

BOARD OF SELECTMEN

November 14, 2012

Needham Town Hall – Powers Hall

Revised Agenda

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Public Hearing: Draft Alcohol Regulations – Sale of Alcohol Off Premises
2.	8:00	Town Manager • Approve TIF Criteria • Approve and Execute TIF Proposal • Call for Special Town Meeting • Greendale Village 40B Proposal
3.	8:30	Board Discussion • Committee Reports

APPOINTMENTS

1.	Solar Exploratory Committee	Jonathan Bracken (term expires 12/31/2013) Liz Driscoll (term expires 12/31/2013) Ed Friedman (term expires 12/31/2013) Dan Goodman (term expires 12/31/2013) David Harris (term expires 12/31/2013) Kathleen Phelps (term expires 12/31/2013) Pralay Som (term expires 12/31/2013)
2.	Cultural Council	Michael Labrecque (term expires 6/30/2014)
3.	Human Rights Committee	Abdul Asmal (term expires 6/30/2013)

CONSENT AGENDA ***=Backup attached**

1.	Accept a \$200 donation made to Needham Youth Services from The Early Childhood Professional Association. The monies are to be used to sponsor the Single Parent Support Group.
2.*	Approve a Special One Day All Alcoholic Beverages license for Stuart Kaplan of Bright Spirit to host a "Bright Spirit Poker Challenge" on December 14, 2012 from 6:00 p.m. to 11:00 p.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue Needham.
3.*	Approve minutes from April 24, 2012 and October 23, 2012 meetings.
4.*	Approve a request from the Needham Running Club to hold its annual road race on Tuesday, January 1, 2013 from 9:00 AM to 1:00 PM. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
5.	Approve request from Liz O'Connell for St. Joseph Schools of Needham to use Avery Square for Santa's Village on Saturday, December 1, 2012 from 11:00 a.m. to 8:00 p.m. The "The SJP Christmas Express" event features an enchanting train ride on the MBTA line and also includes having snack and souvenir booths, Santa's Village characters and carolers.
6.	Grant determination that request from Craig Geddes, Financial Advisor at Edward Jones, for

	an open house/grand opening on December 19, 2012 does not require a one-day special liquor license.
7.	Approve collective bargaining agreement between the Town and Needham Police Union for fiscal years 2012 through 2015.
8.*	Water and Sewer Abatement Order #1150
9.	Accept a \$25 donation made to the Needham Police Department for its Car Safety Seat Installation program from Linda Blomingdale of Waban, MA.
10.*	Approve a 2013 Taxi/Livery License application from Azzeddine Alami of Alami Rides.
11.*	Ratify and sign Proclamation for Veterans' Day, November 11, 2012.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 11/14/2012

Agenda Item	Proposed Alcohol Regulations
Presenter(s)	Public Hearing

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
Interested parties will have an opportunity to comment on the proposed regulations for the sale of alcohol for consumption off premises.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Not at this time			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Rules and Regulations for Section 15 Licenses – Package Stores b. Notice of Hearing			

RULES & REGULATIONS FOR SECTION 15 LICENSES – PACKAGE STORES

A. GENERAL PROVISIONS

- #. The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises. *(This will be added to Section IV – rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town.)*
- 1. Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages.
- 2. No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store licensee upon or within the licensed premises, or upon any area under the direction and control of the licensee.
- 3. Where the liquor licenses are granted to serve the public, licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Board of Selectmen may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.
- 4. All licensed liquor establishments must maintain an updated employee roster that shall be available upon request to the Town. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.
- 5. Any employees engaged in the sale and handling of alcoholic beverages must complete Board approved courses in alcohol safety training and have on file with the licensee and available for inspection by the Town a copy of current certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.
- 6. All employees shall be required to be recertified once every three years by a Town-approved program. Newly hired employees shall complete a Town-approved training program within 30 days of their employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees that are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.

7. A designated manager will be onsite at all times the establishment is open. The onsite manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager shall have full authority to make decisions concerning the operation of the establishment.
8. No consumption of alcoholic beverages shall be permitted on the premises outside of the licensed hours of operation.
9. Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not.
10. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
11. The licensing of liquor establishments, and what constitutes the public convenience in Needham, will be subject to the informed discretion of the Board of Selectmen. In determining suitability for licenses, the Board of Selectmen will consider the proximity of the proposed premises to neighborhoods, especially residential neighborhoods, and other sensitive areas as determined by the Board.
12. Section 15 licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.
13. Alcohol-related signage displayed so that it is visible to the public will be limited. Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.

B. HOURS OF OPERATION

1. Subject to further conditions or limitations fixed or from time to time modified by the Board with respect to a particular liquor license, these regulations and the laws of the Commonwealth of Massachusetts, including but not limited to M.G.L. c.138, the hours during which sales of alcoholic beverages may be made by any approved licensee shall be from no earlier than 9:00a.m. to no later than 10:00p.m. Monday through Saturday, and from no earlier than 12:00 noon to no later than 5:00p.m. on Sundays and legal holidays recognized by the

Commonwealth of Massachusetts. The hours which sales may be made will be established by the Board of Selectmen with each individual application.

2. No sales are permitted on Memorial Day, Thanksgiving Day or Christmas.
3. For all deliveries conducted off the licensed premises, the licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.
4. All transactions for the sale of alcoholic beverages must be completed on or before the closing hour set out in this section.
5. Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

C. CONSUMPTION ON PREMISES PROHIBITED EXCEPT SAMPLE TASTINGS

1. Consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, by any person is strictly prohibited except for sample tasting.

**D. LIMITATIONS ON TRANSFERABILITY OF OFF-PREMISES
SECTION 15 LICENSE**

1. An application for a transfer of ownership at the same location or transfer of location may be granted by the Board after a public hearing in compliance with these regulations and state law.

E. FOOD STORE ALCOHOL LICENSE REQUIREMENTS

1. A food store is defined as a grocery store or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of

these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Board of Selectmen shall determine whether an applicant is a food store as set out herein and in compliance with any and all requirements.

2. A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00p.m. and may or may not sell gasoline. The Board of Selectmen reserves the right to consider each of these factors when determining if an applicant will be considered a convenience store.
3. Any applicant for a Section 15 License (whether for an original application, change of ownership or change of location) must provide with the application materials, a floor plan evidencing the gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages. The licensee may not materially change the portions of its premises dedicated to sale, storage or display of alcoholic beverages without the approval of the Board of Selectmen. The licensee may not be open for business except during its licensed hours for sale of alcoholic beverages unless it has applied for and received approval by the Board of Selectmen of plan to properly secure all alcoholic beverages on the premises from public access during that time.
4. Regular sales and operation of the food store must continue during all times when the sales of wine and malt beverages are permitted.

FEES

Retail Package Goods Store, All Kinds of Alcoholic Beverages:	\$2,500
Retail Package Goods Store, Wine & Malt Beverages Only:	\$2,000



Office of the
TOWN MANAGER

TOWN OF NEEDHAM
TOWN HALL
Needham, MA 02492-2669

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Public Hearing on the Retail Sale of Alcohol in Needham

On November 6, Needham voters will be asked to decide whether the Town of Needham will be authorized to grant licenses for the retail sale of alcohol and wine and malt beverages. If the question passes, the Board of Selectmen will hold a public hearing regarding proposed regulations governing the retail sale of alcohol in Needham on Tuesday, November 14, 2012, 7:00 pm at the Needham Town Hall in Powers Hall, 1471 Highland Avenue, Needham.

A copy of the proposed regulations is available at
www.needhamma.gov/retailsales.

The Board of Selectmen invites all residents and interested parties to provide input at this meeting related to regulations for the retail sale of alcohol and wine and malt beverages. Public comments may also be directed to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or selectmen@needhamma.gov.

Needham Times
November 1, 2012



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 11/14/2012

Agenda Item	Criteria for Determining Whether to Utilize Tax Increment Financing
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
At its meeting on October 23rd, the Board discussed criteria for determining whether the Town should utilize tax increment financing (TIF) options. The Town Manager will ask the Board to adopt the revised criteria.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> that the Board vote to approve the Criteria for Determining Whether to Utilize Tax Increment Financing dated 11.14.12			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Criteria for Determining Whether to Utilize Tax Increment Financing Options 11.14.12			

Town of Needham
Criteria for Determining Whether to Utilize Tax Increment Financing
Options
Adopted by the Board of Selectmen 11.14.12

The Town of Needham applied for and received designation as a Regional Technology Center – one of the types of Economic Target Areas available to communities to enable tax increment financing (TIF) options – in 2007.

In its application for the designation, the Town set forth certain economic development goals that would serve as the basis for evaluation of requests for tax increment financing (TIF) agreements. The following is a proposed set of criteria, in priority order, to guide the decision making when the Town is presented with requests for TIF agreements

1. The project is of a size, scope, and industry that will expedite the redevelopment of the NEBC (i.e. is seen as a “game changer.”)
2. The project creates synergy by attracting other high technology firms to locate in the NEBC.
3. The project will help leverage private and/or State funds for infrastructure or other local improvements.
4. The project will facilitate the redevelopment of greyfield or brownfield sites.
5. But for the possibility of a TIF Agreement, the opportunity for redevelopment is low.
6. The project will promote the utilization and expansion of regional workforce skills, and provide attractive job opportunities for Needham residents.
7. The project encourages the development of businesses which will improve the economic viability of other businesses within the proposed area.
8. The project will facilitate the reduction of commercial vacancies.
9. The TIF Agreement should enable the project to receive State economic development funds.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 11/14/2012

Agenda Item	Tax Increment Financing Proposal – TripAdvisor
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will present and recommend that the Board approve a TIF agreement between the Town and Trip Advisor, which is proposing to relocate to the New England Business Center in Needham. Representatives of TripAdvisor will make a brief presentation about the company, and Town Counsel David Tobin and Special Counsel Ray Miyares will be available to answer questions about the TIF process and the Trip Advisor proposal.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Suggested Motion: MOVE that, subject to ratification by Town Meeting, the Board of Selectmen vote to approve the parcel labeled 'Site Area' on the Plan titled "Exclusive Use Plan – Building #3", dated September 21, 2012 and prepared by Tetra Tech, said parcel to comprise a portion of the parcels shown on Needham Town Assessor's Plan No. 300 as parcels 15 and 16 with the street addresses 410 First Avenue and 66 B Street, respectively, as the 'Center 128 Economic Opportunity Area' (the "Center 128 EOA") for a period of 13 years, pursuant to <i>M.G.L. c. 23A, §3E</i>, and to approve the submission of an application of the Center 128 EOA to the Massachusetts Economic Assistance Coordinating Council (EACC) for approval. MOVE that, subject to ratification by Town Meeting, the Board of Selectmen vote to execute a 13-year Tax Increment Financing (TIF) Plan and Agreement, pursuant to <i>M.G.L. c. 40, §59</i>, between TripAdvisor Inc., Normandy Gap-V Development Needham, LLC, and the Town of Needham for property located as delineated by the Center 128 EOA and authorize the submission of the TIF Plan and Agreement to the EACC for approval. MOVE that, subject to ratification by Town Meeting, the Board of Selectmen vote			



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AGENDA FACT SHEET**

to accept, approve and certify the proposed Certified Project application by TripAdvisor Inc. pursuant to *M.G.L. c. 23A, §3F* and 402 CMR 2.00, and authorize the submission of the application to the EACC for approval.

MOVE that the Board of Selectmen vote to execute the Host Community Agreement between TripAdvisor, Inc. Normandy Gap-V Development Needham, LLC and the Town of Needham.

3.	BACK UP INFORMATION ATTACHED	YES	NO
	a. 13 year Town of Needham Tax Increment Financing Proposal Assumptions dated 11/7/12 b. EDIP Preliminary Application filed by TripAdvisor c. M.G.L. c. 23A Section 3E d. MGL c. 40, Section 59 e. MGL c. 23A, Section 3F To be provided under separate cover: f. Tax Increment Financing Plan and Zone g. Tax Increment Financing Agreement h. Host Community Agreement		

13 year Town of Needham Tax Increment Financing (TIF) Proposal Assumptions

PHASE I	
Initial Square Footage =	-
Initial Base Assessed Value* = \$	6,826,315
Initial Incremental Assessed Value = \$	22,173,685
New Square Footage =	230,000
Phase I Assessed Value = \$	29,000,000
Estimated Annual Base Tax Payment = \$	146,766
FY12 Tax Rate per \$1000 = \$	21.50
Initial Incremental Annual Tax = \$	476,734

Percentage of assessed land values of 66 B Street and 410 First Avenue

Year	Estimated Current Property Tax (Base Only)	Estimated Incremental Assessed Value	Estimated New Incremental Annual Property Tax	% Exempt	Estimated TIF Savings to Company	Estimated Incremental Tax Payment w/TIF to Town	Estimated Total RE Taxes to Town (Base + New)
1	146,766	22,173,685	476,734	76%	362,318	114,416	261,182
2	146,766	22,173,685	476,734	76%	362,318	114,416	261,182
3	146,766	22,173,685	476,734	76%	362,318	114,416	261,182
4	146,766	22,173,685	476,734	76%	362,318	114,416	261,182
5	146,766	22,173,685	476,734	76%	362,318	114,416	261,182
6	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
7	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
8	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
9	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
10	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
11	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
12	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
13	146,766	22,173,685	476,734	1%	4,767	471,967	618,733
Est. Real Property	1,907,958			30%	1,849,726	4,347,816	6,255,774
Est. Additional Revenue to Town**							815,000
TOTALS					1,849,726		7,070,774

Tax Savings
To Company

Total
Revenue To Town

Projected assessed values shown are estimated, actual assessed values to be determined by local Assessor

Assumptions based on no annual increase in assessed property values or tax rate

Property Address: 400 First Avenue, Needham, MA

*Assumes a percentage of land value based on project scope

**Estimated Permit Fees @ \$230,000, Personal Property Tax @ \$32,250/yr, Hotel Tax @ \$9,000/yr and Meal Tax @ \$3,750/yr

**Est. Additional Revenue to Town	
permit fees	\$230,000
personal property	\$419,250
Hotel tax	\$117,000
Meal tax	\$48,750
Total	\$815,000



COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

Economic Development Incentive Program (EDIP)
PRELIMINARY APPLICATION

The following information is required by the Massachusetts Office of Business Development (MOBD) and the Economic Assistance Coordinating Council (EACC) to make a preliminary determination on the eligibility of a project under the Economic Development Incentive Program. This application must be returned in electronic form to your MOBD Regional Director and a hardcopy with original signature(s) mailed to: Brenda Reynolds, EDIP Coordinator, MOBD, 10 Park Plaza, Suite 3730, Boston, MA 02116. Please refer to the EDIP Guidelines, www.mass.gov/dbd/edip and your MOBD Regional Director for assistance with this application.

PART I. COMPANY INFORMATION			
Company Name	TripAdvisor LLC (Alternatively, "TripAdvisor" or "the Company")		
Executive Officer/Company Designee	Tyler	Young	
	First Name	Last Name	
Contact (if different from above)	Same		Vice President, Finance
	First Name	Last Name	Title
Email:	tyoung@tripadvisor.com		
Address	141 Needham Street		
	Newton	MA	02464
	City	State	Zip
Phone	(617) 670-6576	Fax	(781) 465-6090
Company Headquarters Location	141 Needham Street Newton, MA 02464		
FEIN	04-3503532		
Type of Organization:	TripAdvisor LLC is a Limited Liability Company and is a wholly-owned subsidiary of TripAdvisor, Inc.		
Company's Taxable Year End	December 31 st		
Project Location	400 First Avenue (Alternatively, the "Project")		
	Needham	MA	02192
	City	State	Zip
Is the site a 43 Preferred Development Site (PDS)?	(Yes/No)		
If yes, please name the site			
Please provide a brief description and history of the company, including NAICS code and whether or not company is a MA DOR registered manufacturer:			

COMMONWEALTH OF MASSACHUSETTS
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MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

NAICS code: 561510

MA Department of Revenue Registered Manufacturer: (Yes/No)

Company Description / History:

TripAdvisor, headquartered in Newton, Massachusetts was founded in 2000. While planning a trip to the Caribbean with his wife, founder Stephen Kaufer recognized an unmet need for real-life reviews and candid photos from travelers instead of the generic and overused company descriptions. TripAdvisor was launched as an online forum for travelers and diners to search for and read the reviews of other users who had already visited prospective destinations. A year later, the company recognized the opportunity to offer online advertising for online travel agencies alongside its users' reviews.

TripAdvisor has since grown to become the world leader in travel planning. The Company offers the world's largest online travel site, providing its customers with a wide variety of planning features and booking tools to create the perfect trip, including hotel accommodations pricing and availability, vacation rentals, restaurants, and other vacation activities. TripAdvisor also offers users a tool to present various trip ideas based on their personal preferences. The Company offers mobile applications for smartphones and tablets, and the Company's travel website now attracts over 60 million monthly visitors.

TripAdvisor operates travel websites in over 30 countries including the UK, Italy, Spain, Germany, France, Japan, India and China. TripAdvisor has expanded through acquisitions and operates websites for 18 other travel media and advertising brands including Cruise Critic, SeatGuru, Family Vacation Critic, and Booking Buddy. The Company also operates a separate TripAdvisor Business division which is dedicated to providing businesses in the tourism industry access to TripAdvisor's millions of users.

The Company has received numerous awards, including the 2012 *Travel d'Or Travel Review*, 2011 *AdWeek* Brand Genius Award, and was ranked by The *Boston Globe* for the last two years as one of the *Top Places to Work*.

PART II. ECONOMIC DEVELOPMENT PROJECT

A. Please indicate the date a Letter of Intent was sent to the municipality and cc: MOBD Regional Director		September 7, 2012
B. When applicable, please identify the Economic Opportunity Area (EOA) within the project municipality		
New EOA	400 First Avenue	
Existing EOA	N/A	
1. Provide a description of the proposed business expansion project including a breakdown of investment required and the associated costs with a breakdown of the types of expense (land, building, construction, equipment etc.). When does the applicant expect to: (a) to begin the project, (b) to complete construction, and (c) to officially open the facility.		

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MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

TripAdvisor currently leases and occupies an estimated 116,000 square feet in Newton, Massachusetts. Due to an increased customer demand, TripAdvisor has realized a need for additional space. TripAdvisor has conducted a real estate site search in Massachusetts and has evaluated out-of-state and global options. The Company has identified a vacant property located at the New England Business Center in Needham, Massachusetts as a viable option.

The Company's proposed expansion plan consists of leasing an estimated 430,000 square feet of space that is intended for new construction in two phases. The expansion is expected to be used for office and research and development space. The property is planned to be designed with an upscale campus style atmosphere and many on-site amenities for employees. The TripAdvisor buildings will be attractive and include an employee café and a fitness and wellness center. Under a lease arrangement, the land and construction costs would be paid for by the Property Owner. Leasehold improvements and personal property costs would be paid for by the Company, including furniture, fixtures, computers, and servers.

The project investment is estimated at \$180 million, including \$150 million for construction costs, \$15 million for leasehold improvements, and \$15 million for new machinery and equipment as follows:

Phase I consists of constructing an estimated 230,000 square feet of space. The project investment is estimated at \$101 million including \$73.6 million for construction costs, \$12.4 million for land and related costs and \$7.5 million for leasehold improvements and \$7.5 million for personal property.

Phase II consists of constructing an estimated 200,000 square feet of space. The project investment is estimated at \$79 million including \$64 million for construction costs and \$7.5 million for leasehold improvements and \$7.5 million for personal property.

Should the Project proceed, the entire project would be complete within an estimated 5 years. Phase I is expected to commence in the 2nd quarter of 2013 with occupancy expected to be completed by the 4th quarter of 2014. Phase II is expected to commence in the 1st quarter of 2016 with occupancy expected to be completed in 2018.

2. Does the current public infrastructure meet the proposed certified project's needs?

(Yes/No)

3. Is the applicant new to Massachusetts?

No

a. If not, where are the existing Massachusetts facilities?

141 Needham Street, Newton, MA

b. Will the proposed economic development project require and/or trigger the closing or consolidation of any Massachusetts facilities

Yes, the Company plans to relocate its existing corporate headquarters from Newton to Needham. The Company

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

or the elimination of any other jobs currently in Massachusetts? If yes, please explain.	expects to retain its 450 permanent full-time jobs.
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4. What is the number of (a) full-time jobs to be created and (b) full-time jobs to be retained and (c) full-time employees at other Massachusetts facilities? NOTE: These are the numbers that future job compliance will be measured against. (d) Describe how the applicant will create the permanent full-time jobs in Massachusetts within 24 months after receipt of the incentive(s) and how these jobs will be maintained for at least 5 years.

New Jobs	Jobs Retained at Site	Total Jobs in Massachusetts
375 Phase I 375 Phase II 750 Total New Jobs	450 Retained	190 ** 200 jobs created before Phase I is complete

The Company employs approximately 450 permanent full-time jobs located at our Newton, MA headquarters.

The Company also owns two subsidiaries with separate facilities in Massachusetts that provides 190 permanent full-time jobs. The Smarter Travel Media employs approximately 115 permanent full-time jobs at office space in Charlestown, MA and Flipkey employs approximately 75 permanent full-time jobs at office space in Boston, MA and are expected to remain at these locations.

The TripAdvisor business continues to grow in terms of product lines offered, global visitors to our websites, global customers who purchase our advertising, and other websites with whom we partner. The current facilities cannot accommodate the Company's need for employee growth to support its projected revenue growth. Therefore additional space and new jobs are essential for the Company to remain competitive and meet the consumer demand for our products and services. To support this growth, the Company expects to add 750 full-time jobs at its new headquarters during two phases. The Company expects that all new positions created as outlined below would be maintained for at least 5 years. The Company also plans to create an estimated 200 jobs before the Phase I expansion project is complete.

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Phase I -

Estimated Job Creation: 375

- Create 150 jobs within the first 24 months (Year 1-2) and begin when the Project is placed into service
- Create 75 jobs in Year 3
- Create 75 jobs in Year 4
- Create 75 jobs in Year 5

Phase II -

Estimated Job Creation: 375

- Create 150 jobs within the first 24 months (Year 1-2) and begin when the Project is placed into service
- Create 75 jobs in Year 3
- Create 75 jobs in Year 4
- Create 75 jobs in Year 5

5. What actions will you take to recruit employees from among residents of the municipality and/or Economic Target Area?

TripAdvisor expects to recruit qualified job applicants from Needham first and then the Commonwealth of Massachusetts. The Company plans to advertise open positions online and in local and regional newspapers such as The Needham Times. In addition, the Company expects to participate in local job fairs and the Massachusetts Division of Career Services programs for its recruitment efforts.

The Company is noted for its employee training programs which help employees learn needed skills and achieve career advancements. In addition, TripAdvisor provides paid internship opportunities through several colleges and universities such as Harvard and MIT. The program has resulted in several permanent TripAdvisor jobs offered to these college students.

6. Is the project likely to result in another substantial and exceptional economic benefit to the Commonwealth? If yes, please explain.

Yes, this Project would require a significant financial investment from the Company and the Property Owner which would result in substantial short and long-term economic benefits for the Town of Needham and the Commonwealth of Massachusetts.

The Company has a history of community involvement and is dedicated to supporting local programs and charitable giving. The Company has a strong track record of social responsibility and donates 2% of their annual pre-tax profits to various programs through its Charitable Foundation. The Company has supported many organizations such as the National Geographic Society, Save the Children, Habitat for Humanity and the Life is good Kids Foundation.

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The Project is expected to create new indirect jobs based on a conservative multiplier effect. The facility has both direct and indirect impact on additional economic activity and jobs created as a result of its presence. The multiplier effect occurs because of spending generated by a company or by its employees spending their wages. TripAdvisor and its employees spend over \$3.5 million with local services providers and other various business establishments. The estimated 200 jobs that are expected to be created before the Phase I expansion project is complete will have a positive economic impact on the state and local economy.

In addition, the Company pays significant taxes annually to the Commonwealth of Massachusetts, including corporate excise tax and payroll taxes. Should the expansion proceed, TripAdvisor expects the amount to increase annually.

7. Will the project result in a spin off activity that will support Massachusetts based suppliers and contractors? If yes, please explain.

Yes, the Company plans to entertain bids from qualified suppliers and contractors for the proposed Project from within the Commonwealth of Massachusetts. The selection of a qualified supplier or contractor is expected to provide additional jobs to other industries. TripAdvisor has an extensive track record of using local suppliers and spends an estimated \$25 million annually for a full array of products and services. The Company engages over 200 Massachusetts companies for their products and services including office supplies, printing, engineering, information technology, signage, cleaning services, on-site catering, professional services, and employee support programs.

8. Please answer the following questions related to the project location.

a. Will the applicant own or lease/rent the facility where the business expansion/relocation will occur?	(Own/Lease)
b. If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purposes of paying local real estate taxes?	Normandy, GAP-V Development Needham, LLC
c. If owning, will the applicant fully occupy the space?	N/A
d. If the applicant will not fully occupy the space, does it intend to lease/rent the remaining space?	No, the Company expects to lease the entire space.

9. Certification for Abandoned Buildings.

a. Does the proposed project involve the renovation and reuse of an abandoned building?	(Yes/No)
b. If yes or unsure, how long has the building been vacant or unused? (If known, state date).	N/A

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c. During the period of time that the building has been vacant or unused, what percentage of the building was vacant and unused? If the percentage varied during this time period, provide information for each change in the percent of vacant space and the applicable time period.	N/A
10. a. Please indicate the length of Certified Project requested.	13 years
b. Please state which incentives the applicant is seeking:	
State Investment Tax Credit	(Yes/No)
State Abandoned Building Renovation Deduction	No
Local Real Estate Tax Incentive	Yes
11. Please indicate the company's outside of Massachusetts sales as a percentage of total sales and describe how the proposed project will alter the distribution impact.	
The Company's annual sales outside of Massachusetts more than 90% of its total sales, and revenues are expected to grow as a result of this project.	
12. Provide detailed information on any other sources of public or quasi-public funding that has been received or will be sought to contribute towards the financing of the proposed expansion.	
The Company does not plan to pursue other sources of public or quasi-public financing programs. However, the Town of Needham is analyzing various funding options through the Massachusetts Department of Transportation and the MassWorks Infrastructure Grant Program for roadway improvements.	
13. Is the applicant seeking tax incentives from the Massachusetts Life Science Center? If yes, this may affect the potential EDIP benefits.	
The Company does not plan to seek tax incentives from the MA Life Sciences Center.	
PART III. LABOR AFFIRMATION	
Part A:	
☒ As an applicant requesting Certified Project Approval, <u>TripAdvisor LLC</u> affirms (check box) that this business will not unlawfully misclassify workers as self-employed or as independent contractors, and certifies compliance with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.	
☒ As an applicant requesting Certified Project Approval, <u>TripAdvisor LLC</u> affirms (check box) that this business will not knowingly employ developers, subcontractors, or other third parties that unlawfully misclassify workers as self-employed or as	

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independent contractors, or that fail to comply with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.	
Part B: Within the past five years, has the applicant or any of its officers, directors, employees, agents, or subcontractors of which the applicant has knowledge, been the subject of (if yes, please provide details):	
(a) an indictment, judgment, conviction, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law;	☐ Yes ☒ No Details:
(b) a government suspension or debarment, rejection of any bid or disapproval of any proposed contract subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement; or	☐ Yes ☒ No Details:
(c) any governmental determination of a violation of any public works law or regulation, or labor law or regulation or any OSHA violation deemed "serious or willful?"	☐ Yes ☒ No Details:

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Authorization and Certification

I, Tyler Young, Vice President, Finance of the applicant business applying for "Certified Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant's intentions for investment, job creation and sales. I understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Certified Project" status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Project if the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information, I make this certification under the pains and penalties of perjury.

Signed: _____

Name

Tyler Young

10/26/12

Date

Tyler Young

Name

Vice President, Finance

Title

Certification as to accuracy and Public Records Law acknowledgement:

The signatories hereby certify that the answers in this application and the documents submitted in support thereof are accurate and complete representations of the applicant. They also hereby acknowledge that, under the Public Records law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).

Signed: _____

Tyler Young

Name

Tyler Young

10/26/12

Date

Vice President, Finance

Title



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE II EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE
COMMONWEALTH

CHAPTER 23A DEPARTMENT OF ECONOMIC DEVELOPMENT

Section 3E Economic opportunity areas

Section 3E. The EACC may from time to time designate one or more areas of an ETA as an EOA, and take any and all actions necessary or appropriate thereto, upon compliance with the following:

(1) receipt of a municipal application requesting such designation for a specified period of years, which shall be not less than five years nor more than twenty years, and representing that the municipality, based on its own independent investigation, has determined that the area proposed for designation:

(a) is wholly within an area designated as an ETA pursuant to section three D;

(b) conforms to the definition of a "blighted open area", "decadent area", or "substandard area" as set forth in section one of chapter one hundred and twenty-one A or has experienced a plant closing or permanent layoff resulting in a job loss of two thousand or more within the four years prior to designation as an EOA or the municipality has sited within it a generation facility, as defined pursuant to section 1 of chapter 164, which has a market value at the time of sale that is at least 50 per cent less than its current net book value; and

(c) satisfies such additional mandatory or permissive criteria as may be prescribed from time to time by the EACC; and

(2) receipt with the municipal application of the following documents:

(a) a detailed map of the area proposed for designation, which clearly delineates and identifies such area and which indicates with particularity existing streets, highways, waterways, natural boundaries and other physical features;

(b) a statement describing the economic development goals of the municipality for the area proposed for designation for the five year period subsequent to the date on which the application is submitted;

(c) a statement which describes the manner and extent to which the municipality shall provide

for an increase in the efficiency of the delivery of local services within the area proposed for designation;

(d) a plan, if any, to link the municipality's choice of banking institutions to the performance of such institutions in complying with the requirements of the community reinvestment act;

(e) a proposal which identifies an individual who shall be authorized to review and approve project proposals for and on behalf of the municipality and the standards and procedures to be employed thereby; and

(f) in the case of a municipal application submitted, in whole or in part, by a municipality with a population in excess of fifty thousand people according to the most recent United States census, an economic development plan submitted by said municipality which contains the following elements:

(i) a proposal which provides for streamlined licensing procedures for certified projects within the area proposed for designation;

(ii) a proposal which provides for the provision of adequate infrastructure support, including transportation access, water and sewer hook-ups, lighting, and other utilities, to and for certified projects within the area proposed for designation;

(iii) a statement which describes the municipality's proposals to secure access to publicly or privately sponsored training programs to be made available to employees of certified projects, or others who reside in the ETA which contains the area proposed for designation; and

(iv) a plan by which the municipality shall increase the level of involvement by private persons and community development organizations in the economic revitalization of the area proposed for designation, which may include commitments from private persons to provide jobs and job training to residents and employees who work, or who will work, for certified projects in the area proposed for designation; and

(g) such additional documentation or information as may be prescribed by the EACC; and

(3) receipt with the municipal application of a binding written offer from the municipality, subject only to acceptance by the EACC through designation of the area proposed therefor, in the municipal application as an EOA, to provide to certified projects within the project EOA and pursuant to section fifty-nine of chapter forty either tax increment financing or a special tax assessment as follows:

(a) for the purposes of the provision of tax increment financing, said binding written offer shall

contain a tax increment financing plan adopted in accordance with the provisions of, section fifty-nine of chapter forty; provided, however, that the tax incremental financing zone proposed in such plan shall in addition satisfy the requirements set forth in paragraph (1) of this section;

(b) for the purposes of the provision of a special tax assessment, said binding written offer shall set forth the following assessment schedule for each parcel of real property in and on which is located, and which is otherwise a part of, a certified project in the project EOA:

(i) in the first year, an assessment of zero percent of the actual assessed valuation of the parcel; provided, that such assessment shall be granted for the year designated in the binding written offer;

(ii) in the second year, an assessment of up to twenty-five percent of the actual assessed valuation of the parcel;

(iii) in the third year, an assessment of up to fifty percent of the actual assessed valuation of the parcel;

(iv) in the fourth year, an assessment of up to seventy-five percent of the actual assessed valuation of the parcel;

(v) in subsequent years, assessment of up to one hundred percent of the actual assessed valuation of the parcel.

For the purposes of this clause the term "municipality's fiscal year" shall refer to a period of three hundred and sixty-five days beginning, in the first instance, with the, calendar year in which the assessed property is purchased or acquired or the calendar year in which the assessed property is designated as an EOA, whichever is last to occur; provided, further, that no such written offer from a municipality shall be considered to be binding as aforesaid unless and until it is authorized.

(4) approval of the municipal application by the EACC, provided that the EACC shall find, based on the information submitted in support of the municipal application and such additional investigation as the EACC shall make, and incorporate in its minutes, that:

(a) the area or areas proposed for designation in said application comport with the definition of an EOA as set forth in clauses (a) to (c), inclusive, of paragraph (1); provided, however, that such decision shall be effective as specified by the EACC; provided, further, that the statistical criteria employed by the EACC in making its decision hereunder shall be the most recent data available as of the date of such decision; provided, further, that the EACC shall be under no obligation to withdraw or rescind any such designations because of changes in

said statistical data which are published subsequent to such decision; provided, further, that in the event the statistical categories incorporated by reference in said clauses (a) to (c), inclusive, of said paragraph (1) are subsequently materially altered or superseded by the publishers thereof, the EACC is authorized and directed to develop or employ new categories of statistical criteria which most nearly comport with those incorporated by reference as aforesaid; and provided, further, that said new categories of statistical criteria shall become effective when approved by the director of economic development;

(b) the documents required pursuant to clauses (a) to (g), inclusive, of paragraph (2) are final and complete and otherwise satisfactory;

(c) the binding offer of the municipality complies with the requirements of paragraph (3); and

(d) the request for designation as set forth in the municipal application, in its entirety and including all documents and materials submitted therewith, will if approved, have a reasonable probability of inducing businesses to locate or expand within the area proposed for designation and thereby increase the prospects of achieving economic stability and reducing chronic unemployment in said area; provided, however, that (i) in evaluating requests for designation pursuant to this clause the EACC may, subject to such criteria as it shall prescribe, consider and rank the relative merits of municipal applications, ascribing to each a total score which reflects the considered judgment of the EACC as to the prospects and degree to which said applications, if approved, will further the public purposes set forth in this clause; (ii) the EACC shall, if and as directed by the director of economic development, establish an application process pursuant to which municipal applications are reviewed in a competitive fashion; (iii) the EACC shall work with interested municipalities to assist such municipalities to understand the purpose and requirements of the application process and how to best exploit the economic development potential of an affirmative designation decision and, further, to minimize the administrative burden associated with such application process; and (iv) the EACC shall, through regulations or otherwise, tailor its program specifications to maximize the extent to which the commonwealth's economic opportunity area program can benefit from similar programs sponsored by the federal government and if necessary or appropriate, file legislation with the general court which seeks amendments designed to serve such purpose.

An EOA shall retain its designation for at least five years and not more than twenty years from the date it is so designated, as determined by the EACC, unless such designation is revoked prior to the expiration of the specified period; provided, however, that the EACC shall not specify a duration in excess of that requested in the municipal application. The designation of an EOA may be revoked only by the EACC, and only upon the following grounds: (a) upon the petition of the municipality which requested the designation which petition satisfies the authorization requirements for a municipal application, and which petition

shall be granted as a matter of course; or (b) if the EACC determines, based on its own investigation, that plans and commitments incorporated with the municipal application for such designation are materially at variance with the conduct of the municipality subsequent to the designation and such variance is found to frustrate the public purpose which such designation was intended to advance. Any such revocation shall only be applied prospectively to deny certification to any projects located or to be located in such EOA and not certified prior to such revocation and shall not apply to, nor revoke any benefits due to or which may become due to, any certified project already in existence in said EOA, including but without limitation any benefits included in any plans and commitments incorporated with the municipal application for such designation; provided, however, that in no event shall a certified project receive any benefits arising from its status as a certified project for a period of longer than that specified by the EACC in its certification designation, including any renewals thereof, or twenty years, whichever period is of shorter duration. The EACC shall review the designation of each EOA at least once every two years. No designation of an area as an EOA may be renewed or extended except pursuant to the provisions of paragraphs (1) to (4), inclusive. No renewal shall be granted for a period to exceed, when combined with the durations of all prior periods of designation, twenty years.

(5) notwithstanding any provisions of sections three to three H, inclusive, the EACC shall not designate nor shall there exist at any one time more than 40 Economic Target Areas. The limitations imposed by this section shall not apply to the EACC in its designation of communities applying for designation under the federal empowerment zones and enterprise communities program, so called, or to communities applying for economic target area designation that qualify under the criteria set forth in subclauses (I) and (J) of clause (ii) of paragraph (a) of section 3D.

**PART I** ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 40** POWERS AND DUTIES OF CITIES AND TOWNS**Section 59** Tax increment financing plan

Section 59. Notwithstanding any general or special law to the contrary, any city or town by vote of its town meeting, town council, or city council with the approval of the mayor where required by law, on its own behalf or in conjunction with one or more cities or towns, and pursuant to regulations issued by the director of housing and community development, may adopt and prosecute a tax increment financing hereinafter referred to as TIF plan, and do any and all things necessary thereto; provided, however, that the TIF plan:

- (i) designates one or more areas of such city or town as a TIF zone; provided, however, that each area so designated is wholly within an area designated by the director of economic development, pursuant to regulations adopted by the economic assistance coordinating council established pursuant to section three B of chapter twenty-three A, as presenting exceptional opportunities for increased economic development; provided, further, that in the case of a TIF plan adopted by more than one city or town, the areas designated as TIF zones shall be contiguous areas of such cities or towns;
- (ii) describes in detail all construction and construction-related activity, public and private, contemplated for such TIF zone as of the date of adoption of the TIF plan; provided, however, that in the case of public construction as aforesaid, the TIF plan shall include a detailed projection of the costs thereof and a betterment schedule for the defrayal of such costs; provided, further, that the TIF plan shall provide that no costs of such public constructions shall be recovered through betterments or special assessments imposed on any party which has not executed an agreement in accordance with the provisions of clause (v); and provided, further, that in the case of private construction as aforesaid, the TIF plan shall include the types of industrial and commercial developments which are projected to occur within such TIF zone, with documentary evidence of the level of commitment therefor, including but not limited to architectural plans and specifications as required by said regulations;
- (iii) authorizes tax increment exemptions from property taxes, under clause Fifty-first of section 5 of chapter 59, for a specified term not to exceed 20 years, for any parcel of real property which is located in the TIF zone and for which an agreement has been executed with the owner of the real property under clause (v); provided, however, that the TIF plan

shall specify the level of the exemptions expressed as exemption percentages, not to exceed 100 per cent to be used in calculating the exemptions for the parcel, and for personal property situated on that parcel, as provided under said clause Fifty-first of said section 5 of said chapter 59; provided, further, that the exemption for each parcel of real property shall be calculated using an adjustment factor for each fiscal year of the specified term equal to the product of the inflation factors for each fiscal year since the parcel first became eligible for an exemption under this clause; provided, further that the inflation factor for each fiscal year shall be a ratio;

(a) the numerator of which shall be the total assessed value of all parcels of commercial and industrial real estate that are assessed at full and fair cash value for the current fiscal year minus the new growth adjustment for the current fiscal year attributable to the commercial and industrial real estate as determined by the commissioner of revenue under subsection (f) of section 21C of chapter 59; and

(b) the denominator of which shall be the total assessed value for the preceding fiscal year of all the parcels included in the numerator; provided, however, that the ratio shall not be less than 1;

(iv) establishes a maximum percentage of the costs of any public construction, referenced in clause (ii) and initiated subsequent to the adoption of the TIF plan, that can be recovered through betterments or special assessments against any parcel of real property eligible for tax increment exemptions from property taxes pursuant to clause (iii) during the period of such parcel's eligibility for exemption from annual property taxes pursuant to clause fifty-first of section five of chapter fifty-nine, notwithstanding the provisions of chapter eighty or any other general or special law authorizing the imposition of betterments or special assessments;

(v) includes executed agreements between such city or town and each owner of a parcel of real property which is located in such TIF zone; provided, however, that each such agreement shall include: (1) all material representations of the parties which served as the basis for the descriptions contained in the TIF plan in accordance with the provisions of clause (ii); (2) a detailed recitation of the tax increment exemptions and the maximum percentage of the cost of public improvements that can be recovered through betterments or special assessments regarding such parcel of real property pursuant to clauses (iii) and (iv); (3) a detailed recitation of all other benefits and responsibilities inuring to and assumed by the parties to such agreement; and (4) a provision that such agreement shall be binding upon subsequent owners of such parcel of real property;

(vi) delegates to one board, agency or officer of the city or town the authority to execute agreements in accordance with the provisions of clause (v);

(vii) is certified as an approved TIF plan by the economic assistance coordinating council established by section three B of chapter twenty-three A pursuant to regulations adopted by said council; provided, however, that the economic assistance coordinating council shall find, based on the information submitted in support of the TIF plan by the city or town and such additional investigation as the economic assistance coordinating council shall make, and incorporate in its minutes, that the plan is consistent with the requirements of this section and will further the public purpose of encouraging increased industrial and commercial activity in the commonwealth; provided, further, that a city or town may at any time revoke its designation of a TIF zone and, as a consequence of such revocation, shall immediately cease the execution of any additional agreements pursuant to clause (v); provided, further, such revocation shall not affect agreements relative to property tax exemptions and limitations on betterments and special assessments pursuant to said clause (v) which were executed prior thereto; and provided, further, that the board, agency or officer of the city or town authorized pursuant to clause (vi) to execute agreements shall forward to the board of assessors a copy of each such agreement, together with a list of the parcels included therein; and

(viii) requires of an owner of a parcel pursuant to clause (v) to submit to the city or town clerk and the economic assistance coordinating council a report detailing the status of the construction laid out in the plan; the current value of the property; and the number of jobs created to date as a result of the plan; provided, however, that a report shall be filed every 5 years for the term of the tax increment exemption allowed under clause Fifty-first of section 5 of chapter 59; and provided further, that a final report shall be filed in the final year of the exemption.



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE II EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE
COMMONWEALTH

CHAPTER 23A DEPARTMENT OF ECONOMIC DEVELOPMENT

Section 3F Certified projects; proposals

Section 3F. (1) The EACC may from time to time designate one or more projects as certified expansion, enhanced expansion or manufacturing retention and job growth projects, and take any and all actions necessary or appropriate thereto, upon compliance with the following:

(a) receipt of a project proposal therefor requesting such designation from the controlling business;

(b) in the case of expansion project proposals and manufacturing retention and job growth project proposals, receipt of a written approval of said project proposal by the municipality which contains the project, said municipality having found, based on the information submitted with said project proposal and such additional investigation as the municipality shall make, and incorporate in a formal written determination, that:

(i) the project proposal complies with the definition of a project proposal set forth in section three A;

(ii) the project as described in the proposal and all documentation submitted therewith:

(A) if the proposal is for an expansion project, that it is consistent with and can reasonably be expected to benefit significantly from the municipality's plans relative to the project EOA, as those plans are described in paragraph (2) of section three E; and

(B) together with all other projects previously certified and located in the same expansion project EOA or municipality, will not overburden the municipality's supporting resources, including but without limitation those set forth in clause (f) of said paragraph (2) of section three E;

(iii) the project proposal includes a workable plan, with precise goals and objectives, by which the controlling business proposes to realize the increased employment objectives for the project and the business' plan to employ aggressive affirmative action goals, objectives and identification and recruitment techniques and, in the case of an expansion project, the plan for increased employment from among residents of the expansion project ETA; and.

(iv) the project proposal contains documentation regarding an agreement, if any, between the controlling business and area banking institutions by which said controlling business agrees to establish one or more accounts in said banks and said banks agree to commit a specified percentage of the funds deposited in said accounts for loans made thereby to businesses located within the expansion project area pursuant to the Massachusetts capital access program established pursuant to section fifty-seven of chapter twenty-three A; and

(v) the expansion, enhanced expansion or manufacturing retention and job growth project as described in the proposal, together with the municipal resources committed thereto, will, if certified, have a reasonable chance of increasing or retaining employment opportunities for residents of the expansion project area, ETA or municipality as applicable, as advanced in said proposal; and.

(c) receipt with such written approval by the municipality of a request for a designation of the project as a certified project for a specified number of years, which shall be not less than five years nor more than: (i) twenty years; or (ii) if the designation is for an expansion project, the number of years remaining on the duration of the designation of the expansion project EOA, whichever is less; and

(d) the following findings are made by the EACC, based on the project proposal, documents submitted therewith, the municipality's written approval decision, and such additional investigation as the EACC shall make, and incorporate in its minutes, that:

(i) the project proposal complies with the definition of a project proposal set forth in section three A, with all other applicable statutory requirements, and with such other criteria that EACC may prescribe from time to time; and

(ii) the project as described in the proposal, and as further described in the written determination of the municipality made pursuant to clause (b) will, if certified, have a reasonable chance of increasing or retaining employment opportunities for residents of the expansion project area, ETA or municipality, as applicable; and.

(2) A certified project shall retain its certification for the period specified by the EACC in its certification decision; provided, however, that such specified period shall be not less than 5 years from the date of certification nor more than: (i) 20 years from such date; or (ii) for an expansion project, the number of years remaining on the duration of the designation of the project EOA, including any renewals thereof; or (iii) the number of years requested by the municipality approving the project proposal, whichever is lesser, unless such certification is revoked prior to the expiration of the specified period. The certification of a project may be revoked only by the EACC and only upon: (a) the petition of the municipality that approved the project proposal, if applicable, if the petition satisfies the authorization requirements for a

municipal application, or the petition of the director of economic development; and (b) the independent investigation and determination of the EACC that representations made by the controlling business in its project proposal are materially at variance with the conduct of the controlling business subsequent to the certification and such variance is found to frustrate the public purposes that such certification was intended to advance; provided, that the EACC shall review such certified project at least once every 2 years; provided, however, that for an expansion project where the actual number of permanent full-time employees employed by the controlling business at the project is less than 50 per cent of the number of such permanent full-time employees projected in the project proposal, then this shall be deemed a material variance for the purposes of a revocation determination. Upon such a revocation, the commonwealth, and the municipality, in the case of a certified expansion project, shall have causes of action against the controlling business for the value of any economic benefit received by the controlling business prior or subsequent to such revocation.

Under this section, revocation shall take effect on the first day of the tax year in which the EACC determines that a material variance commenced. The commissioner of revenue may, as of the effective date of the revocation, disallow any credits, exemptions or other tax benefits allowed by the original certification under this section. The department shall issue regulations to recapture the value of any credits, exemptions or other tax benefits allowed by the certification under this section.

Any such revocation shall only be applied prospectively and shall not apply to, nor revoke any benefits due to the project that relate to years prior to the year in which the revocation determination is made, unless the EACC determines that the controlling business of the project made a material misrepresentation in its project proposal, in which case both the commonwealth and the municipality shall have causes of action against the controlling business for the value of any economic benefits received subsequent to the date on which such material misrepresentation was made. Annually, on or before the first Wednesday in December, the EACC shall file a report detailing its findings of the review of all certified projects that it evaluated in the prior fiscal year to the commissioner of revenue, to the chairs of the joint committee on revenue and the chairs of the joint committee on economic development and emerging technologies.

(3) The EACC shall evaluate and either grant or deny a project proposal within 90 days of its project proposal date and failure to do so by the EACC shall result in approval of the project for a term of 5 years. Approval of a project under this section shall not constitute an approval by the EACC of any tax incentives provided for under chapters 62 and 63.

(4) The EACC may amend the boundaries of an ETA to address unique situations in which a commercial or industrial facility, which is the location for a prospective certified expansion project candidate, is located within the boundaries of two or more municipalities, with at least

one of the municipalities in an existing ETA. Under such circumstance, if all of the municipalities involved wish to certify the proposed project, the boundaries of the ETA may deviate from census tract boundaries to include the parcel or parcels occupied by said commercial or industrial facility. The EACC may consider such an application for amending the boundaries of an ETA; provided, however, that:

(a) inclusion of the facility and underlying parcels in the pre-existing contiguous ETA does not alter the eligibility of said ETA as determined pursuant to subclause (ii) of clause (a) of section three D;

(b) evidence that said commercial or industrial facility is physically located in two or more municipalities can be provided;

(c) the amended ETA application is jointly filed by the municipalities in which the facility and parcels are located, and the EACC approves said amended ETA application;

(d) an application for designation of an Economic Opportunity Area for the area including the facility and parcels are located is also submitted and approved by the EACC; and

(e) a certified project application will be submitted to the EACC within a reasonable period of time for the project proposing to occupy said facility and parcels.

(5) The EACC may award to a certified project tax credits available under subsection (g) of section 6 of chapter 62 and section 38N of chapter 63. The amount and duration of the credit awarded shall be based on the following factors:

(a) for expansion projects:

(i) the degree to which the project is expected to generate net new economic activity within the commonwealth by generating substantial sales from outside of the commonwealth, or otherwise;

(ii) the degree to which the project is expected to increase employment opportunities for residents of the project ETA and of the commonwealth; and

(iii) the economic need of the project ETA as measured by the income and employment levels of the ETA;

(b) for enhanced expansion projects:

(i) the degree to which the project is expected to generate net economic activity within the commonwealth by generating substantial sales from outside of the commonwealth, or

otherwise; and

(ii) the degree to which the project is expected to increase employment opportunities for residents of the commonwealth;

(c) for manufacturing retention and job growth projects:

(i) the degree to which the project is expected to generate economic activity within the commonwealth by generating substantial sales from outside of the commonwealth, or otherwise; and

(ii) the degree to which the project is expected to retain or increase manufacturing employment opportunities for residents in the project gateway municipality and the commonwealth.

(6) The EACC may, in consultation with the department of revenue, limit any incentive or credit available to a project pursuant to subsection (g) of section 6 of chapter 62 and section 38N of chapter 63 to a specific dollar amount or time duration or in any other manner deemed appropriate by EACC.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

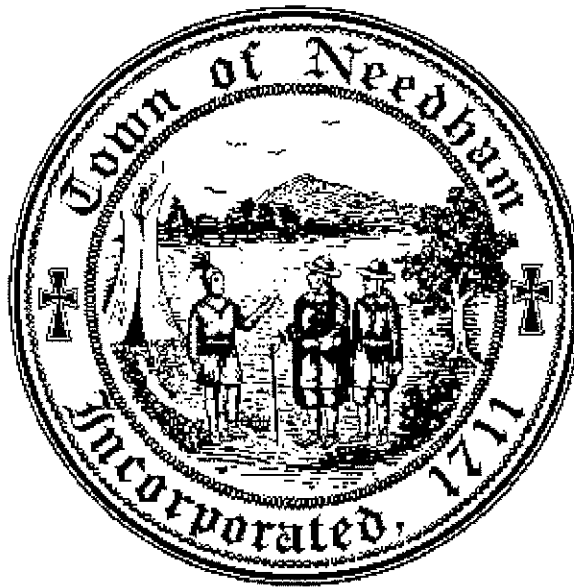
MEETING DATE: 11/14/2012

Agenda Item	Call for Special Town Meeting
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will recommend that the Board of Selectmen call for a Special Town Meeting to be held on December 3, 2012 for the purpose of seeking Town Meeting authorization for a Tax Increment Financing proposal. The text of the warrant article will depend on whether the final paperwork is available for execution by the Board at its meeting on November 14, 2012 (Plan A) or will be executed after the warrant is printed (Plan B). The Town Manager will make a recommendation to the Board as to the selection of Plan A or Plan B on November 14th.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board of Selectmen vote to call and open the warrant for a Special Town Meeting to be held on December 3, 2012, and further to close the warrant subject to technical correction to be made by the Town Manager and Town Counsel.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Special Town Meeting Warrant Plan A b. Draft Special Town Meeting Warrant Plan B			

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, DECEMBER 3, 2012

7:30 P. M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

NEEDHAM

PLAN A

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 and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Town Hall:

MONDAY, THE THIRD DAY OF DECEMBER, 2012

at seven-thirty in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: APPROVE TAX INCREMENT FINANCING PLAN AND TIF AGREEMENT *Selectmen meet and execute all documents on November 14, subject to Town Meeting ratification*

To see if the Town will vote to:

1. Approve the Tax Increment Financing (TIF) Plan and TIF Agreement among TripAdvisor, Inc., Normandy Gap-V Development Needham, LLC and the Town of Needham for property at the New England Business Center consisting of a portion of the parcels shown on Needham Town Assessor's Plan No. 300 as parcels 15 and 16 with the street addresses 410 First Avenue and 66 B Street, respectively, comprising approximately 3.5 acres and specifically delineated as 'Site Area' on a Plan entitled "Exclusive Use Plan – Building #3," dated September 21, 2012 and prepared by Tetra Tech, including designation of a TIF Zone as described in the TIF Plan, pursuant to the provisions of section 59 of Chapter 40 of the Massachusetts General Laws, which TIF Plan and Agreement provide for real estate tax exemptions over a thirteen (13) year period at the exemption rate schedule set forth therein, subject to approval by the Economic Assistance Coordinating Council (EACC) of the Commonwealth of Massachusetts; the TIF Plan, TIF Agreement and associated plan are all on file at the office of the Town Clerk; and
2. Ratify the execution of the TIF Agreement by the Board of Selectmen, and any documents related thereto, and authorize the Board of Selectmen to take such other actions as are necessary or appropriate to implement those documents; and
3. Ratify the acceptance, approval and certification of the TripAdvisor Certified Project Application by the Board of Selectmen, and authorize the Board of Selectmen to apply to the EACC under the Economic Development Incentive Program for approval and designation of the Center 128 Economic Opportunity Area, TIF Zone, TIF Plan, and such certified project; or take any other action relative thereto.

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 14th day of November, 2012.

GERALD A. WASSERMAN, *Chairman*
DANIEL P. MATTHEWS, *Vice Chair*
JOHN A. BULIAN, *Clerk*
MAURICE P. HANDEL
MATTHEW D. BORRELLI

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

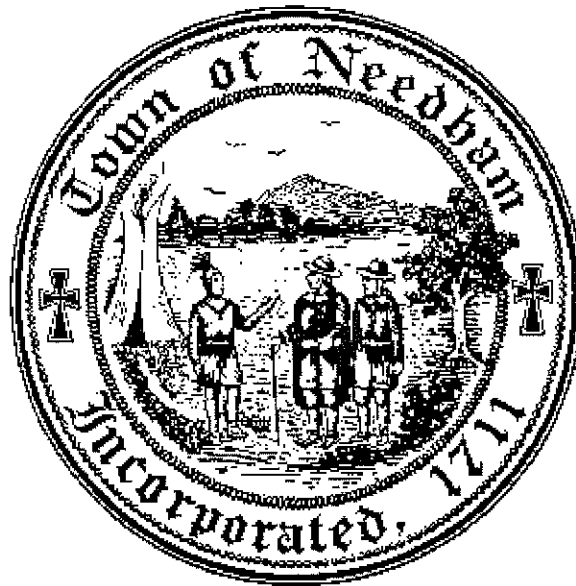
**Town Clerk's Office
Needham, MA 02492**

**First Class Mail
U.S. Postage Paid
Needham, MA
Permit No. 58224**

ATTN: SPECIAL TOWN MEETING WARRANT

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, DECEMBER 3, 2012

7:30 P. M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

NEEDHAM

PLAN B

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 and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Town Hall:

MONDAY, THE THIRD DAY OF DECEMBER, 2012

at seven-thirty in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: **APPROVE TAX INCREMENT FINANCING PLAN AND TIF AGREEMENT** *Selectmen meet and execute all documents at the end of Town Meeting*

To see if the Town will vote to:

1. Approve the Tax Increment Financing (TIF) Plan and TIF Agreement among TripAdvisor, Inc., Normandy Gap-V Development Needham, LLC and the Town of Needham for property at the New England Business Center consisting of a portion of the parcels shown on Needham Town Assessor's Plan No. 300 as parcels 15 and 16 with the street addresses 410 First Avenue and 66 B Street, respectively, comprising approximately 3.5 acres and specifically delineated as 'Site Area' on a Plan entitled "Exclusive Use Plan – Building #3," dated September 21, 2012 and prepared by Tetra Tech, including designation of a TIF Zone as described in the TIF Plan, pursuant to the provisions of section 59 of Chapter 40 of the Massachusetts General Laws, which TIF Plan and Agreement provide for real estate tax exemptions over a thirteen (13) year period at the exemption rate schedule set forth therein, subject to approval by the Economic Assistance Coordinating Council (EACC) of the Commonwealth of Massachusetts; the TIF Plan, TIF Agreement and associated plan are all on file at the office of the Town Clerk; and
2. Authorize the Board of Selectmen to execute the TIF Agreement, and any documents related thereto, and to take such other actions as are necessary or appropriate to implement those documents; and
3. Authorize the Board of Selectmen to accept, approve and certify the TripAdvisor Certified Project Application and to apply to the EACC under the Economic Development Incentive Program for approval and designation of the Center 128 Economic Opportunity Area, TIF Zone, TIF Plan, and such certified project; or take any other action relative thereto,

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 14^h day of November, 2012.

GERALD A. WASSERMAN, *Chairman*
DANIEL P. MATTHEWS, *Vice Chair*
JOHN A. BULIAN, *Clerk*
MAURICE P. HANDEL
MATTHEW D. BORRELLI

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

**Town Clerk's Office
Needham, MA 02492**

**First Class Mail
U.S. Postage Paid
Needham, MA
Permit No. 58224**

ATTN: SPECIAL TOWN MEETING WARRANT



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 11/14/2012

Agenda Item	Greendale Village 40B Development
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
Greendale Village LLC submitted an application to MassHousing for site approval for construction of 10 units at 894 Greendale Avenue. The Board discussed the proposal at its meeting on June 12, 2012 and comments were submitted to MassHousing on June 14, 2012, July 18, 2012 and October 2, 2012. The developer has submitted an updated project eligibility application as the company has acquired an adjacent parcel – 906 Greendale avenue – and seeks to increase the number of units from 10 to 20. The Town Manager will recommend that the Board submit additional comments to MassHousing reiterating the Town's request that MassHousing condition its approval by requiring the developer to provide five affordable units (25% rather than the proposed 20%).			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board vote to authorize the Town Manager to forward a letter to MassHousing summarizing the comments of the Board.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Amended Site Approval Application for Greendale Village letter from Robert Engler, dated November 2, 2012			



November 2, 2012

Michael Busby
40B Project Coordinator
MassHousing
One Beacon Street, 28th floor
Boston, MA 02108

Re: Amended Site Approval Application for Greendale Village in Needham

Dear Mike:

We have included a modified site approval application for our proposed Greendale Village development at 894 & 906 Greendale Avenue in Needham. As you are aware, approximately 6 months ago, Greendale Village, LLC submitted an application for site approval to MassHousing for a 10 unit development located exclusively at 894 Greendale Avenue. Since the submission of that application, we have expanded the proposed development to 20 units as we have acquired the adjacent parcel (906 Greendale Avenue). We want to emphasize that much of this site approval application is exactly the same as what was previously submitted.

We are very excited about this modified application. All of the positive characteristics associated with the previous development still remain. However, we have been able to modify the site plan with the additional land to feature a more diverse selection of units.

As previously indicated in our original submission, the property at 894 & 906 Greendale Avenue is a great location for our proposed use:

- The site is 2.53 acres, all uplands, and our proposed 20 unit program represents the lowest density of any 40B approved in Needham.
- We are bounded on the north by the 62 unit Avita assisted living facility (<http://www.avitaofneedham.com>) which was recently constructed and clearly is a higher density development than what we propose. We are bounded in the rear by open space and town owned conservation land which includes an extensive bike trail. *Previously, we were bounded to the south by a residential house; we have since acquired that property and are now bounded by Town owned land to the South.*
- Our frontage is on a major Needham street which runs between two access points to Route 95. Thus, our proposed development should have no statistical impact on the level of service on Greendale Avenue (as opposed to being at the end of a cul-de-sac with minimal existing traffic). Our site lines existing and entering the site are well in excess of

the required distances. Moreover, our plan now features two points of egress where previously we had only one.

- We are proposing 4 units (20%) to serve households at 50% AMI in order to assure that households priced out of the Needham housing market will be given a great opportunity to live in a 1700sf. 3 bedroom new home.
- Our program features 11 units with 1st floor master bedrooms. We believe our target market to be empty nesters from Needham. To the best of our knowledge, all of the newly constructed townhomes and single family houses in Needham feature exclusively upstairs master bedrooms. Therefore, we believe our development will be appealing to an underserved community.
- The proposed units will all be approximately 1,900 to 2,400SF which makes them all contextually appropriate for the surrounding neighborhood.
- Our objective is to create a New England village-style development which features front yard picket fences, large front porches, attractive landscaping and homes facing a single drive through the middle of the site. The units will feature a combination of clapboard and shingle siding and all units will have either a back deck or a patio.
- All units/lots in our proposed development will be fee simple with a homeowners' association responsible for common area expenses including common area maintenance, landscaping, snow removal, trash, etc. We believe this approach to be more desirable to prospective buyers and will make mortgage financing more easily obtainable.

We have met with all the local town boards and "re-introduced" the modified development program. We have also recently completed a neighborhood meeting. We look forward to a positive endorsement from MassHousing for this site approval application.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Robert Engler
Partner



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 11/14/2012

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<i>Board members will report on the progress and / or activities of their Committee assignments.</i>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below)			
None			

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	STUART KAPLAN		
Event Manager Address	12 CANAVAN CIR NEEDHAM MA 02492		
Event Manager Phone Number	781 608-5001		
Organization Representing (if applicable)	BRIGHT SPIRIT		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☒ Non-profit	☐ For profit	
	☒ Proof of non-profit status is attached	Form of Proof: IRS STATUS	
Name of Event	BRIGHT SPIRIT POKER CHALLENGE		
Date of Event	12/14/12		
License is for Sale of:			
☐ Wines & Malt Beverages Only			
☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	TO:	
	6 pm	11 pm	
Are tickets being sold in advance for this event?	☒ YES	\$ 150 /per ticket	☐ NO
Is there an admission fee for this event?	☒ YES	\$ 150 /per ticket	☐ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES	☒ NO	
How many people are you expecting at this event?	125		
Name & address of event location. Please attach proof of permission to use this facility.			
NEEDHAM TOWN HALL, POWERS HALL			
Who will be serving the alcohol to your guests?			
BARTENDER			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
HOLLY MALONEY (TIPS CERT ATTACHED)			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
DURING BREAKS, ALCOHOL WILL BE PURCHASED FROM THE BAR. DURING PLAY, ALCOHOL WILL BE SERVED DIRECTLY TO GUESTS.			
☒ I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:			Date:
			10/30/12



HEALTH COMMUNICATIONS INC.

1400 Key Blvd., Suite 700

Arlington, VA 22209

703-524-1200

www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature: _____

Holly Maloney

For service visit us online at www.gettips.com

Holly Maloney
29 Nipmuc Rd
Framingham, MA 01702-7229

ID#:
Issued: 3333641
10/11/2012

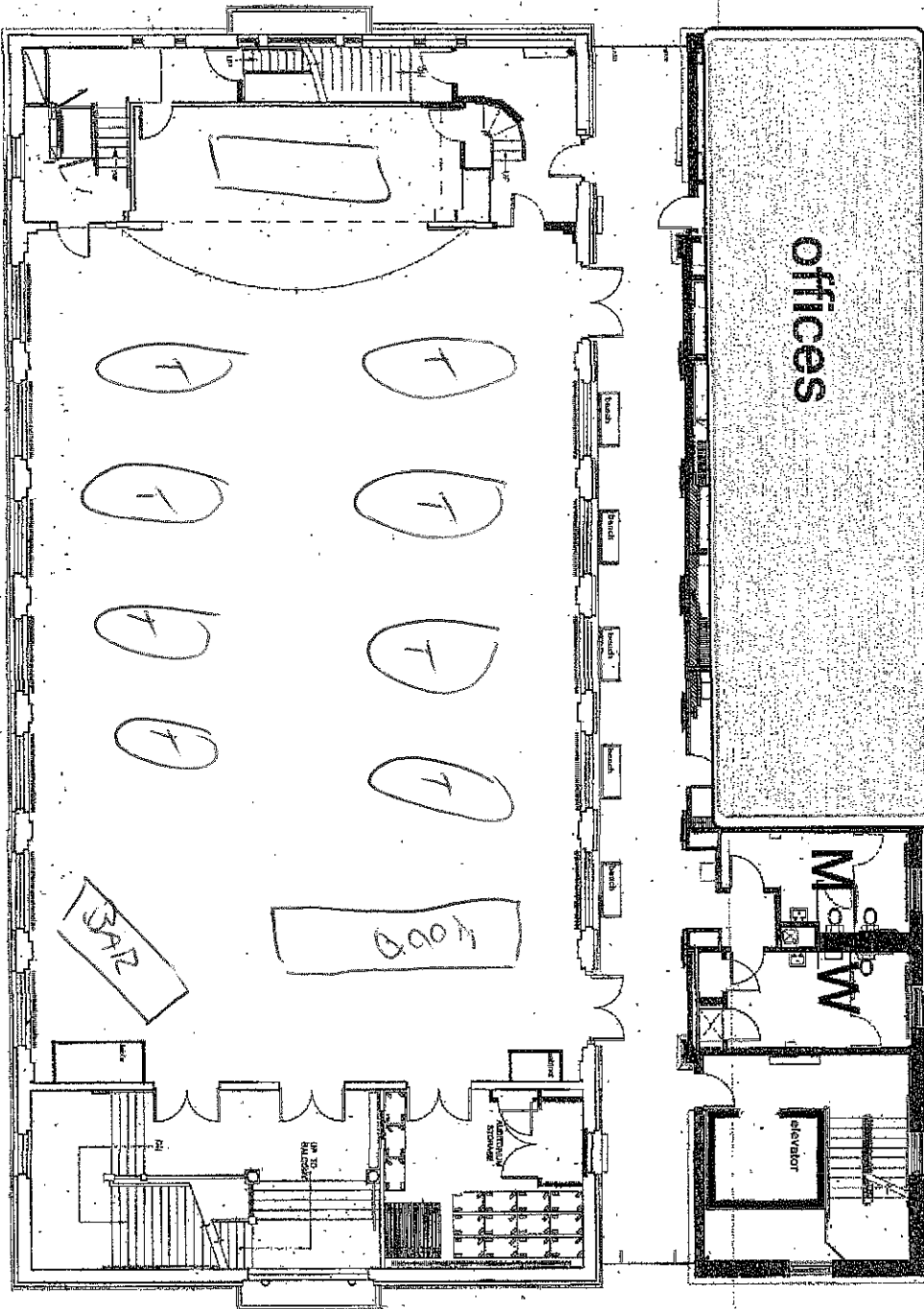
getTIPS On Premise 2.0
SSN: XXX-XX-XXXX
Expires: 10/11/2015
D.O.B.: XX/XX/XXXX

CHAPEL STREET

offices

Furniture
Available:
(18) 60"x30" table
(6) 72"x30"
folding tables
(8) 96"x30"
tables
350 audience chair

James Hugh Powers Hall
Needham Town Hall



HIGHLAND AVENUE

NEEDHAM TOWN HALL
Needham, Massachusetts

Chairs:
Hall floor can
accommodate
330 chairs
with center
aisle.
Balcony:
seats 90
not available
for events with
alcohol.

Dimensions for
hall and stage
contained in
online
regulations.

Drawing
scale will only be
accurate when printed on
11x17" paper at 100%.

Drawing Number:

Scale: 3/32" = 1'-0"

SKF-2

2012 Poker Challenge



**Bright Spirit
Children's
Foundation**

...Brightening the lives of seriously-ill children



Join us for a fun-filled evening of Texas Hold'Em Poker and more importantly to raise money to bring joy to lives of seriously ill-children in hospitals across the country.

We will have a full bar, plenty of food, a fantastic raffle, as well as a silent auction with one-of-a-kind items!

If you cannot attend the 2012 Poker Challenge, please consider making a donation for this worthy cause.

We hope to see you there and we thank you in advance for your support!

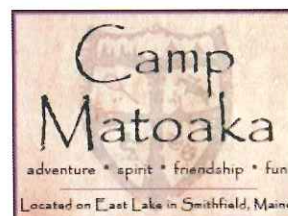
Where: Powers Hall, Needham, MA

When: Friday, December 14th, 2012

Registration: \$150 per person

Sponsorships Available

smileboston™
cosmetic & implant dentistry



**Register at www.brightspirit.org
or call Stuart Kaplan (781) 818-4151**

Bright Spirit is registered 501(c)3 non-profit corporation in the State of Massachusetts

**Town of Needham
Board of Selectmen
Minutes for April 24, 2012
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing – NSTAR Petition for Hillside Avenue:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 3 feet of conduit at Pole 32/26 on Hillside Avenue, Needham.

Motion by Mr. Matthews that the Board of Selectmen approve and sign petition from NSTAR to install approximately 3 feet of conduit at Pole 32/26 on Hillside Avenue, Needham. This work is necessary to provide underground electric service for a new building, Needham Senior Center at 300 Hillside Avenue, Needham.

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

Public Hearing – Verizon and NSTAR Petition for Hillside Avenue:
Ellen Joy, Verizon representative appeared before the Board requesting permission to relocate four poles and install an anchor all on the southerly side of Hillside Avenue.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from Verizon and NSTAR to relocate four poles and install an anchor all on the southerly side of Hillside Avenue. The work is necessary to allow for a street cut and driveway for a new Senior Center.

Second: Mr. Handel. Unanimously approve 5-0.

Public Hearing – NSTAR Petition for Reservoir Street:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 104 feet of conduit at padmount #23516 on Reservoir Street, Needham.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 104 feet of conduit at padmount #23516 on Reservoir Street, Needham. This work is necessary to provide new temporary service for existing pump station during expansion at Reservoir Street.

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

Public Hearing – NSTAR Petition for Pump Station B – Reservoir Street:
Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 35 feet of conduit at Pole 204/28 on Reservoir Street, Needham.

Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 35 feet of conduit at Pole 204/28 on Reservoir Street, Needham. This work is necessary to provide service to new pump station B at Reservoir Street.

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

7:10 p.m.

Consent Agenda and Appointments:

Motion by Mr. Bulian that the Board of Selectmen vote to accept the Appointments and Consent Agenda as presented.

APPOINTMENTS

1. **Suzanne Saevitz** **New Years Needham Committee (term expires 6/30/2014)**
2. **Jim Moonan** **New Years Needham Committee (term expires 6/30/2014)**
3. **Jerry Wasserman** **New Years Needham Committee (term expires 6/30/2014)**

CONSENT AGENDA *=Backup attached

1. **Accept donation made to Needham Youth Services in the amount of \$700 from the Needham Community Council. The monies are to be used to sponsor Needham Youth Services' 2012 Project VAN.**
2. **Accept \$ 500 donation made to the Needham Revitalization Trust Fund from the Needham Business Association for the maintenance fund.**
3. **Approve \$700 in donations received for the Student Awareness of Fire Education program made in memory of David W. Jones from: William and Marilyn Jones, Douglas and Michelle Teasdale, Michael and Rebecca Lescarbeau, James and Diane Daugherty, Randal Benoit and Marsha Peters, and Dennis and Cindy Plaster.**
4. **Approve the calendar year 2012 Spring Licenses as follows. This approval is predicated on the receipt of all completed required paperwork before April 30, 2012.**

Establishment

Veteran's Taxi of Newton, LLC

**Lt. Manson H. Carter Post 2498 VFW Building
Association, Inc.**

Second Time Around

Closet Exchange – Best of the Mall

Closet Exchange – Designer & Boutique

Closet Exchange – Consignment Drop Off

Closet Exchange – Last Chance Store

Crosby Jewelers, Inc.

License Type

Taxi/Livery

Pool Table

Sale of Second Hand Articles

Sale of Second Hand Articles

Sale of Second Hand Articles

Sale of Second Hand Articles

Sale of Second Hand Articles

Sale of Second Hand Articles

**Janet Cotter Design
Needham Bowl Away**

**Sale of Second Hand Articles
Bowling Alley**

- 5.* Approve a request from the Exchange Club of Needham to sponsor 4th of July fireworks on Tuesday, July 3, 2012 (rain date of July 7, 2012) and activities on Wednesday, July 4, 2012. Coordination of all additional activities will be made with appropriate Town Departments.**
- 6.* Accept minutes from February 28, 2012, March 27, 2012, and April 11, 2012 meetings and Executive Session minutes from February 28, 2012, March 13, 2012, and April 11, 2012.**
- 7.* Approve Special One Day All Alcoholic Beverages license request from Suzanne Leslie of Newman School PTC to hold a Vegas Night fundraiser on Friday, May 4, 2012 from 6:00 p.m. to midnight at The Masonic Hall, 1101 Highland Avenue, Needham.**
- 8.* Water & Sewer Abatement Order #1141**
- 9. Approve and sign letters to Governor Patrick, Senate President Murray, and Speaker DeLeo concerning MBTA commuter rail service.**

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

7:10 p.m. Public Hearing for the removal of three (3) Public Shade Trees at 27 Beech Street: Edward Olsen, Parks and Forestry Superintendent appeared before the Board to discuss the removal of three trees located on Town property. Mr. Olsen said the Town of Needham would like to replace the water service and repair the sidewalk and the construction would impact the trees. He said the trees are located within the Town layout on the grass berm between the sidewalk and roadway. Mr. Olsen asked the Selectmen vote to approve removal of the 3 trees.

Mr. Wasserman asked if any member of the public wished to speak on the issue.

Tom Gallant, 27 Beech Street, said there are 4 trees in question and asked the Town remove 4 trees.

Mr. Olsen concurred the fourth tree is a hazard and will be removed.

Ms. Fitzpatrick commented hazardous removal of the fourth tree does not require a public hearing and the original motion is acceptable.

Motion by Mr. Handel that the Board vote to approve and sign the Public Shade Tree Hearing Form for the removal of three trees in front of 27 Beech Street, Needham.

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

Public Hearing for the removal of one (1) Public Shade Tree at 20 Washburn Avenue:

Edward Olsen, Parks and Forestry Superintendent appeared before the Board to discuss a petition for the removal of one sugar maple tree located on Town

Property in front of 20 Washburn Avenue, Needham. Mr. Olsen said the homeowners are worried about the safety of this Town tree and recommends granting permission for the removal of the 23 ½ inch Sugar maple. He further recommends that the tree be removed at the owner's expense using a contractor pre-approved by the Town.

Motion by Mr. Matthews that the Board vote to approve and sign the Public Shade Tree Hearing Form for the removal of one 23 1/2-inch Sugar maple tree in front of 20 Washburn Avenue.

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

7:15 p.m.

Grant of Sewer Easement – Wilson Lane:

Richard Merson, DPW Director and Tony Del Gaizo, Town Engineer appeared before the Board to discuss an application made by the property owners at 100 Wilson Lane to the MWRA in order to have a direct connection to the MWRA's sewer main that abuts their property. Mr. Del Gaizo said this area of Town currently does not have town sewer service, and the property owners have agreed to grant the Town an easement from the Right of Way at Wilson Lane through their property in order to allow for future sewer connections. Mr. Del Gaizo said the homeowner will construct and maintain the sewer main within the easement until such time the Town decides to extend sewer to this area.

Motion by Mr. Matthews that the Board vote to approve and sign the Grant of Sewer Easement for 100 Wilson Lane.

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

7:20 p.m.

Land Management Practices:

Kate Fitzpatrick, Town Manager, Ed Olsen, Parks and Forestry Superintendent, Rick Merson, DPW Director, Patty Carey, Director of Park and Recreation, Patty Barry, Director of Conservation, Janice Berns, Health Department Director, and Steven Epstein, MD, Board of Health Director appeared before the Board to discuss the Town's Integrated Pest Management Policy, and the Town's approach to land management and herbicide and pesticide use. Mr. Olsen outlined for the Board the kinds of chemical treatments used on Town property. He said over the last 5 years the Town has applied very little pesticides, and only on areas as a last resort. Ms. Carey commented on playability and issues faced when athletic fields are impacted. She said Park and Recreation fully supports the continued efforts made by the Parks and Forestry Division to avoid the use of pesticides. Ms. Barry spoke with the Board about processes in place on land under jurisdiction of the Conservation Commission. She told the Board the Conservation Commission has an ecological management plan for Ridge Hill Reservation, and there is concern regarding invasive species and the ability of the Conservation Commission to use herbicides on Conservation Commission owned land. She commented the state agency responsible for mosquito control does spray and must notify residents when an area is sprayed. Janice Berns said the Health Department supports the current IPM policy, including the proposal to not eliminate mosquito spraying.

Dr. Epstein said there are health risks involved with eliminating the spraying for mosquitos. He said there is science on both sides, some saying it is safe and others suggesting there may be some long term human impact. He said there are real and identifiable risks associated with not spraying, citing West Nile virus and EEE. He said fatalities have occurred in Massachusetts as a result of people being bitten by mosquitos. Dr. Epstein said it is a balance, but that spraying should continue using the most responsible methods possible. Mr. Merson said the DPW works closely with other departments integrating all cultural activities and practices, with the use of pesticides as a last resort.

Mr. Handel said he believes the Town takes a very responsible approach in managing its properties and tries to avoid unnecessary use of pesticides.

Mrs. Bulian said pest control and safety is a delicate balance and has been handled well by all departments.

Mr. Matthews commented on the petition before Town Meeting recommending the Town adopt an all organic policy. He said he feels the Town is on the right path, but that it is incumbent upon the Board to explain the policy choices to Town Meeting members.

Mr. Borrelli concurs with members of the Board. He asked about alternatives to addressing winter moth and poison ivy without the use of pesticides. Mr. Olsen said there are alternative products for winter moth, but not for poison ivy.

Mr. Wasserman thanked everyone for their work.

7:35 p.m. Public Hearing – Sale of Alcohol for Consumption off Premises:
Mr. Wasserman said the purpose of the public hearing is to hear public comment regarding the warrant article and possible Board of Selectmen regulations. He said the warrant article calls for a Home Rule Petition to allow the Town to license alcohol. Mr. Wasserman reviewed possible regulations by the Board of Selectmen prior to issuing a license.

Ms. Fitzpatrick said the question on a future ballot would be whether the community should allow the Board of Selectmen to issue six licenses for the sale of alcoholic beverages, with an additional two licenses to be authorized on January 1, 2018. She said if the question were to move forward the earliest it would appear on a ballot would be November 2012.

Mr. Wasserman opened the public hearing.

Mr. Bulian read an email from Jennifer Cohen, 75 Peacedale Road. Ms. Cohen is opposed to the retail sale of alcohol. She asked the Selectmen to proceed slowly and suggested limiting the number of licenses to two and track Needham-specific

data for several years. She commented licenses could be added in the future if the supported by positive data.

Tom Langford, 49 North Hill Avenue is opposed to the retail sale of alcohol. Mr. Langford said if approved, the number of licenses should be restricted as much as possible. He said stores selling alcohol should not be allowed in Needham Center or near the high school.

Jeanne McKnight, 210 May Street, Planning Board member speaking as an individual, discussed zoning by-laws. She presented the Selectmen with maps outlining three areas of business zoning in Town from Needham Junction to the New England Business Center. Ms. McKnight discussed areas where no liquor stores should be allowed, including across the street from/or abutting single family residential districts.

Harsha Prabhala, 97 Manning Street is in favor of allowing alcohol sales in Needham. Mr. Prabhala said that while the sale of alcohol may be inevitable it can be regulated and agrees the number of licenses could be limited.

Daphne Davidson, 411 Webster Street said as a parent and family therapist she is saddened about the sale of alcohol in Needham and said it is inevitable. She supports the thoughts of Jennifer Cohen. She feels allowing alcohol in Needham will change the culture of the Town. She commented that in her work with the Burlington police department, accessibility is the number one issue for children.

Steven Zeitler, 5 South Court, is in favor of allowing the sale of alcohol in Needham. He feels the regulations are too stringent and that allowing a few initial licenses is better than allowing six licenses at the outset.

Catherine Kurkjian, 43 Briarwood Circle supports the email written by Jennifer Cohen. She said she does not think the sale of alcohol should be allowed in supermarkets where minors are working. She said the substance abuse coalition works very hard at sending a message to children about the dangers of alcohol.

John Comando, 903 Webster Street mentioned Chapter 138 guidelines. He commented tastings are an important promotional tool for wine shops. He said he hopes the Board would not be too restrictive regarding regulations. Mr. Comando said Chapter 138 regulates the distance a liquor store can be from a church or school. He said there are very few places in the downtown where a liquor store could be located, and that parking is a very important issue. He said the Selectmen have the ability to regulate how many stores can open.

Steven Epstein, 117 Richdale Road, physician in Needham said there are pros and cons on the issue. He asked the Board be proactive in considering the negative outcome of allowing the sale of alcohol in Town. He suggested a cautious approach is warranted.

Peter Atallah, 18 Lindbergh Avenue asked about guidelines and the process of going to Town Meeting. Mr. Atallah asked whether the decision could be reversed in the future and that the Board proceed with caution.

Ken Freundlich, 54 Bradford Street is in favor of allowing the sale of alcohol in Needham. He said it is important to know how to measure if we are making the right decision, whether by popular opinion or by incident.

Mr. Wasserman closed the public hearing.

8:35 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Annual and Special Town Meeting Warrant Articles

The Board took positions on Annual and Special Town Meeting Warrant Articles.

2012 Annual Town Meeting Articles:

Article 21 – Defer Action

The Board took a 10 minute break.

Article 4 – Defer Action

Article 5 – Defer Action

Article 16 – Defer Action

Article 17 – Withdrawn

Motion by Mr. Handel that the Board vote not to support Article 22 – Pesticide Free Zone on Land Owned or Managed by Town of Needham in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 23 – Citizens' Petition – Citizens United Resolution in the Annual Town Meeting Warrant

Second: Mr. Bulian. Approved 3-2. Mr. Borrelli and Mr. Matthews voted nay.

Article 25 – Withdrawn

Article 30 – Defer Action

Article 34 – Defer Action

Article 40 – Defer Action

Article 41 – Defer Action

2012 Special Town Meeting Articles:

Article 1 – Defer Action

Article 2 – Defer Action

Article 6 – Defer Action

Article 10 – Defer Action

Article 11 – Defer Action

Article 12 – Defer Action

2. Approve Easement Agreement/Eaton Square

Ms. Fitzpatrick reminded the Board the November 7, 2011 Special Town Meeting approved the abandonment of Eaton Square as a public way. She said the Needham Bank is proposing to design and construct a building addition, public plaza, and new public/private parking lot by combining the Eaton Square parking lot with adjacent private properties. She said the Easement Agreement continues the Eaton Square right of way by agreement until the construction of the relocated parking lot entrance is complete.

**Motion by Mr. Handel that the Board vote to approve and sign the Easement Agreement by and between the Town of Needham and the Needham Bank.
Second: Mr. Bulian. Unanimously approved 5-0.**

3. Conveyance of Property to DCR

Ms. Fitzpatrick told the Board in accordance with the provisions of M.G.L. c. 40 Sections 15, 15A, and 15B, a vote of the Board of Selectmen is required to determine that the property to be conveyed to the Division of Conservation and Recreation under Article 7 of the Special Town Meeting Warrant is no longer needed.

**Motion by Mr. Handel that the Board vote to determine that the parcel of land adjacent to Great Plain Avenue and the Charles River of approximately 5 acres is no longer needed for highway or water supply purposes.
Second: Mr. Bulian. Unanimously approved 5-0.**

9:25 p.m. Board Discussion:

1. Greene's Field Play Structure

Mr. Bulian reviewed the draft outline of what Greene's Field will look like after construction. He said there have been several fund raising events for a new play structure.

Mr. Borrelli asked for clarification of the project financing. He said it may not be possible to finance the project solely with private donations and that public procurement may be necessary. He also said the Greene's Field Play Structure Working Group should have a final meeting prior to handing oversight of completion of the project to the Town Manager.

Motion by Mr. Bulian that the Board accept the report of the Greene's Field Play Structure Working Group and endorse the proposed plan in concept and that the project and future fundraising will be under the oversight of the Town Manager.

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

2. Committee Reports

Mr. Bulian announced it is Needham Middle School Community Week from Monday, April 23, 2012 through Saturday, April 28, 2012.

A list of all documents used at this Board of Selectmen meeting are available at:

<http://www.needham.gov/Archive.aspx?AMID=99&Type=&ADID=>

9:40 p.m.

Executive Session (Exceptions 2 and 3)

Motion by Mr. Handel that the Board of Selectmen vote to enter into Executive Session.

Exception 2 – To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; and

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 litigation position of the public body and the chair so declares. Not to return to open session prior to adjournment.

Second: Mr. Matthews. Mr. Wasserman polled the Board. Unanimously approved 5-0.

Note: The meeting was adjourned at 10:00 p.m.

**Town of Needham
Board of Selectmen
Minutes for October 23, 2012
Needham Town Hall**

- 6:45 p.m. Informal Meeting with Citizens:
Heather Yountz, 7 Hillside Avenue told the Board 1,522 signatures have been collected from residents opposed to construction of a new school on Cricket Field. Mr. Bulian assured Ms. Yountz a school will not be built at Cricket Field. Mr. Borrelli asked when the "Save Cricket Field" signs will be removed from residential properties. Mr. Wasserman said the Selectmen are focused on trying to building a new Hillside school on the Hillside site. Mr. Matthews commented that the primary focus is on issues to accomplish building Hillside school on the Hillside site.
- 7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.
- 7:00 p.m. Change of Manager, HST Lessee Needham LLC d/b/a Sheraton Needham Hotel:
Charles York, Director of Operations, Sheraton Needham Hotel, proposed Alcohol Manager appeared before the Board to discuss his application for the transfer of Alcohol License from former General Manager William Young.
- Mr. Matthews reminded Mr. York of the rules and regulations for serving alcohol to the public, and that by signing on as a manager he becomes personally liable for the operational license.
- Motion by Mr. Matthews that the Board of Selectmen approve and sign an application, for a change in manager, submitted by Charles York for Sheraton Needham Hotel and to forward this application to the ABCC for approval.**
Second: Mr. Bulian. Unanimously approved 5-0.
- 7:03 p.m. Public Hearing – NSTAR Petition for Central Avenue, Cefalo Road, and Sunset Road:
Maureen Carroll, NSTAR representative, appeared before the Board requesting permission to install approximately 1,077 feet of conduit at Pole 8/80 and 8/81, and install three new manholes on Central Avenue, Cefalo Road, and Sunset Road.
- Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 1,077 feet of conduit at Pole 8/80 and 8/81, and install three new manholes at #29515, 29555, and 29556 on**

Central Avenue, Cefalo Road, and Sunset Road, Needham. This work is necessary to replace existing direct buried cable with new manholes and conduit, to improve system reliability in this area.

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

7:05 p.m.

Consent Agenda:

Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.

APPOINTMENTS There are no appointments this meeting.

CONSENT AGENDA *=Backup attached

- 1.* Approve minutes from September 11, 2012 and September 18, 2012, October 2, 2012 and October 9, 2012 open meetings; approve executive session minutes from September 11, 2012, September 18, 2012, and October 2, 2012.
- 2.* Approve a Special One Day Wines & Malt Beverages license from Steve Volante of Volante Farms to hold an event called "Food Sol Closing Reception" on October 23, 2012 from 7:00 p.m. to 11:00 p.m. at Volante Farms, 292 Forest Street, Needham.
- 3.* Approve a Special One Day All Alcoholic license from Kathryn Lozano of the Charles River YMCA to hold an event called "The Y Giving Gala" on November 17, 2012 from 6:30 p.m. to 11:00 p.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.
4. Accept donation of two new United States flags for the Town Common and Needham Heights Common for winter use from the members of Norfolk Lodge, A.F. & A.M.
5. Accept donation of 250 re-usable cloth totes (valued at approximately \$370) made to the Needham Park and Recreation Commission from Dedham Savings Bank to be used as participant Trick-or-Treat bags for the annual Spooky Walk Program.
- 6.* Approve application for a 2012/2013 Weekday Entertainment license from Sai Restaurant, Inc. d/b/a Masala Art located at 990 Great Plain Avenue, Needham.
- 7.* Approve application for a 2012/2013 Sunday Entertainment license from Sai Restaurant, Inc. d/b/a Masala Art located at 990 Great Plain Avenue, Needham.
8. Approve integrated collective bargaining agreement between the Town and the Needham Police Superior Officers Association for fiscal years 2013 through 2015.
9. Approve integrated collective bargaining agreement between the Town and Local #116, Laborer's International Union of North America/Building Custodian and Tradesmen Association for fiscal years 2013 through 2015.
10. Approve request from the Needham Business Association to hold Annual Blue Tree Ceremony on Saturday, November 24, 2012 at 5:00 p.m. in Avery Square and Blue Tree festivities at the Town Common at 5:10 p.m.

11. **Approve request from the Needham Business Association to have “meter-free” parking in Needham Center and Needham Heights from November 24, 2012 through January 1, 2013.**
- 12.* **Water and Sewer Abatement Order #1149**
- 13.* **Special Sewer Assessment Order #589**
14. **Grant permission for a location sign for Avita of Needham to be installed on Town property adjacent to the access drive to 880 Greendale Avenue.**
15. **Grant permission for the following residents to hold a Block Party:**

7:05 p.m. Bay Colony Rail Trail Presentation:
Tad Staley and Kathleen Phelps appeared before the Board to provide information about the Bay Colony Trail Association and to discuss citizens’ petitions filed under Articles 8 and 9 of the Special Town Meeting Warrant.

Mr. Staley commented the spirit of the articles and the principles behind each are to help the Town become more engaged in making Needham friendlier to alternative transportation, biking, and rail trail. Mr. Staley explained the current state of the bicycle advocacy and advisory work in Town, and said that the articles may represent redundancy or confusion between two different bodies doing similar work. Mr. Staley explained he is the President of Needham Bikes which serves as an advocacy organization for bicycling in Town. He said it began in 2000 when several residents worked to create a bike plan for Needham. He said they worked with the TMAC, which is the advisory group, and devised a plan approved by the TMAC. Mr. Staley explained that both groups are active parts of a constructive process. He said public meetings are held and Needham Bikes is working hard to make the process inclusive for all residents. Mr. Staley commented the state of bicycling in Needham is well represented and questioned whether having a committee would add extra value or confusion.

Mr. Bulian explained the TMAC is charged with overseeing and recommending transportation with respect to cars, bikes, and pedestrians. He said they do an exceptional job. He asked Mr. Staley if the Needham Bikes model is successful versus other communities, or could the model be changed.

Mr. Matthews asked Mr. Staley if it is time to update the bike plan, and if so what is the recommended process for doing it. Mr. Staley said the bike plan is outdated and said a public hearing was held with a specific agenda item of revisiting the bike plan. He said Needham Bikes is seeking advocates to help on the plan. Mr. Matthews clarified the advocacy groups have a role in the bike plan, but the decision about amending the bike plan is vested with the TMAC as it is a public committee of the Town and operates under such guidelines. Mr. Matthews also clarified the process is open to anyone who wants to come before the TMAC with input. Mr. Matthews stated that while he is opposed to creating a bicycle committee not because he is not in favor of creating a bicycling plan, but because

the Town already has a committee responsible for dealing with how bicycles fit in with the entire transportation issue within the Town. He reiterated every citizen has a right to approach the TMAC with any concern relevant to cars, bicycles, pedestrian safety, etc.

Mr. Staley spoke with the Board concerning Article 8 – Citizens’ Petition Rail Trail Committee. He said Bay Colony Rail Trail is an advocacy group with a vision, holding public meetings approximately every 8 weeks. He said he is in favor of the spirit of the group, but it is redundant with what is already being done. Mr. Staley outlined the vision of both the northern and southern sections of trail.

Mr. Bulian commented the southern rail trail could be completed in 5 or 6 years from inception, but the northern section has too many unknowns at this time. He said he is not opposed to a northern rail trail section in the future.

Mr. Matthews suggests recommending to Town Meeting that they refer the subject matter of Article 8 and Article 9 back to the Board of Selectmen, and recommends approval of Article 11. Mr. Matthews offered separate motions for each article.

Article 8

Motion by Mr. Matthews that the Board of Selectmen recommends that Town Meeting refer the subject matter of Article 8 – Citizens’ Petition Rail Trail Committee in the Special Town Meeting Warrant to the Board of Selectmen.

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

Article 9

Motion by Mr. Matthews that the Board of Selectmen recommends that Town Meeting refer the subject matter of Article 9 – Citizens’ Petition Bicycle & Pedestrian Committee in the Special Town Meeting Warrant to the Board of Selectmen.

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

Article 11

Motion by Mr. Matthews that the Board vote to recommend approval of Article 11 CPA/Rail Trail Feasibility in the Special Town Meeting Warrant.

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

8:15 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 2 items to discuss:

1. Proposed Alcohol Regulations

Ms. Fitzpatrick discussed draft regulations for the sale of alcohol not to be drunk on the premises in anticipation of the possible approval of the ballot question on November 6, 2012. Ms. Fitzpatrick reviewed with the Board the “Rules & Regulations for Section 15 Licenses – Package Stores”. She mentioned Town Counsel will have an opportunity to review the rules and regulations.

2. Tax Increment Financing

Ms. Fitzpatrick reminded the Board that in 2007, the Town of Needham sought and received designation as a Regional Technology Center – one of the types of Economic Target Areas available to communities to enable tax increment financing decisions. Ms. Fitzpatrick reviewed with the Board draft criteria for determining whether the Town should utilize tax increment financing (TIF) options.

8:55 p.m. Board Discussion:

1. Positions on Warrant Articles

The Board took positions on the October 29, 2012 Special Town Meeting Warrant Articles.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 4 – Amend Operating Budget in the Special Town Meeting Warrant.

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

Ms. Fitzpatrick told the Board the CPC voted to amend Article 10 to reduce the sum from \$500,000 to \$220,000 based on the work with the Planning Department. Mr. Matthews offered the motion on Article 10 as amended.

Motion by Mr. Matthews that the Board vote to recommend adoption of Article 10 – CPA/South Street Home in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 12 – CPA/Greene’s Field Improvement in the Special Town Meeting Warrant.

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

Mr. Chip Laffey, Director of Facility Operations, addressed the Board to explain the need for the Pollard Boiler design project.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 13 – Appropriate for Pollard Boiler Design in the Special Town Meeting Warrant.

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

Ms. Fitzpatrick asked the Board to vote to withdraw Article 15 – Appropriate for Salt Shed Construction as the Commonwealth has accepted the Town’s application to fund the project entirely through Chapter 90.

Motion by Mr. Handel that the Board vote to withdraw Article 15 – Appropriate for Salt Shed Construction in the Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to recommend adoption of Article 16 – Appropriate for RTS Remediation in the Special Town Meeting Warrant.

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

2. Needham Mews 40B Development

Mr. Wasserman said Massachusetts Housing Finance Agency (MassHousing) is reviewing an application for site approval for a 40B housing development known currently as “Needham Mews.” The Board discussed the project request and the development of a response to MassHousing. Ms. Fitzpatrick outlined the details of the project and asked the Board for authorization to forward a letter to MassHousing summarizing the comments of the Board. It was the consensus of the Board that the project is too dense as presented.

3. Hillside Environmental Report

The Board discussed the recently released environmental report regarding the Hillside School site. Mr. Wasserman commented the report suggests environmental issues can be dealt with, but will be costly. Mr. Borrelli said he is “cautiously optimistic” about the report findings and the feasibility of the project. Mr. Matthews said the report is helpful and reiterated there is consensus among town government to reconstruct the Hillside school at the Hillside site.

4. Committee Reports

No Reports were made.

9:20 p.m.

Adjourn:

Motion by Mr. Borrelli that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of October 23, 2012.

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

A list of all documents used at this Board of Selectmen meeting are available at:

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

DPW ✓
Police ✓
Fire ✓
PTR ✓

RECEIVED

TOWN OF NEEDHAM
MASSACHUSETTS
10/2 OCT 26 P 2:27

**Town of Needham, Massachusetts
Road Race/Walk/Bicycling Event Form**

Name of Organization: Needham Running Club	
Organization Mailing Address: 48 Hawthorn Ave, Needham, MA	
Primary Contact: Bill Gallagher	Contact Title: Pres. of NRC
Contact Address: 48 Hawthorn Ave Needham	
Cor:	
Cor:	
Event Date(s): 11/1/13	Date Expected to be in Needham: 11/1/13
Earliest Time Expected in Needham: 9 am	Latest Time Expected in Needham: 1 pm
Number of Expected Participants: 500	Number of Expected Spectators at Peak Time: 30
Is event for-profit or not-for-profit? not-for-profit	Are participants charged a fee? yes, \$20 a day of \$25

Estimated Number of Vehicles: 2 police cars	What type of Parking is needed: street parking
Are event organizers available to meet with members of the Town to plan event? yes, any time	
What will be done in case of inclement weather? we will call the police @ 8am if our cancellation decision	
Are there other events that take place at the same time as this one, just before or just after this event? no	
Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked: Participants can park on the street around the GPA YMCA between 9am-1pm on 11/13 is a Tuesday, no church services	
Will neighborhoods be impacted by parking and traffic? no	
What activities are planned for the start of the race (if in Needham)? line runners up on Warren + GPA, announcements, race start	
What activities are planned for the end of the race (if in Needham)? bagels, water, prize announcements, clean up	
What facilities are needed for the start of the race (if in Needham)? 1 extension cord to start line, we have a portable speaker	
What facilities are needed for the end of the race (if in Needham)? portable speaker	
Once the event begins, how long will it take to complete the event? 11am-1pm	

Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	we have portable start/finish + 2 mile markers
Will volunteers be placed along the route?	yes 20-25 volunteers
Will you be using a sound system? If yes, please describe where and when it will be used.	at start line + after race making prize announcements
Will there be any food served?	bagels
Will portable toilets be used?	no, YMCA bathrooms
Will hydration stops be set up along route? If yes, please include these on route plan.	1 water stop on Harris, both sides
If the event takes place after dark, what is the plan to meet lighting needs?	not needed
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	2 police details, headham fire on call, ~ 5 police running, ~ 4 firemen running, ~ 12 doctors + nurses running, all volunteers have cell phones
Does the event take place during commuter times?	no
Is school in session during the event? Will school drop off or pick up be impacted by the event?	no
Are businesses open during the time of the event?	not a lot
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	no
Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	no
What is the plan to handle trash?	yes, all trash goes into YMCA dumpster.
Please attach event route map, include map and text of route.	

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	-\$132.35
Water Irrigation:	-\$708.16
Water Admin Fees	\$0.00
Sewer Sales:	-\$745.30
Transfer Station Charges:	\$0.00
Total Abatement:	-\$1,585.81

Order #: 1150

Read and Approved: 11/9/2012

[Signature] 11/9/2012

Assistant Director of Public Works

[Signature] 11/9/12

Director of Public Works

For the Board of Selectmen

Date: 11/14/2012

**Town of Needham
Water Sewer Billing System
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
DB	Verdun	Michael	14137	14672	35	Meetinghouse Cir	-\$431.02	\$0.00	\$0.00	-\$431.02	ACC	N
DB	Wolfson	Jeffrey	5797	19306	140	Whitman Road	-\$277.14	\$0.00	\$0.00	-\$277.14	ACC	N
DB	Utin	Danil M.	28901	18982	161	Winding River Rd	\$0.00	\$0.00	-\$467.85	-\$467.85	ACC	N
DB	Dana	Richard	16431	9322	44	Mark Lee Rd	\$0.00	-\$26.60	-\$28.00	-\$54.60	BP	N
DB	Council on Aging (1)						\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N

Total: **-\$1,585.81**

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

Legend:

O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.

Leak = Leak in house or at spigot that caused loss of water, with proof of repair

TWN = Town Project caused damage to private property

Equip = Equipment Malfunction

UEW = Unexplained water loss

ACC = Accidental Water Loss

BP = Billing Period beyond 100 days

COA = Council on Aging



TOWN OF NEEDHAM

2013 TAXI/LIVERY LICENSE APPLICATION/RENEWAL

The undersigned hereby applies for a Taxi License in accordance with the provisions of the Statutes relating thereto:

Name of Company: AL AMI Rides

Applicant (must be an individual): _____

If business is a Corporation / Corporate Name and Officers: _____

If Business is not a Corporation, Name of Owner: AZZEDDINE ALAMI

Address of Establishment: 7 Sherman St Needham MA
02494

Mailing Address, if different from Establishment: _____

Email Address: almdan@hotmail.com

Phone Number: 7818014424 Fax Number: _____

Number of Vehicles in service in Needham: 1

1. Please **attach** a list of all vehicles that will be used in Needham specifying the year, model, vehicle identification number and registration number.
2. Please include a copy of **liability insurance** for each vehicle in service in the Town of Needham.
3. Please include a copy of your **rates of service for the ensuing year**.
4. A **certificate of insurance** showing evidence that the applicant has workers' compensation insurance f
must be included with this completed application.

[Signature]
Signature of Applicant

11-9-2012
Date

AZZEDDINE ALAMI
Applicant Name (please print)

Pursuant to MGL Ch. 62C, Sec. 49A:

I certify under penalties of perjury that I, to my best knowledge and belief, have read and am in compliance with the contents of M.G.L. Chapter 62C, Section 49A (on reverse side of this application).

[Signature]
Signature of Applicant (Mandatory)

By Corporate Officer
(if applicable)

46-1321851
Either a Social Security Number
or Federal Identification Number
Must Be Supplied

11-9-2012
Date (required)

This License will not be issued unless this certification clause is signed by the applicant.

Proclamation

WHEREAS: The veterans of Needham left their homes and loved ones in every war and expedition in our nation's history to secure the blessings of peace for this beloved land; and

WHEREAS: It is fitting to recall the service and sacrifice of those who go into harms way when duty to country is required; and

WHEREAS: Their service, performed with a sense of duty and honor, reflects great credit upon themselves and upon our community;

NOW THEREFORE, The Board of Selectmen of the Town of Needham, do hereby recognize Sunday, November 11, 2012 as Veterans' Day and ask all the citizens of the Town to join in the observance by remembrance and participation in the ceremonies planned.

Signed this 14th day of November 2012

Gerald A. Wasserman, Chairman

Daniel P. Matthew, Vice Chairman

John A. Bulian, Clerk

Maurice P. Handel

Mathew D. Borrelli