BOARD OF SELECTMEN October 22, 2013 Needham Town Hall Revised Agenda

	6:45	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.				
		Veterans' Day Proclamation				
1.	7:00	Zoning Articles/Solar Project • Lee Newman, Director of Planning and Development				
2.	7:10	Solar Project Presentation • Solar Energy Exploratory Committee				
3.	7:50	 Mitchell School Modular Classrooms Joe Barnes, School Committee Chairman George Kent, PPBC Chairman Dan Gutekanst, School Superintendent Steve Popper, Director of Design and Construction 				
4.	8:00	Public Hearing-NSTAR • Deerfield Road				
5.	8:05	Hillside School Feasibility Study • Joe Barnes, School Committee Chairman • Dan Gutekanst, Superintendent of Schools				
6	8:30	 Town Manager Revised Charge/Traffic Management Advisory Committee (TMAC) Water Management Act Compliance Positions on Warrant Articles 				
7.	8:45	Board Discussion • Committee Reports				
8.	8:50	Executive Session Exception 3				

APPOINTMENTS

1.	Youth Commission	Kevin Keane (term expires 6/30/2015)	
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CONSENT AGENDA *=Backup attached

1. That the Board approve and authorize the Town Manager to sign the Administrative Consent Order between the Town and the Department of Environmental Protection, File No.: ACOP – BO-13-F001-NT.

2. Accept the following donations made to the Needham Off-Leash Dog Area gift account: \$20 from Mary Lou Murphy; \$100 from Alison Kaufman; \$75 from Lynn Shamban: \$100 from Parker Rice: \$20 from Tanya Shanler: \$70 from Maureen Callahan; \$25 from Shirley Tracy; \$25 from Margaret Dasha. Accept the following donations made to New Years Needham: \$1,000 from The 3. Exchange Club of Needham; \$250 from Edward Jones; \$100 from Nigohsian Carpet; \$250 from Needham Bank; \$500 from Equity Industrial; \$1,000 from Briarwood Healthcare. Accept the following donation made to the Needham Community Revitalization Trust 4. Fund from the following resident: \$300 from Michael Heffernan. Approve continuation of the experimental Traffic Regulation in accordance with the 5. Needham Traffic Rules and Regulations Section 3-6 for Great Plain Avenue for the period October 17, 2013 to November 16, 2013: one Handicap Parking spot, and one 15 minute Parking spot, in front of the former Eaton Square Right of Way adjacent to MBTA Right of Way. 6.* Authorize the Chairman to designate Moe Handel to cast ballots for Joseph Curtatone, Mayor, City of Somerville and Dennis Giombetti, Chairman, Framingham Board of Selectmen at the MPO election on October 30, 2013. Ratify a One Day Special All Alcoholic Beverages License request from Michael 7.* Despres, of the Village Club to host its Oktoberfest event that was held on Saturday, October 12, 2013 from 12:00 p.m. to 11:00 p.m. at the Village Club, 83 Morton Street, Needham. 8.* Ratify a One Day Special All Alcoholic Beverages License request from Michael Despres, of the Village Club to host its Corn Hole Tournament event to be held on Saturday, October 19, 2013 from 12:00 p.m. to 11:00 p.m. at the Village Club, 83 Morton Street, Needham. 9.* Approve a One Day Special All Alcoholic Beverages License request from Michael Despres, of the Village Club to host a Halloween Party on Saturday, November 2, 2013 from 5:00 p.m. to 11:00 p.m. at The Village Club, 83 Morton Street, Needham. 10.* Approve a One Day Special All Alcoholic Beverages License request from Suzanne Saevitz of New Year's Needham to host a NYN Celebration Dance on December 31, 2013 from 9:00 p.m. to 12:30 a.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham. 11.* Approve Minutes from October 8, 2013. 12. Approve a \$750 grant from the Needham Commission on Disabilities to the Needham Public Library to purchase popular books on CD to assist with the "Books-By-Mail" program. Approve a Special Wines & Malt Beverages License request from Lianne Relich, of 13.* the Council on Aging to host a Preview Reception on October 30, 2013 from 4:30 p.m. to 6:30 p.m. at The Center at the Heights, 300 Hillside Avenue, Needham. Approve request from Rabbi Mendel Krinsky from the Chabad Jewish Center to hold 14. a Menorah lighting ceremony on the Town Common on Monday, December 2, 2013 starting at 4:00 pm. Garrity Way cannot be accessed until 5:00 pm. Rain date to be on Tuesday, December 3, 2013, same time. Accept a donation of a piano from the Congregational Church of Needham to The 15. Center at the Heights. The piano has an appraised value of \$7,000.00. Approve a Special Wines & Malt Beverages License request from Dorothy Mitchell, 16.* of Laser Skin Care Solutions to host an open house at the Needham Historical Society, 1147 Central Avenue, Needham on Tuesday, October 22, 2013 from 5:30 p.m. to 9:30 p.m.

Proclamation

- WHEREAS: On Veterans' Day, our Nation comes together to honor our veterans and commemorate their legacy of service and sacrifice; and
- **WHEREAS:** Needham residents have answered the call of duty in every war and expedition in our nation's history to ensure the security of our Country and its ideals; and
- **WHEREAS:** Returning veterans contribute in important ways to the civic life of our Town; 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 Monday, November 11, 2013 as Veterans' Day and ask all the citizens of the Town to join in appropriate observance of those who have served to preserve the principles of justice, freedom and democracy.

Signed this 22^h day of October 2013

Daniel P. Matthew, Chairman	John A. Bulian, Vice Chairman
Maurice P. Handel , Clerk	Mathew D. Borrelli
Marian	ne Cooley



MEETING DATE: 10/22/2013

Agenda Item	Zoning Articles/Solar Project
Presenter(s)	Lee Newman, Director of Planning & Community Development

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUS	SED	
	Newman will make a presentation about the zoning article ial Town Meeting Warrant relating to the proposed solar i		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
		A CONTRACTOR AND THE CONTRACTOR AND ADDRESS AND ADDRES	A Visition of Manhat Managering of color days for the Spirity and the Spirity of
Pre:	sentation Only		
3.	BACK UP INFORMATION ATTACHED	YES	No



MEETING DATE: 10/22/2013

Agenda Item	Solar Project Presentation
Presenter(s)	David Harris, Solar Energy Exploratory Committee (SEEC) Beth Greenblatt, Beacon Integrated Solutions/Owner's Agent Hank Haff, PFD Project Manager Ann Dorfman, RTS Superintendent

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

David Harris, members of the SEEC, the Town's Owner's Agent for the project, and staff liaisons will provide the Board with background information about the process leading to the recommendation for a large-scale ground-mounted solar photovoltaic installation at the closed landfill in partnership with a private developer. The Committee will present the Board with the results of its final evaluation and recommendations on the night of the meeting.

The Town Manager will request that the Board vote to approve the Committee's final recommendation at the meeting on October 29, 2013.

2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Disc	cussion Only		
	PACK IID INFORMATION ATTACHED	MEG	NO
3.	BACK UP INFORMATION ATTACHED	VES	1

EXPLORATORY COMMITTEE NEEDHAM SOLAR ENERGY

Solar Photovoltaic Electricity at the Closed Landfill

Background

- Solar Energy Exploratory Committee was authorized last fall by Board of Selectmen and funded (\$15,000) by Town Meeting
- 7 member committee began meeting in January
- Investigated economics, logistics and barriers
- Many towns have installed solar PV on their capped landfills
- Massachusetts has many incentives in place
- Department of Energy Resources and Department of Environmental Protection strongly supports solar PV
- Needham's landfill is ideally suited and other uses are impractical
- Large, flat, south-facing plateau
- High winds and limited parking (especially weekends) limit recreational use
- Landfill cap cannot be disturbed which limits construction options
- No wetland or conservation issues and no line-of-sight neighbors
- 3-phase electrical line on Central Avenue for inter-connect

Procurement Process

- Contracted with expert "Owner's Agent" to guide us through the process in June
- Works exclusively on behalf of municipalities
- Addressed potential issues with various boards
- Selectmen
- Planning
- Conservation
- Park and Rec
- Finance
- Issued a Request for Proposal under M.G.L. c. 25A in September soliciting comprehensive proposals
- 11 Responses received October 4th from highly qualified firms
- 🎨 Analyzed responses and conducted 4 interviews in October
- Awaiting action of Town Meeting to proceed

What is the Proposed Project

- *Lease land to, and contract with, an independent developer
- Finance, install and maintain Solar Photovoltaic (SPV) systems on top of Needham's capped landfill
- Sell electricity generation to Needham through NStar's "Net Metering″
- Utilize an unused, and unusable Town asset
- Provide income to the Town for 20 years in the form of lease and tax agreement payments
- Generate renewable energy to preserve fossil fuels
- through school-wide and town-wide outreach and educational Raise awareness of the potential for renewable energy programs

Needham Landfill



Example of Solar PV Landfill Installation



Project Overview

Key Attributes:

- Economic:
- Solar generation provides a sustainable renewable source of energy at a delivered cost lower than the cost of traditional energy
- Solar generation provides revenue streams by converting a Town-owned asset from a cost center, into a profit center through lease and tax agreement payments
- **Environmental:**
- Solar photovoltaic generation is a proven technology, providing longterm sustainable benefits
- environmentally sensitive Town-owned asset into a productive Re-use of the Landfill for renewable generation transforms an environmentally beneficial source of energy
- Educational:
- The project will provide specific outreach and educational tools including interactive kiosks, public access to system operations, and educational curriculum enhancement.

Why is this good for Needham

- No investment (other than Owner's Agent services)
- Developer pays all costs including decommissioning the system
- based delivered electricity under a Power/Net Metering Purchase Agreement Developer sells electric generation to Needham at a lower cost than market-
- Needham gets full-value of the "Net Metering" credit from NStar for the amount generated and pays the developer a portion of the credit value
- Contract includes minimum production guarantees, bonding, maintenance and decommissioning
- Twenty-year economic benefits to the Town
- Revenue Benefits:
- Lease of land (potential for \$1 million over 20 years)
- Payment In Lieu of Taxes (potential for \$1 million over 20 years)
- Operating Budget Cost Savings:
- Lower energy cost per kilowatt for electricity generated at the landfill
- Potential savings of \$5 to \$10 million over 20 years

Mustrative Economics of Solar

Total Economic Benefits to Town	\$360K - \$830K	\$7 to \$13 million
Illustrative PILOT Revenue	\$50K	\$1 million
Illustrative Lease Revenue	\$50K	\$1 million
Net Savings from solar generation		\$5 to \$11 million
Payments rom NStar to Town cents/kWh) *	kange 16	16
Town Payments to Developer (cents/kWh)	6 to 10	6 to 11
Annual Projected Solar Generation (kWh)	4 - 8 million	80 -160 million
Lem	Year 1	20 Year Term

^{*} Conservative assumption of no escalation

Risks of Delay

- * "Net Metering" CAP likely to be reached early in 2014
- Available CAP room has dropped from 80MW to under 34MW from April to present
- Solar Renewable Energy Credits (SRECs) will have less value starting in 2014
- New SRECs generated at landfills are now worth only 80% of the SRECs generated before July 2013
- 🎨 Change in incentives in 2014 could impact attractiveness of the Needham project investors
- 11 bidders submitted proposals and expressed urgency
- Project success is contingent upon passage of Warrant Articles

The Articles

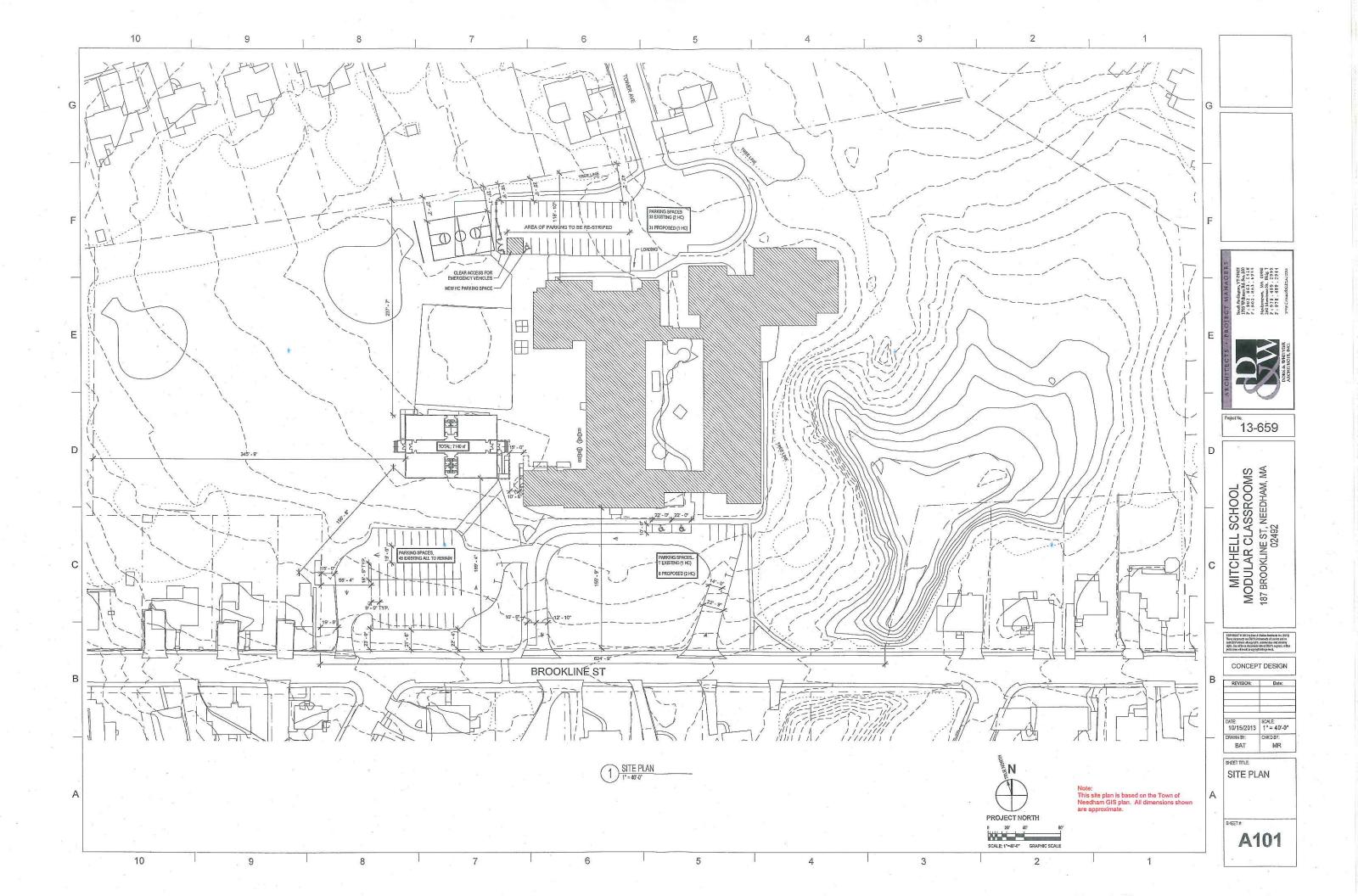
- Amend zoning by-law to allow installation of large-scale, ground-mounted solar PV
- Define an Overlay District at RTS for the proposed zoning
- Authorize Town to negotiate up to 30 year lease of land and 20 year purchase of power
 - Maximum term allowed under Section 25A sec.11 procurement
- Authorize Town Manager to execute a 20 year land lease for solar PV and an Energy Management Services Agreement
- 5. Authorize PILOT agreement
- These costs are passed on to Needham by providing less savings on electricity
- Appropriate \$15,000 for additional services Ö
- Continue the services of our Owner's Agent through contract negotiations

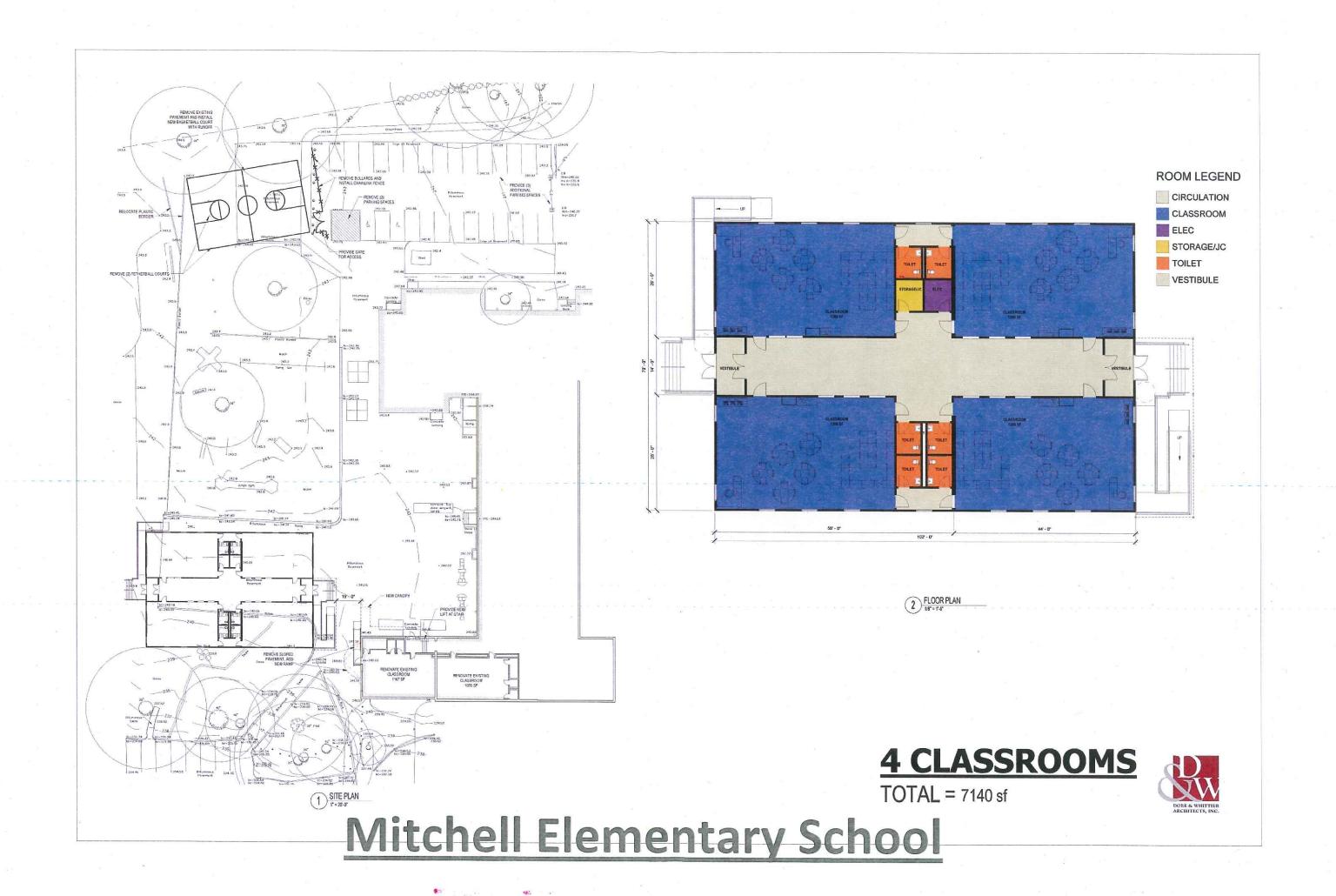


MEETING DATE: 10/22/2013

Agenda Item Mitchell Modular Classroom Presentation								
Presenter(s)	Joe Barnes, Chairman, School Committee Dan Gutekanst, School Superintendent George Kent, PPBC Chairman Steve Popper, Director of Design and Construction							

BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED School, PPBC and Public Facilities representatives will provide the Board with background information about the proposed construction of modular classrooms at the Mitchell School. VOTE REQUIRED BY BOARD OF SELECTMEN YES NO 2. Discussion Only **BACK UP INFORMATION ATTACHED** YES NO 3. a. Mitchell School Modular Classroom Site Plans b. Mitchell School Modular Classroom Preliminary Project Budget Summary, 9/25/13





PRELIMI	NARY Pro	ject Bud	gets Sum	mary			25-Sep-13	
Mitche	ell Elem	entary	School	Modula	ar Cla	assrooms		The second secon
Needhar	n, Massad	chusetts					DRAFT	
5111-00-min								
The followi	ing is a sumi	mary of Esti	mated Proje	ect Costs de	velope	d for the Mitch	ell Elementary	
School mo	dular clasoc	ms.The opt	tions develo	ped are cor	nceptua	ıl in nature and	therefore the	
estimated	project cost	s are intend	led to provi	de a prelimi	nary or	der of magnitu	ide view at the	
potential p	roject costs	. Project co	sts consist c	of estimated	site an	ıd modular buil	ding construction	on
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project ma	nager, inves	stigative ser	vices, etc ar	nd fixtures,	furnitu	re and equipme	ent costs.	202222-00222-00-00-00-00-00-00-00-00-00-
Options:					Estir	mated Costs	Comments	
Option 1	: Two 12	00 sf Mo	dular Clas	ssrooms				
	Modular Pu	urchase			\$	1,694,503	3668 sf	
Option 2	: Four 12		dular Cla	ssrooms				
***************************************					Ś	2,729,276	7140 sf	
					F	_, ,	-	
Option 3	: Four 95	0 sf Mod	ular Clas	srooms				
	Modular Pı	urchase			\$	2,448,167	6110 sf	

Mitchell Elementary School Modular Classrooms Needham, Massachusetts The following is a summary of Estimated Project Costs developed for the Mitchell Elementary School modular clasooms. The options developed are conceptual in nature and therefore the estimated project costs are intended to provide a preliminary order of magnitude view at the potential project costs. Project costs consist of estimated site and modular building construction costs, design and contingencies, soft costs to cover the values of the design team, owner's project manager, investigative services, etc and fixtures, furniture and equipment costs. Options: Estimated Costs Comments Option 1: Two 1200 sf Modular Classrooms Modular Purchase \$ 1,694,503 3668 sf Option 2: Four 1200 sf Modular Classrooms Modular Purchase \$ 2,729,276 7140 sf Option 3: Four 950 sf Modular Classrooms								
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Conceptu	ıal Project E	Budget Workshe	et				DRAFT	
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Escalation (\$	46,125		////		
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		and bldg constructi	on c	ost	\$	179,887	10% Owner/5%	Constr
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		Arch	\$	150,000			Budget	
		Civil	\$	17,500			Budget	
		MEP/FP	\$	18,000			Budget	
		Cost Estimating	\$	2,310			Budget	
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	congue.	Survey	\$	10,560	1	,	Budget	
		Geotechnical	\$	10,000			Budget	
		Permitting	\$	10,000	 		Budget	
	A Company of Company	Flow Tests	\$	2,000			Budget	
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Owner's Dir	rect Costs:				\$	90,000		
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l otal Estim	ated Project C	osts:			\$	1,694,503		

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		Permitting	\$	10,000			Budget	
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	Misc Exp	enses	\$	10,000			Budget	
T-4-1 F					_	2 720 272		
Total Estimat	lea Project	COSTS:	1		\$	2,729,276		

Concept	ual Project	Budget Workshe	et				DRAFT	
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Option 3	3: Four 950	sf Modular Class	sroc	ms				
				A of a factor with a first of a factor of			Comments:	
Site, Modu	llars and Rend	vation Construction	Cost		\$	1,778,788	The state of the s	
Modular Classrooms			\$	1,099,800			6110 sf	
Miscellaneous canopy, lift and exist crs		\$	105,460					
Sitework			\$	143,881				
Gen Condit	tions/Insur/Bo	onds/OH/Profit	\$	205,744				
Design contingency (10%)		\$	155,489					
Escalation	(4%)		\$	68,415				
Estimated	Construction	Contingency:						
	15% of sit	te and bldg constructi	on c	ost	\$	266,818	10% Owner/5% Constr	
Estimated	Soft Costs:						DD, CD, Bid and	<u> </u>
Limatca	Fees				\$	215,000	DB, CD, Bla alla	
	1 000	Arch	\$	175,000	-		Budget	
		Civil	\$	17,500			Budget	
		MEP/FP	\$	20,000			Budget	
		Cost Estimating	\$	2,500			Budget	
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		Survey Geotechnical	\$	10,560			Budget	
			\$	10,000			Budget	
		Permitting	\$	10,000			Budget	
		Flow Tests	Þ	2,000			Budget	
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		Document Printing	\$	5,000			Budget	
0.4	inat C				4	150 000		
Owner's Direct Costs:		\$	35 000	\$	150,000	Rudget		
Owner's Project Manager		-	25,000			Budget		
	Bid Document Printing		\$	5,000 10,000			Budget Budget	
		Construction Testing						
	FF&E		\$	100,000			Budget	
	Misc Exp	enses	Þ	10,000			Budget	
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TOTAL ESTIN	nated Project	COSES:			٦_	2,448,167		



MEETING DATE: 10/22/2013

Agenda Item	Public Hearing – NSTAR for Deerfield Road
Presenter(s)	Maureen Carroll, NSTAR Representative

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

NSTAR requests permission to install approximately 7 feet conduit at Pole 352/10 on Deerfield Road, Needham. This work is necessary to provide new underground electric service at 70 Deerfield Road.

The Department of Public Works has approved this petition, based on NSTAR's commitment to adhere to regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.

2. VOTE REQUIRED BY BOARD OF SELECTMEN

YES

NO

Suggested Motion: Move that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 7 feet conduit at Pole 352/10 on Deerfield Road, Needham. This work is necessary to provide new underground electric service at 70 Deerfield Road.

3. BACK UP INFORMATION ATTACHED

YES

NO

(Describe backup below)

- a. Petition
- b. Order
- c. Petition Plan
- d. Notice Sent to Abutters
- e. List of Abutters



200 Calvary Street Waltham, Massachusetts 02453

September 27, 2013

Board of Selectmen Town Hall 1471 Highland Ave Needham, MA 02192

RE:

Deerfield Road Needham, MA W.O. #1956882

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company for the purpose of obtaining a Grant of Location to install approximately 7'± feet- conduit @ Pole 352/10 on Deerfield Road, Needham.

This work is necessary to provide new underground electric service @ #70 Deerfield Road

If you have any further questions, contact Maureen Carroll @ (617) 369-6421. Your prompt attention to this matter would be greatly appreciated.

Sincerely,

William D. Lemos

Rights & Permits Supervisor

ek fidirlis

or power!

WDL/amw Attachments

PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR CONDUITS AND MANHOLES

To the **Board of Selectmen** of the Town of **NEEDHAM**

Massachusetts:

Respectfully represents **NSTAR Electric Company** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated**September 27, 2013, and filed herewith, under the following public way or ways of said Town:

Deerfield Road -

Westerly @ pole 352/10 approximately 580'± feet north of Barrett Street a distance of about 7'± feet - conduit

(WO.1956228)

NSTAR ELECTRIC COMPANY

William D. Lemos
Rights & Permits, Supervisor

Dated this 27th day of September 2013

Town of NEEDHAM Massachusetts	
Received and filed	_2013
B E Co. Form X5435 (518-21)	

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES Town of NEEDHAM

WHEREAS, **NSTAR ELECTRIC COMPANY** has petitioned for permission to construct a line for the tranmission of electricity for lighting, heating or power under the public way or ways of the Town thereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

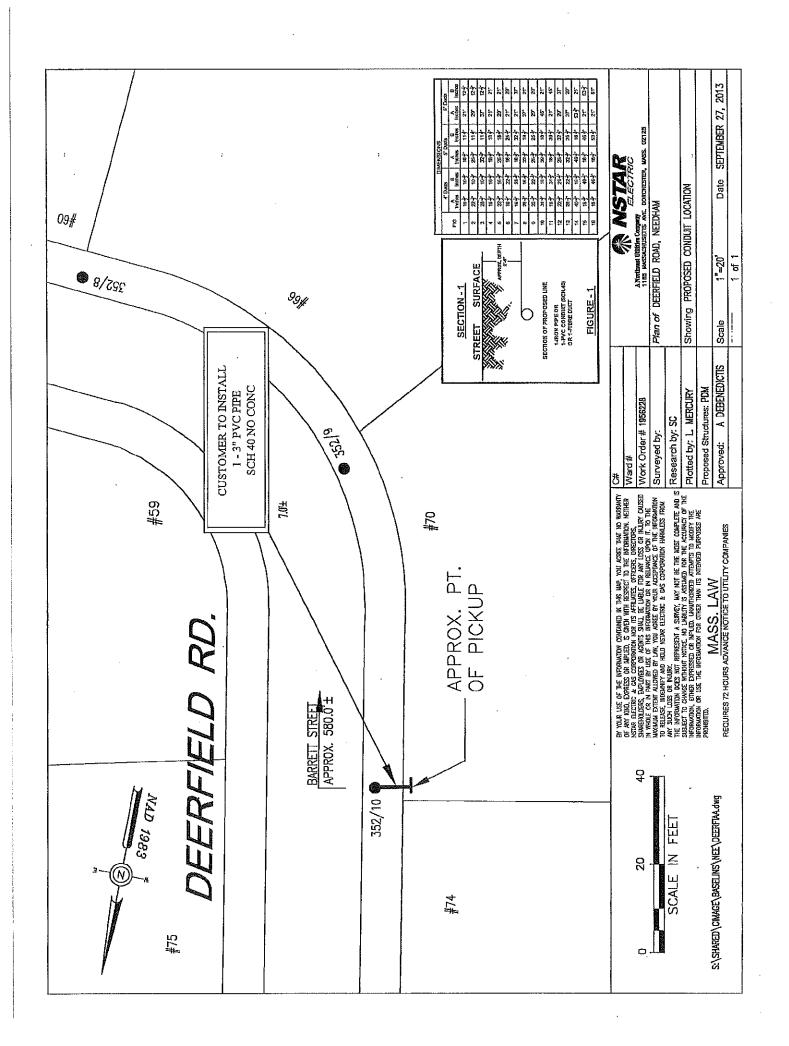
Deerfield Road - Westerly @ pole 352/10 approximately 580'± feet north of Barrett Street a distance of about 7'± feet - conduit

(WO.1956228)

All construction work under this Order shall be in accordance with the following conditions:

- 1. Conduits and manholes shall be located as shown on the plan made by **A.Debenedictis, Dated September 27, 2013** on the file with said petition.
- 2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
- 3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

2	Board of Selectmen
n	the Town of
1.	NEEDHAM
5	
	CERTIFICATE
hearing as prescribed by Section additions thereto or amendment of the hearing mailed at least section all owners of real estate abacross which the line is to be consessessment for taxation, and a public property of the section of	regoing Order was adopted after due notice and a public in 22 of Chapter 166 of the General Laws (Ter. Ed.), and any its thereof, to wit:-after written notice of the time and place even days prior to the date of the hearing by the Selectmen outling upon that part of the way or ways upon, along or constructed under said Order, as determined by the last preceding polic hearing held on the day of 2013 in said Town.
	·
1	
	Board of Selectmen
3	the Town of
4	NEEDHAM
5	
	CERTIFICATE
Selectmen of the Town of NEI day of, 2013 Town, Book, Page by Section 22 of Chapter 166 amendments thereof, as the sar	foregoing are true copies of the Order of the Board of EDHAM , Masssachusetts, duly adopted on the and recorded with the records of location Orders of said and of the certificate of notice of hearing thereon required of the General Laws (Ter.Ed.) and any additions thereto or me appear of record. St: cof the Town of NEEDHAM . Massachusetts
Clerk	of the Town of NEEDHAM . Massachusetts





NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 8:00 p.m. on October 22, 2013** upon petition of NSTAR dated **September 27, 2013** to install approximately 7 feet of conduit at Pole 352/10 on Deerfield Road, Needham. This work is necessary to provide underground electric service at 70 Deerfield Road, Needham. A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact NSTAR representative, Maureen Carroll at 617-369-6421.

Daniel P. Matthews John A. Bulian Maurice P. Handel Matthew D. Borrelli Marianne Cooley

BOARD OF SELECTMEN

Dated: October 15, 2013

75 DEEKFIELD RD75 DEERFIELD RD NEEDHAM MA 02492 NOONE, COOPER &

55 JACQUELINE RD55 JACQUELINE RD SANDLER, CLARA M, TR WALTHAM MA 02452

66 DEERFIELD RD66 DEERFIELD RD

70 DEERFIELD ST70 DEERFIELD ST

NOONE, COOPER &

NEEDHAM MA 02492

NEEDHAM MA 02492

DAMBRAUSKAS, TODD E &

AVERY® 8160TM

expose Pop-up Edge^{rM}

Feed Paper

82 DEERFIELD RD82 DEERFIELD RD RIPIN, LAURA GOLD & NEEDHAM MA 02494

74 DEERFIELD RD74 DEERFIELD RD MAGNARELLI, ROBERT L.+ NEEDHAM MA 02492



MEETING DATE: 10/22/2013

Agenda Item	Hillside School Feasibility Study	
Presenter(s)	Joe Barnes, Chairman, School Committee Dan Gutekanst, School Superintendent	11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

	BRIEF DESCRIPTION OF TOPIC TO BE DISCUS: Barnes and Dan Gutekanst will provide information and an active the warrant article to fund a feasibility study for the Hill	nswer ques	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Dis	cussion Only		



MEETING DATE: 10/22/2013

Agenda Item	Revised Charge/Traffic Management Advisory Committee (TMAC)
Presenter(s)	Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

In its fiscal year 2014/2015 goal setting process, the Board of Selectmen discussed the need to revise the charge of the TMAC to formally include pedestrian and bicycle considerations. The proposed revision has been reviewed by Public Works and Police staff and by the Chairman of the TMAC, and is recommended by the Town Manager.

2. VOTE REQUIRED BY BOARD OF SELECTMEN

YES

NO

Suggested Motion: That the Board vote to approve the revised charge of the Traffic Management Advisory Committee dated October 22, 2013.

3. BACK UP INFORMATION ATTACHED

YES

NO

a. Traffic Management Advisory Committee Charge, October 22, 2013

TRAFFIC MANAGEMENT ADVISORY COMMITTEE CHARGE October 22, 2013

Committee Charge

The role of the Traffic Management Advisory Committee (TMAC) is to evaluate and make recommendations to the Board of Selectmen about public education, enforcement, and improvement of the safety of the public ways in Needham for vehicle, pedestrian, and bicycling traffic. The goal is to provide for the safety of pedestrians, motorists and bicyclists.

Responsibilities include, but are not limited to:

- 1. Review existing policies and procedures to ensure effective communication, coordination, and continuation of sound traffic and transportation programs.
- 2. Recommend new approaches that will correct or ameliorate existing problems.
- 3. Monitor the effectiveness of changes or modifications, and share evaluations with the Board of Selectmen.
- 4. Provide a forum for citizen groups and individuals to seek input on pedestrian, motoring, or bicycling traffic issues.
- 5. Recommend to the Board of Selectmen proposals for implementing significant changes to existing programs needing policy, procedural, and/or budgetary action.

Composition

The Traffic Management Advisory Committee is to be comprised of the Town Manager or designee; Police Chief or designee; Town Engineer; and six (6) residents, with at least one possessing familiarity with traffic engineering whenever practical or feasible. The Chair is to be elected by the Committee and rotated at least every two years.



MEETING DATE: 10/22/2013

Agenda Item	Water Management Act Compliance	
Presenter(s)	Kate Fitzpatrick, Town Manager	

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

The Town Manager will recommend that the Board approve the 2014 Residential Gallons per Capita Day (RGPCD) Plan. In addition, the Board must report to the DEP its intent with respect to water use restrictions for calendar year 2014.

2. VOTE REQUIRED BY BOARD OF SELECTMEN

YES

NO

Suggested Motions:

- A. That the Board approve the 2014 Residential Gallons per Capita Day (RGPCD) Plan dated October 22, 2013 for submission to the Department of Environmental Protection.
- B. That the Board vote its intent to maintain the calendar-triggered restriction from May 1 through September 30. Until the Town achieves the 65 RGPCD performance standard, the Town will continue to limit nonessential outdoor water use to two days per week, before 9 a.m. and after 5 p.m., during that five-month period; and to one day per week, before 9 a.m. and after 5 p.m. whenever a Drought Advisory or higher is declared by the Massachusetts Drought Management Task Force. The Board of Selectmen may review and modify the actual days allowed for watering. Once the Town achieves the 65 RGPCD performance standard, the Board may modify the two-day- and one-day-per-week restrictions in a subsequent year.

3. BACK UP INFORMATION ATTACHED

YES

NO

 2014 Residential Gallons Per Capita Day (RGPCD) Plan dated October 22, 2013.



TOWN OF NEEDHAM

TOWN HALL 1471 Highland Avenue Needham, MA 02492-2669

TEL: (781) 455-7500 FAX: (781) 449-4569

TDD: (781) 455-7558

2014 Residential Gallons Per Capita Day (RGPCD) Plan

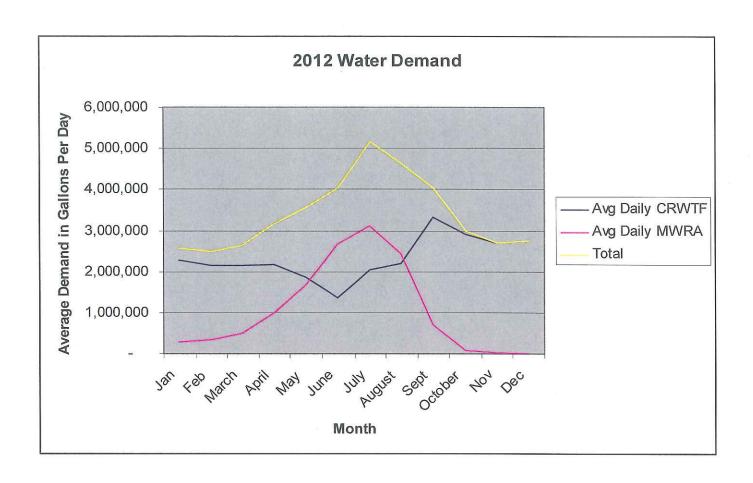
SECTION A: ACTION TAKEN IN THE PRIOR YEAR TO MEET THE PERFORMANCE STANDARD

The following actions were taken during the prior calendar year to meet the performance standard:

- 1. Needham provided information promoting water conservation in the Town's Annual Consumer Confidence Report and on the Town's website.
- 2. The Town mailed indoor and outdoor water conservation pamphlets to all customers in the first quarter of the 2012 billing cycle.
- 3. DPW staff provided a water cycle/conservation lecture to 3rd grade students at the Hillside school in October, 2012.
- 4. The Town has adopted an increasing block rate structure as a tool to encourage water conservation.
- 5. The Town complies with the State Plumbing Code and requires that all new construction include water saving devices and low water use appliances.
- 6. The Town has implemented monthly billing for commercial accounts and a quarterly billing cycles for residents.
- 7. The Town implemented nonessential outdoor water restrictions on June 26, 2013. Notice of the restriction, including measures to encourage water conservation, was mailed to all water customers in July, 2013.
- 8. A postcard seeking the assistance of all residents in reducing water use was mailed to all households in August, 2013 (copy attached).

SECTION B: ANALYSIS FOR CAUSE OF FAILURE TO MEET THE PERFORMANCE STANDARD

Based on water demand use patterns, it appears that outdoor watering accounts for the Town's failure to meet the 65 RGPCD performance standard (see charts below). In 2012, residential usage from October through March was 29 gallons per person per day, increasing to 107 gallons from June to September. Efforts to limit seasonal water use will have an impact on the Town's ability to achieve the performance standard. It is important to note that, during period of high total water demand (May through August), withdrawals from the Charles River Wellfield, which is subject to the Water Withdrawal Permit, actually decreased.



2012 Residential Water Consumption

	Total Gallons	<u>RGPCD</u>
Total Residential/Multi-Family Consumption	787,766,672	68
Residential Consumption October - March	166,949,860	29
Residential Consumption April - September	620,816,812	107

SECTION C: DESCRIPTION AND SCHEDULE OF PROPOSED COMPLIANCE ACTIONS

The following is a description and schedule of the actions that the Town of Needham will take in order to comply with the performance standard.

- 1. The Town will institute a program to provide customers with water saving devices (faucet aerators and low flow shower heads) free of charge by March 1, 2014. Information about the availability of such devices will be mailed to every ratepayer on an annual basis. Information will also be included on the Town's website, and the program will be promoted through Facebook and Twitter. Information about no-cost water saving devices will also be provided at public events at which DPW staff participate, such as the Touch the Truck Day, Harvest Fair, and Street Fair.
- 2. The Board of Selectmen will propose an amendment to the Town's General By-laws at the May 2013 Annual Town Meeting to require the installation of soil moisture sensors on new automatic irrigation systems and to encourage their installation on existing systems.
- 3. If the proposed amendment to the Town's General By-laws does not pass, this RGPCD Plan may need to be amended, with Department approval, to provide for further actions, if the performance standard is not met for calendar year 2014.

SECTION D: ANALYSIS OF PROPOSED COMPLIANCE ACTIONS

It is anticipated that the above steps, combined with the newly adopted restrictions on non-essential outdoor watering will reduce the Town's RGPCD. However, implementation of this plan is not expected to have any impact on the Town's RGPCD before calendar year 2014.

Approved: October 22, 2013



The Town of Needham is asking residents to help reduce water use.

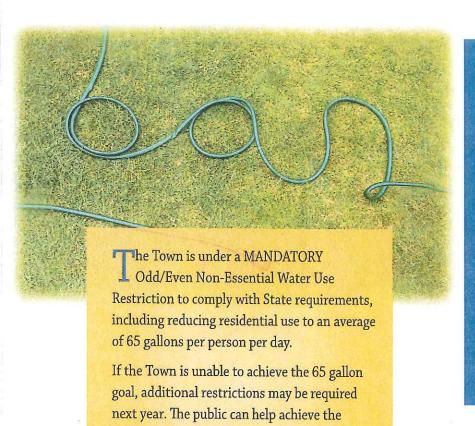
ACtual
Fall/Winter

Mandatory Non-essential Water
Use Restriction Compliance
at Average of 65 Gallons
per Person per Day

Actual
Occupantial Water
Use Restriction Compliance
at Average of 65 Gallons
per Person per Day

Let's all do our part to conserve.

PRSRT First Class US Postage PAID Boston, MA Permit No. 58224



65 gallon goal this year.

and help conserve.

Please consider your own water use,

Some ways to help reduce water use are:

- In addition to the current water restriction, use your own judgment to limit and carefully manage outdoor watering. This is the easiest single step to significantly reduce Town-wide water use.
- Do not keep water running while washing dishes, brushing teeth, or shaving.
- Consider short showers rather than baths, and install low-flow showerheads.
- Run dishwashers and washing machines only when full.

Additional information is available at the Town website: www.needhamma.gov



Board of Selectmen TOWN OF NEEDHAM AGENDA FACT SHEET

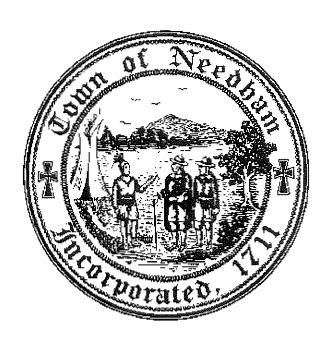
MEETING DATE: 10/22/2013

Agenda Item	Positions on Warrant Articles	
Presenter(s)	Kate Fitzpatrick, Town Manager	

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUS	SED						
The Board will discuss its positions on the remaining articles in the Special Town Meeting Warrant.								
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO					
Su	Suggested Motion: That the Board vote to support (not to support) article in the Special Town Meeting Warrant.							
3.	BACK UP INFORMATION ATTACHED	YES	NO					
1 E-000 E-00	Special Town Meeting Warrant Status of Articles (10/18/13)							

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, NOVEMBER 4, 2013

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

NEEDHAM



November 4, 2013 Special Town Meeting Warrant Table of Contents

Article 1:	Appropriate for Modular Classrooms at Mitchell School
Article 2:	Appropriate for Feasibility Study / Hillside School
Article 3:	Amend the FY2014 Operating Budget
Article 4:	Amend the FY2014 Sewer Enterprise Fund Budget
Article 5:	Amend the FY2014 Water Enterprise Fund Budget
Article 6:	Amend Zoning By-Law – Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District
Article 7:	Amend Zoning By-Law – Map Change to Large-Scale Ground -Mounted Solar Photovoltaic Installation Overlay District
Article 8:	Appropriate For Solar Facility Development Expenses
Article 9:	Amend General By-Law Type and Length Of Contracts & Leases/Solar Facilities 14
Article 10:	Authorize Lease of Land for Ground-Mounted Solar Photovoltaic Installation
Article 11:	Authorize Pilot for Ground-Mounted Solar Photovoltaic Installation
Article 12:	Authorize Lease of MBTA Property For Shared Use Recreation Trail
Article 13:	Appropriate Rail Trail Insurance
Article 14:	Amend General By-Law – Public Consumption of Marijuana
Article 15:	Amend General By-Law - Municipal Water Supply
Article 16:	Authorize Taking of Real Property
Article 17:	Home Rule Petition— Sale of All Alcoholic Beverages in Restaurants with Fewer Than 100 Seats
Article 18:	Appropriate for Ridge Hill Reservation Swamp Trail Boardwalk Construction
Article 19:	Rescind Debt Authorizations
Article 20:	Appropriate for General Fund Cash Capital

Article 21:	Appropriate for DPW Garage Vehicle Service Lift	26
Article 22:	Appropriate for Property Acquisition	25
Article 23:	Appropriate to Athletic Facility Improvement Fund	27

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 FOURTH DAY OF NOVEMBER, 2013

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

CAPITAL FACILITY ARTICLES

ARTICLE 1: APPROPRIATE FOR MODULAR CLASSROOMS AT MITCHELL SCHOOL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$2,729,276 for engineering, design, construction, and associated improvements for modular classrooms at the Mitchell School, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Mitchell School is the oldest elementary school in Needham. Constructed in 1950, the building has undergone several additions over the past 50 years, but is in need of significant renovation and/or reconstruction to address the current overcrowded conditions, rectify building deficiencies, and modernize the learning environment. A Statement of Interest has been filed with the Massachusetts School Building Authority (MSBA) to begin a construction process at this school. However, since the Hillside School has been selected as the first priority for renovation, it could be eight or more years before a Mitchell renovation project could be completed. This article requests funds to address the immediate need for additional classroom space at the school by installing four modular classrooms on site for the 2014/2015 school year. The free standing classrooms (including toilets) would be located on the west side of the school facing Brookline Street.

ARTICLE 2: APPROPRIATE FOR FEASIBILITY STUDY / HILLSIDE SCHOOL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$650,000 for feasibility, design and engineering services related to the renovation and/or reconstruction of the Hillside School located at 28 Glen Gary Road and shown as Lot 01 on the Needham Assessors Map numbered 102, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation that \$650,000 be transferred from Free Cash; that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as

determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Constructed in 1960, the Hillside Elementary School has undergone both addition and renovation (with modular classrooms) over the past 40 years, but is in need of renovation or replacement to address building deficiencies and modernize the learning environment. The Needham Public Schools has filed a Statement of Interest with the Massachusetts School Building Authority (MSBA), which is the first step in the process of requesting state reimbursement for a construction project. This article requests funds to begin a feasibility study of the project, in the event that Needham receives an invitation from MSBA to begin the capital planning process. By appropriating these funds in November (in advance of MSBA approval), Needham could proceed immediately to feasibility upon selection, instead of waiting until the Annual Town Meeting in May to begin this process. The early start would provide additional planning time and greater flexibility within the proposed schedule that will be helpful in addressing Hillside School site issues and other complicating factors. Under the proposed schedule, a new Hillside School would open in September, 2019. Appropriation of these funds in no way guarantees that MSBA will approve the project. Additionally, these project funds would not be spent unless Needham receives an invitation from MSBA to conduct the feasibility study.

FINANCIAL ARTICLES

ARTICLE 3: AMEND THE FY2014 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2014 Operating Budget adopted under Article 9 of the May 2013 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From:	Changing To:
4	Retiree Insurance & Insurance Liability Fund	\$4,727,462	\$5,035,139
6	Debt Service	\$12,108,851	\$12,197,287
10	Reserve Fund	\$1,373,243	\$1,448,243

And further, that the appropriation be partially funded by a transfer from amounts reserved for debt exclusion offsets in the amount of \$83,803, and from Free Cash in the amount of \$382,677; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

<u>Article Information</u>: This article is to amend the Town's operating budget for FY2014. A total of \$4,633 of new revenue and \$466,480 of other available funds has been identified for appropriation under this article. The other available revenue consists of \$83,803 of debt exclusion offsets and \$382,677 of Free Cash.

The Retiree Insurance and Insurance Liability Fund under which the Town funds its other post-employment benefit liabilities (OPEB) is being increased by \$307,677 to further reduce the liability by making an additional contribution to the fund. The proposed appropriation is equal to the amount of Free Cash that was identified for use at this Special Town Meeting for several options, such as appropriating to the capital facility fund, the capital improvement fund, and/or the OPEB fund. It was deemed prudent to direct the funds to the OPEB liability.

The \$88,436 increase to the Debt Service budget line is to appropriate monies that are to be used to pay down excluded debt. The application of these monies reduces the amount of excluded debt that is actually added to the tax bills. \$83,803 reflects premiums which were received by the Town on the sale of bonds that settled prior to June 30, 2013 and reserved for use in this fiscal year, and the additional \$4,633 reflects the premium that was received on the bonds which settled in July 2013.

The Reserve Fund change request is one which often occurs in the fall when new revenues are identified. No new revenue has been identified for this purpose. However, the Finance Committee approved a \$75,000 reserve fund transfer earlier in the year to provide for a deposit to secure the purchase of property, which is to be considered by this Town Meeting under Article 22. The appropriation of \$75,000 would effectively restore the funds to the Reserve Fund and hence be available to address issues that may arise during the fiscal year.

ARTICLE 4: AMEND THE FY2014 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2014 Sewer Enterprise Fund Budget adopted under Article 11 of the May 2013 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From:	Changing To:
201D	MWRA Assessment	\$5,403,053	\$5,423,810

and to meet this appropriation that \$20,757 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

<u>Article Information</u>: The final MWRA Sewer Assessment slightly higher than the preliminary estimate provided to the Town prior to the 2013 Annual Town Meeting. The additional \$20,757 is proposed for transfer from retained earnings.

ARTICLE 5: AMEND THE FY2014 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2014 Water Enterprise Fund Budget adopted under Article 12 of the May 2013 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From:	Changing To:
301D	MWRA Assessment	\$1,273,404	\$1,271,018

or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

<u>Article Information</u>: The final MWRA Water Assessment was slightly lower than the preliminary estimate provided to the Town prior to the 2013 Annual Town Meeting. No further appropriation is necessary as the budget is being reduced.

SOLAR ARTICLES

ARTICLE 6: AMEND ZONING BY-LAW – LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

- (a) In Section 2.1, Classes of Districts, by adding a new Overlay District designation category as follows:
 - "LGSPI- Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District"
- **(b)** In Section 3, Use Regulations, by inserting a new Subsection 3.13, <u>Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District</u>, to read as follows:
- "3.13 Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District

3.13.1 Purpose of District

The purpose of this by-law is to regulate Large-Scale Ground-Mounted Solar Photovoltaic Installations in an established district(s) where they are allowed. The by-law provides standards for the placement, design, construction, operation, monitoring, modification and removal of such installations. The standards aim to address public safety, minimize impacts on scenic, natural and historic resources and to provide financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, maintenance and/or repair, and or modification and/or removal of Large-Scale Ground-Mounted Solar Photovoltaic Installations.

3.13.2 Scope of Authority

The Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District shall be considered as overlying other use districts established by this By-Law. Within the Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District, the requirements of the underlying district continue to apply except as may be specifically superseded herein. The scope of authority of this Section 3.13 applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations proposed to be constructed after the effective date of this

section. This section also applies to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

3.13.3 Definitions

Designated Location: The locations permitted shall be within the Large-Scale Ground-Mounted Solar Photovoltaic Overlay District, hereinafter referred to as "the Overlay".

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system, including ancillary structures, that is structurally mounted on the ground and is not roof-mounted and has a minimum nameplate capacity of 250kW DC.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

3.13.4 Allowed Uses

The following uses are allowed by right:

- (a) All uses permissible and as regulated within the underlying district.
- (b) A Large-Scale Ground-Mounted Solar Photovoltaic Installation.

3.13.5 Special Permit Uses

All uses permitted by special permit in the underlying district at that location may be allowed upon the issuance of a special permit by the designated Special Permit Granting Authority under such conditions as the Board may require.

3.13.6 General Requirements

The following requirements are common to all solar photovoltaic installations to be sited in the Overlay.

- 3.13.6.1 Compliance with Laws, Ordinances and Regulations: The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be in compliance with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings, structures and fixtures forming part of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed in accordance with the State Building Code.
- 3.13.6.2 Building Permit and Building Inspection: No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
- 3.13.6.3 Site Plan Review: Large-Scale Ground-Mounted Solar Photovoltaic Installations shall undergo Major Project Site Plan Review by the Planning Board as described in Section 7.4 of the By-Law prior to construction, installation or modification as provided in this section. Application requirements for Site Plan Review shall be as provided below:

- (a) General: All plans and maps shall be prepared, stamped and signed by a Professional Engineer or Professional Land Surveyor licensed to practice in Massachusetts.
- (b) Required Documents: Pursuant to the Site Plan Review process, the project proponent shall provide the following documents in addition to those required under Section 7.4 of the By-Law.
 - 1) A site plan showing:
 - i. Property lines and physical features, including roads, for the project site;
 - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening of vegetation or structures;
 - iii. Blueprints or drawings of the solar photovoltaic system signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
 - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National electrical Code compliant disconnects and overcurrent devices;
 - v. Documentation of the major system components to be used, including the PV panels, mounting system, inverter, and associated electrical components. The site plan shall include containment fencing line, power lines and poles, and site access routes.
 - vi. Name, address and contact information for proposed system installer;
 - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any.
 - viii. The name, contact information and signature of any agents representing the project proponent.
 - 2) Documentation of actual or prospective control of the project site and access thereto (see also Section 3.13.6.4);
 - 3) An operation and maintenance plan (see also Section 3.13.6.5);
 - 4) Zoning district designation for the parcel(s) comprising the site;
 - 5) Proof of liability insurance;
 - 6) Description of financial surety that satisfies Section 3.13.6.13.

The Planning Board may waive documentary requirements as it deems appropriate.

- 3.13.6.4 Site Control: The project proponent shall submit documentation of actual or prospective control of the project site and access thereto sufficient to allow for construction and operation of the proposed solar photovoltaic installation.
- 3.13.6.5 Operation & Maintenance Plan: The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- 3.13.6.6 Utility Notification: No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that

operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner's or operator's intent to install an interconnected generator and an interconnection agreement and power purchase agreement (where appropriate) has been signed by the utility. Off-grid systems shall be exempt from this requirement.

3.13.6.7 Dimension, Density and Parking Requirements

For Large-Scale Ground-Mounted Solar Photovoltaic Installations, front, side and rear setbacks shall be as follows:

- (a) Minimum Lot Area: 20 acres;
- (b) Minimum Front Setback: 50 feet;
- (c) Minimum Side Setback: 50 feet from the property line of residentially used property;
- (d) Minimum Rear Setback: 50 feet;
- (e) Maximum Lot Coverage: 50%;
- (f) Separation Distance: No separation distance is required between structures for ground mounted solar photovoltaic panels;
- (g) Height: Height shall be determined by each individual panel measured to the grade level beneath that panel and shall not exceed 25 feet;
- (h) Transition Areas: As long as the setbacks noted above are respected no further "Transition Area" (per Section 4.2.8) is required. No planting is required within the transition area if the abutting property is controlled by the Town of Needham and/or plantings are constrained by capped landfill requirements;
- (i) Parking Requirement: No additional parking is required for this use as long as there is no fulltime on-site system operator required following installation of the Large-Scale Ground-Mounted Solar Photovoltaic Installation.

3.13.6.8 Design Standards

- (a) Lighting. Lighting shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- (b) Signage. A sign for the Large-Scale Ground-Mounted Solar Photovoltaic Installation consistent with the Town's sign by-law shall be required to identify the owner and provide the business name for the company (ies) that own and operate the installation, their business address, the name of a contact person, and a 24-hour emergency contact phone number.
- (c) Utility Connections. Reasonable efforts, as determined by the Planning Board, shall be made to place cabling and utility connections from the Large-Scale Ground-Mounted Solar Photovoltaic Installation underground, depending on appropriate soil conditions, shape, ledge, wetland resources, and topography of the site and any requirements of the utility provider.
- (d) Conditions. All appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures shall be screened from view by vegetation and/or joined and

- clustered to avoid adverse visual impacts. Methods such as the use of landscaping, natural features and fencing may be utilized.
- (e) Fencing. A security fence shall be installed along or proximate to the perimeter of the system and shall be maintained for the lifetime of the system.

3.13.6.9 Safety and Environmental Standards

- (a) Emergency Services. The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Needham Fire Chief. The owner or operator shall cooperate with local emergency services in developing an emergency response plan. The plan shall assure adequate access and staging for emergency services. All means of shutting down the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- (b) Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation and in accordance with applicable laws, regulations, and by-laws.
- 3.13.6.10 Maintenance: The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security and safety measures. Site access for the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be maintained to a level acceptable to the Needham Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.
- 3.13.6.11 Modifications: All material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation made after issuance of the required building permit shall require approval by the Planning Board.

3.13.6.12 Abandonment or Decommissioning

- (a) Removal Requirements. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned consistent with Section 3.13.6.12 (b) of this by-law shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
 - i. Physical removal of all solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
 - ii. Disposal of all solid and hazardous waste shall be in accordance with local, state, and federal regulations.

- iii. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave existing vegetation or designated belowgrade foundations in place in order to minimize erosion and disruption to vegetation.
- (b) Abandonment: Absent notice to the Planning Board as provided above of a proposed date of decommissioning or written notice requesting an extension due to extenuating circumstances, the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered abandoned when it fails to operate or its operations are discontinued for more than one year without the written consent of the Planning Board; or if the Building Inspector has determined that the installation is a hazard to public safety and the conditions have not been corrected within six (6) months.

The Town retains the right, after the receipt of an appropriate court order to enter and remove an abandoned or hazardous Large-Scale Ground-Mounted Solar Photovoltaic Installation that is not removed by the property owner within six (6) months from the date of abandonment, as described above, or the proposed date of decommissioning. As a condition of approval, an applicant shall agree to allow entry to remove an abandoned installation.

3.13.6.13 Financial Surety: Proponents of Large-Scale Ground-Mounted Solar Photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board. Such surety will not be required for municipally-or state owned systems, but may be required for privately-owned systems even if located upon municipally-owned land. The project proponent shall submit a fully inclusive estimate of costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation."

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

<u>Article Information</u>: This article, in combination with Article 7, proposes to create the Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District. This article lays out the regulatory framework for the new overlay district while Article 7 describes its geographic boundaries. The geographical boundaries of the new Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District includes all land now zoned Single Residence A and lying in the area northerly of Central Avenue which is commonly known as the Town of Needham Recycling and Transfer Station.

Solar photovoltaic technology, which converts sunlight directly into electricity, is a key priority for the Commonwealth of Massachusetts' clean energy efforts. Unlike conventional fossil fuel power generation (such as coal, gas and oil), generating with solar photovoltaic involves no moving parts, uses no water, and generates electricity without emitting greenhouse gases or other pollutants. Although solar collection facilities are allowed in Needham, the current zoning by-law only allows them as an accessory use. Thus, while many residents and businesses already employ solar systems, the prospect of a Large-Scale Ground-Mounted Solar Photovoltaic Installation in Town is a new one, and one which the current by-law does not permit.

Accordingly, the by-law is designed to promote new Large-Scale Ground-Mounted Solar Photovoltaic Installations in an established overlay district(s) where they are allowed. The by-law provides standards for

the placement, design, construction, operation, monitoring, modification and removal of such installations. The standards aim to address public safety, minimize impacts on scenic, natural and historic resources, and to provide financial assurance for the eventual decommissioning of such installations. The provisions set forth in the by-law apply to the construction, operation, maintenance, modification, and/or removal of Large-Scale Ground-Mounted Solar Photovoltaic Installations. The overlay district's key provisions are summarized below.

Large-Scale Ground-Mounted Solar Photovoltaic Installations are permitted as-of-right in a designated overlay district subject to site plan review by the Planning Board. Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be subject to the following dimensional, coverage and height requirements: (a) Minimum Lot Area: 20 acres; (b) Minimum Front Setback: 50 feet; (c) Minimum Side Setback: 50 feet from the property line of residentially used property; (d) Minimum Rear Setback: 50 feet; (e) Maximum Lot Coverage: 50%; and (f) Maximum Height: 25 feet determined for each individual panel and measured to the grade level beneath that panel.

To assure safeguards for the general public, the by-law requires that no Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner's or operator's intent to install an interconnected generator and an interconnection agreement and power purchase agreement (where appropriate) has been signed by the utility. Additionally, the project proponent is required to submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

Finally, the Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator is required to maintain the facility in good condition. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator is required to physically remove the installation no more than 150 days after the date of discontinued operations. Proponents of Large-Scale Ground-Mounted Solar Photovoltaic projects are required to provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board.

ARTICLE 7: AMEND ZONING BY-LAW – MAP CHANGE TO LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map as follows:

(a) Place in the Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District all that land now zoned Single Residence A and commonly known as the Town of Needham landfill and lying in the area bounded and described as follows:

"Beginning at a point on the northerly sideline of Central Avenue, thence running N55°-25'-16"W a distance of 59.67 feet to a point, thence running N55°-42'- 46"W a distance of 71.12 feet to a point,

thence N58°-27'-06"W a distance of 112.06 feet to a point, thence N56°-16'-06"W a distance of 296.96 feet to a point, thence S00°-21'-59"W a distance of 42.02 feet to a point, thence S49°-16'-14"W a distance of 279.44 feet to a point, thence S75°-42'-34"W a distance of 187.24 feet to a point, thence S56°-16'-24"W a distance of 46.41 feet to a point, thence S41°-45'-34"W a distance of 50.01 feet to a point, thence S46°-22'-54"W a distance of 131.13 feet to a point, thence N82°-50'-34"W a distance of 228.42 feet to a point, thence N29°-35'-24"E a distance of 866.68 feet to a point, thence N14°-53'-20"W a distance of 1216.6± feet to a point in the centerline of Fuller Brook, thence by the said centerline of Fuller Brook northeasterly to a point (a tie of N62°-30'-33"E a distance of 1009.94 feet), thence S37°-39'-21"E a distance of 719.43 feet to a point, thence S36°-38'-47" E a distance of 88.71 feet to a point, thence S38°-48'-02"E a distance of 115.27 feet to a point, thence S38'-59'-47"E a distance of 152.44 feet to a point, thence S30°-32'-19" E a distance of 290.44 feet to a point, thence S24°-48'-14"E a distance of 24.80 feet to a point, thence S09°-13'-39"E a distance of 34.19 feet to a point, thence S63°-32'-06"E a distance of 97.36 feet to a point, thence S36°-34'-38"E a distance of 234.40 feet to a point, thence S50°-42'-20"E a distance of 77.07 feet to a point, thence N54°-20'-46"E a distance of 19.05 feet to a point, thence N82°-49'-47"E a distance of 11.46 feet to a point, thence S76°-10'-08"E a distance of 31.72 feet to a point, thence S57°-15'-20"E a distance of 35.66 feet to a point, thence S53°-33'-52"E a distance of 15.31 feet to a point, thence S57°-38'-03"E a distance of 36.67 feet to a point, thence S58°-29'-44"E a distance of 181.83 feet to a point, thence S28°-44'-00"W a distance of 310.59 feet to a point, thence S59°-05'-55"E a distance of 275.42 feet to a point on the northerly sideline of Central Avenue, thence by said sideline and a curve to the right, with a radius of 500.00 feet, an length of 419.84 feet to a point, thence N88°-49'-18"W a distance of 233.98 feet to a point, thence by a curve to the left, with a radius of 804.73 feet, a length of 238.48 feet to a point, thence S74°-11'-57"W a distance of 348.85 feet to a point, thence by a curve with a radius of 894.54 feet, a length of 84.00 feet to the point of beginning."

or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

<u>Article Information</u>: This article describes the geographical boundaries of the new Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District which would include all land now zoned Single Residence A and lying in the area northerly of Central Avenue which is commonly known as the Town of Needham Recycling and Transfer Station.

ARTICLE 8: APPROPRIATE FOR SOLAR FACILITY DEVELOPMENT EXPENSES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for development expenses related to the siting of solar facilities within the Town, including costs and expenses relating to contract negotiation, independent electrical inspection, and certain owner engineer and consultant related costs, to be spent under the direction of the Town Manager, and to meet this appropriation that \$11,498 be transferred from Article 62 of the 2000 Annual Town Meeting, and that \$3,502 be transferred from Article 45 of the 2003 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Board of Selectmen established a Solar Energy Exploratory Committee (SEEC) in 2012 to study the feasibility and opportunity of installing solar photovoltaic energy facilities on the closed landfill at the Recycling and Transfer Station. The SEEC has identified a significant revenue opportunity for the Town, with no capital investment, by contracting with a developer to finance, design, build and operate the facility in exchange for lease payments and taxes as well as reduced cost electricity. A Request for Proposal (RFP) was issued in September and responses were received in October. The SEEC will make a recommendation to the Board of Selectmen for the selection of a developer prior to Town Meeting.

The Town has engaged an expert in solar photovoltaic installations as an independent "Owner's Agent" to assist the SEEC and Town Manager in preparing the first phase of procurement, including the drafting of the Request for Proposal (RFP), pre-bid, and bid evaluation. Additional funds are needed to extend the Owner Agent's scope to include contract negotiations, engineering review, and quality assurance review.

ARTICLE 9: AMEND GENERAL BY-LAW TYPE AND LENGTH OF CONTRACTS & LEASES/SOLAR FACILITIES

To see if the Town will vote to amend Section 2.1.3 of the General By-laws by inserting at the end of the section the following:

"Lease of Public Lands and/or buildings for the installation of solar photovoltaic facilities for electric generation 30 [YEARS]

Purchase of power (or net metering credits) from solar photovoltaic facilities installed on land leased or licensed from the Town. . . . 20 [YEARS]"

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: In order to implement the proposed large-scale ground-mounted solar photovoltaic installation, a long-term lease to a private developer is required. The private developer would be responsible for the design, construction and operation of the solar installation at the capped landfill and other ground mounted locations or rooftop locations at the Recycling and Transfer Station (RTS). The income from the lease and the savings in electricity costs would benefit the Town, and the developer requires the longer-term lease to justify its investment.

ARTICLE 10: AUTHORIZE LEASE OF LAND FOR GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION

To see if the Town will vote to authorize the Town Manager, in the name and behalf of the Town, to execute a lease for 12+/- acres of land constituting the capped landfill, and other rooftop or land areas at the Recycling and Transfer Station, at 1421 Central Ave owned by the Town, to be leased by a commercial solar developer

for installation and operation of solar photovoltaic facilities for electric generation, for periods of up to 25 years upon such terms and conditions as determined by the Town Manager including an Energy Services Management Agreement ("EMSA"); or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

<u>Article Information</u>: Town Meeting authorization is required for the Town Manager to execute a lease and EMSA agreement with the selected private developer for the proposed Solar PV Installation at the RTS.

ARTICLE 11: AUTHORIZE PILOT FOR GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION

To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Town Manager to negotiate and enter into a payment in lieu of tax agreement with the lessee/operator of the solar photovoltaic energy generating facility to be developed at the Needham RTS property, located at 1421 Central Avenue, upon such terms and conditions as the Town Manager shall deem to be in the best interest of the Town; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The selected developer of the Solar PV Installation at the RTS will be required to pay property taxes for the leased land and assets which are installed on the site. The Massachusetts Department of Revenue allows Towns to enter into Payment in Lieu of Taxes (PILOT) agreements which enable the Town and the solar developer to establish a fixed PILOT that meets the Town Tax Assessor's valuation for the term of the agreement. This PILOT would provide the Town with a known annual taxable income stream and would reduce tax uncertainty for the developer. The warrant article is needed to authorize the Town Manager, in consultation wit the Board of Assessors, to negotiate and enter into this agreement.

RAIL TRAIL ARTICLES

ARTICLE 12: AUTHORIZE LEASE OF MBTA PROPERTY FOR SHARED USE RECREATION TRAIL.

To see if the Town will vote to authorize the Town Manager, in the name and behalf of the Town, to execute a lease for all or any portion of the land, premises, easements, and rights-of-way in the railroad right-of-way from Needham Junction to the Dover Town Line, for the purpose of laying out an improved shared use rail trail and related facilities and improvements, and providing access to the rail trail area for construction, maintenance and repair purposes and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, for a period up to 99 years, upon such terms and conditions as determined by the Town Manager; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The 2013 Annual Town Meeting approved an amendment to the Town's General Bylaws allowing the Town to lease land from a public agency or authority for recreational purposes for up to 99 years. This article would authorize the Town to acquire the railroad right-of-way between Needham Junction/High Rock Street and the Dover Town line to create a shared use recreation trail. If this article is adopted, the Town will partner with the Bay Colony Rail Trail Association which has committed to raising private funds to construct the base trail. Trail enhancements may be made in the future as appropriate and subject to the availability of funds.

ARTICLE 13: APPROPRIATE RAIL TRAIL INSURANCE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$45,000 for the purchase of environmental insurance related to the lease of the railroad right of way for rail trail purposes, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Community Preservation Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

<u>Article Information</u>: The purchase of environmental insurance is a requirement of the proposed lease agreement between the Town and the MBTA for the use of the railroad right-of-way for a shared use recreation trail. The insurance coverage would be in place during the initial construction of the path. The request for funds is for the full estimated cost of the insurance for a five-year period. The Town will apply for a State grant that may reimburse the CPA Fund for 50% of the cost of the insurance.

GENERAL ARTICLES

ARTICLE 14: AMEND GENERAL BY-LAW – PUBLIC CONSUMPTION OF MARIJUANA

To see if the Town will vote to amend the General By-laws by inserting a new section 3.1.10 as follows:

"3.1.10. <u>Use of Marijuana</u> No person shall possess or consume marijuana (or tetrahydrocannibinol, as defined in G.L. c. 94C, 1, as amended) within the limits of any park, playground, public land or public building owned or under the control of the Town of Needham, nor shall any person consume marijuana, as previously defined, on any public way or any way to which the public has a right of access as invitees or licenses, including any person in a motor vehicle in, on or upon any public way or any way to which the public has said right of access, within the limits of the Town of Needham; and no person shall consume marijuana, as previously defined, in, on or upon any private land or place without the consent of the owner or persons in control of such private land or place. Nothing in this bylaw shall authorize any possession, cultivation, transport, distribution, sale or use of marijuana otherwise prohibited by law. All marijuana being used in violation of Sub-section 3.1.10 may be seized and held until final adjudication of the charge against any such

person or persons has been made by the court." and re-numbering following sections accordingly; and by inserting a new Section J under Section 8.2.2.4 as follows: "J Public Consumption of Marijuana (Sub-section 3.1.10) Fine Schedule: \$50 per offense" and re-lettering all following sections accordingly; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

<u>Article Information</u>: The public consumption of alcohol on Town property is currently regulated under Section 3.1.9 of the General By-laws of the Town of Needham. The purpose of this article is to similarly prohibit the public consumption of marijuana or tetrahydrocannibinol on Town property or in any place accessible to the public, and, as with consumption of alcohol, allow the Town to impose a fine of \$50 per offense for violation of the By-law provision.

ARTICLE 15: AMEND GENERAL BY-LAW - MUNICIPAL WATER SUPPLY

To see if the Town will vote to amend its General By-laws by deleting section 2.2.5.5 and inserting in place thereof the following:

"2.2.5.5 Municipal Water Supply

2.2.5.5.1 Applicability

This section pertains to residences and commercial property and industry served by the Town's water system.

2.2.5.5.2 Implementation of a Mandatory Non-essential Outdoor Water Use Restriction The Board of Selectmen or its designee shall have authority to implement a mandatory non-essential outdoor water use restriction in an effort to promote water conservation and to ensure compliance with the Water Management Act.

2.2.5.5.3 Backflow Prevention on Automatic Irrigation Systems All automatic irrigation systems connected to the municipal water system in the Town shall be protected from backflow events by the installation of a backflow prevention device approved by the Director of Public Works."

And amend Section 8.2.2.8 (C) of the General By-laws by deleting the words "fine schedule \$50 per offense" and inserting in place thereof the words:

"First violation: Written Warning

Second violation (issued within the same calendar year): \$50 Third violation (issued within the same a calendar year): \$200

Fourth and subsequent violations (issued within the same calendar): \$300

Each day of violation shall constitute a separate offense."

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to update the Town's By-laws relative to water emergencies to ensure that the language is consistent with the terms of the Water Withdrawal Permit issued to the Town by the Department of Environmental Protection. The proposed language clarifies the role of the Board of Selectmen in implementing a mandatory non-essential outdoor water use restriction to ensure compliance with the Water Management Act, and incorporates existing backflow prevention requirements for automatic irrigation systems. The article also amends the General By-laws by creating a graduated system of fines, including a written warning.

ARTICLE 16: AUTHORIZE TAKING OF REAL PROPERTY

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain a portion of land from 280 Hillside Avenue, Needham, for the purposes of maintaining a sidewalk as part of the public way known as Hillside Avenue; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The plan for the construction of the Center at the Heights (new senior center) included the creation of indented, on-street parking on Hillside Avenue. The indentation, coupled with the relocation of a utility pole, resulted in a sidewalk that was not quite wide enough to meet the standard for passage and sidewalk plowing. To correct this situation, the sidewalk was constructed on private property (an area of approximately 26 square feet) which will now be conveyed to the Town. The expected cost of the conveyance will be in the \$5,000 range and will be absorbed by the prior appropriation for the construction project.

ARTICLE 17: HOME RULE PETITION—SALE OF ALL ALCOHOLIC BEVERAGES IN RESTAURANTS WITH FEWER THAN 100 SEATS

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Manager approves in writing amendments to the bill before enactment by the General Court. The Town Manager is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

"An act authorizing the Town of Needham to grant certain establishments licenses for the sale of all alcoholic beverages to be drunk on the premise."

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the licensing authority of the town of Needham may issue to restaurants with seating capacities of fewer than 100 people licenses for the sale of all alcoholic beverages to be drunk on the premises.

SECTION 2. Notwithstanding section 11 of chapter 138 of the General Laws as to the time and manner of voting on the question, this act shall be submitted for its acceptance to the qualified voters of the town of Needham at state election or an annual or special town election following the effective date of this act in the form of the following question:-

"Shall an act passed by the general court in the year 2013, entitled 'An Act authorizing the town of Needham to grant certain establishments licenses for the sale of all alcoholic beverages to be drunk on the premises', be accepted?"

If a majority of the votes cast in answer to the question is in the affirmative, this act shall take effect in the town of Needham, but not otherwise.

Except as otherwise provided herein, such licenses shall be subject to the provisions of said chapter 138.

Below the ballot question shall appear a fair and concise summary of the ballot question prepared by the town counsel and approved by the board of selectmen.

SECTION 3. This act shall take effect upon its passage.

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town has gradually expanded alcoholic beverage licensing. This article, in the form of a Home Rule Petition, would authorize the Board of Selectmen to approve all-alcoholic beverages licenses for restaurants with fewer than 100 seats. Needham restaurants with fewer than 100 seats currently may only be licensed for wine and malt beverages. The Selectmen believe this change would improve business opportunities for smaller and niche restaurants, and would be manageable within the Town's system of regulation. Final approval of this change would require a referendum vote.

COMMUNITY PRESERVATION ARTICLES

ARTICLE 18: APPROPRIATE FOR RIDGE HILL RESERVATION SWAMP TRAIL BOARDWALK CONSTRUCTION

To see if the Town will vote to raise and/or transfer and appropriate \$183,219 for design, permitting and construction of the Ridge Hill Reservation Swamp Trail Boardwalk, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum to be transferred from the Community Preservation Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article not be Adopted

Article Information: The Conservation Commission has requested \$183,219 in construction funding for this project to supplement prior CPA funding for design and permitting. The Conservation Commission will also allocate approximately \$100,000 in dedicated conservation funds to complete the construction. The Swamp Trail links several trails within Ridge Hill Reservation and is the only connection between the east and west trails. This project would replace the elevated boardwalk through the wettest part of the swamp. The Charles River Trail extends from Charles River Street to the Charles River. This project would replace the bridge that crosses over a brook.

CAPITAL ARTICLES

ARTICLE 19: RESCIND DEBT AUTHORIZATIONS

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

Project	Town Meeting	Article	Authorized	Rescind
Pollard School Roof Repair	2010 STM (N)	10	\$3,500,000	\$410,369
Booth Street	2011 ATM	41	\$125,000	\$22,000
Ridge Hill Repairs	2005 ATM	31	\$126,875	\$104,600
Total				

or take any other action relative thereto.

INSERTED BY:

Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: When a project is financed by borrowing, the project has been completed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded, and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids.

ARTICLE 20: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$1,543,081 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

General Fund	Description	Rec	commended	Amendment
General Government	Election Equipment	\$	85,000	
General Government	Network Hardware Servers & Switches	\$	30,000	
Public Facilities	Core Fleet	\$	33,600	
Public Facilities	Energy Efficiency Upgrade Improvements	\$	113,078	NIT LOT CONTROL VALUE OF THE C
Public Facilities	Facilities Maintenance Program	S	33,581	
Public Facilities	Portable Generator	\$	61,250	
Public Safety	Core Fleet (Building)	\$	45,042	AAA
Public Safety	Core Fleet (Fire)	\$	49,200	
Public Schools	Furniture & Equipment	\$	79,250	
Public Schools	School Copier Replacement	\$	59,620	
Public Schools	Technology	\$	223,751	
Public Works	Core Fleet	\$	387,000	
Public Works	Two Way Radio Upgrade	\$	27,509	
Public Works	Small Specialty Equipment	\$	104,900	
Public Works	Snow & Ice Equipment	\$	210,300	
	Total Appropriation	\$	1,543,081	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

<u>Article Information</u>: This article contains those cash capital items deferred from the 2013 Annual Town Meeting.

Election Equipment The purpose of replacing the Accuvote Electronic Voting System is to update and replace the Town's current voting system purchased in 1994. These machines and the black plastic ballot boxes that hold the machines are currently 19 years old and are beginning to require more and more frequent repairs. There are currently 11 Accuvote machines — one for each of the ten precincts plus one spare machine. Both the read heads and scanner cannot be upgraded due to the age of the equipment. The new Accuvote Voting Machines will have more features. The ballot boxes will be smaller making storage more convenient and accessibility at the polls will be easier. Absentee voters will no longer require special marking pens in order to vote thus making voting easier. Within the next few years, all the machines will be handicapped accessible. The new DS200 Voting Machine is the next generation Optical Scan voting equipment. This voting machine will have a paper ballot and the memory cards have been replaced with memory sticks. Approval of new equipment by the Elections Division of the Secretary of the Commonwealth is required, and has not yet been granted.

Network Hardware Servers and Switches The fiscal year 2014 funding request for network servers and switches will support the replacement of older servers, spam filter, virus firewall, and internet filtering, and also the replacement of older network switches to connect buildings, departments, and workstations

throughout the Town. Newer models of both servers and switches are better able to take advantage of the Town's fiber and will increase the speed of data within the Town's fiber network. Older servers, both application and data, will be replaced with newer, faster, and more energy efficient servers and attached storage configured for virtualization of hardware and software. Not replacing or updating this equipment can affect Town wide access to email, financial applications, Internet, and data.

Public Facilities Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicle scheduled to be replaced in FY2014 is a 2001 Ford F250 Pick-Up Truck with a cab that is primarily used by the Town's carpenter. The current vehicle is due for replacement as it is currently beyond its useful life.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
702	PFD	2001	Ford 250 Pick up With Cab	Same	71,897	\$33,600

Energy Efficiency Upgrade Improvements The Town conducted an engineering study for energy upgrades in ten key buildings in the summer of 2011. The results of this study revealed that if the Town makes an initial investment in selected energy upgrades, the cost of these upgrades will pay for themselves within ten years. This funding is planned for some of the more involved projects at the Eliot and Broadmeadow Schools, which will upgrade the already modern buildings and improve their energy usage. Some of these items include retrocommissioning the HVAC system at Broadmeadow, installing motion sensors for the lighting at Broadmeadow, installing timers on the roof top exhaust fans in both buildings, and converting the lighting to more energy efficient lighting in both buildings.

Public Facilities Maintenance Program This request funds annual maintenance of public buildings throughout the Town and School Department including but not limited to: asbestos abatement, small equipment replacement, duct cleaning, painting, and other repairs and necessary upgrades. The portion of FY2014 funding that was approved in the ATM (\$432,169 of the \$465,750 request) was used for duct cleaning at the C & D Buildings of the High School, asbestos abatement at the Mitchell School, flooring replacement at the Broadmeadow School, xeriscaping at the High School, and water fountain replacement at the Pollard School. Also, with the natural gas line installation on Brookline Street and the replacement of the Pollard boilers, the Department converted the existing Mitchell School boilers to natural gas using remaining parts from the old Pollard boilers. The remaining portion of FY2014 funding request will be used for addressing flooding issues at the Hillside School as well as containment of fuel oil, and accessible routes to and from the building at the Pollard School.

Portable Generator It has been determined by emergency planning personnel that the new Senior Center will be a location for use as a respite shelter for residents during power outages. This request will fund the purchase of a 100kW portable generator that can be temporarily installed at the Senior Center to ensure comfort and safety to those occupying the site. The Center has been designed to accommodate the use of an external, portable generator.

Building Department Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. The FY2014 – 2018 Capital Plan included a recommendation for the replacement of Unit #456, a 2002 Ford Taurus Sedan, with a Ford Hybrid Escape. Since that time, the Department has experienced a reduction in the availability of Unit #454 due to the number

of repairs. As a result, the Building Commissioner has evaluated the previous request, and proposes the elimination of the request for a Ford Escape, and the replacement of two Ford Taurus vehicles (units #456 and #454) with Ford Fusion vehicles. The MPG for the Fusion is a combined 28 MPG.

Unit	Division	Year	Description - Existing	Description - Request	Miles	Cost
456	Building	2002	Ford Taurus	Ford Fusion	74,510	\$22,521
454	Building	2005	Ford Taurus	Ford Fusion	54,575	\$22,521

Fire Department Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. This request is to replace a 2004 Ford pick-up truck with a utility body. The truck functions primarily as a brush fire truck, but has many other uses. In the winter months, the modular brush unit and water tank is removed, and the truck is used to transport materials and emergency equipment. This vehicle is also used to tow fire department rescue boats, the hazardous materials trailer, the firefighting foam trailer, the mass decontamination trailer, and the Health Department Emergency Dispensing Trailer.

Unit	Division	Year	Description – Existing	Description - Request	Miles	Cost
C-6	Fire	2004	Pick-up with Utility Body	Same	29,560	\$49,200

School Furniture, Musical Instruments, Fitness Equipment and Graphic Arts Equipment

Musical Equipment

The purpose of this program is to replace musical instruments, especially large string instruments and pianos, which are over 25 years old. After decades of heavy use, many of the School Department's string instruments are no longer usable or repairable. The older pianos, while still usable, are costly to repair and maintain. The Department is in the ninth year of the replacement cycle, and continues to see major improvement in the quality of musical instruments available for student use. Funding in the final year of the replacement cycle (FY2014, for \$15,000) would replace the grand piano in the Newman School Auditorium. The Department intends to change the replacement program to an expansion program due to population growth in fiscal years 2015-2018 and beyond.

School Furniture

This purpose of this program is to continue the replacement cycle for school furniture in poor and fair condition at Hillside, Mitchell, Newman and Pollard. In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. At the end of FY2014, all furniture in poor condition will have been replaced at these schools. Beginning FY2015, the replacement cycle funding will be used to replace furniture in fair condition at these schools. Unless circumstances dictate otherwise, the FY2014 funding (of \$41,600) is planned for the Newman School.

Fitness Equipment

The Needham High School renovation project budget included a large amount of fitness equipment for student use, which will need to be replaced as the components age and the equipment reaches the end of its useful

life. In addition, the Pollard Middle School owned a number of strength circuit machines, which will need to be replaced on a regular basis going forward. The manufacturer's estimated life cycle is five years for treadmills, six years for cross trainers, eight years for recumbent and upright bicycles, 23 years for rowing machines, and 25 years for circuit training equipment. The Department's request is based on a longer replacement cycle of: five to seven for treadmills, nine years for cross trainers, eight years for recumbent bikes, 12 years for upright bikes, 19-20 years for rowing machines and 11-16 years for circuit training equipment. Unless circumstances dictate otherwise, the FY2014 funding (of \$14,380) is planned for three spinning bikes and one treadmill.

High School Graphics Production Room

This program continues the equipment replacement cycle for equipment used in the Graphics Production Center at Needham High School. This program provides convenient and cost effective graphic arts services to the school community, as well as hands-on training for students in the field of professional graphics and printing production. Unless circumstances dictate otherwise, the FY2014 funding (of \$8,270) is intended for purchase of a vinyl cutter – heavy duty, a thermal transfer press, a flash dryer, and a paper jogging machine.

School Copiers Photocopiers are used throughout the District by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework, exams, teaching packets, etc. Currently, the School Department owns 44 copiers and 4 RISO duplicating machines. Copier replacement is planned on a lifecycle basis, using information about actual usage and the manufacturer's total estimated capacity. A seven-year maximum duty cycle is assumed for most machines. Copiers that are heavily used are replaced more frequently, while copiers that are more lightly used are replaced at year seven or beyond, or when replacement parts are difficult to obtain and the cost of maintaining the equipment becomes prohibitive. Copiers are routinely redeployed around the District as needed, to match anticipated use with copier capacity. The requested funding for FY2014 (\$59,620) will replace eight copiers/RISO machines.

School Technology

Interactive Whiteboard Technology

This program funds the purchase and installation of whiteboard technology in the Needham schools. Unless circumstances dictate otherwise, the FY2014 funding request (of \$22,600) is planned for Broadmeadow, Mitchell and Pollard. The overall number of whiteboards to be installed at Pollard and Broadmeadow has increased due to room reallocation at Broadmeadow and the use of the modular classrooms at Pollard.

School Department NPS 1:1 initiative

This program continues the initiative to introduce tablet technology on a 1:1 basis at Pollard, High Rock and Needham High School. The FY2014 request expands the program to all Grade Eight students during the 2013/2014 school year and purchases tablet devices for the remaining Pollard Grade Eight teachers. It also prepares for the expansion to Grade Seven and Needham High School in 2014/2015 by installing additional wireless access points at Pollard and Needham High School and purchasing tablet devices for teachers at Grade Seven and at Needham High. Since \$132,000 of the \$145,000 total funding request was awarded at May 2013 Annual Town Meeting, the November Special Town Meeting funding request is for the remaining funds (\$13,000) to implement the FY2014 plan.

Technology Innovation

In past years, the School Technology Request has included funding for computer replacements, interactive whiteboards and most recently, 1:1 tablet technology. The focus on technology replacement does not allow school staff to evaluate and experiment with emerging technologies that might foster student learning and

achievement. The purpose of this request is to support experimentation on a small scale, which will be useful for assessment and for building staff capacity. Specifically, the FY2014 request (for \$25,000) is for the purchase of eReaders, such as Kindles and Nooks for use in school libraries and for the purchase of iPads for experimentation at the elementary school.

Technology Replacement

The FY2014 technology replacement request will replace 313 teacher, administrator, student, lab and laptop computers, which have reached or are functioning beyond the end of their seven-year lifecycle. Of these, 124 computers are for teachers and administrators throughout the District. Another 163 computers are lab and classroom computers at Eliot, Hillside, Newman, Pollard and the High school. The majority of the computers being purchased will be deployed at the High School. FY2014 represents the second year of the anticipated five-year time frame to replace the High School computers. The request also includes the replacement of four school-based servers, the High School Foreign Language lab server and five district data servers housed at the Educational Technology Center. These servers have been running 24/7 for three or four years and will be re-purposed to less critical functions for two and three years respectively. Additionally, this request will replace eight UPS batteries that support critical servers throughout the District and 47 printers, and will provide funds to analyze the impact of the recent conversion to Apple's new operating system, Lion, on the hundreds of software packages owned by the District. Since \$278,049 of the \$441,200 total funding request was appropriated at the May 2013 Annual Town Meeting, the November Special Town Meeting funding request is for the remaining funds (\$163,151) to implement the FY2014 plan.

DPW Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2014 include:

Unit	Division	Year	Description – Existing	Description - Request	Miles	Cost
65	Parks & Forestry	2008	4WD F350 Pick-up Truck	Same	48,900	\$51,900
66	Highway	2007	One Ton Dump Truck	Same	51,500	\$78,300
6	Highway	2000	Six Wheel Dump Truck	Same	41,300	\$178,400
72	Parks & Forestry	2007	One Ton Dump Truck	Same	47,800	\$78,400

Two-Way Radio Upgrade Effective January 2013, the Federal Communications Commission mandated that all existing licensees convert their wideband (25kHz systems) radio systems to narrowband (12.5kHz). The majority of the two-way radios installed in DPW vehicles have been converted to radios that are capable of functioning on narrowband. The purpose of this project is to replace radios that do not comply with the narrowband requirement, and to increase radio capacity at the DPW and other departments at the Public Services Administration Building (PSAB).

Funds appropriated at the May 2013 Annual Town Meeting (\$20,191) supported the purchase of 22 DPW portable radios and three base radios. The remaining allocation will fund six DPW radios, 13 Public Facilities radios, ten Building Department and PSAB radios, and one base radio.

Small Specialty Equipment This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Department's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment scheduled to be replaced in FY2014 includes:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
303	Parks & Forestry	1985	Tractor	Same	N/A	\$74,900
356	Parks & Forestry	1985	Aerator	Same	N/A	\$30,000

Snow and Ice Equipment This request will provide funding for equipment used primarily in the Snow and Ice Program. Unless circumstances require otherwise, the vehicles and equipment proposed for replacement in FY2014 are as follows:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
6A	Highway	2000	Material Spreader	Same	N/A	\$32,200
116	Highway	1998	Sidewalk Tractor (Track)	Same	N/A	\$169,300
66A	Highway	2006	Material Spreader	Same	N/A	\$8,800

ARTICLE 21: APPROPRIATE FOR DPW GARAGE VEHICLE SERVICE LIFT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$110,000 for a DPW Garage vehicle service lift, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum to be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The DPW Garage vehicle service lift is not currently functional. The lift consists of two hydraulic posts that are housed under the garage floor, and one of the posts is not operational. Since the other post is of the same age, it is assumed that the useful life of the lift system is not worth the cost of repair. This article would fund a platform lift that will be bolted to the garage floor. The lift is an important component of the repair and preventive maintenance efforts for DPW rolling stock. The platform-type lift will also be a safer alternative for the garage staff.

ARTICLE 22: APPROPRIATE FOR PROPERTY ACQUISITION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,458,000 for the acquisition of real property known as 66-70 Chestnut Street, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Over the past two years, the Town has appropriated funds for the acquisition of real property on Lincoln Street and School Street immediately adjacent to the municipal parking lot and the Police and Fire Station. These four parcels will be converted to a parking lot for municipal public parking and Police and Fire parking within the next few months. The Town has the opportunity to acquire an additional parcel located at 66 – 70 Chestnut Street, immediately adjacent to the Police and Fire Station on Chestnut Street to the South, the driveway to the Chestnut Street Parking Lot to the North, and the previously acquired property (37-30 Lincoln Street) to the East. The parcel will be an important component in the on-going evaluation of renovation or possible reconstruction of the Police and Fire Station that is contained in the Facility Master Plan – helping to ensure that a fully modern station can remain centrally-located in Needham Center. If the acquisition is approved, the Board of Selectmen will consider a range of options for use of the property and the structures in the interim period, including meeting space, temporary work space, conference space, swing space to accommodate other construction projects, and possible lease of the structure to a third party for commercial use.

TOWN RESERVE ARTICLES

ARTICLE 23: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$566,530 to the Athletic Facility Improvement Fund, as provided under Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The 2012 Annual Town Meeting authorized the creation of an athletic facility stabilization fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities, particularly Memorial and DeFazio, which were renovated as part of a public/private partnership at a cost of more than \$7 million. This appropriation will bring the

Fund to the target level identified for FY2014 (\$900,000).

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.

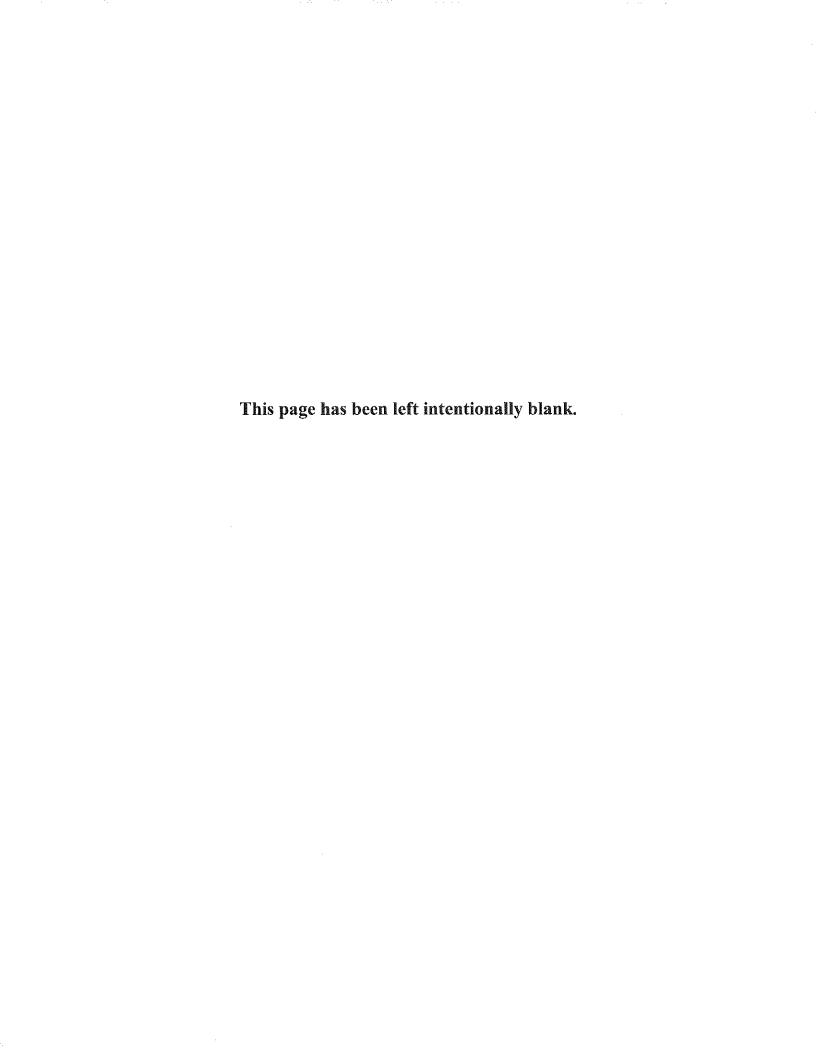
Hereof fail not and make due return of this warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given into our hands at Needham aforesaid this 17th day of September 2013.

DANIEL P. MATTHEWS. Chairman JOHN A. BULIAN, Vice Chairman MAURICE P. HANDEL, Clerk MATTHEW D. BORRELLI MARIANNE B. COOLEY

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

	November 4, 2013 Special Town Meeting Status of Articles - 10.18.2013	n Meeting Status of	Articles - 1	10.18.2013		
Article	Title	<u>Status</u>	BOS Rec.	FC Rec.	BOS	FC Member
П	Appropriate for Modular Classrooms/Mitchell			Adopt	Marianne	John
2	Appropriate for Feasibility Study/Hillside				Dan	John
ю	Amend the FY2014 Operating Budget		Adopt	Adopt	John	Rick L
4	Amend the FY2014 Sewer Enterprise Fund Budget		Adopt	Adopt	John	Rick L
2	Amend the FY2014 Water Enterprise Fund Budget		Adopt	Adopt	John	Rick L
9	Amend Zoning By-law/Solar				Matt	Louise
7	Amend Zoning By-law/Solar Map				Matt	Louise
8	Appropriate for Solar Expenses				Matt	Louise
6	Amend General By-law/Length of Contracts				Matt	Louise
10	Authorize Lease of Land/Solar				Matt	Louise
11	Authorize Solar PILOT				Matt	Louise
12	Authorize Lease of Railroad ROW		Adopt	Adopt	John	Dick R
13	Appropriate for Rail Trail Insurance/CPA		Adopt	Adopt	John	Dick R
14	Amend General By-law/Public Consumption		Adopt	No position	Dan	1
15	Amend General By-law/Municipal Water Supply		Adopt	Adopt	Dan	Rick Z
16	Authorize Taking of Real Property		Adopt	Adopt	Moe	Richard C
17	Home Rule Petition/Alcoholic Beverages <100		Adopt	Adopt	Dan	Lisa
18	Appropriate for Boardwalk/CPA	Withdraw		Not adopt	Marianne	Rick L
19	Rescind Debt Authorizations		Adopt	Adopt	Marianne	Richard C
20	Appropriate for General Fund Cash Capital		Adopt	Adopt	Moe	Rick Z
21	Appropriate for DPW Garage Vehicle Service Lift		Adopt	Adopt	Marianne	Louise
22	Appropriate for Property Acquisition		Adopt	Adopt	Moe	Lisa
23	Appropriate to Athletic Facility Improvement Fund		Adopt	Adopt	Marianne	Lisa



Board of Selectmen TOWN OF NEEDHAM AGENDA FACT SHEET

MEETING DATE: 10/22/2013

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUS	SED		
Board members will report on the progress and / or activities of their Committee assignments.				
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO	
3.	BACK UP INFORMATION ATTACHED	YES	NO	
(Describe backup below)				
Non	e ,			

2013 MPO Absentee Ballot

The MPO Election will be held on Wednesday, October 30, 2013 At MAPC Fall Council Meeting, 3:00 PM Seaport Hotel at the World Trade Center, Boston.

Absentee ballots must be delivered by October 29, 2013 via mail or in person (No Fax or Email) by 5 PM to:

BOSTON REGION MPO ELECTIONS

Metropolitan Area Planning Council
60 Temple Place, 6th Floor
Boston, MA 02111

Each Chief Elected Official, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the two open MPO seats.

Chief Elected Official may:

Vote for only one from the Inner Core Committee			
Somerville Joseph A. Curtatone, Mayor			
Vote for only one from the MetroWest Regional Collaborative			
Framingham Dennis Giombetti, Chair Board of Selectmen			
Municipality Needham Chief Elected Officiar (Signature) Daniel P. Matthews (Print or type name)			
Fill this box out only if you (Mayor or Chair Board of Selectman) are appointing someone to vote in your place in person on October 30th.			
Designation of alternate (by Mayor or Chair Board of Selectman):			
I hereby authorize Mavrice p. Hando cast the ballot for Needham (name) (municipality) Chief Elected Official (signature) Date			
x October 22 2013			
Chief Elected Official (signature) Date			

2013 MPO Statement of Candidacy

(250 Word Limit)

Municipality: FRA	MINEHAU	
Chief Elected Official:	DEMMIS	CIOMBETTI

(Suggestions include a brief statement of qualifications; comments on the importance of transportation to the region; and expectations for the Boston Metropolitan Planning Organization)

SEE ATTACHED

2013 MPO Statement of Candidacy

(250 Word Limit)

Municipality: City of Somerville

Chief Elected Official: Joseph A. Curtatone

(Suggestions include a brief statement of qualifications; comments on the importance of transportation to the region; and expectations for the Boston Metropolitan Planning Organization)

The Boston Region MPO faces numerous challenges implementing the 21st century transportation system necessary for the region to foster a 21st century economy. MassDOT and the General Court have made significant progress toward closing the transportation funding gap. The programming of these funds balancing between the continuing needs of an aging transportation system and its current resources is now more important than ever. As a member of the MPO, Somerville will strive to balance geographical equity against the myriad needs of the Region's transportation system. We will be tasked with funds programming that both maintains the system in a state of good repair and ideally grows a system that further encourages a shift away from auto dependence, while accounting for climate change and the reality that there will always be more requests than there is funding. Somerville is up to this ever growing challenge.

Somerville has been a member of the MPO since 2007, demonstrating leadership on transportation issues with an eye on what is needed to move our region forward. We will continue to work for all 101 cities and towns of the Boston Region, ensuring that our transportation system continues to address the needs and desires of all who use it and we look forward to continuing this valuable work.

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	M. I I			
(Name that will appear on license)	Michael Despres			
Event Manager Address	83 Moiton Street Needham MA 02494			
Event Manager Phone Number	781 670 6190			
Organization Representing (if applicable)	Village Clab Non-profit			
Is the organization (if applicable)	Non-profit ☐ For profit			
you are representing non-profit? If	Proof of non-profit status is attached			
so, please attach proof of non-profit	Form of Proof: 50 On File			
status.				
Name of Event	OKTOBER FEST			
Date of Event	October 12, 2013			
License is for Sale of:				
Wines & Malt Beverages Only				
All Alcoholic Beverages (for	non-profit groups only)			
Requested Time for Liquor License	FROM: 12 Noon TO: 11 PM			
Are tickets being sold in advance for	this event? YES \$ /per ticket NO			
Is there an admission fee for this even	nt? YES \$ 5,00 /per ticket NO			
Are you using dues collected to purch	nase alcohol for this event? YES NO			
How many people are you expecting	at this event? 150			
Name & address of event location. Please attach proof of permission to use this facility.				
83 Morton ST Needhum The Village Class Hall				
Who will be serving the alcohol to your guests?				
Chris Williams - Tipos Cartified				
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).				
See Attachement				
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. See BHackson				
Guests will purchase alcohol from one car.				
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: /// Days Date: 10/1/13				



Bring this card for a chance to Win a prize

The Needham Villåge Club **Sat. Oct.12,2013 3-11**pm 83 Morton St. Needham,MA

Pretzels, German sausages, Beer, Wood sawing and Raffles.

Live MUSIC -German Oompah Band 6-10pm

KIDS FEST 2-4pm

\$5 admission This is not a ticket

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	Michael Despres			
Event Manager Address				
Event Manager Address	83 Mortin St Needham MA 02899			
Event Manager Phone Number	781 690 6190			
Organization Representing (if applicable)	The Village Clas			
Is the organization (if applicable)	☐ Non-profit ☐ For profit			
you are representing non-profit? If	Proof of non-profit status is attached			
so, please attach proof of non-profit	Form of Proof: On File			
status.				
Name of Event				
	Corn Hole Tournament			
Date of Event	Corn Hole Tournament Sat Oct 19 2013			
License is for Sale of:				
Wines & Malt Beverages Only	ut .			
All Alcoholic Beverages (for	' I			
Requested Time for Liquor License	EBOM. TO.			
Requested Time for Liquor License	FROM: 12 Nam 10: 11 PM			
Are tickets being sold in advance for	this event? YES \$ /per ticket NO			
Is there an admission fee for this even				
Only team need to regard Are you using dues collected to purch	Ster for Play			
Are you using dues collected to purch	nase alcohol for this event? YES NO			
How many people are you expecting at this event?				
Name & address of event location. Please attach proof of permission to use this facility.				
Who will be serving the alcohol to your guests?				
Who will be serving the alcohol to your guests?				
One Bartenday				
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).				
Chais Williams - Certificate on the				
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. See Attachness				
Guests will purchase all alobal from one box.				
I understand that the alcohol pur	chased 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:	Nate: //			
2. one manager orginature.	Date: Joly/P			



Westwood Fire Local 1994 &

Needham Fire Local 1706

Saturday, October 19, 2013

The Village Club, 83 Morton St, Needham, MA

12 PM - Registration / 1 PM - Kickoff

PLEASE PRE-REGISTER AND PAY BY 10/12/13 and

receive a free tournament T-Shirt!

\$50 per team

Winners Receive a Custom Cornhole Board Each!

Food, Raffle Prizes, 50/50 Raffle

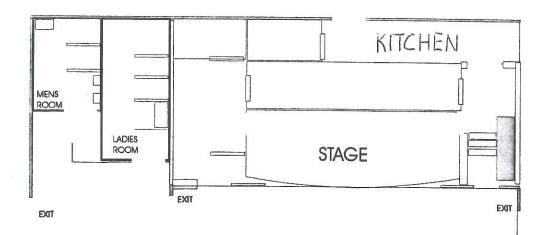
ALL PROCEEDS WILL BE DONATED TO THE MUSCULAR DYSTROPHY ASSOCIATION!

For more information or to register a team, contact Rob Giumetti at Giumetts@yahoo.com or (781) 589-4435

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)	Michael Despres		
Event Manager Address	83 Mortin St Nealham 02494		
Event Manager Phone Number	781 690 6190		
Organization Representing (if applicable)	De Village Clas		
Is the organization (if applicable)	Non-profit For profit		
you are representing non-profit? If so, please attach proof of non-profit	Proof of non-profit status is attached Form of Proof:		
status.			
Name of Event	Halloween Party		
Date of Event	Halloween Party SAT Nev 2nd 2013		
License is for Sale of:			
Wines & Malt Beverages Only			
All Alcoholic Beverages (for	non-profit groups only)		
Requested Time for Liquor License	FROM: 5 PM TO: 11:30 PM		
Are tickets being sold in advance for	this event? XYES \$5. 60 /per ticket NO		
Is there an admission fee for this even	nt? X YES \$ 60 /per ticket NO		
Are you using dues collected to purch	nase alcohol for this event?		
How many people are you expecting	at this event? 150		
Name & address of event location. Please attach proof of permission to use this facility.			
Village Clas Hall 83 Horting ST Needham			
Who will be serving the alcohol to your guests?			
One Burtender - Tipps Certified			
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).			
Chris William - See Attached Certificate			
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. See Atalyses			
Guests will parchase alcohol from one bar.			
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:			
Since in the control of the cont	1 Jone (10/17/10		



The Village Club

HIGHLANDVILLE HALL Needham, Ma

HIGHLANDVILLE HALL

60' X 40' SEATING 185 max w/ dancing 155

EXIT

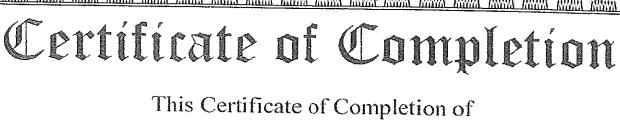
COAT ROOM
BAR

LOBBY

Prim

Main Menu

Do not click Back-Space to leave this window



eTIPS On Premise 2.0

For coursework completed on May 28, 2013

provided by Health Communications, Inc.
is hereby granted to:

Chris Williams

Certification to be sent to:



steted the coarse. Valid contribution documents will be Conselled a

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)	Suzanne Saevitz		
Event Manager Address	67 Holmes St, Needham MA		
Event Manager Phone Number	508 932-3649		
Organization Representing (if applicable)	New Year's Neldham		
Is the organization (if applicable)	Non-profit For profit		
you are representing non-profit? If	Proof of non-profit status is attached		
so, please attach proof of non-profit	Form of Proof:		
status.	We are a fart of the lown		
Name of Event	NYN Celebration Dance		
Date of Event	12/31/13 to 1/1/15		
License is for Sale of:			
Wines & Malt Beverages Only	V		
All Alcoholic Beverages (for			
Requested Time for Liquor License	FROM: 9 pm TO: 12:30 am		
Are tickets being sold in advance for	this event? YES \$ /per ticket NO		
\$15 in advance of Dec	27 Dec 27 to Dec 31 \$ 20		
Is there an admission fee for this even	nt? / YES \$ 5 /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? Hopefully ~200			
Name & address of event location. Please attach proof of permission to use this facility.			
Powers Hall Town Hall: 1471 Highland Avenue			
Who will be serving the alcohol to your guests?			
Tip Certified Barterder			
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).			
will be provided			
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.			
Cash Bar			
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: 10/8/13		
///			

Town of Needham Board of Selectmen Minutes for October 8, 2013 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 Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Marianne Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Proclamation - William T. Burke

Mr. Matthews read a proclamation declaring October 21, 2013, William T. Burke day in the Town of Needham.

Motion by Mr. Handel that the Board of Selectmen vote to sign and proclaim October 21, 2013 William T. Burke day in Needham in recognition of his meritorious service during World War II and the many accomplishments during his life. We accord him hearty congratulations on his 90th birthday and best wishes for the many years ahead.

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

7:00 p.m. Public Hearing - NSTAR Petition for Old Farm Road:

Maureen Carroll, NSTAR representative appeared before the Board requesting to install approximately 12 feet of conduit at Pole 345/11 on Old Farm Road, Needham. She stated the work is necessary to provide new underground electric service for a new home at 49 Old Farm Road, Needham.

Mr. Matthews invited public comment. No comments were made.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 12 feet of conduit at Pole 345/11 on Old Farm Road, Needham. This work is necessary to provide new underground electric service for a new home at 49 Old Farm Road, Needham. Second: Mr. Borrelli. Unanimously approved 5-0.

7:00 p.m. Public Hearing - COMCAST for Chestnut Street:

Manuel Furtado, COMCAST Project Coordinator appeared before the Board requesting to install approximately 81' of 3" PVC within sidewalk/roadway from existing vault as pictured on Chestnut Street: continuing across Chestnut Street, approximately 81' to corner of private property (20 Chestnut Street).

Mr. Matthews invited public comment. No comments were made.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from COMCAST to install approximately 81' of 3" PVC within sidewalk/roadway from existing vault as pictured on Chestnut Street: continuing across Chestnut Street, approximately 81' to corner of private property (20 Chestnut Street) as seen in attached drawing.

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

7:00 p.m.

Appointments and Consent Agenda:

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

APPOINTMENTS

New Years Needham Committee Facility Working Group David Ecsedy (term expires 6/30/2014) Moe Handel (term expires 6/30/15) John Connelly (term expires 6/30/15) Matt Toolan (term expires 6/30/15) George Kent (term expires 6/30/15) Heidi Black (term expires 6/30/15)

CONSENT AGENDA

- 1. Approve rain date of November 10, 2013 for the Community Center of Needham to host its community-wide luminary event on the Town Common. Permission to hold the event on November 3, 2013 was granted at the BOS May 14, 2013 meeting.
- 2. Accept the following donation made to the Needham Off-Leash Dog Area gift account: \$50 from Donnie Cotton; \$107 from Laurie Levine; \$50 from Bethan Brome; \$500 from Chestnut St. Animal Hospital; \$100 from Barbara Lynch; \$50 from Brenda Metzler; \$50 from Franklin & Bonnie Gold; \$50 from Judith Dein.
- 3. Accept a \$250 donation made to the Needham Health Department's Domestic Violence Action Committee from Christine & Peter Kenney, of Needham.
- 4. Accept a \$250 donation made to the Needham Health Department's Gift of Warmth fund from The First Baptist Church in Needham.
- 5. Accept the following donations made to New Years Needham: \$250 from Brookline Bank; \$250 from Petrini Corp; \$1,000 from Beth Israel Deaconess; \$100 from You do it Electronics.
- 6. Accept the following donations made to the Needham Community Revitalization Trust Fund: The Needham Business Association, \$500; Needham Cares, \$210 for a bench in memory of Town Meeting Member Jane Howard.
- 7. Approve a One Day Special All Alcoholic Beverages license request from Andrew Bartlett of St. Sebastian's School to hold an Alumni Dinner event on October 10, 2013 from 6:00 p.m. to 10:00 p.m. in Ward Hall at St. Sebastian's School, 1191 Greendale Avenue, Needham.
- 8. Water & Sewer Abatement, Order #1169.
- 9. Approve minutes from August 28, 2013, September 10, 2013, September 17, 2013, & October 1, 2013 Open Session meetings, and July 16, 2013, August 28, 2013, September 10, 2013 and September 17, 2013 Executive Session meeting minutes.

- 10. Ratify a request from Mike Chinitz, of the Kid's PMC to ride a portion of their event through Needham, which was held on Sunday, September 29, 2013 from 8:45 a.m. to 11:00 a.m. The ride was approved by the following departments: Police, Fire, DPW, and Park and Recreation.
- 11. Approve a request from the Needham Running Club to hold its annual road race on Wednesday, January 1, 2014 from 6:00 a.m. to 1:00 p.m. The route has been approved by the following departments: DPW, Police, Fire and Park and Recreation.
- 12. Accept the following donations made to the Needham Public Library during the period July 1, 2013 September 30, 2013: The Needham Lions Club donated \$500.00 to the library for the purchase of large print books; Diana Conroy made a donation to the library in memory of Alma Treen (\$100.00); The Needham Channel and the Needham Historical Society gave the library two copies of their DVD, The

Millen-Faber Gang (\$30.00); Yoshie Gordon gave the library \$20.00 to purchase a new book; Needham resident Kathy Walsh gave the library a copy of her new book, Preacher Kid: A Story from the Heartland (\$7.95); Dave McGuire donated a copy of N.C. Wyeth by Kate Jennings (\$25.00); Tom Mulhern gave the library four new office chairs (\$280); Catherine Parnell donated a copy of Float by JoeAnn Hart in memory of Jacqueline Blake Roper (\$17.95); The following people have made donations to the library in memory of Margaret Wellington: Jacqueline Fitzpatrick (\$10.00), and Jean M. Cleary (\$25.00); Debra Steel gave the library two copies of Tish Rabe's book, If I Ran the Dog Show (\$17.98); Clark Taylor gave the library a copy of his book, Seeds of Freedom: Liberating Education in Guatemala (\$108.00); Jackie Lundell donated a copy of Wanda Brunstetter's book, Bishop's Daughter, in memory of Shirley Young (\$10.99).

- 13. Approve request from the Town Clerk's Office for a 20(b) exemption to allow Mary Hunt, Board of Selectmen Recording Secretary, to work as a part time general office worker in the Town Clerk's office. Disclosure statements for Ms. Hunt are on file with the Town Clerk's office.
- 14. Approve One Day Special License application from the Newton Needham Chamber of Commerce to serve wine and beer at its N2 Innovation Corridor Meeting to be held at Digital Realty, 105 Cabot Street, Needham, MA from 5pm to 8pm on October 23, 2013.
- 15. Grant permission for the following residents to hold a Block Party:

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

7:05 p.m. Public Hearing - Shade Tree Removal at 72 Laurel Drive:

Mr. Borrelli recused himself from discussion.

Edward Olsen, Tree Warden/Parks & Forestry Superintendent appeared before the Board to discuss a request from Anthony Borrelli (homeowner) to have one Public Shade tree removed as part of a home renovation located at 72 Laurel Drive. Mr. Olsen

said construction of the driveway would impact one 19-inch Sugar maple on the town property at the right side of the driveway. He asked the Board to approve the tree removal at the homeowner's expense and \$100.00 be paid to the Town of Needham for future tree planting.

Mr. Matthews noted written comment was received from one resident opposing removal of the tree.

Mr. Handel asked if the location of the proposed driveway could be moved.

Mr. Olsen noted the tree does not meet setback requirements under the Town's present guidelines.

Mr. Matthews invited public comment.

Thomas Crimlisk, precinct D, said he does not see a problem with cutting the tree down, and stated the homeowner should be allowed a driveway in the proposed location.

Mr. Bulian suggested planting a larger tree in the same vicinity. Mr. Borrelli said he would be happy to plant a larger tree on the front lawn.

Motion by Mr. Bulian that the Board vote to approve and sign the Public Shade Tree Hearing form for the removal of one 19-inch Sugar maple tree in front of 72 Laurel Drive. The developer shall plant an additional tree on the property of 4" caliper or greater, satisfactory to the Tree Warden. Second: Mrs. Cooley. Unanimously approved 4-0.

7:15 p.m. Change of Manager - Not Your Average Joe's Restaurant:

Michele O'Brien, Proposed Manager appeared before the Board to discuss a request for a Change of Manager to the liquor license at Not Your Average Joe's restaurant located at 109 Chapel Street, Needham.

Mr. Matthews reminded Ms. O'Brien of the importance of adhering to Town laws with regard to serving alcohol. Ms. O'Brien said she understands the rules.

Motion by Mr. Bulian that the Board of Selectmen approve and sign an application for a Change in Manager to Michele O'Brien for Not Your Average Joes's Restaurant, 109 Chapel Street, Needham and to forward this application to the ABCC for approval.

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

7:17 p.m. International City Management Association Voice of the People Award:
Kate Fitzpatrick, Town Manager, Phil Droney, Police Chief, and Paul Buckley, Fire
Chief appeared before the Board. Ms. Fitzpatrick said the Town received its third
"Voice of the People" award for excellence in police services, fire services, and

ambulance or emergency medical services. She said the award is based on responses of residents in the bi-annual citizen survey conducted by the Town and is awarded each year to jurisdictions with the highest rated services according to a representative sample of its own residents. She stated the rating for service quality in Needham in these three areas was in the top 10% among over 500 jurisdictions. Ms. Fitzpatrick commented that in the Town's 2012 survey, residents rated police, fire, and EMS services as excellent or good, at between 94%-98% of the time. She noted it is a remarkable achievement, and that she is very proud citizens are satisfied with the daily services provided by both departments.

Chief Buckley commented the award is a reflection of the staff and his co-workers in the services they provide. He said he has great co-workers who work hard and are dedicated to their job. He commented the services of the Fire Department must be outstanding or they are unacceptable.

Chief Droney said it was very nice to receive the award and the recognition for the work of the Police Department. He said the award is a reflection on the staff of the department.

Mr. Matthews commended both departments and recognized that many people worked together to earn the award.

7:25 p.m. Needham's Emergency Preparedness Efforts:

Christopher Coleman, Assistant Town Manager/Director of Operations, Janice Berns, Director of Public Health, Wolfgang Floitgraf, Director of Operations/Emergency Preparedness, Paul Buckley, Fire Chief, Phil Droney, Police Chief, and Richard Merson, Director of Public Works appeared before the Board with an update on the Town's emergency preparedness efforts.

Mr. Coleman said the Town has been aggressively training, preparing, and communicating in different ways to improve its emergency response. He noted full preparedness cannot be accomplished by Town employees alone, and that Needham is very fortunate to have volunteers from the community, such as hospital employees, medical professionals, the business community, the Needham Channel, parents, and residents, who play a role in the emergency preparedness planning and action. Mr. Coleman noted the month of September has been designated by the federal government as "National Emergency Preparedness Month." A public service announcement from the co-chairs of Needham's local Emergency Preparedness Committee was viewed.

Ms. Fitzpatrick said it is important residents know how well Needham is prepared for an emergency, and that the Town continues to plan for emergencies.

The Board thanked the presenters for the update.

7:45 p.m. Sign Notice of Traffic Regulation - Dawson Drive:

Richard P. Merson, DPW Director told the Board that the Traffic Management Advisory Committee (TMAC) received a petition from the residents of Broad Meadow Road and Dawson Drive asking that a 2-hour parking zone be established to prevent all-day parking on both sides of Dawson Drive from Broad Meadow Road to Dunbarton Road.

Motion by Mr. Bulian that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P13-10-08 for Dawson Drive, Time Limited in Designated Places, Both sides from Broad Meadow Road to Dunbarton Road - 2 Hour Parking 9:00 A.M. to 3 P.M. Monday through Friday. Second: Mr. Handel. Unanimously approved 5-0.

7:50 p.m.

Community Preservation Committee - Proposals Under Review: Janet Bernardo, CPC Chair, Lita Young, CPC Vice-Chair, and Patty Carey, Director of Park and Recreation appeared before the Board with an update on two projects currently under review by the Community Preservation Committee for the November 4, 2013 Special Town Meeting.

Ms. Bernardo said two projects under review include Rail Trail Insurance and the Ridge Hill Reservation Swamp Trail Boardwalk Replacement & Charles River Trail Bridge Replacement.

Ms. Bernardo said \$45,000 is being requested from CPC funds for Rail Trail Insurance, noting the Town is eligible to apply for a grant through the Commonwealth that would reimburse the CPC for 50% of the final cost. She reiterated the Town will seek authorization to lease the right of way from the MBTA from the Needham Junction to the Charles River, not including the bridge to Dover, at the November 2013 Special Town Meeting. Ms. Bernardo said the second project, Ridge Hill Reservation Swamp Trail Boardwalk Replacement & Charles River Trail Bridge Replacement Project includes a request for CPC funding of \$298,719.

Mr. Matthews noted the Rail Trail project is supported by the Board of Selectmen, and commented a vote will be taken later in the meeting. He said he appreciates the support of the CPC.

Mr. Matthews commented on the Ridge Hill Reservation Swamp Trail Boardwalk & the Charles River Trail Bridge Replacement project noting the Finance Committee voted not to adopt it, and wondered if the Community Preservation Committee wanted to withdraw the article at the beginning of Special Town Meeting.

Mr. Borrelli commended the CPC for it research, noted the expense of the project comparative to the number of people would use the trails. He suggested postponing the project to the Annual Town Meeting in order gather more information.

Mr. Bulian said he is supportive noting the CPC, through the Conservation Commission, has identified the project as its #1 capital priority. He said the project

adds value, and delaying it only increases the cost. Mr. Bulian said he supports the decision of the CPC.

Mr. Handel said he supports the CPC and their decision whether to move forward or to withdraw the article.

Mrs. Cooley said she supports the CPC and their decision.

Mr. Matthews reiterated the Board's view, noting it is an expensive project and one of value, and said the CPC is entitled to a decision. He said further discussion with the Finance Committee is necessary to perhaps reach a consensus on how to proceed. He thanked the Committee for the update and their work on the project.

8:15 p.m. Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 5 items to discuss:

1. Food Truck Policy

Ms. Fitzpatrick reminded the Board of its public hearing on the proposed regulation of food trucks in the Town of Needham on September 10, 2013. Based on feedback, Ms. Fitzpatrick recommended that the Board vote to adopt the policy "Regulation of Food Trucks" with an effective date of January 1, 2014. She said applications for food truck permits would be accepted as of December 1, 2013 for calendar year 2014.

Motion by Mr. Bulian that the Board vote to adopt and authorize the chair to sign the Regulation of Food Trucks Policy dated October 8, 2013. Second: Mr. Handel. Unanimously approved 5-0.

Mr. Borrelli suggested following up in one year with "brick and mortar" establishments to assess the effect of food trucks on local businesses.

2. Dog License Fees

Ms. Fitzpatrick and Tedi Eaton, Town Clerk recommended that the Board of Selectmen increase the dog licensing fees in 2014. Ms. Fitzpatrick said dog license fees were last updated in 1991.

Ms. Eaton said a portion of the increased fees will be allocated to Town Departments responsible for maintenance and oversight of the proposed off-leash dog recreation area. Ms. Eaton said based on the historical number of licenses sold, the expected total increase in FY2014 is approximately \$28,000.

Motion by Mr. Bulian that the Board of Selectmen vote to adopt the proposed Dog License Fee Schedule for calendar year 2014. Second: Mr. Handel. Unanimously approved 5-0.

3. Capital Improvement Policies

Ms. Fitzpatrick recommended a revision to the Town's Capital Improvement Policies which are included in the annual five-year Capital Improvement Plan. She said the revision includes:

- 1. Inclusion of the Athletic Facility Improvement Fund that was authorized at the 2012 Annual Town Meeting; and
- 2. Inclusion of FY2014 funding targets. These are the targets that were presented to the 2012 Annual Town Meeting.

Motion by Mr. Bulian that the Board vote to approve the revised Capital Improvement Policies dated October 8, 2013.

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

4. Outdoor Non-essential Water Use Restriction Update

Ms. Fitzpatrick updated the Board on the non-essential outdoor water use restriction, saying the restriction is now over. She discussed proposals for complying with requirements in the Town's Water Withdrawal Permit. She said the Town must file a Residential Gallons per Capita Day (RGPCD) Plan, and must report to the DEP the Board's intent with respect to water use restrictions for calendar year 2014. She said a proposal for water restrictions in 2014 will be presented at a future meeting, and noted until the Town achieves the performance standard of 65 gallons/person/day, the Town will be under the same level of restriction in 2014. She commented that outdoor water consumption must decrease, and is hopeful the Town can achieve the performance standard. Ms. Fitzpatrick recommended introducing a program to provide customers with water saving devices at cost, or free of charge. She also asked the Board consider amending the General By-law requiring a moisture sensor on new automatic irrigation systems.

5. <u>Update Special Town Meeting Warrant & Positions on Warrant Articles</u>
Mr. Matthews noted a request from another Board to change the order of some of the articles, as the Special Town Meeting may require two nights to complete. He commented some of the financial articles may be re-numbered and appear at the beginning of the warrant when it is printed.

The Board took positions on the November 4, 2013 Special Town Meeting Warrant Articles.

Article 1 - Defer.

Article 2 - Defer.

Article 3 - Defer.

Article 4 - Defer.

Article 5 - Defer.

Article 6 - Defer.

Article 7 - Defer.

Article 8 - Defer.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 9 - Authorize Lease of Railroad ROW in the Special Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 10 - Appropriate for Rail Trail Insurance/CPA in the Special Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 11 - Amend General By-law/Public Consumption 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 - Amend General By-law/Municipal Water Supply in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 13 - Authorize Taking of Real Property in the Special Town Meeting Warrant. Second: Mr. Borrelli. Unanimously approved 5-0.

Motion by Mr. Borrelli that the Board vote to recommend adoption of Article 14 - Home Rule Petition/Alcoholic Beverages <100 in the Special Town Meeting Warrant.

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

Article 15 - Defer.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 16 - Rescind Debt Authorizations in the Special Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Handel that the Board vote to recommend adoption of Article 17 - Appropriate for General Fund Cash Capital in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 18 - Appropriate for DPW Garage Vehicle Service Lift 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 19 - Appropriate for Property Acquisition in the Special Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 20 - Amend the FY2014 Operating Budget in the Special Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Bulian that the Board vote to recommend adoption of Article 21 - Amend the FY2014 Sewer Enterprise Fund Budget 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 22 - Amend the FY2014 Water Enterprise Fund Budget 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 23 - Appropriate to Athletic Facility Improvement Fund in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to approve the revisions to the warrant to the November 4, 2013 Special Town Meeting Warrant, subject to technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel. Second: Mr. Handel. Unanimously approved 5-0.

9:00 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

9:00 p.m. Executive Session - Exception 3 (potential litigation):

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

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. Handel. Mr. Matthews polled the Board. 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=

Note: Meeting was adjourned at 9:45 p.m.

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 LIANNE RELICH					
(Name that will appear our necessor)					
	31 11104 110				
Event Manager Phone Number					
Organization Representing (if applicable) Is the organization (if applicable) you are representing non-profit? If	Council on Aging Non-profit				
so, please attach proof of non-profit	Porm of Frooi.				
Name of Event	PREVIEW RECEption				
Date of Event	10-30-2013				
License is for Sale of: Wines & Malt Beverages Onl All Alcoholic Beverages (for Requested Time for Liquor License	ly non-profit groups only) FROM: 4:30 pm TO: 6:30 pm				
Are tickets being sold in advance for	this event? YES \$ /per ticket 1 NO				
Is there an admission fee for this evo	- CANO				
Are you using dues collected to pure					
How many people are you expecting	MARKET 1998 - A CONTROL OF THE CANADA AND AND AND AND AND AND AND AND AN				
Name & address of event location. Please attach proof of permission to use this facility. The Center in the Heights 300 HILLSIDE AVE					
Who will be serving the alcohol to your guests? ('alleen Shaler, Jamie Brenner Gustner, Lianne Relich ('alleen Shaler, Jamie Brenner Gustner, Lianne Relich					
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). Subject to getting Tips Bevver. TBD. 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 industry to a					
serma station & ve served charmonday.					
I understand that the alcohol purchased for this event must be purchased from a needed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and wholesaler in the special permit holder and the special					
that I have received a current list of wholesalers. (A person Line 1, 23; 204 CMR 7.04)) purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)) Date: Event Manager Signature: Lunne B Roluch 10-17-2013					
Huma B Kelich					

You are cordially Invited

Toa

PRIVATE PREVIEW

Of the

Center at the Heights

300 Hillside Avenue

Thursday, October 30, 2013

4:30pm to 6:00pm

Enjoy refreshments

And a

Guided Tour of the New Center

Nicky Selectrans office

ONE DAY SPECIAL LICENSE TOWN OF NEEDHAM BOARD OF SELECTMEN EVENT INFORMATION SHEET

EVENT INFORMATION SHEET (Please complete and attach event flyer or other information.)

N			
Event Manager Name (Name that will appear on license)	nfo@leserskincau solutions		
(Name that will appear on license) Event Manager Address Event Manager Address Co Dedhenn for Name	Charl con		
Event Manager Phone Number 781-455-6250			
Organization Representing (if applicable) Laser Sun Care Solutu	NS .		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status. Non-profit Proof of non-profit status is att Form of Proof:	tached		
Name of Event Open house			
Date of Event 10/22/13			
License is for Sale of: Wines & Malt Beverages Only All Alcoholic Beverages (for non-profit groups only) Requested Time for Liquor License FROM: 10 22 530 TO: 10	122 930		
	/per ticket 🗹 NO		
Is there an admission fee for this event?	/per ticket 🗹 NO		
Are you using dues collected to purchase alcohol for this event?	YES V NO		
How many people are you expecting at this event? 30-40			
Name & address of event location. Please attach proof of permission to use this facility. Needham Historical Society 1147 Central Ave			
Who will be serving the alcohol to your guests?			
Bartenders and/or servers of alcohol, beer and/or wine must have comp years an appropriate Massachusetts alcoholic beverages server-training below who will be serving alcohol, beer and/or wine and attach proof of	program. Please state		
Brenda Estyr			
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.			
poured by server			
I understand that the alcohol purchased for this event must be purch wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or that I have received a current list of wholesalers. (A person holding a Sepurchase alcoholic beverages from a package store. (MGL Ch. 138, Sec Event Manager Signature:	special permit holder and ection 14 license cannot		

LASER SKIN CARE SOLUTIONS





OPEN HOUSE Save the date: Tuesday Oct 22 Needham Historical Society 1147 Central Ave 5:30-8 pm

Come visit us at the Little Red Schoolhouse of the Needham Historical Society

Meet all the vendors who supply products and services to Laser
Skin Care Solutions. See demos
Sign up for prizes and free giveaways
Book future appointments at huge discounts
Meet the staff

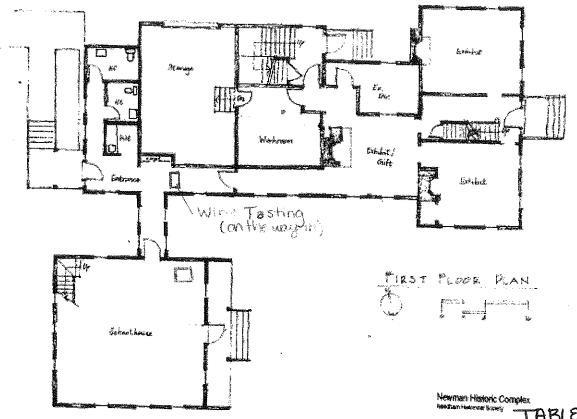
Don't forget, call to RSVP 781-455-6250

Hope to see you, more information coming...stay
tuned



60 Dedham Ave Needham, MA 02492

* Needham Historical Society Schoolhouse Layout for Open House



Welen

Tables:

Layout

- · biopalic
- 1000
- . Colorscience
- · Restylanc

- Wine Table
- Giff Table
- Make op fammi.

- Mucic
- Takechine
- Food (table

Certificate of Completion

This Certificate of Completion of

eTIPS On Premise 2.0

For coursework completed on October 18, 2013 provided by Health Communications, Inc. is hereby granted to:

Brenda Egizi

Certification to be sent to:



TEALTH CONTRACTOR OF THE INC

First decument is not proof of \$10% exhibitation it a market and at the charge completed the coarse. Valid confliction does the coarse value of the charge property of the coarse and property of the charge p

