

**Town of Needham
Board of Selectmen
Minutes for October 4, 2016
Selectmen's Chamber
Needham Town Hall**

- 6:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Matthew D. Borrelli. Those present were Maurice P. Handel, Daniel P. Matthews, John A. Bulian, and Town Manager Kate Fitzpatrick. Ms. Cooley joined the meeting at 6:05 and Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.
- Motion by Mr. Handel 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 litigating position of the public body and the chair so declares.**
- Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.**
- Second: Mr. Bulian. Mr. Borrelli polled the Board. Unanimously approved 5-0.**
- 6:45 p.m. The Board returned to open session.
- 6:45 p.m. Informal Meeting with Citizens:
Christopher Thomas updated the Board on his research in an effort to ban use of plastic bags within Needham. He commented on the negative environmental impact of using plastic shopping bags, cited the actions of surrounding towns Wellesley and Newton, and suggested a change in the Town by-law banning use. The Board invited Mr. Thomas to send details of his research to the Town Manager, and told him it will consider moving the issue ahead in the Town process.
- 7:00 p.m. The public portion of the Board of Selectmen meeting of October 4, 2016 was convened by Chairman Matthew D. Borrelli.
- 7:00 p.m. Public Hearing for the Removal of One (1) Public Shade Tree at 165 Meadowbrook Road:
Edward Olsen, Tree Warden/Parks & Forestry Superintendent appeared before the Board with Matt Hughes, Pinewood Custom Homes, Inc. who has petitioned for the removal of one Red Maple located on Town property. Mr. Olsen said that while the new home and driveway have been constructed, the roots of the Red Maple were compromised during construction and that the tree will eventually suffer and fail.

He recommended removal of the tree at the owners expense, a donation of \$200 be paid to the Town of Needham, and two additional trees be planted on the property.

Mr. Borrelli invited public comment. He said one email was received concerning removal of the tree.

Mr. Borrelli asked for Board comment.

Mr. Matthews said he is not opposed to removal of the tree, but that it would have been better to discuss removal prior to the home being built.

Mr. Olsen agreed. He said the property is unique as the layout of the lot changed from Newell Avenue to Meadowbrook Road.

Jennifer Sexton, 62 Newell Avenue asked for clarification as to when the root system of the tree was compromised. She also asked money be set aside for future tree planting.

Mr. Olsen said, unfortunately, a root was cut during construction of the driveway. He said the Town's practice is to plant two new trees for every tree removed in the same location or thereabouts.

Charlotte Culgin, 158 Meadowbrook Road said care should be taken when planting new trees, as she is concerned with safety of children in the neighborhood. She suggested having a discussion with abutters prior to planting.

Motion by Mr. Matthews that the Board vote to approve and sign the Public Shade Tree Hearing form for the removal of one 20-inch Red Maple tree in front of 165 Meadowbrook Road and that the Board vote to approve the sum of \$200.00 be paid to the Town of Needham for future tree planting and that the Board vote to approve the Tree Warden's request that the owner is required to replace this tree with two trees on their property of at least 4" caliber or greater, DBH.

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

7:10 p.m. Public Hearing for the Removal of Eleven (11) Public Shade Trees on Greendale Avenue:

Edward Olsen, Tree Warden/Parks & Forestry Superintendent, Chris Regnier, Director, Goulston and Storrs, and Lars Unhjem, VP Development, Millcreek Residential appeared before the Board on behalf of Chris Dunphy of Mill Creek Residential who is requesting permission to have eleven Public Shade Trees removed.

Mr. Olsen said tree hearings are difficult and this one is unlike any he has had previously. He gave a brief history of the 136 unit townhouse and apartment community Mill Creek Development is proposing to construct at 700 Greendale

Avenue. Mr. Olsen said construction of sewer utilities and needed grading would impact 11 Public Shade trees on town property at the front side of the lot. However, he commented the original request for the removal of 11 trees has been revised after further discussion with representatives from Mill Creek. Mr. Olsen said the revised plan is to remove four Public Shade trees, saving 7 trees. He also suggested removal, at the owners expense, of one Norway Maple tree in addition to the four Public Shade trees.

Site and landscape plans were viewed.

Chris Regnier, Goulston and Storrs said, in working with the Town Engineer, it was determined to place the sewer line closer to the edge of the property which lead to the incidental impact to four Public Shade trees. He commented the landscape plan, approved by the Zoning Board of Appeals, has a variety of lush trees and shrubs. He noted that while some street trees will be removed, a well-designed landscape strip will be installed.

Mr. Borrelli invited public comment.

Lois Sockol, 611 Greendale Avenue said she came “ready for battle,” but now appreciates the stand taken by both Mr. Olsen and Mr. Regnier. She noted their expertise and extensive knowledge of trees is far more extensive than hers, which is only to protect people from pollution coming off of Route 128. She asked whether the lush new landscape will include more new trees so that the total number of trees is not diminished. Ms. Sockol noted there is no better way to protect people from pollution than trees.

Mr. Borrelli noted the current motion does not mention more new trees, but said the Board of Selectmen will consider the suggestion.

Mr. Regnier confirmed 48 trees will be planted per the landscape plan.

Terence Noonan, 125 Broad Meadow Road asked what changed in order to save seven trees?

Mr. Regnier said while it is preferable and beneficial to remove the other seven trees, comments from residents indicate a desire to maintain as many trees as possible.

Mr. Borrelli noted the tumultuous nature of the project. He said the comprehensive permit does not include removal of 11 trees, and agrees with Mr. Olsen. He said the issue is not something ever seen by the Board of Selectmen, and said the request is in a different category. He asked the estimated cost of replacing five large trees?

Mr. Olsen said the estimated cost could be \$2,000 per tree.

Mr. Bulian said neighbors are starting to call the Board of Selectmen concerning the clear cutting of the parcel. He said the Board of Selectmen is compelled to approve removal of as few trees as absolutely necessary, as there must be a sensitivity for residents concerned with the hole and view clear down to Route 128. Mr. Bulian asked if there is intent to preserve some of the trees on the site?

Lars Unhjem said the area will be completely cleared because of installation of all sub-surface utilities. He said an attempt will be made to preserve as many trees as possible on the north portion of the property in response to concerns from Board of Health, Park and Recreation, Board of Selectmen, and the Tree Warden.

Ms. Cooley asked the size of the 48 replacement trees?

Mr. Regnier listed trees ranging in size from 3 1/2"-4" caliper Oak, 5 1/2"-6" caliper Red Maple, 12"-14" caliper River Birch, and up to 8ft-9-ft tall White Spruce.

Lois Sockol, 611 Greendale Avenue commented she is now hearing something entirely different that the taking down of trees along Greendale Avenue. She asked if the public will have an opportunity to speak about the clear cutting?

Mr. Borrelli said no, as the hearing tonight is a Public Shade Tree hearing limited to the trees along Greendale Avenue. He said the Zoning Board of Appeals has issued a Comprehensive Permit as to the layout of the site, noting those trees must be removed. He said the Town has jurisdiction over the trees on Greendale Avenue. Mr. Borrelli said the project calls for a large scale removal of trees, with the thought of replanting trees for a lush vibrant landscape. He acknowledged the plan is upsetting.

Ms. Sockol said it is more than upsetting and that she is not just looking for lush vibrant beauty. She said she is more concerned with death by pollution. Ms. Sockol is upset at the removal of the single natural object, "nature's answer," to preventing carbon pollution. Ms. Sockol told the Board of a quote she never forgot, "Have you no shame?"

Mr. Borrelli said Ms. Sockol's frustration is understandable, but the Board of Selectmen and Zoning Board of Appeals worked very hard to preserve the buffer. He said the Town does not have jurisdiction over how the development will proceed, and that he agrees with her.

Jeff Heller, 1092 Central Avenue said he walked the trail today and the shame is not in losing five trees, but rather in losing the beautiful specimen trees. He asked for some of the larger specimen trees to remain, and assurance some of the trees will remain as a buffer along Route 128.

Mr. Borrelli commented on jurisdiction under the Comprehensive Permit, but noted there can be discussion about substitute trees along Greendale Avenue. He said there is no mention of replacing trees in Mill Creek's application. He asked for a better proposal from Mill Creek.

Motion by Mr. Bulian that the Board of Selectmen vote to continue the Public Hearing for the Removal of Eleven (11) Public Shade Trees on Greendale Avenue to October 18, 2016 pending further discussion with the Tree Warden and Mill Creek Development representatives with updated paperwork to reflect tonight's discussion, and to hold the record open for additional public comment.

Second: Mr. Handel.

The Board did not vote on the Motion.

Mr. Borrelli thanked Mr. Olsen for his effort. He commented he believes more money should be paid by Mill Creek to the Town for each tree, with a replication plan for removal of the trees before granting permission.

Mr. Handel pointed out trees being planted as part of the site plan do not reflect additional trees as a result of removed trees, and said clarification is needed. Mr. Borrelli agreed.

Terence Noonan, 125 Broad Meadow Road asked if the Town has jurisdiction over trees in the buffer zone abutting Route 128. He asked if any portion of the buffer zone had been disturbed and whether clear cutting had been done as understood by the Town.

Mr. Borrelli said the Comprehensive Permit outlines a buffer zone not to be disturbed.

Mr. Unhjem said tree clearing has been limited to the work associated with the realignment of the sewer and the Ancient Way, connecting down to the manhole cover on the shoulder of Route 128.

Mr. Handel asked about planting near the sewer line.

Mr. Merson said typically a 20 ft. wide easement is taken, which allowing for excavation, installation, and future repairs.

Mr. Regnier acknowledged the competing feelings expressed tonight towards the project. He commented on the significance of Mill Creek to withdraw its request for removal of seven of 11 trees (one additional tree removal at the Town's request), saying removal is important to start sewer work. Mr. Regnier said Mill Creek would gladly return before the Board of Selectmen in two weeks to discuss replacement trees. He commented in light of the settlement agreement and

Comprehensive Permit that granted a waiver from the requirement to seek approval for removal of street trees, he requested the Board of Selectmen move and allow removal of four street trees in the area of the sewer line.

Mr. Matthews said the project is not something the Town agreed to, but rather constructed under a state law that supercedes the Town's preferred planning. He said the goal should be for the project to be built according to plan, to benefit people who will live there, and that the rights of the neighbors be respected. He asked whether the Town has all the information to let the matter move forward in the way the parties agreed. He said the Board of Selectmen is amenable to allowing removal of the 5 trees (4 Oak, 1 Norway Maple), and that everyone has agreed the other trees should remain. He clarified the Tree Warden has said there probably are some trees that may have trouble in the future. He said it makes sense to see what happens. He acknowledged the concern of some members of the Board of Selectmen, and that it is not specifying additional plantings, probably because the landscaping plan is already in place and under the Zoning Board of Appeals decision. He said he not sure it makes sense to return to talk about planting more trees, but rather the best way of solving the issue is by an appropriate cash payment to the Town of Needham, which the Town would then make decisions as to what to do. Mr. Matthews concurred it is not the usual kind of \$200 assessment because there are no compensating trees to be planted that are tied to the removals. He said if the Town is charging more, it makes sense to have further discussion between the Tree Warden, Town Manager, and the proponents. Mr. Matthews asked "What is the right amount?, " and suggested moving forward by allowing the removal of the five trees, and to defer the issue of a cash payment for further discussion in a hearing before the Board of Selectmen, if necessary, if there isn't a settlement and if there is a settlement, then it can come back for a public vote. Mr. Matthews noted the end of the construction season and work still to be done on the project, commenting more issues may arise before the project is complete. He said in fairness to all parties, each piece must be done right.

Mr. Handel thought about Mr. Matthews suggestion and asked 'what is the "teeth" on the Town's side?'

Mr. Matthews commented the developer will be dealing with the Town for quite a while, and it is expected everyone will act in "good faith" and when they don't they will be held to it.

Mr. Borrelli said a lot of time has been spent negotiating the project, and the trees along Greendale Avenue were never in the Comprehensive Permit. He said he lacks the sympathy to now say "let's move this along, because we didn't have it in the original Comprehensive Permit." Mr. Borrelli commented on leverage, saying he does not want to negotiate at another time and that the responsibility is on the Board. He said he wants an end point, and the only way to accomplish that is by discussion with the Tree Warden and Town Manager to figure out a sum in one

package. Mr. Borrelli said bits and pieces raise more issues, suggesting further discussion at the next Board of Selectmen meeting.

Larz Unhjem acknowledged concern for timing. He clarified the “late hour” is because the location of the sewer line has moved as a result of the recommendation of the Town’s Engineering Department. He said Mill Creek responded to information from the Engineering Department of where they wanted the sewer line to be located and re-engineering the plan, while incurring significant expense. He said Mill Creek is not making the request at the last moment, but had misunderstood that because the Town had asked them to do sewer realignment to the location it was, that it was sort of understood that the trees would necessarily need to be cleared. He implored everyone to understand Mill Creek did not “drop the ball,” but responded to feedback from the Town.

Mr. Borrelli asked if the original plan had no shade trees coming down?

Mr. Unhjem said “yes, that is correct,” as the original plan had the sewer line replacement occurring right down the middle of Greendale Avenue, which he said is a risk as utilities are in the middle of the road.

Mr. Borrelli asked “None of the 11 trees would have been impacted in the original plan? He also asked when Mill Creek learned of the change in the sewer line?”

Larz Unhjem said “yes, that is correct.” He said Mill Creek learned of the sewer line last spring, after receiving the Comprehensive Permit decision and when working on a building permit plan.

Mr. Borrelli commented on the cost to Parks & Forestry in its time and effort to preserve the trees. He asked if Mill Creek thought about what amount of money should be paid Needham?

Mr. Unhjem said Mill Creek has not had the discussion, but would be happy to have the discussion with the Tree Warden tonight or come back at another time.

Mr. Borrelli asked, and the Board agreed, to continue discussion until later in the evening.

Mr. Matthews asked if it were better for the Town Manager and Tree Warden to discuss the situation and make a recommendation at a later time? He said the Board of Selectmen could then vote on the trees tonight, noting the significant amount of money involved requiring deliberation for the benefit of both sides.

Ms. Fitzpatrick commented a Board of Selectmen meeting is posted for tomorrow night and suggested continuing the hearing on October 5, 2016 at 6:45 p.m. The Board concurred.

Motion by Mr. Handel that the Board of Selectmen vote to continue the Public Hearing for the Removal of Eleven (11) Public Shade Trees on Greendale Avenue until Wednesday, October 5, 2016 at 6:45 p.m.

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

7:50 p.m.

Eaton Square Outdoor Public Art Galerie:

Paul Good, Chair, Needham Community Revitalization Trust Fund appeared before the Board requesting permission from the Town for a new project titled “Eaton Square Outdoor Public Art Galerie.” Mr. Good presented the details of the project, including utilization of the wall of the building located at 1037 Great Plain Avenue (outside wall of the Rice Barn restaurant) for a rotation of art mediums for public display throughout the year.

Ms. Fitzpatrick said a policy would be in place to prioritize order, subject matter, and limitations for the display. She noted the project falls in line with the Board’s goal of having art in Needham Center.

Motion by Mr. Bulian that the Board vote to approve the concept and details of the new NCRTF project entitled “Eaton Square Outdoor Public Art Galerie” as presented.

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

8:05 p.m.

Eversource West Roxbury to Needham Reliability Project:

Jack Lopes, Community Relations, Eversource Energy, Dominic Nicotera, Project Manager, Eversource Energy, Mike Howard, Epsilon Associates (Eversource Consultant), and John McLaughlin, Eversource Transmission Group appeared before the Board to discuss the grant of easement and answer any questions the Board may have about the project.

Mr. Borrelli said a public hearing held last week raised many questions that need to be answered. He asked Mr. Lopes to give a brief overview as to why the Town needs the project, mitigation, similar projects, timing, alternative routes, and potential health effects.

John McLaughlin said Eversource Energy is required to abide by federal and local planning criteria, and to consider emergency operating scenarios. He said the Greater Boston Study indicated the current system does not meet planning criteria in the greater Boston area and is required to address reliability needs.

Mike Howard reviewed the handout titled West Roxbury to Needham Reliability Project, dated October 4, 2016. A map was viewed of overhead and underground transmission lines and it was stated a loss of the Needham to Baker Street double circuit tower would affect as many as 24,000 customers in the immediate area.

Mr. Handel asked what kind of event would cause a simultaneous loss of transmission?

Mr. McLaughlin said many circumstances could affect transmission citing a strong wind event, heavy ice event, aircraft, structural issue, sabotage, or train derailment. He discussed various project alternatives and cost.

Mr. Lopes said Eversource worked with the Town, including the Park & Recreation Department requesting an easement for the preferred option across the “gravel pit.” He commented the warrant article for consideration by Town Meeting on October 5, 2016 was crafted jointly by Eversource, the Town of Needham, and counsels for each party to develop the existing wording. He asked the Board of Selectmen consider moving forward with the request at Town Meeting. He emphasized the warrant article does not grant Eversource an easement across the “gravel pit,” but rather allows the Town to continue discussions with Eversource Energy to craft a proper easement only after the Town is fully satisfied that their wants and needs have been met regarding restoration, mitigation, traffic, noise, etc.

Mr. Matthews clarified either route requires the transmission line to go underground to a public way, and the only way to do that is with an easement across the “gravel pit.” He confirmed the Board of Selectmen is asking Town Meeting to grant the authority to grant the easement. He said it is logical and reasonable to ask Town Meeting to grant contingent authority, because if the project is approved various details including mitigation could be worked out. He commented if the project is not approved or a different route is chosen, the easement will never be granted. He asked about timing, noting many questions still to be answered. He suggested moving the item to May 2017 Annual Town Meeting. He clarified if it is necessary for the Town to move forward tomorrow it will, however, if it is not necessary for the Town to move forward tomorrow the Board of Selectmen could defer action.

Discussion ensued on timing, permitting, route, and granting of an easement.

Mr. Handel asked does Eversource need the easement granted?

Mr. Lopes said “within a few months time.”

Mr. Nicotera said the only way to advance the project is to have the easement in place.

Discussion ensued about timing and authority from Town Meeting for granting the easement.

Mr. Matthews focused on the project and whether the transmission lines should go overhead or underground. He said the public hearing created much consternation among residents and that time and transparency are important. He said Town Meeting members put a lot of trust in the leadership of the Town, and if approved the project will move forward. He said it seems the Board of Selectmen is questioning whether to do the underground portion of the project or by aerial. He

said the Board of Selectmen must resolve the issue, and suggested withdrawing the article from Town Meeting tomorrow night.

Mr. Borrelli said the question is whether it is right to move forward at Town Meeting tomorrow night. He said he is trying to understand the impact of a delay, while assuming the Board of Selectmen will have multiple public hearings on mitigation, safety, etc. He commented he believes it would be a disaster to have transmission lines overhead and that the route must go through the gravel pit. He said he is not convinced the issue must move forward at Town Meeting tomorrow and implored the presenters to convince the Board of Selectmen, otherwise the warrant article will be withdrawn.

Mr. Handel said it is not fair to the public, given the feelings heard at the public hearing last week.

Mr. Howard explained the Siting Board process.

Mr. Borrelli suggested an additional 30 days to allow residents to comment to the Siting Board before moving forward. He said public hearings will be held to discuss all of the issues and that he is confident there can be an agreement.

Counsel for Eversource Energy clarified the Siting Board process and intervention.

Discussion ensued on routing, health safety concerns, timing, and the Community Host Agreement.

Mr. Borrelli asked for Board comment on whether or not to move the issue forward to Town Meeting tomorrow.

Mr. Handel said he would be comfortable moving the issue forward as it will be made clear to Town Meeting that the authority does not predetermine an easement will be granted, but allows more time to gather additional information.

Mr. Matthews said the Board of Selectmen is committed to the project, but if the Town decides it does not want the overhead wires, the problems must be solved. He said if the Town is capable of doing that, there is no need to rush Town Meeting for a vote tomorrow. He summarized the Board of Selectmen does not give up authority by moving forward tomorrow, but that there will be members of Town Meeting that will say that they will be giving up their authority by voting yes. Mr. Matthews said he believes there is a benefit to withdrawing the article for tomorrow's Town Meeting, and addressing the issues in the coming months.

Mr. Bulian said tomorrow night will be rough, possibly ending in a loss. He agreed with Mr. Matthews stating he is reluctant to move forward.

Mr. Borrelli commented the sentiment of the Board indicates there is no reason to move forward with a vote. He suggested if there is a way to resolve the issues and possibly schedule an additional Town Meeting it won't "kill" the process.

Ms. Fitzpatrick suggested starting formulation of a Community Host Agreement. Mr. Borrelli and Mr. Matthews agreed.

Discussion ensued on the next steps, public hearings, and the procedural schedule of the Siting Board.

Ms. Cooley commented the warrant article will be better defined and more specific at the next Special Town Meeting. She commented the Board of Health must be aware of the above ground alternative.

9:25 p.m.

Solar Project Status Update:

Hank Haff, Senior Project Manager and David Davison, Assistant Town Manager/Director of Finance appeared before the Board with an update on the status of the solar array project.

A handout titled "Needham Solar Project Update" dated October 4, 2016 was reviewed.

Mr. Haff said the Solar Array System at the RTS was up and operational in early March. He commented on system details and annual system benefits. Photographs of the site were viewed. Mr. Haff discussed the components of the system, how the panels are interconnected, conversion AC to DC, and the distribution system to Central Avenue. He said a kiosk was constructed and dedicated to Sam "Solar Sam" Weihe on April 25, 2016. A First Responders Guide/Training & Emergency Access Protocols were briefly reviewed. Mr. Haff commented on the website and the educational packet shared with Needham High School, Pollard Middle School, and the elementary schools. He said the Massachusetts House of Representatives sent "Congratulations to the Town for Developing the Clean Energy Investment," and thanking the members of the Solar Energy Exploratory Committee.

Mr. Davison told the Board of the income stream to the Town to date. He said based upon the first three months, the system generated slightly over \$141,000 for the Town. He comment on future revenue projections based on changes in sunlight.

Ms. Fitzpatrick thanked Mr. Haff and Mr. Davison and his staff for their work and effort.

The Board thanked Mr. Haff and Mr. Davison.

9:40 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.

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA:

- 1. Accept a \$300 donation made to the Park and Recreation Commission for its Nashoba Valley Program from the Norfolk Lodge AF&AM.**
- 2. In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, amend the classification and compensation plan for management employees for fiscal year 2017 by 3%.**
- 3. Approve request from Park and Recreation Commission to host their annual “Spooky Walk” on Saturday, October 22, 2016 which commences on Town Common at 10:45 am, with a rain date of Saturday, October 29, 2016.**
- 4. Accept a \$100 donation made to the Park and Recreation Commission for its Arts in the Parks Summer Concert Series from John and Patricia Connolly in honor of Nanie and Dave Johnson.**
- 5. Approve a One Day Special Wines & Malt Beverages license for Ed Davis, of St. Sebastian’s School to host its Alumni Dinner event on October 27, 2016 from 6:00 p.m. to 10:00 p.m. The event will be held in Ward Hall, 1191 Greendale Avenue, Needham.**
- 6. Approve a One Day Special All Alcoholic Beverages license for Paula Jacobson & Julie Richmond of the YMCA to host its Giving Gala event on Saturday, October 15, 2016 from 6:00 p.m. to 11:00 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
- 7. Approve Open Session minutes from June 28, 2016, August 16, 2016, and September 20, 2016.**
- 8. Accept the following donation made to the Needham Community Revitalization Trust fund: \$1500 from the Beth Israel Deaconess Hospital for the 2016 Banner cycle.**
- 9. Accept a \$500 donation made to the Needham Health Department’s Substance Abuse Prevention & Education Program from the Friends of Denise Garlick.**
- 10. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Ratify – Elyse Slayton	24 Fairfax Road	24 Fairfax Road	9/25/16	N/A	4pm-6:30pm
Ratify - Liz Berkman	113 Melrose Ave	Melrose & Ellicott Park	10/1/16	10/2/16	3pm-6pm
Ratify – Sarah Hood	26 Glendon Road	Glendon Road	10/1/16	10/2/16	5pm-10pm
Michele McQuillen	9 Holland Terrace	Holland Street / Holland Terrace	10/23/16	10/22/16	2pm-8pm
Amy Rubin	160 Lexington Ave	Lexington Ave between Tower &	10/29/16	10/30/16	4pm-7pm

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

9:40 p.m.

Town Manager:

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

1. Acceptance of Access Easement, Declaration of Restrictive Covenants and Tree Retention Restriction

Ms. Fitzpatrick said the Planning Board has requested that the Board of Selectmen accept and execute an Access Easement, Declaration of Restrictive Covenant, and Tree Retention Restriction from 1242 South Street LLC to the Town of Needham. She commented the Access Easement allows for passage by foot or vehicle, consistent with the manner in which streets and ways are customarily used. The Declaration of Restrictive Covenants established the conditions placed on the lots under the subdivision approval, and the Tree Retention Restriction limits the property owners' ability to remove trees within a restricted area. She said Town Counsel has determined that Town Meeting approval of the access easement is also required, and this easement will be placed on a future Town Meeting warrant.

Motion by Mr. Handel that at the request of the Planning Board, that the Board accept and authorize the Chairman to sign the Access Easement by 1242 South Street LLC to the Town of Needham, the Declaration of Restrictive Covenant by 1242 South Street LLC to the Town of Needham, and a Tree Retention Restriction by 1242 South Street LLC to the Town of Needham. Second: Mr. Bulian. Unanimously approved 5-0.

2. Positions on STM Warrant Articles

Motion by Mr. Bulian that the Board vote to support Article 1 - Collective Bargaining - Fire in the October 5, 2016 Special Town Meeting Warrant. Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Matthews that the Board vote to withdraw Article 11 - Grant of Easement - Greendale Avenue in the October 5, 2016 Special Town Meeting Warrant.

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

Ms. Fitzpatrick commented the proponents of Article 13 - Citizen's Petition - Amend Zoning By-law voted to withdraw the Article. She said Town Meeting Moderator Mr. Fee is satisfied with the procedure.

3. Electronic Signboard Policy

Ms. Fitzpatrick recommended the adoption of a policy governing the use of electronic message boards. She said the policy would apply to fixed location

boards such as the one at the RTS, and not to mobile electronic boards, the use of which is governed under Policy BOS-DPW-007.

**Motion by Mr. Handel that the Board vote to approve and authorize the chairman to sign the Policy for the Use of Electronic Message Boards.
Second: Mr. Bulian. Unanimously approved 5-0.**

Mr. Borrelli said the electronic message board at the DPW was very helpful informing the public about events including emergency water restrictions, History Walk, and Special Town Meeting.

Ms. Fitzpatrick commented on the positive reaction from the community concerning the emergency water restrictions. She said water restrictions are no longer necessary, but could happen again.

9:48 p.m. Board Discussion:

1. Committee Reports

Motion by Mr. Bulian that the Board of Selectmen issue a letter drafted by the Town Manager, Chair and Vice Chair of the Hillside Override Committee to the Needham Times indicating its support for the Hillside School Override (Question 5) on the November 8, 2016 ballot.

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

9:50 p.m. Adjourn:

Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of October 4, 2016.

Second: Mr. Bulian. 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=>