

**Town of Needham
Select Board
Minutes for Tuesday, May 14, 2024
Select Board's Chamber and
Via ZOOM**

<https://us02web.zoom.us/j/89068374046>

6:01 p.m. Call to Order:

A meeting of the Select Board was convened by Chair Kevin Keane. Those present were Vice Chair Heidi Frail, Cathy Dowd, and Joshua Levy, and Town Manager Kate Fitzpatrick. David Davison, Deputy Town Manager/Director of Finance, Katie King, Deputy Town Manager, and Susan Metropol, Recording Secretary, were also in attendance. Marianne Cooley joined at 6:55 p.m.

6:01 p.m. Public Comment Period:

Andrea Wizer, 7 Emerson Road, shared an idea regarding Article 30 and the Quiet Zone in Needham, proposing that the Select Board investigate the possibility of introducing a local bus from the Junction to replace the train from this point for the remainder of the train line. She suggested that this would eliminate the train whistle through Town and potentially improve traffic in Needham Center.

6:05 p.m. Public Works Week Proclamation:

Presenter: Shane Mark, Assistant Director of Public Works

Shane Mark discussed the upcoming Public Works Week activities along with the benefits and services residents see from the work DPW performs. He highlighted the DPW's goal of improving quality of life by providing the following, among other services:

- Clean and safe drinking water
- Safe streets and sidewalks for all users
- Safe and usable open spaces in parks and grounds
- Emergency management during weather events

Mr. Mark noted that the Town will celebrate the work and accomplishments of staff this week through a range of activities, including events such as the Touch a Truck event and Food Drive for Needham Community Food Bank, daily social media highlights, and a luncheon for Public Works staff funded through donations from management. Ms. Frail then read the 2024 Public Works Week Proclamation in recognition of the 64th annual National Public Works Week. Mr. Mark also recognized Kristen Wright, DPW Management Analyst, as the recipient of a scholarship from the New England Chapter of the American Public Works Association that will enable her attendance at the Public Works Expo this year in Atlanta.

Motion by Ms. Dowd that the Board vote to approve and sign the 2024 Public Works Week Proclamation.

Second: Mr. Levy. Unanimously approved 4-0.

6:14 p.m. Alcohol License Hearing – Shivmegh LLC, d/b/a Needham Center Fine Wines
Presenter: Viralkumar Patel, Manager of Record, John Schlittler, Chief of Police

The Select Board, as the local licensing authority, held a hearing in accordance with the provisions of M.G.L. c. 138 Sections 12, 34, 64, and 67 and Town of Needham Regulations for the Sale of Alcoholic Beverages. The purpose of the hearing was to consider the modification, suspension, revocation, or cancellation of the Section 15 Package Store All Alcohol license for Shivmegh LLC, d/b/a Needham Center Fine Wines.

Chief John Schlittler provided an overview of the routine compliance check conducted at Needham Center Fine Wines on December 6, 2023, during which an undercover operative under 21 years of age successfully purchased alcohol, even after the cashier checked his ID, which was an out-of-state ID. Chief Schlittler noted that the cashier did not use a scanner. Mr. Patel requested that the proposed penalty initially offered – a one-day suspension held in abeyance for serving a minor and a two-day suspension for failure to have a scanning device/software – be reduced. Discussion ensued among Select Board members regarding the penalty and the importance of the new requirement for businesses to utilize a scanner to check consumer identification, among other updated requirements.

Motion by Mr. Levy that the Select Board finds sufficient evidence that, on December 6, 2023, Shivmegh LLC, d/b/a Needham Center Fine Wines violated:

- a. 203 CMR 2.05(2) permitting an illegality on the licensed premises, to wit: Chapter 138, Section 34, sale or delivery of an alcoholic beverage to a person under twenty-one years of age; and
- b. Town of Needham Regulations for the Sale of Alcoholic Beverages to wit: Section 3.5.13, requiring use of a digital card scanner to confirm authenticity of identification for patrons appearing under the age of 40; and such evidence has been found.

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

Motion by Ms. Frail that the Select Board suspend Shivmegh LLC, d/b/a Needham Center Fine Wines' Section 15 Package Store All Alcoholic Liquor License for a period of three days to be served on dates set in the future to be provided to the Board in writing; and

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

Motion by Ms. Frail that the Select Board authorize the Town Manager to draft and send notice of the Select Board's decision to the Licensee and to the Alcoholic Beverages Control Commission.

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

6:30 p.m. Climate Action Roadmap:
Presenter: Stephen Frail, Climate Action Plan Committee Chair, Gabby Queenan, Sustainability Manager

The Climate Action Plan Committee (CAPC) was established to guide the Town in developing a plan that meets or exceeds the State’s climate mitigation and resilience goals. Needham’s draft of the Climate Action Roadmap outlines the Town’s commitment to achieving Net Zero greenhouse gas emissions by 2050, as mandated by the Commonwealth of Massachusetts and directed by the Needham Select Board. The roadmap is the result of extensive research, community engagement, and collaboration with various stakeholders. The roadmap was approved in its current form by a vote of the CAPC. The CAPC is seeking the Select Board’s vote to adopt the Climate Action Roadmap. Mr. Frail highlighted the townwide effort that has contributed to its development. The roadmap outlines specific targets, milestones, and actionable strategies across all sectors of our community. Ms. Queenan also provided some of the highlights of her work in the past six months since she joined the Town as Sustainability Manager. Upcoming priorities include the Green Municipal Aggregation, the Community Leaders Grant Program, ensuring the availability of electric vehicle chargers, and working on outreach through a potential Electrify Needham campaign.

Mr. Keane thanked CAPC for developing recommendations that will enable the Town to ensure that future buildings are built to a higher climate standard.

Motion by Ms. Frail that the Board vote to adopt and publish the Climate Action Roadmap.

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

6:49 p.m. Appointment Calendar and Consent Agenda:
Motion by Ms. Frail that the Board vote to approve the Consent Agenda as presented.
Second: Mr. Levy. Unanimously approved 4-0.

CONSENT AGENDA

1.	Approve the following donation to Needham Youth & Family Services (YFS): • \$6,250 from Needham Community Council towards future community programming
2.	Approve a request from Jessica Rice, Jog Your Memory 5K, Inc., to hold the road event “Jog Your Memory 5K.” The event is scheduled for Sunday, September 15, 2024, at 9:00 am – 11:00 am. The event and route have been approved by the following departments: Fire, Police, and Public Works.

NOTICE OF APPROVED BLOCK PARTIES

Name	Address	Party Location	Date	Time	Rain Date
Jamie Silverberg	55 Rybury Hill Way	55, 61 & 52 Rybury Hill Way	6/1/24	12pm-8pm	6/2/24

6:50 p.m. Town Manager:

Free Cash Update

David Davison reported on the status of Free Cash, which is higher than initially projected at \$23.8 million, compared to \$17.4 million last year. He reported that revenues are stronger than predicted for this fiscal year. Discussion ensued about the various financial factors the Town considers when making decisions and anticipated trends in Free Cash amounts in the future.

Town Manager Report

Ms. Fitzpatrick thanked the Select Board members, Town Meeting members, and Town Staff for their productive participation in Town Meeting.

7:19 p.m. Board Discussion:

Committee Reports

Mr. Keane reported that Community Conversations on May 2nd were successful. He also added that he has recently joined the Trustees of Memorial Park.

7:20 p.m. Adjourn:

Motion by Ms. Frail that the Select Board vote to adjourn the Select Board meeting of Tuesday, May 14, 2024.

Second: Ms. Dowd. 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, May 28, 2024, at 6:00 p.m.