

**Town of Needham
Select Board
Minutes for Tuesday, September 14, 2021
Needham Town Hall
Powers Hall
and
Via ZOOM
<https://us02web.zoom.us/j/84366515233>**

- 6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Matthew D. Borrelli. Those present were Marianne Cooley, Daniel P. Matthews, and Town Manager Kate Fitzpatrick. Lakshmi Balachandra attended by Zoom. Marcus Nelson joined the Board at 6:20 p.m. Ivria Glass Fried, Town Counsel, Katie King, ATM/Operations, Myles Tucker, Support Services Manager, Kristin Scoble, Administrative Specialist, and Mary Hunt, Recording Secretary were also in attendance.
- 6:00 p.m. Public Hearing: Aboveground Fuel Storage
Darren Germain, Eastern Propane & Oil, Dennis Condon, Fire Chief, and Barry Nectow, Needham Pool and Racquet Club discussed with the Board an application in accordance with provisions of Chapter 148 of Massachusetts General Laws for a license to install (2) 1,000 gallon above ground propane fuel tanks on the property located at 1545 Central Avenue, Needham. It was clarified the request is for (2) 1,000 gallon above ground propane tanks, however the amount of propane totals 1,600 gallons as each tank will hold 800 gallons of propane.
- Mr. Borrelli stated while he is a member of the Needham Pool and Racket Club, he filed a disclosure with the Town Clerk and conferred with Town Counsel, noting there is no conflict of interest for him to hold tonight's public hearing.
- Chief Condon stated the application is in order.
- Mr. Borelli invited public comment.
- Fred Sewall, 1554 Central Avenue questioned the number of gallons each tank holds and why propane is preferred when a gas line is available. He also noted the map he was given is not clear.
- Mr. Nectow stated there is no gas line into the property and expense is a factor.
- Motion by Mr. Matthews that the Select Board vote to approve and authorize the Chair to sign a license for Eastern Propane & Oil to install (2) 1,000-gallon above ground fuel tanks on the property located at 1554 Central Avenue, Needham.**
- Second: Ms. Cooley. Approved 3-1 by roll call vote. Ms. Balachandra voted no.**

Mr. Borrelli asked for comments from the Board.

Ms. Balachandra said she is concerned about climate change, suggesting green energy should be considered.

Mr. Matthews commented that big installations are usually for industrial purposes, noting Needham's safety standards are beyond state standards. He said he believes the installation is safe and is standard infrastructure based on current technology and procedures. He acknowledged Ms. Balachandra's point, and that the Town is exploring different ways of providing for its long term energy requirements.

Ms. Cooley noted the Town is working on a "spec sheet" of safety facts for residents, acknowledging concerns of some residents. Ms. Cooley said Ms. Balachandra's point about fossil fuel is valid and is hopeful the new Climate Task Force will consider it. She noted the question of green alternative energy sources will require vetting with the community because, as noted by Ms. Balachandra, there is the implication of an additional burden on taxpayers.

6:20 p.m.

Public Hearing: Application for a Transfer of All Alcoholic License

Cory Wilk, Attorney and Shawn Rodriquenz, Proposed Manager spoke with the Board regarding an application from Needham Lending Company LLC, d/b/a Sheraton Needham Hotel for the transfer of an Innholder (Hotel) All Alcoholic Beverages Liquor License to be operated at 100 Cabot Street, Needham. The Sheraton Needham Hotel is also requesting approval of a management agreement with SSH Needham LLC., the appointment of Shawn Rodriquenz as manager on record and the pledge of the license in favor of Customers Bank.

Mr. Rodriquenz explained his work experience includes holding 4 alcohol licenses in Massachusetts and has never had an infraction. He said he is TIPS certified.

Ivria Glass Fried, Town Counsel stated all paperwork appears in order.

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

Motion by Mr. Matthews the Board approve the section 12 All Alcohol Hotel Liquor License transfer application submitted by Needham Lending Company, LLC d/b/a Sheraton Needham Hotel including the approval of management agreement with SSH Needham LLC the appointment of Shawn Rodriquenz as manager of record and the pledge of license in favor of Customers Bank.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Mr. Matthews told Mr. Rodriquenz that he wants him to succeed, but public safety is critical. He reminded Mr. Rodriquenz that he is personally responsible and liable for everything related to the service of alcohol.

6:25 p.m. Appointments and Consent Agenda:
Motion by Ms. Cooley that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

- 1. No Appointments were made at this meeting.**

CONSENT AGENDA *=Backup attached

- 1.* Approve minutes of August 17, 2021 (Open Session)**
- 2.* Approve a request from Christopher George Race Coordinator for The BIGGSteps Toward Cancer Prevention 5K to hold the road race in Needham. The event is scheduled for November 14, 2021 with a rain date of November 21, 2021. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 3.* RATIFY a request from Angela Phinney Race Coordinator for the 34th Annual BikeA-Thon, Bikes Not Bombs to hold a Needham. The event passed through Needham on Saturday, September 12. The route of the race was approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 4.* Approve a request from Needham Open Studios to hold an Art exhibit on Saturday, September 18, 2021 (Rain date September 25), located on Chapel Street.**
- 5.* Approve a One Day Special License for William Christophe Kent of Needham Knights of Columbus who is hosting a Music Bingo event on Friday, September 24, 2021, 6:45-11:00PM. The event will be held at the Needham Knights of Columbus. The Police Department approved this event.**
- 6.* Approve a One Day Special License for Anne -Marie Bajwa of Charles River Center 5K Run/ 1Mile who is hosting the 5K Run/ 1 mile walk and after-party on Sunday, September 26, 2021, 11:00am. The event will be held at the Charles River Center. The Police Department approved this event.**
- 7.* Approve and sign Water & Sewer Abatement #1309**
- 8.* Approve request from The Revitalization Trust Fund for permission to display new Dine/Shop banners in the downtown area.**
- 9. Accept the following donation made to Needham Park & Recreation of four picnic tables from the James Pub & Provisions. Total value of the four tables \$1,200.**
- 10. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Ratify – Kristen Morrill	22 Glen Terrace	Glenwood Road	9/11	9/12	3:30pm- 8:30pm
Ratify – Liz Lawlor	76 Howland St.	Pleasant Street/ Howland Street	9/11	9/12	4pm-7pm
Ratify –					

Dale McCarthy	72 Stevens Road	Steven's Road	9/12	9/19	4pm-8pm
Ratify –					
Aly Donohue	58 Mayo Ave.	Mayo Avenue	9/12	9/19	2:30pm-5:00pm
Thomas Epolito	32 Bennington Street	Bennington St.	9/18	N/A	12pm -11:59pm
Mary Sprogel	176 Wilshire Park	Wilshire Park	9/25	9/26	10am -6pm
Megan Dwyer & Cathy Quinlin	31/9 Hazelton Avenue	Hazelton Avenue	9/25	9/26	3pm -6pm
Amy Hurley	154 South St.	Needhamdale Street	9/19	N/A	4pm -8pm

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

6:25 p.m.

Public Hearing: Dangerous Dog Hearing

Mr. Borrelli acknowledged a dangerous dog hearing is an emotional issue on both sides. He stated the hearing tonight, requested by Police Chief John Schlittler on August 30, 2021, is pursuant to MGL c. 140 Section 157 and Town By-Law 3.7.5 on a complaint about a dog by the name of "Duke" residing at 83 Old Farm Road, Needham. Police Chief John Schlittler and Christina Santamaria, dog owner, appeared before the Board. Mr. Borrelli said under the law the Select Board, as hearing authority, shall investigate the complaint including an examination under oath of the complainant, Chief Schlittler. Mr. Borrelli asked Chief Schlittler to stand, raise his right hand, and attest that he will swear that the testimony he is about to give is the truth, the whole truth, and nothing but the truth. Chief Schlittler swore under oath that the testimony he is about to give is the truth, the whole truth, and nothing but the truth.

Mr. Borrelli summarized the Select Board's authority under MGL c. 140 section 157 and the Town By-Laws, along with remedies as stated in MGL c. 140 section 157 in the event the Board finds the dog to be a dangerous or nuisance dog. He noted, per the law, the Select Board cannot order the dog to be removed from Needham.

Chief Schlittler summarized both incident reports filed with the Needham Police Department. He commented that the unprovoked attacks pose a safety threat to the neighborhood.

Mr. Borrelli asked for questions from the Board.

Discussion ensued on the Board's potential course of action based on recommendations from Chief Schlittler.

Christina Santamaria, dog owner, 83 Old Farm Road gave her testimony, stating that while she would like to keep Duke in her family, she has decided to re-home

him, noting his history will require more effort to find a new home. Ms. Santamaria commented on efforts to muzzle, walk, reinforce fencing, leash, camera's in her yard, and padlocks on her doors, noting the chance of Duke getting out have been significantly minimized. Ms. Santamaria said several neighbors have written letters expressing support for Duke. She listed 10 organizations she has contacted to re-home Duke, stating seven said they could not take the dog and that she is waiting to hear from the remaining three. She said the issue has divided her neighborhood and understands safety is a priority. She asked the Select Board for more time to re-home Duke.

Mr. Borrelli invited public comments.

Roberta Redpath, 75 Old Farm Road read a statement of instances leading up to when she was attacked by Duke. She said the attack has caused her anxiety and depression and she is fearful for her family, her dog, visitors, and is unable to enjoy her yard. She indicted multiple neighbors who have said the dog has been aggressive and potentially bitten up to seven times. She commented it will likely take a miracle to find someone willing to take on the challenge and liability of caring for the dog. Ms. Redpath said it is sad, and perhaps humanely putting the dog down is really the only solution in this case to prevent another attack. Ms. Redpath asked if more time is afforded Ms. Santamaria, then what sort of protection is the Town willing to offer her family and residents of Old Farm Road?

Nancy Yablonski, 82 Old Farm Road read a statement of her experience of being bitten, as well as a threatening incident her pregnant daughter-in-law had with the dog. She said she had not told Ms. Santamaria of the incident involving her daughter-in-law because, at the time, she was unaware that the dog had also threatened Roberta.

Jenna Walker, 58 Longacre Road said she knows Duke and has not seen any instances of aggression. She said if precautions are taken, she sees no reason why Ms. Santamaria could not be afforded more time to find a suitable solution for re-homing Duke.

Chester Yablonksi, 82 Old Farm Road thanked Chief Schlittler for his accurate description. He stated that while he had not been bitten by Duke, he had an incident where Duke charged him, barked aggressively, and followed him into his garage. He said two younger children from the Santamaria home tried to call and restrain Duke, to no avail. Mr. Yablonski said this incident was one of many times both of Ms. Santamaria's dogs were unleashed and it is a blatant disregard for the Town's leash laws.

Sean Shaughnessy, 89 Old Farm Road said the issue has divided and damaged relationships in the neighborhood and it is the owner's responsibility to control and leash the dogs. He said things cannot be allowed to continue, and something should be done within days, not weeks.

Maureen Thompson, 67 Old Farm Road said she supports Roberta Redpath and Nancy Yablonski. She said there are elderly residents on the street, and she shudders to think of the danger they face if attacked. Ms. Thompson said she and her husband are very fond of the Santamaria family, but immediate, responsible, and necessary action by Ms. Santamaria or the Town must be taken to remove the dog from the neighborhood. Ms. Thompson said serious liability exists should another incident occur.

Claire Immediato, 304 Hunting Road, sister of Ms. Redpath said when she visits her sister, the dogs lunge at the fence. She empathized with the Santamaria family, but said not all dogs can be saved. She said years ago her family had a similar situation and had to surrender their dog.

Jonathn Braley, 68 Old Farm Road concurred with Mr. Shaughnessy's comments saying that with every 'no' response from shelters that Ms. Santamaria receives for re-homing Duke, the risk to the neighborhood increases. He said quick action is necessary to remove the dog.

Mr. Borrelli closed the public hearing and asked for Board discussion.

Mr. Nelson asked about the number of walks and whether it is possible to keep the dogs inside the home, except for walks.

Ms. Santamaria said she can take the dog outside less often.

Ms. Cooley asked Ms. Santamaria, how long has she been trying to re-home Duke? When does she expect to hear from the remaining organizations?

Ms. Santamaria said she expects to hear in the next few days and anticipates the dog will be re-homed and not return to the neighborhood.

Mr. Matthews said the peace and safety of the neighborhood needs to be protected and the dog must leave the neighborhood promptly. He said people love their dogs, but some dogs have serious reactive problems in some people and situations. Mr. Matthews said dog owners have the responsibility to do whatever needs to be done to protect the neighbors. He said if an owner fails in their responsibility, the Town has an obligation act. Mr. Matthews said he is troubled why it took so long to recognize the seriousness of the situation and instances of non-responsiveness by Ms. Santamaria. He said it is "not fun to have someone make a claim against your insurance, but that is between the claimant and the insurance company, not you." He said the situation is serious and if people need to "jump through hoops" it only makes matters worse. He said Needham is a town of neighbors, who shouldn't have to come to a hearing to speak. Mr. Matthews said he hopes Ms. Santamaria takes this into consideration and does what she is supposed to do.

Mr. Borrelli said a continuance of the hearing is in order, concurring with the neighbors it needs to be short. He said for the neighborhood to heal, the dog must be rehomed.

Ms. Balachandra concurred with Mr. Matthews, and that the situation is sad and unfortunate. She said the issue is public safety and needs to be over for the neighborhood.

Ms. Cooley clarified Ms. Santamaria anticipates hearing from the remaining organizations within a couple days and that she expects the situation to be resolved within days, not weeks. She said she supports a quick resolution. However, Ms. Cooley said if a quick resolution is not found by Ms. Santamaria, then a different resolution must be found, unfortunately.

Mr. Borrelli suggested restrictions including leashing the dog outside, minimal time spent outdoors, mandatory muzzling the dog, and adult supervision of the dog at all times when the dog is outside.

Ms. Santamaria agreed to the restrictions.

Chief Schlittler stated as long as the restrictions are clear to Ms. Santamaria for the neighbors to remain safe, he is comfortable.

Ms. Cooley said she is hopeful that if Ms. Santamaria does not hear the response, she is seeking from the remaining re-homing agencies, that she will be responsible to make the decision that needs to be made for the sake of the neighborhood.

Motion by Mr. Nelson that the Select Board continue this public hearing to September 28, 2021, at 6 p.m., with the voluntary conditions agreed to by Ms. Santamaria which include leashing and muzzling her dog at all times, minimal time spent outdoors and only when her dog needs to relieve himself, and adult supervision at all times.

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

Mr. Borrelli stated the record for this public hearing will remain open until September 28, 2021 for additional public comment to be made.

7:33 p.m.

Emery Grover Project:

Dan Gutekanst, Superintendent of Schools, Connie Barr, School Committee Chair, and members of the School Committee provided information about the School Committee's request for funding for engineering and design related to the Emery Grover Building.

Ms. Balachandra asked to discuss the COVID-19 situation in the schools.

Mr. Borrelli commented he did not want to go out of order and said Ms. Balachandra's concerns would be addressed at the proper time.

Dr. Gutekanst thanked the Town for getting the schools ready for the September opening, noting many employees helped make the schools ready for the children. He said he is speaking tonight to advocate for support of the Select Board at the upcoming Special Town Meeting for design funds needed for the Needham Public Schools. He said it is time for Town Meeting to make a decision about the need for a conveniently located, efficient, publicly accessible, and safe workspace for a staff that provides resources for planning and teaching, operations and services, and leadership and governance for the schools and community. He said these functions are critical to serve the community and its learners. Dr. Gutekanst said the School Committee decided the best path forward is to support the need for design funds to renovate the existing Emery Grover building to meet these critical service needs. He referred to the renovation update. He noted the School Committee's attendance tonight is to answer questions from the Select Board, noting the project remains a work in progress as new information continues to be gathered, including cost estimates. He commented it is important for the Select Board, School Committee, Finance Committee, and Town Meeting to have the most up to date information necessary to move forward in a positive way on October 25, 2021 at the Special Town Meeting because it is time. Dr. Gutekanst said the School Committee is eager to partner with the Select Board to finally move forward. He commented he and the School Committee are eager to answer any questions about the project and the key critical services provided in the Needham Public Schools.

Mr. Borrelli said he and Ms. Cooley are members of the Facilities Finance Working Group, along with members of the School Committee. He said the topic, in the short term, has been discussed for months, noting a reduction in both the scope and cost of the project from \$20.6 million to \$20 million. He commented on CPA funding. Mr. Borrelli said the project has been on the Town's capital plan "for a long time," noting the Police and Fire, Memorial Park, and the Sunita Williams School were completed before the school administration building. Mr. Borrelli asked for questions from the Select Board.

Mr. Nelson commented on leasing space, asking if costs have decreased during the pandemic?

Dr. Gutekanst said a 2020 study indicated space available at the PTC Corporation however, he said, the space is no longer available. Dr. Gutekanst said additional information was requested within the last month, but there have been no replies.

Ms. Balachandra referred to COVID testing protocols offered by the state. She commented that the new 'Test and Stay' protocol is not operational, asking when will it be available? She said there has been very little communication regarding COVID safety and the unvaccinated population.

Dr. Gutekanst said he was not asked to come to the Select Board to discuss the COVID pandemic, noting the school committee just discussed the situation and shared information with the community. He said he wanted to focus on the agenda topic.

Mr. Borrelli told Ms. Balachandra the school committee came prepared to answer questions on the Emery Grover building project. He asked Dr. Gutekanst what is the proper forum for Ms. Balachandra to get her questions answered?

Dr. Gutekanst said any family with questions can reach out to him or any member of the school committee, encouraging folks to send questions to schoolcommittee@needham.k12.ma.us or dan_gutekanst@needham.k12.ma.us. Dr. Gutekanst said it is the responsibility of the school committee members to hold him accountable, which they have done. He offered to prepare and discuss the school safety protocols at a future Select Board meeting, reiterating he is not prepared tonight for that discussion.

Mr. Borrelli agreed with Dr. Gutekanst, saying the Health Department will also present information at that time. Mr. Borrelli asked Ms. Balachandra for any questions she had regarding the Emery Grover project.

Ms. Balachandra asked why the school administration staff need to be located at Emery Grover?

Dr. Gutekanst said Ms. Balachandra's question is a very good one, acknowledging the process of studying this topic over the last few years while also considering other potential available options in Town. He said, unfortunately very few spaces or parcels of land are available or accessible. He noted the Hillside School could be a possibility, however there are costs to renovate the space and significant costs to remediate the environmental issue underground. Dr. Gutekanst said the reality for the families who need access to school administration services is that the Emery Grover location is convenient, accessible by public transportation, in the center of Town near Town Hall, and generally accessible to all of the schools. He said the goal is to do something that is smart, efficient, affordable, and accessible for the Town. Dr. Gutekanst said if other good, actionable ideas come forward between now and Town Meeting, that would be great. He said the time is now to finally make a decision, and the Highland Avenue location works best for families, community, and staff.

Discussion ensued on the location and lack of available options. Dr. Gutekanst pointed out that the Emery Grover building has very limited use to other groups due to constraints, citing the benefits of a historical renovation, and potentially including CPA funding.

Ms. Cooley pointed out people must keep in mind that the Town looked at the costs to renovate the Hillside School, ultimately making the decision to build the new

Sunita Williams School. She said the Hillside site is only now being used for very short term purposes, which will end approximately 16 months from now.

Dr. Gutekanst pointed out the cost to renovate the Hillside School 10 years ago has escalated and in today's dollars would be \$16-\$18 million, not including significant remediation costs associated with the environmental issue. He also said renovating the Hillside School would not include CPA funds.

Discussion ensued on changes to the project, including a reduction in square footage.

Mr. Nelson asked when will the Massachusetts School Building Authority open the Statement of Interest period for cities and towns to apply for funding, particularly with regard to the Pollard and Mitchell schools? He asked, what will happen if Needham's application for funding is denied? And, does moving forward with the Emery Grover project affect the timeline for the Mitchell and Pollard schools?

Dr. Gutekanst said he anticipates the MSBA will open the annual Statement of Interest period in late winter 2022 and close it in the spring 2022. Dr. Gutekanst explained the process for funding the Mitchell and Pollard schools is on a parallel track with the Emery Grover project, but they are two different projects with two different funding sources.

Ms. Balachandra commented on the number of staff located at the Emery Grover building, suggesting Hillside School or Memorial Park as a possibility. She said the investment per person is \$400,000-\$500,000 for staff to be located at the Emery Grover building. She said she does not understand why an RFP would not have been answered and who it was sent to, as office space is available in light of the pandemic.

Dr. Gutekanst commented that leased space has been explored and asked anyone in Town who may have space conveniently located, accessible, safe, efficient, and affordable to let him know. He noted a cost benefit analysis would be required to find out whether the Town wants to "sink" money into lease space rather than owning the building.

Mr. Borrelli said he does not see investing in leased space a viable option. He said having control of the building, not having a landlord, particularly during the pandemic when HVAC upgrades were necessary would have been a nightmare. He said Town control and not sinking money into rent is a wise use of funds.

Dr. Gutekanst reiterated he does not believe equating the number of people in the building and the cost of the project is the right metric. He concurred the Emery Grover project is an expense, along with many other needs of the community. He said if Ms. Balachandra's metric is going to be used, then it's better to use \$20 million divided by the 5,900 students plus 1,000 staff who will all benefit from the

resources in planning, operations, services, leadership, and governance that occur in the Emery Grover building.

Ms. Cooley pointed out Ms. Gulati, Assistant Superintendent called the real estate brokers expressing Needham's interest in leasing when trying to figure out possibilities for lease space. She commented on discussions she has heard about working remotely, noting that because teaching and learning is in person; staff are also in person. She concluded the in-person model is expected and applies to Needham Public Schools. She said having administrative staff on site, who are working with staff that are teaching face to face with students is important and expected.

Dr. Gutekanst reiterated that a consultant was hired who will present a report in the coming weeks with the purpose of looking at education and educational operations in the 21st century. He said the goal of the consultant is to research and make recommendations regarding planning and to consider whether there are different ways to work.

Discussion ensued on the size of Needham schools. Dr. Gutekanst said Needham does not build big schools. Ms. Cooley reiterated the MSBA will not allow cities and towns to build schools more than 10% of their enrollment forecast. Dr. Gutekanst said the MSBA will also not allow administration or operations space to be part of the building program, nor does Needham have any appropriately sized site. Discussion also included constructing energy efficient buildings and available options should the article not pass at Town Meeting.

Ms. Balachandra commented on forecasting enrollment, noting school enrollment is anticipated to grow even more. She spoke about the idea of renovating Pollard Middle School to include administrative space. She acknowledged the importance of having a great work space, but said her confusion is that administrative space is being entangled with the Emery Grover building, when there might be a way to have great administrative space at another location.

Mr. Matthews reiterated full advertising for lease space did not receive any response. He commented on the notion that the plan has been rushed or that the administration is being prioritized ahead of school needs, saying that is not the case. He noted if good use of the building is to be had in the way townspeople wanted it to be 30 or 40 years ago when identifying Emery Grover as a historic resource, then the time to get to work is now. Mr. Matthews said administration has been put at the bottom of the list for decades. He concurred with Dr. Gutekanst in that the Emery Grover building provides central services for thousands of children and families in the public education system. Mr. Matthews clarified the request for money is for design funds and is satisfied and convinced it is time for Town Meeting to make a decision.

Ms. Balachandra commented that things change. She said studies and analysis have been done based on prior market conditions that simply do not exist anymore. She said no one would argue that the school administration needs really good space, but the proposed project is expensive and only serves office capacity. She concurred the utility value has run out and it is time to move, however disagreed with Dr. Gutekanst in that the project is about the building. She said it seems unconscionable, in the midst of a pandemic, to invest in a static building project which includes a \$1.5 million study.

Mr. Borrelli invited comments from the School Committee.

Connie Barr, School Committee chair said the project has been in process for a long time and carefully thought out. She said the Town must be able to serve its families, reiterating the many reasons why now is the time to move forward with the project.

Andrea Longo-Carter, School Committee member thanked Ms. Barr for her comments and commended Dr. Gutekanst for his superb job shepherding the process. She said this is her 7th year on the school committee and this project has been studied many times over, guided by colleagues from the PPBC. Ms. Longo-Carter reiterated the problem is that school administration is not meeting the needs of the school system or the community. Ms. Longo-Carter said she takes offense at some of the comments made by a member of the Select Board continuously bringing up the issue of lease space and the notion that things have changed, and times are different. She said Dr. Gutekanst and Ms. Gulati have asked for information on lease space and have received no response. She commented the School Committee has tried to come up with a solution other than the Emery Grover building and nothing has surfaced in over 10 years, reiterating now is the time and the project cannot be pushed off any longer. She urged everyone, including Town Meeting members to finally address the problem of not having appropriate space to address the needs of the school's system and community.

Liz Lee, School Committee member acknowledged her passion for educational equity. She said the Emery Grover building is currently an educational equity issue, noting Needham Public Schools face incredibly important and critical work moving forward to address educational inequities. She noted one piece of the puzzle is to have school administration housed in a space where the administration can functionally do the important work. She said it can not be assumed that all parents of students have the same needs and desires for their children. She noted all parents do not have Internet or cars and must have face to face contact to deal with complicated situations faced by their children. Ms. Lee concluded Emery Grover offers the location and space to be able to meet the needs of families whose voices are not typically heard in town government or on Facebook. She asked for a vote in support of the Emery Grover project.

Mr. Borrelli stated an email was received from former school committee members Heidi Black and Susan Neckes supporting the Emery Grover project, noting the

school path and the Emery Grover project are not mutually exclusive. He stated the next step is for the Select Board to vote at an upcoming meeting. He thanked the School Committee for their time in discussing the issue.

Dr. Gutekanst reiterated his willingness to speak with the Select Board, in conjunction with Tim McDonald, Director/Health and Human Services, regarding safety in schools.

8:30 p.m. Jack Cogswell Building Solar Project:
Stuart Chandler, Chair, PPBC, Hank Haff, Senior Project Manager, and Beth Greenblatt, Beacon Integrated Solutions outlined for the Select Board the status of the proposal to install solar panels on the roof of the Jack Cogswell Building. The project may require an article on the Special Town Meeting Warrant for October.

Mr. Chandler said as the PPBC is charged with delivering construction of buildings in Needham and tries to do their best, saying he believes the PPBC has done the job exceptionally well. He said when there are opportunities to take advantage or do one step greater within the scope, that is the goal. However, when a project is not really within the scope or a large enough item, the PPBC must make sure there is consensus in Town, as is in the case with the Jack Cogswell solar project. He noted the goal is to make all buildings solar ready, within the confines of the budget. Mr. Chandler said there is an opportunity now to put a solar array on the Jack Cogswell Building, requiring a choice of funding.

A PowerPoint presentation prepared by Beacon Integrated Solutions dated September 14, 2021 was viewed. Discussion ensued on the best approach for funding and 4 potential options available to move forward with the project.

Ms. Greenblat highlighted the various options and rates for the Town to borrow, in consultation with Dave Davison, as well as the evaluation of 2 pricing options and the benefits/savings to other Needham accounts.

Discussion ensued on various funding scenarios.

The Board thanked the presenters for the information.

8:52 p.m. Director of Public Works:
Carys Lustig, DPW Director spoke with the Select Board regarding the Traffic Management Advisory Committee's receipt of a request from the residents of the Oakland Avenue area asking that Oakland Avenue be designated a stopped street at Highland Avenue. The TMAC recommended that Oakland Avenue be designated a stopped street at the intersection of Highland Avenue.

Motion by Mr. Matthews that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS21-09-14 requiring Oakland Avenue

westbound be designated as a stopped street at the intersection of Highland Avenue.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

8:55 p.m.

Outdoor Dining Policy:

Katie King, Assistant Town Manager/Director of Operations spoke with the Select Board regarding the Planning Board's proposed amendment to Zoning By-Law Section 6.9 to be placed on the warrant for the October 25, 2021 Special Town Meeting. This amendment would give the Select Board discretion to approve the use of public parking spaces for outdoor dining and discretion to allow outdoor dining on public property before April 1 or after October 31.

Ms. King reviewed outdoor dining policy pre-COVID, as well as policy during the pandemic. She commented on the more than 1,200 respondents from a public survey indicating 97% said YES to continuing outdoor dining in Needham beyond April 1, 2022, as well as feedback and questions from the public. Ms. King discussed the Town's 2-pronged approach to outdoor dining including an update to Zoning By-Law 6.9 and the adoption of Select Board policy.

Discussion ensued on the key components of the Select Board draft policy, including criteria, seasonality, caps for parking spaces, fees, accessibility, safety, and community input. The outdoor application process and next steps were also discussed. Ms. King said public comment is encouraged until after the Select Board's next meeting on September 28, 2021.

Mr. Borrelli suggested a public hearing be held at the next Select Board meeting tailored to the actual policy under consideration.

Ms. Cooley suggested the time of the next Select Board meeting is not ideal for restaurant owners who serve dinner and want to attend meetings. It was noted Amy Haelsen, Director, Economic Development is working hard on relationships she has with local establishments to gather feedback.

Ms. Balachandra echoed comments of Ms. Cooley, saying she was thrilled the policy was being considered.

Mr. Matthews said it is clear from an economic point of view the value of public spaces is way more than permit fees. He said it makes sense for current health reasons to have the policy, but things change, and other factors must be considered. He said he hopes people can be flexible in the future.

The Board thanked Ms. King for her work and the work done by Ms. Cooley and Ms. Balachandra.

9:13 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Board regarding 4 items:

1. Accept & Refer Zoning

Motion by Mr. Matthews that the Select Board vote to accept the proposed zoning article titled Amend Zoning By-Law - Chestnut Street Business District Front Setback, for referral to the Planning Board for its review, hearing, and report.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

2. Committee Charge & Composition - Climate Action Plan

Ms. Fitzpatrick reminded the Board of its goal to “create a Climate Action Plan.” She presented a draft committee charge and composition for a Climate Action Plan Committee for the Board to review and discuss. She suggested the Board offer her their feedback and that she would make any changes necessary before the next Select Board meeting on September 28, 2021.

Mr. Borrelli said the impact from this new committee will be far-reaching and great in many areas. He said he is hopeful to have many applicants because it will affect many areas in Needham.

3. Close Special Town Meeting Warrant

Ms. Fitzpatrick reviewed changes to the draft Special Town Meeting Warrant and asked the Board to close the warrant for the October 25, 2021 Special Town Meeting.

Motion by Mr. Matthews that the Board vote to close the warrant for the October 25, 2021 Special Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel and/or Bond Counsel.

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

4. Town Manager Report

Ms. Fitzpatrick reported after seven years of planning & construction the Eversource West Roxbury - Needham Reliability Project is coming to an end, noting repaving, loaming, and seeding has begun. She said EMF testing was completed and a report is anticipated soon. She commented the externally driven project took an enormous amount of time from many Town departments.

9:23 p.m. Board Discussion:

1. Town Manager Evaluation

Mr. Borrelli thanked Ms. Cooley for compiling responses to the Town Manager Evaluation.

Ms. Cooley thanked the Board members for their input. She reviewed items including key competencies, unplanned actions/achievements, learning and development plans, and overall evaluation. She stated Ms. Fitzpatrick is one of the very best Town Managers in the state of Massachusetts and the Town is grateful

for her hard work, tremendous dedication, and care she gives to Needham. She thanked Ms. Fitzpatrick for her strong leadership and results.

Motion by Mr. Matthews that the Board vote to approve the Town Manager Consensus Evaluation Overview Document dated September 10, 2021.

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

Mr. Borrelli said it has been a grueling year and Ms. Fitzpatrick's leadership made things as easy as it could have been. He said the Town is at the forefront of so many initiatives, that other towns look to Needham's example as their guide. He thanked Ms. Fitzpatrick for her work.

Ms. Fitzpatrick thanked the nearly 400 employees who work for Needham, noting many have had the hardest year of their professional lives. She thanked everyone for showing up every day and for their commitment to Needham.

2. Committee Reports

No Committee Reports were made.

9:30 p.m. Adjourn:

Motion by Mr. Matthews that the Select Board vote to adjourn the Select Board meeting of Tuesday, September 14, 2021.

Second: Mr. Nelson. 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>

The next Select Board meeting is scheduled for Tuesday, September 28, 2021.