

**Town of Needham
Select Board
Minutes for Tuesday, January 9, 2024
Select Board's Chamber and
Via ZOOM
<https://us02web.zoom.us/j/89068374046>**

- 6:01 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Marianne Cooley. Those present were Vice Chair Kevin Keane, Cathy Dowd, Heidi Frail, Marcus Nelson, and Town Manager Kate Fitzpatrick. David Davison, DTM/Finance, Katie King, DTM/Operations, and Susan Metropol, Recording Secretary, were also in attendance.
- 6:02 p.m. Public Comment Period:
No hands raised for public comment.
- 6:03 p.m. Public Hearing: Eversource Grant of Location – 14 Winslow Road:
Presenter: Joanne Callender, Eversource Representative
- Joanne Callender presented that Eversource is seeking a permit to provide temporary service to the new home at 14 Winslow Road. Ms. Fitzpatrick confirmed that all information is in order. Ms. Frail asked whether work will be conducted on private property only or on a public roadway as well. Ms. Fitzpatrick will confirm. No public comments heard.
- Motion by Ms. Dowd that the Select Board approve and sign a petition from Eversource Energy to install approximately 44 feet of conduit in 14 Winslow Road.**
Second: Mr. Keane. Unanimously approved 5-0.
- 6:10 p.m. Public Hearing: Eversource Grant of Location – 503 High Rock Street:
Presenter: Joanne Callender, Eversource Representative
- Joanne Callender presented that Eversource is seeking a permit to provide service to the new home at 503 High Rock Street. Ms. Fitzpatrick confirmed that all information is in order. No questions from the Board or public comment.
- Motion by Ms. Frail that the Select Board approve and sign a petition from Eversource Energy to install approximately 10 feet of conduit in 503 High Rock Street.**
Second: Mr. Nelson. Unanimously approved 5-0.
- 6:11 p.m. Public Hearing: Climate Action Roadmap:

Presenters: Stephen Frail, Climate Action Plan Committee, Chair; Nick Hill, Climate Action Plan Committee, Vice Chair; and Gabby Queenan, Sustainability Manager

Stephen Frail presented an overview of the Climate Action Roadmap, including a review of the formation of the Committee in early 2022 and the development of the Climate Action Roadmap over the past year. The Committee anticipates finalizing the Climate Action Roadmap in February 2024.

Mr. Frail presented that 92% of Needham survey respondents agree that climate change is happening, and 82% of respondents think that the Town should do more to reduce its impact on the environment. Mr. Frail also presented a breakdown of the current emissions pathways in the Town, with the source of most carbon emissions being residential buildings (37.27%), private transportation (32.39%), and commercial buildings (27.24%). Mr. Frail outlined the high impact strategies below for reducing Needham's greenhouse gas emissions, with the goal of net zero emissions by 2050:

- Electrify transportation
- Electrify buildings & pursue efficiency
- Eliminate natural gas leaks
- Reduce solid waste
- Shift to public transit & low carbon fuels

To contextualize these strategies, Mr. Frail noted that the goals, strategies, and action in the Climate Action Roadmap are organized into six key focus areas:

1. Clean energy
2. Governance
3. Natural resources & waste
4. Net zero buildings
5. Resilience & public health
6. Transportation

Mr. Frail emphasized the Climate Action Plan is a set of recommended actions, prioritized by impact relative to cost. Town leaders will determine which actions to implement on an annual basis, weighing these actions against other Town priorities. Each action follows the standard Town decision-making processes. Ms. Cooley added for the consideration of the Climate Action Plan Committee that the Board received a comment about food and agriculture as it relates to climate change, noting that food and agriculture constitutes approximately 30% of global greenhouse emissions.

Jane Bolden, 133 Brookside Road, asked if there is any item in the document that compels homeowners that currently use propane to switch over to electric. Ms. Cooley noted that there is nothing in the Plan that compels homeowners to take an action.

Ross Donald, 25H Chambers Street, commented that this is a comprehensive document and congratulated the Climate Action Plan Committee. He commented specifically on the terms “solar energy” and “net zero,” highlighting the nuances of their application in the document. He emphasized the need to reduce the consumption of imported non-renewable energy in buildings in Town.

Marvin Berkowitz, 23 Wayne Road, thanked the Committee for the work they have done to develop this plan for the Town. He commented on the potential for local incentives to encourage adoption of electric vehicles.

Kamryn Doerr, 151 Woodbine Circle, contributed that it is important to set expectations for a regular review period, for example every five years, in order to set quantifiable goals. She also added that identifying what “feasibility” means for the roadmap itself, especially around procurement, will be important to hold vendors and the Committee accountable to its goals.

Ms. Cooley added that the next Climate Action Plan Committee meeting will be held on Thursday, January 11, during which the Committee will be reviewing comments and determining any changes to current recommendations.

6:35 p.m. Asbestos and Lead: Nuisance Dust Requirements for Demolition Projects:
Presenter: Timothy McDonald, Director of Health & Human Services

Mr. McDonald presented on the mitigation and removal requirements for asbestos, lead paint, and pests during demolitions in the Town, outlining that there are three Town Departments involved: the Building Department, which issues the Demolition Permit, the Public Health Division, and the Fire Department. The Massachusetts Department of Environmental Protection issues its own regulations involving required notification, containment and mitigation, and licensing standards for individuals conducting demolition work. Mr. McDonald noted that a Select Board Policy from 2003 requires a Fire Department detail to be present at demolitions to control dust by spraying the site of demolition.

Discussion ensued with questions from Select Board members about the process for removing lead from buildings before demolition, dust warning, and how much of the offending substance is removed before demolition. Mr. McDonald emphasized that electronic permitting has allowed for greater collaboration, and the improved process has reduced concern about these substances. If any resident has a concern, they should call the Health Department who track demolition permits and builder information.

6:53 p.m. Town Manager:

RTS Policy Review

Town Manager Kate Fitzpatrick and Director of Public Works Carys Lustig reported a new RTS service for low-income households and residents impacted by

locally declared emergencies. Under the proposal, the Town Manager would be authorized to waive over-the-scale or other bulky item fees for residents with residential stickers who are impacted by locally declared emergencies; and Department of Public Works/RTS staff may be assigned to pick-up household debris related to a locally declared emergency. There will be no fee for this service. Select Board members expressed their appreciation for this policy.

ARPA Update

Ms. Fitzpatrick provided an update on ARPA funding, recommending that the Select Board vote to decrease the funding amount request for the Rosemary Sluice Gate by \$280,000 and create a new line to fund the first phase of the Stormwater Plan with regard to water capacity.

Motion by Mr. Keane that the Select Board vote to approve the revision of the ARPA Proposed Budget.

Second: Ms. Frail. Unanimously approved 5-0.

Parking Meter Policy Review

Myles Tucker presented a draft policy to govern street parking fee waivers, buy-outs, and displays on parking meters. Mr. Tucker reviewed that the Select Board has historically granted permission from Town or third parties to waive or buy-out parking meter fees absent a formal policy. Town staff recommended that the Select Board adopt a policy to govern this practice and to provide clear regulation of decoration of parking meters.

Select Board members discussed the implications of implementing this policy or not given that parking meters are a venue for government speech. Select Board members expressed heightened caution against potential inappropriate speech that could occur through a buy-out and referred the policy back to staff for study. Further discussion will take place regarding holiday parking in Town.

Fire Department Civil Service Ballot Question

The Town and the Fire Union reached agreement on a plan to remove the Town from the Civil Service hiring system. Because the Town of Needham elected to participate in the Civil Service program by way of the vote of the residents at the ballot, the Town may exit the Civil Service system in the same way. Ms. Fitzpatrick recommended that the Board seek approval of this initiative by the voters. Discussion ensued about the phrasing of the question on the ballot and will continue at a future Select Board meeting.

Tree Summit Proposal

Following the Select Board's vote to sponsor a tree summit as a first step toward addressing numerous concerns about tree removal, tree planting, and tree policies, a Summit has been scheduled for Wednesday, February 7 at 7:00 p.m. in Powers Hall¹. The format for the summit is still being developed.

¹ The Tree Summit has since been postponed.

By-Law and Charter Review Committee

Ms. Fitzpatrick recommended that the Board appoint a working group to develop the specific proposal and warrant article language for this purpose. The Composition and Charge includes two meeting dates (if necessary) in February in order to meet warrant deadlines.

Motion by Mr. Keane that the Select Board vote to approve the Charge and Composition of the Town By-Law and Charter Review Working Group.

Second: Ms. Dowd. Unanimously approved 5-0.

7:29 p.m.

Consent Agenda:

Motion by Ms. Frail that the Select Board vote to approve the Consent Agenda as presented.

Second: Mr. Keane Unanimously approved 5-0.

CONSENT AGENDA

1.	Accept the following donation to the Needham Health Division: • \$60 in honor of Alison Phillips to the Substance Use Prevention program
2.	Accept the following donation to the Needham Free Public Library: • From Porchlight Book Company, <u>Know What Matters</u> by Ron Shaich, estimated value \$30; • From Peng Shen, \$20; • From Sandra Swartz, \$200; and • From the Friends of the Needham Free Public Library, \$3,050 for programming expenses in calendar year 2024.
3.*	Approve revisions to SB-FIN-002 (Capital Improvement Policies) & SB-FIN-003 Revisions (Debt Management Policies)
4.	Accept the following donation to Needham Youth & Family Services: • \$50 from Erin Doyle towards the YFS Crisis Donation Fund
5.*	Approve Special Joint Meeting minutes of December 5, Open Session meeting minutes of December 5, and Open Session Meeting minutes of December 19.

7:30 p.m.

Town Manager (continued):

Open Annual Town Meeting Warrant

Ms. Fitzpatrick reviewed that the Board is scheduled to open the warrant for the 2024 Annual Town Meeting. The Warrant is scheduled to be closed on February 13.

Motion by Mr. Nelson that the Select Board vote to open the warrant for the 2024 Annual Town Meeting.

Second: Ms. Frail. Unanimously approved 5-0.

Town Manager Report

Ms. Fitzpatrick reported that Governor Maura Healey implemented mid-year cuts, halving the funds available to the Town for the design of a new Town Seal and Town Branding.

7:33 p.m. Board Discussion:

Open Meeting Law Complaint

Ms. Cooley provided an updated on an Open Meeting Law Complaint filed by Margaret Abruzese that the Board received on June 8, 2023. The Board discussed the Complaint in open session on June 27 and voted to authorize Town Counsel to prepare and submit a response, which was sent on June 29. On July 10, Margaret Abruzese filed a copy of the Complaint and the Town's response with the Office of the Attorney General's Division of Open Government, with a request that it review the matter further. Town Counsel provided a response on August 14. By letter of December 28, the Office of the Attorney General notified the Board of their finding that the Board did not violate the Open Meeting Law as alleged.

NHA Zoning

Ms. Cooley reviewed the work of the Planning Board to consider a change to the Town's Zoning By-law that would enable the redevelopment of the NHA's Linden-Chambers property. The NHA has requested that the Planning Board not include any age or ability restrictions. The NHA is also seeking a warrant article to authorize the Select Board to remove existing age-based restrictions in the Authority's property deeds. Discussion ensued about the implications of potential resident restrictions, including eligibility for federal and state housing funding and the regulations that will govern if we remove restrictions.

Motion by Ms. Dowd that the Select Board vote to authorize the Town Manager to submit a letter to the Planning Board in support of the Needham Housing Authority's Request.

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

Committee Reports

Ms. Frail updated on Housing Needham Advisory Group (HONE), which will be hosting a public forum on January 18 at 7:00 p.m. in Powers Hall. There will be a presentation from consultants with a number of different representations of configurations in map format with a survey so that residents can give feedback online and in-person following the meeting. There will be an opportunity for public comment.

Ms. Frail added that she, Ms. Dowd, and Mr. Tucker accompanied DPW staff on a snowplow ride-a-long to learn about the Town's response to snow weather events.

Ms. Dowd noted that she hosted office hours and met with six residents and discussed a range of issues.

7:48 p.m. **Motion by Mr. Keane that the Select Board enter into executive session pursuant to Exception 3: to discuss strategy with respect to collective bargaining with the ITWA, NIPEA, Police Union, and Police Superior Officers Association, where an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares and not to return to Open Session prior to adjournment.**
Second: Mr. Nelson. Unanimously approved 5-0.

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

The next Select Board meeting is scheduled for Tuesday, January 23, 2024, at 6:00 p.m.