

FISCAL YEAR 2022 (July 1, 2021 – June 30, 2022)

TOWN CLERK'S RECORDS

OF THE

SPECIAL TOWN MEETING Monday, October 25, 2021

SPECIAL TOWN ELECTION Tuesday, December 7, 2021

ANNUAL TOWN ELECTION Tuesday, April 12, 2022

ANNUAL TOWN MEETING Monday, May 2, 2022

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RECORD OF SPECIAL TOWN MEETING Monday, October 25, 2021

Pursuant to a Warrant issued by the Select Board September 14, 2021 the Inhabitants of the Town of Needham qualified to vote in Town Affairs met at the James Hugh Powers Hall, Needham Town Hall on Monday, October 25, 2021 at 7:30 o'clock in the afternoon.

The checkers appointed by the Select Board were sworn to the faithful performance of their duties by the Town Clerk.

Check lists were used and 183 voters, including 175 Town Meeting Members, were checked on the list as being present and 76 absent.

The Moderator, Michael K. Fee, called the meeting to order at 7:35 o'clock and expressed his delight to welcome Town Meeting Members back to James Hugh Powers Hall at Needham Town Hall. He announced that there is no Call for Spiritual Guidance that opens our Annual Town Meeting, but we do honor our Great Country, and all who toiled – and many who perished – to form and preserve the United States of America and allow us to meet here tonight and engage in self-governance. To honor America, please join me in reciting the Pledge of Allegiance.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

The call to the meeting and the officer's return were read by the Town Clerk, the reading of the articles in the Warrant being waived upon motion.

The Moderator announced the following arrangement of the meeting space.

ARRANGEMENT OF THE MEETING SPACE

- You have been admitted to this meeting space because of your status as a Town Meeting Member. Virtually the entire floor is reserved for 252 Town Meeting Members and certain elected and appointed officials. Please sit in the first 13 rows. as marked by the pylons. Registered voters may sit in the 14th row or in the balcony. The Marshal, Mr. Jacques, will assist you and enforce the limits of this dedicated space for Town Meeting Members. As always, please wear your badges that identify you as a Town Meeting Member.
- Once situated please remain in your seats and do not move your chair. Seats have been arranged with more than sufficient spacing for public health purposes.
- 3. The Needham Board of Health has provided us with guidance on the use of face masks. Please wear a mask throughout our meeting, including when addressing Town Meeting. The Town Clerk and I will not be wearing masks while on stage, because our position on stage is sufficiently distant from others. In addition, given the frequency with which I must address Town Meeting and the need for you all to understand me clearly, this will greatly aid my ability to communicate with you.
- As I described in my Informational Memorandum to Town Meeting Members, although we are back at Town Hall, we

are still operating under conditions necessary to preserve public health. Accordingly, no hard copy materials are available at the hall tonight. In addition, as with the last three meetings, video presentations from sponsors, other interested parties and the Finance Committee were posted to the Town's You Tube Channel in advance of this meeting and other materials -- such as FAQs and supporting documents -- were posted to the Town's website. It is my sincere hope that you were able to view the presentations and related materials that were available prior to the meeting.

- 5. As with the previous three meetings held during the public health emergency, the videos constitute the affirmative presentations for the Main Motions that will be on the floor this evening. I understand, however, that not everyone may have viewed the videos, or you may have viewed them some time ago. As Moderator, I want all Town Meeting Members to be informed, so for this transitional meeting, I informed the sponsors of Main Motions and advised all of you in my Informational Memorandum that if they wish, they will be allowed to address Town Meeting for up to a maximum of FIVE minutes to remind you about what they stated in their video. This is a reminder or refresher only, not a complete repetition.
- 6. When we engage in Discussion, you may address Town Meeting only after being recognized by the Moderator. I ask you to rise, raise your hand and say "Mr. Moderator" to be recognized. Once recognized, please proceed to one of the microphones positioned around the meeting space for use by Town Meeting Members. Once again, these are no touch microphones. Please stand back from the microphone and do not touch the microphones or attempt to adjust them. If adjustment is necessary, the Marshal will assist you. Please know that due the masks, I may not recognize you and call you by name.
- To expedite our meeting, I do not envision calling a recess, though at some point, we may have a stretch in place. Please feel free to use the restrooms while we are in session if necessary.
- This is transitional meeting on our road back to normal. I
 appreciate your assistance in avoiding redundancy and for
 public health reasons, promote our ability to complete this
 indoor meeting expeditiously. I appreciate your cooperation
 and your patience.
- Finally, because we do not want groups forming at the exits, when we are done, I will once again dismiss you one precinct at a time. Please stay in your seats, listen for your precinct, and leave.

RULES OF ORDER, PRACTICE AND PROCEDURE

 Please rise to be recognized, raise your hand and you may call out "Mr. Moderator." When a member is recognized by the Moderator, proceed to the nearest microphone and announce yourself by stating your name and precinct clearly so that the Town Clerk may keep accurate records. If for some reason related to a disability a member cannot rise or raise their hand or say "Mr. Moderator" please inform me so that appropriate accommodation may be made.

- Anyone entering or exiting the meeting area during our session, for example to use the rest rooms, must use care not to disrupt the session.
- 3. Please silence all cell phones and other electronic devices. (Please check this status now!) In addition, please consider putting these devices away entirely while we are in session so you may devote your full attention to our important work unless of course you have downloaded a relevant document or the warrant on your device.
- No firearms or weapons may be brought into the meeting space except by law enforcement personnel.
- 5. As a sign of respect for this legislative chamber, no hats may be worn except for medical or religious purposes.
- 6. Members, non-member speakers and all attendees must observe our rules and practice civility. A speaker will be ruled out of order who refers to individuals or personalities or in the judgment of the Moderator, exceeds the bounds of civility. Please remember that we are ONE community and ONE Town Meeting with one common goal; the best interests of our town.
- All commentary, remarks and inquiries must be addressed to the Moderator as Chair of the Meeting.
- Your attention is drawn to the disclosure required by an attorney employed by one who has an interest in a matter as set forth in Art. I, Sec. 1.7 of the Needham General By-Laws.
- 9. Blank forms for lengthy motions are available from Town Counsel and should be employed. If lengthy or complicated, motions are not drafted and submitted for review by the Moderator and Town Counsel prior to being placed on the floor, particularly with regard to zoning articles, the speaker will yield the floor to another speaker while the drafting and formulation process in underway.

Special Note on zoning articles. Zoning is complex and the subject of much effort prior to Town Meeting. As discussed in the Moderator's Memorandum to Town Meeting Members in connection with this Special Town Meeting and consistent with the rules adopted for the Annual Town Meeting, anyone who wishes to tender an amendment to a zoning article must confer in advance with the Planning Board, and if necessary, Town Counsel and the Moderator to address questions and if possible, work with the Planning Board to address wording and the impact of any amendments.

- Short motions to amend and procedural motions need not be in writing.
- 11. Parliamentary motions such as "points of information" and "points of order" shall be strictly construed so as not to elongate or permit debate after a motion to move the previous question has been placed on the floor.
- 12. Limits on debate shall be enforced by the Moderator.

- Questions asked for general informational purposes unrelated to the matter under consideration by the Meeting shall be ruled out of order.
- 14. As stated in the Moderator's Memorandum to Town Meeting Members in connection with our Annual Town Meeting, this meeting is being livestreamed and ultimately televised through the good efforts of the Needham Channel. Any inappropriate conduct involving the live coverage or cameras shall be deemed to be out of order addressed swiftly and definitively by the Moderator.
- 15. I seek unanimous consent to adopt the following rules of practice concerning debate for this meeting:

There will be no full, affirmative presentations by proponents of articles, other interested parties and the Finance Committee, because the affirmative presentations have been posted to the Town's You Tube channel in advance of Special Town Meeting.

When I call an Article by its number, the corresponding Main Motion -- and any previously filed motion to amend or motion to refer -- will be placed on the floor by the Moderator.

At that time, proponents of the Main Motion have the option of speaking for up to five minutes for the sole purpose of reminding Town Meeting Members about the subject matter of the Main Motion.

Time limits for discussion: Town Meeting Members, non-TMMS, visitors other than attorneys: (5 minutes each, all-inclusive per article).

Responsive remarks by sponsors, the Select Board, the Finance Committee and other members of Town Boards or Departments (5 minutes per response)

I seek your unanimous consent for the adoption of these rules of procedure and practice for this Special Town Meeting...hearing no objection I find unanimous consent that the rules of procedure and practice as described by the Moderator are voted and adopted and the Town Clerk will so record.

Announcements

- The Needham League of Women Voters requests Town Meeting Members to complete the survey by Wednesday, October 27, 2021. The link is on the League's website.
- The Needham League of Women Voters will hold a presentation on Affordable Housing on Thursday, October 28, 2021.
- 3. The Needham League of Women Voters will hold Candidate's Night for the Special Town Election on Wednesday, November 17, 2021 at 7:00 PM via zoom.
- The Needham Exchange Club is holding their annual Fruit and Chocolate fundraiser. There is additional information on their website.

The Moderator advised that there are no changes in the affirmative motions.

The Moderator announced that there are no articles to be withdrawn.

The Moderator announced that Articles 7, 11, and 12 are subject to motions to amend or other motions from their proponents or for other reasons cannot be passed by unanimous consent.

The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 1. No Town Meeting Members responded with "question" or "debate" to Articles 1, 2, 3, 4, 5, 8, and 9. The Moderator then called the above-mentioned articles by number and no objection was heard to adoption by unanimous consent. It was unanimously voted, and the Town Clerk was requested to so record. As a result thereof, said articles and the votes thereunder are as follows:

ARTICLE 1: AMEND THE FY2022 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2022 Sewer Enterprise Fund adopted under Article 21 of the May 1, 2021 Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

Line Item	<u>Appropriation</u>	Changing From	Changing To	
201A	Salary & Wages	\$1,029,212	\$1,041,733	
201D	MWRA Assessment	\$6,662,310	\$6,614,690	

or take any other action relative thereto.

Article Information: This article provides funding for the salary and wage increases for Sewer Enterprise personnel approved at the May 1, 2021 Special Town Meeting in the amount of \$12,521 and reduces the MWRA Assessment by \$47,620 based on the final assessment issued by the Massachusetts Water Resources Authority after the original amount was approved. The net change to the budget is a reduction of \$35,099.

Moved: That the Town will vote to amend and supersede certain parts of the fiscal year 2022 Sewer Enterprise Fund adopted under Article 21 of the May 1, 2021 Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

Line Item	<u>Appropriation</u>	Changing From	Changing To	
201A	Salary & Wages	\$1,029,212	\$1,041,733	
201D	MWRA Assessment	\$6,662,310	\$6,614,690	

ACTION: So voted by unanimous consent.

ARTICLE 2: AMEND THE FY2022 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2022 Water Enterprise Fund adopted under Article 22 of the May 1, 2021 Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
301A	Salary & Wages	\$1,413,248	\$1,457,409
301D	MWRA Assessment	\$1,677,742	\$1,670,433

or take any other action relative thereto.

Article Information: This article provides funding for the salary and wage increases for Water Enterprise personnel approved at the May 1, 2021 Special Town Meeting in the amount of \$44,161 and reduces the MWRA Assessment by \$7,309 based on the final assessment issued by the Massachusetts Water Resources Authority after the original amount was approved. The net change to the budget is an increase of \$36,852.

Moved: That the Town will vote to amend and supersede certain parts of the fiscal year 2022 Water Enterprise Fund adopted under Article 22 of the May 1, 2021 Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

Line Item	<u>Appropriation</u>	Changing From	Changing To
301A	Salary & Wages	\$1,413,248	\$1,457,409
301D	MWRA Assessment	\$1,677,742	\$1,670,433

ACTION: So voted by unanimous consent.

ARTICLE 3: APPROPRIATE TRANSPORTATION IMPROVEMENT FEES

To see if the Town will vote to appropriate funds from the Commonwealth Transportation Infrastructure Fund in the amount of \$7,603.90 for the purpose of transportation infrastructure improvements, said sum to be spent under the direction of the Town Manager; or take any other action relative thereto.

Article Information: Chapter 187 of the Acts of 2016 established a Commonwealth Transportation Infrastructure Fund. Each Transportation Network Company (such as Uber and Lyft) is assessed \$0.20 per ride to fund transportation improvements. One-half of the amount received from the Fund is to be distributed proportionately to each city and town based on the number of rides that originated in that city or town. The distributed funds must be used to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town. Funding for Transportation Improvements will be allocated to pedestrian and bicycle safety initiatives unless circumstances require otherwise.

MOVED: That the Town will vote to appropriate funds from the Commonwealth Transportation Infrastructure Fund in the amount of \$7,603.90 for the purpose of transportation infrastructure improvements, said sum to be spent under the direction of the Town Manager.

ACTION: So voted by unanimous consent.

ARTICLE 4: AMEND THE ZONING BY-LAW – OUTDOOR SEATING

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

a) Amend Section 6.9. Outdoor Seating, Subsection 6.9.1,
Applicability, by (i) adding the word "eat-in" before the
word "restaurants"; (ii) deleting the words "serving meals
for consumption on the premises and at tables with
service provided by waitress or waiter is" before the
words "permitted under"; and (iii) adding the word "are"
before the words "permitted under"; so that it reads as
follows:

"Section 6.9.2 shall apply in any business district in which eat-in restaurants are permitted under Section 3.2.2 of this By-Law."

b) Amend the first sentence of Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2, <u>Basic Requirements Seasonal Outdoor Seating</u>, by (i) adding the word "eat-in" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service

provided by waitress or waiter" before the words "is permitted during"; (iii) replacing the words "Section 7.4.4 and 7.4.6" with the words "Sections 7.4.4 and 7.4.6"; and (iv) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:

"Seasonal temporary (i.e. April through October) outdoor seating, including but not limited to tables, chairs, serving equipment, planters, and umbrellas, for eat-in restaurants is permitted during normal hours of operation, subject to minor project site plan review with waiver of all requirements of Sections 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board in the case of (a) below and the Select Board in the case of (b) below, provided that:"

c) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2,

<u>Basic Requirements Seasonal Outdoor Seating</u>,

Subparagraph (a) by deleting the words ", licensed," so that it reads as follows:

"(a) It is within the front yard, rear yard, or side yard of the restaurant's owned or leased property, but only if said yard abuts a public right-of-way, public property, or other public uses, provided that:"

d) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2,

Basic Requirements Seasonal Outdoor Seating,
Subparagraph (b) by (i) deleting the words "so long as
there remains no less than forty-eight inches (48"), or as
otherwise permitted by law, of unencumbered sidewalk
width remaining"; (ii) deleting the word "alternatively"
before the words "on a public way"; and (iii) adding the
word "on" before the words "other public property"; so
that it reads as follows:

"(b) It is within the public sidewalk abutting the front, rear, or side yard of the restaurant's owned or leased property or on a public way or on other public property abutting the front, rear, or side yard of the restaurant's owned or leased property, provided that:"

e) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2, <u>Basic Requirements Seasonal Outdoor Seating</u>, Subparagraph (b)(i) by replacing the words "Board of Selectmen" with the words "Select Board", so that it reads as follows:

"(i) No temporary outdoor restaurant seating shall be permitted, unless the Select Board authorizes the placement of temporary outdoor seating within the public right-of-way, public sidewalks and/or on public property;"

- f) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2,

 Basic Requirements Seasonal Outdoor Seating,
 Subparagraph (b)(iii) by replacing the words "Board of Selectmen" with the words "Select Board", so that it reads as follows:
 - "(iii) A minimum width of forty-eight inches (48"), or as otherwise permitted by law, shall be continuously maintained and unobstructed for the sidewalk or entrance into the principal building, or any other designated sidewalks or pedestrian paths, as shown on the plan provided to the Select Board;"
- Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, g) Basic Requirements Seasonal Outdoor Seating, Subparagraph (b)(iv) by (i) adding the words "shall not be authorized" after the words "Outdoor seating"; (ii) deleting the words "is prohibited" before the words "in designated or required landscape areas"; and (iii) by adding the words ", or in parking spaces located within a public way, except for good cause, and where the Select Board finds, after holding a public hearing, that pedestrian and vehicular circulation, the safety of restaurant patrons and the public, and parking for patrons of restaurants, retail establishments and service establishments in the vicinity of the outdoor seating, shall be adequately provided for;" at the end of the subparagraph so that it reads as follows:
 - "(iv) Outdoor seating shall not be authorized in designated or required landscaped areas, parking lots or drive aisles, or in parking spaces located within a public way, except for good cause, and where the Select Board finds, after holding a public hearing, that pedestrian and vehicular circulation, the safety of restaurant patrons and the public, and parking for patrons of restaurants, retail establishments and service establishments in the vicinity of the outdoor seating, shall be adequately provided for;"
- h) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2, <u>Basic Requirements Seasonal Outdoor Seating</u>, Subparagraph (b) by adding the following sentence at the end of the section:
 - "The Select Board may authorize seasonal temporary outdoor seating under this Section 6.9.2 (b) earlier than April 1 and later than October 31 of each year."
- i) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2, <u>Basic Requirements Seasonal Outdoor Seating</u>, by replacing the words "Board of Selectmen" with the words "Select Board", in the second paragraph of the section so that it reads as follows:
 - "Items (a)(i), (a)(iii), (a)(v) and (b)(ii), (b)(iv), and (b)(vi) shall not apply during special town-wide festivals or events during the year as designated by the Select Board."
- j) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, by deleting the last paragraph of the section and replacing it with the following paragraph to read as follows:
 - "Where there is authorization for the placement of seasonal temporary outdoor restaurant seating and where such seating could be interpreted to be an increase in the

- number of seats serving a restaurant, such seating shall not be counted toward the off-street parking or loading requirements, provided that (1) such seating remains seasonal and temporary; and (2) such seating does not increase capacity by more than thirty percent (30%) unless such increase is authorized by the Special Permit Granting Authority that granted the special permit allowing the use of the premises as a restaurant, with or without a hearing, as said Special Permit Granting Authority shall determine."
- k) Amend Section 3.2, Schedule of Use Regulations, Subsection 3.2.1, Uses in Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, Apartment A-1, Apartment A-2, Apartment A-3, Institutional, Industrial and Industrial 1 Districts, by revising Accessory Uses to replace the term "Seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter" with the term "Seasonal temporary outdoor seating for eat-in restaurants".
- 1) Amend Section 3.2, Schedule of Use Regulations, Subsection 3.2.2, Uses in Business, Chestnut Street Business, Center Business, Avery Square Business and Hillside Avenue Business Districts, by revising Accessory Uses to replace the term "Seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter" with the term "Seasonal temporary outdoor seating for eat-in restaurants".
- m) Amend the second sentence of Section 3.2.4 <u>Uses in the New England Business Center District</u>, Subsection 3.2.4.1 <u>Permitted Uses</u>, paragraph (k) by (i) adding the word "eat-in" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service provided by waitress or waiter" before the words "shall be allowed"; and (iii) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:
 - "Further provided, accessory uses for seasonal temporary outdoor seating for eat-in restaurants shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9."
- n) Amend the second sentence of Section 3.2.5 <u>Uses in the Highland Commercial-128 District</u>, Subsection 3.2.5.1 <u>Permitted Uses</u>, paragraph (i) by (i) adding the word "eatin" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service provided by waitress or waiter" before the words "shall be allowed"; and (iii) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:
 - "Further provided, accessory uses for seasonal temporary outdoor seating for eat-in restaurants shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are

necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9."

o) Amend the second sentence of Section 3.2.6 <u>Uses in the Mixed Use-128 District</u>, Subsection 3.2.6.1 <u>Permitted Uses</u>, paragraph (m) by adding (i) the word "eat-in" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service provided by waitress or waiter" before the words "shall be allowed"; and (iii) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:

"Further provided, accessory uses for seasonal temporary outdoor seating for eat-in restaurants shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9."

Or take any other action relative thereto.

Article Information: Under current zoning rules, the Planning Board may permit seasonal temporary outdoor seating at restaurants with waiter or waitress service on private property and the Select Board may permit such use on public property. This is implemented through an expedited permitting process (minor site plan review) where the outdoor seating meets the following criteria: (1) The outdoor seating is provided during the temporary outdoor seating season defined as April 1 thru October 31; (2) The outdoor seating is not located on a designated or required landscape area, parking lot, or driveway aisle; (3) The outdoor seating is not located on a parking space within a public way; and (4) The outdoor seating does not increase the restaurant's overall seating capacity by more than thirty percent. Restaurants seeking outdoor seating outside of these criteria must currently seek a formal special permit from the Planning Board for seating located on private property. No authority is currently provided to the Select Board to deviate from the above-noted rules on public property.

This article would extend the circumstances under which the Planning Board and Select Board may authorize seasonal temporary outdoor seating. First, the article extends to all eat-in restaurants the expedited permitting process (minor site plan review) currently only afforded to restaurants with waiter or waitress service. Second, the article grants to the Select Board the discretion to approve the use of a parking space located either in a municipal parking lot or within a public way for outdoor seating where the Select Board finds, after holding a public hearing, that pedestrian and vehicular circulation and parking for patrons of restaurants, retail establishments and service establishments in the vicinity of the outdoor seating, will be adequately provided for. Third, the article grants to the Select Board the discretion to allow outdoor seating outside of the normal temporary outdoor seating season of April 1 through October 31. The intent of these modifications is to enable the outdoor seating protocols that were put in place during the pandemic, which are not permissible under the current regulatory scheme.

Moved: That the Town will vote to amend the Needham Zoning By-Law, as follows:

- a) Amend Section 6.9. Outdoor Seating, Subsection 6.9.1,
 Applicability, by (i) adding the word "eat-in" before the
 word "restaurants"; (ii) deleting the words "serving meals
 for consumption on the premises and at tables with
 service provided by waitress or waiter is" before the
 words "permitted under"; and (iii) adding the word "are"
 before the words "permitted under"; so that it reads as
 follows:
 - "Section 6.9.2 shall apply in any business district in which eat-in restaurants are permitted under Section 3.2.2 of this By-Law."
- b) Amend the first sentence of Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2, <u>Basic Requirements Seasonal Outdoor Seating</u>, by (i) adding the word "eat-in" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service provided by waitress or waiter" before the words "is permitted during"; (iii) replacing the words "Section 7.4.4 and 7.4.6" with the words "Sections 7.4.4 and 7.4.6"; and (iv) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:

"Seasonal temporary (i.e. April through October) outdoor seating, including but not limited to tables, chairs, serving equipment, planters, and umbrellas, for eat-in restaurants is permitted during normal hours of operation, subject to minor project site plan review with waiver of all requirements of Sections 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board in the case of (a) below and the Select Board in the case of (b) below, provided that:"

- c) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2,

 <u>Basic Requirements Seasonal Outdoor Seating</u>,

 Subparagraph (a) by deleting the words ", licensed," so that it reads as follows:
 - "(a) It is within the front yard, rear yard, or side yard of the restaurant's owned or leased property, but only if said yard abuts a public right-of-way, public property, or other public uses, provided that:"
- d) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2,

 Basic Requirements Seasonal Outdoor Seating,
 Subparagraph (b) by (i) deleting the words "so long as
 there remains no less than forty-eight inches (48"), or as
 otherwise permitted by law, of unencumbered sidewalk
 width remaining"; (ii) deleting the word "alternatively"
 before the words "on a public way"; and (iii) adding the
 word "on" before the words "other public property"; so
 that it reads as follows:
 - "(b) It is within the public sidewalk abutting the front, rear, or side yard of the restaurant's owned or leased property or on a public way or on other public property abutting the front, rear, or side yard of the restaurant's owned or leased property, provided that:"
- e) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2, <u>Basic Requirements Seasonal Outdoor Seating</u>, Subparagraph (b)(i) by replacing the words "Board of

Selectmen" with the words "Select Board", so that it reads as follows:

- "(i) No temporary outdoor restaurant seating shall be permitted, unless the Select Board authorizes the placement of temporary outdoor seating within the public right-of-way, public sidewalks and/or on public property;"
- f) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2,

 <u>Basic Requirements Seasonal Outdoor Seating</u>,

 Subparagraph (b)(iii) by replacing the words "Board of Selectmen" with the words "Select Board", so that it reads as follows:
 - "(iii) A minimum width of forty-eight inches (48"), or as otherwise permitted by law, shall be continuously maintained and unobstructed for the sidewalk or entrance into the principal building, or any other designated sidewalks or pedestrian paths, as shown on the plan provided to the Select Board;"
- g) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, Subparagraph (b)(iv) by (i) adding the words "shall not be authorized" after the words "Outdoor seating"; (ii) deleting the words "is prohibited" before the words "in designated or required landscape areas"; and (iii) by adding the words ", or in parking spaces located within a public way, except for good cause, and where the Select Board finds, after holding a public hearing, that pedestrian and vehicular circulation, the safety of restaurant patrons and the public, and parking for patrons of restaurants, retail establishments and service establishments in the vicinity of the outdoor seating, shall be adequately provided for;" at the end of the subparagraph so that it reads as follows:
 - "(iv) Outdoor seating shall not be authorized in designated or required landscaped areas, parking lots or drive aisles, or in parking spaces located within a public way, except for good cause, and where the Select Board finds, after holding a public hearing, that pedestrian and vehicular circulation, the safety of restaurant patrons and the public, and parking for patrons of restaurants, retail establishments and service establishments in the vicinity of the outdoor seating, shall be adequately provided for;"
- h) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2,

 <u>Basic Requirements Seasonal Outdoor Seating</u>,

 Subparagraph (b) by adding the following sentence at the end of the section:
 - "The Select Board may authorize seasonal temporary outdoor seating under this Section 6.9.2 (b) earlier than April 1 and later than October 31 of each year."
- i) Amend Section 6.9. <u>Outdoor Seating</u>, Subsection 6.9.2, <u>Basic Requirements Seasonal Outdoor Seating</u>, by replacing the words "Board of Selectmen" with the words "Select Board", in the second paragraph of the section so that it reads as follows:
 - "Items (a)(i), (a)(iii), (a)(v) and (b)(ii), (b)(iv), and (b)(vi) shall not apply during special town-wide festivals or events during the year as designated by the Select Board."

- j) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, by deleting the last paragraph of the section and replacing it with the following paragraph to read as follows:
 - "Where there is authorization for the placement of seasonal temporary outdoor restaurant seating and where such seating could be interpreted to be an increase in the number of seats serving a restaurant, such seating shall not be counted toward the off-street parking or loading requirements, provided that (1) such seating remains seasonal and temporary; and (2) such seating does not increase capacity by more than thirty percent (30%) unless such increase is authorized by the Special Permit Granting Authority that granted the special permit allowing the use of the premises as a restaurant, with or without a hearing, as said Special Permit Granting Authority shall determine."
- k) Amend Section 3.2, Schedule of Use Regulations, Subsection 3.2.1, Uses in Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, Apartment A-1, Apartment A-2, Apartment A-3, Institutional, Industrial and Industrial 1 Districts, by revising Accessory Uses to replace the term "Seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter" with the term "Seasonal temporary outdoor seating for eat-in restaurants".
- 1) Amend Section 3.2, Schedule of Use Regulations, Subsection 3.2.2, Uses in Business, Chestnut Street Business, Center Business, Avery Square Business and Hillside Avenue Business Districts, by revising Accessory Uses to replace the term "Seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter" with the term "Seasonal temporary outdoor seating for eat-in restaurants".
- m) Amend the second sentence of Section 3.2.4 <u>Uses in the New England Business Center District</u>, Subsection 3.2.4.1 <u>Permitted Uses</u>, paragraph (k) by (i) adding the word "eat-in" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service provided by waitress or waiter" before the words "shall be allowed"; and (iii) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:
 - "Further provided, accessory uses for seasonal temporary outdoor seating for eat-in restaurants shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9."
- n) Amend the second sentence of Section 3.2.5 <u>Uses in the Highland Commercial-128 District</u>, Subsection 3.2.5.1 <u>Permitted Uses</u>, paragraph (i) by (i) adding the word "eatin" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service provided by waitress or waiter" before

the words "shall be allowed"; and (iii) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:

"Further provided, accessory uses for seasonal temporary outdoor seating for eat-in restaurants shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9."

o) Amend the second sentence of Section 3.2.6 <u>Uses in the Mixed Use-128 District</u>, Subsection 3.2.6.1 <u>Permitted Uses</u>, paragraph (m) by adding (i) the word "eat-in" before the word "restaurants"; (ii) deleting the words "serving meals for consumption on the premises and at tables with service provided by waitress or waiter" before the words "shall be allowed"; and (iii) replacing the words "Board of Selectmen" with the words "Select Board"; so that it reads as follows:

"Further provided, accessory uses for seasonal temporary outdoor seating for eat-in restaurants shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9."

ACTION: So voted by unanimous consent.

ARTICLE 5: AMEND ZONING BY-LAW – CHESTNUT STREET BUSINESS DISTRICT FRONT SETBACK

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

 Amend Section 4.4.4, <u>Front Setback</u>, by replacing in the first sentence of the first paragraph the word "a" with the word "the" and by capitalizing the term "business district" to read as follows (new language underlined):

"In the Business District, there shall be a minimum front setback of ten (10) feet for all lots zoned in the Business District prior to April 14, 1952 and of twenty (20) feet for all lots changed to the Business District thereafter. The setback area shall be kept open and landscaped with grass or other plant materials; such area shall be unpaved except for walks and driveways, as defined in Section 4.4.5. Regulations relative to parking setbacks are governed by Section 5.1."

2) Amend Section 4.4.4, <u>Front Setback</u>, by revising the second paragraph to read as follows (new language underlined):

"In the Chestnut Street Business District, there shall be a minimum front setback of ten (10) feet for all buildings except along both sides of Chestnut Street where there shall be a front setback of twenty (20) feet for all buildings. The landscaping treatment for the setback area shall be consistent with the Chestnut Street Landscape Design Recommendations (April 1988) on file in the office of the Planning Board. No parking shall be allowed in this setback area. Parking shall be on the side or in the back of the building."

Or take any other action relative thereto.

Article Explanation: This article is a technical correction to the zoning by-law designed to clarify historic interpretation and practice as relates to the front yard setback requirement for lots located within the Chestnut Street Business District. In 1990 when the Chestnut Street Business District was created, the front yard setback requirement for the District was established at ten (10) feet for all buildings except for those located along both sides of Chestnut Street where a front yard setback of twenty (20) feet was required. This was the recommendation for the Chestnut Street Business District contained in the 1989 Needham Center Planning Study. The amendment offered above now clarifies the front yard setback requirement of ten (10) feet for all lots fronting on Keith Place, Oak Street, Chestnut Place, Clyde Street, Marsh Road, and Junction Street in the Chestnut Street Business District consistent with the recommendations of the 1989 Needham Center Planning Study.

ACTION: So voted by unanimous consent.

ARTICLE 8: AUTHORIZE SOLAR INSTALLATION AT JACK COGSWELL BUILDING

To see if the Town will vote to:

- Authorize the Select Board to lease all or a portion of the rooftop of the Public Works Storage Facility/Jack Cogswell Building located at 1407 Central Avenue and shown on Assessors Map 308 as Lot 002, and any necessary space on or in said building and the associated real property, to a solar energy provider for the purposes of constructing, maintaining, and operating a roof-mounted solar facility, upon such terms and conditions as are acceptable to the Select Board, for a term of up to thirty (30) years; and further to authorize the Board to enter into a power purchase agreement with the solar energy provider and any other agreements as may be necessary in the Board's judgment to develop this solar facility.
 - Authorize the Select Board to grant any easements necessary to allow the electric utility to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility.

Or take any other action relative thereto.

Article Information: The Jack Cogswell Building (JCB) at the Needham RTS was constructed in 2019-20 for the seasonal storage of DPW vehicles and equipment. The rooftop was designed to be "solar ready" in compliance with current building codes so that the structure could support the addition of a rooftop solar array. The design firm has provided a preliminary design for a 203.8 kW DC array with approximately 425 solar panels projected to provide between 210,000 kWh and 216,500 kWh per year of electrical power production. While this solar array would generate more energy than is consumed by the building, the estimated solar energy production is about equal to the total electrical demand of all the buildings at the RTS. If the Town "net meters" this excess energy to these other Town accounts, then the full benefit of this installation can be realized.

The Permanent Public Building Committee (PPBC) has evaluated several options for procurement of this solar installation. The PPBC and Building Design and Construction Department have secured an approval from the Solar Massachusetts Renewable Target (SMART) incentive program and gained approval from the Planning Board for a de minimus change to allow for this installation. Other regulatory approvals are currently being sought from the DPU. While the original project authorization (Article 35 of the 2018 Annual Town Meeting) has sufficient contingency to procure this solar array, the Select Board is recommending that the Town instead pursue a Power Purchase Agreement (PPA) with a private solar energy provider to construct, maintain and operate this roof-mounted solar facility. The funds remaining under the Warrant Article will be rescinded at a future Town Meeting. This PPA would lease the use of the rooftop to a private developer and the Town would agree to purchase the power at a low fixed or escalating rate. This approach would limit the Town's capital investment and limit future maintenance costs of the solar asset, while providing long term financial benefit and a hedge against future energy price escalation. This installation is consistent with the Town's goals as a Green Community and will fit within any future Climate Action Plan adopted by the Town by helping lower Greenhouse Gas (GHG) emissions by the Town.

Moved: That the Town will vote to:

- Authorize the Select Board to lease all or a portion of the rooftop of the Public Works Storage Facility/Jack Cogswell Building located at 1407 Central Avenue and shown on Assessors Map 308 as Lot 002, and any necessary space on or in said building and the associated real property, to a solar energy provider for the purposes of constructing, maintaining, and operating a roofmounted solar facility, upon such terms and conditions as are acceptable to the Select Board, for a term of up to thirty (30) years; and further to authorize the Board to enter into a power purchase agreement with the solar energy provider and any other agreements as may be necessary in the Board's judgment to develop this solar facility.
- 2) Authorize the Select Board to grant any easements necessary to allow the electric utility to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility.

ACTION: So voted by unanimous consent.

ARTICLE 9: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$674,900 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Article 38 of the 2019 Annual Town Meeting; or take any other action relative thereto.

Article Information: Article 38 of the 2019 Annual Town Meeting funded the replacement of the synthetic turf fields and associated improvements at Memorial Field and DeFazio Complex, and the project was completed under-budget. Town Meeting action is

required to return the unspent funds to the Athletic Facility Improvement Fund. Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Town Meeting, by majority vote, may appropriate into the fund and by a two-thirds vote appropriate from the fund. The 2012 Annual Town Meeting approved the creation of the Athletic Facility Improvement Fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures, particularly at Memorial Park and DeFazio Park. The balance in the fund as of June 30, 2021 was \$270,203.

Moved: That the Town will vote to raise, and/or transfer and appropriate the sum of \$674,900 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Article 38 of the 2019 Annual Town Meeting

ACTION: So voted by unanimous consent.

The Moderator proceeded with the remaining articles in the warrant beginning with Article 6.

ARTICLE 6: APPROPRIATE FOR RIDGE HILL BUILDINGS DEMOLITION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$603,091 for the purpose of the demolition and removal of buildings at Ridge Hill Reservation, to be spent under the direction of the Permanent Public Building Committee and Town Manager and to meet this appropriation that \$181,975 be raised from the Tax Levy, that \$48,426 be transferred from Article 41 of the 2015 Annual Town Meeting, that \$17,000 be transferred from Article 43 of the 2016 Annual Town Meeting, that \$86,000 be transferred from Article 44 of the 2017 Annual Town Meeting, that \$26,805 be transferred from Article 41 of the 2017 Annual Town Meeting, that \$155,000 be transferred from Article 32 of the 2018 Annual Town Meeting, that \$37,315 be transferred from Article 5 of the May 14, 2018 Special Town Meeting, and that \$50,570 be transferred from Article 37 of the 2019 Annual Town Meeting; or take any other action relative thereto.

Article Information: Two of the three buildings at Ridge Hill are in advanced stages of disrepair and pose potential health and safety risks to the public. In 2019, Town Meeting approved \$25,000 in feasibility funding for the demolition of the buildings. This request would fund the demolition of the Ridge Hill Manor House and Garage at 463 Charles River Street. The existing barn structure is excluded from this scope. The Manor House and garage have hazardous building materials within the existing structures. These materials must be professionally handled, abated, and disposed of as part of the demolition project per federal and state regulations. The demolition scope of work also includes removal of an underground fuel storage tank (UST) at the garage; complete removal of all building elements, foundations, portions of the exterior paved areas and utilities associated with the subject structures and stabilization; and restoration of the site following demolition.

Moved: That the Town will vote to raise and/or transfer and appropriate the sum of \$603,091 for the purpose of the demolition and removal of buildings at Ridge Hill Reservation, to be spent under the direction of the Permanent Public Building Committee and Town Manager and to meet this appropriation that \$181,975 be raised from the Tax Levy, that \$48,426 be transferred from Article 41 of the 2015 Annual Town Meeting, that \$17,000 be transferred from Article 43 of the 2016 Annual Town Meeting, that \$86,000 be transferred from Article 44 of the 2017 Annual Town Meeting, that \$26,805 be transferred from Article 41 of the 2017 Annual Town Meeting, that \$155,000 be transferred from Article 32 of the 2018 Annual Town Meeting, that \$37,315 be transferred from Article 5 of the May 14, 2018 Special Town Meeting, and that \$50,570 be transferred from Article 37 of the 2019 Annual Town Meeting.

Mr. Matthew D. Borrelli, Chair, addressed this proposal on behalf of the Select Board. He stated that the \$603,091 is for the demolition of the garage and building at Ridge Hill Reservation which are in deplorable condition and currently have safety concerns. He advised that there are no immediate plans to develop the property. The Select Board unanimously recommend adoption o this article.

William J. Paulson, Town Meeting Member in Precinct E, noted that the typical cost to demolish a home in Needham is about \$20,000 and the cost to raise these two buildings appears to be twenty times more expensive at over \$600,000. He asked the town to look very closely at the estimated cost.

ACTION: The main motion was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and passed by majority vote declared by the Moderator on a voice vote.

ARTICLE 7: APPROPRIATE FOR EMERY GROVER BUILDING DESIGN

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$1,475,000 for engineering and design of renovation of and addition to the Emery Grover Building and associated grounds, including the temporary use of the Hillside School as swing space and the creation of off-site parking at the Stephen Palmer Building, as well as costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

Article Information: This article provides funds for the detailed design of a project to fully renovate the Emery Grover School Administration Building at its present location on Highland Avenue. The design also plans for the temporary use of the Hillside Elementary School as swing space for school administration personnel during construction, as well as potential creation of additional, off-site parking at the Stephen Palmer Building. This 21,108 GSF renovation project includes the following scope

elements: historic renovation of the Emery Grover exterior (façade); renovation and modernization of the interior spaces; and minor modifications to the Hillside School. The proposed project modifies that originally described by BH+A Architects in the June 2020 Emery Grover Feasibility Study, which is available for review on the School Department's website. The revised concept reduces the original building scope by approximately one third from 34,717 GSF to generally fit within the building's existing envelope. It eliminates the 50 foot by 100 foot, three-story 18,415 GSF addition that was originally proposed for the rear of the building, reflects a more efficient use of interior spaces (such as the use of shared spaces and common work areas), and relocates the educational technology/head end room function to other school buildings.

The total cost of the revised project is estimated at \$20-21 million. which includes approximately \$3 million to make the Hillside School ready for temporary occupancy by school administration staff while the Emery Grover is under construction. Although BH+A estimated that approximately 85% of the project could be eligible for Community Preservation Act (CPA) funding, the anticipated contribution from CPA funds will be based upon guidance from the Community Preservation Committee. If approved by Town Meeting, the remainder of the project cost is anticipated to come from debt repaid by the General Fund within the levy limit (no debt exclusion.) The anticipated Town Meeting funding schedule is for an October 2021 Special Town Meeting request for detailed design, followed by a May 2022 Annual Town Meeting request for construction funds for both the Hillside improvements and the Emery Grover renovation. The Hillside updates are expected to take six months and the Emery Grover construction is anticipated to take between 18-20 months.

Moved: That the Town will vote to raise, and/or transfer and appropriate the sum of \$1,475,000 for engineering and design of renovation of and addition to the Emery Grover Building and associated grounds, including the temporary use of the Hillside School as swing space and the creation of off-site parking at the Stephen Palmer Building, as well as costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The following motion to amend was offered by Mr. Joshua W. Levy: That the main motion under Article 7 be amended as follows:

- 1. by deleting the sum "\$1,475,000" and inserting thereof the sum "\$350,000";
- by deleting the words "renovation of and addition to the Emery Grover Building and associated grounds, including";
- 3. by deleting the words "and the creation of off-site parking at the Stephen Palmer Building".

So that the Article reads as follows:

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$350,000 for engineering and design of the

temporary use of the Hillside School as swing space, as well as costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

Marianne B. Cooley, Vice Chair, advised that the Select Board is in favor of the main motion and opposed to the motion to amend. She advised that the Select Board worked hard to continue the capital projects for the Town as does the Finance Committee.

Dr. Constance S. Barr, Chair, School Committee, asked for a no vote on the amendment and a yes vote on the main motion. She stated that this is part of the capital plan and is a long time coming. The Emery Grover building is no longer an accessible and efficient space. There are no long-term leasing options. There is one location that could house the school administrators across Route 95 at a cost of \$900,000.

Joshua W. Levy addressed his amendment on behalf of the Finance Committee. This amendment is offered in response to the recommendations voted by the Finance Committee during its meeting on October 13, 2021. School Administration and Operations form a vital component of the community, and conditions at Emery Grover are no longer suitable for staff or for the public. Viewed in isolation, the Emery Grover renovation project is appealing. But the Town also has three other large debtfunded capital projects on the horizon: Mitchell, Pollard, and the DPW complex. Preliminary debt forecast scenarios to fund these four projects within next decade would exceed the Town's longstanding 3% and 10% debt service limits over several years. In particular, the 10% Total debt service limit was projected to be exceeded for up to eleven years, with the Total debt service in a single year reaching a maximum of 15.1% of gross revenues. This is greater than the 10% limit by more than half. Due to the high cost and excess debt burden of these projects, and at the request of the School Department, the Finance Committee approved a Reserve Fund transfer of \$50,000 on August 18, 2021 to fund the study of four additional build scenarios for Mitchell and Pollard. Studying these additional scenarios is expected to continue through the end of the year and will inform the overall facility financing plan for all four of the large capital projects. The Finance Committee believes it is prudent to have a complete facility financing plan in place for the four identified building projects before appropriating design funds for any one project. The amendment preserves the timeline to move out of the existing Emery Grover building, while prioritizing completion of the ongoing study and of the facility financing plan for all four identified capital projects before appropriating funding for any one capital project.

Jeanne S. McKnight, Precinct F Town Meeting Member and Planning Board member, spoke in favor of the main motion. In response to Jeanne's two questions, Marianne B. Cooley advised that the new proposed design does not include an addition and there is no off-street parking.

Dr. Constance S. Barr, Chair, School Committee, explained that parking will remain solely at the Emery Grover site.

Mr. Doug Fox, Precinct F Town Meeting Member, spoke in favor of the motion to amend and against the main motion. He explained that it has nothing to do regarding schools. He noted that as a world we are rethinking how we are doing our jobs. We have added space across town, and we need to do a study on hybrid jobs. Mr. Fox stated that he supports the amendment but not with Covid in mind.

Mr. Michael Niden, resident and voter, had a question and a statement. He stated that this (Powers Hall) is a beautiful hall. It is not the first time the Finance Committee has taken a short view. The Moderator advised Mr. Niden to just state the facts. Mr. Niden noted that he did some research in the 1923 Annual Report. The School Department purchased the land where the High School is located and not all boards were in favor of the purchase. According to Mr. Niden it is not all about costs. There is an historical aspect to consider, and we need to listen to the stakeholders. He asked if Dr. Gutekanst could give us his thoughts. Select Board Vice Chair, Marianne B. Cooley, would like the School Superintendent to address Town Meeting. Unanimous consent was given to allow non-resident Dr. Daniel Gutekanst to address Town Meeting. Dr. Gutekanst stated that the time has come to address the needs of the Emery Grover building.

Mr. Keith M. LaFace, Precinct E Town Meeting Member, rose in support of the main motion. He stated that it is time to take the next step. Mr. LaFace would like to hear from the Permanent Public Building Committee and their view on the amendment. Stuart B. Chandler, Chair of the Permanent Public Building Committee and Precinct J Town Meeting Member, advised that the PPBC searched many alternate spaces. If there are supply chain delays, the costs will go up. If Hillside is used as a long-term site for the school administration staff, then other costs will increase as well as the larger issues of soil conditions. Mr. Chandler stated that the Permanent Public Building Committee has worked diligently over the last 25 years and has delivered under budget consistently during that time.

Mr. Barry S. Pollack, Precinct J Town Meeting Member, advised that in 2010 there was an estimate of \$8,000,000 for the engineering and design of renovation to Emery Grover as a Senior Center. The current cost estimate is \$30,000,000 to renovate Emery Grover. Mr. Pollack questioned if it was possible to do a different project such as Mitchell and Pollard schools.

Ms. Marianne B. Cooley, Select Board member, asked the Chair of the Permanent Public Building Committee to address Town Meeting. Mr. Stuart B. Chandler, Chair, advised that construction costs are increasing, the uses and design of the Emery Grover are different, and the building had deteriorated even more over the past few years. The PPBC is thinking of this project within 3% of the tax levy. Each project is on a different level

Alisa M. Skatrud, Precinct G, rose in support of Article 7 and urged support of the importance of the administration team and opposed the motion to amend.

Jeffrey D Heller also rose in support of Article 7 in opposition on the amendment. Town Meeting has seen the discussion and studies of the town facilities and have watched the Emery Grove building being put aside. This is the first introduction to our school system. It has been discussed at countless Town

Meetings and we have a solution here. It is common sense to move forward.

Mr. Ford H. Peckham moved the previous question which requires a two-thirds vote. The motion was presented, and the Moderator was in doubt. The motion was again presented, and the Moderator was still in doubt as to the two-thirds required vote. The following Town Meeting Members were sworn in as tellers: Heinz R. Brinkhaus, Paula R. Callanan, Cynthia J. Wolfe, Jane B. Murphy, and Richard A. Zimbone. The motion was again presented and carried by the required two-thirds vote. The hand count was Yes 155 – No 22.

Mr. Levy's motion to amend, which requires a majority vote, was presented but failed to pass on a voice vote declared by the Moderator.

ACTION: The main motion was presented and carried by twothirds vote declared by the Moderator on a voice vote.

At this time the Moderator announced tonight's attendance -175 Present, 76 Absent.

Article 8 was adopted by unanimous consent earlier this evening.

Article 9 was adopted by unanimous consent earlier this evening.

ARTICLE 10 HOME RULE PETITION TO ADJUST THE NUMBER OF OFF-PREMISES ALCOHOL LICENSES

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing said Board, as the local licensing authority, to issue licenses for the sale of all alcoholic beverages not to be drunk on the premises and the sale of wine and malt beverages not to be drunk on the premises under section 15 of chapter 138 of the General Laws up to the maximum number of such licenses authorized by section 17 of said chapter 138, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT AUTHORIZING THE TOWN OF NEEDHAM TO GRANT LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES AND WINE AND MALT BEVERAGES NOT TO BE DRUNK ON THE PREMISES AS PROVIDED IN SECTION 17 OF CHAPTER 138 OF THE GENERAL LAWS.

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

SECTION 1. The Select Board of the Town of Needham shall cause to be placed on the ballot at a regular or special election the following question:

"Shall the licensing authority in the Town of Needham be authorized to grant licenses for both the sale of all alcoholic beverages in packages not to be drunk on the premises and the sale of wine and malt beverages in packages not to be drunk on the premises in amounts up to the maximum number of such licenses authorized by section 17 of chapter 138 of the General Laws?"

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

If a majority of the votes cast in answer to that question is in the affirmative, the licensing authority of the Town of Needham shall, notwithstanding anything contained in chapter 207 of the Acts of 2012 to the contrary, or in section 11 of chapter 138 of the General Laws, be authorized to issue licenses for both the sale of all alcoholic beverages not to be drunk on the premises and for the sale of wine and malt beverages not to be drunk on the premises under section 15 of chapter 138 of the General Laws in amounts up to the maximum number of such licenses authorized by section 17 of said chapter 138.

SECTION 2. This act shall take effect upon its passage.

Or to take any other action relative thereto.

Article Information: Article 10 is a Home Rule Petition to increase the total number of allowed package alcohol licenses in Needham, from the reduced quota set under the Town's current special legislation (Chapter 207 of the Acts of 2012) to the number allowed by general state law (G.L. Ch. 138 section 17). This change requires Town Meeting and State Legislative approval, followed by referendum approval by the Town's voters.

The current quota allows the Select Board to issue up to eight (8) package licenses, not more than six (6) for all alcoholic beverages, and the remainder for wine and/or malt only. That quota is currently issued and outstanding (as six all alcohol and two wine and malt). If approved, the Town's quota would change to the population-based (one per five thousand or fraction) numbers of package licenses authorized under G.L. Ch. 138 sec. 17. Based on Needham's estimated 2020 census population of 32,091, that would be seven (7) all alcohol and seven (7) wine and malt.

The Section 17 quota is the baseline applicable to most Massachusetts cities and towns (some of which have additional authorized licenses under special legislation). The Select Board expects that, at least over time, there will be qualified applicants for some or all of the additional licenses allowed by this change. This change affects "package" licenses only, not restaurant or other "on-premises consumption" licenses.

Moved: That the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing said Board, as the local licensing authority, to issue licenses for the sale of all alcoholic beverages not to be drunk on the premises and the sale of wine and malt beverages not to be drunk on the premises under section 15 of chapter 138 of the General Laws up to the maximum number of such licenses authorized by section 17 of said chapter 138, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before

enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT AUTHORIZING THE TOWN OF NEEDHAM TO GRANT LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES AND WINE AND MALT BEVERAGES NOT TO BE DRUNK ON THE PREMISES AS PROVIDED IN SECTION 17 OF CHAPTER 138 OF THE GENERAL LAWS.

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

SECTION 1. The Select Board of the Town of Needham shall cause to be placed on the ballot at a regular or special election the following question:

"Shall the licensing authority in the Town of Needham be authorized to grant licenses for both the sale of all alcoholic beverages in packages not to be drunk on the premises and the sale of wine and malt beverages in packages not to be drunk on the premises in amounts up to the maximum number of such licenses authorized by section 17 of chapter 138 of the General Laws?"

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

If a majority of the votes cast in answer to that question is in the affirmative, the licensing authority of the Town of Needham shall, notwithstanding anything contained in chapter 207 of the Acts of 2012 to the contrary, or in section 11 of chapter 138 of the General Laws, be authorized to issue licenses for both the sale of all alcoholic beverages not to be drunk on the premises and for the sale of wine and malt beverages not to be drunk on the premises under section 15 of chapter 138 of the General Laws in amounts up to the maximum number of such licenses authorized by section 17 of said chapter 138.

SECTION 2. This act shall take effect upon its passage.

Mr. Daniel P. Matthews, Vice Chair, addressed this proposal on behalf of the Select Board. He stated that the Select Board believes this Home Rule Petition qualifies to adjust the number of off-premises sale of packaged alcoholic beverages and wine and malt beverages not to be drunk on the premises up to the maximum allowed laws. This petition will require passage by the State Legislators and the voters of the Town of Needham. The Select Board recommends passage of this article.

Mr. James Healy, member, addressed this proposal on behalf of the Finance Committee He explained that this article is an opportunity to go to the Legislators and then the voters of the Town of Needham. He recommended adoption on behalf of the Finance Committee...

ACTION: The main motion was presented and carried by unanimous vote.

ARTICLE 11: A RESOLUTION CONCERNING DECLARATION OF CLIMATE AND ECOLOGICAL EMERGENCY

Whereas, Needham Town Meeting recognizes that we are in a Climate and Ecological Emergency that threatens our town, state, nation and all of humanity;

And Whereas, Needham Town Meeting believes that a mobilization to meet this challenge is imperative to stabilize the climate, remedy environmental harms which disproportionately hurt environmental justice communities, create clean-energy jobs, and improve human lives;

And Whereas, in recent years, the Town of Needham has demonstrated a commitment to reducing greenhouse gas emissions and protecting our environment by: constructing LEED Certified buildings such as the Sunita Williams Elementary School and the Needham Free Library, including EV charging stations at Sunita Williams and at Needham Public Works, implementing large solar installations at the Town Recycling and Transfer Station, passing the Stretch Building Code and becoming a Green Community, committing to pesticide and herbicide-free maintenance of town trees and parks, and currently preparing a town-wide Climate Action Plan to further lower the town's carbon footprint.

And Whereas, Town Meeting recommends that Needham join over 2,000 governments globally that have declared a climate emergency, an emergency primarily driven by human activities, most significantly the burning of fossil fuels and the destruction of forests and other carbon sinks, resulting in rising global temperatures and loss of biodiversity.

And Whereas, a warming planet poses serious risks to human health, and safety and economic security, as evidenced by recent extreme weather events including droughts, forest fires, and floods, rising sea levels, ocean acidification, soil erosion, and mass species extinctions around the globe. Massachusetts is already experiencing flooding from storms and rising sea levels, droughts, increased transmission of tick-borne illnesses, record-breaking heat waves, and loss of biodiversity, such as bird and pollinator populations.

Be It Resolved, that this day, in recognition of the urgent need to mobilize, Needham's Town Meeting goes on record as recommending that the Town of Needham, acting through the Select Board, declare a Climate and Ecological Emergency. Once declared, Town Meeting recommends that the Select Board consider taking further action including:

- Communicating to all town departments, businesses, and residents the critical need to achieve net-zero greenhouse gas emissions as soon as is fiscally and technologically possible;
- Developing policies that protect Needham's trees, forests, and open spaces because they draw carbon from the atmosphere, and provide life-sustaining food and shelter to other species;
- Prioritizing projects that reduce the town's greenhouse gas emissions and biodiversity loss;
- 6) Ensuring that the town pursues an equitable and just transition to a zero-greenhouse gas future.

Town Meeting calls on state and federal elected officials to initiate a Climate Emergency mobilization and provide appropriate legislative, regulatory, and financial support to municipalities to implement local climate emergency initiatives. Town Meeting requests that the Town Clerk send notice of this resolution to the Office of the Governor of the Commonwealth of Massachusetts and Needham's state and federal legislators.

Article Information: Article 11, filed by Citizens Petition, is a nonbinding resolution that the Town, acting through the Select Board, declare a Climate and Ecological Emergency, and act to address that emergency, including policies and projects to reduce the Town's greenhouse gas emissions and protect natural resources.

The Select Board's current goals include commitments to addressing climate change, efforts to meet the Commonwealth's climate mitigation and resilience goals, development of a climate action plan, and formation of a Climate Action Plan Committee to aid in that work. Efforts by the Town in recent years include achieving LEED Silver rating and constructing a 155 kW-DC solar array at the Sunita Williams School, installing eight (8) Electric Vehicle (EV) charging stations in public parking lots, becoming a Green Community, and approving a solar array on the capped landfill at the RTS.

Moved: That the Town adopt the following resolution:

Whereas, Needham Town Meeting recognizes that we are in a Climate and Ecological Emergency that threatens our town, state, nation and all of humanity;

And Whereas, Needham Town Meeting believes that a mobilization to meet this challenge is imperative to stabilize the climate, remedy environmental harms which disproportionately hurt environmental justice communities, create clean-energy jobs, and improve human lives;

And Whereas, in recent years, the Town of Needham has demonstrated a commitment to reducing greenhouse gas emissions and protecting our environment by: constructing LEED Certified buildings such as the Sunita Williams Elementary School and the Needham Free Library, including EV charging stations at Sunita Williams and at Needham Public Works, implementing large solar installations at the Town Recycling and Transfer Station, passing the Stretch Building Code and becoming a Green Community, committing to pesticide and herbicide-free maintenance of town trees and parks, and currently preparing a town-wide Climate Action Plan to further lower the town's carbon footprint.

And Whereas, Town Meeting recommends that Needham join over 2,000 governments globally that have declared a climate emergency, an emergency primarily driven by human activities, most significantly the burning of fossil fuels and the destruction of forests and other carbon sinks, resulting in rising global temperatures and loss of biodiversity.

And Whereas, a warming planet poses serious risks to human health, and safety and economic security, as evidenced by recent extreme weather events including droughts, forest fires, and floods, rising sea levels, ocean acidification, soil erosion, and mass species extinctions around the globe. Massachusetts is already experiencing flooding from storms and rising sea levels, droughts, increased transmission of tick-borne illnesses, record-breaking heat waves, and loss of biodiversity, such as bird and pollinator populations.

Be It Resolved, that this day, in recognition of the urgent need to mobilize, Needham's Town Meeting goes on record as recommending that the Town of Needham, acting through the Select Board, declare a Climate and Ecological Emergency. Once declared, Town Meeting recommends that the Select Board consider taking further action including:

- Communicating to all town departments, businesses, and residents the critical need to achieve net-zero greenhouse gas emissions as soon as is fiscally and technologically possible;
- 8) Developing policies that protect Needham's trees, forests, and open spaces because they draw carbon from the atmosphere, and provide life-sustaining food and shelter to other species;
- 9) Prioritizing projects that reduce the town's greenhouse gas emissions and biodiversity loss;
- Ensuring that the town pursues an equitable and just transition to a zero-greenhouse gas future,

Town Meeting calls on state and federal elected officials to initiate a Climate Emergency mobilization and provide appropriate legislative, regulatory, and financial support to municipalities to implement local climate emergency initiatives. Town Meeting requests that the Town Clerk send notice of this resolution to the Office of the Governor of the Commonwealth of Massachusetts and Needham's state and federal legislators.

A motion to refer was offered by Daniel P. Matthews, Member, Select Board.

Mr. Stephen Anthony Frail, (Precinct G) addressed this proposal on behalf of the petitioners, and against the motion to refer. He advised that we all recognize the Climate and Ecological Emergency that affects our community, our nation and beyond. We have witnessed 20 years of the hottest seasons, storms getting worse and endless fires on the west coast. We all bear responsibility. He encouraged Needham to join the thousands of municipalities that support this resolution.

Daniel P. Matthews addressed his motion to refer. *He advised that the Select Board recognizes these climate concerns. The motion to refer was offered because there are more extensive materials than a petition. We house a Climate Action Committee, and we will be making decisions that are best for all – not just about making a statement. We want to approach this with a careful thought-out plan.

Artie R. Crocker, (Precinct I), expressed appreciation for the Select Board and their thoughts but indicated that we still have to make a statement. If we rise in support of the resolution as a Town Meeting, it says something. He recommended adoption of the resolution and against the motion to refer.

In response to an inquiry from Kim Marie Nicols, Precinct B, Mr. Matthews advised that it is the intent of the Select Board to report back to Town Meeting on a yearly basis.

Ms. R. Cynthia Landau, Precinct C, rose in support of the motion to refer. She indicated that the Select Board will be the Executive Branch that will have to deal with this resolution.

The motion to refer was presented but the Moderator was in doubt a to the voice vote. The motion was presented again, and the Moderator was still in doubt. The motion to refer was presented

a third time but failed to pass by a count of hands. The hand count was Yes 70 - No 107.

ACTION: The main motion was presented and carried by majority vote declared by the Moderator on a voice vote.

ARTICLE 12: A NON-BINDING RESOLUTION CONCERNING THE AMENDMENT OF THE CURRENT ACCESSORY DWELLING UNITS (ADUS) BY-LAW

Whereas Needham Town Meeting recognizes that the town is experiencing increasing challenges in providing potential or existing residents a range of affordable options to purchase or rent a home in Needham;

And Whereas, one of the biggest challenges to home-buying and renting in Needham is an increasingly narrow range of housing choices due to the trend to replace older, smaller homes with evergrowing new homes, the average size of which has doubled between 1980 to 2020 from 2,200 SF to 4,400 SF;

And Whereas, this economic trend continues to make Needham increasingly less affordable, creating economic challenges for potential new residents and residents who wish to stay;

And Whereas, the increasing lack of affordability and housing choice creates more challenges for a more diverse Needham community;

And Whereas, as a result of recent trends in Needham and across the region, there is not enough of a range in housing choices at the affordable end that offer smaller unit sizes with more affordable purchase or rental costs for young adults or families or existing, mostly senior, residents;

And Whereas, in 2019, Needham introduced ADUs to the town bylaws but instituted them with residency restrictions that allow use only for a "caregiver", "family," or "owner" which has resulted in approximately eight approved ADUs in the past 18 months;

And Whereas, a 2018 white paper written by Amy Dain for the Pioneer Institute, presenting a survey of all of the towns offering ADUs, (approximately half with residency restrictions and the rest without), indicated that the total annual number of ADUs built was uniformly very modest (mostly single-digit), and that towns without restrictions saw only about a 50% increase in the number of ADUs built annually, which means Needham would have about three (3) more ADU applications a year.

Be It Resolved, that this day, in recognition of the urgent need to create more affordable housing choices, Needham's Town Meeting goes on record as recommending that the Town of Needham, acting through the Select Board, declare making more Affordable Housing Choices a Priority. Once declared, Town Meeting recommends that the Select Board consider taking further action including:

- 11) Communicating to all town departments, businesses, and residents the critical need to address the lack of affordable housing choices currently in our town.
- Recommend that the Planning Board address possible remedies to the housing challenges through both the newly formed Affordable Housing Study Committee and revisions to the zoning by-laws to allow more affordable housing choices including multi-family and other

- smaller-sized options, like ADUs, that would expand the opportunities for potential and existing residents.
- Prioritize that the Planning Board, for Annual Town Meeting 2022, address an amendment to the current by-law (Section 3.15 Accessory Dwelling Units [ADUs])
- Acknowledge that the Needham Health Department and the Council on Aging were critical endorsers of the concept of an ADU by-law that would provide to seniors the opportunity to have live-in assistance at their homes or, alternatively, the economic benefit of potential rental income. The current by-law, established in 2019, accomplished only half of that goal; it restricts use of ADUs to live-in assistance, and does not allow use of an ADU as a rental property.
- 15) Encourage the Planning Board to remove the residency restriction in the above by-law, for just "caregiver", "family" and "owner", and allow the ADUs to be available to anyone as a more affordable housing choice in the marketplace, given that they would provide a very modest, but important, smaller housing option (850 SF maximum) across our predominantly single-family zoned town.
- Acknowledge that the economic benefit provided by ADUs expands the housing opportunities for seniors and other residents to remain in their homes, and for potential newcomers to join the Needham community.

Article Information: Article 12, filed by Citizens Petition, is a non-binding resolution recommending that the Town, acting though the Select Board, declare increasing affordable housing options a priority and take additional actions described in the article text, including amendment of Section 3.15 of the Zoning By-Law regarding Accessory Dwelling Units (ADUs). An accessory dwelling unit (ADU) is an apartment in a single-family detached dwelling that is a second, self-contained dwelling unit. ADUs are allowed by special permit, with occupancy limited to family members and caregivers. Article 12 recommends removal of that family/caregiver limitation.

Housing cost and availability issues are challenging throughout the metropolitan area. Efforts by the Town in recent years have included permitting and construction of over 500 apartment units pursuant to MGL Chapter 40B, the State affordable housing statute, support for the Needham Housing Authority's efforts to renovate and add to its affordable housing inventory, increasing the Town's Community Preservation Act affordable housing contribution, and specific housing-related amendments to the zoning by-law.

Zoning By-Law recommendations are primarily under the jurisdiction of the Planning Board. The Planning Board, following on a commitment at the May 2021 Town Meetings, is establishing a Housing Plan Working Group to review and make recommendations addressing housing issues in Needham. The Select Board is participating in that study and understands review of the ADU by-law to be within its scope.

Moved: That the following Resolution be adopted by the Town:

Whereas Needham Town Meeting recognizes that the town is experiencing increasing challenges in providing potential or existing residents a range of affordable options to purchase or rent a home in Needham;

And Whereas, one of the biggest challenges to home-buying and renting in Needham is an increasingly narrow range of housing

choices due to the trend to replace older, smaller homes with evergrowing new homes, the average size of which has doubled between 1980 to 2020 from 2,200 SF to 4,400 SF;

And Whereas, this economic trend continues to make Needham increasingly less affordable, creating economic challenges for potential new residents and residents who wish to stay;

And Whereas, the increasing lack of affordability and housing choice creates more challenges for a more diverse Needham community;

And Whereas, as a result of recent trends in Needham and across the region, there is not enough of a range in housing choices at the affordable end that offer smaller unit sizes with more affordable purchase or rental costs for young adults or families or existing, mostly senior, residents;

And Whereas, in 2019, Needham introduced ADUs to the town bylaws but instituted them with residency restrictions that allow use only for a "caregiver", "family," or "owner" which has resulted in approximately eight approved ADUs in the past 18 months;

And Whereas, a 2018 white paper written by Amy Dain for the Pioneer Institute, presenting a survey of all of the towns offering ADUs, (approximately half with residency restrictions and the rest without), indicated that the total annual number of ADUs built was uniformly very modest (mostly single-digit), and that towns without restrictions saw only about a 50% increase in the number of ADUs built annually, which means Needham would have about three (3) more ADU applications a year.

Be It Resolved, that this day, in recognition of the urgent need to create more affordable housing choices, Needham's Town Meeting goes on record as recommending that the Town of Needham, acting through the Select Board, declare making more Affordable Housing Choices a Priority. Once declared, Town Meeting recommends that the Select Board consider taking further action including:

- 17) Communicating to all town departments, businesses, and residents the critical need to address the lack of affordable housing choices currently in our town.
- 18) Recommend that the Planning Board address possible remedies to the housing challenges through both the newly formed Affordable Housing Study Committee and revisions to the zoning by-laws to allow more affordable housing choices including multi-family and other smaller-sized options, like ADUs, that would expand the opportunities for potential and existing residents.
- 19) Prioritize that the Planning Board, for Annual Town Meeting 2022, address an amendment to the current bylaw (Section 3.15 Accessory Dwelling Units [ADUs])
- Acknowledge that the Needham Health Department and the Council on Aging were critical endorsers of the concept of an ADU by-law that would provide to seniors the opportunity to have live-in assistance at their homes or, alternatively, the economic benefit of potential rental income. The current by-law, established in 2019, accomplished only half of that goal; it restricts use of ADUs to live-in assistance, and does not allow use of an ADU as a rental property.
- Encourage the Planning Board to remove the residency restriction in the above by-law, for just "caregiver", "family" and "owner", and allow the ADUs to be available to anyone as a more affordable housing choice

in the marketplace, given that they would provide a very modest, but important, smaller housing option (850 SF maximum) across our predominantly single-family zoned town

Acknowledge that the economic benefit provided by ADUs expands the housing opportunities for seniors and other residents to remain in their homes, and for potential newcomers to join the Needham community.

A motion to refer was offered by Jeanne S. McKnight.

Mrs. Catherine W. Mertz, Precinct I, requested that Oscar Mertz present this petition. Mr. Mertz advised that the use of Accessory Dwelling Units is a small option to increase affordable housing in the Town of Needham. He explained that he is a member of the Affordable Housing Committee which was created to study the needs for ACUs in Needham.

Jeanne S. McKnight, Member, Planning Board, addressed the motion to refer. She advised that the Planning Board voted unanimously to support the motion to refer. She advised that the Planning Board has created a Housing Plan and Accessory Dwelling Units fall into this category.

ACTION: The motion to refer was presented and carried by majority vote declared by the Moderator on a voice vote.

At this time the Moderator thanked Pat Thornton and the people for setting up Powers Hall, the Town Clerk and staff for taking attendance, and all Town Meeting Members. He noted what a long, strange time it has been. He also thanks three long time employees for their dedication and service to the Town of Needham – Chip Davis, Assessor, 28 years, Steven Popper, Director, Building Design and Construction Department, 18 years, and Ann MacFate, Library Director, 65 Years of service.

At 9:38 P.M. Mr. Matthew D. Borrelli on behalf of the Select Board moved to dissolve the Special Town Meeting with the following Resolution:

THE FOLLOWING RESOLUTION

was offered

In Memory of William and Therese Burke

WHEREAS:

William Burke and Therese (Reilly) Burke were both born and raised in Boston. William earned a bachelor's degree in engineering from Northeastern University. Therese earned a bachelor's degree from the Boston State Teacher's College and a master's degree in education from Regis College; and

WHEREAS:

William and Therese settled in Needham in the early 1960's, where they raised their four children: Marie, William, Robert, and the late Rynn; and

WHEREAS:

William Burke served his country with distinction during the Second World War as a member of the United States Army Signal Corps, where he participated in the liberation of the Philippines. He received five bronze service stars and a Presidential Unit Citation for his service. William was an amateur ham radio operator in his youth, and after serving as a radio operator in the Army, he worked his way through college at radio station WMEX. He later worked for the Department of Defense at the MIT Lincoln Laboratory, and retired as a civilian employee of the US Air Force at Hanscom Air Force Base; and

WHEREAS:

Therese worked her way through college at the "Telephone Company" and became a lifelong champion and advocate for the rights of working people. She taught in the Needham Public Schools for 15 years between 1977 and 1993, and as a substitute teacher until 1998; and

WHEREAS:

William and Therese were active in their church and numerous community organizations. They both served as members of the Democratic Town Committee, and William was a member of the Retired Men's Club, a volunteer at Beth Israel Deaconess Hospital, and a member of the VFW Post 2478; and

WHEREAS:

William served as a member of the Council on Aging from 1994 to 2000. Both William and Therese served as Town Meeting Members from Precinct B – Therese from 1986 to 1987 and William from 1985 to 1987;

NOW THEREFORE, be it resolved by this body that the October 25, 2021 Special Town Meeting be dissolved in honor of the many civic and community contributions of William and Therese Burke to the Town of Needham.

ACTION: At 9:38 P.M. on Monday, October 25, 2021, the Resolution was presented and carried unanimously by voice vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy ATTEST:

RECORD OF THE SPECIAL TOWN ELECTION Tuesday, December 7, 2021

The ballot box returns in the Precincts were as follows:

Pursuant to a Warrant issued by the Select Board October 26, 2021 the Inhabitants of the Town of Needham qualified to vote in elections met at the polling places designated for the several precincts in said Needham on Tuesday, the seventh day of December in the year 2021 at seven o'clock in the forenoon for the purpose of nominating a member of the Select Board. The polls remained open until 8:00 o'clock in the afternoon.

The meeting was called to order and the Wardens of the Precincts read the Warrant and the Officer's Return.

The ballot boxes were inspected and found to be empty and with the zero-report printed. The boxes were then locked, and the keys delivered to the Police Officers in attendance.

The ballot clerks were sworn to the faithful performance of their duties by their respective Wardens.

The polling places had been designated as follows:

Precinct A - The Center at the Heights
Precinct B - The Center at the Heights
Precinct C - Newman School - Gymnasium
Precinct D - Newman School - Gymnasium
Precinct E - Needham Golf Club - Community Room
Precinct F – Rosemary Complex
Precinct G – Rosemary Complex
Precinct H - Needham Golf Club - Community Room
Precinct I- Town Hall - Powers Hall
Precinct J- Town Hall - Powers Hall

The polls were opened at seven o'clock in the forenoon and were kept open until eight o'clock in the afternoon.

Cards of instruction and specimen ballots were posted as required by Section 48, Chapter 54 of the General Laws.

PRECINCTS	<u>A</u>	<u>B</u>	<u>C</u>	$\underline{\mathbf{D}}$	$\mathbf{\underline{E}}$
7:00 A.M.	1	0	0	0	0
8:00 A.M.	7	6	45	63	45
9:00 A.M.	24	24	59	81	77
10:00 A.M	27	33	76	94	92
11:00 A.M.	62	83	107	102	106
12:00 NOON	83	117	132	127	120
1:00 P.M.	96	146	150	150	138
2:00 P.M.	111	177	170	175	168
3:00 P.M.	119	196	191	185	191
4:00 P.M.	142	240	209	210	232
5:00 P.M.	157	267	248	240	266
6:00 P.M.	175	272	272	263	295
7:00 P.M .	186	288	299	285	318
8:00 P.M.	191	302	319	298	344
PRECINCTS	<u>F</u>	<u>G</u>	Ħ	1	Ţ
PRECINCTS 7:00 A.M.	<u>F</u> 0	G 0	0 П	0 <u>I</u>	J
2					
7:00 A.M.	0	0	0	0	0
7:00 A.M. 8:00 A.M.	0 16	0 11	0 60	0 41	0 17
7:00 A.M. 8:00 A.M. 9:00 A.M.	0 16 53	0 11 52	0 60 75	0 41 91	0 17 47
7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M.	0 16 53 69	0 11 52 120	0 60 75 90	0 41 91 106	0 17 47 104
7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M. 11:00 A.M.	0 16 53 69 92	0 11 52 120 149	0 60 75 90 107	0 41 91 106 139	0 17 47 104 124
7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M. 11:00 A.M. 12:00 NOON	0 16 53 69 92 135	0 11 52 120 149 181	0 60 75 90 107 133	0 41 91 106 139 159	0 17 47 104 124 144
7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M. 11:00 A.M. 12:00 NOON 1:00 P.M.	0 16 53 69 92 135	0 11 52 120 149 181 213	0 60 75 90 107 133 149	0 41 91 106 139 159 192	0 17 47 104 124 144 172
7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M. 11:00 A.M. 12:00 NOON 1:00 P.M. 2:00 P.M.	0 16 53 69 92 135 159	0 11 52 120 149 181 213 237	0 60 75 90 107 133 149 171	0 41 91 106 139 159 192 227	0 17 47 104 124 144 172 198
7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M. 11:00 A.M. 12:00 NOON 1:00 P.M. 2:00 P.M. 3:00 P.M.	0 16 53 69 92 135 159 180 213	0 11 52 120 149 181 213 237 267	0 60 75 90 107 133 149 171 202	0 41 91 106 139 159 192 227 252	0 17 47 104 124 144 172 198 223
7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M. 11:00 A.M. 12:00 NOON 1:00 P.M. 2:00 P.M. 3:00 P.M.	0 16 53 69 92 135 159 180 213 233	0 11 52 120 149 181 213 237 267 299	0 60 75 90 107 133 149 171 202 232	0 41 91 106 139 159 192 227 252 273	0 17 47 104 124 144 172 198 223 238

The Town Clerk upon receipt of the returns from the several precincts forthwith canvassed the same and announced the official results at 9:30 P.M., December 7, 2021.

416

440

296

305

363

372

322

333

312

317

The total number of votes cast was as follows:

7:00 P.M.

8:00 P.M.

	Total
Precinct A	191
Precinct B	302
Precinct C	319
Precinct D	298
Precinct E	344
Precinct F	317
Precinct G	440
Precinct H	305
Precinct I	372
Precinct J	333
TOTAL	3,221

(The above totals include the Special Town Election ballots)
The absentee ballots are included in the Total Vote)
TOTAL VOTE CAST For the SPECIAL TOWN ELECTION –
(13.426% of Registered Voters)

The result of the balloting was as follows:

Total # of Votes Cast	<u>A</u> 191	<u>B</u> 302	<u>C</u> 319	<u>р</u> 298	<u>E</u> 344	<u>F</u> 317	<u>G</u> 440	<u>Н</u> 305	<u>I</u> 372	J 333	TOTAL 3,221
		SELECT	T BOARE	TO FIL	L VACA	NCY UNI	TL APRI	L 9, 2024			
Karen L. Calton Hand Counts Kevin J. Keane	63 0 125	66 4 231	84 0 235	76 0 221	90 0 253	69 0 246	102 1 334	73 0 232	64 0 307	62 0 271	749 5 2,455

The ballots casts in the several precincts were returned to the Town Clerk in the sealed cases. The voting lists used at the entrances to the polling places and at the ballot boxes and copy of the precinct record of the election were also returned, all properly sealed in conformity with the laws governing elections.

Adjourned at 9:35 P.M., December 8, 2021.

Theodora K. Eaton, MMC

Town Clerk

A true copy ATTEST:

Record of The Annual Town Election Tuesday, April 12, 2022

The ballot box returns in the Precincts were as follows:

Pursuant to a Warrant issued by the Select Board March
8, 2022 the Inhabitants of the Town of Needham qualified to vote
in elections met at the polling places designated for the several
precincts in said Needham on Tuesday, the twelfth day of April in
the year 2022 at seven o'clock in the forenoon for the purpose of
nominating a member of the Select Board. The polls remained open
until 8:00 o'clock in the afternoon.

The meeting was called to order and the Wardens of the Precincts read the Warrant and the Officer's Return.

The ballot boxes were inspected and found to be empty and with the zero-report printed. The boxes were then locked, and the keys delivered to the Police Officers in attendance.

The ballot clerks were sworn to the faithful performance of their duties by their respective Wardens.

The polling places had been designated as follows:

Precinct A - The Center at the Heights
Precinct B - The Center at the Heights
Precinct C - Newman School - Gymnasium
Precinct D - Newman School - Gymnasium
Precinct E - Needham Golf Club - Community Room
Precinct F – Rosemary Complex
Precinct G – Rosemary Complex
Precinct H - Needham Golf Club - Community Room
Precinct I- Town Hall – Powers Hall

The polls were opened at seven o'clock in the forenoon and were kept open until eight o'clock in the afternoon.

Precinct J- Town Hall - Powers Hall

Cards of instruction and specimen ballots were posted as required by Section 48, Chapter 54 of the General Laws.

PRECINCTS	<u>A</u>	<u>B</u>	<u>C</u>	$\underline{\mathbf{D}}$	E
7:00 A.M.	0	0	0	0	0
8:00 A.M.	7	20	7	11	18
9:00 A.M.	32	33	43	54	67
10:00 A.M	38	50	45	80	80
11:00 A.M.	43	104	62	95	101
- 12:00 NOON	53	104	73	115	124
1:00 P.M.	58	127	86	135	149
2:00 P.M.	75	153	100	155	173
3:00 P.M.	90	174	110	177	189
4:00 P.M.	106	186	124	188	223
5:00 P.M.	127	221	158	223	240
6:00 P.M.	140	247	182	260	286
7:00 P.M .	-	283	208	310	320
8:00 P.M.	177	298	229	330	358
PRECINCTS	<u>F</u>	<u>G</u>	H	Ī	1
7:00 A.M.	0	0	0	0	0
8:00 A.M.	21	10	16	46	12
9:00 A.M.	43	33	28	66	33
10:00 A.M.	62	85	45	86	56
11:00 A.M.	73	98	60	107	69
12:00 NOON	89	132	67	126	86
1:00 P.M.	108	155	88	143	96
2:00 P.M.	136	187	102	174	119
3:00 P.M.	157	215	114	188	134
4:00 P.M.	175	251	128	215	158
5:00 P.M.	202	287	154	246	178
6:00 P.M.	227	310	180	286	199
7:00 P.M.	266	351	198	314	227
8:00 P.M.	295	380	205	336	266

The Town Clerk upon receipt of the returns from the several precincts forthwith canvassed the same and announced the official results at 9:30 P.M., April 12, 2022.

The total number of votes cast was as follows:

	Total
Precinct A	177
Precinct B	298
Precinct C	230
Precinct D	330
Precinct E	360
Precinct F	295
Precinct G	380
Precinct H	205
Precinct I	336
Precinct J	268
TOTAL	2,879

(The above totals include the results of the 2022 Annual Town Election)
The absentee ballots are included in the Total Vote)
TOTAL VOTE CAST For the Annual Town Election –
(11.77% of the 23,996 Registered Voters)

The result of the balloting was as follows:

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	$\mathbf{\underline{E}}$	$\underline{\mathbf{F}}$	<u>G</u>	$\mathbf{\overline{H}}$	Ī	J	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2,879

The result of the balloting was as follows:

				<u>TO</u>	WN OFF	<u>ICES</u>					
	A	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	Ħ	Ī	I	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2 879
MODERATOR (for three	e years) (Vote for O	ne)								
Michael K. Fee	133	208	179	228	282	217	291	152	255	200	2,145
Scattered Write-Ins	1	2	0	2	1	1	0	0	3	3	13
Blanks	43	88	51	100	77	77	89	53	78	65	721
SELECT BOARD (for th	ree vears)	(Vote for	One)								
Heidi R. Frail	129	207	173	241	273	210	309	148	272	202	2,164
Scattered Write-Ins	1	1	1	2	2	2	1	1	3	3	2,104
Blanks	47	90	56	87	85	83	70	56	61	63	698
TOWN CLERK (for three	ee vears) ((Vote for ()ne)								
Theodora K. Eaton	138	210	185	248	294	221	310	156	258	215	2,235
Scattered Write-Ins	0	1	0	1	0	1	0	3	238	1	2,233 9
Blanks	39	87	45	81	66	73	70	46	76	52	654
ASSESSOR (for three year	rs) (Vote	for One)									
Walter F. McDonough	115	178	159	212	231	183	255	136	228	185	1,882
Scattered Write-Ins	0	1	0	0	2	1	0	2	2	103	1,002
Blanks	62	119	71	118	127	111	125	67	106	82	988
SCHOOL COMMITTEE	E (for three	e vears) (V	ote for No	ot More T	han Three)	,					
Constance S. Barr	120	182	156	215	258	189	254	129	223	176	1,902
Andrea E. Longo Carter	110	175	150	210	215	180	245	126	221	167	1,799
Alisa M. Skatrud	108	177	145	191	213	173	253	117	219	164	1,760
Scattered Write-Ins	0	0	0	0	0	1	1	1	213	4	1,700
Blanks	193	360	239	374	394	342	387	242	343	293	3,167
TRUSTEE OF MEMORI	IAT, PAR)	K (Truste	e of Soldi	are' Mam	orials — ve	otoron) (f	or three w	anna) (Vote	o for One)		
Matthew L. Ching	116	191	164	224	252	195	272	138	242	194	1,988
Scattered Write-Ins	0	1	0	0	0	1	0	0	1	0	3
Blanks	61	106	66	106	108	99	108	67	93	74	887
TRUSTEE OF MEMORI	(AL PARI	K (Truste	e of Soldi	ers' Mam	orials re	nn_vetere	n) (for the	PA VANTS)	Vote for)ma)	
Michael A. Fraini	121	187	167	212	246	194	266	132	234	ле) 202	1 061
Scattered Write-Ins	0	1	0	0	0	1	0	132	234	202 1	1,961 5
Blanks	56	110	63	118	114	100	114	72	101	65	913
									101	05	213

TOWN OFFICES											
	<u>A</u>	<u>B</u>	<u>C</u>	D	<u>E</u>	$\underline{\mathbf{F}}$	G	<u>H</u>	Ī	J	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2,879
TRUSTEE OF NEEDHAM PUBLIC LIBRARY (for three years) (Vote for Not More Than Two)											
Kathleen Cahill Allison	119	196	158	213	rs) (vote 1 246	or Not Mo 184			001	404	
Robert A. Petitt	106	178	151	213	227	180	256 247	132 119	231	181	1,916
Scattered Write-Ins	0	1	0	0	0	0	0	119	219	165	1,805
Blanks	129	221	151	234	247	226	257	159	1 221	3	5
	147	221	131	234	247	220	231	159	221	187	2,032
BOARD OF HEALTH (f	or three ye	ears) (Vot	e for Not	More Thai	n Two)						
Stephen K. Epstein	120	183	154	221	231	182	254	138	224	181	1,888
Tejal K. Gandhi	108	188	149	194	199	175	240	119	208	154	1,734
Scattered Write-Ins	0	0	0	1	0	0	0	0	4	1	6
Blanks	126	225	157	244	290	233	266	153	236	200	2,130
											=,150
PLANNING BOARD (for	r five year	s) (Vote f	or One)								
Artie Crocker	97	104	94	140	109	132	129	76	150	144	1,175
Justin D. McCullen	33	65	69	109	138	81	84	73	69	37	758
Oscar E. Mertz III	40	78	60	69	92	72	141	48	111	80	791
Scattered Write-Ins	1	0	0	0	0	1	0	0	1	0	3
Blanks	6	51	7	12	21	9	26	8	5	7	152
COMMISSIONER OF T	RUST FU	NDS (for	three vea	rs) (Vote f	for One)						
Joseph P. Scalia	115	176	159	216	228	182	257	132	226	178	1,869
Scattered Write-Ins	0	1	0	0	0	0	0	1	1	1	4
Blanks	62	121	71	114	132	113	123	72	109	89	1,006
PARK &A RECREATIO	N COMN	HISSION	(for three	years) (V	ote for No	t More Th	an Two)				
Cynthia J. Chaston	119	193	162	206	252	185	260	136	239	184	1,936
Michelle Geddes	110	183	162	204	218	186	242	120	228	174	1,854
Scattered Write-Ins	0	1	0	0	0	0	0	0	2	2	5
Blanks	125	219	136	250	250	219	258	154	203	176	1,990
			TD:	OMEN ACT							

TOWN MEETING MEMBERS

	A	<u>B</u>	<u>C</u>	\mathbf{D}	$\mathbf{\underline{E}}$	$\mathbf{\underline{F}}$	<u>G</u>	H	Ī	I	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2,879

^{*} Not Elected

TOWN MEETING MEMBERS FROM PRECINCT A (Vote for Not More Than Twenty-Four)

PRECINCT A (For Three Years)

Jennifer C. Scheck-Kahn	94	Richard S. Creem	86
Robert S. Dangel	91	Elizabeth M. Sargent	86
Michael S. Miller	90	Sharon P. Serinsky	86
Rachel B. Miller	89	Erik J. Bailey	84

^{**} Write-In Candidates

	PRECINCT	A (For Two Years)	
T. '' D. C.			
Emily Rose Cooper	84	Lance R. Brown	79
Mary E. Keane-Hazzard	82	Heather Krechmer	79
Karen B. Shapiro Brian M. Mackintosh	81	Irwin Silverstein	79
biian M. Mackintosn	81	James F. Sargent	77
	PRECINCT	A (For One Year)	
John F. Diodato	73	Write-Ins:	
John D. Genova	70	Rhonda K. Spector	8
Walter D. Herrick	68	Elizabeth M. Hart	5
Norman F. O'Brien Jr.	67	Samuel Hart Jr.	5 5
Nicholas P. Sterling	65	* Carlos Javier Rodriguez	3
TOWN MEETING	G MEMBERS FROM PRE	CINCT B (Vote for Not More Than Twenty-Fo	our)
	PRECINCT B	(For Three Years)	
Jean W. Childs	141	Cothy M. Propilles	40=
William B. King	137	Cathy M. Freedberg Laura W. Dorfman	107
Judith Dernburg	123	Kim Marie Nicols	106
Peter B. Benfield	114		101
1 otol D. Dollifold	114	Wendy Z. Blom	100
	PRECINCT E	3 (For Two Years)	
Abby B. Bernstein	99	Elizabeth J. Grimes	91
Sarah Ann Toran	98	Clifford Owen Hayden	88
Christine A. Mawhinney	94	Gerald C. Rovner	87
Eric G. Pressman	94	Joan M. Daya-Daly	86
	PRECINCT I	3 (For One Year)	
Mark N. Dorfman	0.5	Thomas M. Jarah	70
Sarah R. Levy	85 82	Thomas M. Jacob Kathleen Krey Alwart	79
Marianna Borrelli	80		77
Orr Y. Bernstein	80	Catherine E. Kurkjian * John J. Frankenthaler	77
Stuart B. Agler	79	John J. Flankennialer	74
TOWN MEETING	MEMBERS FROM PREC	CINCT C (Vote for Not More Than Twenty-For	ur)
	PRECINCT C	(For Three Years)	
Andrea E. Longo Carter	120	Joshua W. Levy	110
Michael E. O'Brien	118	Ted Owens	109
Joseph P. Barnes	116	Paul S. Alpert	108 Tie
Louise L. Miller	113	Paula R. Callanan	108 Tie
		Susan B. Neckes	108 Tie

TOWN	MEETING	MEMBERS
TOTTLY	TATESTA T TO A CO.	MILLIAIDEIN

	A	<u>B</u>	<u>C</u>	<u>D</u>	E	<u>F</u>	<u>G</u>	<u>H</u>	Ī	J	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2,879
* Not Elected									550	200	2,075
1100 250000											
			P	RECINC	CT C (Fo	r Two Yea	rs)				
TIE ABOVE Rebecca Waber Lisa W. Zappala Peter A. Alpert				108 107 104 103		Gilbert V	M. Quinlar V. Cox Jr. ia Landau Cox	1			103 102 102 101
			P	RECINO	CT C (Fo	r One Yea	r)				
Paul B. Tillotson James D. Masterman Mark J. Gluesing Carlos Agualimpia				99 96 95 93		Lois R. C Paul Dav John H. I Joshua J.	id Isenberg Iaslip				93 92 91 90
TOWN	MEET	ING ME	MBERS F	ROM PI	RECINC	T D (Vote	for Not N	Iore Tha	n Twenty	-Four)	
			PR	ECINCI	D (For	Three Yea	ars)				
Justin D. McCullen Evan F. Rauch Holly Anne Clarke Janis M. Soma				165 144 143 136		Margaret	Pressman				135 125 123 121 Tie
		•	PI	RECINC	T D (For	Two Year	rs)				
Bruce T. Eisenhut Steven E. Mock Carol L. B. Patey Joseph Abruzese				121 Tie 121 Tie 119 117		Joseph J. Emma Na Janet K. I Dorothy I	vales Baum	ne			113 113 112 108
			P	RECINC	T D (Foi	One Year	r)				
Anna Giraldo-Kerr Alexandra Rose Blauer Reginald C. Forster Karen L. Calton Richard J. Lunetta Thomas F. Soisson Cynthia L. Conturie				106 104 102 101 98 91 90		Robert A. * Gary B. * Joshua I * Ross M. Write-Ins: * John Ne	McNeill Brian Tars Donald	ky			83 73 70 64

TOWN MEETING MEMBERS

	<u>A</u>	<u>B</u>	<u>C</u>	n	E.	107	C	77			
Total # of Votes Cast	<u>1</u> 77	298	230	<u>D</u> 330	<u>E</u> 360	<u>F</u> 295	<u>G</u> 380	<u>H</u> 205	<u>I</u> 336	<u>J</u> 268	<u>TOTAL</u> 2,879
* Not Elected											
том	VN MEET	ING ME	MBERS :	FROM P	RECIN	CT E (Vote	for Not I	More Tha	ın Twenty	-Four)	
			P	RECINC	TE (Fo	r Three Yea	ars)				
Constance S. Barr				194		Jill Yano					148
Kate Ellen Weinograd Bonnie L. McLellan				161		Cynthia J					147
Ann M. Cosgrove				157 149		Philip V. Carol A.					146 132
· ·				2.0		Caronin	donom				132
			P	RECINC	TE (Fo	r Two Year	rs)				
Peter J. O'Neil				130		William J	Paulson				110
Keith LaFace				127		Edward V		e III			119 115
Cynthia J. Wolfe Andrea J. Wizer				120		Amy Hur					110
Alidiea J. Wizer				119		Paul A. S	iegenthale	r			110
			P	RECINC	CT E (Fo	or One Year	r)				
Ford H. Peckham				108		*Victor P	aul Saidal	(Delingu	ished tie v	040.40	0.4
Ronald W. Ruth				107		VICIOI F	aui Seidei		isned ne v t R. Brama		94
Peter Robert Cohenno				106		* Robert I			· A. Bruine	<i>)</i>	90
Adam J. Block Philip R. Murray				101		* Philip E	dward Bra	andish			88
Michael L. Niden				98 97		* Theodor					80
Julia Dale Mahr				95		Write-Ins:		1141			71
Robert R. Braman				94		* Deana P	. Moresch	ıi			2
						* Matthew	Cohen				2
TOW	N MEETI	NG MEN	/BERS F	ROM PR	RECINC	T F (Vote f	or Not M	ore Than	Twenty-l	Four)	
			PR	ECINCT	F (For	Three Year	·s)				
D											
Doug H. Fox Gail E. Davis				148		Alison S. 1					127
Robyn E. Glazier				133 132		Barry J. Co William A					125
Jeanne S. McKnight				130		Karen N. H					124 122
											122
			PR	ECINCI	F (For	Two Years	s)				
Jennifer S. Sexton				119		Adam S. Z	aff				116
Richard W. Davis				118		Leslie A. k					115
Stephen L. Dornbusch Rochelle E. Goldin				118 116		Elizabeth A					113
Joinn				110		Joseph Mc	Cade				111

TOWN MEETING MEMBERS	TOWN	WN	MEETIN	IG M	EMB	ERS
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	<u>A</u>	<u>B</u>	<u>C</u>	$\underline{\mathbf{D}}$	$\mathbf{\underline{E}}$	\mathbf{F}	<u>G</u>	<u>H</u>	Ī	Ţ	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2,879
* Not Elected											
			I	PRECINO	CT F (Fo	or One Yea	ır)				
Jeffrey D. Heller Dennis Francis McCafferty				107 107			e J. Cohen	ı			98
Jeffrey M. Friedman				107		Write-Ins	s: ine P. Jacq	niec			27
Gary Robert Ajamian				103		* Barbara	a M. Ridg	te			25
John P. Connelly				102		* Ethan I	F. Fener				18
Mary Anne MacMahon				102		* Grace l	Mactough	Chan			5
TOW	N MEET	ING ME	MBERS F	ROM PI	RECINO	CT G (Vote	for Not I	More Tha	n Twenty	-Four)	
						`				,	
			PR	ECINCI	ΓG (For	Three Yea	ars)				
Stephen Anthony Frail				187		James D.	Flanagan				176
Thomas M. Harkins				182		Maureen	T. McCaf	frey			172
Susan Welby				180			Smart Jr.				172
Robert J. Dermody				179		John D. (Crimmings	8			167

PRECINCT G (For Two Years)

Catherine Reid Dowd	160	Alisa M. Skatrud	149
Josephine Luppino Ochalla	160	Richard DeMeis	149
Susan B. McGarvey	154	David Dirks	148
Karen L. Walker	153	Jennifer Lewis Buell	146 Tie

TOWN MEETING MEMBERS FROM PRECINCT G (Vote for Not More Than Twenty-Four)

PRECINCT G (For One Year)

Abigail Jones Hays Robert John Fernandez Jessica Zaplin Karlin (Resigned)	146 Tie 145 137	Patrick Weston Tacelli Michael A. Distler Christopher C. Thomas (cont. in line of	112 111
		`	108
Kenneth B. Freundlich	125	Write-Ins:	
Michael J. Crawford	123	* Colleen O. Beacham	2
Peter W. Beacham Jr.	121		

TOWN	MEETING	MEMBERS
TOMM	MEDITIG	MEMBERS

	<u>A</u>	<u>B</u>	<u>C</u>	D	<u>E</u>	<u>F</u>	<u>G</u>	H	Ī	J	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2,879
* Not Elected											•
TOW	N MEET	ING ME	MREDC	FDAM DI	DECINA	CT H (Vote	for Not I	More The	т.	II.)	
2011	11 11113151	1110 1112	WIDE RO	TROM I	KECHW	CI II (VOIE	TOP NOU	More 148	in I wenty	-rour)	ęr
			PI	RECINC	T H (Fo	r Three Ye	ars)				
John A. Bulian				115		Hillary H	Ianson Bri	ıel			84
Elizabeth P. Handler				106		Peter R.		101			83
Heinz R. Brinkhaus				91		Eileen M					82
M. Patricia Cruickshank				87		Richard I	M. Reilly				82
			P	RECINC	ТН (Го	r Two Yea	rs)				
IZ . ' T. M'											
Kevin F. Tierney Ilan Barzilay				79 77			i Cosentin	0			75
Nancy E. McCarthy				76		Michael A	kstein Ha	,			75 75
Richard A. Zimbone				76			Knickle-				73 73
			P	RECINC	TH (Fo	r One Yea	r)				
Kumrae Helbig Lee				72		Molly Ka	story Cart	ет			69
Lynn Sara Feigenbaum				71		Amy M.		01			67
Michael C. Kardok Eileen K. Orscheln				70		John A. K	ingston				64
Elleen K. Ofscheifi				70		Thomas I	Edward Gi	llogley			61
TOW	N NATOTOWY	INICI MIEN	ADTOR X	DOM DE)ECDIC			-	_		
TOWN	NWEET.	ING ME	MBEKS F	KOM PE	RECINC	CT I (Vote	for Not M	ore That	ı Twenty-I	Four)	
			PR	ECINCT	I (For	Three Year	rs)				
Maurice Handel				203		Lois F. So	ockol				161
Artie R. Crocker				184		Daniel P.					154
Peter D. Atallah				165		Catherine					134
Oscar E. Mertz III				165		Paul Robe	y III				129
			Pl	RECINC	ΓI (For	Two Years	s)				
Jill C. Kahn-Boesel				127		Doobel A	m Wai==	valz			
Anne W. Weinstein				127		Rachel Ar Joseph S.		OCK			114
Lisa Cherbuliez				114		Rebecca A					113 112
David J. Escalante				114		Lorraine N		7			107

TOWN	MEETING	MEMBERS
ATTITUE	TAXABLE TO A CO.	TATESTATIONS

	<u>A</u>	<u>B</u>	<u>C</u>	D	E	$\underline{\mathbf{F}}$	<u>G</u>	<u>H</u>	Ī	\mathbf{J}_{i}	TOTAL
Total # of Votes Cast	177	298	230	330	360	295	380	205	336	268	2,879
*Not Elected											
				PRECIN	CT I (Fo	r One Yea	r)				
James S. Bonasia Glenn Alan Mulno William Christopher Kent Kristin L. Mollerus Claire Dee Ecsedy Joel S. Golden David Paul Supple Peter J. Pingitore				105 105 104 99 96 96 95		* Lynda * Willian	en D. Whi Michelle I n D. Maho l Centola s:	Hughes			93 90 90 86 79
TOW	'N MEET	ING ME	MBERS	FROM P	RECINC	T J (Vote	for Not N	fore Tha	n Twenty-	·Four)	
			P	RECINC	Γ J (For	Three Yea	rs)				
William R. Dermody Frederica S. Lalonde Michael J. Greis Barry S. Pollack			P	151 149 144 136 RECINC	T J (For	Holly Ch. Janice S. Priya Gor Paula E. l	Epstein e Dickermar	ı			134 132 129 123

PRECINCT	Ī	For	One	Year)
LIGOTIACI	J	(T.OI	OHE	T car,

Michael M. Mathias

Carol I. Urwitz

Debra A. Whitney

Robert E. Deutsch

David P. Montgomery	113	Write-Ins:	
Lauren Soper	113	Henry G. Ragin	43
Stuart B. Chandler	112	James R. Ruetenik	14
Jane B. Murphy	112	Wesley S. Soper	3
		Georgina A. Arietta-Ruetenik	2

122

122

120

119

The ballots cast in the several precincts were returned to the Town Clerk in the sealed containers. The voting lists used at the entrance to the polling place and at the ballot boxes and a copy of the precinct record of the election were also returned, all properly sealed in conformity with the laws governing elections.

Adjourned at 10:25 P.M., April 12, 2022.

Theodora K. Eaton, MMC Town Clerk

118

117

116

114

A true copy Attest:

George F. Kent

Donna M. Mullin

Christine S. McCourt

Elizabeth Nicole Kaponya

ELECTION

(To break Tie Votes in Precinct C Of three Candidates for the Three-Year Term) Monday, May 2, 2022 6:30 P.M.

In accordance with Section 9, Chapter 403 of the Acts of 1971 (Town Charter), a meeting of the Town Meeting Members from Precinct C was held on Monday, May 2, 2022 at 6:30 P.M. for the purpose of breaking the tie vote of three candidates in Precinct C for three-year term. The ballots were cast with the following results:

Paul S. Alpert Paula R. Calianan 7 Votes 5 Votes

Susan B Neckes

4 Votes

ELECTION

(To break Tie Votes in Precinct D
Of three Candidates for the Three-Year Term)
Monday, May 2, 2022
6:40 P.M.

In accordance with Section 9, Chapter 403 of the Acts of 1971 (Town Charter), a meeting of the Town Meeting Members from Precinct D was held on Monday, May 2, 2022 at 6:40 P.M. for the purpose of breaking the tie vote of three candidates in Precinct D for three-year term. The ballots were cast with the following results:

Kathryn L. D'Addesio 6 Votes Bruce T. Eisenhut 8 Votes Steven E. Mock 3 Votes

ELECTION

(To break Tie Votes in Precinct G Of two Candidates for the Two-Year Term) Monday, May 2, 2022 6:50 P.M.

In accordance with Section 9, Chapter 403 of the Acts of 1971 (Town Charter), a meeting of the Town Meeting Members from Precinct G was held on Monday, May 2, 2022 at 6:50 P.M. for the purpose of breaking the tie vote of two candidates in Precinct G for the two-year term. The ballots were cast with the following results:

Jennifer Lewis Buell

6 Votes

Abigail Jones Hays

7 Votes

RECORD OF THE ANNUAL TOWN MEETING Monday, May 2, 2022

Pursuant to a Warrant issued by the Selectmen February 8, 2022 the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the James Hugh Powers Hall at the Needham Town Hall, Monday, May 2, 2022, at 7:30 o'clock in the afternoon.

The checkers appointed by the Selectmen were sworn to the faithful performance of their duties by the Town Clerk.

Check lists were used and 226 voters, including 225 Town Meeting Members, were checked on the list as being present and 29 absent.

The Moderator, Michael K. Fee, called the meeting to order at 7:30 o'clock. He introduced The Vintage Voices - the Needham Aging Services singing group. For years Tom Gallant has been the driving force, leader, and keeper of the music. In recent years, Margie Brodsky and Carlo Coccuzo have been the musical accompanies. The group is always looking for new members. Tonight's performing members are Patty Miller, Dave Siersdale, Mary Ann Siersdale, Tom Gallant, Greta Caplan, Betty Leary, Ida Kublin, Bob Quinn, Carlo Cocuzzo and Margie Brodsky. All Town Meeting Members joined in with the Vintage Voices singing God Bless America, America the Beautiful, and It's a Grand Old Flag. The Town Meeting Members joined the Moderator in honoring our country by saluting the flag and reciting the pledge of allegiance.

The Moderator advised that the call for spiritual guidance is a valuable part of our tradition. He noted that members of the Needham Interfaith Clergy Association are managing their reopenings after the pandemic and advised that this tradition will resume next year. The Moderator asked members to take a moment of silence for their own call for spiritual guidance or reflection.

The Moderator announced that with the 2020 Federal Census and subsequent redistricting, all Town Meeting Members were re-elected. The Town Meeting Members were sworn to the faithful performance of their duties by the Town Clerk.

The Moderator declared that a quorum is present and requested the Town Clerk to so record,

The call to the meeting and the Officer's return were read by the Town Clerk, the reading of the articles in the Warrant being waived upon motion.

The Moderator announced the following arrangement of the meeting space:

ARRANGEMENT OF THE MEETING SPACE

You have been admitted to this meeting space because
of your status as a Town Meeting Member. The entire
floor is reserved for 252 Town Meeting Members and
certain elected and appointed officials. Registered
voters may sit in the balcony. The Marshal, Mr.
Jacques, will assist you and enforce the limits of this
dedicated space for Town Meeting Members. As

always, please wear your badges that identify you as a Town Meeting Member.

- Once situated please remain in your seats and do not move your chair. Seats have been arranged with more than sufficient spacing for public health purposes.
- 3. Face masks are optional. They may be worn by anyone who chooses to do so. The Needham Board of Health has provided us with guidance for our meeting and on the use of face masks. If you choose to wear a mask, you need not remove it to address Town Meeting.
- 4. As I described in my Informational Memorandum to Town Meeting Members, although we are back at Town Hall, we are still operating under conditions that promote public health. Accordingly, no hard copy materials are available at the hall tonight.
- 5. Video presentations from sponsors, other interested parties and the Finance Committee were posted to the Town's website in advance of this meeting and other materials -- such as supporting documents and FAQs -- were posted to the Town's website. It is my sincere hope that you were able to view the presentations and related materials that were available prior to the meeting.
- 6. The videos constitute the affirmative presentations for the Main Motions that will be on the floor at this meeting. I understand, however, that not everyone may have viewed the videos, or you may have viewed them some time ago. As Moderator, I want all Town Meeting Members to be informed, so for this transitional meeting, I informed the sponsors of Main Motions and advised all of you in my Informational Memorandum that IF THEY WISH, they will be allowed to address Town Meeting for up to a maximum of FIVE minutes to remind you about what they stated in their video. This is a reminder or refresher only, not a complete repetition.
- 7. When we engage in discussion, you may address Town Meeting only after being recognized by the Moderator. I ask you to rise, raise your hand and say "Mr. Moderator" to be recognized. Once recognized, please proceed to one of the microphones positioned around the meeting space for use by Town Meeting Members. Once again, these are no touch microphones. Please stand back from the microphone and do not touch the microphones or attempt to adjust them. If adjustment is necessary, the Marshal will assist you. Please know that due the masks, I may not recognize you and call you by name.
- 8. At some point, we may have a brief recess to stretch in place. Please feel free to use the restrooms while we are in session to avoid creating long lines at a recess.
- 9. This is transitional meeting on our road back to normal. I appreciate your assistance in avoiding redundancy and for public health reasons, promote our ability to complete this indoor meeting expeditiously. I appreciate your cooperation and your patience.

The Moderator announced the following ground rules, and these were adopted unanimously:

- 1. Please rise to be recognized and address the Moderator as Chair. When a member is recognized by the Chair, please state your name and precinct clearly so that the Town Clerk may keep accurate records. If for some reason related to a disability a member cannot rise or raise their hand or say "Mr. Moderator", please inform the Moderator so that appropriate accommodation may be made.
- 2. Anyone entering or exiting the meeting during our session, for example to use the rest rooms, must use care not to disrupt the session.
- 3. Please silence all cell phones and other electronic devices. Please check this status now. In addition, please consider putting these devices away entirely while we are in session so you may devote your full attention to our important work unless of course you have downloaded a relevant document or the warrant on your device.
- 4. No firearms or weapons are permitted in the hall, except by law enforcement personnel.
- 5. As a sign of respect for this legislative chamber, no eating or drinking in the hall.
- 6. No hats may be worn except for medical or religious purposes.
- 7. Members, non-member speakers and all attendees must observe our rules and practice civility. A speaker will be ruled out of order who refers to individuals or personalities or in the judgment of the Moderator, exceeds the bonds of civility. Please remember that we are ONE community and ONE Town Meeting with one common goal: the best interests of our town.
- 8. The Moderator shall enforce all rules. All commentary, remarks and inquiries must be addressed to the Moderator as Chair of the Meeting.
- 9. Your attention is drawn to the disclosure required by an attorney employed by one who has an interest in a matter as set forth in Art. I, Sec. 1.7 of the Needham General By-Laws.
- 10. Blank forms for lengthy motions are available from Town Counsel and should be employed. If lengthy or complicated motions are not drafted and submitted for review by the Moderator and Town Counsel prior to being placed on the floor, particularly with regard to zoning articles, the speaker will yield the floor to another speaker while the drafting and formulation process is underway.
- 11. Short motions to amend and procedural motions need not be in writing.
- 12. Parliamentary motions known as "points of information" and "points of order" shall be strictly construed so as not to elongate or permit debate after a motion to move the previous question has been placed on the floor.
- 13. Limits on debate shall be enforced by the Moderator.
- 14. Questions asked for general informational purposes unrelated to the matter under consideration by the meeting shall be ruled out of order.

- 15. As stated in the Moderator's memorandum to Town Meeting Members in connection with our Annual Town Meeting, this meeting is being livestreamed and ultimately televised though the good efforts of the Needham Channel. Any inappropriate conduct involving the live coverage involving the T.V. coverage or cameras shall be deemed to be out of order and addressed swiftly and definitively by the Moderator.
- 16. The Moderator seeks unanimous consent to adopt the following rules of practice concerning debate for this meeting:

There will be no full, affirmative presentations by proponents of articles, other interested parties and the Finance Committee, because video containing the affirmative presentations have been available for your viewing.

When the Moderator calls an Article by its number, the corresponding Main Motion – and any previously filed motion to amend or motion to refer – will be placed on the floor by the Moderator

At that time, proponents of the Main Motion have the option of speaking for up to **five minutes** for the sole purpose of reminding Town Meeting Members about the subject matter of the main Motion. The Finance Committee may also present brief reminder remarks.

Time limits for discussion: Motions (including to amend) Town Meeting Members, non-TMMS, visitors other than attorneys: (5 minutes each, all-inclusive per article).

Responsive remarks by sponsors, the Select Board, the Finance Committee and other members of Town Boards or Departments (5 minutes per response)

In keeping with our tradition, I seek your unanimous consent for the adoption of these rules of procedure and practice for the Annual Town Meeting -----hearing no objection I find unanimous consent that the rules of procedure and practice as described by the Moderator are voted and adopted and the Town Clerk will so record.

The Moderator noted that there is one change in the following main affirmative motions: on Page 38, Article 23. Incorrect reference to the total appropriation \$3,116,314. This is non-substantive.

The Moderator announced that there are no withdrawals requested by the proponents..

The Moderator announced that Articles 10, 21, and 31 are subject to motions to amend or other motions from the proponents or for other reasons cannot be passed by unanimous consent.

As is our custom, we come next to the Consent Calendar. After I read an eligible Article by its number I ask anyone who desires that the Article be placed upon the floor for discussion, debate and possible motions, express their view by saying "question" or "debate" and raising their hand. Hopefully, prior to this meeting, Members have had the opportunity to view the presentations posted on the Town website, review information in the warrant and information that was mailed to your homes, collect information or pose questions to town officials. Accordingly, when considering the warrant and the business we have before us, please act thoughtfully and consider which articles truly require

discussion at this Meeting. Those articles for which nothing is stated will, as is customary, be deemed adopted by unanimous consent.

The Moderator noted that Article 1 was the Annual Town Election and has already been disposed of and there are no Committee reports under Article 2. The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 3. The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 3. No Town Meeting Members responded with "question" or "debate" to Articles 4, 5, 6, 9, 11, 12, 14, 15, 16, 18, 22, 24, 28, 29, 30, 36, 37, 38, and 39. The Moderator then called the above-mentioned articles by number and no objection was heard to adoption by unanimous consent. It was unanimously voted, and the Town Clerk was requested to so record. As a result thereof, said articles and the votes thereunder are as follows:

ARTICLE 4: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

Article Information: The Property Tax Assistance Program helps elderly and disabled taxpayers in need. This appropriation complements donations by private parties to the "Voluntary Tax Relief Program" authorized by statute. The goal of the Select Board is to set a target annual appropriation for the Property Tax Assistance Program at least equal to the amount of private contributions to the voluntary program during the preceding fiscal year. The voluntary fund received \$21,225 in fiscal year 2021.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus.

ACTION: So voted by Unanimous Consent.

ARTICLE 5: APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,000,000 for the purpose of funding the Public Facilities Maintenance Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$400,000 be transferred from Overlay Surplus and that \$600,000 be raised from the Tax Levy; or take any other action relative thereto.

Article Information: This recurring warrant article funds the annual maintenance of public buildings throughout the Town and School Department, including, but not limited to, asbestos abatement, duct cleaning, painting, electrical and mechanical systems, HVAC, lighting, flooring, carpentry work, and other repairs and upgrades.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$1,000,000 for the purpose of funding the Public Facilities Maintenance Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$400,000 be transferred from Overlay Surplus and that \$600,000 be raised from the Tax Levy.

ACTION: So voted by Unanimous Consent.

ARTICLE 6: APPROPRIATE FOR SMALL REPAIR GRANT PROGRAM

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

Article Information: The Small Repair Grant Program provides financial assistance to low- and moderate-income Needham residents to make repairs and alterations to their homes for health and safety reasons. Up to \$5,000 in grant funding is available per participant, and applications will be evaluated and prioritized based on the extent of the health and safety problems and the financial need of the applicants. Eligible applicants must be 60 years or older, or have a disability, with incomes at or below 80% of area median income. Eligible work items include minor plumbing or electrical work, light carpentry, doorbell switches, window or door repairs or replacements, railing repairs, broken or clogged gutters or downspouts, step or porch improvements, work on locks, smoke/CO detectors, weather stripping, bathroom grab bars, raised toilets, and hand-held shower heads, among others.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding the Small Repair Grant Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash.

ACTION: So voted by Unanimous Consent.

<u>Articles 7 and 8</u> were discussed upon completion of the unanimous consent articles.

ARTICLE 9: APPROPRIATE FOR PAYMENT OF UNPAID BILLS OF PRIOR YEARS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$12,000 for the payment of unpaid bills of previous years, incurred by the departments, boards, and officers of the Town of Needham, said sum to be spent under the direction of the Town Manager, and that \$12,000 be transferred from Free Cash; or take any other action relative thereto.

Department	Vendor	Description of Goods/Service	Fiscal Year	\$ Amount
Building Department	Commonwealth of Massachusetts	Weights & Measures	2021	\$12,000
Total				\$12,000

<u>Article Information</u>: State law requires Town Meeting action for the Town to make payment for bills received after the close of the fiscal year or bills in excess of appropriation. The above bill was presented for payment after the close of fiscal year 2021.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$12,000 for the payment of unpaid bills of previous years, incurred by the departments, boards, and officers of the Town of Needham, said sum to be spent under the direction of the Town Manager, and that \$12,000 be transferred from Free Cash.

Department	Vendor	Description of Goods/Service	Fiscal Year	\$ Amount
Building Department	Commonwealth of Massachusetts	Weights & Measures	2021	\$12,000
Total				\$12,000

ACTION: So voted by unanimous consent.

Article 10 was discussed upon completion of the unanimous consent articles.

ARTICLE: 11: APPROPRIATE THE FY2023 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2023, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Sewer Enterprise FY2023

			1.12020		
Line #	Description	FY2021	F¥2022	FY2023	
		Expended FTE	Current Budget FTE	Recommended FTE	Town Meeting Amendments
201A	Salary & Wages	\$890,210 11.0	\$1,041,733 11.0	\$1,080,247 11.0	
201B	Expenses	\$409,924	\$513,076	\$770,691	
201C	Capital Outlay	\$45,000	\$51,000	\$51,000	
201D	MWRA Assessment	\$6,399,895	\$6,614,690	\$6,822,134	
201E	Debt Service	\$645,377	\$610,000	\$610,000	
202	Reserve Fund	Transfers Only	\$35,000	\$35,000	
	TOTAL	\$8,390,406 11.0	\$8,865,499 11.0	\$9,369,072 11.0	
	F	Y2023 Budget Percenta	ge Change from FY2022		

and to meet this appropriation that \$8,017,144 be raised from Sewer Enterprise Fund receipts, and that \$569,000 be transferred from Sewer Enterprise Fund Retained Earnings, and that \$782,928 be raised from the Tax Levy and transferred to the Sewer Enterprise Fund; or take any other action relative thereto.

Article Information: This article funds the operation of the Town's sanitary sewer system. The Town's sewage collection system consists of more than 130 miles of collector and interceptor sewers, 3,958 sewer manholes, and ten sewer pump stations. The Town's sewer system is a collection system that discharges its wastewater to the Massachusetts Water Resources Authority (MWRA) system for treatment. Approximately 65% of the Town's sewer collection system is a gravity-only system, and 35% of the sewer system is pumped into the gravity system. Needham has two principal points of discharge into the MWRA system and nine other public locations where subdivisions discharge to the MWRA system. Personnel maintain and operate 24 sewer pumps, motors, switchgear, gates, valves, buildings, and grounds contained in ten pumping facilities located throughout Town.

The Division also oversees the collection and transportation of Stormwater (drains program) originating from rain and snowstorms for discharge into streams, brooks, rivers, ponds, lakes, flood plains and wetlands throughout Town. Stormwater and associated discharges are now considered by the federal government as potentially contaminated and have come under increasingly severe discharge performance standards. The intention is to reduce or eliminate contaminants contained in the flow washed from ground surfaces considered to be harmful to the environment. The Town's drainage infrastructure consists of approximately 90 miles of various size drainage pipes, 4,225 catch basins, 1,392 drainage manholes, and 295 drainage discharges.

The recommended operating budget of \$9,369,072 for fiscal year 2023 is \$503,573 more than the fiscal year 2022 budget, a 5.7% increase. However, the recommended budget for fiscal year 2023 includes \$195,000 which was appropriated under a separate warrant article for fiscal year 2022 for National Pollutant Discharge Elimination System (NPDES) Permit Compliance expenses. Those expenses are recurring in nature and therefore in agreement with the Finance Committee, the expenses are now included in the operating budget rather than in a sperate warrant article. So, the recommended operating budget for fiscal year 2023 of \$9,369,072 should be compared to the combination of the fiscal year 2022 appropriated operating budget of \$8,865,499 and the \$195,000 that was appropriated under article 16 of the May 2021 Special Town Meeting for a total of \$9,060,499. We will refer to the \$9,060,499 figure as the Restated fiscal year 2022 Sewer Budget This would represent an increase of 3.4%. or \$308,573. This increase is primarily due to a \$207,444 increase in the preliminary MWRA assessment for the Town's sewerage and wastewater disposal. The MWRA increase accounts for more than 2/3rds of the total increase in the fiscal year 2023 budget compared to the restated fiscal year 2022 sewer budget. The \$6,822,134 assessment represents a 3.1% increase over fiscal year 2022. The final assessment from the MWRA will be affected by the amount of sewer rate relief that is provided to the Authority by the Commonwealth, which will not be known until after the budget is voted by the Legislature and approved by the Governor.

The Sewer Enterprise Fund budget includes the costs of the drains program because the daily work is performed by Enterprise Fund staff. However, the costs not associated with sewer operations are funded by taxation and not by sewer use fees. The table below provides a breakout between the sewer operations and the drains program to compare the budget change in the two operations from the current year as restated.

Budget Line	FY2023 Sewer Operations	FY2023 Drains Program	FY2023 Recommended Budget	FY2022 Sewer Operations	FY2022 Drains Program	FY2022 Sewer Budget
Salary & Wages	\$672,410	\$407,837	\$1,080,247	\$690,337	\$351,396	\$1,041,733
Expenses	\$395,600	\$375,091	\$770,691	\$338,104	\$174,972	\$513,076
Capital Outlay	\$51,000	\$0	\$51,000	\$51,000	\$0	\$51,000
MWRA Assessment	\$6,822,134	\$0	\$6,822,134	\$6,614,690	\$0	\$6,614,690
Debt Service	\$610,000	\$0	\$610,000	\$610,000	\$0	\$610,000
Reserve Fund	\$35,000	\$0	\$35,000	\$35,000		\$35,000
Total	\$8,586,144	\$782,928	\$9,369,072	\$8,339,131	\$526,368	\$8,865,499
Budget Line	FY2023 Sewer Operations	FY2023 Drains Program	FY2023 Recommended Budget	FY2022 Sewer Operations	FY2022 Drains Program including \$195,000 NPDES Funding	Restated FY2022 Sewer Budget
Salary & Wages	\$672,410	\$407,837	\$1,080,247	\$690,337	\$351,396	\$1,041,733
Expenses	\$395,600	\$375,091	\$770,691	\$338,104	\$369,972	\$708,076
Capital Outlay	\$51,000	\$0	\$51,000	\$51,000	\$0	\$51,000
MWRA Assessment	\$6,822,134	\$0	\$6,822,134	\$6,614,690	\$0	\$6,614,690
Debt Service	\$610,000	\$0	\$610,000	\$610,000	\$0	\$610,000
Reserve Fund	\$35,000	\$0	\$35,000	\$35,000	\$0	\$35,000
Total	\$8,586,144	\$782,928	\$9,369,072	\$8,339,131	\$721,368	\$9,060,499
FY2023 Compared to the Restated FY2022 Budget	FY2023 Sewer Operations \$ Change	FY2023 Drains Operations \$ Change	FY2023 Sewer Enterprise \$ Change	FY2023 Sewer Operations % Change	FY2023 Drains Operations % Change	FY2023 Sewer Enterprise % Change
Salary & Wages	-\$17,927	\$56,441	\$38,514	-2.6%	16.1%	3.7%
Expenses	\$57,496	\$5,119	\$62,615	17.0%	1,4%	8.8%
Capital Outlay	\$0	\$0	\$0	0.0%		0.0%
MWRA Assessment	\$207,444	\$0	\$207,444	3.1%		3.1%
Debt Service	\$0	\$0	\$0	0.0%		0.0%
Reserve Fund	\$0	\$0	\$0	0.0%		0.0%
Total	\$247,013	\$61,560	\$308,573	3.0%	8.5%	3.4%

The fiscal year 2023 sewer operations portion of the budget is \$247,013 higher, an increase of 3.0% over the current year. As noted above, the MWRA assessment increase is the primary driver of the change for fiscal year 2023. The fiscal year 2023 drains operations portion of the budget is \$61,560 more than the fiscal year 2022 allocation, an increase of 8.5% over the fiscal year 2022 restated budget.

The total salary and wages line is \$1,080,247 for fiscal year 2023, an increase of \$38,514 (3.7%). The Sewer Division has 11 full-time employees all of whom are members of the NIPEA union. The increase is due to changes in personnel and that all the current employees in the division are eligible for step increases. A successor agreement with the union had not been reached at the time of publication; any funding that may be required as a result of an agreement will be addressed at a subsequent town meeting.

The total expense line for fiscal year 2023 is \$770,691 which is \$62,615 or 8.8% more than the fiscal year 2022 budget as restated. Approximately 42% of the increase (\$26,130) is due to higher costs for maintenance and repair services. The request is reflective of current contracts and inflationary pressures. Building, equipment, and public works supplies increased by \$13,726 (approximately 22% of the total increase), of which \$10,409 is for sewer pump replacement parts and supplies. Energy expenses (electric and natural gas) to operate the sewer pump stations are \$10,517 more than the current year, and fuel cost for sewer vehicles and equipment is \$4,399 higher. The increase in fuel costs is not reflective of the changes in prices (much higher) since last fall. Contracted services for maintenance, repairs, sweeping, collection, and disposal of catch basin debris are \$7,443 more than fiscal year 2022. The balance of the increase for next year (\$400) is related to communication expenses.

The operating capital line is leveled at \$51,000 for fiscal year 2023. This budget line pays for grinder replacements and allows the department to continue its annual allocation for sewer pump and small power equipment replacement.

The reserve fund is level dollar for fiscal year 2023. The sewer debt service budget line is also level dollar for fiscal year 2023 at \$610,000. Last year the debt service budget was reduced by \$600,000 from \$1,500,000 to \$900,000. The budget plan relies on \$569,000 in sewer retained earnings for fiscal year 2023 operating budget. The \$782,928 to be transferred from the tax levy is to pay for drains-related programs; the tax levy contributed \$526,368 to the enterprise fund and \$195,000 to fund the warrant article last year for a combined total of \$721,368. The transfer for fiscal year 2023 results in a net increase of \$61,560.

The Sewer Enterprise Fund also reimburses the general fund for costs incurred and paid by General Fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Sewer Enterprise Fund budget is a self-supporting account. Sewer user fees and charges cover the cost of the sewer operations, and the general fund payment supports the drains program.

MOVED: That the Town vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2023, under the provisions of M.G.L. Chapter 44, Section 53F 1/2:

Sewer Enterprise FY2023

Line #	Description	FY2021	FY2022	FY2023	
		Expended FIE	Current Budget FTE	Recommended FIE	Town Meeting Amendments
201A	Salary & Wages	\$890,210 11.0	\$1,041,733 11.0	\$1,080,247 11.0	
201B	Expenses	\$409,924	\$513,076	\$770,691	
201C	Capital Outlay	\$45,000	\$51,000	\$51,000	
201D	MWRA Assessment	\$6,399,895	\$6,614,690	\$6,822,134	
201E	Debt Service	\$645,377	\$610,000	\$610,000	
202	Reserve Fund	Transfers Only	\$35,000	\$35,000	
	TOTAL	\$8,390,406 11.0	\$8,865,499 11.0	\$9,369,072 11.0	
	I	Y2023 Budget Percenta	ge Change from FY2022 I		

and to meet this appropriation that \$8,017,144 be raised from Sewer Enterprise Fund receipts, and that \$569,000 be transferred from Sewer Enterprise Fund Retained Earnings, and that \$782,928 be raised from the Tax Levy and transferred to the Sewer Enterprise Fund.

ACTION: So voted by unanimous consent.

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2023, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Water Enterprise FY2023

Line #	Description	FY2021	FY2022	FY2023	
		Expended FTE	Current Budget FTE	Recommended FTE	Town Meeting Amendments
301A	Salary & Wages	\$1,187,267 17.0	\$1,457,409 17.0	\$1,492,528 17.0	
301B	Expenses	\$986,127	\$1,294,764	\$1,361,349	
301C	Capital Outlay	\$15,000	\$40,000		
301D	MWRA Assessment	\$1,122,902	\$1,670,433	\$1,464,186	
301E	Debt Service	\$1,244,543	\$1,250,000	\$1,250,000	
302	Reserve Fund	Transfers Only	\$75,000	\$75,000	
	TOTAL	\$4,555,839 17.0	\$5,787,606 17.0	\$5,643,063 17.0	
	I	Y2023 Budget Percentag	ge Change from FY2022 E		

and to meet this appropriation that \$5,643,063 be raised from Water Enterprise Fund receipts; or take any other action relative thereto.

Article Information: This article funds the Town's water system. The Town's water distribution system is a single service pressure zone system supplied by two sources. The Town's primary source of water is the Charles River Well Field. The well field consists of three groundwater-pumping stations. Needham's second water source is a connection to the Massachusetts Water Resources Authority (MWRA) surface water supply originating at the Quabbin Reservoir and delivered through the MetroWest Tunnel and the Hultman Aqueduct. This water is pumped into the Needham system at the St. Mary's Pumping Station located at the corner of St. Mary Street and Central Avenue. This supply is used when the Town's demand for water is greater than the local supply and serves as a backup should the Town's wells need to be taken off-line. Water Division staff operate the water treatment plant and also operate, maintain, and repair the Town-wide water distribution system. The system is comprised of more than 143.5 miles of water mains, 1,344 public and private hydrants, 3,231 water gate valves, and 10,069 water service connections. This system supports 15,508 installed meters as of June 30, 2021.

The overall operating budget for fiscal year 2023 is \$5,643,063 or \$144,543 (2.5%) less than the FY2022 budget. The lower budget is largely due to the \$206,247 decrease in the MWRA assessment for the Town's use of water and the \$40,000 reduction in operating capital. The MWRA bills the Town for actual water consumption in the calendar year preceding the new fiscal year; the fiscal year2023 water assessment is based on calendar year 2021 water use. The Town's use of MWRA water was down by 17.3% from the prior year, 321 million gallons compared to 388 million gallons of water. During calendar year 2020, approximately 29.7% of the total water production came from the MWRA; during calendar year 2021, 27.1% of production came from the MWRA (see table). The preliminary water assessment for fiscal year 2023 is \$1,464,186 which is a decline of approximately 12.4% in the assessment. The final assessment from the MWRA is not expected until the end of the State budget process.

Water Production	CY2019	CY2020	CY2021
Water Production*	1,174.2	1,305.6	1,185.0
Water Production from MWRA	266.2	387.8	320.7
Water Production from Town Wells	908.0	917.8	864.3
Percentage from MWRA	22.7%	29.7%	27.1%
*millions of gallons			
Water meters replaced**	1,591	385	564
Percentage of the total number of water meters in place for that	10.20	2.5%	2 - 6
year	10.3%	2.5%	3.6%

^{**} Note: The lower number of meters replaced was due to COVID-

¹⁹ restrictions.

The fiscal year 2023 salary and wage expense line is \$1,492,528, an increase of \$35,119 (2.4%) over the current budget. The water enterprise has 17 full-time employees, of whom 13 are unionized. Twelve employees are members of the NIPEA union, and one employee is a member of the ITWA union. The collective bargaining agreement with the NIPEA union expires on June 30, 2022, and as of the time of the budget submission a successor agreement has not been reached. The collective bargaining agreement with the ITWA union does not expire until June 30, 2024. The budget includes step and longevity increases for the employees who are members of the unions, based on the collective bargaining agreements, and for non-represented personnel in accordance with the Town's personnel policies.

The water expense line of \$1,361,349 is \$66,585 higher than the fiscal year 2022 budget, approximately 5.1% more. The cost of electricity and natural gas are higher with a combined increase of \$48,979 accounting for approximately 74% of the total increase. The cost of fuel for vehicles and equipment is also higher by \$11,020, an increase of more than 29.1% from the current year. However, the increase in fuel costs is not reflective of the changes in prices (much higher) since last fall. The cost of supplies for water treatment chemicals has been budgeted based on an estimated increase of 3.5% over the current supply contract pricing. The Town anticipates similar price increases for water system parts, such as gate valves, hydrants, water main sleeves, and brass and copper fittings. The combined increase is \$12,803. Contracted and other services have increased by \$7,183, primarily for electrical and mechanical related services. However, those increases were mitigated by decreases in professional services and software licensing of \$13,400.

The operating capital line for fiscal year 2023 has no funding requested, a decrease of \$40,000. The debt service line is level funded at \$1,250,000. The Town has several large-scale water infrastructure projects that will impact the enterprise debt budget in the out years. The water reserve fund – at \$75,000 – is level dollar for fiscal year 2023.

The Water Enterprise Fund also reimburses the general fund for costs incurred and paid by general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Water Enterprise Fund budget is a self-supporting account. Water user fees and charges cover the entire cost of operations.

MOVED: That the Town vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2023, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Water Enterprise FY2023

F 12025					
Line #	Description	FY2021	FY2022	FY2023	
		Expended FTE	Current Budget FTE	Recommended FIE	Town Meeting Amendments
301A	Salary & Wages	\$1,187,267 17.0	\$1,457,409 17.0	\$1,492,528 17.0	
301B	Expenses	\$986,127	\$1,294,764	\$1,361,349	
301C	Capital Outlay	\$15,000	\$40,000		
301D	MWRA Assessment	\$1,122,902	\$1,670,433	\$1,464,186	
301E	Debt Service	\$1,244,543	\$1,250,000	\$1,250,000	
302	Reserve Fund	Transfers Only	\$75,000	\$75,000	
	TOTAL	\$4,555,839 17.0	\$5,787,606 17.0	\$5,643,063 17.0	
		FY2023 Budget Percenta	ge Change from FY2022 B	Budget -2.5%	

and to meet this appropriation that \$5,643,063 be raised from Water Enterprise Fund receipts.

ACTION: So voted by unanimous consent.

Article 13 was discussed upon completion of the unanimous consent articles.

ARTICLE 14: SET THE ANNUAL DEPARTMENT REVOLVING FUND SPENDING LIMITS

To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2023 beginning on July 1, 2022, for the revolving funds established in the Town's General By-Laws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½; or take any other action relative thereto.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2023 Spending Limit	
Home Composting	Department of Public Works	\$3,000	
Immunization Program	Health and Human Services Department	\$25,000	
Memorial Park Activities	Memorial Park Trustees	\$4,100	
Needham Transportation	Health and Human Services Department	\$60,000	
Public Facility Use	Department of Public Works	\$250,000	
School Transportation	School Committee	\$819,000	
Traveling Meals	Health and Human Services Department	\$75,000	
Tree Replacement	Department of Public Works	\$25,000	
Water Conservation	Department of Public Works	\$10,000	
Youth Services Programs	Health and Human Services Department	\$25,000	
Aging Services Programs	Health and Human Services Department	\$90,000	

Article Information: The purpose of this article is to set the annual spending limit for the various revolving funds that are established by Town By-Law in accordance with MGL Chapter 44 Section 53E1/2. The law requires that the Town Meeting shall, on or before July 1 of each fiscal year, vote on the limit for each revolving fund established under this law the total amount that may be expended during the fiscal year. The law provides also that the limit on the amount that may be spent from a revolving fund may be increased with the approval of the Select Board and Finance Committee should the revolving activity exceed the spending limit, but only until the next Annual Town Meeting.

MOVED: That the Town vote to fix the maximum amount that may be spent during fiscal year 2023 beginning on July 1, 2022, for the revolving funds established in the Town's General By-Laws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½; or take any other action relative thereto.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2023 Spending Limit	
Home Composting	Department of Public Works		
Immunization Program	Health and Human Services Department	\$25,000	
Memorial Park Activities	Memorial Park Trustees	\$4,100	
Needham Transportation	Health and Human Services Department	\$60,000	
Public Facility Use	Department of Public Works	\$250,000	
School Transportation	School Committee	\$819,000	
Traveling Meals	Health and Human Services Department	\$75,000	
Tree Replacement	Department of Public Works	\$25,000	
Water Conservation	Department of Public Works	\$10,000	

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2023 Spending Limit
Youth Services Programs	Health and Human Services Department	\$25,000
Aging Services Programs	Health and Human Services Department	\$90,000

Action: So voted by unanimous consent.

ARTICLE 15: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to Massachusetts General Law Chapter 44B from the estimated fiscal year 2023 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee

\$82,000

\$82,000

Reserves:

B. Community Preservation Fund Annual Reserve	\$1,385,308
C. Community Housing Reserve	\$809,400
D. Historic Resources Reserve	\$28,050
E. Open Space Reserve	\$404,700

or take any other action relative thereto.

Article Information: Town Meeting and voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. The CPC has voted to increase the amount set aside in the Community Housing Reserve to a minimum of 20% of the estimated revenue for the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Fund.

MOVED: That the Town vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to Massachusetts General Law Chapter 44B from the estimated fiscal year 2023 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee	
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Reserves:

B. Community Preservation Fund Annual Reserve	\$1,385,308
C. Community Housing Reserve	\$809,400
D. Historic Resources Reserve	\$28,050
E. Open Space Reserve	\$404,700.

Action: So voted by unanimous consent.

ARTICLE 16: APPROPRIATE TO COMMUNITY PRESERVATION FUND SUPPLEMENT

To see if the Town will vote to raise and/or transfer an additional sum pursuant to Massachusetts General Law Chapter 44B to set aside \$29,067 for future appropriation to the Historic Resources Reserve, \$24,375 to the Open Space Reserve, and \$48,749 to the Community Housing Reserve, and that to meet this appropriation that \$102,191 be transferred from the fiscal year 2022 CPA General Reserve; or take any other action relative thereto.

Article Information: During fiscal year 2022, the Town received additional State matching funds, and as a result the appropriations to the reserve categories were insufficient to satisfy the 10% requirement. This article ensures that the reserves are funded at the legally required amount. The CPC has voted to continue to set aside a higher amount for the Community Housing Reserve, at 20% of the total estimated receipts for fiscal year 2022.

MOVED: That the Town vote to raise and/or transfer an additional sum pursuant to Massachusetts General Law Chapter 44B to set aside \$29,067 for future appropriation to the Historic Resources Reserve, \$24,375 to the Open Space Reserve, and \$48,749 to the Community Housing Reserve, and that to meet this appropriation that \$102,191 be transferred from the fiscal year 2022 CPA General Reserve.

Action: So voted by unanimous consent.

Article 17 was discussed upon completion of the unanimous consent articles.

ARTICLE 18: APPROPRIATE FOR NHA PROPERTY SURVEY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$81,978 for the purpose of funding a property survey for the Needham Housing Authority (NHA) at the High Rock Estates site, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the CPA Community Housing Reserve; or take any other action relative thereto.

Article Information: The Needham Housing Authority is requesting funding to complete a property conditions report for the Needham Housing Authority's federally subsidized, deeply low-income housing development at the High Rock Estates site. The report is a prerequisite for applying to the U.S. Department of Housing and Urban Development for the approval of the repositioning of NHA's High Rock Estates site, a federal housing development. The repositioning would substantially increase the property's operating income, unlock capital improvement dollars, and contribute to the redevelopment of the 60 High Rock Estates bungalows into 60 duplexes.

MOVED: That the Town will vote to raise and/or transfer and appropriate the sum of \$81,978 for the purpose of funding a property survey for the Needham Housing Authority (NHA) at the High Rock Estates site, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the CPA Community Housing Reserve.

Action: So voted by unanimous consent.

Articles 19, 20, and 21 were discussed upon completion of the unanimous consent articles.

ARTICLE 22: APPROPRIATE FOR HILLSIDE SCHOOL HEATING REPAIRS AND UPGRADES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$275,000 for the purpose of upgrading the heating system at the Hillside School, to be spent under the direction of the Town Manager and Permanent Public Building Committee, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

Article Information: This funding request will support the purchase and installation costs to partially upgrade the heating system at the Hillside School so that it can be maintained, and operate in an efficient, and reliable manner. The Hillside School currently uses two cast iron boilers to heat the building. The boilers were installed during a renovation in 1998 and have surpassed their 20-year life cycle. Due to the age of the boilers, many parts necessary for continued maintenance are no longer manufactured, causing repair to become increasingly difficult. While Hillside is no longer being used as a school, it is still in use as swing space, most recently by the Police Department. The current heating system has failed and was not operational for periods during the past two heating seasons. The continued heating plant operation of the building is necessary to prevent the building from freezing and causing major damage. The construction portion of the project will be coordinated with the renovation to allow for continued use as swing space by the School Department.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$275,000 for the purpose of upgrading the heating system at the Hillside School, to be spent under the direction of the Town Manager and Permanent Public Building Committee, and to meet this appropriation that said sum be transferred from Free Cash.

Action: So voted by unanimous vote.

Article 23 was discussed upon completion of the unanimous consent articles.

ARTICLE 24: APPROPRIATE FOR POLLARD SCHOOL LOCKER ROOM RETROFIT

To see if the Town will vote to raise and/or transfer and appropriate the sum of 1,068,500 for Pollard School Locker Room retrofit, to be spent under the direction of the Town Manager and Permanent Public Building Committee, and to meet this appropriation that \$305,485 be transferred from Premium Surplus reserved and that \$763,015 be transferred from Free Cash; or take any other action relative thereto.

Article Information: This funding request will fund the construction phase of the retrofitting of the Pollard School locker room. Funding for the design phase of this project was approved in fiscal year 2021. The current locker room layout at the Pollard Middle School is no longer conducive to the needs of the Athletic Department. The school offers diverse sports programs, which require storage for unique and large pieces of equipment (e.g., field hockey sticks, lacrosse sticks, bags, etc.) for which existing lockers are unable to accommodate. Additionally, the orientation of the locker room creates blind spots that pose a safety concern, the flooring is starting to crack in places due to age, and the bathrooms and showers are outdated.

The project includes removing and replacing the floors, ceilings, lockers, and lighting fixtures, which will be updated to LEDs. The lockers will vary in size to accommodate the variety of sports and equipment needs in the building. Both restrooms located inside the locker rooms, as well as the two restrooms directly adjacent to the locker rooms will be renovated. Additionally, a gender-neutral restroom/changing room will be added. In each locker room, three individual changing stalls will be added for increased privacy.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of 1,068,500 for Pollard School Locker Room retrofit, to be spent under the direction of the Town Manager and Permanent Public Building Committee, and to meet this appropriation that \$305,485 be transferred from Premium Surplus reserved and that \$763,015 be transferred from Free Cash.

ACTION: So voted by unanimous consent.

Articles 25, 26, and 27 were discussed upon completion of the unanimous consent articles.

ARTICLE 28: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$901,255 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Sewer	Fleet Replacement Program	\$291,255	
Sewer	Sewer Main Project (Greendale/Rte 128)	\$610,000	
		\$901,255	

Article Information:

Sewer Main Replacement/Greendale Avenue/Route 128

This funding request will address the Greendale Avenue/Route 128 sewer interceptor from Cheney Street to Great Plain Avenue. The existing sewer line is deteriorating and in need of rehabilitation/replacement in order to remain functional. The plan is to replace or reline 12,000 feet (2.25 miles) of 18-inch reinforced concrete gravity sewer main running through Town property along Greendale Avenue near Cheney Street towards Route 128,

along the Route 128 right of way to Great Plain Avenue. The interceptor collects and conveys wastewater from numerous sewer lines. During the feasibility study, the Town discovered a blockage of the sewer main and two buried manholes that prevented the consultant from providing a complete inspection of the sewer main. The blockage has since been cleared. The fiscal year 2023 request is to fund the design phase of this project, which will include relining and/or removing and replacing parts of the sewer main underneath Route 128 at Great Plain Avenue. Funding for the construction phase will be requested for fiscal year 2025.

Sewer Fleet Replacement - Specialized Equipment

UNIT	EXISTING	DIVISION	YEAR	REPLACEMENT	AMOUNT
119	International 7400 Series	Sewer	2010	Heavy Duty Truck Class 8 Large Dump	\$291,255

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$901,255 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Sewer Enterprise Fund Retained Earnings.

Group	Description	Recommended	Amendment
Sewer	Fleet Replacement Program	\$291,255	
Sewer	Sewer Main Project (Greendale/Rte 128)	\$610,000	
		\$901,255	

Action: So voted by unanimous vote.

ARTICLE 29: RESCIND DEBT AUTHORIZATIONS

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

Project	Town Meeting	Article	Authorized	Rescind
Rosemary Recreation Complex	2017 ATM	33	\$8,000,000	\$36,000
Memorial Park Building	2018 ATM	30	\$2,918,000	\$34,000
Total				\$70,000

or take any other action relative thereto.

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

MOVED: That the Town vote to rescind a portion of certain authorizations to borrow, which were approved at prior Town Meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

Project	Town Meeting	Article	Authorized	Rescind
Rosemary Recreation Complex	2017 ATM	33	\$8,000,000	\$36,000
Memorial Park Building	2018 ATM	30	\$2,918,000	\$34,000
Total				\$70,000

Action: So voted by unanimous vote.

ARTICLE 30: APPROPRIATE FOR COMPENSATED ABSENCES FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$250,000 for the purpose of funding the Compensated Absences Fund, to be spent under the direction of the Town Manager and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

Article Information: The purpose of this article is to fund the Town's employee sick and vacation leave liability. Upon retirement, certain employees are compensated for a portion of their unused sick leave. All employees are entitled to payment of unused vacation leave upon termination of Town service. The Town has been taking steps to reduce or eliminate sick leave buy-back programs for all classes of employees, although an unfunded liability remains. The balance in the fund as of February 1, 2022 was \$463,072.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$250,000 for the purpose of funding the Compensated Absences Fund, to be spent under the direction of the Town Manager and to meet this appropriation that said sum be raised from the Tax Levy.

Action: So voted by unanimous vote.

Articles 31, 32, 33, 34, and 35 were discussed upon completion of the unanimous consent articles.

ARTICLE 36: STREET ACCEPTANCE – HUTTER RIDGE ROAD

To see if the Town will vote to accept the following streets or portions thereof, constructed by developers under the requirements of the Subdivision Control Law and as laid out by the Select Board in accordance with plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plans: Hutter Ridge Road; or take any other action relative thereto.

Article Information: Hutter Ridge Road was constructed by a developer in conformance with the Town's design standards. This article, if accepted, will make Hutter Ridge Road a public way.

MOVED: That the Town vote to accept the following streets or portions thereof, constructed by developers under the requirements of the Subdivision Control Law and as laid out by the Select Board in accordance with plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plans: Hutter Ridge Road.

Action: So voted by unanimous vote.

ARTICLE 37: AMEND GENERAL BY-LAWS – NEEDHAM HOUSING AUTHORITY TERM CYCLE

To see if the Town will vote to amend the General By-laws by deleting from Section 1.9 (Election of Officers) subsection 1.9.1(m) in its entirety and inserting in its place the following:

(m) Three members of the Needham Housing Authority for five-year terms, so arranged that the term of not more than one member shall expire each year.

Or take any other action relative thereto.

Article Information: The Housing Authority is a five-member board, of which one member is appointed by the Governor. Until 2021, the other four members were elected by the voters. Changes to State law now require that at least one Commissioner on the Housing Authority Board be a tenant-commissioner and provides that one member be appointed by the Select Board. This proposed amendment will bring the General By-laws into compliance with State law.

MOVED: That the Town vote to amend the General By-laws by deleting from Section 1.9 (Election of Officers) subsection 1.9.1(m) in its entirety and inserting in its place the following:

(m) Three members of the Needham Housing Authority for five-year terms, so arranged that the term of not more than one member shall expire each year.

Action: So voted by unanimous vote.

ARTICLE 38: AMEND CHARTER - NEEDHAM HOUSING AUTHORITY TERM CYCLE AND TENANT MEMBER APPOINTMENT

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

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

SECTION 1. Chapter 403 of the acts of 1971 is hereby amended by deleting from Section 19, as most recently amended by section 1 of Chapter 341 of the acts of 2018, subsection (viii) and inserting in place thereof the following:

(viii) Three (3) members of the Needham Housing Authority for 5-year terms;

SECTION 2. Chapter 403 of the acts of 1971 is hereby amended by striking out Section 20(b), as most recently amended by section 1 of

chapter 341 of the acts of 2018, and inserting in place thereof the following:

(b) The select board shall appoint a town counsel, members of the board of appeals, election officers, registrars of voters, except the town clerk, members of the historic commission, conservation commission, commission on disabilities, the tenant member of the housing authority and, except as provided in section 19, all other boards, committees and commissions for whom no other method of selection is provided in this charter or by-law.

SECTION 3. This act shall take effect upon passage.

Or take any other action relative thereto.

Article Information: The Housing Authority is a five-member board, of which one member is appointed by the Governor. Until 2021, the other four members were elected by the voters. Changes to State law now require that at least one Commissioner on the Housing Authority Board be a tenant-commissioner and provides that one member be appointed by the Select Board. This proposed amendment will bring the Town Charter into compliance with State law. Approval of the Legislature and the Governor are required for changes to the Town Charter.

MOVED: That the Town vote to authorize the Select Board to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

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

SECTION 1. Chapter 403 of the acts of 1971 is hereby amended by deleting from Section 19, as most recently amended by section 1 of Chapter 341 of the acts of 2018, subsection (viii) and inserting in place thereof the following:

(viii) Three (3) members of the Needham Housing Authority for 5-year terms;

SECTION 2. Chapter 403 of the acts of 1971 is hereby amended by striking out Section 20(b), as most recently amended by section 1 of chapter 341 of the acts of 2018, and inserting in place thereof the following:

(b) The select board shall appoint a town counsel, members of the board of appeals, election officers, registrars of voters, except the town clerk, members of the historic commission, conservation commission, commission on disabilities, the tenant member of the housing authority and, except as provided in section 19, all other boards, committees and commissions for whom no other method of selection is provided in this charter or by-law.

SECTION 3. This act shall take effect upon passage.

Action: So voted by unanimous vote.

ARTICLE 39: INCREASE CONTRIBUTORY RETIREMENT COLA ALLOWANCE

To see if the Town will vote to increase the maximum base upon which the retiree cost of living (COLA) is calculated from \$14,000 per year to \$16,000 per year in accordance with Chapter 32, Section 103(j) and Section 19 of Chapter 188 of the Acts of 2010; or take any other action relative thereto.

Article Information: The purpose of this article is to increase the base amount upon which the retiree Cost-of-Living Adjustment is paid. MGL, Chapter 32, Section 103(j) and Section 19 of Chapter 188 of the Acts of 2010 allows a Contributory Retirement Board, with the approval of Town Meeting, to increase the base amount upon which the Cost-of-Living adjustment paid to retirees is calculated. An increase of the base from \$12,000 to \$14,000 was approved at the 2015 Annual Town Meeting. This action increased the maximum COLA a retiree can receive from \$360 per year to \$420 per year even if his/her pension exceeds \$14,000. Approval of this article will increase the base amount from \$14,000 to \$16,000. The decision to grant a COLA and at what amount is made annually by vote of the Needham Contributory Retirement Board.

MOVED: That the Town vote to increase the maximum base upon which the retiree cost of living (COLA) is calculated from \$14,000 per year to \$16,000 per year in accordance with Chapter 32, Section 103(j) and Section 19 of Chapter 188 of the Acts of 2010.

Action: So voted by unanimous vote.

At this time the Moderator proceeded with the remaining articles in the warrant.

A motion to advance consideration of Article 40 to be the first item of business on Wednesday, May 4, 2022 was offered by Mr. Paul A. Siegenthaler. Mr. Siegenthaler explained that he is the primary sponsor of this citizen's petition and will be out of town during the second week of Town Meeting.

ACTION: Mr. Siegenthaler's motion to advance consideration of Article 40 to be the first item of business on Wednesday, May 4, 2022 was presented and carried by voice vote.

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

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

No reports were submitted under Article 2.

ARTICLE 3: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2022, as required by Massachusetts General Laws, Chapter 41, Section 108:

\$75,727
\$113,953 (1)
\$1,800
\$1,500

(1) In addition, such compensation shall also include payment of longevity in the amount of \$9,117, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$75,873. The annual salary of \$113,953 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$11,834. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$16,567; or take any other action relative thereto.

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

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

MOVED: That the Town vote to fix the compensation of the following elected officers of the Town as of July 1, 2022, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$75,727
Town Clerk with 6 years of service in that position	\$113,953 (1)
Select Board, Chair	\$1,800

Select Board, Others	\$1,500
	11

(1) In addition, such compensation shall also include payment of longevity in the amount of \$9,117, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$75,873. The annual salary of \$113,953 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$11,834. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$16,567; or take any other action elative thereto.

Ms. Marianne B. Cooley, Chair, addressed this article on behalf of the Select Board. The salaries for the members of the Select Board remain the same as in previous years. The Select Board recommends adoption of this article.

James G. Healy, member, recommends adoption of this article on behalf of the Finance Committee.

ACTION: the main motion was presented and passed by unanimous vote.

ARTICLE 4 was adopted by unanimous consent earlier this evening.

ARTICLE 5 was adopted by unanimous consent earlier

ARTICLE 6 was adopted by unanimous consent earlier this evening.

ARTICLE 7: APPROPRIATE FOR RTS SERVICE DELIVERY STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding a solid waste disposal and recycling service delivery study, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

Article Information: The Select Board adopted a goal to evaluate the service delivery model of the Recycling/Transfer Station prior to recommending any significant capital investment in the facility. The study would evaluate trash and recycling options including curbside pick-up, remaining drop-off, or a combination of the two, and will identify associated infrastructure and staffing needs and costs.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding a solid waste disposal and recycling service delivery study, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus.

Kevin J. Keane, member, recommended adoption of this proposal on behalf of the Select Board.

Richard M. Reilly, members recommended adoption on behalf of the Finance Committee.

In response to an inquiry from Mr. Michael A. Distiller (Precinct G), Kevin Keane advised that private pick up is included in the studies and there is a difference in cost in the previous study.

In response to an inquiry from Lois F. Sockol (Prec. I), Mr. Keane noted there will always be a dump (disposal area).

Josephine Lupinno Ochalla and Jeffrey D. Heller rose in support of this proposal.

ACTION: The main motion was presented and passed by unanimous vote.

ARTICLE 8: APPROPRIATE FOR PARKING STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$135,000 for the purpose of funding a parking study in Needham Center and Needham Heights, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Parking Meter Fund; or take any other action relative thereto.

Article Information: The Select Board voted to seek funding for a study of the parking needs in Needham Center and Needham Heights. The purpose of the study is to help guide decision-making with respect to

public parking options aligned with streetscape improvements, outdoor dining, and overall community interest in pedestrian-friendly and age-friendly amenities and infrastructure. Alternative payment options will be reviewed.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$135,000 for the purpose of funding a parking study in Needham Center and Needham Heights, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Parking Meter Fund.

Marianne B. Cooley, Chair, addressed this proposal on behalf of the Select Board. She explained that the purpose of this article is to understand the parking needs of the Town. There are a variety of parking and fees within the Town. The Select Board recommends adoption of Article 8.

Mr. James G. Healy, Member, addressed this proposal on behalf of the Finance Committee. The Finance Committee believes this is a good study and the costs will be paid out of the Parking Meter Fund. The Finance Committee recommends adoption.

Mr. Carlos Agualimpia (Precinct C) questioned if the town should wait until the Muzi project is completed before conducting this study. Ms. Marianne B. Cooley, Chair, Select Board, advised that she thinks this is the right time and that there will be additional studies related to the Muzi property (also known as 587 Highland Avenue).

ACTION: The main motion was presented and passed by majority vote on a voice vote declared by the Moderator.

Article 9 was adopted by unanimous consent earlier this evening.

ARTICLE 10: APPROPRIATE THE FY2023 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from Free Cash in the amount of \$2,625,000 from Overlay Surplus in the amount of \$500,000, from amounts Reserved for Debt Exclusion Offsets in the amount of \$32,328, and \$969,632 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 5 in order to meet expenses for postemployment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

MOVED: That the Town vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from Free Cash in the amount of \$2,625,000 from Overlay Surplus in the amount of \$500,000, from amounts Reserved for Debt Exclusion Offsets in the amount of \$32,328, and \$969,632 to be raised from CPA receipts; and

further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 5 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose.

The following motion to amend was offered by John P. Connelly:

MOVED: That the main motion under Article 10 be amended by deleting in line 5 Retiree Insurance and Insurance Liability Fund the sum "\$7,844,474" and inserting in place thereof the sum "\$8,844,474" and by deleting the sum "\$2,625,000" to be transferred from Free Cash and inserting in place thereof the sum "\$3,625,000".

In keeping with our tradition, I seek your unanimous consent for a rule of procedure and debate for discussion under Article 10 Fiscal Year 2023 Operating Budget and Article 23, the consolidated Cash Capital Article. This rule would also be applicable to Articles 11 and 12, the Water and Sewer Enterprise Fund Budgets, but those Articles passed by unanimous consent under our Consent Calendar. The rule would provide that a motion to amend under these articles which adds funds to a particular line item will not be in order unless

the movant identifies another line item or items that will be reduced to fund the proposed increase.

The Moderator presented the rule of procedure and debate for Articles 10 and 23 to the Meeting and the rule was adopted by unanimous consent.

Mr. Joshua W. Levy, Chair, addressed the proposed Fiscal Year 2023 budget on behalf of the Finance Committee.

The Moderator proceeded to call out each line item in the budget.

Under line Item 4 - Needham Electric, Light & Gas Program, Jeffrey M. Friedman (Precinct F) asked what affect inflation will have on this line item. Mr. Levy advised that there are constraints in place.

In responses to an inquiry from M. Patricia Cruickshank (Precinct H) regarding increasing solar panels at the transfer station, Mr. Levy advised that the town is investigating panels for the Jack Cogswell Building. Marianne B. Cooley, Chair, stated that the Select Board are looking at all options.

Mr. Aaron M. Pressman rose in strong support of the motion to amend.

Under Line Item 8 – Injury on Duty & 111F, Lance R. Brown (Precinct A) questioned the need to put money in this line item. Mr. Levy explained that this is a new line item not previously covered in the budget. In response to Mr. Lawrence J. Cohen (Precinct F), Mr. Levy explained that Article 33 is before us because the town needed to separate out money for 111F.

Under Line Item 10 - Reserve Fund, Mr. Richard A. Zimbone (Precinct H) asked what line item is used to pay for playgrounds and how much is allocated for those expenses. In response to Mr Zimboni's inquiry, Mr Levy explained that minor repairs are covered in the Park & Recreation Department budget and major repairs are covered under separate article such as \$7,000 for pool repairs and \$1,500 for playground repairs.

A motion to amend was offered by Mr. Richard A. Zimbone to reduce the Reserve Fund (10) by \$25,000 and increase Line Item 29B Expenses with preference for playground repairs. Mr. Levy noted that any department can come to the Finance Committee and request funding. Holly Anne Clarke stated that the Claxton Field playground has been removed because of disrepair and safety issues. Christopher J. Gerstel, Park & Recreation Commission Chair, explained that the Park & Recreation Commission go through a five-year plan and evaluate every project.

Mr. James R. Ruetenik (Precinct J) rose in support of this amendment as beneficial for kids.

Mr. Evan F. Rauch (Precinct D) rose in opposition to this amendment and expressed concern that the Park & Recreation Commission should make this request through the budget process.

M. Patricia Cruickshank (Precinct H) and Doug Fox (Precinct F) also rose in favor of this amendment.

A motion to move the previous question on the motion to amend was offered by Mr. Maurice Handel. The motion was presented

and carried by a two-thirds vote on a voice vote declared by the Moderator.

Mr. Zimbone's motion to amend was presented but the Moderator was in doubt as to the voice vote. The motion was again presented, but the Moderator was still in doubt. The Moderator swore in the following tellers: Heinz R. Brinkhaus, Paula R. Callanan, Cynthia J Wolfe, Ilan Barzilay, Karen E. Han and Rebecca A. Young. Teller Richard S. Creem declined due to a conflict in another article.

The motion was present for a third time and carried by a count of hands. The hand count was Yes 136 - No 95.

Under Line Item 11 – Select Board and Office of the Town Manager, Georgina A. Arietta Ruetenik expressed concern with the civil rights suit against the Town. Select Board Chair Marianne B. Cooley advised that the town is being represented by insurance.

At this time the Moderator announced a short break. After the break, the Moderator stated the attendance for this evening is 224 present and 29 absent.

The Moderator announced the presence of our State Senator Becca Rausch and thanked her for her interest in our Town Meeting.

Town Meeting reconvened under Line Item 11. In response to an inquiry from Margaret Abruzese regarding the selection of legal services, Marianne B. Cooley, Chair, Select Board, stated that the Town had a long time Town Counsel who retired. At that time the Select Board decided that one individual was not enough to handle all the legal requirements of the Town and they went out to bid and hired a law firm and have been very happy with their services to date.

Under Line Item 20 – Minuteman Regional High School, Marianne B. Cooley, Chair, Select Board, advised Georgina A. Arietta-Ruetenik that there are 31 Needham students attending Minuteman regional High School this year and the number is increasing with the new Minuteman facilities. The Town is pleased with the Minuteman education.

Under Line Item 21- Needham Public Schools, Matthew J. Spengler, Chair, School Committee, addressed this proposal briefly. He stated that there are 5500 students in the Needham School system and there is a high standard of education in Needham. He emphasized that there is concern with our students social and mental health because of the Covid pandemic.

Mr. Paul S. Alpert (Precinct C) noted that Needham ranked extremely high in the ranking of High Schools in the United States listed recently in the Boston Globe.

In response to an inquiry from Georgina A. Arrieta-Ruetenik (Precinct J), Mr. Spengler advised that 18-205 of students are in Special Education and there are adequate counselors (based on national services) in all schools.

In response to an inquiry from Henry G. Ragin (Precinct J) regarding the percent or IEPs and how many applied granted or turned down for Special Education, Mr. Spengler advised that he does not have the numbers tonight but can furnish those numbers.

In response to an inquiry on the town's intention to plow town sidewalks from Jeanne S. McKnight (Precinct F), Marianne B. Cooley, Chair, Select Board, advised that the town looked to test by

Office of the Town Clerk & Board of Registrars

particular areas and have not made its conclusion. There will be a review and determination on how it worked.

Marianne B. Cooley, Chair, on behalf of the Select Board advised that the contract to replace the Library sound system is being signed tomorrow and must be completed by June 30, 2022.

Under Line Item 29a – Park and Recreation Department - Lance R. Brown (Precinct A) questioned the increase in salaries. Mr. Joshua W. Levy, Chair, Finance Committee, explained that the increase is due to an increase in costs for temporary employees.

Marianne B. Cooley, Chair, Select Board, advised Mr. Richard DeMeis (Precinct G) that there has been lots of discussion and interest in a skateboard park and this will come back to this body.

Mr. John P. Connelly's motion to amend was presented and carried by unanimous vote.

Note: Mr. Zimbone's motion to amend under Line Item 10 was passed earlier by a count of hands: The hand count was Yes 136 - No 95,

ACTION: The main motion, as amended, was presented, and carried by unanimous vote.

VOTED: That the Town vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from Free Cash in the amount of \$3,625,000 from Overlay Surplus in the amount of \$500,000, from amounts Reserved for Debt Exclusion Offsets in the amount of \$32,328, and \$969,632 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 5 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose.

Townwide Expenses

1. Casualty, Liability, Property & Self Insurance	
Program	\$834,262
2. Debt Service	\$20,198,294
3. Group Health Insurance, Employee Benefits	
Assessments & Administrative Costs	\$17,255,396
4. Needham Electric, Light & Gas Program	\$4,121,023
5. Retiree Insurance & Insurance Liability	
Fund	\$8,844,474
6. Retirement Assessments	\$11,407,096
7. Workers Compensation	\$732,070
8. Injury on Duty & 111F	\$151,105
9. Classification Performance & Settlements	\$1,332,466
10. Reserve Fund	\$2,052,091
Townwide Expense Total	\$66,928,277
Select Board & the Office of the Town Manage	er
11A Salary & Wages	\$1,060,329
11B Expenses	255,076
Total	\$1,315,405
40	

Office of the Town Clerk & Board of Regist	
12A Salary & Wages	\$406,546
12B Expenses	\$81,720
Total	\$488,266
Lord Complete	
<u>Legal Services</u> 13A Salary & Wages	
13B Expenses	\$200 1 40
13D Expenses	<u>\$329,140</u>
Total	\$329,140
Finance Department	
14A Salary & Wages	\$2.215.060
14B Expenses	\$2,315,869 \$1,331,273
14C Capital	\$95,000
- · · · · · · · · · · · · · · · · · · ·	\$25,000
Total	\$3,742,142
Finance Committee	
15A Salary & Wages	¢.41 00.4
15B Expenses	\$41,904
13D Expenses	\$1,460
Total	\$43,364
Planning and Community Development	
16A Salary & Wages	DE15010
16B Expenses	\$515,949
TOD Expenses	\$36,850
Total	\$552,799
General Government	\$6,471,116
Police Department	
17A Salary & Wages	AT 405 500
17B Expenses	\$7,135,569
17D Expenses	\$507,827
17C Capital	\$257.884
Total	\$7,901,280
Fire Department	
18A Salary & Wages	\$9,403,525
18B Expenses	\$445,467
18C Capital	\$35,334
Total	\$9,884,326
	45,00 1,000
Building Department	
19A Salary & Wages	\$797,717
19B Expenses	\$51,040
Total	\$848,757
Public Safety Total	\$18,634,363
Minuteman Regional High School	
Assessment	
20 Assessment	\$1,367,739
	\$1,507,739
TOTAL	\$1,367,739
	Ψ±,υU1,139
Needham Public Schools	
21 Needham Public School Budget	\$87,277,798
	101,01111111111111111111111111111111111

TOWN OF NEEDHAM		TOWN CLERK'S RECORDS -ANNU	JAL TOWN MEETING
TOTAL	\$87,277,798		
Education Total	\$88,645,537	TOTAL: COMMUNITY SERVICES	\$5,996,023
Building Design & Construction Department	-4	DEPARTMENT BUDGET TOTAL	\$139,091,860
22 A Calair & Construction Departmen			
22A Salary & Wages	\$342,389	TOTAL OPERATING BUDGET	\$206,020,137
22B Expenses	\$15,175		
Total	\$357,564	Article 11 was adopted by unanimous conser	nt earlier this evening.
Department of Public Works)	
23A Salary & Wages	\$10,270,980	Autiola 10 11	
23B Expenses	\$8,167,639	Article 12 was adopted by unanimous conser	it earlier this evening.
23C Capital	\$115,499		
23D Snow & Ice	\$433,139		
	<u> </u>	ARTICLE 13: AUTHORIZATION TO	EVDEND STATE
Total	\$18,987,257	FUNDS FOR PUBLIC WAYS	EAFEND STATE
Public Facilities and Public Works Total	\$19,344,821	To see if the Town will read to a star	' 4 T > 1
	, ,,- <u></u>	To see if the Town will vote to author	rize the Town Manager
		to permanently construct, reconstruct, resu	irlace, alter, or make
Municipal Parking Program		specific repairs upon all or portions of va	rious Town ways and
24 Program Budget	0151 010	authorize the expenditure of funds receive	d, provided, or to be
24 Hogiain Budget	\$151,818	provided by the Commonwealth of Mass	achusetts through the
Total	****	Massachusetts Department of Transportation;	or take any other action
Total	\$151,818	relative thereto.	,
TV 1/1 177		Article Information: The Town receive	es funding from the
Health and Human Services Department		Commonwealth of Massachusetts for road	construction projects
25A Salary & Wages	\$1,985,557	Approval of Town Meeting is required for th	e Town to receive and
25B Expenses	<u>\$434,735</u>	expend the funds. The Massachusetts Depart	ment of Transportation
		(MassDOT) will distribute Chapter 90 funding	ment of Transportation
Total	\$ 2,420,292	authorized by the Levisleton and the G	g only after it has been
	+,,	authorized by the Legislature and the Gover	nor. The preliminary
Commission on Disabilities		Chapter 90 allocation for fiscal year 2023	is \$912,849. Unless
26A Salary & Wages	1,500	circumstances require otherwise, this Chapte	r 90 allocation will be
26B Expenses		directed to the design and construction of	the next phase of the
20D Expenses	<u>550</u>	downtown infrastructure improvement projec	t including design and
Total	0.5.0.5.0	construction of Quiet Zone compliant infrastru	cture at railroad grade
Total	\$2,050	crossings.	0
Historical Commission		MOVED: That the Town wate to suther in	die Tour Money
27	<u>1,050</u>	MOVED: That the Town vote to authorize	the Town Manager to
	1,050	permanently construct, reconstruct, resurface,	alter, or make specific
Total	\$1,050	repairs upon all or portions of various Town v	vays and authorize the
	\$1,050	expenditure of funds received, provided, or	to be provided by the
Needham Public Library		Commonwealth of Massachusetts through	the Massachusetts
28A Salary & Wages	\$1.505.00 <i>C</i>	Department of Transportation.	
	\$1,725,936		
28B Expenses	\$390,863	Heidi R. Frail, member, recommende	ed adoption of this
m . 1		Article on behalf of the Select Board,	
Total	\$2,116,799		
Park & Recreation Department		Richard J. Lunetta, member, recomm	ended adoption of this
29A Salary & Wages	\$1,021,629	article on behalf of the Finance Committee. He	e advised that the state
29B Expenses	\$1,031,628	does not provide funds if the Town Meeting	doesn't approve this
Z9B Expenses	_\$263,336	article.	••
Total	\$1,294,964		
Memorial Park Trustees		Holly Anne Clarke (Precinct D) expre	essed concern with the
30	P.750	lack of sidewalks in the Charles River Street ar	id Oxbow Road area.
30	\$ <u>750</u>		
Total		Heidi R. Frail advised that the Se	elect Board improves
Total	\$750	existing sidewalks before building new sidew	alks but there will be
. n. o		hearings for discussion.	
Needham Council for Arts and Culture		<u> </u>	
31		ACTION: the main motion was presented and	carried by unonimous
	<u>\$8,300</u>	vote.	carried by unamimous
	-		
'otal	\$8,300	Article 14 was adopted by unanimous	oonling thin a!-
	•	Article 14 was adopted by unanimous consent	eartier this evening.

Article 15 was adopted by unanimous consent earlier this evening.

Article 16 was adopted by unanimous consent earlier this evening.

ARTICLE 17: APPROPRIATE FOR NHA PRE-DEVELOPMENT LINDEN CHAMBERS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,386,000 for the purpose of funding predevelopment costs for the Linden Chambers housing project, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Community Housing Reserve; or take any other action relative thereto.

Article Information: The Needham Housing Authority (NHA) is requesting funding to engage a firm to prepare the preliminary design work required to obtain zoning relief and complete other due diligence (e.g., geo-tech borings, traffic studies, schematic designs, etc.) to better position the Linden Chambers developments to receive funds from outside sources. The requested CPA funds may also be used to create and explore options for temporary tenant relocation during the construction period.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$1,386,000 for the purpose of funding pre-development costs for the Linden Chambers housing project, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Community Housing Reserve.

Laura W. Dorfman, member, addressed this proposal on behalf of the Community Preservation Committee. She explained that this proposal is for design and pre-development costs in order to create improved affordable housing.

Mr. James G. Healy, member, Finance Committee, advised that this is clearly needed. The Cambridge Housing Authority has been awarded the contract. There is a variety of funding sources and all money is coming from the Community Preservation Committee. It is not in the Town budget or taxes.

Upon request from Peter J. Pingitore, Chair, Community Preservation Committee, Needham Housing Authority and Town Meeting Member Reginald C. Foster stated that there are currently 24 units which could increase to 60 units with this proposal. He further noted that the Needham Housing Authority hopes to find temporary homes for the current residents during this renovation.

ACTION: The main motion was presented and carried by unanimous vote.

Article 18 was adopted by unanimous consent earlier this evening.

ARTICLE 19: APPROPRIATE FOR COMMUNITY FARM GROWING BEDS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$200,000 for the purpose of funding the construction of growing beds at the Needham Community Farm, to

be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the CPA Open Space Reserve; or take any other action relative thereto.

Article Information: The Needham Community Farm is requesting funding to construct 150, 4 by 12-foot garden beds for growing vegetables and flowers using organic practices. Seasonal rental would be offered, with priority to Needham residents, and to others depending on demand. The project would occupy 3/4 of an acre and would be fenced. Site access would be improved to allow disabled access to the beds, with 15 beds elevated for wheelchair-bound usage. The site would be regraded for improved drainage, with a shed constructed for tool storage, and access to water supply installed. Construction would begin in July 2022 for initial use in the 2023 growing season.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$200,000 for the purpose of funding the construction of growing beds at the Needham Community Farm, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the CPA Open Space Reserve.

Mr. Peter J. Pingitore, Chair, advised that the Community Preservation Committee voted unanimously to support this article.

Mr. John P. Connelly, Vice Chair, advised that the Finance Committee held a hearing on this proposal and is satisfied that this is a good project and recommended adoption.

ACTION: The main motion was presented and carried by unanimous vote.

ARTICLE 20:APPROPRIATE FOR HIGH SCHOOL TENNIS COURTS DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for design and engineering costs associated with the reconstruction of the High School Tennis Courts, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

Article Information: The requested funding would support funds to design the repair or replacement of the existing tennis courts at Needham High School. This project will evaluate the current condition of the tennis courts and provide design options for both a resurfacing project and a full renovation. Once feedback has been received by the community, these funds will also be used to complete all design documents for the project.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$50,000 for design and engineering costs associated with the reconstruction of the High School Tennis Courts, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash.

Mr. Joseph P. Barnes, Precinct C Town Meeting Member and CPC member, advised that the Community Preservation Committee voted unanimously to support this Article.

Mr. Thomas M. Jacob, member, advised that the Finance Committee voted 4-1 to not support this article at this time. The

Finance Committee believes this proposal needs more review of the condition of these courts.

A motion to refer the subject matter of Article 20 to the Park and Recreation Commission for the appointment of a citizens advisory committee to advise on a townwide strategy for tennis and to report back to a future Town Meeting was offered by Mr Paul A. Siegenthaler. Mr. Siegenthaler advised that he has played tennis for many years, and this is a sport and activity that we need to support. However, we need more information.

Sam Williams, resident, rose to support this article. He stated that he is in the tennis industry and the town needs this study to be able to determine why the courts are in this condition and to understand what has happened.

Ms. Lois F. Sockol (Precinct I) suggested there is a need to fix these courts and then figure what comes next. It doesn't have to be "either/or".

Mr Doug H. Fox (Precinct F) rose in support of this article and again the motion to refer. Also rising in support of this article were Jeremy Chao and Jeffrey D. Heller.

Carol I Urwitz (Precinct J) questioned using money from the athletic Fund for this article. Mr. Peter J. Pingitore, Chair, Community Preservation Committee, noted that some funding would come from the Athletic Fund.

Mr. Evan F. Rauch (Precinct D) advised that it is important to have four tennis courts at the High School.

In response to an inquiry from Jennifer Lewis Buell (Precinct G), Christopher J. Gerstel, Chair, Park and Recreation Commission, advised that his board relies on the opinion of the athletic director.

A motion to move the previous was offered by Ford H. Peckham (Precinct E). The motion was presented and carried by the required two-thirds vote.

Mr. Siegenthaler's motion to refer to the Park and Recreation Commission was presented but failed to pass on a voice vote declared by the Moderator.

ACTION: The main motion was presented and carried by majority vote on a voice vote declared by the Moderator.

At 11:04 P.M. Mr. Gilbert W. Cox, Jr. moved that the Annual Town Meeting stand adjourned to Wednesday, May 4, 2022 at 7:30 P.M. at the James Hugh Powers Hall, Town Hall. The motion was presented and passed by unanimous vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy Attest:

ADJOURNED ANNUAL TOWN MEETING

Wednesday, May 4, 2022

Pursuant to adjournment of the Annual Town Meeting held May 2, 2022, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the James Hugh Powers Hall, Town Hall on Wednesday, May 4, 2022 at 7:30 P.M.

Check lists were used and 221 voters were checked on the list as being present, including 218 Town Meeting Members. 35 Town Meeting Members were absent.

The Moderator reminded Town Meeting Members to sit in the first 11 rows of the hall. He also noted that only Town Meeting Members are permitted to vote.

At this time discussion commenced under Article 40

ARTICLE 40: CITIZENS' PETITION - AMEND GENERAL BY-LAWS

To see if the Town will vote to amend the General By-Laws by inserting in Article 3 (Police Powers, Authority and Regulations) a new Section 3.1.14 to read as follows:

"Delivery of Written Material. Any person delivering written material to a residence shall leave such material at least 15 feet from the public way, unless left in a designated, enclosed box suitable for such purpose or if the principal residential structure to which a delivery is being made is located less than 15 feet away from the public way, in which case such material shall be left no more than 5 feet away from the principal structure. The provisions of this by-law do not apply to deliveries by the United States Postal Service. Whoever violates the provisions of this by-law shall be subject to a fine of \$25.00 for each offense."

And to renumber the remaining existing sections within Article 3 in appropriate numerical order to account for the insertion on the new section.

Article Information: This citizens' petition proposes a new addition to the General By-Laws that would require all written materials delivered to a residence in Town to be placed at least 15 feet away from the public way (unless such materials are left in a mailbox, or the residence itself is already closer than 15 feet to the public way). This By-Law is intended to prevent the accumulation of written materials (for example, newspapers in plastic bags) left on or near the street, which often go uncollected, become unsightly litter, and can contribute to environmental pollution.

MOVED: That the Town will vote to amend the General By-Laws by inserting in Article 3 (Police Powers, Authority and Regulations) a new Section 3.1.14 to read as follows:

"Delivery of Written Material. Any person delivering written material to a residence shall leave such material at least 15 feet from the public way, unless left in a designated, enclosed box suitable for such purpose or if the principal

residential structure to which a delivery is being made is located less than 15 feet away from the public way, in which case such material shall be left no more than 5 feet away from the principal structure. The provisions of this by-law do not apply to deliveries by the United States Postal Service. Whoever violates the provisions of this by-law shall be subject to a fine of \$25.00 for each offense."

And to renumber the remaining existing sections within Article 3 in appropriate numerical order to account for the insertion on the new section,

Mr. Paul A. Siegenthaler (Precinct E) addressed this proposal as the principal proponent for the citizens' petition. This article is an attempt to protect the environment. There are three possibilities for picking up trash left on streets – residents, town pick up on the street, or we do nothing. If there is no trash by-law, the trash just sits there. Mr. Siegenthaler urged support for this article.

Mr. Kevin J. Keane, member, addressed this proposal on behalf of the Select Board. He acknowledged that this does present some issues. However, the Boston Glove or the New York Times is not litter. If papers are left on the homeowner's property, it is their responsibility. If left at 5 AM in bad weather, this could present some concerns. The potential fines could be high. The Select Board recognize these concerns but do not support adoption of this article.

Carol I. Urwitz (Precinct J), David Dirks (Precinct G) and Catherine E. Kurkjian (Precinct B) rose in opposition to this proposal.

ACTION: The main motion was presented but failed to pass on a voice vote declared by the Moderator.

ARTICLE 21:APPROPRIATE FOR EMERY GROVER RENOVATION

To see if the Town will vote to appropriate \$19,400,000 for the renovation of and addition to the Emery Grover Building and associated grounds, including the temporary use of the Hillside School as swing space, as well as costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$4,500,000 be transferred from Free Cash, that \$1,000,000 be transferred from Overlay Surplus, that \$2,000,000 be transferred from CPA Free Cash, and that the Treasurer, with the approval of the Select Board, is authorized to borrow \$11,900,000 under M.G.L., Chapter 44, Section 7, M.G.L. Chapter 44B, or any other enabling authority; or take any other action relative thereto.

Article Information: This project includes the historic renovation of the Emery Grover exterior, as well as renovation and modernization of the interior, and has been reduced in scope to fit within the existing structure of the building. The revised concept reduced overall square footage from 34,717 to 21,108 to reflect more efficient use of shared space, construction of common work areas, and relocation of the educational technology/head end room function to other school buildings. This project also includes the temporary use of the Hillside Elementary School as swing space for school administration personnel during construction. This historic renovation project is eligible for Community Preservation Act (CPA) funds as a local, state, and national historic resource. The October 25, 2021, Special Town Meeting appropriated \$1,475,000 in design funding. Because

of the time frame for the project, Town Meeting approval of an emergency preamble will be requested.

MOVED: That the Town vote to appropriate \$19,400,000 for the renovation of and addition to the Emery Grover Building and associated grounds, including the temporary use of the Hillside School as swing space, as well as costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$4,500,000 be transferred from Free Cash, that \$1,000,000 be transferred from Overlay Surplus, that \$2,000,000 be transferred from CPA Free Cash, and that the Treasurer, with the approval of the Select Board, is authorized to borrow \$11,900,000 under M.G.L., Chapter 44, Section 7, M.G.L. Chapter 44B, or any other enabling authority.

Mr. Richard M. Reilly (Precinct H) offered the following motion to amend: That the main motion under Article 21 be amended by deleting in the fourth line the sum "\$4,500,000" inserting in place thereof "\$2,250,000" and by deleting in the seventh line the sum "\$11,900,000" and inserting in place thereof the sum \$14,150,000".

Ms. Marianne B. Cooley, Chair, Select Board, offered a second motion to amend by adding an emergency preamble as follows: "This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative."

Robert J. Dermody, Member, addressed this article on behalf of the Community Preservation Committee. He explained that the total appropriation of \$11,400,000 for renovation and addition to the Emery Grover building consists of \$6,000,000 from the Community Preservation Committee and \$13,400,000 will be funded by the Town. The Community Preservation Committee requests Town Meeting's support. The Emery Grover is the town's oldest building and should be done now.

Marianne B. Cooley, Chair, addressed this proposal on behalf of the Select Board. She explained that this proposal came before Town Meeting last spring and again under Article 7 of the Special Town Meeting on Monday, October 25, 2021. Ms. Cooley stated that Emery Grover needs to be renovated and asked for Town Meeting's support of the project, the amendment, and the emergency preamble.

Mr. Joshua W. Levy, Chair, addressed this proposal on behalf of the Finance Committee. He stated that the Finance Committee voted 5 to 3 to recommend adoption of Article 21 and Mr. Reilly's motion to amend.

John D. Crimmings (Precinct G) questioned the Town's goal of 10% debt limit. He questioned if the October 25, 2021 Fall Special Town Meeting approval for work on Emery Grover under Article 7 and this Article 21 would exceed the 10% debt limit. He also questioned the needs of the Pollard and Mitchell schools and the DPW building. Mr Joshua W. Levy advised that the town does not have total costs for all those projects at this time. The town tries to adhere to the 10% debt limit but at times it exceeds that limit.

Glenn Alan Mulno (Precinct I) rose in support of Article 21. He stated that he has been a resident for 24 years and there has always been a school project. This project should be done now.

Mr Reilly's motion to amend was presented and passed by majority vote on a voice vote declared by the Moderator.

Ms. Cooley's motion to amend was presented and passed by the required two-thirds vote on a voice vote declared by the Moderator.

ACTION: The main motion, as amended, was presented and passed by the required two-thirds vote on a voice vote declared by the Moderator.

VOTED: That the Town vote to appropriate \$19,400,000 for the renovation of and addition to the Emery Grover Building and associated grounds, including the temporary use of the Hillside School as swing space, as well as costs incidental or related thereto, to be spent under the direction of the Permanent Public Building

Committee and Town Manager, and to meet this appropriation that dx be transferred from Free Cash, that \$1,000,000 be transferred from Overlay Surplus, that \$2,000,000 be transferred from CPA Free Cash, and that the Treasurer, with the approval of the Select Board, is authorized to borrow \$14,150,000 under M.G.L., Chapter 44, Section 7, M.G.L. Chapter 44B, or any other enabling authority. This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative.

Article 22 was adopted by unanimous consent on May 2, 2022.

ARTICLE 23: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$3,116,314 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Community Services	Bigbelly Trash Receptacles	\$135,000	
Community Services Center at the Heights Generator Installation		\$27,000	
Community Services Center at the Heights Space Utilization Study		\$75,000	
Community Services Library Technology		\$26,280	
General Government Geographic Information System		\$120,000	
General Government	Town Offices Replacement Furniture	\$25,000	
Public Safety	Personal Protective Equipment	\$53,174	
Public Safety	Public Safety Mobile Devices	\$50,000	
Public Schools	Roof Top Unit Replacement (Broadmeadow & Eliot Schools)	\$817,750	
Public Schools	School Copier Replacement	\$53,275	
Public Schools	School Furniture & Musical Equipment	\$25,000	
Public Schools	School Technology Replacement	\$437,000	
Public Works	Public Works Mobile Devices	\$50,000	
Public Works	Recycling and Transfer Station Property Improvements	\$47,500	
Public Works	Traffic Improvements	\$50,000	
Multiple	Fleet Program	\$1,124,335	
		\$3,116,314	

Article Information:

Bigbelly Trash Receptacles

This funding request will support the acquisition of eight additional Bigbelly trash receptacles for use at locations that are currently served by traditional barrels. Locations under consideration include Walker Gordon Field, the Dog Park, Riverside Park, Mills Field (two units), Cricket Field, Perry Park, and the Reservoir Trail. The Town purchased 12 Bigbelly trash and five trash/recycling receptacles in 2019 and deployed them to DeFazio Park, Memorial Park and Greene's Field as part of a four-month (July-November) pilot program. The objectives of the pilot were to determine if the Bigbellys could address issues commonly associated with municipal waste management. Benefits seen during the pilot program include a reduction of wind-blown litter and the staff time required to collect it, elimination of odors and easy access by vermin, an increase in the efficiency of trash and recycling collections, and an improvement of the physical appearance and standardization of trash infrastructure in public spaces. To continue to combat the ongoing trash concerns in the Town, a second deployment of Bigbelly trash receptacles to less centrally located parks is proposed. Installing the units at spread out locations would maximize the utility of the Bigbelly networked real time reporting system, allowing staff to easily determine which units are full via an app. Routing staff and equipment to service only full receptacles generates operational efficiencies and cost savings by reducing unnecessary vehicles miles, fuel consumption, operator time, and equipment wear. New Bigbellys will aesthetically and functionally match those already deployed and those planned for the Town Common renovation, presenting as a cohesive and recognizable trash collection network across Needham.

Center At The Heights Generator Installation

This funding would provide a design of a new permanent generator installation at the Center at the Heights (CATH). The CATH has been designated as an appropriate location for a shelter and warming space (including a restaurant-grade kitchen) to support residents in need during an emergency. The CATH was not designed or built with an emergency generator. A portable generator has been in place at the building, which is insufficient as it does not support the full electrical load of the building and must be manually activated. The design will accommodate a more powerful generator with the capacity to supply the entire building with emergency power and will include evaluation of a more appropriate location for the placement of the generator. It will also include the addition of an automatic transfer switch, eliminating the need for staff to manually operate the generator in case of the loss of power.

Center At The Heights Space Utilization Study

This funding request will support a space utilization study at the CATH. Since opening, the CATH has increased its programming and extended its hours of operation. This increased usage has resulted in some concerns about the building spaces and their current function. Funding would support a space utilization study and an assessment of building needs at the CATH. This study will focus on program, office, and clinical spaces within the building to ensure optimal utilization and program flexibility for participants. The study would also look at the current configuration of the outdoor deck and the fitness room and how each room is being used, enhancing and expanding the application of the restaurant-grade kitchen, and a thorough review of parking and building accessibility.

Library Technology

This funding request will support the two remaining years of a five-year Library Technology Plan. Unless circumstances require otherwise, fiscal year 2023 funding is proposed for the replacement of two Program Specialist computers, 16 barcode scanners, 24 receipt printers, and four staff computers.

GIS Technology Systems And Applications

The funding request will support the update of Geographic Information System (GIS) technology systems and applications imagery. It will also support the update of planimetric data recorded via overflight to update aerial imagery. Planimetric data is the digital representation of aboveground physical structures and features. The updated data will be incorporated into the public site and departmental GIS sites used for planning and designing projects.

Town Offices Replacement Furniture

This funding request will fund furniture replacement in Town Hall and the Public Services Administration Building (PSAB). Town Hall was equipped with new furniture when it reopened in October 2011. In fiscal year 2023, the furniture will be 11 years old and certain items need to be replaced due to wear and tear. PSAB opened with new furniture in February 2010. In fiscal year 2023, the furniture will be 13 years old. Worn and broken furniture likewise requires replacement. A furniture inventory, including current condition, has been completed annually for Town Hall and PSAB. Depending upon the condition of the furniture in outlying years, this request may be repeated either annually or biennially.

Personal Protective Equipment

This funding request will replace Personal Protective Equipment (PPE) – known as "bunker gear" – for 20% of all firefighting personnel on an annual basis. This is to ensure the life span of the equipment does not exceed the ten-year guideline. All line personnel now have two sets of PPE available. By having a second set of PPE, fire personnel are able to clean one set after an incident while remaining in service for other emergencies. Properly maintaining PPE helps ensure its expected longevity and can significantly reduce long term health risks faced by personnel.

Public Safety Mobile Devices

This funding request will fund replacement of laptops and tablets as well as installation services and accessories that are used for laptops and tablets in Needham Police and Fire Department Vehicles. The hardware is used to access multiple applications during the daily operations of individuals working in Police and Fire vehicle. The hardware communicates with the Public Safety CAD software as well as State and Federal databases. The devices themselves are hardened with specifications for use in more intensive environments. In the future, replacement of this equipment will be incorporated into the departmental operating budget or included in the purchase of vehicles, because the useful life of the equipment is now fewer than five years.

Rooftop Unit Replacement Broadmeadow and Eliot Schools

This funding request will support the design phase of a project to replace the current roof top units (RTUs) at Broadmeadow and Eliot Schools. The current units (five units and four units, at Broadmeadow and Eliot respectively) are past the end of their useful life and are becoming increasingly inefficient, ineffective at dehumidifying, and costly to maintain. They do not feature industry standard energy recovery mechanisms that reduce energy costs. Additionally, some of the existing RTUs at these locations have compressors that run on an obsolete refrigerant called "R22," which is no longer produced in the U.S. and cannot be imported due to its environmental impact, resulting in costly supply challenges. The RTUs also have furnaces that are starting to fail and need to be replaced. These furnaces are the primary heat source for the building and keep the RTUs from

freezing. The HVAC systems' connection to the existing boilers compromises efficiency, particularly during the summer. The boilers help reheat overcooled dehumidified air coming in from the RTUs, but the current boilers are not designed for this purpose due to their larger size. In the summer, the systems use larger amounts of energy to sustain the reheating than would be required by smaller, dedicated boilers. This funding would support an engineering assessment of the current RTU condition at both the Broadmeadow and Eliot schools and determine replacement options, including an evaluation of different considerations for improvement of the energy efficiency of these systems to be in compliance with updated buildings codes and a cost benefit analysis of additional energy efficiency upgrades. The consultant would also design the installation of smaller boilers at both schools that are more appropriate for the reheating required by the HVAC systems in the summer and shoulder months. Funding for the construction phase will be proposed for fiscal year 2024.

School Copier Replacement

This funding request is to replace five copiers in the following locations: Broadmeadow School, Newman School (two), Pollard School, and Emery Grover. School photocopiers in all schools and the administration building are used both by administrative and teaching staff. Copiers which are heavily used are replaced more frequently than copiers that are lightly used. The average life cycle is calculated at seven years, although planned replacement ages range from five to nine years, depending on use. It is important to replace machines regularly, even if they have not yet reached maximum copy allowances, given the additional operating expense associated with servicing and maintaining older equipment, as well as the difficulty in obtaining replacement parts. This analysis also assumes that copiers are re-deployed around the District as needed, to better match projected usage with equipment capacity.

School Furniture

This funding request is a recurring capital item to replace furniture in poor and fair condition and to provide new classroom furniture as needed for new enrollment or replacement purposes.

School Technology

The School Department technology replacement program includes desktop computers, printers, classroom audio visual devices, specialized instructional labs, projectors, video displays, security cameras and electronic door access controllers. The request also incorporates funding for school technology infrastructure, which consists of servers, network hardware, wireless infrastructure, data cabling and access points. The fiscal year 2023 Capital Improvement Plan (CIP) for school technology request is for \$437,000, including \$324,000 for hardware and \$113,000 for infrastructure replacement.

Public Works Mobile Devices

This funding request will support the refresh of public works mobile devices, bringing them up to the latest hardware and software specifications needed for the work. This hardware is used to access multiple applications during the daily operations of either an individual or vehicle within the Public Works Department. The current hardware is a mix of hardened laptops and tablets. Over the past several years multiple Public Works Divisions have migrated to mobile operations requiring field access to cloud-based data or applications.

Recycling And Transfer Station Facility Improvements

This funding request will support a design for the tipping pit that will need to be demolished and redesigned from the existing cantilever and curb at the front side and replaced with reinforced concrete and/or structural steel. The construction funds will be requested in fiscal year 2024. RTS Facility Improvement projects increase processing efficiency, comply with regulatory requirements, ensure safety, and enhance the facility's overall functionality.

Traffic Improvements

This funding request supports projects recommended by the Traffic Management Advisory Committee (TMAC). The annual request will support one or two TMAC construction-related projects per year, such as 500 feet of roadway granite curb installation, two school zone installations, two average traffic calming installations, several radar sign installations, sign and/or pavement markings, or pedestrian improvements. The goal of the TMAC is to ensure the safety of pedestrians, motorists, and bicyclists. TMAC construction-related projects are not presently funded through the Department of Public Works operating budget.

General Fund Core Fleet Replacement

UNIT	EXISTING	DIVISION	YEAR	REPLACEMENT	AMOUNT
700	Ford Econoline Van E250	DPW Building Maintenance	2012	Utility Van	\$71,547

UNIT	EXISTING	DIVISION	YEAR	REPLACEMENT	AMOUNT
5	International 7400 Series	DPWRTS	2011	Heavy Duty Truck Class 8 Large Dump	\$291,255
59	Steco	DPWRTS	2015	Specialized Trailer	\$100,112
67	Addition to Fleet	DPW Parks	N/A	Work Truck Class 4	\$83,638
713	Ford F450	DPW Building Maintenance	2012	Work Truck Class 4	\$86,168
Bus 02	Blue Bird 303	School	2017	School Bus	\$108,100
C06	Ford F350	Fire	2015	Brush Truck	\$84,845
108	Trackless Tractor	DPW Highway	2011	Sidewalk Plow	\$298,670

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$3,116,314 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash.

Group	Description	Recommended	Amendment
Community Services	Bigbelly Trash Receptacles	\$135,000	
Community Services	Center at the Heights Generator Installation	\$27,000	
Community Services	Center at the Heights Space Utilization Study	\$75,000	
Community Services	Library Technology	\$26,280	
General Government	Geographic Information System	\$120,000	
General Government	Town Offices Replacement Furniture	\$25,000	
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Public Works	Public Works Mobile Devices	\$50,000	
Public Works	Recycling and Transfer Station Property Improvements	\$47,500	
Public Works	Traffic Improvements	\$50,000	
Multiple	Fleet Program	\$1,124,335	
		\$3,116,314	

Matthew D. Borrelli, member, addressed this proposal and recommended adoption on behalf of the Select Board.

Joshua W. Levy, Chair, recommended adoption on behalf of the Finance Committee.

At this time the Moderator reminded Town Meeting of the rule that any item to increase a line item must be reduced in another line item.

In response to several questions from John D. Crimmings (Precinct G), Mr. Borrelli stated that the old furniture would be thrown away. The Space Utilization Study would be a review of all the problematic needs.

David J. Escalante (Precinct I) agreed with the previous speaker and stated that a space study is usually a separate article.

A motion to amend was offered by Aaron M. Pressman (Precinct D) to add \$50,000 to Traffic Improvements and reduce free cash by \$50,000. Joshua W. Levy, Chair, Finance Committee advised that there is a budgetary process pertaining to monetary items.

Stephen Anthony Frail (Precinct G) expressed concern that this body is amending small items.

Justin Douglas McCullen (Precinct D) indicated that he understands there is a process but there are items that could be acquired.

Matthew D. Borrelli, Member, Select Board, suggested that these items regarding traffic investigation issues could come before a future Town Meeting.

Holly Anne Clarke (Precinct D) indicated that she received a report and stated that Town Meeting had appropriated money which has not been spent. She suggested that there should be a thoughtful budget process and there is a need for more communication and priorities need to be addressed.

Doug H. Fox (Precinct F) rose in support of the amendment increasing the traffic Improvement account.

Erik J. Bailey (Precinct A) rose in opposition to the amendment indicating Town Meeting should not be amending budgets.

A motion to amend was offered by Lawrence J. Cohen (Precinct F) delete the amount of \$75,000 under the group Community services – Center at the Heights Space Utilization study.

Paul A. Siegenthaler (Precinct E) stated that this is a legislative body. If we become a rubber stamp, we will become obsolete.

In response to an inquiry from Carol I. Urwitz (Precinct J), Matthew D. Borrelli, Member, Select Board advised that municipal refuse comes under the Recycling and Transfer Station.

I response to an inquiry regarding security cameras from Georgina A. Arrieta-Ruetenik (Precinct J), Matthew J. Spengler, Chair, School Committee, advised that these security cameras are for students and staff.

Maurice "Moe" Handel (Precinct I) advised that the budgetary process is a sound process and extraordinary circumstances can be resolved.

In response to an inquiry from Kate Ellen Weinograd (Precinct E), Mathew D. Borrelli, member, advised that the Traffic Management Line Item for \$50,000 is an annual recommendation for quick improvements and may need to increase in the future to address larger improvements.

In response to a request from John A. Bulian (Precinct H), Edward V. Cosgrove III, Member, Board of Health, and Town Meeting Member in Precinct E, advised that he believes there is a need to address overcrowding in the fitness room.

Lois F. Sockol (Precinct I) rose to support both Needham's kids and elderly.

After a lengthy discussion, a motion to move the previous question on the main motion and all pending amendments was offered by Gerald C. Rovner (Precinct B). The motion to move the previous question was presented and carried by the required two-thirds vote on a voice vote declared by the Moderator.

Mr. Lawrence R. Cohen's motion to amend was presented but failed to pass on a voice vote declared by the Moderator.

Mr. Aaron M. Pressman's motion to amend was presented but failed to pass on a voice vote declared by the Moderator.

ACTION: The main motion was presented and passed by majority vote declared by the Moderator on a voice vote.

Article 24 was adopted by unanimous consent on Monday, May 2, 2022.

ARTICLE 25: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$3,951,000 for the Public Works Infrastructure Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

Article Information: The Public Works Infrastructure Program allows the Department of Public Works to make improvements and repairs to Town infrastructure, including but not limited to roads, bridges, sidewalks, intersections, drains, brooks, and culverts. Unless circumstances dictate the funds are intended to be spent as follows:

STREET RESURFACING The Town aims to resurface 17 lane miles per year. The cost per lane mile for resurfacing in fiscal year 2022 is

\$94,500 or more per lane mile. A basic overlay at 1.5 inches with asphalt berm curb and casting adjustments is \$90,000 per lane mile. The cost of micro surfacing treatments and rubber chip seal surfacing treatments are approximately \$7.40 per square yard. Target funding for street resurfacing in fiscal year 2023 is \$1,240,000.

SIDEWALK PROGRAM Fiscal year 2023 contract pricing to reconstruct one mile of asphalt sidewalk with incidental costs is estimated to be \$418,750 per mile (\$79.00/lf). Contract pricing to install a mile of granite curb with minor drainage improvements and incidental costs is estimated to be \$380,200 per mile (\$72.00/lf). These costs do not include engineering, design, tree removal and replacement, major drainage improvements, or major public or private property adjustments. Target funding for the sidewalk program in fiscal year 2023 is \$798,500.

ROADWAY RECONSTRUCTION/REHABILITATION Marked Tree Road has been excavated by multiple utilities. The roadway is an

inconsistent width and has deteriorated. This funding request is for the design phase of this project including the installation of granite curbing, accessible ramps, and sidewalk. It will also include drainage improvements. A focus of the improvements will be on pedestrian access and safety. The construction funding will be requested in fiscal year 2025. Target funding for roadway rehabilitation in fiscal year 2023 is \$250,000.

INTERSECTION IMPROVEMENTS There have been struggles with bringing appropriate traffic flow through the intersection of Great Plain Avenue and Central Avenue since it was constructed in the 1990s due to property size limitations. This funding request is for the design phase of this project. There is a historic property on one corner that limits the design. The existing intersection design does not provide the ideal traffic patterns for multiple modes of transportation. This project will include geometric improvements and replacement/improvement of the traffic signal system. Installing a new traffic signal system that will include modern technology will better control the flow of traffic through the intersection, reducing back-ups of traffic. The layout of the intersection will be improved to increase traffic flow. This intersection redesign will comply with Complete Streets principles. Target funding for intersection improvements in fiscal year 2023 is \$246,500.

STORM DRAIN CAPACITY IMPROVEMENTS The Stormwater Master Plan has identified several areas throughout Needham where improvements are required to resolve existing problems with flooding and illicit discharge. Since the issuance of the original Master Plan, numerous multi-unit developments have been built in the Town. These developments include new roads with drainage structures and roof or sump connections that are then connected to existing Town systems. These new connections have increased the load on the Town's drainage system and caused flooding in some areas. Unless circumstance require otherwise, fiscal year 2023 funding is targeted for Concord Street and Burnside Road. This project includes construction of a new drain that will be connected to the recently extended Greendale Avenue drain project to provide additional stormwater capacity. Target funding for storm drain capacity improvements for fiscal year 2023 is \$1,217,000.

GUARDRAIL Many of the Town's guardrails are noncompliant and the department is preparing a plan to upgrade existing guardrails to make them both compliant and aesthetically pleasing. In fiscal year 2023, the Town will address the guardrail on Central Avenue between the Dover town line and Fisher Street. There is existing guardrail that has failed, and decorative guardrail that is unsafe. The decorative guardrail will be replaced as part of the Central Avenue/Centre Street bridge project. Other existing guardrail will be replaced with new, code compliant guardrail and areas without a guardrail will have a guardrail installed. In addition, the guardrail on Farley Pond Lane needs to be replaced. The existing guardrail has failed, and safety protocols necessitate a guardrail due to the proximity of Farley Pond to Farley Pond Lane. The existing guard rail will be replaced with a new, code compliant guardrail, and areas without a guardrail will have guardrail installed. Target funding for guardrail improvements for fiscal year 2023 is \$199,000.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$3,951,000 for the Public Works Infrastructure Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash.

Matthew D. Borrelli, Member, recommended adoption of this article on behalf of the Select Board.

Louise L. Miller, Member, recommended adoption on behalf of the Finance Committee. She advised that she has worked on this article since 2006.

In response to an inquiry from Jeanne S. McKnight (Precinct F), Matthew D. Borrelli, member, Select Board, advised that the Master Plan has not been updated at this time. However, betterment charges cannot be charged to individual residents because they are benefitting the entire town.

In response to an inquiry from Laura W. Dorfman (Precinct B), Matthew D. Borrelli advised that all new construction must have special certification. The Town is aware of these problems and have addressed some of the concerns.

ACTION: The main motion which requires a simple majority was presented and carried by unanimous vote.

ARTICLE 26: LIBRARY SPACE UTILIZATION STUDY

To see if the Town will vote to raise and/or transfer and appropriate, or borrow the sum of \$60,000 for a Library Space Utilization Study, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto

Article Information: This funding request will enable the Library to engage a professional space planner to determine if the Library's interior space can be better arranged to accommodate high volumes of students and tutors who use the study rooms and study areas. In the afternoons during the school year, the Library is often used by students, tutors, and other people using the three study rooms, the row of carrels, and many four-seat tables.

MOVED: That the Town vote to raise and/or transfer and appropriate or borrow the sum of \$60,000 for a Library Space Utilization Study, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash.

Heidi R. Frail, member, recommended adoption on behalf of the Select Board.

Louise L. Miller, member, Finance Committee, advised that it has been fifteen years since the library was rebuilt and there are space issues. The Finance Committee recommends adoption of Article 26.

Robert A. Petitt, Library Trustee and Town Meeting Member in Precinct D, addressed the need for this space review. He stated that the library has seen more use than before the pandemic.

ACTION: The main motion was presented and carried by unanimous vote.

ARTICLE 27: DPW COMPLEX FEASIBILITY STUDY

To see if the Town will vote to raise and/or transfer and appropriate, or borrow the sum of \$60,000 for a feasibility study of

the reconstruction of the Department of Public Works Building, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto

Article Information: This funding request will fund a feasibility study to determine the most efficient use of DPW facilities, a design phase to incorporate the study's recommendations into a plan, and a construction phase to implement said plan. This study will lead to a master plan to implement the needed upgrades and will generate additional capital improvement requests. The Department of Public Works utilizes multiple facilities including the DPW Garage, Daley Building, Jack Cogswell Building, Water and Sewer facilities, Recycling & Transfer Station, workshop at Claxton Field, and Public Services Administration Building. The Jack Cogswell Building was recently constructed as a storage facility for vehicles and equipment when not in seasonal use. The DPW Garage houses the Fleet Division, Snow & Ice program operations, a six-bay garage, and workstations for Highway and Parks & Forestry staff. Additionally, the Daley Building houses trades staff for the Building Maintenance Division and functions as a workshop and storage facility. Both the DPW Garage and Daley Building are past the end of their useful life and in need of upgrades in order to better accommodate DPW staff and support their daily operations.

MOVED: That the Town vote to raise and/or transfer and appropriate or borrow the sum of \$60,000 for a feasibility study of the reconstruction of the Department of Public Works Building, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash.

Kevin J. Keane, member, recommended adoption of this proposal on behalf of the Select Board.

Richard M. Reilly, member, recommended adoption on behalf of the Finance Committee.

Doug H. Fox (Precinct F) rose in support of all studies.

In response to an inquiry from Robert J. Dermody (Precinct G), Kevin J. Keane advised that all studies must go out to bid and could not be consolidated.

In response to an inquiry from Stephen Anthony Frail (Precinct G), Kevin J. Keane, Member, Select Board, advised that articles 7 and 27 could possibly be combined.

ACTION: The main motion was presented and carried by unanimous vote.

Articles 28, 29, and 30 were voted by unanimous consent on Monday, May 2, 2022.

ARTICLE 31: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$33,533 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter

218 of the Acts of 2016, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

Article Information: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Town Meeting by majority vote may appropriate into the fund and by a two-thirds vote appropriate from the fund. The 2012 Annual Town Meeting approved the creation of the Athletic Facility Improvement Fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures, particularly at Memorial Park and DeFazio Park. The balance in the fund as of March 30, 2022 was \$976,099.

MOVED: That the Town vote to raise, and/or transfer and appropriate the sum of \$33,533 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be raised from the Tax Levy.

The following motion to amend was offered by Marcus Nelson: That the main motion under Article 31 be amended by deleting in the first line the sum "\$33,533" and inserting in place thereof the sum "\$85,659" and by deleting in the fourth line the "said sum" and inserting in place thereof the words "\$52,126 be transferred from Free Cash and \$33,533".

Marianne B. Cooley, Chair, addressed this proposal on behalf of the Select Board. This fund currently has about \$ 1 million saved for future needs. The Select Board recommends adoption of this article.

Thomas M. Jacob, Member, Finance Committee, advised that the Athletic Facility Improvement Fund was created to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures. The balance in this fund was \$976,099 as of March 30, 2022. The Finance Committee unanimously recommends adoption of this article.

In response to an inquiry from Carol I. Urwitz, Thomas M. Jacob advised that this article cannot be postponed to the fall Town Meeting because free cash cannot be certified after the end of the fiscal year.

Michael L. Niden (Precinct E) expressed concern with the \$85,000 budget for the Athletic Fund and only \$8,300 for Council for Culture and Arts.

Andrea E. Longo-Carter rose in support of the article but not the amendment.

The motion to amend was presented but the Moderator was in doubt as to the voice vote. The motion was again presented, and the Moderator was still in doubt. He called the tellers to their positions. The motion to amend was again presented and carried by a count of hands. The hand count was 136 Yes 64 No...

ACTION: The main motion, as amended, was presented, and carried by the required majority vote on a voice vote declared by the Moderator.

VOTED: That the Town vote to raise, and/or transfer and appropriate the sum of \$85,659 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that \$52,126 be transferred from Free Cash and \$33,533 be raised from the Tax Levy.

<u>ARTICLE 32</u>: APPROPRIATE TO WORKERS COMPENSATION FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$130,000 to the Workers Compensation Fund, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

Article Information: The purpose of this request is to replenish the Workers' Compensation Fund which is the Town's reserve fund for paying workers' compensation claims of a prior year and for lump sum settlements up to the limit of the Town's reinsurance limit (for both School and General Government employees.) Typically, the source of funds for this account is any remaining balance in the workers compensation line item contained in the employee benefits and assessments budget. Due to increases in salaries and expenses over the past decade, and the resolution of several long-standing cases, the fund balance has been declining. The balance in the Account as of March 1, 2022 was \$1,012,986.

MOVED: That the Town vote to raise, and/or transfer and appropriate the sum of \$130,000 to the Workers Compensation Fund, and to meet this appropriation that said sum be transferred from Free Cash.

Kevin J. Keane, Member, recommended adoption of this article on behalf of the Select Board.

Carol A. Fachetti, Member and Town Meeting Member in Precinct E, recommended adoption on behalf of the Finance Committee.

ACTION: The main motion was presented and carried by majority vote on a voice vote declared by the Moderator.

ARTICLE 33: APPROPRIATE TO PUBLIC SAFETY INJURY ON DUTY FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$300,000 to the Public Safety Injury on Duty Fund, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

Article Information: The 2016 Municipal Modernization Act added a paragraph to M.G.L. c. 41 Section 111F to allow cities and towns to establish and appropriate amounts to a special injury leave indemnity fund for payment of injury leave compensation or medical bills incurred for public safety personnel. The monies in the special fund may be expended, with the approval of the chief executive officer

and without further appropriation, for such expenses. Any balance in the fund shall carry over from year to year, unless specific amounts are released to the general fund by the chief executive officer upon a finding that the amounts released are not immediately necessary for the purpose of the fund, and not required for expenses in the foreseeable future.

MOVED: That the Town vote to raise, and/or transfer and appropriate the sum of \$300,000 to the Public Safety Injury on Duty Fund, and to meet this appropriation that said sum be transferred from Free Cash.

Kevin J. Keane, Member, Select Board, advised that this is a new fund to cover Public Safety personnel not previously covered.

Carol A Fachetti, member, advised that the Finance Committee unanimously recommends adoption of this article.

ACTION: The main motion was presented and carried by unanimous vote.

ARTICLE 34: AMEND GENERAL BY-LAWS – SNOW & ICE ON SIDEWALKS

To see if the Town will vote to amend the General By-laws by deleting Section 3.1.8 (Snow and Ice on Sidewalks) in its entirety, and inserting in its place the following:

3.1.8 Snow and Ice on Sidewalks.

3.1.8.1 Any person who places any snow or ice on a sidewalk or a street, shall forfeit not more than fifty dollars (\$50.00) for each offense.

Any owner, tenant, occupant, proprietor, manager, agent, board, trust, or other entity having charge of property used wholly or in part for (a) a commercial purpose (including without limitation as a store, restaurant, bank, gym, theater, childcare facility or office); (b) a hospital or medical establishment; (c) a place of worship; (d) multi-family housing containing three (3) or more dwelling units on a lot; or (e) any other use open to the public, or to a particular membership or clientele, that allows snow or ice to remain on a sidewalk abutting, on, or within its property for more than five hours between sunrise and sunset, shall forfeit not more than fifty dollars (\$50.00) for each offense. If, by reason of weather conditions the snow and ice is evenly spread over a sidewalk and frozen and therefore difficult to remove, it may remain until it can more easily be removed; provided that while the snow and ice remain, entity in charge shall keep the sidewalk in safe condition by sanding or otherwise; or take any other action relative thereto.

Article Information: Section 3.1.8 of the General By-Laws currently requires property owners to clear snow and ice from any property used as a "store, office, or any other public place." The practical intent of this section is to broadly require that any owner of commercial property, or property that is open to the public, remove snow and ice on a timely basis after a storm. Notwithstanding this intent, the existing terminology noted above may leave open some question as to what property is covered, and what property is not. Accordingly, this proposed by-law amendment would revise Section 3.1.8 to expressly cover any property that is used for a commercial

purpose, and also to add broader itemized list of other uses open to the public (including hospitals, medical centers, places of worship, and multifamily housing developments) that will be expected to timely clear snow and ice from their property.

MOVED: That the Town vote to amend the General By-laws by deleting Section 3.1.8 (Snow and Ice on Sidewalks) in its entirety, and inserting in its place the following:

3.1.8 Snow and Ice on Sidewalks.

- 3.1.8.1 Any person who places any snow or ice on a sidewalk or a street, shall forfeit not more than fifty dollars (\$50.00) for each offense.
- 3.1.8.2 Any owner, tenant, occupant, proprietor, manager, agent, board, trust, or other entity having charge of property used wholly or in part for (a) a commercial purpose (including without limitation as a store, restaurant, bank, gym, theater, childcare facility or office); (b) a hospital or medical establishment; (c) a place of worship; (d) multi-family housing containing three (3) or more dwelling units on a lot; or (e) any other use open to the public, or to a particular membership or clientele, that allows snow or ice to remain on a sidewalk abutting, on, or within its property for more than five hours between sunrise and sunset, shall forfeit not more than fifty dollars (\$50.00) for each offense. If, by reason of weather conditions the snow and ice is evenly spread over a sidewalk and frozen and therefore difficult to remove, it may remain until it can more easily be removed; provided that while the snow and ice remain, entity in charge shall keep the sidewalk in safe condition by sanding or otherwise.
- Matthew D. Borrelli, Member, advised that the Select Board unanimously recommended adoption of this amendment to the Town's General By-Laws.
- Barry J. Coffman, member stated that this amendment clarifies the existing By-Law. The Finance unanimously endorses adoption of this article.
- Jeanne S. McKnight (Precinct F) advised that the Town should be plowing sidewalks that are town property and not rely on private property. The property manager for the Rosemary Ridge Condominiums says too much liability. Will there be liability for Rosemary Ridge owners? Mr Borrelli stated that the town would not be liable because it is exempt. However private could be liable.

Mr. Paul S. Albert (Precinct C) expressed concern with the wording "not more than" because there is normally a set amount. A motion to amend was offered by Paul S. Albert to strike the words "not more than" in section 3.1.8.1" to strike the words "not more than" in section 3.1.8.2

Andrea J. Wizer (Precinct E) stated that private properties have been fined in storms, but the town plows go down and cover the sidewalks. She asked if this will be enforced. Mr. Borrelli explained that the Select Board is looking at ways to get people to plow their section of the sidewalks. It is illegal for the town to push snow on sidewalks. This will be enforced.

David J. Escalante (Precinct I) expressed concern with this amendment. Mr Borrelli advised that section 3.1.8.1 is already in the existing By-Law.

Town Meeting Members Jeanne S. McKnight (Precinct F), Cynthia L. Conturie (Precinct D), and Eric G. Pressman (Precinct B) all expressed concern with this amendment to the General By-Laws.

Mr. Matthew D. Borelli stated that the Select Board has received many complaints and they hope this amendment will encourage snow removal.

A motion to move the previous question was offered by Ford H. Peckham (Precinct E). The motion was presented and carried by the required two-thirds vote on a voice vote declared by the Moderator.

Mr. Alpert's motion to amend was presented and passed by majority vote on a voice vote declared by the Moderator.

ACTION: The main motion, as amended, was presented by the Moderator was in doubt as to the voice vote. The motion, as amended, was again presented, and passed by majority vote on a voice vote declared by the Moderator.

VOTED: That the Town vote to amend the General By-laws by deleting Section 3.1.8 (Snow and Ice on Sidewalks) in its entirety, and inserting in its place the following:

3.1.8 Snow and Ice on Sidewalks.

- 3.1.8.1 Any person who places any snow or ice on a sidewalk or a street, shall forfeit fifty dollars (\$50.00) for each offense.
- 3.1.8.2 Any owner, tenant, occupant, proprietor. manager, agent, board, trust, or other entity having charge of property used wholly or in part for (a) a commercial purpose (including without limitation as a store, restaurant, bank, gym, theater, childcare facility or office); (b) a hospital or medical establishment; (c) a place of worship; (d) multi-family housing containing three (3) or more dwelling units on a lot; or (e) any other use open to the public, or to a particular membership or clientele, that allows snow or ice to remain on a sidewalk abutting, on, or within its property for more than five hours between sunrise and sunset, shall forfeit fifty dollars (\$50.00) for each offense. If, by reason of weather conditions the snow and ice is evenly spread over a sidewalk and frozen and therefore difficult to remove, it may remain until it can more easily be removed; provided that while the snow and ice remain, entity in charge shall keep the sidewalk in safe condition by sanding or otherwise.

ARTICLE 35: AMEND GENERAL BY-LAWS - HOUSEHOLD REFUSE

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

- 1. Inserting in Section 3.1 (General) of Article 3 (Police Powers, Authority and Regulations) a new Section 3.1.12, to read as follows:
 - **3.1.12** Household Refuse. No person shall deposit any household refuse or garbage in any receptacle maintained by the Town of Needham on public property.

- 2. Renumbering the existing sections within Section 3.1 in appropriate numerical order to account for the insertion of new Section 3.1.12.
- 3. Inserting in Section 8.2.2.4 (Police Regulations) a new section L., to read as follows:

L. Household Refuse (Section 3.1,12)

Enforcement Agent: Director of Public Works or Designee

Fine Schedule:

Warning - First Offense

\$100 Second Offense

\$200 Third Offense

\$300 Fourth and Subsequent offenses

4. Re-lettering the existing Sections within Section 8.2.2.4 in appropriate alphabetical order to account for the insertion of new section L; or take any other action relative thereto.

Article Information: The trash receptacles that the Town maintains on public property, such as the Town Common, parks, athletic fields, etc., are primarily intended to be used by those visiting these places, and for disposal of incidental waste that may be generated while people are out and about. Nonetheless, the Police Department and the Department of Public Works have recently observed people disposing of bagged household garbage in the Town's public trash receptacles. A typical example would involve someone briefly stopping their car near a public receptacle, getting out, depositing a garbage bag, and driving away. This practice is inconsistent with the intended purpose of the Town's public trash receptacles and can quickly render them overly full and temporarily unusable by others. The proposed amendments to the General By-Laws would make it unlawful to dispose of household refuse in a public receptacle and would allow the DPW Director or their designee to issue noncriminal tickets (after issuing a warning for a first offense) in the event that a violation is observed.

MOVED: That the Town vote to amend the General By-Laws by:

- 1. Inserting in Section 3.1 (General) of Article 3 (Police Powers, Authority and Regulations) a new Section 3.1.12, to read as follows:
 - **3.1.12** Household Refuse. No person shall deposit any household refuse or garbage in any receptacle maintained by the Town of Needham on public property.
- 2. Renumbering the existing sections within Section 3.1 in appropriate numerical order to account for the insertion of new Section 3.1.12.
- 3. Inserting in Section 8.2.2.4 (Police Regulations) a new section L., to read as follows:

L. Household Refuse (Section 3.1.12)

Enforcement Agent: Director of Public Works or Designee

Fine Schedule:

Warning - First Offense

\$100 Second Offense

\$200 Third Offense

\$300 Fourth and Subsequent offenses

4. Re-lettering the existing Sections within Section 8.2.2.4 in appropriate alphabetical order to account for the insertion of new section L.

Matthew D. Borrelli, member, advised that there is an increase in household refuse being deposited in town containers. This by-law will allow enforcement. The Select Board recommend adoption of this proposal.

A motion to amend was offered by Peter J Pingitore (Precinct I) to reduce the fine schedule to —

Warning - First Offense

\$25 - Second Offense

\$50 - Third Offense\

\$75 - Fourth and Subsequent offenses

Peter J. Pingitore (Precinct I) suggested the previous General By-Law amendment set the fee for snow removal at \$50 per offense. Needham is similar to Worcester in that Needham charges for yellow bags to put our refuse in and take to the disposal area. Some may not be able to afford the yellow bags.

In response to an inquiry from Glenn Alan Mulno (Precinct I), Matthew D. Borrelli stated that this is not about doggie bags, but large garbage bags. The Town also provides yellow bags for those unable to afford the yellow bags.

The following Town Meeting Members rose in support of the motion to amend: Aaron M. Pressman (Precinct C), Lance M. Brown (Precinct A), Jeffrey D. Heller (Precinct F), and Kate Weinogard (Precinct E).

A motion to move the previous question was offered by William R. Dermody (Precinct J). The motion was presented an carried by the required two-thirds vote.

The motion to amend was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented, and the Moderator was still in doubt. The Moderator called the tellers for a hand count. The motion was presented and carried by a count of hands. The hand count was Yes 136 - No 62.

ACTION: The main motion, as amended, was presented, and carried by majority vote on a voice vote declared by the Moderator.

VOTED: That the Town vote to amend the General By-Laws by:

- 1. Inserting in Section 3.1 (General) of Article 3 (Police Powers, Authority and Regulations) a new Section 3.1.12, to read as follows:
 - 3.1.12 <u>Household Refuse</u>. No person shall deposit any household refuse or garbage in any

receptacle maintained by the Town of Needham on public property.

- 2. Renumbering the existing sections within Section 3.1 in appropriate numerical order to account for the insertion of new Section 3.1.12.
- 3. Inserting in Section 8.2.2.4 (Police Regulations) a new section L., to read as follows:

L. Household Refuse (Section 3.1.12)

Enforcement Agent: Director of Public Works or Designee

Fine Schedule:

Warning - First Offense

\$25 Second Offense

\$50 Third Offense

\$75 Fourth and Subsequent offenses

4. Re-lettering the existing Sections within Section 8.2.2.4 in appropriate alphabetical order to account for the insertion of new section L.

Articles 36, 37, 38, and 39 were voted by unanimous consent earlier this evening.

Article 40 was presented as the first item of business on Wednesday, May 4, 2022. The main motion was presented at that time but failed to pass on a voice vote declared by the Moderator.

At 11:04 PM, Marianne B. Cooley moved that the Adjourned Annual Town Meeting stand adjourned until Monday, May 9, 2022, at 7:30 PM. The motion was presented and carried by unanimous vote.

Theodora K. Eaton, MMC Town Clerk

A true copy Attest:

ADJOURNED ANNUAL TOWN MEETING

Monday, May 9, 2022

Pursuant to adjournment of the Adjourned Annual Town Meeting held May 4, 2022, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the James Hugh Powers Hall, Town Hall on Monday, May 9, 2022 at 7:30 P.M.

Check lists were used and 208 voters were checked on the list as being present, including 204 Town Meeting Members. 49 Town Meeting Members were absent.

The Moderator reminded Town Meeting Members to sit in the first 11 rows of the hall. He also noted that only Town Meeting Members are permitted to vote.

At this time the Moderator suspended the meeting to continue the process previously conducted by the Melick Foundation of introducing Town Meeting Members who have serve 25 years. He expressed his gratitude to the Needham League of Women Voters for taking on this responsibility. The Moderator introduced Carol Patey, President of the Needham League of Women Voters. Carol Patey advised that this has been an honor to take on this task and she thanked Polly Attridge and Phil Robey for their assistance as this process moves forward. President Patey then presented the following Town Meeting Members with certificates for their twenty-five years of service to the Town: Paul S. Alpert, Bruce T. Eisenhut, Jane B. Murphy, Lorraine M. Murphy, and Karen N. Price.

At 7:40 P.M. Ms. Marianne B. Cooley moved that the Annual Town Meeting stand adjourned until such time as the Special Town Meeting called for this evening at 7:30 P.M. is either adjourned or dissolved. It was so voted unanimously.

* * * * * * * * *

RECORD OF SPECIAL TOWN MEETING Monday, May 9, 2022

Pursuant to a Warrant issued by the Select Board March 22, 2022 the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the James Hugh Powers Hall, Town Hall, on Monday, May 9, 2022, at 7:30 o'clock in the afternoon.

Check lists were used and 208 voters were checked on the list as being present, including 204 Town Meeting Members.
49 Town Meeting Members were absent.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

The Moderator announced the presence of our State Representative Denise C. Garlick and thanked her for her interest in our Town Meeting.

The Call to the Meeting and Officers Return were read by the Town Clerk, the reading of the articles in the Warrant being waived upon motion.

The Moderator requested and received unanimous consent to apply the same rules enacted for the Annual Town Meeting for the Special Town Meeting.

The Moderator announced that there are no changes in the affirmative motions and no motions subject to withdrawal.

The Moderator announced that there are no articles subject to motions to amend or other motions from their proponents or for other reasons cannot be passed by unanimous consent.

The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 1. The Moderator announced that the consent calendar consists of nothing. As a result, discussion will commence with Article 1 at this time.

ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM FIRE UNION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Fire Union by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the fiscal year 2022 Classification, Performance, and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2021 and fiscal year 2022; or take any other action relative thereto.

Article Information: The Town and the Fire Union have reached agreement on a contract for fiscal year 2021 and 2022. The Agreement provides for numerous language changes, and a general wage increase of 3% in fiscal year 2021 and 2% in fiscal year 2022, consistent with other employee groups. The contract brings the Fire Union current. The parties will continue to meet to reach agreement on a successor agreement for fiscal year 2023 and beyond. Specifics on the Agreement with the Union are available on the Town's May 9. 2022 Special Town Meeting webpage.

MOVED: That the Town vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Fire Union by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the fiscal year 2022 Classification, Performance, and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2021 and fiscal year 2022.

Marianne B. Cooley, Chair, addressed this article on behalf of the Select Board. She noted this is a "garden variety" contract and typical of other collective bargaining increases. The Select Board recommends support of this article

Mr. Richard J. Lunetta, member, recognized the hard work of the negotiating team. He stated that the Finance Committee unanimously recommends adoption of Article 1.

Lance R. Brown (Precinct A) expressed concern with the rationale in extending military leave from 24 to 40 days. In response to Mr Brown's inquiry, Marianne B. Cooley advised that the Select Board is working toward townwide consistency, and it is her understanding that this is under state law and will be extended town wide. She advised that the state law is Massachusetts General Laws Chapter 33, Section 59.

ACTION: The main motion was presented and carried by unanimous vote.

Marianne B. Cooley, Chair, Select Board, moved to advance Article 4 at this time before discussion under Article 2 because the Town is withdrawing from Civil Service under this proposal and it involves Articles 2 and 3. The motion to advance was presented and carried by unanimous vote.

ARTICLE 4: HOME RULE PETITION TO EXEMPT POLICE DEPARTMENT FROM CIVIL SERVICE

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to exempt the

Police Department, including the Chief of Police, from chapter 31 of the General Laws, the Massachusetts Civil Service Law; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Town Manager approves amendments to the bill before enactment by the General Court; and provided further that the Town Manager is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT EXEMPTING ALL POSITIONS IN THE POLICE DEPARTMENT OF THE TOWN OF NEEDHAM FROM THE CIVIL SERVICE LAW

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

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the police department of the town of Needham, including the position of chief of police, shall be exempt from chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. Notwithstanding section 2, no appointment or promotion made after the effective date of this act shall be subject to chapter 31 of the General Laws.

SECTION 4. This act shall take effect upon its passage.

Or to take any other action relative thereto.

Article Information: The Civil Service system is outdated and problematic. It was adopted in the early 20th century primarily to protect hiring and discipline from patronage. Those goals are better addressed now by other laws and regulations, and by public employee collective bargaining rights. Removing the Town from Civil Service will strengthen necessary management rights and accountability and allow greater flexibility in hiring and promotions. A locally-based system of recruitment and promotion – rather than one controlled at the State level – will allow the Town to recruit highly qualified candidates for increasingly difficult to fill police officer positions. Such enhanced recruitment opportunities will also be useful in increasing the diversity of the police force.

Information about the process developed to replace the Civil Service promotion system is included in the Memorandum of Agreement between the Town and the Needham Police Union located on the May 9, 2022, Special Town Meeting webpage. A draft policy on recruitment of police officers at initial hire is available on that webpage as well.

MOVED: That the Town vote to authorize the Select Board to petition the General Court for special legislation to exempt the Police Department, including the Chief of Police, from chapter 31 of the General Laws, the Massachusetts Civil Service Law; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Town Manager approves amendments to the bill before enactment by the General Court; and provided further that the Town Manager is hereby authorized to

approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT EXEMPTING ALL POSITIONS IN THE POLICE DEPARTMENT OF THE TOWN OF NEEDHAM FROM THE CIVIL SERVICE LAW

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

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the police department of the town of Needham, including the position of chief of police, shall be exempt from chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. Notwithstanding section 2, no appointment or promotion made after the effective date of this act shall be subject to chapter 31 of the General Laws.

SECTION 4. This act shall take effect upon its passage.

Marianne B. Cooley, Chair, addressed this article on behalf of the Select Board. She advised that many towns have withdrawn from Civil Service, so this is not a new idea. The Town does not consider higher costs by withdrawing. Both the Town and the Police believe this is the way to go. The Select Board unanimously request the support of Town Meeting.

Richard J. Lunetta, member, advised that the Finance Committee talked with both the Police Chief and the Town Manager. Passage of this proposal would open the candidate list and the Finance Committee felt this article brought benefits to the Town and recommended adoption of Article 4.

Glenn Alan Mulno (Precinct I) suggested this was a good idea and offered a motion to amend that there be an annual report. The Moderator advised that he need to confer with Town Counsel because this is a home rule petition and the State Legislators usually amends these petitions. After conferring with Town Counsel, the Moderator suggested that Mr. Mulno offer this motion under the Omnibus Article.

ACTION: The main motion was presented and carried by majority vote on a voice vote declared by the Moderator.

Marianne B. Cooley, Chair, Select Board, moved to discuss Articles 2 and 3 together and vote on each article separately. The motion was presented and carried by unanimous vote.

ARTICLE 2: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM POLICE UNION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Union by authorizing the Town Manager to

transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance, and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2022 and fiscal year 2023; or take any other action relative thereto.

Article Information: The Town and the Needham Police Union have agreed on two contracts — one for fiscal year 2022 and one for fiscal year 2023 through fiscal year 2025. The agreement implements critical priorities of the Select Board including internal wage parity with respect to education pay, ensuring the Town's ability to recruit and retain the highest quality staff, and agreement to replace the Civil Service system with an alternative, locally based system. Such system will be implemented after the Town's petition to leave Civil Service, proposed under Article 4, is approved by the General Court and the Governor. Specifics on the Agreement with the Union are available on the Town's May 9,2022 Special Town Meeting webpage.

MOVED: That the Town vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Union by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance, and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2022 and fiscal year 2023.

Marianne B. Cooley, Chair, requested your support on Articles 2 and 3. She stated that the Select Board respectfully request and unanimously support these articles.

Richard J. Lunetta, member, stated that both Articles 2 and 3 have retroactive pieces in these articles and require approval for Fiscal Year 22 and Fiscal Year 23. This applies to the Police Superior Officers Association also. The Finance Committee unanimously recommends transfer of these funding proposals.

Jennifer C. Scheck-Kahn (Precinct A) noted that the Police have made great strides in the past year and suggested that there is more to do and should be pursued.

In response to an inquiry from Lawrence J Cohen (Precinct F), unanimous consent was given to allow Police Chief John Schlittler and non-resident, to address Town Meeting. Police Chief John Schlittler advised that there will be new conditions which will be posted and includes new required training which is being developed.

Doug H. Fox (Precinct F) rose in support of the increase in wages.

In response to an inquiry from Lance R. Brown (Precinct A), Marianne B. Cooley was not sure if MGL. Chapter 33, Section 59 has been accepted by the Town.

In response to James R. Ruetenik (Precinct J) regarding how collective bargaining Works, Marianne B. Cooley advised that both sides bring their goals to the table and the most important items agreed upon are brought to Town Meeting.

Marianne B. Cooley advised that the labor market is very tight at the present time and the town currently has six openings. The Town reviewed pay scales of similar towns and once this proposal is approved, the Town will fall in the upper third.

Mr. Richard J. Lunetta, member, advised that the Finance Committee does not get involved in bargaining.

ACTION: The main motion under Article 2 was presented and carried by majority vote on a voice vote declared by the Moderator.

FUND ARTICLE 3: COLLECTIVE **BARGAINING** AGREEMENT - NEEDHAM POLICE SUPERIOR OFFICERS ASSOCIATION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Superior Officers Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2022 and fiscal year 2023; or take any other action relative

Article Information: At the time of the printing of the Warrant, the parties had not reached agreement on a contract. If the parties reach agreement on a contract, specifics will be available on the Town's May 9, 2022 Special Town Meeting webpage.

MOVED: That the Town vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Superior Officers Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2022 and fiscal year 2023.

ACTION: The main motion under Article 3 was presented and carried by majority vote on a voice vote declared by the Moderator.

At 8:35 P.M. Ms. Marianne B. Cooley, on behalf of the Select Board, moved that the May 9, 2022, Special Town Meeting be dissolved with the following Resolution:

THE FOLLOWING RESOLUTION

was offered

In Memory of Donald Burr Gratz

WHEREAS:

Donald "Don" Gratz was born and raised in Oneonta, NY. He received a bachelor's degree from Wesleyan University, a master's degree in education from Harvard University, and a Ph.D. from the Lynch School of Education at Boston College; and

WHEREAS:

Don and his wife Frances (Wheeler) Gratz settled in Needham in 1995, where they raised their daughters Jennifer and Julia; and

WHEREAS:

Don had an extensive and distinguished career in education, serving as Professor and Chair of the Education Department, and director of the Master's in Education Program at Curry College, Interim Development and Alumni Relations Director at Framingham State College, Director of National School Reform at the Community Training and Assistance Center, and Dean of Continuing Education at Quincy College. He was

published widely on issues of school improvement. student assessment, performance-based compensation, including his book The Peril and Promise of Performance Pay: Making Education Compensation Work; and

WHEREAS:

Don served on the Board of Governors for Quincy College, as Vice Chair of The Education Cooperative, and as a member of the Needham Exchange Club, and Democratic Town Committee. He was engaged in community development initiatives, serving on a variety of boards such as the Jamaica Plain Neighborhood Development Corporation, South Shore Welfare Advisory Board, and Community Action for Greater Middletown; and

WHEREAS:

Don was an educator, musician and music lover,

daily runner, and an avid reader; and

WHEREAS:

Don was a member of the Needham School Committee from 2000 to 2009 and a Town

Meeting Member from 2000 - 2020;

NOW THEREFORE, be it resolved by this body that the May 9, 2022 Special Town Meeting be dissolved in honor of the many civic and community contributions of Don Gratz to the Town of Needham.

ACTION: at 8:36 P.M. the Resolution was presented and carried unanimously by voice vote.

Theodora K. Eaton, MMC Town Clerk

A true copy ATTEST:

The Moderator called the Annual Town Meeting back into session at 8:36 P.M., declared a quorum to be present, and requested the Town Clerk to so record. Discussion commenced under Article 41 upon the dissolution of the Special Town Meeting called for Monday, May 9, 2022 at 7:30 P.M.

ARTICLE 41: OMNIBUS

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

Moved: That the Town vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Select Board, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting.

The following Resolution was offered by Glenn Alan Mulno (Precinct I) under Article 41, the Omnibus Article:

Resolution of Town Meeting

After the Home Rule Petition described in Article 4 of the Special Town Meeting Warrant for May 9, 2022, becomes effective, Town Meeting requests that the Select Board report annually to Town Meeting on the savings and benefits secured by the Town of Needham as a result of the Town's withdrawal of the Needham Police Department from Civil Service.

Mr. Mulno stated that he would like the transparency of an annual report to Town Meeting once the Home Rule Petition to exempt the Police Department from Civil Service is approved.

Rebecca A. Young (Precinct I) rose in support of the Select Board's report and hopes the town will have a more diverse staff.

Eric J. Bailey (Precinct A) disagreed with this motion and does not see the need to continue an annual report for the next 50 years. David J. Escalante (Precinct I) concurred with the previous speaker.

In response to an inquiry from Andrea J. Wizer (Precinct I), Marianne B. Cooley, Select Board Chair, stated that other towns do have tests and Needham is working with a company that does this sort of work. Marianne noted that the Select Board will work with Police in determining progress and making this information open to all.

Jeanne S. McKnight (Precinct F) expressed concern with an indefinite annual report on this subject and offered the following motion to amend: After the words "report annually," add "through the 2025 Annual Town Meeting."

Glenn Alan Mulno expressed concern that three reports do not seem to be enough, and reports could always be stopped at a later date.

In response Janis M. Soma (Precinct D), Marianne B. Cooley indicated that a report on diversity could be included in this annual report. Rebecca Waber (Precinct C) stated that people are really interested in diversity but not too interested in this amendment.

A motion to move the previous question which requires a two-thirds vote for passage was offered by Ford H. Peckham. The motion was presented and carried by a two-thirds vote declared by the Moderator on a voice vote.

Jeanne S. McKnight's motion to amend was presented, but failed to pass on a voice vote declared by the Moderator.

ACTION: The Resolution was presented, but the Moderator was in doubt as to the voice vote. The Resolution was again presented, and the Moderator was still in doubt. The Moderator called the following Town Meeting Members to serve as tellers: Paula R. Callanan, Cynthia J. Wolfe, and Karen E Han. Philip V. Robey was sworn in as teller by the Moderator. The Resolution was presented again and carried by a count of hands. The hand count was Yes 111 – No 90.

At this time the Moderator expressed his thanks and appreciation our custodian Pat Thornton and the custodial staff, Myles Tucker and Cyndi Gonzalez for filling in for the infamous Sandy Cincotta for manning the projector and Mark Mandell and the Needham Cable TV for televising our Town Meetings. He thanked Steve Jacques for serving as Marshall, and the Town Clerk and staff for keeping the Town Clerk's records and attendance. He also expressed his appreciation to the Finance Committee and the Community Preservation Committee and the many volunteers. He noted that two members of the Finance Committee are departing: Rick Lunetta for serving thirteen years on the Finance Committee and 24 years on the Human Resource Department's Personnel Board and Thomas M. Jacob for serving seven years on the Finance Committee. He thanked all the Town Meeting Members noting that 20% of this year's Town Meeting Members are new. He noted that this year' warrants were not huge but warned that there will be years when it is much more hectic. He reminded Town Meeting Members to remain civil in the coming years.

At 9:15 P.M. Ms. Marianne B Cooley, on behalf of the Select Board, moved to dissolve the Annual Town Meeting with the following Resolution:

THE FOLLOWING RESOLUTION

was offered

In Memory of Richard Hardy

WHEREAS: Richard "Rick" Hardy was born and raised in West Roxbury. A graduate of Boston

English High School, Rick earned a Bachelor's Degree from the University of Massachusetts and a Master's Degree from

Northeastern University; and

WHEREAS: Rick and his wife Deirdre O'Hare settled in

Needham in 1988, where they raised their

daughter Lee; and

WHEREAS: Rick devoted his career to human resources

management, specializing in recruitment and employee relations at numerous local

and multinational organizations; and

WHEREAS: Rick was a lifelong athlete, and spending

time outdoors on his bicycle was his most treasured activity. He was engaged in the practice of Zen Buddhism at the Worcester Boundless Way Temple, and had a passion for music, especially jazz, and the Grateful

Dead; and

WHEREAS: Rick was active in the Town of Needham's

historical community, both as an amateur historian and member of the Needham Historical Commission from 2008 to 2022. Rick was enthralled by his family's "Ivanhoe Sears House" built from a kit by its original owners in the early 20th century;

and

WHEREAS: Rick was devoted to causes of social justice,

literacy, and education, and taught English as a second language in the Needham community. He served on the Board of the Library Foundation of Needham and as a Trustee of the Needham Free Public Library

from 2011 to 2022; and

WHEREAS: Rick served as a Town Meeting Member in

2014, 2015 and 2019;

NOW THEREFORE, be it resolved by this body that the 2022 Annual Town Meeting be dissolved in honor of the many civic and community contributions of Rick Hardy to the Town of Needham.

ACTION: A 9:15 P.M. on Monday, May 9, 2022, the Resolution was presented and carried unanimously by voice vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy ATTEST: