

SELECT BOARD Meeting Agenda

6:00 p.m. August 9, 2022

NEEDHAM TOWN HALL

SELECT BOARD CHAMBERS & ZOOM

Pursuant to Chapter 22 of the Acts of 2022, 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 or click the link below to join the webinar:

<https://us02web.zoom.us/j/82150346162?pwd=SU4xNjc1ZWwrRlpCaGJjYVcyakpVUT09>

Passcode: 060911

One tap mobile: +16465588656,,82150346162#

Webinar ID: 821 5034 6162

Add Public Participation

	6:00	Public Comment Period Citizens are encouraged to inform the Office of the Town Manager in advance via email (OTM@needhamma.gov), telephone (781) 455-7500 extension 204, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes. The Board’s policy on public participation in meetings can be found here .
1.	6:00	Proclamation: Opioid Awareness Day
2.	6:00	Public Hearing: Dangerous Dog Hearing (Continued) • Diana Rasoul, Dog Owner • Jeremy Cohen, Counsel • Rob Stewart
3.	6:15	Joint Meeting with Park & Recreation • Park & Recreation Commission • Stacey Mulroy, Park & Recreation Director
4.	6:45	Director of Public Works • DPW Updates
5.	7:00	Water & Sewer Rates • Dave Davidson, Assistant Town Manager/Finance
6.	7:15	Town Counsel Discussion • Chris Heep, Town Counsel, Miyares & Harrington • Nick Anastasopoulos, Labor Counsel, Mirick O’Connell

7.	7:45	Town Manager • Open Special Town Meeting Warrant, October 24, 2022 • Memorandum of Agreement – 100 West Street • Review FY2023-FY2024 Goals • Town Manager Report
8.	8:00	Board Discussion • Town Manager Performance Evaluation • Board Discussion Federal Lawsuit • Committee Reports
9.	8:15	Executive Session Exception 3 & 6

APPOINTMENTS

1.	No appointments.
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CONSENT AGENDA *=Backup attached

1.*	Approve minutes of July 26, 2022 (open session).				
2.*	In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, adopt revisions to the classification plan (Schedule A).				
3.	Grant permission for the following residents to hold block parties:				
	Name	Address	Party Location	Party Date	Party Rain Date
	Nicole Foster	38 Mayflower Road	Mayflower Road	9/10/22	9/11/22
					3pm-8pm

PROCLAMATION

WHEREAS: International Overdose Awareness Day aims to honor the lives lost to overdose and to reduce the stigma associated with a substance-related deaths; and

WHEREAS: Observance of this day is an opportunity to recognize that overdose-related death is preventable, and to raise awareness about evidence-based practices like overdose education and Naloxone distribution; and

WHEREAS: Addiction is a disease that touches families in every community. The epidemic has claimed the lives of thousands of Massachusetts residents and affected countless other family members; and

WHEREAS: Those affected by overdose are our children, our parents, our siblings, and deserve our compassion and support; and

WHEREAS: The Town of Needham, Massachusetts does affirm and acknowledge the harm and hardship caused by drug overdose.

NOW, THEREFORE, BE IT RESOLVED that the Needham Select Board hereby proclaims August 31st, 2022, as Overdose Awareness Day in Needham.

Signed the 9th day of August 2022

SELECT BOARD OF NEEDHAM



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

MEETING DATE: 8/9/2022

Agenda Item	Public Hearing: Dangerous Dog Hearing (continued from April 13, 2022)
Presenter(s)	Diana Rasoul-Agha, Dog Owner Rob Stewart, Counsel

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Chief Schlittler has requested that the Select Board hold a dangerous dog hearing in accordance with MGL c. 140 Section 157 and Town By-Law 3.7.5 on a complaint about a dog by the name of “Axel” residing at 233 West Street in Needham.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> “Move that the Board take the following action _____.”	
3.	BACK UP INFORMATION ATTACHED
a. Select Board Hearing Order, Dated April 20, 2022 b. Select Board Hearing Order, Dated January 13, 2022	



**Office of the
Town Manager**

**TOWN OF NEEDHAM
Town Hall
1471 Highland Avenue
Needham, MA 02492-2669**

**Telephone: (781) 455-7500
Email: OTM@NeedhamMA.gov**

**DANGEROUS DOG HEARING
TOWN OF NEEDHAM SELECT BOARD
DECISION, FINDINGS OF FACT
AND RECORD OF PROCEEDINGS**

COMPLAINANT: John Schlittler, Chief of Police

DOG OWNER: Diana Rasoul-Agha, 233 West Street, Needham MA 02492

NAME AND DESCRIPTION OF DOGS: Axel, Alaskan Malamute

DATES OF HEARING: 4/13/2022

MEMBERS PRESENT: Marianne Cooley, Chair; Marcus Nelson, Vice Chair; Kevin Keane, Clerk; Heidi Frail, Member; Matthew Borrelli, Member.

The following is a detailed record of all proceedings relative to the dangerous dog complaint filed by John Schlittler, Chief of Police against the above-referenced dogs, in accordance with Massachusetts General Laws Chapter 140, Section 157:

I. COMPLAINT

On March 14, 2022, the complaint was presented to the Board.

II. NOTICE

On March 14, 2022, notice was sent by Myles Tucker, Town of Needham Support Services Manager, to the above-named owner of the dog in question, with a follow-up notice stating a minor correction to the notice on April 7, 2022.

III. HEARING

On April 13, 2022, the Select Board held a hearing pursuant to M.G.L. c.140, §157 at Needham Town Hall and via Zoom, at which time the Complainant testified under oath. All those interested were given an opportunity to be heard. The following evidence was submitted at the hearing:

1. Public testimony by Complainant, John Schlittler, Chief of Police
2. Public testimony by Counsel for Dog Owner, Jeremy Cohen

3. Public testimony by Dog Owner, Diana Rasoul Agha
4. Public testimony by resident, Susan Risner, of 243 Warren Street
5. Public testimony by resident, Lauren Roth, 41 Bobsled Drive
6. Notice of public hearing sent to Diana Rasoul-Agha, dated March 22, 2022
7. Correction to notice of public hearing sent to Diana Rasoul-Agha dated April 7, 2022
8. Needham Police Department Incident Report (Incident #: 22NEE-246-OF) of report made on 3/15/2022
9. Update to Needham Police Department Incident Report (Incident #: 22NEE-246-OF) of report made on 3/18/2022
10. Email from Diana Rasoul Agha to Needham Police Officer Matthew Palmer dated March 30, 2022
11. Written description of March 14, 2022 incident provided by Kimberly Andrews, with attached pictures of her dog Lucy following said incident
12. Email to the Select Board from resident Christina Mathews, 12 Bobsled Drive
13. Dangerous Dog Hearing Decision, Findings of Fact, and Record of Proceedings, dated January 13, 2022 (and the evidence itemized in that decision, including public testimony by Complainant John Schlittler, Chief of Police; public testimony by Dog Owner, Diana Rasoul-Agha, and her minor daughter; public testimony by resident and owner of dog allegedly bitten by Axel and/or Maya, Lisa Madkins; public testimony by resident Maureen Walsh; public testimony by resident and owner of dog allegedly bitten by Axel and/or Maya, Esther Jeserum; Needham Police Department Incident Report (Incident #: 21NEE-1254-OF) of report made on 10/16/2021; Needham Police Department Incident Report (Incident #: 21NEE-1492-OF) of report made on 12/10/2021; and Needham Police Department Incident Report (Incident #: 21NEE-151-OF) of report made on 12/16/2021).

IV. FINDINGS and DETERMINATION

The Select Board considered all evidence and testimony presented at the public hearing and finds that on multiple occasions and without justification Axel has (a) attacked domestic dogs causing physical injury, and (b) behaved in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury to other dogs.

Based on the credible evidence and testimony presented at the public hearing, the Board determines pursuant to M.G.L. c.140, §157 that Axel is a DANGEROUS DOG.¹

V. ORDERS

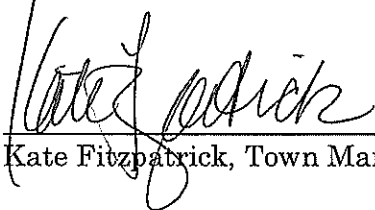
The Board suspends the hearing until its May 10, 2022 regularly scheduled meeting (or an alternative date to be scheduled thereafter), and **ORDERS** the following, effective immediately:

1. That Axel be confined to the premises of its owner, Ms. Diana Rasoul-Agha of 233 West Street; and provided that “confined” shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area at 233 West Street. Such pen or dog run shall have a secure roof and, if such enclosure has no floor secured to the sides thereof, the sides shall be embedded into the ground for not less than 2 feet; and within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog; and
2. That a fence sufficient to prevent escape be erected around the premises; and
3. That when removed from said premises, Axel shall be securely and humanely muzzled and restrained by an adult (18-years old or older) with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length; and
4. That Axel be neutered, unless the owner provides the Select Board with written evidence that a veterinarian is of the opinion that Axel is unfit for alterations because of a medical condition; and
5. That a behavioral analysis be conducted on Axel by a certified animal behaviorist, and a copy of the written report be submitted to the Select Board; and
6. That Axel’s owner, Diana Rasoul-Agha, provide proof of insurance in an amount of not less than \$100,000 insuring her against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of Axel, or proof that reasonable efforts were made to obtain such insurance if a policy has not been issued; and further that Ms. Rasoul-Agha, shall upon request of the Select Board, produce such policy or proof of efforts to obtain such insurance; and

¹ The term “dangerous dog” is defined by M.G.L. c.140, §36A as “a dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.”

7. That Axel's owner, Ms. Diana Rasoul-Agha of 233 West Street pay all veterinary bills resulting from the March 14, 2022 incident, or reimburse the victim dog's owner for bills previously paid, as applicable, within fourteen (14) days of receipt of this Order; and
8. That Axel's owner, Ms. Diana Rasoul-Agha of 233 West Street, provide the Chief of Police a weekly update in writing on the status relating to Axel and with each specific condition included in this Decision; and
9. That all other orders included in the Select Board's Decision dated January 13, 2022 shall remain in full force and effect, namely:
 - a. That the owner of the dog provide proof of additional skilled training to rectify the violent tendencies of the dog; and
 - b. That the owner take steps to secure 233 West Street to ensure there are no additional inadvertent releases of the dogs out of the home.

Signed this 20th day of April 2022 by the Town Manager on behalf of the Select Board of the Town of Needham.

A handwritten signature in black ink, appearing to read "Kate Fitzpatrick", is written over a horizontal line.

Kate Fitzpatrick, Town Manager



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**DANGEROUS DOG HEARING
TOWN OF NEEDHAM SELECT BOARD
DECISION, FINDINGS OF FACT
AND RECORD OF PROCEEDINGS**

COMPLAINANT: John Schlittler, Chief of Police

DOG OWNER: Diana Rasoul-Agha, 233 West Street, Needham MA 02492

NAME AND DESCRIPTION OF DOGS: Maya and Axel, both Alaskan Malamutes

DATES OF HEARING: 1/11/2022

MEMBERS PRESENT: Matthew Borrelli, Chair; Marianne Cooley, Vice Chair;
Marcus Nelson, Clerk (via Zoom); Daniel Matthews; and Kevin Keane

The following is a detailed record of all proceedings relative to the dangerous dog complaint filed by John Schlittler, Chief of Police against the above-referenced dogs, in accordance with Massachusetts General Laws Chapter 140, Section 157:

I. COMPLAINT

On December 21st, 2021 the complaint was presented to the Board.

II. NOTICE

On January 4th, 2022, notice was sent by Kristin Scoble, Administrative Specialist, to the above-named owner of the dogs in question.

III. HEARING

On January 11th, 2022, the Select Board held a hearing at Needham Town Hall and via Zoom, at which time the Complainant testified under oath. All those interested were given an opportunity to be heard. The following evidence was submitted at the hearing:

1. Public testimony by Complainant, John Schlittler, Chief of Police.
2. Public testimony by Dog Owner, Diana Rasoul Agha, and her minor daughter.
3. Public testimony by resident and owner of dog allegedly bitten by Axel and/or Maya, Lisa Madkins.

4. Public testimony by resident, Maureen Walsh.
5. Public testimony by resident and owner of dog allegedly bitten by Axel and/or Maya, Esther Jesurum.
6. Needham Police Department Incident Report (Incident #: 21NEE-1254-OF) of report made on 10/16/2021.
7. Needham Police Department Incident Report (Incident #: 21NEE-1492-OF) of report made on 12/10/2021.
8. Needham Police Department Incident Report (Incident #: 21NEE-151-OF) of report made on 12/16/2021.

IV. FINDINGS and DETERMINATION

The Select Board considered all evidence and testimony presented at the public hearing, and finds that on multiple occasions and without justification Maya and Axel have (a) attacked domestic dogs causing physical injury, and (b) behaved in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury to other dogs.

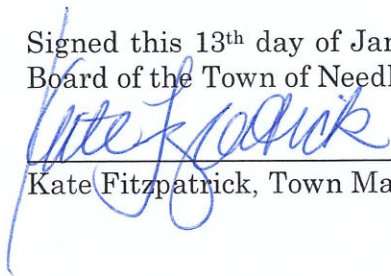
Based on the credible evidence and testimony presented at the public hearing, the Board determines pursuant to M.G.L. c.140, §157 that Maya and Axel are DANGEROUS DOGS.¹

V. ORDERS

The Board makes the following orders:

1. The Board orders that when removed from the premises of the owner or the premises of the person keeping the dogs, the dogs shall be securely and humanely muzzled and restrained with a chain or other tethering device;
2. The Board orders that the owner or keeper of the dogs provide proof of additional skilled training to rectify the violent tendencies of the dogs; and
3. The Board orders that the owner or keeper of the dog take steps to secure the home in which the dogs reside to ensure there are no additional inadvertent releases of the dogs out of the home.

Signed this 13th day of January 2021 by the Town Manager on behalf of the Select Board of the Town of Needham.



Kate Fitzpatrick, Town Manager

¹ The term "dangerous dog" is defined by M.G.L. c.140, §36A as "a dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal."



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

MEETING DATE: 8/09/2022

Agenda Item	Joint Meeting with Park & Recreation Commission
Presenter(s)	Park & Recreation Commission Stacey Mulroy, Park & Recreation Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The members of the Select Board and Park & Recreation Commission will discuss priorities for the upcoming year.
2.	VOTE REQUIRED BY SELECT BOARD
	Discussion Only
3.	BACK UP INFORMATION ATTACHED
	a. Asset list by type b. Asset list by site c. Park & Recreation CIP Plan

Park and Rec Asset List by Type

Site	Amenity	Other Identifier
Avery	60' Diamond	
Broadmeadow	60' Diamond	Upper
Broadmeadow	60' Diamond	Lower
Claxton	60' Diamond	Left
Claxton	60' Diamond	Right
DeFazio	60' Diamond	Asa Small
Dwight	60' Diamond	
Eliot	60' Diamond	
Greene's	60' Diamond	
High Rock	60' Diamond	
Hillside	60' Diamond	
Memorial	60' Diamond	
Mills	60' Diamond	
Mitchell	60' Diamond	Left
Mitchell	60' Diamond	Right
Newman	60' Diamond	1
Newman	60' Diamond	2
Newman	60' Diamond	3 - Cusiak
Perry Park	60' Diamond	
Pollard	60' Diamond	
DeFazio	90' Diamond	McLeod
DeFazio	90' Diamond	Warner
Memorial	90' Diamond	
Walker-Gordon	90' Diamond	
Unknown	Action Park	Skatepark etc. 10-20,000 sqft
Reservior	Amity Path	
Newman	Ampitheater	
Broadmeadow	Basketball Court	2 half courts
Cricket	Basketball Court	1 half court
Eliot	Basketball Court	1 full court
Greene's	Basketball Court	1 full court
High Rock	Basketball Court	2 half courts
Mills	Basketball Court	1 full court
Mitchell	Basketball Court	1 full court
Newman	Basketball Court	1 full court
Perry Park	Basketball Court	1 full court
Riverside	Basketball Court	1 half court
Walker-Gordon	Basketball Court	1 half court
Cricket	Building	
RRC	Building	
DeFazio	Carleton Pavilion	
Newman	Eastman Trail	
Greene's	Gazebo	
Memorial	Gazebo	
Claxton	Grills	
DeFazio	Grills	

Park and Rec Asset List by Type

Site	Amenity	Other Identifier
Mills	Grills	
Ridge Hill	Grills	
DeFazio	Multipurpose	1 - Brock
DeFazio	Multipurpose	2 - Founders
DeFazio	Multipurpose	3 - Conroy
DeFazio	Multipurpose	4 - Healy
Greene's	Multipurpose	
High Rock	Multipurpose	
Hillside	Multipurpose	
Memorial	Multipurpose	
Needham High School	Multipurpose	
Newman	Multipurpose	
Pollard	Multipurpose	
Riverside	Multipurpose	
Coulton Park	Passive Park	
Hadfield	Passive Park	
Thorpe	Passive Park	
Unknown	Pickleball Court	1-4 courts
Broadmeadow	Playground	K
Broadmeadow	Playground	1-5
Claxton	Playground	
Cricket	Playground	
DeFazio	Playground	
Eliot	Playground	
Greene's	Playground	
Hillside	Playground	
Mills	Playground	
Mitchell	Playground	
Newman	Playground	PreK
Newman	Playground	K-5
Perry Park	Playground	
Riverside	Playground	
Sunita Williams	Playground	K
Sunita Williams	Playground	1-5
Walker-Gordon	Playground	
RRC	Pools	
Claxton	Quarry	
Claxton	Restrooms	
DeFazio	Restrooms	
Mills	Restrooms	
Farley	Skating Pond	
Reservior	Skating Pond	
Rosemary	Skating Pond	
Sportsman	Skating Pond	
Town Forest	Skating Pond	Horsford Large/Small
Walker-Gordon	Skating Pond	

Park and Rec Asset List by Type

Site	Amenity	Other Identifier
Pollard	Sport Court	
RRC	Spray Deck	
Mills	Tennis Courts	4 courts
Needham High School	Tennis Courts	4 courts
Newman	Tennis Courts	4 courts
DeFazio	Track	
Farley	Trail	
Greendale	Trail	
Mitchell	Trail	Mitchell Woods
Rail Trail	Trail	
Rosemary	Trail	
Ridge Hill	Trails	
Town Forest	Trails	
Memorial	Walking Path	

Park and Rec Asset List by Site

Site	Amenity	Other Identifier
Avery	60' Diamond	
Broadmeadow	60' Diamond	Upper
Broadmeadow	60' Diamond	Lower
Broadmeadow	Basketball Court	2 half courts
Broadmeadow	Playground	K
Broadmeadow	Playground	1-5
Claxton	60' Diamond	Left
Claxton	60' Diamond	Right
Claxton	Grills	
Claxton	Playground	
Claxton	Quarry	
Claxton	Restrooms	
Coulton Park	Passive Park	
Cricket	Basketball Court	1 half court
Cricket	Building	
Cricket	Playground	
DeFazio	60' Diamond	Asa Small
DeFazio	90' Diamond	McLeod
DeFazio	90' Diamond	Warner
DeFazio	Carleton Pavilion	
DeFazio	Grills	
DeFazio	Multipurpose	1 - Brock
DeFazio	Multipurpose	2 - Founders
DeFazio	Multipurpose	3 - Conroy
DeFazio	Multipurpose	4 - Healy
DeFazio	Playground	
DeFazio	Restrooms	
DeFazio	Track	
Dwight	60' Diamond	
Eliot	60' Diamond	
Eliot	Basketball Court	1 full court
Eliot	Playground	
Farley	Skating Pond	
Farley	Trail	
Greendale	Trail	
Greene's	60' Diamond	
Greene's	Basketball Court	1 full court
Greene's	Gazebo	
Greene's	Multipurpose	
Greene's	Playground	
Hadfield	Passive Park	
High Rock	60' Diamond	
High Rock	Basketball Court	2 half courts
High Rock	Multipurpose	
Hillside	60' Diamond	
Hillside	Multipurpose	

Park and Rec Asset List by Site

Site	Amenity	Other Identifier
Hillside	Playground	
Memorial	60' Diamond	
Memorial	90' Diamond	
Memorial	Gazebo	
Memorial	Multipurpose	
Memorial	Walking Path	
Mills	60' Diamond	
Mills	Basketball Court	1 full court
Mills	Grills	
Mills	Playground	
Mills	Restrooms	
Mills	Tennis Courts	4 courts
Mitchell	60' Diamond	Left
Mitchell	60' Diamond	Right
Mitchell	Basketball Court	1 full court
Mitchell	Playground	
Mitchell	Trail	Mitchell Woods
Needham High School	Multipurpose	
Needham High School	Tennis Courts	4 courts
Newman	60' Diamond	1
Newman	60' Diamond	2
Newman	60' Diamond	3 - Cusiak
Newman	Ampitheater	
Newman	Basketball Court	1 full court
Newman	Eastman Trail	
Newman	Multipurpose	
Newman	Playground	PreK
Newman	Playground	K-5
Newman	Tennis Courts	4 courts
Perry Park	60' Diamond	
Perry Park	Basketball Court	1 full court
Perry Park	Playground	
Pollard	60' Diamond	
Pollard	Multipurpose	
Pollard	Sport Court	
Rail Trail	Trail	
Reservior	Amity Path	
Reservior	Skating Pond	
Ridge Hill	Grills	
Ridge Hill	Trails	
Riverside	Basketball Court	1 half court
Riverside	Multipurpose	
Riverside	Playground	
Rosemary	Skating Pond	
Rosemary	Trail	
RRC	Building	

Park and Rec Asset List by Site

Site	Amenity	Other Identifier
RRC	Pools	
RRC	Spray Deck	
Sportsman	Skating Pond	
Sunita Williams	Playground	K
Sunita Williams	Playground	1-5
Thorpe	Passive Park	
Town Forest	Skating Pond	Horsford Large/Small
Town Forest	Trails	
Unknown	Action Park	Skatepark etc. 10-20,000 sqft
Unknown	Pickleball Court	1-4 courts
Walker-Gordon	90' Diamond	
Walker-Gordon	Basketball Court	1 half court
Walker-Gordon	Playground	
Walker-Gordon	Skating Pond	

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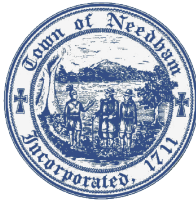


**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 8/9/2022

Agenda Item	DPW Update
Presenter(s)	Carys Lustig, Director of Public Works

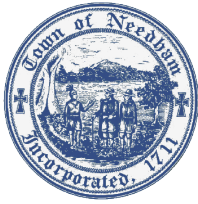
1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The DPW Director will provide a brief update of the operations and projects of the Department of Public Works.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Discussion Only</i>	
3.	BACK UP INFORMATION ATTACHED



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

MEETING DATE: 08/09/2022

Agenda Item	Set Water and Sewer Rates																																																																																																				
Presenter(s)	David Davison, Assistant Town Manager/Finance																																																																																																				
1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED																																																																																																				
The Board held a Public Hearing regarding the water and sewer rates at its July 26, 2022 meeting. The Water and Sewer Rate Structure Committee voted to recommend the rate structure that was presented to the Board that evening. The step rates for both water and sewer, both primary and secondary meters would be increased. The sewer basic service charge would increase by \$1 for a monthly account and \$3 for a quarterly account.																																																																																																					
2.	VOTE REQUIRED BY SELECT BOARD																																																																																																				
Suggested Motion: Move that the Board approve the proposed water and sewer rates identified on schedule below and that they be effective October 1, 2022; further that the Board approve a Septage Disposal fee of \$85.00 per 1,000 gallons.																																																																																																					
<table style="width: 100%; border-collapse: collapse;"><thead><tr style="background-color: #f2f2f2;"><th style="text-align: left;">Description</th><th style="text-align: right;">Current</th><th style="text-align: right;">Proposed</th><th style="text-align: right;">Change</th></tr></thead><tbody><tr><td>Basic Service Fee - Quarterly</td><td style="text-align: right;">\$15.00</td><td style="text-align: right;">\$15.00</td><td></td></tr><tr><td>Basic Service Fee - Monthly</td><td style="text-align: right;">\$5.00</td><td style="text-align: right;">\$5.00</td><td></td></tr><tr style="background-color: #e0f2f7;"><td colspan="4">Water - Primary Meter</td></tr><tr><td>Step 1</td><td style="text-align: right;">\$3.18</td><td style="text-align: right;">\$3.24</td><td style="text-align: right;">\$0.06</td></tr><tr><td>Step 2</td><td style="text-align: right;">\$3.39</td><td style="text-align: right;">\$3.46</td><td style="text-align: right;">\$0.07</td></tr><tr><td>Step 3</td><td style="text-align: right;">\$4.26</td><td style="text-align: right;">\$4.35</td><td style="text-align: right;">\$0.09</td></tr><tr><td>Step 4</td><td style="text-align: right;">\$5.24</td><td style="text-align: right;">\$5.34</td><td style="text-align: right;">\$0.10</td></tr><tr style="background-color: black;"><td colspan="4"></td></tr><tr><td>Second Meter Fee - Quarterly</td><td style="text-align: right;">\$4.00</td><td style="text-align: right;">\$4.00</td><td></td></tr><tr><td>Second Meter Fee - Monthly</td><td style="text-align: right;">\$1.34</td><td style="text-align: right;">\$1.34</td><td></td></tr><tr style="background-color: #e0f2f7;"><td colspan="4">Water - Secondary Meter</td></tr><tr><td>Step 1</td><td style="text-align: right;">\$5.24</td><td style="text-align: right;">\$5.50</td><td style="text-align: right;">\$0.26</td></tr><tr><td>Step 2</td><td style="text-align: right;">\$5.65</td><td style="text-align: right;">\$5.93</td><td style="text-align: right;">\$0.28</td></tr><tr><td>Step 3</td><td style="text-align: right;">\$6.26</td><td style="text-align: right;">\$6.57</td><td style="text-align: right;">\$0.31</td></tr><tr><td>Step 4</td><td style="text-align: right;">\$8.32</td><td style="text-align: right;">\$8.74</td><td style="text-align: right;">\$0.42</td></tr><tr><td>Basic Sewer Fee - Quarterly</td><td style="text-align: right;">\$9.00</td><td style="text-align: right;">\$12.00</td><td style="text-align: right;">\$3.00</td></tr><tr><td>Basic Sewer Fee - Monthly</td><td style="text-align: right;">\$3.00</td><td style="text-align: right;">\$4.00</td><td style="text-align: right;">\$1.00</td></tr><tr style="background-color: #e0f2f7;"><td colspan="4">Sewer</td></tr><tr><td>Step 1</td><td style="text-align: right;">\$9.08</td><td style="text-align: right;">\$9.53</td><td style="text-align: right;">\$0.45</td></tr><tr><td>Step 2</td><td style="text-align: right;">\$10.02</td><td style="text-align: right;">\$10.52</td><td style="text-align: right;">\$0.50</td></tr><tr><td>Step 3</td><td style="text-align: right;">\$10.81</td><td style="text-align: right;">\$11.35</td><td style="text-align: right;">\$0.54</td></tr><tr><td>Step 4</td><td style="text-align: right;">\$11.79</td><td style="text-align: right;">\$12.38</td><td style="text-align: right;">\$0.59</td></tr><tr style="background-color: #f2f2f2;"><td colspan="4">Septage Disposal</td></tr><tr><td>Per 1,000 Gallons</td><td style="text-align: right;">\$85.00</td><td style="text-align: right;">\$85.00</td><td></td></tr></tbody></table> Prices are per 100 CF (cubic feet) except septage which is per 1,000 gallons.		Description	Current	Proposed	Change	Basic Service Fee - Quarterly	\$15.00	\$15.00		Basic Service Fee - Monthly	\$5.00	\$5.00		Water - Primary Meter				Step 1	\$3.18	\$3.24	\$0.06	Step 2	\$3.39	\$3.46	\$0.07	Step 3	\$4.26	\$4.35	\$0.09	Step 4	\$5.24	\$5.34	\$0.10					Second Meter Fee - Quarterly	\$4.00	\$4.00		Second Meter Fee - Monthly	\$1.34	\$1.34		Water - Secondary Meter				Step 1	\$5.24	\$5.50	\$0.26	Step 2	\$5.65	\$5.93	\$0.28	Step 3	\$6.26	\$6.57	\$0.31	Step 4	\$8.32	\$8.74	\$0.42	Basic Sewer Fee - Quarterly	\$9.00	\$12.00	\$3.00	Basic Sewer Fee - Monthly	\$3.00	\$4.00	\$1.00	Sewer				Step 1	\$9.08	\$9.53	\$0.45	Step 2	\$10.02	\$10.52	\$0.50	Step 3	\$10.81	\$11.35	\$0.54	Step 4	\$11.79	\$12.38	\$0.59	Septage Disposal				Per 1,000 Gallons	\$85.00	\$85.00	
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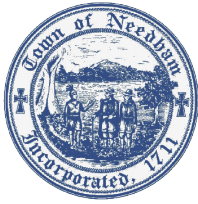


**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 8/9/2022

Agenda Item	Legal Counsel Discussion
Presenter(s)	Kate Fitzpatrick, Town Manager Chris Heep, Town Counsel, Miyares & Harrington Nick Anastasopoulos, Labor Counsel, Mirick O'Connell

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Attorney Heep and Attorney Anastasopoulos will meet with the Board to discuss the services provided by their respective firms.	
2.	VOTE REQUIRED BY SELECT BOARD
Discussion Only.	
3.	BACK UP INFORMATION ATTACHED



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

MEETING DATE: 8/9/2022

Agenda Item	Open Special Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board is scheduled to open the warrant for the October 24, 2022, Special Town Meeting. The Warrant is scheduled to be closed on September 13th.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board vote to open the warrant for the October 24, 2022, Special Town Meeting.	
3.	BACK UP INFORMATION ATTACHED
a. Draft Warrant, August 5, 2022	

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, OCTOBER 24, 2022

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 8.5.2022

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

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

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

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

MONDAY, THE TWENTY FOURTH DAY OF OCTOBER 2022

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

HUMAN RESOURCE ARTICLES

ARTICLE X: FUND COLLECTIVE BARGAINING AGREEMENT – BUILDING CUSTODIAN & TRADES INDEPENDENT ASSOCIATION (BCTIA)

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Building Custodian and Trades Independent Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the fiscal year 2023 Classification, Performance, and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2023; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information:

ARTICLE X: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM INDEPENDENT PUBLIC EMPLOYEES ASSOCIATION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Independent Public Employees Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2023; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE X: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM FIRE UNION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Fire Union by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2023; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

FINANCE ARTICLES

ARTICLE X: AMEND THE FY2023 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2023 Operating Budget adopted under Article 10 of the 2022 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

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

or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND THE FY2022 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2023 Sewer Enterprise Fund adopted under Article 11 of the 2022 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>
201A	Salary & Wages		
201D	MWRA Assessment		

or take any other action relative thereto.

INSERTED BY: Select Board & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND THE FY2023 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2023 Water Enterprise Fund adopted under Article 12 of the 2022 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>
301A	Salary & Wages		
301D	MWRA Assessment		

or take any other action relative thereto.

INSERTED BY: Select Board & 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 \$9,507.40 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 will be allocated to pedestrian and bicycle safety initiatives unless circumstances require otherwise.

ZONING ARTICLES

ARTICLE X: AMEND ZONING BY-LAW – SCHEDULE OF USE REGULATIONS BREW PUB AND MICROBREWERY

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

1. In Section 1.3 Definitions, by adding the following after the existing definition of “Basement” and before the existing definition of “Building (or part or parts thereof)”:

“Brew Pub – Eat-in restaurant, licensed under relevant local, state and federal statutes to produce and sell malt beverages at the location, whose primary business is the preparation and sale of food to be consumed on the premises, and whose accessory business is the production of malt beverages, including beer and ales, which may include packaging of such beverages and on-premises sale of such beverages for consumption on or off the premises. Malt beverages produced on the premises may be sold to other establishments in compliance with relevant state and federal statutes and regulations, but such sales shall not exceed 40 percent of the establishment’s production capacity. Accessory outdoor dining and live indoor entertainment is allowed if otherwise permitted in the zoning district in which the brew pub is located, if and as permitted by its license.”

2. In Section 1.3 Definitions, by adding the following after the existing definition of “Medical Services Building,” and before the existing definition of “Mixed-Use Building”:

“Microbrewery - A facility, licensed under relevant local, state and federal statutes, for the production and packaging of malt beverages, including beer and ales, for retail sale and for

consumption on or off the premises or wholesale distribution, with a capacity and production of not more than fifteen thousand (15,000) barrels per year (a barrel being equivalent to thirty-one (31) gallons), and which may include as an accessory use preparation and/or sale of food for on-premises consumption or for take-out. Any such facility may also provide samples limited in size, provided that such sampling is allowed under relevant local, state, and federal statutes, regulations and licenses issued thereunder. The facility may host marketing events, special events, and/or factory tours. The facility may include as an accessory use an eat-in or take-out restaurant that may include outdoor dining, which restaurant may occupy more than half of the area of the facility and may include live indoor entertainment if otherwise permitted in the zoning district in which the microbrewery is located, if and as permitted by its license.”

3. In Section 3.2, Schedule of Use Regulations, Subsection 3.2.2, Uses in Business, Chestnut Street Business, Center Business, Avery Square Business and Hillside Avenue Business Districts, by inserting immediately below the row that reads “medical clinic” a new entry, which shall read as follows:

<u>“USE</u>	<u>B</u>	<u>CSB</u>	<u>CB</u>	<u>ASB</u>	<u>HAB</u>
Brew Pub	SP	SP*	SP	SP	N”

*Applies only to the portion of the Chestnut Street Business District that is west of Chestnut Street and south of Keith Place, otherwise N.

4. In Section 3.2, Schedule of Use Regulations, Subsection 3.2.1, Uses in the Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, Apartment A-1, Apartment A-2, Apartment A-3, Institutional, Industrial, and Industrial-1 Districts, by inserting immediately below the row that reads “medical clinic” a new entry, which shall read as follows:

<u>“USE</u>	<u>RRC</u>	<u>SRB</u>	<u>GR</u>	<u>A-1,2</u>	<u>I</u>	<u>IND</u>	<u>IND-1</u>
	<u>SRA</u>			<u>&3</u>			
Brew Pub	N	N	N	N	N	SP*	N
Microbrewery	N	N	N	N	N	SP**	SP”

*Applies only to the Industrial District any portion of which is located within 150 feet of the Arbor Street boundary and the Industrial District that is located east of Rte. 95/128, otherwise N.

**Applies only to the Industrial District that is located east of Rte. 95/128, otherwise N.

5. In Section 3.2.4 Uses in the New England Business Center District, Subsection 3.2.4.2 Uses Permitted by Special Permit, by adding a new paragraph (k) that states “Microbrewery, allowable only in the portion of the New England Business Center District located west and south of Second Avenue.” and new paragraph (l) that states “Brew Pub, allowable only in the portion of the New England Business Center District located west and south of Second Avenue.”

6. In Section 3.2.5, Uses in the Highland Commercial-128 District, Subsection 3.2.5.2, Uses Permitted by Special Permit, by adding a new paragraph (q) that states “Microbrewery, allowable only in the portion of the Highland Commercial-128 District located a) north of Highland Avenue and b) south of Highland Avenue and west of Second Avenue.” and a new paragraph (r) that states “Brew Pub, allowable only in the portion of the Highland Commercial-128 District located a) north of Highland Avenue and b) south of Highland Avenue and west of Second Avenue.” and by renumbering former paragraphs (q), (r) and (s) as paragraphs (s), (t) and (u) respectively.
7. In Section 3.2.6, Uses in the Mixed Use-128 District, Subsection 3.2.6.2, Uses Permitted by Special Permit, by adding a new paragraph (k) that states “Microbrewery” and a new paragraph (l) that states “Brew Pub” and by renumbering former paragraphs (k), (l) as paragraphs (m) and (n) respectively.
8. In Section 3.2.7 Uses in the Highway Commercial 1 District, Subsection 3.2.7.2 Uses Permitted by Special Permit, by adding a new paragraph (m) that states “Microbrewery” and a new paragraph (n) that states “Brew Pub” and by renumbering former paragraphs (m) and (n) as paragraphs (o) and (p) respectively.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

CAPITAL ARTICLES

ARTICLE X: APPROPRIATE FOR RIDGE HILL BUILDINGS DEMOLITION SUPPLEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$225,000 for the purpose of the demolition and removal of buildings at Ridge Hill Reservation, to be spent under the direction of the Permanent Public Building Committee and Town Manager and to meet this appropriation that said sum be transferred from **XXXXXX**; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR EMERY GROVER RENOVATION SUPPLEMENT

To see if the Town will vote to appropriate a sum for the renovation of and addition to the Emery Grover Building and associated grounds, including the temporary use of the Hillside School as swing space, as well as costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that XX be transferred from XX and that the Treasurer, with the approval of the Select Board, is authorized to borrow \$XX under M.G.L., Chapter 44, Section 7, M.G.L. Chapter 44B, or any other enabling authority; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: RESCIND DEBT AUTHORIZATIONS

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:

Project	Town Meeting	Article	Authorized	Rescind
Total				

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, and/or favorable bids.

GENERAL ARTICLES

ARTICLE X: AUTHORIZE COMMUNITY ENERGY AGGREGATION

To see if the Town will vote to grant the Select Board authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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.

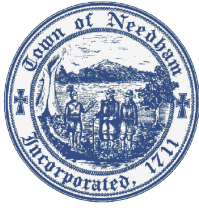
Hereof fail not and make due return of this warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given into our hands at Needham aforesaid this 13th day of September 2022.

Marianne B. Cooley, Chair
Marcus A. Nelson, Vice Chair
Kevin Keane, Clerk
Matthew D. Borrelli, Member
Heidi Frail, Member

Select Board of Needham

A TRUE COPY
Attest:
Constable:



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

MEETING DATE: 08/09/2022

Agenda Item	Memorandum of Agreement – 100 West Street
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will recommend that the Board approve and authorize the Town Manager to execute a Memorandum of Agreement between the Town and WELL Balfour Needham Landlord, LLC. At its meeting on February 8, 2022, the Select Board discussed the proposal submitted by Attorney Evans Huber on behalf of Welltower, Inc. and Balfour Senior Living. Welltower and Balfour are proposing an amendment to the existing special permit for the project at 100 West Street by eliminating the independent living units. On February 16, 2022 the Town Manager forwarded a letter to the Planning Board expressing the Board's disappointment in this development. The creation of independent living units for senior citizens, some of which were to be affordable, was the primary reason that the Select Board endorsed the zoning amendment approved by the October 4, 2020, Special Town Meeting. In recognition of the fact that the inclusion of independent-living units (including nine affordable independent-living units) in the previously-permitted project was important to the Select Board and others in the Town, and to mitigate the other impacts that its proposed Project will have within Town, the Applicant has agreed to make a financial contribution to the Town of Needham in the amount of \$1,900,000 for use by the Affordable Housing Trust, for Quiet Zone safety infrastructure improvements at the MBTA Commuter Rail West Street grade crossing, to support other local transportation safety initiatives, for improvements to the Needham Heights Common, and/or for any other lawful purpose.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Board approve and authorize the Town Manager to execute a Memorandum of Agreement between the Town and WELL Balfour Needham Landlord, LLC.	
3.	BACK UP INFORMATION ATTACHED
a. Letter to the Planning Board dated February 16, 2022 b. Memorandum of Agreement between the Town and WELL Balfour Needham Landlord, LLC.	



TOWN OF NEEDHAM

TOWN HALL

Needham, MA 02492-2669

Office of the
TOWN MANAGER

TEL: (781) 455-7500

FAX: (781) 449-4569

TO: Planning Board
FROM: Kate Fitzpatrick, Town Manager
CC: Select Board
Katie King, Assistant Town Manager
Dave Davison, Assistant Town Manager
Lee Newman, Director of Planning & Community Development
RE: 100 West Street
DATE: February 16, 2022

At its meeting on February 8, 2022, the Select Board discussed the proposal submitted by Attorney Evans Huber on behalf of Welltower, Inc. and Balfour Senior Living. Welltower and Balfour are proposing an amendment to the existing special permit for the project at 100 West Street by eliminating the independent living units.

Members of the Board expressed their disappointment in this development. The creation of independent living units for senior citizens, some of which were to be affordable, was the primary reason that the Select Board endorsed the zoning amendment approved by the October 4, 2020, Special Town Meeting.

Town Meeting members were informed that the developers, one of whom was Welltower, were planning a project that included 72 independent apartments (9 affordable), 55 assisted living apartments, and 28 memory care apartments. In their written materials, the developers noted that older residents in Needham do not have many choices if they want to rent an apartment with amenities in walkable locations. They also said that they had identified a large, qualified senior population to fill the independent living residences.

After presentations by the Planning Board and Select Board about the attractive project within walking distance to the train and the Center at the Heights, and the promised increased vibrancy that independent living would create along the Highland Avenue street edge, Town Meeting approved new zoning including additional height allowances than would ordinarily be allowed in Needham Heights.

The Select Board urges the Planning Board to challenge Welltower and Balfour to rethink their proposed amendment and to keep the independent living component portion of the project. This will serve a need that has been identified by the Planning Board, Select Board, and Town Meeting to create additional housing options for seniors and to create additional affordable units in Town.

If you have any questions or need additional information, please let me know.

MEMORANDUM OF AGREEMENT

This Agreement is entered into between the Town of Needham (the “Town”), acting by and through its Select Board and Town Manager, WELL Balfour Needham Landlord, LLC, a Delaware corporation with its principal address of 4500 Dorr Street, Toledo, OH 43615, Welltower, Inc., a Delaware corporation with its principal address at 4500 Dorr Street, Toledo, OH 43615, and HCRI Massachusetts Properties Trust II, a trust with a principal address of 4500 Dorr Street, Toledo OH, 43615 (collectively, the “Parties”).

RECITALS

WHEREAS at its October 4, 2020 Special Town Meeting, the Town of Needham adopted amendments to its Zoning By-Law intended to, among other things, allow for and encourage the development of independent living apartments within the Avery Square Overlay Zoning District (“ASOD”), and to require that a minimum percentage of all independent living apartments developed within the ASOD qualify as affordable units; and

WHEREAS on May 18, 2021, the Needham Planning Board issued Major Project Site Plan Special Permit No. 2021-01, and this permit is recorded with the Norfolk Registry of Deeds in Book 39525, Page 70 (the “Special Permit”); and

WHEREAS the Special Permit was issued to WELL LCB Needham Landlord LLC, c/o LCB Senior Living, and noted that WELL LCB Needham Landlord LLC was a joint venture between LCB Senior Living LLC and Welltower Inc. (“Welltower”), which owns the underlying property through HCRI Massachusetts Properties Trust II; and

WHEREAS the Special Permit concerns property within the Avery Square Business District; the ASOD, and the Residence B Zoning District located at 100-110 West Street, which contains approximately 4.3 acres and which is shown on Assessors’ Map No. 63 as Parcel 37 (the “Property”); and

WHEREAS HCRI Massachusetts Properties Trust II is record owner of the Property pursuant to deed dated May 14, 2002 and recorded with the Norfolk Registry of Deeds in Book 16623, Page 7; and

WHEREAS the Special Permit authorized the operation of a 155-unit facility at the Property containing 72 independent living apartment units, 55 regular assisted living apartment units, and 28 Alzheimer’s-related assisted living units specializing in Alzheimer’s and other memory-loss related conditions; and

WHEREAS the Special Permit required that nine (9) of the independent living apartments at the Property be affordable “local action units” within the meaning of the Department of Housing and Community Development’s (“DHCD”) Chapter 40B Guidelines, and that 70% of those affordable independent living apartments be local preference units, offered first to Needham residents or persons with a connection to the Town; and

WHEREAS the Special Permit provided that any change in the entity operating the facility (other than a change to an affiliated entity under common control with WELL LCB Needham Landlord LLC) would require written notice to the Planning Board with

acknowledgment by the new proposed operator that they are bound by all terms and conditions contained in the decision; and

WHEREAS, the business relationship between Welltower Inc. and LCB Senior Living LLC has ended, and those entities no longer intend to pursue the project authorized by the Special Permit issued on May 18, 2021; and

WHEREAS, Welltower has entered into a business relationship with another operator of senior housing facilities, Balfour Senior Living (“Balfour”), and intends to develop the Property as a senior housing facility offering assisted living and Alzheimer’s/memory care units, without any independent living apartments; and

WHEREAS, in furtherance of this business relationship, Welltower and Balfour intend to operate through an entity known as WELL Balfour Needham Landlord LLC; and

WHEREAS pursuant to a certificate filed with the Massachusetts Secretary of the Commonwealth on July 6, 2022, WELL LCB Needham Landlord LLC changed its name to WELL Balfour Needham Landlord LLC; and

WHEREAS, in light of the proposed change in programming at the Property to a facility that will include assisted living and Alzheimer’s/memory care units, but no independent living apartments, Welltower and Balfour have been instructed by the Planning Board to apply for a new Special Permit, rather than an amendment to the existing Special Permit; and

WHEREAS, it is contemplated that if and when the new Special Permit is granted, it will supersede the existing Special Permit issued on May 18, 2021; and

WHEREAS, assisted living and Alzheimer’s/memory care units are uses allowed as of right in the “underlying” Avery Square Business District, which includes the Property; and

WHEREAS, uses allowed as of right in the “underlying” Avery Square Business District are also allowed as of right in the ASOD; and

WHEREAS WELL Balfour Needham Landlord, LLC the “Applicant”) has now applied to the Planning Board for a Special Permit to allow operation of the Property as a 155-unit facility containing no independent living apartments, affordable or otherwise, 127 regular assisted living apartments and 28 Alzheimer’s-related assisted living units specializing in Alzheimer’s and other memory-loss related conditions (the “Project”); and

WHEREAS in light of the policy objectives memorialized in the zoning amendment adopted by the October 20, 2020 Special Town Meeting and the Town’s senior- and affordable housing production goals, the Select Board has expressed serious concern regarding the fact that the current Project does not include the previously-permitted 72 independent living units, which would have included nine (9) affordable independent living units; and

WHEREAS notwithstanding the fact that assisted living and Alzheimer’s/memory care units are uses allowed as of right in the ASOD, and in recognition of the fact that the inclusion of independent-living units (including nine affordable independent-living units)

in the previously-permitted project was important to the Select Board and others in the Town, and to mitigate the other impacts that its proposed Project will have within Town, the Applicant is prepared to make a financial contribution to the Town of Needham as set forth herein.

NOW THEREFORE, in consideration of the mutual commitments of the parties contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties, on behalf of themselves, their successors and assigns, hereby covenant and agree as follows:

1. Within thirty (30) days after the issuance of a Building Permit for the Project substantially as currently proposed by the Applicant, or a later time to be designated by the Town, the Applicant will pay to the Town of Needham one million nine hundred thousand dollars (\$1,900,000). The Town may appropriate said funds for use by the Affordable Housing Trust, for Quiet Zone safety infrastructure improvements at the MBTA Commuter Rail West Street grade crossing, to support other local transportation safety initiatives, for improvements to the Needham Heights Common, and/or for any other lawful purpose in the discretion of the Town.
2. The Select Board shall support the current application for a Special Permit as currently proposed by the Applicant and described in the recitals section above. The Select Board shall, to the extent appropriate, cooperate with the Applicant and shall encourage other Town Boards and Departments to cooperate with the Applicant in issuing local and state permits and approvals required for the Project in a timely and expeditious manner, including, without limitation, the new Special Permit and any other approvals by the Planning Board, Conservation Commission, Department of Public Works or other Town Boards, Commissions and/or Departments.
3. WELL Balfour Needham Landlord, LLC, Welltower, Inc. and HCRI Massachusetts Properties Trust II shall be jointly and severally liable to the Town for all obligations attributed to the Applicant in this Agreement.
4. Nothing contained in this Agreement shall limit, control, or affect the authority of any other Town board, commission, department or official to carry out their respective powers and duties, or to decide upon and issue, deny, and/or condition applicable permits and other approvals within their jurisdiction.
5. All notices or requests concerning this Agreement shall be in writing, and addressed to the parties as follows:

Town:

Kate Fitzpatrick, Town Manager
Town of Needham
1471 Highland Avenue
Needham, MA 02492
Telephone: (781) 455-7500
Email: kfitzpatrick@needhamma.gov

with a copy to:

Christopher H. Heep
Miyares and Harrington LLP
40 Grove Street Suite 190
Wellesley, MA 02482
Telephone: (617) 489-1600
Email: cheep@miyares-harrington.com

[add other contacts]

6. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

7 This Agreement sets forth the entire agreement of the Parties with respect to the subject matter thereto. The failure of any party to strictly enforce the provisions hereof shall not be construed as a waiver of any obligation hereunder. This Agreement may be modified only in a written instrument signed by all Parties.

8. The Parties respectively represent and warrant that:

- a. Each is duly organized and existing and in good standing, has the full power, authority and legal right to enter into and perform this Agreement, and the execution, delivery and performance hereof and thereof (i) will not violate any judgment, order, law, bylaw or regulation, and (ii) do not conflict with, or constitute a default under, any agreement or instrument to which they are a party or by which either party may be bound or affected; and
- b. This Agreement has been duly authorized, executed and delivered; this Agreement constitutes legal, valid and binding obligations of each party, enforceable in accordance with its terms; there is no action, suit or proceeding pending or, to the knowledge of any party, threatened against or affecting either wherein an unfavorable decision, ruling or finding would materially adversely affect the performance of any obligations hereunder, except as otherwise specifically noted in this Agreement.

Executed this _____ day of _____, 2022.

WELL Balfour Needham Landlord, LLC

By:

Its:

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared _____ and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as _____ of the WELL Balfour Needham Landlord, LLC.

Notary Public:

My Commission Expires:

Executed this _____ day of _____, 2022.

Welltower, Inc.

By:

Its:

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this __ day of _____, 2022, before me, the undersigned notary public, personally appeared _____ and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as _____ of Welltower, Inc.

Notary Public:

My Commission Expires:

Executed this _____ day of _____, 2022.

HCRI Massachusetts Properties Trust II

By:

Its:

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this __ day of _____, 2022, before me, the undersigned notary public, personally appeared _____ and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as _____ of HCRI Massachusetts Properties Trust II.

Notary Public:

My Commission Expires:

Executed this _____ day of _____, 2022.

Town of Needham

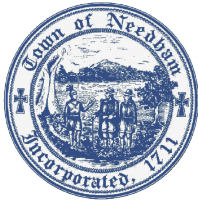
Kate Fitzpatrick, Town Manager

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this __ day of ____, 2022, before me, the undersigned notary public, personally appeared Kate Fitzpatrick and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as Town Manager of the Town of Needham.

Notary Public:
My Commission Expires:



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

MEETING DATE: 8/9/2022

Agenda Item	FY2023 – FY2024 Goals
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board will review the draft goals for FY2023 – FY2024.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i>	
3.	BACK UP INFORMATION ATTACHED
a. Draft Goals to be provided prior to the meeting.	

Select Board Goal Statement
Adopted _____

PURPOSE

The purpose of the Select Board Goals is to effect positive change, set policy direction for Town government, and guide the development of the budget.

GOAL #1: Livable Needham plans for and invests in safe, well-maintained and attractive buildings and infrastructure that accommodate a diverse set of community needs. Needham:

- Promotes and sustains a secure, clean and attractive place to live, work and play.
- Provides a variety of housing types with a full range of affordability.
- Provides high-performing, reliable and affordable public infrastructure and Town services.
- Encourages and appropriately regulates sustainable development.
- Supports and enhances neighborhood livability and walkability for all members of the community.
- Coordinates with state and federal leaders to ensure access to safe, reliable and efficient public transit.
- Coordinates major infrastructure projects and communicates with impacted members of the Needham community.
- Prioritizes the reconstruction and repair of existing sidewalks before embarking on new sidewalk construction. The construction of new sidewalks will be offset by the removal of old, under-used sidewalks.
- Explores targeted opportunities for parcel acquisition.
- Works with stakeholders to manage the impact of the COVID-19 Pandemic on the Town of Needham.
- Supports the PPBC's recommended funding levels.

FY2023-2024 Initiatives	Description
1.1	Begin the Ridge Hill/Nike Assessment Phase 2 Project, including working with the Community Farm to decide on the long-term plan for the farm at the site as well as considering potential future uses of the site. (FY2024)
1.2	Work with the Planning Board on next steps related to the MBTA Community Housing Guidelines and the update to the Town's Affordable Housing Plan. Review updated demographics and impact on anticipated transit-oriented development and schools.
1.3	Evaluate RTS Service Delivery Model to Guide Long-term Investment and Review Operational Efficiencies in the Short-term.
1.4	Maintain/repair the barn at Ridge Hill.

1.5	Identify funding for School Master Plan projects & Participate in the Planning Process.
1.6	Work with stakeholders to secure funding for an arts and culture strategic plan.
1.7	Work with the Park & Recreation Commission, Conservation Commission and other stakeholders to set priorities for capital spending including: an action park and expanded active and passive recreation facilities; improve trailhead access to ensure clear and accessible access; consider creating a trails app; and consider installation of additional boat ramps.
1.8	Evaluate expansion of off-leash dog areas.
1.9	Evaluate next steps for use of the Stephen Palmer Building.
1.10	Upgrade Town Seal to improve graphic quality and historical accuracy.
1.11	Evaluate opportunities for undergrounding of electrical wires.

GOAL #2: Economically Vital – Needham has the economic opportunities and resources for residents and businesses to thrive in our community. Needham:

- Supports an environment for creativity, innovation and entrepreneurship.
- Promotes a well-educated, skilled and diverse work force that meets employers' needs.
- Fosters a collaborative and resource-rich regional business climate.
- Attracts, sustains and retains a diverse mix of businesses, entrepreneurs and jobs that support the needs of all community members.
- Supports financial security, economic opportunity and social mobility for all.

FY2023-2024 Initiatives	Description
2.1	Evaluate Chestnut Street Redevelopment. (FY2024)
2.2	Evaluate Expansion of Snow Removal Efforts, including sidewalk plowing strategies. (FY2024)

GOAL #3: Accessible & Connected – Needham has a multi-modal transportation system that gets people where they want to go, when they want to get there, safely and cost-effectively. Needham:

- Offers and encourages a variety of safe, comfortable, affordable, reliable, convenient and clean mobility options.
- Supports a balanced transportation system that reflects effective land use, manages congestion and facilitates strong regional multimodal connections.
- Provides effective infrastructure and services that will encourage diverse populations to connect to nature and the larger community.
- Promotes transportation options to ensure we remain an age-friendly community.

FY2023-2024 Initiatives	Description
3.1	Evaluate parking needs, options, types, and zoning in the Needham Center and Needham Heights business districts, identify technology to manage parking.
3.2	Evaluate the role and composition of the TMAC, Transportation Committee, Rail Trail Advisory Committee and Complete Streets Committee.
3.3	Seek funding for noise reduction/Quiet Zone feasibility, design, and construction.
3.4	Evaluate future use of the rail corridor between Dover and Newton.
3.4.1	Evaluate funding options for the Rail Trail extension from High Rock Street to Needham Junction.
3.4.2	Evaluate the feasibility of a shared use way between Needham Heights and the City of Newton.
3.5	Evaluate and make a final determination of the appropriate plan for Downtown Redesign Phase 2.
3.6	Prioritize funding for the Central Avenue/Centre Street Bridge.
3.7	Evaluate the feasibility of last mile in-Town transportation options (if earmark is not funded, explore funding sources).

GOAL #4: Healthy and Socially Thriving – Needham residents enjoy high levels of physical and mental well-being and abundant recreational, cultural and educational opportunities in an environment where human rights are respected, diversity is celebrated, and neighbors feel connected. Needham:

- Cultivates a wide range of recreational, cultural, educational, civic and social opportunities for all socioeconomic and age groups.
- Supports the physical and mental well-being of its community members.
- Fosters inclusion, diversity and equity.
- Promotes the installation of art and opportunities for community-led art projects.
- Continue to provide diversity, equity and inclusion professional development opportunities for all staff geared towards deepening understanding and becoming culturally responsive, anti-racist, and anti-biased members of the Needham community.
- Identifies and implements strategies to hire, support and retain diverse staff at every level of the organization; measures efforts and provides quarterly updates on progress.
- Evaluates ways to increase minority and women-owned business participation in construction, building maintenance projects, and other Town programs.

FY2023-2024 Initiatives	Description
4.1	Work with the Needham Golf Club to extend the lease of Town land to allow Club to finance improvements.
4.2	Explore the option of petitioning to rename Hemlock Gorge to “Nehoiden’s Grant.”

4.3	Identify ways to institutionalize community conversations around race, diversity, equity, and inclusion, to build relationships and a stronger understanding of different perspectives and lived experiences.
4.4	Make intentional efforts and identify creative ideas for community outreach to diversify the candidate pool for all appointed Boards and Committees; measure progress.
4.5	Explore benefits of created a dedicated position for Diversity, Equity & Inclusion efforts.
4.6	Provide support to other Boards & Committees on how to apply NUARI principles to their work, including training opportunities and sample goals.
4.7	Conduct focus groups with BIPOC community members to identify strategies for ensuring that all members of the community feel welcome as outlined in the NUARI vision statement and guiding principles.
4.8	Work with the Human Rights Committee to develop a discrimination complaint process and provide forums where individuals feel comfortable discussing their concerns related to diversity, equity, and/or inclusion. Consult with the HRC on their role and next steps.
4.9	Develop a plan for a community observance of Juneteenth.
4.10	Consider options for renaming Columbus Day. Consider options for recognizing Indigenous People's Day and Columbus Day/Italian Heritage Day" vs "Renaming Columbus Day
4.11	Implement Valor Act and consider aligning the administrative process for both the Valor Act and the Senior Corps programs.

GOAL #5: Safe – Needham is a welcoming and inclusive community that fosters personal and community safety and ensures that all residents are secure and cared for during emergencies and natural disasters. Needham:

- Enforces the law while considering the needs of individuals and community values.
- Plans for and provides equitable, timely and effective services and responses to emergencies and natural disasters.
- Fosters a climate of safety for individuals in homes, businesses, neighborhoods, streets, sidewalks, bike lanes, schools and public places.
- Encourages shared responsibility, provides education on personal and community safety and fosters an environment that is welcoming and inclusive.
- Utilizes Complete Street principles to evaluate and prioritize pedestrian safety on our roadways.
- Prioritizes emergency planning and trainings for Town staff and the community to increase our collective preparedness and resilience.

FY2023-2024 Initiatives	Description
5.1	Actively monitor progress on the law enforcement recommendations that the Police Chief presented to the Select Board on June 8, 2021.
5.2	Work with public safety unions to reach agreement on alternatives to the Civil Service system; work with all stakeholders to implement alternative recruitment and promotion systems for public safety employees.
5.3	Work with the Chief of Police on updating the annual reporting and evaluating a quarterly status report.

GOAL #6: Responsibly Governed – Needham provides excellent customer experience, responsibly manages the Town’s assets and makes data-driven decisions that are also informed by community engagement. Needham:

- Models stewardship and sustainability of the Town’s financial, human, information and physical assets.
- Supports strategic decision-making with opportunities for engagement and timely, reliable and accurate data and analysis.
- Enhances and facilitates transparency, accuracy, efficiency, effectiveness and quality customer service in all municipal business.
- Supports, develops and enhances relationships between the Town and community/ regional partners.
- Provides assurance of regulatory and policy compliance.
- Reviews and updates Town policies and regulations.
- Identifies opportunities for departmental consolidation and efficiency improvement.
- Identifies opportunities for streamlining permitting processes.
Provides open access to information, encourages innovation, enhances communication and promotes community engagement
- Meet regularly with other boards and committees.
- Discuss Goal Setting Process for future years, building in time to seek input from other boards and the community.
-

FY2023-2024 Initiatives	Description
6.1	Review the funding goal and use of all stabilization funds in conjunction with the Finance Committee and stakeholder boards and committees.
6.2	Support employee recruitment and retention initiatives.
6.3	Evaluate the possibility of developing a Community Master Plan.
6.4	Develop a Select Board/Committee code of conduct.
6.5	Expand Select Board community engagement efforts and ensure continuation of the Town’s communications staffing.
6.6	Collaborate with stakeholders on the development of short videos on how Town government works.

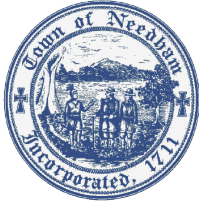
6.7	Update Appointment Protocol (BOS-ADMIN-003).
6.8	Review Elected/Appointed status.
6.9	Conduct a general governance review including the role of the Personnel Board.
6.10	Work with the Finance Committee to create a working group exploring the operating budget process and other finance-related issues.
6.11	Review and recodify the non-criminal disposition by-law.
6.12	Review and update alcohol regulations.
6.13	Complete formal appointment of Town Counsel.
6.14	Create a voluntary local historic district under Chapter 40C for the property of Moe Handel at 3 Rosemary Street, built by Jonathan and Jemima Kingsbury in 1779, the oldest house in 02494 and the 11th oldest in Needham.
6.15	Update policy governing use of public outdoor spaces under the jurisdiction of the Select Board (e.g. Town Common, Avery Square, Amity Path, etc.)

GOAL #7: Environmentally Sustainable – Needham is a sustainable, thriving and equitable community that benefits from and supports clean energy; preserves and responsibly uses the earth’s resources; and cares for ecosystems. Needham:

- Maintains a sense of urgency around climate change.
- Promotes sustainability, including transitioning from fossil fuels to clean, renewable energy.
- Ensures the efficient use of natural resources.
- Protects and enhances the biodiversity and productivity of ecological systems.

FY2022-2023 Initiatives	Description
7.1	Develop a Climate Action Plan.
7.2	Identify parcel acquisition to comply with Land & Water Conservation Fund requirements.
7.3	Sponsor a tree summit.
7.4	Work with the Planning Board to explore zoning options to allow solar canopies on public and private property.
7.5	Evaluate regulations governing asbestos and lead protection/mitigation on knockdowns.
7.6	Review/establish electric vehicle charging rates.
7.7	Recommend community energy aggregation.
7.8	Evaluate adoption of net zero building code.
7.9	Begin development of sustainability guidelines for the construction and renovation of for existing and future municipal buildings, and large commercial buildings.
7.10	Support and encouragement of improving access to equitable solar energy opportunities, including assessment, planning and funding.

DRAFT



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

MEETING DATE: 08/09/2022

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: 8/9/2022

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 July 31, 2022 and authorize a merit award payment in the amount of \$2,500.	
3.	BACK UP INFORMATION ATTACHED
a. Town Manager Consensus Evaluation Overview Document dated July 31, 2022.	

TOWN OF NEEDHAM

TOWN MANAGER EVALUATION

NAME:	
REVIEWER:	
REVIEW PERIOD:	
DATE:	

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	
	Is diligent and thorough in the discharge of duties
	Exercises good judgment
	Displays enthusiasm, cooperation, and willingness to adapt
	Exhibits composure and attitude appropriate for executive position
2. PROFESSIONAL SKILLS AND STATUS	
	Maintains knowledge of current developments affecting the practice of local government management
	Demonstrates a capacity for innovation and creativity
	Anticipates and analyzes problems to develop effective approaches for solving them
	Demonstrates a willingness to try new ideas proposed by governing body members and/or staff
	Sets a professional example by handling affairs of the public office in a fair and impartial manner
	Identifies professional development opportunities to continue personal development

KEY COMPETENCIES (continued)

3. RELATIONS WITH ELECTED MEMBERS OF THE SELECT BOARD

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

4. POLICY EXECUTION

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

5. REPORTING

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

6. CITIZEN RELATIONS

	Is responsive to requests from citizens
	Demonstrates a dedication to service to the community and its citizens
	Maintains a non-partisan approach
	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)

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

7. STAFFING

	Recruits and retains competent personnel for staff positions
	Applies an appropriate level of supervision to improve any areas of substandard performance
	Stays accurately informed and appropriately concerned about employee relations
	Ensures professional management of the compensation and benefits plan
	Promotes training and development opportunities at all levels of the organization

8. SUPERVISION

	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
	Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
	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
	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
	Encourages teamwork, innovation, and effective problem-solving among staff members

9. FISCAL MANAGEMENT

	Prepares a preliminary balanced budget to provide services at a level deemed appropriate by the Board
	Makes the best possible use of available funds, conscious of the need to operate the Town efficiently and effectively
	Prepares a budget and budgetary recommendations in an intelligent and accessible format
	Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability

KEY COMPETENCIES (continued)

9. FISCAL MANAGEMENT (continued)

	Appropriately monitors and manages fiscal activities of the organization
--	--

10. COMMUNITY

	Shares responsibility for addressing issues facing the Town
	Avoids unnecessary controversy
	Cooperates with neighboring communities and the country
	Helps the Board address future needs and develop adequate plans to address long term trends
	Cooperates with other regional, state, and federal government agencies

PROGRESS TOWARD PRIOR YEAR GOALS

--

UNPLANNED ACTIONS/ACHIEVEMENTS

--

LEARNING AND DEVELOPMENT PLANS

OVERALL EVALUATION NARRATIVE

TOWN MANAGER PERFORMANCE EVALUATION FORM

ACKNOWLEDGEMENT OF RECEIPT

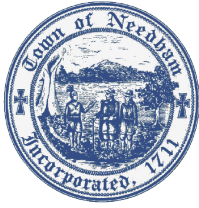
This is to acknowledge the fact that the performance review was conducted by the Board of Selectmen in accordance with the procedures and that the Town Manager has received the overview document.

SELECT BOARD

Date:_____

TOWN MANAGER

Date:_____

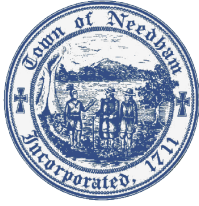


**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 08/09/2022

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Chair will provide an update on the pending Federal Lawsuit.	
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
None	



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

MEETING DATE: 08/09/2022

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Board members may report on the progress and / or activities of their Committee assignments.	
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
None	

**Town of Needham
Select Board
Minutes for Tuesday, July 26, 2022
Needham Town Hall
Select Board's Chamber
and
Via ZOOM**

<https://us02web.zoom.us/j/86082115013>

- 6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Marianne B. Cooley. Those present were Marcus Nelson, Kevin Keane, Heidi Frail, Matthew Borrelli, and Town Manager Kate Fitzpatrick. Dave Davison, ATM/Finance, 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 Comment Period: No comments were heard.
- 6:00 p.m. Proclamation for Purple Heart Day August 7, 2022:
Mr. Nelson read a proclamation recognizing Needham as a Purple Heart Community and that August 7, 2022 will be considered Purple Heart Day in the Town of Needham.
- Motion by Mr. Nelson that the Select Board of the Town of Needham does hereby proclaim that Needham is a Purple Heart Community and that August 7th will be considered Purple Heart Day in Needham. The Select Board encourages residents and businesses to display the American Flag and recognize Purple Heart recipients on that day, honoring the service and sacrifice of our military personnel.**
Second: Mr. Borrelli. Unanimously approved 5-0.
- 6:02 p.m. Proclamation for India Independence Day August 15, 2022:
Mr. Nelson read a proclamation recognizing August 15, 2022, as India Day in the Town of Needham.
- Motion by Mr. Nelson that the Select Board of the Town of Needham does hereby proclaim August 15, 2022, as India Day and encourages all residents to join the Indian Community to celebrate and commemorate its 75th Independence Day.**
Second: Mr. Borrelli. Unanimously approved 5-0.
- 6:06 p.m. Fire Chief Swearing In:
Town Clerk Theodora Eaton swore in Thomas Conroy as the next Fire Chief in the Town of Needham.

Chief Conroy thanked the Town Manager and the Select Board for the opportunity given to him as Fire Chief, and to all firefighters for their support.

The Board thanked Chief Conroy for his service and wished him well in his new role.

6:12 p.m. Public Hearing: Grant of Location - 233 Great Plain Avenue
Joanne Callender, Eversource Representative requested permission from the Board to install approximately 21 feet of conduit in Berkshire Road.

Ms. Fitzpatrick indicated all paperwork is in order.

Ms. Cooley invited public comment. No comments were heard.

Motion by Mr. Borrelli that the Select Board approve and sign a petition from Eversource Energy to install approximately 21 feet of conduit in Berkshire Road.

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

6:14 p.m. Joint Meeting with Park and Recreation Commission:
A joint meeting was held with members of the Park and Recreation Commission including Chris Gerstel, Chair, Cindy Chastain (via Zoom), and Michelle Geddes (via Zoom). Select Board members Kevin Keane and Heidi Frail recused themselves from discussion.

It was noted that Marcus Nelson, Vice Chair of the Select Board and Chris Gerstel, Chair of the Park and Recreation Commission, held interviews with six applicants on June 15, 2022 for the current vacancy on the Park and Recreation Commission. Mr. Nelson and Mr. Gerstel recommended Frederica Lalonde be appointed to serve the remainder of the term until the next Town Election.

Ms. LaLonde said she is honored to be appointed to the position and looks forward to making a positive contribution to the Town.

Motion by Mr. Nelson that the Select Board and Park and Recreation Commission vote to appoint Frederica Lalonde to the Park and Recreation Commission until the next Town Election to be held on April 11, 2023.

Second: Mr. Borrelli. Unanimously approved 6-0 by roll call vote.

Mr. Nelson said it has been great to get to know Ms. Lalonde and an honor to appoint her to the position, and that her service to Needham will make everyone proud.

Mr. Borrelli thanked Ms. LaLonde for stepping up for the position, as it is a very important Town role. He said he looks forward to working with her.

Ms. Cooley concurred with Mr. Nelson and thanked Ms. LaLonde for her service. She wished her well in her new role.

Motion by Mr. Nelson that the Select Board and Park and Recreation Commission vote to appoint Frederica Lalonde to the Park and Recreation Commission until the next Town Election to be held on April 11, 2023.

Second: Mr. Borrelli. Unanimously approved 6-0 by roll call vote.

6:20 p.m. Public Hearing: Comcast Cable Television Contract Renewal
Bill August, Town Cable Counsel (via Zoom), Greg Franks, Comcast Representative (via Zoom), Kate Fitzpatrick, Town Manager, and Myles Tucker, Support Services Manager spoke with the Board about the cable television renewal license with Comcast of Needham.

Ms. Cooley read a statement regarding the Town's Comcast Cable Television Contract Renewal.

Ms. Fitzpatrick recommended that the Select Board, as Issuing Authority for the Town, enter into a ten-year cable television renewal license with Comcast of Needham Inc. for the period of December 18, 2022, through December 17, 2032.

Mr. Tucker discussed items that were negotiated and included in the proposed ten-year license. He recognized Greg Franks and the Comcast team for their partnership and Attorney August for his assistance during the renewal process. Mr. Tucker also thanked Marc Mandel for his invaluable technical expertise during negotiation on this license, as well as the other two cable licenses that were negotiated earlier this year.

Ms. Cooley invited public comment. No comments were heard. Ms. Cooley said no emails or public comments have been received.

Motion by Mr. Borrelli that the Board find that the cable franchise renewal proposal of Comcast of Needham, Inc. reasonably meets the franchise and cable related renewal needs and interests of the public and Town; and that Comcast of Needham, Inc.'s financial and technical qualifications and local programming channels, facilities, and services are reasonable to meet Town cable franchise needs, find that the Select Board, as Issuing Authority for the Town, votes to accept the renewal agreement with Comcast of Needham, Inc. effective December 18, 2022.

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

6:30 p.m. Appointments and Consent Agenda:
Motion by Mr. Borrelli that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

1. Avery Newton

Affordable Housing Trust Fund

Term Exp: 6/30/2025

2. Colleen Schaller	Council on Aging	Term Exp: 6/30/2025
3. Kathleen Robey	Council on Aging	Term Exp: 6/30/2025
4. Amy Lam	Needham Council on Arts and Culture	Term Exp: 6/30/2025
5. Daniel Goodman	Council of Economic Advisors	Term Exp: 6/30/2025
6. Thomas Conroy	PPBC User Rep – Public Safety Project:	Indefinite Term
7. Donna Mullin	Traffic Management Advisory Committee	Term Exp: 6/30/2025
8. Rebecca Tarantino	Traffic Management Advisory Committee	Term Exp: 6/30/2025
9. Robert Ciccolo	Traffic Management Advisory Committee	Term Exp: 6/30/2025
10. Guus Dreissen	Traffic Management Advisory Committee	Term Exp: 6/30/2023
11. Election Workers for 2022–2023 See attached.		

CONSENT AGENDA *=Backup attached

- 1.* Approve minutes of June 14, 2022 (open session), June 28, 2022 (open and executive session)
2. Accept the following donation made to the Needham Community Revitalization Trust Fund: \$2,500 from Mr. C. Bruce Johnstone.
3. Accept the following gift card donations made to the Needham’s Aging Services Division to use at the Council on Aging: \$105 Café Fresh Bagel, \$60 Town House of Pizza, \$375 Roche Brothers, \$400 Sweet Basil, \$150 Volante Farms, and \$25 from Linda S. Sohmer.
4. Accept the following donation made to the Needham Free Public Library: \$30 from Catherine J. Collishaw in memory of Anita Marie Love.
- 5.* Sign the Warrant for the State Primary Election to be held on Tuesday, September 6, 2022.
- 6.* Authorize the Chief of Police to assign police officers to each polling location and Town Hall in accordance with the “Votes Act” for all future elections.
- 7.* Approve a request from Julia Karr, Development Associate for the 35th Annual Bike-A-Thon, Bikes Not Bombs. The road event will pass through Needham on Sunday, September 11, 2022, with a rain date of Sunday, September 22, 2022. The route was approved by the following departments: DPW, Police, Fire and Park and Recreation.
- 8.* Approve a request from Allan Eyden, Race Coordinator for the PanMassachusetts Challenge, PMC Road Race. The event will pass through Needham on Saturday, August 6 and Sunday, August 7, 2022. The route of the race was approved by the following departments: DPW, Police, Fire and Park and Recreation.
- 9.* Approve a request from Clint Moon, Route Coordinator for the Ride for Food. The event will pass through Needham on Sunday, October 2, 2022. The route was approved by the following departments: DPW, Police, Fire and Park and Recreation.
- 10.* RATIFY a One Day Special License for Monique Goodrow-Trach of Needham Pool and Racquet Club who hosted its Beers, Bags and Annual Corn Hole Tournament on Friday, July 15, 2022. The event was held at Needham Pool & Racquet Club 1545 Central Ave, Needham. The Police and Fire Department approved the event.
11. Approve and sign integrated collective bargaining agreement between the Town and the Needham Police Union for the period July 1, 2021, through June 30, 2022 and July 1, 2022 through June 30, 2025.

- 12.* Approve and sign integrated collective bargaining agreement between the Town and the Needham Police Superior Officers Association for the period July 1, 2021 through June 30, 2022 and July 1, 2022 through June 30, 2025.
- 13.* Approve and sign integrated collective bargaining agreements between the Town and the Needham Firefighters Union Local 1706 Unit A & Unit C for FY21 and FY22
- 14.* Approve and authorize the chair to sign the Employment Agreement between the Town and Thomas Conroy, Fire Chief.
- 15.* Approve and authorize the Town Manager to executive an estoppel certification for Sun Life.
16. Grant permission for the following residents to hold block parties:

Name	Address	Party	Party	Party	Party
Cindy Osgood	27 Laurel Drive	Lower Laurel Drive	9/10/22	9/11/22	4pm-8pm
Katherine Calzada	9 Morton Street	Morton Street	9/10/22	9/17/22	12pm-4pm
Catherine Holland	104 Newell Ave.	Intersection near Newell, Prospect, and Lewis	9/10/22	9/11/22	5pm-8pm
Paul Kaboub	57 Parkinson St.	Parkinson St. Bet. Webster and Manning	9/10/22	9/17/22	4pm-8pm

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

6:31 p.m. Public Hearing Water & Sewer Rates:
John Tallerico, Chair and members of the Water and Sewer Rate Structure Committee, David Davison, Assistant Town Manager/Finance, Carys Lustig, Director of Public Works (via Zoom), and Michael Retzky, Superintendent of Water and Sewer spoke with the Board about the town's proposed water and sewer rates.

Mr. Davison noted the Water and Sewer Rate Structure Committee met on June 23, 2022, July 8, 2022, and again on July 19, 2022, to finalize its recommendation to the Board. He commented on consumption trends, noting the impact of Coca Cola ending its bottling operations in Needham, planned rate changes that were not implemented in FY2021 and FY2022 due to the onset of COVID, and annual charges in comparable surrounding communities, and the Rate Structure Proposal.

Mr. Tallerico explained the evaluation process and potential impact to the community. He said the Water and Sewer Rate Structure Committee generally provides several options, but the members agreed the one option proposed is best for Needham.

Discussion ensued on the proposed water and sewer rates, possible MWRA restrictions on the availability of water. Mr. Retzky said the MWRA is currently at 95% capacity and can supply every bit of water currently needed.

Ms. Fitzpatrick commented on the non-essential outdoor water use restriction from 2013 until a few years ago, when the Town gave up its permit relying only on registered water, which she said the Town believes the Commonwealth is not allowed to impose restrictions. She said restrictions are coming and the Town may end up in a situation where its registered water does get restricted in some way.

Discussion ensued on Needham's average water use which is much higher than comparable towns and the reason why must be understood, the environmental impact, conservation, and cost.

Ms. Cooley invited public comment. No comments were heard.

It is anticipated that the Select Board will vote on final water and sewer rates at its meeting on August 9, 2022.

7:00 p.m. Transfer of an All-Alcohol Innkeeper License - 365 Management Company LLC, d/b/a Residence Inn
Caroline O'Connell, Applicant Counsel and Michael Gendrin, Proposed Manager spoke with the Board regarding 365 Management Company LLC, d/b/a Residence Inn application for the transfer of an Innkeeper All Alcoholic Beverages Liquor License to be operated at 80 B Street, Needham, MA. The applicant is requesting the appointment of Michael Gendrin as Manager of Record.

Ms. Cooley reminded Mr. Gendrin of the Town of Needham's rules and regulations for the service of alcohol and that he is responsible to make sure they are followed.

Motion by Mr. Borrelli that the Select Board vote to approve the Section 12 All Alcohol Innkeeper License transfer application submitted by 365 Management Company LLC, d/b/a Residence Inn including the appointment of Michael Gendrin as Manager of Record, and submit the application to the ABCC.

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

7:03 p.m. Proposed Alcohol Regulations Changes - Breweries
Katie King, Assistant Town Manager spoke with the Board about the Town's proposal to allow breweries in Needham to further diversify the business inventory and offer an additional amenity to residents and visitors. The Planning Board is advancing a zoning amendment for the Special Town Meeting in the fall, which would define brewery business types and determine where each could be located by special permit. The Select Board oversees liquor licenses for all establishments that sell alcohol in Needham and must update the Town's liquor license policies to

allow for breweries. The Select Board discussed proposed changes at their June 14, 2022 meeting and held a public hearing at their June 28, 2022 meeting.

Motion by Mr. Nelson that:

1. The Board vote to adopt the revised Regulations for the Sale of Alcoholic Beverages effective July 26, 2022.

2. The Board vote to adopt the revised Calendar Year 2022 fee schedule.

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

The Board thanked Ms. King for her work.

7:07 p.m.

Recycling and Transfer Station Charges and Fees:

Jeff Heller, Solid Waste Disposal & Recycling Advisory Committee, David Davison, Assistant Town Manager/Finance, and Carys Lustig, Director of Public Works spoke with the Board about the Department of Public Works proposed revisions to some of the fees that are charged for the disposal of specific items and two new fees due to volume and cost. There are no broad-based (Sticker Fee, Bag Fee, Scale Fee) service fee changes recommended this year. Mr. Davison stated the Solid Waste Disposal & Recycling Advisory Committee met on Tuesday, March 15, 2022 and voted to recommend the proposed rate changes and the new fees.

Mr. Heller commented on changes to the fees.

Ms. Frail stated a discussion should be had at some point regarding the possibility of a pay-per-throw compostable garbage bag, rather than continuing to use plastic bags. She stated a compostable bag is better for the environment.

Discussion ensued on fees, pay per throw program, and the use of yellow plastic bags.

Motion by Mr. Borrelli that:

A: the Board approve the proposed rate changes effective September 1, 2022: Automobile Tires \$7.50, Truck Tires \$15.00, Convenience Fee (illegal dumping without a pay-to-throw bag) \$10.00, and

B: the Board approve the consolidation of the computer monitor 15" or less, computer monitor greater than 15", flat screen TV 15" or less, flat screen TV greater than 15", and television disposal fees to be titled monitors and that the rate be set at \$20.00 per item effective September 1, 2022, and

C: the Board approve the implementation of the following new fees effective September 1, 2022: Fluorescent tube disposal \$1.00 each (not more than 10 tubes per week), Small printers \$2.50 each item.

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

7:21 p.m. Public Hearing: Dangerous Dog Hearing (Continued)
Chief Schlittler has requested that the Select Board hold a dangerous dog hearing in accordance with MGL c. 140 Section 157 and Town By-Law 3.7.5 on a complaint about a dog by the name of “Axel” residing at 233 West Street in Needham.

Ms. Cooley commented that Ms. Diana Rasoul-Agha, dog owner, supplied additional information late this afternoon that the Board needs time to consider. She stated the Board must understand the new information, noting it appears Ms. Rasoul-Agha has secured insurance for Axel, has completed a behavioral analysis as required by the Board, and scheduled neutering of Axel.

Ms. Cooley suggested tonight’s public hearing be continued to the Select Board’s next meeting on August 9, 2022.

Motion by Mr. Borrelli that the Select Board vote to continue Public Hearing: Dangerous Dog Hearing to August 9, 2022.

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

Mr. Borrelli suggested mandating any further materials on this issue be delivered by Thursday prior to the Select Board meeting. Ms. Cooley concurred with Mr. Borrelli noting Ms. Rasoul-Agha must understand the current Select Board orders required a weekly update of any new information or if there has been no change.

7:24 p.m. Introduction of Director of Assessing:
Dave Davison, ATM/Director of Finance introduced M. Motta, the Town’s new Director of Assessing to the Select Board. He noted the search to fill the vacancy was exhaustive, noting Ms. Motta’s work experience is well suited for the position as Director of Assessing.

Ms. Motta said she is already very impressed with the Town Manager and staff interaction. She said she is happy to be part of the team.

The Board welcomed Ms. Motta to Needham and wished her well in her new position.

7:30 p.m. Leadership ICMA Presentation Recruitment & Retention:
Kate Fitzpatrick, Town Manager told the Board the Town contracted with the Leadership ICMA Program to conduct an evaluation of the Town’s options for increasing employee satisfaction, recruitment, and retention through benefit

strategies. She introduced members of the team including Jack Daly, Assistant Director of Public Works, Georgetown, TX, Jared Jones, Assistant City Manager, Panama City, FL, Jennifer Prochazka, Assistant City Manager, College Station, TX, Stephanie Reyes, Interim City Manager, San Marcos, TX, and Laura Savage, Senior Program Manager, ICMA.

Ms. Fitzpatrick noted Leadership ICMA is a competitive, intensive two-year ICMA University program designed to cultivate key competencies needed for successful leadership at all levels of local government management. Participants complete a series of five class modules and a team-based capstone project. The 2022 cohort has selected the Town of Needham for its capstone project.

A PowerPoint presentation was viewed titled “Recruitment and Retention, Strategies for an Employer of Choice.” Mr. Daly gave a project overview describing the scope of the project, its objectives, best practices, diversity, new benefit offerings, and compensation. He commented on meetings and interviews with employee focus groups and key findings.

Mr. Borrelli commented on private sector businesses competing with other towns and municipalities for employees. He asked, “what can Needham offer against the private sector that would make Needham more desirable?” He commented on the idea of allowing children of employees to attend Needham public schools. He stated the private sector, particularly now, has a large advantage in hiring over municipalities.

Mr. Daly commented on the schools and the stability of Needham, as municipalities are less likely to let people go when there is a downturn. He said financial stability, predictability, and resources to deliver great services to the community makes Needham attractive.

Ms. Fitzpatrick commented people also come to Needham because of the mission and their desire to make a positive impact on people's lives, which she said is not the same in the private sector.

Mr. Nelson asked for suggestions, solutions, or ideas on lower ranked answers from employees when asked ‘what’s the best part about working for Needham?’

Mr. Daly said the responses weren’t necessarily negative, but just lower on the chart and echo what people like about working for Needham.

The Board thanked Ms. Fitzpatrick and the team for the work they have done for Needham.

8:00 p.m. National Community Survey Presentation:

Cyndi Roy Gonzales, Public Information Officer presented the results of the recently completed Needham Community Survey, including methodology and results.

The wide range of responses and the broad-based opinions expressed by the survey participants provide the Town with a unique perspective about service delivery, highlighting successes, opportunities, and areas that deserve greater attention. The Town has completed the survey on a biannual basis since 2008 (except for 2020). The primary purpose is to establish a formal, systematic mechanism for evaluating customer satisfaction with Town services, and then using the information to inform organizational, management, and funding decisions. Resident opinion should be a major factor in local government decision making, yet it is often hard to measure. Citizen surveys provide valuable information to help to understand residents' concerns, improve communication, and measure satisfaction with the overall operation of local government. By almost every measure, the level of citizen satisfaction with local government in Needham is quite high.

A PowerPoint presentation titled "The Town of Needham 2022 Community Survey, National Research Center by Polco" was viewed and Ms. Gonzalez discussed the results. She spoke about benchmark comparisons with other communities including safety, health and wellness, economy, mobility, natural environment, education and enrichment, and general governance etc.

Discussion ensued on the results and their interpretation.

Ms. Fitzpatrick commented residents should be proud of the results and much of the data can be used to make improvements.

Mr. Borrelli said he was looking forward to seeing the results of the survey as it is a "good check with reality." He said the data shows people continue to feel Needham is a wonderful place to live.

The Board thanked Ms. Gonzalez for the presentation.

8:36 p.m.

Town Manager:

Ms. Fitzpatrick spoke with the Board regarding 2 items:

1. Accept and Refer Zoning

Ms. Fitzpatrick reminded the Board that the Planning Board, at its meeting of July 7, 2022, voted to place the following article on the warrant for the October 24, 2022, Special Town Meeting: "Amend Zoning By-Law – Schedule Of Use Regulations Brew Pub and Microbrewery." She asked the Board to accept the proposed zoning article for referral to the Planning Board for its review, hearing, and report.

**Motion by Mr. Borrelli that the Board vote to accept the proposed zoning article for referral to the Planning Board for its review, hearing, and report.
Second: Mr. Nelson. Unanimously approved 5-0.**

2. Town Manager Report

Ms. Fitzpatrick reminded folks that on August 7, 2022 at 7 p.m. at Memorial Park a Purple Heart Day Observance will be held.

Ms. Fitzpatrick reminded folks that in person early voting for the state primary will begin on Saturday, August 27, 2022 and end on Friday, September 2, 2022 at Town Hall in the Select Board's Chamber. She said the state primary will be held on September 6, 2022.

Ms. Fitzpatrick told the Board the Special Town Meeting warrant will be opened on August 9, 2022, noting the Special Town Meeting will be held on October 24, 2022.

8:39 p.m. Board Discussion:

1. Committee Reports

Mr. Keane reported budget requests from the climate action committee are forthcoming for Town Meeting.

Ms. Frail reported the affordable housing committee meeting will be held on Thursday, July 28, 2022.

8:40 p.m. Executive Session: Exceptions 3 (Collective Bargaining Police & Fire Unions) & 6 (Purchase of Real Property)

Motion by Mr. Borrelli 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;

and

Exception 6 – To consider the purchase, exchange, lease or value of real estate if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Not to return to open session.

Second: Mr. Keane. 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, August 9, 2022 at 6 p.m.
Note: The meeting adjourned at 9:15.

FISCAL YEAR 2023		
<u>SCHEDULE A</u>		
Effective July 1, 2022		
Full-time and regular part-time position classifications with corresponding classification		
Position Title	Grade/Class.	FLSA status
Administrative Analyst	6	exempt
Administrative Assistant	I-03	non-exempt
Administrative Specialist	I-05	non-exempt
Animal Control Officer	GF07	non-exempt
Applications Administrator	I-07	exempt
Arborist	N-5	non-exempt
Assistant Building Commissioner	10	exempt
Assistant Director of Aging Services/Counseling and Volunteers	11	exempt
Assistant Director of Aging Services/Programs and Transportation	10	exempt
Assistant Director of Assessing	9	exempt
Assistant Director of Human Resources	10	exempt
Assistant Director of Park & Recreation	11	exempt
Assistant Director of Public Health for Community & Environmental Health	11	exempt
Assistant Director of Public Health for Nursing & Behavioral Health	11	exempt
Assistant Director of Public Library	12	exempt
Assistant Director of Public Works/Building Maintenance	13	exempt
Assistant Director of Public Works/Operations	13	exempt
Assistant Superintendent	9	exempt
Assistant Town Accountant	9	exempt
Assistant Town Clerk	6	exempt
Assistant Town Engineer	11	exempt
Assistant Town Manager/Director of Finance	15	exempt
Assistant Town Manager/Director of Operations	15	exempt
Assistant Town Planner	7	exempt
Assistant Treasurer/Collector	9	exempt
AutoCAD Technician	GF04	non-exempt
Benefits Administrator	6	exempt
Building Commissioner	12	exempt

Position Title	Grade/Class.	FLSA status
Building Maintenance Manager	11	exempt
Building Maintenance Supervisor	9	exempt
Business Manager	11	exempt
Carpenter	BT-4	non-exempt
Chief Wastewater Operator	N-7	non-exempt
Children's Librarian	7	exempt
Children's Services Assistant	GT05	non-exempt
Civil Engineer	7	exempt
Clinician	I-07	exempt
Compliance Coordinator	6	exempt
Computer Operator	I-03	non-exempt
Conservation Manager	9	exempt
Conservation Specialist	I-06	non-exempt
Contract Administrator	8	exempt
Craftworker (Building Maintenance)	BT-2	non-exempt
Craftworker (DPW)	N-4	non-exempt
Custodian	BC-1	non-exempt
Deputy Fire Chief	F-4	non-exempt
Deputy Fire Chief, Operations	F-5	non-exempt
Deputy Police Chief	14	exempt
Director of Aging Services	13	exempt
Director of Assessing	12	exempt
Director of Design and Construction	13	exempt
Director of Health and Human Services	14	exempt
Director of Human Resources	14	exempt
Director of Management Information Systems	14	exempt
Director of Park and Recreation	12	exempt
Director of Planning and Community Development	13	exempt
Director of Public Library	14	exempt
Director of Public Works	15	exempt
Director of Youth and Family Services	12	exempt
Division Superintendent, Highway	12	exempt

Position Title	Grade/Class.	FLSA status
Division Superintendent, Parks and Forestry	12	exempt
Division Superintendent, Solid Waste/Recycling	12	exempt
Division Superintendent, Water/Sewer	12	exempt
Economic Development Manager	9	exempt
Electrician	BT-4	non-exempt
Emergency Management Administrator	11	exempt
EMS Administrator	EMS Administrator	non-exempt
Engineering Aide	GF02	non-exempt
Engineering Technician	GF05	non-exempt
Environmental Health Agent	I-07	non-exempt
Equipment Mechanic	N-4	non-exempt
Field Assessor	I-06	non-exempt
Finance Assistant	I-04	non-exempt
Fire Business Manager	9	exempt
Fire Captain	F-3	non-exempt
Fire Chief	Contract	exempt
Fire Inspector	Fire Inspector	non-exempt
Fire Lieutenant	F-2	non-exempt
Firefighter	F-1	non-exempt
Fleet Supervisor	10	exempt
GIS/Database Administrator	I-07	exempt
Heavy Motor Equipment Operator (HMEO)	N-4	non-exempt
Human Resources Assistant	GT05	non-exempt
HVAC Supervisor	9	exempt
HVAC Technician	BT-4	non-exempt
Inspector of Plumbing & Gas	GT07	non-exempt
Inspector of Wires	GT07	non-exempt
Laborer 2	N-2	non-exempt
Laborer 3	N-3	non-exempt
Library Assistant	GT03	non-exempt
Library Children's Supervisor	10	exempt
Library Circulation Supervisor	9	exempt

Position Title	Grade/Class.	FLSA status
Library Reference Supervisor	10	exempt
Library Technical Services Supervisor	10	exempt
Library Technology Specialist/Archivist	11	exempt
Local Building Inspector	GT06	non-exempt
Management Analyst	8	exempt
Master Mechanic	N-6	non-exempt
Network Manager	I-11	exempt
Office Assistant	I-02	non-exempt
Park Ranger	BC-1	non-exempt
Payroll Coordinator	I-06	non-exempt
Plumber	BT-4	non-exempt
Police Administrative Specialist	I-06	non-exempt
Police Chief	Contract	exempt
Police Lieutenant	P-3	non-exempt
Police Maintenance Assistant	GF03	non-exempt
Police Officer	P-1	non-exempt
Police Sergeant	P-2	non-exempt
Procurement Officer	9	exempt
Project Manager	10	exempt
Public Health Nurse	I-09	exempt
Public Information Officer	10	exempt
Public Safety Dispatch Supervisor	GF10	non-exempt
Public Safety Dispatcher	GF07	non-exempt
Public Works Inspector	N-6	non-exempt
Public Works Technician	N-4	non-exempt
Recreation Supervisor	I-08	non-exempt
Reference Librarian/Digital Media Specialist	7	exempt
Reference Librarian/Program Specialist	7	exempt
Reference Librarian/Young Adult	7	exempt
Retirement Administrator*	9	exempt
Retirement Assistant*	GT04	non-exempt
Scalehouse Attendant	N-3	non-exempt

Position Title	Grade/Class.	FLSA status
Senior Administrative Coordinator	I-07	non-exempt
Senior AutoCAD Technician	GF06	non-exempt
Senior Custodian 1	BC-2	non-exempt
Senior Custodian 2	BC-3	non-exempt
Senior Project Manager	12	exempt
SHINE Assistant Program Coordinator	GT07	non-exempt
SHINE Program Coordinator	GT08	non-exempt
Substance Use Prevention Program Coordinator	8	exempt
Support Services Manager	10	exempt
Survey Party Chief	GF06	non-exempt
Technical Services Assistant	GT03	non-exempt
Technology Support Technician	I-06	non-exempt
Town Accountant	12	exempt
Town Engineer	13	exempt
Town Manager	Contract	exempt
Town Treasurer and Tax Collector	12	exempt
Transportation Coordinator	GT06	non-exempt
Traveling Meals Coordinator	GT05	non-exempt
Warehouse Person	BT-1	non-exempt
Wastewater Operator	N-4	non-exempt
Water Treatment Facility Manager	10	exempt
Water Treatment Operator	N-4	non-exempt
Working Foreman	N-7	non-exempt
Zoning Specialist	GT06	non-exempt
*Needham Contributory Retirement Board position titles		