of the license.

APPROVED: 6/14/77
Amended and revised: 11/18/97
Amended and revised: 2/9/99
Revised fee schedule: 12/7/99
Revised fee schedule: 12/5/00
Revised and approved: 8/20/02
Fee changes 12/21/04
Addition of Liquor
Liability Insurance: 1/25/05
Addition of One-Day License: 1/25/05
Amended and revised: 11/14/06
Amended and revised: 6/22/10
Amended and revised: 12/18/12
Amended and revised: 5/13/14
Amended and revised: 9/10/2014
Amended and revised: 11/9/2016
Amended and revised: 7/25/2017
Amended and revised: 8/18/2020

SELECT BOARD

ACTING AS

NEEDHAM LICENSING BOARD



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

MEETING DATE: 8/18/2020

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

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



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

MEETING DATE: 8/18/2020

Agenda Item	Town Manager Performance Evaluation
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	In accordance with the Town Manager Evaluation Policy, the Select Board prepares an annual performance evaluation of the Town Manager. Each member of the Board completes his or her own evaluation. The individual evaluations are then compiled into a consensus evaluation overview document. Board policy calls for the overview to be released at a meeting of the Select Board.
2.	VOTE REQUIRED BY SELECT BOARD
	<i>Suggested Motion:</i> That the Board vote to approve the Town Manager Consensus Evaluation Overview Document dated August 11, 2020.
3.	BACK UP INFORMATION ATTACHED
	a. Town Manager Consensus Evaluation Overview Document dated August 11, 2020.

TOWN OF NEEDHAM TOWN MANAGER EVALUATION

NAME:	Kate Fitzpatrick
REVIEWER:	SelectBoard-Composite
REVIEW PERIOD:	FY2020
DATE:	August 11, 2020

RATING METHODOLOGY

EXCELLENT/OUTSTANDING (E)	The Town Manager's work performance is consistently excellent when compared to the standards of the job.
MEETS EXPECTATIONS (M)	The Town Manager's work performance consistently meets the standards of the position.
IMPROVEMENT NEEDED (I)	The Town Manager's work performance does not consistently meet the standards of the position.

KEY COMPETENCIES

1. INDIVIDUAL CHARACTERISTICS

E-	Is diligent and thorough in the discharge of duties
E-	Exercises good judgment
E-	Displays enthusiasm, cooperation, and willingness to adapt
E-	Exhibits composure and attitude appropriate for executive position

2. PROFESSIONAL SKILLS AND STATUS

E-	Maintains knowledge of current developments affecting the practice of local government management
E-	Demonstrates a capacity for innovation and creativity
M+	Anticipates and analyzes problems to develop effective approaches for solving them
M+	Demonstrates a willingness to try new ideas proposed by governing body members and/or staff
E-	Sets a professional example by handling affairs of the public office in a fair and impartial manner
E-	Identifies professional development opportunities to continue personal development

KEY COMPETENCIES (continued)**3. RELATIONS WITH ELECTED MEMBERS OF THE SELECT BOARD**

M+	Carries out directives of the Board as a whole as opposed to those of any one member or minority group
E-	Sets meeting agendas that reflect the guidance of the Board and avoids unnecessary involvement in administrative actions
M+	Disseminates complete and accurate information equally to all members in a timely manner
M+	Facilitates decision making without usurping authority
M+	Responds well to requests, advice, and constructive criticism

4. POLICY EXECUTION

M+	Implements actions in accordance with the intent of the Board
M+	Supports the actions of the Board after a decision has been reached, both inside and outside the organization
M+	Understands, supports, and enforces the Town's By-Laws, policies, and regulations
M	Reviews policies and procedures periodically

5. REPORTING

M	Provides regular information and reports to the Board concerning matters of importance to the Town
M	Responds in a timely manner to requests from the Board for special reports
M+	Takes the initiative to provide information, advice, and recommendations to the Board on matters that are non-routine and not administrative in nature
M	Produces reports that are accurate, comprehensive, concise and written to their intended audience
M+	Produces and handles reports in a way to convey the message that affairs of the Town are open to public scrutiny

6. CITIZEN RELATIONS

M+	Is responsive to requests from citizens
M+	Demonstrates a dedication to service to the community and its citizens
M+	Maintains a non-partisan approach
M	Meets with and listens to members of the community to discuss their concerns and strives to understand their interests

KEY COMPETENCIES (continued)

6. CITIZEN RELATIONS (continued)

E-

Monitors and makes appropriate efforts to maintain citizen satisfaction with Town services

7. STAFFING

E-

Recruits and retains competent personnel for staff positions

M+

Applies an appropriate level of supervision to improve any areas of substandard performance

M+

Stays accurately informed and appropriately concerned about employee relations

M+

Ensures professional management of the compensation and benefits plan

M+

Promotes training and development opportunities at all levels of the organization

8. SUPERVISION

E-

Encourages department managers to make decisions within their jurisdictions with minimal town manager involvement, yet maintains general control of operations by providing the right amount of communication to staff

E-

Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level

E-

Develops and maintains a friendly and informal relationship with staff and work force in general, yet maintains the professional dignity of the Town Manager's office

M+

Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback

E-

Encourages teamwork, innovation, and effective problem-solving among staff members

9. FISCAL MANAGEMENT

M+

Prepares a preliminary balanced budget to provide services at a level deemed appropriate by the Board

E-

Makes the best possible use of available funds, conscious of the need to operate the Town efficiently and effectively

E

Prepares a budget and budgetary recommendations in an intelligent and accessible format

E-

Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability

KEY COMPETENCIES (continued)**9. FISCAL MANAGEMENT (continued)****E-**

Appropriately monitors and manages fiscal activities of the organization

10. COMMUNITY**M+**

Shares responsibility for addressing issues facing the Town

M+

Avoids unnecessary controversy

E+

Cooperates with neighboring communities and the country

E-

Helps the Board address future needs and develop adequate plans to address long term trends

E

Cooperates with other regional, state, and federal government agencies

PROGRESS TOWARD PRIOR YEAR GOALS

Refer to the self-evaluation memo dated July 24, 2020.

UNPLANNED ACTIONS/ACHIEVEMENTS

Refer to the self-evaluation memo dated July 24, 2020

LEARNING AND DEVELOPMENT PLANS

Refer to the self-evaluation memo dated July 24, 2020.

OVERALL EVALUATION NARRATIVE

Outstanding work and leadership in a challenging year.

This has been a particularly difficult year based on COVID-19 and major political issues. Kate has worked extremely hard to keep Needham moving forward and balanced the safety needs of the Town with the practical needs to keep government operating effectively. We must continue to insure that all voices and viewpoints of the community are heard in order to thrive as a community.

Ms. Fitzpatrick is a very high performing Town Manager in every important aspect of her position. In the 3 areas where she meets expectations, it is because a lot of those functions are done by others whom she supervises.

I have seen a very much more proactive approach than is normally required of someone in her position during the current emergencies we are dealing with. That has made the Town able to go beyond the routine in meeting the demands of these demanding situations.

She makes the responsibilities of our Board much easier to meet for us.

OVERALL EVALUATION NARRATIVE

The pandemic was certainly unplanned and created upheaval everywhere. Kate has led the town in pivoting to new ways of delivering services and re-thinking our approaches in a changed environment. She has also clearly articulated that patience has value as we learn new information daily/weekly.

I would have been interested in Kate's current thoughts for her own personal development plan. There is no doubt that she has continued to push herself and to provide leadership for her town manager colleagues and for women in government in Massachusetts and beyond.

I can see that I have failed to hold up my end of the stick in the Climate Resiliency narrative and Public Art (although Kate and I continue to discuss public art - but we have not gotten as far as proposing a percent for art, and we are late in the development cycle.) But, given the pandemic, the board and Kate were able to move many of our most critical goals forward, key hires were made in an excellent fashion from the initial work, and Needham remains a highly desirable community.

Kate is an experienced, educated and knowledgeable manager. She has built the management system in Needham through her many years and the strength of that system is evidenced in the calibre of the people she hires at all managerial levels.

I believe that Needham runs as smoothly as it does because of the care that she takes with hiring and developing her senior leadership team. That is the sign of an excellent manager.

Kate works well with the Select Board and is responsive to the demands that come with a very involved Board.

TOWN MANAGER PERFORMANCE EVALUATION FORM
ACKNOWLEDGEMENT OF RECEIPT

This is to acknowledge the fact that the performance review was conducted by the Board of Selectmen in accordance with the procedures and that the Town Manager has received the overview document.

SELECT BOARD

Date: _____

TOWN MANAGER

Date: _____



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

MEETING DATE: 8/18/2020

Agenda Item	Discuss Update of FY2020 – FY2021 Goals
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board will discuss the status of its FY2020 – FY2021 goals and begin planning for FY2021 – FY2022 goals.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. FY2020 – FY2021 Board of Selectmen Goals End of FY2020 Update	

**Board of Selectmen/Town Manager
FY2020 – FY2021 Select Board Goals
End of Fiscal Year 2020**

Board Goals	
1. Maximize the use of Town assets and ensure that Town and School services are housed in buildings that provide suitable and effective environments.	
Goal	Status
Conduct an environmental assessment to facilitate discussion about the future use of Ridge Hill/Nike; determine the future use or disposition of Ridge Hill buildings.	A Blue-Sky session was held on February 11, 2020 to educate the public about the proposed demolition and to gather input from the public about potential re-use of Ridge Hill/Nike property. Socially distanced walking tours will be scheduled in the fall. The Town has contracted with Dore & Whittier to conduct the feasibility study of the demolition of the structures, and the demolition project will be included in the FY2022 Capital Improvement Plan.
Evaluate options for funding a DPW facility on Dedham Avenue.	This will be considered during the budget process over the next several years.
Monitor Progress of Public Safety Building, Fire Station #2, and Jack Cogswell Building.	The Jack Cogswell Storage Building is now in use. Fire Station #1 is scheduled to open in the summer of 2020; Fire Station #2 personnel have been relocated to the Hillside School site, and the Station has been demolished. Police operations will be relocating to the Hillside School in August, and the existing public safety building will be demolished this fall.
2. Ensure appropriate Regulation and Assessment of, and Investment in Infrastructure.	
Goal	Status
Establish a working group to gain a better understanding of the impact of commercial and residential growth on the Town's infrastructure, including but not limited to traffic, transportation, water, sewer, drains, roads and bridges, and school facilities, and to identify options for managing that impact. (N2025)	The final report was released in July and a meeting with the stakeholder boards will be held in September for a discussion about the report. The project consultant is preparing some additional work to be included as an addendum to the report.
Develop a plan for NPDES compliance including Stormwater Regulations and a Stormwater Stabilization Fund.	The Assistant Town Manager/Director of Finance presented stormwater Fee options for the Board's consideration on February 25, 2020, and a public hearing was scheduled for March 24, 2020. Due to the pandemic, the hearing was eventually cancelled, and the proposal will be resubmitted in the winter of 2021.
Evaluate options for participation in the MassDOT Complete Streets Program and implement pedestrian safety initiatives.	A public hearing on the pedestrian safety study was held in November 2019. Installation of the infrastructure at the initial nine locations is

	substantially complete. The DPW engaged an engineering firm to develop the prioritization plan through a Complete Streets grant, and a public workshop was held on February 4, 2020. The prioritization plan presentation to the Select Board was canceled due to the pandemic, but the Board approved the submission of the draft plan in order to for the Town to be considered for the complete streets grant funding.
Investigate the potential impact of Small Cell and 5G Technology on the Town and formalize a policy for considering Grant of Location Requests.	The Town Manager engaged special legal counsel to develop the strategy and policy for responding to small cell requests. A draft policy is nearly complete and will be presented to the Board this summer.
Evaluate the feasibility of creating a shared use path from Needham Heights to Wexford Street.	The Town Manager will explore grant opportunities and this item will be discussed with the Transportation Committee.
Develop options for refreshing landscaping at public facilities.	This item will be incorporated into the DPW operating budget request.
In conjunction with the Transportation Committee, review bus routes in Needham Crossing.	The chair, vice chair and Town Manager met with the Transportation Committee chair and the Committee will review this concept and make recommendations to the Select Board.
In conjunction with the MBTA, explore options for increasing commuter parking.	Matt Borrelli and the Town Manager met with the MBTA in August 2019 and will continue to explore options for increasing commuter parking.
In conjunction with the City of Newton and MassDOT, monitor progress toward the renovation of Highland Avenue from Webster Street to the Charles River.	The Town Manager signed the contract agreement with MassDOT in June 2020 and the project is expected to begin this fall.
3. Maintain and improve the vitality and economic success of the Town.	
Goal	Status
In conjunction with the Planning Board, evaluate options for the redevelopment of Chestnut Street and Industrial Zones along Route 128. (<i>continuing strategy</i>)	A working group including a representative of the Select Board, Planning Board and Finance Committee met to determine the information required to bring this zoning forward. The Finance Committee approved a Reserve Fund Transfer of \$30,000 on December 18, 2019. The Planning Board decided not to advance the zoning to the May 2020 Annual Town Meeting. A new working group has been formed to shepherd the zoning to a May 2021 Town Meeting.
Work with the CEA to develop priorities for economic development.	The chair, vice chair and Town Manager met with the CEA chair and vice chair on October 31, 2019 to discuss strategies and the committee charge. The

	recruitment for a new Economic Development Manager is nearly complete and a new staff person should be on board this summer.
4. Expand energy efficient and environmentally sound operations for the Town and its residents and businesses.	
Goal	Status
Develop a report of the Town's climate resiliency efforts and discuss next steps.	Marianne Cooley and Moe Handel will work with the Town Manager and Assistant Town Manager/Operations to draft a report.
Evaluate options for becoming a Green Community.	The Town's application for Green Community Status was submitted on November 22, 2019, and the Town was officially designated a Green Community on February 4, 2020. The Building Maintenance Department submitted a request for the initial grant funding for the High School retro-commissioning and other small projects. The Town has received a DOER grant to provide assistance with energy data analysis, as well as procurement assistance for the retro-commissioning project at the High School that was funded by Green Communities.
5. Maintain and develop amenities that contribute to the desirability of Needham as a place to live and work.	
Goal	Status
Establish fishing areas at ponds and on the Charles River.	The Town has contracted the firm of Tighe & Bond to design the boat launch on South Street. The project will kick off this summer.
Evaluate options to reduce train horn noise.	The Town received a response from the MBTA about the establishment of a Quiet Zone and the elimination of the crossing at the Needham Golf Club. The Board had a public discussion on February 25, 2020 and voted to take no further action at this time.
In conjunction with the Planning Board, evaluate the possibility of recommending accessory dwelling unit zoning.	The ADU zoning was adopted at the October 28, 2019 Special Town Meeting.
Revitalize the Property Tax Assistance Program.	Marianne Cooley and Matt Borrelli agreed to work with Dan Matthews on a "speakers bureau" for the fundraising aspect of this project.
Work with the Park & Recreation Commission to create recreational opportunities in the downtown.	A chairs meeting was held on October 10, 2019, and the full Park & Recreation Commission had initial discussions on this topic with the Select Board on December 17, 2019.
In conjunction with the Planning Board,	Dan Matthews will provide a revised draft for SB

develop an overall strategy for review of housing projects that are proposed.	consideration.
Evaluate ways to improve parking at the Needham Center Post Office, on Hillside Avenue, and at other locations.	The Town Manager will invite the Postmaster to a chairs' meeting and the Board will consider sending the Postmaster a letter. Due to the pandemic, the parking issue has moderated for now.
Consider a plan for increased public support of community celebrations and festivals.	A budget request for community celebrations and festivals was funded at the 2020 Annual Town Meeting.
Explore opportunities for increasing the amount and diversity of public art.	Marianne Cooley will work with the Town Manager to develop recommendations.
In conjunction with the Park & Recreation Commission, evaluate options for creating a park ranger program.	Initial discussions were held during a joint meeting with the Park & Recreation Commission on December 17, 2019. This goal will be revisited in FY2021.
In conjunction with the Park & Recreation Commission, explore options for improving access to the Rosemary Camp property.	Initial discussions were held during a joint meeting with the Park & Recreation Commission on December 17, 2019. This goal will be revisited in FY2021.
Explore the possibility of sponsoring a summer beer garden event.	The Town Manager will present the Select Board with some options – partnering with the Exchange Club may be possible. This goal has been deferred due to the pandemic.
Discuss multi-modal transportation on the greenway between Newton and Needham.	This discussion is on-going.

6. Maintain and enhance the Town's Financial Sustainability.

Goal	Status
Evaluate local option means tested senior property tax relieve options	The Assistant Town Manager/Director of Finance will contact communities that have implemented such programs to see how they are working, what the administrative burden is, how big the pool of applicants is and what percentage apply.
Evaluate stabilization fund targets.	The Assistant Town Manager/Director of Finance will finalize this work with the Finance Committee and report back.
Discuss the impact of annual tax levy increases.	This discussion is on-going.

7. Evaluate Town Operations and Administration.

Goal	Status
Develop and implement a policy guiding the use of banners on poles in the business districts.	A draft policy will be provided to the Board by the fall.
Investigate options for moving permit application and inspection processes to	The electronic permit application software package went live on March 23, 2020. Departments

electronic and/or web-based platforms.	currently using online permitting include: Building Department (all permits), Public Works (all permits), Health Department (6 completed, finalizing the remaining permits throughout the summer and into the late Fall/early Winter). The next to be implemented include: Planning Department, Conservation, Zoning Board of Appeals, Town Manager's Office, and Fire Department. To date there are 1,107 permits in process, 174 completed permits, and 37 registered contractors (this is the replacement of a seasonal paper process that is now available all year round). Finally, we are in the final process of setting up the associated online payment option.
Consider criteria for reviewing proposed zoning changes.	No update at this time.
Review and make recommendations for changes to polling locations.	A working group met to discuss options, and the Town Manager and Town Clerk provided the Board with a proposal for consideration at its December 17, 2019 meeting. The Board approved the changes, which were implemented beginning with the March 3, 2020 Presidential Primary. Additional changes are likely to be needed and the Board will take up the issue again in August.
The Board will meet regularly with community stakeholders.	The Board held a meeting with representatives of Babson College on November 13, 2019. The Board will discuss future options.
The Board will establish a schedule of meeting with appointed and elected boards on a regular basis.	The Town Manager will create a schedule for discussion purposes.
Review liquor license regulations with respect to compliance issues.	The Board discussed the proposal on July 21 st and is scheduled to vote on August 18 th .
Review the composition, structure and charge of committees.	No update at this time.
Develop a funding strategy to meet the staffing needs of the Police and Fire Departments in the context of the current and planned growth in Needham Crossing.	The FY2021 Police Department budget included a request for two additional officers. This completes the public safety staffing recommendation begun in FY2019. The original staffing reports were presented to the Select Board in 2017.

Guiding Principles

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

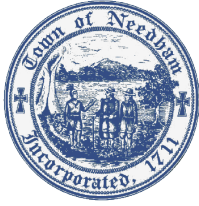


**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 8/18/2020

Agenda Item	Town Common Preservation
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board will discuss use of the Town Common and ways to ensure that the space remains an appropriate gathering place for the community.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
None	



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

MEETING DATE: 08/18/2020

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	

Select Board Reappointments 2020

Committee	Full Name	Term Expire
Board Of Appeals	Kathleen Lind Berardi	6/30/2023
Board Of Appeals	Howard S Goldman	6/30/2023
Community Preservation Committee	Robert Dermody	6/30/2023
Conservation Commission	Sue Barber	6/30/2023
Conservation Commission	William Murphy	6/30/2023
Council of Economic Advisors	Tina Burgos	6/30/2023
Council of Economic Advisors	Glen Cammarano	6/30/2023
Council of Economic Advisors	William Day	6/30/2023
Council of Economic Advisors	Maurice P. Handel	6/30/2023
Council of Economic Advisors	Matthew D. Talcoff	6/30/2023
Council On Aging	Edward Cosgrove Jr	6/30/2023
Council On Aging	Helen J. Gregory	6/30/2023
Council On Aging	Penny Grossman	6/30/2023
Council On Aging	Susan Mullaney	6/30/2023
Council On Aging	Sandra L Prinn	6/30/2023
Cultural Council	Catherine B. Nanda	6/30/2023
Design Review Board	Robert Dermody	6/30/2023
Design Review Board	Mark Gluesing	6/30/2023
Design Review Board	Richard M Reilly	6/30/2023
Downtown Streetscape Working Group	Paul Good	6/30/2023
Downtown Streetscape Working Group	Gloria Greis	6/30/2023
Downtown Streetscape Working Group	Nelson Hammer	6/30/2023
Downtown Streetscape Working Group	Bob Hentschel	6/30/2023
Downtown Streetscape Working Group	Dale Wise	6/30/2023
Golf Course Advisory Committee	Jon Schneider	6/30/2023
Golf Course Advisory Committee	Mary Grace Summergrad	6/30/2023
Historical Commission	Rose Doherty	6/30/2023
Human Rights Committee	Albert Bud Schram	6/30/2023
Human Rights Committee	Marlene Schultz	6/30/2023
Human Rights Committee	Julie Venables	6/30/2023
MWRA Advisory Board	John P Cosgrove Jr	6/30/2023
MWRA Advisory Board	Sean Harrington	6/30/2023
Needham Cmt. Revitalization Trust Fund	Maryruth Perras	6/30/2023
Needham Cmt. Revitalization Trust Fund	Bradley C. White	6/30/2023
Needham Community Television Dev Corp	Richard Dollase	6/30/2023
Needham Community Television Dev Corp	Peter E. Hess	6/30/2023
Needham Community Television Dev Corp	Dan Schwartz	6/30/2023
Norfolk County Advisory Board	Ronald Furman	7/31/2021
Property Tax Assistance Committee	Jill C Kahn-Boesel	6/30/2023
Rail Trail Advisory Committee	John Bulian	6/30/2023
Rail Trail Advisory Committee	James Goldstein	6/30/2023
Rail Trail Advisory Committee	Dmitry Gorenburg	6/30/2023
Rail Trail Advisory Committee	Gerry Koss	6/30/2023
Rail Trail Advisory Committee	Stacey Mulroy	6/30/2023
Regional Transportation Advisory Council	Rhain Hoyland	6/30/2023
Regional Transportation Advisory Council	David Montgomery	6/30/2023
Solid Waste Disposal/Recycling Advisory	David Ecsedy	6/30/2023
Subcommittee to Study Minuteman School	Daniel P Matthews	6/30/2023
Taxation Aid Committee	Evelyn M. Poness	6/30/2023
Technology Advisory Board	Michael M Mathias	6/30/2023
Technology Advisory Board	Carl M. Rubin	6/30/2023
Traffic Management Advisory Committee	Seth D. Bauer	6/30/2023
Traffic Management Advisory Committee	Justin McCullen	6/30/2023
Traffic Management Advisory Committee	John McGrath	6/30/2023
Water/Sewer Rate Structure Committee	John P Cosgrove Jr	6/30/2023
Water/Sewer Rate Structure Committee	Steve Rosenstock	6/30/2023

Annual Salary for Exempt Positions

Non-Represented: Administrative/Support and Professional/Technical Positions
Effective July 1, 2020 (FY21)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
GE24			\$85,605.00	\$88,179.00	\$90,792.00	\$93,541.50	\$96,330.00	\$99,235.50	\$102,238.50	\$104,793.00	\$107,386.50
GE23			\$83,908.50	\$86,404.50	\$88,998.00	\$91,669.50	\$94,438.50	\$97,246.50	\$100,191.00	\$102,667.50	\$105,261.00
GE22			\$78,351.00	\$80,710.50	\$83,128.50	\$85,644.00	\$88,198.50	\$90,811.50	\$93,561.00	\$95,901.00	\$98,299.50
GE21			\$73,183.50	\$75,445.50	\$77,649.00	\$79,989.00	\$82,387.50	\$84,864.00	\$87,438.00	\$89,602.50	\$91,845.00
GE20			\$68,289.00	\$70,278.00	\$72,384.00	\$74,607.00	\$76,810.50	\$79,131.00	\$81,490.50	\$83,518.50	\$85,605.00
GE19			\$62,185.50	\$64,057.50	\$65,929.50	\$67,899.00	\$70,005.00	\$72,091.50	\$74,217.00	\$76,089.00	\$78,019.50
GE18			\$56,647.50	\$58,324.50	\$60,079.50	\$61,873.50	\$63,726.00	\$65,676.00	\$67,626.00	\$69,322.50	\$71,058.00
GE17			\$54,912.00	\$56,550.00	\$58,246.50	\$60,001.50	\$61,776.00	\$63,628.50	\$65,578.50	\$67,197.00	\$68,874.00
GE16			\$53,313.00	\$54,931.50	\$56,550.00	\$58,266.00	\$60,021.00	\$61,795.50	\$63,648.00	\$65,227.50	\$66,904.50
GE15			\$50,212.50	\$51,733.50	\$53,274.00	\$54,892.50	\$56,511.00	\$58,227.00	\$59,982.00	\$61,483.50	\$63,004.50
GE14			\$45,766.50	\$47,131.50	\$48,555.00	\$50,017.50	\$51,499.50	\$53,040.00	\$54,619.50	\$55,984.50	\$57,388.50
GE13			\$42,100.50	\$43,407.00	\$44,674.50	\$46,020.00	\$47,424.00	\$48,808.50	\$50,271.00	\$51,538.50	\$52,825.50
GE12			\$38,415.00	\$39,565.50	\$40,794.00	\$41,983.50	\$43,270.50	\$44,557.50	\$45,883.50	\$47,053.50	\$48,223.50
GE11			\$35,724.00	\$36,796.50	\$37,947.00	\$39,039.00	\$40,209.00	\$41,418.00	\$42,685.50	\$43,719.00	\$44,811.00

Hourly Rates for Non-Exempt Positions (37.5 Hours)

Non-Represented: Administrative/Support and Professional/Technical Positions
Effective July 1, 2020 (FY21)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
G24			\$43.90	\$45.22	\$46.56	\$47.97	\$49.40	\$50.89	\$52.43	\$53.74	\$55.07
G23			\$43.03	\$44.31	\$45.64	\$47.01	\$48.43	\$49.87	\$51.38	\$52.65	\$53.98
G22			\$40.18	\$41.39	\$42.63	\$43.92	\$45.23	\$46.57	\$47.98	\$49.18	\$50.41
G21			\$37.53	\$38.69	\$39.82	\$41.02	\$42.25	\$43.52	\$44.84	\$45.95	\$47.10
G20			\$35.02	\$36.04	\$37.12	\$38.26	\$39.39	\$40.58	\$41.79	\$42.83	\$43.90
G19			\$31.89	\$32.85	\$33.81	\$34.82	\$35.90	\$36.97	\$38.06	\$39.02	\$40.01
G18			\$29.05	\$29.91	\$30.81	\$31.73	\$32.68	\$33.68	\$34.68	\$35.55	\$36.44
G17			\$28.16	\$29.00	\$29.87	\$30.77	\$31.68	\$32.63	\$33.63	\$34.46	\$35.32
G16			\$27.34	\$28.17	\$29.00	\$29.88	\$30.78	\$31.69	\$32.64	\$33.45	\$34.31
G15			\$25.75	\$26.53	\$27.32	\$28.15	\$28.98	\$29.86	\$30.76	\$31.53	\$32.31
G14			\$23.47	\$24.17	\$24.90	\$25.65	\$26.41	\$27.20	\$28.01	\$28.71	\$29.43
G13			\$21.59	\$22.26	\$22.91	\$23.60	\$24.32	\$25.03	\$25.78	\$26.43	\$27.09
G12			\$19.70	\$20.29	\$20.92	\$21.53	\$22.19	\$22.85	\$23.53	\$24.13	\$24.73
G11			\$18.32	\$18.87	\$19.46	\$20.02	\$20.62	\$21.24	\$21.89	\$22.42	\$22.98

Hourly Rates for Non-Exempt Positions (40 Hours)

Non-Represented: Professional and Technical Salary Schedule
Effective July 1, 2020 (FY21)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
GU24			\$41.16	\$42.39	\$43.65	\$44.97	\$46.31	\$47.71	\$49.15	\$50.38	\$51.63
GU23			\$40.34	\$41.54	\$42.79	\$44.07	\$45.40	\$46.75	\$48.17	\$49.36	\$50.61
GU22			\$37.67	\$38.80	\$39.97	\$41.18	\$42.40	\$43.66	\$44.98	\$46.11	\$47.26
GU21			\$35.18	\$36.27	\$37.33	\$38.46	\$39.61	\$40.80	\$42.04	\$43.08	\$44.16
GU20			\$32.83	\$33.79	\$34.80	\$35.87	\$36.93	\$38.04	\$39.18	\$40.15	\$41.16
GU19			\$29.90	\$30.80	\$31.70	\$32.64	\$33.66	\$34.66	\$35.68	\$36.58	\$37.51
GU18			\$27.23	\$28.04	\$28.88	\$29.75	\$30.64	\$31.58	\$32.51	\$33.33	\$34.16
GU17			\$26.40	\$27.19	\$28.00	\$28.85	\$29.70	\$30.59	\$31.53	\$32.31	\$33.11
GU16			\$25.63	\$26.41	\$27.19	\$28.01	\$28.86	\$29.71	\$30.60	\$31.36	\$32.17
GU15			\$24.14	\$24.87	\$25.61	\$26.39	\$27.17	\$27.99	\$28.84	\$29.56	\$30.29
GU14			\$22.00	\$22.66	\$23.34	\$24.05	\$24.76	\$25.50	\$26.26	\$26.92	\$27.59
GU13			\$20.24	\$20.87	\$21.48	\$22.13	\$22.80	\$23.47	\$24.17	\$24.78	\$25.40
GU12			\$18.47	\$19.02	\$19.61	\$20.18	\$20.80	\$21.42	\$22.06	\$22.62	\$23.18
GU11			\$17.18	\$17.69	\$18.24	\$18.77	\$19.33	\$19.91	\$20.52	\$21.02	\$21.54

NEEDHAM COMMISSION ON DISABILITIES

GRANT REQUEST APPLICATION

INTRODUCTION

The purpose of the Needham Commission on Disabilities (NCOD) is to advise municipal officials, public and private agencies, and advocate for individuals in order to ensure compliance with Federal, State and Local disability laws, particularly the Americans with Disabilities Act (ADA).

The Commission on Disabilities also provides grants which are generally funded through accrued handicap parking violation fines, making it possible for persons with disabilities to participate more fully in programs and activities within Needham.

These funds may be used for grants awarded to community-based organizations and programs, schools, to improve accessibility, and to provide services and equipment to better enable individuals with disabilities to function more successfully and independently in the community. Previous successful grants have included the purchase of Audio books for the Needham Free Public Library and specialty programs such as school performances by artists with disabilities.

Proposal for grants may be presented and submitted for consideration by contacting the Needham Commission on Disabilities at (781) 455-7500 x 280 or accessing the form online at <http://www.needhamma.gov/index.aspx?NID=1104>. Completed grant proposals may be submitted anytime of the year, vetted through the NCOD and if initially approved, submitted to the Board of Selectmen for consent approval. The process from grant submission to funding award generally is 90-150 days.

ORGANIZATION INFORMATION

This form must be completed and submitted with your proposal narrative.

Name of requesting organization completing the grant application:

Needham Diversity Initiative

Contact person name and title:

Rebecca Drill, Vice-President

Address	108 Locust Lane
---------	-----------------

Town	Needham	State	MA	ZIP	02492
------	---------	-------	----	-----	-------

Phone	617-308-6034	E-mail Address	Rebecca.drill@gmail.com
-------	--------------	----------------	-------------------------

Amount requested:	\$200	Date grant funding is required:	4/14/20 (ideally)
-------------------	-------	---------------------------------	-------------------

PROJECT NARRATIVE

Your proposal should address the following questions, as applicable.

1. Provide a brief description of the organization, services provided and total number of employees/volunteers.
2. If your request is for funding for a program and/or event, provide details about the program(s) for which you are requesting funding. Please include specifics, objectives, a description of activities, date(s) and time(s) of events, targeted audience, location, qualification of the presenter if applicable, and any other pertinent details of the event that may help the NCOD in its decision making process.
3. If your request is for funding for the purchase of equipment or some other physical item, please include purpose, professional documentation describing the item, model number, where the item will be purchased, price, shipping charges (if applicable) and any other information pertinent to the potential purchase which may help the NCOD in its decision making process.
4. Are there additional funding sources or applications sought to help defer the cost? If so, please provide the name of the organization(s), amount of award, and contact information.
5. How will this proposal objective enhance the lives of Needham residents with disabilities and support the mission of the NCOD.
6. Who at the organization will be involved in the oversight of the grant? How will the project be executed? Provide a timeline if appropriate. If this project is ongoing, how will it be supported in the future? If equipment is requested, please explain how ongoing maintenance will be supported and who will be the responsible party tasked with its maintenance.
7. How will this event or purchase be publicized to your target audience and the general public in Needham? How will the Needham Commission on Disabilities be recognized?
8. Provide a list of expenses which includes materials, fees, equipment, maintenance, transportation, consultants, if appropriate. Additional supporting documents may be requested.
9. The Commission may request an assessment of the success of the proposal, i.e. attendance, surveys, increased awareness, testimonials, audience evaluations, etc. Upon acceptance of funding, NCOD will provide a feedback form and date for a grant recipient to report to the Commission, post event or purchase.

As part of the evaluation process, the requesting organization will be required to make a presentation before the Needham Commission on Disabilities at a regularly scheduled meeting, to be determined by the Commission.

The Commission reserves the right to request additional information or further clarification as needed, to aid in their decision making process.

SIGNATURES:

Grant Requestor: _____ Printed Name: _____ Date: _____

NCOD Chairperson: _____ Printed Name: _____ Date: _____

1. Provide a brief description of the organization, services provided and total number of employees/volunteers.

The Needham Diversity Initiative (NDI) is a grassroots organization consisting of people who live and work in Needham whose mission is to create an equitable and welcoming town by exploring, fostering, strengthening, and celebrating Needham's diversity of race, religion, sexual orientation, gender, ethnic identity, socioeconomic status, ability, and age. NDI organizes events throughout the year to advance its mission. These events include the annual Needham Diversity Summit in October and the annual Needham Martin Luther King, Jr., Day Celebration in January as well as speakers, films, and performers at other times of the year. NDI has 13 board members and another dozen active participants in addition to others who volunteer at different times throughout the year.

2. If your request is for funding for a program and/or event, provide details about the program(s) for which you are requesting funding. Please include specifics, objectives, a description of activities, date(s) and time(s) of events, targeted audience, location, qualification of the presenter if applicable, and any other pertinent details of the event that may help the NCOD in its decision making process.

Lillian Ellmore is a Lexington High School student living an extraordinary life with physical disabilities who is empowering people with disabilities. She will be speaking at the Needham Free Public Library on Tuesday, April 14, at 7 p.m. NDI, in partnership with SEPAC (Needham Special Education Parent Advisory Council) and the Needham Free Public Library. The targeted audience is the entire Needham community, although we expect people with disabilities and parents of children with disabilities to be particularly interested in this program.

3. If your request is for funding for the purchase of equipment or some other physical item, please include purpose, professional documentation describing the item, model number, where the item will be purchased, price, shipping charges (if applicable) and any other information pertinent to the potential purchase which may help the NCOD in its decision making process.

N/A

4. Are there additional funding sources or applications sought to help defer the cost? If so, please provide the name of the organization(s), amount of award, and contact information.

N/A. The only expense for this program is the honorarium for the speaker.

5. How will this proposal objective enhance the lives of Needham residents with disabilities and support the mission of the NCOD.

Lillian Ellmore is an incredibly inspiring person and a fabulous role model for those living with and without disabilities. She is about to graduate high school and go away for college. She has a very bright disposition and a powerful message to empower others with disabilities.

6. Who at the organization will be involved in the oversight of the grant? How will the project be executed? Provide a timeline if appropriate. If this project is ongoing, how will it be supported in the future? If equipment is requested, please explain how ongoing maintenance will be supported and who will be the responsible party tasked with its maintenance.

David Summergrad and Rebecca Drill will be involved in oversight of the grant. Since the \$200 is purely for an honorarium for the speaker, it will be very easy to oversee the money, as we will provide her with a check.

7. How will this event or purchase be publicized to your target audience and the general public in Needham? How will the Needham Commission on Disabilities be recognized?

NDI, SEPAC, and the Needham Free Public Library (and we would welcome NCOD as well) will publicize this event to its members. Speaking for NDI, we will post it on our Facebook page, email to our members, and send to neighboring organizations for them to publicize as well. We can add to the flyer that this event was made possible in part by the support of NCOD and we can also ask our co-sponsors to do the same.

8. Provide a list of expenses which includes materials, fees, equipment, maintenance, transportation, consultants, if appropriate. Additional supporting documents may be requested.

Speaker's honorarium: \$200

9. The Commission may request an assessment of the success of the proposal, i.e. attendance, surveys, increased awareness, testimonials, audience evaluations, etc. Upon acceptance of funding, NCOD will provide a feedback form and date for a grant recipient to report to the Commission, post event or purchase.

Great!

NEEDHAM COMMISSION ON DISABILITIES

GRANT REQUEST APPLICATION

INTRODUCTION

The purpose of the Needham Commission on Disabilities (NCOD) is to advise municipal officials, public and private agencies, and advocate for individuals in order to ensure compliance with Federal, State and Local disability laws, particularly the Americans with Disabilities Act (ADA).

The Commission on Disabilities also provides grants which are generally funded through accrued handicap parking violation fines, making it possible for persons with disabilities to participate more fully in programs and activities within Needham.

These funds may be used for grants awarded to community-based organizations and programs, schools, to improve accessibility, and to provide services and equipment to better enable individuals with disabilities to function more successfully and independently in the community. Previous successful grants have included the purchase of Audio books for the Needham Free Public Library and specialty programs such as school performances by artists with disabilities.

Proposal for grants may be presented and submitted for consideration by contacting the Needham Commission on Disabilities at (781) 455-7500 x 280 or accessing the form online at <http://www.needhamma.gov/index.aspx?NID=1104> Completed grant proposals may be submitted anytime of the year, vetted through the NCOD and if initially approved, submitted to the Board of Selectmen for consent approval. The process from grant submission to funding award generally is 90-150 days.

ORGANIZATION INFORMATION

This form must be completed and submitted with your proposal narrative.

Name of requesting organization completing the grant application:

Needham Public Schools, Special Education Department

Contact person name and title: Julie Muse-Fisher, Executive Director of Special Education

Address	1330 Highland Avenue				
Town	Needham	State	MA	ZIP	
Phone	781-455-0400	E-mail Address	julie_musefisher@needham.k12.ma.org		
Amount requested:		Date grant funding is required:	September 1, 2020		

PROJECT NARRATIVE

Your proposal should address the following questions, as applicable.

1. Provide a brief description of the organization, services provided and total number of employees/volunteers.
2. If your request is for funding for a program and/or event, provide details about the program(s) for which you are requesting funding. Please include specifics, objectives, a description of activities, date(s) and time(s) of events, targeted audience, location, qualification of the presenter if applicable, and any other pertinent details of the event that may help the NCOD in its decision making process.
3. If your request is for funding for the purchase of equipment or some other physical item, please include purpose, professional documentation describing the item, model number, where the item will be purchased, price, shipping charges (if applicable) and any other information pertinent to the potential purchase which may help the NCOD in its decision making process.
4. Are there additional funding sources or applications sought to help defer the cost? If so, please provide the name of the organization(s), amount of award, and contact information.
5. How will this proposal objective enhance the lives of Needham residents with disabilities and support the mission of the NCOD.
6. Who at the organization will be involved in the oversight of the grant? How will the project be executed? Provide a timeline if appropriate. If this project is ongoing, how will it be supported in the future? If equipment is requested, please explain how ongoing maintenance will be supported and who will be the responsible party tasked with its maintenance.
7. How will this event or purchase be publicized to your target audience and the general public in Needham? How will the Needham Commission on Disabilities be recognized?
8. Provide a list of expenses which includes materials, fees, equipment, maintenance, transportation, consultants, if appropriate. Additional supporting documents may be requested.
9. The Commission may request an assessment of the success of the proposal, i.e. attendance, surveys, increased awareness, testimonials, audience evaluations, etc. Upon acceptance of funding, NCOD will provide a feedback form and date for a grant recipient to report to the Commission, post event or purchase.

part of the evaluation process, the requesting organization will be required to make a presentation before the Needham Commission on Disabilities at a regularly scheduled meeting, to be determined by the Commission.

The Commission reserves the right to request additional information or further clarification as needed, to aid in their decision making process.

SIGNATURES:

Grant Requestor: *Julie Muse-Fisher* Printed Name: Julie Muse-Fisher Date: June 8, 2020

NCOD Chairperson: _____ Printed Name: _____ Date: _____

Board of Selectmen: _____ Printed Name: _____ Date: _____

Proposal Narrative

The Needham Public School District has approximately 5700 students across grades preschool through post-graduate (up until age 22), with close to 900 students identified as having a disability and receiving services through an Individualized Education Program (IEP). Within the Student Support Services Department, Needham has a Special Education Administration team including a Preschool Director, High School Director, Executive Director, Out of District Coordinator, and seven building-based K-8 Special Education Coordinators. This administration team, along with Team Chairs and Special Education liaisons, is responsible for overseeing services and programming for all Needham students with disabilities.

The Needham Public School district is seeking funding through the NCOD grant to support the new Intensive Learning Center at Pollard Middle School. The Intensive Learning Center (ILC) program is intended to support students with disabilities that include, but are not limited to, expressive and receptive language processing issues, developmental delays, intellectual impairments, autism spectrum disorder and attention difficulties. These disabilities significantly impact the student's overall functioning. The ILC program provides a smaller, highly structured classroom environment based upon the principles of Applied Behavior Analysis, with a low stimulation environment with clear, consistent routines and specially designed behavioral programs. Student to staff ratios are low to ensure student safety and educational success. The program provides social, academic, pre-vocational, and recreational activities to enhance students' skills and allow increased success in all areas.

Through the budget process this year, we were successfully able to provide appropriate staffing for the ILC. We are fortunate to have a highly qualified special education teacher, teaching assistants and a Board Certified Behavior Analyst to support the ILC. In addition, many of the students in the ILC receive related services such as speech and occupational therapy. We are specifically seeking grant funds to cover the cost of furniture and sensory materials to support this program. Please refer to the attached spreadsheet to see examples of the materials we need to purchase.

At this point in the school year, and in part due to the COVID-19 health pandemic, the district is experiencing an extremely tight budget which will impact FY 21 funding. We are submitting this grant request in order to hopefully ensure that we have all of the items we believe are necessary to successfully launch the program despite the fiscal constraints we are currently experiencing.

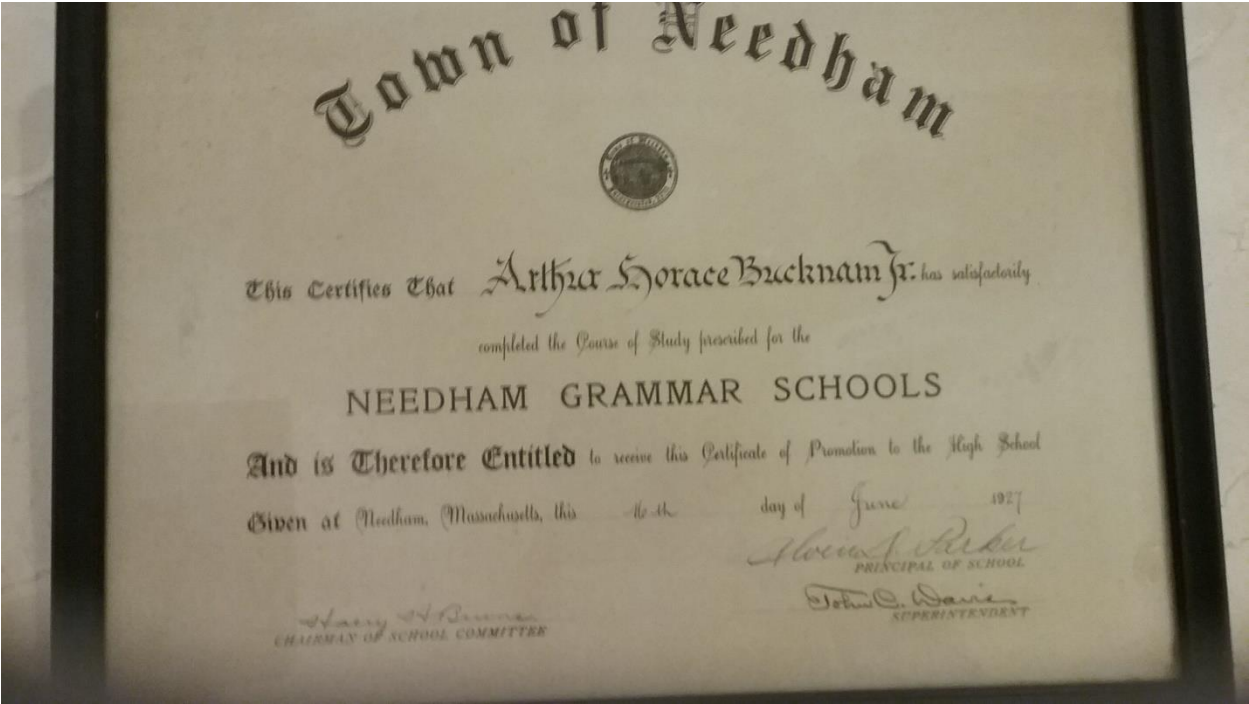
We believe that this grant application is closely aligned to the NCOD mission. The strength of Needham's in-district specialized programming allows students with a higher level of need to remain within the public schools and their home communities. This comports with the IDEAs (Individual with Disabilities Education Act) requirement that students be educated in the least restrictive environment. By having a strong Intensive Learning Center, we are able to better meet the needs of our students in the program and provide inclusive learning opportunities within the larger middle school program. The timeline is fast since we are currently wrapping up the current school year (2019-2020) and planning for and purchasing materials for the upcoming 2020-2021 school year. Please see attached spreadsheet for a projection of costs required for the ILC program when school resumes in September.

ITEM	Vendor	Link	Price	Quantity	Total price
Dividers	WB Mason	https://www.wbmason.com/ProductDetail.aspx?ItemID=LXCRCMLM7266ZMG&uom=EA&COID=&SearchID=503425049&ii=1	714.98	1 set of 3	714.98
Study carrels	WB Mason	https://www.wbmason.com/ProductDetail.aspx?ItemID=FLFMTM6221OAKGG&uom=EA&COID=&SearchID=503411267&ii=5	252.99	5	1264.95
Kidney bean table	WB Mason	https://www.wbmason.com/ProductDetail.aspx?ItemID=SCFFS849LOKD4872&uom=EA&COID=&SearchID=503409461&ii=1	254.95	2	509.9
Bean Bags	Amazon	https://www.amazon.com/Gold-Medal-Bean-Bags-30010509804/dp/B00AOEUJXA/ref=sr_1_8?dchild=1&keywords=classroom%2Bbean%2Bbag%2Bchair&qid=1589989657&s=furniture&sr=1-8&th=1	75	3	225
Yoga Balls	Amazon	https://www.amazon.com/dp/B07RG5KQG7/ref=sspa_dk_detail_6?pd_rd_j=B07RG6NLF7&pd_rd_w=EmMFU&pf_rd_p=48d372c1-f7e1-4b8b-9d02-4bd86f5158c5&pd_rd_wg=pu0l4&pf_rd_r=REHPQ98NRXNWRR984PPR&pd_rd_r=812965a1-e48c-43c2-aa74-7f0ab27650a1&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUFSWjRCN1VDWFg0N1cmZW5jcnlwdGVkSWQ9QTEwNDA1OTYxVVE0SVdRRE82VFdYJmVuY3J5cHRlZEFkSWQ9QTA4NjYzMDEuRklSM0lFSVgxRzQ0JndpZGdldE5hbWU9c3BfZGV0YWlsJmFjdGlvbj1jbGlja1JlZGlhZWN0JmRvTm90TG9nQ2xpY2s9dHJ1ZQ&th=1	17.99	2	35.98

Yoga Mats	Amazon	https://www.amazon.com/dp/B087QHZSDR/ref=sspa_dk_detail_2?psc=1&pd_rd_i=B087QHZSDR&pd_rd_w=Dbtln&pf_rd_p=48d372c1-f7e1-4b8b-9d02-4bd86f5158c5&pd_rd_wg=u4Xhs&pf_rd_r=8PZ7XPCNSEGDK92QDSB0&pd_rd_r=81fa89d3-e83b-4741-aad8-c9a580236ea5&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUEzTkczNVJGNzIGRVo2JmVuY3J5cHRIZEIkPUEwMTk1MTYxMk40MUhCNUZOS1FUMSZlbmNyeXB0ZWRBZEIkPUEwMDIwNzk4MVo4NTFJTVPWESyNiZ3aWRnZXROYW1IPXNwX2RldGFpbCZhY3Rpb249Y2xpY2tSZWRpcmVjdCZkb05vdExvZ0NsaWNrPXRydWU=	29.99	3 or 4	89.97
Fidgets	Amazon	https://www.amazon.com/Sensory-Calming-Toys-Squeeze-Squishy/dp/B07L9R1L6Q/ref=sr_1_3_sspa?crid=3B9U9TBJVBA67&dchild=1&keywords=fidget+toys&qid=1589991072&s=hpc&sprefix=fidget%2Chpc%2C163&sr=1-3-spons&psc=1&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUFaNFc2OTEyNko2QTcmZW5jcnlwdGVkSWQ9QTA1OTE1MDk5VjJRNUMzT0VlQlomZW5jcnlwdGVkQWRJZD1BMDc0ODI2NlpZTVpINEJUWVZGRDZ3aWRnZXROYW1IPXNwX2F0ZiZhY3Rpb249Y2xpY2tSZWRpcmVjdCZkb05vdExvZ0NsaWNrPXRydWU=	13.99	1	13.99
Stretch armstrong	Amazon	https://www.amazon.com/figura-original-Stretch-Armstrong/dp/B01EV5FFOA/ref=sr_1_1?dchild=1&keywords=stretch+armstrong&qid=1589998874&sr=8-1	36.3	1	36.3
Soothing rain tube	Amazon	https://www.amazon.com/Rainmaker-babies-Sensory-Auditory-Instrument/dp/B07WD2NNPB/ref=sr_1_7?dchild=1&keywords=Sensory+rain+stick&qid=1589990800&sr=8-7	10.99	2	21.98
Light up balls	Amazon	https://www.amazon.com/Light-Up-Stress-Sensory-Flashing-Massage/dp/B01J5OGOMO/ref=sr_1_1?dchild=1&keywords=light+up+balls&qid=1589991024&s=hpc&sr=1-1	8.06	1	8.06

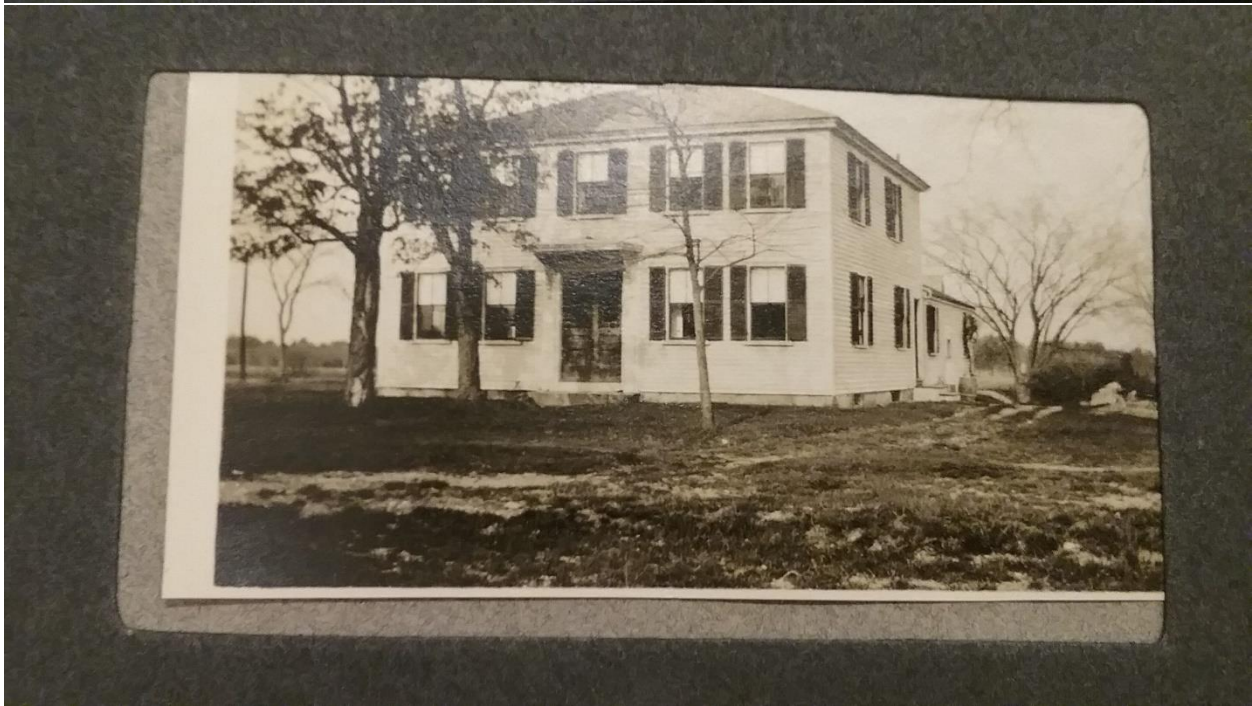
Theraputty	Amazon	https://www.amazon.com/Premium-Quality-Therapy-Putty-Exercise/dp/B01BLYNWIU/ref=sxin_7?ascsubtag=amzn1.osa.7e606d0f-b072-4c9a-a65c-f17db2deb302.ATVPDKIKX0DER.en_US&creativeASIN=B01BLYNWIU&crd=2V035PXLPKUSZ&cv_ct_cx=theraputty&cv_ct_id=amzn1.osa.7e606d0f-b072-4c9a-a65c-f17db2deb302.ATVPDKIKX0DER.en_US&cv_ct_pg=search&cv_ct_wn=osp-single-source&dchild=1&keywords=theraputty&linkCode=oas&pd_rd_i=B01BLYNWIU&pd_rd_r=b16e3687-e0af-49ff-8422-02d8cdd3dd9f&pd_rd_w=sb79b&pd_rd_wg=hlzuR&pf_rd_p=bc1f22df-1f73-4582-9d4c-c47321af5fa2&pf_rd_r=R8NT22VQ1NCQ4T2538MD&qid=1589990911&srefix=theraput%2Caps%2C166&sr=1-1-72d6bf18-a4db-4490-a794-9cd9552ac58d&tag=aimassociatesyj-20	14.89	2	29.78
Waterbeads	Amazon	https://www.amazon.com/UMIKU-Rainbow-Growing-Tactile-Sensory/dp/B075FRZ53W/ref=sr_1_2_sspa?dchild=1&keywords=Water+beads&qid=1589990310&sr=8-2-spons&psc=1&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUFKWFJGRURIUDY4NTQmZW5jcnlwdGVkSWQ9QTEwMDA0MjAzQkpSRTITVlpWVTI1JmVuY3J5cHRlZEFkSWQ9QTA3MzEzNDMyU0U1WTI0OVhRRFY4JndpZGdldE5hbWU9c3BfYXRmJmFjdGlvb11jbGlja1JIZGlyZWN0JmRvTm90TG9nQ2xpY2s9dHJ1ZQ==	10.99	1	10.99
Body sock	Amazon	https://www.amazon.com/Premium-Sensory-Updated-Version-Height/dp/B071L3X4RC/ref=sr_1_6?dchild=1&keywords=body+sock&qid=1589990397&sr=8-6	31.95	1	31.95

Kinethic sand	Amazon	https://www.amazon.com/Kinetic-Sand-Single-Container-Multicolor/dp/B07JLZ38TK/ref=sr_1_1_sspa?crid=3NRR0ELBS88Y2&dchild=1&keywords=kinetic+sand&qid=1589998915&sprefix=kinetic+s%2Caps%2C159&sr=8-1-spons&psc=1&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUEuXzNTSjRHRVQ3QlZZJmVuY3J5cHRlZEIkPUEwMjQ0MjU0MVNR1JNOTVIOVFRUiZlbnNyeXB0ZWZWRBZEIkPUEwNjE2OTk5MjMzTjA4QkRGM0ZPUyZ3aWRnZXROYW1lPXNwX2F0ZiZhY3Rpb249Y2xpY2tSZWRpcmVjdCZkb05vdExvZ0NsaWNrPXRydWU=	19.99	1	19.99
Puzzles	Amazon	https://www.amazon.com/dp/B07PY29DXS/ref=sspa_dk_detail_0?psc=1&pd_rd_i=B07PY29DXS&pd_rd_w=3uSpX&pf_rd_p=48d372c1-f7e1-4b8b-9d02-4bd86f5158c5&pd_rd_wg=hsihE&pf_rd_r=WZ61E1W1CKKJ1Q0MBGPX&pd_rd_r=94edb01b-07a1-45e9-9bb2-f64300462107&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUEuXzNTSjRHRVQ3QlZZJmVuY3J5cHRlZEIkPUEwMzQ0ODY0MktORUpVWEtQTKlCNyZlbnNyeXB0ZWZWRBZEIkPUEwODYzNjY3MzhPU1U2WDBDUU40OCZ3aWRnZXROYW1lPXNwX2RldGFpbCZhY3Rpb249Y2xpY2tSZWRpcmVjdCZkb05vdExvZ0NsaWNrPXRydWU=	9.99	1	9.99
Total Funding Request					2993.83













Town of Needham
Select Board
Minutes for Tuesday, July 21, 2020
By Zoom Video Conference
<https://us02web.zoom.us/j/86020590411>

5:45 p.m. Informal Meeting with Citizens: No Activity.

6:00 p.m. Call to Order:

A meeting of the Select Board was convened by Chair Maurice P. Handel. Those participating were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, and Town Manager Kate Fitzpatrick. Town staff participating were Dave Davison, Assistant Town Manager/Finance, Katie King, Assistant Town Manager/Operations, Cindi Roy Gonzales, Public Information Officer, and Sandy Cincotta, Support Services Manager. Recording Secretary Mary Hunt recorded the meeting remotely.

Mr. Handel 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 as advised and directed by the Commonwealth. And, as such, suspending the requirement of the open meeting law to have all meetings in a public, accessible, physical location while encouraging and allowing members of all public bodies to participate remotely. Mr. Handel stated tonight's meeting will include public comment and that the Needham Select Board and all attendees are convening by Zoom, as posted on the Town's website identifying how the public may join. He said all supporting documents used at this meeting are available on the Town's website www.needhamma.gov.

6:02 p.m. Public Hearing - Eversource Energy Grant of Location: 274 Manning Street
Maureen Carroll, Eversource Energy Representative appeared before the Board requesting permission to install approximately 14 feet of conduit in Manning Street, Needham.

Ms. Fitzpatrick said all paperwork is in order.

Mr. Handel said a resident at 268 Manning Street asked how drainage will be addressed.

Ms. Carroll said work will commence once approval is received from the Select Board and the abutter will be contacted to assure the resident that her concerns will be addressed.

Ms. Fitzpatrick said a question was received (via Zoom chat) asking if Eversource Energy will be repaving the street/sidewalk?

Ms. Carroll said digging and repaving by Eversource Energy will take place in the public way and that the Town decides the amount of paving it wants Eversource Energy to do.

Motion by Mr. Bulian that the Select Board approve and sign a petition from Eversource Energy to install approximately 14 feet of conduit in Manning Street. This work is necessary to provide underground electric service to 274 Manning Street, Needham.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

6:06 p.m. Public Hearing - Comcast of Needham, Inc. Grant of Location: 1000 Highland Avenue
Dave Flewelling, Comcast Representative appeared before the Board requesting permission to install conduit starting at Utility Pole No. 7 on Morton Street excavating to place (1) 3" PVC Conduit 322' +/- to number 1000 Highland Avenue. This work is necessary for new underground service to 1000 Highland Avenue.

Ms. Fitzpatrick indicated all paperwork is in order.

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

Motion by Mr. Borrelli that the Select Board approve and sign a petition from Comcast of Needham, Inc. to install conduit starting at Utility Pole No. 7 on Morton Street excavating to place (1) 3" PVC Conduit 322' +/- to number 1000 Highland Avenue. This work is necessary for new underground service to 1000 Highland Avenue.

Second: Mr. Bulian. Unanimously approved 5-0 by roll call vote.

6:08 p.m. Appointments and Consent Agenda:

Motion by Mr. Bulian that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

- 1. Election Workers: See attached.**

CONSENT AGENDA

- 1. Approve minutes from June 23, 2020.**
- 2. Accept the following donations made to the Needham Park and Recreation Commission for Start of Summer Activity Bags: \$35 from Daphne Reichel; \$35 from Kamran Vollenweider; \$35 from Zoe Lucas; \$35 from Rosie Mullen; and \$900 from an anonymous donor.**
- 3. The Needham Cultural Council respectfully requests the approval of the design "Reach" by John Judge to be wrapped in vinyl on the utility box located at Kendrick Street and Third Ave in Needham. Design and location approval requested by Needham Cultural Council. Funding for the box wrap has been generously provided by Beth Israel Deaconess Hospital- Needham.**

4. **Accept a \$6,000 donation made to the Needham Health Department's Gift of Warmth Program from the Needham Community Council.**
5. **Accept the following donations made to the Needham Community Revitalization Trust Fund: \$1000 from C. Bruce Johnstone and \$100 from Needham Farmers Market Inc.**
6. **In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, adopt a classification and compensation plan (G Schedule) for fiscal year 2021.**
7. **Approve the location for early voting for the September 1, 2020 primary election and the November 3, 2020 general election as Needham Town Hall.**
8. **Accept the following donations made to Needham Youth & Family Services' Volunteers Around Needham Program: \$50 from the Vettraino family; \$100 from the Jiang/Zhai family; and \$100 from the Lazarevich family.**
9. **Water and Sewer Abatement Order #1293.**
10. **Approve Revision of the Town Manager Evaluation Policy to reflect change to "Select Board."**

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

6:09 p.m.

Unite Against Racism Initiative Listening Session (Open to Public):

Mr. Handel said tonight's discussion is the initial step for the Town in developing appropriate and effective responses to any policies or public actions resulting in discrimination or abuse affecting black people and other people of color who live, attend school, or work in Needham, including people passing through the community. He said his opening remarks are his and that other Board members will speak after hearing from the public. He said he and the Board believes Needham aspires to be a diverse and welcoming community, and that there continue to be both public and private efforts to achieving the goal. He said "obviously, there is more to be done."

Mr. Handel acknowledged the news story published last night detailing an alleged incident occurring in Needham on January 25, 2020. He said given current tensions and heightened awareness around issues of race, discrimination, and policing, it is imperative everyone understands the facts before reaching any conclusions. He said Needham takes all allegations in the report seriously and has begun a thorough investigation to determine the truth and will provide additional details of the investigation as they become available. He corrected an error in a letter sent yesterday, saying the Police Chief, John Schlitter was not on the scene of the alleged incident. Mr. Handel said the report will be released on Needham's website tomorrow, July 22, 2020.

Mr. Handel said the deaths of black Americans by white police officers around the country is a tragedy we struggle to comprehend, we are horrified by those events, and we certainly do not want similar events to happen in Needham. He said the men and women of the Needham Police Department work hard each and every day to protect our community. He said if Needham police officers act in ways contrary

to the high standards of the department, they will be held accountable. Mr. Handel said at the same time it is also important that we support those that may be asked to put their lives on the line to protect and serve everyone.

Mr. Handel said the Select Board and Town Manager will have an opportunity to speak after members of the public. He asked that public comment be brief, noting additional written testimony may be submitted to the Select Board via otm@needhamma.gov. He said the Board realizes some people do not wish to share their personal experiences in a public forum, noting tonight's session is just one way the Select Board can better understand how people experience racism. He invited the public to share their thoughts and experiences with the Select Board by email or by phone.

Mr. Handel invited public comment beginning with people who indicated they wished to speak in advance of the meeting, then will open discussion up to other people who can raise their hands in the participant's tab at the bottom of the Zoom screen. He asked speakers to refrain from calling out people by name.

Ms. Fitzpatrick thanked the public for their participation in this session. She said in light of global events and heightened awareness of systemic racism and injustice, it is important that Needham take the time to identify ways to improve policies, practices, and to start thinking how the Town can insure that Needham is truly an anti-racist community. She said the conversations are not taken lightly, and that everyone brings a unique experience and emotion to the table. Ms. Fitzpatrick recommends the Board embark on the "Unite Against Racism" initiative and that this is the first session of ongoing work. She said before coming up with solutions, we must understand the problems and challenges that exist in the community. Ms. Fitzpatrick recognized the meeting format is not the most appropriate for everyone who wants to share experiences, noting recommendations will be made to the Board as to how communications can be improved. She said many residents have asked about Town policies and procedures around the issue, noting the Needham's Unite Against Racism initiative webpage contains many questions and answers. She noted the many organizations in Needham that exist or have been newly created who are working on the issue of equality, saying she looks forward to working with all the groups.

Mr. Handel invited public comment starting with people who indicated, prior to the meeting, that they wished to speak.

David Summergrad, 62 Green Street, Needham Diversity Initiative member said courage and trust are required for people to speak during this session, especially if they feel vulnerable or have experienced bias or trauma in Needham. He said tonight is a critical moment in establishing safety and trust for people to come forward to speak about their lived experiences. Mr. Summergrad spoke about the "iceberg theory," noting the personal stories shared tonight represent a tiny fraction of incidents that have occurred in town and in schools. He quoted Beverly Daniel

Tatum, saying racism exists in Needham and elsewhere, and we need to listen and learn in order to grapple with what has occurred and continues to occur. Mr. Summergrad said the stories cannot be dismissed or be casually treated, noting the test for Needham will be to see how the Town reacts to the difficult stories heard tonight and in the future. He said he is hopeful in the capacity of the community to be transparent, face imperfections, and create substantive change. He noted Needham can be a leader against racism.

Ross Donald, 25 Chambers Street said he lives among people of many colors, but more interesting are the different cultures including Chinese American, Ukrainian Russian American, Trinidadian Americans, and Scottish American. He said the residents of subsidized housing are poor, older, sometimes sick or unhealthy, or otherwise challenged. He said many people do not have easy access to a car. Mr. Donald said most of his neighbors are grateful for the housing, help, and support they receive. He noted a stigma can be attached, as many are bewildered as to how they got there, what they have lost along the way, and their changing future prospects. He spoke about the stress people feel, people who look to their government, and those who are receiving services who feel stigmatized, disengaged, left out, and left behind. He commented on resentment, discrimination, social tension, and a variety of animosities that erupt in unexpected ways. He commented on the racial resentment and animosity as it relates to the issue of gardening at the housing complex. Mr. Donald said the opportunity to bring people together with common interests was bungled, noting he would like to see gardens for all, especially in light of the pandemic. He applauded the anti-discrimination task force and other social groups responding to the challenges of discrimination in the past.

Rebecca Young, 1072 Highland Avenue, Needham Diversity Initiative member and supporter of the Human Rights Committee said Needham must be a town united against racism and tonight is an important first step. She said she is worried for her black and brown friends and neighbors, as they are tired of having to share their painful stories in the midst of a deeply disturbing time in our country. Ms. Young commented on the lack of representation in Town leadership and schools, and that she is deeply disturbed about the rising and overt racist acts happening in the country and community. She noted the attention is due to the painful realities of racism within ourselves, in the town, and within the systems. Ms. Young relayed an incident some may not have heard of involving a 55-year old male Needham resident occurring in Newton in early July in which the unnamed man shouted racist remarks at a group of teens and children protesting for Black Lives Matter outside Newton City Hall. She said the man's actions of revving his car engine and driving aggressively could have endangered protesters. She said she is ashamed the legal system protects the man's identity and is disturbed by these kinds of incidents where black lives are not valued. She said these actions must be condemned by our leadership and the people with these views and behaviors must not be protected. Ms. Young said people must ask themselves why they have not heard of this incident, where the man was charged, but never named, and not arrested. Ms.

Young concluded she is committed to Needham being an inclusive community for everyone. She said some people are leaving the Town and schools because Needham is not doing its work fast enough. She said policies and procedures must be reviewed, and that those at the table must not only give “lip service” to Unite Against Racism, but to take action. Ms. Young said she looks forward to all the next steps, saying Needham’s leaders are not alone in the work, but must help lead the Town.

Jennifer Howard-Schroder, 65 Mount Vernon Avenue spoke about a 2017 meeting of the Needham Human Rights Committee held at Town Hall, where parents explained how their children and families were being impacted by the class placement practices employed in the Needham middle school. She said the practice essentially used a child’s perceived race as a primary factor in creating school clusters. Ms. Howard-Schroder said the bravery of the parents led to a district-wide equity audit identifying strengths and weaknesses in the school system. She said a vast, coordinated effort began, not only to improve district efforts to engage families of color within its community, but also to ignite a willingness to acknowledge when things aren’t going right, regardless of intention. She said she is grateful to the families who stepped forward to make the schools better for her three white children, when it would have probably been less costly to them personally to just pack up and leave Needham. She said she is also grateful to the families as their stories revealed to her a major “blind spot” she had personally about race equity in the community. Ms. Howard-Schroder said she is ashamed to admit that prior to hearing the accounts about class placement and process, she had three children go through middle school without even once considering why there were not more children of color in their clusters. She said it never occurred to her to question or second guess how the clusters were assembled, assuming the administration had her children’s best interest in mind. She said because her children are white, in a majority white school district, in a world where whiteness is the default of many social institutions, she was never forced to ask herself whether her children were experiencing anything that could disadvantage them in the long run. She said this is white privilege and an example of white supremacy that exists in Needham, more subtle than racist slurs or swastikas painted on a bathroom wall, but with no less impact on our ability to be a truly inclusive and equitable community. Ms. Howard-Schroder commented on the efforts of “Lived Experiences,” where stories are being collected by community members from friends and neighbors who have experienced racism in Needham. She said coming forward to share their experiences comes with great personal risk, but they do so in order to move us all forward. She said the community owes it to them, not only to listen, but to start from a place of believing in gratitude. Ms. Howard-Schroder said as an advisory committee to the Select Board, the Needham Human Rights Committee recommends four ideas be considered as part of Needham’s “Unite Against Racism” initiative: (1) fast track the launch event previously scheduled for March 2020, to bring leaders from the community together to identify incidents of bias and hate and determine appropriate responses aimed at building sustaining community resilience (2) empower the Needham Human Rights Committee to be a

central, widely recognized Town body, to serve as a repository for reports of hate and bias against those who work and live in Needham with the goal of establishing a transparent process for such reports to be heard, validated, and acted upon, (3) consider a town equity audit similar to the one conducted by the Needham Public Schools (4) reach out to organizers of the “Lived Experiences” project for opportunities to listen and learn, and to solicit other ways to create safe spaces for Needhamites to talk candidly about what is happening in Town. She urged the Select Board to host regular, recurring, smaller, intimate meetings offering opportunities for discussion, so the community begins to embrace difficult conversations which are as important as town traffic, zoning, and business development.

Amy Baron, 33 Virginia Road read a statement on behalf of a friend and Metco parent whose child has been with her son since kindergarten, and now both are rising juniors at Needham High School: “While I’m reflecting during our turbulent time, I’ve chosen to center my attention on the positive side. Moving forward, my contribution to the Unite Against Racism initiative is to educate our children and educate our friends. After George Floyd’s murder, I had an anxiety attack. Even while I’m writing this, I’m crying. I want to thank a Needham resident parent for reaching out to me (Ms. Baron). During the month of May my son asked if he could visit his friend in Needham. As a mom of a black young man, I was very scared to send or take my son to Needham. Believe it or not, I was not afraid of my son getting Covid, but I was very afraid of him being mistreated. I hid my fear and took him. When we got to my son’s friend’s house, all the fear melted away. To my surprise, in a window on the house was a sign that read ‘Racism is Taught.’ That sign alone decreased my anxiety and gives me hope. That is why I strongly believe that we as parents need to get the courage to raise the new generation free of the ignorance of racism.”

Amelia Klein, 23 MacIntosh Avenue, member of the Human Rights Committee said the committee can play a strategic role in reaching out to the community on issues of racial justice. She said the committee is a resource and refuge for Town residents who choose to tell their stories about racial injustice. Ms. Klein commented the committee serves as a “buffer zone” and intermediary between town leaders and residents. She said the strengths of the committee are essential in helping Needham become a welcoming and inclusive community. She noted members of the committee have strong community connections, closely affiliated with numerous organizations, groups, and individuals including the Needham Public Schools, clergy associations, Needham Diversity Initiative, parent organizations, Housing Authority, Council on Aging, to name a few. Ms. Klein said members know the pulse of the community and many groups inform the committee on issues and seek support and guidance in addressing human right’s issues. She said members are human right’s activists who are informed and committed, approaching their work with an apolitical perspective, focusing on universal human rights. She noted the diversity of members and the Town’s encouragement to seek members (appointed by the Select Board) from diverse

backgrounds to serve on the committee. Ms. Klein spoke about critical actions initiated in the community to address human right's issues, including supporting parents of color which culminated in an equity report. She said the committee collaborates with Town officials, school leadership, and Housing Authority officials. Ms. Klein said as the Town moves forward on this important initiative, connecting with members of the community who experience racial injustice is critical. She concluded saying she stands in solidarity with others committed to helping Needham become a welcoming and inclusive community. She suggested the Town display Black Lives Matter, Hate Has No Home Here, Needham Pride, and other relevant signs on the Town Common.

Mr. Handel commented Denise Garlick, State Representative is attending the Zoom session.

Dr. Nichole Argo Ben Itzhak introduced the "Lived Experiences" project in hopes it can complement efforts already begun. She said "Lived Experiences" is a data collection initiative created to document the range and depth of local experiences with racism and identity-based prejudice. She spoke about the survey questionnaire, developed by a group of diverse Needham residents with expertise in psychology, coaching, behavioral economics, social work, and anthropology. She said the goal of the project was to create a trustworthy and anonymous platform where people could feel safe writing about their experiences and do so in their own time and on their own terms. She said the goal of the project is to inform public discussion, as well as school and Town policy as it relates to diversity, inclusion, and anti-racism. She said she believes data will suggest patterns regarding who is targeted in Needham, as well as how and where. She said the data will provide insight into ways in which Needham can become more inclusive. Dr. Argo Ben Itzhak said the plan is to make data results of the survey public quarterly or trimester basis over the next year. Dr. Argo Ben Itzhak commented on the new survey and the first official committee meeting held last night, saying outreach has just begun. She noted 20 stories have been received, saying she believes there are many more stories within the community. She described several stories from black, Jewish, east Asian, South Asian individuals, those involving a school authority figure, students, and incidents occurring at stores, restaurants, or with public officials, police, residents, or neighbors. Dr. Argo Ben Itzhak said stories range from micro aggression to physical abuse and include forms of procedural and programmatic bias. She gave examples of micro aggression, written or verbal aggressions, and racist slurs, swastika's, and physical and potential physical harm. She spoke about institutional processes including school enrollment or law enforcement. Dr. Argo Ben Itzhak quoted a high school student who expressed difficulty speaking up for fear of being called a race-baiting black person said "Needless to say, growing up as a minority in Needham is not easy. I feel like I did not get the privilege to experience what it was like to be brought up and educated in an affluent community. Instead, I was more of an outsider observing, and rarely did anyone let me forget it." She concluded the stories of the "Lived Experiences" project already show a lived universe of experiences beginning to emerge, varying by the type of

mistreatment and harm, who is targeted, who is targeting, and the identity basis upon which the mistreatment is happening. Dr. Argo Ben Itzhak said there is more information from the stories to be shared including how the experiences have made people feel, how it changed them, what they wished would have happened, and what type of changes they would like to see in Needham. She said she looks forward to sharing data with a much larger response number in September and welcomed any additional outreach efforts and circulation of the link to the survey. Ms. Fitzpatrick said the survey link and other information will be available on the Unite Against Racism webpage on the Town's website.

Natasha Espada, 1681 Central Avenue, Permanent Public Building Committee member, previous Town Meeting Member, and Green Communities Committee member said the listening session is very important and thanked the Select Board for the opportunity to speak. Ms. Espada said the conversation is as uncomfortable for her as it is for you. She said most people who have had these experiences are putting themselves and their families at risk when they speak about them. Ms. Espada said she is Puerto Rican, an architect, and founding principal of Studio Enee Architect, a woman and minority owned architectural firm in Needham. She said she is the 2020 president of the Boston Society of Architects and first Latina president of the BSA. She said since 2018 she has been co-chair of the Equity, Diversity, Inclusion and Harassment Task Force for the BSA, working in a field where women are 50/50 in architecture schools, but only 17% of registered architects are women, and 3% are minorities. Ms. Espada said she has spoken at many meetings representing women, minorities, and black architects in the profession. Ms. Espada told the Board of her upbringing in Puerto Rico, Miami, and Japan, saying she has been exposed to many different cultures. Ms. Espada said she and her husband chose to live in Needham because of the schools and the community for raising a family. She said she has many good friends in Needham, but said Needham is a very white town. She said she is both Puerto Rican and Italian, not black, saying her son was the target of racial slur in school. She commented she is appalled knowing there are repeatedly swastika's and racial slurs in the school bathrooms. Ms. Espada said she never brought it up for fear of additional discrimination against her family. She said she told her children it is not the only time they would have to deal with it, and to stand up for themselves. Ms. Espada said aside from the vice-principal at the high school, she said she cannot remember seeing any black teachers in any of the schools, and very few minorities as teachers or in leadership. She noted even four language teachers, where there is opportunity for diversity, have not been a very diverse group. She commented on her time as a member of the Diversity Summit, where she said the group was passionate about the cause, but not very diverse. She said while there are many active Latina groups in Needham and a large group of Asians, she said she does not see them sitting on any boards or in any leadership positions representing the Town. She suggested the Board engage these groups in discussion. Ms. Espada said she only knows two black and mixed-race families in Needham, noting some of them have experienced racism in Needham. Ms. Espada said as a member of the PPBC, she works with an amazing group of colleagues who are incredibly respectful and

supportive, for which she is grateful. She said she is grateful to Jerry Wasserman and Michael Greis who sponsored her for the board position on the PPBC. She said George Kent “took her under his wing,” making her feel very included. However, she said she is the only woman, minority, and architect. She suggested the town review its policies for the formation of nominating and elected boards and committees, and their governance to make sure of the correct disciplines and diversity. Ms. Espada said for Needham to change, there must be structural changes and goals for equity, diversity, and inclusion, and consideration of diverse candidates for employment at all levels and jobs, including Town Hall and in the schools. Ms. Espada commented that when boards and committees are formed, and nominations are submitted there is representation from different groups as a possibility. She commented on equity goals in all RFP’s. While she said it does not mean to only strive to hire or elect minorities in Needham, it simply means that they have the same chance and opportunity for jobs and promotions as everyone else. She recognized that with few minorities in Needham, there may not be as big a pool of candidates for positions. In comparing the similar situation to architects at the BSA, Ms. Espada said it has been determined to actively recruit from other parts of the state or country, and to start teaching about architecture in schools. She noted the costs associated with living in Boston, suggesting Needham must have more affordable housing for the middle class. She noted Needham meets the minimum state requirements of affordable housing but continues to tear down houses to build multi-million-dollar homes. She said there must be a balance. She said the discussion about race is not about excluding whites, but about including everyone. Ms. Espada said the topic is difficult to discuss, especially for white people. She said most white people are only feeling uncomfortable now, while most minorities and black people have felt uncomfortable most of their lives. She said if Needham is to be a more diverse and inclusive community, some barriers must be dismantled that currently exclude minorities and blacks at every level of the community. She recommends the creation of a group of many voices to define barriers, set goals, and start supporting change.

Dr. Olutoyin Fayemi, 119 Barrett Street said he is no stranger being surrounded by faces that look very different from his own. He said several times a year in Needham he experiences an extremely unpleasant interaction, sometimes making him want to move out of Needham. He said he has been followed home and had the police called on him because someone didn’t believe the house, he had keys to was his, despite a neighbor saying it was his house. He said he realizes there may not be much the Town can do to improve his personal experience but spoke about how his children have been affected. He commented his son was never recommended for accelerated or advanced courses, noting if it wasn’t for their own advocacy, his education would have stalled. He stated by the end of senior year, his son was taking all AP or accelerated courses, getting A’s in most classes. He said he pulled his daughter out of Needham schools in 7th grade, due to routine interactions with people telling her she wasn’t good enough because she was biracial and didn’t belong. He said she is now in private school. Dr. Fayemi recommended everyone learn about the past, especially children. He said there is

no Black History Month, noting his children know nothing about slavery, the civil war, reconstruction, civil rights, or red lining etc. Dr. Fayemi said by ignoring the past we will only continue what we have been doing.

Beth Pinals, 415 South Street commented on a recent “At My Neighbor’s Table” event attended by hundreds of people. She said many people in Needham are interested in the conversation. Ms. Pinals said as a psychologist focusing on wellness, diversity, and equity, she works in Needham with teenagers. She said the “Lived Experiences” project is a very appropriate venue for people to safely share their narratives. Over the last 14 years working with teens in Needham, she said she has heard black students talk about kindergarten and first grade experiences and how their parents give them “the talk,” about their safety because of the color of their skin and that they need to be careful in some way, and that it is not a reflection of their value or worth as a person. Dr. Pinals said some students enter school fearful and confused, with their self-esteem possibly already tainted. She commented on swastika’s, graffiti, and why some students are singled out in classroom discussions to talk about slavery where they are treated as the sole representative of their race. She concurred with Ms. Espada, saying people need to learn about red lining, white flight, and history to counteract racism now. She said some students feel like they are treated as invisible with their names being mixed up, or citizen’s and faculty confuse them with one another, people assuming all black students are Metco students. Dr. Pinals said she has repeatedly heard very specific stories of going into particular stores on early release days and being stopped as the one student of color being followed or accused of something. She recommended training for law enforcement, store owners, and store employees, and a town-wide equity audit. She said adults are models for children, and that people continue to say “we’re tired” and “we’ve worked so hard at this.” Dr. Pinals said she views this time as a hopeful opportunity to listen to each other and collaborate on policy revision and structural changes.

Bill Paulson, 147 Lindbergh Avenue said he has heard of racism in Town, but always thought Needham was a welcoming community. He said since the George Floyd murder, he has participated in a couple of events including one at Needham High School, which he said he was outstanding. Mr. Paulson relayed the story of a young man who graduated from Needham High School who said when he was 11 years old he experienced racism in Needham for the first time during an early release day when he went to Walgreen’s and was grabbed by a man who proceeded to dump his backpack out on the floor, finding the student did not steal anything. Mr. Paulson said the story is incredible that it happened, but it is not an isolated one. He noted many stories were told on the hill during the recent event. Mr. Paulson said he supports the “Lived Experiences Project” as people need to know what incidents are happening. He commented on a multi-cultural event, sponsored by the Rotary Club, held at the Eliot School where people could learn about other cultures and celebrate differences. He said everyone should be acknowledged for who they are and celebrated. He said students are looking to the adults to make the situation better, as it is clearly a problem that is not unique to Needham. He

suggested a yearly diversity curriculum review in addition to English, math, and science. He said parents must explain and work with their children. He said he is hopeful for a continuing dialogue.

Mr. Handel said a participant asked if the Police Department was represented at this meeting? He said members of the Police Department were present and listening.

Albert Schram, 211 Rosemary Street said the open meeting law allows for the gallery to be present, so everyone can know and see who is participating. Mr. Handel said it is difficult to see everyone in the Zoom format.

Lilly Marcelin, Newton resident and founder of the “Resilient Sisterhood Project” told the Select Board of an incident she experienced in Needham, where a woman lobbed racial rants and tropes, and was harassing her. Ms. Marcelin said the older woman did not show any sense of wisdom, kindness, or respect towards her, noting ugly racial words were said to her. She said she walked away but remains disturbed thinking about what could have happened and what the subsequent outcome would have been if the police had gotten involved. She said if the incident happened and common sense did not prevail, someone could get hurt or worse. She said she chose not to go to the police to relay what happened, thanking the Board for allowing her the opportunity to tell her story.

Mr. Handel asked for comments from the Select Board.

Mr. Borrelli thanked everyone for their attendance and for the emails received. He said having grown up in Needham, he has always felt it to be a welcoming town. He commented he feels the Town has been proactive as much as we can to try and show we are inclusive, but said it is clear that other people do not see it that way. He said the Select Board’s job is to listen to the community in order to be better. Mr. Borrelli said he wants to hear more of the first-hand stories, as they are powerful and can be used to advance ourselves. He noted the second or third hand stories are difficult to corroborate or get an understanding of what happened. He suggested an anonymous way for people to report their first-hand stories, as the whole purpose is to listen to the public. He said he looks forward to further discussion, concurring with Mr. Handel that he believes the Needham Police Department is very welcoming. He noted he wants people to understand that they can file a report if necessary.

Mr. Bulian thanked the participants and said it is a very important time. He said among all comments, there needs to be a cultural change, perhaps implemented in the schools. He said early diversity education is a way of making the systemic and cultural change happen. He said he looks forward to further conversation. He commented on a story in today’s Boston Globe, concluding discussion needs to continue and that the Town’s leaders need to be active and engaged participants with the people in Needham to change the culture. He said change starts at home.

Ms. Cooley thanked the participants, echoing comments that Zoom is not the best format for having the discussion, and an uncomfortable conversation in many dimensions. She said as a leader of the Town, she believes Needham has a desire to be anti-racist and equitable. She said the steps to make the vision a reality are ones she is committed to and hopes and feels her colleagues are committed as well. Ms. Cooley commented on learning the stories, understanding what available levers are within town government, and that we are a government of people that includes everyone. She said she believes the Board does not deny the responsibility, it is “more than just us, it’s really all of us coming together to make a difference and to make a change.” Ms. Cooley said she looks forward to hearing the stories from the “Lived Experiences” project. She concurred with a speaker who said the topic is as important as budgets and zoning. She said it must be recognized that people are being asked to step forward, take actions, and serve the town, noting it was highlighted that not many town boards or committees are not particularly diverse. She said when she served as chair of the Select Board, she worked hard to source candidates who were not the typical mold of many of the boards and committees, but she can only work from the pool of people who apply, noting the hard work to advertise committee openings, the hard work to bring new people in to committees, and that she is grateful for the people who stepped forward. Ms. Cooley noted many people were motivated after the 2016 election, and she hopes this year will be another year that will prompt people to be motivated to step up and serve the Town. Ms. Cooley recognized people are often asked to provide unpaid service and support in many other areas to step forward and serve, i.e. people of color and women who are often doing that work, but this is another place where those voices have not often been heard. She encouraged people to join in the work being done for the Town, as it is important for those voices and perspectives to be at the table. Ms. Cooley concluded if you are not stepping forward in the first place, it is hard to get there. She said she is hopeful people will step forward. Ms. Cooley said the work is not only for within the schools, it is the work of all of us including parents, senior citizen’s, everyone. She said there is a lot of work we can do, quoting Maya Angelou, “Do the best you can until you know better, and when you know better, do better.”

Mr. Matthews said racial equity is a critical issue of our time. He said we are facing pandemic challenges, a challenged economy, a bitterly divided electorate, and environmental catastrophes not far in the future. He said the issue is not new, but what is new both nationally and in Needham, is there is a greater interest than he has ever seen in his lifetime. He commented on his time at Needham High School when Dr. Martin Luther King was killed, which was also the first year of the Metco program. He acknowledged there were great hopes at that time and it was expected we would be in a better place long before now. Mr. Matthews said the issue has come to a head because of public safety and police enforcement issues nationwide, which are matters of life and death. He said while we want a good country and good town, viewed through the lens of people who are not treated fairly or equitably in our society, including black people who for over hundreds of years the system

has not worked. He said the issue is something we need to try to move forward in a real way. Mr. Matthews said the conversation is helpful, but there is a long way to go, noting it isn't just about law enforcement, but every element of society from employment, education, and ordinary interactions. He concluded progress has been made, but not nearly enough and that this is a time of great challenge and great opportunity.

Mr. Handel thanked the participants and said this is the beginning of our work.

Ms. Fitzpatrick echoed Ms. Cooley, thanking everyone for their patience in our new reality of meeting by webinar. She said everyone is doing the best they can. She said the meeting will be recorded and available on the Town's YouTube channel. She said future meetings will allow for more participants.

7:40 p.m.

Town Manager:

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

1. Accept and Refer Zoning

Ms. Fitzpatrick said the Planning Board, at its meeting on July 7, 2020, voted to place the following articles on the warrant for the October 2020 Special Town Meeting: (1) Amend Zoning By-Law - Avery Square Overlay District; and (2) Amend Zoning By-Law - Map Change to Avery Square Overlay District. Ms. Fitzpatrick recommended the Board accept the proposed amendments and refer them to the Planning Board for its review, hearing, and report. The Board's action in this matter is not discretionary.

Motion by Mr. Bulian that the Board vote to accept the proposed zoning articles (1) Amend Zoning By-Law – Avery Square Overlay District and (2) Amend Zoning By-Law – Map Change to Avery Square Overlay District for referral to the Planning Board for its review, hearing, and report.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

2. Liquor License Fees for Calendar Year 2021

Ms. Fitzpatrick recommended that the Board reduce liquor license fees for restaurants for calendar year 2021 in recognition of the significant disruption in the food service industry.

On Premise Alcoholic Beverage	Current	Proposed
Innholders	\$4,525	\$2,262
Restaurants – 100 seats or more – All Alcoholic	\$4,025	\$2,012
Restaurants – fewer than 100 seats - Wine /Malt	\$1,500	\$750
Clubs	\$510	\$255

Motion by Mr. Bulian that the Board vote to adopt a new liquor license fee schedule for calendar year 2021 as follows:

On Premise Alcoholic Beverage	Current	Proposed
Innholders	\$4,525	\$2,262
Restaurants – 100 seats or more – All Alcoholic	\$4,025	\$2,012
Restaurants – fewer than 100 seats - Wine/Malt	\$1,500	\$750
Clubs	\$510	\$255

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

Mr. Borrelli said reducing fees is a good way to give relief to restaurants.

Mr. Handel thanked Ms. Cooley for her work as chair of the committee spearheading ways to help local businesses.

3. Special Town Meeting Planning

Ms. Fitzpatrick discussed potential warrant articles for the Special Town Meeting in October. She said there are a number of critical articles that make it necessary to hold the Special Town Meeting. She said at the next Select Board meeting recommendations will be made about the venue, and that the draft warrant will be refined and presented in August.

Ms. Cooley commented on the spring Town Meeting held at Memorial Park, saying a number of things happened that she hopes will be carried forward i.e. pre-recorded presentations, and question and answers on the Town website. The Board concurred with Ms. Cooley, saying there are ways to keep Town Meeting moving.

4. Town Manager Report

Katie King, Assistant Town Manager said Phase 3, Step 1 of the state reopening is underway, with people feeling as if normal, pre-Covid life is resuming, but with safety precautions. She gave examples of what the Needham Public Health and the Park and Recreation Department are doing to prioritize the balance of Covid-19 and reopening, i.e. permit requests, working with the school superintendent for reopening schools, ongoing surveillance/contact tracing, re-opening the pools at Rosemary Recreation Complex, summer programs, field use, and open playgrounds. She noted two vacant but critical positions to fill including an Emergency Management Program Administrator and Public Health Nurse.

Ms. Fitzpatrick reported Theodora Eaton, Town Clerk and her staff are working hard preparing for the September 1, 2020 primary and the November 3, 2020 general election. She commented on the availability of voting by mail, early voting, and in-person voting. She said more information can be found on the Town's website.

8:00 p.m. Board Discussion:

1. Proposed Revision to Regulations for the Sale of Alcoholic Beverages

The Board discussed a proposed revision to the Regulation for the Sale of Alcoholic Beverages including a new Section X. Violations - Determination of Penalties. Mr. Bulian said licensees can be noticed in writing as to Town guidelines, should they choose not to follow the liquor law and regulations, i.e. the sale of alcohol to minors. Ms. Cooley said the revisions are reasonable and hopes to never see any of the licensees in violation of the law.

2. Plastic Check-out Bags Statement Status

The Board discussed the status of the Plastic Check-out Bags Statement given recently revised guidance from the Commonwealth relative to plastic reusable bags during the COVID-19 State of Emergency. Ms. Fitzpatrick recommends writing a letter to retail establishments recognizing they may use up the stock of bags purchased, then return to compliance of using recyclable bags.

3. Committee Reports

No Committee Reports were made.

8:10 p.m.

Adjourn:

Motion by Mr. Borrelli that the Select Board vote to adjourn the Select Board meeting on Tuesday, July 21, 2020.

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



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau

Office of the Director
Washington, DC 20233-0001, Mail Stop 7400

BAS ID: 32502144105
Sequence: 027232



2020 Final Boundary Validation Program (BVP)

The U.S. Census Bureau is now conducting the Final BVP. The Final BVP is your opportunity, as the Tribal Chair (TC)/Highest Elected Official (HEO), to review recent updates made to the Census Bureau's boundary data for your government. The maps provided by the Census Bureau should reflect the legal boundary for your government effective on January 1, 2020 and include changes submitted to the 2020 Boundary and Annexation Survey (BAS) by March 1, 2020.

Please review the maps for accuracy, then complete and return this form to the Census Bureau within five days of receipt. (Please check a box. Sign below if the boundary is correct.)

☒	The legal boundary for our government is correct. (Please sign below.)
☐	The legal boundary for our government is <u>NOT</u> correct.
I, as the Tribal Chair/Highest Elected Official, verify that the boundary for our governmental unit is correct.	
Signature: _____	
Print Name: _____	
Date: _____	
Tribal Reservation/Government Name: <u>Needham</u> State: <u>MA</u>	

If the Census Bureau's boundary is incorrect, please work with your BAS contact to submit corrections through the BAS program. Information for your BAS contact is found in the Final BVP email.

Please review and correct the contact information printed below. Our records indicate the TC/HEO contact is:

Name: ~~Mr. John Bulian~~ **MR. MAURICE P. Handel**
Position: Chairman
Department: Select Board
Mailing Address: 1471 Highland Ave
Needham, MA 02492-2605
Phone: 781-455-7500
Email: selectboard@needhamma.gov

Form return options:

Email:

Scan and email the completed form to:
<geo.bas@census.gov>.

Fax:

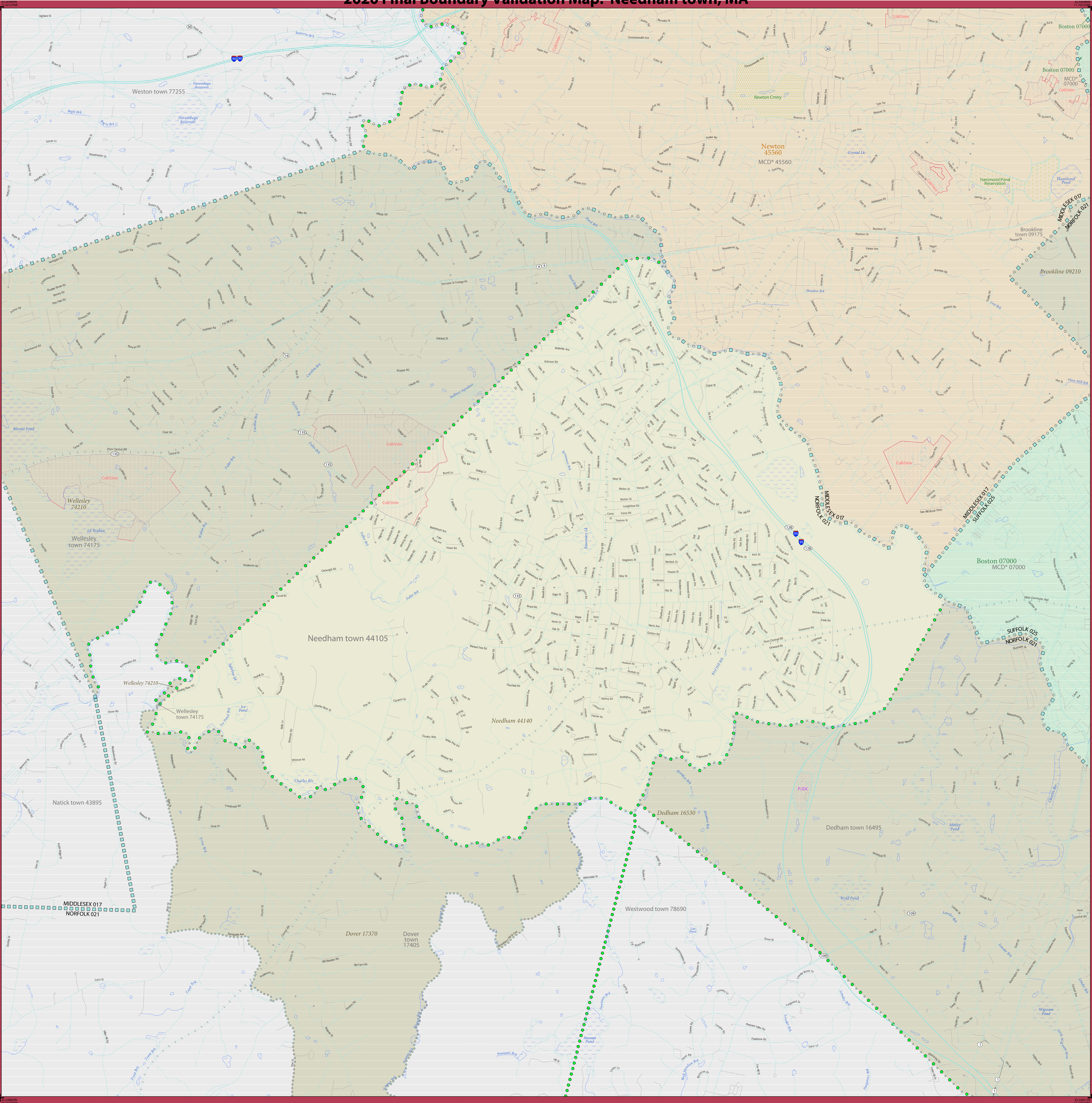
Fax the completed form to:
1-800-972-5652

Mail:

Mail the completed form to:
U.S. Census Bureau
National Processing Center
Attn: BVP Returns, Bldg. 63E
1201 East 10th Street
Jeffersonville, IN 47132

We estimate that completing this program will take a total of 2 hours on average. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to [<geo.bas@census.gov>](mailto:geo.bas@census.gov). This collection has been approved by the Office of Management and Budget (OMB). The eight digit OMB approval number that appears at the upper left of the letter confirms this approval. If this number were not displayed, we could not conduct this survey. The Census Bureau conducts this program under the legal authority of the Title 13 U.S. Code, Section 6.

2020 Final Boundary Validation Map: Needham town, MA



LEGEND		
SYMBOL DESCRIPTION	SYMBOL	LABEL STYLE
Federal American Indian Reservation		L'ANSE RESERVATION (TA 1880)
Off-Reservation Trust Land		T1880
American Indian Tribal Subdivision		SHONTO (620)
Alaska Native Regional Corporation (ANRC)		NANA ANRC 52120
State (or statistically equivalent entity)		NEW YORK 36
County (or statistically equivalent entity)		ERIE 029
Minor Civil Division (MCD) ¹		Lee town 41460
Census County Division (CCD) ²		Jemez CCD 91650
Consolidated City		MILFORD 47500
Incorporated Place ³		Davis 18100
Census Designated Place (CDP) ²		Cochiti 16560

DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
Interstate		Water Body	
U.S. Highway		Swamp or Marsh	
State Highway		Glacier	
Other Road		Airport, Airfield, or Helicopter Landing Pad	
Cul-de-sac		College or University	
Circle		Military	
Geographic Offset or Corridor		Prison or Juvenile Detention Center	
4WD Trail, Stairway, Alley, Walkway, or Ferry		Cemetery	
Railroad		National Park or Forest	
Pipeline or Power Line		Other Park	
Ridge or Fence		Outside Subject Area	
Property Line or Nonvisible Boundary		Inset Area	
Perennial Stream			
Intermittent Stream			
Mountain Peak or Hill			

Where state, county, and/or MCD/CCD boundaries coincide, the map shows the boundary symbol for only the highest-ranking of these boundaries. Where American Indian reservation and American Indian tribal subdivision boundaries coincide, the map shows only the American Indian reservation boundaries.

Entity names are followed by either their FIPS code or census code; parentheses indicate a census code.

1 "MCD" indicates a false MCD. These are for Census Bureau use only.

2 The CCD and CDP boundaries represent statistical entities only and are not updated through the BAS.

3 Incorporated place name color corresponds to the incorporated place fill color.

Due to space limitations, some road names, along with other feature and geography names on the map, may not be shown.

The Census Bureau stores primary and alternate road names, but only primary road names are used to label the roads on these maps.





TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3264
Fax (508) 321-4988
Email: mboynton@townofmedway.org

Town Manager
Michael E. Boynton

August 10, 2020

Chief Dennis Condon
Needham Fire Department
88 Chestnut Street
Needham, MA 02492

Dear Chief Condon:

On behalf of the Town of Medway and the Medway Fire Department, I want to thank you and the Town of Needham for your very generous donation of your former fire turnout gear dryer. We will certainly benefit from this piece of equipment as it is an improvement over our current unit.

We are most grateful of your donation and are most appreciative that you thought of us as you prepare to move into your new headquarters station. As mentioned, this dryer will replace our 15 year old machine that is in need of repair, and your donation will expedite getting our Firefighters' gear back in service after an incident.

Again, thank you very much, and best of luck in your new station.

Very truly yours,

Michael E. Boynton
Town Manager

cc: Fire Chief Jeffrey Lynch

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

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

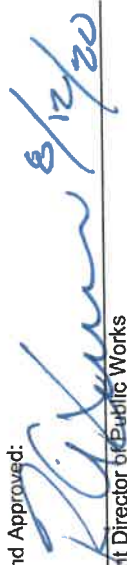
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

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

Water Sales:	-\$510.45
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$1,282.05
Transfer Station Charges:	\$0.00
Total Abatement:	-\$1,792.50

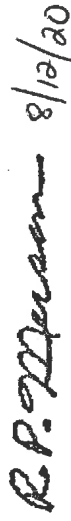
Order #: 1294

Read and Approved:


Assistant Director of Public Works

For the Select Board

8/18/20


R.P. Messer 8/12/20

Director of Public Works

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

Prepared By:		First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
DB	TALATI	DARSHAN P & KHUSHBOC	42803	4776	252	Dedham Avenue	\$0.00	-\$98.25	-\$92.73	-\$190.98	ACC	N
JO	Council of Aging (4)						\$0.00	-\$412.20	-\$1,189.32	-\$1,601.52	COA	N
Total:										-\$1,792.50		

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

Legend:

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

**SHOP
LOCAL**



**KEEP
NEEDHAM
SAFE**