

BOARD OF SELECTMEN

March 25, 2014

Needham Town Hall

Agenda

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Introduce Fire Captain • Fire Chief Paul Buckley
2.	7:05	Department of Public Works • Notice of Meter Traffic Regulation – Avery Square • Notice of Experimental Special Permit Parking Regulation – Ellis St. @ Mills Field
3.	7:15	Town Manager • Open Special Town Meeting Warrant • Update Annual Town Meeting Warrant
4.	7:25	Board Discussion • Committee Reports
5.	7:30	Executive Session Exception 3

APPOINTMENTS

1.	Water / Sewer Rate Structure Committee	Steven Rosenstock (term expires 6/30/17)
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CONSENT AGENDA *=Backup attached

1.	Accept the following donations made to the Needham Park and Recreation Commission for its Arts in Parks Concert Series: \$600 from Louise Condon Realty and \$600 from Dedham Savings Bank.
2.	Accept the following donations made to the Needham Off Leash Dog Area account: \$50 from Regina Pyle; \$50 from Risa Weinrit; \$15 from Andrew Miller; \$250 from Laura Spitz; \$ 10 from Jessica Weis; \$100 from Gail Cohen; \$ 250 from Toni Gillis; \$100 from Ronnie Schauer; \$100 from Christel Morley; \$100 from Heather Finnegan; \$50 from Wendy Decker; \$100 from Lee Larkin; \$100 from Sarah Ragland; \$50 from Patricia Trebino.
3.*	Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to hold a Boston Marathon Fundraiser on March 28, 2014 from 5:00 p.m. to 12:00 a.m. The event will be held at the Village Club, 83 Morton Street, Needham.

4.*	Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to host a Retirement Party on April 26, 2014 from 2:00 p.m. to 12:00 a.m. The event will be held at the Village Club, 83 Morton Street, Needham.
5.*	Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to hold a Scholarship Dance on May 3, 2014 from 6:00 p.m. to 12:00 a.m. The event will be held at the Village Club, 83 Morton Street, Needham.
6.*	Approve a Special One Day All Alcoholic Beverages License for Nicole Cunningham of the Real Estate Bar Association for Massachusetts, Inc. to hold its Women's Networking Reception on April 3, 2014 from 5:00 p.m. to 8:00 p.m. The event will be held at the Needham Historical Society, 1147 Central Avenue, Needham.
7.*	Water & Sewer Abatement Order #1177
8.	Accept a \$700 donation made to Needham Youth Services from the Needham Community Council. The monies are to be used to sponsor Needham Youth Services Project Van program.



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

MEETING DATE: 3/25/2014

Agenda Item	Introduction of Fire Captain
Presenter(s)	Paul Buckley, Fire Chief

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
Chief Buckley will introduce newly promoted Fire Captain John Krawiecki.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Resume for John Krawiecki			



Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 3/25/2014

Agenda Item	Notice of Meter Traffic Regulation Avery Square
Presenter(s)	Richard P. Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
New regulations are proposed for metered parking spaces in front of the Post Office, and at Avery Square. See attached regulations.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	☒ YES	☐ NO
<u>Suggested Motion:</u> "That the Board vote to approve and sign the Notice of Traffic Regulation Permit #P14-03-25 creating a meter parking regulation HIGHLAND AVENUE – East side from a point 125 feet north of Mark Lee Road to Hunnewell Street; and at AVERY SQUARE – North side from HIGHLAND AVENUE to a point 120 feet west of HIGHLAND AVENUE".			
3.	BACK UP INFORMATION ATTACHED	☒ YES	☐ NO
(Describe backup below) 1. Copy of Traffic Regulation for Highland Avenue and Avery Square P14-03-25			

TOWN OF NEEDHAM
BOARD OF SELECTMEN

NOTICE OF TRAFFIC REGULATION

By virtue of the authority vested in the Board of Selectmen of the Town of Needham, it is hereby

VOTED: That the Town of Needham Traffic Rules and Regulations adopted by the Board of Selectmen February 14, 1989 and subsequent amendments thereto be and are hereby further amended as follows:

That Section 7 of Article V relative to PARKING METER ZONES be amended by adding the following:

HIGHLAND AVENUE – East side from a point 125 feet north of Mark Lee Road to Hunnewell Street

AVERY SQUARE – North side from HIGHLAND AVENUE to a point 120 feet west of HIGHLAND AVENUE

VOTED: by the Board of Selectmen at a meeting held on Tuesday, March 25, 2014

BOARD OF SELECTMEN

Permit No. P14-03-25

Date of Passage _____

Attest of Town Clerk _____



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

MEETING DATE: 3/25/2014

Agenda Item	Notice of Experimental Special Permit Parking Regulation - Ellis Street at Mills Field
Presenter(s)	Richard P. Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The PPBC has requested and the Park and Recreation Commission has approved temporary parking for construction vehicles on Ellis Street at Mills Field. This temporary regulation will allow parking for up to 12 vehicles; 12 parking spots will remain for users of the park. NOTE: These regulations are intended on being renewed every 30-days for the next 18-months until the Saint Mary's Pump Station construction is completed.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<u>Suggested Motion:</u> The Board vote to approve the Experimental Traffic Regulation in accordance with the Needham Traffic Rules and Regulations Section 3-6 for Ellis Street; Twelve Special Permit Parking Spots, special permit placard required 6:00 AM to 3:30 PM Monday through Friday in the location as shown on the attached sketch.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below) a. Memo from Phaldie Taliep to the Park and Recreation Department b. Memo from the Park and Recreation Commission c. Drawing location of proposed Special permit parking area			



**Public Facilities Department – Construction
Permanent Public Building Committee**

Town of Needham

470 Dedham Avenue
Needham, MA 02492
781 453-8040
781 449-9023 fax

Memo

Date: February 18, 2014
To: Ms. Patricia Carey, Director
Parks and Recreation Department
From: Phaldie Taliep, PM *MTJ*
Project: St Mary Pump Station Replacement Project
Re: Request for Off-Site Temporary Parking for Contractor use along Ellis Street @ Mills Field

Work (over the next 18 months) to replace the St Mary Street Pump Station is expected to commence on March 3, 2014. On-site parking at the Project Site is tight and off-site temporary parking would be required.

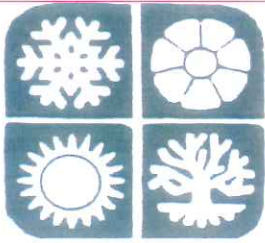
This request for off-site temporary parking would be for up to 12 vehicles. The location for the proposed off-site temporary parking would be as shown on the attached sketch. Use of the off-site temporary parking spaces would fluctuate as the project progresses.

The Contractor would be required to use the space in accordance with the following:

- Provide stakes (8ft apart) to clearly demarcate the bays.
- Provide temporary signs that the bays are for construction use between 6:00AM and 3:30PM M-F.
- Provide "tags" for vehicles. These should be minimum 8.5 x 11 with the following details:
 - o Project Name
 - o Name of Contractor
 - o Phone number of the site project office.
- Vehicles should back into the bays to allow for the "tags" to be read from a police cruiser.

We trust that the above is acceptable.

Attachment: Sketch of Mills Field (Proposed Off-site Temporary Parking)



NEEDHAM PARK AND RECREATION COMMISSION

**Public Services Administration Building (PSAB)
500 Dedham Avenue
Needham, MA 02492-2699**

Tel: (781) 455-7550

Fax: (781) 453-2510

Patricia M. Carey, C.P.R.P.
Director
Karen A. Peirce, C.P.R.P.
Assistant Director

Recorded Community Information – (781) 444-7212

March 3, 2014

Mr. Phaldie Taliep, PM
Public Facilities Department – Construction
500 Dedham Avenue
Needham, MA 02492

Dear Phaldie,

At their February 24, 2014 meeting, the Needham Park and Recreation Commission voted to approve the request for temporary use of some parking spaces at Mills Field for the St. Mary Street Pump Station project. The approval does not include permission to use the area for storage of materials or equipment, and no overnight parking is permitted.

The parking spaces are located within the park on Ellis Street, as noted on the map you provided with the request. Not all parking spaces are available, as at least ten must be kept available within that lot for residents using the tennis courts or visiting the park, and the entire lot must be completely vacated by 3:30 PM each day so that the spaces will be available for park use during the busy afternoon and evening hours. There is no parking, for this purpose, on Hampton Avenue.

Permission is granted for the term of the contract, anticipated to be about 18 months. Approval is given for Monday-Friday. Vehicles should not arrive any earlier than 6 AM and spaces should be vacated by 3:30 PM each day. Please remind the workers that the parking lot is adjacent to a neighborhood, so that noise should be kept to a minimum.

The contractor is required to clearly demarcate the bays, and provide temporary signs indicating that the parking spots will be used by people working on the St. Mary Street Pump Station project on Mondays-Fridays from 6 AM-3:30 PM. Vehicles should back into the spaces, and leave a "tag" on the front dashboard, indicating the vehicle is part of the St. Mary Street Pump Station project. It is preferred that the tags be 8 ½ x 11" and note the project name, contractor name, and phone number for site project office.

Because the parking area is also adjacent to a commercial district, Park and Recreation has had difficulty with business vehicles using the parking spaces for extended periods of time, so in 2003, at the request of the Park and Recreation Commission, the Board of Selectmen designated all of the spots to be available only for 3 hours at a time. I will submit a request to the Board of Selectmen to waive

St. Mary Street Pump Station Project
Parking Approval at Mills Field
March 3, 2014
Page 2 of 2

the requirement for this purpose. I will also notify the Needham Police Department about this agreement.

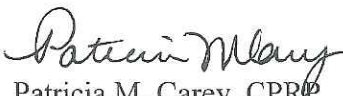
The park at Mills Field has picnic areas and the workers are welcome to use this area at lunch time. There are no restrooms available on site, though. All trash should be picked up and either removed from the site or be placed in a proper trash receptacle. The basketball court is also available for lunch time exercise. Please be aware that there are homes located immediately adjacent to the basketball court, as well as an active playground area. The diamond is for youth, only.

The Needham High School tennis team uses the tennis courts at Mills Field for practices and matches. Weather depending, they will start their practices in mid-March and conclude their season in early June. Most other large uses of the park, particularly the baseball diamond, will start after 4 PM each day. The tennis courts will be used by residents with tennis badges throughout the day. Families will also be visiting the playground that is located in the corner of the park.

Prior to using the parking areas, photos of the parking space conditions should be taken and submitted to Public Facilities-Construction, so that the Town and the contractor are in agreement with conditions. Any damage done to the park by vehicles associated with the St. Mary Pump Station project must be repaired under a plan approved by Public Facilities-Construction Department and the Park and Recreation Department.

In the event that there are problems or concerns, I will address them with Public Facilities-Construction for review with the contractor. Failure to address the problems in a manner satisfactory to the Park and Recreation Commission will result in the withdrawal of approval for use of the spaces. My hope is that we avoid or resolve all issues, and that the St. Mary Street Pump Station project is a successful project.

Sincerely,


Patricia M. Carey, CPRP
Director



MILLS FIELD - PROPOSED OFF-SITE TEMPORARY PARKING



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

MEETING DATE: 3/25/2014

Agenda Item	Open Special Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will recommend that the Board vote to open the warrant for the May 12, 2014 Special Town Meeting. The Warrant is scheduled to be closed on April 9th.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board vote to open the warrant for the May 12, 2014 Special Town Meeting.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Preliminary List of Warrant Articles			

Preliminary List of Articles
May 12, 2014 Special Town Meeting Warrant
3.25.14

1. Unpaid Bills of Prior Years
2. Operating Budget Adjustments
3. Amend Community Preservation Fund
4. Appropriate to Reserve Funds



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

MEETING DATE: 3/25/2014

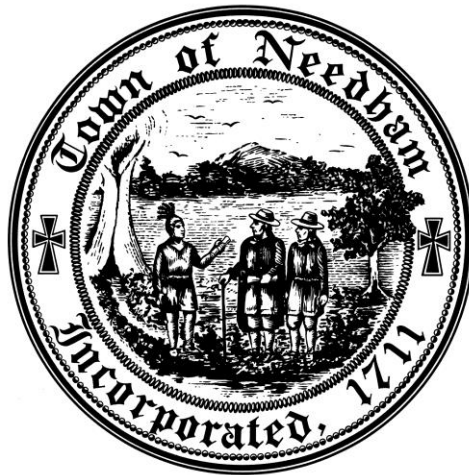
Agenda Item	Update Annual Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will recommend one revision to the Annual Town Meeting Warrant relative to the moisture sensor by-law.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board vote to approve the revision to the 2014 Annual Town Meeting Warrant, subject to technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Annual Town Meeting Warrant (3/21/14) b. Status of Articles (3/12/14)			

TOWN OF NEEDHAM

MASSACHUSETTS

2014 Annual Town Meeting Warrant



Election: Tuesday, April 8, 2014

Business Meeting at 7:30 p.m. on Monday, May 5, 2014

At the James Hugh Powers Hall, Needham Town Hall

DRAFT

Additional information on particular warrant articles will be made available from time to time at www.needhamma.gov/townmeeting during the weeks leading up to the Annual Town Meeting.

Article	Description	Inserted By	Page
1	Annual Town Election		
2	Ballot Question – Grant Licenses for the Sale of All Alcohol		
3	Ballot Question – General Override: School Department		
4	Committee and Officer Reports	Board of Selectmen	
HUMAN RESOURCES ARTICLES			
5	Establish Elected Officials' Salaries	Personnel Board	
6	Fund Collective Bargaining Agreement - ITWA	Board of Selectmen	
7	Fund Collective Bargaining Agreement – NIPEA/DPW	Board of Selectmen	
FINANCE ARTICLES			
8	Accept Chapter 73, Section 4 of the Acts of 1986	Board of Selectmen	
9	Appropriate for Needham Property Tax Assistance Program	Board of Selectmen	
10	Appropriate for Blue Tree Replacement	Board of Selectmen	
11	Appropriate the FY2015 Operating Budget	Finance Committee	
12	Appropriate the FY2015 RTS Enterprise Fund Budget	Board of Selectmen & Finance Committee	
13	Appropriate the FY2015 Sewer Enterprise Fund Budget	Board of Selectmen & Finance Committee	
14	Appropriate the FY2015 Water Enterprise Fund Budget	Board of Selectmen & Finance Committee	
15	Continue Departmental Revolving Funds	Board of Selectmen	
16	Establish Revolving Fund – Water Conservation	Board of Selectmen	
17	Authorization to Expend State Funds for Public Ways	Board of Selectmen	
ZONING / LAND USE ARTICLES			
18	Amend Zoning By-law: Medical Marijuana Overlay District	Planning Board	
19	Amend Zoning By-Law – Map Change to Medical Marijuana Overlay District	Planning Board	
20	Amend Zoning By-Law – Interim Regulations for Medical Marijuana Uses	Planning Board	
21	Amend Zoning By-Law – Site Plan Review	Planning Board	
22	Amend Zoning By-Law – Off-Street Parking Requirements	Planning Board	
23	Amend Zoning By-Law – Indoor Athletic or Exercise Facilities in an Industrial and Industrial -1 District	Planning Board	
GENERAL ARTICLES / CITIZENS' PETITIONS / COMMITTEE ARTICLES			
24	Amend General By-Law – Bows and Arrows	Board of Selectmen	
25	Amend General By-Law – Private Ways	Board of Selectmen	
26	Amend General By-Law – Sign By-Law	Board of Selectmen	
27	Amend General By-Law – Municipal Water Supply	Board of Selectmen	
28	Amend General By-Law – Sign By-Law (Electronic Billboard)	Board of Selectmen	

Article	Description	Inserted By	Page
29	Accept the Provisions of M.G.L. c. 59 Section 5N – Veterans	Board of Selectmen	
30	Amend District Agreement – Minuteman Regional School	Board of Selectmen	
COMMUNITY PRESERVATION ACT ARTICLES			
31	Appropriate for Ridge Hill Boardwalk & Bridge Replacement	Community Preservation Committee	
32	Appropriate for Town Common Historic Re-design	Community Preservation Committee	
33	Appropriate for Memorial Park Improvements	Community Preservation Committee	
34	Appropriate for Vital Records Preservation	Community Preservation Committee	
35	Appropriate to Community Preservation Fund	Community Preservation Committee	
CAPITAL ARTICLES			
36	Rescind Debt Authorizations	Board of Selectmen	
37	Appropriate for General Fund Cash Capital	Board of Selectmen	
38	Appropriate for Public Works Infrastructure Program	Board of Selectmen	
39	Appropriate for Central Avenue/Eliot Street Bridge Design	Board of Selectmen	
40	Appropriate for RTS Enterprise Fund Cash Capital	Board of Selectmen	
41	Appropriate for Sewer Enterprise Fund Cash Capital	Board of Selectmen	
42	Appropriate for Water Enterprise Fund Cash Capital	Board of Selectmen	
TOWN RESERVE ARTICLES			
43	Appropriate to Athletic Facility Improvement Fund	Board of Selectmen	
44	Appropriate to Capital Improvement Fund	Board of Selectmen	
45	Appropriate to Capital Facility Fund	Board of Selectmen	
46	Omnibus	Board of Selectmen	

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 8, 2014
TOWN OF NEEDHAM
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 in their respective voting places in said Town namely:

Precinct A	-	The Center at the Heights
Precinct B	-	The Center at the Heights
Precinct C	-	Newman School - Gymnasium
Precinct D	-	Newman School - Gymnasium
Precinct E	-	Broadmeadow School - Performance Center
Precinct F	-	Needham High School – Gymnasium
Precinct G	-	Needham High School – Gymnasium
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, THE EIGHTH DAY OF APRIL, 2014

from seven o'clock in the forenoon, until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: ANNUAL TOWN ELECTION

To choose by ballot the following Town Officers:

One Moderator for One Year;
Two Selectmen for Three Years;
One Assessor for Three Years;
Two Members of School Committee for Three Years;
One Member of School Committee for Two Years;
One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years;
Three Trustees of Needham Public Library for Three Years;
One Member of Board of Health for Three Years;
One Member of Planning Board for Five Years;
One Member of Needham Housing Authority for Five Years;
One Commissioner of Trust Funds for Three Years;
One Member of Park and Recreation Commission for Three Years;
Two Constables for Three Years.
Eight Town Meeting Members from Precinct A for Three Years;
Eight Town Meeting Members from Precinct B for Three Years;
One Town Meeting Member from Precinct B for Two Years;
Eight Town Meeting Members from Precinct C for Three Years;
Eight Town Meeting Members from Precinct D for Three Years;

One Town Meeting Member from Precinct D for Two Years;
Eight Town Meeting Members from Precinct E for Three Years;
Eight Town Meeting Members from Precinct F for Three Years;
One Town Meeting Member from Precinct F for One Year;
Eight Town Meeting Members from Precinct G for Three Years;
Eight Town Meeting Members from Precinct H for Three Years;
Eight Town Meeting Members from Precinct I for Three Years;
Eight Town Meeting Members from Precinct J for Three Years.

ARTICLE 2: BALLOT QUESTION

To submit the following question upon the official ballot to the voters of the Town:

QUESTION 1: BALLOT QUESTION: Authorizing the Town to Grant Certain Licenses for the Sale of All Alcoholic Beverages to be Drunk on the premises.

“Shall the Town of Needham, acting through its licensing authority, be granted the authority to issue licenses for the sale of all alcoholic beverages to be drunk on the premises to restaurants with a seating capacity of fewer than 100 persons?”

Summary: Acceptance of this act by the voters of the Town of Needham will authorize its Board of Selectmen to issue licenses for the sale and serving of all alcoholic beverages by restaurants with a seating capacity of less than 100 persons to be consumed on the premises. All other provisions of General Laws, Chapter 138 (Alcoholic Liquors) shall apply to the sale and serving of alcoholic beverages by restaurants with a seating capacity of less than 100 persons."

ARTICLE 3: BALLOT QUESTON

To submit the following question upon the official ballot to the voters of the Town:

QUESTION 2: GENERAL OVERRIDE: SCHOOL DEPARTMENT

“Shall the Town of Needham be allowed to assess an additional \$1,548,410 in real estate and personal property taxes for the purpose of funding operating expenses for the Public Schools for the fiscal year beginning July first, two thousand fourteen?”

Warrant for the Annual Town Meeting

Monday, May 5, 2014 at 7:30 p.m. at Needham Town Hall

ARTICLE 4: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

HUMAN RESOURCE ARTICLES

ARTICLE 5: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2014, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$71,522
Town Clerk with 6 years of service in that position	\$88,414 (1)
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$5,304, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$47,484. The annual salary of \$88,414 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$9,011. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$12,616; or take any other action relative thereto.

INSERTED BY: Personnel Board
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information: In accordance with M.G.L. Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits close to that of other full-time employees. Payment for longevity, as well as buy-back of sick leave and vacation no later than the time of separation from Town service, is included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000; such payment to be made no later than the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

ARTICLE 6: FUND COLLECTIVE BARGAINING AGREEMENT – ITWA

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Independent Town Workers Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2015; or take any

other action relative thereto.

INSERTED BY: Personnel Board
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE 7: FUND COLLECTIVE BARGAINING AGREEMENT – NIPEA/DPW

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Independent Public Employees' Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2015; or take any other action relative thereto.

INSERTED BY: Personnel Board
FINANCE COMMITTEE RECOMMENDS THAT:
PERSONNEL BOARD RECOMMENDS THAT:

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

FINANCE ARTICLES

ARTICLE 8: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986

To see if the Town will vote to accept, for fiscal year 2014 the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 100% for each eligible exemption; or take any other action relative thereto.

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

Article Information: Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair

cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2014, the cumulative increase above the statutory limit was 99%.

ARTICLE 9: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$13,805 for the purpose of funding the Needham Property Tax Assistance Program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The voluntary fund received \$13,805 in fiscal year 2013.

ARTICLE 10: APPROPRIATE FOR BLUE TREE REPLACEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$35,000 for replacement of the Blue Tree, to be spent under the direction of the Town Manager and 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 purpose of this article is to provide funding for the replacement of the historic Blue Tree in the Town Common. The Town's Tree Warden is recommending that it be replaced with a large tree to carry on the Town's long holiday tradition. At this time, the plan is to relocate a 12 inch caliper, 30 foot tall Red Maple tree. The current Blue Tree is a 30 inch caliper, 70 foot tall Sugar Maple tree.

ARTICLE 11: APPROPRIATE THE FY2015 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$40,000, from Free Cash in the amount of \$1,650,088, from the overlay surplus in the amount of \$500,000, from amounts reserved for debt exclusion offsets in the amount of \$105,026, and \$475,763 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and

further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted as Shown on Pages X - X

ARTICLE 12: APPROPRIATE THE FY2015 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2015, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Town of Needham RTS Enterprise								
Line #	Description	FY2013		FY2014		FY2015		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Salary & Wages	\$592,415	9.0	\$666,915	9.0	\$710,556	10.0	
101B	Expenses	\$1,109,085		\$1,221,816		\$1,225,721		
101C	Operating Capital	\$36,850		\$60,000		\$81,000		
101D	Debt Service	\$149,563		\$150,000		\$150,000		
102	Reserve Fund	Transfers Only		\$25,000		\$25,000		
TOTAL		\$1,887,913	9.0	\$2,123,731	9.0	\$2,192,277	10.0	
FY2015 Budget Percentage Change from FY2014 Budget							3.2%	

and further to meet this appropriation that \$1,420,000 be raised from the tax levy and transferred to the RTS Enterprise Fund; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 13: APPROPRIATE THE FY2015 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2015, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham
Sewer Enterprise**

Line #	Description	FY2013		FY2014		FY2015		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Salary & Wages	\$893,432	12.0	\$931,141	12.0	\$939,465	12.0	
201B	Expenses	\$437,388		\$369,945		\$352,958		
201C	Capital Outlay	\$21,830		\$25,000		\$25,000		
201D	MWRA Assessment	\$5,381,187		\$5,423,810		\$5,468,475		
201E	Debt Service	\$1,377,289		\$1,500,000		\$1,500,000		
202	Reserve Fund	Transfers Only		\$35,000		\$35,000		
TOTAL		\$8,111,126	12.0	\$8,284,896	12.0	\$8,320,898	12.0	
FY2015 Budget Percentage Change from FY2014 Budget								0.4%

and further to meet this appropriation that \$463,430 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and \$308,000 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

Article Information:

ARTICLE 14: APPROPRIATE THE FY2015 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2015, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham
Water Enterprise**

Line #	Description	FY2013		FY2014		FY2015		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Salary & Wages	\$938,387	16.0	\$1,048,593	16.0	\$1,053,177	16.0	
301B	Expenses	\$1,022,501		\$1,047,350		\$1,079,548		
301C	Capital Outlay	\$49,002		\$31,500		\$40,200		
301D	MWRA Assessment	\$964,345		\$1,271,018		\$1,194,022		
301E	Debt Service	\$1,255,780		\$1,550,000		\$1,550,000		
302	Reserve Fund	Transfers Only		\$75,000		\$75,000		
TOTAL		\$4,230,015	16.0	\$5,023,461	16.0	\$4,991,947	16.0	
FY2015 Budget Percentage Change from FY2014 Budget							-0.6%	

and further to meet this appropriation that \$432,000 be transferred from Water 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

Article Information:

ARTICLE 15: CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2014:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2015 Budget
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,100
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	\$60,000
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	\$75,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home composting bins	\$3,000

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2015 Budget
Youth Services Activities	Youth Services Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000
School Transportation Program	School Committee	Fee-Based Transportation Program Receipts	Pupil and other District-wide transportation	\$819,000
Facility Activity Use	Director of Facility Operations	Fee-Based Facility Use	Community Facility Use	\$250,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.

ARTICLE 16: ESTABLISH REVOLVING FUND – WATER CONSERVATION

To see if the Town will vote to authorize a revolving fund for the Department of Public Works under MGL Chapter 44 Section 53E1/2, that may be spent by the Director of Public Works without further appropriation during fiscal year 2015 for the purposes of paying expenses related to water conservation devices. The Water Conservation Revolving Fund is to be credited with all proceeds from the sale by the

Town of water conservation devices, and the Director of Public Works may spend \$10,000 in revolving fund monies; or take any other action thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to establish a new revolving fund for the purchase and sale of water-saving devices such as rain barrels and moisture sensors to assist residents in conserving water and complying with non-essential outdoor water restrictions.

ARTICLE 17: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY2015 award amounts had not been released.

ZONING / LAND USE ARTICLES

ARTICLE 18: AMEND ZONING BY-LAW – MEDICAL MARIJUANA OVERLAY DISTRICT

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

- (a) Amend Section 1.3 Definitions, by adding the following term and definition in the appropriate alphabetical location as follows:

“Marijuana Dispensary, Registered: Registered Marijuana Dispensary, also known as RMD or Medical Marijuana Treatment Center, shall mean an establishment properly registered with the Massachusetts Department of Public Health under 105 CMR 725.100 that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers.”

- (b) Amend Section 2.1 Classes of Districts, by adding the following term and abbreviation under the subsection Overlay:

“MM – Medical Marijuana Overlay”

- (c) Amend Section 3 Use Regulations, by adding a new Subsection 3.14, Medical Marijuana Overlay District, to read as follows:

“3.14 Medical Marijuana Overlay District

3.14.1 Purpose of District

The purpose of the Medical Marijuana Overlay District is to provide for the limited establishment of Registered Marijuana Dispensaries as they are authorized pursuant to state regulations set forth at 105 CMR 725.000, Implementation of an Act for the Humanitarian Medical Use of Marijuana. Given that Registered Marijuana Dispensaries shall be limited in number and strictly regulated by the Massachusetts Department of Public Health, these zoning regulations intend to permit them where there is access to regional roadways and public transportation, where they may be readily monitored by law enforcement for health and public safety purposes, and where they will not impact the character of residential neighborhoods and business districts.

3.14.2 Scope of Authority

The Medical Marijuana Overlay District shall be considered as overlying other use districts established by this By-Law. Within the Medical Marijuana 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 3.14 applies to Registered Marijuana Dispensaries proposed to be constructed after the effective date of this section.

3.14.3 Establishment

The locations permitted shall be within the Medical Marijuana Overlay District.

3.14.4 Requirements

3.14.4.1 Use. Notwithstanding the use limitations of the underlying zoning district or any other overlay zoning district, a Registered Marijuana Dispensary shall be allowed within the Medical Marijuana Overlay District upon the granting of a special permit by the Planning Board, subject to the requirements set forth in this Section.

3.14.4.2 Registration. All permitted Registered Marijuana Dispensaries shall be properly registered with the Massachusetts Department of Public Health pursuant to 105 CMR 725.100 and shall comply with all applicable state and local public health regulations and all other applicable state and local laws, rules and regulations at all times. No Building Permit or Certificate of Occupancy shall be issued for a Registered Marijuana Dispensary that is not properly registered with the Massachusetts Department of Public Health.

3.14.4.3 Limitation of Approval. A special permit authorizing the establishment of a Registered Marijuana Dispensary shall be valid only for the registered entity to which the special permit was issued, and only for the site on which the Registered Marijuana Dispensary has been authorized

by special permit. If the registration for a Registered Marijuana Dispensary has been revoked, transferred to another controlling entity, or relocated to a different site within the Medical Marijuana Overlay Districts, a new special permit shall be required prior to issuance of a Certificate of Occupancy.

3.14.4.4 Building. A Registered Marijuana Dispensary shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home deliveries to qualified clients pursuant to applicable state and local regulations.

3.14.4.5 Dimensional Requirements. Except where it is explicitly stated otherwise in this Section 3.14, a Registered Marijuana Dispensary shall conform to the dimensional requirements applicable within the underlying zoning district in which the facility is to be located.

3.14.4.6 Parking and Loading. Notwithstanding anything to the contrary in Section 5.1.2 of this By-Law, the required number of parking spaces for a Registered Marijuana Dispensary shall be determined by the Planning Board based on the expected parking needs of occupants, users, guests, or employees of the proposed business, with said determination to be based on the ITE Parking Generation Manual, 2nd Edition, or an alternative technical source determined by the Planning Board to be equally or more applicable. At least one loading bay shall be provided and may not be shared with any other use; however, the Planning Board may require a greater number of loading bays if it finds that one loading bay shall not be sufficient. Except as set forth above, all parking and loading facilities shall conform to the design requirements set forth in Section 5.1.3.

3.14.4.7 Signage. All signage shall conform to the requirements of 105 CMR 725.105(L) and to the requirements of Article 5 of the Town of Needham General By-Laws. No graphics, symbols or images of marijuana or related paraphernalia shall be displayed or made clearly visible from the exterior of a Registered Marijuana Dispensary. The Planning Board may impose additional restrictions on signage to mitigate impact on the immediate neighborhood.

3.14.5 Application Requirements

In addition to the procedural and application requirements of Section 7.4 and Section 7.5.2 of the By-Law, an application for special permit shall include, at a minimum, the following information:

3.14.5.1 Description of Activities: A narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of marijuana or marijuana infused products (MIPs), on-site sales, off-site deliveries, distribution of educational materials, and other programs or activities.

3.14.5.2 Service Area: A map and narrative describing the area proposed to be served by the Registered Marijuana Dispensary and the anticipated number of clients that will be served within that area. This description shall indicate where any other Registered Marijuana Dispensaries exist or have been proposed within the expected service area.

3.14.5.3 Transportation Analysis: A quantitative analysis, prepared by a qualified transportation specialist acceptable to the Planning Board, modeling the expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.

3.14.5.4 Context Map: A map depicting all properties and land uses within a one thousand-foot (1,000') radius of the project site, whether such uses are located in Needham or within surrounding communities, including but not limited to all educational uses, daycare, preschool and afterschool programs.

3.14.5.5 Registration Materials: Copies of registration materials issued by the Massachusetts Department of Public Health and any materials submitted to the Massachusetts Department of Public Health for the purpose of seeking registration, to confirm that all information provided to the Planning Board is consistent with the information provided to the Massachusetts Department of Public Health.

3.14.5.6 Special Permit Criteria. In granting a special permit for a Registered Marijuana Dispensary, in addition to the general criteria for issuance of a special permit as set forth in Section 7.4 and Section 7.5.2 of this By-Law, the Planning Board shall find that the following criteria are met:

- (a) The Registered Marijuana Dispensary is located to serve an area that currently does not have reasonable access to medical marijuana, or if it is proposed to serve an area that is already served by other Registered Marijuana Dispensaries, it has been established by the Massachusetts Department of Public Health that supplemental service is needed.
 - (b) The site is located at least five hundred feet distant from a public or private elementary school, middle school, or secondary school, or a municipal park or playground, or if not located at such a distance, it is determined by the Planning Board to be sufficiently buffered from such facilities such that its users will not be adversely impacted by the operation of the Registered Marijuana Dispensary. The distance under this section is measured in a straight line from the nearest point of the property line of the protected use identified in this section to the nearest point of the proposed Registered Marijuana Dispensary.
 - (c) The Registered Marijuana Dispensary is not located in a building that contains a licensed daycare center, or any facility providing educational, recreational or social programs or activities attended primarily by children enrolled with such facility.
 - (d) The site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site whether driving, bicycling, walking or using public transportation.
 - (e) Traffic generated by client trips, employee trips, and deliveries to and from the Registered Marijuana Dispensary shall not create a significant adverse impact on nearby residential uses.
 - (f) Loading, refuse and service areas are designed to be secure and shielded from abutting uses.
 - (g) The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior."
- (d) Amend Section 8 Interim Regulations for Medical Marijuana Uses, by deleting the Section in its entirety.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information: Article 18, in combination with Article 19, proposes to create the Medical Marijuana Overlay District. Article 18 lays out the regulatory framework for the new overlay district while Article 19 describes its geographic boundaries. The Medical Marijuana Overlay District would include all land located in the Mixed Use-128 (MU-128) District and the portion of the Highland Commercial-128 (HC-128) District located north of Highland Avenue and west of Second Avenue.

Medical Marijuana in Massachusetts

In November, 2012, Massachusetts voters approved a Law for the Humanitarian Medical Use of Marijuana, which permits the use of marijuana or marijuana-infused products (MIPs, such as foods or tinctures) by patients with certain debilitating and/or terminal illnesses with their doctor's certification.

The law specified that the Massachusetts Department of Public Health would be responsible for promulgating regulations to implement the law, and would be responsible for registering up to 35 Medical Marijuana Treatment Centers (also known as Registered Marijuana Dispensaries, or RMDs) within the state during the first year of implementation, with at least one but no more than five located in each county. In future years, the Massachusetts Department of Public Health may register more RMDs if the number is found insufficient to meet patients' needs. The Massachusetts Department of Public Health will also register qualifying patients.

In May, 2013, the Public Health Council approved regulations presented by the Massachusetts Department of Public Health with regard to the certification and administration of medical marijuana (105 CMR 725.000). According to the Massachusetts regulations, a Registered Marijuana Dispensary (RMD) is a not-for-profit entity that cultivates, prepares, and dispenses marijuana or MIPs only to qualifying patients or their caregivers. RMDs, qualifying patients and caregivers must be registered with the Massachusetts Department of Public Health.

In Massachusetts, an RMD must cultivate, prepare and dispense marijuana and MIPs in a vertically-integrated way. RMDs may not buy or sell marijuana amongst each other, except in unusual circumstances. However, an RMD may operate on two different sites, with cultivation occurring at one location and dispensing occurring at the other. Also, a single corporate entity may control up to three RMDs in the state which may share a cultivation site.

The state regulations are comprehensive, and serve two primary purposes, 1) to strictly control the distribution of the drug so that only those with a legitimate medical reason have access, and 2) to avoid promotion of the use of marijuana outside of medicinal purposes. The regulations permit local regulatory oversight so long as it does not conflict or interfere with the state regulations. Some of the state regulations that are most pertinent to local planning and zoning considerations are summarized below:

- *Access Limitations:* Only registered qualifying patients and their registered caregivers are permitted to enter an RMD. Identification will be checked upon entry. Moreover, products may not be visible to passersby outside the RMD, and within the RMD only samples may be displayed in locked cases.

- *Branding and Signage:* Only the registered name and logo of the RMD are allowed to be displayed. Signage may not include any graphic representations of marijuana or paraphernalia, the word marijuana or any colloquial terms for marijuana, medical symbols, or any information about products or pricing.

- *Security:* All marijuana must be stored in a secure, locked area within the RMD that is accessible only to designated employees. Perimeter alarms are required along with 24-hour video surveillance of all access and egress points and parking areas. Security lighting is required around the perimeter and any trees, bushes or other foliage must not allow for hiding places.
- *Deliveries:* An RMD may offer home delivery. However, all marijuana must be transported in an unmarked vehicle with a locked storage compartment that is part of the vehicle and must be operated by at least two dispensary agents. Although it is not specifically required in the regulations, an RMD offering deliveries may need an enclosed loading/unloading area to ensure proper security.
- *Supply:* An RMD is allowed only to dispense up to a 60-day supply of marijuana or MIPs to a registered qualifying patient, and must limit its total supply on-hand to reflect the projected needs of its patients.
- *Accessory Activities:* An RMD may only sell marijuana, MIPs and vaporizers, but no other marijuana-related paraphernalia. An RMD may distribute patient education materials as required, but may not sell or distribute any promotional or other items. No consumption of marijuana is allowed on the premises, except for the purpose of demonstrating proper use of vaporizers. No other unrelated activities are allowed to occur within the RMD.
- *Siting:* According to the state regulations, an RMD must be sited at least 500 feet from a school, daycare center, or any facility in which children commonly congregate if no local siting regulations exist.

Regulatory Oversight in Needham

Before the Law for the Humanitarian Medical Use of Marijuana took effect in January, 2013, Needham (along with many other municipalities) enacted a zoning moratorium on the establishment of medical marijuana dispensaries, to allow for time to review the state regulations and consider local regulations that fit within the statewide framework. In March, 2013, the state Attorney General issued legal opinions to towns that had enacted a moratorium or a complete ban on marijuana dispensaries (Burlington and Wakefield, respectively). In summary, these opinions concluded that a temporary moratorium and reasonable zoning restrictions were appropriate, but that marijuana dispensaries could not be completely banned from a municipality.

While the Needham moratorium has been in effect, representatives from various Town departments and Boards, including the Planning and Community Development Department, Health Department, Legal Department, Police Department, Building Department, Town Manager's office, Board of Selectmen and Planning Board have met to review the statewide regulations and to discuss local regulatory approaches. The expectation for Needham is that land use characteristics such as location, parking and urban design would be controlled through the zoning by-law with the operational aspects of RMDs controlled through Town regulations to be enforced locally in addition to state public health regulations.

Land Use Considerations

The zoning approach recommended by the Planning Board follows the lead of the state law and regulations by treating RMDs as regional service providers with a limited, specialized function and a client base that will be spread across a large service area. The following land use topics were considered by the Board:

- *Use Compatibility.* As a business use, RMDs would not be considered appropriate for residential neighborhoods. Compatibility with neighborhood-scale retail districts is also an issue because, unlike neighborhood-serving retail stores, they would serve a select, regional clientele and not the

neighborhood as a whole. Also, the security requirements may conflict with the pedestrian-friendly storefront character that is carefully cultivated in many retail areas.

- *Transportation.* Because of their regional nature, it is important to consider access to public transportation as well as regional roadways, since clients may travel from areas without access to public transportation or may otherwise need to use a car. Locations that would bring excess auto traffic to smaller residential streets should be discouraged. Availability of parking is also an issue. For RMDs that make deliveries, the potential for secure loading facilities may also be a factor.
- *Public Safety.* The Police Department has expressed the importance of being able to effectively respond to emergency calls at or near an RMD site. Therefore, isolated areas without convenient street access should be avoided.
- *Urban Design.* The access and security requirements for RMDs have the potential to create a streetfront that is visually unfriendly to pedestrians or a design that is out of character with surrounding uses. This concern could be mitigated through careful urban design, and therefore binding design review should be considered as an appropriate measure.
- *Distance from Child-Oriented Facilities.* The Board found it prudent to adhere to the statewide standard of a 500-foot buffer from schools, municipal parks and playgrounds. The "default" state regulations would, however apply that 500 foot buffer zone not only to schools but also to daycare centers and "any facility in which children commonly congregate." The Board did not recommend such language in recognition of the fact that -if the state language were adopted without modification - the location of multiple daycare centers and facilities providing programs for children throughout the overlay district would effectively prohibit RMDs in the Town. At the same time the Board did recommend that RMDs not be located in the actual building where a licensed daycare center is located or where a facility providing educational, recreational or social programs for children is located.

Proposed Zoning Amendment

Based on the above considerations, the zoning amendment contained in Articles 18 and 19 takes the following approach: 1) identifies the overlay districts in which the RMD use will be allowed; 2) establishes that the use will only be allowed by special permit from the Planning Board; 3) describes the submittal requirements to be included in an RMD application; and 4) establishes the special permit criteria unique to this use that will be utilized in the review of a given proposal.

- *Overlay District Location.* The amendment limits RMDs to the Mixed Use-128 (MU-128) District and the portion of the Highland Commercial-128 (HC-128) District located north of Highland Avenue and west of Second Avenue, since they are commercial districts with access to the regional roadway network. The noted districts also contain many sites that have the potential for on-site parking and loading and are adequately distanced from schools and other child-oriented facilities.
- *Special Permit Requirement.* Given the still unknown aspects of these facilities and a desire for close review, the amendment proposes to permit the RMD use by special permit from the Planning Board. The special permit requirement would allow for meaningful review of design and transportation impacts, as well as a greater level of oversight and assurance that an RMD will be operated in a manner that is consistent with the intent of the zoning and other regulations.
- *Submittal Requirements.* There are a number of additional submittal requirements proposed for RMDs in order to allow for the necessary review of a given proposal in the special permit process. These include: 1) a description of proposed activities on the site; 2) a service area map; 3) a transportation impacts analysis; 4) a context map (allowing analysis of nearby land uses and potential impacts); and 5)

copies of registration materials issued by the Department of Public Health as well as copies of any application materials submitted.

• *Special Permit Criteria. The special permit criteria as contained in the amendment are intended to reinforce the requirements of the Massachusetts Department of Public Health regulations and advance local interests with regard to the possible impacts of a RMD. To that end, these criteria include consideration of the dispersal of these facilities based on anticipated demand, compatibility with the surrounding area, access to regional transportation facilities, environmental impacts on abutters, overall urban design and consideration of security and law enforcement issues as well as the standard special permit criteria currently provided in Sections 7.4.6 and 7.5.2.2 of the Needham Zoning By-Law. Additionally, a 500-foot buffer from a public or private elementary school, middle school, or secondary school, or a municipal park or playground is established with the Planning Board having the option to reduce this 500 foot buffer in circumstances where existing conditions provide a sufficient buffer and/or the proposed RMD use will not have a negative impact on neighboring land uses. Furthermore, the RMD use is prohibited in a building that contains a licensed daycare center, or any facility providing educational, recreational or social programs or activities attended primarily by children enrolled with such facility. Finally, the special permit is specifically identified as being non-transferable and only valid for a permitted RMD while its permit remains valid with the Massachusetts Department of Public Health.*

**ARTICLE 19: AMEND ZONING BY-LAW – MAP CHANGE TO MEDICAL MARIJUANA
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 Medical Marijuana Overlay District all that land described under Article 3, paragraph 2 of the March 25, 2002 Special Town Meeting, superimposing that district over the existing Mixed Use 128 District (MU-128), said description being as follows:

“Beginning at the point of intersection of the easterly sideline of the Circumferential State Highway Layout of 1953, and the centerline of the MBTA right-of-way thence running northeasterly by said centerline to a point with its intersection with the centerline of the Charles River, thence turning and running southeasterly by the centerline of the Charles River to its intersection with a line 100 ft. northerly and parallel to the northerly sideline of Highland Avenue, thence turning and running westerly by said parallel line to its intersection with the westerly most sideline of Highland Circle, thence turning and running by said centerline northwesterly and westerly to the point of intersection with a line 200 ft. northerly from and parallel to the northerly sideline of Highland Avenue, thence running westerly by said parallel line to a point of intersection with the easterly lot line of Lot 2, as shown on a plan recorded in the Norfolk County Registry of Deeds as Plan 1364 of 1988, thence running southerly by said lot line to a point, thence turning and running westerly by the southerly lot line of Lot 2 to the point of intersection with the easterly sideline of Brook Road thence continuing in the same direction of said lot line to the intersection of the line of the end of Brook Road at the easterly sideline of the Circumferential Highway Layout of 1953, thence northerly by said Highway Layout to the point of beginning.”

- (b) Place in the Medical Marijuana Overlay District a portion of the Highland Commercial -128 District (HC-128) located north of Highland Avenue, superimposing that district over the portion of the Highland Commercial -128 District (HC-128) bounded and described as follows:

“Beginning at the point of intersection of the centerline of Highland Avenue and the easterly sideline of the Circumferential State Highway Layout of 1953, known as Route 128 (Interstate Route 95); thence running northerly along said sideline of the Circumferential State Highway to the point of intersection of said Circumferential Highway and the westerly projection of the southerly lot line at the end line of Brook Road of Lot 2 as shown on a plan recorded in the Norfolk County Registry of Deeds as Plan 1364 of 1988, thence running easterly by said projection and said southerly lot line of Lot 2 to a point, thence turning and running northerly by the easterly lot line of Lot 2 to a point of intersection with a line 200 ft. from a parallel to the northerly sideline of Highland Avenue, thence running easterly by said line 200 ft. to a point of intersection on the lot line of Lot B as shown on a plan recorded in the Norfolk County Registry of Deeds as Plan 789 of 1998, thence running southeasterly by said lot line to the intersection of the centerline of Highland Avenue, thence running by said center line westerly to the point of beginning.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information: This article describes the geographical boundaries of the new Medical Marijuana Overlay District. The Medical Marijuana Overlay District would include all land located in the Mixed Use-128 (MU-128) District. The Mixed Use-128 (MU-128) District is bounded by Route 128 to the west, the rear lot lines of properties on Highland Avenue to the south, the Charles River to the east, and the elevated rail line to the north. Also included in the Medical Marijuana Overlay District is the portion of the Highland Commercial-128 (HC-128) District located north of Highland Avenue and west of Second Avenue. The affected portion of the Highland Commercial-128 District includes all properties fronting on the north side of Highland Avenue between Route 128 and Second Avenue. The district boundary typically follows the rear lot lines of properties along the north side of Highland Avenue to a depth of 200 feet.

ARTICLE 20: AMEND ZONING BY-LAW - INTERIM REGULATIONS FOR MEDICAL MARIJUANA USES

To see if the Town will vote to amend the Zoning By-Law, Section 8, Interim Regulations for Medical Marijuana Uses, Subsection 8.6, Expiration, by revising the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

“8.6 Expiration

This Section 8 shall be effective through December 30, 2014.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information: This article seeks to amend the Town's Zoning By-law so as to extend the interim moratorium on the location of medical marijuana facilities in the Town of Needham from March 1, 2014 until December 31, 2014. If it is determined through the Town Meeting process that the zoning proposed under Articles 18 and 19 above should not be adopted at this time, this amendment would retain all of the existing zoning text except for the March 1, 2014 expiration date. This would result in December 31, 2014 being the final expiration date, and would allow additional time to develop an alternative proposal.

ARTICLE 21: AMEND ZONING BY-LAW – SITE PLAN REVIEW

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

- (a) Amend Section 7.4 Site Plan Review, Subsection 7.4.2, Definitions, by deleting the phrase “or any construction project which changes an exterior façade” from the first sentence of the fifth paragraph and by further deleting the last sentence thereof which reads “(For purposes of this section, façade change shall not include provision of awnings nor the replacement of windows and doors provided such items conform with the design standards as articulated in the ‘Town of Needham, Design Guidelines for the Business District’, dated August 15, 1985.)” so that the entire paragraph shall now read as follows:

“In the Center Business District, a **MAJOR PROJECT** is any construction project which creates or adds gross floor area; or any project which involves a change in part or all of an existing building or lot from one use category to another as defined under Subsection 3.2.2 of this By-Law and which results in an increase in the number of required parking or loading spaces.”

- (b) Amend Section 7.4 Site Plan Review, Subsection 7.4.2, Definitions, by adding the underlined language at the end of the twelfth paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“In the Center Business District, a **MINOR PROJECT** is any construction project which involves a change in the exterior façade of a building and the project is not a Major Project as defined by this By-Law. Notwithstanding any provision of this Section 7.4 requiring site plan approval by the Planning Board, any construction project which only involves a change in the exterior façade of a building shall be subject to review by and approval of the Design Review Board. Any person aggrieved by a decision of the Design Review Board may seek de novo review of the façade change from the Planning Board, which may approve or disapprove the façade change, by filing an application with the Planning Board within ten (10) days of the Design Review Board’s filing of its decision with the Building Inspector. At least seven days prior to the Planning Board’s meeting scheduled to review the application (see next sentence), if the aggrieved party is the original applicant, said original applicant shall post a Planning Board approved form of notice of the meeting in a publicly visible location upon the subject building and place a copy of said approved form of notice in a local paper. Within twenty (20) days of receipt of the application, the Planning Board shall hold a meeting, to which the original applicant shall be invited, for the purpose of conducting a review of the proposed façade changes. Within fifteen (15) days of the meeting, the Planning Board shall issue its decision and deliver copies of

same to the applicant, the Design Review Board and the Building Inspector.”

- (c) Amend Section 7.4 Site Plan Review, Subsection 7.4.3, Requirements, by revising the first sentence of the third paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“**MINOR PROJECTS** – In the case of a minor project not requiring a special permit from the Board of Appeals and except as provided otherwise in Section 7.4.2 for a minor project that only involves a change in the exterior façade of a building in the Center Business District, the Planning Board shall conduct the Site Plan Review and issue a report to the applicant with a copy of said report to the Building Inspector within thirty-five (35) days from the date of filing of the Site Plan. Failure of the Board to issue said report within the 35 days shall be construed as satisfying this section.”

- (d) Amend Section 7.7 Design Review, Subsection 7.7.2, Design Review Board, Subparagraph 7.7.2.2, Authority and Specific Powers, by revising the first paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“The Design Review Board shall review requests for site plan review and approval submitted in accordance with Section 7.4 Site Plan Review and requests for special permits in accordance with Section 4.2.5 Planned Residential Development and Section 4.2.4 Flexible Development and, for a minor project that only involves a change in the exterior façade of a building in the Center Business District, shall review and may approve such façade change.”

- (e) Amend Section 7.7 Design Review, Subsection 7.7.2, Design Review Board, Subparagraph 7.7.2.2, Authority and Specific Powers, by adding a new sentence at the end of the fourth paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“It shall evaluate such requests based on Subsection 7.7.4 Design Criteria below. Its findings and recommendations, along with any suggested restrictions and conditions, shall be transmitted to the applicant and Planning Board, acting as a special permit granting authority for “Major Projects” under Site Plan Review, Planned Residential Developments and Flexible Developments. Such advisory reports of the Design Review Board shall be transmitted to the Building Inspector and applicant in all other instances as described in the two paragraphs above for “Minor Projects” under Site Plan Review, building permits in all non-residential districts, and sign permits. For a minor project that only involves a change in the exterior of a building in the Center Business District, the Design Review Board shall be the review and approval entity for such façade changes.”

- (f) Amend Section 7.7 Design Review, Subsection 7.7.3, Procedure, by inserting immediately above the paragraph that reads “In the case of a Special Permit for Site Plan Review...” a new third paragraph to read as follows:

“In connection with the Design Review Board’s authority to review and approve exterior façade changes in the Center Business District pursuant to Section 7.4.2, an application shall be submitted to the Design Review Board. At least seven days prior to the Design Review Board meeting scheduled to review the application (see next sentence), the applicant shall post a Planning Board approved form of notice of the meeting in a publicly visible location upon the subject building and place a copy of said approved form of notice in a local paper. Within twenty (20) days of receipt of the application, the Design Review Board shall hold a meeting, to which

the applicant shall be invited, for the purpose of conducting a review of the proposed exterior façade changes. Within fifteen (15) days of the meeting, the Design Review Board shall issue its decision and deliver copies of same to the applicant, the Planning Board and the Building Inspector.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information: In the summer of 2012, the Downtown Subcommittee of the Council of Economic Advisors (“CEA”), a committee established by the Board of Selectmen to evaluate Town-wide economic conditions and make recommendations to promote and encourage new and existing businesses, began discussions with landlords, tenants, and practicing attorneys permitting projects in the downtown area regarding issues affecting downtown development. As a result of those discussions, the Subcommittee reviewed existing zoning and permitting processes and outlined proposed streamlining initiatives. Subsequently, the CEA made streamlining the permitting processes one of its three priorities and reached out to the Planning Board to begin effectuating the initiatives.

The proposed amendment to Section 7 would make the Design Review Board the review and approval authority for exterior façade modification only projects in the Center Business District. (That board presently reviews such changes in other districts without Planning Board oversight.) Rather than going through a formal site plan review process with the Planning Board, under the amendment, an applicant desiring only to change its exterior façade would bring its project to the Design Review Board via a much more expedited and simple process. The amendment preserves review by the Planning Board but only in cases where a party aggrieved by the Design Review Board’s decision appeals. In such cases of appeal, the Planning Board has de novo review powers. This amendment creates a simplified and expeditious process, which is consistent with streamlining goals.

ARTICLE 22: AMEND ZONING BY-LAW – OFF-STREET PARKING REQUIREMENTS

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

- (a) Amend Section 5.1 Off-Street Parking Requirements, Subsection 5.1.1, Applicability, Subparagraph 5.1.1.1, General Provisions, by adding the underlined language at the end of the paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“Paved off-street parking spaces shall be provided for all uses and structures (excluding single and two family structures) as described in Section 5.1.2 in accordance with the provisions of this Section. No change of a structure or use from a use or uses as described in the categories of Section 5.1.2 to another such category that requires additional off-street parking shall be made unless in accordance with Sections 5.1.2 and 5.1.3 for the entire use of structure. Notwithstanding the above, a change of an existing structure or use from a use or uses as described in the categories of Section 5.1.2 to another such category that requires additional off-street parking of 9 or fewer spaces in the Center Business, Chestnut Street Business or Avery Square Business Districts or 3 or fewer spaces in all other Commercial and Industrial Districts may proceed without requiring special permit relief or waivers from Sections 5.1.2 and 5.1.3, unless the

parking is not compliant with Section 5.1.3 (c) Handicapped Parking, the first sentence of (d) Driveway Openings, (m) Location, and/or (n) Bicycle Racks in which case special permit relief or waivers is required. The special permit or waiver requirements of this Section 5.1 shall not apply to any project which does not trigger the thresholds set forth in the preceding sentence. This Section shall apply to the cumulative total of all additions and changes in use from May 15, 1985.”

- (b) Amend Section 5.1 Off-Street Parking Requirements, Subsection 5.1.1, Applicability, Subparagraph 5.1.1.3, Mixed Uses, by inserting a new second sentence and by deleting the word “additions” from the last sentence of the paragraph and substituting the phrase “changes in use”, so that the entire paragraph shall now read as follows: (new language underlined):

“No change or conversion of a use in a mixed use structure to a use which requires additional off-street parking shall be permitted unless off-street parking is provided in accordance with Sections 5.1.2 and 5.1.3 for the entire structure or said change or conversion does not exceed 1,000 square feet or 5 percent of the total building floor area, whichever is greater. Furthermore, a change or conversion of a use in a mixed use structure to a use or uses which require off-street parking of 9 or fewer spaces may proceed in the Center Business, Chestnut Street Business or Avery Square Business Districts without requiring special permit relief or waivers from Sections 5.1.2 and 5.1.3, unless the parking is not compliant with Section 5.1.3 (c) Handicapped Parking, the first sentence of (d) Driveway Openings, (m) Location, and/or (n) Bicycle Racks in which case special permit relief or waivers is required; and a change or conversion of a use in a mixed use structure to a use or uses which require off-street parking of 3 or fewer spaces may proceed in all other Commercial and Industrial Districts without requiring special permit relief or waivers from Sections 5.1.2 and 5.1.3, unless the parking is not compliant with Section 5.1.3 (c) Handicapped Parking, the first sentence of (d) Driveway Openings, (m) Location, and/or (n) Bicycle Racks in which case special permit relief or waivers is required. The special permit or waiver requirements of this Section 5.1 shall not apply to any project which does not trigger the thresholds set forth in the two preceding sentences. This Section shall apply to the cumulative total of all changes or conversions in use from May 15, 1985.”

- (c) Amend Section 5.1 Off-Street Parking Requirements, Subsection 5.1.1, Applicability, Subparagraph 5.1.1.4, Exception, by adding a new paragraph at the end of the section to read as follows:

“If a parking lot is required to be brought into compliance with federal and/or state law mandating creation, restriping, regrading or reconstruction of a handicapped accessible parking space or spaces, then no relief or waivers from this Section 5.1 need be sought to implement state or federal law.”

- (d) Amend Section 5.1 Off-Street Parking Requirements, Subsection 5.1.1, Applicability, Subparagraph 5.1.1.7, Applicability for Parking Area, by revising the first sentence of the paragraph, so that the entire first sentence shall now read as follows: (new language underlined):

“Except as provided or excepted by Sections 5.1.1.1, 5.1.1.3 and 5.1.1.4, the construction, enlargement, or alteration of a parking area containing 5 or more spaces shall adhere to all of the requirements of Section 5.1.3 Parking Plan and Design Requirements, unless strict adherence to the requirements of Section 5.1.3 is waived by a special permit granted by the Board of Appeals under the provisions of Subsection 5.1.1.5.”

- (e) Amend Section 7.4 Site Plan Review, Subsection 7.4.2, Definitions, by revising the first sentence of the fifth paragraph, so that the entire first sentence shall now read as follows: (new language underlined):

“In the Center Business District, a **MAJOR PROJECT** is any construction project which creates or adds gross floor area; or any project which involves a change in part or all of an existing building or lot from one use category to another as defined under Subsection 3.2.2 of this By-Law and which results in an increase in the number of required parking spaces by 10 or more new off-street parking spaces or which results in an increase in the required number of loading spaces; or any project which results in the construction of any additional off-street parking spaces; or any project which results in any new curb- or driveway-cut.”

- (f) Amend Section 7.4 Site Plan Review, Subsection 7.4.2, Definitions, by revising the sixth paragraph, so that the entire paragraph shall now read as follows: (new language underlined):

“In the Neighborhood Business District, a **MAJOR PROJECT**, is any construction project which creates or adds gross floor area; or any project which involves a change in part or all of an existing building or lot from one use category to another as defined under Subsection 3.2.3 of this By-Law and which results in an increase in the number of required parking spaces by 4 or more new off-street parking spaces or which results in an increase in the required number of loading spaces; or any project which results in the construction of any additional off-street parking space; or any project which results in any new curb- or driveway-cut.”

- (g) Amend Section 7.4 Site Plan Review, Subsection 7.4.2, Definitions, by deleting the word “creation” from the eleventh paragraph and substituting the phrase “construction of a new parking lot or expansion of an existing lot and the addition”, so that the entire paragraph shall now read as follows: (new language underlined):

“In a Business, Avery Square Business, or Hillside Avenue Business District, a **MINOR PROJECT** is any project which results in the construction of a new parking lot or expansion of an existing lot and the addition of from 1 to 9 new off-street parking spaces – and the project cannot be defined as a Major Project.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Information: In the summer of 2012, the Downtown Subcommittee of the Council of Economic Advisors (“CEA”), a committee established by the Board of Selectmen to evaluate Town-wide economic conditions and make recommendations to promote and encourage new and existing businesses, began discussions with landlords, tenants, and practicing attorneys permitting projects in the downtown area regarding issues affecting development. As a result of those discussions, the Subcommittee reviewed existing zoning and permitting processes and outlined proposed streamlining initiatives. Subsequently, the CEA made streamlining the permitting processes one of its three priorities and reached out to the Planning Board to begin effectuating the initiatives.

The proposed amendment to Section 5 would create a threshold under which projects would not require waiver or other permitting to go forward. Under the amendment to Section 5.1.1.1. General Provisions,

in the Center Business, Chestnut Street Business and Avery Square Business Districts, where public parking lots exist to serve the area, a change of an existing structure or change of use which results in an increased parking demand of 9 or fewer spaces may proceed without requiring additional special permit relief or waivers from the Off-Street Parking requirements of Sections 5.1.2 (specifying the number of spaces based on use) and 5.1.3 (specifying the parking lot design requirements) unless the lot is not compliant with handicapped parking [Section 5.1.3(c)], general driveway opening requirements [first sentence of Section 5.1.3(d)], location [Section 5.1.3(m), i.e., the parking is not on site or within the distance specified] and/or bicycle racks [Section 5.1.3(n)]. In all other Commercial and Industrial Districts, where public parking lots do not presently exist to serve the area, a change of an existing structure or change of use which results in an increased parking demand of 3 or fewer spaces may proceed without requiring additional special permit relief or waivers from the Off-Street Parking requirements of Sections 5.1.2 (specifying the number of spaces based on use) and 5.1.3 (specifying the parking lot design requirements) unless the lot is not compliant with handicapped parking [Section 5.1.3(c)], general driveway opening requirements [first sentence of Section 5.1.3(d)], location [Section 5.1.3(m), i.e., the parking is not on site or within the distance specified] and/or bicycle racks [Section 5.1.3(n)]. In both circumstances, the increase in the parking demand is cumulative of all additions or changes in use from May 15, 1985, a date expressed in the existing By-Law. The threshold set forth is also made applicable to changes or conversions of use in a mixed use structure through identical changes to Section 5.1.1.3.

The amendment creates an additional exception from the Off-Street Parking Requirements of Section 5.1 by adding a new paragraph to Section 5.1.1.4 which provides that, if a parking lot is required to be brought into compliance with handicap accessible parking by creating, restriping, regrading or reconstructing such spaces, then no relief or waivers under Section 5.1 are required.

Consistent with the changes in Section 5.1, the Amendment also redefines the trigger for a Major Site Plan in the Center Business District in Section 7.4.2 by creating a threshold for a project which increases the number of parking spaces required to 10 or more, increases the number of loading spaces, results in a new curb or driveway-cut or constructs actual off-street parking spaces. Without the amendment, all projects which increased the number of parking spaces required triggered Major Site Plan review in the District.

Similarly and consistent with the changes in Section 5.1, the Amendment also redefines the trigger for a Major Site Plan in the Neighborhood Business District in Section 7.4.2 by creating a threshold for a project which increases the number of parking spaces required to 4 or more, increases the number of loading spaces, results in a new curb or driveway-cut or constructs actual off-street parking spaces. Without the amendment, all projects which increased the number of parking spaces required triggered Major Site Plan review in the District.

This amendment expedites the process for projects falling under the newly established thresholds and is, accordingly, consistent with streamlining goals.

**ARTICLE 23: AMEND ZONING BY-LAW – INDOOR ATHLETIC OR EXERCISE
FACILITIES IN AN INDUSTRIAL AND INDUSTRIAL-1 DISTRICT**

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

In Section 3.2, Schedule of Use Regulations, Subsection 3.2.1, Uses in the Rural Residence-

Conservation, Single Residence A, Single Residence B, General Residence, Apartment A-1, Apartment A-2, Apartment A-3, Institutional, Industrial and Industrial-1 Districts, by inserting immediately below the row that reads “Personal fitness service establishment; where there is insufficient off-street parking on-site to serve all land uses located thereon in adherence with the requirements of Section 5.1.2 but where it can be demonstrated that the hours, or days, of peak parking for the uses are sufficiently different that a lower total will provide adequately for all uses or activities served by the parking lot” a new entry, which shall read as follows:

<u>“Use</u>	<u>RRC</u> <u>SRA</u>	<u>SRB</u>	<u>GR</u>	<u>A-1,2</u> <u>&3</u>	<u>I</u>	<u>IND</u>	<u>IND-</u> <u>1</u>
Indoor Athletic or Exercise Facilities	N	N	N	N	N	SP*	SP

*Applies only to Industrial Districts any portion of which is located within 150 feet of the Route 128 boundary, otherwise N.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT: Article be Adopted

Article Explanation: This article would authorize Indoor Athletic or Exercise Facilities in the Industrial-1 District and select portions of the Industrial District by special permit. Specifically, the area of the Industrial District where the use would be permitted by special permit is any portion of said district located within 150 feet of the Route 128 boundary. Presently the use is permitted by special permit in Needham’s New England Business Center, Highland Commerical-128, and Mixed Use-128 districts.

Indoor Athletic or Exercise Facilities are defined within the zoning by-law as a commercial facility which as its primary purpose provides facilities for individual physical health activities, such as aerobic exercise, running and jogging, use of exercise equipment, saunas, showers, massage rooms and lockers. Such establishments are operated as a business even if open only to members and their guests on a membership basis and to the public at large paying a daily admission fee. All facilities must be contained within the building.

GENERAL ARTICLES / CITIZENS’ PETITIONS / COMMITTEE ARTICLES

ARTICLE 24: AMEND GENERAL BY-LAW – BOWS AND ARROWS

To see if the Town will vote to amend Section 3.1.12 of the Town’s General Bylaws by changing the descriptive title of the paragraph to “Bows and Arrows”; by inserting in the first clause after the word “shall” the words “possess or”; and by inserting in the second clause after the word “other” the word “public”; or take any other action thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information: The 2012 Annual Town Meeting amended the General By-laws to include limits on hunting by bow and arrow. The intent of this article is to extend the bow and arrow hunting restriction to possession of bows and arrows on Town property, as enforcement agents are not always able to witness the actual discharge of the weapon. This provision will help ensure that there is no hunting by bow and arrow on Town property without the consent of the Board of Selectmen, and no hunting on private property without the consent of the property owner.

ARTICLE 25: AMEND GENERAL BY-LAW – PRIVATE WAYS

To see if the Town will vote to amend the Town's General By-laws by deleting Section 2.2.5.6.3 and inserting in place thereof the following:

“2.2.5.6.3 Temporary Repairs. The Town may perform temporary repairs to private ways if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations or policies issued by the Board of Selectmen.

Said repairs shall be considered necessary to abate the immediate hazard caused by the defect and shall not be considered as maintenance of the private way nor shall the way be considered a public way. Drainage shall not be included as part of any such repairs, and the private way need not have been open to public use prior to the repairs being made.

Abutters to the private way may petition the Town to perform temporary repairs. In such cases, fifty one percent of the abutters to the private way must petition the Director of Public Works for the repairs to be made by the Town. Upon receipt of a petition and a determination of the necessity of such repairs, the Town shall provide the petitioners with a statement of the cost of such repairs. Within seven (7) days of receipt of the statement of cost, the petitioners shall be entitled to withdraw the petition. Unless the petition is withdrawn, the Town shall promptly make the repairs and the petitioners shall thereafter reimburse the Town for the cost of the repairs, if the repairs exceed \$300. The reimbursement amount shall be equal to the petitioner's pro rata share of the cost of repairs based on the ratio that each petitioner's frontage bears to the total frontage on the private way. Betterment charges will not be assessed for such repairs.

If the total cost of repairs does not exceed \$300, no petition will be required and the abutters will not be required to reimburse the Town.

The Town shall not be liable for any damage to private property caused by such repairs, except as otherwise provided by law.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 26: AMEND GENERAL BY-LAW – SIGN BY-LAW

To see if the Town will vote to amend the Town's General By-Laws as follows:

1. Amend Section 5.3 ADMINISTRATION by deleting the second and third paragraphs in **Section 5.3.2 Issuance of Permits** and inserting in place thereof the following second and third paragraphs:

“Applicants shall file a permit application accompanied by a photograph of the facade to which the sign is to be attached, or the area of intended location if unattached, and two prints of scale drawings of the sign and supporting structure showing placement thereon; the applicant shall also file five copies of the permit application, including five copies of all application materials, with the Design Review Board. (See Section 7.7 Design Review, of the Zoning By-Law.) If an applicant requires guidance as to whether any special permits are required or knows that such permit or permits are required, the applicant may file his application with the Building Inspector. If the Building Inspector finds that the proposed sign is in all respects in conformance with this article, he shall within 35 days of filing instruct the applicant to file the application directly to the Design Review Board.

The Design Review Board shall review requests for sign permits submitted and shall, within thirty-five (35) days of the receipt of the application materials, transmit its advisory recommendations regarding the design of the sign to the Building Inspector and the applicant. No sign permit shall be issued by the Building Inspector within this thirty-five (35) day period unless said recommendations are sooner received. If approved by the Design Review Board, the Building Inspector shall issue a sign permit within 45 days of the filing of the application.”

2. Amend Section 5.4 GENERAL REGULATIONS by inserting in **Section 5.4.2.2 Location** in subsection d) the word “one” after the word “except” and before the word “perpendicular” and by deleting the word “sign” at the end of the first sentence after the word “businesses” so that the first sentence shall read:

“No sign shall extend above or beyond the end of the wall to which it is attached, nor overhang a street or sidewalk by more than the thickness (up to 12”) of a flat wall sign: except one perpendicular sign, blade, or projecting sign (hereinafter “projecting sign”) is allowed by right, even if it is a second sign, provided it does not, in the opinion of the Board, materially obstruct neighboring signs or businesses, of four (4) feet from the wall and a minimum of eight (8) feet above the sidewalk.”

3. Amend Section 5.5 PERMITTED SIGNS by deleting under Subsection 5.5.3.4 **Temporary**, the word “Temporary” after the words “Except as provided in Section 5.4.2.3d), temporary”;
4. Amend Section **5.4.2.3 Type**, subsection d) by inserting the words “or white” in the second line between the words “black” and “colored frame.”

Or take any action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information: The 2013 Annual Town Meeting voted to amend the Town's sign by-law. When the revision was incorporated into the General By-laws, several formatting and typographical errors were discovered which are proposed for correction under this article.

ARTICLE 27: AMEND GENERAL BY-LAW – MUNICIPAL WATER SUPPLY

To see if the Town will vote to amend the Needham General By-Laws Section 2.2.5.5, Municipal Water Supply, by inserting a new section 2.2.5.5.4 as follows:

“2.2.5.5.4 Soil Moisture Sensors Installation of new automatic lawn irrigation systems connected to the municipal water supply in the Town of Needham shall be equipped with a soil moisture sensor approved by the Department of Public Works. Existing automatic lawn irrigation systems connected to the municipal water supply are also encouraged to be equipped with approved soil moisture sensors. The Department of Public Works shall maintain a list of approved moisture sensors.”

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 28: AMEND GENERAL BY-LAW – SIGN BY-LAW

To see if the Town will vote to amend the Town's General By-Laws as follows:

1. To amend Section 5.2 of the Sign By-Law (“Definitions”) by adding the following at the end of the section:

“Electronic Billboard: A billboard that changes its message or copy at intervals by programmable electronic, digital, or mechanical processes or remote control.

Mass DOT: shall mean the Massachusetts Department of Transportation, a body politic and corporate established pursuant to Massachusetts General Laws Chapter 6C.

State Billboard Regulations: shall mean 700 CMR 3.00: Control and Restrictions of Billboards, Signs and Other Advertising Devices or its successor.”

2. To amend Section 5.3 of the Sign By-Law (“Administration”) as follows:
 - (a) By adding to the first sentence of Section 5.3.1 the following: “Except for Electronic Billboards governed, reviewed and approved by the Board of Selectmen pursuant to Section 5.7, in which case the term “Board” shall mean the Board of Selectmen, and not the Design Review Board, the” and deleting the word “The” at the beginning of the first sentence, so that it reads in pertinent part: “Except for Electronic Billboards governed, reviewed and approved by the Board of Selectmen pursuant to Section 5.7, in which case the term “Board” shall mean the Board of Selectmen and not the Design Review Board, the review of all sign permit applications, and requests for special permits shall be

performed by the Design Review Board (herein referred to as the “Board”), as further defined in Section 7.7 of the Needham Zoning By-Law.”

- (b) By deleting the first sentence of Section 5.3.4 in its entirety and replacing it with the following: “If an applicant wishes to obtain a permit for a sign that does not comply with this article (except for a special permit for an electronic billboard), he shall apply to the Design Review Board for a Special Permit from the requirements of this article in accordance with the procedure established under sub-section 5.3.3 of this article. In the case of a request for a special permit for an Electronic Billboard, he shall apply to the Board of Selectmen for a special permit in accordance with the procedure established under Section 5.3.4 of this article.”
 - (c) By adding to the end of Section 5.3.4 the following: “Simultaneously with the filing for a special permit to the Board of Selectmen for an Electronic Billboard, the applicant shall file five copies of the permit application, including five copies of all application materials, with the Design Review Board. The Design Review Board may review requests for special permits for Electronic Billboards and shall, within fourteen days of the receipt of the application materials, transmit its advisory recommendations regarding the design of the Electronic Billboard to the Board of Selectmen, the Building Inspector and the applicant.”
3. To amend the Sign By-Law by adding a new Section 5.7:

“Section 5.7 Electronic Billboard Permits

Section 5.7.1 General Regulations

Electronic Billboard Permits shall be allowed in the Town of Needham only under the following terms and circumstances:

- (a) Electronic Billboards may be placed only within areas of Needham that are not Residential Zoning Districts, as set forth in Section 2.1 of the Town of Needham Zoning By-Law.
- (b) Electronic Billboard shall be oriented for visibility from Route 128 (I-95).
- (c) No Electronic Billboard can be placed within one thousand (1,000) linear feet of an existing Electronic Billboard along the same side of the interstate highway layout.
- (d) Electronic Billboards may only be Permanent Freestanding Signs. No portable billboards shall be permitted.
- (e) No Electronic Billboard shall extend more than 50 feet above the base of said free-standing sign at ground level. Said 50 feet shall be computed by drawing a horizontal line from the top of the Electronic Billboard to the top of the pole supporting said Electronic Billboard and measuring from that point to the point where the support pole meets the ground. If the support pole is located on a slope, the distance shall be measured from the highest elevation where the support pole meets the ground.

- (f) Electronic Billboards may be v-shaped to afford visibility to both the northbound and southbound lanes of Route 128 (I-95).
- (g) Electronic Billboards shall not be revolving.
- (h) The maximum square footage of the display face of an Electronic Billboard shall be 672 square feet. Frames, aprons, catwalks, safety apparatus and other appurtenances shall be excluded from maximum square footage.

Section 5.7.2 Special Permit

Electronic Billboards shall be governed, reviewed and approved by the Board of Selectmen. Electronic Billboards shall be allowed by special permit, but only if the proposed Electronic Billboard meets all of the Electronic Billboard Design Guidelines set forth herein. The Special Permit finding set forth in Section 5.3.4 of this By-Law that “owing to physical peculiarities of the specific location, literal enforcement of the terms of this article would result in substantial hardship to the applicant, or substantial detriment to the vicinity, and that such a Special Permit will be consistent with the stated objectives of this article” shall not be applicable to Electronic Billboards, but a Special Permit shall be granted only if the Board finds that the Electronic Billboards Design Criteria set forth in Section 5.7.3 are met. Notwithstanding the provisions of Section 5.3.4, Electronic Billboards shall be transferable.

Section 5.7.3 Electronic Billboards Design Criteria

The criteria of Section 5.3.5 of this By-Law (Design Guidelines) shall not be applicable to Electronic Billboards, but the following Design Guidelines shall apply. Electronic Billboards shall only be allowed if the Applicant satisfies the following Electronic Billboards Design Guidelines:

- (a) The specific site is an appropriate location for the proposed Electronic Billboard and the design and layout complies with the standards and requirements set forth in this Section 5.7.3.
- (b) Adequate and appropriate facilities will be provided for the proper operation of the Electronic Billboard.
- (c) The Electronic Billboard shall not create a material visual impact to any residential district in the Town of Needham.
- (d) The Electronic Billboard shall be permanently affixed to a main support structure. No portable billboards shall be permitted.
- (e) No sexually oriented or sexually provocative advertising or messages shall be permitted.
- (f) Exposed back of billboards, poles and other support structures must be painted in a color and finished so as to present an attractive and finished appearance.

5.7.4 Prohibitions

The provisions of Section 5.4 (“Prohibitions”) shall not be applicable to Electronic Billboards, but the following prohibitions shall be applicable.

5.7.4.1 Illumination

- (a) Electronic Billboards shall use automatic level controls to regulate light levels, and shall comply with the brightness standards set forth in the State Billboard Regulations.
- (b) No illumination shall be permitted which casts glare onto any residentially used premises or onto any portion of public way so as to create a traffic hazard.

5.7.4.2 Location

- (a) No Electronic Billboard shall be erected at the intersection of any streets or of a street and driveway in such a manner as to obstruct free and clear vision; or at any location where by reason of its position, shape or color, it may interfere with, or obstruct the view of, or be confused with any authorized traffic sign, signal or device.

5.7.4.3 Type

- (a) The following types of billboards are prohibited:
 - (i) Animated, projected, moving or giving the illusion of movement (including any moving parts), scrolling, flashing, revolving, blinking, and intermittently illuminated signs, beacons (or any light directed at any location other than the sign itself), searchlights, pennants, and inflatable signs, including balloons;
 - (ii) Billboards with physical movements of any kind;
 - (iii) Changeable copy or message billboards that change at intervals greater/faster than those set forth in State Billboard Regulations.
 - (iv) Tri-vision billboards;
 - (v) Video billboards or billboards that otherwise give the illusion of video or moving images;
 - (vi) Billboards with sound;
 - (vii) Billboards with pyrotechnics; and
 - (viii) Billboards which by reason of position, wording, illustration, size, shape or color obstruct, impair, obscure, interfere with the view of, or may be confused with any traffic control signal or device or which may otherwise obstruct or interfere with traffic.

- (b) A v-shaped Electronic Billboard consisting of two single-faced billboards to afford visibility to both north and southbound traffic shall be permitted, provided that only one face shall be visible from each direction of travel.

5.7.5 Number of Billboards on Individual Lot

The approval of an Electronic Billboard as provided in this Section 5.7 shall be in addition to any billboard that would otherwise be permitted pursuant to this By-Law, including but not limited to Section 5.5.

5.7.6 Impact Fee Agreement

The granting of an Electronic Billboard shall be contingent upon the execution of a mutually satisfactory Impact Fee Agreement between the Applicant and the Town of Needham. The impact fee may include monetary compensation, dedicated advertising/public service announcement time for the Town of Needham, or a combination of both.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 29: ACCEPT THE PROVISIONS OF MGL CHAPTER 59 SECTION 5N – VETERANS’ PROPERTY TAX PROGRAM

To see if the Town will vote to accept the provisions of MGL Chapter 59, Section 5N for the purposes of establishing a veteran’s property tax program; or take any other action relative thereto.

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

Article Information: Acceptance of M.G.L. c. 59 Section 5N allows the town to establish a property tax work-off program for veterans, similar to the Town’s Senior Corps program. If adopted, eligible veterans will have the opportunity to earn up to \$1,000 which is applied to their property tax bill, subject to regulations adopted by the Board of Selectmen. Funding for the program comes from the Overlay Account.

ARTICLE 30: AMEND DISTRICT AGREEMENT – MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT

To see if the Town will vote, consistent with Section VII of the existing “Agreement With Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional

Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a vote of the Regional School Committee on March 11, 2014 and which have been submitted as a restated "Regional Agreement" bearing the date of March 11, 2014 to the Board of Selectmen of each member town; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 31: APPROPRIATE FOR RIDGE HILL BOARDWALK AND BRIDGE REPLACEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$183,219 for the replacement of the Swamp Trail Boardwalk and Charles River Trail Bridge, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Conservation Commission is requesting funding to construct a boardwalk and a bridge on two trails at Ridge Hill Reservation. This is a project that has been under review for several years, and received design funds from the CPC. The Fuller Trail, formerly known as the Swamp Trail, had a boardwalk constructed in the 1970's which deteriorated and needed to be removed. The Fuller Trail connects the two major trail systems at Ridge Hill – the eastern trail system known as the Esker Trail and the western trail system known as the Chestnut Trail. The Fuller Trail is approximately 1,000 feet, all within wetlands and swamps. The low level boardwalk would re-create the trail system. Across Charles River Street is the Charles River Trail that brings visitors to the river. A small bridge needs to be replaced on this trail. The Conservation Fund will contribute \$100,000 to the full cost of the project with CPA funding bearing approximately 2/3rds of the cost. The project is ready for construction, with all design and permits completed.

ARTICLE 32: APPROPRIATE FOR TOWN COMMON HISTORIC REDESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$20,000 for historic redesign of the Town Common, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article will allow the Town to hire a landscape architect to review the current conditions of trees, hardscape and landscape. The designer will work with Town officials to re-design the

Town Common to reflect its historic nature, provide opportunities for community gatherings, and provide a landscape that enhances its uses as well as protect its historic character. This project will be coordinated with the Downtown Streetscape project.

ARTICLE 33: APPROPRIATE FOR MEMORIAL PARK IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$257,000 for soil and related improvements design at Memorial Park, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund design work associated with Memorial Park improvements. The current drainage system at Memorial Park has sufficient capacity for typical storms, but is not able to capture the flow of water in severe storms. Additional drainage components and improvements to the soil conditions will help alleviate flooding concerns. Both aspects of the project will improve safety conditions for the athletes on natural turf. Construction funds will be requested at a later time.

ARTICLE 34: APPROPRIATE FOR VITAL RECORDS PRESERVATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$52,500 for the preservation of vital records, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Town Clerk is requesting funding for the preservation of some of the Town's vital records dating from the 18th and 19th centuries. All subsequent documents have already been preserved. The records will be restored, deacidified, and bound into volumes. Information will also be provided in electronic format.

ARTICLE 35: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to M.G.L. Chapter 44B from the estimated FY2015 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee \$82,000

Reserves:

B. Community Preservation Fund Annual Reserve \$
C. Community Housing Reserve \$

D. Historic Resources Reserve
E. Open Space Reserve

\$
\$

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

CAPITAL ARTICLES

ARTICLE 36: 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:

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

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 37: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$2,467,260 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	Recommended	Amendment
Finance	Network Hardware, Servers & Switches	\$ 30,000	
Finance	Technology Systems & Upgrades	\$ 100,000	
Finance	Public Safety Dispatch System	\$ 244,615	
Public Safety	Wireless Radio Master Fire Box System	\$ 164,000	
Public Safety	Fire Alarm Cables	\$ 60,000	
Public Schools	School Copier Replacement	\$ 30,320	
Public Schools	Furniture, Instruments & Equipment	\$ 81,680	
Public Schools	School Technology	\$ 679,325	
Public Works	Large Format Scanner	\$ 33,000	
Public Works	Small Speciality Equipment - Mowers	\$ 29,797	
Public Works	Drain System Improvements	\$ 80,000	
Public Works	Drain System Repairs	\$ 76,000	
Public Facilities	Maintenance Program	\$ 482,000	
Fleet/Building	Core Fleet	\$ 61,660	
Fleet/DPW	Core Fleet	\$ 100,910	
Fleet/ DPW	Snow & Ice Equipment	\$ -	
Fleet/DPW	Specialized Equipment	\$ -	
Fleet/Fire	Specialized Equipment/Ambulance	\$ 186,607	
Fleet/Public Facilities	Core Fleet	\$ 27,346	
	Total Appropriation	\$ 2,467,260	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

NETWORK HARDWARE SERVERS AND SWITCHES The request is to replace older servers, both application and data, with newer, faster, and more energy efficient models including hardware to install virtualization software. Funding will also support the replacement of the spam filter, virus firewall, and internet filtering, and 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 increase the speed of data within the Town's fiber network. Not replacing or updating this equipment may have a negative effect on email, financial applications, internet access, data accessibility, and backups between the Town's datacenters.

TECHNOLOGY SYSTEMS AND APPLICATIONS UPGRADE This funding will support an update for the Town's Geographic Information System (GIS) including planimetric data and imagery. A Geographic Information System (GIS) is a system of hardware and software used for storage, retrieval, mapping, and analysis of geographic data. The GIS update will add changes and updates that have taken place throughout Needham and adjacent communities within 1000' feet of the Town's boundary between the spring 2009 flight and a proposed 2015 flight. The flight will also improve imagery to help in analysis of land use and development throughout Needham. The project will include updating infrastructure data (water, sewer, drain) as well as changes to the parcel data. The current data from the

spring 2009 and any subsequent updates will be incorporated into the Town's public web GIS site. Because many departments, such as Engineering, Water & Sewer, Planning, Conservation and other Town and School Departments use the GIS data on a regular basis, it is important to have up to date data so these departments can plan, analyze, and display an accurate representation of the land base and infrastructure.

PUBLIC SAFETY COMPUTER-AIDED DISPATCH SYSTEM This request is to replace the current Computer Aided Dispatch (CAD) application with an application that is designed to be run on an Intel style server. The current CAD application has been used by the Needham Police and Fire Departments since 1994 - initially installed on an IBM A/S 400 and currently operating on an IBM iSeries Blade Server that is nearing its end of life. The operating system is increasingly difficult to maintain in-house, and the style and interface of the current application - commonly known as "green screen" - makes it difficult for users to transition from standard windows based interfaces. It will be helpful for the Needham Police and Fire Departments to have an application that is widely used by other Public Safety agencies throughout the Commonwealth, to leverage local knowledge to help them use the application more effectively.

WIRELESS MUNICIPAL RADIO MASTER FIRE BOX SYSTEM The long-term plan is to eliminate the older style fire alarm master boxes and install wireless radio master box systems where needed. All pole mounted fire alarm boxes (222) would be permanently removed. Building master boxes (129) would be replaced with radio box transmitters. The 129 master boxes are privately owned, and property owners pay the Town an annual monitoring fee of \$480. Privately owned buildings would not be required to change over to the new municipal system if they chose to use their own private alarm company. The aspects of the project include acquisition of the head-end equipment to be located within the fire dispatch center, and purchase and installation of radio boxes for 28 Town buildings. With this new system, the fire dispatch center will be capable of monitoring alarms, troubles, security/intrusion, and any other alarm or status that uses a contact closure. Once the wireless system is complete, the Fire Department will evaluate the continued need for staffing and equipment in the Fire Alarm Division.

FIRE ALARM CABLE REPLACEMENT This project is a companion to the wireless municipal radio master fire box system project. This request is to fund the replacement of all municipal fire alarm cables which cross Route 128 (I-95) during the construction of the "Add-A-Lane" project as it progresses through Needham. While the project will be conducted through Town appropriation, the costs may be reimbursed by the Commonwealth of Massachusetts. The cables being replaced are part of the municipal fire alarm system which provides service to all of the neighborhoods (both residential and commercial), and many of the buildings on the east side of Route 128. All of the cables that need to be replaced are either on the Kendrick Street Bridge or the Highland Avenue Bridge. If the wireless municipal radio master fire box system is installed prior to the construction phase of the Add-a-Lane project in these two areas, replacement of the cables will not be necessary and the funds will be available for repurposing.

SCHOOL COPIER REPLACEMENT Photocopiers are located in all of the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets, etc. Currently, the School Department owns 48 copiers. Copier replacement is planned on a lifecycle analysis, which projects when a copier should be replaced based on actual usage and the manufacturer's total estimated capacity. Copiers that are heavily used are replaced more frequently than copiers that are lightly used. A seven-year maximum duty life is assumed for most machines, even if they have not yet reached maximum copy allowances, given the additional operating expense associated with servicing and maintaining older equipment, as well as the difficulty in obtaining replacement parts. This analysis

assumes that copiers are re-deployed around the District, as needed, to match copier use with equipment capacity. The requested funding will support the replacement of five (5) copy machines.

SCHOOL FURNITURE, MUSICAL INSTRUMENTS, & FITNESS, PRODUCTION & GRAPHIC ARTS EQUIPMENT

Musical Equipment – In FY2005, Town Meeting allocated funds to begin a ten-year replacement cycle for old and heavily used school musical instruments, including band and orchestra instruments, as well as pianos. The plan, which ended in FY2014, has significantly improved the quality of musical instruments used by students. Beginning with FY2015, the focus of this request is shifted from inventory replacement to inventory expansion, particularly at the middle and high schools, where enrollment is growing and students need the larger-sized instruments in the brass and string families. The need for additional instruments to meet enrollment growth is compounded by several other factors. Since students are prohibited from transporting large instruments on school buses, there is a need to provide additional instruments for classroom use, particularly cellos, basses, and large wind and percussion instruments. Additionally, there is a need to provide upright acoustic pianos in all music rooms, practice rooms and performance facilities, to enable choral groups to have proper accompaniments and to allow small student ensembles. Unless circumstances dictate otherwise, fiscal year 2015 funding will support the acquisition of additional upright pianos for High School practice rooms, and expand the inventory of bass violins/cellos and low brass at the Pollard School, High Rock School and Needham High School.

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. By FY2015, all furniture in poor condition will have been replaced at these schools.

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 (5) years for treadmills, six (6) years for cross trainers, eight (8) 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 (5 – 7) for treadmills, nine (9) years for cross trainers, eight (8) 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 FY2015 funding is planned for three spinning bikes and one treadmill.

Production Center - This request is to purchase a replacement mail meter and folder/stuffer/insert machine for the Needham Public Schools Production Office. The existing folder/stuffer/insert machine was purchased in 2004 and is nearing the end of its useful life, after a decade of heavy use.

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 service, and also provides hands-on educational training in the field of professional graphics and printing production for students. Unless circumstances dictate otherwise, the FY2015 funding is intended for purchase of a high capacity large print photo printer and a binder/spiraler.

INTERACTIVE WHITEBOARD TECHNOLOGY, 1:1 INITIATIVE, TECHNOLOGY INOVATION, AND TECHNOLOGY REPLACEMENT

Interactive Whiteboard Technology - This program funds the purchase and installation of whiteboard technology in the Needham schools.

School Department NPS 1:1 Initiative - This project continues the initiative begun in FY2013 to introduce tablet technology on a 1:1 basis at Pollard, High Rock and Needham High Schools. A portion of this funding will support the purchase of devices for Pollard students who are unable to provide their own devices. Funding also includes devices for secondary level teachers, the purchase of AppleCare+, and completes the preparation of the High Rock infrastructure to support 1:1.

Technology Innovation - The requested funding will support structured technology experimentation to help the Schools better identify and prepare for use and deployment of technology.

Technology Replacement – This request is for funding to continue the School Department's regular replacement cycle for technology devices, including computers, printers, and servers. The FY2015 request includes the replacement of 300 teacher, administrator, student, lab and laptop computers, which have reached or are functioning beyond the end of their seven-year lifecycle. A total of 39 of these computers are for teachers and administrators throughout the District. Another 261 are lab and classroom computers at Hillside, Mitchell, Newman, Pollard and the High School. The majority of the computers being purchased will be deployed at the High School. FY2015 represents the third year of the anticipated five-year timeframe to replace the High School computers. FY2015 costs also include additional hardware infrastructure to expand Internet Bandwidth, additional network infrastructure and servers at the Emery Grover School Administration Building, and replacement of failing SMART Boards and LCD projectors at District schools.

LARGE FORMAT SCANNER This submission is for the purchase of a large format multi purpose color scanner/printer/copier that will allow the Engineering Division to replace and upgrade the existing large format monochrome scanner/printer/copier. The existing large format Monochrome scanner/copier/printer was purchased in FY2008 and has been used extensively by the Department of Public Works, Department of Public Facilities, Planning Department, Department of Public Health, and other departments as needed to reproduce and to electronically store large format plans and posters. The amount of use of the existing monochrome scanner/copier/printer has increased over the last several years. Parts have become worn down requiring more frequent replacement and services to keep the equipment operational; this machine has been down between 8 and 12 days over the last 2- years, impacting the Department's ability to serve the public. This request is also for a color machine, because there have been increasing requests for the Engineering Division to produce full size color plans. The new large format multi purpose color scanner/printer/copier will serve as a backup plotter for the Engineering Division in case the Plotter purchased in 2005 requires work, and will be capable of making multiple color copies/scanned images for all departments that the Engineering Division supports.

GENERAL FUND SMALL SPECIALTY EQUIPMENT

Unit	Division	Year	Existing Description	Request Description	Hours	Cost
340	Parks & Forestry	2008	Mower	Same	580	\$8,114
352	Parks & Forestry	2008	Mower	Same	533	\$21,683

DRAIN SYSTEM IMPROVEMENTS – WATER QUALITY In 2003, the Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) Permit to the Town to upgrade the quality of the water discharged to the Charles River. A renewal permit is overdue and is expected in the current fiscal year. In compliance with the permit, the Town has completed a number of

projects to improve stormwater discharge with a variety of methods at the Public Library, High School, Chestnut Street, High Rock School, and Lake Drive. This project will fund a watershed management plan. The Town is divided into four distinct watersheds. The goal of the plan is for the identification of sub-watersheds so that the Town can target different water quality treatment strategies depending on the conditions of each sub-region. The development of the plan will also identify the Town's storm drain capacity. Recent severe weather events, such as the Labor Day, 2013 storm, have highlighted the need for investment in a variety of strategies to reduce the incidence of flooding that creates both inconvenience and property damage for property owners and the Town.

DRAIN SYSTEM REPAIRS This request is to fund design, engineering and wetlands consulting to replace ten feet of pipe underneath a culvert on Edgewater Drive. This pipe is particularly problematic - it is over 100 years of age, and is plugged-up and degraded beyond remediation. This pipe is presently supporting two sewage pipes, one that is in service, and one that was abandoned in place. The drainage pipe and one of the active sewage pipes are all uncovered due to erosion and the drainage pipe is providing the structural foundation for the sewage pipes. Should the drainage pipe be compromised, it will subject the sewage pipes it supports to failure. This replacement includes extensive wetland consulting and permitting which is a major factor in the cost of this project. Additionally, this drainage pipe needs to be constructed under the existing sewage pipes adding to the difficulty of this replacement. This repair will resolve drainage issues in the area that have resulted in flooding of the abutters of the brook, and will ensure the structural stability of the adjacent sewage pipes. It is expected that the cost of construction will be in the range of \$90,000.

PUBLIC FACILITIES MAINTENANCE PROGRAM This project supports the annual maintenance of public buildings throughout the Town including but not limited to: asbestos abatement, small equipment replacement, duct cleaning, painting, and other repairs and necessary upgrades. Unless circumstances dictate otherwise, fiscal year 2015 funding is proposed for duct cleaning at the High Rock School, Mitchell School, and Public Services Administration Building, asbestos abatement at the Pollard School, flooring replacement at the Eliot School, xeriscaping at Needham High School, and wood floor refinishing in various school buildings. Minor adjustments to the site configuration at the Pollard School are also planned.

CORE FLEET REPLACEMENT

Unit	Division	Year	Existing Description	Request Description	Miles	Cost
453	Building	2005	Ford Taurus	Ford Fusion	58,943	\$30,830
455	Building	2006	Ford Taurus	Ford Fusion	55,684	\$30,830

CORE FLEET REPLACEMENT

Unit	Division	Year	Existing Description	Request Description	Miles	Cost
41	Parks & Forestry	2009	Ford F-350	Same	39,876	\$50,723
50	Parks & Forestry	2008	Ford F-150	Ford F-350	30,066	\$50,187

FLEET REPLACEMENT - SPECIALIZED EQUIPMENT

Unit	Division	Year	Existing Description	Request Description	Miles/Hours	Cost
R2	Fire	2005	Ford/Osage Ambulance	Same	51,400/8,050	\$186,607

CORE FLEET REPLACEMENT

Unit	Division	Year	Existing Description	Request Description	Miles	Cost
704	Public Facilities	2005	Ford E250 Cargo Van	Same	69,677	\$27,346

ARTICLE 38: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$800,000 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, 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:

STREET RESURFACING This purpose of this program is to improve the structural and surface integrity of the Town's miles of accepted streets. The primary strategy of this program is asphalt paving and incidental work, such as asphalt berm curb, new grass shoulders, corner reconstruction including handicapped ramps, minor drainage improvements, street sign replacement, traffic markings and signs.

TRAFFIC SIGNAL & INTERSECTION IMPROVEMENTS This program funds traffic signal and intersection improvements, and new traffic signal installations.

COMBINED SIDEWALK PROGRAM This Program funding addresses the failing network of sidewalks throughout the community. There are over 160 miles of accepted sidewalks in Needham. Over half of the Town's sidewalks do not comply with current standards and require significant improvements including the installation of handicapped ramps.

STORM DRAIN CAPACITY IMPROVEMENTS This program provides funding to improve roadway drainage capacity. The Town has identified and prioritized a number of areas throughout Needham where improvements are required to resolve flooding problems and illicit discharge. These measures include installation of additional storm drains, and storm drain replacement, extension, and capacity increases.

BROOKS AND CULVERTS – REPAIR AND MAINTENANCE *This repair and maintenance program was developed to address flooded and poor draining brooks, streams, waterways and culverts throughout the Town that have been severely damaged by heavy rains/storms.*

Unless circumstances dictate otherwise, fiscal year 2015 funding will be directed to street resurfacing, sidewalk improvements, and storm drain capacity improvements.

ARTICLE 39: APPROPRIATE FOR CENTRAL AVENUE/ELLIOT STREET BRIDGE DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$900,000 for engineering and design for the reconstruction or repair of the Central Avenue/Elliot Street bridge, 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: In the spring of 2013, this bridge was identified by the Commonwealth as having structural deficiencies. Upon receiving this information, the Town of Needham and the City of Newton engaged a structural engineer to further evaluate the bridge. A report by the structural engineer was completed in the late summer of 2013 and indicates that further monitoring is necessary to determine what action needs to be taken with this bridge. The Town of Needham has engaged a consultant to monitor the bridge for a period of six months to determine the extent of the structural deficiency. It is possible that if the result of that monitoring indicates that the bridge is in need of major repair or replacement, the Town will need to perform engineering and design services in the summer of 2014, with construction to follow, in order to ensure the safety of this bridge. The budgetary figure indicated for design and engineering is based on the most costly option for repair/replacement, should both communities choose to take that option.

ARTICLE 40: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$321,095 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and that said sum be transferred from RTS Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Fleet	Large Specialty Equipment	\$ 215,316	
RTS	Message Boards	\$ 30,000	
RTS	Transfer Station Office Trailer	\$ 75,779	
	Total Appropriation	\$ 321,095	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

FLEET REPLACEMENT - SPECIALTY EQUIPMENT

Unit	Division	Year	Existing Description	Request Description	Hours	Cost
93	RTS	2004	Screeener	Same	4,370	\$215,316

MESSAGE BOARD Currently the Public Works Department has three mobile message boards that are used for large construction projects. These message boards are removed from construction projects and relocated to various sites in Town when requested for non-construction notifications to residents and commuters. The existing message boards are difficult to maneuver, time consuming to program, and are often unavailable for non-emergency notices. This request will support a pilot program of permanently installed message boards to be used to communicate with residents in their cars and on the streets. These message boards will have the capacity to be programmed remotely and simultaneously from a Town work station or a laptop, and will help to eliminate competition for the current message boards.

TRANSFER STATION OFFICE TRAILER The current working conditions for staff in the main office at the RTS are sub-standard. The supervisor's office is isolated from day-to-day operations and staff activity, making supervision and oversight challenging. The proximity of the main office to the tipping floor results in odors from transfer station building migrating into the office area, and the air filtration system in the main office is inadequate and incapable of ameliorating the odor problem. The facility has inadequate space for the office and customer reception area (current total combined space for both functions is 169 square feet) neither of which is ADA accessible. The plumbing in the staff restroom occasionally freezes in the winter, and restroom conditions are poor and not ADA compliant. This proposal is for the purchase and installation of a temporary 12' x 44' office trailer, to be situated to the Northeast of the transfer station building. The trailer will immediately improve working and operation conditions and will be placed so that it will not interfere with, and can be used during, future expansion of the transfer station building. The trailer will provide an improved customer reception area, improved office areas, and an ADA compliant restroom. The cost estimate includes the purchase price and setup costs for the trailer, and electrical, sewer, and water tie-ins. An evaluation of the entire facility will be conducted as part of the on-going facility master planning process. The acquisition of a trailer is a measure designed to immediately improve the working conditions of staff and enhance the user experience for the public.

ARTICLE 41: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$398,000 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Sewer	Sewer Alarm System Upgrade	\$ 258,000	
Sewer	Pump Station Improvements	\$ 90,000	
Sewer	Service Connections	\$ 50,000	
	Total Appropriation	\$ 398,000	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

SEWER ALARM SYSTEM UPGRADE *The Sewer Alarm system upgrade includes the implementation of a Supervisory Control & Data Acquisition (SCADA) System. The Town's Sewer SCADA system will collect data from various sensors from all of the sewer lift stations that will enable operators to efficiently manage and control the operations of the station from a central or remote location. The upgraded alarm system will provide dispatchers with more details about the type of alarm, which will enable them to better prepare the call person when responding. A request for the funding a study for the sewer alarm upgrade was approved at the May 2012 Annual Town Meeting and was completed in the fall of 2012.*

SEWER PUMP STATION IMPROVEMENTS *This project will fund the replacement of a programmable logic controller (PLC) at the West Street Sewer Pump Station. The PLC receives input data from various sensors that is used for the automation of electromechanical processes within the pump station. The PLC also stores historical data. The station is currently operating with a back-up controller that is basic in design. It controls the on/off operations of the pump only. The controller does not record data (flows and alarms) and there is no digital display of the operations (wet well level, mode of operations, etc.). Replacement of the non-functioning PLC is an essential component of the SCADA system proposed for funding in FY2015.*

SEWER SERVICE CONNECTIONS *There are approximately 100 homes with access to sewer that are not connected to the Sewer System because the owner has chosen not to connect. The purpose of this request is to provide the lateral sewer line from the sewer main to the property line so that homeowners can connect should they choose to, or should their septic system fail. The lateral sewer lined are planned to be installed prior to road reconstruction/paving projects. The cost for these service installations are not typically included in road construction estimates, and, in the case of Chapter 90 Projects, the costs are not eligible for reimbursement.*

ARTICLE 42: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$729,050 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Water Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Filter Media Replacement	\$ 238,050	
Water	Water Supply Development	\$ 200,000	
Water	System Rehabilitation Program	\$ 91,000	
Water	Service Connections	\$ 200,000	
	Total Appropriation	\$ 729,050	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

FILTER MEDIA REPLACEMENT The filter media greensand is used for manganese removal at the Charles River Water Treatment Facility. Greensand must be replaced frequently and requires additional potassium inputs. A new product, Greensand Plus, is a synthetic alternative to natural greensand that can withstand wider variations in operating conditions and has an extended life. Further, Greensand Plus does not require additional potassium inputs. The Town completed the first of four conversions to Greensand Plus in FY2013. The second conversion was approved for FY2014. The greensand lasts for approximately 15 years so the next scheduled replacement is scheduled for FY2028. This request is for the final two years of conversion, and includes an allocation for repairing the exposed screen – a factor that was encountered in the first year of conversion. Replacing the media in two of the filters simultaneously will be more cost effective in terms of set up time and quicker avoidance of the need for potassium additives.

WATER SUPPLY DEVELOPMENT DESIGN In April 2013 the Town redeveloped Well #3 and restored the yield of the well to approximately one third of its original capacity. The original capacity of the well was 50 gallons per foot, and the redevelopment enabled the well to achieve up to 18 gallons per foot. Prior to the redevelopment, the yield of the well was 5 gallons per foot. Since this last redevelopment in April 2013, the well is already showing signs of losing capacity, and is pumping 15 gallons per foot as of September 2013. This well is the least productive of the three wells. While the Department originally proposed the development of a fourth well, the current request is to support the replacement of Well #3. The funding proposed for fiscal year 2015 will support the design and engineering of a replacement well, with a request for construction funding planned for fiscal year 2016.

WATER SYSTEM REHABILITATION PROGRAM Under the Water System Rehabilitation Program, the Town's water infrastructure is continually analyzed to assess functionality and performance, and to identify areas in need of repair. Water infrastructure requires ongoing attention and periodic replacement, and portions of the Town's water infrastructure are 75+ years old and approaching the end their useful life. A diligent rehabilitation program encompassing maintenance, repair, and replacement ensures a continual supply of water to the public. The Department of Public Works prioritizes replacement of water pipes based upon pipe condition, water break history, and adequacy of water flow to fire hydrants. Fiscal year 2015 funding is planned for the engineering and design of a new eight inch pipe from Pleasant Street/Howland Street to Dedham Avenue(1,160 linear feet) and engineering and design of a new eight inch water pipe from Norfolk Street/Warren Street to Webster Street (1,300 linear feet).

SERVICE CONNECTIONS *The purpose of this program is to remove old iron pipe water services that contain lead from the water distribution system. Old iron and lead water services are replaced prior to road reconstruction/paving projects. If the water service connections are not replaced, an element of the subsurface infrastructure is susceptible to failure before the useful life of the reconstructed roadway has been realized. The FY2015 funding will provide approximately one year's value of water service replacements, which will fall in line with the road resurfacing program schedule.*

TOWN RESERVE ARTICLES

ARTICLE 43: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$40,695 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, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

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. The December 31, 2012 balance in the fund was \$XXXXXX.*

ARTICLE 44: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Explanation: *Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The December 31, 2012 balance in the fund was \$xxxxxx.*

ARTICLE 45: APPROPRIATE TO CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L. Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing) systems of then existing capital facilities. The December 31, 2012 balance in the fund was \$xxxxxxx.

ARTICLE 46: OMNIBUS

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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 7 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 under our hands at Needham aforesaid this 25th day of February, 2014

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

2014 Annual Town Meeting Status of Articles March 12, 2014

Article	Title	Status	BOS Rec.	FC Rec.	BOS Member	FC Member	Other Board
3	Establish Elected Officials' Salaries						
4	Collective Bargaining Agreement ITWA						
5	Collective Bargaining Agreement NIPEA DPW						
6	Accept Chap 73, Acts of 1986		Adopt				
7	Property Tax Assistance Program		Adopt				
8	Blue Tree Replacement		Adopt				
9	FY2015 GF Operating Budget		Adopt				
10	FY2015 RTS Enterprise Fund Budget		Adopt				
11	FY2015 Sewer Enterprise Fund Budget		Adopt				
12	FY2015 Water Enterprise Fund Budget		Adopt				
13	Estab. Revolving Fund - Water Conservation		Adopt				
14	Continue Dept Revolving Funds		Adopt				
15	Expend State Funds for Public Ways		Adopt				
16	Zoning- Medical Marijuana Overlay District						
17	Zoning- Map Change to Medical Marijuana Overlay Dist						
18	Zoning - Interim Regs for Medical Marijuana Uses						
19	Zoning - Site Plan Review						
20	Zoning - Off-Street Parking Requirements						
21	Zoning - Indoor Athletic Facilities/Industrial Dist						
22	By-Law - Bows and Arrows		No Position				
23	By-Law - Private Ways		No Position				
24	Gen. By-Law - Sign By-Law		No Position				
25	Gen. By-Law - Municipal Water Supply						
26	Accept M.G.L. c. 59 s. 5N - Veterans Prop Tax Program		Adopt				
27	Amend District Agreement, MinuteMan Reg School						
28	CPA: Ridge Hill Boardwalk and Bridge Replacement						
29	CPA: Town Common Historic Re-design						
30	CPA: Memorial Park Improvements						
31	CPA: Vital Records Preservation						
32	CPA: Approp. to Comm. Preserv Fund						
33	Rescind Debt Authorizations						
34	General Fund Cash Capital		Adopt				
35	Pub. Works Infrastructure Program		Adopt				
36	Central Ave./Eliot St Bridge Design		Adopt				
37	RTS Enterpr. Fund Cash Capital		Adopt				
38	Sewer Enterpr. Fund Cash Capital		Adopt				
39	Water Enterpr. Fund Cash Capital		Adopt				
40	Athletic Facility Fund		Adopt				
41	Capital Improvement Fund						
42	Capital Facility Fund						
43	Omnibus						



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

MEETING DATE: 03/25/2014

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

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

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

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

Event Manager Name (Name that will appear on license)	Stephen Pitocchelli		
Event Manager Address	83 Munton St		
Event Manager Phone Number	781-727-1838		
Organization Representing (if applicable)			
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☐ Non-profit ☐ For profit ☒ Proof of non-profit status is attached Form of Proof: <u>on file</u>		
Name of Event	Boston Marathon Fundraiser		
Date of Event	March 28 2014		
License is for Sale of:			
☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	5	TO: 12
Are tickets being sold in advance for this event?	☐ YES \$	/per ticket	☒ NO
Is there an admission fee for this event?	☐ YES \$	/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?	100		
Name & address of event location. Please attach proof of permission to use this facility.			
The Village Club 83 Munton St			
Who will be serving the alcohol to your guests?			
Matt Laren			
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).			
Matt Laren On File			
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.			
Floor Plan on file			
☒ 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: <u>Stephen Pitocchelli</u>			Date: <u>3/10/14</u>

**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)	Stephen P. Beckel		
Event Manager Address	83 Munton St		
Event Manager Phone Number	781-727-1838		
Organization Representing (if applicable)	N/A		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☐ Non-profit ☐ For profit ☒ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Retirement Party		
Date of Event	April 26 2014		
License is for Sale of:			
☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:		TO:
		2	12
Are tickets being sold in advance for this event?	☐ YES \$	/per ticket	☒ NO
Is there an admission fee for this event?	☐ YES \$	/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?	100		
Name & address of event location. Please attach proof of permission to use this facility.			
The Village Club 83 Munton St			
Who will be serving the alcohol to your guests?			
Matt Lanan			
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).			
Matt Lanan on file			
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.			
Floor Plan on file			
☒ 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:
[Signature]			3/19/14

**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)	Stephen P. Beechell		
Event Manager Address	83 Morton St		
Event Manager Phone Number	781-727-1838		
Organization Representing (if applicable)	Village Club Scholarship		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☐ Non-profit ☐ For profit ☒ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Scholarship Dance		
Date of Event	May 3rd 2014		
License is for Sale of:			
☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:		TO:
		6	12
Are tickets being sold in advance for this event?	☒ YES	\$ 20	/per ticket ☐ NO
Is there an admission fee for this event?	☒ YES	\$ 20	/per ticket ☐ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES	☒ NO	
How many people are you expecting at this event?	125		
Name & address of event location. Please attach proof of permission to use this facility.			
83 Morton St Needham Ma.			
Who will be serving the alcohol to your guests?			
Matt Loran			
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).			
Matt Loran on file			
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.			
Floor Plan on file			
☒ 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:
Stephen P. Beechell			3-10-14



eTIPS On Premise 2.0 SSN:

XXX-XX-XXXX

Issued:

10/1/2011

Expires:

10/1/2014

ID#:

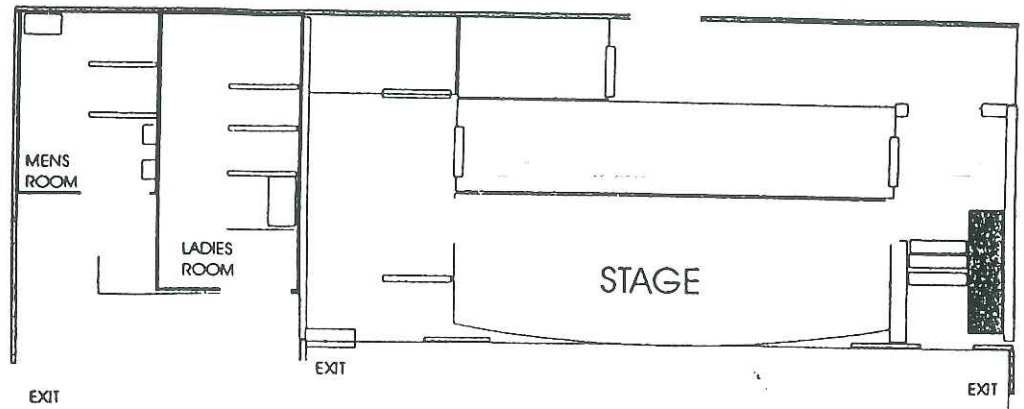
3089985

D.O.B.:

XX/XX/XXXX

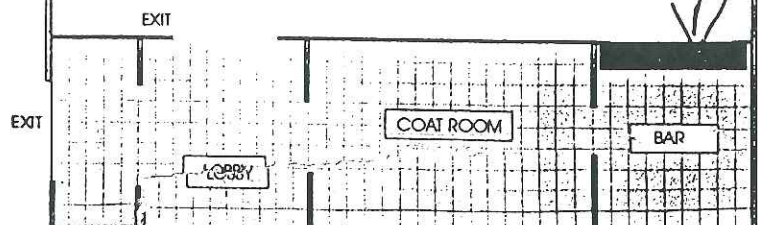
Matthew Lanen
The Village Club
83 Morton St
Needham Heights, MA 02494-1203

For service visit us online at www.gettips.com



The Village Club
HIGHLANDVILLE HALL
Needham, Ma

HIGHLANDVILLE
HALL
60' X 40'



ALL ALCAHOL SERVED HERE

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

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN
2014 MAR -7 4 11:36

Event Manager Name (Name that will appear on license)	Nicole Cunningham
Event Manager Address	The Real Estate Bar Association for Massachusetts, Inc. 50 Congress Street, Suite 600, Boston, MA 02109
Event Manager Phone Number	(617) 854-7555
Organization Representing (if applicable)	The Real Estate Bar Association for Massachusetts, Inc.
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☒ Non-profit ☐ For profit ☒ Proof of non-profit status is attached Form of Proof: _____
Name of Event	Women's Networking Reception
Date of Event	April 3, 2014
License is for Sale of: ☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License FROM: 5:00 pm TO: 8:00 pm	
Are tickets being sold in advance for this event?	☒ YES \$ 0.00 /per ticket ☐ NO (attendees are pre-registering)
Is there an admission fee for this event?	☐ YES \$ /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? Appx. 75-100	
Name & address of event location. Please attach proof of permission to use this facility. Needham Historical Society, 1147 Central Ave, Needham, MA	
Who will be serving the alcohol to your guests? Season's Catering Staff	
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). Season's Catering will provide a licensed bartender	
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. There is no charge for beer/wine. Guests will be served at a designated table/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: 3/4/2014



The Real Estate Bar Association for Massachusetts presents:

**A WOMEN'S NETWORKING GROUP
OF REAL ESTATE PROFESSIONALS**

**Join us at this meet-and-greet with our special guest
Kristin E. Blount, Senior Vice-President/Partner, Colliers International**



This event is open to all REBA members and please bring along other Real Estate Professionals to become a part of our growing network.

Please invite lawyers as well as any other real estate professionals who may enjoy meeting other women in our professional community—e.g. real estate brokers, property managers, bank officers, loan officers, mortgage brokers, appraisers, architects, engineers, landscape architects, designers, etc.

When: April 3, 2014
5:30 pm-7:30 pm

Where: Needham Historical Society
1147 Central Avenue
Needham, MA 02494

To attend, please RSVP by March 27, 2014 to Nicole Cunningham at cunningham@reba.net.

Light refreshments and beer/wine will be served.

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

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

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

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

Water Sales:	-\$27.80
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$56.35
Transfer Station Charges:	\$0.00
Total Abatement:	-\$84.15

Order #: 1177

Read and Approved:  3/21/14
3/20/2014
Assistant Director of Public Works

For the Board of Selectmen

Date: 3/25/14


Director of Public Works

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

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
DB	Meagher	William F JR	913	17902	170	Richardson Drive	\$0.00	-\$27.80	-\$56.35	-\$84.15	ACC	N

Total: -\$84.15

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

Legend:

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

TW/N = Town Project caused damage to private property

EC = Extenuating Circumstances

Equip = Equipment Malfunction

UEW = Unexplained water loss

ACC = Accidental Water Loss

BP = Billing Period beyond 100 days

COA - Council on Aging