Town of Needham
Select Board
Minutes for Tuesday, December 20, 2022
Select Board's Chamber
and
Via ZOOM
https://us02web.zoom.us/j/84818276739

6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Marianne Cooley. Those present were Marcus Nelson, Kevin Keane, Heidi Frail, and Matthew Borrelli. Kate Fitzpatrick, Town Manager, joined the meeting at 6:34 p.m. Dave Davison, ATM/Finance, Katie King, ATM/Operations, Myles Tucker, Support Services Manager, and Mary Hunt, Recording Secretary were also in attendance.

6:00 p.m. Public Comment Period: No public comments were made.

6:03 p.m. Ms. Cooley asked for a moment of silence for Nancy White, former Director of Parks and Recreation who recently passed away. It was noted Ms. White worked for the Town of Needham for many years.

6:05 p.m. Historical District Designation:
Laura Dorfman, Chair, Historical Commission, Don Lankiewicz, Vice Chair, Historical Commission, and Rose Doherty, Historical Commission (via Zoom) discussed with the Board a proposal to create a single parcel historic district in Needham. Maurice Handel and Jeff Heller also joined the discussion.

It was noted this proposal supports Select Board goal 1.13: Create a voluntary local historic district under Chapter 40C for the property of Elizabeth and Maurice Handel at 3 Rosemary Street, built by Jonathan and Jemima Kingsbury in 1779, the oldest house in 02494 and 11th oldest in Needham.

Ms. Dorfman outlined the goal and charge of the historical commission. She explained the historic designation is a way, in addition to demolition by laws, to preserve and protect historic properties in Needham. A draft composition and charge for the proposed study committee was presented for discussion purposes.

Discussion ensued on composition of the study committee, the time the committee will have to gather information for a report to be presented to the Select Board, a plan to engage the Massachusetts Historical Commission, and ways to educate the community about historic districts.

Ms. Cooley asked any resident architects and realtors interested in historic preservation to reach out to the local AIA (American Institute of Architecture) and the Town indicating their willingness to serve on the committee. She also commented a resident (Mr. Handel, in this case) of the proposed historic district is required to serve on the committee, as well as a community member at large. Ms. Cooley acknowledged a significant amount of work is necessary in order to bring a warrant article to Town Meeting, possibly in the fall 2023.

The Select Board thanked the presenters for the information.

6:23 p.m. Appointment and Consent Agenda:

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

1. Hugh L Eichelberger	**Technology Advisory Board**	**Term Exp: 6/30/2025**
2. Sara Nechasek	**Active Recreation Assets Working Group**	**Term Exp: 6/30/2023**
3. Maureen Callahan	**Needham Commission on Disabilities**	**Term Exp: 6/30/2024**

CONSENT AGENDA *=Backup attached

1.* Approve minutes of November 22,2022 (open session)

2. Accept the following donation made to the Needham Community Revitalization Trust Fund: $250 from Maryruth Perras.

3. Accept the following donations made to the Needham Public Health Division, Gift of Warmth Program: $500 from John & Nancy Frantz and $100 from Elin Soderholm Trust.

4. Accept the following donations made to the Needham Free Public Library: Sixty Korean language books, estimated value $500, given anonymously; from Ann MacFate, $50 in honor of John Milligan and $5,000 in honor of Irene MacFate; Where Do They Bury the Dead, by Joseph Policape, given by the author (estimated value $17); and Stories from Across the Globe, by Catarina Chen, and Bouquet of Stars, by Chelan Harkin, given by Lise Perskie Rodriguez (estimated value $30).

5.* In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, adopt the updated classification and compensation plan/Schedule C for part-time, temporary and seasonal employees effective January 1, 2022.

6. Approve for calendar year 2023 requests for license renewals of Common Victualler Licenses for the following establishments (subject to receipt of required completed paperwork): • North Hill Needham, Inc. d/b/a Central Avenue Café • LPM Holding Co., Inc. d/b/a Epicurean Feast - Cutler Lake • Eat Farmhouse, LLC d/b/a The Farmhouse • 1056 Gyro and Kebab House Corp d/b/a Gyro and Kebab House • Three Sons, Inc. d/b/a Kosta's Pizza & Seafood • International Needham House of Pizza d/b/a Needham House of Pizza • Select Pizza d/b/a Nicholas' Pizza • PAN LLC. d/b/a Panella's Market & Deli • Subway of Needham LLC d/b/a Subway • Niki Corp. d/b/a Town House of Pizza • Lt. Manson Carter Post 2498 V.F.W. of U.S.

7.* Approve for calendar year 2023 requests for various license renewals as detailed below for the following establishments (subject to receipt of required completed paperwork): • 7-Eleven – Special Permit (24 hr. retail sale of food) • Blue on Highland, LLC d/b/a Blue on Highland – Weekday Entertainment • Henry Hospitality Inc. d/b/a The James- Seven Day Entertainment License •

Sol Soul Family Foods, LLC d/b/a Hearth Pizzeria – Seven Day Entertainment License • SAI Restaurants, Inc. d/b/a Masala Art- Seven Day Entertainment License • Needham Cabot Concessions, LLC d/b/a Sheraton Needham Hotel – Seven Day Entertainment License • Ceed Corp. d/b/a Cook Needham – Seven Day Entertainment License • The Needham Golf Club Inc. – Weekday Entertainment License • Latin-A Group LLC d/b/a Latina Kitchen and Bar – Weekday Entertainment License

8.* Approve and Sign Water Sewer Abatement #1321

9. Approve a request from the James to extend its liquor license on December 31, 2022, until 1:00 a.m. The Police Department has approved this request.

10. Accept the following donations made to the Needham Public Health Division: $75 from Shahin Sagafi for Needham's Gift of Warmth Program; $75 from an anonymous donor for Needham's Domestic Violence Action Committee.

11. Accept the following donation made to Needham Youth & Family Services; $200 Target Gift Card from the Needham Children's Center for a family in need this holiday season.

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

6:24 p.m. Transportation Planning Proposal:

Ms. Cooley outlined the proposals developed by the Transportation Planning Review Committee. The TPRC was created under Select Board Goal 3.2: "Evaluate the role and composition of the TMAC, Transportation Committee, Rail Trail Advisory Committee, and Complete Streets Committee." Ms Cooley referred to a memo dated December 16, 2022 from the Transportation Planning Review Committee .

She said the TPRC began after independent discussions with members of both the current transportation committee and with the TMAC regarding different issues each committee was having. She noted work necessary on transportation by the Select Board was not part of any committee charge or agenda; hence the committee with representatives from each group was formed. She said the group met on seven occasions in 2022. It discussed some of the challenges and ways to put a system in place that made good use of volunteer's time, and to create the plans actually needed by the Town, in addition to safer streets. Ms. Cooley commented on the current Transportation Committee and when it was included into the by-laws. She noted the way the Town currently works with the MBTA is very different to when the committee originally was set up.

Discussion ensued on the proposed Committee Composition & Charge: Mobility Planning & Coordination Committee (successor to Transportation Committee), proposed Committee Composition & Charge: Transportation Safety Committee (formerly Transportation Management Advisory Committee), and proposed Committee Composition & Charge: Rail Trail Advisory Committee, and proposed General By-law amendment.

The Board thanked the committees for their work and for moving this Select Board goal forward.

6:35 p.m. Town Manager:

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

1. Appointment Protocol

Myles Tucker, Support Services Manager reminded the Board of its discussion on December 4, 2022 regarding standard operating procedures for appointment protocol. He reviewed the changes made since the last meeting and asked the Board to adopt the Protocol for Appoints Made by the Select Board (SB-ADMIN–003).

Motion by Mr. Borrelli that the Board vote to adopt the revised Protocol for Appointments Made by the Select Board dated December 20, 2022, as further revised by changing II. Joint Appointments to III., and Appointment of Select Board Members to Committees from III. to IV.
Second: Mr. Keane. Unanimously approved 5-0.

Ms. Cooley thanked Mr. Tucker for his work, and said she is grateful for a new process.

2. Retirement COLA Recommendation

Kate Fitzpatrick, Town Manager, recommended that the Select Board adopt the recommendation of the Needham Contributory Retirement Board to provide a one-time cost of living adjustment (COLA) to eligible retirees for FY2023. She reminded the Select Board that The Retirement Board previously voted to approve a 3% COLA for FY2024. By action taken at the 2022 Annual Town Meeting, the base on which the COLA is calculated is the first $16,000 of the retiree's pension. Ms. Fitzpatrick noted that on November 16, 2022, Governor Baker signed Chapter 269 of the Acts of 2022. This Act provides local retirement systems with a local option to increase the COLA for FY2023 to up to 5% of the base amount. The local approval mechanism is different from traditional COLA increases. The local retirement board must vote and then receive approval from the city or town. In a Town, such approval is by the CEO – in Needham's case the Town Manager.

Motion by Mr. Nelson that the Select Board endorse the Town Manager's recommendation to approve the recommendation of the Needham Contributory Retirement Board to provide a total 5% increase for retirees for FY2023.
Second: Mr. Borrelli. Unanimously approved 5-0.

3. ARPA Update

Ms. Fitzpatrick provided the Board with an update on ARPA spending, commitments, grants, and projects, and recommended that the Board approve certain transfers within spending categories. The proposed amendment is to advance the Library Chiller Project Replacement Project ($369,000) from the FY2024 Capital Plan to a new category of Ventilation Upgrades in the ARPA

Budget. Use of ARPA funding will allow the Public Works Building Maintenance Division to start the work prior to the summer of 2023 when any failure of the chiller is most problematic.

She said the chiller is a component of the HVAC system that cools an area by transferring heat away from a space using a refrigerant, releasing it outside. The current chiller is past the end of its useful life, functions poorly, and its obsolete parts need constant repair. It utilizes a refrigerant called R22, which the Environmental Protection Agency (EPA) has banned the production and import of as of January 1, 2020, due to the harm it causes to the ozone layer. This means it is increasingly more difficult and expensive to find a replacement R22. This project would remove the existing chiller and replace it with a new chiller that is easier to maintain and does not utilize R22. The new chiller would also have an energy recovery system to reduce energy consumption, which the existing chiller does not have. She asked the Board to approve the updated ARPA Proposal Budget dated December 16, 2022.

Motion by Mr. Keane that the Board approve the updated ARPA Proposal Budget dated December 16, 2022.
Second: Mr. Nelson. Unanimously approved 5-0.

4. FY2024 Budget Priorities
   Ms. Fitzpatrick reviewed with the Board the proposed budget priorities for FY2024 Operating and Capital Budgets. It was noted the proposed budget priorities were discussed at the Select Board meeting on December 6, 2022.

   Motion by Mr. Borrelli that the Board vote to adopt the budget priorities for FY2024.
   Second: Mr. Nelson. Unanimously approved 5-0.

5. FY2024 -FY2028 Capital Improvement Plan
   Ms. Fitzpatrick recommended that the Board approve the FY 2024 - 2028 Capital Improvement Plan for transmission to the Finance Committee. She noted the draft Capital Improvement Plan Executive Summary and changes made at the Board's last two meetings on updating the Debt Management and Capital Improvement Policies. She asked for the Board's approval.

   Motion by Mr. Keane that the Board approve the updated Capital Improvement Policies and Debt Management Policies and approve the FY 2024 – 2028 Capital Improvement Plan for transmittal to the Finance Committee.
   Second: Mr. Borrelli. Unanimously approved 5-0.

6. Facility Financing Plan Update
   Dave Davison, ATM/Director of Finance reviewed with the Board the recently updated Facility Financing Plan. He said the purpose of the document is to provide

a sense of what the Town's debt position and annual debt service budget requirements may be to fund the identified projects. Mr. Davison said the Outlook includes current projects previously approved, and amounts yet to be borrowed, totaling approximately $26,000,000.

Discussion ensued on 13 projects recommended for financing, in whole or in part by debt, including the two projects approved at the October 24, 2022 Special Town Meeting (the Emery Grover supplemental appropriation and the purchase of a portion of the Foster property). The report includes all the capital proposed to be funded by debt in the preliminary FY2024 - FY2028 Capital Improvement Plan, as well as two major school projects under consideration, the Mitchell and Pollard Schools, and a significant investment in the Public Works facilities. Project cost, timing assumptions, and interest rates among other items, were discussed. Mr. Davison commented all information contained in the report is available on the Town's website.

Ms. Cooley said the budgets provide information that can help the Board understand the different choices that can be made in order to be responsible to the taxpayers of Needham and to managing the budget.

The Board thanked Mr. Davison for the information.

7. Town Manager Report

Ms. Fitzpatrick reported that last week the Massachusetts Public Health Council approved Children's Hospital to move forward. She said permitting for building the garage and hospital surgical facility is expected in the near future.

7:25 p.m. Board Discussion:

1. Committee Reports

Mr. Keane reported the Code of Conduct Committee met yesterday. He also reported the Climate Action Committee met to discuss the CEA (Community Electricity Aggregation). He noted the name of the CEA will change to MuniAgg (Municipal Aggregation).

Mr. Nelson reported the Affordable Housing Working Group will hold its last meeting of the year on Thursday, December 22, 2022.

Ms. Cooley reported she and Mr. Nelson met with the Needham Channel to discuss NUARI, its history, and status of current projects. She said the full interview will be available for viewing in January 2023.

Ms. Frail reported she and Mr. Keane attended the Chabad menorah lighting December 19, 2022. She wished happy Hanukkah to those who celebrate.

Ms. Cooley commented the Executive Session Exception 6 tonight is to discuss the Foster property and it is expected a meeting with neighbors to discuss the development agreement will be held in January 2023.

The Select Board wished residents a nice holiday.

7:30 p.m. Executive Session: Exceptions 3 (Litigation) and 6 (Interest in Real Property)

Motion by Mr. Borrelli that the Select Board vote to enter into Executive Session.

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

and

Exception 6 – To consider the purchase, exchange, lease or value of real estate if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Not to return to open session prior to adjournment.

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

Note: The Executive Session ended at 8:40p.m.

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

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

The Next Select Board meeting is scheduled for Tuesday, January 10, 2023, at 6 p.m.