

**Town of Needham
Select Board
Minutes for Tuesday, January 23, 2024
Select Board's Chamber and
Via ZOOM
<https://us02web.zoom.us/j/89068374046>**

- 6:00 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.
- 6:01 p.m. Public Comment Period:

Joe Abruzese, 30 Bridle Trail Road, asked about the status of a Citizen Petition he submitted for the upcoming Annual Town Meeting. Ms. Fitzpatrick reported that it appears to be properly filed and that the Select Board has already included the same article and will touch base with the Citizens' Petitioners closer to Town Meeting.
- 6:02 p.m. Public Hearing: Outdoor Dining License – Ceed Corp d/b/a/ Cook Needham
Presenters: Edison Gutierrez, Owner, Deborah Paula, Manager of Record

Edison Gutierrez presented on the plan for Ceed Corp d/b/a Cook Needham located at 109 Chapel Street, to establish an outdoor dining space on three spaces in the municipal parking lot to the rear of the establishment. The space has been used since 2020 in the context of the COVID-19 pandemic. This license would change the requested arrangement of seating to align with non-emergency regulations and allow seasonal use of the space, in-line with the Zoning By-Law and their Special Permit. Discussion ensued about the demand for outdoor seating and the increased seating capacity allowed for by this license.

Motion by Ms. Dowd that the Select Board vote to approve an Outdoor Dining license for Ceed Corp d/b/a/ Cook Needham.
Second: Mr. Keane. Unanimously approved 5-0.
- 6:08 p.m. Public Hearing: Alteration of Premises for an All-Alcohol License in a Restaurant – Ceed Corp d/b/a Cook Needham
Presenters: Edison Gutierrez, Owner, Deborah Paula, Manager of Record

Ceed Corp d/b/a Cook Needham currently holds an All-Alcohol liquor license. Ms. Cooley reviewed that the proposed amendment seeks to expand the premises to include a 1,120 square foot outdoor patio area with 52 additional seats. Ms. Fitzpatrick confirmed all documentation is in order.

Motion by Ms. Frail that the Select Board vote to approve the Amendment for Alteration of Premises application received from Ceed Corp d/b/a Cook Needham and vote to forward the Amendment application to the ABCC for review and final approval.

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

6:10 p.m.

DPW Update:

Presenter: Carys Lustig, Director of Public Works, Shane Mark, Assistant Director of Public Works

Carys Lustig provided a general update of Public Works Projects completed in the 2023 construction season and other general updates, including the following items:

- Accomplished high volume of work this year
- Staffing levels back up to sustainability level
- Training newer staff as more seasoned staff retires
- Weather is a major factor: wet weather limited number of construction days and types of work; flooding in August redirected the focus on staffing
- Preparing for intense construction season next year with over \$15 million in projects planned and ARPA funds needing to be expended

Ms. Lustig highlighted the work of DPW on stormwater capacity, including 21 neighborhood meetings to understand how water moved through Town during the August 8 storm. They also provided one point of communication for all Town services, helped residents to make decisions on how to best harden their property, and have continued to determine what can be done infrastructure wise, both short- and long-term. Ms. Lustig emphasized the importance of both public and private actions to mitigate flooding. DPW will continue to develop a plan for when major weather events occur, in addition to a landing page on the DPW website specifically related to water capacity issues. Stormwater capacity improvements are included in every year of the five-year capital plan.

Ms. Lustig outlined further projects conducted, including highway surface treatments, paving, sidewalk improvements, and the Needham Heights renovation, as well as work conducted on water, sewer, drains, and parks. Further updates include GPS upgrades and vehicle replacements, and working towards converting the fleet to all-electric vehicles. Ms. Lustig also highlighted the work of DPW in building maintenance, in particular the updated Pollard Locker Room.

Current planning for the 2024 season includes:

- Large projects: 128 Interceptor Project, Walker Pond Phase II, Claxton Field Project, South Street Water Main, Reservoir Dredging and BMPs
- Engineering providing support for all Park & Recreation Projects
- Building Maintenance providing support for all building related projects
- Addition of Stormwater Plan and Quiet Zone Work
- Downtown Renovation Work Planning and Design

Select Board members thanked DPW for their continued commitment to infrastructure improvements and creative solutions. Ms. Cooley raised the potential of coordinating efforts with the Mobility Planning Coordination Committee to discuss some of these initiatives in a public forum in the future.

6:45 p.m. Consent Agenda:
Motion by Mr. Keane that the Select Board vote to approve the Appointments and Consent Agenda as presented.
Second: Ms. Frail. Unanimously approved 5-0.

APPOINTMENT CALENDAR

1.	Kevin Keane	Stormwater By-Law Working Group Term Exp: 10/31/2024
2.	Thomas Ryder	Stormwater By-Law Working Group Term Exp: 10/31/2024
3.	Deborah Anderson	Stormwater By-Law Working Group Term Exp: 10/31/2024
4.	Joseph Prondak	Stormwater By-Law Working Group Term Exp: 10/31/2024
5.	Maya Dabby	Human Rights Committee Term Exp: 6/30/2024
6.	Gregory Dunn	Human Rights Committee Term Exp: 6/30/2024
7.	Stacey Mulroy	Rail Trail Advisory Committee Term Exp: 6/30/2026
8.	Deborah Anderson	Rail Trail Advisory Committee Term Exp: 6/30/2026
9.	Marianne Cooley	Town By-Law and Charter Review Working Group Term Exp: 11/30/2024
10.	Catherine Dowd	Town By-Law and Charter Review Working Group Term Exp: 11/30/2024
11.	Theodora Eaton	Town By-Law and Charter Review Working Group Term Exp: 11/30/2024
12.	Adam Block	Town By-Law and Charter Review Working Group Term Exp: 11/30/2024
13.	Louise Miller	Town By-Law and Charter Review Working Group Term Exp: 11/30/2024
14.	Connie Barr	Town By-Law and Charter Review Working Group Term Exp: 11/30/2024

CONSENT AGENDA

1.	Approve a request from the Exchange Club of Needham to sponsor 4th of July fireworks and festivities on Wednesday July 3, 2024, and a road race, flag raising, and parade on Thursday, July 4, 2024. Coordination of all activities will be made with appropriate Town Departments.
2.	Authorize the placement of “Go Fourth” lawn signs at the Town Hall and Public Services Administration Building from June 20, 2024 through July 4, 2024.
3.	Accept the following donation to Needham’s Aging Services Division: • \$100 from Constance Borab
4.	Accept the following donations to the Needham Fire Department: • \$50 from David McMorran • \$75 from Abdul and Hafeza Asmal
5.	Approve the following donations to the Needham Free Public Library: • From our own Nancy Teich, <i>In the Form of a Question: the Joys and Rewards of a Curious Life</i>, by Amy Schneider (signed by author; estimated value \$28); • <i>Journeys from There to Here</i>, gifted and signed by the author Susan J. Cohen (estimated value \$16); • From Ellen Knizeski, \$200 in honor of Bernie Ford; • From Paula Dunn, \$100 in honor of Anne M. Dunn; • From Fidelity Charitable Donations, \$1,000; and • From the Friends of the Needham Library, \$400 in honor of Sam Stern and Barbara Cusack.
6.	Approve a Common Victualler’s License application for Just Salad 669 Highland Avenue LLC d/b/a Just Salad Store #83.
7.	Accept the following donation made to the Needham Community Revitalization Trust Fund: • \$2,000 from Mr. C. Bruce Johnstone
8.	Designate the Needham Town Hall as the Early Voting location for the Presidential Primary Election and approve the Early Voting Hours as listed: Saturday, February 24, 9am-5pm, Monday, February 26, 9am-5pm, Tuesday, February 27, 9am-5pm, Wednesday, February 28, 9am-5pm, Thursday February 29, 9am-5pm, and Friday, March 1, 9am-1pm.
9.	Approve the assignment of Police Officers to polling places as recommended by the Police Chief.
10.	Sign the Warrant for the 2024 Presidential Primary Election to be held on Tuesday, March 5, 2024.

6:46 p.m. Town Manager:

Accept and Refer Zoning

The Planning Board voted to place two articles on the warrant for the May 2024 Annual Town Meeting related to the Affordable Housing District and the Map Change for Affordable Housing District to enable the Linden Street project. Under State law, the Select Board has 14 days to accept the proposed amendments and refer them to the Planning Board for its review, hearing, and report.

Motion by Ms. Frail that the Select Board vote to accept the proposed zoning articles titled, “Article 1 – Amend Zoning By-Law – Affordable Housing District” and “Article 2: Amend Zoning By-Law – Map Change for Affordable Housing District” for referral to the Planning Board for its review, hearing, and report.

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

Fire Ballot Question

The Town and the Fire Union reached an agreement on a plan to remove the Town from the civil service hiring system. Because the Town of Needham elected to participate in the civil service program by way of the vote of the residents at the ballot, the Town may exit the civil service system in the same way.

Motion by Ms. Dowd that the Select Board vote to place the following question on the ballot for the 2024 Annual Town Election: Shall the Town of Needham revoke its acceptance of Chapter 31 of the General Laws relative to the Fire Department, and thereby remove the Fire Department from Civil Service? Yes/No.

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

RTS Services for Low Income Households and Residents Impacted by Locally Declared Emergencies

This proposed revision to the policy governing RTS services for low-income households would authorize the Town Manager to waive over-the-scale or other bulky item fees for residents with residential stickers who are impacted by locally declared emergencies; and DPW/RTS staff may be assigned to pick-up household debris related to a locally declared emergency at no additional cost to the resident.

Motion by Ms. Frail that the Select Board adopt the proposed update to SB-FIN-004 “RTS Services for Low Income Households and Residents Impacted by Locally Declared Emergencies.”

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

Amended Community Benefit Agreement – Sira Naturals, Inc.

Ms. Fitzpatrick discussed a proposed amended Community Benefit Agreement (CBA) between the Town and Sira Naturals, Inc. The purpose of this proposal is to bring the CBA Community Impact Fees in conformity with amendments to Massachusetts General Law that have occurred following the signing of the initial CBA.

Motion by Ms. Dowd that the Select Board approve and sign the amended Community Benefit Agreement between the Town of Needham and Sira Naturals, Inc.

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

American Rescue Plan Act (ARPA) Funding

Ms. Fitzpatrick presented a proposal for reallocation of ARPA funds. She recommended that the Board approve a transfer of funds to provide \$17,500 to the Needham Branding and Town Seal Project under the definition of public art.

Motion by Ms. Frail that the Select Board approve the revision of the ARPA Proposed Budget.

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

Place the Position of the Town Clerk on the April 9, 2024 Town Election Ballot

The Town Clerk has indicated that she intends to step down after the April 9, 2024 election. As such, she has requested that the Select Board vote to place the position of Town Clerk on the 2024 Annual Town Election ballot.

Motion by Mr. Nelson that the Select Board vote to place the unexpired term of the Town Clerk ending April 8, 2025 on the 2024 Annual Town Election Ballot.

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

FY2025 Budget Presentation

Ms. Fitzpatrick, Mr. Davison, and Ms. King presented on the FY2025 Budget. Ms. Fitzpatrick emphasized that the budget priorities outlined in this presentation aim to align with goals of the Select Board. Mr. Davison presented an overview of revenues and expenditures. He noted that the primary revenue sources are property taxes, state aid, and local receipts and that property taxes comprise an estimated 79.6% of the total general fund revenue for FY2025. He also noted that there is an estimated increase of 3.8% in state aid in FY2025, comprising an estimated 6.7% of the general fund revenue. His current estimate for free cash, which has yet to be certified, is \$15 million compared to \$14.5 million for FY2024, a 3.3% increase.

Ms. Fitzpatrick presented the budget drivers evaluated annually, including employee benefits, school enrollment, and staffing. School enrollment is not currently increasing as quickly as it used to, however school needs continue to increase. School enrollment has not returned to their pre-pandemic levels, having decreased by 3.9% from the 2020 to 2021 school year. In the years since, enrollment has been increasing by less than a percentage point each year.

Ms. King presented on changes to submitted budgets, focusing on the Performance Budget requests. These included changes to submitted budgets for items including employee benefits, Board and Committee software, and public safety software licenses. Mr. Davison outlined several funds and other transfers, including unpaid bills of a prior year due to a COVID-19 related delay, athletic facility improvement funds, contributions to drains and sewer improvements, and an allowance for abatements and exemptions. Ms. Fitzpatrick then presented other financial Warrant Articles, highlighting the consolidated technology services for the Town and Schools.

Discussion ensued regarding the uncertainty of federal funding to states and localities. Additionally, costs still remain high for departments across Town when evaluating maintenance budgets.

Motion by Mr. Keane that the Select Board vote to recommend approval of the Town Manager's Proposed Annual Budget for FY2025.

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

Town Manager Report

- Ms. Fitzpatrick reported on a story in the New York Times about the Boston Post Cane, which she pointed out in the Select Board Chambers and noted the Town's efforts to preserve it.

8:04 p.m. Board Discussion:

Select Board Goals Update

Ms. Fitzpatrick provided an update on the Select Board Goals. Highlights included the work of the Human Rights Committee to institutionalize community conversations on race; utilization of grant money received for a local equity audit to assess departments' practices and policies; focus groups with BIPOC community members; funding of the Pollard Feasibility Study; Housing Authority redevelopment; improvements to tennis courts; Active Recreation Feasibility Study; an app-based parking solution; and Phase 2 of the redesign of the downtown area.

Ms. Fitzpatrick added that the Police Chief will present his annual report at the Select Board Meeting on February 27. Select Board members emphasized the importance of the Rail Trail development with potential coordination with the Mobility Planning Committee. Discussion ensued about a potential Juneteenth observation.

Committee Reports

Ms. Dowd reported that oversight will begin of the spending that has happened on CPA money by the Needham Housing Authority and the Committee plans to produce a report on its progress around mid-March.

Mr. Keane reported on the Climate Action Planning Committee. Action items include revisions to the Roadmap Report, adding metrics, and discussing transportation and food waste issues when updating priorities and future plans for the Committee after the Charter expires. The most recent Committee meeting also included an update on the Planning Board's Solar By-Laws.

Ms. Frail presented on the progress of HONE and reported on the most recent public forum, which had 300 in-person and online attendees with the majority of the public comments in support of the effort. Comments and survey results will be compiled

into an FAQ, which will be available in future. The next public forum will take place on March 7 in Powers Hall¹. Ms. Frail also reported on a meeting with the Council of Economic Advisors and commercial and residential developers to understand what is required to make redevelopment attractive in Town. Ms. Frail also reported on a meeting with the Current Events Online Group from the Senior Center who would like assistance with surveys.

Ms. Cooley reported on the Quiet Zone Working Group. Outreach is underway to meet with both the MBTA and Keolis. The Committee has viewed maps and potential plans, including the potential for adding quad gates and medians and the potential risk reduction and costs associated with these options. It appears as though the quad gates can make a significant risk reduction compared to the present status. The Committee is working to understand what agreements can be formed for reductions in train noise at the Golf Club.

8:29 p.m.

Adjourn:

Motion by Ms. Frail that the Select Board vote to adjourn the Select Board meeting of Tuesday, January 23, 2024.

Second: Mr. Nelson. 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, February 13, 2024, at 6:00 p.m.

¹ The meeting has since been rescheduled to March 28.