Town of Needham
Select Board
Minutes for Tuesday, September 27, 2022
Needham Town Hall
and
Via ZOOM
https://us02web.zoom.us/j/88931474272

6:00 p.m. Call to Order:
A meeting of the Select Board was convened on by Vice Chair Marcus Nelson. Those present were Kevin Keane, Heidi Frail, Matthew Borrelli, and Town Manager Kate Fitzpatrick. Chair Marianne Cooley was not present. 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.

6:01 p.m. Public Hearing: Little Spoon Outdoor Dining
Apirak Chuenprapa, Manager spoke with the Board regarding a request from PM Story Corporation LLC, d/b/a Little Spoon, located at 952 Great Plain Avenue, who are seeking to establish an outdoor dining space on the sidewalk located in front of its storefront. The applicant has also applied to the Select Board for an Alteration of Premises for their liquor license.

Ms. Fitzpatrick, Town Manager indicated all paperwork is in order.

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

Motion by Mr. Borrelli that the Select Board vote to approve an Outdoor Dining License for PM Story Corporation LLC, d/b/a Little Spoon.
Second: Mr. Keane. Unanimously approved 4-0.

6:02 p.m. Public Hearing: Alteration of Premises for a Wine and Malt License in a Restaurant – PM Story Corporation LLC, d/b/a Little Spoon
Apirak Chuenprapa, Manager spoke with the Board regarding the applicant's submitted request for an amendment to expand the licensed premises to include: a 250 square foot sidewalk area with seating for 18 patrons. It was noted that PM Story Corporation LLC, d/b/a Little Spoon, located at 952 Great Plain Avenue, currently holds a Wine and Malt license. The current licensed premises is: 2,612 Sq. Ft. There are two floors and two exits. First floor has 1,662 Sq. Ft. Basement has approximately 700 Sq. Ft. The first floor has a dining area, bar, two bathrooms and kitchen. Basement has a prep area, one bathroom, office, walk-in cooler and freezer. There are 60 seats for indoor seating.

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

Motion by Mr. Borrelli that the Select Board vote to approve the Amendment for Alteration of Premises application received from PM Story Corporation LLC. d/b/a Little Spoon, and so approved forward the Amendment application to the ABCC for review and final approval.
Second: Mr. Keane. Unanimously approved 4-0.

6:04 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. Marcus Nelson	**Minuteman School Subcommittee**	**Term Exp: 6/30/2024**
2. Michelle Vaillancourt	**Contributory Retirement Board**	**Term Exp. 9/27/2025**

CONSENT AGENDA *=Backup attached

1.* Approve minutes of August 9, 2022 (open session), September 13, 2022 (open session), September 13, 2022 (executive session)

2.* Approve a One Day Special License for Khanh Nguyen of the Anaya Tipnis Foundation for Thursday, October 13, 2022. The event will be held at Temple Beth Shalom, 670 Highland Avenue, Needham. All documents are in order. The Police Department has approved the event.

3.* Approve a One Day Special License for Tracy Vaughan Murphy of Beth Israel Deaconess Hospital Needham for Wednesday, September 28, 2022. The event will be held at Needham Town Hall, Powers Hall, 1471 Highland Ave., Needham. All documents are in order. The Police Department has approved the event.

4.* Approve a One Day Special License for Jim Reulbach of the Needham Exchange Club for Thursday, October 6, 2022. The event will be held at the Memorial Park Field House, 92 Rosemary Street, Needham. All documents are in order. The Police Department has approved the event.

5. Approve the following donations made to the Needham Free Public Library; $100 from Marian Irving in memory of Ruth Cunningham; Mariel Harlow donated two Ikea kid's chairs and a reading lap support (estimated value: $100); Barbara Kochaniak donated $500 for children's books in Polish; $350 from Lesley & Larry Sugarman and neighbors in memory of Gloria Sexton; Denise Bowser donated an audiobook on CD of The Crypt Thief by Mark Pryor (estimated value: $20).

6.* Approve 20B Exemptions for the Following individuals to engage in work with the Needham Park & Recreation Department; Olivia D'Angio, Carol Oberle, Edmund Farrell.

7. Request that the Select Board designate the Needham Town Hall as the Early Voting location for the State Election and approve the Early Voting Hours as listed: Saturday, October 22, 10am-4pm 2pm, Sunday, October 23 12, Noon – 4pm, Monday-Friday, October 24 – 28, 9am-1pm, Saturday, October 29 10am4pm2pm, Sunday, October 30, 12 Noon – 4pm, Monday, October 31 – November 3, 9am-5pm and Friday, November 4, 9am-1pm.

8. **Select Board Approve the assignment of Police Officers to polling places as recommended by the Police Chief.**
9.* **Approve a request from Bard Fernandes race coordinator for the Needham Run Club New Year's Day 5K to hold the road race in Needham. The event is scheduled for Sunday, January 1, 2023, 9AM. The route of the parade has been approved by the following departments: DPW, Police, Fire and Park & Recreation.**
10.* **Approve a request from Ryan Marshall Race Coordinator for The Jog for Joy 5K to hold the road race in Needham. The event is scheduled for Sunday, December 4, 2022. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.**
11.* **Approve Class II License for Needham Auto Sales pending all required paperwork.**
12. **Endorse an Erratum and License Addendum Statement with Comcast of Needham, Inc**
13. **Approve a request from the Charles River Chamber to place Fall Harvest Fair signs on:**
    - **In front of Town Common along the fence on Great Plain Avenue**
    - **Avery Square • Entrance to the Recycling Transfer Station at 1421 Central Ave.**
    - **Outside Public Service Administrative Building at 500 Dedham Ave.**
    - **Needham Library front lawn at 1130 Highland Avenue**
    - **Along Harris Street green – near Pollard Middle School**
    - **Next to the "Entering Needham" signs on Dedham Avenue, Webster Street, Kendrick Street, and Great Plain Avenue**
14. **Approve a Common Victualler License for Ceed Corp, d/b/a Cook Needham.**
15. **Approve a request from Ceed Corp, d/b/a Cook Needham for a Weekday Entertainment License and a Sunday Entertainment License.**
16. **Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Ratify: Jeffrey Cohen	48 Redington Road	48 Redington Road	9/17/22	9/18/22	4:30pm-7pm
Ratify: Alina Jordan	67 Spring Road	Spring Road	9/18/22	N/A	3pm-7pm
Dale McCarthy	72 Stevens Road	Stevens Road	10/16/22	11/06/22	4pm-6pm
Kristen Young	130 Hoover Rd.	Hoover Rd. between Webster and Manning	10/8/22	10/15/22	4pm-8:30pm

Second: Ms. Frail. Unanimously approved 4-0.

6:04 p.m. Public Hearing: Application for a Transfer of an All-Alcohol License - Cook Needham

Ian Hedges, Applicant Counsel, Deborah Paula, Proposed Manager, Cesar Gutierrez, partner and Edison Gutierrez, partner spoke with the Board regarding Ceed Corp LLC d/b/a Cook Needham application for the transfer of a Restaurant All Alcoholic Beverages Liquor License to be operated at 109 Chapel Street, Needham, MA.

Mr. Hedges described the restaurant and said the change is for management only.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Borrelli that the Board vote to approve the Section 12 All Alcohol Restaurant License transfer application submitted by Ceed Corp LLC d/b/a Cook including the appointment of Deborah Paula as Manager of Record, and so approved forward the application to the ABCC for review final approval.
Second: Ms. Frail. Unanimously approved 4-0.

6:15 p.m. Introduce Legal Counsel:

Nick Anastopoulos, Partner, Mirick O'Connell spoke with the Board explaining the services provided by his firm.

It was noted Mr. Anastopoulos is a member of the Firm's Labor, Employment and Employee Benefits Group and former chair of the Higher Education Group. His practice includes traditional private and public-sector labor law, litigation of employment disputes, and counseling on labor, employment, and human resource matters. Nick regularly counsels' clients on traditional labor issues, including election campaigns, complex contract formation disputes, grievance adjustment and arbitration, unfair labor charges, strikes, picketing, and other work stoppage issues and reduction-in-force planning. Nick has negotiated over 175 collective bargaining agreements and successfully represented public sector/public safety clients at the JLMC. He has appeared before numerous state and federal agencies including the National Labor Relations Board, the Massachusetts Division of Labor Relations, the Equal Employment Opportunity Commission, Massachusetts Commission Against Discrimination and the Occupational Safety and Health Administration. Prior to joining the Firm, Nick was labor counsel for the City of Boston and an Assistant District Attorney in Suffolk County. Bar and Court Admissions include Massachusetts, U.S. Court of Appeals for the First Circuit, and U.S. District Court for Massachusetts.

The Board thanked Mr. Anastopoulos for his work in dealing with complex matters on behalf of the Town.

6:20 p.m. Emery Grover Project Update:

Dan Gutekanst, Superintendent of Schools, Hank Haff, Director of Design & Construction, Stuart Chandler, PPBC Chair, Michael Greis, School Committee member, and Andrea Long Carter, School Committee spoke with the Board regarding the Emery Grover Project.

Dr. Gutekanst said the Hillside School is being readied for school administration staff to move into while the Emery Grover Project takes place. He also commented on the design and bidding of the Emery Grover project, noting that due to labor costs, supply chain issues, inflation, and energy that the final cost will far exceed what was anticipated, by about $4.5 million. He said the PPBC is continuing their work and at the Special Town Meeting additional funds will be requested to complete the project based on bids received on October 6, 2022.

Stuart Chandler commented on the bidding process for the project, and the general process from feasibility to completion of the project.

Discussion ensued on asking Town Meeting for additional funds, sub-bids, and the bid for an elevator.

The Board thanked the presenters for the information.

6:40 p.m. Town Manager:

1. Special Stabilization Funds

   David Davison, Assistant Town Manager/Finance updated the Board on the Town's five Special Stabilization Funds. He commented on the General Stabilization Fund, which the Town has had for decades with monies set aside for unforeseen and catastrophic situations. He gave a brief background on the state amendment to stabilization funds, which allowed communities to have multiple stabilization funds to set aside monies for more designated purposes. Mr. Davison discussed the designated special stabilization funds: Athletic Facility Improvement Fund (AFIF), Capital Facility Fund (CFF), Capital Improvement Fund (CIF), and the Debt Service Stabilization Fund (DSSF). He said a subgroup of the Finance Committee met with Town staff to discuss the existing special stabilization funds purposes and targets. He commented there has been a general sense that the purpose of the funds needed review and update in terms of purpose and amounts. All stabilization funds authorized under state law (M.G.L. c. 40 Section 5B) requires a Town Meeting action to put funds into or take funds out of a stabilization fund. He stated the town is exploring changes to the DSSF structure and purpose, which will be brought forward with the Facility Financing Summary update in November.

   The Board thanked Mr. Davison for the update and his work.

2. October 24, 2022 Special Town Meeting

Ms. Fitzpatrick reviewed articles contained in the draft Special Town Meeting warrant.

<u>HUMAN RESOURCE ARTICLES</u>

<u>ARTICLE 1</u> - Defer

<u>ARTICLE 2</u> - Defer.

<u>FINANCE ARTICLES</u>

<u>ARTICLE 3</u>
Motion by Mr. Borrelli that the Board vote to support Article 3 - Amend The FY2023 Operating Budget in the Special Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 4-0.

<u>ARTICLE 4</u>
Motion by Mr. Borrelli that the Board vote to support Article 4 - Amend The FY2023 Sewer Enterprise Fund Budget in the Special Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 4-0.

<u>ARTICLE 5</u>
Motion by Mr. Borrelli that the Board vote to support Article 5 - Amend the FY2023 Water Enterprise Fund Budget in the Special Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 4-0.

<u>ARTICLE 6</u>
Motion by Mr. Borrelli that the Board vote to support Article 6 - Appropriate Transportation Improvement Fees in the Special Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 4-0.

<u>ARTICLE 7</u> - Defer.

<u>ZONING ARTICLES</u>

<u>ARTICLE 8</u>
Motion by Mr. Borrelli that the Board vote to support Article 8 - Amend Zoning By-Law - Schedule of Use Regulations Brew Pub and Microbrewery in the Special Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 4-0.

<u>CAPITAL ARTICLES</u>

<u>ARTICLE 9</u> - Defer.

ARTICLE 10 - Defer.

ARTICLE 11 - Defer.

ARTICLE 12
Motion by Mr. Borrelli that the Board vote to support Article 12 - Rescind Debt Authorizations in the Special Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 4-0.

ARTICLE 13
Motion by Mr. Borrelli that the Board vote to support Article 13 - Appropriate to Capital Improvement Fund in the Special Town Meeting Warrant.
Second: Mr. Keane. Unanimously approved 4-0.

GENERAL ARTICLES

ARTICLE 14 - Defer.

3. Town Manager Report
Ms. Fitzpatrick commented on the acquisition of the parcel of land on Charles Rivers Street and told the Board tours of the property are being organized in October for the benefit of Town Meeting Members.

   Ms. Fitzpatrick showed the Board a proclamation received from Needham Market, England recognizing the ascension of King Charles III to the throne. She commented it was a very nice gesture and a thrill to receive.

7:15 p.m. Board Discussion:

1. Approve FY23-FY24 Goals
Motion by Mr. Keane that the Board vote to adopt the FY2023-FY2024 goal statement.
Second: Ms. Frail. Unanimously approved 4-0.

2. Committee Reports
Ms. Frail said the housing working group has delayed the community involvement meeting to November from October, as there is a lot of information to review before bringing it to the public. Ms. Fitzpatrick said a meeting with the Planning Board will be held on October 11, 2022.

   Mr. Borrelli congratulated Mr. Nelson on chairing his first meeting. He said he ran an efficient meeting while taking over for Ms. Cooley who could not attend. He acknowledged it is difficult to step in when there is a lot of town business to address.

7:25 p.m. Adjourn:
Motion by Mr. Borrelli that the Select Board vote to adjourn the Select Board meeting of Tuesday, September 27, 2022.

Second: Ms. Frail. Unanimously approved 4-0.

The next Select Board meeting is scheduled for Tuesday, October 11, 2022.

A list of all documents used at this Select Board meeting is available at:

http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=