

BOARD OF SELECTMEN

March 13, 2018

Needham Town Hall

Agenda

Note: Agenda subject to revision, start times are approximate and agenda items may be discussed at earlier or later times.

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Public Hearings- Eversource Energy: • Homestead Park (continued) • Central Avenue • Bradford Street
2.	7:00	Public Hearing: Gender Neutral Terminology
3.	7:30	Public Hearing: Stormwater By-law
4.	8:15	Town Manager • Accept and Refer Zoning- Wireless Communications Facilities and Height Limitation Exceptions • Request to Alter Landscape Buffer • Open Special Town Meeting Warrant • Amend Contributory Insurance Rules and Regulations • Positions on Warrant Articles
5.	8:30	Board Discussion • Plastic Check-out Bag Policy • Committee Reports

APPOINTMENTS

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CONSENT AGENDA *=Backup attached

1.*	Approve a Special One Day Wines & Malt Beverages License for Maxwell Sparr of Trip Advisor to host a Boston Common Networking event on Tuesday, March 13, 2018 from 5:00 p.m. to 7:00 p.m. Event will be held at Trip Advisor, 400 First Avenue, Needham, MA.
2.*	Ratify a Special One Day Wine & Malt Beverages Only license for Robert Timmerman of the Needham Knights of Columbus who hosted its annual St. Patrick's Dinner Dance on Saturday, March 10, 2018 from 5:30 p.m. to 11:00 p.m. The event was held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.
3.*	Approve a request from Jessica Rice, who has submitted a Road Event form, to hold

	its “Jog Your Memory 5K Run/2 mile walk” on Sunday, September 16, 2018 from 6:00 a.m. to 11:00 a.m. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
4.	Accept a \$500 donation made to Needham Youth Services from the Congregational Church of Needham. They would like the monies to be used to sponsor Needham Youth Services VIP program.
5.	Accept a \$300 donation made to Needham Youth Services the Patrick C. Forde Memorial Fund. They would like the monies to be used to sponsor Needham Youth Services Programs.
6.	Accept the following donation made to the Needham Community Revitalization Trust Fund: \$1500 from Beth Israel Deaconess Hospital.
7.	Grant permission for the Newton Needham Regional Chamber to use the Town Common and surrounding area for its Street Fair on Saturday, June 2, 2018, and the Fall Harvest Fair on Saturday, September 29, 2018. They would like to request rain dates of Saturday June 9, 2018 and October 6, 2018 respectively. Permission includes: Town Common for local businesses’ booths; parking lot behind Town Hall and for one handicapped accessible portable toilet and one hand washing station (to be delivered and picked up on the same day); close Chapel Street from corner of Great Plain Avenue to the Chapel Street parking lot for food court, fire truck, touch the trucks, and Michelson’s Shoe table; use of the Town’s generator on Chapel Street to power the food court and other activities as needed; use of the outlets on the town common to provide requested electricity for popcorn and cotton candy machines; trolley ride that will start at Highland Avenue by the Town Common and loop back around the town via Great Plain Avenue, Webster Street, May Street, and back to the Town Common; delivery and pickup of a dumpster in the parking lot behind town hall; delivery and pick up of trash cans to be placed around the event area including specifically at the food court and near the portable toilets; and any changes as recommended by the Needham Police Department. Also grant permission for meter free parking in the downtown area for both days.
8.*	Approve open session minutes of February 13, 2018 and February 27, 2018.
9.*	Sign the Warrant for the Annual Town Election to be held on Tuesday, April 10, 2018.
10.*	Approve a One Day All Alcoholic Beverages License for Julie Richmond of the Charles River YMCA, to host its YMCA Giving Gala on March 24, 2018 from 6:00 p.m. to 11:00 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.
11.*	Water & Sewer Abatement Order #1252



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

**MEETING DATE: 3/13/2018
continuation of 2/27/18 meeting**

Agenda Item	Public Hearing: Eversource Energy – Homestead Park
Presenter(s)	Maureen Carroll, Eversource Energy representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 10 feet of conduit in Homestead Park. This work is necessary to provide underground electric service at 46 Homestead Park, Needham. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<u>Suggested Motion:</u> Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 10 feet of conduit in Homestead Park. This work is necessary to provide underground electric service at 46 Homestead Park, Needham.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. Letter of Application b. Petition c. Order d. Petition Plan e. Notice Sent to Abutters f. List of Abutters	

January 24, 2018

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

RE: ^{\$}46 Homestead Park
Needham, MA
WFO #2239609

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 10 feet of conduit in Homestead Park.

The reason for this work is to relocate the existing electric service for 46 Homestead Park from overhead to underground.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,


Kelly-Ann Correia, Supervisor
Rights and Permits

KAC/kj
Attachments

Riser on Pole w/ cables
jmm, asst. Town Engr.
2/6/18
OK as discussed
R.B. Meuser
2/9/18

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated January 11, 2018** and filed herewith, under the following public way or ways of said Town:

**Homestead Park - Southerly from pole 385/3 approximately
206 feet east of Webster Street a distance of
10 ± feet of conduit.**

(W.O. #2239609)

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

BY Kelly-Ann Correia
Kelly-Ann Correia, Supervisor
Rights & Permits

Dated this 25th day of January

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2018

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

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

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

Homestead Park - Southerly from pole 385/3 approximately 206 feet east of Webster Street a distance of 10 ± feet of conduit.

(W.O. #2239609)

Hearing Required

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated January 11, 2018**, on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	
3	_____	Board of Selectmen
4	_____	the Town of
5	_____	NEEDHAM

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the 27th day of February 2018 at Needham Town Hall in said Town.

1	_____	
2	_____	
3	_____	Board of Selectmen
4	_____	the Town of
5	_____	NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2018 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts

HOMESTEAD PK

CUST TO INSTALL 1 - 2" PVC PIPES
SCHEDULE 40
SECTION 1 FIG. 1 10'±

APPROX R.O.W.

APPROX. 206' TO
WEBSTER ST

APPROX. PT.
OF PICKUP

34芥

MS
44

Category	Percentage of Respondents
Used a mobile app to manage their finances	10
Have not used a mobile app to manage their finances	30

SCALE IN FEET

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NISTAR ELECTRIC COMPANY, NISTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NISTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR BY RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, DEFEND AND HOLD THE NISTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY AND MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

**REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233**

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Ward #

Work Order # 2239609

Surveyed by: N/A

Research by: N/A

Plotted by: PG

Proposed Structures: 144

Approved: A DERBENEDICTIS

D#

NSTAR EVERSOURCE

1105 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of HOMESTEAD PARK

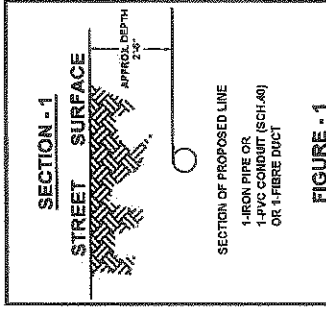
NEEDHAM

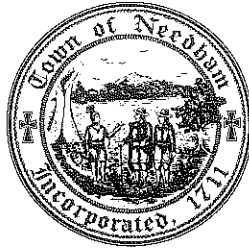
 Showing | PROPOSED CUSTOMER CONDUIT LOCATION |

1

Scale $1^{\circ}=20'$ Date JANUARY 11, 2018

SHEET 1 of 1





NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on February 27, 2018** upon petition of Eversource Energy dated **January 25, 2018** to install about 10 feet of conduit in Homestead Park. The work is necessary to provide underground electric service to 46 Homestead Park, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

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

BOARD OF SELECTMEN

Dated: February 16, 2018

46 HOMESTEAD PARK

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
ROZMAN, MICHAEL &	CASEY, KRISTEN	46 HOMESTEAD PK	NEEDHAM HTS	MA	02494	1990610002100000	46 HOMESTEAD PK
POMPOSELLI, MICHAEL M. &	POMPOSELLI, MARY E.	41 LA SALLE RD	NEEDHAM HTS	MA	02494	1990550005100000	41 LA SALLE RD
SOLOMON, JEFFREY S. &	WEINSTOCK, RACHEL A.	30 HOMESTEAD PK	NEEDHAM HTS	MA	02494	1990610001900000	30 HOMESTEAD PK
MCKENNEY, KEVIN B. &	MCKENNEY, KATHERINE G.	544 WEBSTER ST	NEEDHAM	MA	02494	1990610002200000	544 WEBSTER ST
MCINTOSH, LINDA J.	SYLVIA, MARIE E.	29 HOMESTEAD PK	NEEDHAM HTS	MA	02494	1990610002800000	29 HOMESTEAD PK
SYLVIA, BARRY BRIAN &	STROM, TERRY L.	36 HOMESTEAD PK	NEEDHAM HTS	MA	02494	1990610002000000	36 HOMESTEAD PK
KAPLAN, STEVEN K. &	MARCUS, DEBORAH L.	31 LA SALLE RD	NEEDHAM HTS	MA	02494	1990550005000000	31 LA SALLE RD
MARCUS, DAVID F. &	C//OPINWOOD CUSTOM HOMES INC.	35 HOMESTEAD PK	NEEDHAM	MA	02494	19906100029000010	35 HOMESTEAD PK
AMORUSO, ALFRED P & ESTELLE P.	SCHNEIER, JENNIFER	1498 HIGHLAND AVE	NEEDHAM	MA	02492	1990610002400000	53 HOMESTEAD PK
SCHNEIER, ADAM B. &	WOOD, JONATHAN H.	54 HOMESTEAD PK	NEEDHAM	MA	02492	1990610002300000	54 HOMESTEAD PK
WOOD, MARYANN P. +	BOLINGER, SHARON M.	41 HOMESTEAD PK	NEEDHAM HTS	MA	02494	1990610002700000	41 HOMESTEAD PK
BOLINGER, EUGENE R. &		550 WEBSTER ST	NEEDHAM	MA	02494	1990550009900000	550 WEBSTER ST

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
for the Needham Board of Assessors. 



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

MEETING DATE: 3/13/2018

Agenda Item	Public Hearing: Eversource Energy – Central Avenue
Presenter(s)	Maureen Carroll, Eversource Energy representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 10 feet of conduit in Central Avenue. This work is necessary to provide underground electric service at 1283 Central Avenue, Needham. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<u>Suggested Motion:</u> Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 10 feet of conduit in Central Avenue. This work is necessary to provide underground electric service at 1283 Central Avenue, Needham.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. Letter of Application b. Petition c. Order d. Petition Plan e. Notice Sent to Abutters f. List of Abutters	

February 12, 2018

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

RE: Central Avenue
Needham, MA
WCO #2251259

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 10 feet of conduit in Central Avenue.

The reason for this work is to provide new underground electric service to 1283 Central Avenue.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,


Kelly-Ann Cecilia, Supervisor
Rights and Permits

RAC/k
Attachments

ok to proceed
J.M., Asst. Town
Eng.
2/21/18
OK R.P. Newman
DPW Director
3/2/18

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated January 31, 2018** and filed herewith, under the following public way or ways of said Town:

**Central Avenue - Northwesternly from pole #8/160 approximately
150 feet south of Bellevue Drive a distance of
10 ± feet of conduit.**

(W.O. #2251259)

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**



By: _____
Kelly-Ann Correia, Supervisor
Rights & Permits

Dated this 12th day of February

Town of **NEEDHAM** Massachusetts

Received and filed _____, 2018

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

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

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

**Central Avenue - Northwesternly from pole #8/160 approximately
150 feet south of Bellevue Drive a distance of
10 ± feet of conduit.**

(W.O. #2251259)

Hearing Required

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated January 31, 2018** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	NEEDHAM
5	_____	

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2018 at _____ in said Town.

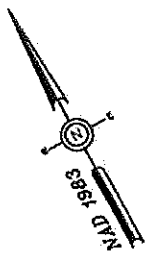
1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	NEEDHAM
5	_____	

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Masssachusetts, duly adopted on the _____ day of _____, 2018 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts

N:\SHARED-nitras-v\02\IMAGE\BASE\INS\ENGINEE-CENTRAAK.dwg



APPROX. PT.
OF PICKUP

PROPERTY LINE

8/159

8/160

8/161

10'±

GRASS

CENTRAL AVE

CUSTOMER TO INSTALL
1 - 4" PVC PIPE
SCHEDULE 40, NO CONCRETE
SECTION 1, FIGURE 1

ASPHALT SIDEWALK

PROPERTY LINE

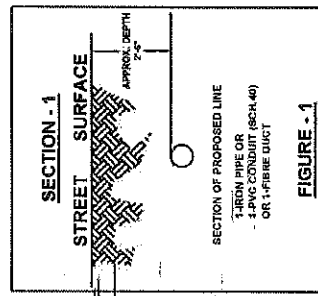


FIGURE - 1

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND IS MADE BY THE ENGINEER FOR THE ACCURACY OF THE INFORMATION. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN OF THE CONDUIT ONLY. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO OR INJURY TO ANY PERSON OR PROPERTY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE ENGINEER HARMLESS FROM ANY SUCH LOSS OR INJURY.

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MASS. LAW

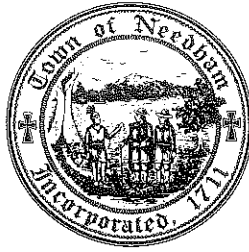
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

ASTAR EVERSOURCE
1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

C#	
Ward #	
Work Order #	2251259
Surveyed by:	N/A
Research by:	PG
Plotted by:	LM
Proposed Structures:	TL
Approved:	A DEBENEDICTIS
P#	

Plan of CENTRAL AVE
NEEDHAM
Showing PROPOSED CUSTOMER TO INSTALL CONDUIT LOCATION

Scale 1"=30'
Date JANUARY 31, 2018
SHEET 1 of 1



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on March 13, 2018** upon petition of Eversource Energy dated **February 12, 2018** to install about 10 feet of conduit in Central Avenue. The work is necessary to provide underground electric service to 1283 Central Avenue, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

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

BOARD OF SELECTMEN

Dated: March 2, 2018

1283 CENTRAL AVENUE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
CAGGIANO, MARK A. &	CAGGIANO, GINNY L.	1311 CENTRAL AVENUE	NEEDHAM	MA	02492	1993080001400000	1311 CENTRAL AVE
JHALANI, KRISHAN K. &	JHALANI, SONAM WANGMO	1262 CENTRAL AVE	NEEDHAM	MA	02492	1991430003000000	1262 CENTRAL AVE
TOW, NANCY H. &	TOW, MICHAEL C.	1282 CENTRAL AVE	NEEDHAM	MA	02492	1991430003200000	1282 CENTRAL AVE
TOWN OF NEEDHAM	DEPT OF PUBLIC WORKS—TRANSFER STA	1471 HIGHLAND AVE	NEEDHAM	MA	02492	1993080000200000	1407 CENTRAL AVE
GOLDMAN, AMY		15 CEDAR SPRINGS LN	NEEDHAM	MA	02492	1992160003300000	15 CEDAR SPRINGS LN
PANG, NA &	ZHOU, HONGCHAO	28 BELLEVUE DR	NEEDHAM	MA	02492	1991430003100000	28 BELLEVUE DR
DUBOIS, JON S. &	DUBOIS, HEIDI K.	21 CEDAR SPRINGS LN	NEEDHAM	MA	02492	1992160003200090	21 CEDAR SPRINGS LN
TOWN OF NEEDHAM		1471 HIGHLAND AVE	NEEDHAM	MA	02492	1992160004000000	0 CEDAR SPRINGS LN
GOODMAN, ANDREW S. &	GOODMAN, DENISE J.	29 CEDAR SPRINGS LN	NEEDHAM	MA	02492	1992160003200080	29 CEDAR SPRINGS LN
GU, YUANGANG, &	LE, YOUZHEN	309 MARKED TREE RD	NEEDHAM	MA	02492	1991430006100000	309 MARKED TREE RD
THE BEVILACQUA COMPANY		P.O. 812704	WELLESLEY	MA	02482	1992160003500000	1283 CENTRAL AVE
MCLAUGHLIN, JAMES P. & SANDRA K. TRS	SANDRA K. MCLAUGHLIN TRUST	37 CEDAR SPRINGS LN	NEEDHAM	MA	02492	1992160003200070	37 CEDAR SPRINGS LN
TOW, MICHAEL C. &	TOW, NANCY H.	1290 CENTRAL AVE	NEEDHAM	MA	02492	1991430005200000	1290 CENTRAL AVE
MOORE, SUSAN E.		1302 CENTRAL AVE	NEEDHAM	MA	02492	1991430006200000	1302 CENTRAL AVE
AFRIDI, NADEEM &	KHAN, FAUZIA WALI	1297 CENTRAL AVE	NEEDHAM	MA	02492	19930800001300000	1297 CENTRAL AVE
CULLEN, MALACHY &	CULLEN, SUSAN	1275 CENTRAL AVE	NEEDHAM	MA	02492	1992160003400000	1275 CENTRAL AVE

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
for the Needham Board of Assessors.....*[Signature]*



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

MEETING DATE: 3/13/2018

Agenda Item	Public Hearing: Eversource Energy – Bradford Street
Presenter(s)	Maureen Carroll, Eversource Energy representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 7 feet of conduit in Bradford Street. This work is necessary to provide underground electric service at 33 Bradford Street, Needham. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<u>Suggested Motion:</u> Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 7 feet of conduit in Bradford Street. This work is necessary to provide underground electric service at 33 Bradford Street, Needham.	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below) a. Letter of Application b. Petition c. Order d. Petition Plan e. Notice Sent to Abutters f. List of Abutters	

February 12, 2018

Board of Selectmen
Town Hall
1471 Highland Avenue
Needham MA 02192

RE: Bradford Street
Needham, MA
W/O #2259254

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 7 feet of conduit in Bradford Street.

The reason for this work is to provide new underground electric service to 33 Bradford Street.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,



Kelly Ann Corleia, Supervisor
Rights and Permits

KAC/kj
Attachments

OK to
proceed
pm, asst. Town Engr.
2/21/18
OK
R.P. Meason
DPW Director
3/2/18

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated February 9, 2018** and filed herewith, under the following public way or ways of said Town:

**Bradford Street - Northwesternly from pole #112/5 approximately
165 feet north of Cleveland Road a distance of
7± feet of conduit.**

(W.O. #2259254)

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

By: 

Kelly-Ann Correia, Supervisor
Rights & Permits

Dated this 12th day of February

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2018

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

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

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

**Bradford Street - Northwesteryly from pole #112/5 approximately
165 feet north of Cleveland Road a distance of
7± feet of conduit.**

(W.O. #2259254)

Hearing Required

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated February 9, 2018** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	NEEDHAM
5	_____	

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2018 at _____ in said Town.

1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	NEEDHAM
5	_____	

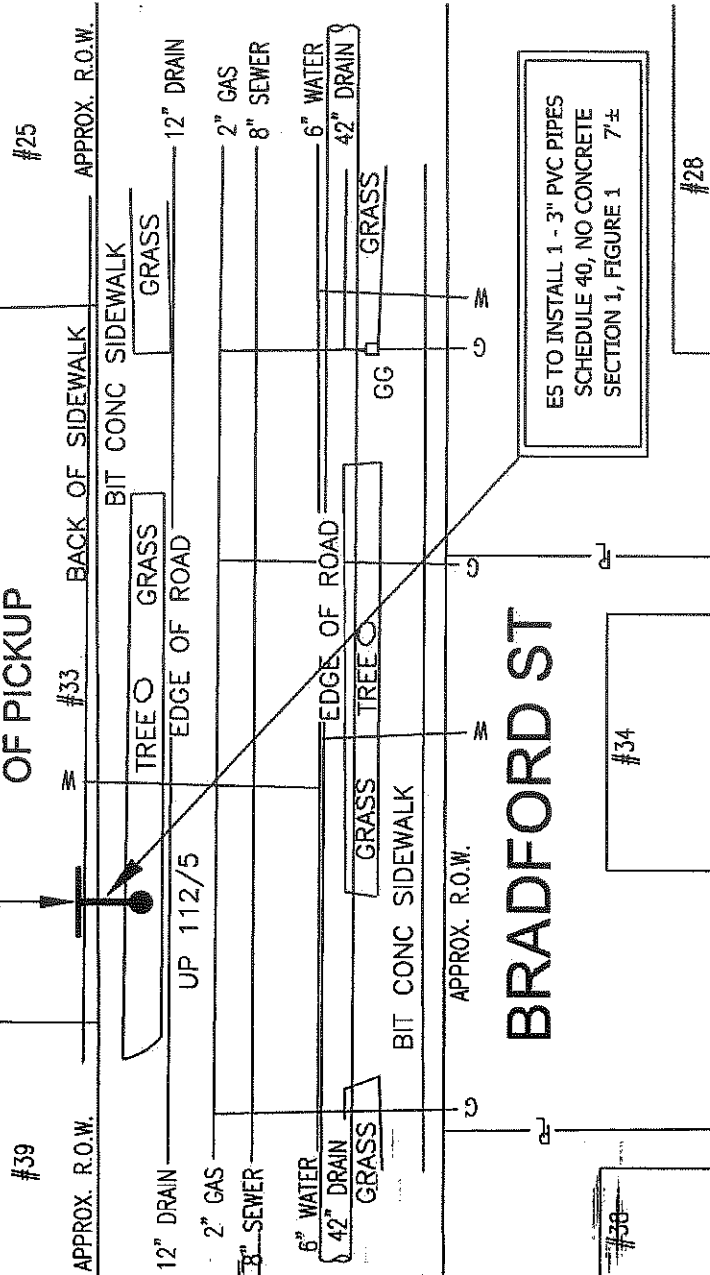
CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Masssachusetts, duly adopted on the _____ day of _____, 2018 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts

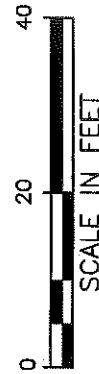
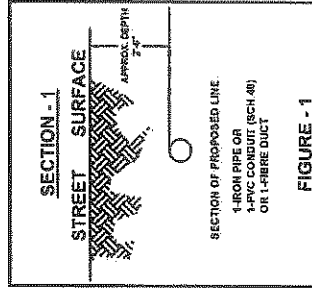
APPROX. 165' TO
CLEVELAND RD

APPROX. PT.
OF PICKUP



BRADFORD ST

ES TO INSTALL 1 - 3" PVC PIPES
SCHEDULE 40, NO CONCRETE
SECTION 1, FIGURE 1 7'±



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES, AGENTS OR CONTRACTORS SHALL BE LIABLE FOR ANY LOSS OF PROFITS, REVENUE, INCOME, OR OTHER ECONOMIC LOSS, OR FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE USE OF THE INFORMATION ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO WARRANTY IS MADE BY NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY, OR EITHER EXPRESSOR OR IMPLICIT, UNAUTHORIZED ATTEMPTS TO REPRODUCE THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE FORBIDDEN.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-866-344-7233

NSTAR EVERSOURCE
1105 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of BRADFORD STREET

NEEDHAM

Showing PROPOSED CONDUIT LOCATION

Scale 1"=20' Date FEBRUARY 9, 2018

SHEET 1 of 1

C# 30-18

Ward #

Work Order # 2259254

Surveyed by: LM/GC

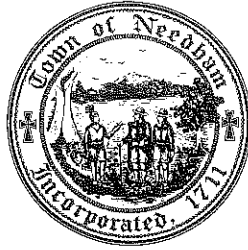
Research by: SC

Plotted by: PG

Proposed Structures: LM

Approved: A DEBENEDICTIS

P#



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on March 13, 2018** upon petition of Eversource Energy dated **February 12, 2018** to install about 7 feet of conduit in Bradford Street. The work is necessary to provide underground electric service to 33 Bradford Street, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

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

BOARD OF SELECTMEN

Dated: March 2, 2018

33 BRADFORD STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
PROFY, ALBERT T. JR. &	WILTERDINK, JANET L.	46 BRADFORD ST	NEEDHAM	MA	02492	1990390002800000	46 BRADFORD ST
KANE, MATTHEW A. &	KANE, BROOKE C.	28 BRADFORD ST	NEEDHAM	MA	02492	199039000031000000	28 BRADFORD ST
GLENN, MARK H. &	GLENN, SUSAN D.	15 CLEVELAND RD	NEEDHAM	MA	02492	199039000057000000	15 CLEVELAND RD
ROONEY, ROBERT R. &	ROONEY, TRACEY M.	24 BRADFORD ST	NEEDHAM	MA	02492	199039000032000000	24 BRADFORD ST
YOUNG, KEVIN R. &	YOUNG, JULIA S.	24 WEBSTER PK	NEEDHAM	MA	02492	199039000059000000	24 WEBSTER PK
MILLIGAN, ANNE E. TR.	ANNE E. MILLIGAN REVOCABLE TRUST	33 BRADFORD ST	NEEDHAM	MA	02492	199039000043000000	33 BRADFORD ST
TIERNEY, DONNA M.		34 BRADFORD ST	NEEDHAM	MA	02492	199039000030000000	34 BRADFORD ST
FERNANDEZ, ROBERT &	FERNANDEZ, LORENE WHYTE	19 BRADFORD ST	NEEDHAM	MA	02492	199039000041000000	19 BRADFORD ST
SPROGIS, BRADFORD A. &	SPROGIS, LOUISE F.	39 BRADFORD ST	NEEDHAM	MA	02492	199039000040000000	39 BRADFORD ST
ROBINS, ALAN S. &	ROBINS, JENNIFER C.	25 BRADFORD ST	NEEDHAM	MA	02492	199039000042000000	25 BRADFORD ST
DATEO, ROBERT W. &	DATEO, JULIE M.	38 BRADFORD ST	NEEDHAM	MA	02492	199039000029000000	38 BRADFORD ST
MACLAUGHLIN, KEVIN J. &	MACLAUGHLIN, NICOLE	23 WEBSTER PARK	NEEDHAM	MA	02492	199039000058000000	23 WEBSTER PK
HECKER, DUSTIN F. &	SCARBOROUGH, GWEN C.	43 BRADFORD ST	NEEDHAM	MA	02492	199039000045000000	43 BRADFORD ST

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
for the Needham Board of Assessors *[Signature]*



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

MEETING DATE: 3/13/2018

Agenda Item	Gender Neutral Terminology
Presenter(s)	Public Hearing

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board will hold a public hearing on the proposal to change the name of the Board of Selectmen to Select Board.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
Discussion only.	
3.	BACK UP INFORMATION ATTACHED
a. Notice of Public Hearing	



TOWN OF NEEDHAM

TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669

Office of the
BOARD OF SELECTMEN

TEL: (781) 455-7500
FAX: (781) 449-4569
TDD: (781) 455-7558

Board of Selectmen Notice of Public Hearing Gender Neutral Board Naming

The Board of Selectmen will hold a public hearing on Tuesday, March 13, 2018 at 7:00 p.m. at the Needham Town Hall, 1471 Highland Avenue, Needham to gather input from interested parties regarding a proposal to change the name of the Board from "Board of Selectmen" to "Select Board."

This proposal would bring the only gender-specific-titled public body of the Town into parity with its fellow boards and committees in Needham, as well as with many boards throughout the Commonwealth. Over 30 Massachusetts Towns have made this change in recent years, reflecting the growing recognition that a gendered title for one of the chief elected offices in municipal government is archaic, and potentially discouraging to some who might seek to hold such an office. The Board is mindful of the Town's long history using the name "Board of Selectmen." The Board is engaged in conversation as to whether the benefits to be gained from such a change warrant departing from that tradition.

The proposal to change the name of the Board will require a change to the Town Charter. The change would make clear that the Select Board is the entity historically known as the "Board of Selectmen", and possesses all the duties, authorities, and legal rights and responsibilities of the Town of Needham's Board of Selectmen. Members of the Select Board may be addressed as "Select Board Member," or "Board Member," "Selectwoman," or "Selectman."

The Board invites all residents and interested parties to attend and provide input regarding this subject. Written comments may also be submitted to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492 or by email to selectmen@needhamma.gov.



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

MEETING DATE: 3/13/2018

Agenda Item	Stormwater By-law
Presenter(s)	Public Hearing

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board will hold a public hearing on the proposal General By-Law Amendment – Stormwater.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
Discussion only.	
3.	BACK UP INFORMATION ATTACHED
a. Notice of Public Hearing	



TOWN OF NEEDHAM

TOWN HALL

1471 Highland Avenue
Needham, MA 02492-2669

Office of the
BOARD OF SELECTMEN

TEL: (781) 455-7500
FAX: (781) 449-4569
TDD: (781) 455-7558

Board of Selectmen Notice of Public Hearing Stormwater By-Law

The Board of Selectmen will hold a public hearing on Tuesday, March 13, 2018 at 7:30 p.m. at the Needham Town Hall, 1471 Highland Avenue, Needham to gather input from interested parties regarding a proposed Stormwater By-Law.

The proposed By-Law would provide the Town with the authority to satisfy the Federal National Pollutant Discharge Elimination System (NPDES) requirement for a Phosphorus Control Plan. The By-Law would address the requirement to reduce pathogens in stormwater discharges, and address water quality issues related to low dissolved oxygen, removal of petroleum contaminants, reduction of sediment and suspended solids, and removal of other water quality impairments. The proposed By-Law would apply to applicants for Town permits for construction, and provides alternative measures for applicants whose properties are located in poorly draining soils. The By-Law will reduce the amount of stormwater that is directed to the Town's drainage system, and will help decrease flooding on local streets. For residential properties, the By-Law provides a mechanism to address concerns about the impact of construction-related run-off on abutting properties.

The Board invites all residents and interested parties to attend and provide input regarding this subject. Written comments may also be submitted to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492 or by email to selectmen@needhamma.gov.

ARTICLE 7

STORMWATER

SECTION 7.1 PURPOSE

The purpose of this By-Law is:

- (a) To prevent pollutants from entering the Town of Needham's Municipal Separate Storm Sewer System (MS4);
- (b) To prohibit illicit connections and unauthorized discharges to the (MS4) and to require the removal of all such illicit connections;
- (c) To comply with state and federal statutes and regulations relating to stormwater discharges, including the NPDES MS4 Permit issued by the U.S. Environmental Protection Agency (EPA), the Massachusetts Stormwater Management Policy regardless of the location of the subject property relative to wetlands or other resource areas, and the Memorandum of Understanding (MOU) issued to the Town of Needham by the EPA in 1996;
- (d) To establish the legal authority to ensure compliance with the provisions of this By-Law through permitting, inspection, monitoring, and enforcement;
- (e) To control runoff and prevent soil erosion and sedimentation resulting from construction site stormwater runoff;
- (f) To promote infiltration and the recharge of groundwater;
- (g) To protect, maintain and enhance the public safety, environment, health, and general welfare by establishing minimum requirements and procedures to manage stormwater runoff, and;
- (h) To ensure that soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained.

SECTION 7.2 DEFINITIONS

For the purposes of this By-Law, the following definitions shall apply:

Alteration: Any activity that will change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Examples include, but are not limited to, construction of new structures, earthmoving, paving, and modification of existing vegetation.

Best Management Practices (BMPs): Structural, non-structural, and managerial techniques that are recognized to be the most effective and practical means to prevent or minimize increases in stormwater volumes and flows, reduce point-source and nonpoint-source pollution, and promote stormwater quality and protection of the environment.

Clean Water Act: The Federal *Water Pollution Control Act* (33 U.S.C. §§ 1251 *et seq.*) as it may hereafter be amended.

Construction Site: Any site where activity is proposed or occurs that involves the alteration of land and involves a permit required by the Town.

Development: The alteration of land to accommodate a new use or an expansion or modification of an existing use.

Illicit Connection: A surface or subsurface drain or conveyance that allows a discharge into the MS4 that is not entirely composed of stormwater or clean groundwater, including any connection from an indoor drain, sinks, toilet, or laundry facility, regardless of whether the connection was previously allowed, permitted, or approved before the effective date of this By-Law.

Illicit Discharge: Any direct or indirect discharge to the MS4 or the Waters of the Commonwealth that is not composed entirely of stormwater or clean groundwater, including, without limitation, any discharge of a pollutant, sewage, process wastewater, or wash water, except as exempted. The term does not include a discharge in compliance with a NPDES Stormwater Discharge Permit or a Surface Water Discharge Permit.

Impervious Surface: Any material or structure on, above or below the ground that prevents water from infiltrating through to the underlying soil. Impervious surfaces may include, without limitation: paved surfaces, parking lots, sidewalks, driveways, roof tops and swimming pools.

MOU: Memorandum of Understanding issued to the Town of Needham by the EPA in June 1996.

MS4 (Municipal Separate Storm Sewer System): The system of conveyances, owned or operated by the Town of Needham, that are designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, swale, culvert, channel, catch basin, outfall, outlet, reservoir, or other drainage structure.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by the United States Environmental Protection Agency or jointly with the state that authorizes the discharge of stormwater containing pollutants into waters of the United States.

Non-point Source Pollution: Rainfall or snowmelt that picks up pollutants as it moves across the ground.

Non-stormwater Discharge: A discharge that is not composed entirely of stormwater, such as sanitary waste or process water.

Operation and Maintenance (O&M) Plan: A plan setting the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth of Massachusetts or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

Point Source: Any discernible, confined and discrete conveyance, including, without limitation, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. The term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

Pollutant: Any element or characteristic of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into Needham's MS4 or waters of the Commonwealth. Pollutants shall include, but are not limited to:

- (a) Faints, varnishes, and solvents;
- (b) Oil and other automotive fluids;
- (c) Non-hazardous liquid and solid wastes and yard wastes;
- (d) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, accumulations and floatables;
- (e) Excess Pesticides, herbicides, and fertilizers;
- (f) Hazardous materials and wastes;
- (g) Sewage, fecal coliform and pathogens;
- (h) Dissolved and particulate metals or nonmetals, including phosphorus;
- (i) Animal wastes;
- (j) Rock, sand, salt, silt, soils;
- (k) Construction wastes and residues; and
- (l) Noxious or offensive matter of any kind.

Recharge: The process by which groundwater and the underlying aquifer is replenished by the absorption of water.

Runoff: The water from rain, snowmelt or irrigation that flows over the land surface and is not absorbed into the ground, instead flowing into the MS4 or streams or other surface waters or land depressions.

Sanitary Sewer System: A separate underground conveyance system specifically for transporting sanitary waste operated separately and independently from the MS4, to which storm, surface, and ground waters are not lawfully admitted.

Small Diameter Drain Program: A Town of Needham Program allowing the extension of the Town's drainage system (MS4) by a series of 6 inch, 8 inch and 10 inch drain pipes used to collect roof drains and clean sump pump discharges.

Stormwater: Water originating from rainfall, snowmelt/ice melt runoff, and surface water runoff.

Stormwater Management: The use of structural or non-structural practices that are designed to reduce and control stormwater runoff pollutant loads, discharge volumes or peak flow discharge rates. Stormwater Management includes the use of Low-Impact Development (LID) management practices.

Watershed Management Plan: The plan developed for the Town of Needham subdividing watershed areas within the Town and depicting drainable soil areas appropriate for infiltration/recharge.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, ground waters, and vernal pools.

SECTION 7.3 ADMINISTRATION

7.3.1 The Board of Selectmen shall adopt, and may periodically amend, Rules and Regulations to effectuate the purposes of this Bylaw, after conducting a public hearing to receive Public comment.

7.3.2 The Department of Public Works shall be responsible for the day-to-day administration of this By-Law and its Regulations.

7.3.3 The Department of Public Works shall have the authority to investigate suspected illicit discharges and to require the elimination of illicit discharges.

SECTION 7.4 APPLICABILITY

7.4.1 All persons required to obtain a Building Permit for new construction, additions greater than 25% of the existing building footprint, in-ground pool, or out building (such as a separate Garage) shall be subject to the requirements of this Bylaw. All persons required to obtain a Planning Board Decision and/or a Board of Appeals Decision are also subject to the requirements of this Bylaw.

7.4.2 All applications requiring Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval whether the issuance of a Building Permit is required or not shall include the Stormwater Management and Erosion Control provisions in the applications to the respective boards for their review and approval prior to the issuance of a Building Permit, or any development activity. The Department of Public Works shall participate in the review process and make recommendations to the Planning Board, Zoning Board of Appeals, and/or Conservation Commission as needed.

7.4.3 The applicant, or an agent thereof, shall obtain the approval of the Director of Public Works prior to any change or modification of an activity associated with the Stormwater Management and Erosion Control provisions of the Building Permit. In circumstances where Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval is required prior to the issuance of a Building Permit or development activity, the respective Board or Commission's approval shall be obtained prior to any change or modification. The Director of Public Works, Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall amend their original approvals and require additional stormwater runoff and erosion control measures prior to approval of the change or modification.

SECTION 7.5 ILLICIT DISCHARGE, DETECTION & ELIMINATION (IDDE)

7.5.1 Prohibited Activities

7.5.1.1 Illicit Discharges No person shall cause or allow an illicit discharge into the MS4 or into the Waters of the Commonwealth. This Bylaw shall not exempt stormwater discharges from regulations under the National Pollutant Discharge Elimination System (NPDES) stormwater program where applicable.

7.5.1.2 Illicit Connections No person shall construct, use, allow, maintain or continue any Illicit Connection, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

7.5.1.3 Obstruction of Municipal Storm Drain System No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior written approval from the Director of Public Works.

7.5.2 Regulated Activities

7.5.2.1 No person shall connect a pipe or other appurtenance to the Town of Needham Sanitary Sewer System or the MS4, or otherwise perform any modification, repair, rehabilitation, or replacement work on either system, without receiving an approved Sewer Connection Permit or Drainage Connection Permit from the Department of Public Works.

7.5.2.2 No person shall allow a pipe, swale or other point source to discharge onto a Public Way.

7.5.3 Exemptions The following Non-Stormwater Discharges are exempt from the requirements of this By-Law:

- (a) Water line flushing;
- (b) Landscape irrigation;
- (c) Diverted stream flows;
- (d) Rising ground waters;
- (e) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005[20]);
- (f) Discharges from potable water sources;
- (g) Air conditioning condensation;
- (h) Lawn watering;
- (i) Flows from wetland resource areas;
- (j) Discharges or flows from firefighting activities; and
- (k) Discharges necessary to protect public health, safety, welfare or the environment.

SECTION 7.6 EMERGENCY SUSPENSION OF STORM DRAIN SYSTEM ACCESS

The Director of Public Works may suspend MS4 access to any person or property without prior written notice when such suspension is determined to be necessary to prevent or terminate a threatened or actual discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event that any person fails to comply with an emergency suspension order issued pursuant to this section, the Department of Public Works may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

SECTION 7.7 STORMWATER MANAGEMENT AND EROSION CONTROL

7.7.1 Regulated Activities

7.7.1.1 Any activity requiring a Building Permit for new construction, addition greater than 25% of the existing building footprint, in-ground pool, or out building shall be subject to the requirements of this Bylaw. Any Permit or Decision issued by the Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall include the requirements of this Bylaw.

7.7.1.2 A Stormwater Management and Erosion Control plan shall be required prior to undertaking any alteration of land that involves a Building Permit, Planning Board Decision, Zoning Board of Appeals Decision, and/or Conservation Commission Permit or Order.

7.7.2 Exempt Activities The following activities shall be exempt from this Bylaw:

- (a) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this By-Law;
- (b) Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture, or the use, expansion, or reconstruction of existing structures for the primary purpose of agriculture, horticulture, floriculture, or viticulture, to the extent protected under the *Zoning Act, M.G.L. c. 40A, § 3*;
- (c) Customary cemetery management;
- (d) Normal maintenance of Town-owned public land, ways, public utilities and appurtenances; and
- (e) Emergency activities necessary to protect public health or safety

7.7.3 General Requirements

7.7.3.1 A Stormwater Management and Erosion Control plan shall be submitted as part of a Building Plot Plan or independently with an application for a Building Permit, Planning Board application, Zoning Board of Appeals application, Conservation Commission application, and/or prior to any development activity.

7.7.3.2 The Stormwater Management and Erosion Control plan shall include provisions for a siltation/sedimentation barrier, stormwater recharge, stormwater runoff quality controls, and other structural and non-structural Best Management Practices to increase groundwater recharge and remove pollutants from stormwater.

7.7.3.3 For single family home development, drywells shall be installed at the corners of the main dwelling and shall collect the roof runoff from the structure. The drywells shall have a minimum combined volumetric capacity of one (1) inch of rainfall depth over the total impervious area of the property (buildings and impervious surfaces).

7.7.3.4 If drywells cannot be installed due to unsuitable soil type as identified on the town's Watershed Management Plan or due to shallow depth to groundwater, a small diameter drain shall be extended from the Town's stormwater drainage system (MS4) to the property to collect the roof runoff from the main dwelling. If there is no portion of a drainage system within 100 feet of the property, the property owner shall contribute to a fund for the Town to construct a communal infiltration system on Town property in the same sub-watershed area in which the property is located. The contribution shall be an amount as determined by the Board of Selectmen per cubic foot of stormwater required to be recharged as described above.

7.7.3.5 An Operation and Maintenance Plan (O&M Plan) shall be submitted to the Director of Public Works for approval prior to the issuance of an Occupancy Permit. The Operation and Maintenance Plan shall be designed to ensure compliance with this By-Law in all seasons and throughout the life of the system.

7.7.3.6 As-built drawings showing all stormwater management systems shall accompany the O&M Plan at the completion of a project.

7.7.4 **Design Criteria** All Development shall satisfy the following design criteria:

- (a) Compliance with all applicable provisions of the Stormwater Management Policy, regardless of the proximity of the development to resource areas or their buffer zones, as defined by the *Wetlands Protection Act, M.G.L. c. 131, § 40* and its implementing regulations.
- (b) Compliance with the NPDES MS4 Permit.
- (c) Compliance with the MOU issued to the Town by the EPA
- (d) Erosion and sediment controls must be implemented to prevent adverse impacts to municipal and/or abutting properties during and after land disturbance and construction activities.
- (e) There shall be no change to the existing conditions of abutting properties from any increase in volume or peak rate of stormwater runoff or from erosion, silting, flooding, sedimentation or impacts to wetlands and other resource areas as defined in the Massachusetts Wetlands Protection Act and/or Needham Wetlands Protection Bylaw.
- (f) When any proposed discharge may have an impact upon streams, wetlands and/or storm sewers, the Director of Public Works may require minimization or elimination of this impact based on site conditions and existing stormwater system capacity.

SECTION 7.8 MAINTENANCE OF STORMWATER FACILITIES

[Reserved]

SECTION 7.9 SEVERABILITY

If any provision of this Article shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of the Article shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof.

SECTION 7.10 ENFORCEMENT

The Department of Public Works shall enforce this By-Law, and any regulations, orders, violation notices, and enforcement orders made pursuant to this By-Law as follows:

7.10.1 The Director of Public Works may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include (but are not limited to) an order to:

- (a) eliminate illicit connections or discharges to the MS4;
- (b) perform monitoring, analyses, and reporting;
- (c) cease and desist unlawful discharges, practices, or operations; and
- (d) remediate contamination in connection therewith.

7.10.2 If the Director of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Department of Public Works may, at its option, authorize such work.

7.10.3 If a person violates the provisions of this By-Law, or any regulation, permit, notice, or order issued thereunder, the Director of Public Works, with the approval of the Board of Selectmen, may seek injunctive relief in a court of competent jurisdiction to restrain such person from activities that would create further violations or to compel the person to perform abatement or remediation of the violation.

7.10.4 The remedies set forth in this Section are not intended to be exclusive of any other remedies available under applicable federal, state, or local law."



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

MEETING DATE: 3/13/2018

Agenda Item	Accept and Refer Zoning – Wireless Communications Facilities and Height Limitation Exceptions
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
At its meeting on March 8, 2018, the Planning Board voted to place the following articles on the warrant for the May 14, 2018 Special Town Meeting: “Amend Zoning By-Law – Wireless Communications Facilities” and “Amend Zoning By-Law – Height Limitation Exceptions in the Business, Apartment, Industrial and Industrial-1 Districts.” Under State law, the Board of Selectmen has 14 days to accept the proposed amendment and refer the amendment to the Planning Board for its review, hearing, and report. The Board’s action in this matter is not discretionary. The Planning Board intends to schedule the public hearing on this zoning for April 9, 2018.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<i>Suggested Motion:</i> That the Board vote to accept the proposed zoning amendments: “Amend Zoning By-Law – Wireless Communications Facilities” and “Amend Zoning By-Law – Height Limitation Exceptions in the Business, Apartment, Industrial and Industrial-1 Districts” for referral to the Planning Board for its review, hearing, and report.	
3.	BACK UP INFORMATION ATTACHED
a. Letter from Lee Newman, Director of Planning & Community Development dated March 9, 2018. b. Proposed Warrant articles	



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

500 Dedham Ave
Needham, MA 02492
781-455-7550

PLANNING

March 9, 2018

Ms. Kate Fitzpatrick
Town Manager
Town Hall
Needham, MA 02492

Re: Zoning Articles for 2018 Special Town Meeting

Dear Kate:

The Planning Board at its meeting of March 8, 2018 voted to place the following articles on the warrant for the May 2018 Special Town Meeting: (1) Amend Zoning By-Law – Wireless Communication Facilities and (2) Amend Zoning By-Law – Height Limitation Exceptions in the Business, Apartment, Industrial and Industrial-1 Districts. Accordingly, please find the above-named articles as approved by the Planning Board on March 8, 2018 for inclusion in the warrant of the 2018 Special Town Meeting.

As you know, the Board of Selectmen will need to accept the articles and to then forward them to the Planning Board for review, public hearing and report. Please have the Selectmen act on the enclosed articles at their next meeting of Tuesday, March 13, 2018, so that the Planning Board can meet its statutory obligations. The Planning Board plans to schedule the public hearing on the article for Monday, April 9, 2018.

Should you have any questions regarding this matter, please feel free to contact me directly.

Very truly yours,

NEEDHAM PLANNING BOARD

Lee Newman
Director of Planning and Community Development

cc: Planning Board

Enclosure

ARTICLE 1: AMEND ZONING BY-LAW – WIRELESS COMMUNICATION FACILITIES

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

- (1) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.3.3, Special Permit, by revising paragraph (h) to read as follows (new language underlined):

“(h) Free standing monopoles and free-standing lattice towers serving personal wireless services located in the Wireless Communications Facilities Tower Overlay District which meet the criteria outlined in section 3.7.3.2(b).”

- (2) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.3.3, Special Permit, by inserting a new paragraph (i), to read as follows:

“(i) Free standing monopoles and free-standing lattice towers, owned and operated by the Town of Needham for public safety communication purposes, and wireless communication equipment accessory thereto, on municipally owned land and having a maximum height of 199 feet.”

- (3) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.2, Definitions, by revising the definition of the term “Wireless Communication Equipment” so that it shall read as follows (new language underlined):

“Wireless Communication Equipment – any device or other apparatus, fixed at a location, for transmission and reception of telecommunication that performs the function of antennas, together with any supporting structures, equipment and facilities ancillary and/or accessory thereto, including, but not limited to panel antennas, whip antennas, free-standing monopoles (not lattice shaped towers except as allowed in sections 6.7.3.1 (b), 6.7.3.1 (c), 6.7.3.3 (h) and 6.7.3.3 (i) below), dish and cone shaped antennas, satellite earth station antennas, personal wireless communication systems facilities, paging service facilities, cellular telephone service facilities, commercial mobile radio service facilities and related equipment boxes serving personal wireless services exclusively or, for purposes of this section 6.7, serving municipal public safety communication purposes exclusively.”

- (4) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.3.2, Prohibited, by revising the first paragraph so that it shall read as follows (new language underlined):

“Lattice style towers, guyed towers, and facilities requiring three or more legs and/or guy wires for support shall not be allowed except for those uses set forth in 6.7.3.1 (b), 6.7.3.1 (c), 6.7.3.3 (h), and 6.7.3.3 (i). Lattice style towers, guyed towers, and facilities requiring three or more legs and/or guy wires existing or approved on the effective date of this by-law may be used for wireless communications equipment, subject to section 6.7.3.3 (f).”

- (5) In Section 3.7, Wireless Communications Facilities Towers Overlay District, Subsection 3.7.3.2, Special Permit Uses, by revising paragraph (b) to read as follows (new language underlined): :

“(b) Free-standing monopoles and free-standing lattice towers serving personal wireless services which meet the following criteria.”

Or take any other action relative thereto.

ARTICLE 2: AMEND ZONING BY-LAW – HEIGHT LIMITATION EXCEPTIONS IN THE BUSINESS, APARTMENT, INDUSTRIAL AND INDUSTRIAL-1 DISTRICTS

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

In Section 4.7, Special Conditions, Subsection 4.7.2, Height Limitation Exceptions in Business, Apartment, Industrial and Industrial-1 Districts, by revising the first paragraph of the section to read as follows (new language underlined):

“In Business, Industrial, and Industrial-1 Districts the limitation of height in feet in Section 4.4.3 and 4.6.4 shall not apply to towers, steeples, spires or domes, chimneys, ventilators, skylights, tanks, bulkheads, water tanks or scenery lofts which shall be at every point fifty (50) feet from the center line of any street and shall not cover more than twenty-five (25) percent of the area of the building upon which each is erected. Notwithstanding the above, radio or television antenna or antenna towers in excess of the height limitation in feet detailed in Section 4.4.3 and 4.6.4 shall only be permitted by special permit from the Board of Appeals. In granting such special permit the Board of Appeals shall apply the decision criteria of Section 6.7.5 and Section 7.5.2 . Roof-mounted television and radio antennas not exceeding ten feet in height and dish type-type satellite receiving antennas not exceeding twenty-four (24) inches in diameter are exempted from the special permit provision of this paragraph and are allowed as of right.”

Or take any other action relative thereto.

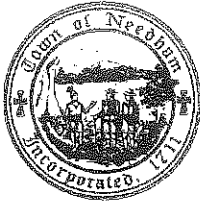


**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/13/2018

Agenda Item	Request to Alter Landscape Buffer
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
At its meeting on March 8, 2018 the Planning Board voted to approve a request to alter the landscape buffer at Lot 7/25 Hutter Ridge Road. Action by the Board of Selectmen is also required in the approval process as the Board holds the easement.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<i>Suggested Motion:</i> That the Board vote to affirm the tree removal and replanting plan approval as granted by the Planning Board for 25 Hutter Ridge Road as shown under plan entitled "St. John Residence, Lot 7, Hutter Ridge Road, Tree Protection and Removal Plan", prepared by Kevin Thomas, Landscape Architect, dated December 5, 2017 and plan entitled "St. John Residence, Lot 7, Hutter Ridge Road, Needham Buffer Planting Plan", prepared by Kevin Thomas, Landscape Architect, dated December 5, 2017.	
3.	BACK UP INFORMATION ATTACHED
a. Letter from Lee Newman, Director of Planning & Community Development dated March 9, 2018. b. Aforementioned plans, on file in Office of Town Manager c. Locus Map	



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

500 Dedham Ave
Needham, MA 02492
781-455-7550

PLANNING
March 9, 2018

Ms. Kate Fitzpatrick
Town Manager
1471 Highland Avenue
Needham, MA 02492

Re: Tree Removal and Replanting Within a 15-Foot Buffer Zone
25 Hutter Ridge Road, Needham, MA
Hutter Ridge Definitive Subdivision

Dear Ms. Fitzpatrick:

At its meeting of March 8, 2018, the Planning Board approved a tree removal and replanting plan for 25 Hutter Ridge Road, also known as Lot 7 located within the Hutter Ridge Subdivision. The affected area was the 15-foot wide landscape buffer zone located along the northerly and easterly property line of Lot 7. The subject area is subject to a grant of restriction held by the Board of Selectmen (copy attached) and a subdivision decision issued by the Planning Board (copy attached) which limits activity within the 15-foot wide easement. In order for the applicant to proceed, approval of the proposed tree removal and replanting plan is required by both Boards. The operative language as contained in both of the above-named documents reads as follows:

"The land designated on the Plan as "15' Wide Landscaped Buffer" on Lots 1-7 and the "Unbuildable Lot" shall be restricted so as to maintain such 15' Wide Landscape Buffer in its natural condition and to forbid (a) construction or placing of buildings, fences, stone walls, roads, driveways, signs or other advertising, utilities or other structures on or above ground on the 15' Wide Landscaped Buffer, (b) dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, vehicle bodies or parts, waste or unsightly or offensive materials on the 15' Wide Landscaped Buffer, (c) removal or destruction of trees, shrubs or other vegetation on the 15' Wide Landscaped Buffer except that proper forestry practices including the cutting and pruning of trees and shrubs shall be permitted, (d) excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface on the 15' Wide Landscaped Buffer. Notwithstanding the foregoing, the following activities shall be permitted on the Unbuildable Lot within the 15' Wide Landscaping Buffer; installation of drainage infrastructure, removal of vegetation in connection thereto, grading associated with said drainage infrastructure, relandscaping and revegetating, all as shown on the Plan, provided further, however, that nothing in this Grant of Restriction prohibits the planting of new trees or shrubs within the 15' Wide Landscaped Buffer, or replacing damaged or dead trees and shrubs with new trees and shrubs.

The foregoing restriction is imposed in favor of both the Hutter Ridge Association Trust and the Town of Needham, a "Governmental Body" as defined in said Section 26, and is intended to be

perpetual or for the longest period permitted by law and in any event for one hundred (100) years and to run with the land and be binding upon the owner of each of the Lots from time to time."

Accordingly, I have attached a copy of the approved subdivision plan, proposed tree protection and removal plan, proposed planting plan, grant of restriction as granted by the Board of Selectmen and subdivision decision as issued by the Planning Board, all as detailed below.

1. Plan entitled, "Definitive Plan of the Land in the Town of Needham Situated Off Webster Street and South Street", prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02184 and Cosmos Associates, 5 Longview Street, Natick, MA 01760, Labeled Sheet No. 3, "Lotting Plan", dated May 24, 2013, revised July 15, 2013 and August 16, 2013.
2. Plan entitled, "St. John Residence, Lot 7, Hutter Ridge Road, Tree Protection and Removal Plan", prepared by Kevin Thomas, Landscape Architect, dated December 5, 2017.
3. Plan entitled, "St. John Residence, Lot 7, Hutter Ridge Road, Needham Buffer Planting Plan", prepared by Kevin Thomas, Landscape Architect, dated December 5, 2017.
4. Grant of Restriction by Southfield Associates to the Town of Needham, Massachusetts, dated September 18, 2013.
5. Definitive Subdivision Decision, 1135 Webster Street, Needham, MA, dated August 6, 2013.

Please have the Board of Selectmen affirm the tree removal and replanting plan approval as granted by the Planning Board for 25 Hutter Ridge Road as shown under items 2 and 3 above.

Should you have any questions regarding this matter, please feel free to contact me directly. Thank you for your assistance.

Very truly yours,

NEEDHAM PLANNING BOARD



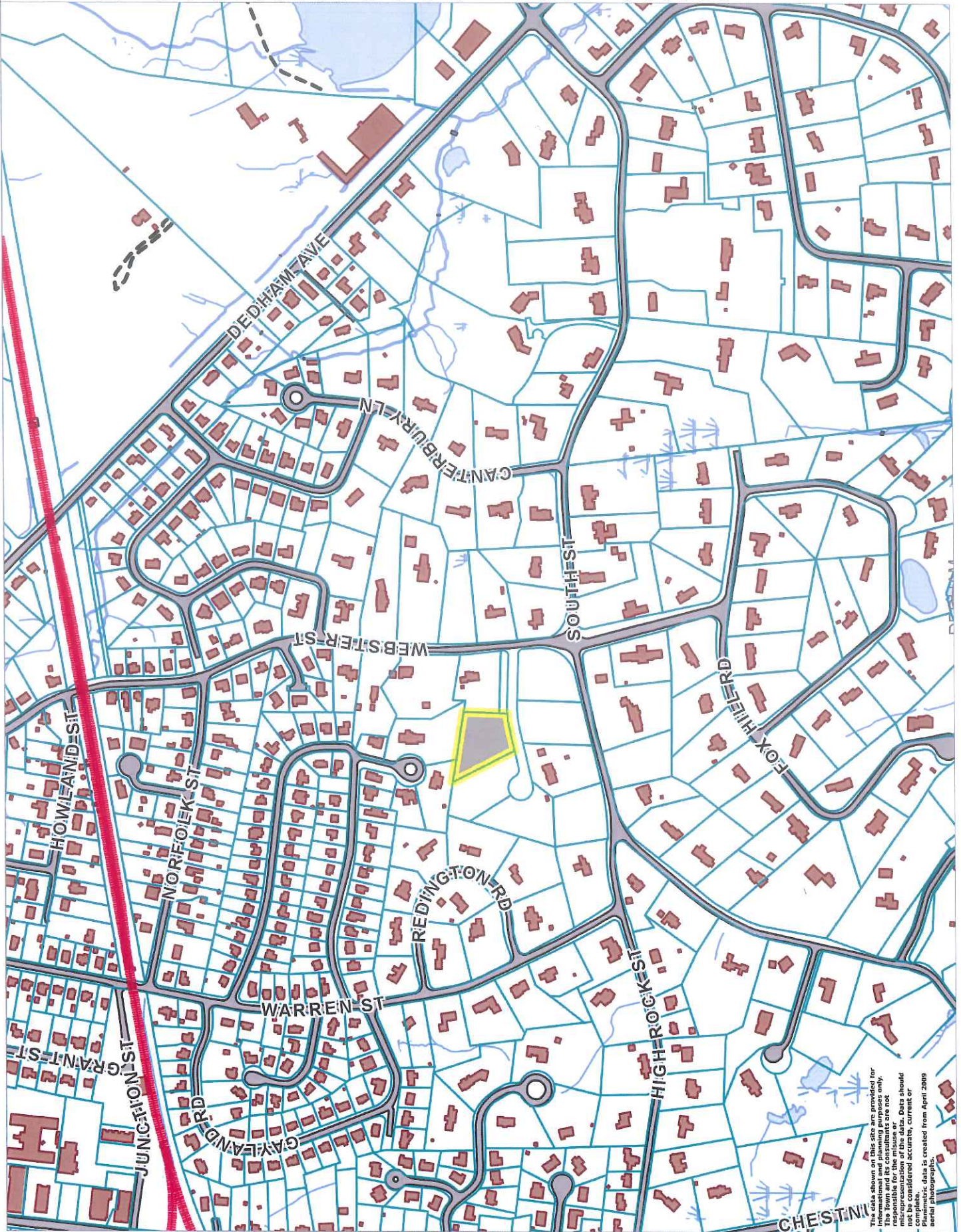
Lee Newman

Director of Planning and Community Development

cc: Planning Board



- Parcels
- Towers
- Satellite Dish
- Tower Anchor
- Painted Lines
- Crosswalk
- Parking Line
- Sports Lines
- Court Striping
- Field Striping
- Railroad Track
- Trail
- Building
- Decks And Patios
- Swimming Pool
- Bridge
- Sidewalks
- Sidewalk
- Exterior Stairway
- Driveways
- Paved Driveway
- Unpaved Driveway
- Road
- Paved Road
- Unpaved Road
- Parking Lots
- Paved Parking Lot
- Unpaved Parking Lot
- Sports Areas
- Baseball
- Baseball Infield
- Baseball and Tennis
- Bleacher
- Golf Bunker
- Golf Fairway, Green, Tee
- Playground
- Track and Field
- Tank
- Wellands
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Town Boundary
- Abutting Towns
- Abutting Towns Mask
- Road Centerlines
- Waterbody
- Streams And Drainage Ditches



The data shown on this site are provided for informational purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data. Data should be considered accurate, current or complete. Planimetric data is created from April 2009 aerial photography.



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

MEETING DATE: 3/13/2018

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

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board is scheduled to open the warrant for the May 14, 2018 Special Town Meeting. The Warrant is scheduled to be closed on April 11th.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<i>Suggested Motion:</i> That the Board vote to open the warrant for the May 14, 2018 Special Town Meeting.	
3.	BACK UP INFORMATION ATTACHED
a. Draft Special Town Meeting Warrant, March 9, 2018	

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, MAY 14, 2018

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

Draft 3.9.2018

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

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall on:

MONDAY, THE FOURTEENTH DAY OF MAY, 2018

At 7:30 in the afternoon, then and there to act upon the following articles:

FINANCE ARTICLES

ARTICLE X: APPROPRIATE FOR PROJECT MANAGEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$203,300 for the purpose of funding project management for various Town building construction projects, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$203,300 be transferred from Free Cash, or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:
Article Information:

ARTICLE X: APPROPRIATE FOR BUILDING MAINTENANCE STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$XX for the purpose of funding a building maintenance study, said sum to be spent under the direction of the Town Manager, and to meet this appropriation... or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ZONING ARTICLES

ARTICLE X: AMEND ZONING BY-LAW – WIRELESS COMMUNICATION FACILITIES

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

- (1) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.3.3, Special Permit, by revising paragraph (h) to read as follows (new language underlined):

“(h) Free standing monopoles and free-standing lattice towers serving personal wireless services located in the Wireless Communications Facilities Tower Overlay District which meet the criteria outlined in section 3.7.3.2(b).”

- (2) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.3.3, Special Permit, by inserting a new paragraph (i), to read as follows:

“(i) Free standing monopoles and free-standing lattice towers, owned and operated by the Town of Needham for public safety communication purposes, and wireless communication equipment accessory thereto, on municipally owned land and having a maximum height of 199 feet.”

- (3) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.2, Definitions, by revising the definition of the term “Wireless Communication Equipment” so that it shall read as follows (new language underlined):

“Wireless Communication Equipment – any device or other apparatus, fixed at a location, for transmission and reception of telecommunication that performs the function of antennas, together with any supporting structures, equipment and facilities ancillary and/or accessory thereto, including, but not limited to panel antennas, whip antennas, free-standing monopoles (not lattice shaped towers except as allowed in sections 6.7.3.1 (b), 6.7.3.1 (c), 6.7.3.3 (h) and 6.7.3.3 (i) below), dish and cone shaped antennas, satellite earth station antennas, personal wireless communication systems facilities, paging service facilities, cellular telephone service facilities, commercial mobile radio service facilities and related equipment boxes serving personal wireless services exclusively or, for purposes of this section 6.7, serving municipal public safety communication purposes exclusively.”

- (4) In Section 6.7, Wireless Communication Facilities, Subsection 6.7.3.2, Prohibited, by revising the first paragraph so that it shall read as follows (new language underlined):

“Lattice style towers, guyed towers, and facilities requiring three or more legs and/or guy wires for support shall not be allowed except for those uses set forth in 6.7.3.1 (b), 6.7.3.1 (c), 6.7.3.3 (h), and 6.7.3.3 (i). Lattice style towers, guyed towers, and facilities requiring three or more legs and/or guy wires existing or approved on the effective date of this by-law may be used for wireless communications equipment, subject to section 6.7.3.3 (f).”

- (5) In Section 3.7, Wireless Communications Facilities Towers Overlay District, Subsection 3.7.3.2, Special Permit Uses, by revising paragraph (b) to read as follows (new language underlined): :

“(b) Free-standing monopoles and free-standing lattice towers serving personal wireless services which meet the following criteria.”

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information

**ARTICLE X: AMEND ZONING BY-LAW – HEIGHT LIMITATION EXCEPTIONS
IN THE BUSINESS, APARTMENT, INDUSTRIAL AND
INDUSTRIAL-1 DISTRICTS**

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

In Section 4.7, Special Conditions, Subsection 4.7.2, Height Limitation Exceptions in Business, Apartment, Industrial and Industrial-1 Districts, by revising the first paragraph of the section to read as follows (new language underlined):

“In Business, Industrial, and Industrial-1 Districts the limitation of height in feet in Section 4.4.3 and 4.6.4 shall not apply to towers, steeples, spires or domes, chimneys, ventilators, skylights, tanks, bulkheads, water tanks or scenery lofts which shall be at every point fifty (50) feet from the center line of any street and shall not cover more than twenty-five (25) percent of the area of the building upon which each is erected. Notwithstanding the above, radio or television antenna or antenna towers in excess of the height limitation in feet detailed in Section 4.4.3 and 4.6.4 shall only be permitted by special permit from the Board of Appeals. In granting such special permit the Board of Appeals shall apply the decision criteria of Section 6.7.5 and Section 7.5.2 . Roof-mounted television and radio antennas not exceeding ten feet in height and dish type-type satellite receiving antennas not exceeding twenty-four (24) inches in diameter are exempted from the special permit provision of this paragraph and are allowed as of right.”

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information

CAPITAL ARTICLES

ARTICLE X: APPROPRIATE FOR MITCHELL SCHOOL LOCKER REPLACEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$70,000 for the purchase and installation of replacement lockers at the Mitchell School, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$51,450 be transferred from Article 20 of the November 2013 Special Town Meeting, and that \$18,550 be transferred from Article 37 of the 2014 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AUTHORIZATION FOR ACQUISITION OF REAL PROPERTY

To see if the Town will vote to authorize the Board of Selectmen to purchase on behalf of the Town the real property known as 43 Lincoln Street (Assessors Map 47, Lot 46); or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: RESCIND DEBT AUTHORIZATION

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

Project	Town Meeting	Article	Authorized	Rescind
Sewer System Rehabilitation Work	2007 ATM	45	\$1,806,800	\$59,139
Total				

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, and/or favorable bids.

RESERVE ARTICLES

GENERAL ARTICLES

CITIZENS' PETITIONS

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

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

Given into our hands at Needham aforesaid this 11th day of April, 2018.

Chairman
Vice Chairman
Clerk
Member
Member

Selectmen of Needham

A TRUE COPY

Attest:

Constable:



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

MEETING DATE: 3/13/2018

Agenda Item	Amend Contributory Insurance Rules and Regulations
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will recommend that the Board vote to amend the Contributory Insurance Rules and Regulations to incorporate changes to health insurance offerings.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<i>Suggested Motion:</i> That the Board vote to approve and authorize the chair to sign the Contributory Insurance Rules and Regulations dated March 13, 2018.	
3.	BACK UP INFORMATION ATTACHED
a. Contributory Insurance Rules and Regulations Red-lined Version b. Contributory Insurance Rules and Regulations Final Version	

Board of Selectmen

Policy Number:	BOS-PERS-003
Policy:	Contributory Insurance Rules and Regulations
Date Approved: Date Revised:	October 13, 1998 May 11, 1999 March 24, 2009 December 4, 2012 May 2, 2017 <u>March 13, 2018</u>
Approved:	_____ Chairman, Board of Selectman

Policy: The Town of Needham, acting by and through its duly elected Board of Selectmen, and in accordance with Section 14 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts, does hereby adopt and establish the following rules and regulations governing certain eligibility and administrative guidelines for the Town's contributory insurance benefit offerings. The Board of Selectmen specifically reserves the right to add to, modify, and/or delete any and all provisions of these rules and regulations at any time.

Section 1. Divorced or Separated Spouses

In the event that a court of competent jurisdiction grants a judgment of divorce or of separate support, the divorced employee and his or her divorced/separated spouse may remain eligible for benefits under the Town's group insurance benefit program, in accordance with Section 9H of M.G.L.c. 32B, provided that each of the following conditions are met:

- (a) In the event that the employee/subscriber is not remarried:
 - 1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
 - 2. The employee/retiree must maintain a family plan (or multiple individual plans, if over 65) covering him/herself and his or her divorced/separated spouse (and any qualified dependents, if applicable).
- (b) In the event that the employee/subscriber remarries and wishes to enroll his or her new spouse as a dependent under the Town's group insurance benefit program:

1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
2. The Town shall have the right to require that the divorced or separated spouse enroll in a separate, individual policy, unless a rider to an employee's/retiree's family plan is authorized by the applicable insurance company.
3. The Town of Needham employee/retiree shall be responsible to pay the full monthly premium (100% of the premium) for the plan in which the divorced/separated spouse is enrolled, or 100% of any additional cost for a rider to the employee's family plan, if authorized by the applicable insurance company.
4. Such payments for the premium in which the divorced/separated spouse is enrolled shall be made by means of deducting the premium from the regular pay (or pension) of the eligible employee/retiree, and the employee/retiree shall be required to seek reimbursement from the divorced/separated spouse on his or her own accord. The Town Manager/designee reserves the right to waive this condition for extenuating circumstances. In the event that a waiver is granted, the divorced or separated spouse will be billed directly.

Section 2. Retiree Eligibility

Upon retirement, eligible individuals may participate in the Town's contributory group insurance program, to the extent allowed by the various insurance providers, and in accordance with Section 18 of M.G.L. c. 32B, provided that they otherwise qualify under M.G.L. c. 32B, and further provided that each of the following criteria applies:

- (a) The individual must have retired from service to the Town of Needham, and be receiving a retirement allowance in accordance with M.G.L. c. 32 from either the Town of Needham Contributory Retirement System or the State Teachers' Retirement System (except as specifically provided in M.G.L. c. 32B §9).
- (b) The individual was qualified and eligible to participate in the Town's group insurance program as an active employee of the Town of Needham.

Section 3. Part-time Teacher Eligibility

Part-time teachers classified as .5 FTE or greater shall be determined to be working 20 hours or more per week for the Town, and shall therefore be considered employees in accordance with M.G.L. c. 32B section 1.

Section 4. Temporary and Seasonal Employee Eligibility

Temporary employees working 20 hours per week or more, whose service to the Town is expected to last six months or longer, shall be eligible for benefits in accordance with M.G.L. c. 32B. Seasonal employees whose service to the Town is expected to last less than six (6) months, regardless of the number of hours worked per week, shall be ineligible for benefits in accordance with M.G.L. c. 32B

Section 5. Compensated Part-time Elected Official Eligibility

Paid elected officials earning a minimum of \$1,000 per fiscal year shall be considered eligible for insurance in accordance with M.G.L. c. 32B Section 2. Nothing in the section shall affect the eligibility for insurance of elected officials who were receiving compensation in an amount less than \$1,000 as of the date of this policy.

Section 6. Retention of Insurance While on Unpaid Leave

- (a) Employees on designated family medical leave in accordance with the Family Medical Leave Act of 1993, as amended, shall be entitled to continue their insurance contribution during the term of the leave.
- (b) Employees who are on unpaid medical leave, which is not designated as family medical leave, shall be entitled to continue their insurance contribution rate during the period that the unpaid leave is determined to be medical leave by the Director of Human Resources ~~Office of the Town Manager~~.
- (c) Employees on approved, unpaid leave which has not been designated as FLMA or medical leave shall be eligible for insurance if they are on the payroll (i.e. receive wages) for at least one day per calendar month.
- (d) Employees on approved, unpaid leave which has not been designated as FMLA or medical leave, and who do not receive wages for at least one day per calendar month, shall be eligible to participate in a Town-offered health plan by paying 100% of the monthly premium for that calendar month.
- (e) Employees shall be eligible to continue their group insurance while on leave of absence for no longer than two consecutive calendar years, after which time they shall cease to be considered employees for group insurance purposes.

Section 7. Employee Termination

Employee premium contributions are made one month in advance of coverage. Upon termination, employee coverage will cease approximately one month from the date of separation from the payroll.

~~Section 8. HMO/EPO Plans~~

~~All participants who are enrolled in a Town-sponsored HMO/EPO plan will be required to participate in Rate Saver HMO/EPO plans effective July 1, 2013.~~

Section 8 Health Insurance Offerings

- (a) All subscribers electing health insurance through the Town effective July 1, 2018 must convert to the Benchmark Plans, except as outlined in #4 below.
- (b) All subscribers required to convert from the Rate Saver plans will be provided with a Rate Saver to Benchmark Conversion Payment of \$263 per individual subscriber and \$671 per family subscriber on or about July 1, 2018. This payment represents 25% of the estimated total savings (both employee and employer) of conversion to the Benchmark plans.
- (c) The Town will offer a voluntary Qualified High Deductible plan to all eligible subscribers. Active employees enrolled in the Qualified High Deductible plan will also be eligible to enroll in a Health Savings Account, as follows:
 - 1. The Town will contribute an amount equal to 50% of the deductible to the Health Savings Account of active Employees enrolled in any Qualified High Deductible plan offered by the Town, as long as the plan is offered by West Suburban Health Group, or for no less than five (5) years regardless of provider (the "Annual HSA Contribution"). Retirees are not eligible for the annual HSA contribution.
 - 2. In fiscal year 2019, the Annual HSA Contribution will be made in a lump sum on or about July 1, 2018. In fiscal years 2020 and beyond, the annual HSA contribution will be pro-rated and paid on a per pay period basis.
 - 3. Employees hired after July 1, 2018 who enroll in the Qualified High Deductible plan will be entitled to a pro-rated Annual HSA contribution paid on a per pay period basis.
 - 4. The Town will make an additional payment of \$500 per individual subscriber and \$1,000 per family subscriber on a one-time basis for active employees who enroll in the Qualified High Deductible plan effective July 1, 2018. The one-time early adopter payment will be made on or about July 1, 2018, and will be considered taxable wages. Retirees are not eligible for the one-time early adopter payment.
 - 5. Active employees who are not enrolled in the Town's group insurance program in fiscal year 2018 and who elect to participate in a Qualified High Deductible Plan for fiscal year 2019 during the 2018 open enrollment period will be eligible for payments pursuant to items (c) 1, 2, and 4 of this Policy.

Section 9. Payment of Premiums

Any eligible subscriber who does not receive a paycheck or pension check in an amount sufficient to pay his or her required **health insurance monthly** premium will be billed directly for that amount. Failure to pay applicable premiums in the required timeframe will result in loss of insurance coverage.

Section 10: Employee Health Insurance Opt-Out Incentive Program

- (a) Active employees who have been covered as the insured under the Town's health insurance program for the past twenty-four (24) consecutive months may opt-out of Town coverage.
- (b) Employees choosing to opt-out of the Town's health insurance plan must sign and submit the Opt-out Form provided by the Town, certifying that the insured and any eligible spouses and dependents have enrolled in a health insurance plan elsewhere (excluding MassHealth).
- (c) Employees may enroll in the Opt-Out Incentive Program at any time during a fiscal year as long as they certify in writing that they will be receiving health insurance elsewhere (excluding MassHealth) as of the effective date specified. Employees may not retroactively opt-out of town coverage.
- (d) Employees who opt-out of Town coverage will be paid the amount of \$2,000 per full fiscal year for an individual plan and \$4,000 per full fiscal year for a family plan.
- (e) The Incentive amount will be pro-rated by month if an employee participates in the Opt Out Program ~~opts-out~~ or re-enrolls in the Town's health insurance program during the plan year.
- (f) The Opt-Out Incentive will be paid via the employee's normal payroll cycle, less any required withholdings. The amount of the reimbursement will be divided equally over the plan year, which runs from July 1 to June 30. The Opt-Out Incentive payment will not be added to the base pay for employees, will not be used in the computation of overtime, and will not be subject to retirement withholding.
- (g) Any employee who has opted-out of the Town's health insurance plan may re-enroll during the annual open-enrollment period, or within 30 days of a documented qualifying event, and the Opt-Out Incentive payment will cease.
- (h) An employee who changes ~~Changing~~ from a family to individual plan, or vice versa will not ~~be eligible to participate in the result in payment of the~~ Opt-Out ~~reimbursement~~ Program. An employee who switches ~~Switching~~ coverage to a spouse or parent, who is also employed by or retired from the Town, will not ~~be eligible to participate in the result in payment of the~~ Opt-Out Program ~~Reimbursement~~.
- (i) The Opt-Out Incentive program will sunset on June 30, 2019 unless the Board of Selectmen votes to reauthorize the program.

Board of Selectmen

Policy Number: BOS-PERS-003

Policy: Contributory Insurance Rules and Regulations

Date Approved: October 13, 1998

Date Revised: May 11, 1999
March 24, 2009
December 4, 2012
May 2, 2017
March 13, 2018

Approved:

Chairman, Board of Selectman

Policy: The Town of Needham, acting by and through its duly elected Board of Selectmen, and in accordance with Section 14 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts, does hereby adopt and establish the following rules and regulations governing certain eligibility and administrative guidelines for the Town's contributory insurance benefit offerings. The Board of Selectmen specifically reserves the right to add to, modify, and/or delete any and all provisions of these rules and regulations at any time.

Section 1. Divorced or Separated Spouses

In the event that a court of competent jurisdiction grants a judgment of divorce or of separate support, the divorced employee and his or her divorced/separated spouse may remain eligible for benefits under the Town's group insurance benefit program, in accordance with Section 9H of M.G.L.c. 32B, provided that each of the following conditions are met:

- (a) In the event that the employee/subscriber is not remarried:
 - 1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
 - 2. The employee/retiree must maintain a family plan (or multiple individual plans, if over 65) covering him/herself and his or her divorced/separated spouse (and any qualified dependents, if applicable).
- (b) In the event that the employee/subscriber remarries and wishes to enroll his or her new spouse as a dependent under the Town's group insurance benefit program:

1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
2. The Town shall have the right to require that the divorced or separated spouse enroll in a separate, individual policy, unless a rider to an employee's/retiree's family plan is authorized by the applicable insurance company.
3. The Town of Needham employee/retiree shall be responsible to pay the full monthly premium (100% of the premium) for the plan in which the divorced/separated spouse is enrolled, or 100% of any additional cost for a rider to the employee's family plan, if authorized by the applicable insurance company.
4. Such payments for the premium in which the divorced/separated spouse is enrolled shall be made by means of deducting the premium from the regular pay (or pension) of the eligible employee/retiree, and the employee/retiree shall be required to seek reimbursement from the divorced/separated spouse on his or her own accord. The Town Manager/designee reserves the right to waive this condition for extenuating circumstances. In the event that a waiver is granted, the divorced or separated spouse will be billed directly.

Section 2. Retiree Eligibility

Upon retirement, eligible individuals may participate in the Town's contributory group insurance program, to the extent allowed by the various insurance providers, and in accordance with Section 18 of M.G.L. c. 32B, provided that they otherwise qualify under M.G.L. c. 32B, and further provided that each of the following criteria applies:

- (a) The individual must have retired from service to the Town of Needham, and be receiving a retirement allowance in accordance with M.G.L. c. 32 from either the Town of Needham Contributory Retirement System or the State Teachers' Retirement System (except as specifically provided in M.G.L. c. 32B §9).
- (b) The individual was qualified and eligible to participate in the Town's group insurance program as an active employee of the Town of Needham.

Section 3. Part-time Teacher Eligibility

Part-time teachers classified as .5 FTE or greater shall be determined to be working 20 hours or more per week for the Town, and shall therefore be considered employees in accordance with M.G.L. c. 32B section 1.

Section 4. Temporary and Seasonal Employee Eligibility

Temporary employees working 20 hours per week or more, whose service to the Town is expected to last six months or longer, shall be eligible for benefits in accordance with M.G.L. c. 32B. Seasonal employees whose service to the Town is expected to last less than six (6) months, regardless of the number of hours worked per week, shall be ineligible for benefits in accordance with M.G.L. c. 32B

Section 5. Compensated Part-time Elected Official Eligibility

Paid elected officials earning a minimum of \$1,000 per fiscal year shall be considered eligible for insurance in accordance with M.G.L. c. 32B Section 2. Nothing in the section shall affect the eligibility for insurance of elected officials who were receiving compensation in an amount less than \$1,000 as of the date of this policy.

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- (a) Employees on designated family medical leave in accordance with the Family Medical Leave Act of 1993, as amended, shall be entitled to continue their insurance contribution during the term of the leave.
- (b) Employees who are on unpaid medical leave, which is not designated as family medical leave, shall be entitled to continue their insurance contribution rate during the period that the unpaid leave is determined to be medical leave by the Director of Human Resources.
- (c) Employees on approved, unpaid leave which has not been designated as FLMA or medical leave shall be eligible for insurance if they are on the payroll (i.e. receive wages) for at least one day per calendar month.
- (d) Employees on approved, unpaid leave which has not been designated as FMLA or medical leave, and who do not receive wages for at least one day per calendar month, shall be eligible to participate in a Town-offered health plan by paying 100% of the monthly premium for that calendar month.
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Employee premium contributions are made one month in advance of coverage. Upon termination, employee coverage will cease approximately one month from the date of separation from the payroll.

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Saver to Benchmark Conversion Payment of \$263 per individual subscriber and \$671 per family subscriber on or about July 1, 2018. This payment represents 25% of the estimated total savings (both employee and employer) of conversion to the Benchmark plans.

- (c) The Town will offer a voluntary Qualified High Deductible plan to all eligible subscribers. Active employees enrolled in the Qualified High Deductible plan will also be eligible to enroll in a Health Savings Account, as follows:
1. The Town will contribute an amount equal to 50% of the deductible to the Health Savings Account of active Employees enrolled in any Qualified High Deductible plan offered by the Town, as long as the plan is offered by West Suburban Health Group, or for no less than five (5) years regardless of provider (the "Annual HSA Contribution"). Retirees are not eligible for the annual HSA contribution.
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Section 10: Employee Health Insurance Opt-Out Incentive Program

- (a) Active employees who have been covered as the insured under the Town's health insurance program for the past twenty-four (24) consecutive months may opt-out of Town coverage.
- (b) Employees choosing to opt-out of the Town's health insurance plan must sign and submit the Opt-out Form provided by the Town, certifying that the insured and any eligible spouses and dependents have enrolled in a health insurance plan elsewhere (excluding MassHealth).

- (c) Employees may enroll in the Opt-Out Incentive Program at any time during a fiscal year as long as they certify in writing that they will be receiving health insurance elsewhere (excluding MassHealth) as of the effective date specified. Employees may not retroactively opt-out of town coverage.
- (d) Employees who opt-out of Town coverage will be paid the amount of \$2,000 per full fiscal year for an individual plan and \$4,000 per full fiscal year for a family plan.
- (e) The Incentive amount will be pro-rated by month if an employee participates in the Opt-Out Program or re-enrolls in the Town's health insurance program during the plan year.
- (f) The Opt-Out Incentive will be paid via the employee's normal payroll cycle, less any required withholdings. The amount of the reimbursement will be divided equally over the plan year, which runs from July 1 to June 30. The Opt-Out Incentive payment will not be added to the base pay for employees, will not be used in the computation of overtime, and will not be subject to retirement withholding.
- (g) Any employee who has opted-out of the Town's health insurance plan may re-enroll during the annual open-enrollment period, or within 30 days of a documented qualifying event, and the Opt-Out Incentive payment will cease.
- (h) An employee who changes from a family to individual plan, or vice versa will not be eligible to participate in the Opt-Out Program. An employee who switches coverage to a spouse or parent who is also employed by or retired from the Town, will not be eligible to participate in the Opt-Out Program.
- (i) The Opt-Out Incentive program will sunset on June 30, 2019 unless the Board of Selectmen votes to reauthorize the program.



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

MEETING DATE: 3/13/2018

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

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board will review articles contained in the Annual Town Meeting Warrant.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
Discussion only.	
3.	BACK UP INFORMATION ATTACHED
a. 2018 Annual Town Meeting Warrant Draft 3.9.2018 b. Status of Articles as of 3.9.2018	

TOWN OF NEEDHAM



2018 ANNUAL TOWN MEETING WARRANT

Election: Tuesday, April 10, 2018

Business meeting: Monday, May 7, 2018

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 3.9.2018

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 Annual Town Meeting.

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 10, 2018
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, TENTH DAY OF APRIL, 2018

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:

Two Selectmen for Three Years;
One Assessor for Three Years;
Two Members of School Committee for Three Years;
One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years;
One Trustee of Memorial Park (trustee of soldiers' memorials – non-veteran) for Three Years;
Two 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;
Two Members of Park and Recreation Commission for Three Years;

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

and you are also required to notify the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall On Monday May 7, 2018 at 7:30 p.m. in the afternoon, then and there to act upon the following articles:

Warrant for the Annual Town Meeting

Monday, May 7, 2018 at 7:30 p.m. at Needham Town Hall

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

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

HUMAN RESOURCE ARTICLES

ARTICLE 3: 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, 2018, as required by Massachusetts General Law, Chapter 41, Section 108:

Town Clerk	
Town Clerk with 6 years of service in that position	\$
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

(1) In addition, such compensation shall also include

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: In accordance with Massachusetts General Law 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 4: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM
INDEPENDENT PUBLIC EMPLOYEE ASSOCIATION/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 Employee Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2019; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
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 5: FUND COLLECTIVE BARGAINING AGREEMENT – INDEPENDENT
TOWN WORKERS' ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the 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 2019; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
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 6: FUND COLLECTIVE BARGAINING AGREEMENT – BUILDING
CUSTODIAN/TRADES INDEPENDENT ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the 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 2019; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
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 7: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986

To see if the Town will vote to accept, for fiscal year 2019, 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 Massachusetts General Law Chapter 59 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 Massachusetts General Law Chapter 59, Section 5: 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 in the preceding year, except through the application of Massachusetts General Law, Chapter 58, Section 8A or Massachusetts General Law 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 2018, the cumulative increase above the statutory limit was 100%.

ARTICLE 8: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, said sum to be transferred from Overlay Surplus; 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 Board of

Selectmen voted to recommend a higher amount for fiscal year 2019. The voluntary fund received \$14,044 in fiscal year 2017.

ARTICLE 9: APPROPRIATE FOR SENIOR CORPS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the Senior Corps program, to be spent under the direction of the Town Manager, said sum to be transferred from Overlay Surplus; or take any other action relative thereto.

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

Article Information: The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid up to \$1,100 per year, which is applied to their property tax bills.

ARTICLE 10: APPROPRIATE FOR TOWN-OWNED LAND SURVEYS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for survey of Town-owned lands, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum 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 Town has acquired land over the years that has never been surveyed. In recent years, when the Town has begun the design process for construction on such parcels, survey data has been unavailable or incorrect, resulting in delays and added cost to projects. This funding would allow the Town to conduct land surveys, including title research, field work, analysis, installation of bounds or markers, drafting work, and recording of the completed plan. The Town-owned survey project will be a multi-year program.

ARTICLE 11: APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$625,000 for the purpose of funding the Public Facilities Maintenance Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 12: APPROPRIATE FOR URBAN COMMUNITY CHALLENGE GRANT/TREE INVENTORY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the matching grant for the Urban Community Challenge Grant, said sum 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.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 13: APPROPRIATE FOR TIME CLOCK SYSTEM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$81,000 for the purpose of funding a time clock system, said sum 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.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 14: APPROPRIATE FOR LONG RANGE PLAN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding consulting assistance for a long range plan, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 15: APPROPRIATE FOR RTS EFFICIENCY STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for the purpose of funding an RTS efficiency study, said sum 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.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 16: APPROPRIATE FOR WATER METER DATA COLLECTION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$220,000 for the purpose of funding a water meter data collection system, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 17: APPROPRIATE THE FY2019 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 Free Cash in the amount of \$2,506,298, from the overlay surplus in the amount of \$335,000, from amounts reserved for debt exclusion offsets in the amount of \$115,147, and \$441,494 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 8 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 5 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 18: APPROPRIATE THE FY2019 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 2019, under the provisions of M.G.L. Chapter 44, Section 53F ½:

RTS Enterprise FY2019								
Line #	Description	FY2017		FY2018		FY2019		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Salary & Wages	\$757,996	10.0	\$796,656	10.0	\$801,914	10.0	
101B	Expenses	\$1,226,853		\$1,369,612		\$1,496,979		
101C	Operating Capital	\$96,250		\$91,500		\$91,500		
101D	Debt Service	\$149,784		\$150,000		\$150,000		
102	Reserve Fund	Transfers Only		\$25,000		\$25,000		
TOTAL		\$2,230,883	10.0	\$2,432,768	10.0	\$2,565,393	10.0	
FY2019 Budget Percentage Change from FY2018 Budget								5.5%

And to meet this appropriation that \$940,000 be raised from RTS Enterprise Fund receipts, that \$1,520,000 be raised from the tax levy and transferred to the Enterprise Fund, and that \$105,393 be transferred from RTS 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 19: APPROPRIATE THE FY2019 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 2019, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Sewer Enterprise FY2019							
Line #	Description	FY2017		FY2018		FY2019	
		Expended	FTE	Current Budget	FTE	Recommended	Town Meeting Amendments
201A	Salary & Wages	\$997,868	12.0	\$958,976	11.0	\$961,327	11.0
201B	Expenses	\$350,248		\$431,060		\$439,727	
201C	Capital Outlay	\$40,986		\$50,000		\$50,000	
201D	MWRA Assessment	\$5,683,915		\$5,889,796		\$6,227,150	
201E	Debt Service	\$1,044,704		\$1,500,000		\$1,500,000	
202	Reserve Fund Transfers Only			\$35,000		\$35,000	
TOTAL		\$8,117,721	12.0	\$8,864,832	11.0	\$9,213,204	11.0
FY2019 Budget Percentage Change from FY2018 Budget							3.9%

And to meet this appropriation that \$8,458,454 be raised from Sewer Enterprise Fund receipts, that \$504,750 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and that \$250,000 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 20: APPROPRIATE THE FY2019 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 2019, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Water Enterprise
FY2019**

Line #	Description	FY2017		FY2018		FY2019		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Salary & Wages	\$1,102,564	16.0	\$1,248,413	17.0	\$1,252,990	17.0	
301B	Expenses	\$1,087,838		\$1,107,888		\$1,137,563		
301C	Capital Outlay	\$2,875				\$20,000		
301D	MWRA Assessment	\$1,039,372		\$1,109,794		\$862,262		
301E	Debt Service	\$1,549,049		\$1,550,000		\$1,550,000		
302	Reserve Fund Transfers Only			\$75,000		\$75,000		
TOTAL		\$4,781,698	16.0	\$5,091,095	17.0	\$4,897,815	17.0	
FY2019 Budget Percentage Change from FY2018 Budget							-3.8%	

And to meet this appropriation that the sum of \$4,897,815 be raised from Water Enterprise Fund receipts; or take any other action relative thereto.

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

Article Information:

ARTICLE 21: AMEND GENERAL BY-LAW - DEPARTMENT REVOLVING FUNDS

To see if the Town will vote to amend the General By-Laws by striking the words “Public Facilities Department “ under section 2.2.7.5.8 and inserting in place thereof “Department of Public Works”; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 22: SET THE ANNUAL DEPARTMENT REVOLVING FUND SPENDING LIMITS

To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2019 beginning on July 1, 2018 for the revolving funds established in the Town’s General By-Laws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, or take any other action relative thereto.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2019 Spending Limit
Home Composting	Department of Public Works	\$3,000
Immunization Program	Health and Human Services Department	\$25,000

Memorial Park Activities	Memorial Park Trustees	\$4,100
Needham Transportation	Health and Human Services Department	\$60,000
Public Facility Use	Public Facilities Department	\$250,000
School Transportation	School Committee	\$819,000
Traveling Meals	Health and Human Services Department	\$75,000
Tree Replacement	Department of Public Works	\$25,000
Water Conservation	Department of Public Works	\$10,000
Youth Services Programs	Health and Human Services Department	\$25,000

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 23: 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 Department of Transportation; or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

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. The FY2019 Chapter 90 allocation for the Town is \$929,259.

ZONING / LAND USE ARTICLES

ARTICLE 24: AMEND ZONING BY-LAW – MARIJUANA ESTABLISHMENTS

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

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 25: AMEND ZONING BY-LAW – NEIGHBORHOOD BUSINESS DISTRICT

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

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 26: AMEND ZONING BY-LAW – MAP CHANGE TO NEIGHBORHOOD BUSINESS DISTRICT

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

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 27: AMEND ZONING BY-LAW – SIDE AND REAR SETBACKS ADJOINING RESIDENTIAL DISTRICTS

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

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 28: APPROPRIATE FOR ROSEMARY LAKE SEDIMENT REMOVAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$2,400,000 for Rosemary Lake Sediment Removal, to be spent under the direction of the Town Manager, and to meet this appropriation that \$1,550,000 be transferred from CPA Free Cash, \$340,000 be transferred from the FY2018 CPA General Reserve, and that \$510,000 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:

ARTICLE 29: APPROPRIATE FOR ROSEMARY CAMP PROPERTY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for Rosemary Camp Property improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 30: APPROPRIATE FOR EMERY GROVER FEASIBILITY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$70,000 for a feasibility study of the Emery Grover Building, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR HISTORIC DATABASE PROJECT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the completion of the historic database project, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR MEMORIAL PARK BUILDING CONSTRUCTION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$5,900,000 for construction of the Memorial Park Fieldhouse, including any costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that a sum be transferred from CPA Free Cash, \$1,032,000 be transferred from Free Cash, \$1,800,000, be transferred from the Athletic Facility Improvement Fund, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$3,068,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: 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 Massachusetts General Law Chapter 44B from the estimated FY2019 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	\$1,525,153
C. Community Housing Reserve	\$289,000
D. Historic Resources Reserve	\$0
E. Open Space Reserve	\$289,000

or take any other action relative thereto.

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

Article Information: Town Meeting and voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve.

CAPITAL ARTICLES

ARTICLE X: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$4,651,789 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.

Group	Description	Recommended	Amendment
DPW	Energy Efficiency Upgrade Improvements	\$71,000	
Multiple	Fleet Replacement Program	\$981,442	
DPW	Hillcrest Radio Repeater Building Replacement	\$136,000	
Library	Library Furniture Replacement	\$43,970	
Finance	Non-Public Safety Data Center Servers and Storage	\$180,000	
Public Safety	Personal Protective Equipment	\$43,424	
Public Safety	Police Use-Of-Force Training Simulator	\$47,000	
Public Safety	Fire Engine E2 Replacement	\$840,163	
Public Schools	Pollard Blue & Green Gym Upgrades	\$540,000	
Public Schools	Pollard Phased Improvements Feasibility Study	\$65,000	
Public Safety	Public Safety Data Center Servers and Storage Units	\$30,000	
Public Safety	Public Safety Mobile Devices	\$35,000	
Public Schools	School Furniture & Musical Equipment	\$60,500	
Public Schools	School Phone System Replacement	\$319,000	
Public Schools	School Photocopier Replacement	\$84,190	
Public Schools	School Technology Replacement	\$303,600	
DPW	Specialty Equipment - Large Mower	\$76,500	
DPW	Streetlight Conversion to LED	\$685,000	
General Government	Town Multi-Function Printer Devices	\$35,000	
General Government	Town Offices Replacement Furniture	\$25,000	
DPW	Traffic Improvements	\$50,000	
		\$4,651,789	

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Article be Adopted

ARTICLE X: APPROPRIATE FOR ATHLETIC FACILITY IMPROVEMENTS DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$55,000 for athletic facility improvements design for turf field replacement, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Athletic Facility Improvement Fund; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,773,500 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, including costs incidental or related thereto, to be spent under the direction of the Town Manager, and to meet this appropriation that \$1,523,500 be transferred from Free Cash and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$250,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR PUBLIC WORKS STORAGE FACILITY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$7,900,000 for construction of the Public Works Storage Facility, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$1,382,000 be transferred from Free Cash, that \$944,000 be transferred from Sewer Enterprise Fund Retained Earnings, and that \$1,786,000 be transferred from Water Enterprise Fund Retained Earnings, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$3,788,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$345,360 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
RTS	Fleet Replacement - Specialized Equipment	\$245,360	
RTS	Big Belly Trash Cans	\$100,000	
		\$345,360	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE X: APPROPRIATE FOR RTS PROPERTY IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$645,000 for RTS Property Improvements, including costs incidental or related thereto, 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 \$645,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,357,111 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative

Group	Description	Recommended	Amendment
Sewer	Fleet Replacement Program	\$132,111	
Sewer	Sewer Main Extension Zone I and II	\$690,000	
Sewer	Sewer Main Replacements	\$330,000	
Sewer	Sewer System Infiltration & Inflow Removal	\$205,000	
		\$1,357,111	

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

Article Information

ARTICLE X: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,525,048 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Water	Fleet Replacement Program	\$355,048	
Water	Birds Hill Water Tank	\$340,000	
Water	Water Distribution System Improvements	\$830,000	
		\$1,525,048	

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

Article Information:

TOWN RESERVE ARTICLES

ARTICLE X: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$63,378 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$141,413 to the Capital Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Explanation:

ARTICLE X: APPROPRIATE TO CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,817,000 to the Capital Facility Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: APPROPRIATE TO DEBT SERVICE STABILIZATION FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,981,874 to the Debt Service Stabilization Fund as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash and that \$ be raised from the tax levy; or take any other action relative thereto.

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

Article Information:

GENERAL ARTICLES

ARTICLE X: NON-BETTERMENT STREET ACCEPTANCE – PANDOLF LANE

To see if the Town will vote to accept the following streets or portions thereof, constructed by developers under the requirements of the Subdivision Control Law and as laid out by the Board of Selectmen in

accordance with plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plans: Pandolf Lane; or take any other action relative thereto

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: *Pandolf Lane was constructed by a developer in conformance with the Town's design standards. This article, if accepted, will make Pandolf Lane a Public Way.*

ARTICLE X: AMEND GENERAL BY-LAW/MARIJUANA ESTABLISHMENTS

To see if the Town will vote to amend the Town's General Bylaws by adding a new Section 3.10, Marijuana Establishments, as follows:

"Section 3.10 Marijuana Establishments All types of "marijuana establishments" as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Needham. Exempt from the provisions of this prohibition are medical marijuana treatment centers operated under a medical use marijuana license in accordance with the provisions of G.L. c. 94I," or take any action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND GENERAL BY-LAW /PUBLIC CONSTRUCTION

To see if the Town will vote to amend the General By-Laws by deleting section 2.6.1 and inserting in place thereof the following:

"2.6.1 Building Design and Construction Department There is hereby established a Department of Building Design and Construction under the authority of the Town Manager. The Department shall be responsible for managing the design (including feasibility studies), construction, reconstruction, alteration or enlargement of all buildings owned by the Town or constructed on land owned, leased, licensed or operated by the Town. These projects will be under the jurisdiction of the Permanent Public Building Committee as provided by below, for which the Building Design and Construction Department will provide support."

And by deleting Section 2.6.2 and inserting in place thereof the following:

"2.6.2 Permanent Public Building Committee There shall be a Permanent Public Building Committee (hereinafter "Committee") responsible for overseeing the design (including feasibility studies), construction, reconstruction, alteration or enlargement of all buildings owned by the Town or constructed on land owned, leased, licensed or operated by the Town."

And by deleting Section 2.6.2.2 and inserting in place thereof the following:

2.6.2.2 Each of the members appointed by the Appointing Authority shall be a registered voter of the Town of Needham. No member appointed by the Appointing Authority shall be a paid employee of the Town, or serve as an elected official, elected member of another standing Town board, committee or commission, or appointed member of another standing Town board, committee, or commission directly involved in the design, permitting, and/or financing of public buildings, except Town Meeting.

And by deleting Section 2.6.2.18 and inserting in place thereof the following:

“2.6.2.18 Except as the laws of the Commonwealth may otherwise require, the Chair of the Committee, or his or her designated representative, shall, upon the termination of the Project Committee: (1) provide the User Agency and the Department of Public Works – Building Maintenance Division (hereinafter “BMD”) with a complete and final set of drawings and specifications of the finished structure, as-built drawings, Operations and Maintenance Manuals, all other contract documents, and shall provide to the User Agency and BMD all papers guaranteeing the building or any feature thereof (hereinafter “warrantees”), attic stock materials used therein, or work done thereon, and (2) post a digital copy of remaining records and reports on the Town server for the purpose of maintaining detailed records, including any inventory indicating what papers, materials and records were deposited with the User Agency and BMD. Subject to the approval of the Town Clerk and the requirements of M.G.L. Chapter 66, the user Agency and BMD may destroy that portion of the material provided to the User Agency and BMD determined to have no substantial value.”

And by deleting Section 2.6.19, or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND GENERAL BY-LAW /CONTRACT PROCEDURES

To see if the Town will vote to amend the General By-Laws by deleting in Section 2.1.3 the sum \$25,000 and inserting in place thereof the sum “\$50,000,” and by deleting the words “for Curriculum” after the words “Online Subscription Services,” and by inserting at end of the Section the phrase “Appraisal Services for Revaluation 5,” and by alphabetizing the list of contract types, or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND GENERAL BY-LAW /VACCINATION REQUIREMENT

To see if the Town will vote to amend the General By-Laws by inserting a new Section 3.7.9, Vaccination Requirement, as follows:

“3.7.9 Vaccination Requirement Whoever is the owner of a pet (dog or cat or ferret) six months of age or older shall cause such pet (dog or cat or ferret) to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Department of Public Health. Such owner shall produce a veterinarian’s certificate that such pet (dog or cat or ferret) has been so vaccinated setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued. An exemption from such vaccine may be granted by the Board of Health only upon presentation of a licensed Massachusetts veterinarian’s certificate stating that because of an infirmity, other physical condition or regimen of therapy, such inoculation is considered inadvisable for a specified period of time for such reasons as provided in M.G.L. Chapter 140 s.145B.

3.7.9.1 Unvaccinated pets (dogs or cats or ferrets) acquired or brought into the Town shall be vaccinated within thirty days after acquisition or entry into the Town or upon reaching the age of six months, whichever comes later.

3.7.9.2 Unvaccinated pets (dogs or cats or ferrets) shall be re-vaccinated in accordance with rules and regulations adopted and promulgated by the Department of Public Health.

3.7.9.3 Whoever violates this section shall be punished by a fine of not more than one hundred dollars per animal, or by a non-criminal penalty of fifty dollars per animal.”

Or take any other action relative thereto.

INSERTED BY: Town Clerk

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: REVOKE M.G.L. C. 44 SECTION 53F ½ - RTS ENTERPRISE FUND

To see if the Town of Needham will revoke the provisions of Chapter 44 Section 53F1/2 of the Massachusetts General Laws, ceasing the Solid Waste and Recycling services as an enterprise fund effective fiscal year 2020; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: HOME RULE PETITION/AMEND TOWN CHARTER

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows;

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

SECTION 1. Chapter 403 of the acts of 1971, as most recently amended by Chapter 114 of the Acts of 2015 be amended as follows:

1. By striking out the terms “selectmen” and “board of selectmen” wherever they appear and inserting in place thereof the term “select board”.
2. In Section 7. Town Meeting Members at Large, by striking out the word “chairmen” and inserting in place thereof the word “chair” and further amend the section by inserting at the end of the second paragraph of said Section 7 the following sentence: “The designation as a town meeting member at large under clause (e) of the first paragraph of this section shall apply to the chair of the elected board as of the tenth day following the annual town election.”
3. By striking out Section 16 of the Charter and inserting in place thereof the following section:

“Section 16. Select Board. There shall be a select board for the town consisting of 5 members elected at each annual town election for terms of 3 years. The select board is the entity historically known as the board of selectmen, and possesses all the duties, authorities, and legal rights and responsibilities of the Town of Needham’s board of selectmen. The select board shall continue to have and exercise all the powers and duties vested in boards of selectmen by the laws of the commonwealth or by vote of the town, except as otherwise provided herein. For the purposes of the charter and the bylaws of the town, the term “selectmen” or “board of selectmen” shall mean select board.

Members of the select board may be addressed as “select board member,” or “board member,” “selectwoman,” or “selectman.”

The select board shall have the general authority to execute the civil defense laws within the town and to make any declaration of emergency required by law.”

4. In Section 19, Other Elected Officers, by striking out the words “3 members of the board of health for a term of 3 years” and inserting in place thereof the words “5 members of the board of health for a term of 3 years.”

SECTION 2. At the annual town election in 2019 the two additional positions on the board of health shall be placed on the ballot. The candidate receiving the most votes shall be elected for a term of 3 years. The candidate receiving the second most votes will be elected for a term of 2 years. Thereafter each position shall be for a term of 3 years.

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

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE X: AMEND GENERAL BY-LAW /STORMWATER

To see if the Town will vote to amend the General By-Laws by inserting a new Article 7 as follows:

“ARTICLE 7

STORMWATER

SECTION 7.1 PURPOSE

The purpose of this By-Law is:

- (a) To prevent pollutants from entering the Town of Needham’s Municipal Separate Storm Sewer System (MS4);
- (b) To prohibit illicit connections and unauthorized discharges to the (MS4) and to require the removal of all such illicit connections;
- (c) To comply with state and federal statutes and regulations relating to stormwater discharges, including the NPDES MS4 Permit issued by the U.S. Environmental Protection Agency (EPA), the Massachusetts Stormwater Management Policy regardless of the location of the subject property relative to wetlands or other resource areas, and the Memorandum of Understanding (MOU) issued to the Town of Needham by the EPA in 1996;
- (d) To establish the legal authority to ensure compliance with the provisions of this By-Law through permitting, inspection, monitoring, and enforcement;
- (e) To control runoff and prevent soil erosion and sedimentation resulting from construction site stormwater runoff;
- (f) To promote infiltration and the recharge of groundwater;
- (g) To protect, maintain and enhance the public safety, environment, health, and general welfare by establishing minimum requirements and procedures to manage stormwater runoff, and;
- (h) To ensure that soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained.

SECTION 7.2 DEFINITIONS

For the purposes of this By-Law, the following definitions shall apply:

Alteration: Any activity that will change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Examples include, but are not limited to, construction of new structures, earthmoving, paving, and modification of existing vegetation.

Best Management Practices (BMPs): Structural, non-structural, and managerial techniques that are recognized to be the most effective and practical means to prevent or minimize increases in stormwater volumes and flows, reduce point-source and nonpoint-source pollution, and promote stormwater quality and protection of the environment.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. §§ 1251 *et seq.*) as it may hereafter be amended.

Construction Site: Any site where activity is proposed or occurs that involves the alteration of land and involves a permit required by the Town.

Development: The alteration of land to accommodate a new use or an expansion or modification of an existing use.

Illicit Connection: A surface or subsurface drain or conveyance that allows a discharge into the MS4 that is not entirely composed of stormwater or clean groundwater, including any connection from an indoor drain, sink, toilet, or laundry facility, regardless of whether the connection was previously allowed, permitted, or approved before the effective date of this By-Law.

Illicit Discharge: Any direct or indirect discharge to the MS4 or the Waters of the Commonwealth that is not composed entirely of stormwater or clean groundwater, including, without limitation, any discharge of a pollutant, sewage, process wastewater, or wash water, except as exempted. The term does not include a discharge in compliance with a NPDES Stormwater Discharge Permit or a Surface Water Discharge Permit.

Impervious Surface: Any material or structure on, above or below the ground that prevents water from infiltrating through to the underlying soil. Impervious surfaces may include, without limitation: paved surfaces, parking lots, sidewalks, driveways, roof tops and swimming pools.

MOU: Memorandum of Understanding issued to the Town of Needham by the EPA in June 1996.

MS4 (Municipal Separate Storm Sewer System): The system of conveyances, owned or operated by the Town of Needham, that is designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, swale, culvert, channel, catch basin, outfall, outlet, reservoir, or other drainage structure.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by the United States Environmental Protection Agency or jointly with the state that authorizes the discharge of stormwater containing pollutants into waters of the United States.

Non-point Source Pollution: Rainfall or snowmelt that picks up pollutants as it moves across the ground.

Non-stormwater Discharge: A discharge that is not composed entirely of stormwater, such as sanitary waste or process water.

Operation and Maintenance (O&M) Plan: A plan setting the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth of Massachusetts or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

Point Source: Any discernible, confined and discrete conveyance, including, without limitation, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. The term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

Pollutant: Any element or characteristic of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into Needham's MS4 or waters of the Commonwealth. Pollutants shall include, but are not limited to:

- (a) Paints, varnishes, and solvents;

- (b) Oil and other automotive fluids;
- (c) Non-hazardous liquid and solid wastes and yard wastes;
- (d) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, accumulations and floatables;
- (e) Excess pesticides, herbicides, and fertilizers;
- (f) Hazardous materials and wastes;
- (g) Sewage, fecal coliform and pathogens;
- (h) Dissolved and particulate metals or nonmetals, including phosphorus;
- (i) Animal wastes;
- (j) Rock, sand, salt, silt, soils;
- (k) Construction wastes and residues; and
- (l) Noxious or offensive matter of any kind.

Recharge: The process by which groundwater and the underlying aquifer is replenished by the absorption of water.

Runoff: The water from rain, snowmelt or irrigation that flows over the land surface and is not absorbed into the ground, instead flowing into the MS4 or streams or other surface waters or land depressions.

Sanitary Sewer System: A separate underground conveyance system specifically for transporting sanitary waste operated separately and independently from the MS4, to which storm, surface, and ground waters are not lawfully admitted.

Small Diameter Drain Program: A Town of Needham Program allowing the extension of the Town's drainage system (MS4) by a series of 6 inch, 8 inch and 10 inch drain pipes used to collect roof drains and clean sump pump discharges.

Stormwater: Water originating from rainfall, snowmelt/ice melt runoff, and surface water runoff.

Stormwater Management: The use of structural or non-structural practices that are designed to reduce and control stormwater runoff pollutant loads, discharge volumes or peak flow discharge rates. Stormwater Management includes the use of Low-Impact Development (LID) management practices.

Watershed Management Plan: The plan developed for the Town of Needham subdividing watershed areas within the Town and depicting drainable soil areas appropriate for infiltration/recharge.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwaters, and vernal pools.

SECTION 7.3 ADMINISTRATION

7.3.1 The Board of Selectmen shall adopt, and may periodically amend, Rules and Regulations to effectuate the purposes of this Bylaw, after conducting a public hearing to receive Public comment.

7.3.2 The Department of Public Works shall be responsible for the day-to-day administration of this By-Law and its Regulations.

7.3.3 The Department of Public Works shall have the authority to investigate suspected illicit discharges and to require the elimination of illicit discharges.

SECTION 7.4 APPLICABILITY

7.4.1 All persons required to obtain a Building Permit for new construction, additions greater than 25% of the existing building footprint, in-ground pool, or out building (such as a separate Garage) shall be subject to the requirements of this By-Law. All persons required to obtain a Planning Board Decision and/or a Board of Appeals Decision are also subject to the requirements of this Bylaw.

7.4.2 All applications requiring Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval whether the issuance of a Building Permit is required or not shall include the Stormwater Management and Erosion Control provisions in the applications to the respective boards for their review and approval prior to the issuance of a Building Permit, or any development activity. The Department of Public Works shall participate in the review process and make recommendations to the Planning Board, Zoning Board of Appeals, and/or Conservation Commission as needed.

7.4.3 The applicant, or an agent thereof, shall obtain the approval of the Director of Public Works prior to any change or modification of an activity associated with the Stormwater Management and Erosion Control provisions of the Building Permit. In circumstances where Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval is required prior to the issuance of a Building Permit or development activity, the respective Board or Commission's approval shall be obtained prior to any change or modification. The Director of Public Works, Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall amend their original approvals and require additional stormwater runoff and erosion control measures prior to approval of the change or modification.

SECTION 7.5 ILLICIT DISCHARGE, DETECTION & ELIMINATION (IDDE)

7.5.1 Prohibited Activities

7.5.1.1 Illicit Discharges No person shall cause or allow an illicit discharge into the MS4 or into the Waters of the Commonwealth. This By-Law shall not exempt stormwater discharges from regulations under the National Pollutant Discharge Elimination System (NPDES) stormwater program where applicable.

7.5.1.2 Illicit Connections No person shall construct, use, allow, maintain or continue any Illicit Connection, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

7.5.1.3 Obstruction of Municipal Storm Drain System No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior written approval from the Director of Public Works.

7.5.2 Regulated Activities

7.5.2.1 No person shall connect a pipe or other appurtenance to the Town of Needham Sanitary Sewer System or the MS4, or otherwise perform any modification, repair, rehabilitation, or replacement work on either system, without receiving an approved Sewer Connection Permit or Drainage Connection Permit from the Department of Public Works.

7.5.2.2 No person shall allow a pipe, swale or other point source to discharge onto a Public Way.

7.5.3 Exemptions The following Non-Stormwater Discharges are exempt from the requirements of this By-Law:

- (a) Water line flushing;
- (b) Landscape irrigation;
- (c) Diverted stream flows;
- (d) Rising ground waters,
- (e) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005[20]);
- (f) Discharges from potable water sources;
- (g) Air conditioning condensation;
- (h) Lawn watering;
- (i) Flows from wetland resource areas;
- (j) Discharges or flows from firefighting activities; and
- (k) Discharges necessary to protect public health, safety, welfare or the environment.

SECTION 7.6 EMERGENCY SUSPENSION OF STORM DRAIN SYSTEM ACCESS

The Director of Public Works may suspend MS4 access to any person or property without prior written notice when such suspension is determined to be necessary to prevent or terminate a threatened or actual discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event that any person fails to comply with an emergency suspension order issued pursuant to this section, the Department of Public Works may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

SECTION 7.7 STORMWATER MANAGEMENT AND EROSION CONTROL

7.7.1 Regulated Activities

7.7.1.1 Any activity requiring a Building Permit for new construction, addition greater than 25% of the existing building footprint, in-ground pool, or out building shall be subject to the requirements of this Bylaw. Any Permit or Decision issued by the Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall include the requirements of this Bylaw.

7.7.1.2 A Stormwater Management and Erosion Control plan shall be required prior to undertaking any alteration of land that involves a Building Permit, Planning Board Decision, Zoning Board of Appeals Decision, and/or Conservation Commission Permit or Order.

7.7.2 Exempt Activities The following activities shall be exempt from this Bylaw:

- (a) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this By-Law;
- (b) Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture, or the use, expansion, or reconstruction of existing structures for the primary purpose of agriculture, horticulture, floriculture, or viticulture, to the extent protected under the *Zoning Act, M.G.L. c. 40A, § 3*;
- (c) Customary cemetery management;
- (d) Normal maintenance of Town-owned public land, ways, public utilities and appurtenances; and
- (e) Emergency activities necessary to protect public health or safety.

7.7.3 General Requirements

7.7.3.1 A Stormwater Management and Erosion Control plan shall be submitted as part of a Building Plot Plan or independently with an application for a Building Permit, Planning Board application, Zoning

Board of Appeals application, Conservation Commission application, and/or prior to any development activity.

7.7.3.2 The Stormwater Management and Erosion Control plan shall include provisions for a siltation/sedimentation barrier, stormwater recharge, stormwater runoff quality controls, and other structural and non-structural Best Management Practices to increase groundwater recharge and remove pollutants from stormwater.

7.7.3.3 For single family home development, drywells shall be installed at the corners of the main dwelling and shall collect the roof runoff from the structure. The drywells shall have a minimum combined volumetric capacity of one (1) inch of rainfall depth over the total impervious area of the property (buildings and impervious surfaces).

7.7.3.4 If drywells cannot be installed due to unsuitable soil type as identified on the town's Watershed Management Plan or due to shallow depth to groundwater, a small diameter drain shall be extended from the Town's stormwater drainage system (MS4) to the property to collect the roof runoff from the main dwelling. If there is no portion of a drainage system within 100 feet of the property, the property owner shall contribute to a fund for the Town to construct a communal infiltration system on Town property in the same sub-watershed area in which the property is located. The contribution shall be an amount as determined by the Board of Selectmen per cubic foot of stormwater required to be recharged as described above.

7.7.3.5 An Operation and Maintenance Plan (O&M Plan) shall be submitted to the Director of Public Works for approval prior to the issuance of an Occupancy Permit. The Operation and Maintenance Plan shall be designed to ensure compliance with this By-Law in all seasons and throughout the life of the system.

7.7.3.6 As-built drawings showing all stormwater management systems shall accompany the O&M Plan at the completion of a project.

7.7.4 Design Criteria All Development shall satisfy the following design criteria:

- (a) Compliance with all applicable provisions of the Stormwater Management Policy, regardless of the proximity of the development to resource areas or their buffer zones, as defined by the *Wetlands Protection Act, M.G.L. c. 131, § 40* and its implementing regulations.
- (b) Compliance with the NPDES MS4 Permit.
- (c) Compliance with the MOU issued to the Town by the EPA
- (d) Erosion and sediment controls must be implemented to prevent adverse impacts to municipal and/or abutting properties during and after land disturbance and construction activities.
- (e) There shall be no change to the existing conditions of abutting properties from any increase in volume or peak rate of stormwater runoff or from erosion, silting, flooding, sedimentation or impacts to wetlands and other resource areas as defined in the Massachusetts Wetlands Protection Act and/or Needham Wetlands Protection Bylaw.
- (f) When any proposed discharge may have an impact upon streams, wetlands and/or storm sewers, the Director of Public Works may require minimization or elimination of this impact based on site conditions and existing stormwater system capacity.

SECTION 7.8 MAINTENANCE OF STORMWATER FACILITIES

[Reserved]

SECTION 7.9 SEVERABILITY

If any provision of this Article shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of the Article shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof.

SECTION 7.10 ENFORCEMENT

The Department of Public Works shall enforce this By-Law, and any regulations, orders, violation notices, and enforcement orders made pursuant to this By-Law as follows:

7.10.1 The Director of Public Works may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include (but are not limited to) an order to:

- (a) eliminate illicit connections or discharges to the MS4;
- (b) perform monitoring, analyses, and reporting;
- (c) cease and desist unlawful discharges, practices, or operations; and
- (d) remediate contamination in connection therewith.

7.10.2 If the Director of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Department of Public Works may, at its option, authorize such work.

7.10.3 If a person violates the provisions of this By-Law, or any regulation, permit, notice, or order issued thereunder, the Director of Public Works, with the approval of the Board of Selectmen, may seek injunctive relief in a court of competent jurisdiction to restrain such person from activities that would create further violations or to compel the person to perform abatement or remediation of the violation.

7.10.4 The remedies set forth in this Section are not intended to be exclusive of any other remedies available under applicable federal, state, or local law.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : AMEND GENERAL BY-LAW / NON-CRIMINAL DISPOSITION

To see if the Town will vote to amend the General By-Laws by:

1. Inserting in Section 8.2.2.4 a new subsection “U” as follows:

“U. Vaccination Requirements (Section 3.7.9)
 Enforcement Agent: Animal Control Officer
 Fine Schedule: \$50 per offense.”

2. inserting a new Section 8.2.2.9 Storm Water Regulation (Article 7) as follows:

“ 8.2.2.9 Stormwater Regulation (Article 7)

Enforcement Agent: Director of Public Works, Town Engineer

Fine Schedule

First Offense - \$0

Second Offense – failure to cure offense within 15 days’ of notice of first offense - \$50 - each day being a separate offense.

Subsequent Offences – failure to cure within 15 days’ notice of second offense - \$100 - each day being a separate offense.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE X: 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 13th day of March, 2018.

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

Selectmen of Needham

A true copy,

ATTEST _____ 2018

Constable (month) (day)

ATTEST _____ 2018

Constable (month) (day)

Status of Articles 3.9.2018

#	Article	Status	BOS Position	FC Position	BOS	FC	CPC	Planning
1	Annual Town Election							
2	Committee and Officer Reports							
3	Establish Elected Officials' Salaries							
4	Fund Collective Bargaining Agreement/NIPEA/DPW							
5	Fund Collective Bargaining Agreement/TTWA							
6	Fund Collective Bargaining Agreement/Building Custodian/Trades Independent Association							
7	Accept c. 73 Tax Exemption Limits			Adopt				
8	Appropriate for Property Tax Assistance			Adopt				
9	Appropriate for Senior Corps			Adopt				
10	Appropriate for Town-Owned Land Surveys							
11	Appropriate for Public Facilities Maintenance Program							
12	Appropriate for Urban Community Challenge Grant/Tree Inventory							
13	Appropriate for Time Clock System							
14	Appropriate for Long Range Plan							
15	Appropriate for RTS Efficiency Study							
16	Appropriate for Water Meter Data Collection							
17	Appropriate the FY2019 Operating Budget			Adopt				
18	Appropriate the FY2019 RTS Enterprise Fund Budget			Adopt				
19	Appropriate the FY2019 Sewer Enterprise Fund Budget			Adopt				
20	Appropriate the FY2019 Water Enterprise Fund Budget			Adopt				

Status of Articles 3.9.2018

#	Article	Status	BOS Position	FC Position	BOS	FC	CPC	Planning
21	Amend General By-Law – Department Revolving Funds							
22	Set the Annual Department Revolving Spending Limit							
23	Authorization to Expend State Funds for Public Ways							
34	Amend Zoning By-Law – Marijuana Establishments							
25	Amend Zoning By-Law – Neighborhood Business District							
26	Amend Zoning By-Law – Map Change to Neighborhood Business District							
27	Amend Zoning By-Law – Side and Rear Setbacks Adjoining Residential Districts							
28	Appropriate for Rosemary Lake Sediment Removal							
29	Appropriate for Rosemary Camp Property							
30	Appropriate for Emery Grover Feasibility							
	Appropriate for Memorial Park Building Construction							
	Appropriate for Historic Database Project							
	Appropriate for Memorial Park Building Construction							
	Appropriate to Community Preservation Fund			Adopt				
	Appropriate for General Fund Cash Capital			Adopt				
	Appropriate for Athletic Facility Improvements Design							
	Appropriate for Public Works Infrastructure Program							

Status of Articles 3.9.2018

#	Article	Status	BOS Position	FC Position	BOS	FC	CPC	Planning
	Appropriate for Public Works Storage Facility							
	Appropriate for RTS Enterprise Fund Cash Capital			Adopt				
	Appropriate for RTS Property Improvements							
	Appropriate for Sewer Enterprise Fund Cash Capital			Adopt				
	Appropriate for Water Enterprise Fund Cash Capital			Adopt				
	Appropriate to Athletic Facility Improvement Fund							
	Appropriate to Capital Improvement Fund							
	Appropriate to Capital Facility Fund							
	Appropriate to Debt Service Stabilization Fund							
	Non-Betterment Street Acceptance – Pandolf Lane							
	Amend General By-Law / Marijuana Establishments							
	Amend General By-Law / Public Construction							
	Amend General By-Law / Contract Procedures							
	Amend General By-Law / Vaccination Requirement							
	Revoke M.G.L. C. 44 Section 53F -1/2 – RTS Enterprise Fund							
	Home Rule Petition / Amend Town Charter							
	Amend General By-Law / Stormwater							
	Amend General By-Law / Non-Criminal Disposition							
	Omnibus							



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

MEETING DATE: 3/13/2018

Agenda Item	Plastic Check-Out Bag Policy
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board of Selectmen will discuss the feedback received at the public hearing regarding the contemplated policy aimed at reducing the environmental and aesthetic impact of the improper disposal of single-use plastic bags. Rather than immediately proposing a mandatory ban, the Board has discussed the concept of encouraging commercial establishments with retail space of 3,500 s.f. or greater selling goods directly to consumers to minimize the use of plastic check-out bags in favor of reusable bags or recyclable paper bags.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
Suggested Motion: That the Board vote to adopt the Plastic Bag Policy Statement dated March 13, 2018.	
3.	BACK UP INFORMATION ATTACHED
a. Notice of Public Hearing b. Plastic Bag Policy Statement dated March 13, 2018	



TOWN OF NEEDHAM

**TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669**

**Office of the
BOARD OF SELECTMEN**

**TEL: (781) 455-7500
FAX: (781) 449-4569
TDD: (781) 455-7558**

Board of Selectmen Notice of Public Hearing Plastic Check-Out Bag Policy

The Board of Selectmen will hold a public hearing on Tuesday, February 27, 2018 at 7:00 pm at the Needham Town Hall, 1471 Highland Avenue, Needham to gather input from interested parties regarding the proposed Plastic Check-Out Bag Policy.

After consulting with several local retailers, the Board of Selectmen is contemplating adopting this policy aimed at reducing the environmental and aesthetic impact of the improper disposal of single-use plastic bags. Rather than immediately proposing a mandatory ban, the Board has discussed the concept of encouraging commercial establishments with retail space of 3,500 s.f. or greater selling goods directly to consumers to minimize the use of plastic check-out bags in favor of reusable bags or recyclable paper bags.

The Board of Selectmen invites all residents and interested parties to attend and provide input regarding this subject. Written comments may also be submitted to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or by email to selectmen@needhamma.gov.



TOWN OF NEEDHAM

TOWN HALL

1471 Highland Avenue
Needham, MA 02492-2669

Office of the
BOARD OF SELECTMEN

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TDD: (781) 455-7558

PLASTIC CHECK-OUT BAG POLICY STATEMENT March 13, 2018

Policy

The Board of Selectmen is committed to reducing the environmental and aesthetic impact of the improper disposal of single-use plastic bags. Plastic shopping bags are difficult to recycle, contribute to the contamination of waste processed at the Town's Recycling and Transfer Station (RTS), and create significant litter problems in business centers, neighborhoods, parks, and in sewer and storm drain systems.

A reduction in the use of single-use plastic check-out bags through a voluntary, public-private partnership will have a positive impact on the Town and the region. The Board of Selectmen therefore requests that all commercial establishments with a retail space of 3,500 s.f. or greater that sell goods directly to the consumer discontinue use of single-use plastic check-out bags, on or before June 1, 2018, in favor of reusable bags or recyclable paper bags.

The Board further encourages all commercial establishments selling goods directly to the consumer, regardless of retail space area, to consider and act, consistent with the requirements of their businesses, to minimize the use of plastic check-out bags in favor of reusable bags or recyclable paper bags.

Exceptions

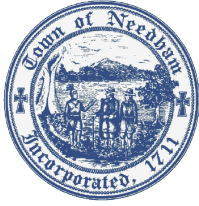
This policy statement shall not apply to bags, whether plastic or otherwise, in which loose produce or products are placed by a consumer to deliver such items to the point of sale or check-out area of a retail establishment, or used to contain dry cleaning, produce, meat, bulk foods, or similar merchandise.

Definitions

Checkout Bag – a bag provided by a store to a customer at the point of sale.

Reusable Bag – a bag with handles that is specifically designed and manufactured for multiple use and is made of thick plastic, cloth or other washable durable materials

Recyclable Paper Bags – a paper bag that is 100% recyclable, whether or not containing post-consumer content.



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

MEETING DATE: 3/13/2018

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
3.	BACK UP INFORMATION ATTACHED
(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)	Maxwell Sparr		
Event Manager Address	400 First Avenue, Needham, MA		
Event Manager Phone Number	857-320-0426		
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: _____		
Name of Event	Boston Common Networking		
Date of Event	3/13/18		
License is for Sale of:			
☒ Wines & Malt Beverages Only ☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	TO:	
	5 PM	7 PM	
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?	50 ppl		
Name & address of event location. Please attach proof of permission to use this facility.			
400 First Ave, Needham MA, Trip Advisor			
Who will be serving the alcohol to your guests?			
Restaurant Associates			
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).			
Maxwell Sparr			
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.			
Bar on consumption			
☒ 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: 3/5/18

e-mailed 2/27/18
Bill owes \$25.00

**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)	Robert T. Timmerman II
Event Manager Address	1492 Highland Avenue Needham MA 02492
Event Manager Phone Number	781-449-1492 / 781-589-4227
Organization Representing (if applicable)	Father Daniel Kennedy-Needham Knights of Columbus
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	St. Patrick's Dinner Dance
Date of Event	March 10, 2018
License is for Sale of: ☒ Wines & Malt Beverages Only ☐ All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License	FROM: 5:30 TO: 11:00 PM
Are tickets being sold in advance for this event?	☒ YES \$ 30.00 /per ticket ☐ NO
Is there an admission fee for this event?	☒ YES \$30.00 /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. Father Daniel Kennedy- Needham Knights of Columbus 1211 Highland Avenue Needham MA 02492	
Who will be serving the alcohol to your guests? TIPS trained bartender	
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate). Jessica Freeland certificate on file at BOS	
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. Beer and wine to be purchased at temporary bar and served by a paid and TIPS certified bartender	
☒ 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: 2/23/18

pd. w/ check 9/21/17
emailed 1/29/18



Town of Needham, Massachusetts Road Event Form

INTERNAL USE ONLY

☒ DPW	☒ Police
☒ Fire	☐ OTM
☒ Park & Rec	☐ Paid
☐ PFD	

TYPE OF EVENT: (check all that apply)

☒ RUN ☒ WALK ☐ BICYCLE ☐ MOTORCYCLE

Name of Event:

Jog Your Memory 5k Run + 2mi Walk

Name of Organization:

Jog Your Memory 5k, Inc

Has this event been conducted in other Towns in the past? ☐ YES ☒ NO

If yes, name of Town and date:

Needham, MA

Has this event been held in Needham in the past? ☒ YES ☐ NO

If yes, are you repeating the same route as in prior year(s)? ☒ YES ☐ NO

Organization Mailing Address:

56 Nichols Road Needham 02492

☒ **Organization is Not-for-Profit**

Organization Billing Address (if Police Detail is required):

See above

Primary Contact:

Jessica Riu

Contact Title:

Co-Race Director / co-founder

Contact Address:

See above

Contact Phone (Day):

617 354 2162

Contact Phone (Cell):

617 312 6547

Contact Email:

Jessmarica98@gmail.com

Event Date(s): Sunday September 16, 2018	Date Expected to be in Needham: 9/16/18
--	---

Earliest Time Expected in Needham: 6am (set-up) 8am reg opens 9am race start	Latest Time Expected in Needham: 11am post-race cleanup
---	---

Number of Expected Participants: 500-600	Number of Expected Spectators at Peak Time: 75-100
--	---

Are participants charged a fee? ☒ YES ☐ NO
--

Estimated Number of Vehicles: 200-225	What type of Parking is required: Front + back parking lots at Mitchell; Side Streets
---	--

Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked: Participants will park in front and back lots @ Mitchell School, as well as on nearby Side Streets. Parking will be in place between 8am and approximately 11am.

Are event organizers available to meet with members of the Town to plan event? ☒ YES ☐ NO	Do event organizers foresee the need for any road closures (subject to police review)? ☒ YES ☐ NO Barriers along Brookline side streets
--	--

What will be done in case of inclement weather? Registration will be held inside Mitchell gym. If dangerous weather, participants will be notified by 7am that morning.

Will neighborhoods be impacted by parking and traffic? Residents will receive flyers in mailboxes a week prior to event if they live along run + walk route.
--

What activities are planned for the start of the race (if in Needham)? Bouncy houses (insured + manned by adult), temporary tattoos, sparsa-tattoo
--

What activities are planned for the end of the race (if in Needham)? Awards ceremony, raffle (will get permit) food/water/packaged snacks (will submit food safety permit)
--

What facilities are needed for the start of the race (if in Needham)? Mitchell School grounds, parking lot, Mitchell gym + cafeteria (Niki Rumbos) folding tables + chairs (Dorian Brock) power source from classrooms / kg modular	
What facilities are needed for the end of the race (if in Needham)? Mitchell School grounds, parking lot	
Once the event begins, how long will it take to complete the event? Race begins @ 9am; awards @ 10:15am; cleanup concludes by 11am	
Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	No parking signs along one side of Dell, Lindbergh, Tower Ave
Will volunteers be placed along the route?	Yes
Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.	Yes, music beginning @ 8am + played throughout race
Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)	yes, prepackaged food + beverages
Will portable toilets be used? List locations.	Yes in front parking lot (top right corner)
Will hydration stops be set up along route? If yes, please include these on route plan.	Yes @ 1.5 mi. mark on run route (across from Broadmeadow) and 1/2 way through walk route
If the event takes place after dark, what is the plan to meet lighting needs?	N/A
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	Please see attached safety plan; a doctor w/ med kit will be on site.
Does the event take place during commuter times?	No
Is school in session during the event? Will school drop off or pick up be impacted by the event?	No
Are businesses open during the time of the event?	Grace Christian + DnD
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	Dunkin Donuts + Hershey; Grace Christian Church - notify by flyer

Are there any churches/houses of worship located along the event route?
Will church/house of worship services take place during the event?

Grace Church on Green St
(will notify)

What is the plan to handle trash?

J.C. Trimmer will provide dumpster
delivered after school Friday & picked up before
school Monday

Please return the completed application and attachments to the Office of the Town Manager, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492:

- event route map (include map and text of route, parking plan, volunteer placement)
- application fee (\$25 events that start and end in Needham; \$50 event passes through Needham)
- certificate of insurance

PLEASE NOTE:

For Road Events scheduled more than 4 months out from application receipt date, a soft hold will be placed on the date, but final approval will not be granted until under the 4 month window. This is due to unforeseen conditions which may impact this event.



Jog Your Memory 5K Run/1.5-Mile Walk

September 16, 2018 Safety Plan

Start – Finish: 187 Brookline St, Needham, MA 02492

We have met with the Needham Police Traffic Division, Dept of Public Works, the Director of Buildings and Grounds for the Needham School Department, and the Needham Police and Fire Departments. All coordinators in key locations will have at minimum a list of all cell phone numbers and names of key people. A volunteer orientation will be given with specific instructions for communication, traffic, and injury.

The course will have volunteers wearing bright orange vests at all turns on the course with additional signage at non-straightaway turns. Flyers will be distributed along the course the week prior to notify the neighbors. Lawn signs will line the front of Mitchell Elementary School on Brookline Ave and back of the school on High Street as well.

Parking will be managed by vest-clad volunteers, and Needham Police will put up No Parking signs along the back of the school to discourage participants from blocking the roads if parking outside of the lots.

The 5th Annual Jog Your Memory 5K Run/1.5-Mile Walk will begin registration on the blacktop courtyard at Mitchell Elementary School at 8:00 a.m. The race will start at 9:00 a.m. on the dropoff circle in front of the school with a police motorcycle leading the runners for the entire race. The police will close off perpendicular streets leading to Brookline Ave until the runners/walkers have passed and then they will encourage runners to stick to the right side of the road/on sidewalks for the remainder of the race since roads will not be closed.

5K Course:

The runners will proceed down Brookline Ave, and then turn right onto Greendale Ave where a police officer will be stationed. From there they will run down Greendale Ave until taking a right onto Bird St (a volunteer will be on the corner to direct runners). The runners will then proceed down Bird St, and will bear right onto Broad Meadow Rd (this is the 1.5 mile mark, where there will be a water station and

Jog Your Memory, Inc | 56 Nichols Road, Needham, MA 02492
617-312-6547 | jogyourmemory5k@gmail.com
www.jogyourmemory5k.org | www.facebook.com/JogYourMemory5K

volunteers directing runners to bear right). Runners will proceed down Broad Meadow Rd to Great Plain Ave. A policeman will be stationed at the end of Broad Meadow Road where it intersects with Great Plain Avenue. They will then turn right onto Great Plain Ave, and will travel down until they reach Melrose Ave – runners will take a right onto Melrose Ave (low traffic and there will be a sign directing runners to take a right, as well as a vest-clad volunteer). The runners will proceed up Melrose Ave, where they will take a right turn onto Brookline, heading up to the school. A police officer will be at the corner of Melrose Ave and Brookline Ave to direct runners and manage traffic. Runners will complete the race by making a hairpin left turn back to the dropoff circle where they exited to start the race.

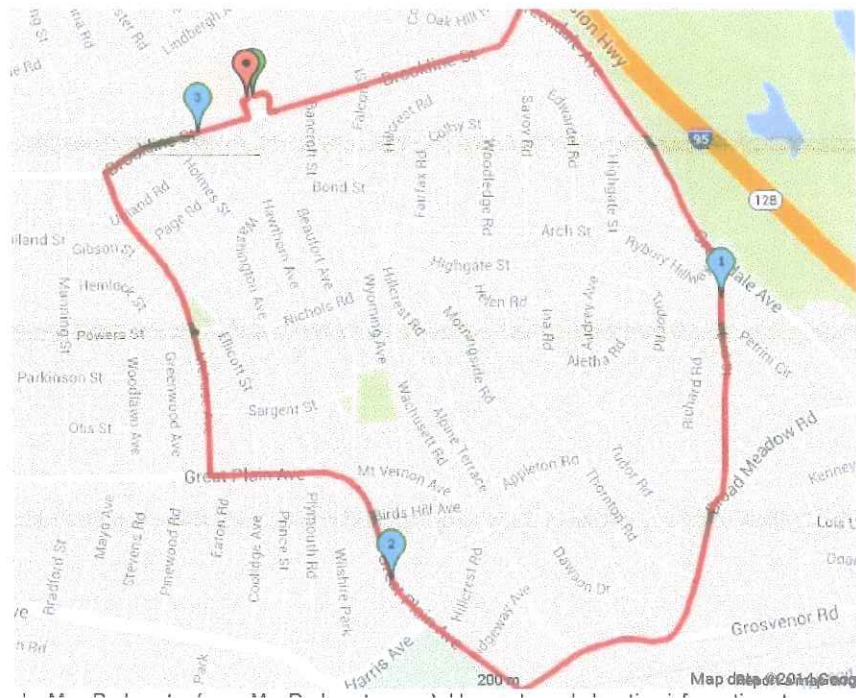
1.5-Mile Walk:

After exiting the dropoff circle and taking a left onto Brookline Ave, walkers will proceed down Brookline Ave and then turn right onto Woodledge Road. From there they will walk down Woodledge Road until taking a right onto Colby St (a sign will be on the corner to direct walkers). Walkers will proceed down Colby Street before taking a left onto Hillcrest Road. Shortly thereafter, they will bear right onto Wyoming Ave, which will take them down a hill, bearing right onto a short stretch on Arden St (the street name change will not be apparent to walkers). At the end of the road, walkers will take a right onto Beaufort Ave. Beaufort Ave comes to an end, where walkers will take a right onto Bond St, and then their first left onto Bancroft St. Bancroft St brings walkers back up to Brookline Ave, where they will take a left onto Brookline Ave, and will finish the walk entering the dropoff circle that they exited at the start of the walk. We will have a lead walker, as well as a walker who will bring up the rear.

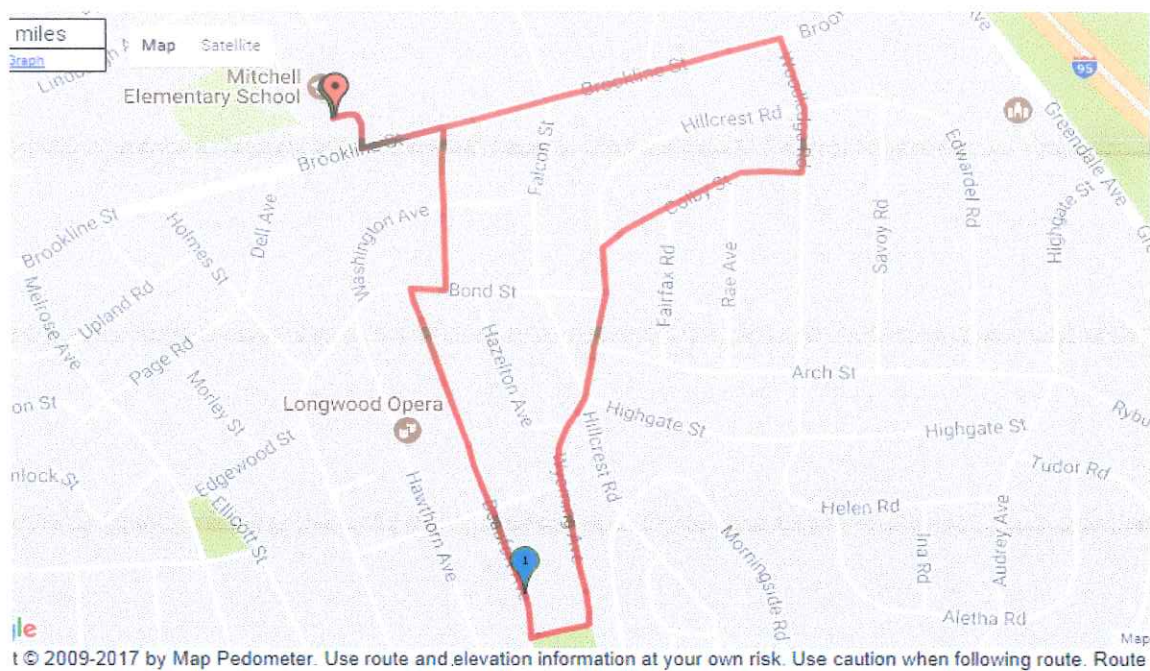
Following the race there will be refreshments, a raffle drawing and an awards ceremony.

Jog Your Memory will have at least one doctor on site in a designated tent. All coordinators on the course will have the doctor's phone number for quick response if needed. Transportation onto the course will be provided by a "race" vehicle. The local Fire Department will have a rescue and fire truck in the area in case one is needed.

2018 5K Run Route



2018 1.5mi Walk Route



**Town of Needham
Board of Selectmen
Minutes for February 13, 2018
Selectmen's Chamber
Needham Town Hall**

6:00 p.m. Executive Session: (Exceptions 3 and 6)
A meeting of the Board of Selectmen was convened by Chair Marianne B. Cooley. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, and Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

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

Exception 3 - To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.

Second: Mr. Bulian. Ms. Cooley polled the Board. Unanimously approved 5-0.

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

7:00 p.m. The public portion of the Board of Selectmen meeting of February 13, 2018 was convened by Chair Marianne B. Cooley. Christopher Coleman, ATM/Personnel took the place of Town Manager Kate Fitzpatrick who attended the Planning Board meeting in Powers Hall. Ms. Fitzpatrick rejoined the Board of Selectmen meeting at 8:20 p.m.

A moment of silence was observed for the victims of the two separate tragedies that occurred in Needham on Saturday, February 10, 2018. Ms. Cooley read a statement remembering Talia Newfield, Adrienne Garrido, and Olivia Bergstrom. She thanked the police and fire departments, hospital staff, school department staff, the Health and Human Services department, and members of the community for their support. Ms. Cooley acknowledged the parents and friends of Talia, Adrienne, and Olivia, asking they be remembered during this difficult time.

7:00 p.m. Public Hearing - Underground Propane Fuel License: 21 Aly Raisman Way:
Tom Carmody, Eastern Propane Gas appeared before the Board requesting a license to install a tank that will store 1,000 gallons of propane fuel underground

at 21 Aly Raisman Way, Needham. Section 4.3 of the Town of Needham General By-laws states that any amount of liquid petroleum gas in excess of 500 gallons on a property requires a license issued by the Board of Selectmen.

Mr. Coleman indicated all paperwork is in order.

Ms. Cooley invited public comment.

Sandy Jordan, 219 Stratford Road asked, on behalf her neighbor, why is it now ok to install a propane tank in the ground, when her neighbor was forced to dig up an oil tank? How can safety be assured?

Mr. Carmody said he could not speak about oil tanks, but said propane tanks are very safe and adhere to the National Fire Protection Association rules #58 and #54. He said propane tank safety standards are very tough. He suggested referring to www.eastern.com for answers to many safety questions. Mr. Carmody said testing is required annually.

Discussion ensued on the possibility of propane tanks leaking and safety features.

Motion by Mr. Handel that the Board of Selectmen vote to approve and authorize the Chair to sign a license to install a tank that will store 1,000 gallons of propane fuel underground at 21 Aly Raisman Way, Needham.
Second: Mr. Bulian. Unanimously approved 5-0.

- 7:09 p.m. The Board recessed to attend the Planning Board meeting being held in Powers Hall.
- 7:43 p.m. The Board reconvened to open session.
- 7:43 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

1. **Human Rights Committee** **Albert "Bud" Schram (term expires 6/30/2020 – reappointment)**

CONSENT AGENDA

1. **Approve two Special One Day Wines and Malt Beverages licenses for Steve Volante, of Volante Farms, to host a Grand Wine Tasting and Grand Beer Tasting event on February 11, 2018 and March 3, 2018 from 12:00 p.m. to 4:00 p.m. The events will be held at Volante Farms, 292 Forest Street, Needham.**
2. **Approve two Special One Day Wines and Malt Beverages licenses for Steve Volante, of Volante Farms, to host cooking classes on February 10, 2018 and**

March 10, 2018 from 1:30 p.m. to 3:30 p.m. The events will be held at Volante Farms, 292 Forest Street, Needham.

3. Ratify a Special One Day All Alcoholic Beverages license from Gloria Greis of the Needham History Center and Museum who held its Sock Hop event on February 3, 2018 from 6:30 p.m. to 11:30 p.m. The event was held at the Center at the Heights, 300 Hillside Avenue, Needham.
4. Accept the following donation made to the Needham Community Revitalization Trust Fund: \$8000 from Needham Women's Club.
5. Approve a request from the Eliot Elementary School PTC to hold its Leprechaun 5K/1mile event on Saturday, March 17, 2018. The race starts at 8:00 a.m. and will end around 11:00 a.m. 200 participants are expected. This event has been approved by the following departments: Police, Fire, Park & Recreation, and DPW.
6. Approve a request from the Exchange Club of Needham to sponsor 4th of July fireworks on Tuesday, July 3, 2018 and activities on Tuesday, July 3, 2018, and Wednesday, July 4, 2018. Activities on the 4th will include a Flag Raising on the Town Common, the Grand Parade, a 5K road race, the Crafts Fair/Flea Market, and athletic competitions for younger children. Coordination of all additional activities will be made with appropriate Town Departments.
7. Approve a request from the Needham Track Club to hold "The Great Bear Run" road race on Sunday, May 20, 2018 from 10:30 a.m. to 2:45 p.m. on the grounds of the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
8. Approve road race event form from Hilary Ryan of The Charles River Center, to hold its 5K race and 1 mile walk in Needham on September 23, 2018 from 9:00 a.m. to 12:00 p.m. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.
9. Ratify a request from Village Club to extend operational hours on February 4, 2018 (Super Bowl Sunday) for the Club (lower) portion only: Last call – 11:00 pm; Members off premises – 11:30 pm; and everyone (bartender) off premises – 12:00 am.
10. Accept a \$1,000 donation made to the Needham Public Health Department's Traveling Meals Program from Darshana and Sandeep Thakore, Needham residents.
11. Accept the following donations made to the Needham Public Health Department's Gift of Warmth Program: \$1,000 from St. Joseph Parish, Needham, and \$558 from First Parish in Needham- Unitarian Universalist.
12. Accept a donation of a NU Step TRS 4000 exercise machine made to the Needham Council on Aging from the Friends at the Center at the Heights. The estimated value of the machine is \$3,795.
13. Approve minutes from January 9, 2018, January 23, 2018, and January 24, 2018 open session meetings; and December 5, 2017, January 9, 2018, and January 23, 2018 executive session meetings.
14. Water & Sewer Abatement Order #1251

15. **Accept a \$14.50 donation made to the Needham Health Department's Domestic Violence Action Committee from an anonymous donor.**

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

8:20 p.m. Director of Public Works:

1. Proposed Stormwater By-law

Richard P. Merson, Director of Public Works and Anthony DelGaizo, Town Engineer appeared before the Board to discuss a proposed Stormwater By-law.

Mr. Matthews commented one element of the proposed by-law applies to all new building permits. He asked if people who are not coming in for a building permit, are immediately impacted by the change. He noted the new permitting will have substantial and necessary changes affecting the way stormwater is managed on private property. He noted all other permitting is "grandfathered."

Mr. Merson said "no they are not, unless they volunteer."

Ms. Cooley said welcoming volunteers is good, so to the extent people are willing to build French drains, it would help everyone. Mr. Merson suggested residents undertaking a yard renovation project may want to take the opportunity have stormwater discharge addressed.

Mr. Merson reminded the Board of the discussion and Powerpoint presentation in June 2016 regarding pending National Pollution Discharge Elimination System (NPDES) requiring establishment of a stormwater by-law to provide the Town with the authority to prevent and prohibit sanitary sewer connections and sanitary sewer overflows into the stormwater drainage system; to address sediment and erosion control at construction sites; to reduce the discharge of pollutants found in stormwater through the retention, recharge and/or treatment of stormwater after construction of new or redeveloped sites; and to require compliance with the Massachusetts Stormwater Handbook requirements, analyses of low impact development opportunities, protection of Zone II areas surrounding Public Well Fields, long term maintenance practices of stormwater facilities, and reduction of phosphorus, and suspended solids and pathogens in stormwater discharge. Mr. Merson noted while the process had delayed the implementation approximately one year, the Town proceeded with preparation to submit an application and prepare a by-law necessary for its support. He said he is hopeful of the by-law adoption at Town Meeting in May 2018.

Ms. Cooley asked for questions from the Board.

Mr. Borrelli asked if municipal development in Needham would see significant cost increases. Mr. Del Gaizo responded the largest increase to the cost of Town projects is reducing pathogens and phosphorus. He commented he is hopeful the Town can address the issue to the "maximum extent practical" or "the best we

can,” as opposed to the way regulations are currently written to meet an absolute tolerance. Mr. Merson commented the Town has had a good jump at the major project level, as they were part of the process beginning in 1996.

Ms. Cooley referred to the Small Diameter Drain program and the option of connecting directly to the Town’s catch basin system. She asked about the associated fee. Mr. Del Gaizo commented on the Watershed Management Plan identifying soil types in Needham. He said properties located 100 ft. from an existing storm drainage pipe/catch basin have a reasonable way of tying into the Town system. But, he said, properties located more than 100 ft. away have the option of either tying into the Town system or by paying \$12/cubic ft. of stormwater, in which case, a neighborhood infiltration system would be constructed by the Town of Needham.

Discussion ensued on the storm drainage system in Needham, calculating the fee, and who decides which properties can or can not tie in to the infiltration system.

Mr. Matthews said \$12/cubic ft. for stormwater runoff generated on a property is a “real bargain” for the property owners, yet costly for the Town to construct a communal infiltration system. He said he is concerned the cost is too low and the burden should be on the homeowner/developer, not the Town.

Ms. Cooley said the expense must be equitable and asked Mr. Merson and Mr. Del Gaizo for more information to better understand the issue.

Mr. Matthews commented stormwater must be managed, noting many residents have systems that do not comply. He encouraged residents to be good neighbors and to understand they may have to make significant changes in how their property handles stormwater, should they apply for a permit.

8:20 p.m.

Emergency Management Update:

Tim McDonald, Director of Health & Human Services, Dennis Condon, Fire Chief, and Rebecca Ping, Emergency Management Program Coordinator appeared before the Board with an update on the Emergency Management Program, including recent accomplishments and future plans.

Dennis Condon, Fire Chief introduced Rebecca Ping, the Town’s new Emergency Management Coordinator. He said emergency management has changed since the days of civil defense in the 1950’s, becoming much more complicated. He said Rebecca has a great background and is a veteran Flight Lieutenant for the U.S. Navy.

A powerpoint presentation was viewed and outlined by Ms. Ping. She spoke about community outreach, personal preparation, the new safety guidelines and a new emergency procedures book visibly located in all rooms and hallways of Town buildings, grants, a new EOP app available for all residents to download to

their mobile device, and Town training. Ms. Ping described several proposed future projects, some of which she said are already being developed.

Ms. Cooley asked for questions from the Board.

Mr. Handel asked if there is a regional approach to emergency management and whether there is mutual assistance. Ms. Ping said there is not a regional LEPC (Local Emergency Planning Committee) in the area, stating she works closely with MEMA and continually meets people regionally. She commented the LEPC at the local level specifically meets the needs of the Town. Chief Condon commented mutual public safety (police and fire) assistance is an available regional resource. He concurred with Ms. Ping in that it is best to plan locally.

Ms. Fitzpatrick said the Town aims for the convenience and safety of the public and Town employees, which she said is paramount. She highlighted situations where formal coordination efforts would improve service to the Town.

Ms. Cooley asked whether North Hill and Beth Israel Hospital are part of the coordination effort, as well as other non-Town groups. Ms. Ping said yes, both entities attend the LEPC meetings. Ms. Fitzpatrick said the Walker School, Needham Channel, Commission on Disabilities, among many others, also take part in meetings.

Mr. Borrelli commented this is a very important project and thanked Ms. Ping for her efforts. The Board concurred.

8:38 p.m. Town Manager Report:

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

1. Accept and Refer Zoning - Permitted Uses in the Neighborhood Business District
Ms. Fitzpatrick reported the Planning Board, at its meeting earlier this evening, voted to place the following articles on the warrant for the 2018 Annual Town Meeting: "Amend Zoning By-Law - Permitted Uses in the Neighborhood Business District" and "Amend Zoning By-Law - Map Change to Neighborhood Business District." She said under state law, the Board of Selectmen has 14 days to accept the proposed amendment and refer the amendment to the Planning Board for its review, hearing, and report. The Board's action in the matter is not discretionary. Ms. Fitzpatrick indicated the Planning Board intends to schedule a public hearing on this zoning for Thursday, March 8, 2018.

Motion by Mr. Matthews that the Board of Selectmen vote to accept the proposed zoning amendments: "Amend Zoning By-Law - Permitted Uses in the Neighborhood Business District" and "Amend Zoning By-Law - Map Change to Neighborhood Business District" for referral to the Planning Board for its review, hearing, and report.

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

2. Close Annual Town Meeting Warrant

Ms. Fitzpatrick asked the Board to close the warrant for the 2018 Annual Town Meeting. She highlighted items several under the General Articles section.

Motion by Mr. Handel that the Board vote to close the warrant for the 2018 Annual Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.

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

8:48 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

Ms. Cooley announced a public hearing will be held at the next Board of Selectmen meeting on February 27, 2018 to hear comments regarding the proposed voluntary compliance of the use of plastic bags by large merchants in Town.

8:50 p.m. **Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of Tuesday, February 13, 2018.**

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

A list of all documents used at this Board of Selectmen meeting are available at:
<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>

**Town of Needham
Board of Selectmen
Minutes for February 27, 2018
Selectmen's Chamber
Needham Town Hall**

6:00 p.m. Executive Session: (Exceptions 2 and 6)
A meeting of the Board of Selectmen was convened by Chair Marianne B. Cooley. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, and Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

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

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

Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.

Second: Mr. Bulian. Ms. Cooley polled the Board. Unanimously approved 5-0.

6:45 p.m. Informal Meeting with Citizens: Al and Sandra Jaszek, 18 Crescent Road spoke with the Board concerning a 1,000 gallon propane tank being installed by Keolis Commuter Services at Needham Junction. Ms. Jaszek said safety is their concern and asked whether there will be barrier between the tank and the parking lot? She commented Keolis and the MBTA have not been neighborly when communicating with residents living in the area.

7:00 p.m. The public portion of the Board of Selectmen meeting of February 27, 2018, was convened by Chair Marianne B. Cooley.

7:00 p.m. Public Hearing - Grant of Locations: Eversource Energy
Maureen Carroll, Eversource Energy representative appeared before the Board with three items to discuss:

1. 122 Richardson Drive

Ms. Carroll requested permission to install approximately 8 feet of conduit in Richardson Drive. She said this work is necessary to provide underground electric service for a new home.

Ms. Fitzpatrick indicated all paperwork is in order.

Ms. Cooley invited public comment.

A resident from Richardson Drive inquired about underground service being installed on his property. Ms. Cooley asked the resident to speak with Ms. Carroll after the public hearing.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 8 feet of conduit in Richardson Drive. This work is necessary to provide underground electric service at 122 Richardson Drive, Needham.

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

2. 138 Country Way

Ms. Carroll requested permission to install approximately 6 feet of conduit in Country Way. She said this work is necessary to provide underground electric service for a new home at 138 Country Way.

Ms. Cooley asked Mr. McFarland, builder/owner to approach the Board to discuss why the work started prior to receiving the proper permit. Mr. McFarland acknowledged the digging of a trench has started. Ms. Cooley reminded Mr. McFarland a public hearing is required prior to beginning work, and that conditions of permit on any future projects in Needham must be met prior starting construction. Mr. McFarland said "absolutely."

Ms. Fitzpatrick indicated all other paperwork is in order.

Ms. Cooley invited public comment. No comments were heard.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 6 feet of conduit in Country Way. This work is necessary to provide underground electric service at 138 Country Way, Needham.

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

3. 46 Homestead Park

Ms. Carroll requested permission to install approximately 10 feet of conduit in Homestead Park. She said this work is at the request of the homeowner and is necessary to provide underground electric service at 46 Homestead Park.

Ms. Cooley said the builder/homeowner was unavailable for tonight's meeting, and asked for a motion to continue the public hearing to March 13, 2018.

Motion by Mr. Borrelli that the Board of Selectmen vote to continue Public Hearing: Eversource Energy - Homestead Park to March 13, 2018.

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

7:06 p.m. Public Hearing: Aboveground Propane Fuel Tanks - Needham Junction Train Station & Needham Heights Train Station

Ms. Cooley announced the Public Hearing for Aboveground Propane Fuel Tanks - Needham Junction Train Station & Needham Heights Train Station has been withdrawn as Keolis Commuter Services are exempt and not required to meet permitting requirements of the Town of Needham.

7:06 p.m. Public Hearing: Plastic Check-Out Bag Policy

Ms. Cooley explained that the origin of the Plastic Bag Check-Out Policy largely came from Green Needham and citizens asking if the Board of Selectmen would consider a plastic bag policy. She noted former Needham High School students Christopher Thomas, Vinh Truong, and Bony Ganugapanta brought the idea forward to the Board of Selectmen at its meeting on May 24, 2016. She stated the Board researched the issue, engaged with citizens, and invited the Town's largest vendors to discuss a plastic bag ban in Needham. Ms. Cooley indicated some stores never use plastic bags, while other stores indicated they would be willing to work with the Town. A plastic bag check-out policy was formulated asking for voluntary compliance by larger stores (larger than 3,500 sq. ft.). Ms. Cooley said most letters received by the Board of Selectmen favor the ban, 3 letters oppose the ban. She said several people indicated they would be willing and supportive if stores wished to charge for the use of a bag. Ms. Cooley mentioned letters received from Ms. McCracken's 2nd grade class at Newman Elementary School.

Ms. Cooley opened the public hearing and invited comments.

David Ecsedy, 20 Holland Terrace, Solid Waste Advisory Committee member, said plastic bags contaminate the recycling bins at the RTS and that staff must work harder to remove bags, otherwise the RTS receives less money for its recyclables. He said the plastic bags are light, making a mess when they blow all over. Mr. Ecsedy said the City of Newton implemented a ban with no citizen objection, and the Town of Arlington will implement its ban on March 1, 2018.

Byron Doerfer, 149 Manning Street, said the issue affects the world and harms the environment. He stated production of plastic bags and inadequate methods of disposal/recycling convinced him a ban must be enacted in Needham. He said he was shocked to learn the amount of oil needed to create only 14 plastic bags is equivalent to the amount of gas it takes the average car to drive 1 mile, most bags ending up in landfills, taking more than 1000 years to degrade. Mr. Doerfer commented Roche Brothers is the only recycling collection location in Needham. He stated recycling plastic bags is cumbersome, costly, and inefficient, noting the Needham RTS has also requested plastic bags not be placed in commingle bins. Mr. Doerfer said the benefits of plastic bags are far outweighed by costs. He

commented Needham is a leader on many issues but has fallen behind, as 60+ Massachusetts communities already have a plastic bag ban in place.

Rob Fernandez, 19 Bradford Street, Green Needham Collaborative Bag Ban Team Chair, said the hearing is an important step in the initiative, as started by Chris Thomas and other students over two years ago in the Greater Boston Project interdisciplinary course for high school seniors. Mr. Fernandez and the Bag Ban Team consists of Town Meeting and Environmental Club members. He said the Board will hear comments from a number of members, as well as Girl Scouts. Mr. Fernandez said efforts will continue after the public hearing as there are plans to purchase and distribute reusable bags to small businesses encouraging use and to promote the shift away from plastic. He urged the Board of Selectmen pass a by-law eliminating single use plastic check-out bags.

Irwin Silverstein, 44 Reservoir Avenue urged people to reduce, reuse, and recycle plastic and paper bags. He said he supports the effort to reduce plastic in the environment.

Riley Roefaro, 22 Valley Road, president of NHS Environmental Action Club presented the Board survey findings from more than 90 Needham businesses showing over 90% support or are indifferent to banning plastic bags. She cited businesses that have either reduced or eliminated plastic bags, and said the ban would be "worth it."

Amy Hurley, 154 South Street, Town Meeting member, Girl Scout Troop #78239 leader said the Girl Scouts have spent a year learning about the issue and collected signatures supporting the ban. Six Girl Scouts applied the Girls Scouts pledge as a framework for telling the Board why they are in support of the plastic bag ban.

David Rudolph, 143 Highgate Street, Bag Ban Team member, Sierra Club of MA, summarized points in a letter to the Board of Selectmen by Emily Norton, Executive Director of the Sierra Club of MA. Mr. Rudolph said a by-law is the simplest method for reducing the use of plastic bags. Mr. Bulian asked Mr. Rudolph for the status of the MA state legislation on the use of plastic bags. Mr. Rudolph said the Senate may vote on the issue, but the House probably will not vote on it this year. Ms. Cooley pointed out the issue has made it farther than ever before in the legislature.

Kara Holmquist, 286 Rosemary Street, Town Meeting member, employee of MA Society for the Prevention of Cruelty to Animals supports a by-law for all stores. She said thin film plastic bags have a severe impact on animals, people must be in the habit of bringing their own bag, and stores can save money by giving out fewer bags. She said the issue passed in the state senate, but will not take effect until August 2019. Ms. Holmquist urged the Board to think about animals and the environment.

Lance Brown, 18 Webster Street, Town Meeting member suggested implementing a five cent fee for any bag (paper or plastic). He said Washington D.C. implemented a bag fee, and within a few months it became the "norm" for people to either bring their own bag or not get a bag. He supports a bag ban by-law and charging a fee for bags.

Brian King, 8 Prospect Street supports the comments by the public. He reiterated Sudbury Farms and Roche Brothers already credit five cents per bag when people bring their own bags. He said there are small things that will benefit the community.

David Dirks, 674 Webster Street, Green Needham Bag Ban Team member said opinion in the room, and that of people he spoke with, unanimously favor a bag ban. He commented on the environmental impact and that people need to do their part.

Jeanne McKnight, 100 Rosemary Way said grocery stores in Puerto Rico charge ten cents per bag, which are sturdy and reusable. She said she supports a plastic bag ban. Ms. McKnight clarified plastic bags for fruit and vegetables will still be available. She also urged the supermarkets continue to provide recycling bins.

Michael Bailit, 33 Perry Drive urged the Board of Selectmen to enact a mandatory ban, not a voluntary ban.

Ms. Cooley closed the public hearing. She said the Board of Selectmen has been notified by Sudbury Farms and Roche Brothers that they would be implementing a plastic bag ban beginning Sunday, March 11, 2018. She thanked people for their input.

Mr. Bulian clarified the ban is "voluntary" for big box stores and requires 100% compliance of stores larger than 3500 sq. ft. He said if 100% compliance is not achieved, a by-law will become a possibility.

Mr. Handel thanked Christopher Thomas, Vinh Truong, and Bony Ganugapanta, former Needham High School students, for their effort in bringing the issue forward in 2015. He concurred plastic bags must be banned.

Mr. Matthews offered his opinion saying a voluntary reduction approach is sound at this point in time, recognizing people in attendance may not feel the same. He commented he is not opposed to use the authority of government to accomplish the ban. However, he said careful consideration must be given to get the best outcome possible. Mr. Matthews commented on human caused climate change and degradation of the environment, which includes single use plastics. He commented on by-laws in other towns, noting there are other problems. He said even a mandatory by-law will only address single use, point of sale plastic bags, which he said are only a fraction of all plastic bags used for packaging and

distribution, and that there must be a wholesale change in the way consumer products are packaged and distributed. He reiterated that while the policy focuses on retailers with more than 3,500 sq. ft, it also signals smaller businesses to minimize point of sale plastic. Mr. Matthews said the Board wants people to be mindful as to whether they need the bags or if there is a better way. He said that by asking for support through a voluntary approach while attempting to get "by in" from the community and businesses, he is optimistic the approach will help the Town. Mr. Matthews said ultimately, a long term, large scale solution is needed. Mr. Matthews said he favors a five cent fee for bags, cautioning he is not sure the Board of Selectmen can impose a mandate.

Mr. Borrelli said he is enlightened by the facts and figures, and supports the voluntary bag ban for larger stores. He asked drop off points for recycling plastic bags be included with the letter and policy sent to the community. He said the conversation will continue.

Ms. Cooley closed the public hearing.

7:55 p.m.

Appointments and Consent Agenda:

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

APPOINTMENTS: None.

CONSENT AGENDA:

1. **Accept the following gifts received by the Needham Public Library for the period of October 6, 2017 to February 8, 2018: Paul Attridge donated a copy of The Mayo Clinic Guide to Better Vision (\$25.00); Brent Atwater donated two copies of her book, After Death Signs from Pet Afterlife & Animals in Heaven (\$29.90); Marilyn Brooks gave the library a copy of Rich Brooks' new book, The Lead Machine: The Small Business Guide to Digital Marketing (\$20.00); Paul Hughes donated a copy of One Thought Changes Everything (\$14.95); Paul Winig donated a Kik-Step-Stool (\$70.00); Amanda Dickerson gave the library two framed Wyeth Prints—Treasure Island, "Old Pew" (\$50.00) and a 1972 exhibition poster Winter Death (\$40); Emily Rude donated the puzzle Antique Advertising (\$18.00); Lee and Lulu Grodzins gave the library a subscription to Smithsonian magazine (\$13.00); The Friends of the Needham Public Library donated \$39,200.00 for the purchase of audiovisual materials and books; The Library Foundation of Needham donated \$19,000.00 for the purchase of audiovisual materials and ebooks; Sally Powers gave the library a Pollard Junior High 1978- 79 yearbook and High School yearbooks for 1958-1966, 1970, 1973, 1975-79; The following people have donated \$700.00 in memory of Doris Neary Donoghue: Clyde & Cheryl Lang, Ellen B. Sheehan, Kay Clark, Jim & Anne Hickey, Janice & Daniel Knight, Judy, Andy & Ed Rademaker, Brian & Annette Lang, Jerry & JoAnn Hohman, Al & Laurie Lang, Frances & Charles Thompson,**

Lilliann Noda, Hapet & Stephanie Berberian; Marilyn Brooks donated a copy of Bill Diehl's book, Stay Tuned: My Life Behind the Mic (\$16.95); Joe Buckley gave the library a copy Wings over Cape Cod: The Chatham Naval Air Station 1917-1922 by Joseph D. Buckley (Joe's father). Dennis W. Buckley (his grandfather) served at the naval air station (\$19.00); and Keith McClelland gave the library a copy of his sister Janet Bolin's latest book, Survival of the Fritters (\$15.95)

2. Waive the fire inspection fees associated with mobile food vendors for calendar 2018.
3. Approve a Special One Day Wine and Malt Beverages License for Sarah Mesnik, of Temple Beth Shalom to host its Purim Celebration on Saturday, March 3, 2018 from 7:30 p.m. to 10:00 p.m. The event will be held at Temple Beth Shalom, 670 Highland Avenue, Needham, MA 02494.
4. Approve a 2018 Sale of Second Hand Articles License application for 2nd Hand Rose of Needham, located at 937 Great Plain Avenue, Needham.
5. Accept a \$500 donation made to the Needham Public Health Department's Substance Prevention Alliance of Needham's Hidden in Plain Sight event from Walgreens.
6. Approve and authorize the chair to sign the revised Complete Streets Policy to conform to the requirement by MassDOT that the policy be printed on letterhead. The revision contains no other changes.
7. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Celia Carboni	42 Greenwood Avenue	42 Greenwood Avenue	7/21/18	7/22/18	3pm-11pm

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

7:55 p.m.

Community Preservation Committee - Proposals Under Review
Gary Crossen, Chair, CPC, Patty Carey, Director of Park and Recreation, and Bob Dermody, CPC member appeared before the Board to discuss projects currently under review by the Community Preservation Committee for funding this year.

Mr. Crossen said the Committee is considering five projects:

1. Rosemary Lake Camp Property
Mr. Crossen commented the request is for \$50,000 to renovate the trail system and passive recreation opportunities at Rosemary Lake. He said the project would demolish the three existing seasonal buildings on the site. He said he anticipates favorable action.
2. Rosemary Lake Sediment Removal - Removal Activities

Mr. Crossen said the request is for \$2,400,000 for dredging and off-site management of impacted sediment from Rosemary Lake. He noted the project is well supported by the Committee.

3. Collections Database Completion

Mr. Crossen said the funding request is for \$25,000 and would allow the Needham History Center & Museum to continue rehousing and reorganizing its collections, and create a collections database for long term preservation. He said the request is the third and final request to complete the project.

4. Emery Grover Feasibility Study Refresh

Mr. Crossen said \$70,000 is a request by Needham Public Schools, and that the main presentation on the project will be on Wednesday, February 28, 2018. He said committee members have asked for additional details from other feasibility studies relating to the same issue, and why an additional feasibility study is necessary. He noted committee members have asked that the feasibility study not be narrow in scope, but to consider all options including possible demolition, if appropriate. Mr. Crossen said there is broad support for a sensible solution.

5. Memorial Park Trustees Field House and Site Improvements

Mr. Crossen said the request is for \$3,701,800 to replace the existing Memorial Park Field House. He said there is some skepticism by the CPC on the amount requested, noting design and current tight economic conditions. He commented the Trustees will make a presentation on the project tomorrow evening. Mr. Dermody concurred with comments made by Mr. Crossen, adding some committee members have expressed concern as to the uses of the Memorial Park Building and what portion of the total cost is CPC fundable. Mr. Crossen clarified he does not think there is anyone on the committee who doesn't think a project needs to be done, but rather a question of what the project looks like and how many CPC dollars are to be invested.

Mr. Bulian commented on use as a municipal building, overall debt structure, and impact on the Emery Grover project.

Mr. Borrelli said a use policy is being developed, similar to all other Town buildings. He said the amount requested, as prepared by the architect, is the maximum amount allowable, but Trustees are prepared to lower the requested amount to \$500,000 at tomorrow's meeting.

Mr. Matthews said it is important the CPC leverage its dollars. He commented that the building currently does not comply with current building standards and many people had "sticker shock" when they learned the cost of public construction. Mr. Matthews said he is doubtful changes could be made to the design that would materially reduce the total cost of the project. He commented on user fees and operating under standard Town procedures.

Ms. Cooley commented on keeping the Emery Grover building in mind and balancing CPC dollars.

Mr. Crossen said a public hearing will be held on March 14, 2018 on each application.

8:12 p.m.

Town Manager:

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

1. Accept and Refer Zoning - Side and Rear Setbacks Adjoining Residential Districts

Ms. Fitzpatrick said that at its meeting on February 13, 2108, the Planning board voted to place the following article on the warrant for the 2018 Annual Town Meeting: "Amend Zoning By-Law - Side and Rear Setbacks Adjoining Residential Districts." She asked the Board refer the item back to the Planning Board for a public hearing, which is scheduled for March 27, 2018.

Motion by Mr. Handel that the Board vote to accept and refer the proposed zoning amendment: "Amend Zoning B-law - Side and Rear Setbacks Adjoining Residential Districts" for referral to the Planning Board for its review, hearing, and report.

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

2. Annual Town Meeting Warrant

The Board reviewed articles contained in the draft Annual Town Meeting Warrant.

Ms. Fitzpatrick commented on pet vaccinations and home rule petitions. She asked the Board to let her know if they would like additional information on any items.

3. Town Manager's Report

Ms. Fitzpatrick reported a meeting was held on how to do business as a mobile food vendor in Needham. Information on applying for a permit and the fee structure was made available for vendors. She noted during the month of March the Town is offering a "no fee" program for vehicle inspection. Ms. Fitzpatrick told the Board eight vendors attended the meeting.

Ms. Fitzpatrick reported a public hearing will be held on pedestrian safety on March 27, 2018. She said speed, visibility, and distraction will be discussed, along with how the Town can tackle the issue. She said the Town really wants community involvement, and has received many emails from citizens giving suggestions. Ms. Cooley thanked residents who have already sent their suggestions to the Board.

Ms. Cooley announced John Schlittler, Chief of Police will attend an upcoming session to discuss Massachusetts gun laws.

8:22 p.m. Board Discussion:

1. Gender Neutral Terminology

The Board discussed the possibility of gender neutral terminology as it relates to the Board of Selectmen.

Ms. Cooley said any change in terminology will require a change to the Town Charter. Ms. Cooley relayed her experiences of being asked what she would like to be called. She said she and Ms. Fitzpatrick have searched for language used in other communities in the Commonwealth, as it relates to Select Boards. Ms. Cooley and Ms. Fitzpatrick recommend changing the name of the Board of Selectmen to Select Board. Ms. Cooley indicated her preference is to be called a Select Board member, as gender neutral language is appropriate. She commented the issue is important and that language does have meaning, largely due to implicit bias and value judgment. She said she prefers using a term that welcomes everyone to the role. Ms. Cooley said a public hearing will be held on March 13, 2018.

Mr. Handel concurred, saying it is time to make the change. He commented a change in the name does not change the function of the Board, but rather the image of the Board.

Mr. Bulian agreed.

Mr. Borrelli said he appreciates the change in language and looks forward to further discussion.

Mr. Matthews said the issue has had a lot of discussion statewide, noting there is a sense the term may be a factor discouraging women from seeking the office. He said he understands the argument about traditions, but feels it is a good change at the right time. He commented the work done crafting the language and proposal are excellent, and believes Town Meeting members will support the change.

Ms. Cooley said the idea is not to re-write history, but a way of thinking about and crafting the future of Needham.

The Board also discussed language regarding the number of board members and the term of service, agreeing to focus on the Board as constituted, with five Board members serving three year terms.

2. Committee Reports

No Committee Reports were made.

8:35 p.m. **Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of Tuesday, February 27, 2018.**
Second: Mr. Bulian. Unanimously approved 5-0.

A list of all documents used at this Board of Selectmen meeting are available at:
<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 10, 2018
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, TENTH DAY OF APRIL, 2018

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:

Two Selectmen for Three Years;
One Assessor for Three Years;
Two Members of School Committee for Three Years;
One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years;
One Trustee of Memorial Park (trustee of soldiers' memorials – non-veteran) for Three Years;
Two 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;
Two Members of Park and Recreation Commission for Three Years;

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

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 13th day of March 2018.

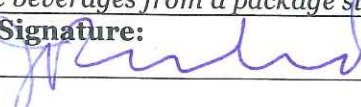
MARIANNE B. COOLEY, *Chair*
DANIEL P. MATTHEWS, *Vice Chair*
JOHN A. BULIAN, Clerk
MAURICE P. HANDEL
MATTHEW D. BORRELLI

Selectmen of Needham

A true copy,
ATTEST _____ 2018
Constable (month) (day)

+

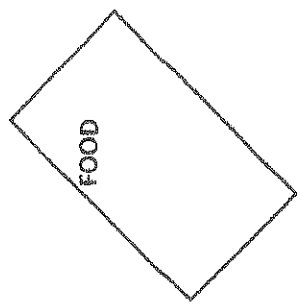
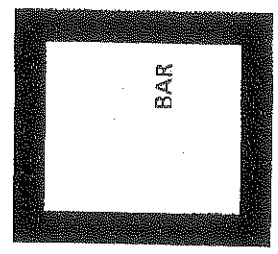
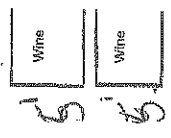
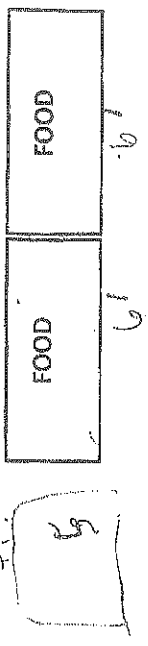
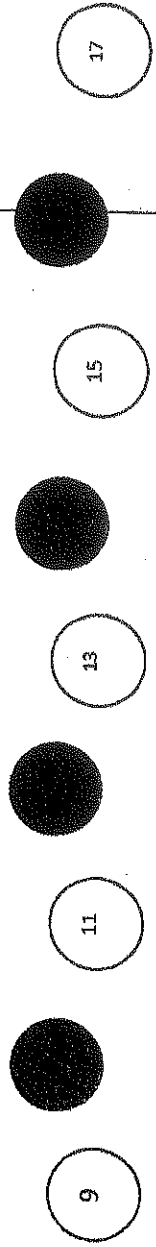
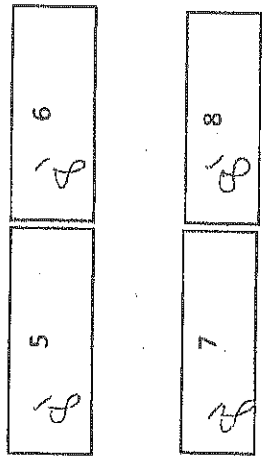
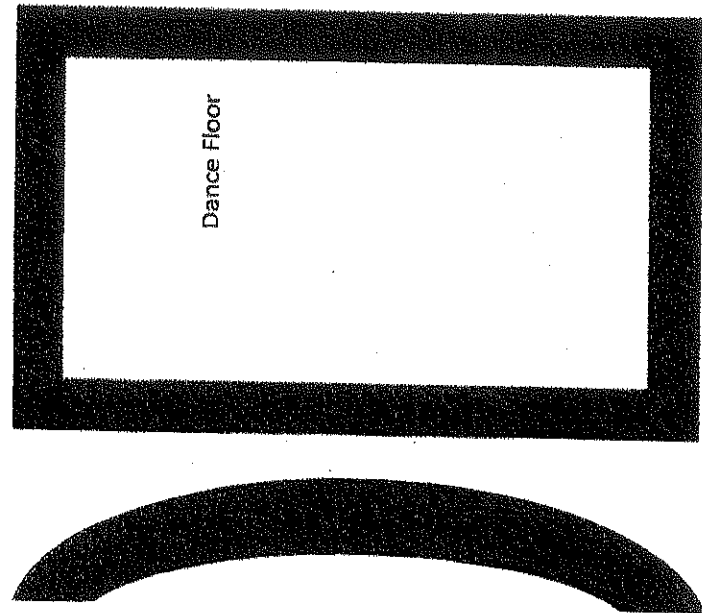
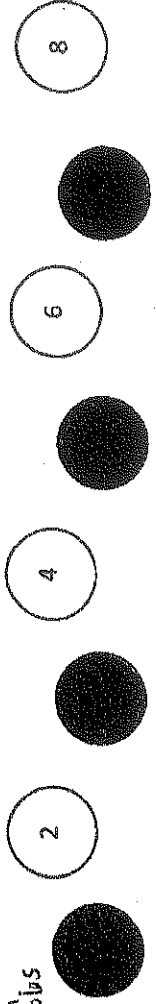
**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Julie Richmond		
Event Manager Address	863 Great Plain Ave Needham, MA 02492		
Event Manager Phone Number	781-367-5138		
Organization Representing (if applicable)	Charles River YmCA		
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	7th Annual Giving Gala		
Date of Event	3/24/18		
License is for Sale of:			
☐ Wines & Malt Beverages Only ☒ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	6:00 pm	TO: 11 pm
Are tickets being sold in advance for this event?	☒ YES	\$ 125 /per ticket	☐ NO
Is there an admission fee for this event?	☒ YES	\$ 125 /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?	240		
Name & address of event location. Please attach proof of permission to use this facility. 1471 Highland Ave Needham, MA 02492			
Who will be serving the alcohol to your guests? Bartenders from LaMorra (caterer)			
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).			
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. Served from the 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:
			3/5/18

2 - 6' long x 12' wide

Registration
Tables

12 Chairs,
4 8ft tables
rent 6, hall
as 8) 2 6ft
ables 4 bar
ables 23
light tops



POWERS HALL COPY 10/14/17 YMCA GALA

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

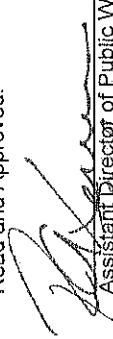
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

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:	-\$202.90
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$93.00
Transfer Station Charges:	\$0.00
Total Abatement:	-\$295.90

Order #: 1252

Read and Approved:


Assistant Director of Public Works

3/9/2018


Director of Public Works

Date: 3/13/18

For the Board of Selectmen

**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	Callahan	John & Brenda	7657	13432	1766	Great Plain Avenue	\$0.00	-\$15.20	-\$13.08	-\$28.28	ACC	N
DB	Vasudevan	Sampath	29145	10538	23	Daley Street	\$0.00	-\$37.30	-\$34.92	-\$72.22	ACC	N
DB	Foxman	Bruce M	6099	14056	74	North Hill Avenue	\$0.00	-\$47.50	-\$45.00	-\$92.50	ACC	N
JO	Council on Aging (1)						\$0.00	-\$102.90	\$0.00	-\$102.90	COA	N
Total:										-\$295.90		

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.
 TWN = 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