

Town of Needham
Select Board
Minutes for Tuesday, January 12, 2021
<https://us02web.zoom.us/j/83012497485>

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

6:02 p.m. Call to Order:

A meeting of the Select Board was convened by Vice Chairman Matt Borrelli. In addition to the Select Board, also in attendance were Kate Fitzpatrick, Town Manager, Dave Davison, ATM/Finance, and Katie King ATM/Operations. Recording Secretary Mary Hunt joined the meeting at 6:00 p.m. Chairman Maurice Handel joined the meeting at 6:15 p.m.

Mr. Borrelli 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. Borrelli stated the meeting will include public comment and 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.

Motion by Mr. Bulian that this meeting be continued to the Select Board's next scheduled meeting on Tuesday, January 27, 2021, if a technical problem develops that makes it impossible for the Select Board to conduct the meeting in this format.

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

6:04 p.m. Trader Joe's Certificate of Appreciation:

Mr. Bulian read a Certificate of Appreciation awarded to Trader Joe's - Needham.

Motion by Mr. Bulian in recognition of Trader Joe's - Needham efforts to help keep Needham's seniors safe during the COVID-19 pandemic by providing and packing over 1,500 bags of groceries that we were able to deliver to this at-risk population. We thank you for your commitment to serving this community.

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

6:05 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: No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$3500 from JMS Family Foundation, Inc., \$50 from Adam Raff, and \$25 from Isaac Hughes.**
- 2. Accept the following donation made to the Vietnam Veterans Memorial Maintenance Donation Fund: \$2000 from William Jones, Jr. and \$40 from Jo-Ann & Rich Rosen.**
- 3. Approve technical change from approval of 12/22/2020 agenda – Executive Session minutes of 11/1/2020 should be 11/24/2020.**
- 4. Approve and sign application for recertification as Tree City USA for 2020.**
- 5. Upon the recommendation of the Assistant Town Manager/Director of Finance, change the mileage reimbursement rate from 57.5 cents to 56 cents per mile consistent with the rate determined by the IRS.**
- 6. Authorize to extend Free Parking Meter Parking for Two Hours through June 30, 2021.**
- 7. Accept a \$5,000 donation made to Needham Youth & Family Services from the Highrock Metro West Church. These funds were raised by the Jog For Joy 5K held back in December 2020 in support of mental health awareness programs.**
- 8. Water and Sewer Abatement Order #1302.**
- 9. Approve Open Session minutes of 12/22/2020, and minutes from 11/18/2020.**
- 10. Accept the following gifts received by the Needham Public Library for the period of September 1, 2020 to December 31, 2020: John Comando gave the library a copy of his book, Walk by My Side (\$7.99); Debra Doxer donated two copies of her book, Where Butterflies Go (\$13.00 each); Elinor Brady donated a copy of Isabel Wilkerson's book Caste: The Origins of Our Discontents (\$32.00); Emily Richmond Wheeler donated \$55.00 that will be used to purchase a new book-on-CD; and Ellen Knizeski made a \$200.00 donation for the purchase of new mystery books in memory of her parents Bernie and Eileen Ford.**

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

6:06 p.m. Public Hearing: Change of Control of RCN Telecom Services of MA, LLC.
Mr. Borrelli read the Hearing Agenda and a prepared statement announcing the purpose of this public hearing is to consider FCC Form 394 transfer request received by the Town on December 2, 2020. Form 394 seeks the Select Board's approval for a change of control of the Cable Television Franchisee, RCN Telecom Services of MA, LLC, from Radiate Holdings, LP to Stonepeak Associates, IV LLC. He said this public hearing has been advertised in a local newspaper, Needham Times, on December 24, 2020 and December 31, 2020. A copy of the FCC Form 394 has been available in the Needham Town Clerk's Office for review by interested parties during regular business hours by appointment only. He noted the Select Board will meet on February 23, 2021 to render a decision on the request.

Mr. Borrelli asked Tom Steele, Jr., Vice President and Regulatory Counsel for RCN and Michael Nilsson, Counsel to Stonepeak Infrastructure Partners, Harris, Wiltshire & Grannis, LLP. to introduce themselves.

Mr. Nilsson told the Board equity ownership in a parent company of RCN Telecom Services of Massachusetts, LLC will be transferred to a different private equity firm from the one that now controls it. He said this transaction will not change the operations of RCN Telecom Services of Massachusetts, LLC, nor will it change RCN Telecom Services of Massachusetts, LLC's obligations to comply with its franchise agreement. It is, however, expected to make additional resources available to Needham in which it can enhance its network and improve services in the Town of Needham.

Mr. Steele stated this situation is similar to 2016 when TPG Capital, the parent company of Radiate Holdings, L.P., was purchasing RCN from ABRY Partners. He noted the result was no change in the management or operations of RCN Telecom Services in MA.

Mr. Handel asked for questions from the Board.

Mr. Borrelli asked when will Stonepeak Partners assume control? He asked for information on the financial capabilities of Stonepeak Partners.

Mr. Nilsson said control would be assumed upon receipt of requisite approvals from various franchise authorities, hopefully in the first quarter of 2021. He commented on the financial capabilities of Stonepeak Partners, noting they manage approximately \$29 billion in investments.

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

Discussion ensued on various prepared questions. Mr. Borrelli stated the applicant is expected to respond to all questions in writing by January 26, 2021.

Mr. Matthews commented on the history of cable television coming to Needham when residents, at that time, had only one cable option similar to a public utility. He commented on the statute adopted to provide a framework for the Board to oversee certain elements, noting there are also other things the public is interested in, such as programming and rates, which are not under the purview of the Select Board. He said that is why the proceedings involve a lot of discussion about the financials and management structure of the company, as the company was expected to be a permanent fixture in the Town and able to carry out all of its obligations, with renewal every 10 years. Mr. Matthews said there are now three cable franchises in Needham and a very different environment. He said when there is a corporate reorganization and a change of ownership, under the statute, due diligence is necessary with the expectation the transfer request will be readily

approved. He acknowledged the statement by Mr. Nilsson said service will continue without disruption as a result of proceedings.

The Board agreed all questions must be responded to in writing prior to January 19, 2021.

Mr. Handel continued the public hearing to January 26, 2021 for receipt of all follow-up written testimony and follow up responses from Radiate Holdings and Stonepeak Partners. He stated interested parties may submit written testimony to the Select Board no later than January 19, 2021 to the office of the Select Board at Needham Town Hall, and that anyone with questions about the transfer process may call Needham Town Hall at 781-455-7500.

6:30 p.m.

COVID-19 Update:

Tim McDonald, director of Health & Human Services and Tiffany Zike, Assistant Director of Public Health provided an update to the Board regarding the COVID-19 pandemic.

Mr. McDonald showed a PowerPoint presentation with information on the current situation in Needham and surrounding communities. Mr. McDonald commented on the average daily cases, positivity rate, and Needham Public School's protocol expectations. He said Needham is currently in the "yellow" category, suggesting people are following (and still need to follow) protocols. He referred to state criteria for community risk, maps showing various stages of risk levels and their effect on communities over time, and a breakdown of cases by age. Mr. McDonald indicated there is cause for concern as the positive testing rate has increased substantially since Thanksgiving, suggesting people must make responsible decisions to decrease the positive testing rate.

Ms. Zike commented on cluster data and transmission in Needham. She said the majority of the 321 cases in December are from clusters and are household related. Ms. Zike commented vaccinations have begun and have been distributed to first responders and clinicians. She said Needham is assisting other towns with distribution, as Needham has the infrastructure to help surrounding communities. She commented on mass vaccination clinics, which will begin shortly once approval is received from the state.

Mr. Handel invited members of the Board of Health, including Steven Epstein and Kathleen Brown for comment.

Ms. Brown said she has been working with the schools on pool testing and arranging clinics.

Dr. Epstein said he is concerned with the rate of increase over the last two weeks, suggesting Needham will be in the "red" within a few weeks. He suggested the Board of Health must prevent Needham from going "red" and must take action. He

suggested the age breakdown numbers be looked at as a population adjusted rate, rather than an absolute number. He said it would be better to have a sense of where transmission is occurring. Mr. McDonald concurred.

Mr. Handel asked the Board for comment.

Ms. Cooley asked about ways to message people about how to avoid transmitting the virus within households.

Ms. Zike said it is difficult to isolate parents from children. She noted many adolescent children see their friends, then bring the virus home to their families. She said education is a key piece, but there have been too many cases to handle since the holidays. She commented on the vaccine rollout, and that people must continue to wear their mask, and distance themselves.

Mr. Matthews commented on the shift to upper age groups who are contracting the virus, which he said is of concern. Mr. Matthews said the situation is for the long haul and people cannot let their guard down even after getting the vaccine. He asked what else can Needham do? Mr. Matthews said it is important people know the Town has done a good job holding down the illness and fatalities because of vigilance and care. He said the public must continue with protocols for another 90 days.

Mr. McDonald commented on the public information messaging campaign to further highlight the issue, and that Town of Needham masks will be distributed to echo the message.

Mr. Handel said the efforts of Cindy Roy Gonzalez, Public Information Officer have been instrumental in getting the message out to the public. Mr. Borrelli said communication is critical and terrific. Discussion ensued on the vaccine waitlist, call list, and phased rollout.

Mr. Bulian said people still need to be vigilant, recognizing the public is fatigued. He said he is hopeful for robust daily clinics to distribute the vaccine. Mr. McDonald said the Town has hired many per diem nurses to assist with distribution. Dr. Epstein said Needham probably has one of the most robust vaccination responses in the Commonwealth and asked the Select Board to try and get as many vaccines as possible, as Needham has the infrastructure for distribution.

Mr. Handel said education is key in protecting the public. He thanked everyone for the participation.

7:10 p.m. Ridge Hill Demolition Presentation:
Steve Popper, Director of Design & Construction, Mike Retzky, Project Manager, and Dave Mentzer, Dore & Whittier Architects updated the Board on the results of

the Ridge Hill Demolition Study. Funding for the demolition is included in the FY2022 Capital Budget.

A PowerPoint presentation titled “Ridge Hill Estate - Town of Needham, Estate (Manor) House & Garage Demolition Study” dated January 12, 2021 was viewed.

Mr. Retzky commented on the study overview, the scope, cost estimate, and duration schedule for the project. He spoke of historical concerns noted in the study and advisory comments provided, and that a six-month waiting period is included in the project duration. Mr. Retzky said this Study does not consider alternate uses of the site, only demolition scope of work and restoration of the site. Mr. Retzky said the total estimated project cost is \$756,891 and the project duration is anticipated to be one year.

Discussion ensued on the six-month waiting period and whether the waiting period can begin before the project starts, cost estimate and contingencies for site improvements, site MEP (Mechanical-Electrical-Plumbing). Also discussed was whether project costs could be lowered and whether the Town should keep the barn for possible remediation at a later time.

Ms. Cooley suggested contacting the Historical Commission to begin discussion regarding the 6-month waiting period.

The Board thanked the presenters for the update.

7:30 p.m.

Town Manager:

1. Open 2021 Annual Town Meeting Warrant

Ms. Fitzpatrick discussed a preliminary list of Warrant articles and asked the Board to open the 2021 Annual Town Meeting Warrant. She noted the Warrant is scheduled to be closed on February 9, 2021.

Motion by Mr. Borrelli that the Select Board vote to open the warrant for the 2021 Annual Town Meeting.

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

2. Town Manager’s Report

Ms. Fitzpatrick reported donations to the Vietnam Memorial were encouraged in the obituary of lifelong resident Tony Cefalo who passed away in November 2020. She said \$2,365 has been received to date.

She noted Needham’s Blue Tree will remain lit throughout January and free 2-hour parking has been extended through the end of the fiscal year.

Ms. Fitzpatrick told the Board the Town agreed to extend the due date to February 2021 for Natasha Tidwell’s report on the investigation of an incident involving Marvin Henry on January 25, 2020.

7:38 p.m. Board Discussion:

1. Committee Reports - Needham Unite Against Racism

Ms. Cooley reported NUARI held a meeting last night and met with Police Chief John Schlittler and Lisa Smith-McQueenie. She said the meeting was open, helpful, and established a baseline where it was clear the chief was interested in hearing from the community, reflected on the work of his department, and was responsive to questions asked by the group. Ms. Cooley said discussion continued on the draft vision and guiding principles of NUARI. She commented that NUARI is preparing for a public meeting on Monday, January 25, 2021 at 6:00 p.m., to gather feedback on guiding principles and how the Town makes decisions and thinks about racial equity. Ms. Cooley suggested a police dashboard of data could include information such as motor vehicle stops, summonses, arrests, use of force, and call type by category. She said the topic could be discussed at a future meeting.

Mr. Borrelli concurred with Ms. Cooley's summary. He said the goal for the Select Board is to reach out to interested contacts for broader discussion. He said he is interested in finding the best data.

Mr. Matthews said the work is difficult. He suggested NUARI is a group with at least five years of work ahead before it will be able to look back on progress. He said the beginning phase is probably a two-year initial project of writing its vision and goal statement, while discussing education, housing, and economic opportunities. He commented he hopes NUARI will be able to give an interim report to Town Meeting, noting the work is urgent and important to get right. Mr. Matthews said people should follow the work of the committee and participate in public hearings.

Mr. Bulian observed the NUARI group coming together, interacting, and explaining how they feel. He said the work is challenging and difficult.

2. Committee Reports - Other

Ms. Cooley commented that a community meeting regarding Highway Commercial 1 will be held February 3, 2021 at 7:15 p.m. and will be an opportunity for residents to hear from the Planning Board.

Mr. Handel reminded residents that Town elections are coming up in April and encouraged people to become more involved in town government and run for town office.

8:00 p.m. Adjourn:

Motion by Mr. Bulian that the Select Board vote to adjourn the Select Board meeting of Tuesday, January 12, 2021.

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

A list of all documents used at this Select Board meeting is available at:
<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>