Town of Needham
Select Board
Minutes for Tuesday, December 19, 2023
Select Board's Chamber and
Via ZOOM
https://us02web.zoom.us/j/89068374046

6:02 p.m. Call to Order:

A meeting of the Select Board was convened by Chair Marianne Cooley. Those present were Vice Chair Kevin Keane, Cathy Dowd, Heidi Frail, Marcus Nelson, and Town Manager Kate Fitzpatrick. David Davison, DTM/Finance, Katie King, DTM/Operations, and Susan Metropol, Recording Secretary, were also in attendance.

6:02 p.m. Public Comment Period:

Todd Glaskin, 1092 Highland Ave, has identified under-sized storm drains that cannot keep up with heavy water. Mr. Glaskin noted that many residents who have experienced flooding on August 8 have filed claims, which have been received and denied. During the December 18 weather event, many residents experienced the same challenges. Mr. Glaskin specifically mentioned the catch basin on Carey Road. Mr. Glaskin insisted that these storms are too common to be ignored anymore and asked the Town Manager, DPW, and the Select Board to work with residents in any way they can to identify specific storm drains that could be rectified.

Ellen Fine, 161 Greendale Ave, outlined actions that she took on her own property in order to prevent flooding. Ms. Fine noted that the issue needs to be addressed in multiple ways, including storm basic infrastructure, chemical land care, addressing the removal of trees, and the installation of sod, which can all lead to the destruction of soil structure. Ms. Fine also noted that she made seven calls to different departments in the Town and DPW and claimed no one has called her back regarding flooding in August 2023. She requested that the Select Board include the approximately 250 families, especially those with disabilities and of lower socioeconomic status, who have been affected by flooding in providing feedback on their experiences and form a Town-wide committee to deal with this issue.

Rebecca Tarantino, 82 Marked Tree Road, thanked DPW, Police, and Emergency responders for their actions during the December 18 weather event. She expressed frustration from those in her neighborhood regarding a manhole at the intersection of Oak Street and Henderson Street that overflows each time a weather event like this occurs. She asked for the Town to create a plan to address this type of flooding at an infrastructure level and for Town Management and DPW to manage rainstorms like they do snowstorms with prevention and emergency plans in place.

Ross Donald, 25H Chambers Street, presented to the Select Board that some residents are interested in opening the former community building at 164 Linden

Street. Mr. Donald commented on the issues of housing studies conducted, the annual plan of the Needham Housing Authority, and specifically the use of the property at 164 Linden Street.

6:22 p.m. Introduction of Gabby Queenan, Sustainability Manager:

Ms. Lustig introduced incoming Sustainability Manager Gabby Queenan. Ms. Queenan has a strong background in environmental planning, climate resiliency, land use, stormwater, and zoning. Her major focus in her role will be on operationalizing the Town's environmental activities as well as the Climate Action Plan. Select Board Members expressed their excitement for Ms. Queenan's arrival and emphasized that she has their support. Ms. Cooley thanked the Town Manager and Finance Manager for their creativity in funding this position.

6:28 p.m. Climate Action Roadmap:

Presenters: Stephen Frail, Climate Action Plan Committee Chair, Nick Hill, Climate Action Plan Committee Vice Chair, Hank Haff, Director of Building Design and Construction

Stephen Frail, Climate Action Plan Committee Chair, introduced the Climate Action Plan, highlighting that the wind and rainstorm on December 18 is an example of the effects of the vast amounts of carbon emissions in the atmosphere. He noted that only 2.5% of the Town's carbon emissions are from Town buildings, while a significant percentage is from private residences. Mr. Frail reported that the Climate Action Plan is in a near final draft and outlined the activities of the Climate Action Plan Committee thus far:

- Hiring of new Sustainability Manager
- Adoption of new Specialized Code by Town Meeting
- Municipal Aggregation Program currently in public comment period
- Planning Board working on solar by-laws and commercial rooftops

Ms. Cooley thanked Mr. Frail and the public who have contributed to the Climate Action Plan thus far. Ms. Cooley also noted that the Plan itself will be presented in a public hearing at the Select Board Meeting on January 9, 2024.

Nick Hill, Climate Action Planning Committee Vice Chair, noted that the development of the Climate Action Plan will be an iterative process over the next few years. Mr. Frail noted that the Charter ends in this upcoming spring and raised the question of how the Committee will move forward at the end of this two-year process. Ms. Cooley added that it will be important to determine the appropriate level of oversight and prioritization of next steps and how to focus on what the highest impact and achievable items are, especially as technology evolves and how these priorities shift.

Cathy Dowd asked the presenters what the current priorities are. Mr. Frail noted that electricity generation is one of the top priorities, stressing the importance of the Municipality Aggregation Agreement and the Specialized Code. Heidi Frail thanked the presenters for the concrete suggestions in the Climate Action Plan and asked how the Committee will work with the new Sustainability Manager to encourage both private and public action. Mr. Frail noted that residents can help to magnify some of the actions that are being recommended. Mr. Keane praised the immense work of the Committee and supports its continuation. Ms. Cooley concluded by requesting that the Committee establish what its next goals are and encouraged members of the public to review the Climate Action Plan and send any feedback to climate@needhamma.gov.

6:43 p.m. Consent Agenda:
Motion by Mr. Keane that the Select Board vote to approve the Consent Agenda as presented.
Second: Ms. Frail. Unanimously approved 5-0.

CONSENT AGENDA

1.	Approve for calendar year 2024 requests for license renewals of Common Victualler Licenses for the following establishments (subject to receipt of required completed paperwork): • 1095 LLC d/b/a Comella's • Beth Israel Deaconess Needham Hospital d/b/a Trotman Family Glover Café • Eat Farmhouse LLC d/b/a The Farmhouse • Lt. Manson Carter Post 2498 V.F.W. of U.S. • Lyco Investment LLC d/b/a Dragon Chef • Metrowest Dining LLC d/b/a The Common Room • New Garden, Inc. d/b/a New Garden • PM Story Corporation d/b/a Little Spoon • Poet King Restaurant Group LLC d/b/a Hungry Coyote (1185 Highland Ave) • Poet King Restaurant Group LLC d/b/a El Mariachi (formerly Hungry Coyote) (73 Highland Ave) • Select Pizza d/b/a Nicholas' Pizzeria • The Cookie Monstah d/b/a The Cookie Monstah • Three Sons, Inc. d/b/a Kostas Pizza and Seafood
2.	Approve for calendar year 2024 requests for various license renewals as detailed below for the following establishments (subject to receipt of required completed paperwork): • Metrowest Dining LLC d/b/a The Common Room – Seven Day Entertainment License • Needham Lending Co LLC d/b/a Sheraton Needham – Innkeeper's License • Needham Food and Beverage LLC d/b/a Homewood Inn & Suites – Innkeeper's License • 365 Management Company LLC d/b/a Residence Inn by Marriott – Innkeeper's License • Olin College – Lodging License • 7-Eleven – Special Permit (24 hr. retail sale of food) • Yeat Inc. d/b/a Sweet Basil – Special Permit (Carry-in Beer/Wine)

3.	Approve requests from Henry Hospitality, Inc d/b/a/ The James and New Garden, Inc d/b/a New Garden Restaurant to extend their liquor licenses on December 31, 2023, until 1:00 a.m on January 1, 2024. The Police Department has approved this request.
4.	Approve an ABCC License Amendment for Needham Food and Beverage, LLC d/b/a The Heights to align the Manager of Record's listed name with their legal name, Jennifer Maytum.
5.	Accept the following donation to the Needham Health Division: • $100 from Ann MacFate to the Domestic Violence Action Committee • $200 from Ann MacFate to the Gift of Warmth Program • $75 from Shahin Sagafi to the Gift of Warmth Program
6.	Endorse the revised License Agreement between the Town and the Needham Community Theater for use of the Ridge Hill Barn.
7.	Approve Open Session Minutes of November 14, 2023 and November 28, 2023.
8.	Approve an application from New Garden, Inc. d/b/a New Garden for a Seven Day Entertainment License.
9.	Accept the following donations to Needham Youth and Family Services: • $100.00 from Allen and Connie Ganser towards the YFS Crisis Donation Fund • $300.00 from Christ Episcopal Church towards the YFS Crisis Donation Fund

NOTICE OF APPROVED ONE-DAY SPECIAL ALCOHOL LICENSES

Hosting Organization	Event Title	Location	Event Date
Temple Beth Shalom	Chanukah Party	Temple Beth Shalom, 670 Highland Avenue	12/06/23
Temple Beth Shalom	Chanukah Cocktail Hour	Temple Beth Shalom, 670 Highland Avenue	12/07/23

6:45 p.m. Proposed Winter Gas Main Work by Eversource:
Presenters: Carys Lustig, Director of Public Works, Buzz Krysinski, Supervisor, Gas Construction – Eversource

Carys Lustig presented that Eversource is seeking approval to complete work outside of the Town's typical street opening permits from April until November. Eversource is looking to complete this work at the Damon and Tanglewood neighborhood from January 16, 2024 until March 19, 2024 and on Great Plain Ave from Maple to Marked Tree and Linden to Oak from January 16, 2024 until March 18, 2024. Ms. Lustig outlined the advantages and disadvantages to completing work during the off-season and noted that there is some difficulty in coordinating police details for safety during the regular season when four Eversource crews operate, and there is more work to complete per year than is possible during the typical construction season.

Ms. Lustig emphasized that this work will improve pipe condition and increase the diameter of piping which will help improve pressure and increase supply. She outlined the special conditions for this Winter Permit:

- Message boards to alert the public about this work
- Notification requirements for all abutters to these projects to ensure they are informed and coordination with the Economic Development Manager in the downtown
- No equipment or materials can be staged on-site outside of the workday
- Close up all trenches at the end of each workday and cover with asphalt
- Limited hours of work to ensure commuters and school children free access in the morning
- Special weather condition limitations on work and snow removal in identified areas of work
- Enhanced restoration work over existing requirements

Ms. Lustig noted that no agreements or permissions have been finalized, and the work is currently conditional on Eversource accepting the Town's requirements. Discussion ensued about how locations are chosen according to the Gas System Enhancement Program using the Gas Main Rating Index. This takes into consideration the condition and material of the pipe, pressure, leak history, and Town paving requirements. Buzz Krysinski noted that leaks have decreased in Towns where they have replaced pipes. Ms. Lustig emphasized the increased communication with Eversource with particular regard to tracking existing leaks in Town. It was also noted that there will be no interruption to service while work occurs. Ms. Cooley noted her support for the continuation of this work and appreciates Eversource's coordination with the Town.

7:03 p.m. Delay Implementation of the Community Stormwater Mitigation Assessments
Presenter: David Davison, Deputy Town Manager/Director of Finance

A presentation was made to the Board at its March 10, 2023 meeting regarding the recommendations to adopt a fee schedule for the purpose of funding future capital improvements to manage stormwater runoff. The Board held a Public Hearing regarding the proposal and the rate structure at its March 28, 2023 meeting. At the April 12, 2023 meeting, the Board approved the rate structure and voted that it would be effective January 1, 2023.

Mr. Davison presented that a delay of implementation is being requested for practical reasons dealing with the complexity of water and sewer billing. In introducing this new system, he stressed the importance of ensuring it is working correctly and according to any legal requirements. Mr. Davison outlined that it will be January 2024 before water and sewer billing occurs and implementing these fees now at the same as the new water and sewer bills could cause confusion for residents. Mr. Davison believes it would be appropriate to delay the implementation of the Stormwater Fees until April 2024. Ms. Frail made a significant clarification that this agenda item is related to assessed stormwater fees related to stormwater quality and not related to assessing flooding risk and stormwater capacity.

Motion by Ms. Frail that the Board approve the delay with the start date for the implementation of the Community Stormwater Mitigation Assessments from January 1, 2024 to April 1, 2024.
Second: Mr. Nelson. Unanimously approved 5-0.

7:20 p.m. Town Manager:

FY2025 – FY2029 Capital Improvement Plan
- High School Tennis Courts: fund a portion from CPA and a portion from Athletic Facility Stabilization Fund, and some alternative funding sources.
- Public Works: priority items related to stormwater at Alder Brook and the Hydrology Study are not fundable through Chapter 90; partial funding from Warrant Articles and contribution for Enterprise Fund which results in a lower borrowing amount for this item
- Sewer Main Replacement: total request for $33.6 million; remaining monies from other projects that have closed out can be redirected to this project and a portion of estimated retained earnings will be used to reduce the amount to be borrowed down to $12 million
- Water Service Connections: originally anticipated borrowing for these projects, but a combination of fund balances from other water projects will now be used for Water Service Connections

Motion by Mr. Keane that the Board vote to approve the FY2025 – FY2029 Capital Improvement Plan for transmittal to the Finance Committee.
Second: Ms. Frail. Unanimously approved 5-0.

Stormwater By-Law Working Group
Ms. Fitzpatrick reminded the Board of the recommendation to develop a Stormwater By-Law Working Group in order to maintain technical updates and stormwater capacity. Ms. Lustig gave a brief overview of the weather event of December 18, noting the differences between this event and the weather event on August 8. The event on December 18 was highly wind-driven and a high volume of rain fell over a longer period of time than the August 8 event. Debris on the December 18 event that fell due to wind resulted in the blockage of catch basins in Town. Staff primarily worked on clearing catch basins in areas known to be trouble areas. Ms. Lustig noted that DPW is not aware of any catch basins surcharging during the December 18 event, however they were often blocked with debris, which prevented water from penetrating the catch basins themselves. Ms. Lustig reported that we have received nine inches of rain thus far in December.

Ms. Lustig subsequently offered an update for the actions DPW has taken following the August 8 weather event, including investigation of insurance claims, and conducting neighborhood meetings. This includes forty-one household meetings and sixteen onsite meetings. Ms. Lustig recognized these issues are frustrating, and there is not any simple remedy for this situation. She also recognized the need for transparency to residents and communication about work going on in the community to address flooding work. DPW is currently working on a dashboard for residents on the Town's website that will provide background, action items taken to improve the stormwater system, target areas identified, and other relevant resources. Discussion ensued about specific neighborhoods that Ms. Lustig noted DPW would visit as a result of the December 18 weather event.

Questions from Select Board Members covered topics related to weather preparedness and communication with residents. Ms. Frail asked about the Emergency Communication System and whether it is possible to use a text alert system in these types of situations. Ms. Fitzpatrick noted that these systems' utility may not be completely applicable with particular regard to the speed at which messages can be sent but it is something to be explored. Mr. Nelson raised the issue of communicating with senior residents or others in Town who are not on social media. He also added that the Committee would potentially benefit from having three residents as opposed to one.

Motion by Ms. Dowd vote to approve the charge and composition of the Stormwater By-Law Working Group as amended to add two more at large members.
Second: Mr. Nelson. Unanimously approved 5-0.

<u>Town Manager Report</u>

- Ms. Fitzpatrick reported on a Leadership Group comprised of Department Directors and others that had the opportunity to attend a training session at TripAdvisor on the future of work, with information about how TripAdvisor made it through the pandemic.
- Voters approved the Fair Share Amendment, providing the Town of Needham with $426,865 in addition to Chapter 90 that is available to the Town for transportation efforts.
- A notice has been sent that the Small Repair Grant Program is open. Individuals over 60 years of age or with disabilities can make health and safety improvements to their homes and can receive up to $5,000. Applications are due on Friday, January 12, 2024.

8:03 p.m. Board Discussion:

<u>Recognize Town Meeting Action on Climate Crisis</u>

Ms. Cooley introduced the topic of Town Meeting action on the climate crisis and noted that while the Select Board did not officially recognize the vote of Town Meeting declaring a climate emergency, the Board did move forward with addressing the climate crisis in several ways. Ms. Cooley opened discussion asking the question of whether the Select Board should officially recognize the vote of Town Meeting declaring a climate emergency.

Mr. Nelson emphasized the importance of recognizing the climate and ecological emergency we find ourselves in by declaring a climate emergency in addition to doing the work to address the effects of climate change. Other Select Board Members added that the Select Board's focus on working to mitigate the effects of climate change is the more significant part of this and therefore does not necessarily require a declaration of a climate emergency. Ms. Cooley added that this has been a priority of prior Boards and will continue to be a priority of the current Board.

Motion by Ms. Frail that the Select Board vote to recognize the vote of Town Meeting on October 25, 2021 and reiterate its goal (#7) that "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: combats the climate crisis, prioritizes sustainability, including transitioning from fossil fuels to clean, renewable energy, encourages the efficient use of natural resources, and protects and enhances the biodiversity and vitality of ecological systems."
Second: Ms. Dowd. Unanimously approved 5-0.

Committee Reports
Ms. Frail reported on the most recent HONE meeting on December 11. Ms. Frail reported that the Committee discussed the modelling the consultants are completing, which will lead to modelling made available to the public. The next Community Meeting will take place on January 18. The next HONE Advisory Group meeting will take place on December 20.

Ms. Cooley provided an update from the Quiet Zone Committee that the Town and GPI have been collaborating on aerial surveys of each location before weather disrupts the process. The next priority is connecting with the MBTA, Keolis, and the Federal Railroad Agency to schedule a meeting at the Golf Club. New traffic counts will be conducted at each location. The goal is to present at Town Meeting with a Warrant Article. The projected amount that will be put in the Capital Plan will need to change based on this new work. Ms. Cooley added that an added challenge is the changes the MBTA makes to the train schedules and the negative effects on residents when trains run through the Town through the night.

Mr. Keane conducted office hours and eight people attended. He noted that this is a great way for residents to be able to meet with Select Board Members.

Mr. Keane also reported that the Needham Branding and Town Seal Committee met to discuss the scope and purpose of the Committee and is working on both a seal and a logo.

Mr. Keane also conducted several flood meetings. Ms. Cooley contributed the idea of creating a map of flood meetings conducted.

8:23 p.m. Adjourn:
Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board meeting of Tuesday, December 19, 2023.
Second: Mr. Keane. Unanimously approved 5-0.

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, January 9, 2024, at 6:00 p.m.