SELECT BOARD Meeting Agenda 5:00 p.m. January 25, 2022 POWERS HALL & ZOOM

To listen and view this hybrid meeting on a phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. At the above date and time, click on "Join a Meeting" and enter the meeting ID or click the link below to join the webinar:

https://uso2web.zoom.us/j/82321649764?pwd=ajhBUzBPdzI4cEFDL1FrK3FoUFQzU

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Webinar ID: 823 2164 9764

	5.00	Engarding Coggion, Engarding a (Callectine Dengaining Delice C Eine
	5:00	Executive Session: Exceptions 3 (Collective Bargaining Police & Fire
		Unions) & 6 (Purchase of Real Property)
	6:00	Public Comment Period
		Citizens are encouraged to inform the Office of the Town Manager in
		advance via email (OTM@needhamma.gov), telephone (781) 455-7500
		extension 204, or in person by the end of the business day prior to the
		meeting of their intent to participate in the public comment period.
		The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others
		wishing to speak will be recognized in an order determined by the Chair
		for up to three minutes. The Board's policy on public participation in
		meetings can be found here.
1.	6:00	Introduce Care of Graves for Veterans and Coordinator of Ceremonies
1.	0.00	Kate Fitzpatrick, Town Manager
2.	6:00	Public Hearing: Removal of one (1) Public Shade tree at 341 Nehoiden
		Street
		Edward Olsen, Tree Warden, Parks & Forestry Superintendent
3.	6:15	Public Hearing: Eversource Grant of Location: 58 Taylor Street
		Joanne Callender, Eversource Representative (Zoom)
4.	6:20	ABCC Change of LLC Manager – Needham Food and Beverage, LLC
		d/b/a The Heights
		Brian J. Hughes, Applicant Counsel
5.	6:30	Town Manager
		FY2023 Budget Presentation
		Town Manager Report
6.	6:45	Board Discussion
		Committee Reports
	·	

APPOINTMENTS

1.	Tom Ryder	Traffic Management Advisory Committee Term Exp. 6/30/2024
2.	Dmitry Gorenburg	Transportation Planning and Review Committee Term Exp. 6/30/2022

CONSENT AGENDA *=Backup attached

1. *	Approve minutes of December 20, 2021 (open session), December 21, 2021 (open session), and January 11, 2022 (open session)
2.	Accept the following donation made to the Center at the Heights: \$500 donation from Ellen Knizeski in memory of her mother, Eileen
3.	Accept the following donation made to Needham Public Health's Traveling Meals Program: \$300 donation from Amy Sherman and a \$1,000 donation from the Thakore Family.
4.	Accept the following donation made to the Needham Community Revitalization Trust Fund: \$750 from an anonymous donor.
5.*	Approve a request from Sara Berney race coordinator from the Needham Athletic Booster Club, NHS Boosters Club Rocket Run to hold a race in Needham. The event is scheduled for Sunday, March 20, 2022, 8:00am. The event and route have been approved by the following departments: Fire, Police, DPW, Park & Recreation.
6.*	Approve and sign Water & Sewer Abatement #1317



MEETING DATE: 1/25/2022

Age	enda Item	Executive Session
Pre	senter(s)	
1.	BRIEF DES	SCRIPTION OF TOPIC TO BE DISCUSSED
]	1.) Exception	3: Collective Bargaining (Police & Fire Unions)
2	2.) Exception	6: Purchase, Exchange, Lease or Value of Real Property
2.	VOTE REQ	UIRED BY SELECT BOARD
litiga		To discuss strategy with respect to collective bargaining or en meeting may have a detrimental effect on the bargaining on of the public body and the chair so declares.
prop	•	To consider the purchase, exchange, lease, or value of real ir declares that an open meeting may have a detrimental iating position of the public body.
Not t	to return to Op	pen Session prior to adjournment
3.	BACK UP I	NFORMATION ATTACHED
none		



MEETING DATE: 1/25/2022

Agenda Item	Introduce Care of Graves for Veterans and Coordinator of Ceremonies
Presenter(s)	Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

Kate Fitzpatrick will introduce Jason Kravetz, the newly appointed Care of Graves for Veterans and Coordinator of Ceremonies

2. VOTE REQUIRED BY SELECT BOARD

Introduction only.

3. BACK UP INFORMATION ATTACHED

(Describe backup below)

a. Resume for Jason Kravetz



MEETING DATE: 01/25/2021

Agenda Item	Public Hearing for the removal of one (1) Public Shade tree at 341 Nehoiden Street.
Presenter(s)	Edward Olsen, Tree Warden, Parks & Forestry Superintendent

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

Cort Johnson has respectfully requested to remove one Public Shade Tree. Mr. Johnson is a new resident to Needham. He has expressed concerns for the street tree located at this address. He is formally seeking approval from the Town to remove and replace this tree with a more suitable species. Currently this Norway Maple is misshapen, missing a large portion of its' crown canopy. This tree has been negatively impacted by repeated Eversource Electric Distribution line trimming. Furthermore, this Public Shade tree location would be better suited to a lower growing, flowering tree. This is also the expressed desire by the homeowner. A tree that is sustainable for his family's enjoyment for many years in this location. The Tree Warden does not object to the removal of this tree based on these reasons. I would also recommend a donation in the amount of \$500, to cover the expense of purchasing two trees to replace the loss of this one tree.

2. VOTE REQUIRED BY SELECT BOARD

Under M.G.L. Chapter 87, Requires a Vote by the Select Board Suggested Motions:

- 1. "That the Board vote to approve and sign the Public Shade Tree Hearing form for the removal of one 24 inch, Norway Maple tree in the front berm of 341 Nehoiden Street.
- 3. BACK UP INFORMATION ATTACHED



- 1. Information request email from Cort Johnson dated 11/7/21
- 2. Request email from Cort Johnson to E. Olsen dated 12/17/21
- 3. Legal Ad published in Needham Times, issues 01/13/22, 01/20/22
- 4. List of notified abutters
- 5. Aerial Maps/Plot plans
- 6. Public Shade Tree Hearing Notice
- 7. Photos of tree under consideration
- 8. Approval letter from Tree Warden, E. Olsen to Select Board 01/20/22
- 9. Public Shade Tree Approval form

Edward Olsen

From:

noreply@civicplus.com

Sent:

Sunday, November 7, 2021 7:03 AM

To:

Subject:

Judy Oakes; Edward Olsen; Kevin Naughton Online Form Submittal: Contact Ed Olsen

The following form was submitted via your website: Contact Ed Olsen

Full Name:: Cort Johnson

Email Address:: cortlandtjohnson@gmail.com

Address:: 341 Nehoiden St

City/Town:: Needham

State:: MA

Zip Code:: 02492

Telephone Number:: 5858203117

Comments / Questions: Hi Ed,

I just moved to Needham so not sure if this is the right department. Is there someone I can talk to about a town tree that is growing into the power lines that service my house? Appreciate your guidance!

Regards,

Cort

Additional Information:

Form submitted on: 11/7/2021 7:03:06 AM

Submitted from IP Address: 209.6.169.88

Referrer Page: https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.needhamma.gov%2f235%2fParks-Forestry-Division&c=E,1,7zCNB3wAFoIYvo8vYmfeizO7W4BD524cjZ4gwUBTUYCXky1YI_gI9v490qzvlkPekAI11HYfmZmbC1Gp0H1HapGeHi-wGv8KH3o_NRACuBnyFj3kSe0,&typo=1

Form Address:

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Edward Olsen

From:

Cort Johnson < cortlandtjohnson@gmail.com>

Sent: To: Friday, December 17, 2021 3:54 PM

Subject:

Edward Olsen 341 Nehoiden Tree

Hi Eddie,

Again, I'm so sorry for your loss. Thanks for taking the time to chat with me today.

As discussed, the town tree in front of our house is already half pruned and interfering with the power lines. We are new to the town of Needham with a very young family and would love to work with you and the town's public process to find a tree we could replace it with for the long term. Our goal is to keep the foliage in the front of our house but do it with a tree that is more conducive to the location.

Thanks again for your help!

Regards,

Cort

NOTICE TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that <u>Cort Johnson</u> has petitioned for the removal of one (1) PUBLIC SHADE TREE at <u>341 Nehoiden St.</u>, on the front berm of the property as follows:

SPECIES

DIAMETER

CONDITION

Norway Maple

24 inches

Fair

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held with the Needham Select Board at <u>6:00 P.M.</u>, <u>Tuesday</u>, the <u>25th day of January 2022</u>, at which time and place all interested persons may appear and be heard.

Needham Select Board

Legal Ad Tree hearing 341 Nehoiden St., 1-13 & 1-20-22

Legal Notices

TREE REMOVAL HEARING

LEGAL NOTICE NOTICE TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that <u>Cort Johnson</u> has petitioned for the removal of one (1) PUB-LIC SHADE TREE at 341 Nehoiden St., on the front berm of the property as follows:

SPECIES Norway Maple

DIAMETER 24 inches

CONDITION Fair

Permission is respectfully requested to remove one (1) Public Shade Tree.

A PUBLIC HEARING will be held with the Needham Select Board at 6:00 P.M., Tuesday, the 25th day of January 2022, at which time and place all interested persons may appear and be heard.

AD#14003951 Needham Times 1/13, 1/20/22

Needham Select Board

Legal Notices

TREE REMOVAL HEARING

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SPECIES Norway Maple

DIAMETER 24 inches

CONDITION

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Needham Select Board

AD#14003951 Needhaii. Times 1/13, 1/20/22

341 NEHOIDEN STREET

PARCEL ID	OWNER NAME 1	OWNER NAME 2	MAHING ADDRESS	Ž	;
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100/021:0-0004-0000.0 ALLEN, LAUKA I	ALLEIN, LAUKA I		38 WASHBURN AVE	NEEDHAM	VEEDHAM MA 02492
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NOTICE

TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that Cort Johnson has petitioned for the removal of one (1)

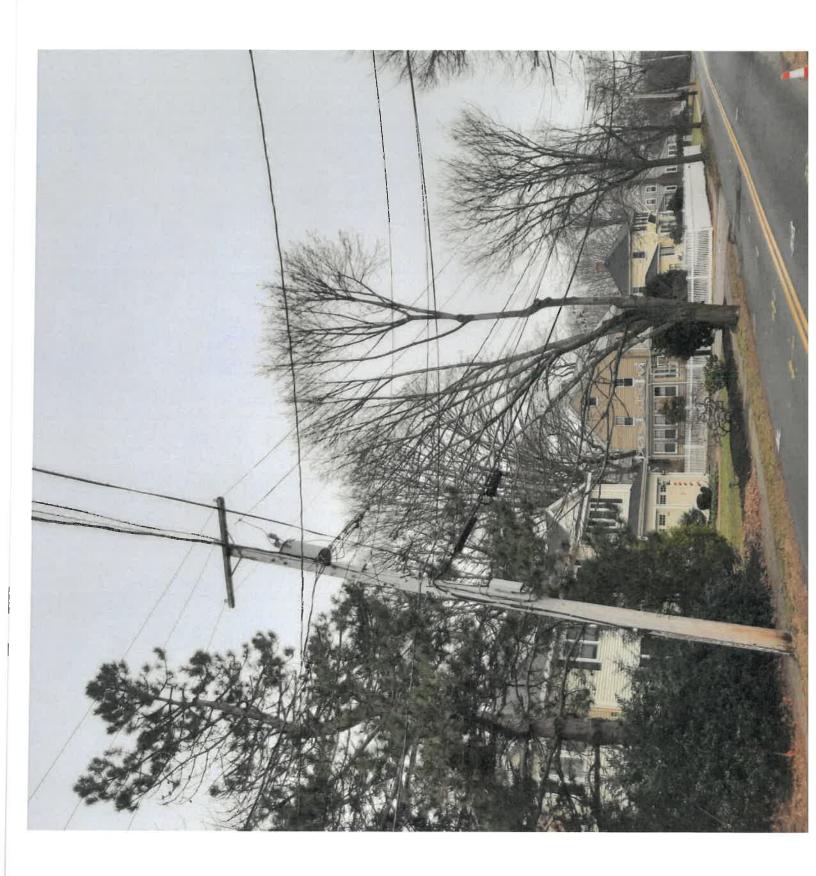
PUBLIC SHADE TREE

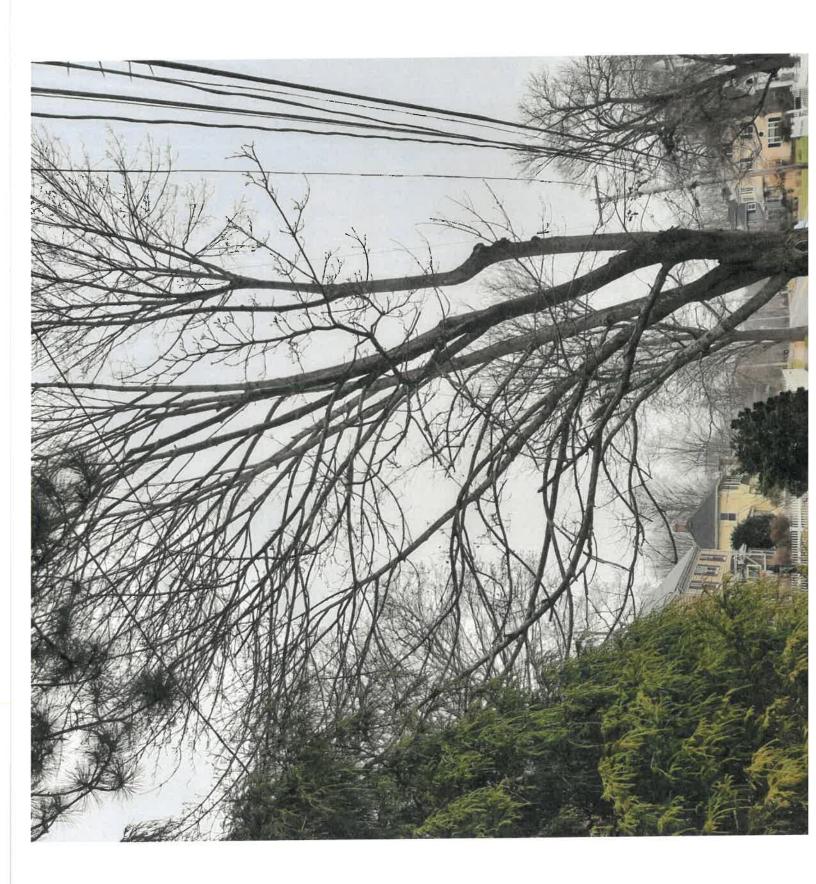
As follows:	At 341 Nehoiden	Street, on the front gra	ss berm of the property
	SPECIES	DIAMETER	CONDITION
	Norway Maple	24 inches	Fair

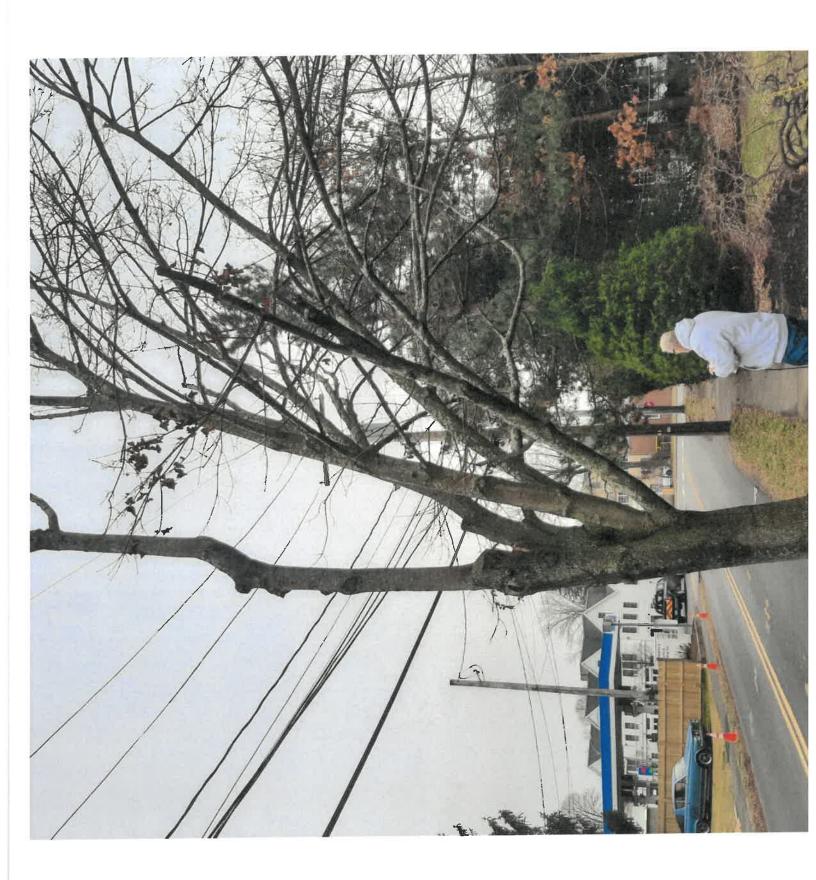
Permission is respectfully requested to remove one (1) Public Shade Tree.

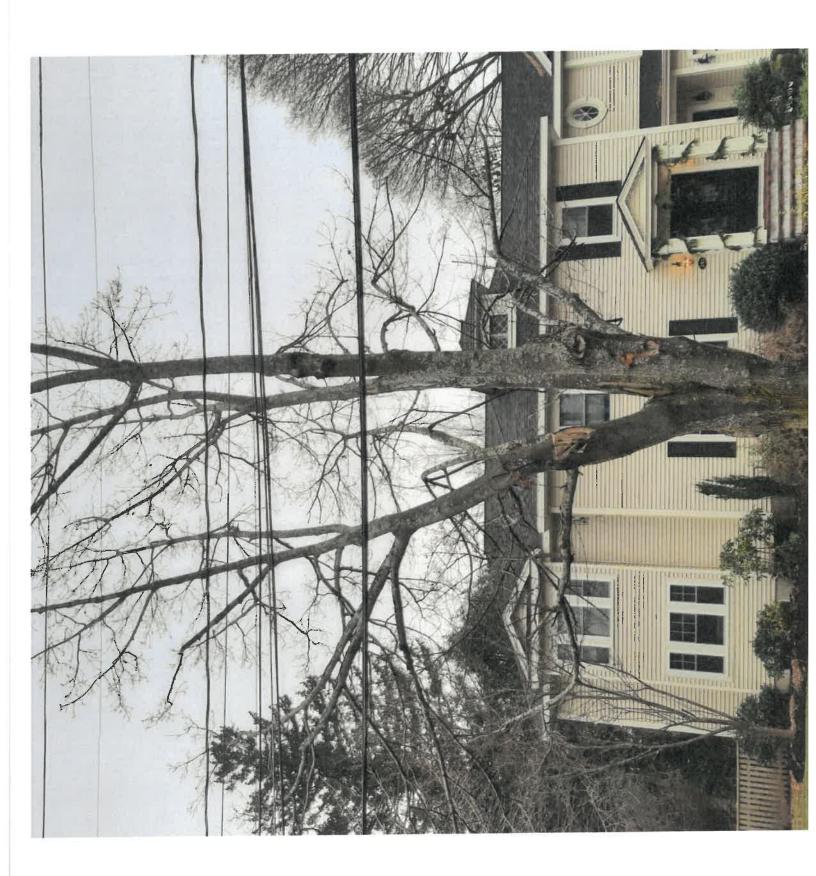
A PUBLIC HEARING will be held with the Town of Needham Select Board at <u>6:00</u> <u>P.M., Tuesday the 25th day of January, 2022,</u> at which time and place all interested persons may appear and be heard.

Needham Board of Selectmen











Town of Needham-DPW Parks and Forestry Division



500 Dedham Ave. Needham, MA 02492 781-455-7550, ext. 316

January 20, 2022

Needham Select Board Town Hall Needham, MA 02492

RE: TREE REMOVAL AT 341 Nehoiden St.

Dear Members of the Board:

Cort Johnson, a new resident to Town and the property owner of 341 Nehoiden St. has petitioned for the removal of one Public Shade tree located on Town Property. This tree is located within the Town layout along the grass berm of the roadway. Since I found the tree in Fair condition and not being a hazard to the public, a Public Shade Tree Hearing is required.

I feel that Mr. Cort Johnson is justified in his request seeking permission to remove this Norway Maple tree. We have met on site to inspect this tree. I truly see no way that this tree could survive and flourish if it were to stay in its' present location. This Invasive tree species is not appropriate for placement in this berm due to its growth characteristics. This large Shade tree has been extensively pruned by Eversource. Its' crown is growing in direct contact with the primary, overhead Electric Distribution and secondary Communication lines. As a result, a large portion of this trees' canopy is now one sided with a predominant lean toward Mr. Johnson's property. Presently most of all this tree's critical roots exist on 2 sides, north and south as the grass berm travels. Sidewalk cracking and damage is evident at this location. Lastly, Nehoiden St. is a narrow street, and this tree shows evidence of being hit by vehicular traffic in the recent past.

In keeping with previous Town policy on the removal of live trees, and in accordance with Massachusetts General Laws Chapter 87 Section 3, and after a public hearing, I recommend granting permission for the removal of one Public Shade tree.

There is adequate space for future tree replacements in the berm in near proximity to this property. If this request is approved, the Town will plant two additional trees near and or on, this property location. These trees will be supplied by the Owner and be planted by the Town.

Sincerely.

Edward J. Olsen

Tree Warden / Superintendent, Parks and Forestry Division

NOTICE

TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

NOTICE is hereby given that <u>Cort Johnson</u> has petitioned for the removal of one (1)

PUBLIC SHADE TREE

	1021		
As follows:	At 341 Nehoiden Stre	eet, on the front	grass berm of the property
	SPECIES	<u>DIAMETER</u>	CONDITION
	Norway Maple	24 inches	Poor
impacted negative A PUBLIC H	ntively during the prop	osed construction	1) Public Shade Tree, which will be on of a new driveway to this property. the Board of Selectmen, Town Hall, the 25th day of January, 2022
At which time	e and place all intereste	ed persons may a	appear and be heard.
	COVED	-	
NOT	APPROVED		
		;	Needham Select Board



MEETING DATE: 1/25/2022

Agenda Item	Public Hearing: Eversource Grant of Location: 58 Taylor Street
Presenter(s)	Joanne Callender, Eversource Representative

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

Eversource Energy requests permission to install approximately 10 feet of conduit in South Street. This work is necessary to provide underground service to 58 Taylor 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, that conduit must be placed at 24" below grade to the top of the conduit.

2. VOTE REQUIRED BY SELECT BOARD

Suggested Motion: That the Select Board approve and sign a petition from Eversource Energy to install approximately 10 feet of conduit in Taylor Street.

3. BACK UP INFORMATION ATTACHED

- a. DPW Review Sheet
- b. Letter of Application
- c. Petition
- d. Order
- e. Petition Plan
- f. Notice Sent to Abutters
- g. List of Abutters

TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

P.O. Box 920364 NEEDHAM, Ma. 02492 Telephone: (781) 455-7550 www.needhamma.gov/dpw

TO: Kristin Scoble, Select Board Office	
FROM: Judy Laffey, DPW Office DATE:	
RE:	
For Select Board Meeting of	
Abutters list & labels at Assessors Office.	
Please email confirmation date & time of hea	aring
CDANT OF LOCATION DETITION DEVI	IE\A/
GRANT OF LOCATION PETITION REVI	_
DATE OF FIELD REVIEW: 1-13-22	REVIEWER: REVIEWER: LYERSOURCE
SITE LOCATION: #58 TAYLOR ST.	UTILITY REQUESTING: EVERSOURCE
Conduit Work Area Description	tom 1/12/22
Sidewalk/Grass Strip Crossing Only	Peer Reviewtar 1/13/22
B Work Within Paved Road Perpendicular Cross	ing Peer Review
C Work Within a Plaza Area/Landscaped Island/	Parailei Along Roadway
Peer Review	Div. Head Review
D Other Peer Review	Div. Head Review
Petition Plan Consistent with Field Review	☐ Old Pole Removed 內/A
Diameter of Conduit 411	
✓ Depth of Conduit	✓ New Riser on Pole ✓ o
☑ Utility Conflicts	☑ Visible Trench Patch across Road/Sidewalk No.
Crossing Perpendicular to Road	✓ Abutters List Complete
Public Road	Photos Included
☑ Double Pole 사	
	epartment Head
COMMENTS:	
THIS LOOKS GOOD. NO V	ISIBLE TRENCHING OR
RISER ON POLE AS OF	F YET.
	proceed. tar 1/13/22

ORDER FOR LOCATION FOR COMPUITS AND MARHOLES Town of RESORAM WHEREAS, METAR ELECTRIC COMPANY the EVERSOURCE EMERGY has petitioned for paraminates to construct a lieu for the transmission of electricity for lighting, heating or power under birds on said petition as provided by law. It is ORDERED that STAR ELECTRIC COMPANY the EVERSOURCE EMERGY be and hereby in granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and collabe therein under the following public way or ways of said from: Taylor Street - Southearly from pule 21/8, approximately 100 feet northeast of Lakin Street install approximately 10 feet of conduits. **WO.6 6881478* All construction work under this Order shall be in accordance with the following conditions: 1. Conduits and membroles shall be located as aboven on the plan made by 7. Tableank, dated Jamany 10, 2022 on the file with said petition. 2. Said shall comply with the requirements of existing by-laws and such as may hereafter be also adopted grarming the construction and maintenance of conduits and manholes as a sum of a such a such collection of the Select Board or such officer or officers as it may appoint to supervise the work. **CORPATIFICATE** CERTIFICATE** I hereby cortify 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 (Fer. Ed.), and approximation results of the said conduction of the Select Board or such officer or officers and the Town of MEMBRAM** **CERTIFICATE** I hereby cortify that the foregoing Order was adopted after due notice and a public hearing half on the approached by Section 22 of Chapter 166 of the General Laws (Fer. Ed.), and approximation public at least the Town of MEMBRAM** **CERTIFICATE** I hereby cortify that the foregoing order was adopted after due notice and a public hearing half on the approached by Section 22 of Chapter 166 of the General Laws (Fer. Ed.) and any self-them and the continuation o	4 0% 6 88147 8 - Taylor S	Accessibility Mode	Print	Find	? Help
WHEREAS, ESTAR ESCITEC COMPANY dis EVERSOURCE EMERGY 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 thereinsfire specified, and inches has been given and a hearing head on assignation 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. Taylor Street - Southerity from pole 21/8, approximately 100 feet mortheast of Lakin Street install approximately 100 feet of conduits. **W.O.66851478* All construction work under this Order shall be in accordance with the following conditions: 1. Conduits and mentholes shall be located as shown on the plan made by 7. Thilbank, dated Jensury 10, 2022 on the file with said petition. 12. Said shall comply with the requirements; of existing by-laws and such as may hereafter be a six and approach governing the construction and maintenance of conduits and manholes. 2. Said shall comply with the requirements; of existing by-laws and such as may hereafter be a six may appoint to supervise the work. 2. Said shall comply with the requirements; of existing by-laws and such as may hereafter be a six may appoint to supervise the work. 2. Said shall comply with the requirements; of existing by-laws and such as may appoint to supervise the work. 2. Said shall comply with the requirements; of existing by-laws and such as may appoint to supervise the work. 2. Said shall comply with the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Rw. Ed.), and any additions thereto or small control of the flown of membranes thereof, to wit-after written notice of the time and place of the hearing the decay price to the date of the hearing by the hearing the hearing by the hearing the hearing by the hearing the he	Потаціўле			A	♠
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WHEREAS, BITAR ELECTRIC COMPANY the EVERSOURCE HERNOY has pertitioned 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 thereforater specified, and notice has been given and a hearing held on asid petition as provided by law. It is ORDERED that BSTAR ELECTRIC COMPANY the EVERSOURCE EMERGY 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 flown: Taylor Street - Southerly from pole 21/8, approximately 100 feet northeast of Lakin Street install approximately 10 feet of conduit. **WO. 6881478* 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 7. Thibank, dated January 10, 2022 on the file with said petition. 2. Said shall comply with the requirements of sinking by-lews 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 Select Board or such officer or officers as it may appoint to supervise the work. **BEEDHAM** 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 (Ivr. Ed.), and any additions thereto or amendments thereof to way-size wupon, along or across which the line is to be constructed under the result of the said Order, as determined by the last preceding assessment for transition, and a public hearing held on the said Town. 2. Select Board the Town of Select Board of the Town of the Select Board of the Town of the Select Board of the Town of the Select Board of the General Laws (Ivr. Ed.), and any additions thereto or amendments thereof, as the same appear of record. 2. Select Board the Town of Select Board of the General Laws (Ivr. E					
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(Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record. Attest: Clerk of the Town of MEEDHAM, Massachusetts	andificate of notice of hearing there	on required by Section :	22 of Chapter 166	of the Gener	
Attest: Clerk of the Town of NEEDHAM, Massachusetts	(Ter.Ed.) and any additions thereto o	r amendments thereof, as	the same appear	of record.	
	Attest:				
	Clerk of	f the Town of MEEDHAL	L Massachusetts		
Cossin					
	tekir				

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

To the **Select Board** 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 **T. Thibault, dated January 10, 2022,** and filed herewith, under the following public way or ways of said Town:

Taylor Street - Taylor Street - Southerly from pole 21/8, approximately 100 feet northeast of Lakin Street install approximately 10 feet of conduit.

W.O.# 6881478

NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY

By: Richard M. Schifone
Richard M. Schifone, Supervisor
Rights & Permits

Dated this 8th day of November

Town of **NEEDHAM** Massachusetts

Received	and filed	 2022



January 12, 2022

Select Board Town Hall 1471 Highland Avenue Needham, MA 02192

RE:

Taylor Street

Needham, MA W.O.# 6881478

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 Taylor Street.

The reason for this work is to provide electric service to 58 Taylor Street.

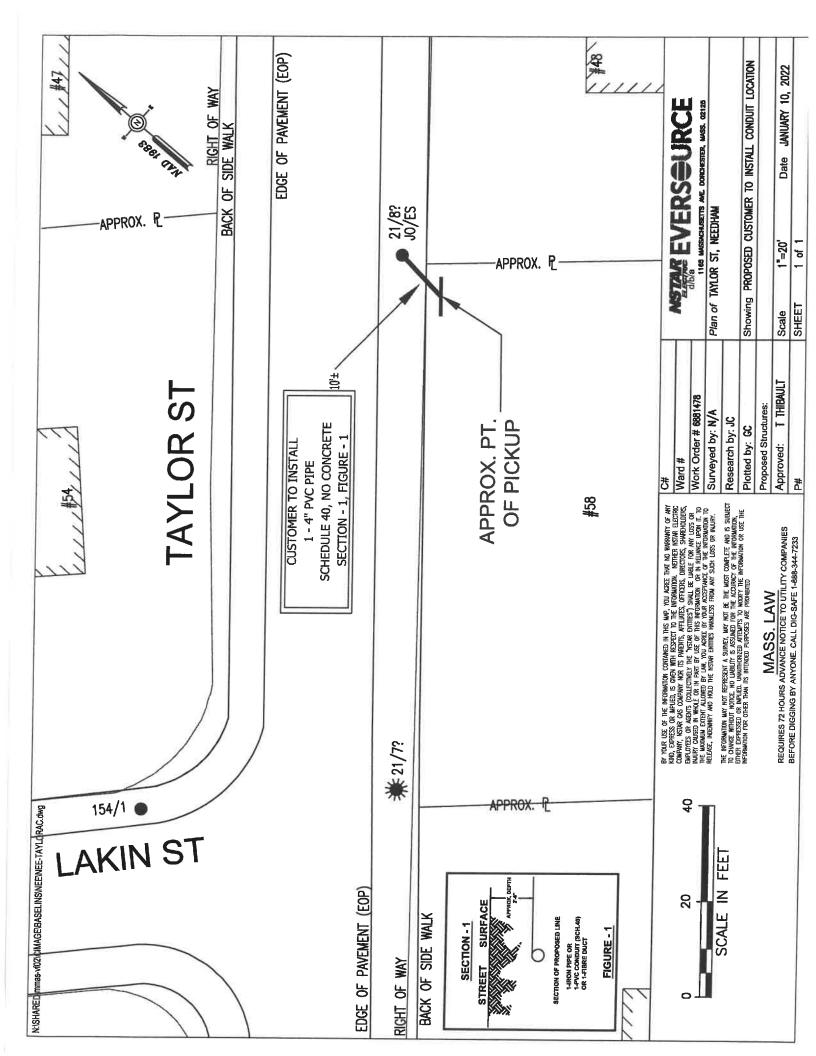
If you have any further questions, contact Joanne Callender at (781) 314-5054. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone, Supervisor Rights and Permits

RMS/wls Attachments

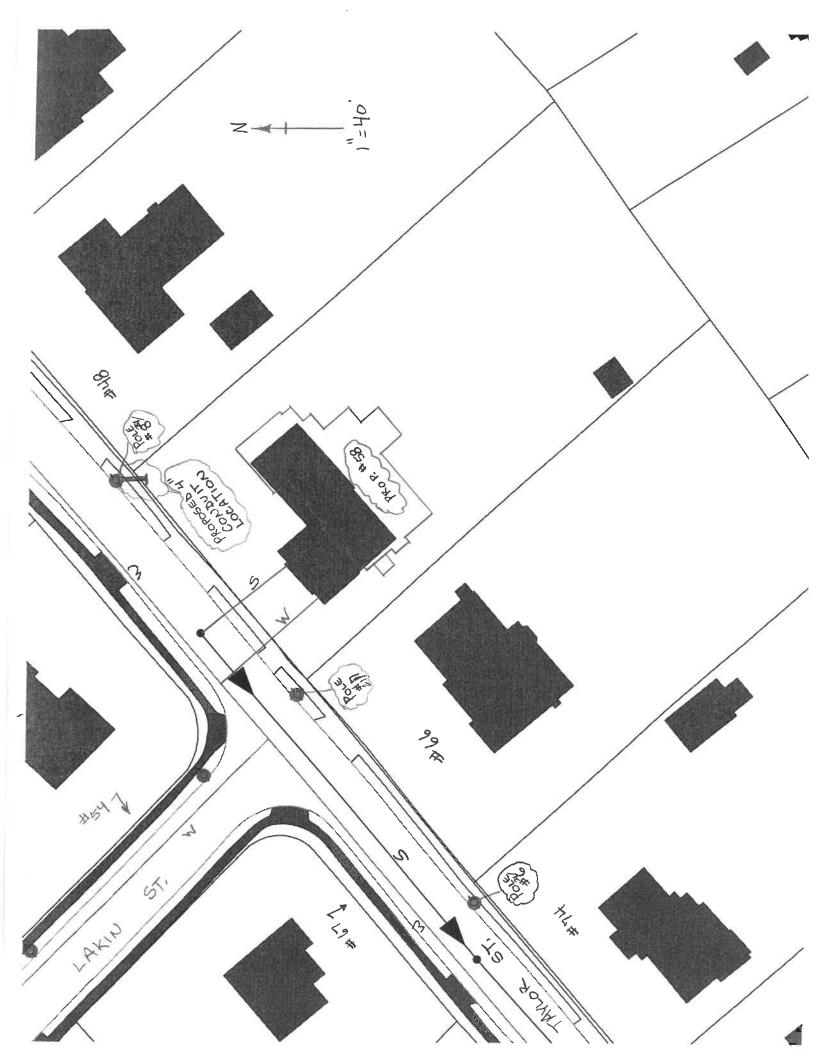


TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel No. 105 LOT 32 At No. 58 TAYLOR STREET Building Permit No. Lot Area 25,267 S.F. **Zoning District** SRB Builder YEVGENIY VOLOSHIN Owner AS BUILT PLOT PLAN 112.05 FOUNDATION 40' Scale **LOT 32** A=25.267 S.F. 33.5 EXISTING FOUNDATION TDF-102.6 SCALE: 1'=30' LOT COVERAGE=11.3% HEIGHT OF HOUSE 34.5' FROM AVERAGE GRADE TO THE RIDGE OF ROOF EXISTING FOUNDATION TOF-102.6 Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the town of Needham. All plot plans shall show existing structures and public utilities, including water mains, sewers, drains, gastines, etc.; driveways, Flood Plain and Welland Areas, lot dimensions, discensions of proposed structures, side offices and seducit distances, (allowing for overlangs) and elevation of top of foundations and garage floor. For new construction, elevation of lot corners at structures and existing and approved structures shall be shown for guading along lot line bordering structures. For pool permits, plot plans shall also show fance surrounding pool with a gate, proposed pool and any accessory structures, editest from all structures and proporty lines, existing elevations at merest home corners and pool corners, nearest stordrain catch basin (if any) and, sowage disposal system location in unsewered area.

("Accessory structures may require a separate building permit.— See Building Code) ust house corners and pool corners, nearest storm I hereby certify that the information provided on this plan is accurately shown and correct as indicated. The above is subscribed to and executed by me this day of DECEMBER 20 21 Name A. MATTHEW BELSKI, JR. Registered Land Surveyor No. 37557 Tel. No. (978) 363-8130 Address 35 MAPLE ST. City W. NEWBURY State MA Zip Approved Director of Public Works Date Approved **Building Inspector**







NOTICE

To the Record

You are hereby notified that a public hearing will be held **at 6:15 p.m. on January 25, 2022** upon petition of Eversource Energy dated **January 12, 2022** to install approximately 10 feet of conduit in Taylor Street. This work is necessary to provide underground electric service to 58 Taylor Street, Needham MA.

A public hearing is required, and abutters should be notified.

If you have any questions regarding this petition, please contact Joanne Callender, Eversource Energy representative at (781) 314-5054.

Matthew D. Borrelli Marianne B. Cooley Marcus A. Nelson Daniel P. Matthews Kevin Keane

SELECT BOARD

You are invited to a Zoom webinar.

https://us02web.zoom.us/j/82321649764?pwd=ajhBUzBPdzI4cEFDL1FrK3F0UFQzUT09

Passcode: 154915

Webinar ID: 823 2164 9764

Dated: January 18, 2022

58 TAYLOR STREET

PARCEI ID	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY ST	ZIP
0.0000-1000-0-1000	1997105 0 0017-0000 0 BUTTOVSKY OFFG &	BUTOVSKY, TANIA	467 CENTRAL AVE	NEEDHAM MA 02494	02494-
199/105 0-0032-0000 0 PENTORE IOHN &	PENTORE IOHN &		425 CENTRAL AVE	NEEDHAM MA 02494-	02494-
199/105:0 0002-0000.0	TOO/1050 GOOD COOLS TENTON WILLIAM I +	ANN A	67 TAYLOR ST	NEEDHAM MA 02494-	02494-
0.0000-2000-0.001091	OCCUPATIO, WILLIAMS		66 TAYLOR ST	NEEDHAM MA 02494-	02494-
199/100.0-0001*000000	199/100.0-0001-00000.0 DEMNO WILE, OF I		AS2 CENTRAL AVE	NEEDHAM MA	A 02494-
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199/105 0-0013-0000 0	199/105 0-0013-0000.0 LEAVITT, PRISCILLA J		457 CENTRAL AVE	NEEDHAM MA	-46470
0.00007220000	199/105 0-0033-0000 0 SHAPIRO KAREN B. TR.	KAREN B. SHAPIRO REVOCABLE TRUST 48 TAYLOR ST	48 TAYLOR ST	NEEDHAM MA	02494-
199/106 0-0011-0000 0	199/106 0-0011-0000 0 BERKOWITZ NANCY F. TR	NANCY F. BERKOWITZ LIVING TRUST	47 TAYLOR ST	NEEDHAM MA	02494-
199/106.0-0052-0000.0	199/106.0-0052-0000.0 HODIS, MORDECHAI		54 LAKIN ST	NEEDHAM MA	02492-



MEETING DATE: 1/25/2022

Agenda Item	ABCC Change of LLC Manager – Needham Food and Beverage, LLC d/b/a The Heights
Presenter(s)	Brian J. Hughes, Applicant Counsel

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

Needham Food and Beverage, LLC d/b/a The Heights, 200 First Avenue, has submitted an application for a Change in LLC Manager. The requisite filing materials appear to be in order.

An "LLC Manager" is elected by LLC members to manage company operations and is distinct from the establishment's alcohol license "Manager". The Select Board (as Liquor Licensing Authority) and the ABCC are required to approve changes to "LLC Managers" as a "Change of Officers, Stock, or Ownership Interest" amendment.

2. VOTE REQUIRED BY SELECT BOARD

Suggested Motion: Move that the Select Board, as Liquor Licensing Authority, approve and sign an application for a Change in LLC Manager for Needham Food and Beverage, LLC d/b/a The Heights, 200 First Avenue and to forward this application to the ABCC for approval.

3. BACK UP INFORMATION ATTACHED

- 1. Amendment Application for a Change of LLC Manager
- 2. Corporate Vote
- 3. Applicant Statement
- 4. Licensing Authority Certification

All other documents related to these transactions are on file in the Office of the Town Manager.



BRIAN J. HUGHES

ATTORNEY

The Commonwealth of Massachusetts Alcoholic Beverages Control Commission 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358 www.mass.gov/abcc

RECEIVED TOWN OF NEEDHAM SELECT BOARD

2021 NOV 18 P 12: 00

APPLICATION FOR AMENDMENT -Change of Officers, Stock or Ownership Interest

☑ Change of Officers/ Directors/LLC Managers • DOR Certificate of Good Standing		est ransfer or issuance of Stock)
 DUA Certificate of Compliance Change of Officer/Directors Application CORI Authorization Vote of the Entity Payment Receipt Business Structure Documents If Sole Proprietor, Business Certificate If partnership, Partnership Agreement If corporation or LLC, Articles of Organization from the Secretary of the Commonwealth 	 DOR Certificate of Good St DUA Certificate of Complia Change of Stock Applicatio CORI Authorization Financial Statement Vote of the Entity Purchase & Sale Agreemen Supporting Financial Recor Advertisement Payment Receipt Business Structure Docume 	anding nce n at ds
Change of Ownership Interest (e.g. LLC Members, LLP Partners, Trustees etc.)	*	nership Agreement C, Articles of Organization
DOR Certificate of Good Standing DUA Certificate of Compliance Change of Stock Application CORI Authorization Financial Statement Vote of the Entity Purchase & Sale Agreement Supporting Financial Records Advertisement Payment Receipt Business Structure Documents If Sole Proprietor, Business Certificate If partnership, Partnership Agreement If corporation or LLC, Articles of Organization from the Secretary of the Commonwealth If obutter notification and advertisement are required for transaction,	Vote of Entity Payment Receipt	
1. BUSINESS ENTITY INFORMATION Entity Name	Municipality	ABCC License Number
NEEDHAM FOOD AND BEVERAGE, LLC NEEDHAM	01-10-00-20-20-20-20-20-20-20-20-20-20-20-20	03799-RS-0770
Please provide a narrative overview of the transaction(s) being applied	d for. Attach additional pages, If no	ecessary.
THE MANAGER OF THE LLC (NOT THE LIQUOR LICENSE MANAGER) LEFT THE	COMPANY AND HAS BEEN REPLACED.	
APPLICATION CONTACT The application contact is the person who should be contacted working the contact of the person who should be contacted with the contact of the contact	with any questions regarding this	application.

APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest

2. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

MANAGEMENT AGREEMENT

Please provide a copy of the management agreement.

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
 On Premises (E.g.Restaurant/ Club/Hotel) Directors or LLC Managers At least 50% must be US citizens;
 Off Premises(Liquor Store) Directors or LLC Managers All must be US citizens and a majority must be Massachusetts residents.

• If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A. Name of Principal **Residential Address** SSN DOB PATRICK CARNEY, JR. 12 FOX MEADOW DRIVE, WESTWOOD, MA 02090 Director/LLC Manager US Citizen Title and or Position Percentage of Ownership MA Resident MANAGER Yes \(\cap \) No Yes \(\cap \) No Yes \(\cap \) No Name of Principal **Residential Address** SSN DOB FRANCIS XJ LYNCH 18862 FETTERBUSH CT., JUPITER, FL 33458 Percentage of Ownership Director/ LLC Manager US Citizen Title and or Position MA Resident MANAGER Yes No Yes \(\cap \) No Name of Principal **Residential Address** DOB SSN Director/LLC Manager US Citizen Title and or Position Percentage of Ownership MA Resident Name of Principal SSN DOB **Residential Address** Title and or Position Percentage of Ownership Director/ LLC Manager US Citizen MA Resident **Residential Address** Name of Principal SSN DOB Title and or Position Percentage of Ownership Director/ LLC Manager US Citizen **MA Resident** ○ Yes ○ No ○ Yes ○ No Name of Principal **Residential Address** SSN DOB Director/ LLC Manager US Citizen Title and or Position Percentage of Ownership MA Resident Additional pages attached? CRIMINAL HISTORY Has any individual listed in question 2, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

2

Are you requesting approval to utilize a management company through a management agreement?

<u>APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest</u>

3. CURRENT OFF List the individuals and Name of Principal	FICERS, STOCK OR d entities of the current o	wnership.	Attach addit Title/Position	EREST tional pages if necessa on	ıry utilizing the f	format below. Percentage of Ownership	
ELIAS PATOUCHEAS		LLC MANAGER			0		
Name of Principal			Title/Position		I	Percentage of Ownership	
CLAREMONT FOOD AND BEVERAGE, LLC			MEMBER (OWNER)			100	
Name of Principal			Title/Position	on	J L	Percentage of Ownership	
						,	
Name of Principal		Title/Position		P	Percentage of Ownership		
Name of Principal			Title/Position		[Percentage of Ownership	
Name of Principal			Title/Position	on	[Percentage of Ownership	
			nse Type	License Na	ame	Municipality BRIDGEWATER	
interest in any other lic	cense to sell alcoholic be					ct, beneficial or financial ch additional pages, if	
		Licen	ise Type	License No	ame	Municipality	
CLAREMONT FOOD	O AND BEVERAGE, LLC	ON PREM	IISES RETAIL	THE NIP, LLC		BRIDGEWATER	
CLAREMONT FOOD AND BEVERAGE, LLC		ON PREMISES RETAIL		SEAPORT FOOD AND	BEVERAGE, LLC	BOSTON	
Has any individual or e financial interest in a li	HELD INTEREST IN entity identified identified icense to sell alcoholic be low. Attach additional pag	d in questic everages, w	on 2, and app which is not p	plicable attachments, oresently held?	ever held a direction Yes No [ct or indirect, beneficial or	
Name		License Type		License Na	ime	Municipality	
Have any of the disclo	OF LICENSE DISCIP osed licenses listed in que of, list in table below. Attack	estion 4 or	5 ever been	suspended, revoked of	or cancelled? table format be	elow.	
Date of Action	Name of License					or suspension, revocation or cancellation	
Date of Action	Name of License		City	Reaso	n for suspension	n, revocation or cancellation	
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7. FINANCIAL DISCLOSURE

			action including but not limited to tial Start-up costs, Inventory costs	
Associated Cost(s):		manasi Palamania wakaza		
	of available funds. (E.g.	. Bank or c	other Financial institution Statement	and the same of th
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when the fifth of the second and a second an	Addition of the second of the			
		Total	A STATE OF THE STA	
SOURCE OF FINANCING Please provide signed financing Name of Lender	g documentation. Amount		Type of Financing	Is the lander a licensee pursuant to M.G.L. Ch. 138,
Commenced to the Commenced State of the Comme			***************************************	CYes CNo
19 mary and an article and a sink districts.				CYes CNo
Parkey of the State of the Stat			AUCTION	C Yes C No
				CYes CNo
FINANCIAL INFORMATION Provide a detailed explanation	of the form(s) and sour	ce(s) of fu	nding for the cost identified above.	

ADDITIONAL INFORMATION

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CORPORATE VOTE

The Board of Directors or LLC Managers o	NEEDHAM FOOD AND BEVERAGE, LLC	
The board of bitectors of LLC Managers o	Entity Name	The same of the sa
duly voted to apply to the Licensing Author	,	and the
Commonwealth of Massachusetts Alcohol	City/Town Ic Beverages Control Commission o	n Oct 1, 2021
		Date of Meeting
For the following transactions (Check all that ap	ply):	
Change of Officers/Directors/LLC Manager		
Change of Ownership Interest (LLC Members, LLP Partners, Trust	ees)	
Issuance/Transfer of Stock/New Stockholder		
Management/Operating Agreement		
Other		
"VOTED: To authorize PATRICK CARNEY, JR.	and the state of t	
33	Name of Person	
to sign the application submitted and to ex		cessary papers and
do all things required to have the application	on granted."	
	For Corporations ONL	<u> </u>
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1' W ~ //		
Corporate Officer /LLC Manager Signature	Corporation Clerk's Sig	gnature
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ratrak Caneyor		
(Print Name)	(Print Name)	

APPLICANT'S STATEMENT

PATRI	CK CARNEY, JR the: Sole proprietor; partner; corporate principal; LLC/LLP manager Authorized Signatory
NEEL	DHAM FOOD AND BEVERAGE, LLC
Or I	Name of the Entity/Corporation
	submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic ges Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.
Applica	reby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the ation, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. For submit the following to be true and accurate:
(1)	I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
(2)	I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
(3)	I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the Information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
(4)	I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
(5)	I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
(6)	I understand that all statements and representations made become conditions of the license;
(7)	I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
(8)	I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
(9)	I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
(10)	I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has compiled with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.
	Signature: Date: 4/4/2/
	Title: MAANACED



The Commonwealth of Massachusetts Alcoholic Beverages Control Commission

╗	For Reconsideration
- 1	For Reconsideration

LICENSING AUTHORITY CERTIFICATION

				NEED	HAM							03799-F	S-077	0
TD A N.C A CTION TVD	T (Diagon abo	- als all				City /Town						ABCC Lic	ense	Number
TRANSACTION TYPE The license appl					ies to	o approve th	ne follo	wing t	ransac	tions:				
New License		Cha	nge of Location			Change of Class	(i.e. Annual /	Seasonal)			Chan	ge Corporate	Struc	cure (i.e. Corp / LLC)
Transfer of Lice	ense	Alte	eration of Licensed	d Premises		Change of Licer	se Type (i.	e. club / re	estaurant)		Pledg	ge of Collatera	l (i.e. Li	ense/Stock)
Change of Mar	nager	Cha	inge Corporate Na	ame		Change of Cate	gory (i.e. All	Alcohol/V	Vine, Malt)		Mana	gement/Ope	rating	Agreement
Change of Officers/ Change of Ownership Inte				s,			er [Change of Hours Change of DBA						
		IIu	stees)			Other					Chan	ge of DDA		
APPLICANT INFORM							_							
Name of Licensee	Needham I	Food an	d Beverage, LLC	<u>-</u>				DBA	The He	eights				
Street Address	200 First Av	/enue										Zip Code	024	94
Manager	Jennifer Ha	rtley										ited under ial Legislation	n?	es No 🔀
§12 Restaurant			Annual	All	Alco	holic Bevera	ges					Yes, Chapte	L	
<u>Type</u>			Class			<u>Cate</u>	gory				of th	ne Acts of (y	ear) [
(i.e. restaurant, pac	ckage store)		(Annual or Sea	asonal)		(i.e. Wines and M	alts / All Alc	ohol)		ı				
DESCRIPTION OF PR	REMISES	Com	plete descript	ion of the	elice	nsed premis	es							
1,568 sq. ft. on the entrances and fo		or of the	e hotel, consist	ting of ba	r and	dining seatir	ng for ap	proxir	mately 8	6 patr	ons. 1	he premis	es ha	s two
LOCAL LICENSING A	UTHORITY I	NFORM	ATION											
Application filed wi	ith the LLA:		Date	11,	/18/2	2021	Time			12:00	PM			
Advertised	Yes N	o 🔀	Date Published				□ Publ	ication	[
Abutters Notified:	Yes N	o 🛛	Date of Notice						L					
Date APPRO	VED by LLA		01/25/2022			Decisi	on of the	LLA	Approv	es this	Appli	cation		
Additional remarks (E.g. Days and hour		ns												
For Transfers ONLY:	:	·												
Seller License Numl	ber:			Seller Na	me:									
The Local Licensing A	uthorities By:									Α	lcoholic	Beverages Cor Ralph Sacrar Executive Di	none	mmission



Select Board TOWN OF NEEDHAM AGENDA FACT SHEET

MEETING DATE: 1/25/2022

Agenda Item	FY2023 Budget Presentation
Presenter(s)	Kate Fitzpatrick, Town Manager

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

The Town Manager will present the proposed annual balanced budget for fiscal year 2023. In accordance with Section 2.2.1 of the General By-laws of the Town, the Town Manager shall issue budget guidelines and instructions for all Town departments to submit their spending requests for the ensuing fiscal year. The Town Manager shall consult with the Finance Committee prior to the issuance of said guidelines and instructions. The Town Manager and/or his/her designee and the Finance Committee shall consult with each other throughout the Budget process. The Town Manager and School Superintendent will provide the Finance Committee with copies of their respective departmental spending requests on or before the 2nd Wednesday of December. Following receipt of these spending requests, the Finance Committee may begin its consideration of same, including the commencement of budget hearings. The Town Manager, after consultation with the Select Board and School Committee, shall not later than the 31st day of January, present to the Finance Committee a balanced budget recommendation in the form of an executive budget, which shall include the spending priorities of all Town departments for the ensuing fiscal year, including in addition thereto, the voted School Committee budget request if different than that contained in the proposed balanced budget. The Town Manager's executive budget recommendation shall not be binding on the Finance Committee. Said executive budget recommendation shall include the estimates of Town revenues and proposed expenditures of all Town departments, including debt service and other amounts required to be raised for the ensuing fiscal year. The Town Manager may amend or otherwise revise revenue estimates as may be warranted. All such revisions shall be provided in writing to the Select Board, School Committee and Finance Committee.

2. VOTE REQUIRED BY SELECT BOARD

Suggested Motion: That the Board vote to recommend approval of the Town Manager's Proposed Annual Budget for FY2023.

3. BACK UP INFORMATION ATTACHED

- a. FY2023 Town Manager's Budget Message to be Provided Under Separate Cover
- b. Proposed Annual Balanced Budget document to be Provided Under Separate Cover



Select Board TOWN OF NEEDHAM AGENDA FACT SHEET

MEETING DATE: 1/25/2022

Agenda Item	Town Manager's Report
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The	Town Manager will update the Board on issues not covered on the agenda.
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
none	e



Agenda Item

Select Board TOWN OF NEEDHAM AGENDA FACT SHEET

MEETING DATE: 1/25/2022

Committee Reports

Pre	senter(s)	Board Discussion						
1.	BRIEF DI	ESCRIPTION OF TOPIC TO BE DISCUSSED						
	rd members mittee assig	will report on the progress and / or activities of their nments.						
2.	VOTE RE	QUIRED BY SELECT BOARD						
3.	BACK UP	INFORMATION ATTACHED						
none								

Select Board Special Meeting Minutes December 20, 2021 Memorial Park Field House 92 Rosemary Street

& Zoom

11:40 a.m. The meeting was convened by Chair Matt Borrelli. Present were Marianne Cooley, Marcus Nelson, Kevin Keane, Dan Matthews, Assistant Town Manager Dave Davison, Assistant Town Manager Katie King, and Town Manager Kate Fitzpatrick.

The Board walked through the Goal Statement it adopted in August 2021. The Board discussed the progress of the Planning Board's Housing Committee, the need for a COVID-19 update in January, the concept of regular reporting on use of American Rescue Plan Act funds, the status of committee appointments, a State earmark for a feasibility study of extension of the rail trail into Newton, how to ensure Town Meeting understands the Board's recommendation for a Federal Railway Administration Quiet Zone, and greater frequency of Human Resources updates on diversity, equity, and inclusion efforts. The Board determined to include a goal to establish a tree by-law committee, and to consider a recommendation for the 2022 Annual Town Meeting with respect to elected bodies. Changes to the Goal Statement will be brought to the Select Board for a vote in January.

1:40 p.m. Motion by Mr. Nelson: Move that the meeting be adjourned. Second: Ms. Cooley. Unanimous: 5-0.

Town of Needham Select Board Minutes for Tuesday, December 21, 2021 Needham Town Hall Powers Hall and Via ZOOM

https://us02web.zoom.us/j/85892782400

6:00 p.m. Call to Order:

A meeting of the Select Board was convened by Chair Matthew D. Borrelli. Those present were Daniel P. Matthews, Marianne Cooley, Marcus Nelson (via Zoom), Kevin Keane, and Town Manager Kate Fitzpatrick. Dave Davison, ATM/Finance, Katie King, ATM/Operations, Myles Tucker, Support Services Manager, Kristin Scoble, Administrative Specialist, and Mary Hunt, Recording Secretary were also in attendance.

6:00 p.m. Public Comment Period:

Andy Wizer, 7 Emerson Road spoke with the Board about the possibility of the Town of Needham joining the group Communities for Restorative Justice. She referenced two incidents occurring in Needham last week, saying these could be the initial cases for the Town to become involved with Communities for Restorative Justice. She said she anticipates speaking with John Schlittler, Chief of Police in the near future.

Ross Donald, 25 Chambers Street spoke with the Board about the Needham Housing Authority, and issues of bullying, hazing, and mobbing. He referenced a resident survey in which one resident said there was lack of respect from staff, lack of concern and/or follow through when residents cause problems for other residents, substandard living conditions, fear, not feeling safe, and a lack of maintenance in common areas. He continued that living in the Needham Housing Authority is traumatizing, stressful, and people feel unimportant and disrespected.

Mr. Matthews reiterated the Needham Housing Authority has many issues and that it has a management structure prescribed by law to address problems. He noted individuals have responsibilities and rights to appeal decisions. He said the best recourse is to work through the system on issues, rather than going to individual Town boards. Mr. Matthews acknowledged we are in one community, however, said each agency has its own set of responsibilities and the first recourse is to work within the system. Mr. Matthews encouraged Mr. Donald to speak with the Housing Authority board and staff.

6:16 p.m. Public Hearing: Eversource Energy Grant of Location - 16 Petrini Circle Joanne Callender, Eversource Energy representative (via Zoom) spoke with the Select Board requesting permission to install approximately 11 feet of conduit in

Petrini Circle. She said this work is necessary to provide electrical service to 16 Petrini Circle, Needham.

Ms. Fitzpatrick commented work was performed prior to receiving a grant of location. She noted the building commissioner and the electrical inspector have not completed their inspection.

Lana Lukatsky, 16 Petrini Circle, homeowner, Aliaksandr Stselmakh, April Electric Corp., and Marvin Abdah, April Electric Corp., stated they did not realize a grant of location was required. They apologized for the misunderstanding, miscommunication, and said it would not happen again.

Mr. Borrelli invited public comment. No comments were heard.

Discussion ensued and it was agreed to approve and sign the grant of location, subject to sign off by Needham's building commission and electrical inspector.

Motion by Mr. Matthews that the Select Board vote to approve and sign a petition from Eversource Energy to install approximately 11 feet of conduit in Petrini Circle, subject to inspection by the Needham building commissioner and electrical inspector.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

6:27 p.m. Appointments and Consent Agenda:

Motion by Ms. Cooley that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS:

1. Thaddeus Prorok	Council on Aging	Term Exp. 6/30/2023
2. Kathleen Whitney	Council on Aging	Term Exp. 6/30/2024
3. Dylan Attia	Council of Economic Advisors	Term Exp. 6/30/2024
4. Karen Morales	Needham Commission on Disabilities	Term Exp. 6/30/2024
5. Finlay McKeon	Needham Human Rights Committee	Term Exp. 6/30/2024

CONSENT AGENDA: *=Backup attached

- 1.* Approve minutes of November 23, 2021 (open session), November 30, 2021 (open session), October 26, 2021 (executive session), November 16, 2021 (executive session), November 30, 2021 (executive session), December 14, 2021 (open session) December 14, 2021 (executive session)
- 2.* Approve Employment Agreement for the Chief of Police for 2021 2026.
- 3. Accept a \$250 donation from the First Baptist Church in Needham for Needham Health Department's Gift of Warmth Program.
- 4. Accept the following donations for the Center at the Heights; \$50 from Doris Jafferian, \$50 from Mr & Mrs. Burns and \$115 from the Byrne Family Trust.
- 5. Accept a \$250 donation from the Christ Episcopal Church in Needham for Needham Youth & Family Services for the Crisis Donation Fund.

6. Accept a \$1,500 donation from the Exchange Club of Needham for Needham Youth and Family Services.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

6:28 p.m. Public Hearing: Restaurant Wine and Malt Beverage License - PM Story Corp. d/b/a Little Spoon

Apirak Chuenprapa, Corporate Director, Apichat Chuenprapa, Proposed Manager, and George Guinta, Jr. Attorney spoke with the Board regarding an application for a Restaurant Wine and Malt Beverage License for PM Story Corporation, d/b/a Little Spoon. Little Spoon is a restaurant located at 952 Great Plain Avenue. The restaurant consists of 1,662 square feet on the 1st floor and approximately 700 square feet in the basement that will be used for prep area, office, walk-in cooler, and freezer. Included on the first floor is a dining area, service bar, and kitchen. The restaurant has a total seating capacity for 60 patrons, one entrance, and two exits. There are three houses of worship located within a 500-foot radius of the proposed premises. M.G.L., Chapter 138, Section 16C requires a vote of the Board after a public hearing. The Board has received no written comment from any of the houses of worship with respect to this hearing.

Attorney Guinta noted the years of restaurant and liquor license experience of the applicants, saying they have had no suspensions, violations, or issues at any of their restaurants.

Mr. Borrelli invited public comments. No comments were heard.

Mr. Borrelli said the Select Board is typically friendly toward granting restaurant liquor licenses because it wants businesses to succeed. However, he pointed out that over the last month or so, there have been violations by other businesses in Town that are of concern. He noted the favorable track record of the applicants, saying he is supportive of the application as long as the rules are followed.

Mr. Matthews reminded the applicants of Needham's status as a historically dry Town. He noted safety is most important and the Town wants the business to succeed, but the rules must be followed. He reminded Mr. Apichat Chuenprapa, Proposed Manager that he, under the law, is personally liable for any issues with the service of alcohol.

Ms. Cooley suggested asking all patrons for identification.

Motion by Mr. Matthews that the Select Board vote to:

(a) Approve the application for a Restaurant Wine and Malt License under the Town of Needham Rules and Regulations Applicable To The Sale of Alcoholic Beverages in Restaurants for PM Story Corporation, d/b/a Little Spoon, Apichat Chuenprapa, Manager, and to forward the approved Alcohol License application to the ABCC for approval.

and

(b) Determine that the premises are not detrimental to the educational and spiritual activities of the First Parish of Needham Unitarian Universalist, First Church of Christ Scientist and First Baptist Church.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Mr. Guinta confirmed he has received no negative comments from any house of worship.

6:37 p.m. Needham Housing Authority Update:

Reg Foster, Chair, Needham Housing Authority updated the Board on current issues at the Housing Authority, the on-going Modernization & Redevelopment Initiative, and CPA funding applications. Also participating by Zoom were Angie Medeiros, Executive Director, Needham Housing Authority, and Margaret Donnelly Moran, Cambridge Housing Authority. It was noted the Needham Housing Authority has contracted with the Cambridge Housing Authority for consulting services for its public housing initiative.

Mr. Foster commented on the Modernization & Redevelopment Initiative launched last summer by the Needham Housing Authority.

A PowerPoint presentation was viewed. Mr. Foster commented on the 2019 Management Summary and Guide to Facility Master Plan that lays out a vision for completely modernizing or redeveloping all of the Needham Housing Authority units.

Discussion ensued on five projects under consideration (Seabeds Way/Capt. Robert Cook, High Rock I, High Rock II, Linden/Chambers, and Seabeds/Cook, and potential funding sources. Mr. Foster indicated the plan will take 5-10 years to renovate 336 units (increasing to 457 units/36% increase) at a total cost of more than \$130 million. Mr. Foster noted the cost estimate does not include the huge increase in construction costs that has taken place in the last year, evolving funding sources including potential federal funding under the "Build Back Better" plan and CPC funding. Mr. Foster commented on the consulting services provided by the Cambridge Housing Authority. Mr. Foster commented on the CPA funding cycle beginning on December 1 and four applications recently submitted in order to get the plan moving forward. He thanked State Representative Denise Garlick for securing \$2.75 million for Linden/Chambers (ARPA funds bill and Partnerships for Growth bill/Economic Development Act). Mr. Foster also commented on 12 bungalows located on 3.5 acres on East Militia Drive, occupied by military families until 2019 and declared as surplus by the U.S. Army. In addition, Mr. Foster

commented on the possibility of funding to hire an Assistant Executive Director for the Needham Housing Authority.

Board discussion ensued on Linden/Chambers, East Militia Drive/swing space, funding for an Assistant Executive Director, the collaborative effort and communications with residents, the 2019 Capital Plan requesting \$5 million from taxpayers for improving affordable housing in Needham, and the cost increase for construction/supplies due to the pandemic.

Mr. Matthews said the Select Board can help with the difficult issues of building community support and leveraged funding. He said the Select Board can support, not supervise the work. He commented that a lot of work needs to be done by the Housing Authority and bringing in the Cambridge Housing Authority to consult is a great step. He noted his skepticism of the East Militia Heights property and not to rely on use of it as swing space. Mr. Matthews concluded saying the requests are reasonable and the commitment by the Needham Housing Authority is tremendous.

Mr. Borrelli thanked Mr. Foster and the Needham Housing Authority for the plan, echoing Mr. Matthews support of the projects.

Mr. Foster thanked Ms. Medeiros for her willingness to tackle this priority on behalf of the Needham Housing Authority and the Town of Needham.

7:00 p.m. Director of Public Works:

Carys Lustig, Director/DPW and Rhain Hoyland, Superintendent of Highway spoke with the Board regarding 2 items:

1. Public Works Sidewalk Program Update

Ms. Lustig said members of the DPW, schools, and police department met over the last few months to discuss and evaluate the current sidewalk program and snow removal routes. She noted an evaluation had not been completed in a long time, probably since before the Hillside School moved to the Sunita Williams School. Ms. Lustig commented the goal was to evaluate any route within one mile of a school and to see if all of the routes are being fully utilized or require She said two small areas of less than one mile required reconfiguration. reconfiguration. Ms. Lustig said the current plan focuses on school walking routes, rather than business and/or transit areas. Discussion ensued on the downtown pilot program, potential changes to the town's by-law for snow removal, and the possibility of adding a seventh route focusing on transit and commercial areas, which would require additional snow equipment and staff. Also discussed were community expectations and possible changes to the snow removal program. Ms. Lustig referred to her memorandum dated September 17, 2021, commented on the challenge of recruiting contractors to assist with snow removal, and the potential of redirecting town staff from sidewalk snow removal to road and lot efforts for road safety and to get schools open in the morning.

A map was viewed.

Discussion ensued on potentially hiring additional staff, pick up and drop off zones at the schools, clearing sidewalks, and the possibility of adding a seventh route.

2. <u>Highland Avenue (Webster Street-Great Plain Avenue) - Traffic Improvement Program Submission Update</u>

Ms. Lustig presented the work that the Department of Public Works has completed in order to submit an application for the Highland Avenue Corridor (Webster Street to Great Plain Avenue) for consideration in the state's Traffic Improvement Program that would provide funding for a potential reconstruction of this corridor in the future. She said the work would be an extension of work the state is currently doing between Webster Street and Newton Center. She explained the reason this project was chosen first is because it is favorable in how the state scores potential projects and that it connects with a project already invested in by the state.

Discussion ensued on the opportunity of making improvements at intersections along Highland Avenue and bringing State funds into Needham.

The Board thanked Ms. Lustig and Mr. Hoyland for the presentation.

7:46 p.m. Town Manager:

1. FY2023 Budget Priorities

Ms. Fitzpatrick reviewed proposed budget priorities for the FY2023 Operating and Capital Budgets with the Select board on December 14, 2021. She recommended the Board approve of the statement of budget priorities.

Motion by Ms. Cooley that the Board approve the statement of budget priorities for fiscal year 2023.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

2. Approve the FY2023-FY2027 Capital Improvement Plan

Ms. Fitzpatrick recommended that the Board approve the FY 2023-2027 Capital Improvement Plan for transmission to the Finance Committee.

Motion by Mr. Matthews that the Select Board vote to approve the FY 2023 – 2027 Capital Improvement Plan for transmittal to the Finance Committee. Second: Mr. Nelson. Unanimously approved 5-0 by roll call vote.

3. Town Manager Report

Ms. Fitzpatrick reported the Needham Health Department acquired 180 Covid test kits that were distributed to those with the greatest need including the Housing Authority, Community Council, Youth and Family Services, and the Council on Aging.

Ms. Fitzpatrick reported Governor Baker issued an advisory for people to wear masks indoors. She noted Needham's public guidance is that while masks are not mandatory, they are helpful for people who are immunocompromised. She reiterated that people should get vaccinated, avoid crowds, and continue to wash hands. Ms. Fitzpatrick commented that the COVID banner at the top of the Town's website is a great resource and is frequently updated.

7:50 p.m. Board Discussion:

1. FY 2022-2023 Goal Setting Update

Mr. Borrelli discussed highlights from the Select Board's goal setting meeting held on Monday, December 20, 2021. He stated the meeting was very productive and that the Goal Statement adopted by the Board on August 17, 2021 is a roadmap for the Board moving forward.

Ms. Cooley clarified saying she thinks of the goal setting meeting as more of a review rather than "setting" as it implies the Board is starting from scratch when that is not the case. She said it is more of a refinement of goals, so people understand "where we are" moving towards Town Meeting.

2. Committee Reports

No Committee Reports were made.

7:52 p.m. Adjourn:

Motion by Ms. Cooley that the Select Board vote to adjourn the Select Board meeting of Tuesday, December 21, 2021.

Second: Mr. Keane. Unanimously approved 5-0 by roll call vote.

Mr. Borrelli wished residents Happy Holidays, Merry Christmas, and Happy New Year.

The next Select Board meeting is scheduled for Tuesday, January 11, 2022.

A list of all documents used at this Select Board meeting is available at:

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

Town of Needham Select Board Minutes for Tuesday, January 11, 2022 Needham Town Hall Powers Hall and Via ZOOM

https://us02web.zoom.us/j/85028317857

6:00 p.m. Call to Order:

A meeting of the Select Board was convened by Chair Matthew D. Borrelli. Those present were Daniel P. Matthews, Marianne Cooley, Marcus Nelson (via Zoom), Kevin Keane, and Town Manager Kate Fitzpatrick. Dave Davison, ATM/Finance, Katie King, ATM/Operations, Myles Tucker, Support Services Manager, and Mary Hunt, Recording Secretary were also in attendance.

6:00 p.m. Public Comment Period:

Margerie Spofford, 21 Woodbine Circle, Swap Shop volunteer, gave the Select Board a copy of a petition signed by residents opposed to the Swap Shop closing during the winter months. She said the Swap Shop is a valuable resource for residents and would like the shop to remain open year-round.

Fabia Bird, 111 Pine Street, Swap Shop volunteer, submitted a letter detailing the activities and outreach of the shop and stated the shop has cooperated and worked successfully with the RTS for over 10 years during snow events. She noted residents need usable items year-round and asked the Select Board reconsider and reinstate year-round, full time hours at the Swap Shop.

Joe Barrios, Waltham resident and employed in Needham at 29 Franklin Street said he is concerned for the health of customers and himself at his place of business and asked the Select Board consider a mask mandate for interior retail stores.

6:11 p.m. Dangerous Dog Hearing:

John Schlittler, Police Chief requested that the Select Board hold a dangerous dog hearing in accordance with M.G.L. c. 140 Section 157 and Town By-law 3.7.5 on a complaint about dogs by the name of "Maya" and "Axel" owned by Diana Rasoul, residing at 233 West St. in Needham.

Chief Schlittler gave a synopsis of events occurring on October 16, 2021, December 10, 2021, and December 16, 2021. Chief Schlittler stated his concern is the owner does not appear to be taking the issue seriously, considering the repeat nature of the incidents. He noted the owner has been cited multiple times for leash law violations.

Diana Rasoul-Agha, dog owner, acknowledged the incidents that have happened are wrong. She explained the nature and temperament of her dogs, noting her dogs do not run to attack, but to play. She explained dog pack behavior and how smaller

dogs can become anxious. Ms. Rasoul said Maya is well trained and she never had any issues until she got Axel, who is a puppy. She stated muzzles were ordered after the second incident but had not yet arrived when the third incident occurred.

Mr. Borrelli explained the definition of a dangerous dog under Massachusetts General Law.

Mr. Matthews confirmed the dogs are registered and it is clear Ms. Rasoul cares about her dogs. He noted the dogs personalities but said Ms. Rasoul cannot blame other people or their dogs. Mr. Matthews stated the rules are simple: dog owners are responsible and must keep their dogs under control at all times and leashed in public spaces. He stated if another incident happens, things will get worse.

Discussion ensued on details of the attacks, fencing, and using muzzles.

Mr. Borrelli invited public comment.

Esther Jersurum, 5 Louart Drive (via Zoom) said her dog was the first attacked on October 16, 2021, however noted a previous unreported incident. She concurred with Ms. Rasoul's testimony that Maya did not run to attack until after Axel was brought home. She said the attack was terrifying and since then, she cannot bring her dog to either West Street or Hillside Avenue.

Lisa Madkins, 15 Bobsled Drive read a statement regarding the attack that happened to her on December 10, 2021. She noted she was pulled to the ground and her dog was bitten 10 times and remains visibly traumatized.

Maureen Walsh, 51 Booth Street commented she was charged by Maya and Axel, however the dogs didn't attack her or her dog, but returned to their owner after being called. Ms. Walsh commented on a separate incident she had with another dog, unrelated to this public hearing. She noted the lasting effects on her dog after being bitten and was the reason she recently put her dog down. Ms. Walsh said muzzles must be professionally fit to each dog.

Marissa Badawi, daughter of Ms. Rasoul, 233 West Street acknowledged the incidents that have happened are not ok and apologized to everyone who has been affected. She said her family is genuinely sorry for what has happened and are trying their best to contain the dogs and avoid any additional incidents.

Mr. Matthews suggested Ms. Rasoul consider re-homing Axel.

Ms. Rasoul commented re-homing could be difficult and that she will be scheduling training for the dogs.

Chief Schlittler recommended the dogs be muzzled at all times, attend training, and be leashed. He stated much of these events could have been avoided if the dogs were leashed. He stated his concern for rules being followed.

Discussion ensued on potential remedies, including euthanasia.

Mr. Borrelli said he is confident Ms. Rasoul will follow the rules set by the Select Board.

Motion by Mr. Matthews that the Select Board vote to determine that the dogs "Maya" and "Axel" residing at 233 West Street in Needham are dangerous dogs.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Mr. Nelson suggested a two-week time frame for Ms. Rasoul to report back to the Select Board regarding training and fencing. He said training should happen sooner rather than later, and that Ms. Rasoul must know this is the "last straw."

Chief Schlittler said Officer Palmer/Animal Control will check in with the owner on a regular basis.

Mr. Matthews suggested the Select Board adopt recommendations made by Chief Schlittler, noting 100% of the responsibility belongs to the owner.

Motion by Mr. Matthews that the Select Board vote to adopt recommendations made by Police Chief Schlittler regarding the dogs "Maya" and "Axel" including muzzling, behavioral training, containment, and leashing of the dogs.

Second: Mr. Keane. Unanimously approved 5-0 by roll call vote.

Mr. Keane suggested Ms. Rasoul ponder re-homing Axel.

7:06 p.m. Appointment and Consent Agenda:

Motion by Mr. Matthews that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS 1. Marianne Coolev **Climate Action Plan Committee** Term Exp. 6/30/2024 2. Kevin Keane **Climate Action Plan Committee** Term Exp. 6/30/2024 **Climate Action Plan Committee** Term Exp. 6/30/2024 3. Artie Crocker Term Exp. 6/30/2024 4. Natasha Espada **Climate Action Plan Committee** 5. Sandra Cincotta Term Exp. 1/11/2025 **Contributory Retirement Board Norfolk County Advisory Board** Term Exp. 6/30/2024 6. Paul Brown **Transportation Planning and** Term Exp. 6/30/2022 7. Marianne Cooley **Review Committee** 8. Kevin Keane **Transportation Planning and** Term Exp. 6/30/2022 **Review Committee** 9. Justin McCullen **Transportation Planning and** Term Exp. 6/30/2022 **Review Committee**

10. Duncan Allen Transportation Planning and Review Committee

11. David Montgomery Transportation Planning and Review Committee

12. Robert Rossi Transportation Planning and Review Committee

13. Nikolas Ligris Zoning Board of Appeals Term Exp. 6/30/2023

CONSENT AGENDA *=Backup attached

- 1.* Approve and Sign ARPA Grant Agreement Document between the Town of Needham and Norfolk County. Once the Grant Agreement is executed the Town may submit project applications to the County.
- 2. Certify 2022 ABCC License Renewal Applications
- 3. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$250 from Ms. Maryruth Perras, \$3500 from the Sullivan and Company, Inc., and \$400 from Edward and Carol De Lemos.
- 4. Accept the following donation made to the Needham Youth & Family Services Department: \$2,000 from Needham Flag Football to be used towards future programming.
- 5.* Approve a request from John Hrones race coordinator for the Needham Track Club, Great Bear Run to hold a road race in Needham. The event is scheduled for Sunday, May 22, 2022, 10:30am. The event and route have been approved by the following departments: Fire, Police, DPW, Park & Recreation.
- 6.* Approve a request from Christopher George race coordinator from the Sean D. Biggs Memorial Foundation, BIGGSteps 5K to hold a race in Needham. The event is scheduled for Sunday, November 13, 2022 rain date Sunday, November 20, 2022. The event and route have been approved by the following departments: Fire, Police, DPW, Park & Recreation.
- 7.* Approve and sign Water & Sewer Abatement #1316
- 8. Move that the application from Ruth E. Kenney for the deferral of water and sewer charges against the property 54 Hawthorn Ave, Needham is approved.
- 9. Move that the application from Letafat Sabokrooh for the deferral of water and sewer charges against the property 105 Blake Street, Needham is approved.
- 10.* Approve CY2022 mileage reimbursement rate.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

7:07p.m. COVID Update:

Daniel Gutekanst, Superintendent Needham Public Schools, Timothy McDonald, Director of Health and Human Services, and Tiffany Zike, Assistant Director of Public Health (via Zoom) provided an update regarding COVID-19.

Ms. Zike presented a PowerPoint presentation titled "COVID-19 Update," dated January 10, 2022. She commented on the current surge in cases, as well as the 14-day average percent positivity rate, incident rate, percent positivity, and vaccination rates across Massachusetts. Also discussed were the number of cases in

Massachusetts by vaccination and booster status, as well as the number of breakthrough cases by age, hospitalizations, and deaths.

Mr. Borrelli commented on mask mandates and asked Mr. McDonald for the reasoning why Needham is not requiring masks?

Mr. McDonald said there was an indoor mask mandate before the high vaccination rates in Needham. He reiterated the best thing people can do is to get vaccinated and get a booster. He said the Board of Health did consider a mask mandate, but decided masks will only be required for patrons and staff in certain settings where the highest risks are concentrated. He said the message is people must consider and manage their own risk for themselves and their families, noting it would be difficult for the Board of Health to manage a mask mandate.

Discussion ensued on enforcement of mask mandates in high-risk areas before and during the surge, particularly at restaurants.

Dr. Gutekanst commented COVID-19 is in our schools and is changing, with management now the focus for the foreseeable future. He acknowledged schools reopened safely, students are learning, and student vaccination rates are very high. He said students and staff have been amazing, cooperative, and patient with all the health and safety protocols. He said other measures including ventilation remain a "work in progress" and a challenge. Dr. Gutekanst said since returning from holiday break, staff attendance has averaged 90% and 87% for students, reiterating the importance for children to be in school and staff to maintain an "all hands-on deck" approach. He commented attendance has been limited at some athletic and music events, but events are still happening. Dr. Gutekanst commented that 10,000 KN95 masks have been purchased for staff, suggesting families consider taking cloth masks away from children and replacing them with surgical or KN95 masks. Dr. Gutekanst said 22,000 COVID rapid test kits are currently being procured to provide families with a health resource that is increasingly scarce, to help strengthen prevention efforts in schools, aid in the identification of positive cases, and build confidence in this time of uncertainty when many families feel they have no control. He said the expense is large, noting the Town Manager has identified some federal COVID funds that can go towards the purchase of the test kits. He noted the State of Massachusetts will also purchase test kits that could impact the number of kits required by Needham. Dr. Gutekanst reiterated that if someone feels sick, they should stay home. He thanked all the nurses and staff who are working to implement many changes, and commented that the collaborative effort of teachers, administrators, secretaries, nutrition service workers, van drivers, custodians, IT workers, students, and families, is why Needham is "where we are."

Mr. Borrelli commented that getting children back in school has been a struggle around the country. He noted Dr. Gutekanst's great relationship with the teacher's unions and staff, noting the team effort has really paid off. He also concurred with

Mr. McDonald's assessment of people managing their own risk, while protecting the most vulnerable.

Discussion ensued on at-home test kits, pool testing, "test and stay," tracking test results, the number of cases in young children, and the use of KN95 masks.

Mr. Borrelli concluded COVID-19 will be with us and needs to be managed as best we can. He commented on the possible purchase of rapid test kits, saying a purchase must align with what the state of Massachusetts is doing to use the town's resources in the best way possible.

8:02 p.m. American Rescue Plan Funding Reallocation Proposal:

Dr. Gutekanst and Ms. Fitzpatrick discussed with the Board a proposal to purchase at-home COVID-19 testing kits for all staff and public-school students.

Dr. Gutekanst acknowledged the proposal to purchase test kits is not inexpensive, as the request is for \$230,000. He said the test kits will have a broad impact on school/town staff, students, and families. Dr. Gutekanst said this is the first time he has come to the Select Board with this type of request, acknowledging the circumstances are unique. He said the test kits can be an important, essential tool.

Discussion ensued on the use of the ARPA fund, it's effect on other town funding requests, the possibility of receiving test kits from the state of Massachusetts, and the intent of ARPA funds.

Motion by Mr. Matthews that the Select Board vote to approve a reallocation of \$230,000 from the American Rescue Plan Funding to provide for the acquisition of at-home COVID-19 testing kits for staff and students. Second: Mr. Nelson. Unanimously approved 5 to 0 by roll call vote.

Ms. Cooley expressed her concern for the purchase, reiterating children must remain in school and she is glad the town is participating in the "test and stay" program. She commented, however, people must understand the layers of protection starting with vaccination, masking, ventilation, and testing. She reiterated if someone has symptoms they should not go to school or work.

Mr. Borrelli shared some of Ms. Cooley's concerns, but acknowledged there is some validity in the cost to keep schools open.

Mr. Nelson asked if the tests could be used in other parts of the community?

Dr. Gutekanst said if Needham schools find it has more tests than necessary, they could be offered to the community.

8:22 p.m. The Board recessed for five minutes.

8:27 p.m. Behavioral Health Update:

Timothy McDonald, Director of Health & Human Services and Sara Shine, Director of Youth & Family Services Updated the Board on efforts to meet increasing mental and behavioral health needs across the community.

A PowerPoint presentation was viewed.

Ms. Shine commented on the mental health crisis faced by Needham and other communities. She commented that the focus of the Youth and Family Services Department includes clinical services, programming, and community collaborations. Ms. Shine commented on the most recent MetroWest Adolescent Health Survey 2018, saying depression, anxiety, and suicidal ideation are increasing and concerning. She said pockets of a community that are more affected, such as minorities and members of the LGBTQ community. Ms. Shine agreed with Dr. Gutekanst's earlier comments that children need to be in school where teachers, guidance staff, and friends are of support besides the family. Ms. Shine commented on barriers to care, local trends, the response to COVID-19, and ARPA fund requests. She said, locally, there has been a tremendous increase in the acuity in clients, new referrals, and calls at a rate that the department cannot manage, noting approximately 35 people are on the waitlist for services. She said the ARPA request includes a request for a full-time clinical staff member for a period of 24 to 30 months, outside contacts with mental health experts, and funding to support enhanced community education and awareness.

Mr. Borrelli thanked Ms. Shine for the presentation saying the data is heartbreaking, along with the collateral damage from the COVID-19 pandemic.

Discussion ensued on early screenings, hiring a full-time clinical staff member, and the waitlist for people to get help.

The Board thanks Ms. Shine for her work and the presentation.

8:45 p.m. Alcohol Hearing - Modification, Suspension, or Revocation of Alcohol License - Poet King Restaurant Group, LLC d/b/a Hungry Coyote. The hearing was translated into Spanish and Spanish into English for the benefit of all parties. Janet Medina, Spanish Interpreter.

Leona Leon Turano, Manager Poet King Restaurant Group, LLC d/b/a Hungry Coyote and Janet Medina, translator for Ms. Leon appeared before the Select Board to discuss the possible modification, suspension, or revocation of the alcohol beverage license issued to Poet King Restaurant Group, LLC d/b/a Hungry Coyote.

All discussions were translated into Spanish by Ms. Medina.

Mr. Borrelli explained facts of the case will be discussed first, with questions being asked of the licensee, then Board discussion will take place. He noted the following records are part of tonight's proceeding:

- a. Notice of Hearing dated January 5, 2022, M.G.L. c.138, section 23 and section 64 and 204 Cmr 2.05 (2) and 204 Cmr 2.05 (8).
- b. Notice of Hearing dated January 5, 2022, M.G.L. c.140, section 9 and Select Board Policies and Procedures For Common Victuallers sections 2.1 and 3.2
- c. Summary of Suspension Order dated December 1, 2021, M.G.L. C.111, section 30 and 105 Cmr 590.014 (A)
- d. A copy of the Public Health Division's file containing a timeline of inspections, inspection reports, communications with the Hungry Coyote Restaurant
- e. Notice of Hearing dated January 7, 2022, M.G.L. c.138 section 26 and 64.
- f. Copy of the video of the Board of Health's January 5, 2022 hearing.

Mr. McDonald said the Board of Health held a hearing January 5, 2022 to consider the matter of Hungry Coyote continuing to operate without a permit and for the reasons behind the decision not to renew the permit for Hungry Coyote, which expired December 31, 2021. He said the manager on record, from a food department perspective, Francisco Mendez indicated he is working towards compliance.

Discussion ensued on the Public Health's Department order for Hungry Coyote to close on January 1, 2022 and testimony by Mr. McDonald that the Hungry Coyote remained open after January 1, 2022. It was noted Mr. Mendez subsequently met with Town Counsel, Mr. McDonald, and staff of the Public Health Department where he indicated he has made significant progress towards rectifying the areas deficient. Mr. McDonald confirmed an inspection will be held tomorrow, January 12, 2022, and it is hoped all of the deficiencies will be corrected and he could receive a new food permit.

Mr. Borrelli asked for comments from Leona Leon, manager, Poet King Restaurant Group.

Ms. Leon said she now understands the restaurant should have been closed and that the laws of the Department of Public Health must be followed. She commented on progress the restaurant has made toward compliance and apologized and asked for forgiveness.

Discussion ensued with Christopher Heap, Town Counsel asking Ms. Leon several questions about the amount of time she spends at the restaurant, her recent absence from the restaurant, her responsibilities as manager, when she became aware of Town's Order of Suspension, and the role of Matthew Saiia, owner. Attorney Heap

also asked Mr. McDonald to describe the violations and the sequence of events of the inspections.

Mr. Borrelli asked Ms. Leon if she was T.I.P.S. certified? Ms. Leon said "yes". Mr. McDonald also confirmed Mr. Mendez was at the T.I.P.S training course the Town held on Monday, January 10, 2022.

Mr. Borrelli asked for Board comments.

Mr.Keane asked Ms. Leon, "Where is Matthew Saiia, owner, and why did he not attend tonight's hearing?"

Ms. Leon said Mr. Saiia is attending a funeral.

Mr. Matthews told Ms. Leon as manager she must assure that the restaurant will remain closed until the food permit is reactivated. He reiterated to Ms. Leon that the liquor license for the Hungry Coyote may be suspended. He asked Ms. Leon if she will respect a decision by the Select Board and make sure no sale, delivery, or consumption of alcohol at the restaurant takes place until such time when the license is reactivated?

Ms. Leon said "I give you my word."

Discussion ensued regarding the restaurant's insurance carrier, the percentage of business related to the sale of alcohol, and clarification on the hours per week Ms. Leon spends at the restaurant.

Mr. Matthews pointed out some questions are related to the way the business is organized. He referred to the original hearing in April 2019 when Mr. Saiia, Ms. Leon, and Mr. Mendez spoke with the Select Board, noting Mr. Saiia assured the Board that "we" (the applicant) accept full responsibility and accountability to make sure the business runs properly, according to the law. He noted the Board voted to approve the licenses based on the representations, pointing out that records in the Select Board's office do not match records in the Board of Health's office. He noted Ms. Leon is responsible for the restaurant, but the business organization is the responsibility of Mr. Saiia. Mr. Matthews pointed out Mr.Saiia was on notice for tonight's hearing, but was not in attendance. Mr. Matthews asked if Attorney Heap or Town Manager Fitzpatrick had any other information for the record to document their concerns and/or to guide the Select Board.

Attorney Heep said corporate filings on file with the Secretary of the Commonwealth. He noted the unusual corporate structure and out-of-date corporate filings. He said copies are available.

Mr. Borrelli said the Town wants businesses to succeed, however, the rules must be followed, and it is a position of trust to have a liquor license. He said the facts he has heard tonight support violations. He reiterated it is not clear how the restaurant is run, where the owner is, and the overall operations. He suggested reconsidering all licensing. He thanked Ms. Leon for her testimony and asked if the Board had any additional comments.

Mr. Nelson said he is troubled by the accountability and answers to some questions. He concurred with Mr. Borrelli to take another look at the corporate structure.

Motion by Ms. Cooley that the Select Board finds sufficient evidence that Poet King Restaurant Group, LLC., d/b/a The Hungry Coyote, located at 1185 Highland Avenue, Needham and its licensed manager violated and so finds:

- 1. 205 Cmr. 2.05 (2) permitting an illegality to occur on premises with failure to comply with the Summary Suspension Order of the Town of Needham Public Health Division dated December 31, 2021.
- 2. 205 Cmr. 2.05 (8) maintaining the premises in an unsanitary manner as detailed in the Summary Suspension Order of the Town of Needham Public Health Division dated December 31, 2021.
- 3. M.G. L. c. 138 section 12 operating without a licensed manager.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Ms. Cooley said she is concerned after hearing testimony as to whether Ms. Leon is on premises a sufficient amount of time to be considered the licensed manager.

Mr. Matthews acknowledged the importance of the business and the hard work of Ms. Leon and Mr. Mendez, noting Ms. Leon's expression of remorse about the violations and non-compliance of the order. However, he stated, the pledge to abide by lawful orders of Town agents, the Board of Health, and the Select Board is important, and the future of the business will be better if it can make it through a difficult stretch in the near future. He reiterated the Select Board wants to see licensees succeed, but they must follow the law. He stated the fault of Matthew Saiia, owner, regarding his commitments and obligations requires action to set the structure of the business on a better course.

Discussion ensued and the Select Board considered possible actions on the violations, including suspension of the license.

Mr. Borrelli suggested Mr. Saiia, owner and the licensee appear before the Select Board with a filing demonstrating that they are capable. He said a full discussion is necessary, as he is doubtful of Ms. Leon to serve as manager.

Mr. Matthews reiterated much of the work that needs to be done is the responsibility and authority of Mr. Saiia. He noted that when paperwork is in order and the rules are followed, there are no misunderstandings. He suggested that Mr. Saiia should get an attorney to help restructure the plan in which to operate, and to make sure all

records and paperwork is consistent in the Health Department and Select Board files. He suggested suspending the licenses for a period of time, until paperwork is in order.

Mr. Borrelli concurred with suspending the license for 30 days or indefinitely until documentation is received supporting Ms. Leon's ability to hold the position as manager, or a change in manager is made.

Motion by Ms. Cooley that the Select Board pursuant to M.G.L. c. 138 sections 23 and 64 forthwith suspend's Poet King Restaurant Group LLC., d/b/a The Hungry Coyote, located at 1185 Highland Avenue, Needham as follows:

1. Suspend the license forthwith with the term of the suspension to run for 30 days commencing when the Needham Board of Health reinstates the licensee's food establishment permit for violating 205 CMR. 2.05 (2) permitting an illegality to occur on the premises to wit failure to comply with a Summary Suspension Order of the Town of Needham Public Health Division dated December 31, 2021 and 205 CMR. 2.05 (8) maintaining the premises in an unsanitary manner as detailed in the Summary Suspension Order.

and

2. Indefinitely suspend the liquor license until such time as the licensee submits documentation supporting Leona Leon's ability to hold the position of licensed manager, or until such time the licensee submits an application for a change in license manager to the Select Board and the Select Board approves the licensee in that role and the licensee submits all required corporate filings to the Secretary of State' corporations division provided, however, that in no case shall the license be suspended for a period shorter than 30 days from when the Needham Board of Health reinstates the licensee's food establishment permit.

Second: Mr. Nelson. Unanimously approved 5-0 by roll call vote.

Motion by Ms. Cooley that the Select Board vote to authorize the Town Manager to draft and send notice of the Select Board's decision to the licensee with a copy to the Alcoholic Beverages Control Commission and Poet King Restaurant Group as the owner.

Second: Mr. Nelson. Unanimously approved 5-0 by roll call vote.

Mr. Borrelli thanked Ms. Medina, translator and Ms. Leon. He wished The Hungry Coyote the best success once everything's in order.

10:20 p.m. Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Board regarding 2 items:

1. FY2023 Budget Consultation

Ms. Fitzpatrick provided the Board with an update on Departmental Performance Improvement Budget Requests and Financial Warrant Articles. She said the budget is due at the end of the month and recommendations will be made to the Select Board at the next Select Board meeting on January 25, 2022. Ms. Fitzpatrick commented on department spending requests and financial warrant articles.

2. Open Annual Town Meeting Warrant

Ms. Fitzpatrick reviewed the Preliminary List of Warrant Articles for the 2022 Annual Town Meeting dated January 11, 2022 and asked the Board to vote to open the Annual Town Meeting warrant.

Motion by Mr. Matthews that the Select Board vote to open the warrant for the 2022 Annual Town Meeting.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

10:27 p.m. Board Discussion:

1. Goal Statement Revision

The Board discussed the revised FY 2022-2023 Goal Statement. Mr. Borrelli asked for a motion to adopt the revised FY 2022-2023 Goal Statement.

Motion by Mr. Matthews that the Select Board vote to adopt the FY 2022-2023 Statement of Goals.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

2. Board Discussion

Mr. Matthews commented on the creation of "study committees" and the composition of such committees. He suggested committee compositions supervised by the Select Board should be changed so that the appointee can either be a member of the committee or a person recommended by that committee. He noted the reasons for the change.

Ms. Cooley reported NUARI met last night and reviewed all the committees and community organizations who have adopted or endorsed the NUARI principals and vision for Needham. She said NUARI also commented that committees and organizations who have not taken up the matter will be asked how they are planning to support the work of NUARI and how the NUARI committee can be of help to them in furthering the goals.

10:39 p.m. Adjourn:

Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board meeting of Tuesday, January 11, 2022.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

The next Select Board meeting is scheduled for Tuesday, January 25, 2022.

A list of all documents used at this Select Board meeting is available at:

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



Town of Needham, Massachusetts Road Event Form OF MEEDHAM ROAD EVENT BOARD

DPW	Police
Fire	OTM
 Park & Rec	
 PFD	Paid

INTERNAL USE ONLY

2022 JAN 10 A 8: 52

TYPE OF EVENT: (check all that apply)	akka minami (E. 1867-yan ammin(O)-867-46-yin E.	ументаруучин (1914 г.) — « « « « « « « « « « « « « « « « « «	en Transport (Arthrophore) (Arthrophore) (Bay and Arthrophore) (Bay Arthrophore) (Ba				
☐ RUN ☐ WALK ☐ BICYCLE ☐ MOTORCYCLE							
Name of Event: NHS Boosters Club Rocket Run	Name of Organization: Need ham Athletic Boosters Club						
Event Date(s) and Rain Date if requesting:	Earliest Time Expected in Needham:						
Sunday March 20th, 2022	Late	Latest Time Expected in Needham:					
	And a second sec	11:00	11:00 an				
Has this event been conducted in other Towns in the past? □YES ☑NO	If yes, name of Town and date:						
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: PO BOX 920556 Needham, MA 02492	Organization is Not-for-Profit						
Organization Billing Address (if Police Detail is required): Same as above							
Primary Contact: Sara Berney	Contact Title: Race Organizer						
Contact Address: 30 Mayo Avenue, Needham MA 02492							
Contact Phone (Day): 781 449-6149		Contact Phone (Cell): 617 283-7087					

Contact Email:							
sara_berney@hotmail.com							
Tumber of Expected Participants: Number of Expected Spectators at Peak							
250	Time: 80						
Are participants charged a fee? \(\sum YES \) \(\sum NO \)							
Estimated Number of Vehicles:	What type of Parking is required: Parking will be at NHSUpper Lot.						
Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked: We anticipale the first volunteers will arrive at the MBM NHS upper lot at 8 am and leave by 11 am							
Are event organizers available to meet	Do event organizers foresee the need for						
with members of the Town to plan event?	any road closures (subject to police						
⊠YES □NO	review)? XYES NO						
What will be done in case of inclement weather? In the event of rain The event is vain or shine. resistration will take place in the capeteria							
Will neighborhoods be impacted by parking and traffic? No, we will encourage all participants to use NHSupper lot only.							
What activities are planned for the start of the race (if in Needham)? A DJ will be playing music and an emcee will announce our sponsors, prizes and start The race.							
What activities are planned for the end of the race (if in Needham)? Our encee will announce awards. There will be tables with waters, snacks and we will have some yard games setup.							
What facilities are needed for the start of t We have veselve duse of NAS	he race (if in Needham)?						
What facilities are needed for the end of the race (if in Needham)?							
see above							

Once the event begins, how long will it take to complete the event?

90 minutes

Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	Yes, we would like to place signs at the start lend of the race and along the route.
Will volunteers be placed along the route?	Yes, we plan on having volunteers at 8 places along the route.
Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.	Yes, we will be playing music at 8:30 am and asain after the race. The encee will also use system.
Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)	Yes, basels, water, fruit etc.
Will portable toilets be used? List locations.	No
Will hydration stops be set up along route? If yes, please include these on route plan.	Yes
If the event takes place after dark, what is the plan to meet lighting needs?	Notapplicable
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	We have spoken with Lt. McGrath who Suggests 3 police details; a first aid table at start/finish, Route volunteers in text communication will
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?	Tes
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	No
Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	No
What is the plan to handle trash?	We will have at least 5 volunteers designated to handle trash, plus more at each hydration stop

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.

Town of Needham Water Sewer Billing System Adjustment Form

Prepared By:	l 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	WILDER	SEAN & JAYME	42835	800	24	Fuller Road	-\$620.58	\$0.00	\$0.00	-\$620.58	ACC	N
DB	Council on A	iging (1)					\$0.00	-\$103.05	-\$297.33	-\$400.38	COA	N

Total: -\$1,020.96

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

Town of Needham Water Sewer Billing System Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TOWN TREASURER AND COLLECTOR cc: TOWN ACCOUNTANT, WATER AND			
WHEREAS the appropriate divisions of t commitment(s) on the dates listed below			
WHEREAS certain inadvertent error(s) wabate these particular account(s) in the a		hereby requested that you	
Water Sales:		-\$103.05	
Water Irrigation:		-\$620.58	
Water Admin Fees		\$0.00	
Sewer Sales:		-\$297.33	
Transfer Station Charges:		\$0.00	
	Total Abatement:	-\$1,020.96	
Order #: 1317			
Read and Approved:			
Robert A. Lewis	01/18/22		
Assistant Director of Public Works			For the Select Board
			1/25/22
Carys Lustig			
Director of Public Works			