

BOARD OF SELECTMEN

May 27, 2014

Needham Town Hall

Revised Agenda

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment.</i> <i>This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Public Hearing- NSTAR- Greendale Avenue Chris Cosby, NSTAR representative
2.	7:00	Public Hearing- NSTAR- Third Avenue, B Street Chris Cosby, NSTAR representative
3.	7:00	Public Hearing- Level 3 Communications- Cabot Street - Michael Wiemer, Level 3 Communication representative - Fred York, Phoenix Communications representative
4.	7:00	Public Hearing – Rockets Restaurant Group d/b/a 3 Squares - Application to change from Wine and Malt Only to All Alcohol - Application for Alteration of Premises to include outside seating
5.	7:10	Director of Public Works Project Updates
6.	7:20	Town Manager - Facility Master Plan Update - Use of Mobile Electronic Message Boards Policy - Carol-Brewster Conservation Restriction
7.	7:40	Board Discussion - Committee Reports - Medical Marijuana Dispensary
8.	8:00	Approve Sale of Bonds and Notes

APPOINTMENTS

There are no appointments at this meeting.

CONSENT AGENDA *=Backup attached

1.*	Approve Minutes from April 22, 2014, May 7, 2014, May 12, 2014, and May 13, 2014 meetings.
2.	Approve change to the April 2015 Selectmen meeting schedule: meeting date changes from April 8, 2015 and April 21, 2015 to April 15, 2015 (Wednesday) and April 28, 2015.
3.	Accept \$20 donation made to Needham Youth Services' Extreme Looks program from Stuart and Debra Schmill.

4.	Accept the following donations made to Needham Youth Services' Project Van program: \$50 from Anurag and Divya Das, \$75 from Peter and Alison Atallah, and \$25 from Nick and Carolyn Guttilla.				
5.*	Approve a Special One Day Wines and Malt Beverages License for Kristin Mockus, of Needham Pool & Racquet Club to hold its New Member Reception on Friday, May 30, 2014 from 6:00 p.m. to 9:00 p.m. The event will be held at Needham Pool & Racquet Club, 1550 Central Avenue, Needham.				
6.	Approve continuation of the experimental Traffic Regulation in accordance with the Needham Traffic Rules and Regulations Section 3-6 for Great Plain Avenue for the period May 27, 2014 to June 26, 2014: one Handicap Parking spot, and one 15 minute Parking spot, in front of the former Eaton Square Right of Way adjacent to MBTA Right of Way.				
7.	Approve continuation of the experimental Special Permit Parking Regulation to allow temporary parking for construction vehicles on Ellis Street at Mills Field. This regulation will allow parking for up to twelve vehicles for the period May 25, 2014 to June 24, 2014.				
8.*	Approve application for Mobile Food Truck License from Erik Wegner to operate his food truck "Dog Gone Ron's" for the 2014 season, April 1 through November 30, in the location across from 40 1 st Avenue, Monday through Friday from 8:00 am to 7:00 pm.				
9.*	Water and Sewer Abatement Order #1181				
10.*	Approve a request from Jessica Rice, who has submitted a Road Event form, to hold its "Jog Your Memory Run" on Sunday, September 7, 2014 from 6:00 a.m. to 1:00 p.m. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.				
11.	Grant permission for the following resident to hold a Block party:				
Name	Address	Party Location	Party Date	Party Rain Date	Time
Ratify:Penny MacConnell	20 Livingston Circle	Livingston Circle	5/26/2014		3-7pm
Beth McCarthy	19 Davenport Road	Davenport Road	6/21/2014		3-8pm



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 05/27/2014

Agenda Item	Public Hearing – NSTAR Petition for Greendale Avenue
Presenter(s)	Chris Cosby, NSTAR

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
NSTAR requests permission to install approximately 61 feet of conduit from poles 24/107 and 24/109 Greendale Avenue, Needham. This work is necessary to provide underground electric service for a Residential Development (20 new houses) off Greendale Avenue opposite Enslin Road. The Department of Public Works has approved this petition, based on NSTAR’s commitment to adhere to regulation that all conduit installed must be 3” schedule 40 minimum; and, that when buried, the conduit must be placed at 24” below grade to the top of the conduit.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<u>Suggested Motion:</u> Move that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 61 feet of conduit from poles 24/107 and 24/109 Greendale Avenue, Needham. This work is necessary to provide underground electric service for a Residential Development (20 new houses) off Greendale Avenue opposite Enslin Road.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below) a. Letter of Application b. Petition c. Order d. Petition Plan e. Notice Sent to Abutters f. List of Abutters			



200 Calvary Street
Walham, Massachusetts 02453

April 29, 2014

Board of Selectmen
Town Hall
1471 Highland Ave
Needham, MA 02192

900
RE: Greendale Ave
Needham, MA
W.O. #1969490

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company for the purpose of obtaining a Grant of Location to install approximately 61'± feet- conduit from poles 24/107 and 24/109 Greendale Ave, Needham.

This work is necessary to provide underground electric service for new Residential Development (20 new houses) off Greendale Ave. opposite Enslin Road.

If you have any further questions, contact Maureen Carroll @ (617) 369-6421.
Your prompt attention to this matter would be greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "William D. Lemos".

William D. Lemos
Rights & Permits Supervisor

WDL/amw
Attachments

OK to
Proceed
K. M. Ryder, Engr.
5/8/14
OK R. P. Hanson
5/9/14
DPW Director

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR
CONDUITS
AND MANHOLES**

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

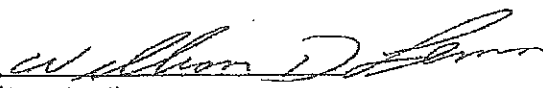
Respectfully represents **NSTAR Electric Company** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

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 **A. DeBenedictis Revised April 29, 2014**, and filed herewith, under the following public way or ways of said Town:

Greendale Ave -	At and northeasterly from pole 24/107 approximately 53'± feet north of Enslin Road a distance of about 45'± feet - conduit
Greendale Ave -	At and northeasterly from pole 24/109 approximately 90'± feet south of Enslin Road a distance of about 16'± feet - conduit

(WO. 1969490)

NSTAR ELECTRIC COMPANY

BY 
William D. Lemos
Rights & Permits, Supervisor

Dated this 29th day of April 2014

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2014

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

WHEREAS, **NSTAR ELECTRIC COMPANY** 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** 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:

Greendale Ave - At and northeasterly from pole 24/107 approximately 53'± feet north of Enslin Road a distance of about 45'± feet - conduit

Greendale Ave - At and northeasterly from pole 24/109 approximately 90'± feet south of Enslin Road a distance of about 16'± feet - conduit

(WO. 1969490)

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 **A. Debenedictis, Revised April 29, 2014** on the file with said petition.
2. Said 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. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

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

CERTIFICATE

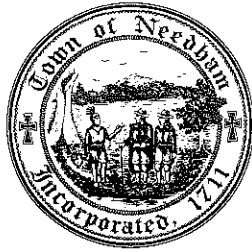
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven 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 _____ 2014 at _____ in said Town.

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

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Board of Selectmen of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2014 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



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on May 27, 2014** upon petition of NSTAR dated **April 29, 2014** to install approximately 61 feet of conduit from Poles 24/107 and 24/109 on Greendale Avenue, Needham. This work is necessary to provide electric service for a new Residential Development (20 new houses) off Greendale Avenue opposite Enslin Road, Needham. A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact NSTAR representative, Maureen Carroll at 617-369-6421.

John A. Bulian
Maurice P. Handel
Matthew D. Borrelli
Marianne Cooley
Daniel P. Matthews

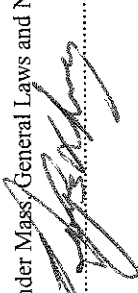
BOARD OF SELECTMEN

Dated: May 12, 2014

900 GREENDALE AVE

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		<u>OWNER ZIP</u>
199/014.0-0012-0000.0	883	GREENDALE AVE	KELLY, KATHLEEN M.	883 GREENDALE AVE	OWNER CITY NEEDHAM	State MA	02492
199/014.0-0013-0000.0	889	GREENDALE AVE	ROURKE, PETER & ROURKE, TARYN A.	889 GREENDALE AVE	NEEDHAM	MA	02492
199/014.0-0014-0000.0	899	GREENDALE AVE	CULLINANE, JOHN M + CULLINANE, ELIZABETH A	899 GREENDALE AVE	NEEDHAM	MA	02492
199/014.0-0028-0000.0	6	ENSLIN RD	GEIST, ROBERT	6 ENSLIN RD	NEEDHAM	MA	02492
199/014.0-0029-0000.0	919	GREENDALE AVE	JBANCROFT ASSOCIATES, LLC	66 DOUGLAS RD	NEEDHAM	MA	02492
199/014.0-0029-0001.0	919	GREENDALE AVE	GALLAGHER, JOHN P & GALLAGHER, ALEXIS M.	919 GREENDALE AVENUE	NEEDHAM	MA	02492
199/014.0-0029-0002.0	3	GROSVENOR RD	ALLEN, DAPHNE M	3 GROSVENOR ROAD	NEEDHAM	MA	02492
199/014.0-0052-0000.0	926	GREENDALE AVE	DEMAIO, MARY E.	926 GREENDALE AVE	NEEDHAM	MA	02492
199/014.0-0053-0000.0	906	GREENDALE AVE	GREENDALE VILLAGE LLC C/O SEB LLC	165 CHESTNUT HILL AVE	BRIGHTON	MA	02135
199/015.0-0004-0000.0	0	GREENDALE AVE	TOWN OF NEEDHAM	1471 HIGHLAND AVE	NEEDHAM	MA	02492
199/015.0-0010-0000.0	880	GREENDALE AVE	AVITA NEEDHAM, LLC	15 THIRD AVENUE	BURLINGTON	MA	01803

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
For the Needham Board of Assessors





**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 05/27/2014

Agenda Item	Public Hearing – NSTAR Petition for Third Avenue & B Street
Presenter(s)	Chris Cosby, NSTAR

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
NSTAR requests permission to install approximately 1,161 feet of conduit from manhole #22490 and install three new manholes #29837, 29838, and 29839 on Third Avenue and B Street, Needham. This work is necessary to provide underground electric service for a new building for TripAdvisor at 400 First Avenue, Needham. The Department of Public Works has approved this petition, based on NSTAR's commitment to adhere to regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<u>Suggested Motion:</u> Move that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 1,161 feet of conduit from manhole #22490 and install three new manholes #29837, 29838, and 29839 on Third avenue and B Street, Needham. This work is necessary to provide underground electric service for a new building for TripAdvisor at 400 First Avenue, Needham.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below) a. Letter of Application b. Petition c. Order d. Petition Plan e. Notice Sent to Abutters f. List of Abutters			



200 Calvary Street
Waltham, Massachusetts 02453

May 1, 2014

Board of Selectmen
Town Hall
1471 Highland Ave
Needham, MA 02192

RE: **Third Ave, B Street**
Needham, MA
W.O. #1948776

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company for the purpose of obtaining a Grant of Location to install approximately 1,161'± feet of conduit from manhole #22490 and install three (3) new manholes #29837, 29838 and 29839 on Third Ave and B Street, Needham.

This work is necessary to provide underground electric service for new Building for Trip Advisor @ #400 First Ave.

Your prompt attention to this matter is appreciated. If you have any questions please contact Maureen Carroll at (617) 369-6421.

Sincerely,

A handwritten signature in cursive script that reads "William D. Lemos".

William D. Lemos-Supervisor
Rights & Permits

WDL/aw
Attachments

A handwritten note enclosed in a hand-drawn cloud-like shape. The text inside reads: "OK TO proceed 1. T. M. Eng. 5/8/14 OK R.P. Hanson Director 5/9/14".

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR
CONDUITS
AND MANHOLES**

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

Respectfully represents **NSTAR Electric Company** 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 **A. Debenedictis Dated April 23, 2014**, and filed herewith, under the following public way or ways of said Town:

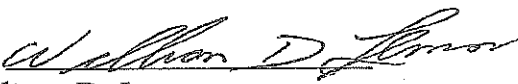
Third Ave - Southwesterly from MH#22490 approximately 386'± feet
northeast of B Street a distance of about 386'± feet - conduit

B Street - At and southwesterly from Third Ave a distance of about 775'±
feet - conduit

Install Three (3) new manholes #29837, 29838 and 29839

(WO. 1948776)

NSTAR ELECTRIC COMPANY

BY 
William D. Lemos
Rights & Permits, Supervisor

Dated this 28th day of April 2014

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2014

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

WHEREAS, **NSTAR ELECTRIC COMPANY** 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** 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:

Third Ave - Southwesterly from MH#22490 approximately 386'± feet northeast of B Street a distance of about 386'± feet - conduit

B Street - At and southwesterly from Third Ave a distance of about 775'± feet - conduit

Install Three (3) new manholes #29837, 29838 and 29839
(WO. 1948776)

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 **A. Debenedictis, Dated April 23, 2014** on the file with said petition.
2. Said 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. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	Board of Selectmen
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 _____ 2014 at _____ in said Town.

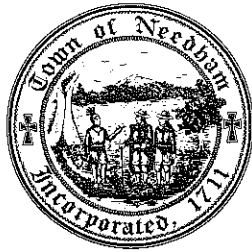
1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	NEEDHAM
5	_____	

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2014 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



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on May 27, 2014** upon petition of NSTAR dated **April 28, 2014** to install approximately 1,161 feet of conduit from manhole #22490 and install three new manholes #29837, 29838, and 29839 on Third Avenue and B Street, Needham. This work is necessary to provide underground electric service for a new building for TripAdvisor at 400 First Avenue, Needham. A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact NSTAR representative, Maureen Carroll at 617-369-6421.

John A. Bulian
Maurice P. Handel
Matthew D. Borrelli
Marianne Cooley
Daniel P. Matthews

BOARD OF SELECTMEN

Dated: May 12, 2014

THIRD AVE, "B STREET"

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER</u>	<u>CITY</u>	<u>State</u> <u>ZIP</u>
199/001.0-9999-9999.0	0	ROUTE 128	COMMONWEALTH OF MASSACHUSETTS DEPT. OF PUBLIC WORKS - MDC	10 PARK PLAZA	BOSTON	MA	02116
199/300.0-0011-0000.0	151	THIRD AVE	NEEDHAM EXPRESS LIMITED PARTNERSHIP C/O DANAC LLC	5404 WISCONSIN AVE	CHEVY CHASE	MD	20815
199/300.0-0012-0000.0	117	KENDRICK ST	INTERCONTINENTAL FUND III, 117 KENDRICK STREET LLC	1270 SOLDIERS FIELD RD	BOSTON	MA	02135
199/300.0-0014-0000.0	9	B ST	COCA COLA REFRESHMENTS C/O PROPERTY TAX DEPT, NAT 11	PO BOX 1734	ATLANTA	GA	30301
199/300.0-0017-0000.0	156	B ST	GENERAL DYNAMICS C4 SYSTEMS INC GENERAL DYNAMICS NETWORK SYSTEMS IN	77 A STREET - BLDG. 24	NEEDHAM	MA	02494
199/300.0-0018-0000.0	189	B ST	GENERAL DYNAMICS C4 SYSTEMS INC GENERAL DYNAMICS NETWORK SYSTEMS IN	77 A STREET	NEEDHAM	MA	02494
199/300.0-0028-0000.0	37	A ST	NORMANDY GAP-V DEVELOPMENT NEEDHAM LLC	53 MAPLE AVE	MORRISTOWN	NJ	07960-5219
199/300.0-0072-0000.0	0	FOURTH AVE	BLAKELEY, LINNELL ET AL, TRS C/O BLAKELEY INVESTMENT CO	1 INTERNATIONAL PLACE STE 3250	BOSTON	MA	02110

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge
For the Needham Board of Assessors.....



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 05/27/2014

Agenda Item	Public Hearing – Level 3 Communications Petition for Cabot Street
Presenter(s)	Michael Wiemer, Project Manager-Level 3 Communications Fred York, Phoenix Communications

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
Level 3 Communications requests permission to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or ways: the conduit will begin at existing Level 3 mh# 008-0005 on First Avenue, and then proceed down Cabot Street to an existing Digital Realty Trust HH approximately 570'. This work is necessary to provide Level access to the new data center. The Department of Public Works has approved this petition, based on Level 3 Communications' commitment to adhere to regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<u>Suggested Motion:</u> Move that the Board of Selectmen approve and sign a petition from Level 3 Communications to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or ways: the conduit will begin at existing Level 3 mh#008-0005 on First Avenue, and then proceed down Cabot Street to an existing Digital Realty Trust HH approximately 570'. This work is necessary to provide Level access to the new data center.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below) a. Letter of Application b. Petition c. Petition Plan d. Notice Sent to Abutters e. List of Abutters			



105 Cabot St.

05-09-2014

Petition for Conduit Installation

Town of Needham

Board of Selectman

Level 3 Communications requests permission to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or ways at this location:

The conduit will begin at an existing Level 3 mh#008-0005 on First Ave. We will then proceed down Cabot St to an existing Digital Realty Trust HH the total length is approx. 570'. We would place approximately 570' of 4" sch40 PVC conduit concrete encased in the roadway. We are providing Level access to the new data center. This construction is expected to be completed in 7 days.

We will have 2 Needham Police Officer details onsite for traffic control and pedestrian travel. The trench will conform to the Town of Needham's standards with 24" of cover along with the proper compaction. Phoenix Communications is our preferred contractor for this work. Phoenix has filed a bond in the town.

Please see enclosed plan Numbered 13663

Showing location of conduit to be constructed is filed herewith

Level 3 Communications thanks the Town of Needham

Michael Wiemer
Senior O.S.P. Project Manager
Level 3 Communications
Cambridge, MA 02139

OK to
proceed
Twyder, Engr.
5/15/14
OK R.P. Hanson
DPW Director
5/15/14

05-09-2014

Town of Needham
Board of Selectman

After filing and completing all applicable requirements which include, a hearing, applications and fees and all pertinent paper work, the Town of Needham, MA Board of Selectmen authorizes Level 3 Communications to proceed with the proposed conduit layout work. This work is briefly described below:

The conduit will begin at an existing Level 3 mh#008-0005 on First Ave. We will then proceed down Cabot St to an existing Digital Realty Trust HH the total length is approx. 570'. We would place approximately 570' of 4" sch40 PVC conduit concrete encased in the roadway. We are providing Level access to the new data center.

Level 3 Communications is granted permission to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or ways in this location:

Level 3 Communications thanks the Board of Selectmen and the Town of Needham for granting us permission to complete the above described work.

Town of Needham Chairman Of The Board of Selectman

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN ATTACHED MAP. ANY AND ALL UTILITIES NOT SHOWN THEREIN ARE NOT TO BE CONSIDERED KNOWN OR HAD BY THE CONTRACTOR OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

2. THERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DELAY BY THE CONTRACTOR, AND THE RECONSTRUCTION OF THE UTILITY FOR THE INFORMATION OF THE ENGINEER FOR THE PROTECTION OF THE CONTRACTOR.
3. THE CONTRACTOR SHOULD MAINTAIN A MINIMUM CLEARANCE OF 18 INCHES MIN. WHEN CROSSING EXISTING WATER FACILITIES.
4. THE CONTRACTOR SHALL MAKE ALL NECESSARY ARRANGEMENTS FOR THE ALTERNATION OF THE UTILITY TO MAINTAIN ALL OTHER PRIVATE UTILITIES BY THE UTILITY COMPANY.
5. THE CONTRACTOR SHALL NOT DISTURB PUBLIC TREES AND SHRUBS.
6. AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT NO EXPENSE TO THE OWNER.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING AND MAINTAINING TEMPORARY TRAFFIC CONTROL DEVICES TO MAINTAIN CONCURRENCE IN PAVED STREETS AND SIDEWALKS UNTIL PERMANENT REPAIRWORK IS COMPLETE.
8. JOINTS BETWEEN NEW BITUMINOUS CONCRETE AND EXISTING CONCRETE SHALL BE REINFORCED WITH AN OVERLAP AND A SAW CUT EXISTING BACK SHOWN.
9. THE CONTRACTOR SHALL PROTECT AND SUPPORT ALL EXISTING UTILITY LINES THAT MAY BE ENCOUNTERED AND SHALL BE REQUIRED TO INSTALL THE PROPOSED CONDUIT.
10. THE CONTRACTOR SHALL REPLACE ALL DISTURBED TRAFFIC SIGNAL LOOP DEVICES BY THE CONTRACTOR TO MEET THE REQUIREMENTS OF THE MINIMUM WORKING CONSTRUCTION AS SET FORTH BY THE STANDARD STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
11. ALL EXISTING STATE, COUNTY, CITY, AND LOCAL ROAD MARKINGS SHALL BE REPAIRED AND REPAINTED. ALL EXISTING ROAD MARKINGS SHALL BE REPAIRED AND REPAINTED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
12. THE CONTRACTOR SHALL REPLACE ALL TRAFFIC MARKINGS IN THEIR ENTIRETY THAT HAVE BEEN DAMAGED BY TRENCH EXCAVATION OR ANY OTHER CONSTRUCTION. ALL NEW COLOR AND SIZE THERMOPLASTIC MARKINGS SHALL BE REPAIRED AND REPAINTED.



NEWBORN PERIOD		DESCRIPTION/DIAPER	
DATE	REV#	DATE	REV#
1/1/1971	1	1/1/1971	1
1/2/1971	2	1/2/1971	2
1/3/1971	3	1/3/1971	3
1/4/1971	4	1/4/1971	4
1/5/1971	5	1/5/1971	5
1/6/1971	6	1/6/1971	6
1/7/1971	7	1/7/1971	7
1/8/1971	8	1/8/1971	8
1/9/1971	9	1/9/1971	9
1/10/1971	10	1/10/1971	10
1/11/1971	11	1/11/1971	11
1/12/1971	12	1/12/1971	12
1/13/1971	13	1/13/1971	13
1/14/1971	14	1/14/1971	14
1/15/1971	15	1/15/1971	15
1/16/1971	16	1/16/1971	16
1/17/1971	17	1/17/1971	17
1/18/1971	18	1/18/1971	18
1/19/1971	19	1/19/1971	19
1/20/1971	20	1/20/1971	20
1/21/1971	21	1/21/1971	21
1/22/1971	22	1/22/1971	22
1/23/1971	23	1/23/1971	23
1/24/1971	24	1/24/1971	24
1/25/1971	25	1/25/1971	25
1/26/1971	26	1/26/1971	26
1/27/1971	27	1/27/1971	27
1/28/1971	28	1/28/1971	28
1/29/1971	29	1/29/1971	29
1/30/1971	30	1/30/1971	30
1/31/1971	31	1/31/1971	31

1" = 30 FEET



30 60 90 120

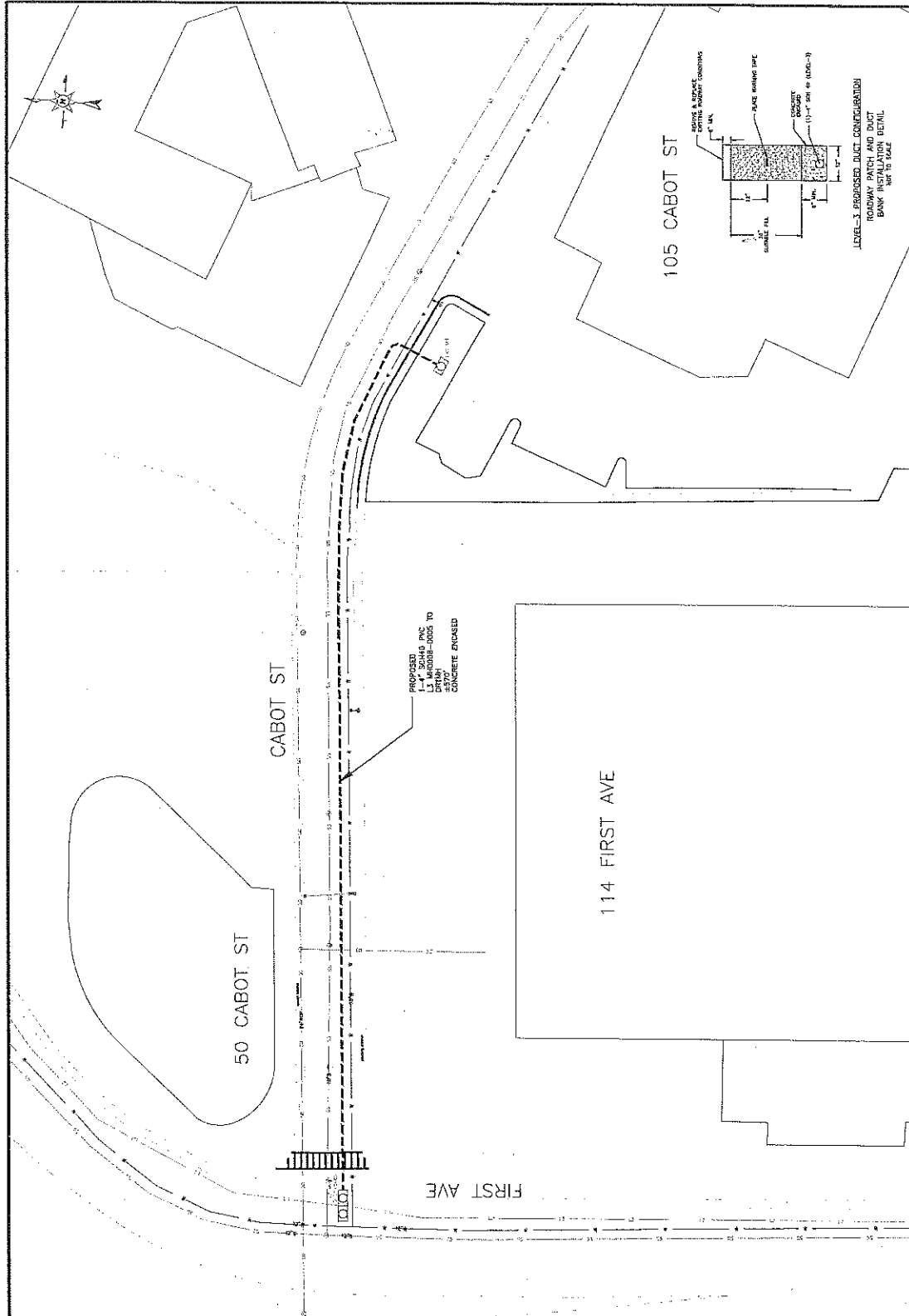
STREET: ASPHALT
SIDEWALK: ASPHALT/CONCRETE
CURB: GRANITE

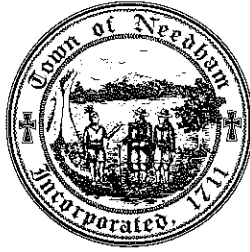
NOTE:
THE LOCATION OF SURFACE AND
UNDERGROUND OBJECTS SHOWN
ARE NOT WARRANTED TO BE CORRECT.

[illegible]

PHOENIX
COMMUNICATIONS INC.

PROPOSED PLAN 105 CABOT STREET NEEDHAM, MA		APPROVED MW DATE: 16MAY2014
REQUESTED BY: JIM APPROVAL: FAY TITLE:		





NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on May 27, 2014** upon petition of Level 3 Communications dated **May 9, 2014** to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or ways: the conduit will begin at existing Level 3 mh#008-0005 on First Avenue, and then proceed down Cabot Street to an existing Digital Realty Trust HH approximately 570'. This work is necessary to provide Level access to the new data center.

Phoenix Communications is the preferred contractor for the work and they have filed a bond in the Town.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Level 3 Communications representative, Michael Wiemer at 617-551-1310.

John A. Bulian
Maurice P. Handel
Matthew D. Borrelli
Marianne Cooley
Daniel P. Matthews

BOARD OF SELECTMEN

Dated: May 16, 2014

105 CABOT ST

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER</u>	<u>CITY</u>	<u>State</u>
199/001.0-9999-9999.0	0	ROUTE 128	COMMONWEALTH OF MASSACHUSETTS DEPT. OF PUBLIC WORKS - MDC	10 PARK PLAZA	BOSTON		MA
199/300.0-0033-0000.0	72	A ST	DIGITAL FIRST AVENUE, LLC	128 FIRST AVENUE	NEEDHAM		MA
199/300.0-0033-0001.0	72	A ST	DIGITAL 128 FIRST AVENUE, LLC	128 FIRST AVENUE	NEEDHAM		MA
199/300.0-0033-0002.0	128	FIRST AVE	PARTNERS HEALTHCARE SYSTEM, INC.	PRUDENTIAL TOWER 800 BOYLSTON	BOSTON		MA
199/300.0-0042-0000.0	140	CABOT ST	ATS-NEEDHAM LLC C/O AMERICAN TOWER CORPORATION	P. O. BOX 723597	ATLANTA		GA
199/300.0-0052-0000.0	180	FIRST AVE	130-150 A STREET, LLC	197 FIRST AVENUE SUITE 300	NEEDHAM		MA
199/300.0-0053-0000.0	114	FIRST AVE	JMDH REAL ESTATE OF NEEDHAM, LLC	15-24 132 STREET	COLLEGE POINT		NY
199/300.0-0054-0000.0	1	FIRST AVE	MCMANUS, JAMES H. III, TRUSTEE ONE FIRST AVENUE REALTY TRUST	188 NEEDHAM ST	NEWTON		MA
199/300.0-0055-0000.0	50	CABOT ST	50 CABOT REALTY ASSOC LLC	250 FIRST AVE SUITE 200	NEEDHAM		MA
199/300.0-0056-0000.0	0	CABOT ST	TERRAZZINO, SAMUEL, TR. TERRAZZINO INVESTMENT TRUST	18 OAK HILL ROAD	NEEDHAM		MA
199/300.0-0058-0000.0	254	HIGHLAND AVE	COHEN, RONI TRUSTEE THE HIGHLAND AVENUE NOMINEE TRUST	2400 N. BRAESWOOD BLVD #305	HOUSTON		TX
199/300.0-0059-0000.0	238	HIGHLAND AVE	TERRAZZINO, SAMUEL TRS TERRAZZINO INVESTMENT TRUST	18 OAK HILL ROAD	NEEDHAM		MA
199/300.0-0066-0000.0	100	CABOT ST	STARWOOD NEEDHAM CMBS I LLC C/O EPROPERTY TAX - DEPT 206	P O BOX 4900	SCOTTSDALE		AZ
199/300.0-0073-0000.0	105	CABOT ST	DIGITAL CABOT LLC	128 FIRST AVE	NEEDHAM		MA

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge

For the Needham Board of Assessors.....


For the Needham Board of Assessors.....



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2014

Agenda Item	Public Hearing: Alteration of Premises AND Application for change in License from Wine and Malt Only to All Alcohol in a Restaurant
Presenter(s)	Aaron Krug, Manager, 3 Squares Restaurant

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

Aaron Krug, Manager of 3 Squares, 669 Highland Avenue, Needham, will discuss his application for an Alteration of Premises AND application for change in license from Wine and Malt Only to All Alcohol. The applications will allow for the change in liquor license from Wine and Malt Only to All Alcoholic beverages and will allow for the service of alcohol on an outside patio consisting of approximately 600 square feet and seating for 26 patrons with proper barriers per local and state laws. The alteration of premises requires Special Permit approval to allow this use and the applicant is scheduled to appear before the ZBA. The Alcoholic Beverages Control Commission requires that a public hearing be conducted for both applications.

2. VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
---	------------	-----------

Suggested Motion:

That the Board vote to approve the application for a change in license from Wine and Malt Only to All Alcoholic and the application for an Alteration of Premises to allow the service of alcoholic beverages on an outside patio consisting of 26 seats with proper barriers per local and state laws contingent upon receiving ZBA approval for use, and to sign and forward applications to the Alcoholic Beverages Control Corporation for its review and approval; and further that the Board determines that the change in license and premises alterations are not detrimental to the educational and spiritual activities of Temple Beth Shalom.

3. BACK UP INFORMATION ATTACHED	YES	NO
--	------------	-----------

(Describe backup below)

Change in License		Alteration of Premises	
A	Application for Retail Alcoholic Beverage License	A	Petition for change in license
B	Personal Information Form	B	Seating plan & photos
C	Certificate of Incorporation	C	Financial Information
D	Floorplan	D	Vote of LLC
E	Manager Application	E	Legal notice
F	Vote of LLC	F	List of abutters
G	Legal notice		
H	List of abutters		

All other related documents are on file in Town Manager's Office to be sent to ABCC with signed application.

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Needham

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Rockets Restaurant Group, LLC

B. Business Name (if different) : 3 Squares

C. Manager of Record: Aaron M. Krug

D. ABCC License Number (for existing licenses only) : 77000034

E. Address of Licensed Premises: 669 Highland Avenue

City/Town: Needham

State: MA

Zip: 02494

F. Business Phone: (781) 444-4644

G. Cell Phone: (781) 608-6660

H. Email: aaron@3SquaresNeedham.com

I. Website: www.3SquaresNeedham.com

J. Mailing address (If different from E.):

City/Town:

State:

Zip:

2. TRANSACTION:

- ☐ New License ☐ New Officer/Director ☐ Transfer of Stock ☐ Issuance of Stock ☐ Pledge of Stock
☐ Transfer of License ☐ New Stockholder ☐ Management/Operating Agreement ☐ Pledge of License

The following transactions must be processed as new licenses:

- ☐ Seasonal to Annual ☐ (6) Day to (7)-Day License ☒ Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- ☒ \$12 Restaurant ☐ \$12 Hotel ☐ \$12 Club ☐ \$12 Veterans Club
☐ \$12 General On-Premises ☐ \$12 Tavern (No Sundays) ☐ \$15 Package Store

4. LICENSE CATEGORY:

- ☒ All Alcoholic Beverages ☐ Wine & Malt Beverages Only ☐ Wine or Malt Only
☐ Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- ☒ Annual ☐ Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME: Aaron M Krug

ADDRESS: 11 Pythias Circle

CITY/TOWN: Needham STATE: MA ZIP CODE: 02494

CONTACT PHONE NUMBER: (781) 608-6660 FAX NUMBER: (781) 444-4003

EMAIL: aaron@3SquaresNeedham.com

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises to be licensed. Please note that this must be identical to the description on the Form 43.

2 story building. 1st floor main dining room with 90 seats, kitchen, 2 handicapped accessible bathrooms and an additional women's rest room. Approximately 2,465 square feet. Second floor has an office space plus storage totaling approximately 750 square feet.

Alteration of premises to include approximately 600 square feet of outside patio dining area. The area is enclosed by wall and a fence with a gate for egress. Gate will be monitored by a security camera.

Total Square Footage: 3,215 Number of Entrances: 3 Number of Exits: 3

Occupancy Number: 211 Seating Capacity: 90

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n): Trust Other:

Name: Jordan Rittenberg c/o Mercedes Realty Trust Phone: (617) 964-3765

Address: 25 Bound Brook City/Town: Newton State: MA Zip: 02459

Initial Lease Term: Beginning Date 01/01/2013 Ending Date 12/31/2017

Renewal Term: 5 years Options/Extensions at: 2 @ 5 Years Each

Rent: \$87,000.00 Per Year Rent: \$7,250.00 Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes ☐ No ☒

IMPORTANT ATTACHMENTS (4):

1. If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest with the Landlord must be disclosed in §10 and must submit a completed [Personal Information Form](#) attached to this application.
2. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.
3. If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n):

LLC

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

11/27/2012

State of Incorporation/Organization: MA

Is the Corporation publicly traded? Yes ☐ No ☒**10. INTERESTS IN THIS LICENSE:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

IMPORTANT ATTACHMENTS (5):A. All individuals or entities listed below are required to complete a [Personal Information Form](#).B. All shareholders, LLC members or other individuals with any ownership in this license must complete a [CORI Release Form](#).

Name	All Titles and Positions	Specific # of Stock or % Owned	Other Beneficial Interest
Aaron M Krug	Manager	100%	

If additional space is needed, please use last page.*11. EXISTING INTEREST IN OTHER LICENSES:**

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list said interest below:

Name	License Type	Licensee Name & Address
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	

**If additional space is needed, please use last page.*

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒ if yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes ☐ No ☒ If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :**A.) For Individual(s):**

1. Are you a U.S. Citizen? Yes ☐ No ☐
2. Are you a Massachusetts Residents? Yes ☐ No ☐

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes ☐ No ☐
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes ☐ No ☐
3. Is the License Manager or Principal Representative a U.S. Citizen?

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes ☐ No ☐

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:**A.) For Individual(s):**

1. Are you a U.S. Citizen? Yes ☒ No ☐

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes ☐ No ☒
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes ☒ No ☐

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes ☒ No ☐

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:A. Purchase Price for Real Property: B. Purchase Price for Business Assets: C. Costs of Renovations/Construction: D. Initial Start-Up Costs: E. Purchase Price for Inventory: F. Other: (Specify) G: TOTAL COST H. TOTAL CASH I. TOTAL AMOUNT FINANCED

IMPORTANT ATTACHMENTS (6): Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash must include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

--

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

A.		
Name	Dollar Amount	Type of Financing

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes ☐ No ☒

If yes, please describe:

--

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? ☐ Yes ☒ No

1. If yes, to whom:

2. Amount of Loan:

3. Interest Rate:

4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? ☐ Yes ☐ No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? ☐ Yes ☒ No

If yes, to whom:

IMPORTANT ATTACHMENTS (7): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: ☐ Yes ☒ No

21. ANTICIPATED OPENING DATE:

**IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED**



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee

B. Business Name (dba)

C. Address

D. ABCC License Number
(If existing licensee)

E. City/Town

State

Zip Code

F. Phone Number of Premise

G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name

B. Home Phone Number

C. Address

D. City/Town

State

Zip Code

E. Social Security Number

F. Date of Birth

G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime?

Yes ☐ No ☒

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

I have a direct financial interest in this license because I am the sole member of Rockets Restaurant Group LLC and the Sole Proprietor of 3 Squares Restaurant.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.

*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date

Title

(If Corporation/LLC Representative)



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$500.00

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Certificate of Organization

(General Laws, Chapter)

Federal Employer Identification Number: 461403609 (must be 9 digits)

1. The exact name of the limited liability company is: ROCKETS RESTAURANT GROUP LLC

2a. Location of its principal office:

No. and Street: 11 PYTHIAS CIRCLE

City or Town: NEEDHAM State: MA Zip: 02494 Country: US

2b. Street address of the office in the Commonwealth at which the records will be maintained:

No. and Street: 11 PYTHIAS CIRCLE

City or Town: NEEDHAM State: MA Zip: 02494 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

OPERATION OF A RESTAURANT AND RELATED FOOD SERVICE BUSINESS AND ANY OTHER ACTIVITY PERMITTED BY THE ACT.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: ADAM ZAIGER

No. and Street: C/O CHOATE, HALL & STEWART LLP
TWO INTERNATIONAL PLACE

City or Town: BOSTON State: MA Zip: 02110 Country: USA

I, ADAM ZAIGER resident agent of the above limited liability company, consent to my appointment as the resident agent of the above limited liability company pursuant to G. L. Chapter 156C Section 12.

6. The name and business address of each manager, if any:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	AARON M KRUG	11 PYTHIAS CIRCLE NEEDHAM, MA 02494 USA

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division. and at least one person shall be named if there are no

SOC SIGNATORY

ADAM M ZAIGER

C/O CHOATE, HALL & STEWART LLP TWO INTERNATIONAL PLACE
BOSTON, MA 02110 USA

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	AARON M KRUG	11 PYTHIAS CIRCLE NEEDHAM, MA 02494 USA

9. Additional matters:

SIGNED UNDER THE PENALTIES OF PERJURY, this 27 Day of November, 2012,
AARON M. KRUG

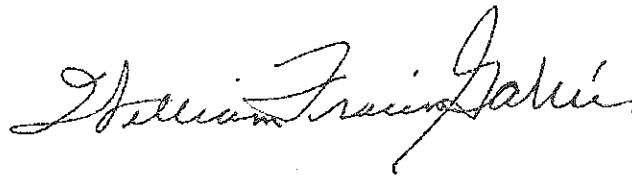
(The certificate must be signed by the person forming the LLC.)

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

November 27, 2012 01:13 PM

A handwritten signature in cursive script, reading "William Francis Galvin". The signature is written in dark ink and is centered on the page.

WILLIAM FRANCIS GALVIN

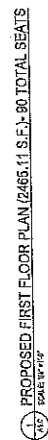
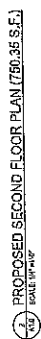
Secretary of the Commonwealth

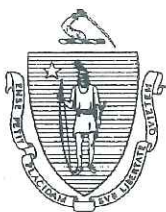
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PROPOSED FIRST &
SECOND FLOOR PLANS

A1.0





The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a [Personal Information Form](#),
and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee:	Rockets Restaurant Group, LLC	Business Name (dba):	3 Squares
Address:	669 Highland Avenue		
City/Town:	Needham	State:	MA
		Zip Code:	02494
ABCC License Number: (If existing licensee)	77000034	Phone Number of Premise:	(781) 444-4644

2. MANAGER INFORMATION:

A. Name:	Aaron Krug	B. Cell Phone Number:	(781) 608-6660
C. List the number of hours per week you will spend on the licensed premises:	80+		

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen:	Yes ☒ No ☐	B. Date of Naturalization:		C. Court of Naturalization:	
----------------------------	---	----------------------------	----------------------	-----------------------------	----------------------

(Submit proof of citizenship and/or naturalization such as US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes ☐ No ☒

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes ☐ No ☒

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes ☐ No ☒

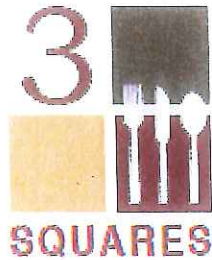
If yes, please describe:

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date



May 9, 2013

To the Licensing Board;

I, Aaron Krug, sole Member of Rockets Restaurant Group LLC d/b/a 3 Squares, approve the application(s) of wine and malt to all alcohol as well as the alteration of premises for the current license (#77000034) associated with 669 Highland Avenue Needham, MA 02494.

In addition, I have corresponded with Michael Bailit the acting President of Temple Beth Shalom located across the street at 670 Highland Avenue, Needham regarding these pending submissions. On Thursday May 8th I received verbal confirmation from Mr. Bailit that during the most recent Board meeting, Temple Beth Shalom has agreed to not actively oppose any application submitted by Rockets Restaurant Group LLC d/b/a 3 Squares relative to the license for all liquor and/or the alteration of premises at located at 669 Highland Avenue Needham.

If required, Michael Bailit can be reached at mbailit@bailit-health.com or at (781) 453-1166.

Thank you for your consideration.

A handwritten signature in dark ink, appearing to read 'Aaron M. Krug', is written over the printed name and company name.

Aaron M. Krug
Rockets Restaurant Group LLC



TOWN OF NEEDHAM

TOWN HALL

1471 Highland Avenue
Needham, MA 02492-2669

Office of the
BOARD OF SELECTMEN

TEL: (781) 455-7500

FAX: (781) 449-4569

TDD: (781) 455-7558

May 12, 2014

Aaron Krug
3 Pythias Circle
Needham, MA 02494

RE: Application for an Change in License from Wine and Malt only to All Alcohol Liquor License in a Restaurant **AND** an application for alteration of premises: Rockets Restaurant Group d/b/a 3 Squares located at 669 Highland Avenue, Needham, MA.

Dear Mr. Krug:

I am enclosing a copy of the legal notice sent to the Boston Globe and the Needham Times to be published once in the Needham Times in the May 22, 2014 edition and once in the Boston Globe in the Thursday, May 15, 2014 edition in accordance with your applications. The Boston Globe advertisement will satisfy the 10 day advance publication notice and the Needham Times advertisement will provide additional notice locally.

As part of the change in license and alteration of premises applications process and a requirement of the ABCC, abutters must be notified by Certified Mail. You should arrange to obtain proof of the advertisement from the Boston Globe and the Needham Times and send a copy to each owner of the property abutting this location by Certified mail, RETURN RECEIPT REQUESTED. Churches, synagogues, hospitals and public or private elementary or secondary schools must be notified by REGISTERED MAIL. A list of abutting owners for this location is enclosed for this purpose. Please note that there is a house of worship in this listing. Receipts from delivery of notice, and payment of the advertisement must be returned to the Board of Selectmen's Office **before May 27, 2014**. The public hearing is scheduled for **Tuesday, May 27, 2014 at 7:00 P.M.** in the Selectmen's Conference Room, Town Hall, 1471 Highland Avenue, Needham, MA. The applicant **must** attend the hearing.

If you need further information regarding the scheduled hearing please contact me at (781)455-7500, extension 204.

Very truly yours,

Sandra J. Cincotta
Support Services Manager

cc: Legal Notice
Abutters list with labels
Affidavit of Notice of Mailing to Abutter and Others



Office of the
BOARD OF SELECTMEN

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

TEL: (781) 455-7500
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LEGAL NOTICE

TOWN OF NEEDHAM

Application for Alteration of Licensed Premises AND Application for change in License from Wine and Malt Only to All Alcohol in a Restaurant

Notice is hereby given pursuant to Massachusetts General Laws, Chapter 138, that Rockets Restaurant Group d/b/a 3 Squares, Aaron Krug, Manager, has filed two applications:

1. an alteration of licensed premises of the following kind: To sell alcoholic beverages on an outside patio consisting of approximately 600 square feet and seating for 26 patrons with proper barriers per local and state laws. The patio is located in the front of the restaurant located at 669 Highland Avenue, Needham; and
2. a change in license from Wine & Malt to All Alcohol at the restaurant located at 669 Highland Avenue, Needham.

IT IS ORDERED that a public hearing be held for said application at the office of the Board of Selectmen acting as the Needham Licensing Authority located in the Town Hall, 1471 Highland Avenue on the 27th day of May 2014 at 7:00 o'clock p.m.

Board of Selectmen
Licensing Board for the Town of Needham

To be published:
Needham Times, May 22, 2015
Boston Globe, May 15, 2015

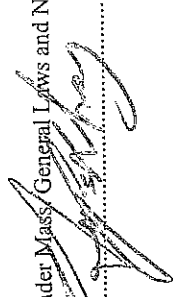
699 HIGHLAND AVE

PARCEL ID	St No.	Street	Owner Names	Owner Address	Mailing Address		
					OWNER	CITY	State ZIP
199/001.0-9999-9999.0	0	ROUTE 128	COMMONWEALTH OF MASSACHUSETTS DEPT. OF PUBLIC WORKS - MDC	10 PARK PLAZA	BOSTON	MA	02116
199/071.0-0039-0000.0	648	HIGHLAND AVE	SZAJNA, STANLEY A. TR & BULGER, SCOTT C., TR	567 SOUTHBRIDGE ST	AUBURN	MA	01501
199/071.0-0040-0000.0	19	DAVENPORT RD	MCCARTHY BETH T	19 DAVENPORT RD	NEEDHAM	MA	02492
199/071.0-0041-0000.0	0	DAVENPORT RD	SZAJNA, STANLEY A. TR & BULGER, SCOTT C., TR	567 SOUTHBRIDGE ST	AUBURN	MA	01501
199/071.0-0042-0000.0	29	DAVENPORT RD	SCHEUFELE, MATTHEW & SCHEUFELE, ASHLY	29 DAVENPORT RD	NEEDHAM	MA	02494
199/071.0-0046-0000.0	670	HIGHLAND AVE	TEMPLE BETH SHALOM	670 HIGHLAND AVENUE	NEEDHAM	MA	02494
199/071.0-0047-0000.0	284	WEBSTER ST	BUTTERFIELD, DANIEL GEORGE & BUTTERFIELD, SUSAN ANNE	284 WEBSTER ST	NEEDHAM	MA	02494
199/071.0-0048-0000.0	0	GREENDALE AVE	GREENDALE COMMONS CONDOMINIUM MASTER DEED	12 - 14 GREENDALE AVE	NEEDHAM	MA	02494
199/071.0-0048-0012.0	12	GREENDALE AVE	RISKIN, ANNE I	12 GREENDALE AVE	NEEDHAM	MA	02494
199/071.0-0048-0014.0	14	GREENDALE AVE	MEYERSON, GEOFFREY & ALEKSANDRA C/O GLOU, ALAN B. & MARJORIE	14 GREENDALE AVE	NEEDHAM	MA	02494
199/077.0-0007-0000.0	629	HIGHLAND AVE	NEEHIGH LLC	93 UNION ST., STE 315	NEWTON	MA	02459
199/077.0-0008-0000.0	633	HIGHLAND AVE	NEEHIGH LLC	93 UNION ST.-STE 315	NEWTON	MA	02459
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199/077.0-0010-0000.0	673	HIGHLAND AVE	RITTENBERG, JORDAN L. TR & TUCK, RICHARD L. TR	25 BOUND BROOK RD	NEWTON	MA	02461
199/077.0-0011-0000.0	679	HIGHLAND AVE	679 HIGHLAND AVENUE LLC	14 BRACKETT ST	NEEDHAM	MA	02494
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199/077.0-0012-0012.0	687	HIGHLAND AVE	MAGIER, EUGENE M., TRUSTEE ABM REALTY TRUST	35 BRANDEIS ROAD	NEWTON	MA	02459
199/077.0-0012-0014.0	687	HIGHLAND AVE	BNS PROPERTIES, LLC	687 HIGHLAND AVE, SUITE 2	NEEDHAM	MA	02494
199/077.0-0012-0016.0	687	HIGHLAND AVE	113 UNION WHARF, LLC	45 KINGS RD	CANTON	MA	02021
199/077.0-0012-0018.0	687	HIGHLAND AVE	GLOU, MARJORIE & ALAN TRS. ALAN GLOU TRUST	14 GREENDALE AVE	NEEDHAM	MA	02494
199/077.0-0012-0020.0	687	HIGHLAND AVE	HARUTUNIAN, EDWARD J.	P. O. BOX 850	NEEDHAM	MA	02494
199/077.0-0012-0030.0	687	HIGHLAND AVE	BNS PROPERTIES, LLC	687 HIGHLAND AVE, SUITE 2	NEEDHAM	MA	02494
199/077.0-0012-0032.0	687	HIGHLAND AVE	BNS PROPERTIES, LLC	687 HIGHLAND AVE, SUITE 2	NEEDHAM	MA	02494
199/077.0-0012-0034.0	687	HIGHLAND AVE	113 UNION WHARF LLC	45 KINGS RD	CANTON	MA	02021
199/077.0-0012-0036.0	687	HIGHLAND AVE	113 UNION WHARF LLC	45 KINGS RD	CANTON	MA	02021
199/077.0-0012-0038.0	687	HIGHLAND AVE	113 UNION WHARF LLC	45 KINGS RD	CANTON	MA	02021
199/077.0-0012-0040.0	687	HIGHLAND AVE	BNS PROPERTIES LLC	687 HIGHLAND AVE, SUITE 2	NEEDHAM	MA	02494
199/077.0-0012-0042.0	687	HIGHLAND AVE	CPC HILLCREST, LLC	687 HIGHLAND AVE UNIT 16	NEEDHAM	MA	02494
199/077.0-0012-0044.0	687	HIGHLAND AVE	CPC HILLCREST, LLC	687 HIGHLAND AVE UNIT 17	NEEDHAM	MA	02494
199/077.0-0012-0050.0	687	HIGHLAND AVE	687 HIGHLAND AVE LLC	687 HIGHLAND AVE, UNIT 11-12	NEEDHAM	MA	02494
199/077.0-0012-0052.0	687	HIGHLAND AVE	687 HIGHLAND AVE LLC	687 HIGHLAND AVE UNIT 11-12	NEEDHAM	MA	02492
199/077.0-0012-0054.0	687	HIGHLAND AVE	GLOU, ALAN B., TRUSTEE 687-13 HIGHLAND AVENUE REALTY TRUST	14 GREENDALE AVE	NEEDHAM	MA	02494
199/077.0-0015-0000.0	248	WEBSTER ST	ROSSI, ALBERT H. & ROSSI, MARY A.	248 WEBSTER ST	NEEDHAM HTS	MA	02494

PARCEL ID	St No.	Street	Owner Names	Owner Address	Mailing Address		
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199/077.0-0020-0000.0	26	CROSS ST	PICHETTI, JOSEPH F. & CARYLL A., TRS. J & C NOMINEE TRUST	373 WINCHESTER ST	NEWTON	MA	02461
199/077.0-0025-0000.0	235	GOULD ST	WHC NEEDHAM I, LP C/O CONTINENTAL WINGATE DEVL COMPA	63 KENDRICK STREET	NEEDHAM	MA	02494
199/077.0-0028-0000.0	25	GUILD RD	WANG, CHI SHIANG + WANG, YIN MEI LEI	300 BOYLSTON STREET	BOSTON	MA	02116
199/077.0-0029-0000.0	17	GUILD RD	WANG, CHI SHIANG + WANG, YIN MEI LEI	300 BOYLSTON ST	BOSTON	MA	02116
199/077.0-0030-0000.0	9	GUILD RD	WANG, CHI SHIANG + WANG, YIN MEI	300 BOYLSTON ST	BOSTON	MA	02116
199/077.0-0031-0000.0	226	WEBSTER ST	226-228 WEBSTER ST CONDO	226-228 WEBSTER STREET	NEEDHAM	MA	02494
199/077.0-0057-0000.0	0	GUILD RD	PICHETTI, JOSEPH F. TR., ARBOR STREET REALTY TRUST	373 WINCHESTER ST	NEWTON	MA	02458
199/077.0-0058-0000.0	0	ARBOR ST	PICHETTI, JOSEPH F. & CARYLL A., TRS. J & C NOMINEE TRUST	373 WINCHESTER ST	NEWTON	MA	02458
199/077.0-0060-0000.0	32	PUTNAM ST	CRAFTSMAN VILLAGE NEEDHAM, LLC	206 AYER RD SUITE 5	HARVARD	MA	01451

Certified as list of parties in interest under Mass General Laws and Needham Zoning By-Law, to the Best of our knowledge
For the Needham Board of Assessors.....



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

77000034

ABCC License Number

Needham

City/Town

The licensee Rockets Restaurant Group dba 3 Squares respectfully petitions the Licensing Authorities to approve the following transactions:

- | | |
|--|--|
| ☐ Change of Manager | ☒ Alteration of Premises |
| ☐ Pledge of License/Stock | ☐ Cordial & Liqueurs |
| ☐ Change of Corporate Name/DBA | ☐ Change of Location |
| ☐ Change of License Type (\$12 ONLY, e.g. "club" to "restaurant") | |

☐ Change of Manager

Last-Approved Manager:

Requested New Manager:

☐ Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

☐ Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

☐ Change of License Type

Last-Approved License Type:

Requested New License Type:

☒ Alteration of Premises: (must fill out financial information form)

Description of Alteration:

Premises to now include approximately 600 square feet of outdoor patio space in the front.

☐ Change of Location: (must fill out financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee

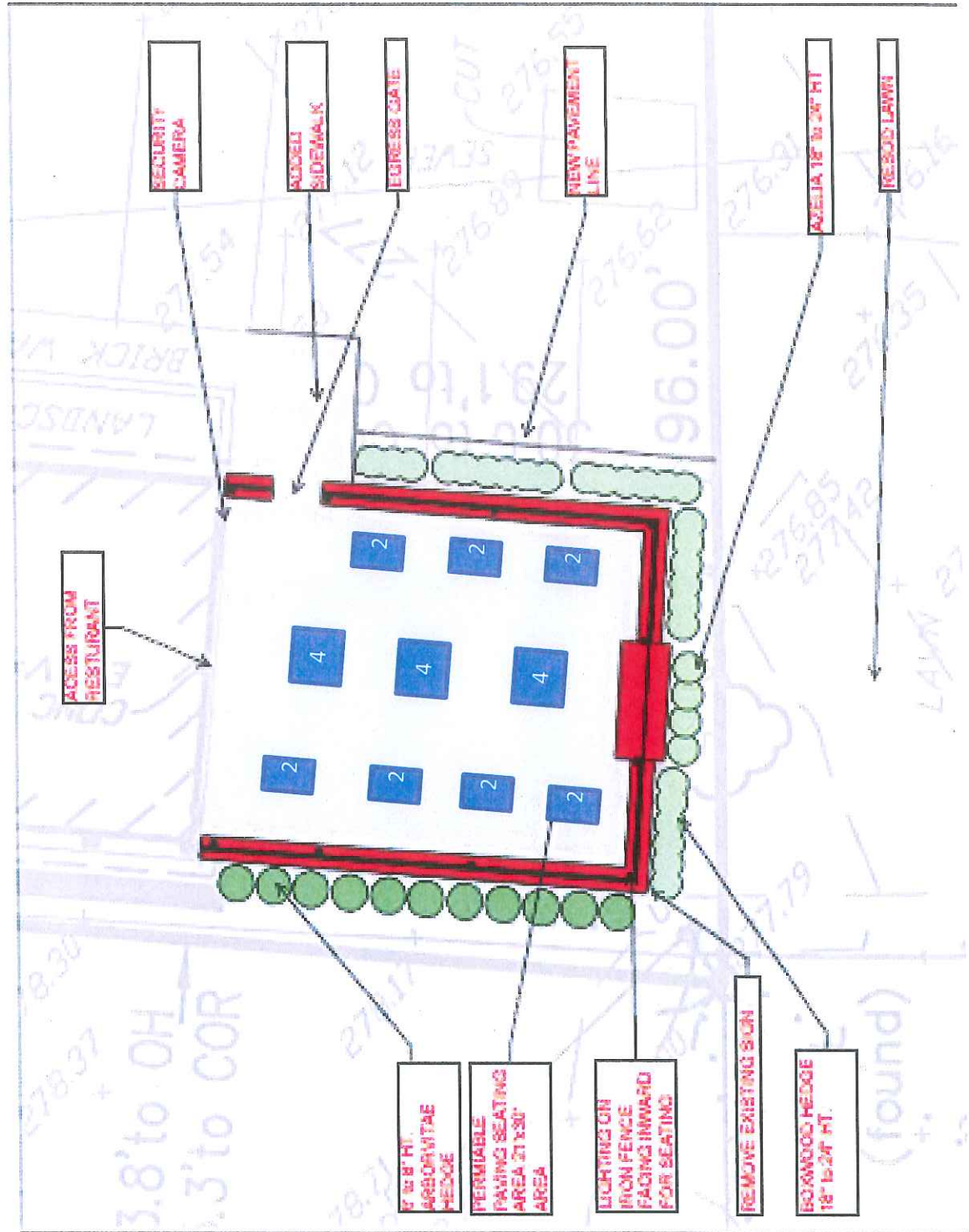


(If a Corporation/LLC, by its authorized representative)

Date Signed

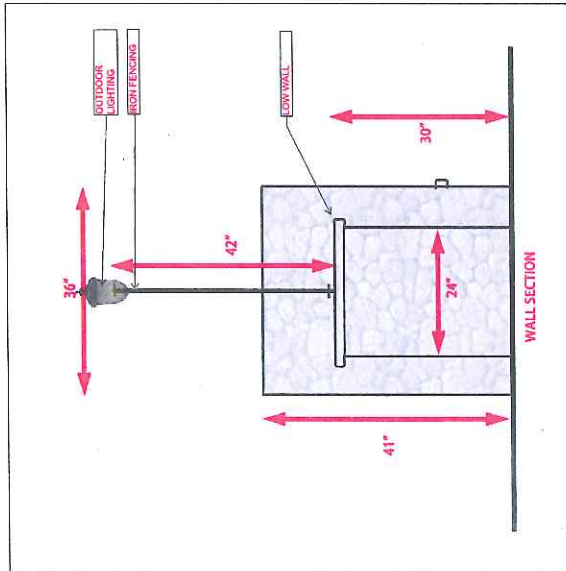
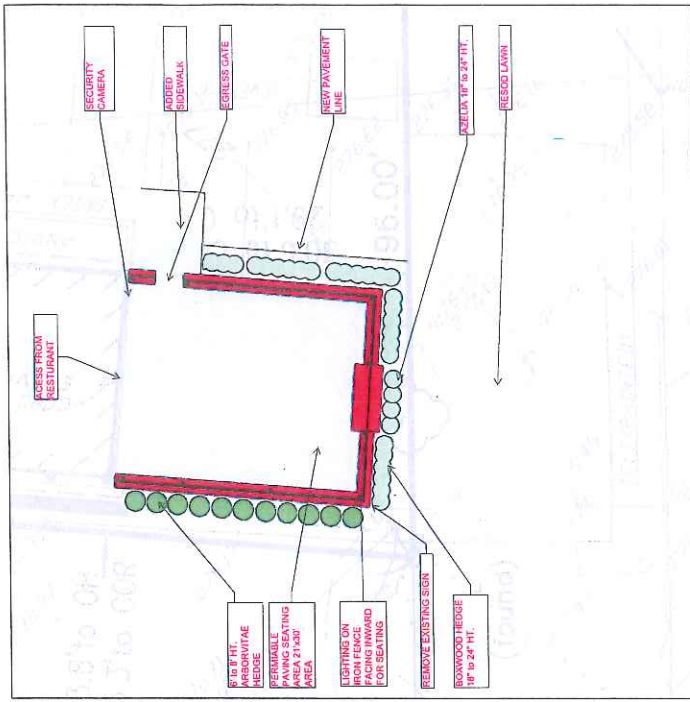
05/09/14

3 Squares Patio Seating Plan









Financial Information:

Costs Associated with License

1. Real Property:	\$	
2. Business Purchase:	\$	
3. Renovations/Construction:	\$	10,000
4. Start up/Operating Capital:	\$	
5. Inventory:	\$	5,000
6. Goodwill:	\$	
7. Furniture:	\$	5,000
8. TOTAL COST:	\$	20,000
9. TOTAL CASH:	\$	20,000
10. TOTAL FINANCED:	\$	0

The amounts in items 9 and 10 must total the amount reflected in item 8. **IMPORTANT:** Submit any and all records, documents and affidavits including loan agreements that explain the sources of money for this transaction.



May 9, 2013

To the Licensing Board;

I, Aaron Krug, sole Member of Rockets Restaurant Group LLC d/b/a 3 Squares, approve the application(s) of wine and malt to all alcohol as well as the alteration of premises for the current license (#77000034) associated with 669 Highland Avenue Needham, MA 02494.

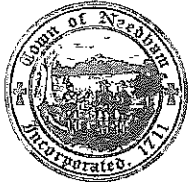
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Thank you for your consideration.

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Aaron M. Krug
Rockets Restaurant Group LLC



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May 12, 2014

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RE: Application for an Change in License from Wine and Malt only to All Alcohol Liquor License in a Restaurant **AND** an application for alteration of premises: Rockets Restaurant Group d/b/a 3 Squares located at 669 Highland Avenue, Needham, MA.

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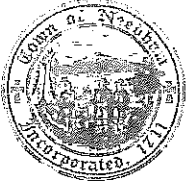
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TOWN OF NEEDHAM

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Board of Selectmen
Licensing Board for the Town of Needham

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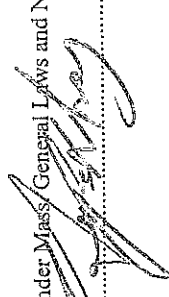
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199/077.0-0015-0000.0	248	WEBSTER ST	ROSSI, ALBERT H. & ROSSI, MARY A.	248 WEBSTER ST	NEEDHAM HTS	MA	02494

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/077.0-0020-0000.0	26	CROSS ST	PICHETTI, JOSEPH F. & CARYLL A., TRS. J & C NOMINEE TRUST	373 WINCHESTER ST	NEWTON	MA	02461
199/077.0-0025-0000.0	235	GOULD ST	WHC NEEDHAM I, LP C/O CONTINENTAL WINGATE DEVL COMPA	63 KENDRICK STREET	NEEDHAM	MA	02494
199/077.0-0028-0000.0	25	GUILD RD	WANG, CHI SHIANG + WANG, YIN MEI LEI	300 BOYLSTON STREET	BOSTON	MA	02116
199/077.0-0029-0000.0	17	GUILD RD	WANG, CHI SHIANG + WANG, YIN MEI LEI	300 BOYLSTON ST	BOSTON	MA	02116
199/077.0-0030-0000.0	9	GUILD RD	WANG, CHI SHIANG + WANG, YIN MEI	300 BOYLSTON ST	BOSTON	MA	02116
199/077.0-0031-0000.0	226	WEBSTER ST	226-228 WEBSTER ST CONDO	226-228 WEBSTER STREET	NEEDHAM	MA	02494
199/077.0-0057-0000.0	0	GUILD RD	PICHETTI, JOSEPH F. TR., ARBOR STREET REALTY TRUST	373 WINCHESTER ST	NEWTON	MA	02458
199/077.0-0058-0000.0	0	ARBOR ST	PICHETTI, JOSEPH F. & CARYLL A., TRS. J & C NOMINEE TRUST	373 WINCHESTER ST	NEWTON	MA	02458
199/077.0-0060-0000.0	32	PUTNAM ST	CRAFTSMAN VILLAGE NEEDHAM, LLC	206 AYER RD SUITE 5	HARVARD	MA	01451

Certified as list of parties in interest under Mass General Laws and Needham Zoning By-Law, to the Best of our knowledge
For the Needham Board of Assessors.....





**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2014

Agenda Item	DPW Projects Update
Presenter(s)	Richard Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The DPW is presently following up on one of the busiest construction seasons in recent memory. Among the major projects underway are: 1. Salt Shed – construction completed and used throughout 2013/2014 Snow & Ice Season. (PPBC Lead Agency) 2. Reservoir B. Sewer Pump Station – new station construction is complete. The contractor is working on punch list items and preparing to complete road paving and landscaping.(DPW Lead Agency) 3. DPW Garage Building – building construction complete. Paving and final site work concluding. Turn-over scheduled for end of May or 1st week of June 2014. (PPBC lead agency) 4. Chestnut St. /School St. Parking Lots – construction completed and lots now in use. Minor walkway and landscape work on-going. (Joint Agency: Town Manager, DPW, Planning & Community Development) 5. St. Mary Water Pump Station – building now under construction and will continue throughout 2014 and into 2015. (PPBC Lead Agency)			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	☐ YES	☒ NO
3.	BACK UP INFORMATION ATTACHED	☒ YES	☐ NO
(Describe backup below)			
1. Photos			













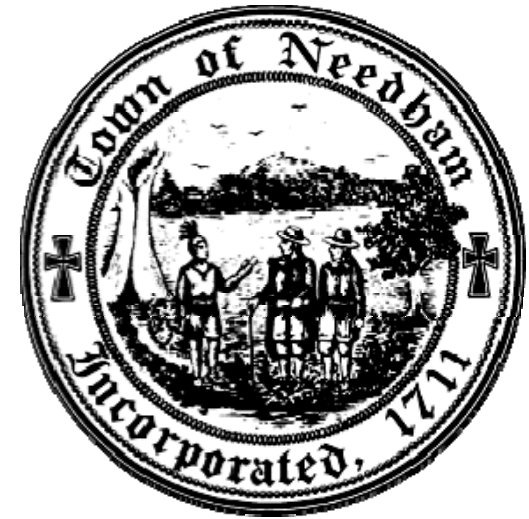


**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2014

Agenda Item	Facility Master Plan Update
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
	The Town Manager will update the Board on the progress of the Facility Master Plan.		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
	a. Facility Master Plan Study PowerPoint Meeting 1D		



NEEDHAM FACILITIES MASTER PLAN STUDY



Municipal Resources, Inc.



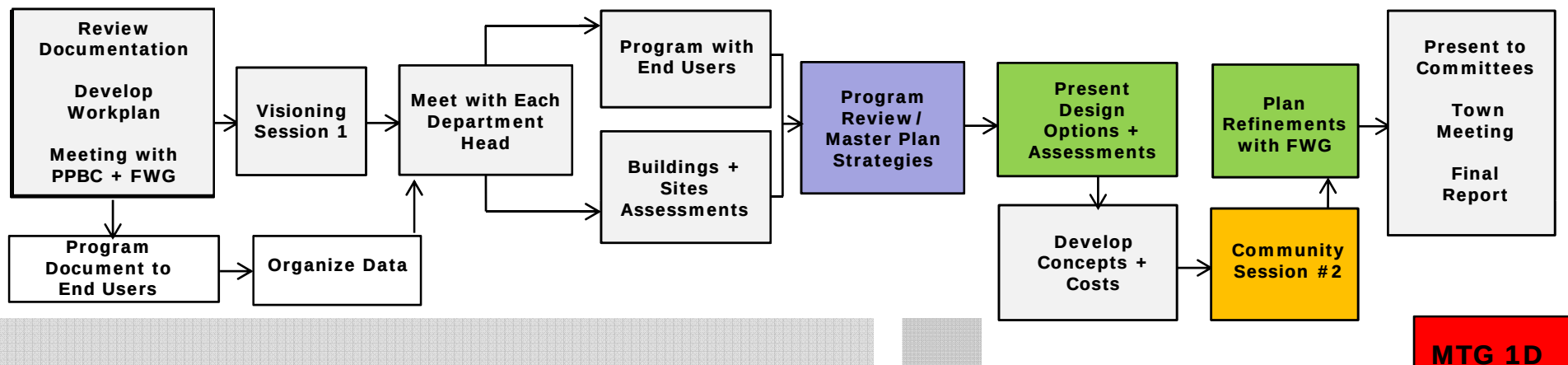
AGENDA: FACILITY WORKING GROUP – MEETING #1D

- Schedule
- Overview of Department Programs and Land Requirements
- Discussion of Possible Scenarios
- Criteria for Evaluating Sites
- Community Meeting
- Next Steps



PROGRAMMING/DESIGN OPTION PROCESS

- Programming Process nears completion
- Design Options for Fire/Police, DPW, School Administration and Community Building are ongoing
- Matrices for assessing sites is being completed
 - Committee to comment on initial results
- Develop Program/Master Plan strategies with FWG
- Community Session: May 19, 2014



FWG SCHEDULE + OBJECTIVES

- May + June Mtgs. 1D + 1E: Finalize design options + matrices
 - Design Options Developed + Refined
 - Matrix assessed and finalized
 - FWG comments on programming, concepts and approach

TASK:

Months	December	January	February	March	April	May	June	July	August	September	October	November
Collect documentation, workplan + schedule												
Analyze Documents												
Meeting with FWG		1	1A	1B	1C	1D	1E	1F	1G	1H		
Visioning Session			2			2A						
FPBC Meetings	3					3A		3B		3C		
Selectman Meetings							4			4A		
Programming; Site Assessments		5A 5B 5C 5D										
Programming Review												
Design Options + Assessments												
Plan Refinements												
Presentations to FWG + Committees; Coordinate capital project funding												
Final Report + Town Meeting												

DEPARTMENT OF PUBLIC WORKS

Division	Existing GSF	Existing Total GSF	Proposed GSF	Proposed Total GSF
Administration - Shared	12,872★		4,751	
Administration	Included above		2,398	
Administration - Operations	Included above		2,073	
Administration - Engineering	Included above		4,571	
Operations – Employee Support	3,918		3,812	
Operations – Garage/Maintenance	5,200		14,818	
Operations - Shops	4,620		5,746	
Operations – Wash Bay/ Vehicle Storage + Prep	18,022		46,244	
Building Support (Other storage included)	9,100		2,291	
SUBTOTAL		53,732		86,704
Other Buildings (Not including RTS)	11,200		Est 5,000	
SUBTOTAL		64,932		91,704
Bin Storage Estimated	3,000		Est 5,000	
Outdoor Areas (Including covered storage)	32,800		Max available	
Other Departments in PSAB	8,905■		8,905	
TOTAL INCLUDING ALL OF PSAB		73,837		100,609

POLICE + FIRE DEPARTMENTS

- Program assumes remaining on site

DIVISION	GSF	TOTAL GSF
Public Areas - Shared	658	
PD + FD Shared	3,069	
SUBTOTAL		3,727
PD: Operations + Support	12,127	
PD: Operations - Detention	2,217	
PD: Administration	4,990	
SUBTOTAL		19,333
FD: Operations	10,276	
FD: Administration	2,217	
FD: Staff Support	2,911	
SUBTOTAL		16,388
Building Support		2,505
TOTAL		41,953

SCHOOL ADMINISTRATION: July 2013 Programming designLAB Architects

DEPARTMENTS	GSF	TOTAL GSF
Shared Building Services	6,796	
Superintendent Suite	1,176	
Student Development Department	2,586	
Finance Operations Department	4,483	
Program Development Department	1,325	
Innovative Technology	572	
SUBTOTAL w / o Building Support		16,939
Building Support	1,863	
SUBTOTAL		1,863
TOTAL		18,802

SCHOOL ADMINISTRATION BUILDING: Land Requirements

Component	Footprint	Square Footage	Total in acres
Building at 18,802 SF	Assume two story building	70 x 135 = 9,450 SF or .22 acres	0.22
Parking for 93 cars including 4 accessible parking spaces	Assume 1 lots for 94 cars each at 62' x 426' including 4 accessible spaces	26,412 SF or .61 acres	0.61
Loading Requirement	Assume designated area 15' x 50'	750 sf or .03 acres	0.02
Landscaped areas	Assume 10% of parking area	26,412 x .10 = 2,641 SF or .06 acres	0.06
Snow Storage	Assume 10% of parking area	26,412 x .10 = 2,641 SF or .06 acres	0.06
TOTAL			0.97
Setback Requirements: Zoning dependent	Assume worse case = 35' front setback, 25' side setback, 25' rear setback	Possible site 242' x 329' = 79,618 SF or 1.83 acres	1.83
Max Floor Area Ratio (F.A.R.)	Maximum area ratio = .30.	Min site size = 62,673 SF or 1.44 acres	1.44

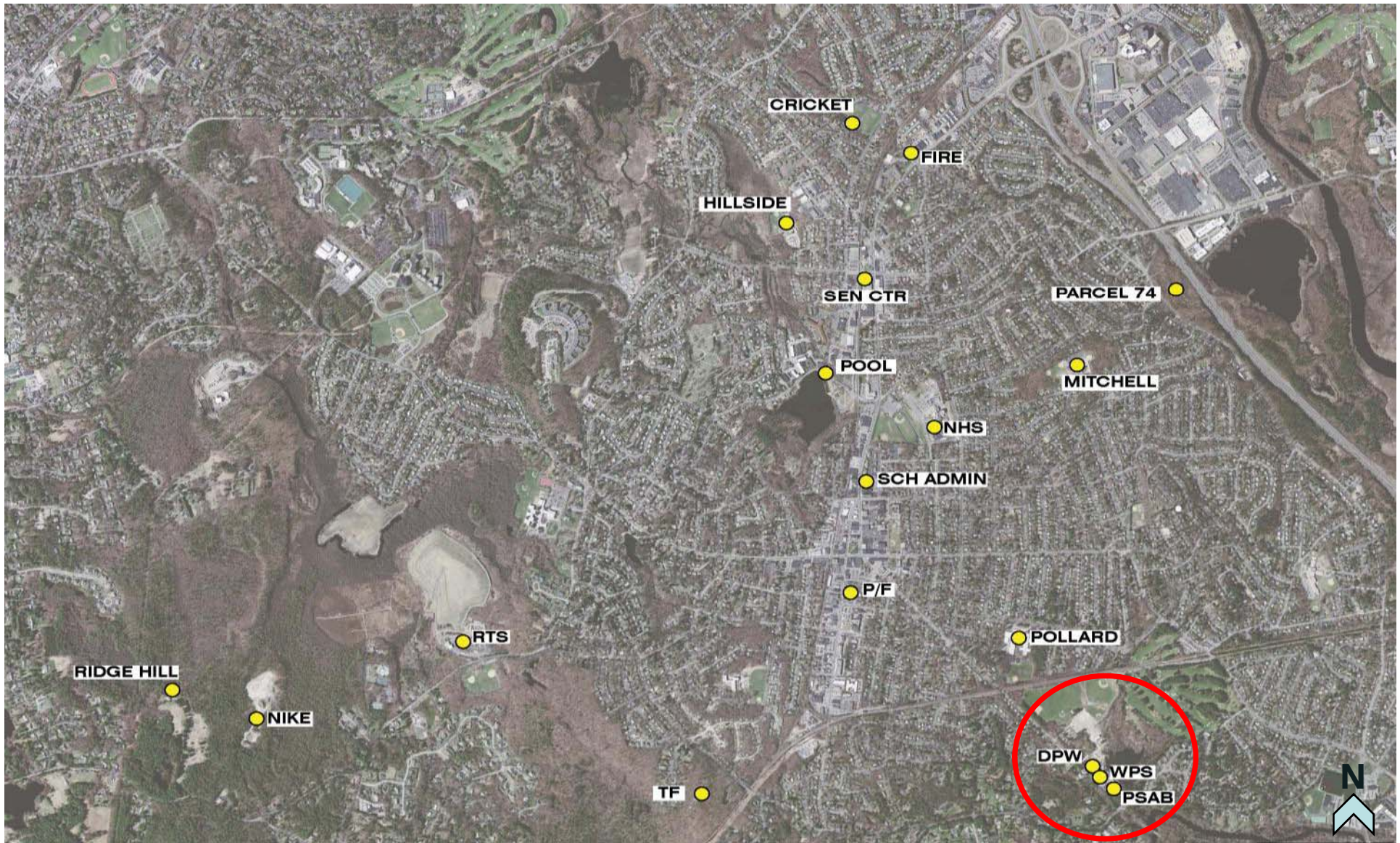
COMMUNITY CENTER: Programming is ongoing

- Preliminary programming suggests a building between 60,000 SF and 89,000 SF depending on the type of natatorium and numbers of studio and wellness spaces provided
- Site needs may include outdoor spaces such as soccer fields or other multi-purpose outdoor spaces
- Parking requirements depend on the use of the venues: competition pools and gymnasiums require significant parking counts
- Siting building will require a careful review of zoning to determine if building type is permitted, requires a Special Permit or a zoning change

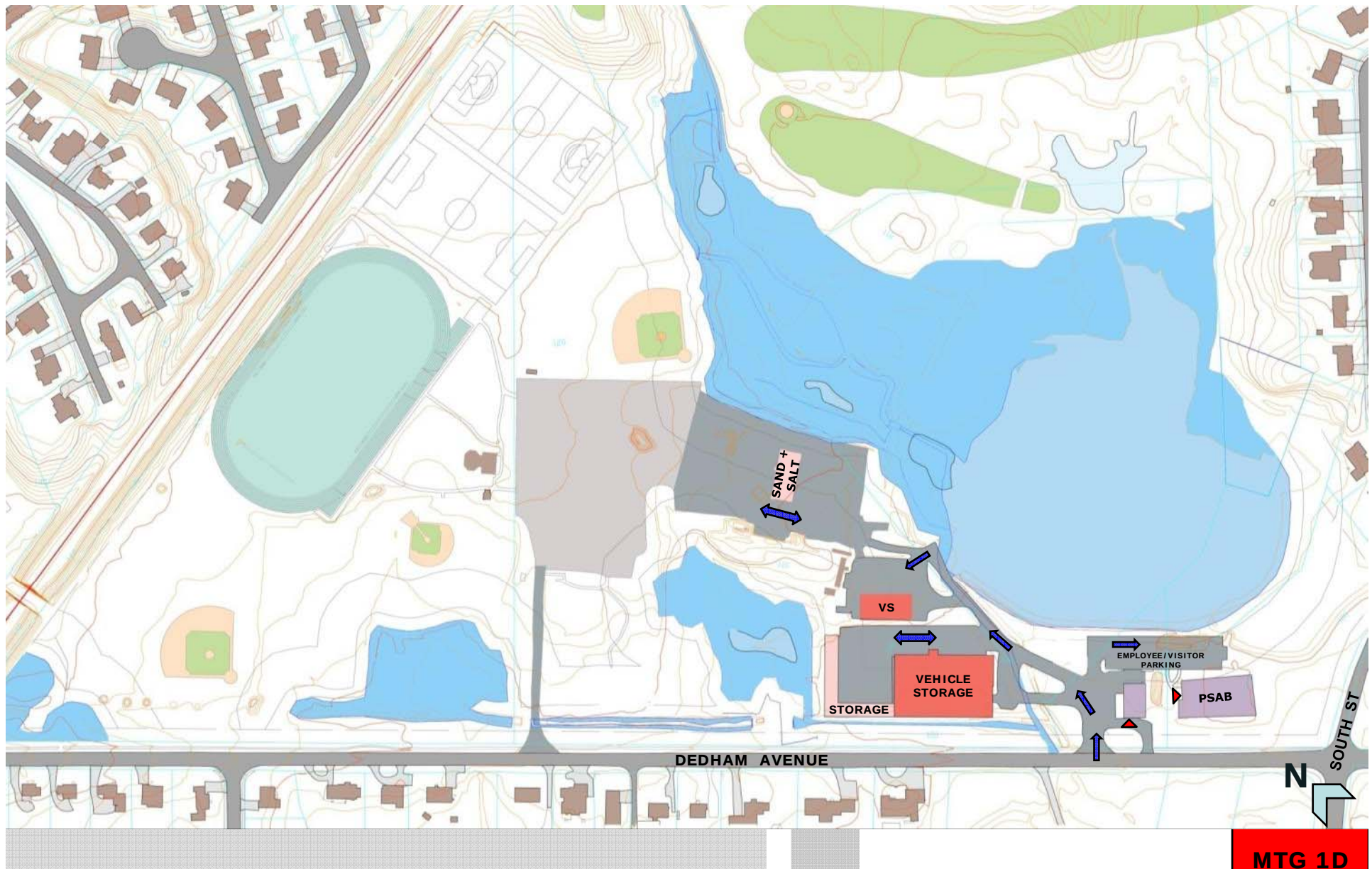
COMMUNITY CENTER: Land Requirements For + / - 60,000 SF

Component	Footprint	Square Footage	Total in acres
Building at 59,115 square feet	Assume two story building except at swimming pool; gymnasium located on upper level	100 x 371 = 37,100 SF or .85 acres	0.85
Parking for +309 cars including 8 accessible parking spaces	Assume 6 lots for 50 cars each at 62' x 225' plus one lot for accessible spaces at 62' x 65'	87,730 SF or 2.01 acres	2.01
Loading Requirement	Assume designated area 30' x 50'	1,500 sf or .03 acres	0.03
Landscaped areas	Assume 10% of parking area	87,730 x .10 = 8,773 SF or .2 acres	0.2
Snow Storage	Assume 10% of parking area	87,730 x .10 = 8,773 SF or .06 acres	0.2
SUBTOTAL			3.29
Fields	Assume 225' x 360' regulation size soccer field = 81,000 SF	81,000 x 2 = 162,000 SF or 3.7 acres	3.7
TOTAL			6.99
Max Floor Area Ratio (F.A.R.)	Maximum area ratio = .30.	Min site = 197,050 SF or 4.52 Acre	4.52

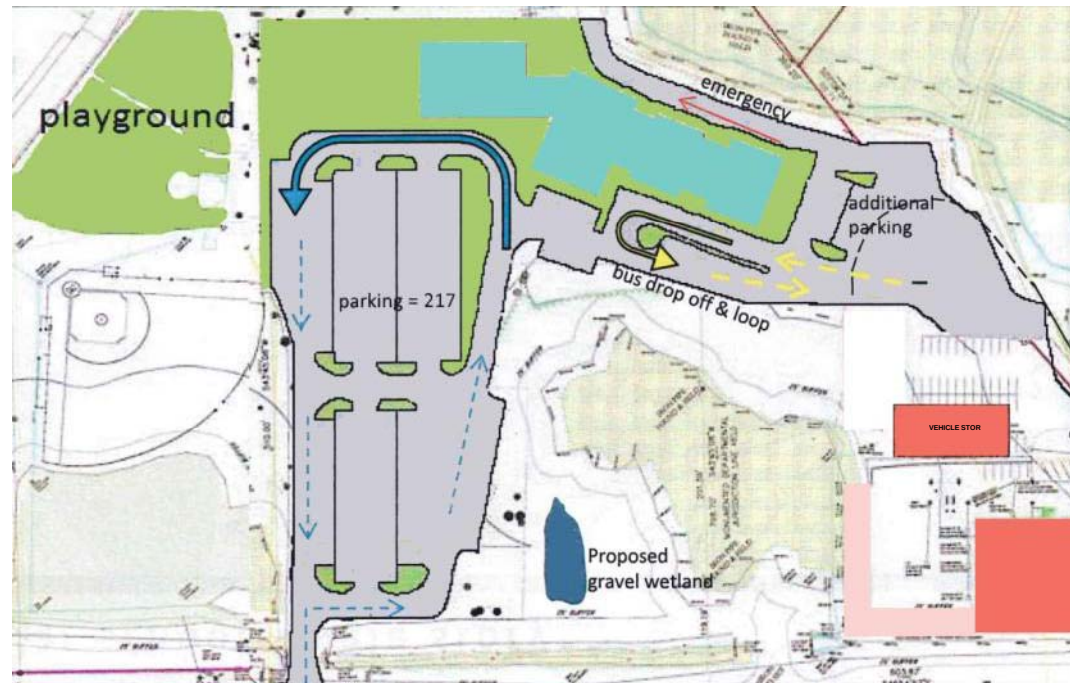
TOWN OF NEEDHAM: EXISTING SITE LOCATIONS - DPW



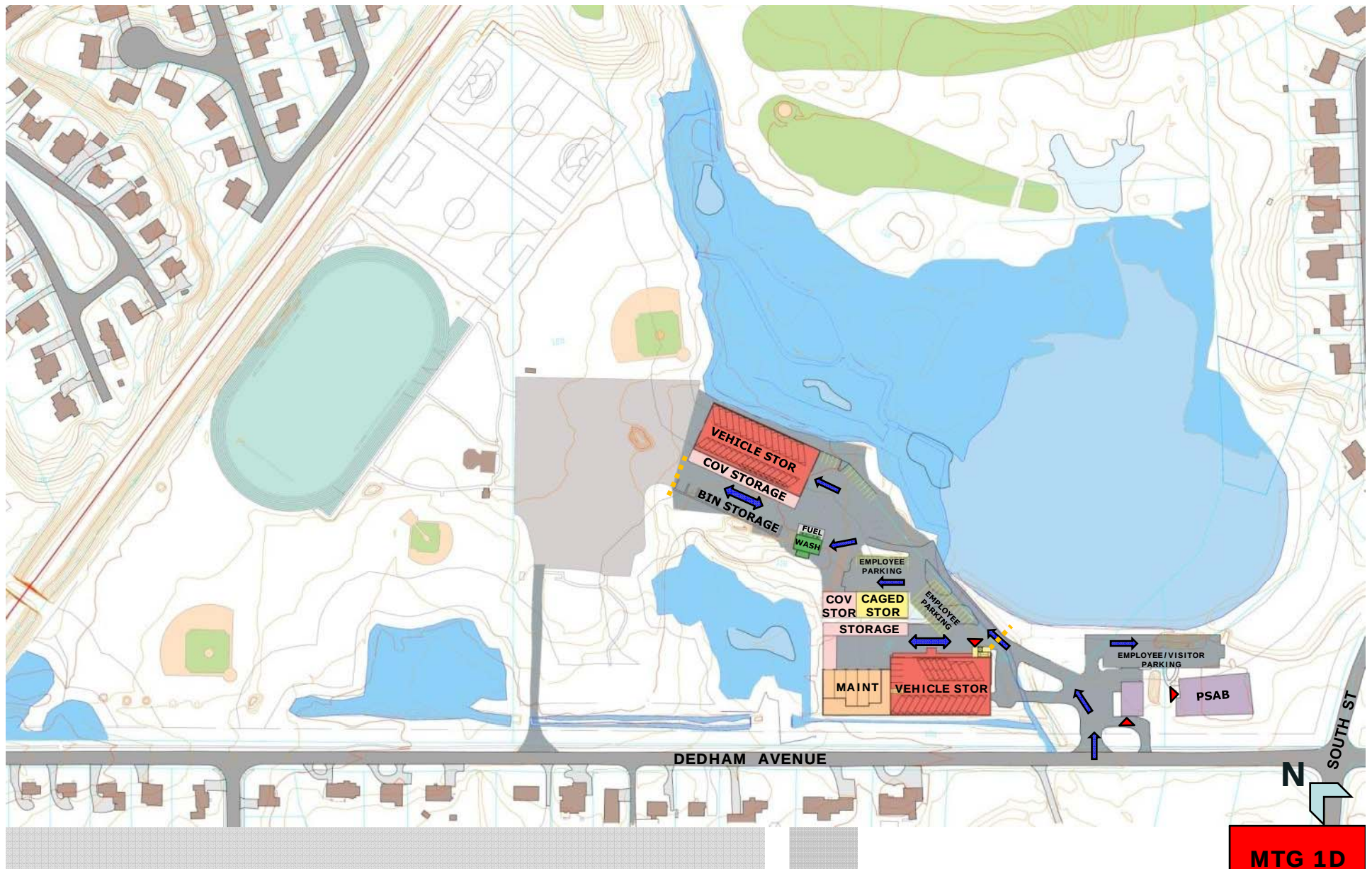
DEPARTMENT OF PUBLIC WORKS: DEDHAM AVE OPTION - EXISITNG



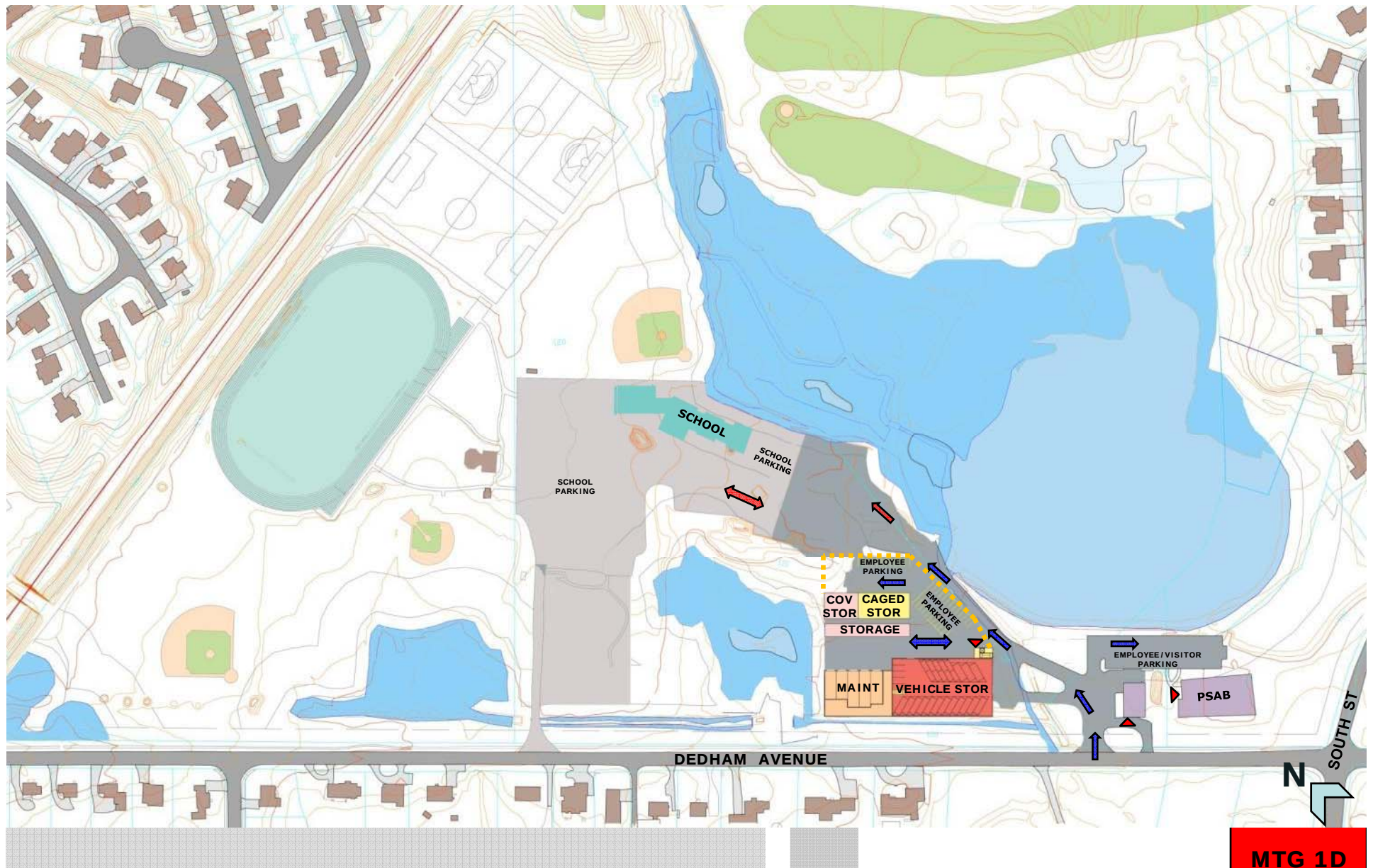
TEMPORARY / PERMANENT ELEMENTARY SCHOOL SITE: Per Dore & Whittier 2012



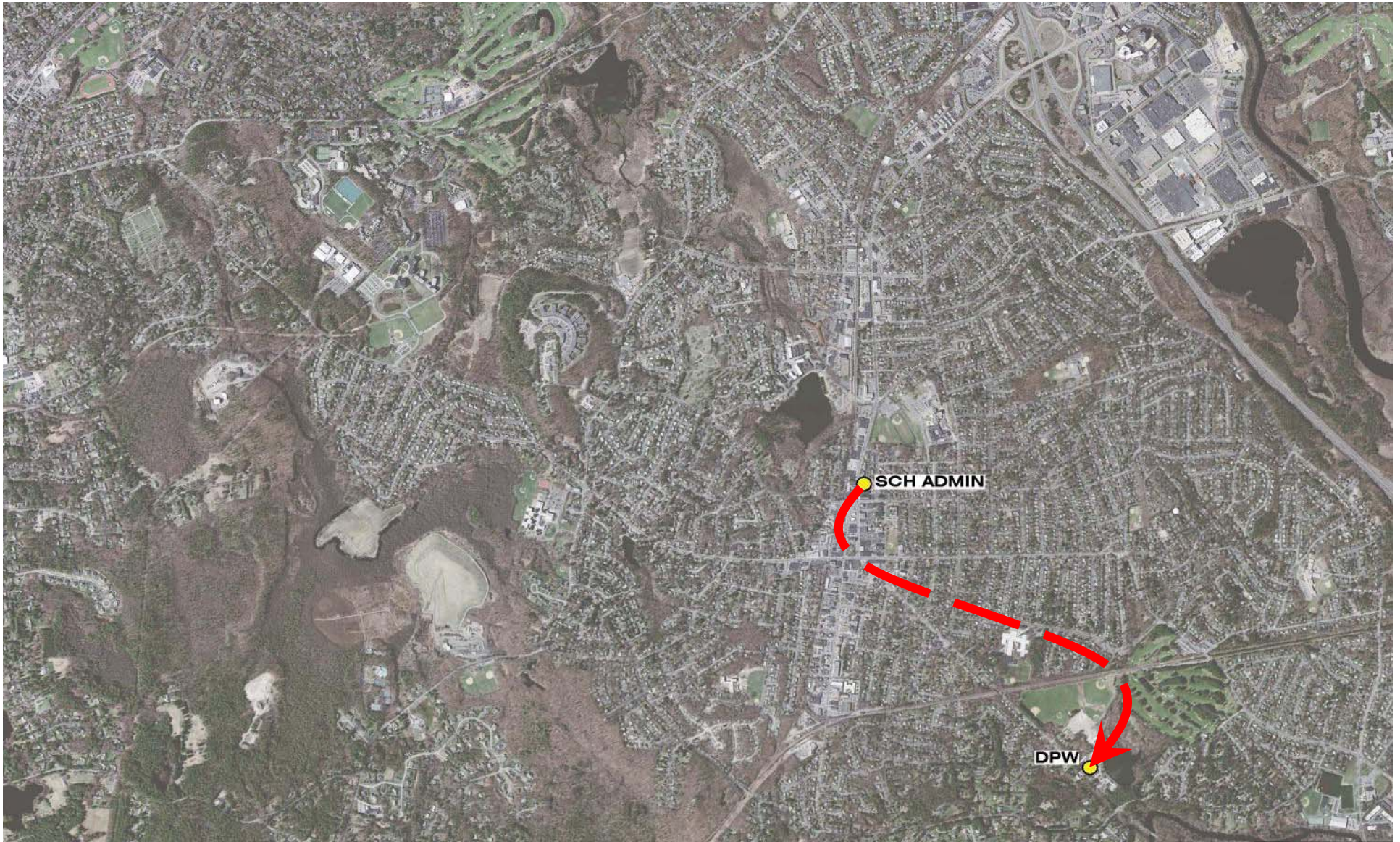
DEPARTMENT OF PUBLIC WORKS: DEDHAM AVE OPTION – FULL PROGRAM



DEPARTMENT OF PUBLIC WORKS: DEDHAM AVE OPTION – PARTIAL PROGRAM



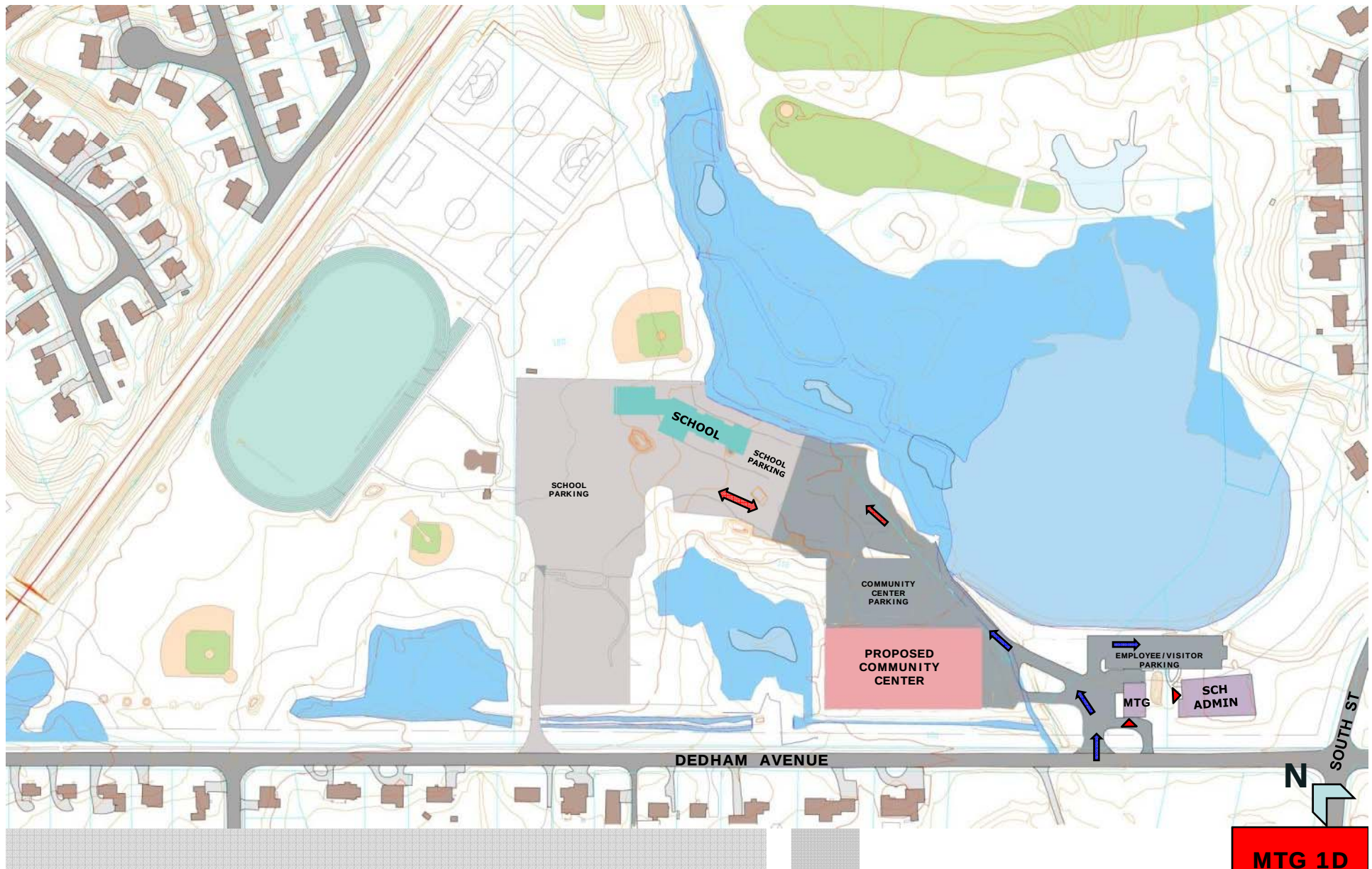
IF DPW MOVES OFFSITE: SCHOOL ADMIN MOVES TO DEDHAM AVE



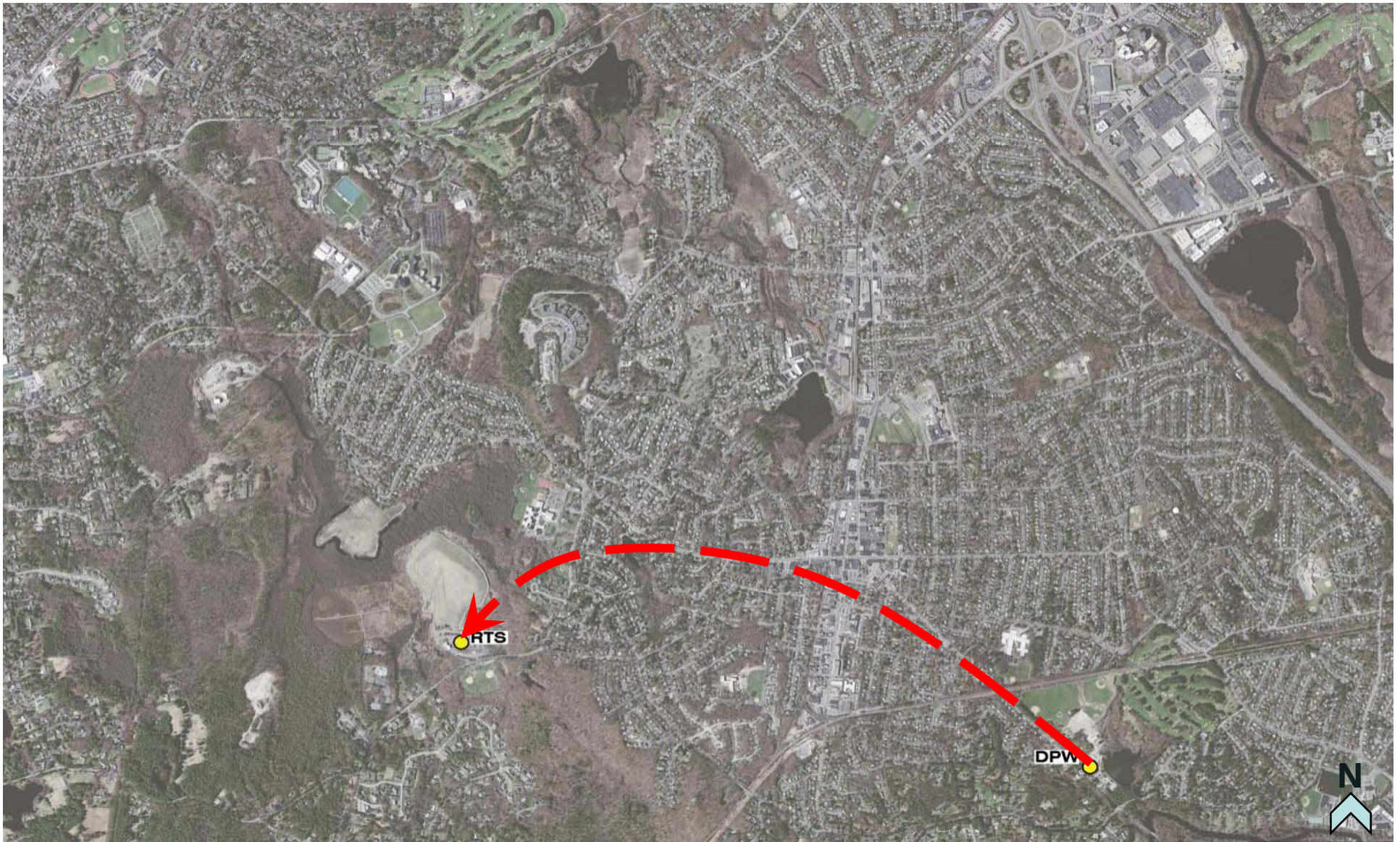
IF DPW MOVES: SCHOOL ADMIN, PARKING + SCHOOL ACTIVITIES OPTION AT DEDHAM AVE



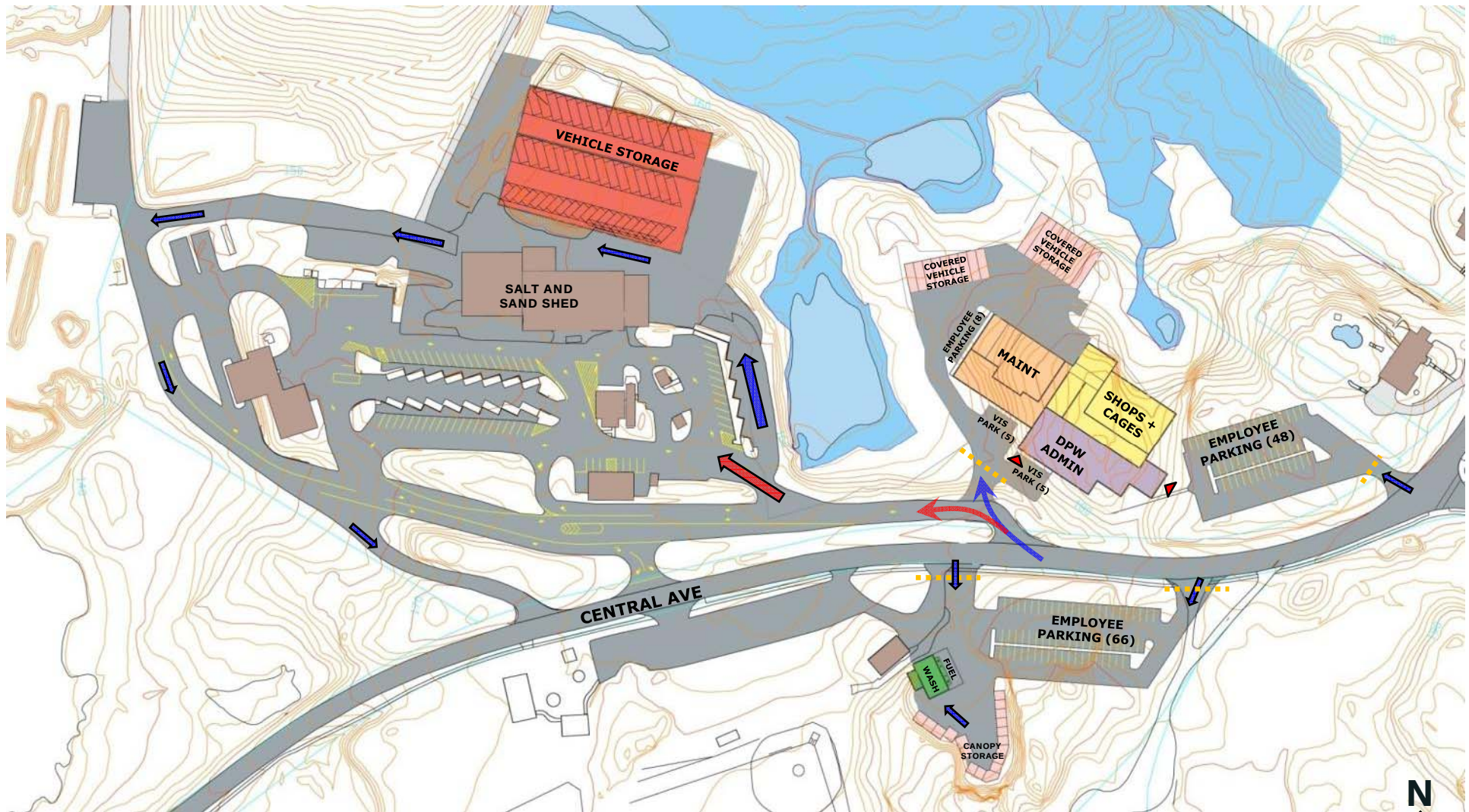
IF DPW MOVES: COMMUNITY CENTER OPTION AT DEDHAM AVE



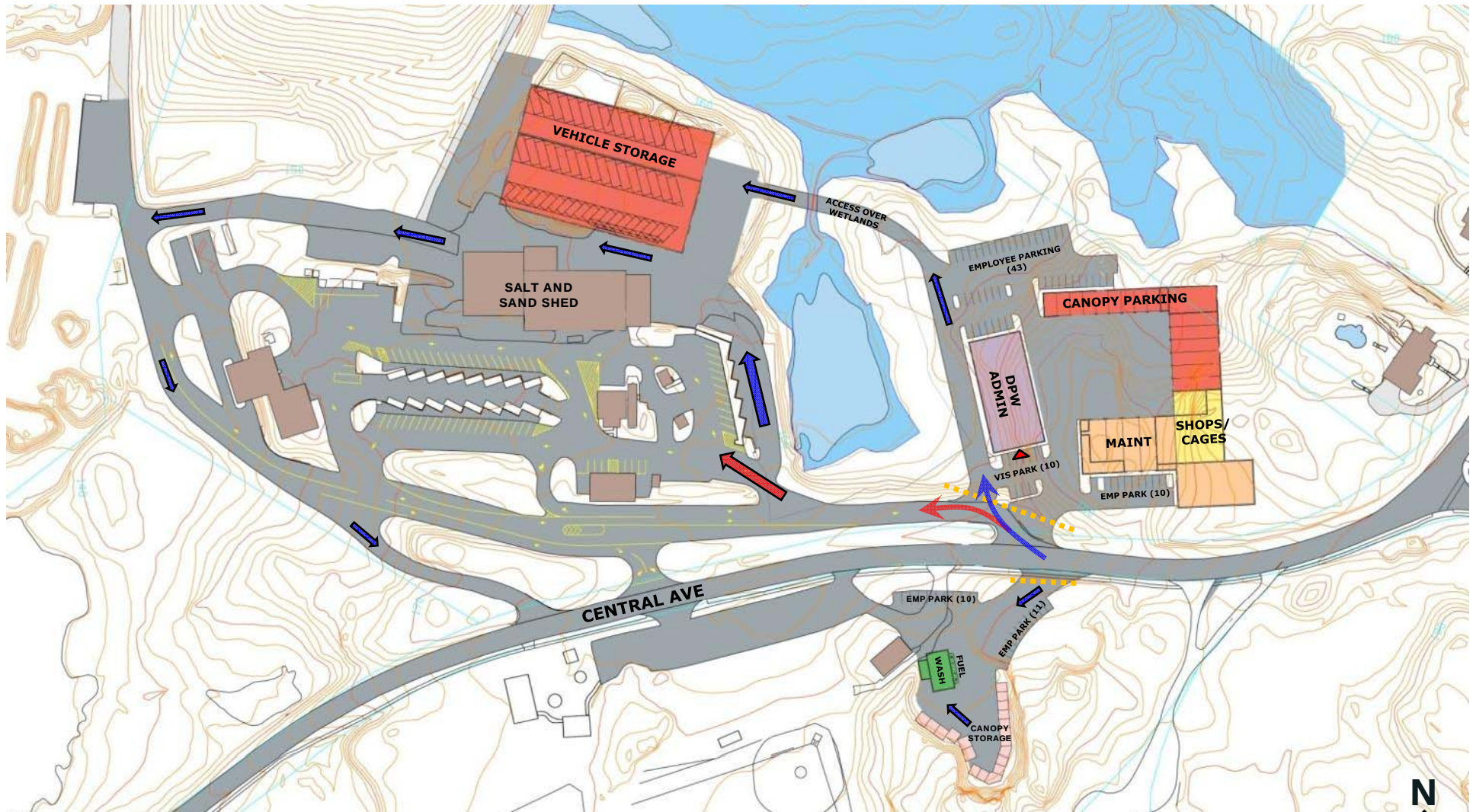
IF DEPARTMENT OF PUBLIC WORKS MOVES TO RTS



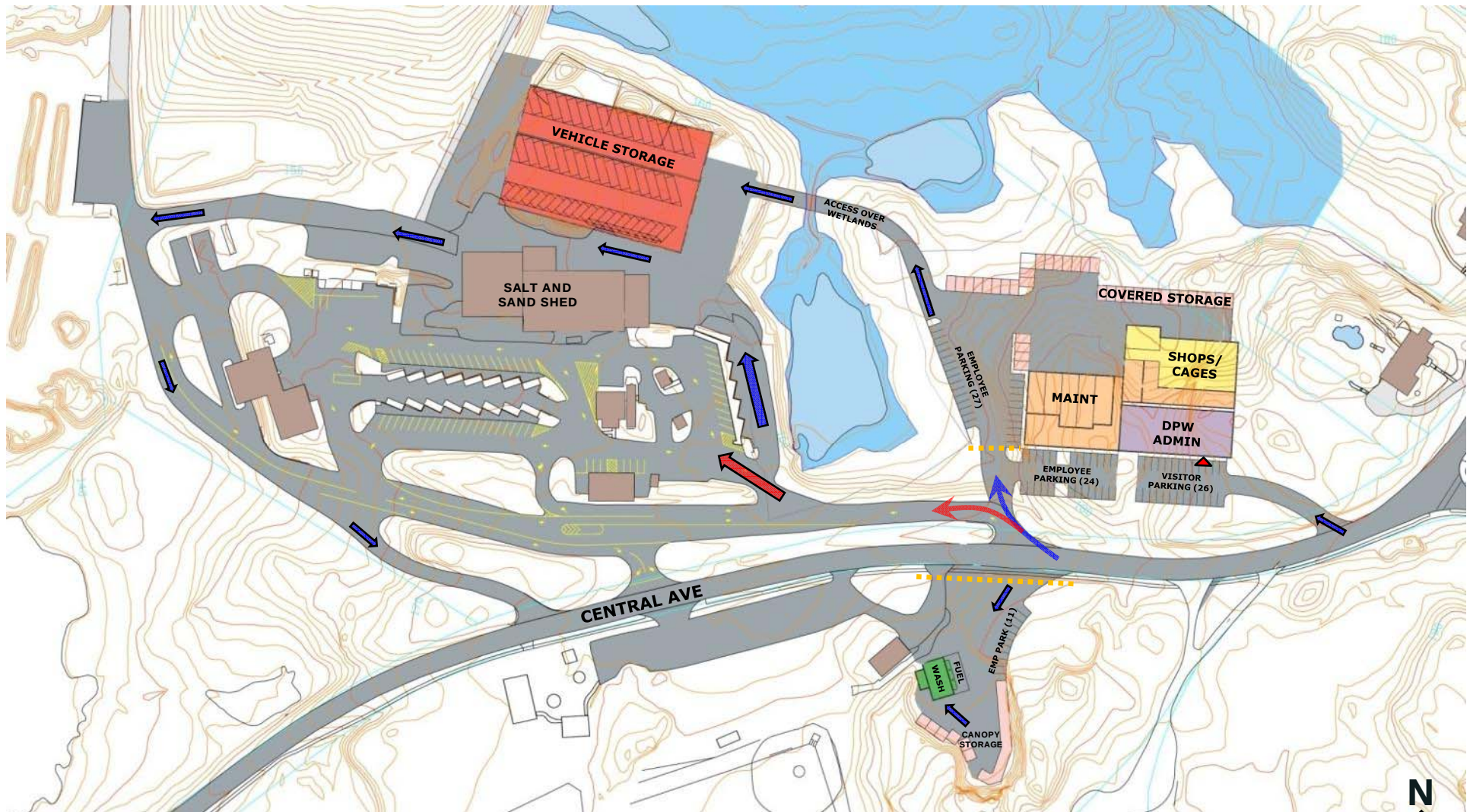
DEPARTMENT OF PUBLIC WORKS: RTS OPTION 1



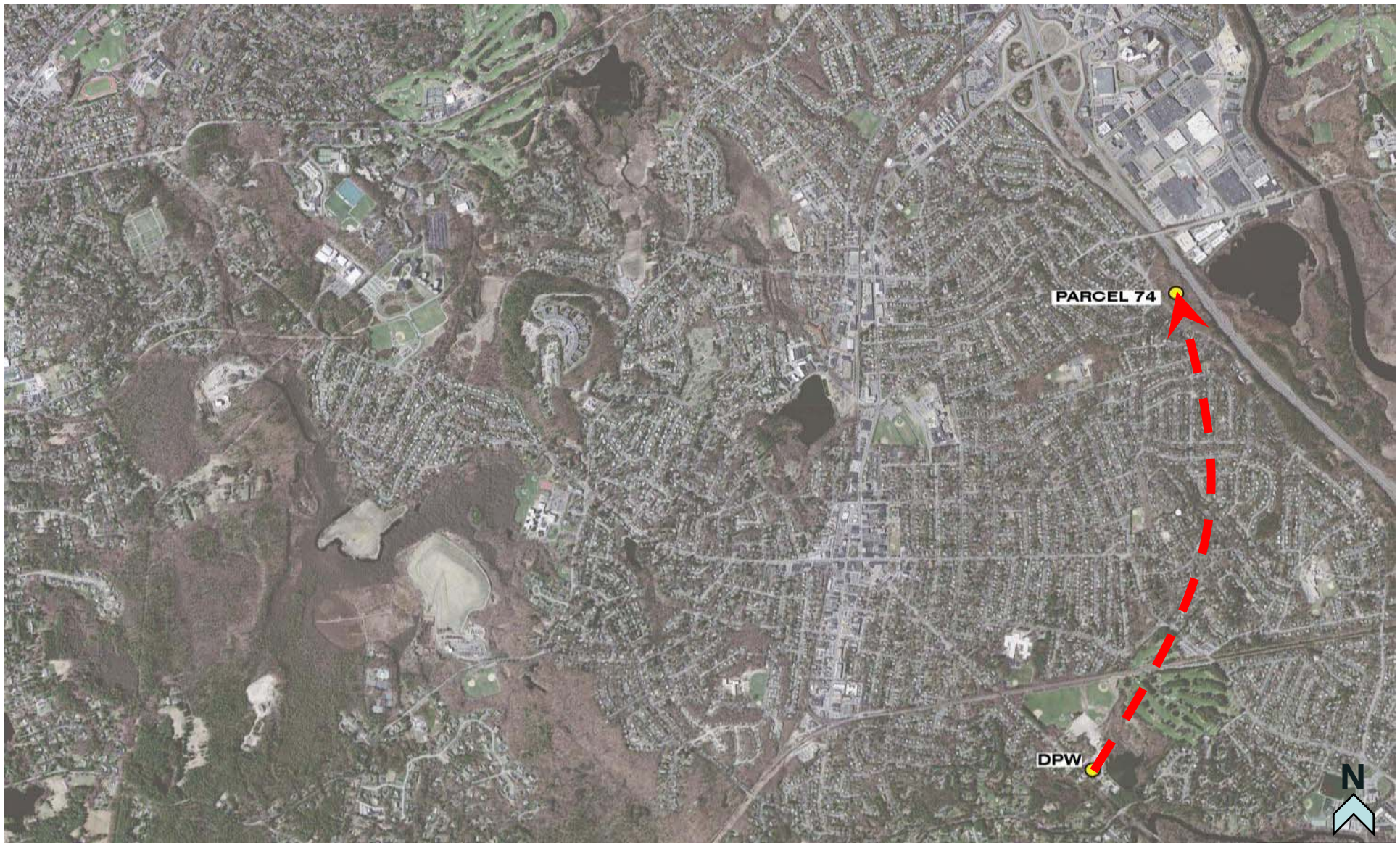
DEPARTMENT OF PUBLIC WORKS: RTS OPTION 2



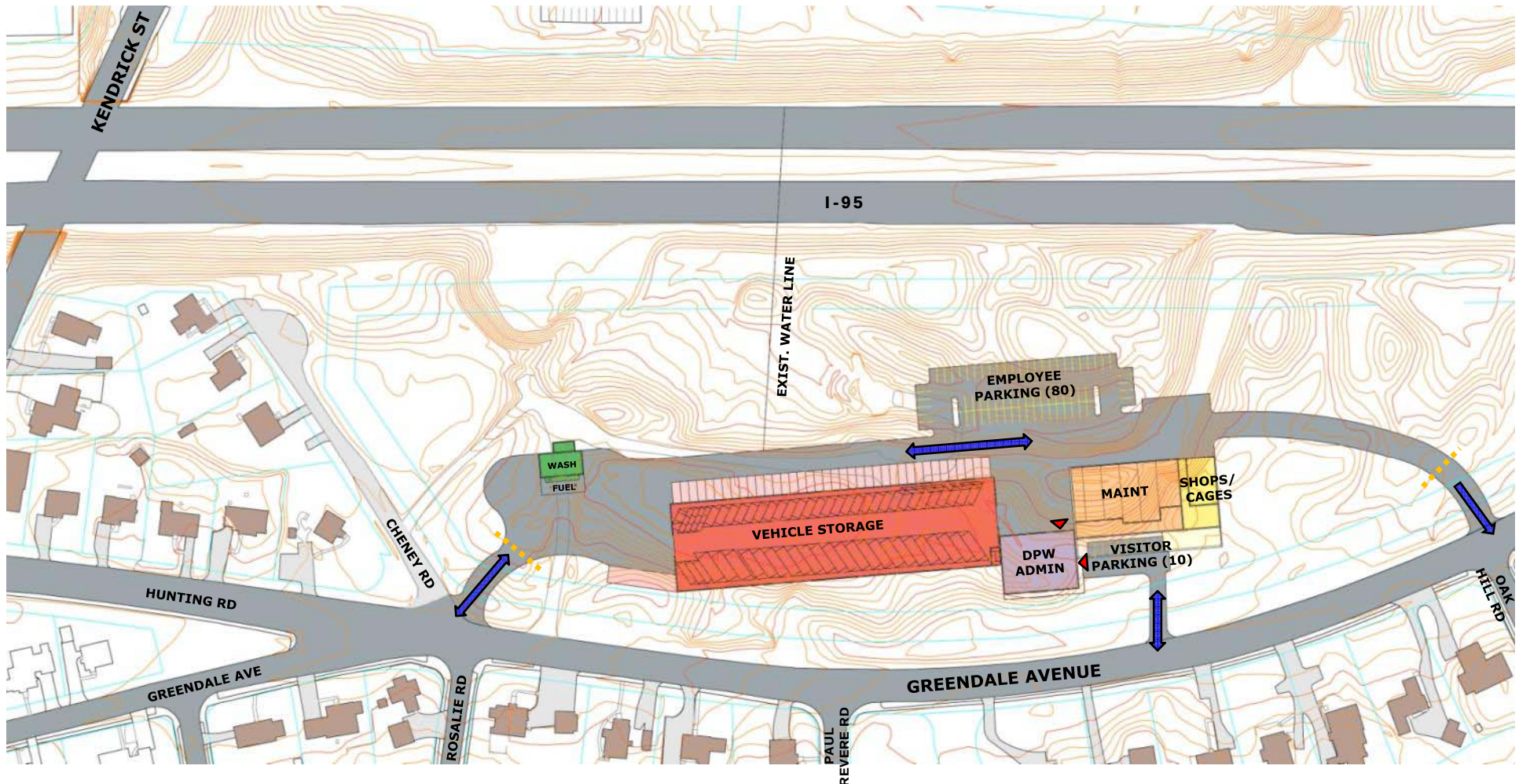
DEPARTMENT OF PUBLIC WORKS: RTS OPTION 3



IF DEPARTMENT OF PUBLIC WORKS MOVES TO PARCEL 74 / GREENDALE AVE



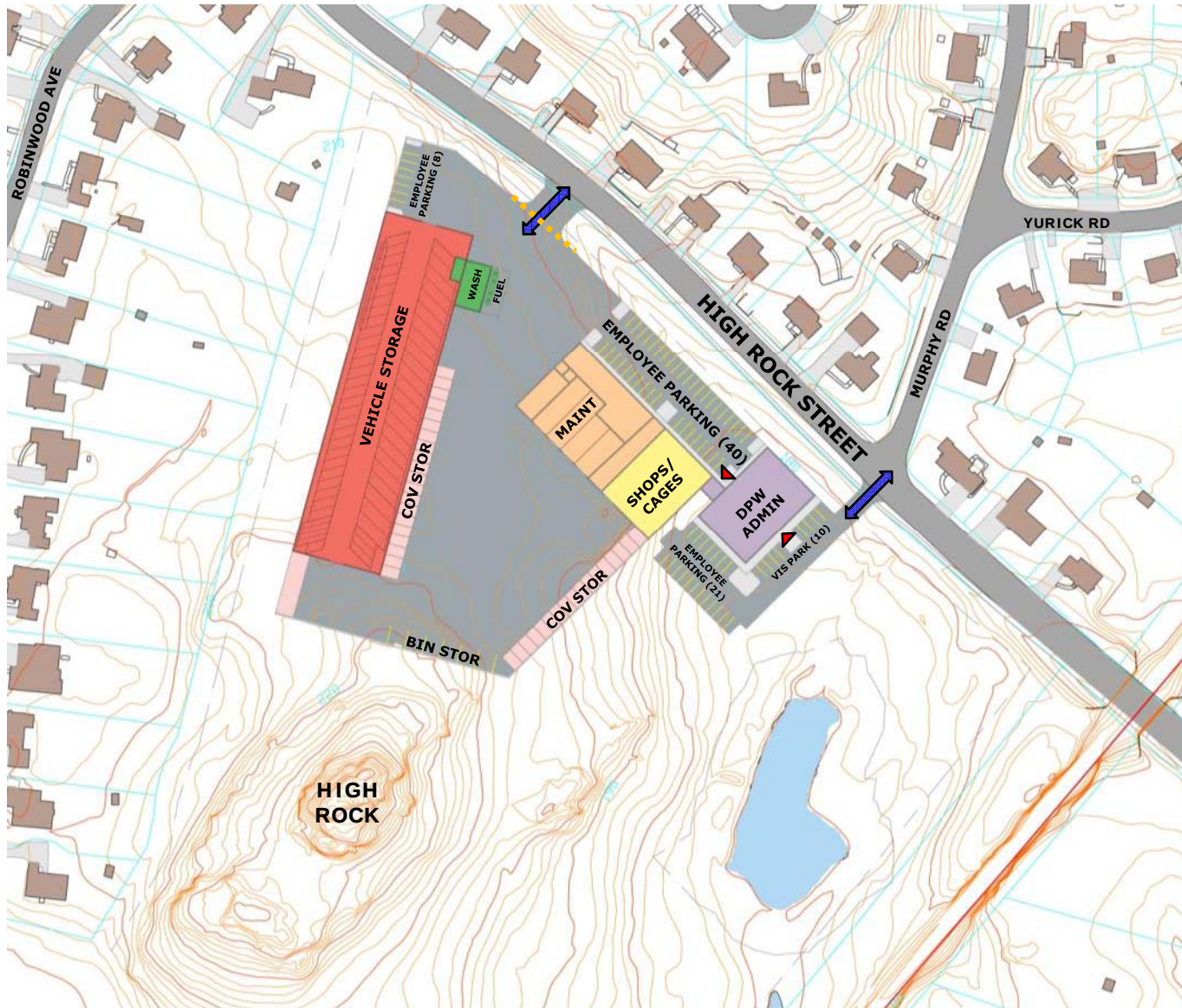
DEPARTMENT OF PUBLIC WORKS: PARCEL 74 OPTION



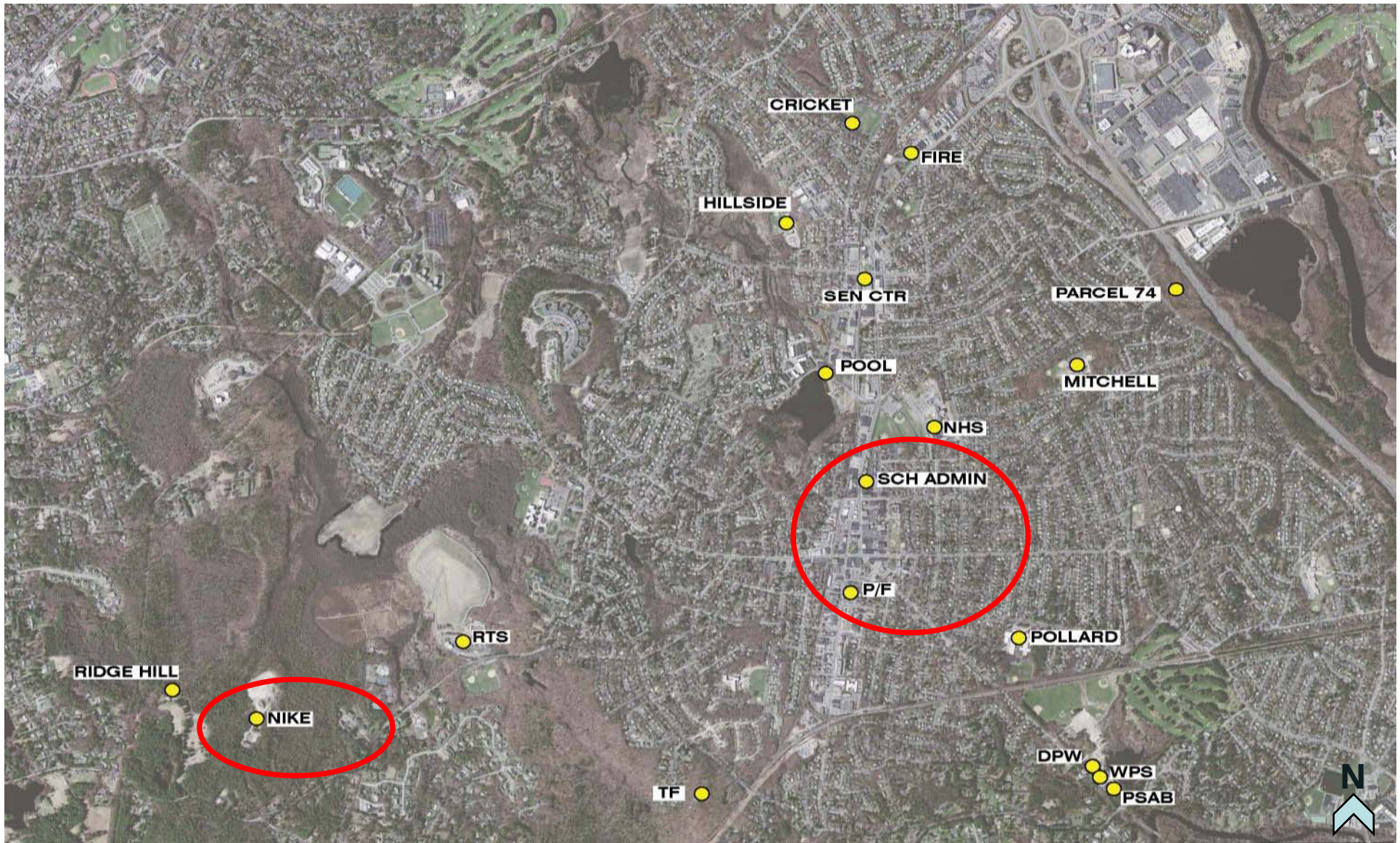
IF DEPARTMENT OF PUBLIC WORKS MOVES TO TOWN FOREST



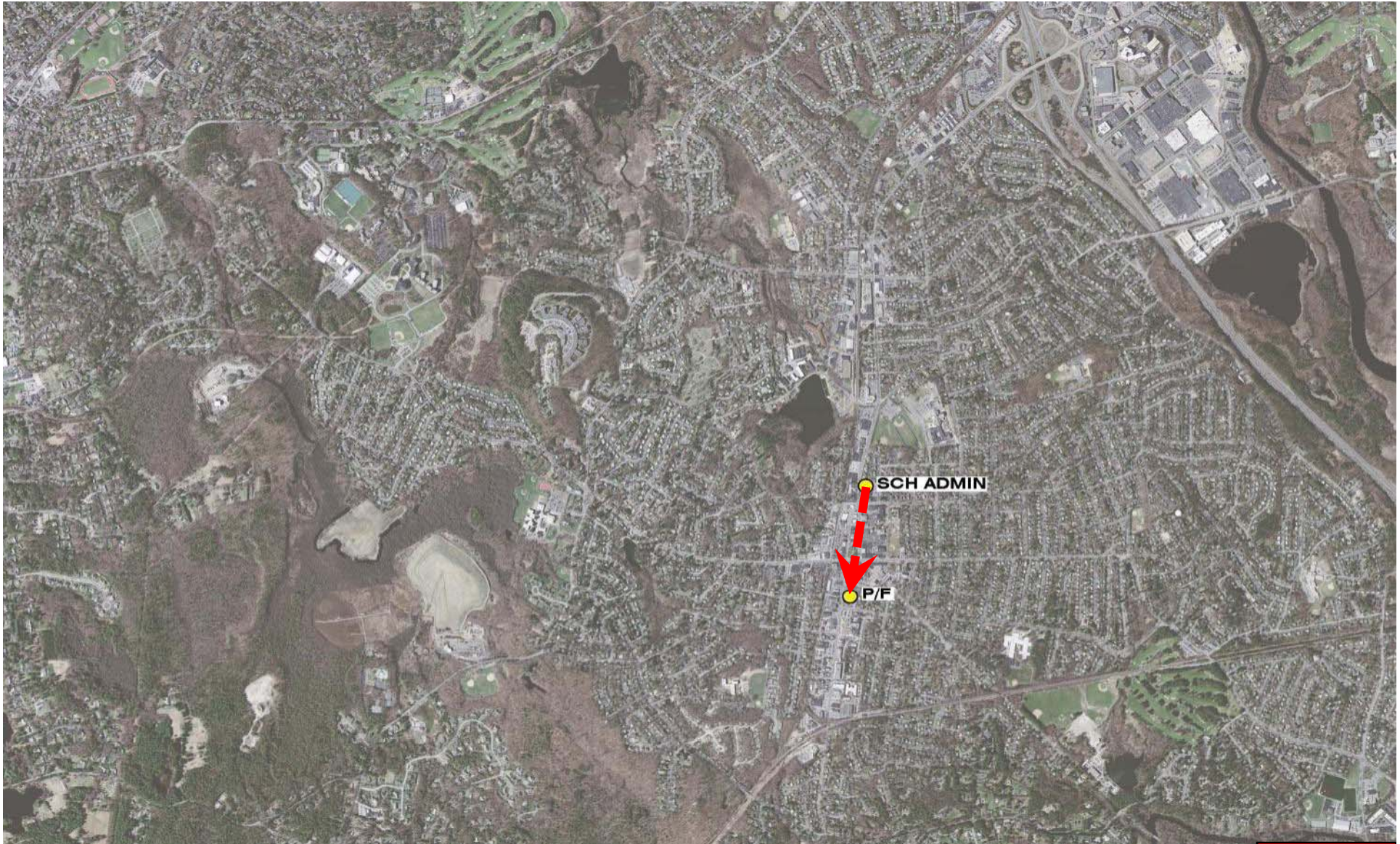
DEPARTMENT OF PUBLIC WORKS: TOWN FOREST OPTION



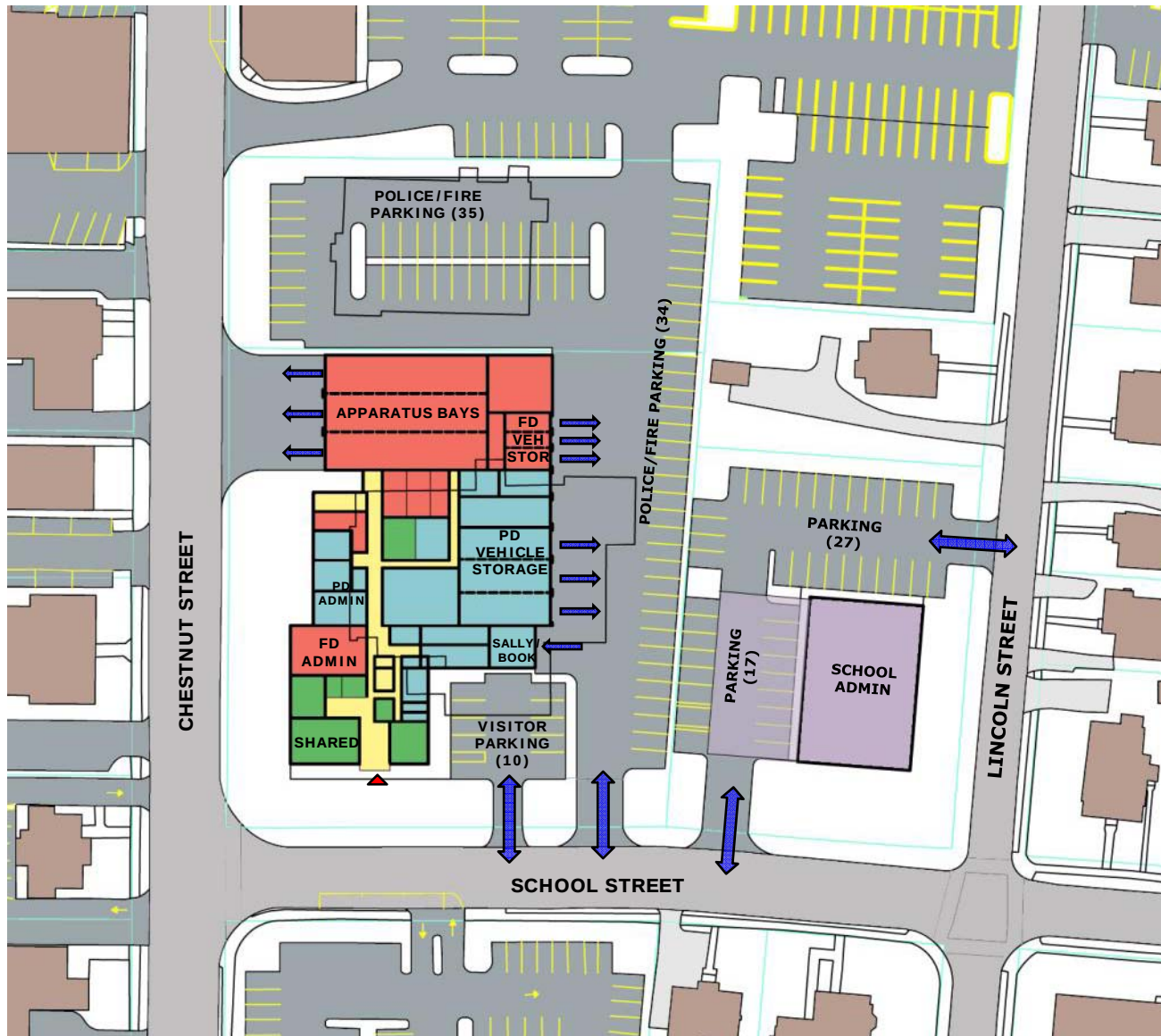
TOWN OF NEEDHAM: FIRE/POLICE + SCHOOL ADMIN LOCATIONS



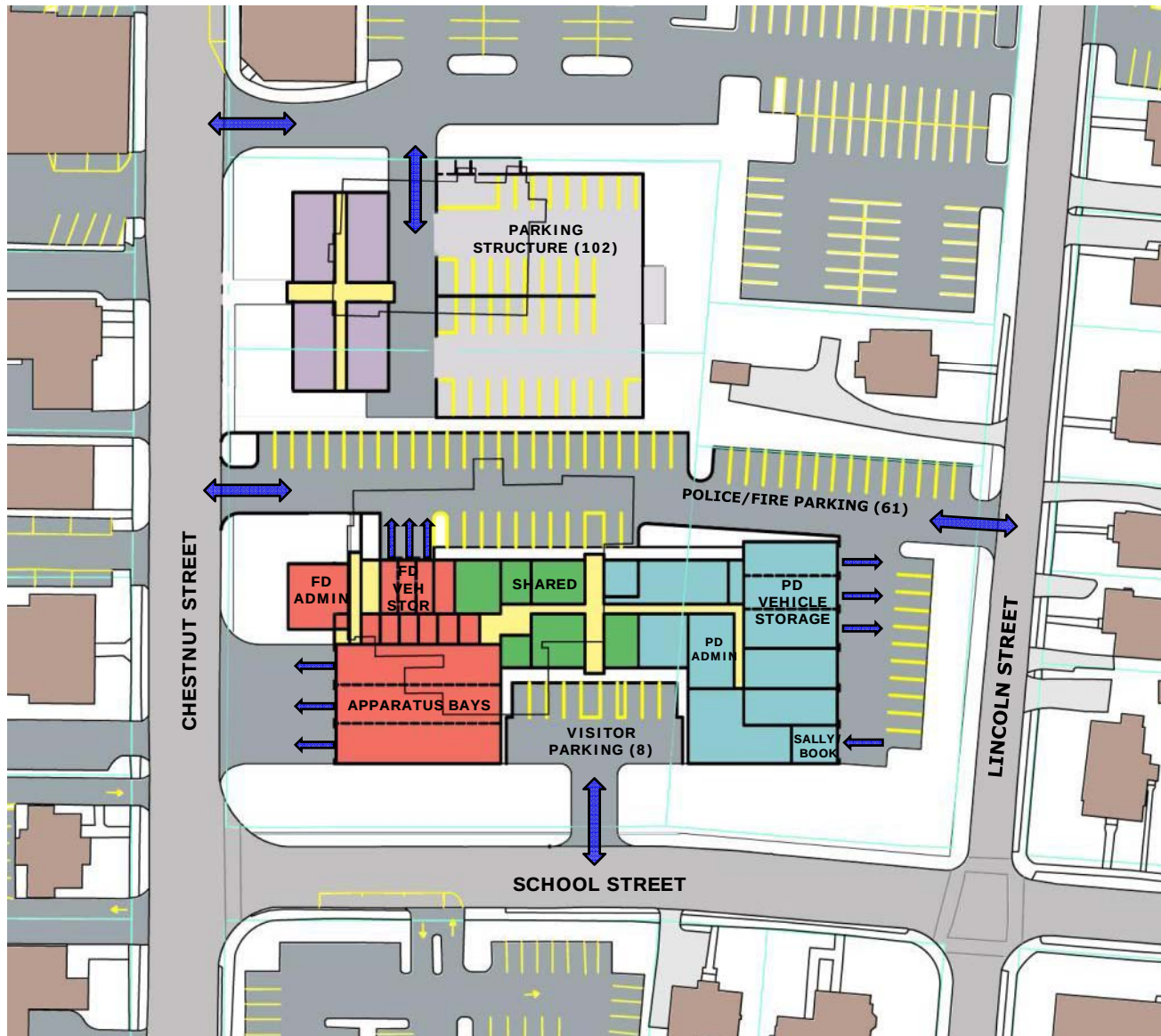
IF SCHOOL ADMINISTRATION MOVES TO POLICE/FIRE SITE



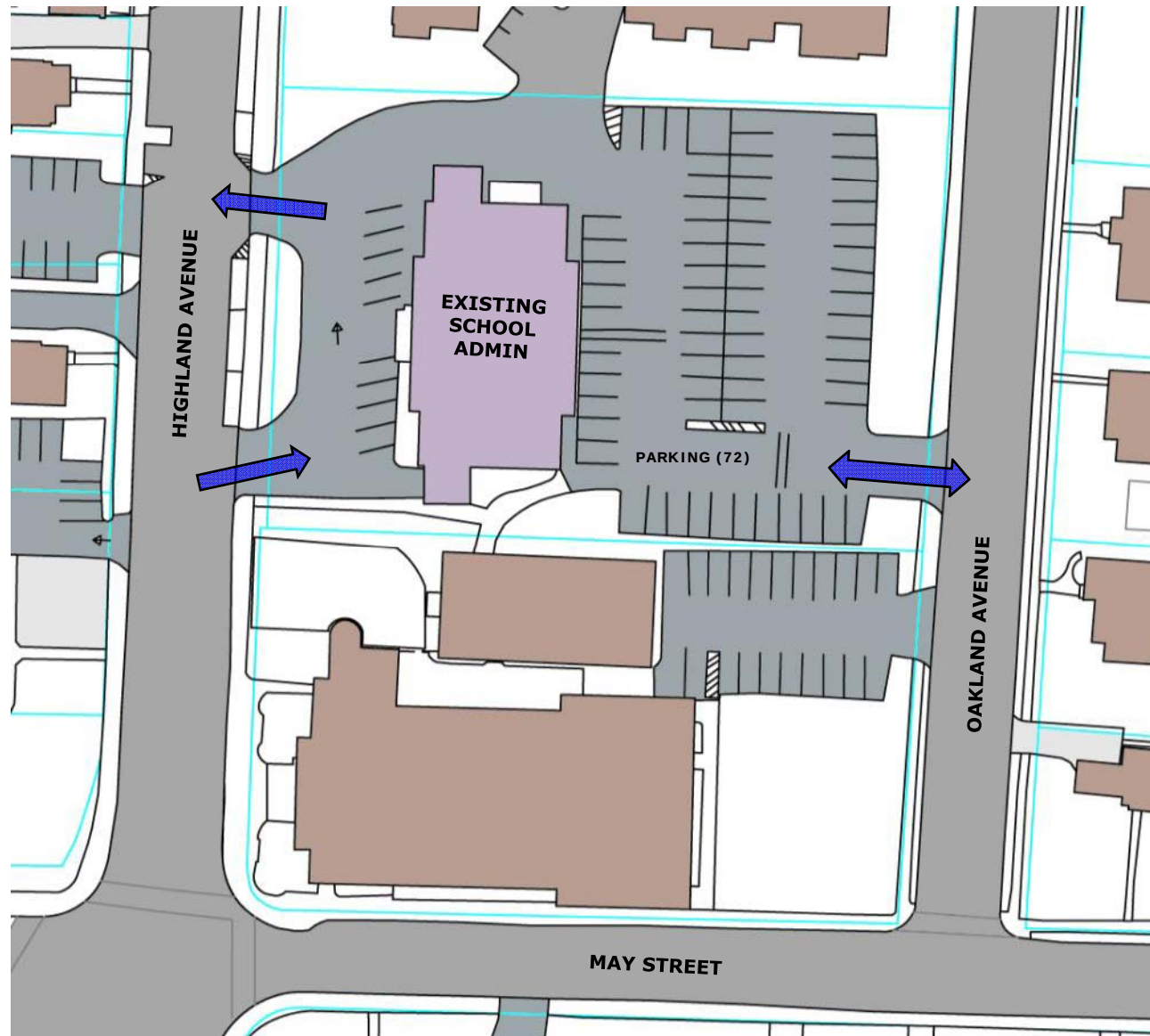
POLICE/FIRE SITE OPTION 1 WITH SCHOOL ADMIN



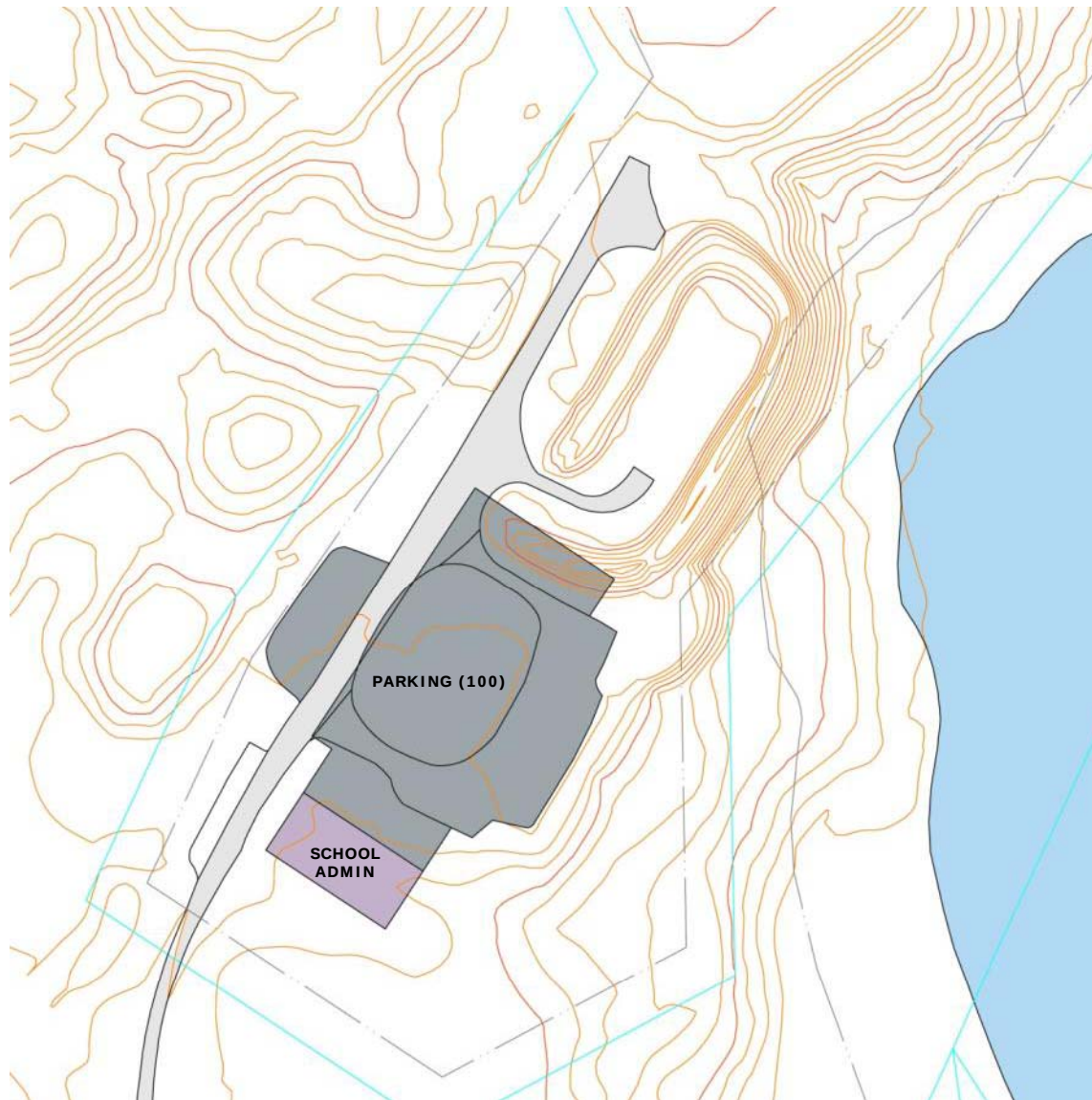
POLICE/FIRE SITE OPTION 2 WITH SCHOOL ADMIN



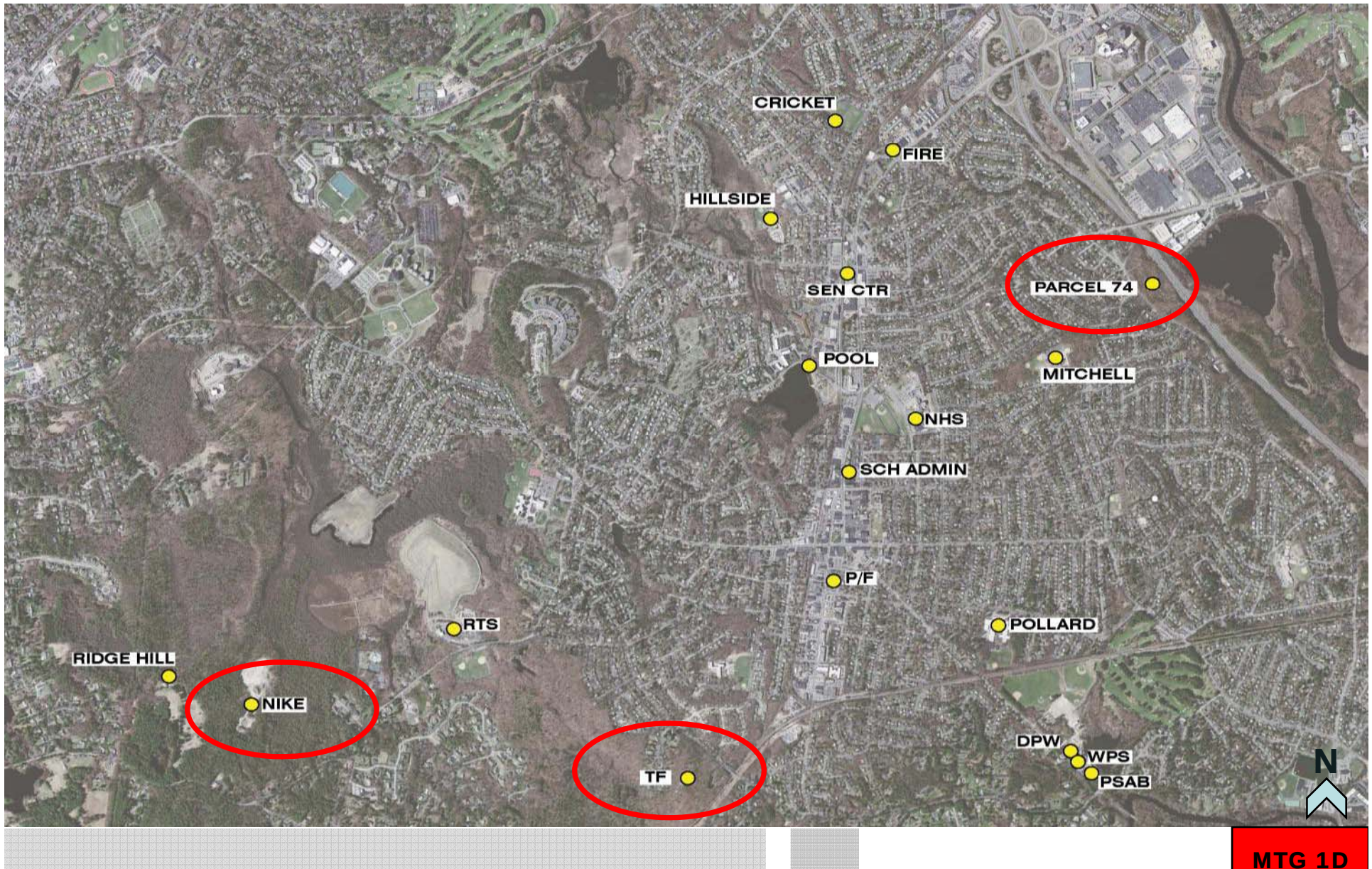
SCHOOL ADMINISTRATION: RENOVATION AT EXISTING SITE



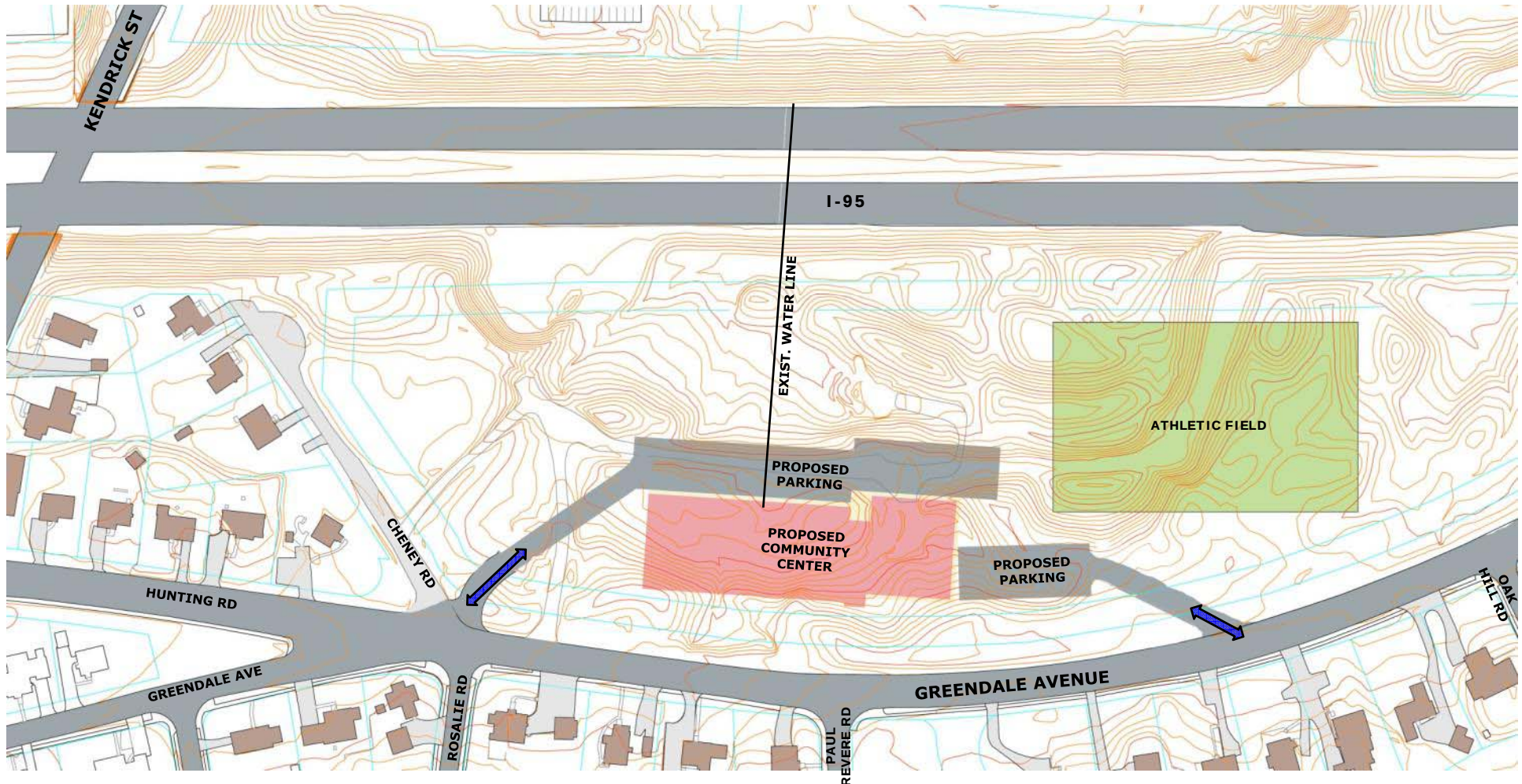
SCHOOL ADMINISTRATION: MOVES TO NIKE SITE



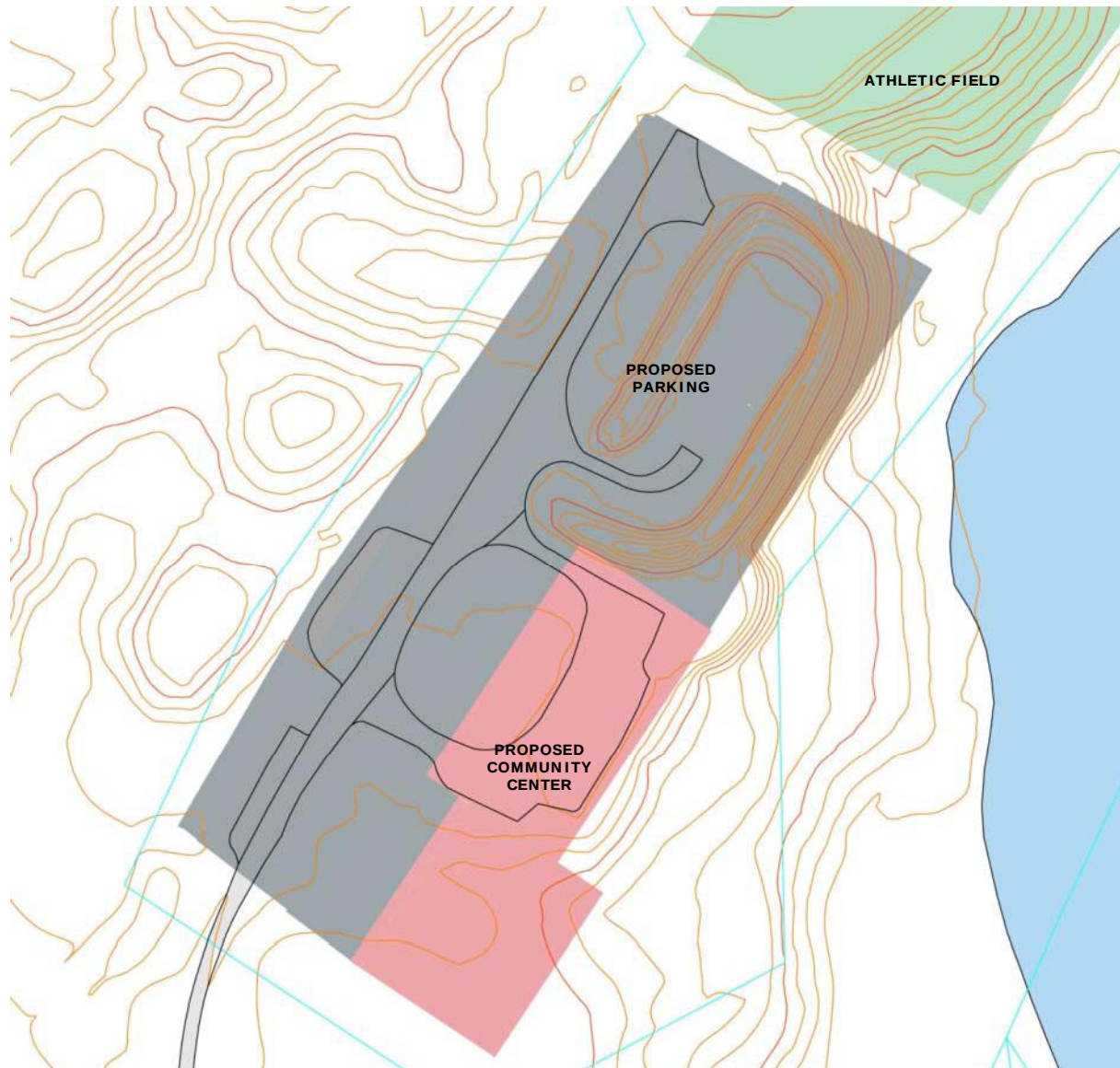
TOWN OF NEEDHAM: POSSIBLE LOCATIONS FOR COMMUNITY CENTER



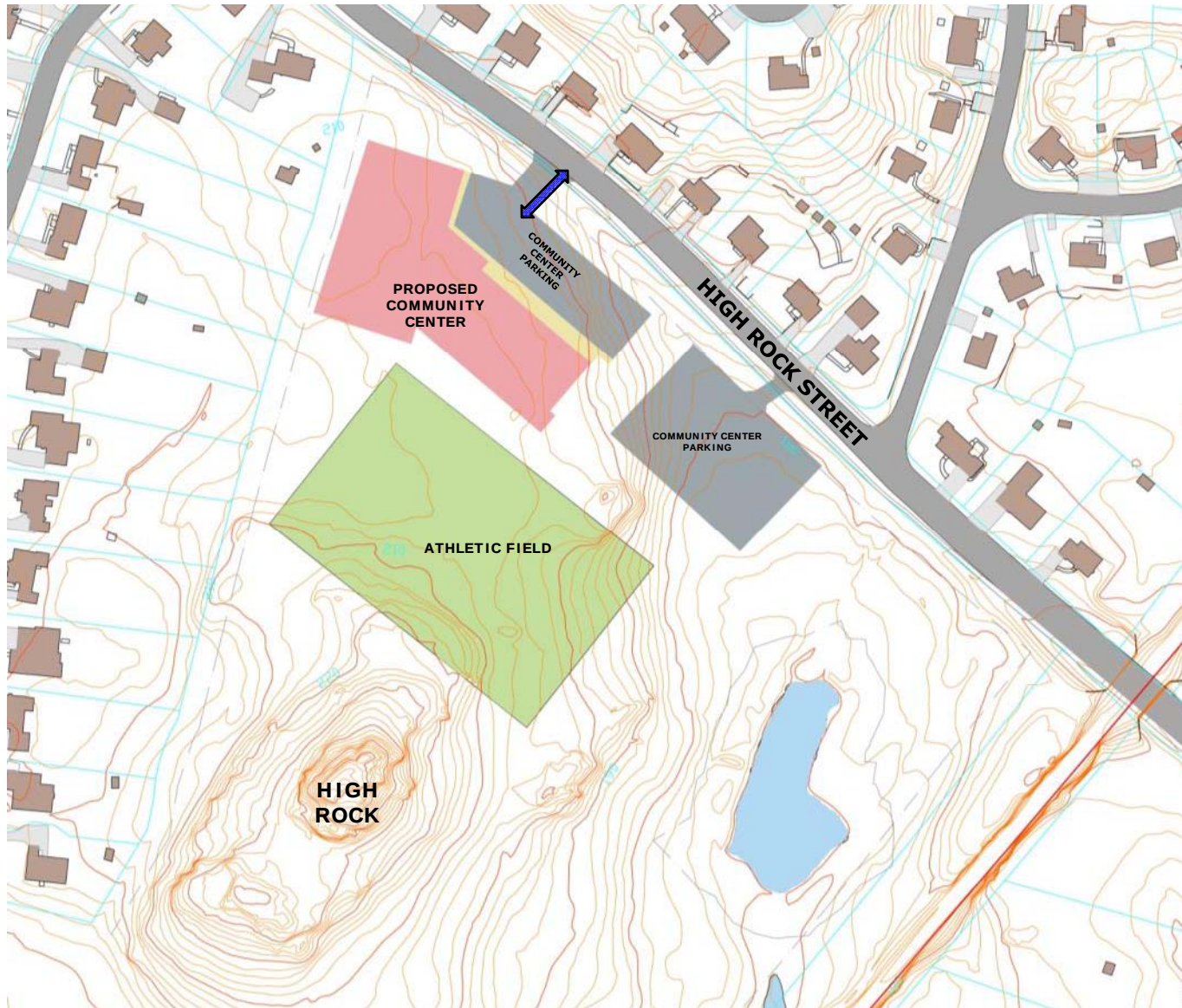
COMMUNITY CENTER: OPTION AT PARECEL 74 / GREENDALE AVE



COMMUNITY CENTER: OPTION AT NIKE



COMMUNITY CENTER: OPTION AT TOWN FOREST



ALTERNATIVE SITES FOR BUILDING PROJECTS: *Look at the best way of using land resources regardless of Jurisdictional Control*

- 3 matrices: Overall Options, Detail Site, Evaluation Criteria
 - Which sites are reasonable to explore
 - What are the general characteristics of the sites
 - **What is the final suggested criteria for assessing a site**
- How will Matrix influence or define Master Plan:
 - Evaluation Criteria suggests that multiple sites can meet needs; how does matrix help when recommending best possible site for each program
 - Do land swaps, “Trading” Jurisdictional Control provide benefits to Community
 - If re-organization occurs, how does it affect neighborhood schools, emergency response, conversion of a passive recreation site, historical use of property, neighborhoods in general, operations of department, reuse of property
 - Ideal operations: can needs be met on one site, in the best possible location, in order to meet the request of each department

NEEDHAM FACILITIES MASTER PLAN STUDY

CRITERIA MATRIX Suggested

CATEGORY	Actual Value	Max Value	COMMENTS
1. LOCATION	0	20	
1.1 Geographic location		5	Central to mission; moderate changes to operations; requires change to existing operations
1.2 Neighborhood		5	Minimal impact on residential neighborhood and community; moderate impact; significant impact
1.3 Current Use		4	Continued use; compatible use; currently undeveloped and used by others (recreational use open space)
1.4 Zoning By-laws		3	Allowed - complies with use, dimensional requirements and performance standards; Use allowed with moderate approval; Use will be difficult or costly to win approval (due to constraints such as historic preservation)
1.5 Public Facade/Screening		3	No private owner abutters, nothing special required; Abutters with adequate area for screening; Abutters with inadequate area for screening
2. ACCESSIBILITY	0	10	
2.1 Site Access		5	Ease of access through existing entry points and roadways; some impact on entry or roadway; significant impact including limited emergency access
2.2 Traffic		5	No impact on traffic patterns; some impact; significant impact
3. SITE FEATURES	0	20	
3.1 Adequate site size		6	Optimum size - allows for expansion; good size but no expansion capability; undersized for full program
3.2 Existing Structures/Historic Preservation		4	Existing structures will not impede development; some impact on intended use; full impact
3.3 Operations - ease of use		4	Staff and Visitors use of site: Site easily split; site requires some overlap of uses; site uses overlap negatively
3.4 Flexibility/Circulation		6	Site can be reconfigured as needs change; site has limited reconfiguration options; site has no flexibility
4. ENVIRONMENTAL	0	15	
4.1 Wetlands		4	No wetlands or all work will occur outside of ConCom jurisdiction; indirect impact (work in buffer zones); direct impact on existing wetlands, flood plains, endangered species
4.2 Stormwater Management		5	Reasonable cost for stormwater management; moderate costs; excessive costs
4.3 Conservation/DEP Permitting		4	No work within designated vernal pool and/or rare species habitat; normal permitting process; work within vernal pool and/or rare species habitat
4.4 Existing Tree Cover		2	No major reduction; minimum to moderate clearing; major clearing
5. SITE DEVELOPMENT	0	20	
5.1 Utilities		4	Availability of gas, electricity, water, municipal sewage, storm drainage; some utilities need to be brought on site; most utilities need to be brought on site
5.2 Topography		4	Slopes range: % to %: appropriate for buildings parking - full access; some revisions to meet needs; significant access issues
5.3 Soils		4	Adequate for bearing capacity; non-standard foundations required
5.4 Hazardous Materials		4	Free of known contaminants; testing required; site history of contaminants
5.5 Costs of Development		4	Reasonable costs for development: cut/fill, clearing, blasting; moderate costs; excessive costs
6. AVAILABILITY	0	15	
6.1 Jurisdictional Control		5	Jurisdictional control remains same; trade of use acceptable and benefits both; highest and best use displaces traditional use in a less positive manner; change of jurisdictional control or use requires state legislative or agency approval
6.2 Displacement Required		5	Cost of relocation minimal; moderate; excessive
6.3 Acquisition		5	Cost, availability, time schedule, eminent domain: Reasonable costs, available for sale at this time; Costs high but available to meet schedule; Cost high with eminent domain
TOTAL	0	100	
7. SPECIAL CONSIDERATIONS			
7.1 Temporary buildings			Costs to temporarily house intended use minimal; moderate; excessive
7.2 Permanent changes to use			Change in use relatively simple; requires return to state for review, redistricting; loss of traditional use
7.3 Temporary use of site			Additions benefit traditional use; additions reduce traditional use; temporary elimination of traditional use
7.4 Time Schedule			Impact of Delay

NEXT STEPS FOR OPTION DEVELOPMENT and REFINEMENT

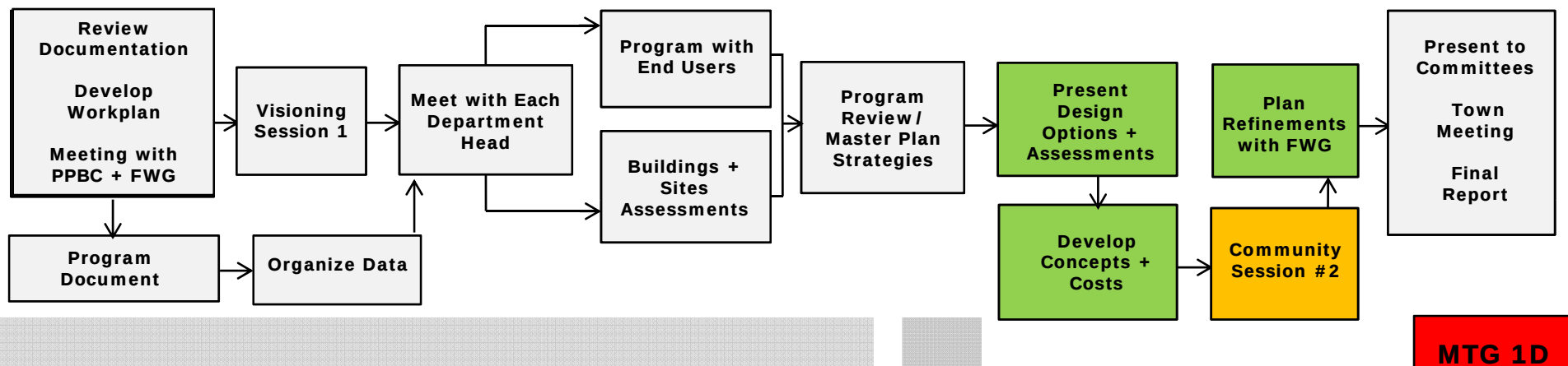
- Options for DPW:
 - Refine preferred options: Dedham Ave., RTS, Greendale Ave, Town Forest
- Options for FD/PD:
 - Renovation/Addition versus new construction – define premium
 - Refine preferred options
 - Confirm new program component on site
 - Test parking requirements with or without parking structure
- Options for School Administration + School Buildings
 - Refine preferred options for Administration building
 - Review temporary or permanent school project on DeFazio Site
- Define + finalize programming documents for Community Center

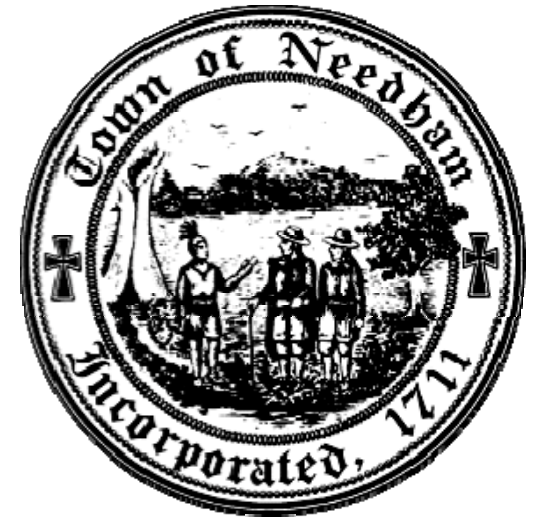
COMMUNITY MEETING: MAY 19, 2014

- Presentation of Master Plan Goals, Objectives and Process
- Overview of Sites and Buildings Involved
- Detailed Information used to develop options
 - Full programming of DPW + FD/PD
 - Incorporation of other studies underway or completed
 - Elementary and High Schools
 - Rosemary Pool
- Other Issues
- Questions and Comments

NEXT STEPS

- Community Meeting
- Development of preferred concepts for review with end users and Town personnel
- Present concept design options to FWG for further review and discussion
 - Strategize on options
- Finalized concepts and develop associated costs
- Revise accordingly with Facility Working Group





THANK YOU



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2014

Agenda Item	Use of Mobile Electronic Message Boards Policy
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will present a draft policy relative to the use of mobile electronic message boards, as requested by the Board.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Use of Mobile Electronic Message Boards Policy			

Board of Selectmen

Policy Number:	BOS-DPW-007
Policy:	Use of Mobile Electronic Message Boards
Date Approved:	May 27, 2014
Date Revised:	
Approved:	Chairman, Board of Selectman

Section 1: Definitions

Mobile Electronic Message Board - A transportable device capable of displaying variable information in words and symbols from a programmable controller to the public.

Section 2: Policy

It is the policy of the Town of Needham that mobile electronic message boards will be restricted to public safety, general public works, emergency and construction uses only. Mobile electronic message boards will not be used to provide information and/or announcement of community events.

Section 3. Procedures

The Chief of Police, Director of Public Works, and Town Manager are authorized to determine whether a request to use the mobile electronic message boards is in compliance with this policy and may authorize the deployment of such devices as appropriate.

Section 4: Exceptions

The Board of Selectmen retains the authority to make exceptions to this policy if considered in the best interest of the Town to do so.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2014

Agenda Item	Carol-Brewster Conservation Restriction
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
In accordance with the Community Preservation Act (CPA), property purchased with CPA funds must be subject to a permanent conservation restriction (CR) – a legal agreement that prevents development and other activities on protected natural and recreational resources. The CR details what activities can and cannot take place on a specific parcel, and must be approved by the Massachusetts Executive Office of Energy and the Environment, and then filed at the Registry of Deeds. The Town cannot both own the land and hold the restriction – hence a non-profit land trust or similar organization must do so. The Town has negotiated with the Needham Land Trust, Inc. to perform conservation restriction activities for both the Carol-Brewster property and the property formerly known as 174 Charles River Street that was acquired to expand the Walker Gordon Field. A similar Conservation Restriction for Walker Gordon will be presented to the Board in the near future.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the board approve and sign the Conservation Restriction for the property known as “Carol-Brewster” to be held by the Needham Land Trust, Inc.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Conservation Restriction			

CONSERVATION RESTRICTION

The TOWN OF NEEDHAM, acting by and through its Board of Selectmen, 1471 Highland Avenue, Needham, MA 02492, for its successors and assigns (“Grantor”), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, in consideration of One (\$1.00) Dollar paid, grants to the NEEDHAM LAND TRUST, INC., a Massachusetts nonprofit corporation, having an address of 32 Emerson Road, Needham, MA 02492, and its permitted successors and assigns (“Grantee”), in perpetuity and exclusively for conservation purposes, the following Conservation Restriction on two contiguous parcels of land off Brewster Road and Carol Road in the Town of Needham, Massachusetts containing approximately 207,132 square feet of land in total, being the premises known as (1) Lot 1B, Carol Road, Needham, MA, as shown on a plan entitled “Amended Lotting Plan, Subdivision Plan of Land, Needham, Mass”, dated August 31, 2009, prepared by Field Resources, Inc., and recorded in Plan Book 596, Plan 58 of 2009, containing 154,507 square feet of land more or less, and (2) Lot 2, Brewster Drive, Needham, MA, as shown on a plan entitled “Amended Lotting Plan, Subdivision Plan of Land, Needham, Mass”, dated August 20, 2005, prepared by Needham Survey Associates Inc., 281 Chestnut Street, Needham, MA 02492, and recorded in Plan Book 578, Plan 88 of 2008, containing 52,625 square feet of land, more or less, and more particularly described in Exhibits A and B (the “Premises”). For Grantor’s title to said Lot 1B, see Norfolk Registry of Deeds at Book 27306, Page 461. For Grantor’s title to said Lot 2, see Norfolk Registry of Deeds at Book 27306, Page 465. The Premises constitute all of the land conveyed to the Grantor described in the deeds described above.

I. PURPOSES

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the General Laws and otherwise by law. The purpose of this Conservation Restriction is to assure that the Premises will be maintained in its current condition and restricted uses in perpetuity and for conservation purposes, predominantly in a natural, scenic and undeveloped condition, and to prevent any use or change that would materially impair or interfere with its conservation and preservation values.

The Conservation Restriction is established to protect the Premises, which were purchased by Grantor for open space purposes pursuant to the vote taken under Articles 10 and 11 of the November 2, 2009 Special Town Meeting of the Town of Needham, using Community

Preservation Funds pursuant to G.L. c. 44B. The Premises shall be restricted to open space and conservation purposes. The values and purposes furthered by this Conservation Restriction include, without limitation, the following:

Open Space Preservation. The protection of the Premises contributes to the protection of the scenic and natural character of the open spaces described in the Open Space and Recreation Plan of the Town of Needham and the protection of the Premises will enhance the open space value of these lands. The Premises are adjacent to other open space owned by the Town of Needham and are part of the largest contiguous area of Town-owned open space land.

Protection of Wildlife Habitat. The Premises have been re-vegetated with native species of plants which provide wildlife habitat. The vegetation on the Premises provides an important buffer between the adjacent residences and wildlife habitat in the larger Fuller Brook wetland complex.

Water Quality. The Premises include a pond and bordering vegetated wetlands, and the natural and restored vegetation on the Premises protects water quality in these aquatic habitats.

Scenic Preservation. The Premises preserve the natural landscape along a portion of Carol Road and Brewster Road, and increase the buffer between the former landfill site and the abutting neighborhood.

Furtherance of Government Policy. Protection of the Premises furthers the following Open Space and Recreation Plan goals and objectives of the Town of Needham:

Flood Plain Protection. A substantial portion of the Premises lie within the 100-year flood plain. The protection of this flood plain will ensure the continued availability of this flood storage during major storm events. The Premises also contain a portion of the United States of America Corps of Engineers Natural Valley Storage Project.

II. PROHIBITED ACTS AND USES, EXCEPTIONS THERETO, AND PERMITTED USES

A. Prohibited Acts and Uses

Subject to the exceptions set forth herein, the Grantor will not perform, permit or suffer the following acts and uses, all of which are prohibited on, above, and below the Premises:

- (1) Constructing, placing or allowing to remain any temporary or permanent building, structure or facility on, above or under the Premises, including, without limitation, a tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, sign, fence, billboard or other advertising display, antenna, utility pole, tower, conduit or line or other temporary or permanent structure or facility on, above or under the Premises, provided that the foregoing shall not prohibit the placement of a hard-surfaced parking area for uses of the Premises, signage identifying the open space area, or fencing to control access to such parking area and the Premises.

- (2) Mining, excavating, dredging or removing from the Premises soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit or otherwise making topographical changes to the area;
- (3) Placing, filling, storing or dumping on the Premises refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste or other substance or material whatsoever or installing underground storage tanks;
- (4) Cutting, removing or otherwise destroying trees, grasses or other vegetation;
- (5) Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, or archaeological conservation;
- (6) Except for parking in a designated parking area, use or storage of vehicles, including, without limitation, motorcycles, mopeds, all-terrain motorized vehicles, trail bikes, or any other motorized vehicles on the Premises except for vehicles necessary for maintenance or public safety (i.e., fire, police, ambulance, other government vehicles) in carrying out lawful duties and motorized wheelchairs for the disabled;
- (7) Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted);
- (8) The use of any portion of the Premises towards satisfaction of any building or development requirements on the Premises or any other parcel;
- (9) Any other use of the Premises or activity thereon which is inconsistent with the purpose of this Conservation Restriction or which would materially impair the conservation values and purposes referenced herein.

B. Reserved Rights and Exceptions

Grantor reserves the right to conduct or permit the following activities and uses on the Premises, but only if such uses and activities do not materially impair the conservation values or purposes of this Conservation Restriction:

- (1) Recreational Activities. Fishing, hiking, cross-country skiing and other non-motorized outdoor recreational activities that do not materially alter the landscape, degrade environmental quality, or involve commercial recreational activities;
- (2) Vegetation Management. In accordance with generally accepted forest management practices, removing of brush, selective *de minimis* pruning and cutting to prevent, control or remove hazards, disease, insect or fire damage, or to preserve the present condition of the Premises, including trails and stone walls;

- (3) Non-native or nuisance species. The removal of non-native or invasive species, the interplanting of native species, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality;
- (4) Composting. The stockpiling and composting of stumps, trees and brush limbs and other biodegradable materials originating on the Premises, provided that such stockpiling and composting is in locations where the presence of such activities will not have a deleterious impact on the purposes (including scenic values) of this Conservation Restriction;
- (5) Wildlife Habitat Improvement. Measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including selective planting of native trees, shrubs and plant species;
- (6) Trails. The marking, clearing and maintenance of new and existing trails and footpaths, which are to be not wider than 10 feet;
- (7) Signs. The erection, maintenance and replacement of signs with respect to education, instruction of proper use, hunting, trespass, trail access, identity and address of the owner or occupants, sale of the Premises, designated and prohibited parking areas, the Grantee's interest in the Premises, and the protected conservation values and purposes.

The exercise of any right reserved by Grantor under this Paragraph B shall be in compliance with zoning, the Wetlands Protection Act, and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit should be issued.

C. Notice and Approval.

Whenever notice to or approval by Grantee is requested under the provisions of paragraphs A or B, Grantor shall notify Grantee in writing not less than 60 days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes and values of this Conservation Restriction. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within 60 days of receipt of Grantor's request. Grantee's approval shall not be unreasonably withheld, but shall only be granted upon a showing that the proposed activity shall not materially impair the purposes of this Conservation Restriction. Failure of Grantee to respond in writing within 60 days shall be deemed to constitute approval by Grantee of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after 60 days in the notice.

III. LEGAL REMEDIES OF THE GRANTEE

A. Legal and Injunctive Relief

The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). Provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the conservation values or purposes of this Conservation Restriction, Grantee agrees to provide written notice to Grantor of any violation of this Conservation Restriction and grant Grantor a reasonable period of time to cure any violations prior to resorting to enforcement action against Grantor with respect to such violations,

Grantor covenants and agrees to promptly reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in enforcing this Conservation Restriction.

B. Non-Waiver

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights and any waiver of rights on any one occasion shall not be deemed a waiver on any other occasion.

C. Disclaimer of Liability

By acceptance of this Conservation Restriction, Grantee does not undertake any liability or obligation relating to the physical condition of the Premises or relating to the compliance of the Premises with, zoning, environmental laws and regulations (including the presence of hazardous materials), nor shall Grantee have any liability for any personal injury or property damage occurring on the Premises not caused by the willful act of Grantee or its agents. It is also the intention of the parties that any public use which is permitted by the terms of this Conservation Restriction constitutes permission to use the Premises for purposes described in Chapter 21, Section 17C of the General Laws, and that the parties hereto benefit from exculpation from liability to the extent provided in such section. Grantor shall indemnify, hold harmless and defend Grantee and/or its members from any claims, suits and/or damages it may incur as the result of actions by a third party against Grantee and/or any of Grantee's members not caused by the negligence of the Grantee or any of its members and only up to the limit of \$100,000 per claim.

D. Acts Beyond the Grantor's Control

Nothing contained in this Conservation Restriction shall be construed to entitle Grantee to bring any actions against Grantor for any injury to or change in the Premises resulting from causes beyond Grantor's control, including, but not limited to fire, flood, storm and earth movement, and acts caused by trespass on the Premises not contributed to or acquiesced in by acts or omissions of Grantor, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes.

IV. **ACCESS**

Grantor hereby grants to Grantee, and its duly authorized agents and representatives, the right to enter the Premises for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction. Grantor also grants to Grantee, after written notice of a violation and failure of Grantor to cure said violation within a reasonable period of time, the right to enter the Premises for the purpose of taking any and all actions with respect to the Premises as may be necessary or appropriate to remedy or abate any violation hereof, including, but not limited to, the right to perform a survey of boundary lines.

V. **EXTINGUISHMENT**

1. Grantee's Receipt of Legal Interest

Grantor and Grantee agree that the grant of this Conservation Restriction gives rise for purposes of this paragraph to a legal interest in Grantee for purposes of enforcing the terms of this Conservation Restriction.

2. Grantor/Grantee Cooperation Regarding Public Action.

Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then Grantor and Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action.

3. Division of Proceeds

If any occurrence gives rise to extinguishment or other release of this Conservation Restriction under applicable law, Grantor and Grantee shall be reimbursed from the proceeds, once recovered, for their respective share of reasonable legal expenses, if any, associated with the recovery of said proceeds. Then remaining balance of said proceeds shall be used by Grantor for conservation purposes consistent with this grant.

VI. ASSIGNABILITY

A. Running of the Burden

The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable against Grantor and the successors and assigns of Grantor holding any interest in the Premises.

B. Execution of Instruments

Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; Grantor, on behalf of itself and its successors and assigns, appoints Grantee its attorney-in-fact (coupled with an interest) to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit

The benefits of this Conservation Restriction shall be in gross and shall not be assignable by Grantee, except with the assent of the Grantor.

As a condition of any assignment, Grantee shall require that the purpose of this Conservation Restriction continues to be carried out; and the Assignee, at the time of the assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and is a donee eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable. In the event that the Needham Land Trust, Inc. ceases to exist, the Grantor shall have the right to name a successor Grantee, provided that such successor Grantee is eligible to receive this Conservation Restriction as provided in this paragraph, and provided that Grantor records a notice of appointment and acceptance of a successor Grantee at the Norfolk Registry of Deeds.

VII. SUBSEQUENT TRANSFERS

Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Premises, including a leasehold interest and to notify Grantee of such transfer. Failure to do so shall not impair the validity or enforceability of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

Grantor shall not be liable for violations occurring after its ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any successor or assign of Grantor shall

cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

VIII. ESTOPPEL CERTIFICATES

Upon request by Grantor, Grantee shall, within twenty (20) days, execute and deliver to Grantor any document, including an estoppel certificate, which certifies Grantor's compliance with or violation of any obligation of Grantor contained in this Conservation Restriction.

IX. NON MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction to ensure that merger does not occur.

X. AMENDMENT

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the General Laws of Massachusetts. Any amendments to this Conservation Restriction shall occur only in exceptional circumstances. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes and values of this Conservation Restriction, shall not affect its perpetual duration, and shall be approved by the Secretary of Energy and Environmental Affairs, or its successor, and if applicable, shall comply with the provisions of Article 97 of the Amendments to the Massachusetts Constitution, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Norfolk Registry of Deeds.

XI. EFFECTIVE DATE

This Conservation Restriction shall be effective when Grantor and Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded in the Norfolk Registry of Deeds. Grantee shall record this instrument in timely manner in the Norfolk Registry of Deeds.

XII. NOTICES

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed to the parties at the addresses set forth above, or to such other address as any of the above parties shall designate from time to time by written notice to the other or that is reasonably ascertainable by the parties.

XIII. GENERAL PROVISIONS

A. Controlling Law

The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction

Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Massachusetts General Laws Chapter 184, Sections 31-33. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose and values of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability

If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement

This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to this Conservation Restriction, all of which are merged herein.

XIV. MISCELLANEOUS

A. Pre-existing Public Rights.

Approval of this Conservation Restriction pursuant to M.G.L. Chapter 184, Section 32 by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

[signature page follows]

WITNESS our hands and seal this _____ day of _____, 2014.

TOWN OF NEEDHAM
By its Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss:

On this _____ day of _____, 2014, before me, the undersigned notary public, personally appeared _____, Selectman of the Town of Needham, as aforesaid, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of Needham.

Notary Public
My Commission Expires:

ACCEPTANCE OF GRANT

The above Conservation Restriction was accepted by the Needham Land Trust, Inc. on this _____ day of _____, 2014.

Needham Land Trust, Inc.

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

COMMONWEALTH OF MASSACHUSETTS

_____, ss:

On this _____ day of _____, 2014, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose as _____ of the Needham Land Trust, Inc.

Notary Public
My Commission Expires:

APPROVAL OF BOARD OF SELECTMEN

We, the undersigned, being a majority of the Board of Selectmen of the Town of Needham, hereby certify that at a meeting duly held on _____, 2014, the Board of Selectmen voted to approve the foregoing Conservation Restriction to the Needham Land Trust, Inc. pursuant to Section 32 of Chapter 184 of the General Laws of Massachusetts.

TOWN OF NEEDHAM
By its Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss:

On this _____ day of _____, 2014, before me, the undersigned notary public, personally appeared _____, Selectman of the Town of Needham, as aforesaid, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of Needham.

Notary Public
My Commission Expires:

APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
COMMONWEALTH OF MASSACHUSETTS

The undersigned, Secretary of Executive Office of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction to the Needham Land Trust, Inc. has been approved in the public interest pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Dated: _____, 2014

Secretary of Energy and Environmental Affairs

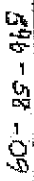
COMMONWEALTH OF MASSACHUSETTS

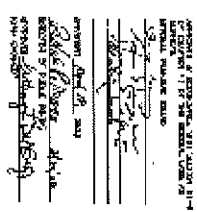
Suffolk, ss.

On this ____ day of _____, 2014, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as Secretary of the Executive Office of Energy and Environmental Affairs.

Notary Public

My Commission Expires:





LETTER FROM THE PRESIDENT OF THE UNITED STATES TO THE SENATE, 1861, showing the President's signature and the text of the letter.

DISTRIBUTION STATE OF TEXAS	
OFFICE OF THE ATTORNEY GENERAL	
NAME	3521 N. GARDENVIEW LANE DALLAS, TEXAS 75245
ADDRESS	PO
CITY, STATE, ZIP	DALLAS, TEXAS 75245
TELEPHONE	214-766-7100
DATE OF ORDER	12-11-82

1. Student Learning Objectives
 2. Program Goals
 3. Assessment
 4. Assessment Results
 5. Assessment Plan
 6. Assessment Results
 7. Assessment Plan
 8. Assessment Results
 9. Assessment Plan
 10. Assessment Results
 11. Assessment Plan
 12. Assessment Results
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 100. Assessment Results



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 05/27/2014

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<i>Board members will report on the progress and / or activities of their Committee assignments.</i>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below)			
None			



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2014

Agenda Item	Registered Marijuana Dispensary Applicant Request
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board will discuss a request from representatives of New England Wellspring that the Board of Selectmen consider providing a letter of support or a letter of non-opposition to their application to locate an RMD in Needham.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below)			

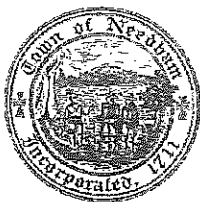


**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 06/27/2014

Agenda Item	Approval of Sale of Bonds and Notes
Presenter(s)	David Davison, Assistant Town Manager/Finance Evelyn Poness, Town Treasurer/Collector

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
We will review the results of the bond and note sales and discuss the S&P rating with the Board.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Suggested Motions: (please note there are TEN motions to be acted upon by the Board)			
Motion A			
Move to approve that the sale of the \$5,032,000 General Obligation Municipal Purpose Loan of 2014 Bonds of the Town dated June 2, 2014 (the "Bonds"), to FTN Financial Capital Markets at the price of \$5,120,104.45 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on May 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:			
<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u> <u>Amount</u> <u>Interest Rate</u>
2015	\$572,000	2.00%	2022 \$235,000 2.00%
2016	555,000	2.00	2023 235,000 2.00
2017	540,000	2.00	2024 235,000 2.50
2018	460,000	2.00	2025 150,000 2.50
2019	235,000	2.00	2026 150,000 2.50
2020	235,000	2.00	2029 450,000 2.65
2021	235,000	2.00	2034 745,000 3.50
(Continues on Next Page)			



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

Motion B

Move that that the Bonds maturing on May 15, 2029 and May 15, 2034 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due May 15, 2029

<u>Year</u>	<u>Amount</u>
2027	\$150,000
2028	150,000
2029*	150,000

*Final Maturity

Term Bond due May 15, 2034

<u>Year</u>	<u>Amount</u>
2030	\$150,000
2031	150,000
2032	150,000
2033	150,000
2034*	145,000

*Final Maturity

Motion C

Move that to approve the sale of a \$635,500 0.40 percent General Obligation Bond Anticipation Note (Subject to Federal and Massachusetts Income Taxation) of the Town dated June 2, 2014, and payable June 16, 2014 (the "Taxable Note"), to Century Subsidiary Investments Inc. III at par and accrued interest, if any.

Motion D

Move that to approve the sale of a \$1,607,000 General Obligation Bond Anticipation Note of the Town dated June 2, 2014, payable December 1, 2014 (the "Tax-Exempt Note" and, together with the Taxable Note, the "Notes"), to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$2,410.50

Motion E

Move that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 12, 2014, and a final Official Statement dated May 21, 2014 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Motion F

Move that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

Motion G

Move that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Note, as applicable, for the benefit of the holders of the Bonds and Note from time to time.

Motion H

Move that in connection with the marketing and sale of the Notes, the preparation and distribution of Notices of Sale and Preliminary Official Statements, each dated May 13, 2014, as amended, and final Official Statements, each dated May 21, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Motion I

Move that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Tax-Exempt Note, as applicable, for the benefit of the holders of the Bonds and Tax-Exempt Note from time to time.

Motion J

Move that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

3.	BACK UP INFORMATION	YES	NO
(Describe backup below) a. Cover Memo Dated May 23, 2014 b. Standard and Poor's Rating May 19, 2014 c. Official Statement Dated May 13, 2014			

Memorandum

To: Board of Selectmen
From: David Davison, Assistant Town Manager/Director of Finance
CC: Kate Fitzpatrick, Town Manager; Evelyn Poness, Treasurer/Collector;
Michelle Vaillancourt, Town Accountant
Date: May 23, 2014
Re: Debt Sales

The Town maintained its "AAA" rating with Standard and Poor's (S&P), which has reaffirmed the rating, and still views Needham's outlook as stable after our review with them on Thursday, May 15, 2014. The S&P May 19, 2014 rationale for the rating is attached.

The discussion with S&P not only included the Town's overall financial position and review of the Town's Preliminary Official Statement (a copy of which is included with your packet), but also new areas of specific interest. S&P expressed even greater interest as to the Town's plans for future debt issues, what factors we see driving the local economy, and whether the Town appropriated any free cash or stabilization funds for operations. We provided an overview of not only where the Town stood on the five major open projects - Newman School HVAC project (project is finished and the Town is awaiting the final audit by MSBA), the Reservoir B Sewer Pump Station (construction is completed and the station is online, some punch list items are pending), the Senior Center (the facility is open but waiting on some final attributes and furnishings), St Mary's Pump Station (construction has begun and the project is expected to be substantially completed in the next 18 to 24 months), and Town Hall (project was complete, minor changes to be done this spring/summer), but also where the Town was with its new major facilities study (report should be done by late fall 2014). The Town's use of Free Cash this past year was in keeping with the practice of limiting the amount of Free Cash that is used for recurring operating expenses, and directing funds toward capital investment and other one-time events as well as buffering reserves. We discussed some of the recent private projects that have occurred in Needham Crossing.

The Town received six competitive bids for the 20 year \$5,032,000 bond, which is very positive. The lowest bidder, **FTN Financial Capital Markets**, offered a coupon rate that ranges from a low of 2.000% to a high of 3.500% per year, with a premium of \$88,104.45. The overall structure of the bid resulted in a true interest cost (TIC) of 2.3994% which is notably lower than the bond issued in December (3.114336%) and the bond issued in June 2013 (3.021373%). FTN Financial Capital Markets is a new player for Needham in bidding on the Town's bonds. A summary of the bid results is attached.

The Town is also issuing two bond anticipation notes (BAN), the first of which will mature on June 16, 2014, and the second of which will mature on December 1, 2014.

The first BAN in the amount of \$635,500 will be paid in full when it matures. As noted last year, when the Town issued the BAN (\$325,800) for the Newman School project that we would pay down the BAN when it matures in June unless the Town does not receive the final payment from the MSBA. We are still awaiting that final payment so \$139,000 has been rolled to December 2014. We expect that this amount will be paid in full in December. The \$10,000 borrowed for the Rosemary Pool Complex will be paid in full when the BAN matures, and the \$1,458,000 borrowed for the Chestnut Street land purchase will be paid down by \$115,000 with the balance being rolled into a new debt issue.

The Town received two bids on the 14 day taxable bond anticipation note. The winning bid was made by **Century Bank**, which offered the Town a Net Interest Cost (NIC) of 0.40%. The Town received four bids on the six month bond anticipation note, with the winning bid from **TD Securities** offering the Town a rate of 0.50%. Their bid included a premium of \$2,410.50 which resulted in a NIC of 0.1983%.

The Board will be asked to approve the sale of the bonds and the notes. Upon approval, the Board will need to execute several documents that will be brought to the meeting.

The table below provides a breakout of the projects and the amounts being financed with the bond and two bond anticipation notes. The next debt issue is scheduled for the fall.

Project	Amount	Bond	14 Day Note	Six Month Note
Chestnut Street Property Acquisition	1,458,000			1,458,000
DPW Garage Bays	800,000	800,000		
Great Plain Avenue Pump Station	200	-	200	
Newman School HVAC	139,000	-		139,000
Pollard School Boiler Replacement	95,000	95,000		
Property Acquisitions for Parking	292,500	292,500		
Public Works Infrastructure	589,000	589,000		
Reservoir B Pump Station	5,300	-	5,300	
Rosemary Pool	10,000	-		10,000
Senior Center Project	1,050,500	1,050,500		
St Mary's Pump Station	2,600,000	1,995,000	605,000	
Waste Handler	235,000	210,000	25,000	
Totals	7,274,500	5,032,000	635,500	1,607,000

Please do not hesitate to contact me if you have any questions prior to the meeting.

**Town of Needham
Bond Sale
\$5,032,000**

Notice Date	5/13/2014	Rating	AAA	5/19/2014
Date of Sale	5/21/2014	By Standard & Poor's Public Finance		
Date of Board Action	5/27/2014			
Settlement	6/2/2014			
Maturity	5/15/2034			

Bidder	Amount	Range	Interest	Premium	Net Interest	True Interest Cost Rate
FTN Financial Capital Markets	\$5,032,000	2.000% - 3.500%	\$1,042,745.40	\$88,104.45	\$954,640.95	2.3994%
Janney Montgomery Scott LLC	\$5,032,000	2.000% - 4.000%	\$1,325,339.71	\$300,612.78	\$1,024,726.93	2.5254%
Morgan Stanley & Co, LLC	\$5,032,000	2.000% - 4.000%	\$1,191,256.91	\$222,209.53	\$969,047.38	2.4197%
Robert W Baird & Co., Inc.	\$5,032,000	2.000% - 3.350%	\$1,086,211.30	\$122,248.51	\$963,962.79	2.4151%
Roosevelt and Cross, Inc.	\$5,032,000	2.000% - 3.500%	\$1,220,255.54	\$189,056.24	\$1,031,199.30	2.5739%
Sterne, Agee & Leach, Inc	\$5,032,000	3.000% - 3.500%	\$1,225,705.43	\$195,090.67	\$1,030,614.76	2.5719%

Prepared by Finance Director May 23, 2014

**Town of Needham
Note Sale
\$635,500**

Notice Date	5/13/2014
Date of Sale	5/21/2014
Date of Board Action	5/27/2014
Settlement	6/2/2014
Maturity	6/16/2014
	14
	360

Bidder	Amount	Rate	Interest	Premium	Net Interest	NIC
Century Bank	\$635,500	0.4000%	\$98.86	\$0.00	\$98.86	0.4000%
Eastern Bank	\$635,500	1.0000%	\$247.14	\$0.00	\$247.14	1.0000%

Prepared by Finance Director May 23, 2014

**Town of Needham
Note Sale
\$1,607,000**

Notice Date	5/13/2014
Date of Sale	5/21/2014
Date of Board Action	5/27/2014
Settlement	6/2/2014
Maturity	12/1/2014
	182
	360

Bidder	Amount	Rate	Interest	Premium	Net Interest	NIC
Century Bank	\$1,607,000	0.3500%	\$2,796.63	\$0.00	\$2,796.63	0.3500%
Eastern Bank	\$1,607,000	1.0000%	\$7,990.36	\$6,080.66	\$1,909.70	0.2390%
Jefferies LLC	\$1,607,000	1.0000%	\$7,990.36	\$4,580.00	\$3,410.36	0.4268%
TD Securities	\$1,607,000	0.5000%	\$3,995.18	\$2,410.50	\$1,584.68	0.1983%

Prepared by Finance Director May 23, 2014

RatingsDirect®

Summary:

Needham, Massachusetts; General Obligation; Note

Primary Credit Analyst:

Apple Lo, Boston (1) 617-530-8316; apple.lo@standardandpoors.com

Secondary Contact:

Victor M Medeiros, Boston (1) 617-530-8305; victor.medeiros@standardandpoors.com

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Summary:

Needham, Massachusetts; General Obligation; Note

Credit Profile

US\$5.031 mil GO mun purp loan bnds ser 2014 due 05/15/2034

<i>Long Term Rating</i>	AAA/Stable	New
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US\$1.607 mil GO BANs dtd 06/02/2014 due 12/01/2014

<i>Short Term Rating</i>	SP-1+	New
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US\$0.636 mil GO taxable BANs due 06/16/2014

<i>Short Term Rating</i>	SP-1+	New
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Needham GO

<i>Long Term Rating</i>	AAA/Stable	Affirmed
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Rationale

Standard & Poor's Ratings Services assigned its 'AAA' long-term rating, with a stable outlook, to Needham, Mass.' series 2014 general obligation (GO) municipal purpose loan bonds. At the same time, Standard & Poor's assigned its 'SP-1+' short-term rating to Needham's series 2014 GO bond anticipation notes (BANs) and taxable GO BANs, payable on Dec. 1, 2014, and June 16, 2014, respectively. Finally, Standard & Poor's affirmed its 'AAA' long-term rating, with a stable outlook, on the town's GO debt.

The 'SP-1+' rating reflects our view of the town's strong ability to pay principal and interest when the notes come due. Needham's market risk profile is low, in our view, as it a) maintains strong legal authority to issue long-term debt to take out the BANs, and b) is a frequent issuer, providing regular disclosure to market participants.

The town's full-faith-and-credit pledge secures the bonds. The proceeds will be used to fund various capital projects, according to town officials.

The rating reflects our assessment of the town's:

- Very strong economy, benefiting from its participation in the broad and diverse Boston metropolitan statistical area (MSA);
- Very strong budgetary flexibility, with 2013 audited available reserves exceeding 15% of general fund expenditures;
- Strong budgetary performance, due to conservative estimating and a stable revenue profile;
- Very strong liquidity, providing very strong cash to cover both debt service and operating expenditures;
- Strong management, with experienced, capable managers and good financial policies;
- Strong debt and contingent liabilities position, bolstered by the town's low debt-to-market-value and aggressive amortization; and
- Strong institutional framework.

Very strong economy

With an estimated population of 29,000, Needham is located roughly 10 miles southwest of Boston in one of the nation's wealthiest regions. The town's location along Interstate 95 provides convenient access to employment opportunities within the Boston MSA. The town's economy is stable and diverse, in our view, with very strong economic indicators. The town's projected per capita effective buying income is 261% of the U.S. level. County unemployment remains favorable, in our view, averaging 6% in fiscal 2013. Needham's per capita market value is \$275,000 as of fiscal 2013. Its taxable assessed values (AVs) are up 8.5% since 2010, reflecting what we consider the area's desirability. The town's projected fiscal 2018 AV is \$8 billion.

Very strong budget flexibility

In our opinion, the town's budgetary flexibility is very strong. Needham closed fiscal 2013 with \$28.5 million in available reserves (including unassigned, assigned, and committed fund balance), representing 22% of expenditures. We understand the town appropriated \$1.6 million in free cash usage for fiscal 2014; however, municipal departments have turned back over \$2 million year-to-date. Needham also adopted its fiscal 2015 budget with a \$1.6 million free cash appropriation. Furthermore, voters approved a \$1.5 million operating override to support new services within the schools.

Strong budgetary performance

The town's budgetary performance has been strong overall, in our view, posting a 2.4% general fund surplus in fiscal 2013, and near break-even operations in total governmental funds. Property taxes constituted 75% of 2013 revenues, while intergovernmental aid accounted for 17%. At this time, we expect Needham's operating performance to remain strong, as revenues sensitive to economic conditions are outperforming the budget. Given our view of the town's stable revenue profile, we do not expect budgetary performance to materially weaken through at least 2015.

Very strong liquidity

Supporting the town's finances is what we consider very strong liquidity, with total governmental cash at 18.6% of total governmental fund expenditures and 269% of debt service. Reinforcing Needham's liquidity position, in our view, is the town's strong access to external liquidity. Needham is a regular market participant, having frequently issued bonds (including GO bonds and short-term BANs) in recent years.

Strong management conditions

We view the town's management conditions as strong, with good financial practices and policies.

Very strong debt and contingent liabilities profile

Needham has roughly \$127 million in total direct debt, with the BANs accounting for a \$2.2 million portion. The town's total governmental funds debt service is 6% of total governmental funds expenditures, and net direct debt is 62% of total governmental funds revenue. Net debt is a low 1.1% of market value, further bolstering the town's strong debt profile. Amortization is rapid, with roughly 82% of debt scheduled to be retired in 10 years.

Needham is one of the few communities in Massachusetts that fully funds its other postemployment benefit (OPEB) obligation, an aspect we view favorably. The town has a 10.9% (\$6.4 million) funded ratio, based on a \$52.6 million unfunded actuarial accrued liability as of July 1, 2011. The town also administers a contributory pension system with a 78% funding ratio as of Jan. 1, 2012. Total 2014 pension and OPEB costs equal 7% of total governmental

expenditures.

Strong institutional framework

We consider the institutional framework score for Massachusetts towns to be strong.

Outlook

The stable outlook reflects our view that Needham's strong underlying economy, strong management, and predictable operating profile should translate into continued strong available reserves over the next two years. We also expect Needham to maintain a strong debt and contingent liabilities profile, since we do not foresee debt service, pension, and OPEB costs posing budgetary challenges in the near future. For these reasons, we do not expect to lower the long-term GO debt rating within the two-year outlook period.

Related Criteria And Research

Related Criteria

- USPF Criteria: Bond Anticipation Note Rating Methodology, Aug. 31, 2011
- USPF Criteria: Local Government GO Ratings Methodology And Assumptions, Sept. 12, 2013

Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Institutional Framework Overview: Massachusetts Local Governments

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**Town of Needham
Board of Selectmen
Minutes for April 22, 2014
Selectmen's Chamber
Needham Town Hall**

6:30 p.m. Informal Meeting with Citizens:

Richard Bialski, 117 Booth Street spoke with the Board asking for a water abatement citing the automatic sprinkler system at his property failed while he was away, resulting in accidental water loss.

Annette Orlando spoke with the Board concerning a parking ticket she received on the morning of March 13, 2014. Ms. Orlando stated her car was not parked at the location at the time cited on the ticket. Mr. Bulian asked Ms. Fitzpatrick to look into the matter.

7:00 p.m. Call to Order:

A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Introduction of Police Officer:

Phil Droney, Chief of Police appeared before the Board to introduce newly appointed Police Officer Jonathan Lewis. Chief Droney gave a brief background on Officer Lewis, stating he is a Needham High School graduate and is a member of the U.S. Marine Corp Reserve, having served two years of active duty in Iraq. Chief Droney stated Officer Lewis is the recipient of several service citations, medals, and decorations, including a Navy Marine Achievement Medal. The Board congratulated Police Officer Lewis on his appointment and welcomed him to the service of the Town.

7:06 p.m. Public Hearing - NSTAR Petition for Dedham Avenue:

Maureen Carroll, NSTAR representative appeared before the Board requesting permission to install approximately 99 feet of conduit at manhole #8831 on Dedham Avenue, Needham. Ms. Carroll said this work is necessary to provide underground electric service for a new four story building at 50 Dedham Avenue, Needham.

Mr. Bulian invited public comment. No comments were made.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 99 feet of conduit at manhole #8831 on Dedham Avenue, Needham. This work is necessary to provide underground electric service for a new four story building at 50 Dedham Avenue, Needham.

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

7:08 p.m.

Consultation - Rosemary Pool Options:

Cindy Chaston, Chairman, Park and Recreation Commission, Patty Carey, Director of Park and Recreation, Dave DiCicco, Park and Recreation Commission, Mike Retsky, Park and Recreation Commission appeared before the Board with an update on the status of the Park and Recreation Commission's evaluation of options for Rosemary Pool.

Ms. Chaston gave a brief background of the process thus far. She noted the permit to drain Rosemary Lake will expire at the end of 2018, and the Town will no longer be able to drain the lake and service the pool. Ms. Chaston said three public hearings have been held for resident input, noting several hundred people attended each session. She said a feasibility study, which is on the Town's website, was completed by Weston and Sampson who presented four options for the Rosemary Pool site. Ms. Chaston explained the four options and said the options of most interest to the Commission at this time are listed in the updated feasibility study dated April 7, 2014 as Option 3B and Option 4A. She noted the Park and Recreation Commission will vote on which option to recommend on Wednesday, April 30, 2014.

Mr. Borrelli thanked the Commission for its work and said the Town has "one shot" to complete the project right the first time. He asked about the useful life of a new pool in comparison to the amount of money spread over time. He said the Town should also invest in a significant building, where Park and Recreation can have the space it desperately needs for programming.

Mr. Handel commented the new building should be a year-round resource for the Town to meet the needs of the community.

Ms. Cooley asked for confirmation about the reduction in operating costs, and asked if the size of the pool in Option 3B and Option 4A are considered regulation size.

Mr. Matthews said he feels Option 3B is a good way to proceed. He commented leaving the pool in its footprint in the lake makes sense, as it gives the biggest usable area. He noted a prior survey indicated people wanted a new pool and understood the cost associated with it, but noted the Town must carefully consider the money it spends for an outdoor. He commented on the possibility of an indoor pool at some point in the future, but said that is not a primary function of the Town, given its other priorities.

Mr. Handel commented Option 3B is the best investment for the Town.

Mr. Borrelli agreed with the comments made by Mr. Matthews, saying the Town is not in the indoor pool business but that he is hopeful for a public/private partnership

in the future to fill the need. He asked for clarification on the configuration of Option 4A, compared to Option 3B. He said he is in favor of Option 3B, but commented there may be more of a need than Option 3B would fill.

Ms. Cooley agrees Option 3B is a good return for the money and it meets the needs the Town set out to accomplish.

Mr. Bulian also agrees Option 3B is the best option. He also noted the feasibility study is in today's dollars and said cost estimates could go higher. He asked the Commission to consider the possibility of future expansion at the site.

The Board thanked the Park and Recreation Commission for their update.

7:40 p.m.

Director of Public Works - Warrant Article Presentation:

Richard Merson, Director of Public Works, Anthony Del Gaizo, Town Engineer, and Ed Olsen, Superintendent of Parks and Forestry appeared before the Board to provide information about Warrant Article 10 - Blue Tree Replacement, Article 25 - Private Ways, and Article 39 - Central Avenue/Eliot Street Bridge.

Article 10 - Blue Tree Replacement

Mr. Merson said the Town has been concerned about the condition the Blue Tree for some time, noting it is time to consider full replacement of the tree. Mr. Olsen showed photographs of the sugar maple tree and said it is slowly dying. He said it would be wise and prudent to have a plan in place before the tree falls down. Mr. Olsen said he is hopeful to have one more season of the Blue Tree, and proposes to take the tree down after the blue lights are taken off in the spring 2015. He said the plan is to replace the tree with another sugar maple tree of approximately 16 inch caliper, in approximately the same location for dedication next Arbor Day in April. Ms. Fitzpatrick commented the Town is considering options for disposing of the tree.

Mr. Borrelli said it is important to let residents know the plan for removal of the Blue Tree.

Mr. Bulian asked for the reading Arbor Day Proclamation.

Mr. Handel read a proclamation recognizing the last Friday in April as Arbor Day in the Town of Needham.

Motion by Mr. Handel that the Board of Selectmen of the Town of Needham do hereby proclaim the last Friday in April as Arbor Day in the Town of Needham and we encourage our residents to support all efforts to protect our trees and woodlands for future generations to come.

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

Article 25 - Private Ways

Mr. Merson said the purpose of Article 25 is to provide an opportunity for the DPW to do simple repairs of low value, to assist with plowing and emergency access on private ways during the winter time. He said many private ways are not properly paved and are hazardous.

Article 39 - Central Avenue/Eliot Street Bridge

Mr. Del Gaizo discussed the engineering details on the condition of the bridge and new design. He stated the structure was labeled "severe" by the State over 2 years ago. He said the Town hired a consultant who identified slippage of the stones. He noted the bridge is safe but the Town continues to monitor the situation. Mr. Del Gaizo said the Town is currently seeking a conservation permit to study the foundation. He noted it is a historic old stone arch bridge requiring care. He said the consultant identified 2 solutions including (1) removal of soil and backfilling with concrete or (2) a complete replacement of the bridge.

Mr. Bulian commented on rain puddling on the bridge during storms and asked if the situation could be remedied.

Mr. Handel noted the Town shares the bridge with Newton and asked who is responsible for repairs.

Mr. Borrelli asked for clarification on the cost of engineering and design. He asked about the cost of construction and the possibility of obtaining grant money. Mr. Borrelli asked about the timeline for the project and commented on traffic logistics.

Mr. Bulian suggested bridge construction be phased in conjunction with construction at the Highland Street interchange.

Ms. Cooley asked for clarification on feasibility and engineering/design.

The Board thanked Mr. Merson, Mr. Olsen, and Mr. Del Gaizo for the information.

8:10 p.m.

Appointments and Consent Agenda:

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

APPOINTMENTS

Human Rights Committee

Albert "Bud" Schram (term expires 6/30/2017)

**Needham Community Television
Development Corp.**

**Mike Riley (term expires 6/30/2017)
Dan Schwartz (term expires 6/30/2017)**

Cable Television Advisory Board

Dan Schwartz (term expires 6/30/2017)

CONSENT AGENDA *=Backup attached

1. Approve the calendar year 2014 Spring Licenses as follows. This approval is predicated on the receipt of all completed required paperwork before April 30, 2014.

<u>Establishment</u>	<u>License Type</u>
Veteran's Taxi of Newton, LLC	Taxi/Livery
Alami Rides	Taxi/Livery
Lt. Manson H. Carter Post 2498 VFW Building Association, Inc.	Pool Table
Above and Beyond Consignment	Sale of Second Hand Articles
Second Time Around	Sale of Second Hand Articles
Closet Exchange – Best of the Mall	Sale of Second Hand Articles
Closet Exchange – Designer & Boutique	Sale of Second Hand Articles
Closet Exchange – Consignment Drop Off	Sale of Second Hand Articles
Closet Exchange – Last Chance Store Cherry	Sale of Second Hand Articles
Cherry Picked	Sale of Second Hand Articles
Crosby Jewelers, Inc.	Sale of Second Hand Articles
Segaloff's Jewelers	Sale of Second Hand Articles
Janet Cotter Design	Sale of Second Hand Articles
Needham Bowl Away	Bowling Alley

2. Approve continuation of the experimental Special Permit Parking Regulation to allow temporary parking for construction vehicles on Ellis Street at Mills Field. This regulation will allow parking for up to twelve vehicles for the period April 24, 2014 to May 24, 2014.
3. Accept the following donation made to the Needham Off Leash Dog Area account: \$461.49 from Joshua Levine.
4. Accept the following donations made to the Needham Public Library during the period October 1, 2013 through January 8, 2014: Ellen Knizeski gave the library \$200.00 in memory of her father, Bernie Ford; Alan Jay Weiner donated two DVDs: Firefly: The Complete Series (\$16.00), and Serenity (\$6.00); Paul Shore donated the following: 7 volumes of the Handbook of North American Indians (\$580.00), Per Christiansen: Birds (\$80.00), Naoko Chino: Dictionary of Basic Japanese Sentence Patterns (\$22.00), Oxford German Dictionary (\$55.00), Brian Solomon: CSX (\$35.00), Mike Schafer: Pennsylvania Railroad (\$35.00), and Dave Ori: Chessie System (\$35.00); Needham author and former Children's Librarian Laurie A. Perkins gave the

library a copy of her new book, *Death on the Opal Jubilee* (\$15.00); Susan McNeice donated a copy of Ellen Gaffney's children's book, *Wings for a Flower* (\$17.00); Gretchen Plotner gave the Children's Room twelve puzzles and a puzzle rack for the Play Area (\$125.00); The will of Harold J.A. Street, III left the sum of \$22,000.00 to the Needham Free Public Library. The Library Trustees voted to use the money to set up the Harold J.A. Street, III Trust Fund; Greg Shesko gave the library a copy of *Foods of Crete: Traditional Recipes from the Healthiest People in the World* by Koula Barydakakis and Bill Bradley (\$20.00); John Dewey gave the library eleven jazz CDs (\$115); Johannah Malone donated \$5.00; Harriet Lieb donated a copy of *The Kitchen House* book on CD (\$30.00); The Blum Family made a \$20.00 contribution to the library in honor of Arthur White's 90th birthday; Joan Harrison gave the library a copy a copy of her new children's book, *You Can Count on Gracie* (\$16.00); Gloria Greis gave the library two copies of her book *From the Ground Up: The Founding and Early History of the Franklin W. Olin College of Engineering* (Priceless); John Dewey donated the following CDs to the library: Don Byas—*All the Things You Are* (\$10.00), Barney Kessel—*It's a Blue World* (\$15.00), Rex Stewart—*The Great Ellington Units* (\$10.00), Scott Hamilton—*Tenorshoes* (\$9.00), Teddy Wilson—*Fine and Dandy* (\$20.00), Teddy Wilson—*1937-1938* (\$20.00), and Teddy Wilson—*1938* (\$20.00); The estate of Kathleen Weller willed the library \$5,781.37; Created Equal speaker Ashok Mehta donated his \$100 honorarium to the library for the purchase of new civil rights books; The following people have made contributions in memory of Richard "Dick" Carter: Jean M. Cleary (\$50.00), Jacqueline B. Fitzpatrick (\$10.00), David J. Smith (\$15.00), and Barbara G. Bergquist (\$50.00); and Belinda Stevens sent the library a copy of her new book, *Just Out of Reach*, (\$12.95).

- 5.* Approve and sign the 2014 Arbor Day Proclamation, which proclaims the last Friday in April as Arbor Day in the Town of Needham and encourages residents to support all efforts to protect our trees and woodlands for future generations to come. This year the Parks and Forestry Division will be celebrating Arbor Day with the elementary students of the Broadmeadow School.
- 6.* Approve a One Day Special All Alcoholic Beverages license for Alison Borrelli of the V.F.W. Needham 9/11 Memorial Committee to host its Needham First Responders Party and Auction on May 31, 2014 from 7:00 p.m. to 11:00 p.m.. The event will be held in Powers Hall at Town Hall, 1471 Highland Avenue, Needham.
- 7.* Approve a Special One Day Wine & Malt Beverages license from John Grugan of the Charles River Center to provide wine and malt beverages at the 5K race to be held on September 28, 2014 from 12:00 p.m. to 2:00 p.m. at the Charles River Center, 59 E. Militia Heights Road, Needham.
- 8.* Approve road race event form from John Timmerman of The Charles River Center, to hold its 5K race and 1 mile walk in Needham on September 28, 2014 from 10:00 a.m. to 2:00 p.m. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.

- 9.* Approve a request from the Natick Rotary to hold its Tour de Natick bike event on Sunday, June 15, 2014. The Needham portion of the route involves only a short leg of the longer, 25 mile course which begins at 8:00 am. The section of the route going through Needham is from Charles River Street at the Dover line to South Street at the Dover line. The route that the riders will take through Needham has been approved by the following departments: DPW, Police, Fire and Park and Recreation.
- 10.* Ratify a Special One Day Wine & Malt Beverages license from Kate Maguire of the Circle of Hope, to host a Mom's Night Out event that was held on Wednesday, April 16, 2014 from 7:00 p.m. to 9:00 p.m. The event was held at Lisa's Boutique, 1502 Highland Avenue, Needham.
- 11.* Approve minutes from April 9, 2014 (open meeting).
12. Accept donation to the Town of Needham of a 6x10 nylon to fly at Avery Square from Ted Shaughnessy.
13. Accept donation to the Town of Needham of a 5x8 nylon flag for the Center at the Heights from the Republican Town Committee.
- 14.* Upon the recommendation of the Tree Warden, that the Board approve an enforcement order for removal of a public shade tree (24" oak tree) at 105 Pine Street, in violation of Massachusetts General Laws Chapter 87, Section 3. The Tree Warden recommends that three trees be planted alongside the Pine Street roadway and the property line of the homeowner at the homeowner's expense. The homeowner has also offered to make a \$500 donation to the Town for future tree planting.
- 15.* Water and Sewer Abatement Order #1179
- 16.* Approve a request from The Christina Clarke Genco Foundation to ride a portion of its Mother's Day Memorial Day Ride through Needham on Sunday, May 11, 2014. Riders are expected to be in Needham at 8:15 a.m. to 4:00 p.m. The route that the riders will take through Needham has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.
- 17.* Approve road event form from Stephen Mortimer of Needham Baseball and Softball, to hold its opening day parade in Needham on May 4, 2014 from 10:30 a.m. to 12:00 p.m. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.
18. Grant permission for the following resident to hold a Block Party:

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

8:10 p.m. Town Manager
Kate Fitzpatrick, Town Manager appeared before the Board with two items to discuss:

1. FY2015-FY2017 Collective Bargaining Agreement - NIPEA/DPW:
Ms. Fitzpatrick said she was pleased to report the Town and the Needham Independent Public Employees Association/DPW has reached agreement on a three

year contract for fiscal years 2015, 2016, and 2017. She asked the Board for its endorsement.

Motion by Mr. Handel that the Board vote to approve and sign the Memorandum of Agreement with the Needham Independent Public Employees Association/LUNA 1116 for fiscal years 2015, 2016, and 2017.

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

2. Positions on Warrant Articles

The Board took positions on 2014 Annual and Special Town Meeting Warrant Articles.

Annual Town Meeting Warrant Articles

Article 6 - Defer.

Motion by Mr. Handel that the Board vote to support Article 7 - Collective Bargaining Agreement NIPEA DPW in the Annual Town Meeting Warrant.

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

Motion by Mr. Matthews that the Board vote to support Article 10 - Blue Tree Replacement in the Annual Town Meeting Warrant.

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

Article 11 - Defer.

Motion by Mr. Matthews that the Board vote to support Article 25 - By-law Private Ways in the Annual Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 39 - Central Avenue/Eliot Street Bridge Design in the Annual Town Meeting Warrant.

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

Motion by Mr. Matthews that the Board vote to withdraw Article 44 - Capital Improvement Fund in the Annual Town Meeting Warrant.

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

Motion by Mr. Matthews that the Board vote to withdraw Article 45 - Capital Facility Fund in the Annual Town Meeting Warrant.

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

Special Town Meeting Warrant Articles

Article 1 - Defer.

Article 2 - Defer.

Motion by Mr. Matthews that the Board vote to support Article 3 - Amend CPA Reserves in the Special Town Meeting Warrant.

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

8:15 p.m. Board Discussion:

1. Electronic Sign Boards

Mr. Borrelli commented he received complaints from residents at Webster Green that the sign board at the corner of Webster St. and Highland Avenue is an eyesore. He commented sign boards have historically been used for special events, but now seem to be in continual use at the gateways into Needham. He noted they are a distraction to drivers, and suggested the Board agree to formulate a sign board policy, similar to the one used at Memorial Field.

The Board agreed with Mr. Borrelli that a policy should be crafted for aesthetically pleasingly signage at the gateways into Needham.

Ms. Fitzpatrick noted the use of electronic sign boards for public safety, public works, and some events is warranted. She said the Town is hoping for an appropriation from Town Meeting to pilot a more attractive sign.

2. Committee Reports

No Reports were made.

8:25 p.m. Executive Session - Exception 3 (potential litigation):

Motion by Mr. Matthews that the Board of Selectmen vote to enter into Executive Session.

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

Not to return to open session prior to adjournment.

Second: Mr. Borrelli. Mr. Bulian polled the Board. Unanimously approved 5-0.

Note: The meeting was adjourned at 8:50 p.m.

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

BOARD OF SELECTMEN

* MINUTES *

May 7, 2014

6:50 p.m. A special meeting of the Board of Selectmen was convened by Chairman John Bulian at the Needham Town Hall. Present were Mr. Maurice Handel, Mr. Matthew Borrelli, Ms. Marianne Cooley, Mr. Daniel Matthews, Assistant Town Manager David Davison, and Town Manager Kate Fitzpatrick. Also in attendance were Mr. Michael Greis, School Committee Chair, Mr. Daniel Gutekanst, School Superintendent, Mr. Rick Lunetta, Finance Committee Chair, Mr. Dick Reilly, Finance Committee Member, Mr. Rick Zimbone, and Louise Mizgerd, Finance Committee Executive Secretary.

The Board of Selectmen discussed the School Technology Capital Article and in particular the 1:1 iPad program. Mr. Gutekanst said that he would be prepared to make a presentation to Town Meeting. As of this date, 87% of the parents have responded. He noted that while May 2nd was the Department's internal deadline, he is confident the Department will be ready to move the project forward. Mr. Borrelli asked if there was a reason to postpone the project. Mr. Reilly noted that the problem does not go away, since enrollment in the program would need to occur every year. Mr. Matthews said that he knows that the School Department understands the challenges and is assured that the Department will evaluate the status of the program and make the right decision as to whether to move forward. Mr. Gutekanst agreed that the funds will not be spent if the project does not move forward. Mr. Greis noted that of the 87% of respondents, 80% of them are positive. Ms. Cooley noted that it can be hard to get parents' attention. Mr. Reilly said the boards should be prepared if a motion is made to move the funds, or if the project does not move forward.

7:15 p.m. **Motion: Mr. Handel moved that the Board adjourn its meeting contemporaneously with the adjournment of Town Meeting. Mr. Borrelli seconded the motion. Unanimous: 5-0.**

9:53 p.m. Article 22

Motion: Mr. Matthews moved that the Board voted to support the Planning Board's amendment to Article 22 – Amend Zoning By-law/Off-street Parking Requirements. Mr. Handel seconded the motion. Unanimous: 5-0.

Note: The Annual Town Meeting adjourned for the evening at 11:27 p.m.

BOARD OF SELECTMEN

* MINUTES *

May 12, 2014

6:00 p.m. A special meeting of the Board of Selectmen was convened by Chairman John Bulian at the Needham Town Hall. Present were Mr. Maurice Handel, Ms. Marianne Cooley, and Town Manager Kate Fitzpatrick.

The Board had a general discussion about the upcoming Special Town Meeting and Annual Town Meeting.

6:15 p.m. **Motion: Mr. Handel moved that the Board adjourn its meeting contemporaneously with the adjournment of Town Meeting. Ms. Cooley seconded the motion. Unanimous: 3-0.**

Note: The Annual Town Meeting adjourned for the evening at 10:26 p.m.

**Town of Needham
Board of Selectmen
Minutes for May 13, 2014
Selectmen's Chambers
Needham Town Hall**

6:30 p.m. Informal Meeting with Citizens: The Board welcomed Boy Scout Troop 156 to the Selectmen's Chambers as part of their work toward achieving the Community and Citizenship Merit Badge. Mr. Matthews spoke with the boys about their obligation as citizens to vote and perform other civic duties. The Board invited the Boy Scouts to stay and observe the meeting.

6:30 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman John A. Bulian. Those present were Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing - Last Mile Solutions Petition for First Avenue and A Street: Jake McAdoo, Last Mile Solutions, LLC and Fred York, Phoenix Communications appeared before the Board requesting permission to lay and maintain underground conduits and hand holes, with cables placed therein, under the surface of the following public way or ways in two separate locations: 128 A Street and 300 First Avenue on the A Street side.

Ms. Fitzpatrick confirmed all paperwork is in order.

Mr. Bulian invited public comment. No comments were made.

Motion by Mr. Matthews that the Board of Selectmen approve and sign a petition from Last Mile Solutions to lay and maintain underground conduits and hand holes, with cables placed therein, under the surface of the following public way or ways in two separate locations:

1.) To place approximately 724' of 4" sch40 PVC conduit starting in front of 128 A Street. The contractor will trench approximately 57' across the street and then turn 90 degrees to follow parallel with A Street centerline for an approximate distance of 667'. At that point, the trench will be terminated and stubbed for a future connection with developer's work at 400 First Avenue, Needham. This work is necessary to provide TripAdvisor with the fiber optic circuit.

2.) The contractor will also place approximately 405' of 4" sch40 PVC conduit starting at 300 First Avenue on the A Street side. Conduit layout will start at Verizon MH 39/127-2 and will cross A Street and continue following landscape strip along First Avenue. Conduit layout will end at Pole 401/-1 located in

between 250 and 200 First Avenue. This work is necessary to provide TripAdvisor with a fiber optic circuit.

Second: Mr. Borrelli Unanimously approved 5-0.

7:05 p.m.

National Public Works Week Proclamation:

Richard P. Merson, DPW Director appeared before the Board regarding National Public Works Week. Mr. Handel read a proclamation recognizing the week of May 18th through May 24th as National Public Works Week in the Town of Needham.

Motion by Mr. Handel that the Board of Selectmen vote to approve and sign the Proclamation for National Public Works Week May 18th through May 24th as National Public Works Week.

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

Mr. Merson thanked the Board for their continued support and commented on the extraordinarily busy year for the Department of Public Works, as well as a number of projects currently underway in Town.

The Board thanked Mr. Merson and the employees of the DPW for their work.

7:10 p.m.

Appointment of Memorial Park Trustees:

John Gallelo, Chair, Memorial Park Trustees, Mark Forbes, Memorial Park Trustees, Ron Sockol, Memorial Park Trustees, and the Board of Selectmen jointly discussed a candidate for the current vacancy on the Memorial Park Trustees.

A moment of silence was observed in memory of Joe McSweeney, Memorial Park Trustees, who passed away in March 2014.

Mr. Bulian introduced James Healy, applicant to fill the current vacancy on the Memorial Park Trustees. He stated he is thrilled Mr. Healy has stepped forward to seek the position.

Mr. Healy said he is grateful for the support of the Board and thought this was an opportunity to get back involved in Town service. He commented he hopes to continue to give back to the Town and looks forward to the challenge.

Motion by Mr. Matthews that the Board of Selectmen and Memorial Park Trustees vote to appoint James G. Healy to fill the vacancy on the Committee through April 7, 2015.

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

The Board congratulated Mr. Healy on his appointment.

7:20 p.m.

Appointments and Consent Agenda:

Motion by Mr. Handel that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.

- 1. Accept a \$500 donation made to Needham Youth Services from the Needham Women's Club. The monies will be used to sponsor Needham Youth Services' "A Conversation" program.**
- 2. Accept donation from Moe Handel of a book "The High Cost of Free Parking" by Donald Shoup to the Office of the Town Manager.**
- 3. Accept the following donations made to the Needham Park and Recreation Commission from Needham resident, Caren Carpenter: 47 hard/soft cover children books, 1 puzzle, 6 games/toys, 34 music cd/cassettes, and various arts and crafts supplies. They will be used at the children's programs. The value is approximately \$500.**
- 4 At its April 22, 2014 meeting, the Board voted to accept donations made to the Needham Public Library during the period October 1, 2013 through January 8, 2014. The dates were incorrect. Please ratify approval for the period January 9, 2014 through April 9, 2014.**
- 5. Approve continuation of the experimental Traffic Regulation in accordance with the Needham Traffic Rules and Regulations Section 3-6 for Great Plain Avenue for the period April 18, 2014 to May 26, 2014: one Handicap Parking spot, and one 15 minute Parking spot, in front of the former Eaton Square Right of Way adjacent to MBTA Right of Way.**
- 6.* Approve 2014 Mobile Food Truck license for Captain Marden's Seafoods, Inc. d/b/a The Cod Squad. All required forms have been completed and are on file.**
- 7.* Ratify a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club who held a Baptism event on May 10, 2014 from 12:00 p.m. to 7:00 p.m. The event was held at the Village Club, 83 Morton Street, Needham.**
- 8.* Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to hold a Relay for Life Fundraiser on May 17, 2014 from 6:00 p.m. to 12:00 a.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
- 9.* Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to hold a Graduation Party on May 31, 2014 from 4:00 p.m. to 12:00 a.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
- 10.* Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to hold a Little League Coaches Dinner on June 13, 2014 from 6:00 p.m. to 11:00 p.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
- 11. Accept donation from Photography by Drew of Newton and Jenny Noursa Photographs of Canton of a framed photo of James Hugh Powers (which will be hung outside of Powers Hall). This photograph was part of the Inspirational Families of Needham exhibit. The value is \$575.**

- 12.* Approve application for a 2014 Public Entertainment license on Sundays from Jeffrey Friedman, of Needham Farmers Market, Inc., located on the parking lot of Needham Bank, 1063 Great Plain Avenue, Needham.
13. Declare the fire call box at the corner of School Street and Chestnut Street (#14) surplus to the benefit of the Needham 9/11 memorial.
- 14.* Approve a Special One Day Wines and Malt Beverages License for Maureen Callahan of the Needham Education Foundation to hold its NEF Donor Appreciation event on Tuesday, May 13, 2014 from 5:30 p.m. to 7:30 p.m. The event will be held at the Needham Historical Society, 1135 Central Avenue, Needham.
15. Approve integrated collective bargaining agreement between the Needham Firefighters Local 1706 and the Town of Needham approved by the October 29, 2012/November 13, 2012 Special Town Meeting.
- 16.* Approve a Special One Day All Alcohol Beverages License for Ed Davis, of St. Sebastian's School to hold its reunion event on Saturday, May 17, 2014 from 12:00 p.m. to 11:30 p.m. The event will be held in Ward Hall at St. Sebastian's School, 1191 Greendale Avenue.
17. Accept the gift of two new, made in America, nylon United States Flags from the Norfolk Lodge A.F. & A.M. for the Needham Town Common and the Needham Heights Common.
18. Accept the following donation made to the Needham Community Revitalization Trust Fund from the following resident: \$ 30 from Helen Hicks
19. Approve a \$2500 grant from the Needham Commission on Disabilities to the Needham Elementary School's "Understanding our Different Abilities (UAD) Program" to have Mr. Luca Patuelli, a disabled break dancer come tell his story and perform at all five of the elementary schools the last week in October 2014.
- 20.* Water and Sewer Abatement Order #1180
- 21.* Approve minutes of May 5, 2014 and Executive Session minutes of April 22, 2014.
22. Accept a \$40 donation made to Needham Youth Services from Kristin and Thomas Mollerus. The monies will be used to sponsor Needham Youth Services Project Van program.
23. Accept donations totaling \$225 in honor of Melvin Roboff made to the Needham Fire Department from the following people: Mary Lou and Phillip Bonasia, Alice C. Kelleher, Rose and Jeff Meropol, William and Susan Wasch, Katherine and Erik Lundgren, and Jeffrey and Barbara Sue Kemp. The monies will be used to support the activities of the Student Awareness of Fire Education program.
- 24.* Approve a request from the Needham Track Club to hold "The Great Bear Run" road race on Sunday, May 18, 2014 from 10:00 a.m. to 2:45 p.m. on the grounds of the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
- 25.* Approve a Special One Day Wines & Malt Beverages license to Nancy Wright of Perennial Designs to host a Farewell Party on Thursday, May 15, 2014 from

6:00 p.m. to 8:00 p.m. The event will be held at Perennial Designs, 117 Chapel Street, Needham.

26. Accept donations totaling \$1100 made to the Department of Public Works' Parks and Forestry Division from the following Needham residents: Mr. Michael and Mrs. Tammie Kukoleca; and Ms. Cecilia Fleming. The monies will be utilized for future public shade tree plantings throughout the Town.
- 27.* Approve a request from Sean Madsen of Bikes Not Bombs for its event to be held on June 8, 2014. It is a bike-a-thon event that will have cyclists riding through a portion of Needham during the 40 mile route of the ride, as well as the return path of the 60 mile ride. The Needham portion of the route has been approved by the DPW, Police, Fire and Park and Recreation departments.
28. Accept donation of 300 Hoodsie Ice Cream cups, and 300 spoons at a value of \$120 for the Memorial Day observation to be held on May 26, 2014 from Roche Brothers, Needham.
29. Grant permission for the following resident to hold a Block Party:

Name	Address	Party Location	Party Date	Rain Date	Time
Maureen Rossi	65 Douglas Rd	Douglas Road	6/21/14	6/22/14	3-7pm

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

7:20 p.m. Registered Marijuana Dispensary Application Request:
Jill Shafer, Esq., Stefanie Lipton, President, NE Wellspring and Olaf Ingare, Treasurer, Director of Finance and Security, NE Wellspring appeared before the Board requesting that the Board of Selectmen consider providing a letter of support or a letter of non-opposition to the application of NE Wellspring to locate an RMD in Needham. Attorney Shafer indicated that NE Wellspring's application is currently under review by the Massachusetts Department of Public Health.

Mr. Bulian noted the Board would not take any action tonight. He asked Attorney Shafer for any additional information she wished to provide, and said the Board is in receipt of the summary and redacted application.

Attorney Shafer highlighted some of the benefits NE Wellspring could bring to Needham. She said NE Wellspring has a unique business model focusing primarily on free deliveries, noting 80%-90% of the business is by delivery. She noted the strong healthcare and security background of each employee, and the extensive experience in delivering controlled substances. Attorney Shafer said there is a potential for a reduction of in-home cultivation if a dispensary were to be located in Needham. Attorney Shafer, noting Articles 18 and 19 did not pass at May Town Meeting, said NE Wellspring is re-evaluating location possibilities. She commented it is hard to speculate on zoning and what may happen at the fall Town Meeting. She pointed out that should NE Wellspring obtain a provisional license, after the moratorium expires it would be able to locate a dispensary in an area that may not be preferred by the Board of Selectmen, and commented NE Wellspring is

willing to work with the Town. She said it makes sense to work together now, and reiterated the request that the Board of Selectmen provide a letter of support or a letter of non-opposition to NE Wellspring.

Mr. Bulian asked for comments from the Board.

Mr. Borrelli asked why NE Wellspring wants to set up shop in Needham when their business model is to service under-served areas in the State. He commented that a different location, other than Needham, may be a better choice. He also recalled a recent Planning Board hearing, and asked why NE Wellspring was opposed to locating near Route 128 if the business model is to focus primarily on delivery.

Dr. Lipton said the location NE Wellspring chose was a better location than the location preferred by the Board of Selectmen. She commented it is not right that patients be pushed away from other businesses in Town and said there are also security concerns in an isolated area. Ms. Lipton said the location NE Wellspring chose is close to all major highways and a better option.

Mr. Borrelli noted the area preferred by the Board of Selectmen has many thriving businesses and should not be categorized as a "bad" part of town. Mr. Borrelli reiterated there are locations that are suitable.

Dr. Lipton said NE Wellspring should be treated like any other business or pharmacy, with the right to choose the best location. Dr. Lipton reiterated NE Wellspring is willing to work with the Town and recognized residents' concerns about a Chestnut Street location. She said restricting NE Wellspring to a small area on the outskirts of Town is unreasonable.

Mr. Bulian said the location recommended by the Board of Selectmen should not be considered as "burying" any business. He said all of the areas, and the actions of the Selectmen over the last 2-5 years, show the area is poised to explode with a huge resurgence of retail, commercial, and residential businesses.

Mr. Handel said the area is home to U-Do-It Electronics, Staples, and Petco, which are regional businesses that make deliveries. He said when the Selectmen chose that area, it was done to make sure that Needham could accommodate and work with a legitimate provider of a service passed by the voters of Massachusetts. Mr. Handel said if there is a willingness to consider this view, it would be a positive step forward.

Mr. Matthews asked the presenters if they felt the medical marijuana statute was simply a phase in a progression towards the total legalization of marijuana, including recreational use, or is it a special limited application?

Attorney Shafer said no, and she feels the DPH is making a concerted effort to put regulations in place.

Mr. Matthews said he assumes it is likely there will be a referendum in 2 years on legalizing marijuana.

Attorney Shafer said there could be, but it is not related.

Olaf Ingare said marijuana is a medical product, and he does not believe marijuana should be for recreational use. He commented many people who are terminally ill can benefit from using medicinal marijuana.

Dr. Lipton noted November 2013 polling indicated 51% opposed the passage of recreational use marijuana. She said in March 2014, polling reversed and it now appears the majority of people in Massachusetts are in favor of recreational use of marijuana. She said a referendum is coming up in 2016, a presidential year in which young people tend to vote, so there is a strong possibility the referendum will pass. She said if it does pass, she believes the restrictions on selling will be whittled away. Dr. Lipton said if an existing dispensary, with a high level of security is in place, it is far better than to have many shops sprouting up.

Mr. Matthews commented that while the issue may be of a limited medical use, there are societal changes that are indicating that there may be other changes. He said that in at least one other state when marijuana was made legal for recreational use, preference was given to medical facilities to convert to full sale use. Mr. Matthews said that from a town government point of view, plans are made over a long period of time. He said there is a lot of reason to use caution when there is a new statute, and noted the Town went 80 years before licensing package stores. Mr. Matthews noted the State process to date has made some progress, but also said there has been some trouble. He said he is troubled to be told by Attorney Shafer about things the DPH is saying about the process and/or progress, acknowledging the State has not responded to correspondence from the Town of Needham. Mr. Matthews said the letter sent last fall was intended to speak very specifically to a question asked in the regulations. He said he does not see any reason to change at this point in time. Mr. Matthews said he is interested in seeing how the licensing works out for 2 other facilities likely to open that are in proximity to Needham. He said much will be learned about "best practices" when those facilities open. He commented if the Board of Selectmen were interested in composing a letter of non-opposition or support, he said he would want a full public hearing and the applicant would have to expect to be closely questioned about the information in their application, including disclosure of redacted information. He commented it makes sense to have a very serious process, particularly with a new business where some people think there is a lot of money to be made and when there are a lot of disputed issues. Mr. Matthews said the moratorium is in place and he is not willing to change the approach that the Board has taken thus far, based on current information.

Ms. Cooley commented about the amount of documentation an applicant must file to obtain an alcohol license in Needham and said she was struck by the amount of

information in the redacted application. She said more clarity is needed around some issues.

Dr. Lipton said she is willing to supply any information, provided it is not information the DPH deems as information that should not be released to the public. She asked for a list of specific information and said she would seek approval from the DPH for release to the Town. She noted some information is sensitive to the security systems in place.

Mr. Bulian asked about criminal background information on the application.

Dr. Lipton said no one associated with NE Wellspring has a criminal record.

Mr. Bulian said as a Selectman he must ask the questions to make sure the character of the individuals in this type of business are thoroughly checked. He said he is not sure whether the DPH is thoroughly checking an applicants background. He said the public has a right to know the people that are holding licenses to do business in Needham.

Mr. Borrelli concurred he is in no rush to issue a new letter on the application.

The Board thanked the presenters for appearing before the Board.

8:05 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 4 items to discuss:

1. Charles River Reservation/Barnes Pathway

Ms. Fitzpatrick informed the Board that as part of the permitting and construction staging process for the construction of Charles River Landing at 300 Second Avenue, CFRI/Doherty Second Ave. LLC contributed \$225,000 to an account held for the project at Needham Bank. She said under the terms of the Agreement, the Town was to hold the funds pending the design of the project to be overseen by the Department of Conservation & Recreation. She commented that in addition to accrued interest, the DCR has contributed an additional \$60,000 bringing the total project cost for design and construction to approximately \$297,000. Ms. Fitzpatrick noted all of the funds held by the Town have been disbursed. Ms. Fitzpatrick commented the project is intended to improve the existing 1/2 mile pathway along the Charles River behind the Charles River Landing property, and enhance the entry points to the path located at Highland Avenue and Fourth Avenue. She said construction is proposed for fall, 2014.

2. Road/Walk/Bicycling Event Policy

Sandy Cincotta, Support Services Manager presented the Board with a draft Road/Walk/Bicycle Event Policy for review, discussion, and comment. She said over the last two and a half years Needham has been a venue for 41 walking, running, bicycling or motorcycling events. She noted the many details that require

consideration within the Town before permission is granted for an event. She said having a policy to provide guidelines for these events will help streamline the process and identify events that may pose a public safety concern. A new fee structure is proposed to cover the cost of each event.

The Board thanked Ms. Cincotta for her work on the draft Event Policy regulations.

3. Updated Alcohol Regulations

The Board discussed and voted on a revision to the Town of Needham Regulation for the Sale of Alcoholic Beverages. The revision includes provisions to accommodate the sale of alcohol in restaurants with a seating capacity of less than 100 seats.

Motion by Mr. Matthews that the Board vote to approve the revised Town of Needham Regulations for the Sale of Alcoholic Beverages dated May 13, 2014.
Second: Mr. Handel. Unanimously approved 5-0.

4. Town Manager Report

Ms. Fitzpatrick proposed the fall 2014 Special Town Meeting be held on Monday, October 27, 2014.

Motion by Mr. Matthews that the Board vote to approve Monday, October 27, 2014 as the date for Special Town Meeting.
Second: Mr. Handel. Unanimously approved 5-0.

Mr. Bulian announced Memorial Day events are scheduled for Monday, May 26, 2014 in the Town of Needham. He encouraged all residents to attend the various events and the opening of the new Needham War Memorial at Memorial Park.

8:30 p.m.

Adjourn:

Motion by Mr. Borrelli that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of May 13, 2014.
Second: Mr. Handel. Unanimously approved 5-0.

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

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Kristin Mockus		
Event Manager Address	58 Mayo Ave, Needham, MA 02492		
Event Manager Phone Number	617-549-7636		
Organization Representing (if applicable)	Needham Pool & Racquet Club		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☐ Non-profit ☒ For profit ☐ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	New Member Reception		
Date of Event	Friday May 30 th 2014		
License is for Sale of:			
☒ Wines & Malt Beverages Only ☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	6:00 PM	TO: 9:00 PM
Are tickets being sold in advance for this event?	☐ YES \$	/per ticket	☒ NO
Is there an admission fee for this event?	☐ YES \$	/per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☒ YES	☐ NO	
How many people are you expecting at this event?	125		
Name & address of event location. Please attach proof of permission to use this facility.			
Needham Pool & Racquet Club 1550 Central Avenue, Needham, MA 02492			
Who will be serving the alcohol to your guests?			
Beverages to Go - Dux, MA Bartenders from Special Occasion Servers			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
Michael Berardi and Jacqueline Napolitano from Special Occasion Servers			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
Guests will be served alcohol at the bar (see attached)			
☒ I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (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))			
Event Manager Signature:			Date:
Kristin Mockus			5/9/2014

We are also saying goodbye to several longtime members who are resigning this year. They are: Edith Adams and Steve Matulis, Nancy Beams, Tim and Mindy Bernard, Jim and Cindy Chaston, Michael and Catherine Corbett, Ted and Terry Curtain, Tom Green and Freddie Kay, Tom and Mary McGillicuddy, Martha McMahon, Greg and Joyce McSweeney, John and Barbara Milligan, Michael and Karen O'Malley, Robert and Joan Onofrey, Andrew and Colleen Pink, Jeffrey and Mary Somers, Benjamin and Anne Steverman, Scott and Judy Stewart and William and Ada Suydam.

Club Management:

We are excited to welcome back all three members of our Management staff this year. Mike Reidy will be returning as our Club Manager, as well as Mike Dermody and Kim Hogan our Assistant Managers.

General Communications:

The website (www.nprc.info) will be updated in the next few weeks with information about all of the programs and activities the club has to offer. To gain access to the full site you need to enter user name **Clubmember** (with an uppercase C) and the password is **membersonly** (one word). The website is where you will sign up for clinics, lessons, teams, etc. Payments for these activities will be by credit card.

We will be sending email blast updates weekly to keep everyone informed and updated of the wonderful happenings at the club. If you are a new member or need to update your contact information, please send your email address to nprc.contacts@gmail.com. We will update the contact list regularly.

Social Update:

This year's Social Committee is co-chaired by Christine Malloy and Kristen Mockus. Also on the Committee are Ellen Dellamarggio, Beata Fernandez, Maura Payne, Jane Carroll, Jen Schroeder, and Jen Sullivan.

This Year's Social Schedule:

New Member Reception: Friday, May 30th from 6:00-9:00pm

Teen Night: Friday, June 20th 6:00-9:00pm

"Hats Off To Summer" Cocktails Under the Tent: TBD (Last week in July)

End of Summer Potluck Cocktail Party: Thursday, August 28th

Staff Appreciation Day: Thursday, August 7th

Senior Luncheon: Thursday, August 14th

Swim Update:

Leading our Swim Committee this year is Kerry Hurwich. Her committee members include: Alana Beber, Sara Walker, Caren Conway, Robin Grace, and Mona Yee.

This year NPRC will host the ICC Swim and Dive Championships July 31st and August 2nd. We are excited to have Meaghan Tincher returning this summer and taking over as the Head Swim Coach. Wendy Brown (swim coach) and Eliza Robson (dive coach) have both stepped down for professional/ educational reasons this year – we wish them the best of luck! We are in the process of finding qualified replacements for those positions. Swim Team and swim lessons will begin the week of June 23rd. Sign-ups will be on-line.

May 30, 2014

Entrance

New Member
Reception for Plan

Bar

Bar

Kids
Pool

Large Pool



eTIPS On Premise 2.0 SSN: XXX-XX-XXXX
Issued: 11/11/2012 Expires: 11/11/2015
ID#: 3353717 D.O.B.: XX/XX/XXXX

Michael Berardi
14 Agawam Dr
Northborough, MA 01532-2434

For service visit us online at www.gettips.com

6478437

CARD NO 8437813

FORWARDING AGENCY CERTIFICATE

NAPOLITANO JACQUELINE

Expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION:

10/10/2011



Application for a Mobile Food Truck

Before completing the following application, please carefully review the "Food Truck Policy" document, which includes important details about the licensing requirements.

Date: 5/19/14 Applicant (company name): ERIK WEGNER

D/B/A (e.g. if food truck name is different from company name): DOG GONE RON'S

Primary Contact Name: ERIK WEGNER Primary Contact Cell Phone: 781-738-0256

Primary Contact Business Phone: SAA Primary Contact Email: RSBMOBILE@GMAIL.COM

Name(s) of Owner(s), Partner(s), or Corporate President: _____

SAA Same as above.

Mailing Address of Company: 28 EVANS RD.

Address of Vehicle Garaging (if different from above): SAA Same as above

Address of Commissary (if different from above): SAA

Truck License Plate State & Number: 987 043

Make/Model of vehicle: USA HOTDOG TRAILER

Proposed Location(s) /Day(s)/Hour(s) of Operation: Location description shall include address and physical description. Provide a separate site plan and photo(s) for each location(s). See Appendix II of policy for list of locations presently approved for food trucks.

1. ACROSS FROM 40 1ST AVE

FROM 8.00 TO 7.00 (MON, TUE, WED, THU, FRI, SAT, SUN)

2. _____

FROM _____ TO _____ (MON, TUE, WED, THU, FRI, SAT, SUN)

3. _____

FROM _____ TO _____ (MON, TUE, WED, THU, FRI, SAT, SUN)

Calendar Year: 2014

Required Documents (Attach to this application):

- | | |
|--|---|
| ☒ Completed application | ☒ Copy of MA Department of Motor Vehicles (DMV) Vehicle Registration |
| ☒ Insurance Certificate/Worker's Comp Affidavit | ☒ CORI Request Form w/identification (Must complete at Town Manager's Office, need an ID) |
| ☐ Site Plan | ☒ Copy of a Menu <i>ON FILE IN OTM. SEC.</i> |
| ☐ A color photo of your truck in operation
<i>GOOGLE NEEDHAM HEALTH DEPT MAN</i> | ☒ Copy of State Hawkers and Peddlers License or Town Solicitor's License |
| ☒ Copy of Needham Health Department License | ☒ Current MA Business Registration Certificate
<i>TO BE SENT IN (SITE DOWN)</i> |
| ☒ Copy of Fire Department Permit (propane)
<i>SEE EMAIL</i> | |

APPLICANT UNDERSTANDS AND AGREES TO COMPLY WITH ALL THE CONDITIONS NOTED ON THIS APPLICATION, THE BOARD OF SELECTMEN, POLICE DEPARTMENT, FIRE DEPARTMENT, HEALTH DEPARTMENT, AND OTHER LOCAL, STATE AND FEDERAL LAWS GOVERNING MOBILE FOOD FACILITIES AND ACCESSIBILITY AS THEY MAY APPLY TO THIS PERMIT.

[Signature]
Signature of Applicant / Authorized Representative

5/19/14
Date

K. BRIK WEAVER
Print Name

Pursuant to MGL Ch. 62C, Sec. 49A:

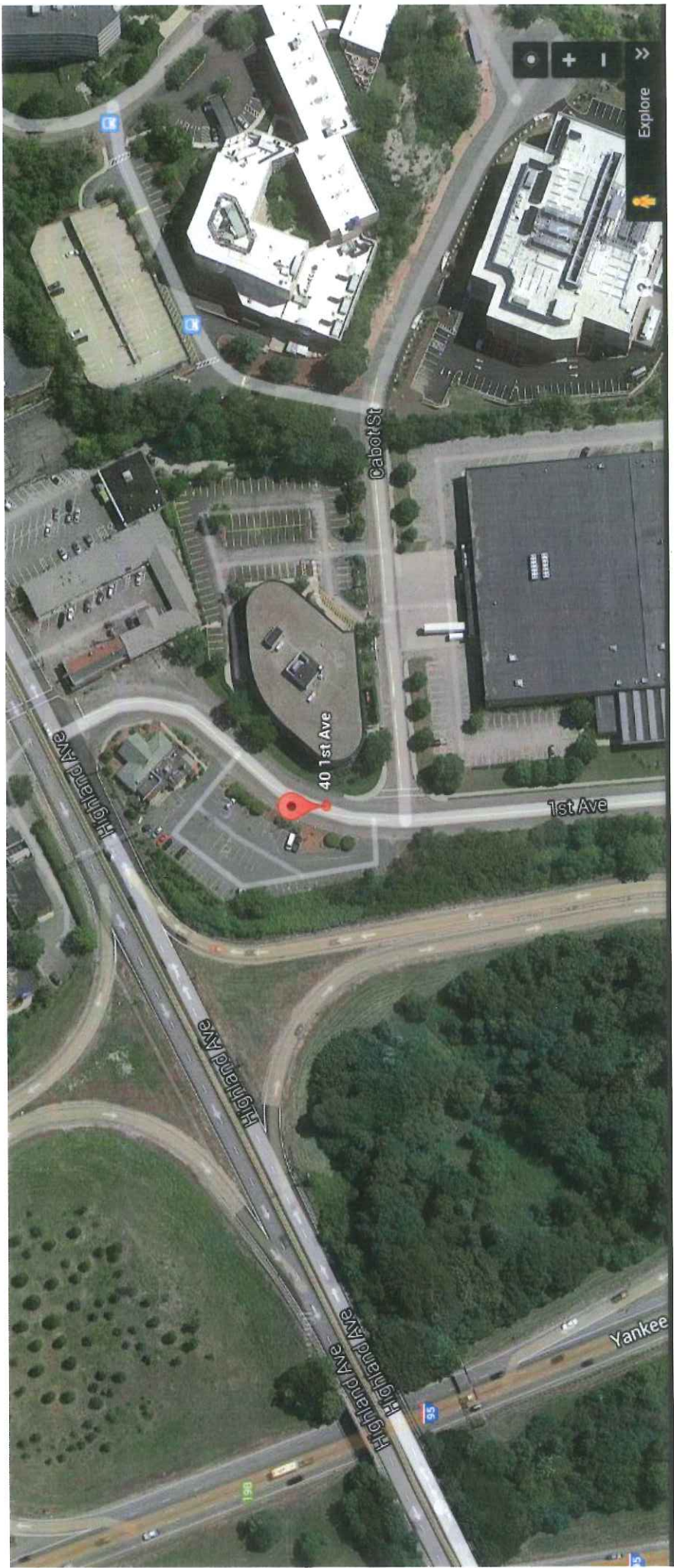
I certify under the penalties of perjury that I, to my best knowledge and belief, have read and am in compliance with the contents of M.G.L. Chapter 62C, Section 49A (on reverse side of this application).

[Signature]
Signature of Applicant (Mandatory)

By Corporate Officer (if applicable)

20 09 63883
Either a Social Security Number or Federal ID Number must be Supplied

5/19/14
Date (required)











MENE (DOG GONE RON'S)

HOT DOGS

CHIPS

SODA / WATER

ICE CREAM

SNACKS

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TOWN TREASURER AND COLLECTOR
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	-\$183.60
Water Irrigation:	-\$54.88
Water Admin Fees	\$0.00
Sewer Sales:	-\$405.90
Transfer Station Charges:	\$0.00
Total Abatement:	-\$644.38

Order #: 1181
Read and Approved: 5/23/14


Assistant Director of Public Works

Director of Public Works

For the Board of Selectmen
Date: 5/27/14

**Town of Needham
Water Sewer Billing System
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
DB	Badawi	Diana	37495	25476	233	West Street	\$0.00	-\$77.85	-\$156.45	-\$234.30	ACC	N
DB	Cantor	Arthur	37377	19070	43	Kingsbury Street	-\$54.88	\$0.00	\$0.00	-\$54.88	ACC	N
JO	Council on Aging (1)						\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N

Total: -\$644.38

SO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

Legend:

- I. = O.I. reading slower than inside meter causing large bill when inside meter is read.
- MN = Town Project caused damage to private property
- C = Extenuating Circumstances
- quip = Equipment Malfunction
- EW = Unexplained water loss
- CC = Accidental Water Loss
- P = Billing Period beyond 100 days
- OA = Council on Aging



Town of Needham, Massachusetts Road Event Form

INTERNAL USE ONLY

☐ DPW ☐ Police
☒ Fire ☐ OTM
☒ Park & Rec ☐ Paid

TYPE OF EVENT: (check all that apply) <i>Possible</i> ☒ RUN ☒ WALK ☐ BICYCLE	
Name of Event: Jog Your Memory Run	Name of Organization: Alzheimer's Assn. MA/NH Chapter
Organization Mailing Address:	☒ Organization is Not-for-Profit
Primary Contact: Jessica Rice	Contact Title: Co-Race Director
Contact Address: 64 Hawthorn Ave Needham MA 02492	
Contact Phone (Day): 617 354 2162	Contact Phone (Cell): 617 312 6547
Contact Email: jessicarice98@gmail.com	
Event Date(s): Sunday September 7, 2014	Date Expected to be in Needham: 9/7/2014
Earliest Time Expected in Needham: 6am	Latest Time Expected in Needham: 1pm (race start at 9am)
Number of Expected Participants: 500	Number of Expected Spectators at Peak Time: 50
Are participants charged a fee? ☒ YES ☐ NO	
Estimated Number of Vehicles: 100-125	What type of Parking is needed: Mitchell School Parking Lots / side road off Brookline Ave

Are event organizers available to meet with members of the Town to plan event?

Yes

What will be done in case of inclement weather?

Rain or Shine

Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked:

School has adequate parking - we will have signs showing where participants + spectators can park - time around 8:15 - 10:45 (?)

Will neighborhoods be impacted by parking and traffic?

Should not be an issue

What activities are planned for the start of the race (if in Needham)?

Music

What activities are planned for the end of the race (if in Needham)?

Possible auction by pulling bib #s @ random / Music

What facilities are needed for the start of the race (if in Needham)?

NONE

What facilities are needed for the end of the race (if in Needham)?

NONE

Once the event begins, how long will it take to complete the event?

~ 9 am -

Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?

Yes, lawn signs w/ homeowners' permission

Will volunteers be placed along the route?

Yes, at each mile, turn + street intersection

Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.

Yes @ race start/finish line

Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)

Post-race fruit/water etc - donations

Will portable toilets be used? List locations

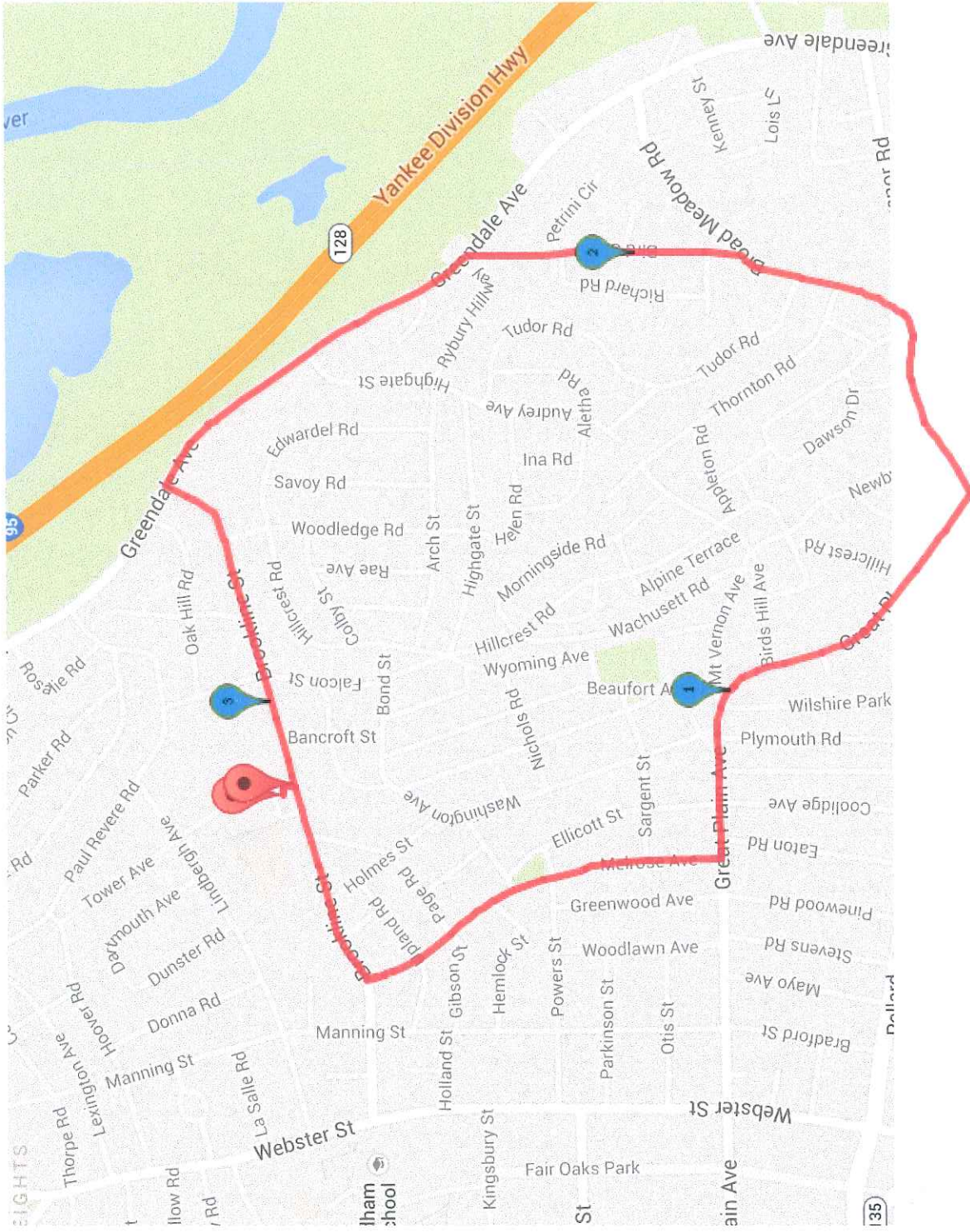
Yes @ race start/finish

Will hydration stops be set up along route? If yes, please include these on route plan.	Yes @ half-way point
If the event takes place after dark, what is the plan to meet lighting needs?	N/A
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	Police detail ; volunteers @ many locations on course w/ cell phones
Does the event take place during commuter times?	NO
Is school in session during the event? Will school drop off or pick up be impacted by the event?	NO
Are businesses open during the time of the event?	unlikely + course passes few businesses
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	gas station + Dunkin Donuts on Cit. Plain ave
Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	Yes, Grace Christian on Greendale
What is the plan to handle trash?	We will bring trash barrels + bags

Please return the completed application and attachments to the Office of the Town Manager, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492:

- event route map (include map and text route, parking plan, volunteer placement) ATTACHED
- application fee
- certificate of insurance

Route: 263503 Distance: 3.11 Miles



Google

Map (Report a map error

www.MapPedometer.com