

SELECT BOARD

Meeting Agenda

6:00 p.m. June 13, 2023

NEEDHAM TOWN HALL

Select Board Chambers & Zoom

Revised



Pursuant to Chapter 2 of the Acts of 2023, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

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

Link:

<https://us02web.zoom.us/j/89068374046?pwd=UzBqaWlrNWZrSWdCQkpaZkYjd1RHQT09>

Webinar ID: 890 6837 4046

Passcode: 221095

One tap mobile: [+16469313860](tel:+16469313860).,84380252011#

	6:00	Public Comment Period Citizens are encouraged to inform the Office of the Town Manager in advance via email (OTM@needhamma.gov), telephone (781) 455-7500 extension 204, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes. The Board’s policy on public participation in meetings can be found here .
1.	6:00	Proclamation: Juneteenth
2.	6:00	Proclamation: Pride Month
3.	6:00	Public Hearing: Joint Grant of Location: 140 Kendrick Street - Joanne Callender, Eversource Representative - Marcel Rodgers, Verizon Representative - Fernanda Breña, Sunwealth Representative
4.	6:00	Public Hearing: Eversource Grant of Location: 140 Kendrick Street Joanne Callender, Eversource Representative
5.	6:00	Public Hearing: Eversource Grant of Location: 377 Chestnut Street Joanne Callender, Eversource Representative

6.	6:00	Public Hearing: Eversource Grant of Location: 1177 Central Avenue Joanne Callender, Eversource Representative
7.	6:00	Public Hearing: Sewer and Water Rates David Davison, Assistant Town Manager/Finance
8.	6:30	Public Hearing: Alcohol License Hearing – Pancho's Taqueria Needham, LLC d/b/a Pancho's Taqueria - Carlos Chavira, Manager of Record - John Schlittler, Chief of Police
9.	7:10	Town Manager Housing Needham (HONE) Advisory Group - Mobility Planning Coordinating Committee - Quiet Zone Working Group - Town-Financed Community Housing Oversight Committee
10.	8:00	Board Discussion Committee Reports

CONSENT AGENDA

1.	Approve a one-day license suspension as penalty for an alcohol compliance check failure on April 12, 2023 by Ceed Corp d/b/a Cook Needham.					
2.	Approve Executive Session Minutes of May 23, 2023.					
3.	Authorize the placement of Pride Month lawn signs at the Town Hall and Public Services Administration Building through June 30, 2023.					
4.	Accept the following donations made to the Needham Community Revitalization Trust Fund: \$1500 from The Exchange Club of Needham and \$325 from Hearth Pizzeria.					
5.	Grant permission for the following residents to hold block parties:					
Name		Address	Party Location	Date	Time	Rain Date
Ratify - Ari Cohen		32 Virginia Road	Virginia Road, 38, 33, 32, 26, 23, & 20	6/3/23	2pm-6pm	N/A
Ratify – Rebecca Carrier		17 Hollow Ridge Road	Hollow Ridge Road	6/10/23	5pm-9pm	6/16/23
Janine Helwig		158 Meadowbrook Rd	Newell Ave & Prospect St. intersection	9/9/23	3:30pm-8:30pm	9/10/23

TOWN OF NEEDHAM

2023 JUNETEENTH PROCLAMATION

WHEREAS: On July 4, 1776 the thirteen United States of America pronounced in their Declaration of Independence the self-evident truth that all men are created equal, even as those states continued to allow the cruel and inhumane enslavement of African people stolen from their homelands; and

WHEREAS: In 1863 during the Civil War, President Lincoln issued the Emancipation Proclamation declaring that “all persons held as slaves” within the states then in a state of rebellion “are, and henceforth shall be free”; and

WHEREAS: Due to the slow advance of Union troops, enslaved people in Texas did not know of the signing of the proclamation and their subsequent freedom until Union General Gordon Granger issued General Order No. 3 on June 19, 1865; and

WHEREAS: In 1866 formerly enslaved people and their allies began commemorating the anniversary of the issuance of General Order No. 3 on June 19, calling the date Juneteenth, with celebrations spreading throughout the South and the country over the next century and a half; and

WHEREAS: In 2020, Governor Charlie Baker signed into law a bill designating Juneteenth as a legal holiday in the Commonwealth of Massachusetts.

NOW THEREFORE, be it resolved that June 19th, 2023 be declared Juneteenth in the Town of Needham and that all residents be encouraged to observe Juneteenth as a celebration of the resilience of Black Americans and an opportunity for education about the true history of this country.

Signed this thirteenth day of June, 2023

SELECT BOARD

TOWN OF NEEDHAM

2023 PRIDE MONTH PROCLAMATION

WHEREAS: The Town of Needham is a welcoming community; and

WHEREAS: Needham values the diversity of its residents and people everywhere; and

WHEREAS: Needham respects the contribution that each and every resident makes to our Town; and

WHEREAS: Needham appreciates the rich tapestry of ethnic, cultural, racial, sexual, and gender identities of its residents; and

WHEREAS: Needham embraces our LGBTQIA+ community; and

WHEREAS: LGBTQIA+ youth are at especially high risk of experiencing discrimination, mistreatment, and violence, and the Town is committed to ensuring that they are safe, valued, and supported.

NOW THEREFORE, be it resolved that June 2023 be declared Pride Month in the Town of Needham and that all residents be encouraged to recognize and acknowledge the contributions of the LGBTQIA+ members of our community as we continue to advance the principles of liberty, equality, inclusivity, and justice for all.

Signed this thirteenth day of June, 2023

SELECT BOARD



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Public Hearing: Joint Grant of Location – 140 Kendrick Street
Presenter(s)	Marcel Rodgers, Verizon Representative Joanne Callender, Eversource Representative Fernanda Breña, Sunwealth Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Verizon New England and Eversource Energy requests permission to place one pole approximately 353 feet westerly of the centerline of Third Avenue and approximately 65 feet easterly from existing pole, P.35/16A. This petition is necessary to provide new communications and electrical service to 140 Kendrick Street. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Select Board approve and sign a petition from Verizon New England and Eversource Energy to place one pole approximately 353 feet westerly of the centerline of Third Avenue and approximately 65 feet easterly from existing pole, P.35/16A.	
3.	BACK UP INFORMATION ATTACHED
a. DPW Review Sheet b. Letter of Application c. Petition d. Order e. Petition Plan f. Notice Sent to Abutters g. List of Abutters	

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NEEDHAM, MA 02492 Telephone: (781) 455-7550

www.needhamma.gov/dpw

TO: Kristin Scoble, Select Board Office

FROM: DPW Office

DATE:

RE:

For Select Board Meeting of
Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 5-24-23

REVIEWER:

Rawa.

SITE LOCATION: 140 KENDRICK ST.

UTILITY REQUESTING:

VERIZON

Conduit Work Area Description

☒ A Sidewalk/Grass Strip Crossing Only

Peer Review tar 6/1/23

☐ B Work Within Paved Road Perpendicular Crossing

Peer Review _____

☐ C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway

Peer Review _____ Div. Head Review _____

☐ D Other

Peer Review _____ Div. Head Review _____

☒ Petition Plan Consistent with Field Review

☒ Old Pole Removed N/A

☒ Diameter of Conduit N/A

☒ Cables Transferred to New Pole No

☒ Depth of Conduit N/A

☒ New Riser on Pole N/A

☒ Utility Conflicts

☒ Visible Trench Patch across Road/Sidewalk N/A

☒ Crossing Perpendicular to Road N/A

☒ Abutters List Complete

☒ Public Road

☒ Photos Included

☒ Double Pole No

Department Head _____

COMMENTS:

NO NEW POLE INSTALLED AS OF YET. NO MARKINGS/STAKE
GRASS INDICATING LOCATION OF NEW POLE AS OF YET.

The application is complete pending a public hearing. This document is in combination with the Eversource request. tar 6/1/23

Anthony Marini
Right of Way Manager



85 High Street, 3rd Floor
Pawtucket, RI 02860

Office: 401-727-9529
Mobile: 401-487-2846
Anthony.Marini@one.verizon.com

May 15, 2023

Office of the Select Board
Needham Town Hall
1471 Highland Avenue
Needham, MA 02492

RE: Petition for Verizon job # 4A0W2KJ
Kendrick Street, Needham, MA

Dear Honorable Select Board:

Enclosed find the following items in support of the above-referenced project:

1. Petition;
2. Petition Plan;
3. Order;
4. Abutters.

A Public Hearing and notice to abutters is required. A Verizon representative will attend the Public Hearing. Should any questions or comments arise concerning this matter prior to the hearing, please contact me at 401-487-2846. Your assistance is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Anthony Marini".

Anthony Marini
Right of Way Manager

Enc

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

May 15, 2023

To the Select Board

in **NEEDHAM**, Massachusetts

VERIZON NEW ENGLAND, INC. and **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Kendrick Street:

Place one (1) JO pole, P.35/16B approximately three hundred fifty-three (353) feet westerly of the centerline of Third Avenue, and approximately sixty-five (65) feet easterly from existing pole, 35/16A.

This petition is necessary to provide new service.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. Plan No. **4A0W2KJ** Dated **May 15, 2023.**

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By Anthony Marini
Anthony Marini - Manager - Rights of Way

Dated this 15th day of May, 2023

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

By Richard M Schifone

Right of Way Representative Richard M Schifone, Eversource Electric

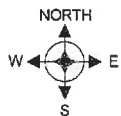
Dated this 15th day of May, 2023



PETITION PLAN

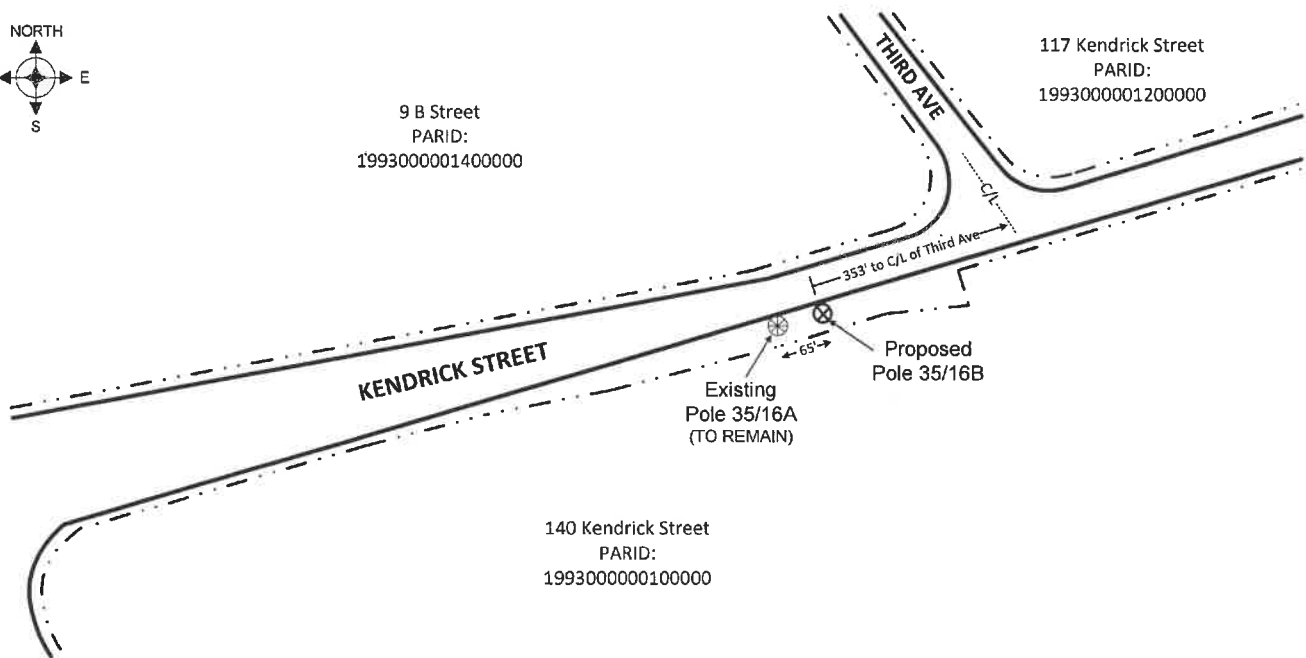
MUNICIPALITY NEEDHAM
VERIZON NEW ENGLAND, INC & EVERSOURCE/NSTAR
SHOWING: PROPOSED PLACEMENT OF JO POLE, P.35/16B, ON KENDRICK STREET

VZ N.E. Inc. No. 4A0W2KJ
DATE: May 15, 2023



9 B Street
PARID:
1'993000001400000

117 Kendrick Street
PARID:
1993000001200000



NOT TO SCALE

LEGEND

--- EDGE OF ROADWAY
— EDGE OF PAVEMENT
--- PARCEL BOUNDARY

⊗ PROPOSED POLE LOCATION
⊗ EXISTING POLE LOCATION

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

By the Select Board of the Town of NEEDHAM, Massachusetts.

Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

that VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY be, and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in public way or ways hereinafter referred to, as requested in petition of said Companies dated the 15th day of May, 2023.

Kendrick Street:

Place one (1) JO pole, P.35/16B, approximately three hundred fifty-three (353) feet westerly of the centerline of Third Avenue, and approximately sixty-five (65) feet easterly from existing pole, 35/16A.

This petition is necessary to provide new service.

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

Poles shall be of sound timber, and reasonably straight and shall be set substantially at the points indicated upon the plan marked-VZ N. E. Inc. No. **4A0W2KJ** in a package Dated **May 15, 2023** - filed with said petition.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

Kendrick Street
One (1) JO pole to be placed

Also that permission be and hereby is granted to each of said Companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of NEEDHAM, Massachusetts held on the _____ day of _____ 2023.

Town Clerk

We hereby certify that on _____ 2023, at _____ o'clock _____ m., at the _____ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Select Board of the Town of NEEDHAM, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of location order, and certificate of hearing with notice adopted by the Select Board of the Town of NEEDHAM, Massachusetts, on the _____ day of _____ 2023, and recorded with the records of location orders of said Town, Book _____ Page _____. This certified copy is made under the provisions of Chapter 166 General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk

ABUTTERS LIST

PARID: 1993000001200000
117 Kendrick Street

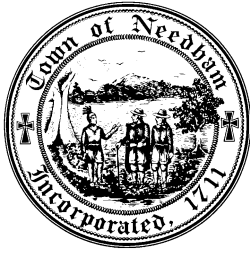
117 KENDRICK DE, LLC
C/O BULLFINCH PROPERTIES, INC.
116 Huntington Avenue, Suite 600
Boston, MA 02116

PARID: 1993000000100000
140 Kendrick Street

BP 140 KENDRICK STREET PROPERTY LLC
800 Boylston Street, Suite 1900
Boston, MA 02199

PARID: 1993000001400000
9 B Street

COCA COLA BOTTLING COMPANY OF NEW ENGLAND, INC.
1 Executive Park Drive, Suite 330
Bedford, NH 03110



NOTICE

To the Record

You are hereby notified that a public hearing will be held **at 6:00 p.m. on June 13, 2023 via Zoom and in person at Town Hall, 1471 Highland Avenue, Needham, MA 02492** upon a joint petition of Verizon New England and Eversource Energy dated **May 15, 2023** to place one pole approximately 353 feet westerly of the centerline of Third Avenue and approximately 65 feet easterly from existing pole, P.35/16A. This petition is necessary to provide new communications and electrical service to 140 Kendrick Street.

A public hearing is required, and abutters are notified.

If you have any questions regarding this petition, please contact Marcel Rogers, Verizon New England representative at (617) 506-9612 or Joanne Callender, Eversource Energy representative at (781) 314-5054.

Marianne Cooley
Kevin Keane
Heidi Frail
Marcus Nelson
Catherine Dowd

SELECT BOARD

You are invited to a Zoom webinar;
<https://us02web.zoom.us/j/89068374046?pwd=UzBqaWlrNWZrSWdCQkp aZkYd1RHQT09>
Passcode: 221095
Webinar ID: 890 6837 4046

Dated: May 25, 2023

WO# 7591425
KENDRICK STREET
NEEDHAM, MA.

199/300.0-0014-0000.0

9 B ST

NEEDHAM

N/F

COCA COLA BOTTLING COMPANY OF
1 EXECUTIVE PARK DR. STE 330
BEDFORD, NH 03110

199/300.0-0001-0000.0

140 KENDRICK ST

NEEDHAM

N/F

BP 140 KENDRICK STREET PROPERTY LLC
800 BOYLSTON ST STE 1900
BOSTON, MA 02199



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Public Hearing: Eversource Grant of Location – 140 Kendrick Street
Presenter(s)	Joanne Callender, Eversource Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 8 feet of conduit in Kendrick Street. The reason for this work is to provide electric service to 140 Kendrick Street. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Select Board approve and sign a petition from Eversource Energy to install approximately 8 feet of conduit in Kendrick Street.	
3.	BACK UP INFORMATION ATTACHED
a. DPW Review Sheet b. Letter of Application c. Petition d. Order e. Petition Plan f. Notice Sent to Abutters g. List of Abutters	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

NEEDHAM, MA 02492 Telephone: (781) 455-7550

www.needhamma.gov/dpw

TO: Kristin Scoble, Select Board Office

FROM: DPW Office

DATE:

RE:

For Select Board Meeting of

Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 5-24-23

REVIEWER: R. W. W.

SITE LOCATION: #140 KENDRICK ST

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

☒ (A) Sidewalk/Grass Strip Crossing Only

Peer Review tar 6/1/23

B Work Within Paved Road Perpendicular Crossing

Peer Review _____

C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway

Peer Review _____ Div. Head Review _____

D Other

Peer Review _____ Div. Head Review _____

☒ Petition Plan Consistent with Field Review

☒ Old Pole Removed N/A

☒ Diameter of Conduit 4"

☒ Cables Transferred to New Pole NO

☒ Depth of Conduit

☒ New Riser on Pole NO

☒ Utility Conflicts

☒ Visible Trench Patch across Road/Sidewalk NO

☒ Crossing Perpendicular to Road

☒ Abutters List Complete

☒ Public Road

☒ Photos Included

☐ Double Pole N/A

Department Head _____

COMMENTS:

NEW POLE NOT PLACED AS OF YET. NO MARKINGS ON GRASS/PAVEMENT
REGARDING CONDUIT LOCATION AS OF YET.

The Application is complete pending a public hearing- tar 6/1/23



180 Calvary Street
Waltham, Ma 02453

February 7, 2023

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Kendrick Street
Needham, MA
W.O.#7591425

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 8 feet of conduit in Kendrick Street.

The reason for this work is to provide electric service to #140 Kendrick Street.

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

Very truly yours,

Richard M. Schifone

Richard M. Schifone, Supervisor
Rights and Permits

RMS/HC
Attachments

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

To the Select Board of the Town of NEEDHAM Massachusetts:

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by T. Thibault, dated January 12, 2023, and filed herewith, under the following public way or ways of said Town:

Kendrick Street - Southerly from new pole 35/16B, approximately 343 feet Southwest of 3RD Avenue, install 8 feet of conduit.

W.O.# 7591425

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY

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

Dated this 20 day of January

Town of NEEDHAM Massachusetts

Received and filed _____ 2023

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

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

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

Kendrick Street - Southerly from new pole 35/16B, approximately 343 feet southwest of 3RD Avenue, install 8 feet of conduit

W.O.# 7591425

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

1. Conduits and manholes shall be located as shown on the plan made by T. Thibault, dated February 3, 2023 on the file with said petition.
2. Said company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.

1		
2		Select Board
3		the Town of
4		NEEDHAM
5		

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2023 at _____ in said Town.

1		
2		Select Board
3		the Town of
4		NEEDHAM
5		

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Select Board of the Town of NEEDHAM, Masssachusetts, duly adopted on the _____ day of _____, 2023 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of NEEDHAM, Massachusetts

199/300.0-0014-0000.0
9 B ST
NEEDHAM
N/F
COCA COLA BOTTLING COMPANY OF

APPROX. R.O.W

BACK OF SIDEWALK

BACK OF SIDEWALK

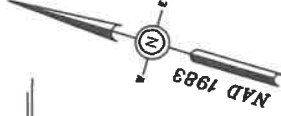
CONCRETE SIDEWALK

NOTES:

14
VERIZON TO INSTALL NEW POLE 35/16B

CUSTOMER TO CALL EVERSOURCE FOR CONDUIT
INSPECTION PRIOR TO POURING AND BACKFILLING
© 617 541-7071

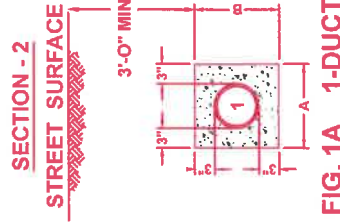
CUSTOMER TO INSTALL PER EVERSOURCE SPEC'S:
1-4" PVC CONDUIT ENCASED IN CONCRETE IN
DRIVEWAY FROM NEW POLE 35/16B TO EXISTING SQ.
CONDUIT 1 SECTION, TDL= +/- 75FT.



15

KENDRICK ST

CUSTOMER TO INSTALL
1-4" PVC PIPE
TYPE EB IN CONCRETE
SECTION 2 FIG. 1A 8'±



APPROX. 343'±
TO 3RD AVE

69.4'±

35/16B
VZ
PROPOSED

LANDSCAPED AREA

199/300.0-0001-0000.0
140 KENDRICK ST
NEEDHAM
N/F
BP 140 KENDRICK STREET PROPERTY LLC

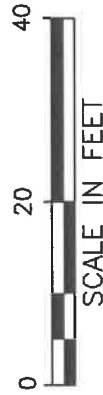
APPROX. R.O.W
35/16 VZ
35/16A ES

3'± O/S

APPROX. R.O.W
35/17 ES

APPROX. PT.
OF PICKUP

LANDSCAPED AREA



SCALE IN FEET

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

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

MASS. LAW

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

Ch#	Ward #	Work Order # 7591425	Surveyed by: N/A	Research by: JC/GR	Plotted by: LM	Proposed Structures: LM	Approved: T THIBAUT	P#
NSAR EVERSOURCE ELECTRIC d/b/a			1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125			Plan of KENDRICK ST		
			NEEDHAM			Showing PROPOSED CUSTOMER TO INSTALL		
						Scale 1"=20'		
						SHEET 1 of 1		
						Date FEBRUARY 3, 2023		

WO# 7591425
KENDRICK STREET
NEEDHAM, MA.

199/300.0-0014-0000.0

9 B ST

NEEDHAM

N/F

COCA COLA BOTTLING COMPANY OF
1 EXECUTIVE PARK DR. STE 330
BEDFORD, NH 03110

199/300.0-0001-0000.0

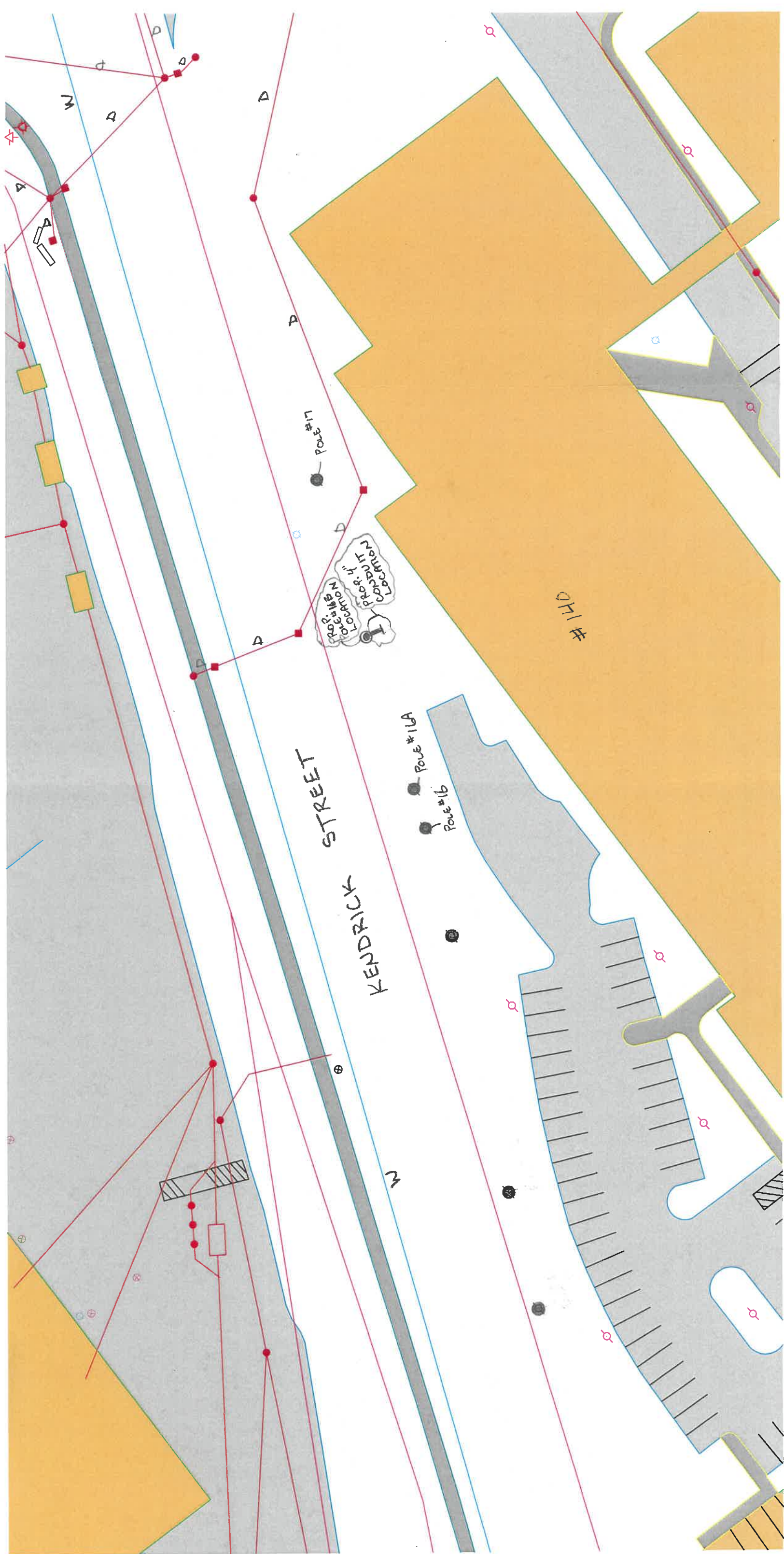
140 KENDRICK ST

NEEDHAM

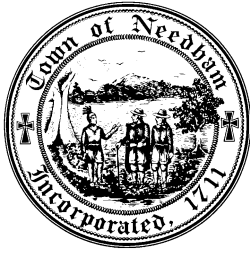
N/F

BP 140 KENDRICK STREET PROPERTY LLC
800 BOYLSTON ST STE 1900
BOSTON, MA 02199

1"=40'







NOTICE

To the Record

You are hereby notified that a public hearing will be held **at 6:00 p.m. on June 13, 2023 via Zoom and in person at Town Hall, 1471 Highland Avenue, Needham, MA 02492** upon petition of Eversource Energy dated **February 7, 2023** to install approximately 8 feet of conduit in Kenrick Street. The reason for this work is to provide electric service to 140 Kendrick Street.

A public hearing is required, and abutters are notified.

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

Marianne Cooley
Kevin Keane
Heidi Frail
Marcus Nelson
Catherine Dowd

SELECT BOARD

You are invited to a Zoom webinar;
<https://us02web.zoom.us/j/89068374046?pwd=UzBqaWlrNWZrSWdCQkp aZklyd1RHQT09>
Passcode: 221095
Webinar ID: 890 6837 4046

Dated: May 25, 2023

WO# 7591425
KENDRICK STREET
NEEDHAM, MA.

199/300.0-0014-0000.0

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140 KENDRICK ST

NEEDHAM

N/F

BP 140 KENDRICK STREET PROPERTY LLC
800 BOYLSTON ST STE 1900
BOSTON, MA 02199



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Public Hearing: Eversource Grant of Location – 377 Chestnut Street
Presenter(s)	Joanne Callender, Eversource Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 82 feet of conduit in Chestnut Street. The reason for this work is to provide underground service to 377 Chestnut Street. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Select Board approve and sign a petition from Eversource Energy to install approximately 82 feet of conduit in Chestnut Street.	
3.	BACK UP INFORMATION ATTACHED
a. DPW Review Sheet b. Letter of Application c. Petition d. Order e. Petition Plan f. Notice Sent to Abutters g. List of Abutters	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

NEEDHAM, MA 02492 Telephone: (781) 455-7550

www.needhamma.gov/dpw

TO: Kristin Scoble, Select Board Office

FROM: DPW Office

DATE:

RE:

For Select Board Meeting of
Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 5-31-23

REVIEWER:

R.W.W.

SITE LOCATION: #377 CHESTNUT ST. (ROCHE BROS.)

UTILITY REQUESTING:

EVERSOURCE

Conduit Work Area Description

A Sidewalk/Grass Strip Crossing Only

Peer Review _____

☒ B Work Within Paved Road Perpendicular Crossing

Peer Review tar 6/1/23

C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway

Peer Review _____ Div. Head Review _____

D Other

Peer Review _____ Div. Head Review _____

☐ Petition Plan Consistent with Field Review

☐ Old Pole Removed N/A

☒ Diameter of Conduit 4"

☐ Cables Transferred to New Pole N/A

☒ Depth of Conduit

☐ New Riser on Pole N/A

☒ Utility Conflicts YES (ROAD CROSSING)

☐ Visible Trench Patch across Road/Sidewalk

☒ Crossing Perpendicular to Road YES

☒ Abutters List Complete

☒ Public Road

☒ Photos Included

☐ Double Pole N/A

Department Head _____

COMMENTS:

POSSIBLE IMPACTS TO CHESTNUT ST. AND Y.M.C.A. ENTRANCE DURING CONSTRUCTION,
NO CONSTRUCTION AS OF YET. MARKINGS ARE ON CHESTNUT ST.
AND SIDEWALK.

AND
UTILITY
CROSSING
ON
CHESTNUT
ST.

The application is in order pending a public hearing- tar 6/1/23



180 Calvary Street
Waltham, Ma 02453

May 22, 2023

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Chestnut Street
Needham, MA
W.O.# 12093914

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 82± feet of conduit in Chestnut Street.

The reason for this work is to upgrade the underground service to #377 Chestnut Street.

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

Very truly yours,

Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

RMS/jc
Attachments

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

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **T. Thibault, dated May 18, 2023**, and filed herewith, under the following public way or ways of said Town:

**Chestnut Street - Northwesterly from MH26050, approximately 158
feet north of Junction Street, install approximately
82± feet of conduit**

W.O.# 12093914

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

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

Dated this 22nd day of May 2023

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2023

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM**

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

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

**Chestnut Street - Northwesterly from MH26050, approximately 158 feet
north of Junction Street, install approximately 82± feet of
conduit**

W.O.# 12093914

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

1. Conduits and manholes shall be located as shown on the plan made by **T. Thibault,**
Dated May 18, 2023 on the file with said petition.
2. Said company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.

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

CERTIFICATE

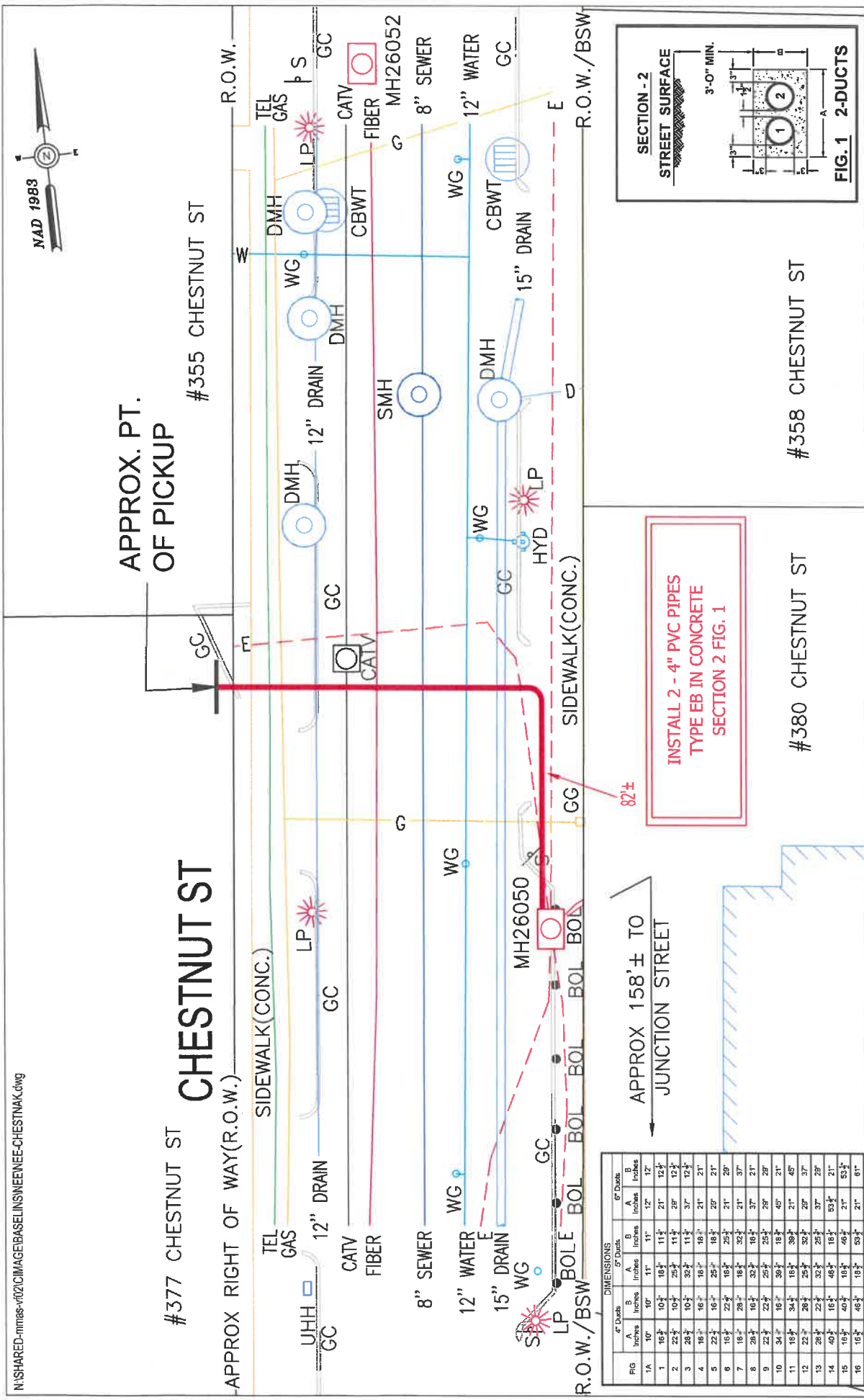
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2023 at _____ in said Town.

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

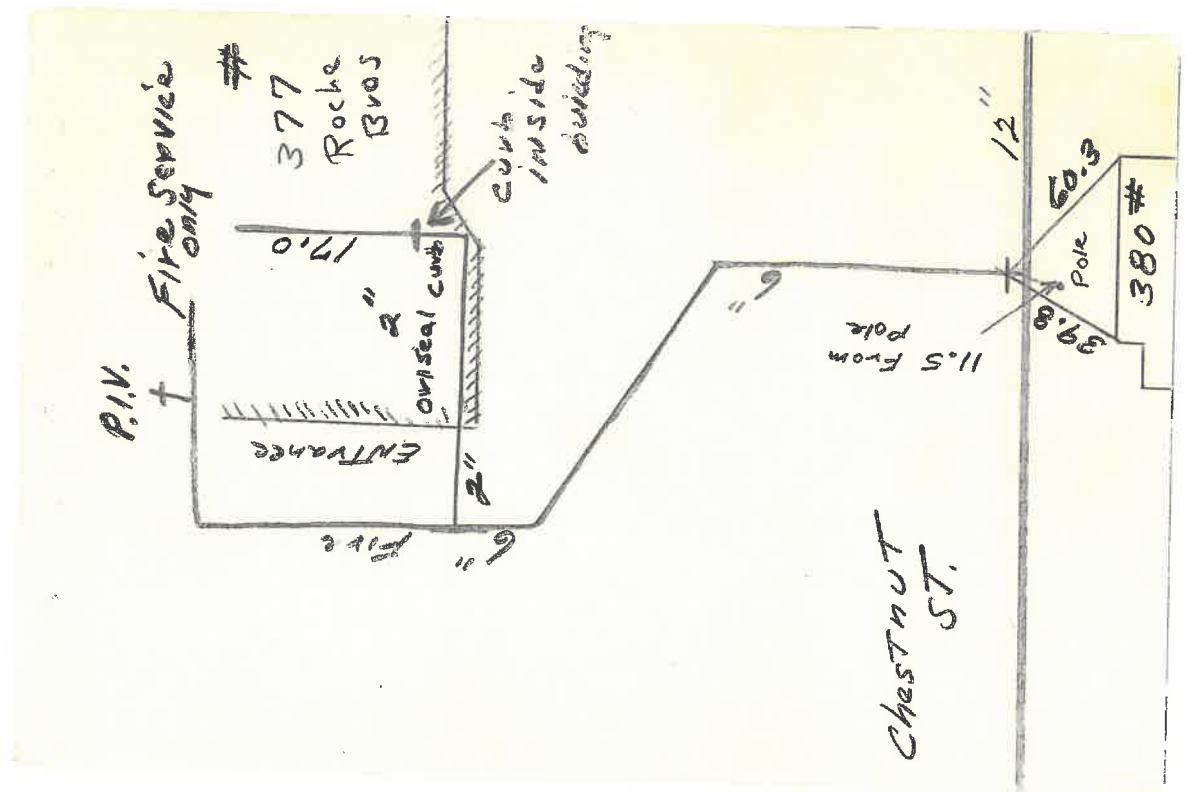
CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2023 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

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



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION CONTAINED HEREIN. THE INFORMATION IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS, EASEMENTS, OR AGREES (COLLECTIVELY THE "NEEDHAM" AGREEMENTS) SHALL BE LIABLE FOR ANY LOSS, OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE INSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY. THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER AS TO THE INFORMATION PROVIDED OR THE INFORMATION OBTAINED FROM ANY OTHER SOURCE. THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.		C# 121-23	
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		Surveyed by: SJ/JC	
		Research by: GR	
		Plotted by: SJ	
		Proposed Structures: SJ	
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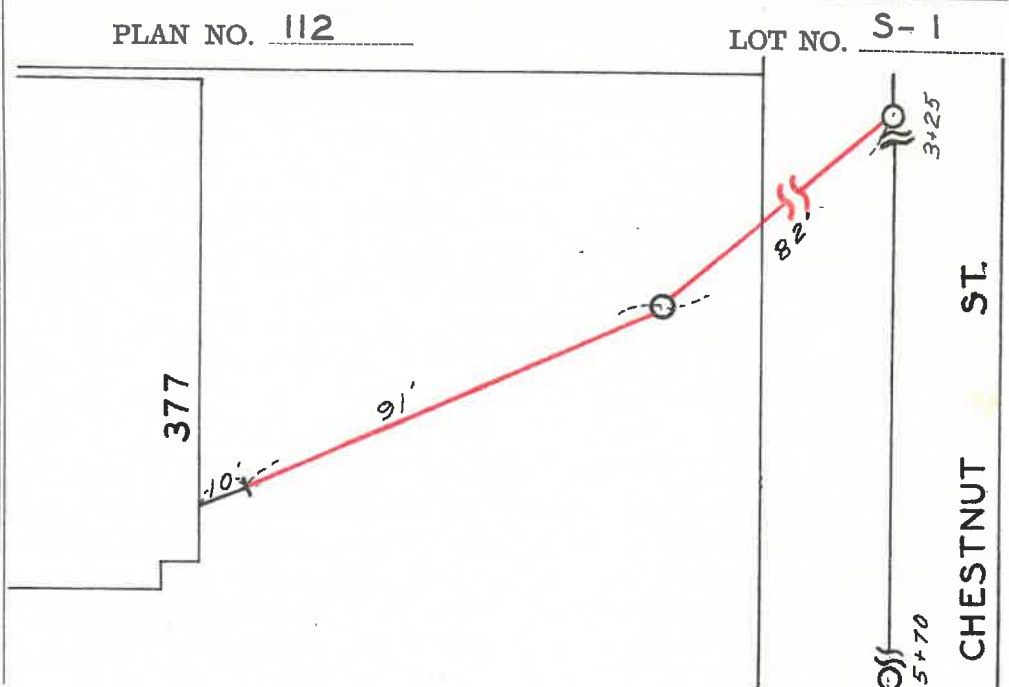
TOWN OF NEEDHAM SEWER DEPARTMENT

HOUSE CONNECTION

APP. NO. 6558 NO. 377 Chestnut ST. OWNER J. Williams & Dugard R. Lee

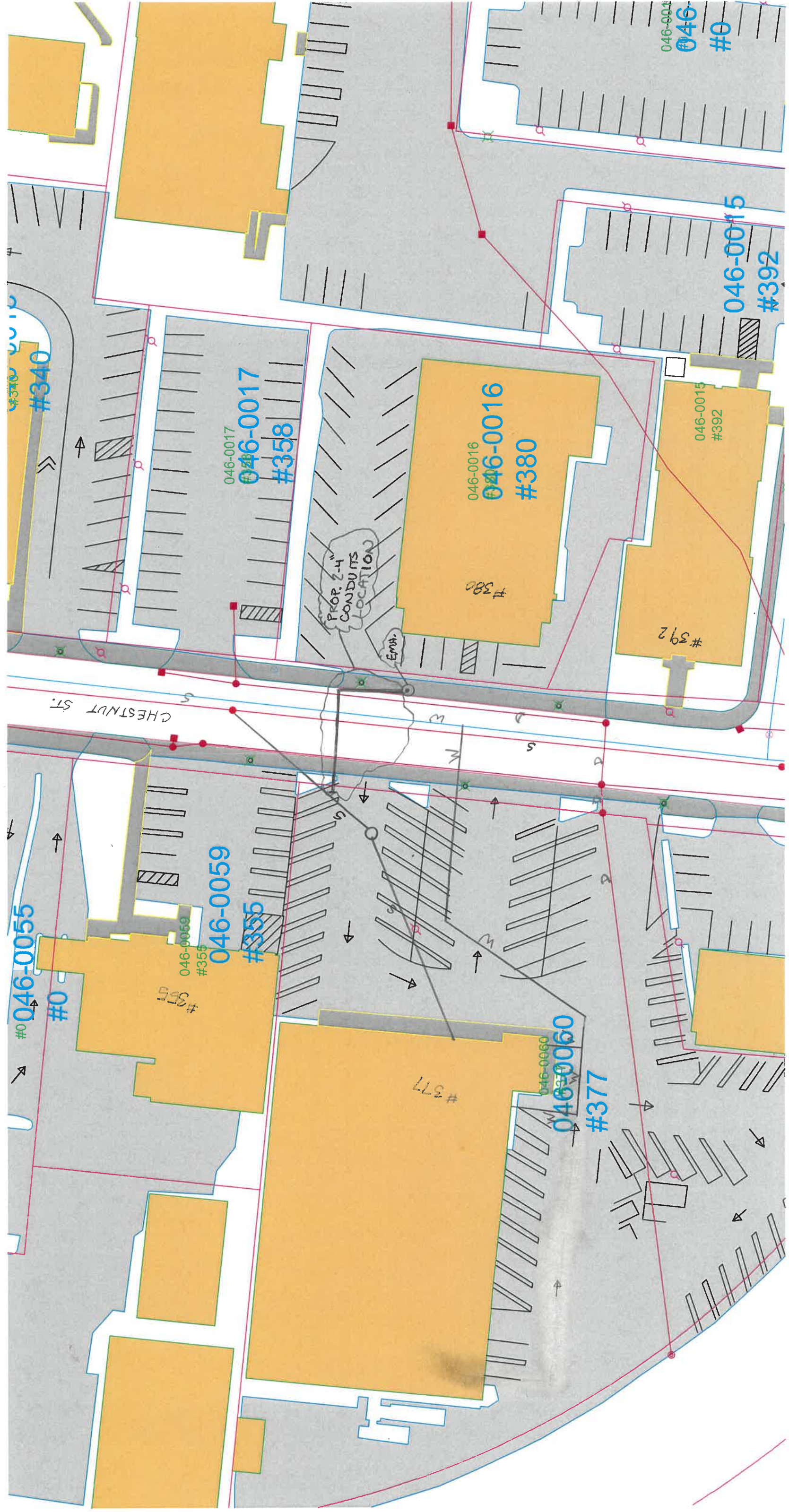
ESTIMATE COST \$ 30.00 DATE August 26, 1964

Length to St. Line	25'
St. Line to Bldg.	188'
Total Length	183'
Depth at Main	7'
" " St. Line	5'
" " Bldg.	3'
Ave. Depth	
Kind of Soil	Gravel
Ledge	
Depth of Gr. Water	
Work Started	
" Finished	
Plumbing Conn.	no 383

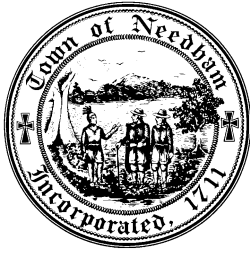


N
1"=40'

POSSIBLE IMPACTS TO
JUNCTION DURING CONSTRUCTION







NOTICE

To the Record

You are hereby notified that a public hearing will be held **at 6:00 p.m. on June 13, 2023 via Zoom and in person at Town Hall, 1471 Highland Avenue, Needham, MA 02492** upon petition of Eversource Energy dated **May 22, 2023** to install approximately 82 feet of conduit in Chestnut Street. The reason for this work is to upgrade the underground service to 377 Chestnut Street.

A public hearing is required, and abutters are notified.

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

Marianne Cooley
Kevin Keane
Heidi Frail
Marcus Nelson
Catherine Dowd

SELECT BOARD

You are invited to a Zoom webinar;
<https://us02web.zoom.us/j/89068374046?pwd=UzBqaWlrNWZrSWdCQkp aZklyd1RHQT09>
Passcode: 221095
Webinar ID: 890 6837 4046

Dated: May 25, 2023

377 CHESTNUT STREET

PARCEL ID	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP
199/046.0-0059-0000.0	NEEDHAM OIL COMPANY, INC		355 CHESTNUT ST	NEEDHAM	MA	02492
199/046.0-0061-0000.0	399 CHESTNUT LLC		399 CHESTNUT ST	NEEDHAM	MA	02492
199/046.0-0017-0000.0	ROCHE BROS. SUPERMARKETS, INC		11 HAMSPHIRE ST	MANSFIELD	MA	02048
199/001.0-9999-9998.0	MASS BAY TRANSPORTATION AUTHORITY		10 PARK PLAZA	BOSTON	MA	02116
199/051.0-0084-0000.0	MBTA		10 PARK PLAZA	BOSTON	MA	02116
199/045.0-0006-0000.0	CASTANEA DENTATA,LLC		PO BOX 2116	MARCO ISLAND	FL	34146
199/046.0-0016-0000.0	PETRINI CORPORATION		187 ROSEMARY ST	NEEDHAM	MA	02492
199/046.0-0058-0000.0	WOODCOCK REALTY		355 CHESTNUT ST	NEEDHAM	MA	02492
199/046.0-0060-0000.0	LINSE, LAURENCE W. TRUSTEE		PO BOX 1001	NORTH FALMOUTH	MA	02556
199/046.0-0015-0000.0	PETRINI CORPORATION		187 ROSEMARY ST	NEEDHAM	MA	02492



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Public Hearing: Eversource Grant of Location – 1177 Central Avenue
Presenter(s)	Joanne Callender, Eversource Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Eversource Energy requests permission to install approximately 14 feet of conduit in Central Avenue. The reason for this work is to provide underground service to 1177 Central Avenue. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Suggested Motion:</i> That the Select Board approve and sign a petition from Eversource Energy to install approximately 14 feet of conduit in Central Avenue.	
3.	BACK UP INFORMATION ATTACHED
a. DPW Review Sheet b. Letter of Application c. Petition d. Order e. Petition Plan f. Notice Sent to Abutters g. List of Abutters	

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NEEDHAM, MA 02492 Telephone: (781) 455-7550

www.needhamma.gov/dpw

TO: Kristin Scoble, Select Board Office

FROM: DPW Office

DATE:

RE:

For Select Board Meeting of
Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 5-24-23

REVIEWER: R.W.W.

SITE LOCATION: #1177 CENTRAL AVE

UTILITY REQUESTING: EYEROURCE

Conduit Work Area Description

☒ A Sidewalk/Grass Strip Crossing Only

Peer Review tar 6/1/23

B Work Within Paved Road Perpendicular Crossing

Peer Review _____

C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway

Peer Review _____ Div. Head Review _____

D Other

Peer Review _____ Div. Head Review _____

☒ Petition Plan Consistent with Field Review

☒ Old Pole Removed N/A

☒ Diameter of Conduit 3"

☒ Cables Transferred to New Pole N/A

☒ Depth of Conduit

☒ New Riser on Pole No

☒ Utility Conflicts

☒ Visible Trench Patch across Road/Sidewalk No

☒ Crossing Perpendicular to Road

☒ Abutters List Complete

☒ Public Road

☒ Photos Included

☐ Double Pole N/A

Department Head _____

COMMENTS:

NO TRENCH VISIBLE ON SIDEWALK. NO RISER ON POLE AS OF
YET.

The application is complete pending a public hearing- tar 6/1/23



180 Calvary Street
Waltham, Ma 02453

May 22, 2023

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Central Avenue
Needham, MA
W.O.# 12778255

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 14± feet of conduit in Central Avenue.

The reason for this work is to provide underground service to #1177 Central Avenue.

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

Very truly yours,

Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

RMS/jc
Attachments

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

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **T. Thibault, dated May 19, 2023**, and filed herewith, under the following public way or ways of said Town:

Central Avenue - Westerly from pole 8/147, near the intersection of Gay Street, install approximately 14± feet of conduit

W.O.# 12778255

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

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

Dated this 22nd day of May 2023

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2023

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

Town of NEEDHAM

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

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

Central Avenue - Westerly from pole 8/147, near the intersection of Gay Street, install approximately 14± feet of conduit

W.O.# 12778255

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

1. Conduits and manholes shall be located as shown on the plan made by **T. Thibault,**
Dated May 19, 2023 on the file with said petition.
2. Said company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.

1 _____

2 _____

3 _____

4 _____

5 _____

Select Board
the Town of
NEEDHAM

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2023 at _____ in said Town.

1 _____
2 _____
3 _____
4 _____
5 _____

Select Board
the Town of
NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2023 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

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

	TYPE	LOCATION
AV	ARBORVITAE	
BN	BUTTERNUT	
BT	BUCKTHORN	
BW	BLACK WALNUT	
CA	CRABAPPLE	
CM	HEMLOCK	
NW	NORWAY MAPLE	
NS	NORWAY SPRUCE	
RC	RED CEDAR	
RM	RED MAPLE	
RO	RED OAK	
SG	SWEET GUM	
SLM	SILVER MAPLE	
CLT	CLUSTER	
DBL	DOUBLE	
TRI	TRIPLE	

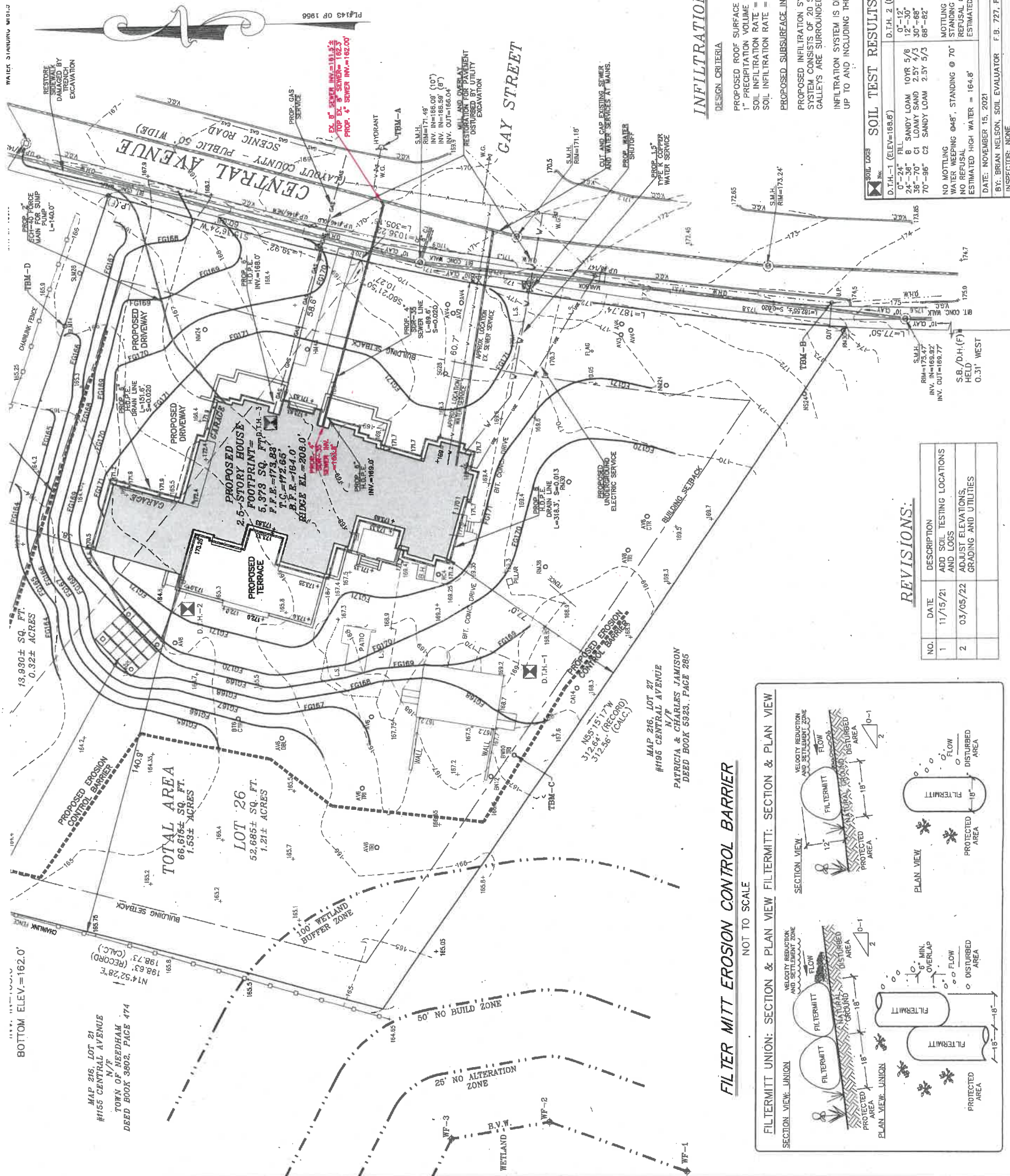
B.H.	BULKHEAD
B.T.W.	BETWEEN
CONC.	CONCRETE
D.C.B.	DRAIN CATCH BASIN
E.M.	ELECTRIC METER
(F)	FOUND
G.F.E.	GARAGE FLOOR ELEVATION
I.P.	IRON PIN
L.P.	LENGTH
N/O	NOW OR FORMERLY
N/H	OVERHEAD WIRE
O.H.W.	OVERHEAD
R=	RADIUS
SQ. FT.	SQUARE FEET
S.M.H.	SQUARE MANHOLE
U.P.	UTILITY POLE
V.C.	VERTICAL GRANITE CURB
W.C.	WATER FLAG
W.G.	WATER GATE
---	EXISTING SPOT GRADE
---	EXISTING GRADING
---	WATERLINE
---	GASLINE

PREPARED FOR:
NS BUILDERS
254 BODWEI
AVON, MA 0

PROPERTY OF: **ROBERT IV
1177 CENTR.
NEEDHAM,**

**ENGINEERS &
SURVEYORS:**
MWZ

SHEET 1 OF	
CALC'D BY: PHA/ITS	FIELD
DRAFTER: BTN	PROJ:



INFILTRATION SYSTEM CALCULATIONS

DESIGN CRITERIA

PROPOSED ROOF SURFACE = 5,373 S.F. (0.123 ACRES)
 1" PRECIPITATION VOLUME = 5,373 S.F. x (1-FT./12-INCHES) = 448 C.F.
 SOIL INFILTRATION RATE = 1.02-INCHES/HOUR (0.085-FEET/HOUR) .
 SOIL INFILTRATION RATE = 2.04- FEET/DAY

PROPOSED SUBSURFACE INFILTRATION SYSTEM

PROPOSED INFILTRATION SYSTEM STORAGE = 1,195 CUBIC FEET
SYSTEM CONSISTS OF 20 SHEA PRECAST 4'x4'x4' CONCRETE GALLEYS
GALLEYS ARE SURROUNDED BY TWO-FOOT OF DOUBLE WASHED SAND

INFILTRATION SYSTEM IS DESIGNED TO STORE AND INFILTRATE RUNOFF FROM STORMS UP TO AND INCLUDING THE TEN-YEAR STORM (5.2-INCHES) WITH NO OVERFLOW

SOIL TEST RESULTS	
 D.T.H. - 1 (ELEV=168.8')	D.T.H. 2 (ELEV=185.1')
0'-24" FILL SANDY LOAM 10YR 5/8 24"-36" C1 SANDY SAND 2.5Y 4/3 36"-68" C1 SANDY LOAM 2.5Y 4/3 68"-70" C2 SANDY LOAM 2.5Y 5/3 70"-98" C2 SANDY LOAM 2.5Y 5/3	0'-12" A SANDY LOAM 10YR 3/2 12"-24" B SANDY LOAM 10YR 5/6 24"-44" C1 SANDY LOAM 2.5Y 4/4 44"-62" C2 SANDY LOAM 2.5Y 4/3 62"-82" C2 SANDY LOAM 2.5Y 4/3 82"-100" C2 SANDY LOAM 2.5Y 4/3
NO MOTTLING NO WATER WEARING @ 48" NO REFUSAL ESTIMATED HIGH WATER = 184.8'	MOTTLING @ 62" STANDING WATER @ 70" REFUSAL @ 74" ESTIMATED HIGH WATER BELOW 162.2'

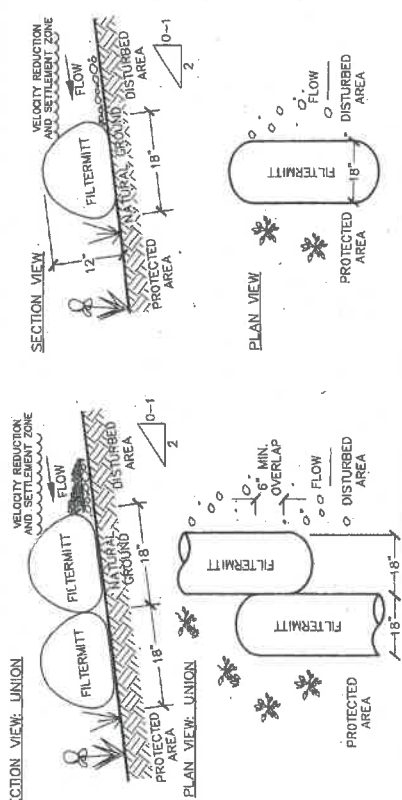
NO.	DATE	DESCRIPTION
1	11/15/21	ADD SOIL TESTING LOCATIONS AND LOGS
2	03/05/22	ADJUST ELEVATIONS, GRADING AND UTILITIES

DATE: NOVEMBER 15, 2021
BY: BRIAN NELSON, SOIL EVALUATOR F.B. 727, PAGE 10
INSPECTOR: NONE

FILTER MITT EROSION CONTROL BARRIER

NOT TO SCALE

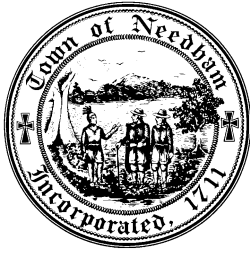
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1"=40'
N







NOTICE

To the Record

You are hereby notified that a public hearing will be held **at 6:00 p.m. on June 13, 2023 via Zoom and in person at Town Hall, 1471 Highland Avenue, Needham, MA 02492** upon petition of Eversource Energy dated **May 22, 2023** to install approximately 14 feet of conduit in Central Avenue. The reason for this work is to provide underground service to 1177 Central Avenue.

A public hearing is required, and abutters are notified.

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

Marianne Cooley
Kevin Keane
Heidi Frail
Marcus Nelson
Catherine Dowd

SELECT BOARD

You are invited to a Zoom webinar;
<https://us02web.zoom.us/j/89068374046?pwd=UzBqaWlrNWZrSWdCQkp aZklyd1RHQT09>
Passcode: 221095
Webinar ID: 890 6837 4046

Dated: May 25, 2023

1177 CENTRAL AVENUE

PARCEL ID	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP
199/142.0-0003-0000.0	BOWE, ALAN J. & BETTY S. TRS	BOWE REALTY TRUST	1200 CENTRAL AVE	NEEDHAM	MA	02492
199/216.0-0021-0001.0	NEEDHAM HISTORICAL SOCIETY		1147 CENTRAL AVE	NEEDHAM	MA	02492
199/142.0-0004-0000.0	MINOTT, OWEN W. &	MINOTT, MARY V	55 SOUTH BRADFORD ST	NORTH ANDOVER	MA	01845
199/216.0-0021-0000.0	TOWN OF NEEDHAM	SCHOOL DEPT--DERWARD NEWMAN JR HIGH	1471 HIGHLAND AVE	NEEDHAM	MA	02492
199/216.0-0026-0000.0	BRADLEY, ROBERT H. IV &	BRADLEY, GINA	1376 GREAT PLAIN AVE	NEEDHAM	MA	02492
199/142.0-0006-0000.0	DAVIS, LAUREL ELIZABETH TR. &	ROBINSON, DANA LEIGH TR.	1172 CENTRAL AVE	NEEDHAM	MA	02492
199/142.0-0007-0000.0	KRAVETS, NANCY J. & ROBERT M. TRS	KRAVETS TRUST	1164 CENTRAL AVE	NEEDHAM	MA	02492
199/216.0-0027-0000.0	JAMISON, CHARLES M. &	JAMISON, PATRICIA A	1195 CENTRAL AVE	NEEDHAM	MA	02492



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 06/13/2023

Agenda Item	Public Hearing Water and Sewer Rates
Presenter(s)	Water and Sewer Rate Structure Committee David Davison, Assistant Town Manager/Finance Carys Lustig, Director of Public Works Michael Retzky, Superintendent of Water and Sewer
1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Water and Sewer Rate Structure Committee met on April 4, 2023, April 28, 2023, and again on May 11, 2023 to finalize its recommendation to the Board. It is anticipated that the Select Board will vote on final water and sewer rates at its meeting on June 27, 2023.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: None	
3.	BACK UP INFORMATION ATTACHED
a. Legal Notice b. Water and Sewer Rate Proposal Schedule c. Water and Sewer Rate Recommendation memo	

LEGAL NOTICE
Town of Needham
Select Board
Public Hearing

The Needham Select Board will hold a public hearing on Tuesday, June 13, 2023 at 6:00 p.m. in the Needham Town Hall, 1471 Highland Avenue, Needham, Massachusetts 02492. The purpose of this hearing is to provide the public with an opportunity to comment on any proposed changes to the water and sewer rates. In addition, written comments may be sent to the Select Board, Town Hall, 1471 Highland Avenue, Needham, Massachusetts 02492 or may be emailed to selectboard@needhamMA.gov

Town of Needham
Water and Sewer Rate Proposal

	Current Rate	Recommended Rate	Change	%
Quarterly Basic Fees (water and sewer)	\$27.00	\$27.00	\$0.00	0.0%
Monthly Basic Fee	\$9.00	\$9.00	\$0.00	0.0%
Quarterly Second Meter Fee	\$4.00	\$4.00	\$0.00	0.0%
Monthly Second Meter Fee	\$1.34	\$1.34	\$0.00	0.0%
Rates are per 100 CF				
<u>Water - Regular</u>				
Step 1	\$3.24	\$3.30	\$0.06	1.9%
Step 2	\$3.46	\$3.53	\$0.07	2.0%
Step 3	\$4.35	\$4.43	\$0.08	1.8%
Step 4	\$5.34	\$5.44	\$0.10	1.9%
<u>Water - Irrigation Meters</u>				
Step 1	\$5.50	\$5.60	\$0.10	1.8%
Step 2	\$5.93	\$6.04	\$0.11	1.9%
Step 3	\$6.57	\$6.69	\$0.12	1.8%
Step 4	\$8.74	\$8.91	\$0.17	1.9%
<u>Sewer</u>				
Step 1	\$9.53	\$9.82	\$0.29	3.0%
Step 2	\$10.52	\$10.84	\$0.32	3.0%
Step 3	\$11.35	\$11.69	\$0.34	3.0%
Step 4	\$12.38	\$12.75	\$0.37	3.0%
<u>Septage Disposal</u>				
Per 1,000 Gallons	\$85.00	\$85.00	\$0.00	
1 CF = 7.4805 Gallons				
AHWS = 12,000 CF Per Year				



TOWN OF NEEDHAM
DEPARTMENT OF FINANCE
1471 Highland Avenue
Needham, Massachusetts 02492
Telephone 781-455-7500 www.needhamma.gov

Memorandum

To: Select Board 
From: David Davison, Assistant Town Manager/Director of Finance
CC: Water and Sewer Rate Structure Committee; Kate Fitzpatrick, Town Manager; Katie King, Assistant Town Manager/Director of Operations, Carys Lustig, Director of Public Works, Shane Mark, Assistant Director of Public Works/Operations, Michael Retzky, Water and Sewer Superintendent; Veronica Harvey Treasurer and Collector
Date: June 7, 2023
Re: Water and Sewer Rate Recommendations

A public hearing has been scheduled for the Board's meeting on June 13, 2023, and the final rates are proposed to be set at the Board's June 27, 2023 meeting. The Water and Sewer Rate Structure Committee met on Tuesday, April 4, 2023, Friday, April 28, 2023, and Thursday, May 11, 2023 to weigh and deliberate on options for the Select Board to consider. The five-member committee is appointed by the Select Board, and its general charge is to review proposed changes to the water and sewer rate structure and to make recommendations to the Board on said changes. The Select Board expanded the Committee's scope to also provide recommendations to the Board on changes to the Stormwater Mitigation Assessment (SMA) fee structure in the future. The Board adopted the new fee structure at the April 12, 2023 meeting which will take effect on January 1, 2024. So, there is no recommendation related to the SMA this year. The Committee consists of the Chair, John Tallarico, Vice Chair, Tom Loughran, and members Harold Burger, John Terry, and Matt Zollner. Mr. Loughran announced at the May 11, 2023 meeting that he would be stepping down from the Committee as he and family will be moving from Needham. Tom has served on the Committee for almost 17 years and has been a thoughtful contributor to the Committee's work those many years.

The Water and Sewer Rate Structure Committee voted to recommend a water and sewer rate structure which spreads the increases across all steps. The recommendation, referred to as scenario 7, would increase all water step rates by approximately 1.9%¹ and sewer step rates by 3.0%. The recommended rate structure would increase the annual bill for a residential customer with regular water and sewer service by approximately 2.6%.

Consumption Trends

It is important to remember that the water which runs through the domestic (primary) water meter of a customer, who is also connected to the public sewer, is the basis for determining the sewer bill for the customer. When a customer has a secondary water meter installed (commonly used for irrigation), the water which is used outside of the house is measured separately, and therefore is not included in the calculation of the sewer bill. In this case, sewer revenue declines, but the expense of the sewer system

¹ Due to rounding to the nearest whole cent the actual step percent change ranges between 1.8% and 2.0%

does not. Although the installation of an irrigation meter lowers the cost to the individual customer, the decline in billable primary water use also lowers the amount that is used to determine the sewer bill. Therefore, the sewer rates must increase in order to generate the same amount of revenue. The problem is worsened if the primary meter water use is estimated too high when determining the rates. Furthermore, by state regulatory design, the rate charged per unit increases as consumption increases, conversely, when consumption declines, the amount of revenue lost is more impactful, and consequently will result in even higher rates per unit to support operations.

Table One
Water and Sewer
Billed Consumption History
Fiscal Year July 1 – June 30

	2016	2017	2018	2019	2020	2021	2022	3-Year Average	5-Year Average	7-Year Average	Lowest	Year
Hundred Cubic Feet												
WATER												
Residential and Commercial	977,082	982,157	941,734	951,683	938,977	1,008,833	983,311					
Coca Cola Water	139,297	109,150	122,803	65,789	687	628	733					
Primary Water	1,116,379	1,091,307	1,064,537	1,017,472	939,664	1,009,461	984,044	977,723	1,003,036	1,031,838	939,664	2020
Secondary Water	374,864	341,902	284,575	335,420	303,407	442,941	396,580	380,976	352,585	354,241	284,575	2018
TOTAL BILLED WATER	1,491,243	1,433,209	1,349,112	1,352,892	1,243,071	1,452,402	1,380,624	1,358,699	1,355,620	1,386,079	1,243,071	2020
Percentage Change in Total Water Billed From Prior Year	5.1%	-3.9%	-5.9%	0.3%	-8.1%	16.8%	-4.9%					
SEWER												
TOTAL BILLED SEWER	929,110	915,316	895,424	891,805	860,235	914,046	888,838	887,706	890,070	899,253	860,235	2020
Percentage Change in Total Sewer Billed From Prior Year	-0.7%	-1.5%	-2.2%	-0.4%	-3.5%	6.3%	-2.8%					
Total Billed Sewer as a % of Total Billed Water	62.3%	63.9%	66.4%	65.9%	69.2%	62.9%	64.4%	65.3%	65.7%	64.9%		
Primary Sewer as a % of Primary Water Use	83.2%	83.9%	84.1%	87.6%	91.5%	90.5%	90.3%	90.8%	88.7%	87.2%		
Secondary Water as a % of Total Billed Water	25.1%	23.9%	21.1%	24.8%	24.4%	30.5%	28.7%	28.0%	26.0%	25.6%		

Total primary water use consumption declined every year from FY2016 through FY2020 (refer to Table One). However, the decline in billed primary water use was generally tied to the phase out of the Coca Cola bottling operation in Needham. Coca Cola bottling related activities effectively ended in FY2020 and their consumption is now on par with many commercial operations in town. Coca Cola was billed for 13,929,700 cubic feet (c.f.) of primary water use during FY2016, and declined to 68,700 c.f. of billed primary water use during FY2020, an amount equal to about six households. Coca Cola billed primary water use in FY2016 represented approximately 12.5% of the total billed primary water use (111,637,900); Coca Cola's FY2020 billed use represented 0.07% of the total billed use (93,966,400). Coca Cola's use in earlier years was approximately 15% of the total billed use. Because most all of Coca Cola's usage was billed at the step four rate, the revenue loss was more than the decline in billed

use. Coca Cola's billed water represented more than 20% of total billed primary water revenue for FY2016. Coca Cola's phase out of its bottling operations had a similar impact with sewer. In FY2016, Coca Cola's billed sewer volume represented approximately 6.6% of the total, but revenue was more than 7.5% of the total. In FY2020 their volume was 0.07% of the total and revenue was just \$6,828 or less than 0.08% of the total billed sewer.

Excluding Coca Cola usage from the primary water use history, primary water use (refer to the Residential and Commercial use line on Table One) increased from 97,708,200 c.f. billed during FY2016 to 98,215,700 c.f. billed in FY2017, an increase of just over one half of one percent (0.52%). The FY2018 billed water use declined by 4.1% to 94,173,400 c.f. from FY2017, but then increased by 1.1% to 95,168,300 c.f. in FY2019. The following year (FY2020) billed water decreased by 1.3% to 93,897,700 c.f., which was the lowest billed use during the last seven fiscal years. Interestingly, FY2021 had the highest billed water use for the seven-year period with 100,883,300 c.f. billed during the year. This increase happened during the height of the COVID travel restrictions and when many did not go to their places of employment. This fact is more clearly evident from Table 2 which shows the billed usage for the first nine months of FY2019 through FY2023 breaking out residential use from commercial use. Residential use was up, and commercial use was down. However, many commercial customers have a greater share of water use at the top step compared to residential customers. So, although billed volume was higher, there would not necessarily be a commensurately increase in revenue. The three-year average (FY2020 – 22) on Table 1 for total primary water use, shows that that average consumption (97,772,300) decreased when compared to the five-year (100,303,600) and seven-year (103,183,800) averages.

Billed water use through secondary meters can have wide swings in total consumption from year to year. Secondary water usage is affected by weather much more so than primary water use, although warmer months tend to have higher water use by both services. Billed secondary water use for FY2022 declined by 10.5% with 39,658,000 c.f. compared to the 44,294,100 c.f. billed during FY2021. The FY2021 billed use was an increase of 46% over the 30,340,700 c.f. billed during FY2020. The FY2020 water use was 9.5% lower than was billed during FY2019 with 33,542,000 c.f. The FY2019 billed usage was approximately 17.9% more than the 28,457,500 c.f. billed during FY2018. The FY2018 secondary water use was the lowest during the immediate past seven-year period (FY2016 – 22). The FY2018 (28,457,500) billed water use was a decline of 16.8% from the 34,190,200 c.f. billed in FY2017, and FY2017 was a decrease of 8.8% from the FY2016 total of 37,486,400 c.f. The three-year (FY2020 – 22) average of the billed secondary water use was 38,097,600 cubic feet, an increase of 2,839,100 c.f., approximately 8.1% more than the five-year average (35,258,500). The five-year (FY2018 – 22) secondary water average was 0.5% lower than the seven-year average (35,424,100).

Total billed sewer volume has been declining for several years. The FY2017 billed sewer (91,531,600) was 1.5% less than FY2016 (92,911,000), and FY2018 billed sewer (89,542,400) was 2.2% less than FY2017. During FY2019, a total of 89,180,500 c.f. was billed for sewer which was a decline of 0.4% from FY2018. The FY2020 billed sewer volume of 86,023,500 c.f. was 3.5% less than FY2019. Overall, between FY2016 and FY2020, the billed sewer volume declined by 7.4%. There was a clear uptick in billed water and sewer for FY2021. The billed sewer volume increased by 6.3% over FY2020 with 91,404,600 c.f. for FY2021. This growth was driven by an increase in residential use, as many

people stayed home due to the COVID related restrictions, but billable commercial sewer was less. The trend of decline returned in FY2022. However, billed commercial sewer increased. The billed residential sewer for FY2022 decreased. The total billed sewer for FY2022 was 88,883,800 c.f. a decrease of 2,520,800 c.f. (-2.8%) from FY2021. The billed sewer three-year average (FY2020 – 22) of 88,770,600 c.f. is lower than the five-year average of 89,007,000 c.f., and the five-year average is lower than the seven-year average of 89,925,300 c.f. The lowest billed volume was FY2020. If the trend in overall sewer billing continues to decline, much greater rate increases will be needed in the future.

Table Two
Water and Sewer
Three Quarters
July 1 – March 31

Water and Sewer Billed Consumption Residential v Commercial Excludes Coca Cola	2019	2020	2021	2022	2023	Change
	9 Months	9 Months	9 Months	9 Months	9 Months	9 Months
WATER						
Residential Use Primary	553,885	555,340	644,345	586,222	597,914	2.0%
Residential Use Secondary	302,264	269,281	393,303	323,436	429,831	32.9%
Total Billed Residential Use	856,149	824,621	1,037,648	909,658	1,027,745	13.0%
Commercial Use Primary	179,202	168,525	140,581	146,369	146,799	0.3%
Commercial Use Secondary	29,220	29,489	37,114	28,520	29,487	3.4%
Total Billed Commercial Use	208,422	198,014	177,695	174,889	176,286	0.8%
TOTAL BILLABLE WATER	1,064,571	1,022,635	1,215,343	1,084,547	1,204,031	11.0%
Residential Primary	553,885	555,340	644,345	586,222	597,914	2.0%
Commercial Primary	179,202	168,525	140,581	146,369	146,799	0.3%
Total Billed Primary Use	733,087	723,865	784,926	732,591	744,713	1.7%
Residential Secondary	302,264	269,281	393,303	323,436	429,831	32.9%
Commercial Secondary	29,220	29,489	37,114	28,520	29,487	3.4%
Total Billed Secondary Use	331,484	298,770	430,417	351,956	459,318	30.5%
TOTAL BILLABLE WATER	1,064,571	1,022,635	1,215,343	1,084,547	1,204,031	11.0%
SEWER						
Residential Sewer	506,760	510,994	585,932	539,723	536,665	-0.6%
Commercial Sewer	156,622	147,147	117,121	124,952	127,406	2.0%
TOTAL BILLABLE SEWER	663,382	658,141	703,053	664,675	664,071	-0.1%

Looking at billed water and sewer over the first nine months of the fiscal year (refer to Table Two) helps to show the impact that COVID had on billed usage. We have removed Coca Cola's billed water and sewer use for a better comparison. Commercial usage declined during the first nine months of FY2021 when COVID restrictions were in full force compared to the first nine months in the pre-COVID years (FY2019 and FY2020). Largely, COVID related suppression efforts began in March of 2020. Hence comparing the nine-month period of the years before FY2021, to the FY2021 figures, and the easing of COVID restrictions during FY2022 makes it clearer just how COVID impacted use. There were declines in commercial use during FY2021 both in water (although commercial secondary water use increased) and sewer, but with the reopening of businesses and offices and the phase-out of travel

restrictions, FY2022 billed commercial use increased, and conversely where residential billed usage increased significantly during FY2021, billed usage showed a decline in the total for the first nine months of FY2022. The FY2023 results are similar, but billed residential primary water was 2% more than FY2022, but it was lower than FY2021 billed use.

The FY2023 total billable water for the first three quarters (120,403,100) was 11,948,400 cubic feet more than FY2022, which was an 11% increase. The FY2022 total billable water for the first three quarters (108,454,700) was a decrease of 10.8%, 3,079,600 c.f. less than FY2021 (121,534,300). Comparing billed commercial water use for FY2022 showed a decrease of 1.6% for the first nine months compared to FY2021 (17,488,900 vs 17,769,500 c.f.). However, indoor commercial use (primary line) of billed water increased by 4.1% for FY2022 compared to FY2021 (14,636,900 vs 14,058,100 c.f.). The commercial primary billed usage for FY2021 compared to FY2020 decreased by 16.6% (14,058,100 vs 16,852,500 c.f.). The main reason that total billed commercial use for the first nine months of FY2022 (17,488,900) showed a decline from FY2021 (17,769,500), even though the economy was recovering from COVID related restrictions, was that the secondary billed use declined by 23.2% (2,852,000 for FY2022 vs 3,711,400 for FY2021). The FY2021 commercial secondary billed use was higher than any of the five years (FY2019 – 23) with 3,711,400 c.f. compared to 2,948,900 c.f. billed during the first nine months of FY2020, a 25.9% increase. On the other hand, total residential billed use for the first nine months of FY2022 showed a decline of 12.3% (90,965,800 vs 103,764,800 c.f.) Unlike commercial use, both primary and secondary billed residential use declined for FY2022 compared to FY2021. Primary billed use had declined by 9.0% (58,622,200 vs 64,434,500 c.f.) and secondary billed use declined by 17.8% (32,343,600 vs 39,330,300 c.f.) During the first nine months of FY2021, residential primary billed use increased by 16% (64,434,500 vs 55,534,000 c.f.) and secondary use increased by 46.1% (39,330,300 vs 26,928,100 c.f.). For FY2023, residential primary and secondary billed use increased for the first nine months; primary residential water use increase by two percent (59,791,400 for FY2023 vs 58,622,200 for FY2022) and secondary use jumped by 32.9% (42,983,100 for FY2023 vs 32,343,600 for FY2022) which is the highest amount billed for the nine-month period during the five years.

Total billed sewer volume over the same nine-month period for FY2023 declined approximately 0.1% with 66,407,100 c.f. billed compared to 66,467,500 c.f. billed during FY2022. However, commercial billed volume increased by two percent (12,740,600 for FY2023 vs 12,495,200 for FY2022); residential billed volume declined by 0.6% (53,666,500 for FY2023 vs 53,972,300 for FY2022). This was similar to FY2022 compared to FY2021. Commercial volume was 6.7% higher for the first nine months of FY2022 compared to FY2021 (12,495,200 vs 11,712,100 c.f.) and residential billed volume down by 7.9% (53,972,300 vs 58,593,200 c.f.) During FY2021, the billed sewer volume for commercial accounts declined by 20.4% and residential increased by 14.7%.

Rate Structure Proposal

The basis of the rate structure is to distribute the costs associated with operation, maintenance, capital infrastructure, and other liabilities incurred to provide public water and sewer services. We must be able to demonstrate that the rate structure will generate the revenue to meet appropriations and other liabilities to be paid during the fiscal year. Because demands on the system and costs can swing significantly from year-to-year, due to factors such as seasonal demand for water, infrastructure

improvements, unexpected major system repairs, assessments for the treatment of sewer, purchase of water from the MWRA, and regulatory and local constraints, we look to reach a rate revenue target estimate rather than a specific dollar amount in determining where rates need to be to pay the costs of operations. The revenue estimates for water and sewer are calculated to meet the estimated operating expenses, maintain sufficient reserves to fund unexpected events, maintain adequate capital to satisfy the liquidity and financial ratios that the rating agencies look for when determining the Town's overall credit rating, and to weather short term consumption variations.

The user rate revenue target for both sewer and water are determined by estimating the operating appropriations for the next three years (FY2024 – 26) and then use the three-year average, less other revenue sources (e.g., basic service fees, specific service charges), and adjustments for uncollectible (doubtful) and rounding. The sewer revenue target is \$9,749,000 and the water revenue target is \$6,641,000 (refer to Chart One). The billable volume estimates are usually based on immediate past five fiscal years activity; however, because the low year for both water and sewer were the same year (2020) which were impacted by COVID, the volume estimates were based on four years of data (2018 – 2022, excluding 2020), rather than five years.

Chart One
Three Year Trending Average
User Rate Revenue Target

SEWER USER RATE REVENUE TARGET RECAP

Operating Appropriation Period Average	\$10,813,357.00
Less Estimated Fix Rate Revenue	(\$345,000)
Less Estimated General Fund Payment	(\$800,000)
Add Doubtful Account Allowance (0.75%)	\$81,100

Expenditures to be Supported by Rate Revenue	\$9,749,457
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Rounding Adjustment	(\$457)
User Rate Revenue Target	\$9,749,000

Estimated Billable Volume (4-Yr Average) FY2018 - FY2022 Excludes FY2020 Data	89,752,800
Minimum Flat Rate	\$10.86

WATER USER RATE REVENUE TARGET RECAP

Operating Appropriation Period Average	\$7,326,009.00
Less Estimated Fix Rate Revenue	(\$740,000)
Add Doubtful Account Allowance (0.75%)	\$54,945

Expenditures to be Supported by Rate Revenue	\$6,640,954
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Rounding Adjustment	\$46
User Rate Revenue Target	\$6,641,000

Estimated Billable Volume (4-Yr Average) FY2018 - FY2022 Excludes FY2020 Data	138,375,700
Minimum Flat Rate	\$4.80

The Committee reviewed many rate scenarios which consisted of six different water rate structures and six sewer rate structures, in addition to scenarios relying on the current rate structures. There was a total of 42 scenarios for consideration. Every scenario had different consequences and degree of risk of not meeting the revenue target. Since expense, consumption, and volume billed at each step are based on averages, we deemed a rate structure that is estimated to be within 98.5% to 101.5% of the user rate revenue target as meeting the target. The Committee reduced the number of water rate options from further consideration from seven (the current structure and the six new structures) to two, and from seven for sewer to four. Committee members suggested some possible modifications to the remaining rate options, which were developed and presented to the Committee at the following meeting. One additional water rate option and three additional sewer rate options were introduced. The Committee reviewed the modified scenarios and compared them to the originals. All of the remaining and the new water and sewer rate options introduced were designed to meet the respective revenue targets, allowing the rate options to be interchangeable. In total, there were 58 rate combinations (the different concepts are appendix to the memo). The Committee voted to recommend the water rate structure referred to as water option W2 and the sewer rate structure referred to as sewer option S2 (scenario 7). The Committee felt this was a more balanced approach and not to place a greater increase on any particular step rate. The Committee thought that a uniform percentage increase was a reasonable approach because all users would share the burden.

The MWRA annually provides to member communities an average cost for household water/sewer (AHWS) use based on the industry standard of 12,000 cubic feet, or approximately 90,000 gallons, to track rate increases over time. For historical purposes, this constant benchmark is maintained; however, actual household usage varies considerably and therefore the impact of any proposed change may be more or less than the AHWS reference.

Current				Proposed			
Water		Fiscal Year		Water		Fiscal Year	
Step	Rate	Volume	Annual Bill	Step	Rate	Volume	Annual Bill
1	\$3.24	2,400	\$77.76	1	\$3.30	2,400	\$79.20
2	\$3.46	8,400	\$290.64	2	\$3.53	8,400	\$296.52
3	\$4.35	1,200	\$52.20	3	\$4.43	1,200	\$53.16
4	\$5.34	-	-	4	\$5.44	-	-
Base Fee	\$15.00	-	\$60.00	Base Fee	\$15.00	-	\$60.00
		-	-			-	-
Total		12,000	\$480.60	Total		12,000	\$488.88

Current				Proposed			
Sewer		Fiscal Year		Sewer		Fiscal Year	
Step	Rate	Volume	Bill	Step	Rate	Volume	Bill
1	\$9.53	2,400	\$228.72	1	\$9.82	2,400	\$235.68
2	\$10.52	8,400	\$883.68	2	\$10.84	8,400	\$910.56
3	\$11.35	1,200	\$136.20	3	\$11.69	1,200	\$140.28
4	\$12.38	-	-	4	\$12.75	-	-
Base Fee	\$12.00	-	\$48.00	Base Fee	\$12.00	-	\$48.00
		-	-			-	-
Total		12,000	\$1,296.60	Total		12,000	\$1,334.52

		\$1,777.20				\$1,823.40	

Based on the AHWS standard, the annual average water and sewer bill would be \$1,823.40 as compared to \$1,777.20 under the current rate structure (refer to the chart on the prior page). The annual average residential primary water bill would increase by \$8.28, approximately 1.72%, and the average residential sewer bill would increase by, \$37.92, approximately 2.92% change. Overall, average customer using 12,000 cubic feet of water would see an annual increase of \$46.20 (2.60%). Based on the proposed rates, the average bill of \$1,823 would be 90.6% of the average bill of other communities last year (refer to Table Three)

Based on the Massachusetts Department of Environmental Protection (DEP) data, the most recent year (2021), the Needham average household water usage was 9,094 cubic feet that calendar year, and in this instance the increase in the annual water and sewer bill for that customer would be \$34.51 (2.56%).

Estimated Cost to a Lower Usage Household Consuming 9,094 Cubic Feet

Current Water				Proposed Water			
Step	Rate	Fiscal Year Volume	Bill	Step	Rate	Fiscal Year Volume	Bill
1	\$3.24	2,400	\$77.76	1	\$3.30	2,400	\$79.20
2	\$3.46	6,694	\$231.61	2	\$3.53	6,694	\$236.30
3	\$4.35	-	-	3	\$4.43	-	-
4	\$5.34	-	-	4	\$5.44	-	-
Base Fee	\$15.00	-	\$60.00	Base Fee	\$15.00	-	\$60.00
Total		9,094	\$369.37	Total		9,094	\$375.50

Current Sewer				Proposed Sewer			
Step	Rate	Fiscal Year Volume	Bill	Step	Rate	Fiscal Year Volume	Bill
1	\$9.53	2,400	\$228.72	1	\$9.82	2,400	\$235.68
2	\$10.52	6,694	\$704.21	2	\$10.84	6,694	\$725.63
3	\$11.35	-	-	3	\$11.69	-	-
4	\$12.38	-	-	4	\$12.75	-	-
Base Fee	\$12.00	-	\$48.00	Base Fee	\$12.00	-	\$48.00
Total		9,094	\$980.93	Total		9,094	\$1,009.31

\$1,350.30				\$1,384.81			
				2.56%			

The Committee, in recognition that the Select Board may want more than one option, voted to forward two alternate scenarios which are identified as scenario 56 (water rate option W2b & sewer rate option S2b) and scenario 52 (water rate option W2b & sewer rate option S2). The annual bill under scenario 56 would be \$1,821 (2.47%) and under scenario 52 the bill would be \$1,824 (2.61%). Refer to the charts on the next page.

Estimated Cost to an Average Customer Consuming 12,000 Cubic Feet

Current

Water		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$3.24	2,400	\$77.76
2	\$3.46	8,400	\$290.64
3	\$4.35	1,200	\$52.20
4	\$5.34	-	-
Base Fee	\$15.00	-	\$60.00
		-	-
Total		12,000	\$480.60

Current

Sewer		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$9.53	2,400	\$228.72
2	\$10.52	8,400	\$883.68
3	\$11.35	1,200	\$136.20
4	\$12.38	-	-
Base Fee	\$12.00	-	\$48.00
		-	-
Total		12,000	\$1,296.60

\$1,777.20

Scenario 56 (W2b)

Water		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$3.30	2,400	\$79.20
2	\$3.53	8,400	\$296.52
3	\$4.44	1,200	\$53.28
4	\$5.45	-	-
Base Fee	\$15.00	-	\$60.00
		-	-
Total		12,000	\$489.00

Scenario 56 (S2b)

Sewer		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$9.80	2,400	\$235.20
2	\$10.82	8,400	\$908.88
3	\$11.67	1,200	\$140.04
4	\$12.73	-	-
Base Fee	\$12.00	-	\$48.00
		-	-
Total		12,000	\$1,332.12

\$1,821.12

Current

Water		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$3.24	2,400	\$77.76
2	\$3.46	8,400	\$290.64
3	\$4.35	1,200	\$52.20
4	\$5.34	-	-
Base Fee	\$15.00	-	\$60.00
		-	-
Total		12,000	\$480.60

Current

Sewer		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$9.53	2,400	\$228.72
2	\$10.52	8,400	\$883.68
3	\$11.35	1,200	\$136.20
4	\$12.38	-	-
Base Fee	\$12.00	-	\$48.00
		-	-
Total		12,000	\$1,296.60

\$1,777.20

Scenario 52 (W2b)

Water		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$3.30	2,400	\$79.20
2	\$3.53	8,400	\$296.52
3	\$4.44	1,200	\$53.28
4	\$5.45	-	-
Base Fee	\$15.00	-	\$60.00
		-	-
Total		12,000	\$489.00

Scenario 52 (S2)

Sewer		Fiscal Year	Annual
Step	Rate	Volume	Bill
1	\$9.82	2,400	\$235.68
2	\$10.84	8,400	\$910.56
3	\$11.69	1,200	\$140.28
4	\$12.75	-	-
Base Fee	\$12.00	-	\$48.00
		-	-
Total		12,000	\$1,334.52

\$1,823.52

The recommended water rate structure effectively provides a subsidy to consumers whose billed primary water usage falls in step three or lower, and for sewer billing both step one and step two pay less than the average cost of \$10.86 per hundred cubic feet (refer to the chart below).

Water and Sewer Rates
Subsidy Per 100 Cubic Feet

Service	Rate	Subsidy per HCF	Percent
Water			
The minimum required single rate per	\$4.80		
Primary Meter			
Proposed Step 1 Rate	\$3.30	\$1.50	31.3%
Proposed Step 2 Rate	\$3.53	\$1.27	26.5%
Proposed Step 3 Rate	\$4.43	\$0.37	7.7%
Proposed Step 4 Rate	\$5.44		
Sewer			
The minimum required single rate per	\$10.86		
Proposed Step 1 Rate	\$9.82	\$1.04	9.6%
Proposed Step 2 Rate	\$10.84	\$0.02	0.2%
Proposed Step 3 Rate	\$11.69		
Proposed Step 4 Rate	\$12.75		

(continue to next page)

Comparable Communities

In comparison to area communities, Needham ranks 15th out of 19 in terms of annual water and sewer charges for fiscal year 2023 (refer to Table Three). The average household bill per the MWRA comparison for Needham was \$1,777 which is approximately 88% of the average bill (\$2,012) for the group. The average bill ranges from a low of \$1,123 for the City of Waltham, a community with a more diverse group of users, to a high of \$2,601 for the Town of Wakefield. The rates adopted by the Board last year effectively raised the annual bill by 4.7% for the AHWS, whereas the average change in the other communities was 4.6%. The change over five years for Needham was 7.5%, compared to the average of the other communities of 15.9%. The average increase for all MWRA serviced communities over the last five years was 16.7%.

Table Three
Annual Water and Sewer Charges in Selected MWRA Communities
Cost to Average Customer Consuming 12,000 Cubic Feet

Community		Dec-17	Dec-18	Dec-19	Dec-20	Dec-21	Dec-22	One Year Change	Three Year Change	Five Year Change
Belmont		\$2,488	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	0.0%	0.0%	0.5%
Cambridge	*	\$1,655	\$1,750	\$1,766	\$1,938	\$2,066	\$2,208	6.9%	25.0%	33.4%
Canton	*	\$1,716	\$1,716	\$1,716	\$1,804	\$1,804	\$1,804	0.0%	5.1%	5.1%
Dedham	**	\$1,567	\$1,567	\$1,579	\$1,592	\$1,611	\$1,624	0.8%	2.8%	3.6%
Framingham		\$1,770	\$1,810	\$1,855	\$1,855	\$2,035	\$2,361	16.0%	27.3%	33.4%
Lexington		\$1,541	\$1,638	\$1,759	\$1,827	\$1,827	\$1,939	6.1%	10.2%	25.8%
Melrose		\$2,315	\$2,351	\$2,371	\$2,371	\$2,371	\$2,492	5.1%	5.1%	7.7%
Milton		\$2,136	\$2,178	\$2,298	\$2,353	\$2,376	\$2,414	1.6%	5.0%	13.0%
Natick	**	\$1,462	\$1,596	\$1,596	\$1,792	\$1,891	\$1,891	0.0%	18.5%	29.3%
Newton		\$2,222	\$2,319	\$2,360	\$2,454	\$2,454	\$2,550	3.9%	8.1%	14.8%
Norwood		\$1,446	\$1,542	\$1,625	\$1,693	\$1,806	\$1,806	0.0%	11.1%	24.9%
Stoughton	*	\$1,752	\$1,778	\$1,825	\$1,825	\$1,825	\$1,825	0.0%	0.0%	4.2%
Wakefield	*	\$1,928	\$2,003	\$2,150	\$2,150	\$2,204	\$2,601	18.0%	21.0%	34.9%
Waltham		\$1,123	\$1,123	\$1,123	\$1,123	\$1,123	\$1,123	0.0%	0.0%	0.0%
Watertown		\$1,531	\$1,570	\$1,633	\$1,775	\$1,831	\$1,831	0.0%	12.1%	19.6%
Wellesley	*	\$1,523	\$1,575	\$1,575	\$1,618	\$1,618	\$1,918	18.5%	21.8%	25.9%
Westwood	*	\$1,442	\$1,461	\$1,474	\$1,506	\$1,524	\$1,557	2.1%	5.6%	7.9%
Weymouth	**	\$1,645	\$1,693	\$1,740	\$1,778	\$1,780	\$1,780	0.0%	2.3%	8.2%
Group Average		\$1,737	\$1,787	\$1,830	\$1,886	\$1,925	\$2,012	4.6%	10.0%	15.9%
MWRA Communities A		\$1,559	\$1,603	\$1,662	\$1,706	\$1,764	\$1,819	3.1%	9.4%	16.7%
Needham	*	\$1,654	\$1,653	\$1,698	\$1,698	\$1,698	\$1,777	4.7%	4.7%	7.5%

* = Partial water service from MWRA

** = Sewer service only

Source: MWRA Annual Water and Sewer Retail Rate Surveys

As reflected in the reports on file with DEP, the Town saw the trend with annual household water use declining reversed with noble higher consumption increased for 2020 (refer to Table Four), which then declined again during 2021. Comparing the data from the 2022 report (based on 2021 usage of 9,094 c.f.) to the 2006 report released by the MWRA, average household water usage has decreased by 786 cubic feet, an 8% decrease. The prior year, the report showed an increase in the average from 2006 to 2020 of 300 c.f. The increase shown for 2020 was likely due to COVID because a significant portion of the population was home much more than usual. The consumption decreases in 2021 (which was apparent in the other communities as well) was likely affected by the easing of COVID restrictions as more people returned to places of employment, education, and socialization. The 2019 report showed a decline in the average from 2006 to 2019 of 1,070 c.f. The 2019 average use (8,810 c.f.) was essentially flat compared to 2018 (8,812 c.f.) but an increase of 890 cubic feet from 2017 usage (7,920 c.f.). Based on the average household size (2.76) in Needham per the US Census data (2017-2021), water usage would need to be approximately 8,754 c.f. of use or less per year to be under the 65 gallons of water use per day per person. With the average household water usage at 9,094 cubic feet or 68,028 gallons per year, Needham would need to see further reduction to satisfy that standard. The Town continues its efforts to contain costs while addressing critical needs of the water/sewer utility, and pricing strategies to encourage thoughtful use of water. The annual bill based on the 2022 report was \$136 more than it was 15 years ago, a change of 11.2%. This compares to the average percentage change for the other communities of 21.7% more.

Table Four
Department of Environmental Protection
Average Household Usage

Average Household Annual Usage*

Community	2006 Report Actual Annual Consumption	2019 Report 2018 Average Annual Consumption	2020 Report 2019 Average Annual Consumption	2021 Report 2020 Average Annual Consumption	2022 Report 2021 Average Annual Consumption	C.F. Change	% Change	2006 Annual Cost based on 2006 Average	2022 Annual Cost based on 2021 Average	\$ Change	% Change
Belmont	9,610	7,979	7,960	7,630	7,077	(2,533)	-26.4%	\$1,300	\$1,539	\$239	18.4%
Cambridge	7,840	3,969	3,840	3,910	3,821	(4,019)	-51.3%	\$727	\$676	(\$51)	-7.0%
Canton	10,090	6,826	7,160	7,760	7,520	(2,570)	-25.5%	\$932	\$1,065	\$133	14.3%
Dedham	7,850	7,129	7,250	8,060	7,597	(253)	-3.2%	\$985	\$1,215	\$230	23.4%
Frammingham	8,500	5,736	5,560	6,360	5,955	(2,545)	-29.9%	\$556	\$1,112	\$556	99.9%
Lexington	12,260	10,352	10,270	10,920	9,702	(2,558)	-20.9%	\$1,289	\$1,447	\$158	12.2%
Melrose	6,520	4,795	4,670	6,040	5,149	(1,371)	-21.0%	\$747	\$1,089	\$342	45.8%
Milton	9,730	8,653	8,650	7,810	7,854	(1,876)	-19.3%	\$1,190	\$1,515	\$325	27.3%
Natick	7,750	6,630	6,340	7,150	5,866	(1,884)	-24.3%	\$521	\$621	\$100	19.2%
Newton	10,310	5,966	5,820	7,410	5,956	(4,354)	-42.2%	\$1,004	\$1,181	\$177	17.6%
Norwood	9,650	6,037	5,710	6,030	5,660	(3,990)	-41.3%	\$806	\$640	(\$166)	-20.6%
Stoughton	8,880	5,227	5,710	6,180	6,594	(2,286)	-25.7%	\$949	\$1,009	\$60	6.3%
Wakefield	7,900	7,047	7,050	6,810	6,887	(1,013)	-12.8%	\$963	\$1,534	\$571	59.3%
Waltham	8,820	5,387	5,570	5,810	5,464	(3,356)	-38.0%	\$628	\$466	(\$162)	-25.8%
Watertown	6,420	5,495	5,300	5,700	5,533	(887)	-13.8%	\$642	\$844	\$202	31.5%
Wellesley	10,290	8,679	8,370	9,930	8,263	(2,027)	-19.7%	\$966	\$1,356	\$390	40.4%
Westwood	7,850	7,129	7,250	8,060	7,597	(253)	-3.2%	\$862	\$1,007	\$145	16.8%
Weymouth	6,380	5,308	5,220	5,750	5,527	(853)	-13.4%	\$652	\$811	\$159	24.4%
Group Average	8,703	6,575	6,539	7,073	6,557	(2,146)	-24.7%	\$873	\$1,063	\$189	21.7%
Needham	9,880	8,812	8,810	10,180	9,094	(786)	-8.0%	\$1,214	\$1,350	\$136	11.2%

* Per the Annual Public Water Supply Reports filed with the Department of Environmental Protection.
Source: MWRA Annual Water and Sewer Retail Rate Surveys

Table Five shows the bottom and top step rates for regular water and sewer service in the other communities. The MWRA does not provide data as to whether the communities have different rates for irrigation (secondary meters). Needham has four step rates for both water and sewer use. A four-step rate structure for water is used by the majority of the other communities. The number of billing steps for water use ranged from one to five. However, excluding Needham, 11 of the 17 communities have three or fewer billing steps for sewer.

The primary water meter use rate for Needham is one of the lowest at \$3.24 per hundred cubic feet, which has Needham's water rate well below that of many of the comparison communities. Only the communities of Cambridge, Natick, and Waltham have a lower step one rate. Even Needham's highest regular water rate (Step 4) of \$5.35 is well below that of many other communities. Only the City of Cambridge has a lower top step rate which is \$4.08. The Town's lowest sewer step rate (step one) continues to be higher than many communities with Needham's rate at \$9.53 per hundred cubic feet compared to the average of \$9.56; the highest step rate (step four) for Needham is \$12.38 per hundred cubic feet, which compares to an average of \$16.50 today for the other communities.

Table Five
Water and Sewer
Bottom and Top Step Rates

Community	Water Steps	Bottom Water Step Rate	Top Water Step Rate	Sewer Steps	Bottom Sewer Step Rate	Top Sewer Step rate
Belmont	2	\$6.62	\$7.59	1	\$12.91	\$12.91
Cambridge	5	\$3.11	\$4.08	5	\$14.59	\$18.96
Canton	4	\$3.79	\$14.26	4	\$8.54	\$16.82
Dedham	4	\$4.48	\$10.22	2	\$8.08	\$8.08
Framingham	5	\$8.02	\$14.80	5	\$10.41	\$29.95
Lexington	3	\$4.75	\$9.40	3	\$8.77	\$22.77
Melrose	2	\$7.20	\$9.65	2	\$11.78	\$14.84
Milton	4	\$6.55	\$9.27	4	\$7.31	\$16.20
Natick	4	\$2.25	\$7.91	3	\$6.37	\$18.77
Newton	4	\$7.40	\$12.26	4	\$11.41	\$16.49
Stoughton	3	\$3.97	\$8.10	2	\$10.25	\$10.58
Wakefield	4	\$7.82	\$9.63	4	\$11.69	\$13.79
Waltham	4	\$3.07	\$12.14	4	\$5.46	\$21.51
Watertown	3	\$5.15	\$12.62	3	\$10.11	\$17.50
Wellesley	5	\$4.49	\$13.77	1	\$9.77	\$9.77
Westwood	4	\$4.48	\$10.22	3	\$6.25	\$16.61
Weymouth	2	\$4.46	\$7.51	2	\$8.79	\$14.91
Average of the Communities		\$5.15	\$10.20		\$9.56	\$16.50
Needham (Current)	4	\$3.24	\$5.35	4	\$9.53	\$12.38

* Rates as reported in the MWRA 2022 survey.

Next Steps

The Select Board will hear from staff, the citizen committee, and the public about the proposal. The Board will be asked whether to move forward with the new rate structure proposal. The new rate structure would be effective July 1, 2023.

We will be at your meeting along with members of the Water and Sewer Rate Structure Committee to discuss the recommendations and to answer questions you may have. Please do not hesitate to contact me if you have any questions beforehand.

Attachments:

April 4, 2023 Water and Sewer Rate Structure Committee Information Package (4 pages)

April 4, 2023 Water and Sewer Rate Structure Committee meeting minutes

April 27, 2023 Water and Sewer Rate Structure Committee Rate Package (19 pages)

April 28, 2023 Water and Sewer Rate Structure Committee meeting minutes

May 11, 2023 Water and Sewer Rate Structure Committee Rate Package (20 pages)

May 11, 2023 Draft Water and Sewer Rate Structure Committee meeting minutes

Water and Sewer Rate Structure Committee

Water and Sewer
Billed Consumption History
Fiscal Year July 1 - June 30

	2016	2017	2018	2019	2020	2021	2022	3-Year Average	5-Year Average	7-Year Average	Lowest	Year
Hundred Cubic Feet												
WATER												
Primary Water	977,082	982,157	941,734	951,683	938,977	1,008,833	983,311	977,040	964,908	969,111	938,977	2020
Secondary Water	374,864	341,902	284,575	335,420	303,407	442,941	396,580	380,976	352,585	354,241	284,575	2018
Residential and Commercial	1,351,946	1,324,059	1,226,309	1,287,103	1,242,384	1,451,774	1,379,891	1,327,087	1,306,326	1,308,113	1,226,309	2018
Coca Cola Water	139,297	109,150	122,803	65,789	687	628	733	683	38,128	62,727	628	2021
Coca Cola	139,297	109,150	122,803	65,789	687	628	733	22,368	59,811	83,453	628	2021
Percent Change from prior year	-4.5%	-21.6%	12.5%	-46.4%	-99.0%	-8.6%	16.7%					
TOTAL BILLED WATER	1,491,243	1,433,209	1,349,112	1,352,892	1,243,071	1,452,402	1,380,624	1,349,455	1,366,137	1,391,566	1,243,071	2020
Percentage Change in Total Water Billed From Prior Year												
	5.1%	-3.9%	-5.9%	0.3%	-8.1%	16.8%	-4.9%					
SEWER												
Primary Sewer	867,969	874,625	852,728	868,156	859,609	913,462	888,145	887,072	876,420	874,956	852,728	2018
Coca Cola Sewer	61,141	40,691	42,696	23,649	626	584	693	634	13,650	24,297	584	2021
TOTAL BILLED SEWER	929,110	915,316	895,424	891,805	860,235	914,046	888,838	888,695	895,365	905,896	860,235	2020
Percentage Change in Total Sewer Billed From Prior Year												
	-0.7%	-1.5%	-2.2%	-0.4%	-3.5%	6.3%	-2.8%					

Water and Sewer Rate Structure Committee

Average Household Annual Usage*				Change from 2006		Change from 2006	
Community	2006 Report Actual Average Annual Consumption	2022 Report 2021 Average Annual Consumption	C.F. % Change	2006 Annual Cost based on 2006 Average	2022 Annual Cost based on 2021 Average	\$ Change	% Change
Belmont	9,610	7,077	(2,533) -26.4%	\$1,300	\$1,539	\$239	18.4%
Cambridge	7,840	3,821	(4,019) -51.3%	\$727	\$676	(\$51)	-7.0%
Canton	10,090	7,520	(2,570) -25.5%	\$932	\$1,065	\$133	14.3%
Dedham	7,850	7,597	(253) -3.2%	\$985	\$1,215	\$230	23.4%
Framingham	8,500	5,955	(2,545) -29.9%	\$556	\$1,112	\$556	99.9%
Lexington	12,260	9,702	(2,558) -20.9%	\$1,289	\$1,447	\$158	12.2%
Melrose	6,520	5,149	(1,371) -21.0%	\$747	\$1,089	\$342	45.8%
Milton	9,730	7,854	(1,876) -19.3%	\$1,190	\$1,515	\$325	27.3%
Natick	7,750	5,866	(1,884) -24.3%	\$521	\$621	\$100	19.2%
Newton	10,310	5,956	(4,354) -42.2%	\$1,004	\$1,181	\$177	17.6%
Norwood	9,650	5,660	(3,990) -41.3%	\$806	\$640	(\$166)	-20.6%
Stoughton	8,880	6,594	(2,286) -25.7%	\$949	\$1,009	\$60	6.3%
Wakefield	7,900	6,887	(1,013) -12.8%	\$963	\$1,534	\$571	59.3%
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Watertown	6,420	5,533	(887) -13.8%	\$642	\$844	\$202	31.5%
Wellesley	10,290	8,263	(2,027) -19.7%	\$966	\$1,356	\$390	40.4%
Westwood	7,850	7,597	(253) -3.2%	\$862	\$1,007	\$145	16.8%
Weymouth	6,380	5,527	(853) -13.4%	\$652	\$811	\$159	24.4%
Group Average	8,703	6,557	(2,146) -24.7%	\$873	\$1,063	\$189	21.7%
Needham	9,880	9,094	(786) -8.0%	\$1,214	\$1,350	\$136	11.2%

* Per the Annual Public Water Supply Reports filed with the Department of Environmental Protection.

Source: MWRA Annual Water and Sewer Retail Rate Surveys

Water and Sewer Rate Structure Committee

Annual Water and Sewer Charges in Selected Communities
Receiving Services from the MWRA
Cost to Average Customer Consuming 12,000 Cubic Feet

Community	Dec-17	Dec-18	Dec-19	Dec-20	Dec-21	Dec-22	One Year Change	Three Year Change	Five Year Change
Belmont	\$2,488	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	0.0%	0.0%	0.5%
Cambridge	\$1,655	\$1,750	\$1,766	\$1,938	\$2,066	\$2,208	6.9%	25.0%	33.4%
Canton	\$1,716	\$1,716	\$1,716	\$1,804	\$1,804	\$1,804	0.0%	5.1%	5.1%
Dedham	\$1,567	\$1,567	\$1,579	\$1,592	\$1,611	\$1,624	0.8%	2.8%	3.6%
Frammingham	\$1,770	\$1,810	\$1,855	\$1,855	\$2,035	\$2,361	16.0%	27.3%	33.4%
Lexington	\$1,541	\$1,638	\$1,759	\$1,827	\$1,827	\$1,939	6.1%	10.2%	25.8%
Melrose	\$2,315	\$2,351	\$2,371	\$2,371	\$2,371	\$2,492	5.1%	5.1%	7.7%
Milton	\$2,136	\$2,178	\$2,298	\$2,353	\$2,376	\$2,414	1.6%	5.0%	13.0%
Natick	\$1,462	\$1,596	\$1,596	\$1,792	\$1,891	\$1,891	0.0%	18.5%	29.3%
Newton	\$2,222	\$2,319	\$2,360	\$2,454	\$2,454	\$2,550	3.9%	8.1%	14.8%
Norwood	\$1,446	\$1,542	\$1,625	\$1,693	\$1,806	\$1,806	0.0%	11.1%	24.9%
Stoughton	\$1,752	\$1,778	\$1,825	\$1,825	\$1,825	\$1,825	0.0%	0.0%	4.2%
Wakefield	\$1,928	\$2,003	\$2,150	\$2,150	\$2,204	\$2,601	18.0%	21.0%	34.9%
Waltham	\$1,123	\$1,123	\$1,123	\$1,123	\$1,123	\$1,123	0.0%	0.0%	0.0%
Watertown	\$1,531	\$1,570	\$1,633	\$1,775	\$1,831	\$1,831	0.0%	12.1%	19.6%
Wellesley	\$1,523	\$1,575	\$1,575	\$1,618	\$1,618	\$1,918	18.5%	21.8%	25.9%
Westwood	\$1,442	\$1,461	\$1,474	\$1,506	\$1,524	\$1,557	2.1%	5.6%	7.9%
Weymouth	\$1,645	\$1,693	\$1,740	\$1,778	\$1,780	\$1,780	0.0%	2.3%	8.2%
Group Average	\$1,737	\$1,787	\$1,830	\$1,886	\$1,925	\$2,012	4.6%	10.0%	15.9%
MWRA Communities:	\$1,559	\$1,603	\$1,662	\$1,706	\$1,764	\$1,819	3.1%	9.4%	16.7%
Needham	\$1,654	\$1,653	\$1,698	\$1,698	\$1,698	\$1,777	4.7%	4.7%	7.5%

Source: MWRA Annual Water and Sewer Retail Rate Surveys

Water and Sewer Rate Structure Committee

Description	FY2019	FY2020	FY2021	FY2022	FY2023
Basic Service Fee - Quarterly	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00
Basic Service Fee - Monthly	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00
Water - Primary Meter					
Step 1	\$3.10	\$3.18	\$3.18	\$3.18	\$3.24
Step 2	\$3.30	\$3.39	\$3.39	\$3.39	\$3.46
Step 3	\$4.15	\$4.26	\$4.26	\$4.26	\$4.35
Step 4	\$5.10	\$5.24	\$5.24	\$5.24	\$5.34
Second Meter Fee - Quarterly	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00
Second Meter Fee - Monthly	\$1.34	\$1.34	\$1.34	\$1.34	\$1.34
Water - Secondary Meter					
Step 1	\$5.10	\$5.24	\$5.24	\$5.24	\$5.50
Step 2	\$5.50	\$5.65	\$5.65	\$5.65	\$5.93
Step 3	\$6.10	\$6.26	\$6.26	\$6.26	\$6.57
Step 4	\$8.10	\$8.32	\$8.32	\$8.32	\$8.74
Basic Sewer Fee - Quarterly	\$9.00	\$9.00	\$9.00	\$9.00	\$12.00
Basic Sewer Fee - Monthly	\$3.00	\$3.00	\$3.00	\$3.00	\$4.00
Sewer					
Step 1	\$8.82	\$9.08	\$9.08	\$9.08	\$9.53
Step 2	\$9.74	\$10.02	\$10.02	\$10.02	\$10.52
Step 3	\$10.51	\$10.81	\$10.81	\$10.81	\$11.35
Step 4	\$11.46	\$11.79	\$11.79	\$11.79	\$12.38
Septage Disposal Per 1,000 Gallons	\$85.00	\$85.00	\$85.00	\$85.00	\$85.00
* Rate Change Effective 10/01/2022					
Prices are per 100 CF (cubic feet) except septage which is per 1,000 gallons.					

Annual Cost for Average Consumption*

Average*	FY2019	FY2020	FY2021	FY2022	FY2023
Average Household Water Bill	\$461	\$472	\$472	\$472	\$481
Average Household Sewer Bill	\$1,192	\$1,225	\$1,225	\$1,225	\$1,297
Total for Sewer & Water Usage	\$1,653	\$1,698	\$1,698	\$1,698	\$1,777

* Average Household use is based on 12,000 cubic feet of water per year

WATER AND SEWER RATE STRUCTURE COMMITTEE

TOWN OF NEEDHAM

MEETING MINUTES

Date: April 4, 2023

Time: 6:00 PM

Location: Town Hall & Zoom Hybrid

WSRSC Member Attendance:

Present: John Tallarico (chair), Harold Burger, Tom Loughran, John Terry,
Matt Zollner

Absent:

Other Attendees: David Davison Asst Town Manager/Director of Finance
Mike Retzky Superintendent of Water & Sewer
Shane Mark Assistant DPW Director (Remote)

Notes prepared by: Kathryn Copley Administrative Specialist

This meeting was posted on the Town web site as a hybrid meeting:

Remote access on Zoom Cloud Meetings

Meeting ID # 836 2711 1403

<https://us02web.zoom.us/j/83627111403>

Mr. Tallarico called the meeting to order at 6:00 PM.

New Member

The Committee welcomed new member Matt Zollner.

Acceptance of Minutes

Mr. Loughran made a motion that the Committee accept the minutes from the July 19, 2022 meeting. Mr. Burger seconded the motion. The motion was then voted upon and approved unanimously. 4 yeas - 0 nays – 1 abstain.

Discussion

Mr. Retzky reported on the Water, Sewer and Drain Division operations. Unidirectional flushing of the watermains and hydrants is scheduled to start April 10 and go through May 30. Water well re-development was performed on two wells at the Charles River Water Treatment Plant. Sediment was removed to improve flow. The town-wide water main leak detection survey was completed in January. Repairs were completed on the mains and hydrants where the leaks were detected.

The Dunster and Birds Hill water storage tanks were cleaned and inspected in the Fall of 2022. The results of the Sanitary and Security inspection done at the water tanks in March 2023 are anticipated to arrive soon. The 16" diameter watermain replacement project on Marked Tree Road from High Rock Street to Central Avenue and on Central Ave, between Marked Tree Road and Pine Street was completed in the Fall of 2022. Final paving, clean-up and lawn restoration will be done during the 2023 construction and growing season.

The Lake Drive sewer pump station design, bid, and contract award was conducted in 2022. The work is anticipated to begin in late April 2023. The project was delayed due to supply chain issues. The Route 128/I-95 Sewer interceptor replacement and rehabilitation design study is underway. Bids are under review for the Rosemary Street 16" diameter water main project. This water main currently runs underneath Rosemary Lake and will be abandoned in place. The new water main will be relocated and installed in Rosemary Street.

The MWRA tunnel program is ongoing and a Needham specific web page on their Tunnel Program Website will be created within the next two months. They are working in Weston now.

Staffing is still an issue in the division, as they are down four employees.

Mr. Davison reviewed the historic billed water and sewer consumption over the last seven years. Billed water declined 4.9% from the prior year and billed sewer declined 2.8% from the prior year. The average annual household usage was reviewed. The Town of Needham opted to give up the Department of Environmental Protection (DEP) issued Massachusetts Water Management Act (WMA) regulations / permit several years ago. One of the reasons for voluntarily not renewing the permit was due to public comments received by the Select Board to not be subject to water restrictions ordered by DEP especially since nearby communities were not subject to water use restrictions that Needham was abiding by because of the permit requirements. It was noted that there is an attempt to make all communities subject to water use restrictions. Based on the 2022 DEP report, the average Needham household water usage declined by 8% from 2006 to 2021. The average charge for water and sewer use increased by 11.2% from 2006 to 2021.

Annual water and sewer charges in selected communities were reviewed. The 4.7% increase from FY2022 to FY2023 reflects the rate increases which took effect last year. The current water and sewer rates were reviewed.

The Select Board will be voting on whether to implement the Stormwater fee at their April 12th meeting. The original public hearing scheduled for 2020 was postponed due to COVID. The Select Board resumed discussion of the fee proposal and held the Public Hearing on March 28, 2023. If implemented the Committee will in future make rate recommendations. The fee is anticipated to raise between 40% to 60% of annual capital expenditures. The annual fee for 99% of users is anticipated to fall with the \$38.20 to \$80.00 tier, payable in four installments. There are seven tiers with higher fees. The highest fees would be mostly commercial properties with large, paved areas such as Coca Cola. There will be credits for certain rainwater capture systems.

Mr. Davison will review revenue target ranges at the next meeting scheduled for April 28th.

Documents Agenda, 7/19/22 Minutes, Water & Sewer Billed Consumption History, Average Household Annual Usage, Annual Water & Sewer Charges in Selected Communities, Water &

Sewer Rates over the last 5 years, Needham DPW Water, Sewer & Drain Division update, Select Board policy on Member Remote Participation in Public Meetings

Adjournment

Mr. Tallarico made a motion that the Committee adjourned at 6:59 PM. Mr. Terry seconded the motion. The motion was then voted upon and approved unanimously. 5 yeas - 0 nays – 0 abstain.

The next meetings are scheduled for April 28, 2023 at 1 PM at Town Hall, May 11, 2023, and May 25, 2023 at 6:00 PM at the Town Hall.

These notes are intended to convey the content of the discussions at the Committee meeting. If no comments are received by the next meeting, they will go to file as part of the permanent Committee record.

Preliminary for Discussion Only

TOWN OF NEEDHAM

Water and Sewer Rate Structure Committee

27-Apr-23

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Option W3 Increase Irrigation Step Rates 4.0%	9
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Annual Cost Based on 12,000 C.F.	16
Residential Customer Water and Sewer Use	
Percent Falling within Each Step	19

**Town of Needham
Step Structure**

	Residential Quarterly		Commercial Monthly
Step 1	-	600	- 200
Step 2	600	2,700	200 900
Step 3	2,700	4,200	900 1,400
Step 4	4,200	99,999,999	1,400 99,999,999

Town of Needham**Water and Sewer Rates**

Description

FY2019 FY2020 FY2021 FY2022 FY2023

Basic Service Fee - Quarterly

\$15.00 \$15.00 \$15.00 \$15.00 \$15.00

Basic Service Fee - Monthly

\$5.00 \$5.00 \$5.00 \$5.00 \$5.00

Water - Primary Meter

Step 1

\$3.10 \$3.18 \$3.18 \$3.18 \$3.24

Step 2

\$3.30 \$3.39 \$3.39 \$3.39 \$3.46

Step 3

\$4.15 \$4.26 \$4.26 \$4.26 \$4.35

Step 4

\$5.10 \$5.24 \$5.24 \$5.24 \$5.34

Second Meter Fee - Quarterly

\$4.00 \$4.00 \$4.00 \$4.00 \$4.00

Second Meter Fee - Monthly

\$1.34 \$1.34 \$1.34 \$1.34 \$1.34

Water - Secondary Meter

Step 1

\$5.10 \$5.24 \$5.24 \$5.24 \$5.50

Step 2

\$5.50 \$5.65 \$5.65 \$5.65 \$5.93

Step 3

\$6.10 \$6.26 \$6.26 \$6.26 \$6.57

Step 4

\$8.10 \$8.32 \$8.32 \$8.32 \$8.74

Basic Sewer Fee - Quarterly

\$9.00 \$9.00 \$9.00 \$9.00 \$12.00

Basic Sewer Fee - Monthly

\$3.00 \$3.00 \$3.00 \$3.00 \$4.00

Sewer

Step 1

\$8.82 \$9.08 \$9.08 \$9.08 \$9.53

Step 2

\$9.74 \$10.02 \$10.02 \$10.02 \$10.52

Step 3

\$10.51 \$10.81 \$10.81 \$10.81 \$11.35

Step 4

\$11.46 \$11.79 \$11.79 \$11.79 \$12.38

Septage Disposal

Per 1,000 Gallons

\$85.00 \$85.00 \$85.00 \$85.00 \$85.00

Prices are per 100 CF (cubic feet) except septage which is per 1,000 gallons.

Average*	FY2019	FY2020	FY2021	FY2022	FY2023
Average Household Water Bill	\$461	\$472	\$472	\$472	\$481
Average Household Sewer Bill	\$1,192	\$1,225	\$1,225	\$1,225	\$1,297
Total for Sewer & Water Usage	\$1,653	\$1,698	\$1,698	\$1,698	\$1,777

* Average Household use is based on 12,000 cubic feet of water per year

SEWER & WATER
User Rate Structure Recap
Three Year Trending Average Revenue Target
SEWER USER RATE REVENUE TARGET RECAP

Operating Appropriation Period Average	\$10,813,357.00
Less Estimated Fix Rate Revenue	(\$345,000)
Less Estimated General Fund Payment	(\$800,000)
Add Doubtful Account Allowance (0.75%)	\$81,100

Expenditures to be Supported by Rate Revenue	\$9,749,457
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Rounding Adjustment	(\$457)
User Rate Revenue Target	\$9,749,000

Estimated Billable Volume (4-Yr Average) FY2018 - FY2022 Excludes FY2020 Data	89,752,800
Minimum Flat Rate	\$10.86

WATER USER RATE REVENUE TARGET RECAP

Operating Appropriation Period Average	\$7,326,009.00
Less Estimated Fix Rate Revenue	(\$740,000)
Add Doubtful Account Allowance (0.75%)	\$54,945

Expenditures to be Supported by Rate Revenue	\$6,640,954
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Rounding Adjustment	\$46
User Rate Revenue Target	\$6,641,000

Estimated Billable Volume (4-Yr Average) FY2018 - FY2022 Excludes FY2020 Data	138,375,700
Minimum Flat Rate	\$4.80

Billable Use

By Step

Hundred Cubic Feet

Fiscal Year	2018	2019	2020	2021	2022	4-Yr Average (2018 - 2022) excludes 2020
Primary Water						
Step 1	274,363.4	276,654.6	283,143.3	287,089.5	282,840.5	280,237.0
Step 2	427,707.6	436,996.0	442,660.4	490,290.7	443,897.7	449,723.0
Step 3	44,712.2	47,203.1	45,305.1	62,028.2	47,766.2	50,427.4
Step 4	317,753.8	256,618.2	168,555.2	170,052.6	209,539.6	238,491.1
Total	1,064,537.0	1,017,471.9	939,664.0	1,009,461.0	984,044.0	1,018,878.5

Secondary Water

Step 1	52,793.4	55,314.0	52,258.0	66,922.0	60,912.0	58,985.4
Step 2	102,787.0	113,968.0	103,864.4	142,812.0	120,922.0	120,122.3
Step 3	36,472.6	45,022.0	39,349.2	59,374.0	43,707.0	46,143.9
Step 4	92,522.0	121,116.0	107,935.4	173,833.0	171,039.0	139,627.5
Total	284,575.0	335,420.0	303,407.0	442,941.0	396,580.0	364,879.0

Primary Water

Step 1	25.8%	27.2%	30.1%	28.44%	28.74%	27.5%
Step 2	40.2%	42.9%	47.1%	48.57%	45.11%	44.1%
Step 3	4.2%	4.6%	4.8%	6.14%	4.85%	4.9%
Step 4	29.8%	25.2%	17.9%	16.85%	21.29%	23.4%
Total	100.0%	100.0%	100.0%	100.00%	100.00%	100.00%

Secondary Water

Step 1	18.6%	16.5%	17.2%	15.11%	15.36%	16.2%
Step 2	36.1%	34.0%	34.2%	32.24%	30.49%	32.9%
Step 3	12.8%	13.4%	13.0%	13.40%	11.02%	12.6%
Step 4	32.5%	36.1%	35.6%	39.25%	43.13%	38.3%
Total	100.0%	100.0%	100.0%	100.00%	100.00%	100.0%

Billable Use
By Step
Hundred Cubic Feet

Fiscal Year	2018	2019	2020	2021	2022	4-Yr Average (2018 - 2022) excludes 2020
Billed Sewer						
Step 1	262,752.3	265,301.7	272,172.7	276,105.7	272,582.7	269,185.6
Step 2	405,573.4	414,653.2	421,360.9	466,983.3	422,968.1	427,544.5
Step 3	38,020.4	39,834.0	39,103.5	53,820.7	40,698.9	43,093.5
Step 4	189,077.9	172,016.0	127,597.9	117,136.4	152,588.4	157,704.7
Total	895,424.0	891,804.9	860,235.0	914,046.0	888,838.0	897,528.2

Billed Sewer						
Step 1	29.3%	29.7%	31.6%	30.21%	30.67%	30.0%
Step 2	45.3%	46.5%	49.0%	51.09%	47.59%	47.6%
Step 3	4.2%	4.5%	4.5%	5.89%	4.58%	4.8%
Step 4	21.1%	19.3%	14.8%	12.82%	17.17%	17.6%
Total	100.0%	100.0%	100.0%	100.00%	100.00%	100.0%

Water Enterprise					Target Revenue		
Current Rate Structure					\$6,641,000.00		
Domestic Step	Step %	101,887,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	27.5%	28,019,145.00	\$3.24	\$907,820.30	\$4.80	\$1.56	32.5%
2	44.1%	44,932,519.80	\$3.46	\$1,554,665.19	\$4.80	\$1.34	27.9%
3	4.9%	4,992,502.20	\$4.35	\$217,173.85	\$4.80	\$0.45	9.4%
4	23.4%	23,841,745.20	\$5.34	\$1,273,149.19	\$4.80	-\$0.54	-11.3%
Irrigation Step	Step %	36,487,900	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	16.2%	5,911,039.80	\$5.50	\$325,107.19	\$4.80	-\$0.70	-14.6%
2	32.9%	12,004,519.10	\$5.93	\$711,867.98	\$4.80	-\$1.13	-23.5%
3	12.6%	4,597,475.40	\$6.57	\$302,054.13	\$4.80	-\$1.77	-36.9%
4	38.3%	13,974,865.70	\$8.74	\$1,221,403.26	\$4.80	-\$3.94	-82.1%
Grand Total	100.00%	138,273,812		\$6,513,241.09			
				Shortfall	-\$127,758.91		
							98.1%

Water Enterprise					Target Revenue		
Option W2					\$6,641,000.00		
Uniform % Change All Steps by 1.9%							
Domestic Step	Step %	101,887,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	27.5%	28,019,145.00	\$3.30	\$924,631.79	\$4.80	\$1.50	31.3%
2	44.1%	44,932,519.80	\$3.53	\$1,586,117.95	\$4.80	\$1.27	26.5%
3	4.9%	4,992,502.20	\$4.43	\$221,167.85	\$4.80	\$0.37	7.7%
4	23.4%	23,841,745.20	\$5.44	\$1,296,990.94	\$4.80	-\$0.64	-13.3%
Irrigation Step	Step %	36,487,900	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	16.2%	5,911,039.80	\$5.60	\$331,018.23	\$4.80	-\$0.80	-16.7%
2	32.9%	12,004,519.10	\$6.04	\$725,072.95	\$4.80	-\$1.24	-25.8%
3	12.6%	4,597,475.40	\$6.69	\$307,571.10	\$4.80	-\$1.89	-39.4%
4	38.3%	13,974,865.70	\$8.91	\$1,245,160.53	\$4.80	-\$4.11	-85.6%
Grand Total	100.00%	138,273,812		\$6,637,731.34			
				Shortfall	-\$3,268.66		
							100.0%

Water Enterprise Option W3					Target Revenue		
Increase Irrigation Step Rates by 4.0%					\$6,641,000.00		
Domestic Step	Step %	101,887,800	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	27.5%	28,019,145.00	\$3.24		\$907,820.30	\$4.80	\$1.56 32.5%
2	44.1%	44,932,519.80	\$3.46		\$1,554,665.19	\$4.80	\$1.34 27.9%
3	4.9%	4,992,502.20	\$4.35		\$217,173.85	\$4.80	\$0.45 9.4%
4	23.4%	23,841,745.20	\$5.34		\$1,273,149.19	\$4.80	-\$0.54 -11.3%
Irrigation Step	Step %	36,487,900	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	16.2%	5,911,039.80	\$5.72		\$338,111.48	\$4.80	-\$0.92 -19.2%
2	32.9%	12,004,519.10	\$6.17		\$740,678.83	\$4.80	-\$1.37 -28.5%
3	12.6%	4,597,475.40	\$6.83		\$314,007.57	\$4.80	-\$2.03 -42.3%
4	38.3%	13,974,865.70	\$9.09		\$1,270,315.29	\$4.80	-\$4.29 -89.4%
Grand Total	100.00%	138,273,812		Shortfall	-\$25,078.31		99.6%

Water Enterprise Option W4					Target Revenue		
Increase Annual Service Fee by \$4 (Dom & Irr)					\$6,581,000.00		
Domestic Step	Step %	101,887,800	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	27.5%	28,019,145.00	\$3.24		\$907,820.30	\$4.80	\$1.56 32.5%
2	44.1%	44,932,519.80	\$3.46		\$1,554,665.19	\$4.80	\$1.34 27.9%
3	4.9%	4,992,502.20	\$4.35		\$217,173.85	\$4.80	\$0.45 9.4%
4	23.4%	23,841,745.20	\$5.34		\$1,273,149.19	\$4.80	-\$0.54 -11.3%
Irrigation Step	Step %	36,487,900	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	16.2%	5,911,039.80	\$5.50		\$325,107.19	\$4.80	-\$0.70 -14.6%
2	32.9%	12,004,519.10	\$5.93		\$711,867.98	\$4.80	-\$1.13 -23.5%
3	12.6%	4,597,475.40	\$6.57		\$302,054.13	\$4.80	-\$1.77 -36.9%
4	38.3%	13,974,865.70	\$8.74		\$1,221,403.26	\$4.80	-\$3.94 -82.1%
Grand Total	100.00%	138,273,812		Shortfall	-\$67,758.91		99.0%

Water Enterprise Option W5					Target Revenue		
All Steps Increase by CPI 6.4% (2022)					\$6,641,000.00		
Domestic Step	Step %	101,887,800	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	27.5%	28,019,145.00	\$3.45		\$966,660.50	\$4.80	\$1.35 28.1%
2	44.1%	44,932,519.80	\$3.68		\$1,653,516.73	\$4.80	\$1.12 23.3%
3	4.9%	4,992,502.20	\$4.63		\$231,152.85	\$4.80	\$0.17 3.5%
4	23.4%	23,841,745.20	\$5.68		\$1,354,211.13	\$4.80	-\$0.88 -18.3%
Irrigation Step	Step %	36,487,900	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	16.2%	5,911,039.80	\$5.85		\$345,795.83	\$4.80	-\$1.05 -21.9%
2	32.9%	12,004,519.10	\$6.31		\$757,485.16	\$4.80	-\$1.51 -31.5%
3	12.6%	4,597,475.40	\$6.99		\$321,363.53	\$4.80	-\$2.19 -45.6%
4	38.3%	13,974,865.70	\$9.30		\$1,299,662.51	\$4.80	-\$4.50 -93.8%
Grand Total	100.00%	138,273,812			\$6,929,848.23		
					\$288,848.23		
					104.3%		

Water Enterprise Option W6					Target Revenue		
Increase Steps 2-4 by 2%					\$6,641,000.00		
Domestic Step	Step %	101,887,800	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	27.5%	28,019,145.00	\$3.24		\$907,820.30	\$4.80	\$1.56 32.5%
2	44.1%	44,932,519.80	\$3.53		\$1,586,117.95	\$4.80	\$1.27 26.5%
3	4.9%	4,992,502.20	\$4.44		\$221,667.10	\$4.80	\$0.36 7.5%
4	23.4%	23,841,745.20	\$5.45		\$1,299,375.11	\$4.80	-\$0.65 -13.5%
Irrigation Step	Step %	36,487,900	Rate Per HCF		Revenue	Flat Rate	Subsidy
1	16.2%	5,911,039.80	\$5.50		\$325,107.19	\$4.80	-\$0.70 -14.6%
2	32.9%	12,004,519.10	\$6.05		\$726,273.41	\$4.80	-\$1.25 -26.0%
3	12.6%	4,597,475.40	\$6.70		\$308,030.85	\$4.80	-\$1.90 -39.6%
4	38.3%	13,974,865.70	\$8.91		\$1,245,160.53	\$4.80	-\$4.11 -85.6%
Grand Total	100.00%	138,273,812			\$6,619,552.44		
					-\$21,447.56		
					99.7%		

Shortfall

Water Enterprise Option W7					Target Revenue		
Increase Domestic Step 4 by 5% Irrigation Step 1 rate s					\$6,641,000.00		
Domestic Step	Step %	101,887,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	27.5%	28,019,145.00	\$3.24	\$907,820.30	\$4.80	\$1.56	32.5%
2	44.1%	44,932,519.80	\$3.46	\$1,554,665.19	\$4.80	\$1.34	27.9%
3	4.9%	4,992,502.20	\$4.35	\$217,173.85	\$4.80	\$0.45	9.4%
4	23.4%	23,841,745.20	\$5.61	\$1,337,521.91	\$4.80	-\$0.81	-16.9%
Irrigation Step	Step %	36,487,900	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	16.2%	5,911,039.80	\$5.61	\$331,609.33	\$4.80	-\$0.81	-16.9%
2	32.9%	12,004,519.10	\$5.93	\$711,867.98	\$4.80	-\$1.13	-23.5%
3	12.6%	4,597,475.40	\$6.90	\$317,225.80	\$4.80	-\$2.10	-43.8%
4	38.3%	13,974,865.70	\$9.18	\$1,282,892.67	\$4.80	-\$4.38	-91.3%
Grand Total	100.00%	138,273,812		\$6,660,777.02			
				\$19,777.02			
				100.3%			

Sewer Enterprise					
Current Rates			Target Revenue		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86
2	47.6%	42,722,332.80	\$10.52	\$4,494,389.41	\$10.86
3	4.8%	4,308,134.40	\$11.35	\$488,973.25	\$10.86
4	17.6%	15,796,492.80	\$12.38	\$1,955,605.81	\$10.86
	100.00%	89,752,800.00		\$9,505,001.03	
Shortfall				-\$243,998.97	
				97.5%	

Sewer Enterprise					
Option S2			Target Revenue		
All Steps Change 3.0%			\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate
1	30.0%	26,925,840.00	\$9.82	\$2,644,117.49	\$10.86
2	47.6%	42,722,332.80	\$10.84	\$4,631,100.88	\$10.86
3	4.8%	4,308,134.40	\$11.69	\$503,620.91	\$10.86
4	17.6%	15,796,492.80	\$12.75	\$2,014,052.83	\$10.86
	100.00%	89,752,800.00		\$9,792,892.11	
				\$43,892.11	
				100.5%	

Sewer Enterprise					
Option S3			Target Revenue		
Steps 2 - 4 Change 4%			\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86
2	47.6%	42,722,332.80	\$10.94	\$4,673,823.21	\$10.86
3	4.8%	4,308,134.40	\$11.80	\$508,359.86	\$10.86
4	17.6%	15,796,492.80	\$12.88	\$2,034,588.27	\$10.86
	100.00%	89,752,800.00		\$9,782,803.89	
				\$33,803.89	
				100.3%	

Sewer Enterprise Option S4					Target Revenue		
Flat Rate					\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$10.86	\$2,924,146.22	\$10.86	\$0.00	0.0%
2	47.6%	42,722,332.80	\$10.86	\$4,639,645.34	\$10.86	\$0.00	0.0%
3	4.8%	4,308,134.40	\$10.86	\$467,863.40	\$10.86	\$0.00	0.0%
4	17.6%	15,796,492.80	\$10.86	\$1,715,499.12	\$10.86	\$0.00	0.0%
	100.00%	89,752,800.00		\$9,747,154.08			
				Shortfall			
				-\$1,845.92			
				100.0%			

Sewer Enterprise Option S5					Target Revenue		
All Steps Increase by CPI 6.4% (2022)					\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$10.14	\$2,730,280.18	\$10.86	\$0.72	6.6%
2	47.6%	42,722,332.80	\$11.19	\$4,780,629.04	\$10.86	-\$0.33	-3.0%
3	4.8%	4,308,134.40	\$12.08	\$520,422.64	\$10.86	-\$1.22	-11.2%
4	17.6%	15,796,492.80	\$13.17	\$2,080,398.10	\$10.86	-\$2.31	-21.3%
	100.00%	89,752,800.00		\$10,111,729.95			
				\$362,729.95			
				103.7%			

Sewer Enterprise Option S6					Target Revenue		
Adopt a 3 Step Structure Merge 2 & 3 Keep current :					\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86	\$1.33	12.2%
2	47.6%	42,722,332.80	\$11.35	\$4,848,984.77	\$10.86	-\$0.49	-4.5%
3	4.8%	4,308,134.40	\$11.35	\$488,973.25	\$10.86	-\$0.49	-4.5%
4	17.6%	15,796,492.80	\$12.38	\$1,955,605.81	\$10.86	-\$1.52	-14.0%
	100.00%	89,752,800.00		\$9,859,596.39			
				\$110,596.39			
				101.1%			

Sewer Enterprise Option S7					Target Revenue		
Increase Step 3 by 5% and Step 4 by 10%					\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86	\$1.33	12.2%
2	47.6%	42,722,332.80	\$10.52	\$4,494,389.41	\$10.86	\$0.34	3.1%
3	4.8%	4,308,134.40	\$11.92	\$513,529.62	\$10.86	-\$1.06	-9.8%
4	17.6%	15,796,492.80	\$13.62	\$2,151,482.32	\$10.86	-\$2.76	-25.4%
	100.00%	89,752,800.00		\$9,725,433.90			
Shortfall				-\$23,566.10			
				99.8%			

Water and Sewer Rate Concepts Revenue Target Range

Option	Concept	% of Target	Target Range*	O/S	Rate Subsidies	Steps
Current	Keep As Is	98.1%	Under	(\$127,759)	Yes	1, 2, & 3
Option W2	All Steps Change 1.9%	100.0%	Within	(\$3,269)	Yes	1, 2, & 3
Option W3	Only Irrigation Steps Change 4.0%	99.6%	Within	(\$25,078)	Yes	1, 2, & 3
Option W4	Increase Annual Service Fees by \$4	99.0%	Within	(\$67,759)	Yes	1, 2, & 3
Option W5	All Steps Increase by CPI 6.4%	104.3%	Over	\$288,848	Yes	1, 2, & 3
Option W6	Steps 2 - 4 Change 2%	99.7%	Within	(\$21,448)	Yes	1, 2, & 3
Option W7	Mixed Step Changes	100.3%	Within	\$19,777	Yes	1, 2, & 3
Current	Keep As Is	97.5%	Under	(\$243,999)	Yes	1 & 2
Option S2	All Steps Change 3.0%	100.5%	Within	\$43,892	Yes	1 & 2
Option S3	Steps 2 - 4 Change 4.0%	100.3%	Within	\$33,804	Yes	1
Option S4	Flat Rate \$10.86	100.0%	Within	(\$1,846)	No	
Option S5	All Steps Increase by CPI 6.4%	103.7%	Over	\$362,730	Yes	1
Option S6	Three Step System	101.1%	Within	\$110,596	Yes	1
Option S7	Step 3 by 5%; Step 4 by 10%	99.8%	Within	(\$23,566)	Yes	1 & 2

* Rate structure revenue estimate falls within 98.5 to 101.5% of target

Water and Sewer Rate Concepts
Annual Water and Sewer Charges
Cost to Average Customer Consuming 12,000 Cubic Feet

Scenario	Water Structure		Sewer Structure	Annual Water	Annual Sewer	Combined	\$ Change from Current	% Change from Current
Current	0	Current	Current	\$480.60	\$1,296.60	\$1,777.20	\$0.00	0.0%
Scenario	28	Option W5	Option S5	\$507.48	\$1,376.28	\$1,883.76	\$106.56	6.0%
Scenario	29	Option W5	Option S6	\$507.48	\$1,366.32	\$1,873.80	\$96.60	5.4%
Scenario	10	Option W2	Option S5	\$488.88	\$1,376.28	\$1,865.16	\$87.96	4.9%
Scenario	34	Option W6	Option S5	\$487.56	\$1,376.28	\$1,863.84	\$86.64	4.9%
Scenario	22	Option W4	Option S5	\$484.60	\$1,376.28	\$1,860.88	\$83.68	4.7%
Scenario	27	Option W5	Option S4	\$507.48	\$1,351.20	\$1,858.68	\$81.48	4.6%
Scenario	4	Current	Option S5	\$480.60	\$1,376.28	\$1,856.88	\$79.68	4.5%
Scenario	16	Option W3	Option S5	\$480.60	\$1,376.28	\$1,856.88	\$79.68	4.5%
Scenario	40	Option W7	Option S5	\$480.60	\$1,376.28	\$1,856.88	\$79.68	4.5%
Scenario	11	Option W2	Option S6	\$488.88	\$1,366.32	\$1,855.20	\$78.00	4.4%
Scenario	35	Option W6	Option S6	\$487.56	\$1,366.32	\$1,853.88	\$76.68	4.3%
Scenario	23	Option W4	Option S6	\$484.60	\$1,366.32	\$1,850.92	\$73.72	4.1%
Scenario	5	Current	Option S6	\$480.60	\$1,366.32	\$1,846.92	\$69.72	3.9%
Scenario	17	Option W3	Option S6	\$480.60	\$1,366.32	\$1,846.92	\$69.72	3.9%
Scenario	41	Option W7	Option S6	\$480.60	\$1,366.32	\$1,846.92	\$69.72	3.9%
Scenario	26	Option W5	Option S3	\$507.48	\$1,337.28	\$1,844.76	\$67.56	3.8%
Scenario	25	Option W5	Option S2	\$507.48	\$1,334.52	\$1,842.00	\$64.80	3.6%
Scenario	9	Option W2	Option S4	\$488.88	\$1,351.20	\$1,840.08	\$62.88	3.5%
Scenario	33	Option W6	Option S4	\$487.56	\$1,351.20	\$1,838.76	\$61.56	3.5%

Water and Sewer Rate Concepts
Annual Water and Sewer Charges
Cost to Average Customer Consuming 12,000 Cubic Feet

Scenario	Water Structure	Sewer Structure	Annual Water	Annual Sewer	Combined	\$ Change from Current	% Change from Current
Scenario 21	Option W4	Option S4	\$484.60	\$1,351.20	\$1,835.80	\$58.60	3.3%
Scenario 3	Current	Option S4	\$480.60	\$1,351.20	\$1,831.80	\$54.60	3.1%
Scenario 15	Option W3	Option S4	\$480.60	\$1,351.20	\$1,831.80	\$54.60	3.1%
Scenario 39	Option W7	Option S4	\$480.60	\$1,351.20	\$1,831.80	\$54.60	3.1%
Scenario 8	Option W2	Option S3	\$488.88	\$1,337.28	\$1,826.16	\$48.96	2.8%
Scenario 32	Option W6	Option S3	\$487.56	\$1,337.28	\$1,824.84	\$47.64	2.7%
Scenario 7	Option W2	Option S2	\$488.88	\$1,334.52	\$1,823.40	\$46.20	2.6%
Scenario 31	Option W6	Option S2	\$487.56	\$1,334.52	\$1,822.08	\$44.88	2.5%
Scenario 20	Option W4	Option S3	\$484.60	\$1,337.28	\$1,821.88	\$44.68	2.5%
Scenario 19	Option W4	Option S2	\$484.60	\$1,334.52	\$1,819.12	\$41.92	2.4%
Scenario 2	Current	Option S3	\$480.60	\$1,337.28	\$1,817.88	\$40.68	2.3%
Scenario 14	Option W3	Option S3	\$480.60	\$1,337.28	\$1,817.88	\$40.68	2.3%
Scenario 38	Option W7	Option S3	\$480.60	\$1,337.28	\$1,817.88	\$40.68	2.3%
Scenario 1	Current	Option S2	\$480.60	\$1,334.52	\$1,815.12	\$37.92	2.1%
Scenario 13	Option W3	Option S2	\$480.60	\$1,334.52	\$1,815.12	\$37.92	2.1%
Scenario 37	Option W7	Option S2	\$480.60	\$1,334.52	\$1,815.12	\$37.92	2.1%
Scenario 30	Option W5	Option S7	\$507.48	\$1,303.44	\$1,810.92	\$33.72	1.9%
Scenario 12	Option W2	Option S7	\$488.88	\$1,303.44	\$1,792.32	\$15.12	0.9%
Scenario 36	Option W6	Option S7	\$487.56	\$1,303.44	\$1,791.00	\$13.80	0.8%
Scenario 24	Option W4	Option S7	\$484.60	\$1,303.44	\$1,788.04	\$10.84	0.6%

Water and Sewer Rate Concepts						
Annual Water and Sewer Charges						
Cost to Average Customer Consuming 12,000 Cubic Feet						
Scenario	Water Structure	Sewer Structure	Annual Water	Annual Sewer	Combined	% Change from Current
Scenario 6	Current	Option S7	\$480.60	\$1,303.44	\$1,784.04	\$6.84 0.4%
Scenario 18	Option W3	Option S7	\$480.60	\$1,303.44	\$1,784.04	\$6.84 0.4%
Scenario 42	Option W7	Option S7	\$480.60	\$1,303.44	\$1,784.04	\$6.84 0.4%

Residential Billed Oct - Dec 2022	Domestic Water Count	Gallons	%	Sewer Count	Gallons	%
Accounts	9,103			8,709		
Accounts With Step 1 Consumption	8,926	39,252,990	98.1%	8,555	37,599,058	98.2%
Accounts With Step 2 Consumption	8,139	72,844,062	89.4%	7,801	68,508,348	89.6%
Accounts With Step 3 Consumption	1,601	11,046,277	17.6%	1,384	8,829,347	15.9%
Accounts With Step 4 Consumption	607	20,105,402	6.7%	433	8,777,960	5.0%
Total Gallons-->		143,248,732			123,714,712	

Residential Billed Oct - Dec 2021	Domestic Water Count	Gallons	%	Sewer Count	Gallons	%
Accounts	9,274			8,830		
Accounts With Step 1 Consumption	9,086	39,877,466	98.0%	8,662	38,055,338	98.1%
Accounts With Step 2 Consumption	8,141	67,996,506	87.8%	7,769	63,768,062	88.0%
Accounts With Step 3 Consumption	1,149	7,707,616	12.4%	956	5,771,044	10.8%
Accounts With Step 4 Consumption	390	13,330,976	4.2%	245	4,916,724	2.8%
Total Gallons-->		128,912,564			112,511,168	

Residential Billed Oct - Dec 2020	Domestic Water Count	Gallons	%	Sewer Count	Gallons	%
Accounts	9,284			8,859		
Accounts With Step 1 Consumption	9,084	40,048,010	97.8%	8,673	38,236,354	97.9%
Accounts With Step 2 Consumption	8,217	80,194,890	88.5%	7,926	75,320,922	89.5%
Accounts With Step 3 Consumption	1,894	13,199,432	20.4%	1,648	10,767,684	18.6%
Accounts With Step 4 Consumption	704	21,174,504	7.6%	510	7,779,320	5.8%
Total Gallons-->		154,616,836			132,104,280	

WATER AND SEWER RATE STRUCTURE COMMITTEE

TOWN OF NEEDHAM

MEETING MINUTES

Date: April 28, 2023

Time: 1:00 PM

Location: Town Hall & Zoom Hybrid

WSRSC Member Attendance:

Present: John Tallarico (chair), Harold Burger (remote), Tom Loughran, John Terry, Matt Zollner

Absent:

Other Attendees:	David Davison	Asst Town Manager/Director of Finance
	Mike Retzky	Superintendent of Water & Sewer
	Shane Mark	Assistant DPW Director
	Cecilia Simchak	Director of Finance & Admin for Public Services

Notes prepared by: Kathryn Copley Administrative Specialist

This meeting was posted on the Town web site as a hybrid meeting:

Remote access on Zoom Cloud Meetings

Meeting ID # 844 3575 4679

<https://us02web.zoom.us/j/84435754679>

Mr. Tallarico called the meeting to order at 1:00 PM.

Acceptance of Minutes

Mr. Loughran made a motion that the Committee accept the minutes from the April 4, 2023 meeting as presented. Mr. Zollner seconded the motion. The motion was then voted upon and approved unanimously. 5 yeas - 0 nays – 0 abstain.

Discussion

Mr. Davison reviewed the current step structures for residential and commercial users. The water and sewer rates over the past five years for primary and secondary water meters and for sewer was reviewed. For the purposes of estimating billable volume, the FY2020 data was removed from the calculations because usage was affected by the COVID pandemic and would not reflect typical usage. The operational expense forecast for FY2024, FY2025 and FY2026 was reviewed. The average operational cost forecast for water over this three-year period was \$7,326,009. The average operational cost forecast for sewer over the same three-year period was \$10,813,357. The forecasted operational cost average is the starting basis for determining how much user rate revenue needs to be raised.

The sewer user rate revenue target, less the estimated fix rate revenue, less the estimated general fund payment, plus an allowance for doubtful accounts comes to \$9,749,000 which would result in a minimum flat rate of \$10.86 per hundred cubic feet. The water user rate revenue target less the estimated fix rate revenue comes to \$6,641,000 which results in a minimum flat rate of \$4.80 per hundred cubic feet.

Billable water use data by step from the last four fiscal years, 2018 through 2022 (excluding FY2020) was reviewed. Most billed water use falls into Step 1 (27.5%) and Step 2 (44.1%). Most of the Step 4 billed water is primarily commercial use. Secondary water usage is primarily for irrigation and the two highest billed volumes are Step 2 (32.9%) and Step 4 (38.3%). Most of the billed sewer use falls into Step 1 (30.0%) and Step 2 (47.6%).

Because the user rate revenue target is based on estimates and averages, we consider a water rate structure that is estimated to generate revenue which falls between 98.5% to 101.5% of the target, as meeting the target. Under the current rates the billed water estimated revenue is at 98.1% and the shortfall is \$127,758.91. The billable water is slightly under the desired target of 98.5% due to the higher water assessment from the MWRA. Seven water options were reviewed. Option W1 is the current rate structure which has a shortfall of \$127,758.91. Some form of increase will be needed.

Option W2 proposes a uniform percentage change in all steps by 1.9%, which would produce a shortfall of \$3,268.66 and target percentage of 100.0%.

Option W3 proposes an increase the irrigation step rates by 4.0%, which would produce a shortfall of \$25,078.31 and target percentage of 99.6%.

Option W4 proposes an increase the annual service fee by \$4 with no change in the step rates, which would produce a shortfall of \$67,758.91 and target percentage of 99.0%.

Option W5 proposes all steps increase by the 2022 Consumer Price Index (CPI) of 6.4%, which would produce a surplus of \$288,848.23 and target percentage of 104.3%.

Option W6 proposes an increase in Steps 2 through 4 by 2%, which would produce a shortfall of \$21,447.56 and target percentage of 99.7%.

Option W7 proposes an increase in domestic water in Step 4 by 5% and has the domestic Step 4 rate be the same as irrigation Step 1 rate, an increase of 2% and then increase irrigation Steps 3 and 4 by 5%, which would produce a surplus of \$19,777.02 and target percentage of 100.3%.

The current billed sewer estimated revenue is at 97.5% and the shortfall is \$243,998.97. The billable sewer desired revenue target is the same as water falling between 98.5% to 101.5%. Seven sewer options were reviewed. Option S1 is the current rate structure which has a shortfall of \$243,998.97. Some form of increase will be needed.

Option S2 proposes a uniform increase in all steps by 3.0%, which would produce a surplus of \$43,892.11 and target percentage of 100.5%.

Option S3 proposes an increase in Steps 2 through 4 by 4%, which would produce a surplus of \$33,803.89 and target percentage of 100.3%.

Option S4 proposes a flat rate in all Steps of \$10.86, which would produce a shortfall of \$1,845.92 and target percentage of 100.0%.

Option S5 proposes an increase in all Steps by the 2022 Consumer Price Index (CPI) of 6.4%, which would produce a surplus of \$362,729.95 and target percentage of 103.7%.

Option S6 proposes the adoption of a three Step structure merging 2 & 3 at the current Step 3 rate, which would produce a surplus of \$110,596.39 and target percentage of 101.1%.

Option S7 proposes an increase in Step 3 by 5% and Step 4 by 10%, which would produce a shortfall of \$23,566.10 and target percentage of 99.8%.

The Committee discussed the advantages and disadvantages of the forty-two scenario combinations. It was noted that relying on higher irrigation rates to cover costs is risky as a wet summer may see a marked decrease in irrigation water usage and the revenue target unmet. It was felt that the increase in rates should not be a higher burden to either the low-end water users or to the high-end water users. The rate increase should be shared more equitably.

The Committee reduced the options and wanted to consider only the following ones: Option W2, Option W6, Option S2, Option S3, Option S6 and Option S7. The other options will be removed from consideration. Mr. Davison will update the possible scenarios using the chosen options and present them to the Committee at the next meeting scheduled for May 11th.

Documents Agenda, April 4, 2023 Minutes, Town of Needham Step Structure, Water & Sewer Rates, Water Operational Expense Forecast Three Year Outlook, Sewer Operational Expense Forecast Three Year Outlook, Sewer & Water User Rate Structure Recap – Three Year Trending Average Revenue Target, Water Billable Use By Step, Sewer Billable Use By Step, Water Enterprise Current Rate Structure and Options, Sewer Enterprise Current Rate Structure and Options, Water and Sewer Rate Concepts Revenue Target Range, Water & Sewer Rate Concepts

Adjournment

Mr. Terry made a motion that the Committee adjourned at 2:33 PM. Mr. Loughran seconded the motion. The motion was then voted upon and approved unanimously. 5 yeas - 0 nays – 0 abstain.

The next meetings are scheduled for May 11, 2023, and May 25, 2023 at 6:00 PM at the Town Hall.

These notes are intended to convey the content of the discussions at the Committee meeting. If no comments are received by the next meeting, they will go to file as part of the permanent Committee record.

Preliminary for Discussion Only

TOWN OF NEEDHAM

Water and Sewer Rate Structure Committee

11-May-23

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**Town of Needham
Step Structure**

	Residential Quarterly		Commercial Monthly	
Step 1	-	600	-	200
Step 2	600	2,700	200	900
Step 3	2,700	4,200	900	1,400
Step 4	4,200	99,999,999	1,400	99,999,999

Water and Sewer Rate Structure Committee

Town of Needham

Water and Sewer Rates

Description	FY2019	FY2020	FY2021	FY2022	FY2023
Basic Service Fee - Quarterly	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00
Basic Service Fee - Monthly	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00
Water - Primary Meter					
Step 1	\$3.10	\$3.18	\$3.18	\$3.18	\$3.24
Step 2	\$3.30	\$3.39	\$3.39	\$3.39	\$3.46
Step 3	\$4.15	\$4.26	\$4.26	\$4.26	\$4.35
Step 4	\$5.10	\$5.24	\$5.24	\$5.24	\$5.34
Second Meter Fee - Quarterly					
Second Meter Fee - Monthly	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00
	\$1.34	\$1.34	\$1.34	\$1.34	\$1.34
Water - Secondary Meter					
Step 1	\$5.10	\$5.24	\$5.24	\$5.24	\$5.50
Step 2	\$5.50	\$5.65	\$5.65	\$5.65	\$5.93
Step 3	\$6.10	\$6.26	\$6.26	\$6.26	\$6.57
Step 4	\$8.10	\$8.32	\$8.32	\$8.32	\$8.74
Basic Sewer Fee - Quarterly					
Basic Sewer Fee - Monthly	\$9.00	\$9.00	\$9.00	\$9.00	\$12.00
	\$3.00	\$3.00	\$3.00	\$3.00	\$4.00
Sewer					
Step 1	\$8.82	\$9.08	\$9.08	\$9.08	\$9.53
Step 2	\$9.74	\$10.02	\$10.02	\$10.02	\$10.52
Step 3	\$10.51	\$10.81	\$10.81	\$10.81	\$11.35
Step 4	\$11.46	\$11.79	\$11.79	\$11.79	\$12.38
Septage Disposal					
Per 1,000 Gallons	\$85.00	\$85.00	\$85.00	\$85.00	\$85.00
Prices are per 100 CF (cubic feet) except septage which is per 1,000 gallons.					

Average*	FY2019	FY2020	FY2021	FY2022	FY2023
Average Household Water Bill	\$461	\$472	\$472	\$472	\$481
Average Household Sewer Bill	\$1,192	\$1,225	\$1,225	\$1,225	\$1,297
Total for Sewer & Water Usage	\$1,653	\$1,698	\$1,698	\$1,698	\$1,777

* Average Household use is based on 12,000 cubic feet of water per year

Water and Sewer Rate Structure Committee

Operational Expense
Forecast

Three Year Outlook

	Budget 2021	Budget 2022	Budget 2023	Estimate 2024	Projection 2025	Projection 2026
Water Enterprise						
Salaries & Wages	\$1,360,541	\$1,457,409	\$1,503,306	\$1,598,687	\$1,673,825	\$1,752,495
Expenses	\$1,269,070	\$1,294,764	\$1,361,349	\$1,564,469	\$1,633,306	\$1,705,171
Capital Outlay	\$15,000	\$40,000	\$0	\$53,605	\$53,605	\$53,605
MWRA**	\$1,126,226	\$1,670,433	\$1,464,186	\$1,886,141	\$1,886,141	\$1,886,141
Reserve Fund	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
Debt Service	\$1,250,000	\$1,250,000	\$1,250,000	\$1,250,000	\$1,250,000	\$1,250,000
Operating Budget	\$5,289,337	\$5,792,335	\$5,653,841	\$6,427,902	\$6,571,877	\$6,722,412
Indirect Costs	\$864,193	\$899,889	\$715,567	\$733,456	\$751,793	\$770,587
Percent of OB	16.3%	15.5%	12.7%	11.4%	11.4%	11.5%
Operational Cost	\$6,153,530	\$6,692,224	\$6,369,408	\$7,161,358	\$7,323,670	\$7,493,000
	0.1%	8.8%	-4.8%	12.4%	2.3%	2.3%
Cash Capital Plan	\$43,002	\$1,016,634	\$0	\$3,271,633	\$551,500	\$763,721
Total	\$6,196,532	\$7,708,858	\$6,369,408	\$10,432,991	\$7,875,170	\$8,256,721
						\$8,854,960

Outlook
Average

\$7,326,009

Operational Expense Forecast Three Year Outlook

May 11, 2023

SEWER & WATER
User Rate Structure Recap
Three Year Trending Average Revenue Target
SEWER USER RATE REVENUE TARGET RECAP

Operating Appropriation Period Average	\$10,813,357.00
Less Estimated Fix Rate Revenue	(\$345,000)
Less Estimated General Fund Payment	(\$800,000)
Add Doubtful Account Allowance (0.75%)	\$81,100

Expenditures to be Supported by Rate Revenue	\$9,749,457
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Rounding Adjustment	(\$457)
User Rate Revenue Target	\$9,749,000

Estimated Billable Volume (4-Yr Average) FY2018 - FY2022 Excludes FY2020 Data	89,752,800
Minimum Flat Rate	\$10.86

WATER USER RATE REVENUE TARGET RECAP

Operating Appropriation Period Average	\$7,326,009.00
Less Estimated Fix Rate Revenue	(\$740,000)
Add Doubtful Account Allowance (0.75%)	\$54,945

Expenditures to be Supported by Rate Revenue	\$6,640,954
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Rounding Adjustment	\$46
User Rate Revenue Target	\$6,641,000

Estimated Billable Volume (4-Yr Average) FY2018 - FY2022 Excludes FY2020 Data	138,375,700
Minimum Flat Rate	\$4.80

Water and Sewer Rate Structure Committee

Billable Use

By Step

Hundred Cubic Feet

Fiscal Year	2018	2019	2020	2021	2022	4-Yr Average (2018 - 2022) excludes 2020
Primary Water						
Step 1	274,363.4	276,654.6	283,143.3	287,089.5	282,840.5	280,237.0
Step 2	427,707.6	436,996.0	442,660.4	490,290.7	443,897.7	449,723.0
Step 3	44,712.2	47,203.1	45,305.1	62,028.2	47,766.2	50,427.4
Step 4	317,753.8	256,618.2	168,555.2	170,052.6	209,539.6	238,491.1
Total	1,064,537.0	1,017,471.9	939,664.0	1,009,461.0	984,044.0	1,018,878.5

Secondary Water						
Step 1	52,793.4	55,314.0	52,258.0	66,922.0	60,912.0	58,985.4
Step 2	102,787.0	113,968.0	103,864.4	142,812.0	120,922.0	120,122.3
Step 3	36,472.6	45,022.0	39,349.2	59,374.0	43,707.0	46,143.9
Step 4	92,522.0	121,116.0	107,935.4	173,833.0	171,039.0	139,627.5
Total	284,575.0	335,420.0	303,407.0	442,941.0	396,580.0	364,879.0

Primary Water						
Step 1	25.8%	27.2%	30.1%	28.44%	28.74%	27.5%
Step 2	40.2%	42.9%	47.1%	48.57%	45.11%	44.1%
Step 3	4.2%	4.6%	4.8%	6.14%	4.85%	4.9%
Step 4	29.8%	25.2%	17.9%	16.85%	21.29%	23.4%
Total	100.0%	100.0%	100.0%	100.00%	100.00%	100.00%

Secondary Water						
Step 1	18.6%	16.5%	17.2%	15.11%	15.36%	16.2%
Step 2	36.1%	34.0%	34.2%	32.24%	30.49%	32.9%
Step 3	12.8%	13.4%	13.0%	13.40%	11.02%	12.6%
Step 4	32.5%	36.1%	35.6%	39.25%	43.13%	38.3%
Total	100.0%	100.0%	100.0%	100.00%	100.00%	100.0%

Water and Sewer Rate Structure Committee

Billable Use

By Step

Hundred Cubic Feet

Fiscal Year	2018	2019	2020	2021	2022	4-Yr Average (2018 - 2022) excludes 2020
Billed Sewer						
Step 1	262,752.3	265,301.7	272,172.7	276,105.7	272,582.7	269,185.6
Step 2	405,573.4	414,653.2	421,360.9	466,983.3	422,968.1	427,544.5
Step 3	38,020.4	39,834.0	39,103.5	53,820.7	40,698.9	43,093.5
Step 4	189,077.9	172,016.0	127,597.9	117,136.4	152,588.4	157,704.7
Total	895,424.0	891,804.9	860,235.0	914,046.0	888,838.0	897,528.2

Billed Sewer						
Step 1	29.3%	29.7%	31.6%	30.21%	30.67%	30.0%
Step 2	45.3%	46.5%	49.0%	51.09%	47.59%	47.6%
Step 3	4.2%	4.5%	4.5%	5.89%	4.58%	4.8%
Step 4	21.1%	19.3%	14.8%	12.82%	17.17%	17.6%
Total	100.0%	100.0%	100.0%	100.00%	100.00%	100.0%

Water and Sewer Rate Structure Committee

Water Enterprise				Target Revenue			
Current Rate Structure				\$6,641,000.00			
Domestic Step	Step %	101,887,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	27.5%	28,019,145.00	\$3.24	\$907,820.30	\$4.80	\$1.56	32.5%
2	44.1%	44,932,519.80	\$3.46	\$1,554,665.19	\$4.80	\$1.34	27.9%
3	4.9%	4,992,502.20	\$4.35	\$217,173.85	\$4.80	\$0.45	9.4%
4	23.4%	23,841,745.20	\$5.34	\$1,273,149.19	\$4.80	-\$0.54	-11.3%
Irrigation Step	Step %	36,487,900	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	16.2%	5,911,039.80	\$5.50	\$325,107.19	\$4.80	-\$0.70	-14.6%
2	32.9%	12,004,519.10	\$5.93	\$711,867.98	\$4.80	-\$1.13	-23.5%
3	12.6%	4,597,475.40	\$6.57	\$302,054.13	\$4.80	-\$1.77	-36.9%
4	38.3%	13,974,865.70	\$8.74	\$1,221,403.26	\$4.80	-\$3.94	-82.1%
Grand Total	100.00%	138,273,812		\$6,513,241.09			
				-\$127,758.91			
				98.1%			

Water Enterprise				Target Revenue			
Option W2				\$6,641,000.00			
Uniform % Change All Steps by 1.9%							
Domestic Step	Step %	101,887,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	27.5%	28,019,145.00	\$3.30	\$924,631.79	\$4.80	\$1.50	31.3%
2	44.1%	44,932,519.80	\$3.53	\$1,586,117.95	\$4.80	\$1.27	26.5%
3	4.9%	4,992,502.20	\$4.43	\$221,167.85	\$4.80	\$0.37	7.7%
4	23.4%	23,841,745.20	\$5.44	\$1,296,990.94	\$4.80	-\$0.64	-13.3%
Irrigation Step	Step %	36,487,900	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	16.2%	5,911,039.80	\$5.60	\$331,018.23	\$4.80	-\$0.80	-16.7%
2	32.9%	12,004,519.10	\$6.04	\$725,072.95	\$4.80	-\$1.24	-25.8%
3	12.6%	4,597,475.40	\$6.69	\$307,571.10	\$4.80	-\$1.89	-39.4%
4	38.3%	13,974,865.70	\$8.91	\$1,245,160.53	\$4.80	-\$4.11	-85.6%
Grand Total	100.00%	138,273,812		\$6,637,731.34			
				-\$3,268.66			
				100.0%			

Water and Sewer Rate Structure Committee

Water Enterprise Option W6				Target Revenue			
Increase Steps 2-4 by 2%				\$6,641,000.00			
Domestic Step	Step %	101,887,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	27.5%	28,019,145.00	\$3.24	\$907,820.30	\$4.80	\$1.56	32.5%
2	44.1%	44,932,519.80	\$3.53	\$1,586,117.95	\$4.80	\$1.27	26.5%
3	4.9%	4,992,502.20	\$4.44	\$221,667.10	\$4.80	\$0.36	7.5%
4	23.4%	23,841,745.20	\$5.45	\$1,299,375.11	\$4.80	-\$0.65	-13.5%
Irrigation Step	Step %	36,487,900	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	16.2%	5,911,039.80	\$5.50	\$325,107.19	\$4.80	-\$0.70	-14.6%
2	32.9%	12,004,519.10	\$6.05	\$726,273.41	\$4.80	-\$1.25	-26.0%
3	12.6%	4,597,475.40	\$6.70	\$308,030.85	\$4.80	-\$1.90	-39.6%
4	38.3%	13,974,865.70	\$8.91	\$1,245,160.53	\$4.80	-\$4.11	-85.6%
Grand Total	100.00%	138,273,812	Shortfall	\$6,619,552.44			
				-\$21,447.56			
				99.7%			

New for May 11, 2023 Meeting Water Enterprise Option W2b				Target Revenue			
Uniform % Change All Steps by 2.0%				\$6,641,000.00			
Domestic Step	Step %	101,887,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	27.5%	28,019,145.00	\$3.30	\$924,631.79	\$4.80	\$1.50	31.3%
2	44.1%	44,932,519.80	\$3.53	\$1,586,117.95	\$4.80	\$1.27	26.5%
3	4.9%	4,992,502.20	\$4.44	\$221,667.10	\$4.80	\$0.36	7.5%
4	23.4%	23,841,745.20	\$5.45	\$1,299,375.11	\$4.80	-\$0.65	-13.5%
Irrigation Step	Step %	36,487,900	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	16.2%	5,911,039.80	\$5.61	\$331,609.33	\$4.80	-\$0.81	-16.9%
2	32.9%	12,004,519.10	\$6.05	\$726,273.41	\$4.80	-\$1.25	-26.0%
3	12.6%	4,597,475.40	\$6.70	\$308,030.85	\$4.80	-\$1.90	-39.6%
4	38.3%	13,974,865.70	\$8.91	\$1,245,160.53	\$4.80	-\$4.11	-85.6%
Grand Total	100.00%	138,273,812		\$6,642,866.07			
				\$1,866.07			
				100.0%			

Water and Sewer Rate Structure Committee

Sewer Enterprise				Target Revenue			
Current Rates				\$9,749,000.00			
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86	\$1.33	12.2%
2	47.6%	42,722,332.80	\$10.52	\$4,494,389.41	\$10.86	\$0.34	3.1%
3	4.8%	4,308,134.40	\$11.35	\$488,973.25	\$10.86	-\$0.49	-4.5%
4	17.6%	15,796,492.80	\$12.38	\$1,955,605.81	\$10.86	-\$1.52	-14.0%
	100.00%	89,752,800.00		\$9,505,001.03			
				-\$243,998.97			
							97.5%

Sewer Enterprise Option S2				Target Revenue			
All Steps Change 3.0%				\$9,749,000.00			
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.82	\$2,644,117.49	\$10.86	\$1.04	9.6%
2	47.6%	42,722,332.80	\$10.84	\$4,631,100.88	\$10.86	\$0.02	0.2%
3	4.8%	4,308,134.40	\$11.69	\$503,620.91	\$10.86	-\$0.83	-7.6%
4	17.6%	15,796,492.80	\$12.75	\$2,014,052.83	\$10.86	-\$1.89	-17.4%
	100.00%	89,752,800.00		\$9,792,892.11			
				\$43,892.11			
							100.5%

Water and Sewer Rate Structure Committee

Sewer Enterprise Option S3				Target Revenue			
Steps 2 - 4 Change 4%				\$9,749,000.00			
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86	\$1.33	12.2%
2	47.6%	42,722,332.80	\$10.94	\$4,673,823.21	\$10.86	-\$0.08	-0.7%
3	4.8%	4,308,134.40	\$11.80	\$508,359.86	\$10.86	-\$0.94	-8.7%
4	17.6%	15,796,492.80	\$12.88	\$2,034,588.27	\$10.86	-\$2.02	-18.6%
	100.00%	89,752,800.00		\$9,782,803.89			
				\$33,803.89			
				100.3%			

Sewer Enterprise Option S6				Target Revenue			
Adopt a 3 Step Structure Merge 2 & 3 Keep current S				\$9,749,000.00			
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86	\$1.33	12.2%
2	47.6%	42,722,332.80	\$11.35	\$4,848,984.77	\$10.86	-\$0.49	-4.5%
3	4.8%	4,308,134.40	\$11.35	\$488,973.25	\$10.86	-\$0.49	-4.5%
4	17.6%	15,796,492.80	\$12.38	\$1,955,605.81	\$10.86	-\$1.52	-14.0%
	100.00%	89,752,800.00		\$9,859,596.39			
				\$110,596.39			
				101.1%			

Water and Sewer Rate Structure Committee

Sewer Enterprise Option S7				Target Revenue		
Increase Step 3 by 5% and Step 4 by 10%				\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy
1	30.0%	26,925,840.00	\$9.53	\$2,566,032.55	\$10.86	\$1.33 12.2%
2	47.6%	42,722,332.80	\$10.52	\$4,494,389.41	\$10.86	\$0.34 3.1%
3	4.8%	4,308,134.40	\$11.92	\$513,529.62	\$10.86	-\$1.06 -9.8%
4	17.6%	15,796,492.80	\$13.62	\$2,151,482.32	\$10.86	-\$2.76 -25.4%
	100.00%	89,752,800.00		\$9,725,433.90		
				Shortfall		
				-\$23,566.10		
						99.8%

New for May 11, 2023 Meeting						
Sewer Enterprise Option S2b				Target Revenue		
All Steps Change 2.85%				\$9,749,000.00		
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy
1	30.0%	26,925,840.00	\$9.80	\$2,638,732.32	\$10.86	\$1.06 9.8%
2	47.6%	42,722,332.80	\$10.82	\$4,622,556.41	\$10.86	\$0.04 0.4%
3	4.8%	4,308,134.40	\$11.67	\$502,759.28	\$10.86	-\$0.81 -7.5%
4	17.6%	15,796,492.80	\$12.73	\$2,010,893.53	\$10.86	-\$1.87 -17.2%
	100.00%	89,752,800.00		\$9,774,941.55		
				\$25,941.55		
						100.3%

Water and Sewer Rate Structure Committee

New for May 11, 2023 Meeting

Sewer Enterprise Option S2c				Target Revenue			
All Steps Change 2.70%				\$9,749,000.00			
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.79	\$2,636,039.74	\$10.86	\$1.07	9.9%
2	47.6%	42,722,332.80	\$10.80	\$4,614,011.94	\$10.86	\$0.06	0.6%
3	4.8%	4,308,134.40	\$11.66	\$502,328.47	\$10.86	-\$0.80	-7.4%
4	17.6%	15,796,492.80	\$12.71	\$2,007,734.23	\$10.86	-\$1.85	-17.0%
	100.00%	89,752,800.00		\$9,760,114.38			
				\$11,114.38			
				100.1%			

New for May 11, 2023 Meeting

Sewer Enterprise Option S2d				Target Revenue			
All Steps Change 2.55%				\$9,749,000.00			
Step	Step %	89,752,800	Rate Per HCF	Revenue	Flat Rate	Subsidy	
1	30.0%	26,925,840.00	\$9.77	\$2,630,654.57	\$10.86	\$1.09	10.0%
2	47.6%	42,722,332.80	\$10.79	\$4,609,739.71	\$10.86	\$0.07	0.6%
3	4.8%	4,308,134.40	\$11.64	\$501,466.84	\$10.86	-\$0.78	-7.2%
4	17.6%	15,796,492.80	\$12.70	\$2,006,154.59	\$10.86	-\$1.84	-16.9%
	100.00%	89,752,800.00		\$9,748,015.71			
				-\$984.29			
				100.0%			

Shortfall

**Water and Sewer Rate Concepts
Revenue Target Range**

Revised Scenarios

Option	Concept	% of Target	Target Range*	O/S	Rate Subsidies	Steps
Current	Keep As Is	98.1%	Under	(\$127,759)	Yes	1, 2, & 3
Option W2	All Steps Change 1.9%	100.0%	Within	(\$3,269)	Yes	1, 2, & 3
Option W6	Steps 2 - 4 Change 2%	99.7%	Within	(\$21,448)	Yes	1, 2, & 3
Option S2	All Steps Change 3.0%	100.5%	Within	\$43,892	Yes	1 & 2
Option S3	Steps 2 - 4 Change 4.0%	100.3%	Within	\$33,804	Yes	1
Option S6	Three Step System	101.1%	Within	\$110,596	Yes	1
Option S7	Step 3 by 5%; Step 4 by 10%	99.8%	Within	(\$23,566)	Yes	1 & 2
New Options						
Option W2b	All Steps Change 2.00%	100.0%	Within	\$1,866	Yes	1, 2, & 3
Option S2b	All Steps Change 2.85%	100.3%	Within	\$25,942	Yes	1 & 2
Option S2c	All Steps Change 2.70%	100.2%	Within	\$11,114	Yes	1 & 2
Option S2d	All Steps Change 2.55%	100.0%	Within	(\$984)	Yes	1 & 2

* Rate structure revenue estimate falls within 98.5 to 101.5% of target

Water and Sewer Rate Structure Committee

Water and Sewer Rate Concepts

Annual Water and Sewer Charges

Cost to Average Customer Consuming 12,000 Cubic Feet

Revised Scenarios

Scenario	Water Structure	Sewer Structure	Annual Water	Annual Sewer	Combined	\$ Change from Current	% Change from Current
Current	0	Current	\$480.60	\$1,296.60	\$1,777.20	\$0.00	0.0%
Scenario	6	Current	\$480.60	\$1,303.44	\$1,784.04	\$6.84	0.4%
Scenario	36	Option W6	\$487.56	\$1,303.44	\$1,791.00	\$13.80	0.8%
Scenario	12	Option W2	\$488.88	\$1,303.44	\$1,792.32	\$15.12	0.9%
Scenario New Water	55	Option W2b	\$489.00	\$1,303.44	\$1,792.44	\$15.24	0.9%
Scenario New Sewer	45	Current	\$480.60	\$1,328.52	\$1,809.12	\$31.92	1.8%
Scenario New Sewer	44	Current	\$480.60	\$1,330.08	\$1,810.68	\$33.48	1.9%
Scenario New Sewer	43	Current	\$480.60	\$1,332.12	\$1,812.72	\$35.52	2.0%
Scenario	1	Current	\$480.60	\$1,334.52	\$1,815.12	\$37.92	2.1%
Scenario New Sewer	51	Option W6	\$487.56	\$1,328.52	\$1,816.08	\$38.88	2.2%
Scenario New Sewer	48	Option W2	\$488.88	\$1,328.52	\$1,817.40	\$40.20	2.3%
Scenario New Water & Sewer	58	Option W2b	\$489.00	\$1,328.52	\$1,817.52	\$40.32	2.3%
Scenario New Sewer	50	Option W6	\$487.56	\$1,330.08	\$1,817.64	\$40.44	2.3%
Scenario	2	Current	\$480.60	\$1,337.28	\$1,817.88	\$40.68	2.3%
Scenario New Sewer	47	Option W2	\$488.88	\$1,330.08	\$1,818.96	\$41.76	2.3%
Scenario New Water & Sewer	57	Option W2b	\$489.00	\$1,330.08	\$1,819.08	\$41.88	2.4%

Water and Sewer Rate Concepts
Annual Water and Sewer Charges
Cost to Average Customer Consuming 12,000 Cubic Feet
 Revised Scenarios

Scenario	Water Structure	Sewer Structure	Annual Water	Annual Sewer	Combined	\$ Change from Current	% Change from Current	
Scenario New Sewer	49	Option W6	Option S2b	\$487.56	\$1,332.12	\$1,819.68	\$42.48	2.4%
Scenario New Sewer	46	Option W2	Option S2b	\$488.88	\$1,332.12	\$1,821.00	\$43.80	2.5%
Scenario New Water & Sewer	56	Option W2b	Option S2b	\$489.00	\$1,332.12	\$1,821.12	\$43.92	2.5%
Scenario	31	Option W6	Option S2	\$487.56	\$1,334.52	\$1,822.08	\$44.88	2.5%
Scenario	7	Option W2	Option S2	\$488.88	\$1,334.52	\$1,823.40	\$46.20	2.6%
Scenario New Water	52	Option W2b	Option S2	\$489.00	\$1,334.52	\$1,823.52	\$46.32	2.6%
Scenario	32	Option W6	Option S3	\$487.56	\$1,337.28	\$1,824.84	\$47.64	2.7%
Scenario	8	Option W2	Option S3	\$488.88	\$1,337.28	\$1,826.16	\$48.96	2.8%
Scenario New Water	53	Option W2b	Option S3	\$489.00	\$1,337.28	\$1,826.28	\$49.08	2.8%
Scenario	5	Current	Option S6	\$480.60	\$1,366.32	\$1,846.92	\$69.72	3.9%
Scenario	35	Option W6	Option S6	\$487.56	\$1,366.32	\$1,853.88	\$76.68	4.3%
Scenario	11	Option W2	Option S6	\$488.88	\$1,366.32	\$1,855.20	\$78.00	4.4%
Scenario New Water	54	Option W2b	Option S6	\$489.00	\$1,366.32	\$1,855.32	\$78.12	4.4%

Water and Sewer Rate Concepts

Annual Water and Sewer Charges

9,094 C.F. Billed Usage 2021 DEP Needham Average

Revised Scenarios

Scenario	Water Structure	Sewer Structure	Annual Water	Annual Sewer	Combined	\$ Change from Current	% Change from Current
Current	0	Current	\$369.37	\$980.93	\$1,350.30	\$0.00	0.0%
Scenario	6	Current	\$369.37	\$980.93	\$1,350.30	\$0.00	0.0%
Scenario	36	Option W6	\$374.06	\$980.93	\$1,354.99	\$4.69	0.3%
Scenario	12	Option W2	\$375.50	\$980.93	\$1,356.43	\$6.13	0.5%
Scenario New Water	55	Option W2b	\$375.50	\$980.93	\$1,356.43	\$6.13	0.5%
Scenario New Sewer	45	Current	\$369.37	\$1,004.76	\$1,374.14	\$23.83	1.8%
Scenario New Sewer	44	Current	\$369.37	\$1,005.91	\$1,375.28	\$24.98	1.9%
Scenario New Sewer	43	Current	\$369.37	\$1,007.49	\$1,376.86	\$26.56	2.0%
Scenario	2	Current	\$369.37	\$1,009.04	\$1,378.42	\$28.11	2.1%
Scenario	1	Current	\$369.37	\$1,009.31	\$1,378.68	\$28.38	2.1%
Scenario New Sewer	51	Option W6	\$374.06	\$1,004.76	\$1,378.82	\$28.52	2.1%
Scenario New Sewer	50	Option W6	\$374.06	\$1,005.91	\$1,379.97	\$29.67	2.2%
Scenario New Sewer	48	Option W2	\$375.50	\$1,004.76	\$1,380.26	\$29.96	2.2%
Scenario New Water & Sewer	58	Option W2b	\$375.50	\$1,004.76	\$1,380.26	\$29.96	2.2%
Scenario New Sewer	47	Option W2	\$375.50	\$1,005.91	\$1,381.41	\$31.11	2.3%
Scenario New Water & Sewer	57	Option W2b	\$375.50	\$1,005.91	\$1,381.41	\$31.11	2.3%

Water and Sewer Rate Concepts
Annual Water and Sewer Charges
9,094 C.F. Billed Usage 2021 DEP Needham Average
 Revised Scenarios

Scenario		Water Structure	Sewer Structure	Annual Water	Annual Sewer	Combined	\$ Change from Current	% Change from Current
Scenario New Sewer	49	Option W6	Option S2b	\$374.06	\$1,007.49	\$1,381.55	\$31.25	2.3%
Scenario New Sewer	46	Option W2	Option S2b	\$375.50	\$1,007.49	\$1,382.99	\$32.69	2.4%
Scenario New Water & Sewer	56	Option W2b	Option S2b	\$375.50	\$1,007.49	\$1,382.99	\$32.69	2.4%
Scenario	32	Option W6	Option S3	\$374.06	\$1,009.04	\$1,383.10	\$32.80	2.4%
Scenario	31	Option W6	Option S2	\$374.06	\$1,009.31	\$1,383.37	\$33.07	2.4%
Scenario	8	Option W2	Option S3	\$375.50	\$1,009.04	\$1,384.54	\$34.24	2.5%
Scenario New Water	53	Option W2b	Option S3	\$375.50	\$1,009.04	\$1,384.54	\$34.24	2.5%
Scenario	7	Option W2	Option S2	\$375.50	\$1,009.31	\$1,384.81	\$34.51	2.6%
Scenario New Water	52	Option W2b	Option S2	\$375.50	\$1,009.31	\$1,384.81	\$34.51	2.6%
Scenario	5	Current	Option S6	\$369.37	\$1,036.49	\$1,405.86	\$55.56	4.1%
Scenario	35	Option W6	Option S6	\$374.06	\$1,036.49	\$1,410.55	\$60.25	4.5%
Scenario	11	Option W2	Option S6	\$375.50	\$1,036.49	\$1,411.99	\$61.69	4.6%
Scenario New Water	54	Option W2b	Option S6	\$375.50	\$1,036.49	\$1,411.99	\$61.69	4.6%

Water and Sewer Rate Structure Committee

Residential Billed Jan - Mar 2023		Secondary Water (Irrigation)		Domestic Water	
Accounts	Count	Gallons	%	Count	Gallons
Accounts With Step 1 Consumption	4,955	4,385,853	30.3%	8,891	38,273,709
Accounts With Step 2 Consumption	1,502	4,741,968	13.0%	8,847	59,822,549
Accounts With Step 3 Consumption	646	1,114,804	3.3%	7,880	4,396,632
Accounts With Step 4 Consumption	162	3,464,474	2.0%	818	4,228,758
Total Gallons-->	99	13,707,100		206	106,721,648

Residential Billed Oct - Dec 2022		Secondary Water (Irrigation)		Domestic Water	
Accounts	Count	Gallons	%	Count	Gallons
Accounts With Step 1 Consumption	5,100	18,646,892	86.5%	9,103	39,252,990
Accounts With Step 2 Consumption	4,414	49,268,277	75.5%	8,926	72,844,062
Accounts With Step 3 Consumption	3,853	22,845,169	47.6%	8,139	11,046,277
Accounts With Step 4 Consumption	2,428	71,442,714	32.8%	1,601	20,105,402
Total Gallons-->	1,674	162,203,052		607	143,248,732

Residential Billed Oct - Dec 2021		Secondary Water (Irrigation)		Domestic Water	
Accounts	Count	Gallons	%	Count	Gallons
Accounts With Step 1 Consumption	5,098	16,536,784	80.8%	9,274	39,877,466
Accounts With Step 2 Consumption	4,119	37,756,796	63.5%	9,086	67,996,506
Accounts With Step 3 Consumption	3,238	14,425,928	32.0%	8,141	7,707,616
Accounts With Step 4 Consumption	1,632	32,123,608	19.4%	1,149	13,330,976
Total Gallons-->	987	100,843,116		390	128,912,564

Residential Billed Oct - Dec 2020		Secondary Water (Irrigation)		Domestic Water	
Accounts	Count	Gallons	%	Count	Gallons
Accounts With Step 1 Consumption	5,012	18,693,268	87.5%	9,284	40,048,010
Accounts With Step 2 Consumption	4,385	51,939,624	77.5%	9,084	80,194,890
Accounts With Step 3 Consumption	3,886	25,001,152	52.7%	8,217	13,199,432
Accounts With Step 4 Consumption	2,642	71,941,892	36.4%	1,894	21,174,504
Total Gallons-->	1,822	167,575,936		704	154,616,836

Water and Sewer Rate Structure Committee

Residential Billed Oct - Dec 2022	Domestic Water Count	Gallons	%	Sewer Count	Gallons	%
Accounts	9,103			8,709		
Accounts With Step 1 Consumption	8,926	39,252,990	98.1%	8,555	37,599,058	98.2%
Accounts With Step 2 Consumption	8,139	72,844,062	89.4%	7,801	68,508,348	89.6%
Accounts With Step 3 Consumption	1,601	11,046,277	17.6%	1,384	8,829,347	15.9%
Accounts With Step 4 Consumption	607	20,105,402	6.7%	433	8,777,960	5.0%
Total Gallons-->		143,248,732			123,714,712	

Residential Billed Oct - Dec 2021	Domestic Water Count	Gallons	%	Sewer Count	Gallons	%
Accounts	9,274			8,830		
Accounts With Step 1 Consumption	9,086	39,877,466	98.0%	8,662	38,055,338	98.1%
Accounts With Step 2 Consumption	8,141	67,996,506	87.8%	7,769	63,768,062	88.0%
Accounts With Step 3 Consumption	1,149	7,707,616	12.4%	956	5,771,044	10.8%
Accounts With Step 4 Consumption	390	13,330,976	4.2%	245	4,916,724	2.8%
Total Gallons-->		128,912,564			112,511,168	

Residential Billed Oct - Dec 2020	Domestic Water Count	Gallons	%	Sewer Count	Gallons	%
Accounts	9,284			8,859		
Accounts With Step 1 Consumption	9,084	40,048,010	97.8%	8,673	38,236,354	97.9%
Accounts With Step 2 Consumption	8,217	80,194,890	88.5%	7,926	75,320,922	89.5%
Accounts With Step 3 Consumption	1,894	13,199,432	20.4%	1,648	10,767,684	18.6%
Accounts With Step 4 Consumption	704	21,174,504	7.6%	510	7,779,320	5.8%
Total Gallons-->		154,616,836			132,104,280	

WATER AND SEWER RATE STRUCTURE COMMITTEE

TOWN OF NEEDHAM

MEETING MINUTES

Date: May 11, 2023

Time: 5:30 PM

Location: Town Hall & Zoom Hybrid

WSRSC Member Attendance:

Present: John Tallarico (chair), Harold Burger, Tom Loughran, John Terry,
Matt Zollner

Absent:

Other Attendees:	David Davison	Asst Town Manager/Director of Finance
	Mike Retzky	Superintendent of Water & Sewer
	Shane Mark	Assistant DPW Director
	Cecilia Simchak	Director of Finance & Admin for Public Services

Notes prepared by: Kathryn Copley Administrative Specialist

This meeting was posted on the Town web site as a hybrid meeting:

Remote access on Zoom Cloud Meetings

Meeting ID # 844 3575 4679

<https://us02web.zoom.us/j/84435754679>

Mr. Tallarico called the meeting to order at 5:31 PM.

Acceptance of Minutes

Mr. Loughran made a motion that the Committee accept the minutes from the April 28, 2023 meeting as presented. Mr. Zollner seconded the motion. The motion was then voted upon and approved unanimously. 5 yeas - 0 nays – 0 abstain.

Discussion

The average operational cost forecast for water over the three-year period of FY2024, FY2025 and FY2026 is \$7,326,009 and for sewer is \$10,813,357. The forecasted operational cost average is the starting basis for determining how much user rate revenue needs to be raised. Because the user rate revenue target is based on estimates and averages, we consider a water rate structure that is estimated to generate revenue which falls between 98.5% to 101.5% of the target, as meeting the target.

The Committee reduced the options presented for consideration at the April 28th meeting to the following ones: Option W2, Option W6, Option S2, Option S3, Option S6 and Option S7. Mr. Davison added four new modifications, one new water option (W2b) and three new sewer options

(S2b, S2c, S2d), for consideration. He reviewed the updated water and sewer rate structure options and scenarios.

The current billed water estimated revenue is at 98.1% and the shortfall is \$127,758.91. The billable water desired revenue target falls between 98.5% to 101.5%. Three water options were reviewed.

Option W2 proposes a uniform percentage change in all steps by 1.9%, which would produce a shortfall of \$3,268.66 and target percentage of 100.0%.

Option W6 proposes an increase in Steps 2 through 4 by 2%, which would produce a shortfall of \$21,447.56 and target percentage of 99.7%.

Option W2b proposes a uniform percentage change in all steps by 2.0%, which would produce a shortfall of \$1,866.07 and target percentage of 100.0%.

The current billed sewer estimated revenue is at 97.5% and the shortfall is \$243,998.97. The billable sewer desired revenue target falls between 98.5% to 101.5%. Seven sewer options were reviewed.

Option S2 proposes a uniform increase in all steps by 3.0%, which would produce a surplus of \$43,892.11 and target percentage of 100.5%.

Option S3 proposes an increase in Steps 2 through 4 by 4%, which would produce a surplus of \$33,803.89 and target percentage of 100.3%.

Option S6 proposes the adoption of a three Step structure merging 2 & 3 at the current Step 3 rate, which would produce a surplus of \$110,596.39 and target percentage of 101.1%.

Option S7 proposes an increase in Step 3 by 5% and Step 4 by 10%, which would produce a shortfall of \$23,566.10 and target percentage of 99.8%.

Option S2b proposes a uniform increase in all steps by 2.85%, which would produce a surplus of \$25,941.55 and target percentage of 100.3%.

Option S2c proposes a uniform increase in all steps by 2.7%, which would produce a surplus of \$11,114.38 and target percentage of 100.1%.

Option S2d proposes a uniform increase in all steps by 2.55%, which would produce a shortfall of \$984.29 and target percentage of 100.0%.

It was noted again that relying on higher irrigation rates to cover costs is risky as a wet summer may see a marked decrease in irrigation water usage and the revenue target unmet. It was felt that the increase in rates should not be a higher burden to either the low-end water users or to the high-end water users. The rate increase should be shared more equitably.

The Committee discussed the advantages and disadvantages of the updated scenario combinations.

The primary recommendation by the Committee to the Select Board is to increase water rates by a uniform percentage change in all steps by 1.9% (W2) and increase sewer rates by a uniform increase in all steps by 3.0% (S2) in FY24. This was Scenario 7. Under this scenario, a billed

usage of 9,094 C.F. or 12,000 C.F., would see a 2.6% average increase change from the current rate. Two alternate scenarios recommended were Scenario 56 (W2b & S2b) and Scenario 52 (W2b & S2). These recommendations will be delivered to the Select Board before the Public Hearing scheduled for June 13th.

Mr. Retzky reported on the Water, Sewer and Drain Division operations. Unidirectional flushing of the watermain and hydrants is ongoing and is scheduled to go through May 30, but could be completed as soon as May 18th.

The final paving, clean-up and lawn restoration is being coordinated and scheduled with the Contractor and DPW/Engineering Division for the 16" diameter watermain replacement project on Marked Tree Road from High Rock Street to Central Avenue and on Central Ave, between Marked Tree Road and Pine Street.

The Lake Drive sewer pump station replacement project is scheduled to begin construction this month. D'Allessandro Corporation is the contractor and the DPW Engineering Department will be overseeing the project.

The Route 128/I-95 Sewer interceptor replacement and rehabilitation design study is in process with DPW Engineering Department and Environmental Partners, their consulting engineer.

The contract for the Rosemary Street 16" diameter water main project was awarded to Revoli Construction. A pre-construction meeting was held last week, and a schedule is being developed. This water main currently runs underneath Rosemary Lake and will be abandoned in place. The new water main will be relocated and installed in Rosemary Street.

The MWRA Tunnel Program will be creating a Needham specific web page on their Tunnel Program website within two months. They cancelled the scheduled May 3rd meeting.

The department is in the process of hiring a heavy motor equipment operator. Several staffing positions have been filled with internal candidates and the department is now looking to fill those vacancies.

The Towns contractor, AD Paolini Construction, is performing water service renewals for the few known services that contain lead.

A tentative date of Friday, June 23, 2023, at 10 am has been scheduled for the Committee to tour several of the water and sewer facilities.

The next Committee meeting is scheduled for June 13 at 5:45 pm at the Town Hall right before the public hearing scheduled for 6:00 pm. They will attend the Select Board meeting in Powers Hall at 6 pm for the Public Hearing on the Water and Sewer Rates recommendations.

Mr. Loughran indicated he will be stepping down from the Committee.

Documents Agenda, April 28, 2023 Minutes, Town of Needham Step Structure, Water & Sewer Rates, Water Operational Expense Forecast Three Year Outlook, Sewer Operational Expense Forecast Three Year Outlook, Sewer & Water User Rate Structure Recap – Three Year Trending Average Revenue Target, Water Billable Use By Step, Sewer Billable Use By Step, Water Enterprise Current Rate Structure and Options (updated), Sewer Enterprise Current Rate Structure

and Options (updated), Water and Sewer Rate Concepts Revenue Target Range Revised Scenarios, Water & Sewer Rate Concepts Revised Scenarios, Residential use chart, Superintendent update

Adjournment

Mr. Terry made a motion that the Committee adjourned at 6:38 PM. Mr. Loughran seconded the motion. The motion was then voted upon and approved unanimously. 5 yeas - 0 nays – 0 abstain.

The next meeting is scheduled for June 13, 2023, at 5:45 PM at the Town Hall.

These notes are intended to convey the content of the discussions at the Committee meeting. If no comments are received by the next meeting, they will go to file as part of the permanent Committee record.



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Public Hearing: Alcohol License Hearing – Pancho’s Taqueria Needham LLC d/b/a Pancho’s Taqueria
Presenter(s)	• Carlos Chavira, Owner & Manager of Record • John Schlittler, Chief of Police

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Select Board, as local licensing authority, will hold a public hearing in accordance with the provisions of M.G.L. c. 138 Sections 12, 34, 64, and 67 and Town of Needham Alcohol Regulations. The purpose of the hearing will be to consider the modification, suspension, revocation, or cancellation of the Section 12 Restaurant All Alcohol license for Pancho’s Taqueria Needham LLC d/b/a Pancho’s Taqueria. The Chief of Police will be present to provide evidence.	
2.	VOTES REQUIRED BY SELECT BOARD
1. a. Move that the Select Board _____ <i>[finds OR does not find]</i> sufficient evidence that, on April 12, 2023, Pancho’s Taqueria Needham LLC d/b/a Pancho’s Taqueria violated 204 CMR 2.05(2) permitting an illegality on the licensed premises, to wit: Chapter 138, Section 34, sale or delivery of an alcoholic beverage to a person under twenty-one years of age; <i>(should such evidence be found)</i> and b. Move that the Select Board suspend Pancho’s Taqueria Needham LLC d/b/a Pancho’s Taqueria Section 12 Restaurant All Alcoholic Liquor License for a period of _____ day(s) to be served _____ <i>[immediately and consecutively OR consecutively on set dates in the future];</i> and c. Move that the Select Board authorize the Town Manager to draft and send notice of the Select Board’s decision to the Licensee and to the Alcoholic Beverages Control Commission.	



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

- 2.
- a. Move that the Select Board _____ *[finds OR does not find]* sufficient evidence that, on April 12, 2023, Pancho's Taqueria Needham LLC d/b/a Pancho's Taqueria violated Town of Needham Alcohol Regulations (Revised July 26, 2022): Section 4.6.11 relative to training required by staff who serve alcoholic beverages; *(should such evidence be found)* and
 - b. Move that the Select Board suspend Pancho's Taqueria Needham LLC d/b/a Pancho's Taqueria Section 12 Restaurant All Alcoholic Liquor License for a period of _____ day(s) to be served _____ *[immediately and consecutively OR consecutively on set dates in the future]*; and
 - c. Move that the Select Board authorize the Town Manager to draft and send notice of the Select Board's decision to the Licensee and to the Alcoholic Beverages Control Commission.

3. BACK UP INFORMATION ATTACHED

- a. Violation Notice
- b. Five-Year Lookback Summary of Compliance Check Violations by Needham 365 Bev, LLC d/b/a Residence Inn and Penalties Imposed
- c. M.G.L. Chapter 138 Sections 12, 34, 64, and 67
- d. Town of Needham Alcohol Regulations (Revised July 26, 2022)



TOWN OF NEEDHAM
Town Hall
1471 Highland Avenue
Needham, MA 02492-2669

**Office of the
Town Manager**

Telephone: (781) 455-7500
Email: OTM@NeedhamMA.gov

May 30, 2023

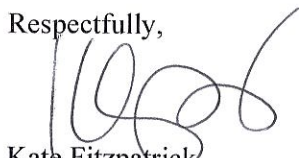
Carlos Chavira
Pancho's Taqueria Needham, LLC d/b/a Pancho's Taqueria
1450 Highland Avenue
Needham, MA 02492

Dear Carlos:

In a previous letter dated May 25, 2023 (attached), you were notified of a public hearing relative to an alcohol compliance check failure on April 12, 2023.

This letter is to notify you that the hearing time has changed to **Tuesday, June 13th, 2023 at 6:30 PM.** **The date and location of the hearing have not changed – only the time.** If you are unable to attend in person, please contact my staff contact by email at mtucker@needhamma.gov to receive a Zoom link.

Respectfully,



Kate Fitzpatrick
Town Manager

cc: Select Board
John Schlittler, Chief of Police
Tim McDonald, Director of Health and Human Services
Myles Tucker, Support Services Manager



TOWN OF NEEDHAM
Town Hall
1471 Highland Avenue
Needham, MA 02492-2669

**Office of the
Town Manager**

Telephone: (781) 455-7500
Email: OTM@NeedhamMA.gov

May 25, 2023

Carlos Chavira
Pancho's Taqueria Needham, LLC d/b/a Pancho's Taqueria
1450 Highland Avenue
Needham, MA 02492

Dear Carlos:

On May 17th, 2023 you met with the Chair and Vice Chair of the Needham Select Board and me to discuss the report by the Needham Police Department that your staff served alcoholic beverages to a person under twenty-one years of age during a compliance check on April 12th, 2023, in violation of Massachusetts General Laws, Chapter 138, Section 34. In addition, you identified that the staff member who served the minor was not trained in alcohol service, in violation of Town of Needham Regulations for the Sale of Alcoholic Beverages (Revised July 26, 2022) Section 4.6.11.

You provided an account of the encounter, prior violations, and steps taken to ensure that future service to underage persons does not occur, to include a discussion on training for all service staff and new practices and procedures employed by your establishment. While we appreciate your seriousness in addressing this matter, the number of compliance check failures at your establishment over the prior five years requires the Board to hold a public hearing to deliberate a potential penalty for the most recent violation.

This letter is to inform you that **your public hearing will take place on Tuesday, June 13th, 2023 at 6:10 PM in Needham Town Hall (Select Board Chambers)**. If you are unable to attend in person, please contact my staff contact by email at mtucker@needhamma.gov to receive a Zoom link.

The Town of Needham takes its responsibility for licensing liquor establishments seriously. The Select Board is committed to ensuring that the Town remains a community where only safe, responsible service of alcoholic beverages is permitted. If you have any questions, please contact our office.

Respectfully,

Kate Fitzpatrick
Town Manager

cc: Select Board
John Schlittler, Chief of Police
Tim McDonald, Director of Health and Human Services
Myles Tucker, Support Services Manager

Pancho's Taqueria Needham, LLC d/b/a Pancho's Taqueria	Restaurant	All Alcoholic	Operative 1: Checked ID, no manager present	12/1/2021 - Written Warning, 12/7/2022 - 2 Day Suspension	Mandatory Public Hearing, 3-5 Day Suspension
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Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 12** LICENSES AUTHORIZING SALE OF BEVERAGES TO BE DRUNK ON PREMISES; VETERANS' ORGANIZATIONS, CORPORATIONS, ETC.; SUSPENSION OR REVOCATION; HOURS OF SALE; LIQUEURS AND CORDIALS; LIQUOR LEGAL LIABILITY INSURANCE REQUIREMENT

Section 12. A common victualler duly licensed under chapter one hundred and forty to conduct a restaurant, an innholder duly licensed under said chapter to conduct a hotel, a pub brewer, a continuing care retirement community and a keeper of a tavern as defined by this chapter, in any city or town wherein the granting of licenses under this section to sell all alcoholic beverages or only wines and malt beverages, as the case may be, is authorized by this chapter, subject however, in the case of a tavern, to the provisions of section eleven A, may be licensed by the local licensing authorities, subject to the prior approval of the commission, to sell to travelers, strangers and other patrons and customers not under twenty-one years of age, such beverages to be served and drunk, in case of a hotel or restaurant or continuing care retirement community licensee, only in the dining room or dining rooms and in such other public rooms or areas of a hotel as the local licensing authorities may deem reasonable

and proper, and approve in writing; and provided further, that the limitations relative to service and consumption in a restaurant or hotel or continuing care retirement community only in the dining rooms and such other public rooms or areas deemed reasonable and proper by the local licensing authority shall not be deemed to preclude the restaurant or hotel from allowing a patron to retain and take off the premises only so much as may remain of a bottled wine purchased by the patron in conjunction with a meal and not totally consumed by the patron during such meal; provided further, that the limitations relative to service and consumption in a tavern, club or war veterans' organization licensed pursuant to this section shall not be deemed to preclude the tavern, club or war veterans' organization from allowing a patron, member or guest, as the case may be, to retain and take off the premises only so much as may remain of a bottled wine purchased by the patron, member or guest in conjunction with a meal and not totally consumed by the patron, member or guest during such meal; provided further, that all such wine bottles shall be resealed in accordance with regulations promulgated by the commission and transported in a manner authorized in section 24I of chapter 90 when carried in a motor vehicle, as defined in section 1 of said chapter 90; provided, that no tavern license shall be granted to the holder of a hotel license hereunder. Such sales may also be made, by an innholder licensed hereunder, to registered guests occupying private rooms in his hotel, and in the dining room or dining rooms and in such other public rooms or areas of buildings on the same premises as the hotel and operated as appurtenant and contiguous to and in conjunction with such hotel, and to registered guests occupying private rooms in such buildings and in the case of condominium accommodations that are located appurtenant and contiguous to and also upon the same premises as a hotel, sales may be

made by the hotel licensee as the local licensing authorities may deem reasonable and proper, and approve in writing. Such sales may also be made by a continuing care retirement community licensed hereunder, to residents or guests of residents in rooms in a continuing care retirement community, and in the dining rooms and in such other public rooms or areas of buildings on the same premises as the continuing care retirement community and operated as appurtenant and contiguous to and in conjunction with such continuing care retirement community, and to guests of residents in such buildings; provided, however, that such sales may be made by the continuing care retirement community licensee as the local licensing authorities may deem reasonable and proper and approve in writing. Such sales may be made by a restaurant licensee at such stands or locations in a sports arena, stadium, ball park, race track, auditorium or in any one building at an airport as the local licensing authority may deem reasonable and proper, and approve in writing. A local licensing authority may grant a license for the sale of all alcoholic beverages or a license for the sale of wines and malt beverages at any location on the grounds of a golf course as it deems reasonable and proper. Upon an application for a restaurant license, the local licensing authorities may in their discretion grant such a license authorizing the sale of alcoholic beverages on all days of the week or one authorizing such sale on secular days only, and the decision of such authorities as to which of the two types may be granted upon any particular application shall be final. During such time as the sale of such alcoholic beverages is authorized in any city or town under this chapter, the authority to grant innholders' and common victuallers' licenses therein under chapter one hundred and forty shall be vested in the local licensing authorities; provided, that if a person applies for the renewal of both a common

victualler's license or an innholder's license under said chapter one hundred and forty and a hotel or a restaurant license, as the case may be, under this section and the local licensing authorities refuse to grant said common victualler's or innholder's license or fail to act on the applications therefor within a period of thirty days, such applicant may appeal therefrom to the commission in the same manner as provided in section sixty-seven and all the provisions of said section relative to licenses authorized to be issued by local licensing authorities under this chapter shall apply in the case of such common victualler's license or innholder's license.

If a license granted under this section to a person holding a license as an innholder or common victualler is suspended or revoked for any particular cause, no action shall be taken on account thereof by such authorities with respect to such innholder's or common victualler's license prior to the expiration of the period provided for an appeal under section sixty-seven in case no such appeal is taken, or prior to the disposition of any such appeal so taken, nor thereafter, except for further cause, in case such disposition is in favor of the appellant. Any club in any city or town wherein the granting of licenses to sell alcoholic beverages, or only wines and malt beverages, as the case may be, is authorized under this chapter may be licensed by the local licensing authorities, subject to the approval of the commission, to sell such beverages to its members only, and also, subject to regulations made by the local licensing authorities, to guests introduced by members, and to no others. A member of a club licensed under this section may bring wine to be consumed on the premises with a meal purchased at the club, unless the club objects, which it may do at its sole discretion. At all times the club shall control the handling, serving and dispensing of wine in accordance with this chapter and may refuse to

pour wine for any patron for any reason or for no reason, regardless of whether bottles are opened or unopened. Unopened bottles shall be returned to the patron who shall remove such bottles from the premises at the conclusion of the event, and open bottles shall be returned and resealed in accordance with regulations promulgated by the commission and transported in a manner authorized by section 24I of chapter 90 when carried in a motor vehicle, as defined in section 1 of said chapter 90. The club shall set and charge a reasonable corkage fee, which shall be added to the member's meal expense. Such fee shall be set at not less than \$30 and shall be applied to each bottle of wine that is opened.

The local licensing authorities of any city or town wherein the granting of licenses under this section to sell all alcoholic beverages or only wines and malt beverages, as the case may be, is authorized by this chapter, may, subject to the approval of the commission and irrespective of any limitation of number of licenses contained in section seventeen, issue a license to any corporation the members of which are war veterans and which owns, hires or leases in such city or town a building, or space in a building, for the use and accommodation of a post of any war veterans' organization incorporated by the Congress of the United States, to sell such beverages to the members of such post only, and also, subject to regulations made by the local licensing authorities, to guests introduced by such members and to no others.

The local licensing authorities may determine in the first instance, when originally issuing and upon each annual renewal of licenses under this section, the amount of the license fee, for a tavern license or for any other license under this section for the sale of all alcoholic beverages, or for any other license under this section for the sale of wines and malt beverages, and provided that nothing herein shall prevent such authorities

from establishing license fees differing in amounts within the limitations aforesaid for restaurant licenses authorizing such sale on secular days only. If different license fees are so established the fee for licenses authorizing the sale of alcoholic beverages on all days of the week shall not be more than twenty-five per cent higher than the fee for licensing such sale on secular days only. Before issuing a license to any applicant herefor under this section, or before a renewal of such license, the local licensing authority shall cause an examination to be made of the premises of the applicant to determine that such premises comply in all respects with the appropriate definition of section one and that the applicant is not less than twenty-one years of age and a person of good character in the city or town in which he seeks a license hereunder. No license shall be issued to any applicant who has been convicted of a violation of a federal or state narcotic drugs law.

The local licensing authorities may accept the surrender of a license issued under this section and may issue in place thereof to the same licensee any other form of license authorized under this section, and may allow as a credit on the fee for the new license the license fee paid for the license surrendered but no refund shall be authorized. Different licenses issued as aforesaid for any portion of the same license year to the same licensee shall count as one license for the purposes of section seventeen.

The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specially for each licensee; provided, however, that no such sale shall be made on any secular day between the hours of two and eight o'clock antemeridian and that, except as provided in section thirty-three, no such licensee shall be barred from making such sales on any such day after eleven o'clock antemeridian and before eleven

o'clock postmeridian, and no tavern shall be kept open on any such day between one o'clock antemeridian and eight o'clock antemeridian; provided, further, that any such licensee or his manager shall not be prohibited from being on the licensed premises at any time; provided, further, that the employees, contractors or subcontractors shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making renovations, making emergency repairs to or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. The licensing authority shall not decrease the hours during which sales of such alcohol beverages may be made by a licensee until after a public hearing concerning the public need for such decrease; provided, however, that a licensee affected by any such change shall be given 2 weeks notice of the public hearing.

No license issued under this section shall be subject to any condition or requirement varying the occupancy of the licensed premises as certified by any person or state or local agency charged with the administration or enforcement of the state building code or any of its rules or regulations.

No person, firm, corporation, association or other combination of persons, directly or indirectly, or through any agent, employee, stockholder, officer or other person, or any subsidiary whatsoever, licensed under the provisions of sections eighteen or nineteen shall be granted a license under this section.

In cities and towns which vote to authorize under section eleven the granting of licenses for the sale of all alcoholic beverages, specific licenses may nevertheless be granted under this section for the sale of wines or malt beverages only, or both. The licensing authorities may

refuse to grant licenses under this section in certain geographical areas of their respective cities or towns, where the character of the neighborhood may warrant such refusal.

All malt beverages sold by a licensee under this section containing not more than three and two tenths per cent of alcohol by weight shall be expressly sold as such.

No malt beverage shall be sold on draught from a tap, faucet or other draughting device, unless there shall plainly appear on or attached to such device, in legible letters, the brand or trade name of the malt beverage so sold therefrom.

In any city or town wherein the granting of licenses under this section to sell alcoholic beverages or wines and malt beverages is authorized, a person may be granted a general on-premise license by the local licensing authorities, subject to the prior approval of the commission, authorizing him to sell alcoholic beverages without food to patrons and customers subject to all other relevant provisions of this chapter, provided that such beverages shall be sold and drunk in such rooms as the licensing authorities may approve in writing. The annual license fee for such general on-premise license shall be determined by the local licensing authority. For the purposes of section eleven an affirmative vote on subdivision A or B shall be considered an authorization for the granting of general on-premise licenses in a city or town.

A common victualler who holds a license pursuant to this section may provide on premises sample wine or malt beverage tasting; provided however, that such licensee shall not solicit orders for wine or malt for off premises consumption; and provided further, that any such wine

tasting shall be limited to one ounce per serving and any such malt beverage tasting shall be limited to two ounces per serving and food shall be served in conjunction with any such wine or malt beverage tasting.

In any city or town which votes to accept the provisions of this paragraph, a common victualler, who holds a license under this section to sell wines and malt beverages may, upon written approval, also sell liqueurs and cordials pursuant to said license, subject, however, to all other licensing provisions of this chapter.

A common victualler who holds a license for the sale of all alcoholic beverages or holds a license for the sale of wines and malt beverages and who also holds pursuant to this section written approval to sell liqueurs and cordials pursuant to his license may provide on-premises sample liqueurs and cordials tasting; provided however, that a licensee shall not solicit orders for liqueurs and cordials for off-premises consumption; and provided, further, that any such liqueurs and cordials tasting shall be limited to 1/4 of an ounce per serving and food shall be served in conjunction with any liqueurs and cordials tasting.

A common victualler who holds a license for the sale of all alcoholic beverages may provide on premises sample alcoholic beverages tasting; provided, however, that a licensee shall not solicit orders for alcoholic beverages for off-premises consumption; and provided further, that any tasting of alcoholic beverages, other than wines and malt beverages, shall be limited to 1/4 of an ounce per serving and food shall be served in conjunction with any alcoholic beverages tasting.

No license shall be issued or renewed under this section until the applicant or licensee provides proof of coverage under a liquor legal liability insurance policy for bodily injury or death for a minimum

amount of \$250,000 on account of injury to or death of 1 person, and \$500,000 on account of any 1 accident resulting in injury to or death of more than 1 person. Proof of the insurance coverage required by this section shall be made by filing a certificate of insurance in a form acceptable to the local licensing authority. The insurance shall be subject to sections 5 and 6 of chapter 175A of the General Laws.

Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 34** SALE, DELIVERY OR FURNISHING ALCOHOLIC BEVERAGES
TO PERSONS UNDER TWENTY-ONE YEARS OF AGE;
EMPLOYMENT OF PERSONS UNDER EIGHTEEN YEARS OF
AGE

Section 34. No person shall receive a license or permit under this chapter who is under 21 years of age. Whoever makes a sale or delivery of any alcoholic beverage or alcohol to any person under 21 years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15, delivers or procures to be delivered in any public room or area of such establishment if licensed under section 12, 15, 19B, 19C or 19D or in any area of such establishment if licensed under said section 15, 19B, 19C or 19D any such beverages or alcohol to or for use by a person who he knows or has reason to believe is under 21 years of age or whoever procures any such beverage or alcohol for a person under 21 years of age in any establishment licensed under section 12 or procures any such beverage or alcohol for a person under 21 years of age who is not his child, ward or spouse in any establishment licensed under said section 15, 19B, 19C or 19D or whoever furnishes any such beverage or alcohol for

a person under 21 years of age shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both. For the purpose of this section the word "furnish" shall mean to knowingly or intentionally supply, give, or provide to or allow a person under 21 years of age except for the children and grandchildren of the person being charged to possess alcoholic beverages on premises or property owned or controlled by the person charged. Nothing in this section shall be construed to prohibit any person licensed under this chapter from employing any person 18 years of age or older for the direct handling or selling of alcoholic beverages or alcohol.

Notwithstanding the provisions of clause (14) of section 62 of chapter 149, a licensee under this chapter may employ a person under the age of 18 who does not directly handle, sell, mix or serve alcohol or alcoholic beverages.

Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 64** SUSPENSION OR REVOCATION OF LICENSE; HEARING;
NOTICE; DISQUALIFICATION; SURRENDER OF LICENSE;
REFUNDS

Section 64. The licensing authorities after notice to the licensee and reasonable opportunity for him to be heard by them, may modify, suspend, revoke or cancel his license upon satisfactory proof that he has violated or permitted a violation of any condition thereof, or any law of the commonwealth. If at any hearing a licensee is charged with serving or selling alcohol or alcoholic beverages to a person under twenty-one years of age, written notice of said allegations shall be sent by the licensing authorities to the parent or guardian of such person. If the license is revoked, the licensee shall be disqualified to receive a license for one year after the expiration of the term of the license so revoked, and if he is the owner of the premises described in such revoked license, no license shall be issued to be exercised on said premises for the residue of the term thereof.

If it appears to the commission that a license has been issued under this chapter by the local licensing authorities in excess of the quota prescribed by section seventeen or in violation of section sixteen A or any other provision of this chapter, the commission shall, after notice to said authorities and to the holder of such license and after reasonable opportunity for them to be heard by it, revoke such license, whereupon such license shall be surrendered to said authorities, and the decision of the commission shall be final and conclusive. The holder of a license so revoked shall not be subject to prosecution for any sales theretofore made by him under such license on the ground that such license was illegally issued. The city or town whose licensing authorities issued any license so revoked shall forthwith refund to the holder thereof the entire fee paid therefor and authority is hereby granted to such city or town to pay the same out of any funds available.

Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 67** APPEALS ON REFUSAL TO GRANT OR REVOCATION OF
LICENSE; HEARING; NOTICE OF APPROVAL; REVOCATION
BY COMMISSION; REAPPEAL

Section 67. Any applicant for a license who is aggrieved by the action of the local licensing authorities in refusing to grant the same, or by their failure to act within the period of thirty days limited by section sixteen B, or any person who is aggrieved by the action of such authorities in modifying, suspending, cancelling, revoking or declaring forfeited the same, may appeal therefrom to the commission within five days following notice of such action or following the expiration of said period, upon petition in writing, setting forth all the material facts in the case.

The commission shall hold a hearing upon each such appeal, requiring due notice to be given to all interested parties. The decision of the commission shall be made not later than thirty days after the completion of the hearing.

If the commission approves the action of the local licensing authorities it shall issue notice to them to that effect, but if the commission disapproves of their action it shall issue a decision in writing advising

said local authorities of the reasons why it does not approve, and shall then remand the matter to the said local authorities for further action. The commission shall not in any event order a license to be issued to any applicant except after said applicant's application for license has first been granted by the local authorities.

Pending a decision on the appeal, the action of the local licensing authorities shall have the same force and effect as if the appeal had not been taken. Upon the petition of twenty-five persons who are taxpayers of the city or town in which a license has been granted by such authorities, or who are registered voters in the voting precinct or district wherein the licensed premises are situated, the commission shall, or upon its own initiative the commission may, investigate the granting of such a license or the conduct of the business being done thereunder, and shall, after a hearing, modify, suspend, revoke or cancel such license if, in its opinion, circumstances warrant.

If the local licensing authorities fail to suspend, revoke, cancel or declare forfeited a license or to perform any other disciplinary act when lawfully ordered so to do by the commission upon appeal or otherwise, within such reasonable time as it may prescribe, the commission may itself revoke such license or perform such act, with the same force and effect as if issued or performed by the local licensing authorities, but no license shall be issued by the commission except in ratification of a prior issuance to the same party by the local authorities.

In any case in which the commission finds during said hearing that the licensee pursuant to section 12 has served or sold alcohol or alcoholic beverages to either a person under 21 years of age in violation of section 64 or to an intoxicated person in violation of section 69 within the 24

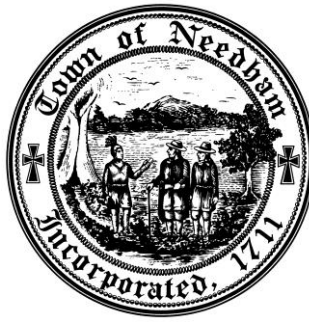
months immediately preceding the date of the alleged violation which is the subject of the hearing, said commission may, in addition to any other sanctions or conditions it may impose, require as a condition precedent to any modification, reinstatement or renewal of said license thereafter that the licensee provide a certificate of insurance for liquor liability of the licensee to a limit of not less than \$100,000 to any one person and \$200,000 to all persons; provided, however, that if the licensee is required to obtain insurance coverage under said section 12, then the licensing authority may increase the limits set by said section 12. In any other case in which the commission may act pursuant to this section, it may increase, but not decrease, the limits of liquor liability insurance, if any, required by the local licensing authorities as a condition precedent to the modification, reinstatement or renewal of a license.

After receipt by the local licensing authorities of a decision from the commission as set forth in the third paragraph hereof, any applicant for renewal of a license or any licensee who is aggrieved by the action of the local licensing authorities modifying, cancelling, revoking or declaring forfeited a license or failing to issue a license, which would in effect renew for one year a license held during the previous year by the applicant may, if the said local licensing authority fails within five days after receipt of said decision to take the action recommended therein, again appeal to the commission, upon petition in writing setting forth all the material facts in the case. In the event of such reappeal, the commission shall hold a hearing on such reappeal, requiring due notice to be given to all interested parties. If the commission, on such reappeal approves the action of the local licensing authorities, it shall issue notice to them to that effect, but if the commission disapproves their action, it shall issue a decision in writing advising said local authorities of the

reasons why it does not approve. This decision of the commission on reappeal shall be final; provided, that in no event shall the commission order the local licensing authorities to issue any licenses to an applicant not a party to the appeal. If the local licensing authorities fail to issue a license which would have the effect of renewing for one year a license held by the applicant during the previous year, subject to the limitation set forth herein, or to perform any other act when lawfully ordered so to do by the commission upon reappeal, within such time as it may prescribe, the commission may itself, after such reappeal, issue such license to a party to the appeal or perform such act, with the same force and effect as if issued or performed by the local licensing authorities.

Hearings by the commission on appeals as required by the provisions of this section may be held in the discretion of the commission when required by public convenience or shall be held upon written request of twenty-five persons who are taxpayers of the city or town in which the license is intended to be exercised, in the nearest of the following cities or towns to the city or town in which the license is intended to be exercised:—Pittsfield, Greenfield, Springfield, Worcester, Fitchburg, Boston, Barnstable, New Bedford, Brockton, Lowell or Salem.

Upon the receipt of such appeal the commission shall forthwith notify the local licensing authorities thereof by mailing registered mail and said request shall be made within ten days of such mailing.



TOWN OF NEEDHAM

REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

- I. Types of Licenses to be Granted in Needham
- II. Compliance
- III. Special License Provisions
- IV. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town
- V. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders
- VI. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants and Function Rooms
- VII. Rules and Regulations applicable to Clubs and Veterans Organizations seeking and issued Alcoholic Beverage Licenses within the Town authorized by Special Act of the General Court (Chapter 3 of the Acts of 1977)
- VIII. Rules and Regulations applicable to One-Day Special Event Licenses
- IX. Rules and Regulations applicable to Package Stores
- X. Rules and Regulations Applicable to Farmer Series Pouring Permittees
- XI. Violations – Determination of Penalties

The Needham Select Board, acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Needham. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

The Town of Needham issues the types of alcoholic beverages licenses listed below. All licenses shall comply with Chapter 138 of the Massachusetts General Laws, and Chapter 204 of the Code of Massachusetts Regulations, as they relate to the specific type of license.

- 1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board. (M.G.L. c.138, s.11, D; 11/7/72 election)
- 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.11, E; 11/4/80 election; M.G.L. c.138, s.12; Chapter 32 of the Acts of 2014; 4/8/2014 election)
- 1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; Chapter 169 of the Acts of 2001; 11/8/01 election)
- 1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; 11/8/88 election)
- 1.5 One Day Special Event: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for-profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules

& Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.14)

- 1.6 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.7 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.8 Farmer Series Pouring Permit: issued to qualified applicants to sell malt beverages, for consumption on the grounds of a licensed farmer-brewery pursuant to M.G.L. c.138, §19C, as well as on the grounds of the farm operated as appurtenant and contiguous to, and in conjunction with, such farm, and in accordance with the applicable regulations of the Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for in the specific license. For purposes of this policy, the word “license”, “licensee”, and “licensed premises” shall include a “Farmer Series Pouring Permit”, “Farmer Series Pouring Permittee”, and “premises subject to a Farmer Series Pouring Permit”, respectively, unless otherwise noted.

II. COMPLIANCE

- 2.1 The issuance of a license by the Select Board for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.
- 2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission (ABCC) or the Town’s bylaws may result in the revocation, suspension or cancellation of the license.

III. SPECIAL LICENSE PROVISIONS (applicable to Restaurants only)

- 3.1 Bar Service The sale or service of alcoholic beverages for consumption at any unapproved Bar Service Area is prohibited. For the purposes of these regulations, Bar Service Area is defined as service across a counter at which alcoholic drinks are prepared to patrons who may or may not be waiting to dine. Bar Service Areas are permitted only in locations expressly approved and authorized by the Select Board. Such authorization may be granted under the following conditions:

- a) The Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the Bar Service areas;
- b) No more than a total of fifteen (15) seats or twenty percent (20%) of the total seats in the premises, whichever is less, shall be allowed in the Bar Service area(s), except that the Board may after hearing, with notice pursuant to M.G.L. Chapter 138 section 15A, authorize a greater number where such seats are intended for food service customers as part of the licensee's business plan;
- c) The seats in the Bar Service areas are included when calculating the number of seats in the premises;
- d) All food and beverages on the menu served in the public dining room shall be available for service to the patrons in the Bar Service areas; and
- e) Each licensee with bar seating shall annually as part of its license renewal application provide the Select Board with a statement certified by a Certified Public Accountant as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic beverages. If the percentage exceeds thirty-five percent (35%), the Select Board may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may after hearing modify the license to require the licensee to reduce its amount of Bar Service Area seating.

IV. GENERAL RULES AND REGULATIONS APPLICABLE TO HOLDERS OF LICENSES TO SELL ALCOHOLIC BEVERAGES WITHIN THE TOWN

This section shall apply to any and all alcoholic beverages licenses issued by the Board to eligible restaurants, clubs, veterans' organizations, innholders licensees, package stores, farmer series pouring permittees, and, with noted exceptions, one-day special event licensees. The Licensing Board reserves the right to add to, amend, modify or revoke these rules and regulations at such time or times as the Licensing Board deems appropriate.

Subject to further limitations fixed or from time to time modified by the Select Board with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

- 4.1 Fire Safety Inspections (applicable to Restaurants, Innholders & Clubs only)
Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety In the Commonwealth, requires that every license holder under M.G.L. Chapter 138 Section 12 must submit as a precondition of renewal of the license "a valid certificate of inspection issued by a local inspector and signed by the head of the fire department for the city, town or district in which the premises is located." No license shall be issued for the sale of alcoholic beverages in the Town until such time as a copy of the valid certificate of inspection has been filed with application.
- 4.2 Hours of Operation
 - 4.2.1 The hours during which the sale of all alcoholic beverages to be consumed

on the premises may be made by any licensee shall be from 11:00 a.m. to 11 p.m. on secular days and from 10:00 a.m. to 11 p.m. on Sundays, unless otherwise determined by the Select Board.

- 4.2.2 The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any licensee shall be from 9:00 a.m. to 10:00 p.m., Monday through Saturday, including legal holidays, and 12:00 noon to 6:00 p.m. on Sundays, unless otherwise determined by the Select Board. Holiday sales hours are further limited to the holiday schedule set by the ABCC.
- 4.2.3 The Board may adjust hours for individual and/or classifications of licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.
- 4.2.4 Except for alcohol sold by a Farmer Series Pouring Permittee, the hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public.
- 4.2.5 No patron shall be served or sold alcoholic beverages within the licensed premises before or after the hours stated in the license.
- 4.2.6 No alcoholic beverages shall be served for on premises consumption within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.
- 4.2.7 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.
- 4.2.8 With the exception of the licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while actually engaged in cleaning, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises. This provision shall not limit employees from being on the premises to produce

malt beverages in accordance with a license issued pursuant to G.L. c.138, §19C or §19D.

4.3 Payment of Charges and Taxes

Applicants and licensees must pay, in full, all taxes and charges owed to the Town on a current basis prior to the issuance of a new license, the transfer of an existing license and/or the annual renewal of a license.

4.4 Filing and Application Requirements (excludes One Day Special Event Licenses)

4.4.1 Abutter Notification

When conducting a public hearing to consider the issuance of a license to sell or serve wine, malt and/or alcoholic beverages, the Board shall require the applicant to notify all owners of property within a 300-foot radius of the premises to be licensed

4.4.2 Insurance

No license shall be issued for the sale of alcoholic beverages (one day special licenses excluded) in the Town until such time as the applicant shall present to the Select Board a certificate of insurance showing that the applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of \$100,000 per person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage.

4.4.3 Fees

All license fees of the Board are incorporated in these rules and regulations as Attachment I, Schedule of Town of Needham Liquor License Fees. These fees shall be non-refundable.

4.4.3.1 Filing Fees All required filing fees shall be paid in full at such time as the application is filed. The Board's filing fee shall be paid by check, made payable to the "Town of Needham." Filing fees required by the Commission must be by certified check or bank treasurers check made payable to the "Commonwealth of Massachusetts" and/or the "Alcoholic Beverages Control Commission." Filing fees shall not be pro-rated for any reason.

4.4.3.2 License Fees All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The payment of the license fee shall be by cash, certified check or bank treasurer's check payable to "Town of Needham." The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

4.4.4 Floorplans – On Premises Licenses (M.G.L. Ch 138 s.12 and Farmer Series Pouring Permittee)

4.4.4.1 With the exception of applicants for package store licenses and a one-day special events license and without limiting the application of Chapter 6 of the State Building Code, applicants or licensees shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;
- b) the location of any proposed Bar Service Areas, cocktail lounges (for innkeepers license only), or other area where patrons may stand while consuming alcohol;
- c) areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
- d) entrances and exits;
- e) kitchens and/or food preparation areas;
- f) take out areas;
- g) storage areas;
- h) restrooms;
- i) all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
- j) total occupant load;
- k) areas where food trucks or other mobile food vendors may be parked for the purposes of serving patrons; and
- l) other spaces, or in relevant cases, exterior premises for which approval of the Board for the sale of alcoholic beverages is requested. Approval of the use of exterior space will only be allowed if there is a physical barrier and signage restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

4.4.4.2 The number and location of all seats, chairs, and stools upon or within the licensed premises must be approved in writing by the Board. In no event shall the total number of seats, chairs, and stools upon the licensed premises exceed the maximum seating capacity nor the maximum occupancy capacity of the licensed premises.

4.4.4.3 No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without prior written approval of the Board.

4.4.4.4 Outdoor seating shall be excluded from the seating capacity used to determine the type of license granted to applicant.

4.5.5 Floor Plans – Off Premise Licenses (M.G.L. Ch 138 s. 15)

4.5.5.1 Applicants for a package store license shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed;
- b) gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages;
- c) entrances and exits;
- d) storage areas;
- e) restrooms;
- f) cash register areas.

4.5.5.2 Applicants shall submit a plan for signage including window display signs.

4.6 General and Miscellaneous Provisions

4.6.1 No alcoholic beverages shall be taken from the building so approved in the licenses, with exception of approved exterior seating noted on floorplan, as noted in section 4.4.4.1(l). This does not apply to package stores and sales conducted pursuant to G.L. c.138, §19C or §19D.

4.6.2 No licensee shall sell alcoholic beverages in any part of the premises not specified on its license, including a license issued by the Alcoholic Beverages Control Commission only. No change of such area or location shall be made without prior written approval of the Select Board. The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

4.6.3 The licensed premises must be well lighted at all times.

4.6.4 There shall be no indecent or immoral entertainment on the licensed premises.

4.6.5 Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.

- 4.6.6 The licensed premises shall be subject, at all times, to inspection by members of the Select Board, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Select Board.
- 4.6.7 Food service shall be available in all areas where alcoholic beverages are to be served for consumption on premises.
- 4.6.8 Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery is permitted. Alcoholic beverages may be consumed only from glassware. Package stores, Farmer Series Pouring Permittees, and one day licenses are excluded from this provision.
- 4.6.9 No licensed restaurant, Farmer Series Pouring Permittee, or package store may permit the use of any amusement service such as electronic games on the premises.
- 4.6.10 Service of alcoholic beverages shall be by a bartender/server/wait person (applicable to on premise licensees only, including Farmer Series Pouring Permittees).
- 4.6.11 At all times that the licensed premises are open for the sale or service of alcoholic beverages, the licensee shall have on the premises a manager or assistant manager who has successfully completed an in-person alcoholic beverage server training program satisfactory to the Select Board. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant manager shall have full authority to make decisions concerning the operation of the establishment.
- a) A current employee roster shall be available upon request to the Town for all licensed establishments. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham Select Board, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.
 - b) Any employee engaged in the sale and handling of alcoholic beverages must complete Select Board approved courses in alcohol safety training and have on file with the licensee, and available for inspection by the Town, a copy of current training certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.
 - c) All managers, assistant managers, and bartenders shall be required to attend an in-person alcoholic beverage server training program

satisfactory to the Select Board once every two years. Newly hired employees shall complete a Town-approved training program upon employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees who are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.

- d) No licensee shall allow any employee to sell, or participate in the stocking, handling, or preparation for sale of beverage alcohol until such employee has viewed a town-approved training video and signed a statement, a copy of which is to be maintained by the licensee, confirming that the employee has viewed that training video and that the employee acknowledges his/her obligation to abide by the rules and regulations of the Needham Select Board, the Alcoholic Beverages Control Commission, and Massachusetts laws regarding the sale of alcohol.

4.6.12 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.

4.6.13 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.

V. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNHOLDERS

Subject to further limitations fixed or from time to time modified by the Select Board with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

- 5.1 No application for an alcoholic beverage license shall be accepted except from qualified owners of a hotel having a dining room capacity of not less than ninety-nine [99] persons and living capacity of not less than fifty [50] rooms.
- 5.2 Each applicant shall submit to the Select Board with each application for a license a floor plan of the building or that portion of the building on which is clearly marked and designated the location of the proposed seating arrangement, service bars, dining rooms, function rooms or other rooms in which approval of the Select Board for the sale of alcoholic beverages is requested.

- 5.3 Cocktail lounges are permitted with the approval of the Select Board but limited to approved areas by the Select Board with appropriate identification of the specific location documented by the Inspector of Buildings.
- 5.4 The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.

VI. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS AND FUNCTION ROOMS

Subject to further limitations fixed or from time to time modified or amended by the Select Board acting as the duly constituted Licensing Board of the Town of Needham with respect to this class of license, the General Laws of Massachusetts and the Regulations of the Alcoholic Beverages Commission, the following rules and regulations shall be in full force and effect:

- 6.1 It is the policy and purpose of the Select Board acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an accommodating and incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.
- 6.2 The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.
- 6.3 No function room may be separately licensed.
- 6.4 No alcohol license will be issued to any applicant unless such applicant is the licensee named in a common victualler's license and has operated a restaurant and function rooms for the twelve-month period immediately preceding the filing of an application. When deemed appropriate by the Select Board this provision may be waived.
- 6.5 Service of food must be available in all areas in which alcoholic beverages are to be served. Where a function room is available, the service of alcoholic beverages is permitted as authorized herein and may be closed to the general public.

VII. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS SEEKING AND ISSUED ALCOHOLIC BEVERAGE

LICENSES WITHIN THE TOWN AUTHORIZED BY SPECIAL ACT OF THE GENERAL COURT (CHAPTER 3 OF THE ACTS OF 1977)

Licenses issued by the Needham Select Board shall be subject to the minimum requirements of G.L. Chapter 138, Regulations of the Alcoholic Beverage Commission and the following regulations of the local Licensing Board and any amendments thereto hereinafter adopted:

- 7.1 Every club applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Licensing Board.
- 7.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 7.3 Each applicant shall furnish the Licensing Board with a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Licensing Board.
- 7.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.
- 7.5 Each licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

VIII. RULES AND REGULATIONS APPLICABLE TO ONE-DAY SPECIAL EVENT LICENSES

The Board will review requests for One-Day Special Event Licenses in accordance with section 14 of Chapter 138 of the General Laws after receipt of the following documentation. A public hearing is not required for the issuance of a One-Day Special Event License.

- 8.1 Request for the sale of alcohol under a Special License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on secular days and 12:00 p.m. and 12:00 a.m. on Sundays.
- 8.2 One-Day licenses are exempt from the legal notice and publication requirements.

- 8.3 No special event license will be granted to a licensed premise of any person whose application for a license is pending before the licensing authorities.
- 8.4 No person shall be granted a special license for more than 30 days in a calendar year.
- 8.5 Forms and documentation required for One-Day Special License:
- a) ABCC Notice of Approval of Special License (completed by the Town)
 - b) Town of Needham Select Board Event Information Sheet
 - c) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
 - d) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
 - e) Written evidence of the owner's permission to use the proposed licensed premises.
 - f) Proof of Non-profit Status (if request is for all alcoholic beverages).
 - g) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
 - h) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
 - i) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)
- 8.6 The One-Day Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The One-Day Special Event Manager shall display such special One-Day License where sale of alcoholic beverages is taking place.

IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES (M.G.L. CH 138, SEC. 15)

9.1 General Provisions

- 9.1.1 Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display.
- 9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store licensee upon or within

the licensed premises, or upon any area under the direction and control of the licensee.

- 9.1.3 Where the liquor licenses are granted to serve the public, licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Select Board may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.
- 9.1.4 No consumption of alcoholic beverages shall be permitted on the premises outside of the licensed hours of operation.
- 9.1.5 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not.
- 9.1.6 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 9.1.7 The licensing of liquor establishments, and what constitutes the public convenience in Needham, will be subject to the informed discretion of the Select Board. In determining suitability for licenses, the Select Board will consider the proximity of the proposed premises to neighborhoods, especially residential neighborhoods, and other sensitive areas as determined by the Board.
- 9.1.8 Section 15 licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.
- 9.1.9 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the licensee will comply with the Town of Needham Sign By-law, as from time to time amended.
- 9.1.10 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.
- 9.1.11 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within

the premises to which customers do not have direct access, such as behind a counter.

9.2 Hours Of Operation

9.2.1 For all deliveries conducted off the licensed premises, the licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

- a) Deliveries must be made during the operating hours of the store.
- b) Deliveries shall be made by persons no less than 21 years of age.
- c) A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

9.2.2 All transactions for the sale of alcoholic beverages must be completed on or before the closing hour set out in this section.

9.2.3 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

9.3 Consumption On Premises Prohibited Except Sample Tastings

9.3.1 Consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, by any person is strictly prohibited except for sample tasting.

9.4 Limitations On Transferability Of Off-Premises Section 15 Licenses

9.4.1 An application for a transfer of ownership at the same location or transfer of location may be granted by the Board after a public hearing in compliance with these regulations and state law.

9.5 Food Store Alcohol License Requirements

9.5.1 A food store is defined as a grocery store or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and

processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Select Board shall determine whether an applicant is a food store as set out herein and in compliance with any and all requirements.

- 9.5.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Select Board reserves the right to consider each of these factors when determining if an applicant will be considered a convenience store.
- 9.5.3 Any applicant for a Section 15 License (whether for an original application, change of ownership or change of location) must provide with the application materials, a floor plan evidencing the gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages. The licensee may not materially change the portions of its premises dedicated to sale, storage or display of alcoholic beverages without the approval of the Select Board. The licensee may not be open for business except during its licensed hours for sale of alcoholic beverages unless it has applied for and received approval by the Select Board of plan to properly secure all alcoholic beverages on the premises from public access during that time.
- 9.5.4 Regular sales and operation of the food store must continue during all times when the sales of wine and malt beverages are permitted.
- 9.5.5 Package store licenses issued to food stores shall be limited to wine and malt beverages only.

X. RULES AND REGULATIONS APPLICABLE TO FARMER SERIES POURING PERMITTEES

10.1 Applicants

Applicants for a Farmer Series Pouring Permit shall hold a Farmer-Brewery License (M.G.L. c.138, §19C) from the ABCC at all times. If an Applicant for a Permit does not have a valid ABCC Farmer-Brewery License at the time of Application, issuance of the Permit shall be conditioned on submittal of such ABCC license.

10.2 Purpose

The issuance of Farmer Series Pouring Permits shall be utilized so as to foster the economic development of the Town by encouraging and promoting patronage in those areas where Farmer Series Pouring Permittees are located. The Select Board shall consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, community engagement, and other aesthetic considerations including the physical layout of the interior of the establishment.

10.3 Water Station

At all times, there shall be a free, self-service water station for patrons and customers to use without staff assistance. This provision may be waived by the Select Board upon a showing of good cause and only if a sign is posted by the bar stating that tap water is available upon request and free of charge.

10.4 Occupancy

Where required by the Select Board, the licensee shall delegate a staff member to keep and maintain an accurate count of all individuals occupying the premises to ensure compliance with building code occupancy limits.

10.5 Food Service

The Permittee shall ensure that food service is available to its patrons at all times that alcohol is served for on-premises consumption. The Permittee may satisfy this provision by (i) holding a Common Victualler's license and operating a full-service kitchen; (ii) arranging for food to be brought onto the premises by mobile food truck vendors; (iii) contracting with nearby restaurants; (iv) allowing patrons to have food delivered for consumption on the premises; or (v) such other arrangement as the Select Board deems appropriate. The Permittee shall submit a plan for food service with its application.

XI. VIOLATIONS – DETERMINATION OF PENALTIES

11.1 Any violation of the Town's Liquor Regulations, Regulations of the Alcoholic Beverages Control Commission, and/or General Laws Chapter 138 may be grounds for action by the Select Board (Board), as Local Licensing Authority, including the modification, suspension, revocation, nonrenewal or cancellation of a license.

11.2 In determining the appropriate action in any given case, the Board will consider the violation alleged, the facts of the case, other relevant factors including the licensee's prior record, and aggravating or mitigating circumstances.

11.3 In ordering suspensions, the Select Board may, within its discretion, order a suspension with one or more days to be served and the remainder to be held in abeyance for such time as the Select Board may determine.

11.4 A licensee shall have a right to notice and public hearing before modification, suspension, revocation, nonrenewal or cancellation of a license by the Board, except

that the Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

- 11.5 A licensee may waive its right to hearing, and the Board in such cases may make findings and act without hearing on recommendation of the Town Manager. The Board may, however, require that a hearing be held notwithstanding such a waiver, in which case the licensee shall have notice of hearing and an opportunity to be heard before action is taken on modification, suspension, revocation, nonrenewal or cancellation of a license, except that Select Board may under emergency circumstances as allowed by Law suspend the license pending hearing.
- 11.6 On the days when Suspension of License is being served, the Licensee will publicly post at its public entrance(s) a notice of the Suspension in a form as the Board or Town Manager may direct. The Board may also post notice of violation hearings, findings, decisions, and orders to the Town's website and Town's social media.
- 11.7 The town conducts, and expects to continue to conduct, routine compliance checks of licensees, including, but not limited to, service to underage persons checks using agents of the Needham Police Department.
 - 11.7.1 The following schedule of recommended discipline is a guideline intended to illustrate the range of disciplinary action that the Select Board may impose for service to underage violations identified in compliance checks. The Select Board is not limited by these guidelines and may impose greater or lesser discipline based on consideration of the violation alleged, the facts of the case, other relevant factors including the licensee's prior record, and aggravating or mitigating circumstances
 - 11.7.2 In calculating the number of prior offenses under this guideline, the Select Board will consider determined violations occurring within the five (5) years preceding the date of current violation.
 - 11.7.3 Compliance Check Violation Guideline Penalties:
 - 11.7.3.1 FIRST OFFENSE:
Written warning, or Suspension of one day.
 - 11.7.3.2 SECOND OFFENSE:
Suspension, one to three days.
 - 11.7.3.3 THIRD OFFENSE:
Public hearing required.
Suspension, three to five days.
 - 11.7.3.4 FOURTH OFFENSE:
Public Hearing required.
Suspension, Five (5) to Ten (10) Days
Licensee shall be required as a condition of the license to

provide the Board with a satisfactory written plan, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license, to assure that a further offence will not occur.

11.7.3.5 FIFTH OFFENSE:

Public hearing required.

Minimum ten (10) day suspension. Based on relevant circumstances as determined by the Board, the Board may order a longer suspension of any length, imposition of conditions on or other modifications of the license, disqualification of the manager of record, compulsory initiation by the licensee of transfer of ownership to a responsible party to be approved by the Board, non-renewal, or revocation of the license.

APPROVED:	6/14/77
Amended and revised:	11/18/97
Amended and revised:	2/9/99
Revised fee schedule:	12/7/99
Revised fee schedule:	12/5/00
Revised and approved:	8/20/02
Fee changes	12/21/04
Addition of Liquor	
Liability Insurance:	1/25/05
Addition of One-Day License:	1/25/05
Amended and revised:	11/14/06
Amended and revised:	6/22/10
Amended and revised:	12/18/12
Amended and revised:	5/13/14
Amended and revised:	9/10/2014
Amended and revised:	11/9/2016
Amended and revised:	7/25/2017
Amended and revised:	8/18/2020
Amended and revised:	7/26/2022

SELECT BOARD

ACTING AS

NEEDHAM LICENSING BOARD



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Housing Needham (HONE) Advisory Group
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
At its meeting on May 23, 2023 the Select Board discussed a draft composition and charge for the Housing Needham Advisory Group. The MBTA Communities Act requires Needham to adopt a zoning district “of reasonable size in which multi-family housing is permitted as of right” by December 2024. The Town will embark on an 18-month community engagement process to shape this proposed zoning for Town Meeting’s consideration. Staff recommend the creation of a Housing Needham (HONE) Advisory Group to lead this effort and promote coordination amongst key Town Boards, with a composition aimed at reflecting a variety of perspectives and expertise. The Town Manager will recommend that the Board voted to adopt the HONE Advisory Group Composition and Charge	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Select Board vote to adopt the Housing Needham (HONE) Advisory Group Composition and Charge.	
3.	BACK UP INFORMATION ATTACHED
a. HONE Advisory Group Composition and Charge b. MBTA Communities Act Timeline Draft	

Town of Needham

Housing Needham (HONE) Advisory Group

for MBTA Communities Act Multi-Family Zoning

Type:	Ad Hoc
Legal Reference:	To achieve Town compliance with MGL c.40A Section 3A
Appointing Authority:	Select Board & Planning Board
Number of Voting Members:	Nine (9)
Term of Appointment	2023-2024
Special Municipal Employee	Yes
Staff Support	Assistant Town Manager/Director of Operations, Director of Planning & Community Development, Assistant Town Planner, Community Housing Specialist

Member	Designation	Appointed	Term Expiration
	Select Board Member (co-chair)		12/31/2024
	Planning Board Member (co-chair)		12/31/2024
	Select Board Member		12/31/2024
	Planning Board Member		12/31/2024
	Finance Committee Member		12/31/2024
	Architect, Land Use Planner, Land Use Attorney, Real Estate Developer		12/31/2024
	Architect, Land Use Planner, Land Use Attorney, Real Estate Developer		12/31/2024
	Renter		12/31/2024
	Community Member At-Large		12/31/2024

Composition: Nine (9) voting members:

- Two (2) current Select Board Members* (one to serve as co-chair)
- Two (2) current Planning Board Members (one to serve as co-chair)
- One (1) current Finance Committee Member

- Two (2) of either Architect, Land Use Planner, Land Use Attorney, or Real Estate Developer, to be appointed by the Planning Board
- One (1) renter, to be appointed by the Select Board
- One (1) community member at-large, to be appointed by the Select Board

Purpose: The Housing Needham (HONE) Advisory Group will lead the community engagement process to create multi-family zoning that complies with the MBTA Communities Act (MGL c.40A Section 3A). The group will advise the Select Board and Planning Board on proposed zoning to bring to Town Meeting in 2024, informed by their individual expertise, group deliberations, and feedback received from the public.

Charge: The Housing Needham (HONE) Advisory Group will:

- Lead a broad public engagement effort for the Needham community to envision and shape zoning to allow multi-family housing that complies with the MBTA Communities Act.
- Utilize the recommendations in the Town of Needham's 2022 Housing plan as a starting point.
- Evaluate build-outs, projections, and analyses of fiscal, school enrollment, and infrastructure impacts provided by staff and consultants.
- Consider related zoning elements that are allowed, but not required under the MBTA Communities Act, including but not limited to inclusionary zoning (affordable housing requirements) and parking minimums.
- Update the Select Board, Planning Board and Finance Committee throughout the process on group deliberations and community feedback.
- Recommend draft zoning to the Select Board and Planning Board to submit to DHCD and Town Meeting.

Charge Adopted:

SME Status Voted:

** Per M.G.L. Ch. 268A Sec. 1(n), the Select Board Members serving on the HONE Advisory Group cannot claim SME status, even though the HONE Advisory Group, as an entity, is designated as such.*

Town of Needham
MBTA Community Multi-Family Zoning Compliance Timeline

May 2023 – August 2023	Foundational Work	• Coordinate between Select Board & Planning Board • Create, appoint, and launch advisory group • Finalize scope of work and secure consultant • Create website and listserv • Detail community engagement plans • Apply for grant funds • Test DHCD compliance model
September 2023 – March 2024	Community Engagement & Analysis	• Hold frequent meetings of advisory group • Lead broad public outreach and engagement efforts • Host multiple community workshops • Mail postcards to all residents • Utilize online surveys • Identify key partners • Build out models for each proposal, as they are refined via community input and the advisory group • Analyze fiscal impacts, school enrollment projections, infrastructure impacts, etc. • Ensure each proposal complies with state law • Update Select Board, Planning Board, Finance Committee regularly • Present zoning recommendation to both boards
April 2024 – June 2024	DHCD 90-day review period	• DHCD will review proposed multi-family zoning districts <i>before</i> they are submitted to Town Meeting to indicate compliance, but require 90-days for this review.
July 2024 – September 2024	Finalize Zoning language	• Follow statutory requirements for zoning articles: legal notices, public hearing before the Planning Board, finalize language
October 2024	Town Meeting	• Legislative branch discussion and vote
November – December 2024	Final DHCD & AGO review	• December 31, 2024 is the Town's deadline to comply with the MBTA Communities Act. DHCD will make this determination. • The Attorney General's Office reviews all local zoning changes.



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Mobility Planning Coordinating Committee
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
At its meeting on January 10, 2023 the Board voted to approve changes to the Rail Trail Advisory Committee charge, and name and charge changes for the existing Traffic Management Advisory Committee to the Transportation Safety Committee. Action on changing the Transportation Committee to become the Mobility Planning Coordinating Committee was dependent on Town Meeting Action. The 2023 Annual Town Meeting voted unanimously to support the removal of the Transportation Committee from the General By-laws. The Town Manager will recommend that the Board vote to adopt the composition and charge for the Mobility Planning Coordinating Committee.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Board vote to adopt the composition and charge for the Mobility Planning Coordinating Committee.	
3.	BACK UP INFORMATION ATTACHED
a. Committee Composition & Charge – Mobility Planning Coordinating Committee	

Town of Needham

Mobility Planning & Coordination Committee (MPCC)

Committee Charge

Type:	Permanent
Legal Reference:	Select Board Goals
Appointing Authority:	Select Board
Number of Voting Members:	Seven (7)
Term of Appointment	Three Years
Special Municipal Employee	Yes
Staff Support	Director of Public Works/Designee

Members	Year Appointed	Term Expiration

Composition:

- Two at-large Community Members
- Representative or Alternate Representative to the Metropolitan Area Planning Council (MAPC)*
- Current Town representative to the MBTA Advisory Board
- Current Town representative to the Boston MPO Regional Transportation Advisory Council
- One representative from the Transportation Safety Committee
- One representative from the Rail Trail Advisory Committee
- Director of Public Works/Designee, (ex officio, non-voting)*
- Director of Planning & Community Development/Designee (ex officio, non-voting)*

* Full-time employees and Select Board members serving on the Committee are regular municipal employees, even though the MPCC members are designated as special municipal employees.

Purpose: The MPCC shall advise the Select Board in developing and maintaining plans, and recommending policies for the future of mobility-related infrastructure in the Town. Its functions will complement those of the Transportation Safety Committee.

Charge: The MPCC Committee will:

- Review the Town's needs for a Comprehensive Transportation Plan (CTP) and/or individual components thereof (e.g. transit plan, bicycle plan, traffic calming or speed management plan, traffic or transportation safety plan, pedestrian plan, etc.). Identify and recommend to the Select Board specific CTP elements to be developed.
- Advise and coordinate with Town staff on the development of CTP or CTP elements advanced by the Select Board, including purpose, scope, contents of plan elements, and the appropriateness of engaging outside sources (consultants).
- Provide oversight of transportation policies and annual transportation plans as long term plan steps are identified and funded.
- Review and comment to the Select Board on newly developed CTP elements or changes to established elements, especially as they result to policy (as opposed to specific projects).
- Review and advise on the addition or deletion of specific projects from CTP elements, as may periodically be requested by the Select Board, the TSC and/or the Rail Trail Advisory Committee.
- Participate in the semi-annual meetings of the Transportation committees (Mobility Planning & Coordination Committee, Transportation Safety Committee, and Rail Trail Advisory Committee). The purpose of the joint meetings is to align activities, projects, and planning initiatives to facilitate public awareness of current and planned Public Works projects. These meetings shall constitute a regular committee meeting for each committee. The semi-annual meetings will occur in September and February of each year.
- Advise and coordinate with Town staff and the other transportation committees on the prioritization of mobility-related capital infrastructural improvements, including anticipated funding sources for same.
- Review and comment to the Select Board on the particulars of transportation mitigation measures regularly considered by the Planning Board with respect to new developments, especially regarding conformance with transportation plan elements.
- In collaboration with the Select Board, identify and/or respond to opportunities for coordinating mobility infrastructure plans and improvements and expansion of transit networks with neighboring municipalities.
- The Committee will meet at least semi-annually at the joint meetings, and more often as needed.
- The Committee will elect a chair who shall rotate at least biannually.

Charge Adopted: June 13, 2023 **Charge Revised:**

SME Status Voted: June 13, 2023



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Quiet Zone Working Group
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
After withdrawing the warrant article for the design of the Quiet Zone, the Board committed to a process for refreshing the feasibility study, with a goal of seeking combined design and construction funding at the 2024 Annual Town Meeting. The Town Manager will recommend that the Board create a working group of stakeholders to provide feedback during the feasibility refresh process, and approve the composition and committee charge for the working group.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Board vote to adopt the composition and charge for the Quiet Zone Working Group.	
3.	BACK UP INFORMATION ATTACHED
a. Committee Composition & Charge - Quiet Zone Working Group	

Town of Needham

Quiet Zone Working Group

Committee Charge & Composition

Type:	Semi-Permanent (for duration of project)
Legal Reference:	Select Board Vote
Appointing Authority:	Select Board
Number of Voting Members:	five (5)
Term of Appointment	FY2024
Special Municipal Employee	Yes
Staff Support	Director of Public Works/Designee(s)

Members	Year Appointed	Term Expiration

Composition:

- One Current Member of the Finance Committee
- One Current Member of the Select Board*
- One Current Member of the Transportation/Mobility Planning Coordinating Committee
- One Current Members of Safer Quieter Needham
- The Town Manager (ex officio)*

* Regular municipal employees serving on the Committee remain regular municipal employees, even though the committee members are designated as special municipal employees

Purpose:

The QZ Working Group will provide input to the Town in the selection of a consultant for the Quiet Zone Refresh Project, and provide input and guidance to the selected consultant during the course of the study.

Charge:

- The Working Group will provide input and feedback to the Town Manager and Select Board relative to the quiet zone feasibility refresh project.
- The Working Group will serve as the evaluation committee for the selection of a consultant.
- The Working Group will serve as a resource to the consultant with respect to the development of the study and final report.
- The Working Group will make recommendation to the Select Board regarding next steps in this project.

Charge Adopted: [DATE] **Charge Revised:**

SME Status Voted: [DATE]



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Town-Financed Community Housing Oversight Committee
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Community Preservation Committee has proposed the creation of a committee to oversee the Town's investment in large-scale community housing projects. The Committee will work with consultants hired by the CPC and will provide the CPC with multi-disciplinary expertise and feedback in monitoring the Town's investment.
2.	VOTE REQUIRED BY SELECT BOARD
	Suggested Motion: That the Board vote to adopt the composition and charge for the Town-Financed Community Housing Oversight Committee (T-CHOC).
3.	BACK UP INFORMATION ATTACHED
	a) Committee Composition & Charge - Town-Financed Community Housing Oversight Committee (T-CHOC)

Town of Needham
Town-Financed Community Housing Oversight Committee
(T-CHOC)
Committee Charge & Composition

Type:	Semi-Permanent (for duration of project)	
Legal Reference:	Select Board Vote	
Appointing Authority:	Select Board	
Number of Voting Members:	Nine (9)	
Term of Appointment	Three Years	
Special Municipal Employee	Yes	
Staff Support		

Members	Year Appointed	Term Expiration

Composition: Unless otherwise noted, all appointments are by the Select Board

- Current Member of the Finance Committee (FC), appointed by FC
- Current or Former Member of the Permanent Public Building Committee (PPBC), appointed by PPBC
- Current Member of the Select Board*
- Current or Former Member of the Community Preservation Committee (CPC), appointed by the CPC
- Current Member of the Affordable Housing Trust (AHT), appointed by the AHT.
- Two at-large Community Members, at least one with experience in Housing Finance
- Assistant Town Manager/Director of Finance (ex officio, non-voting)*
- Assistant Town Manager/Director of Operations (ex officio, non-voting)*

* Regular municipal employees serving on the Committee remain regular municipal employees, even though the committee members are designated as special municipal employees

Unless otherwise noted, all appointments are by the Select Board

Purpose:

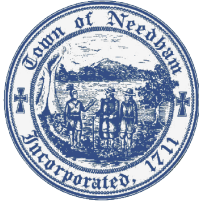
The T-CHOC shall oversee the use of funds appropriated by the Town to support the development of community housing by third parties and advise Town boards, committees, and Town Meeting on the use of those funds.

Charge:

- The Committee will monitor Town investments (through grants, loans or otherwise) in the development, creation, rehabilitation, restoration, preservation or support of community housing (collectively, "Community Housing Projects") by third parties.
- The Committee will meet regularly to review the progress of Community Housing Projects in which the Town has made an investment.
- The Committee will meet with the developer's project team to review project status, finance update, schedule, and the like.
- The Committee will provide advice to the Community Preservation Committee (CPC), Select Board, Finance Committee and Town Meeting as to the appropriateness of expenditure of Town funds and the advisability of future investment in the project.
- The Committee will elect a chair and vice chair who shall rotate at least biannually.
- The Committee Chair is responsible for the timely posting of all Committee meetings.
- The Committee will provide minutes of all meetings, both open and executive session. The minutes must be typed and include:
 - Date, time and location of meeting;
 - Names of those members present and absent;
 - A record of all votes, decision, and actions taken;
 - Brief summary of the discussion;
 - A list of the documentation and other exhibits used at the meeting.

Charge Adopted: [DATE] **Charge Revised:**

SME Status Voted: [DATE]



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/13/2023

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Board members may report on the progress and / or activities of their Committee assignments.	
2.	VOTE REQUIRED BY SELECT BOARD
N/A – Discussion Only	
3.	BACK UP INFORMATION ATTACHED
None	