

**Town of Needham
Select Board
Minutes for Tuesday, June 22, 2021
Needham Town Hall
Powers Hall
and
Via ZOOM
<https://us02web.zoom.us/j/89093905788>**

- 6:02 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Matthew Borrelli. Those present were Marianne Cooley, Daniel P. Matthews, Lakshmi Balachandra, Marcus Nelson, and Town Manager Kate Fitzpatrick. In addition to the Select Board, Dave Davison, ATM/Finance, Katie King, ATM/Operations, Sandy Cincotta, Support Services Manager, and Recording Secretary Mary Hunt were also in attendance.
- Mr. Borrelli welcomed everyone back to Town Hall, saying it has been 15 months since the last in person meeting due to the pandemic. He took a moment to reflect on the past year and how it has affected the families and the Needham community.
- Mr. Borrelli said tonight's meeting will include public comment, in person and remotely, for items listed on the agenda allowing for public comment. He noted the meeting is being broadcast on Zoom and by the Needham Channel, both on cable and streaming services. Mr. Borrelli said the agenda has been posted on the Town's website identifying how the public may join and all supporting documents used at this meeting are available at www.needhamma.gov.
- 6:03 p.m. Public Hearing: Eversource Grant of Location - Edgewater Drive
Jacqueline Duffy, Eversource Energy representative, spoke with the Board regarding a request by the NSTAR Electric Company d/b/a Eversource Energy to install approximately 10 feet of conduit in Edgewater Lane. Ms. Duffy said this work is necessary to provide underground/overhead electric service to 250 Edgewater Drive.
- Ms. Fitzpatrick said all paperwork is in order noting, however, the builder is in attendance to discuss the work performed in the public way, prior to receiving approval by the Select Board.
- Mr. Marino, builder, explained he was unaware of the process for receiving approval and that this is the first home he is building in Needham.
- Ms. Cooley explained the various reasons for receiving approval, noting sometime a neighbor may object to the work.

Ms. Fitzpatrick said the next steps will include meeting with Eversource representatives to understand the entire process and where the breakdown in communication may be happening.

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

Motion by Mr. Matthews that the Select Board approve and sign a petition from NSTAR Electric Company d/b/a Eversource Energy to install approximately 10 feet of conduit northerly from pole 402/23, approximately 541± feet east of Edgewater Drive. This work is necessary to provide underground/overhead electric service to 250 Edgewater Drive, Needham, MA.

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

6:08 p.m.

Appointments and Consent Agenda:

Motion by Mr. Matthews that the Select Board vote to approve the Appointments and Consent Agenda as presented, with the exception of item 1. Updated Special Municipal Employee Designation.

APPOINTMENTS

- 1. Liz Lee - NUARI Working Group (Term exp. 6/30/2022)**

CONSENT AGENDA

- 1.* ~~Approve Updated Special Municipal Employee Designation in accordance with M.G.L. c. 268A for submission to the Town Clerk and the State Ethics Commission.~~**
- 2. Approve Minutes of June 8, 2021.**
- 3. Approve release of Executive Session minutes for the period of June 2016 through June 2018 and a release of redacted material from minutes already approved from the period of January 2013 through October 2015.**
- 4. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Haril Pandya	43 Valley Road	43 Valley Road	10/16/21	N/A	4pm-11pm
Daniel Burns	6 Louart Drive	Wildale Circle	9/11/21	9/12/21	4pm-7pm

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

6:10 p.m.

Public Hearing: All New Alcohol Restaurant License - PM Story Corp. d/b/a Little Spoon (952 Great Plain Avenue)

Mr. Apirak Chuenprapa, owner, and Apichat Chuenprapa, proposed manager spoke with the Board regarding an application for an All Alcoholic License for PM Story Corporation, d/b/a Little Spoon. Little Spoon is a new restaurant that will be located at 952 Great Plain Avenue. The restaurant will consist of 1,662 SF on the 1st floor and the 700 SF in the basement that will be used for prep area, office walk-in cooler and freezer. Included on the first floor is a dining area, service bar and

kitchen. The restaurant will have a total seating capacity for 60 patrons. There is one entrance and two exits from the building. There are three houses of worship located within the 500' radius of proposed premises and M.G.L. Chapter 138 section 16C requires a vote of the Board after public hearing. No written comment was received by any of the houses of worship with respect to this hearing.

Mr. Matthews reminded Mr. Chuenprapa that as the proposed manager he is personally responsible and liable for everything having to do with the sale of alcohol at a restaurant, noting the location of the restaurant is across the street from a church. He said he wants Mr. Chuenprapa to be successful, but the rules for alcohol service are strict and must be followed.

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

Motion by Ms. Balachandra that the Select Board:

(A) approve the application for a new All Alcohol License under the Town of Needham Rules and Regulations Applicable To The Sale of Alcoholic Beverages in Restaurants for PM Story Corporation, d/b/a Little Spoon, Apichat Chuenprapa, Manager, and to forward the approved Alcohol License application to the ABCC for approval.

and

(B) determine that the premises are not detrimental to the educational and spiritual activities of the First Parish of Needham Unitarian Universalist, First Church of Christ Scientist and First Baptist Church.

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

6:15 p.m.

Needham Housing Authority:

Reg Foster, Chair, Needham Housing Authority spoke with the Select Board regarding new changes to G.L. c.121B, §1, §5 and §5A require at least one Commissioner on the Housing Authority Board be a tenant-commissioner appointed by the Select Board. A Housing Authority tenant was elected to the Board this past April and meets the requirements for the appointed tenant seat. The DHCD guidance on the new law allows for the situation wherein there is already an elected Commissioner who is an NHA tenant. In order to transition this seat from an elected seat to the "Town Appointed Tenant Board Member Seat," the Town will need to file for a Waiver Type 1 until the incumbent's term expires or the seat is vacated. In the absence of a waiver, the next seat on the NHA with an expiring term will automatically become the appointed tenant seat. According to the DHCD guidance, the NHA may request such a waiver where a person who is a tenant, or an adult authorized household member residing in a public housing in the Town, or a participant of a rental assistance program administered by the LHA is currently serving as an elected member or as a member who was appointed for the remainder

of a term. The availability of such waivers is not meant to imply that there may only be one member on the LHA Board who is a tenant, but rather to allow more time for LHAs that already have one or more tenants on the Board to transition to a Town Appointed Tenant Board Member. Waivers granted are valid for one year and may be renewed for one year at a time until the elected or appointed member who is identified in the waiver vacates the seat or until the expiration of that member's term.

Mr. Borrelli asked for questions or comments from the Board.

Mr. Nelson noted the current structure of the Housing Authority Board includes one tenant representative and asked if consideration has been given to having more than one tenant representative?

Mr. Foster said he does not believe there has ever been discussion of having more than one tenant representative.

Ms. Cooley noted it is always an option for more tenants to choose to run.

Discussion ensued on the composition of the Housing Authority Board.

Mr. Matthews explained the basic structure of a local Housing Authority Board is to have four locally elected people and one person appointed by the governor, who are all equal members. He noted state policy has been to encourage one tenant to be part of the board, noting that has not always been the case.

Discussion continued on the current balance of the Housing Authority Board, the possibility of having more than one tenant representative, the difficulties in finding candidates to fill vacancies, and different ways for people to be involved.

Mr. Borrelli said that further discussion on the makeup of the Housing Authority Board could occur at a future Select Board meeting, as there seem to be many questions to answer.

Mr. Foster invited anyone to attend Housing Authority Board meetings, as they are open to the public.

Mr. Matthews noted the Housing Authority is a volunteer policy making board, and has one of the most challenging roles in Town government. He noted tough management issues, tenant challenges, and that it is "basically a safety net of affordable housing," with a long waiting list. He said the question for tonight is whether or not to go from the current model of four elected members and one governor appointed member to three elected members, one governor appointed member, and one Select Board appointed member. Mr. Matthews said he is not saying one model is better than the other, but he is concerned that the work of the Housing Authority must get done and proceed forward with the best team. He said

at this time it seems to make sense to keep the current structure, but he understands the comments by Select Board members.

Motion by Ms. Cooley that the Select Board vote to support the Needham Housing Authority in seeking a waiver for Janice Bennett who was elected to the Needham Housing Authority Board on April 13, 2021 and whose term expires in April 2026, and who is a qualifying tenant of the Needham Housing Authority.

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

6:40 p.m.

Outdoor Dining Update:

Katie King, ATM/Operations told the Board of two updates on the outdoor dining plan, saying the state took action extending restaurants the ability to sell “to-go” alcohol until May 1, 2022. She noted the Select Board’s temporary policy allowing alcohol consumption on certain properties, which she said expires August 15, 2021. Ms. King recommends, if the Select Board is interested in extending the policy, to add discussion to the Select Board’s July agenda to not have a gap.

Ms. King said the state also took action to extend outdoor dining allowances in place during the state of emergency until April 1, 2022. She noted the Select Board and the Planning Board already voted to extend local policies to align with the state policy, noting all outdoor dining setups will extend through this season. Ms. King said the goal is to go to the fall Town Meeting with a revised policy framework for the future of outdoor dining. Ms. King proposed seeking input from the public on draft policy goals, as listed below, in the coming weeks.

1. Create quality public spaces that contribute to people's health, happiness, and sense of connection to Needham and with each other.
2. Support small businesses through added vibrancy and engagement in our business districts.
3. Maintain safe and accessible sidewalk access for all users.
4. Balance the needs of other street activities, including adequate parking infrastructure.

Mr. Borrelli said the outdoor dining has been a big hit, and the Select Board and Planning Board favor continuing the amenity with policy guidelines in place. He said carry-out alcohol is a larger discussion, saying he personally believes it will be extended post state of emergency, but more discussion is needed.

Ms. Cooley commented that public opinion favors continuing outdoor dining, but guidelines need to be put in place that Town Meeting can approve. She said there will be a larger discussion on carry-out alcohol. In addition, she noted that her conversation with Tim McDonald, Director/Health and Human Services indicates there have not been any issues as a result of the policies in place for over a year.

6:50 p.m.

Remote Meeting Update:

Ms. King updated the Board, saying the legislature and governor acted, extending the suspension of the Open Meeting Law existing under the state of emergency. She stated all public bodies can remain entirely remote until April 1, 2022, if they so choose. Ms. King said meetings held on Zoom, in-person, or hybrid are legal. She noted however, the Town's technology remains in the same place and meetings held by the Select Board, Planning Board, Zoning Board of Appeals, and School Committee can be hybrid with existing technology and support of the Needham Channel. She said other committees and boards are being asked to decide whether to hold meetings either in person or on Zoom, until more technology options are available. Ms. King said feedback indicates most people would like to continue meetings remotely through the summer.

Mr. Borrelli thanked the Needham Channel for their efforts in making tonight's meeting possible.

Ms. Cooley asked Ms. King to update the Board as to what the Town is working on to have more capacity for hybrid board and committee meetings.

Ms. King said the Information Technology department has been considering different options to pilot on some of the more heavily used conference rooms, and will work throughout the summer to have more options available in the fall.

6:51 p.m. Town Manager:
Kate Fitzpatrick, Town Manager spoke with the Board regarding 1 item:

1. Town Manager Report

Ms. Fitzpatrick reported on federal ARPA funds available to cities and towns. She said the Town is looking at the application process and use of funds. She said as of now, Needham anticipates as much as \$3 million from the federal government and \$6 million from Norfolk County. She said goal setting discussions over the summer with other boards and committees will help identify uses. She said use of funds is both restrictive and very broad, but could include water/sewer, infrastructure, health initiatives, or to support businesses impacted by COVID. She said more information will be brought to the Select Board in July and August.

Ms. Fitzpatrick recognized the Health and Human Services department in collaboration with Trader Joe's, who packaged 2,400 bags of groceries during the pandemic. She said the program will phase out now that shops are reopening and clients can return to the Center at the Heights. She thanked all of the employees for their efforts during this difficult time.

6:57 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

2. Other Business

Mr. Borrelli recognized Ms. Sandy Cincotta who will retire at the end of the month. He thanked her for her decades of service to the Town as the “backbone” of the Town Manager’s office and wished her all the best in her retirement.

A gift of appreciation from the Select Board was given to Ms. Cincotta.

Mr. Matthews said Ms. Cincotta deserves all the praise for her work in a very hectic department. He thanked her for all she has done for him and the Town.

Ms. Cooley said she is grateful to Ms. Cincotta for all of her help and that she will miss her.

Mr. Nelson said even though he has not known Ms. Cincotta for very long, she has always greeted him with a smile and thanked her for her help. He wished her the best of luck.

Ms. Balachandra echoed the comments of Mr. Nelson. She said she appreciates all Ms. Cincotta has done for the Town.

Ms. Fitzpatrick said she and Ms. Cincotta have worked closely together for years and it will be very hard making the transition. She invited folks to attend a ‘send-off event’ for Ms. Cincotta on Wednesday, June 30, 2021 at 11 a.m. on the Needham Town Common.

Ms. Cincotta thanked the Board and said it has been a pleasure serving the residents of Needham and the employees of the Town.

7:02 p.m.

Executive Session: Exception 3 - Collective Bargaining or Litigation

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

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

Not to return to Open Session prior to adjournment.

Second: Ms. Cooley. 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>