

**Town of Needham
Select Board
Minutes for Tuesday, June 13, 2023
Select Board's Chamber
and
Via ZOOM**

<https://us02web.zoom.us/j/80968374046>

- 6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Marianne Cooley. Those present were Marcus Nelson, Kevin Keane, Heidi Frail (via Zoom), Catherine Dowd, and Kate Fitzpatrick, Town Manager. Dave Davison, ATM/Finance, Katie King, ATM/Operations, and Mary Hunt, Recording Secretary (via Zoom) were also in attendance.
- 6:00 p.m. Public Comment Period: No comments were heard.
- 6:01 p.m. Proclamation - Juneteenth:
Mr. Keane read a proclamation declaring June 19, 2023 as Juneteenth in the Town of Needham.
- Motion by Mr. Nelson 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.**
Second: Ms. Dowd. Unanimously approved 5-0 by roll call vote.
- 6:02 p.m. Proclamation - Pride Month:
Mr. Keane read a proclamation declaring June 2023 as Pride Month in the Town of Needham.
- Motion by Mr. Nelson 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.**
Second: Ms. Dowd. Unanimously approved 5-0 by roll call vote.
- 6:03 p.m. Public Hearing - Grant of Location:
Ross Goudeau, Verizon representative and Joanne Callender, Eversource Energy representative spoke with the Select Board regarding a Grant of Location.
1. Joint Grant of Location: 140 Kendrick Street
Ross Goudeau, Verizon representative stated Verizon New England and Eversource Energy are requesting 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. Mr. Goudeau said the petition is necessary to provide new communications and electrical service to support a solar project happening at 140 Kendrick Street, Needham.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson 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.

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

6:08 p.m. Public Hearings - Eversource Energy Grant of Location:
Joanne Callender, Eversource Energy representative spoke with the Select Board regarding three Grants of Location.

2. Public Hearing: Eversource Grant of Location - 140 Kendrick Street

Ms. Calendar of 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.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Eversource Energy to install approximately 8 feet of conduit in Kendrick Street.

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

3. Public Hearing: Eversource Grant of Location - 377 Chestnut Street

Ms. Callendar stated Eversource Energy is requesting 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.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Eversource Energy to install approximately 82 feet of conduit in Chestnut Street.

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

4. Public Hearing: Eversource Grant of Location - 1177 Central Avenue
Ms. Callendar said Eversource Energy is requesting permission to install approximately 14 feet of conduit in Central Avenue. The reason for this work is to provide underground service to a new home at 1177 Central Avenue.

Ms. Fitzpatrick said all paperwork is in order.

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

Motion by Mr. Nelson that the Select Board approve and sign a petition from Eversource Energy to install approximately 14 feet of conduit in Central Avenue.

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

6:15 p.m. Appointments and Consent Agenda:
Motion by Mr. Keane that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS: No Appointments were made at this meeting.

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	Party Date	Party Time	Party Rain Date
Ratify - Ari Cohen	32 Virginia Rd.	Virginia Rd 38, 33, 32, 26, 23, & 20	6/3/23	2-6pm	N/A
Ratify - Rebecca Carrier	17 Hollow Ridge Road	Hollow Ridge Road	6/10/23	5-9pm	6/16/23
Janine Helwig	158 Meadowbrook Road.	Newell Ave & Prospect St. intersection	9/9/23	3:30-8:30 pm	9/10/23

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

6:15 p.m. Public Hearing - Sewer and Water Rates:
The Water and Sewer Rate Structure Committee, along with David Davison, Assistant Town Manager/Finance, Carys Lustig, Director of Public Works, and

Michael Retzky, Superintendent of Water and Sewer met with the Select Board to discuss the water and sewer rates recommendation. It was noted 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. Mr. Davison stated several factors must be considered with a rate recommendation including expenditures, volume, the current rate structure, and rate options. He noted withdrawal of the Coke-a-Cola bottling operations is a factor in the rate increase, as well as inflation. Discussion ensued on the impact of the Covid pandemic and use of irrigation. It is anticipated that the Select Board will vote on final water and sewer rates at its meeting on June 27, 2023.

Ms. Cooley noted significant analysis went into the rate recommendation.

Ms. Cooley invited public comment. No comments were heard. She said the public comment period will remain open until the Select Board takes a vote at the meeting on June 27, 2023.

6:35 p.m. Public Hearing: Alcohol License Hearing - Pancho's Taqueria
Carlos Chavira, Owner & Manager of Record and John Schlittler, Chief of Police met with the Board 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.

Chief Schlittler presented testimony relative to an alcohol compliance check failure on April 12, 2023. Chief Schlittler reminded the Board this is the third compliance violation for Pancho's Taqueria.

Ms. Cooley reiterated there are two issues: this is the third violation and training requirements. She noted even though Mr. Chavira has implemented additional training, the staff member who served the alcohol had not been trained.

Discussion ensued on T.I.P.S Certification and the use of an ID scanner. Mr. Nelson noted that this is the third violation in a year and a half. Ms. Cooley noted no questions or comments have been received from the public.

The Select Board discussed suspension of the alcohol license, the number of days of the suspension and whether the days will be served immediately and consecutively, sending notice to the ABCC, and the violation of required training.

Motion by Mr. Keane that:

1.

- a. The Select Board finds 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; and

- b. 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 3 day(s) to be served consecutively on set dates in the future; and**
- c. 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. And**

2.

- a. That the Select Board finds 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; and**
- b. 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 1 day to be served consecutively on set dates in the future; and**
- c. 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.**

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

7:00 p.m. Town Manager:
Kate Fitzpatrick, Town Manager spoke with the Board regarding four items:

- 1. Housing Needham (HONE) Advisory Group**
Ms. King, ATM/Operations reminded the Select Board that at its meeting on May 23, 2023 it 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. She noted the Town will embark on an 18-month community engagement process to shape this proposed zoning for Town Meeting's consideration. Ms. King said 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. Ms. King recommends that the Select Board vote to adopt the HONE Advisory Group Composition and Charge.

Motion by Mr. Nelson that the Select Board vote to adopt the Housing Needham (HONE) Advisory Group Composition and Charge.

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

2. Mobility Planning Coordinating Committee

Ms. Fitzpatrick reminded the Board that 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. She noted action on changing the Transportation Committee to become the Mobility Planning Coordinating Committee was dependent on Town Meeting action. Ms. Fitzpatrick stated that the 2023 Annual Town Meeting voted unanimously to support the removal of the Transportation Committee from the General By-laws, and is recommending that the Board vote to adopt the composition and charge for the Mobility Planning Coordinating Committee.

Motion by Mr. Nelson that the Board vote to adopt the composition and charge for the Mobility Planning Coordinating Committee.

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

3. Quiet Zone Working Group

Ms. Fitzpatrick commented that after withdrawing the warrant article for the design of the Quiet Zone, the Select 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. Ms. Fitzpatrick recommends 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.

Motion by Mr. Keane that the Select Board vote to adopt the composition and charge for the Quiet Zone Working Group.

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

4. Town-Financed Community Housing Oversight Committee

Ms. Fitzpatrick said the Community Preservation Committee has proposed the creation of a committee to oversee the Town's investment in large-scale community housing projects. She noted the Committee will work with consultants hired by the applicants and will provide the CPC with multi-disciplinary expertise and feedback in monitoring the Town's investment. Ms. Fitzpatrick asked the Select Board to approve the composition and charge for the Town-Financed Community Housing Oversight Committee (T-CHOC).

Motion by Mr. Keane that the Board vote to adopt the composition and charge for the Town-Financed Community Housing Oversight Committee (T-CHOC).

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

7:15 p.m. Board Discussion:

1. Committee Reports

Mr. Keane reported the Climate Action Planning Committee met, noting the consultant KLA has started its greenhouse gas study which includes community meetings. He noted the path forward is optimistic. He mentioned a survey was included in the News You Need(ham) and will be available on the Climate Action Planning Committee website for folks to give input.

Mr. Nelson reported NUARI met last night for its annual meeting. He said many positive thoughts were expressed and that it was nice to hear from the members and also to understand “how far we need to go.” Mr. Nelson said it was a chance to recognize how much work has already been done and see the many motivated people from all walks of life who want to be part of the solution in making Needham a place where people want to live. He commented on conversations for discussion at elementary schools.

Ms. Cooley noted progress vs. goals and the steps taken toward improving. She noted the creation of conversation space to understand the challenges and discomforts, and what that might mean going forward. She commented on policing, schools, and community engagement.

Ms. Dowd shared her thoughts from holding office hours, noting concerns received from constituents. She said one comment was regarding riding bicycles in the downtown and Needham Heights areas. She said another comment was regarding light pollution and the types of lighting in use in Needham.

Office hours are scheduled for July 15 (Mr. Nelson via Zoom) and August 8 (Ms. Cooley in the Select Board’s Chamber).

7:26 p.m. Adjourn:

Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board meeting of Tuesday, June 13, 2023.

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

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

The next Select Board meeting is scheduled for Tuesday, June 27, 2023 at 6:00 p.m.