

SELECT BOARD
6:00 p.m. October 13, 2020
Needham Town Hall
Revised Agenda

Under Governor Baker’s emergency “Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20”, issued March 12, 2020 and in effect until termination of the emergency, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

To listen and view this virtual meeting on a phone, computer, laptop, or tablet, download the “Zoom Cloud Meeting” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the meeting 83012497485 or click the link below to join the webinar: <https://us02web.zoom.us/j/83012497485>.

	5:45	Informal Meeting with Citizens <i>One or more members of the Select Board will be available between 5:45 and 6:00 p.m. for informal discussion with citizens. Because of planning constraints during the COVID emergency, residents wishing to speak during that time should call the Select Board Office at (781)-455-7500, extension 204, not later than 3PM on the business day before the meeting to request an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	6:00	Introduce Emergency Management Administrator <ul style="list-style-type: none"> • Dennis Condon, Fire Chief
2.	6:00	Public Hearings: Eversource Energy Grant of Locations – Country Way and Stockdale Road <ul style="list-style-type: none"> • Maureen Carroll, Eversource Energy Representative
3.	6:00	Public Hearing: Needham Cable Television Public Joint Ascertainment Hearing – RCN, VERIZON and COMCAST
4.	6:30	Public Hearing: Small Cell Wireless Facility Policy
5.	6:45	KENO Hearings <ul style="list-style-type: none"> • 7-Eleven 32044 • 7-Eleven 32485
6.	7:00	Director of Public Works <ul style="list-style-type: none"> • Traffic Markings
7.	7:15	Town Manager <ul style="list-style-type: none"> • COVID Update • Town Manager’s Report
8.	7:20	Board Discussion <ul style="list-style-type: none"> • Special Town Meeting Recap • Committee Reports

CONSENT AGENDA *=Backup attached

1.	Accept a \$2,500 donation made to the Needham Heath Division's SPAN program from Beth Israel Deaconess Hospital – Needham Campus.
2.*	Sign the State Election Warrant scheduled for November 3, 2020.
3.*	Approve open session meeting minutes of September 8, 2020, September 22, 2020, September 29, 2020, and October 4, 2020. Approve executive session minutes of July 23, 2020.
4.	Accept a donation of 100 Eclipse Injection Needles made to the Needham Health Department's Flu Clinic program from the Newton-Wellesley Hospital.



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

MEETING DATE: 10/13/2020

Agenda Item	Introduce Emergency Management Administrator
Presenter(s)	Dennis Condon, Fire Chief

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Chief Condon will introduce Michael Lethin, recently appointed Emergency Management Administrator.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Discussion Only.</i>	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below)	
a. Resume for Michael Lethin	

Michael Lethin

Education:

University of Massachusetts – Lowell

Masters of Science

Lowell, MA (2017-2019)

- Security Studies; Chemical, Biological, Radiological, and Nuclear concentration
- GPA: 3.77

Wheaton College

Norton, MA (2013-2017)

Bachelor of Arts, magna cum laude

- Major: Political Science
- GPA: 3.79

Boston College High School

Boston, MA (2009-2013)

Experience:

Massachusetts Air National Guard

Otis Air National Guard Base, MA (2013-Present)

Emergency Management (Staff Sergeant), 102d Intelligence Wing.

- Develop and evaluate emergency management exercises in accordance with HSEEP.
- Review exercise AARs to determine areas for improvement in planning, training, and mitigation strategies.
- Recommend short and long-term courses of action to Wing leadership to improve installation preparedness and mitigation efforts.
- Provide training and technical assistance to all members of the Disaster Response Force in subordinate units.
- Manage both the Commander's Self-Inspection Program and the Wing Emergency Management Program in accordance with best practices.
- Coordinate closely with all stakeholders to develop the Installation Emergency Management Plan.
- Represent Otis ANGB at Joint Emergency Management Working Groups and Local Emergency Planning Committees and develop working relationships with federal, state, and local agencies.
- Supervise the All Hazards Emergency Planning Team in conducting Hazard and Vulnerability Assessment to inform emergency planning and identify areas for mitigation strategies.
- Serve in the EOC as EOC manager and/or ESF 5; responsible for coordinating response and recovery activities, and managing Common Operating Pictures, including WebEOC.

Boston Public Health Commission

Boston, MA (Summer 2015)

Intern in the Office of Public Health Preparedness.

- Responsible for reviewing the City of Boston's contingency plans for mass prophylaxis in response to an aerosolized anthrax attack in accordance with the Cities Readiness Initiative.
- Developed a thoroughly-researched report for Associate Director Michael Colanti detailing shortfalls and possible improvements to plans to be used by City, State and Federal officials.

Professional Certifications:

- ICS 100, 200, 300, 400; NIMS 700, 800.
- Homeland Security Exercise and Evaluation Program.
- Hazardous Materials Technician.
- FEMA IS 5, 15, 75, 120, 130, 139, 201, 230, 235, 240, 241, 242, 244, 271, 288, 317, 546, 547, 701, 706, 775.
- Basic Sheltering Concepts.



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

MEETING DATE: 10/13/2020

Agenda Item	Public Hearing: Eversource Energy Grant of Location – Country Way
Presenter(s)	Maureen Carroll, Eversource Energy Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>Eversource Energy requests permission to install approximately 9 feet of conduit in Country Way. This work is necessary to provide underground electric service to 7 Country Way, Needham.</p> <p>The Department of Public Works has approved this petition, based on Eversource Energy’s commitment to adhere to the Town’s regulation that all conduit installed must be 3” schedule 40 minimum; and, that when buried, the conduit must be placed at 24” below grade to the top of the conduit.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p>Suggested Motion: Move that the Select Board approve and sign a petition from Eversource Energy to install approximately 9 feet of conduit in Country Way. This work is necessary to provide underground electric service to 7 Country Way, Needham.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>(Describe backup below)</p> <ul style="list-style-type: none">a. DPW Review Sheetb. Letter of Applicationc. Petitiond. Ordere. Petition Planf. Notice Sent to Abuttersg. List of Abutters	

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

P.O. Box 920364 NEEDHAM, Ma. 02492 Telephone: (781) 455-7550
www.needhamma.gov/dpw

TO: Nikki Witham, Selectmen Office
FROM: Judy Laffey, DPW Office
DATE:
RE:

For Selectmen Meeting of
Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: Oct. 1, 2020

REVIEWER: RWAJ.

SITE LOCATION: 7 COUNTRY WAY

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

- | | | |
|--|-------------------|------------------------|
| <input checked="" type="checkbox"/> A Sidewalk/Grass Strip Crossing Only | Peer Review | <u>TAR 10/2/20</u> |
| <input type="checkbox"/> B Work Within Paved Road Perpendicular Crossing | Peer Review | _____ |
| <input type="checkbox"/> C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway | Peer Review _____ | Div. Head Review _____ |
| <input type="checkbox"/> D Other | Peer Review _____ | Div. Head Review _____ |

- Petition Plan Consistent with Field Review
- Diameter of Conduit
- Depth of Conduit
- Utility Conflicts
- Crossing Perpendicular to Road
- Public Road
- Double Pole N/A

- Old Pole Removed. N/A
- Cables Transferred to New Pole N/A
- New Riser on Pole NO
- Visible Trench Patch across Road/Sidewalk NO
- Abutters List Complete
- Photos Included

Department Head _____

COMMENTS:

Petition looks good. No TRENCH, No RISER on
POLE AS YET.

Okay to proceed. TAR



200 Calvary Street
Waltham, Ma 02453

September 28, 2020

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Country Way
Needham, MA
W/O #2404922

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 9 feet of conduit in Country Way.

The reason for this work is to provide electric service to 7 Country Way.

If you have any further questions, contact Maureen Carroll at (781) 314-5053. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone, Supervisor
Rights and Permits

RMS/jc
Attachments

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

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis, dated September 25, 2020**, and filed herewith, under the following public way or ways of said Town:

Country Way - **Southerly from pole 344/1, at the intersection
of Central Avenue, a distance of 9 ± feet – conduit
W/O #2404922**

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

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

Dated this 28th day of September

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2020

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

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

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

**Country Way Southerly from pole 344/1, at the intersection of
Central Avenue, a distance of 9± feet – conduit**

W/O #2404922

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 September 25, 2020** 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 Select Board or such officer or officers as it may appoint to supervise the work.

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

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2020 at _____ in said Town.

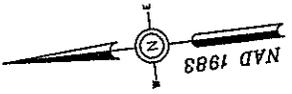
1	_____	
2	_____	
3	_____	Select Board
4	_____	the Town of
5	_____	NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **NEEDHAM**, Masssachusetts, duly adopted on the _____ day of _____, 2020 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

N:\SHARED-nimas-vr\2\CIMAGED\BASE\INS\ENGINEE-CENTRAAP.dwg



#1729
CENTRAL AVE

APPROX. R.O.W.

12" DRAIN
8" WATER
4" GAS

CBS BCB
12" DRAIN
4" GAS

GC

WC(X2)

WC

344/1

CENTRAL AVE

GRASS

12" DRAIN BCB

4" GAS BCB

8" WATER BCB

GRASS

ASPHALT S.W.

GRASS

SW

APPROX. PT.
OF PICKUP

#7
COUNTRY WAY

AREA WITHIN THIS PARCEL
IS CURRENTLY UNDER
CONSTRUCTION

LANDSCAPED AREA

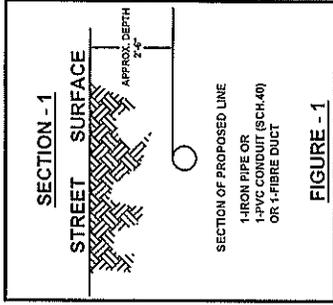
LANDSCAPED AREA

COUNTRY WAY

APPROX. R.O.W.

APPROX. R.O.W.

3" GAS EOP
8" WATER EOP



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS PLAN, YOU AGREE THAT THE NEARBY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN HEREBY TO THE INFORMATION, WHETHER INSTAR ELECTRIC COMPANY, INSTAR GAS COMPANY, OR ITS PARTNER, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "INSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE INSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY. YOU MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE AND WITHOUT LIABILITY TO THE PROVIDER. YOU AGREE TO HOLD THE PROVIDER HARMLESS FROM ANY SUCH LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW.



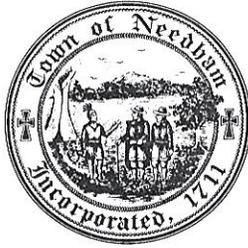
MASS. LAW

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

C# 200-20
Ward #
Work Order # 2404922
Surveyed by: GC/BP
Research by: JC
Plotted by: JF
Proposed Structures: LM
Approved: A DEBENEDICTIS
P#

INSTAR EVERSOURCE ELECTRIC GIB/EA 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125	
Plan of COUNTRY WAY, NEEDHAM	
Showing PROPOSED CONDUIT LOCATION	
Scale 1"=20'	Date SEPTEMBER 25, 2020
SHEET 1 of 1	





Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

The Select Board will hold this public hearing as part of its virtual meeting on Tuesday, October 13, 2020 at 6:00 p.m. No in-person meeting will take place at the Needham Town Hall, 1471 Highland Avenue, Needham, MA.

To listen, view and participate in this virtual meeting on your phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. Zoom meeting ID information will be posted on the Select Board's agenda at www.needhamma.gov on October 9, 2020, alternatively you may call 781-455-7500 ext. 204.

NOTICE

To the Record

You are hereby notified that a virtual public hearing will be held **at 6:00 p.m. on October 13, 2020** upon petition of Eversource Energy dated **September 28, 2020** to install approximately 9 feet of conduit in Country Way. This work is necessary for electric service to 7 Country Way, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Maureen Carroll, Eversource Energy Representative at (781) 314-5053.

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

SELECT BOARD

Dated: October 2, 2020

7 COUNTRY WAY

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
SIXTEEN COUNTRY WAY, LLC		16 COUNTRY WAY	NEEDHAM	MA	02492	1992130000800000	16 COUNTRY WAY
REGAN, JOHN J. & ELIZABETH O	C/O JENDAV LLC	11 ELLIS ST	NEEDHAM	MA	02494	1992130000900000	7 COUNTRY WAY
TRACKMAN, SUSAN T. TR.	1750 CENTRAL AVE REALTY TRUST	1750 CENTRAL AVE	NEEDHAM	MA	02492	199213000010000000	1750 CENTRAL AVE
BALYOSIAN, ANNA M		45 VILLAGE LN	NEEDHAM	MA	02492	199213000011000000	45 VILLAGE LN
MCGINITY, MATTHEW		11 VILLAGE LN	NEEDHAM	MA	02492	199213000012000000	11 VILLAGE LN
PERKINS, CARL M. &	PERKINS, ELANA K.	1719 CENTRAL AVE	NEEDHAM	MA	02492	199215000030000000	1719 CENTRAL AVE
JONASSON, CARL J. &	JONASSON, MARIE L.	1729 CENTRAL AVE	NEEDHAM	MA	02492	199215000031000000	1729 CENTRAL AVE
GOLD, EVAN B. &	GOLD, SHARON COHEN	253 CHARLES RIVER ST	NEEDHAM	MA	02492	199215000032000000	253 CHARLES RIVER ST

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.....



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

MEETING DATE: 10/13/2020

Agenda Item	Public Hearing: Eversource Energy Grant of Location – Stockdale Road
Presenter(s)	Maureen Carroll, Eversource Energy Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>Eversource Energy requests permission to install approximately 12 feet of conduit in Stockdale Road. This work is necessary to provide underground electric service to 31 Stockdale Road, Needham.</p> <p>The Department of Public Works has approved this petition, based on Eversource Energy’s commitment to adhere to the Town’s regulation that all conduit installed must be 3” schedule 40 minimum; and, that when buried, the conduit must be placed at 24” below grade to the top of the conduit.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p>Suggested Motion: Move that the Select Board approve and sign a petition from Eversource Energy to install approximately 12 feet of conduit in Stockdale Road. This work is necessary to provide underground electric service to 31 Stockdale Road, Needham.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>(Describe backup below)</p> <ul style="list-style-type: none">a. DPW Review Sheetb. Letter of Applicationc. Petitiond. Ordere. Petition Planf. Notice Sent to Abuttersg. List of Abutters	

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

P.O. Box 920364 NEEDHAM, Ma. 02492 Telephone: (781) 455-7550
www.needhamma.gov/dpw

TO: Nikki Witham, Selectmen Office
FROM: Judy Laffey, DPW Office
DATE:
RE:

For Selectmen Meeting of
Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: Oct. 1, 2020

REVIEWER: Rawan

SITE LOCATION: 31 STOCKDALE ROAD

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

- | | | |
|--|------------------|--------------------|
| <input checked="" type="checkbox"/> A Sidewalk/Grass Strip Crossing Only | Peer Review | <u>TAR 10/2/20</u> |
| <input type="checkbox"/> B Work Within Paved Road Perpendicular Crossing | Peer Review | _____ |
| <input type="checkbox"/> C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway | Peer Review | _____ |
| | Div. Head Review | _____ |
| <input type="checkbox"/> D Other | Peer Review | _____ |
| | Div. Head Review | _____ |

- Petition Plan Consistent with Field Review
- Diameter of Conduit
- Depth of Conduit
- Utility Conflicts
- Crossing Perpendicular to Road
- Public Road
- Double Pole N/A

- Old Pole Removed N/A
- Cables Transferred to New Pole N/A
- New Riser on Pole NO
- Visible Trench Patch across Road/Sidewalk NO
- Abutters List Complete
- Photos Included

Department Head _____

COMMENTS:

Petition looks good to me. NO TRENCH, NO RISER ON POLE AS YET.

Okay to proceed. TAR



200 Calvary Street
Waltham, Ma 02453

September 28, 2020

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Stockdale Road
Needham, MA
W/O #2402442

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 12 feet of conduit in Stockdale Road.

The reason for this work is to provide electric service to 31 Stockdale Road.

If you have any further questions, contact Maureen Carroll at (781) 314-5053. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone, Supervisor
Rights and Permits

RMS/jc
Attachments

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

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **T. Thibault, dated September 26, 2020**, and filed herewith, under the following public way or ways of said Town:

Stockdale Road - Westerly from pole 209/4, approximately 348 feet south of Great Plain Avenue, a distance of 12 ± feet - conduit

W/O #2402442

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

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

Dated this 28th day of September

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2020

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

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

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

Stockdale Road Westerly from pole 209/4, approximately 348 feet south of Great Plain Avenue, a distance of 12± feet - conduit

W/O #2402442

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 **September 25, 2020** 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 Select Board or such officer or officers as it may appoint to supervise the work.

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

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2020 at _____ in said Town.

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

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2020 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

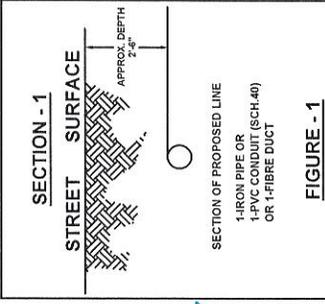
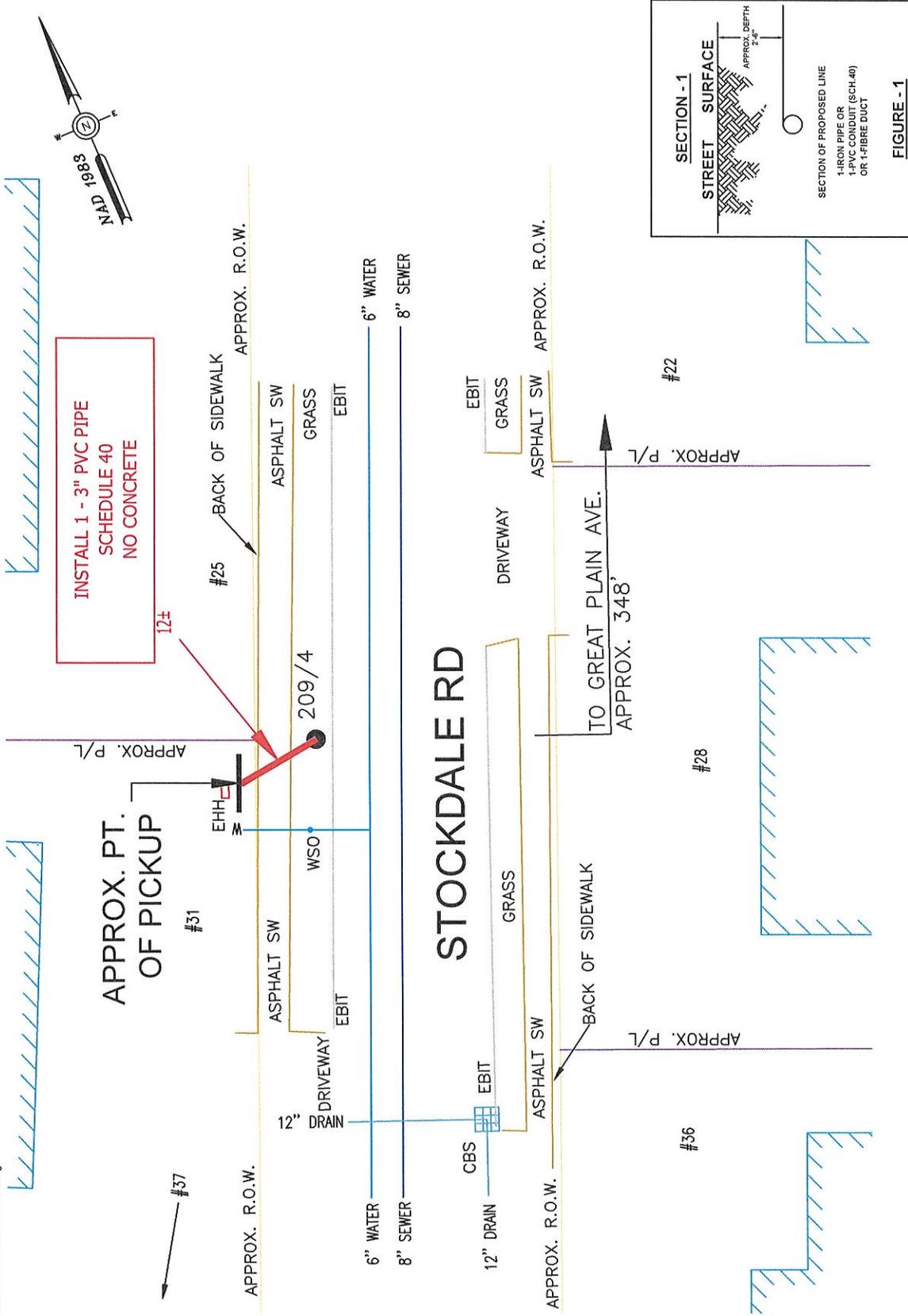


FIGURE - 1

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN BY THE PROVIDER OF THIS INFORMATION. THE PROVIDER OF THIS INFORMATION SHALL NOT BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY YOUR USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

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

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

C# 201-20
Ward #
Work Order # 240242
Surveyed by: GR/JC
Research by: JC
Plotted by: JF
Proposed Structures: TL
Approved: T. THIBAUT
P#

NSTAR EVERSOURCE
ELECTRIC
d/b/a
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Plan of #31 STOCKDALE RD., NEEDHAM
Showing PROPOSED CONDUIT LOCATION
Scale 1"=20'
Date SEPTEMBER 26, 2020
SHEET 1 of 1

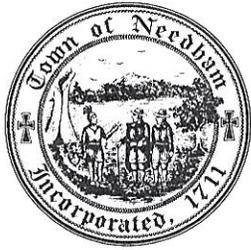


INSTALL 1 - 3" PVC PIPE
SCHEDULE 40
NO CONCRETE

APPROX. PT.
OF PICKUP
#31







Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

The Select Board will hold this public hearing as part of its virtual meeting on Tuesday, October 13, 2020 at 6:00 p.m. No in-person meeting will take place at the Needham Town Hall, 1471 Highland Avenue, Needham, MA.

To listen, view and participate in this virtual meeting on your phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. Zoom meeting ID information will be posted on the Select Board's agenda at www.needhamma.gov on October 9, 2020, alternatively you may call 781-455-7500 ext. 204.

NOTICE

To the Record

You are hereby notified that a virtual public hearing will be held **at 6:00 p.m. on October 13, 2020** upon petition of Eversource Energy dated **September 28, 2020** to install approximately 12 feet of conduit in Stockdale Road. This work is necessary for electric service to 31 Stockdale Road, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Maureen Carroll, Eversource Energy Representative at (781) 314-5053.

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

SELECT BOARD

Dated: October 2, 2020

31 STOCKDALE ROAD

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
JUDITH F. RUDY FAMILY TRUST		22 STOCKDALE RD	NEEDHAM	MA	02492	19911500004000000	22 STOCKDALE RD
GALLO, JENNIFER P.		28 STOCKDALE RD	NEEDHAM	MA	02492	19911500005000000	28 STOCKDALE RD
GUSTIN, KENNETH J. & CORNELISSE, RANDY & CORNELISSE, RANDY W. & MURPHWELL LLC	GUSTIN, EILEEN M. CORNELISSE, ALLISON CORNELISSE, ALLISON E.	36 STOCKDALE RD 42 STOCKDALE RD 37 STOCKDALE RD 25 EAST BELCHER RD	NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA	02492 02492 02492 02035	19911500006000000 19911500007000000 19911500026000000 19911500027000000	36 STOCKDALE RD 42 STOCKDALE RD 37 STOCKDALE RD 31 STOCKDALE RD
HERNANDEZ, RENE J. & RIDGWAY, KARYN M. & KIM, MI RA	SOLOMON, AMY L. HONG, KARIE.	25 STOCKDALE RD 26 PILGRIM RD	NEEDHAM NEEDHAM	MA MA	02492 02492	19911500028000000 19911500035000000	25 STOCKDALE RD 26 PILGRIM RD
FITTS, JOHN N. & ANN M. TRS	THE FITTS 2014 TRUST	32 PILGRIM RD 40 PILGRIM RD	NEEDHAM NEEDHAM	MA MA	02492 02492	19911500036000000 19911500037000000	32 PILGRIM RD 40 PILGRIM RD

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.....




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

MEETING DATE: 10/13/2020

Agenda Item	Public Hearing: Needham Cable Television Public Joint Ascertainment Hearing – RCN, VERIZON and COMCAST
Presenter(s)	Select Board

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>In calendar year 2022, cable licenses for the three cable providers to the Town will expire: RCN – 7/9/2022; VERIZON – 8/14/2022; and COMCAST – 12/17/2022. This public hearing is mandated by the renewal provisions of the Federal Cable Act. The Town is currently involved in the federally-required ascertainment process. The purpose of the hearing is to (i) identify future cable-related community needs and interests, and (ii) review the performance of the three cable providers under their current respective licenses. The ascertainment hearing agenda is as follows:</p> <ul style="list-style-type: none">(1) Introduction by Chairman;(2) Testimony by members of the public;(3) Statements by cable providers, if requested; and(4) Closing remarks by the Chair.	
2.	VOTE REQUIRED BY SELECT BOARD
No vote required.	
3.	BACK UP INFORMATION ATTACHED
<ul style="list-style-type: none">1) Suggested general introductory and closing remarks2) Copy of public hearing notice3) Renewal request letter from RCN4) Renewal request letter from VERIZON5) Renewal request letter from COMCAST	

SUGGESTED CABLE LICENSE RENEWAL ASCERTAINMENT HEARING SCRIPT via ZOOM

Good Evening, my name is Moe Handel and I am Chair of the Select Board, which is the statutory Issuing Authority for the Town of Needham. Before going further, let me introduce the other members of the Select Board.....

Notice of tonight's hearing has been duly published in the Needham Times on September 24th and October 1st 2020. I will provide a copy of that notice for the public record.

Tonight's hearing is mandated by the renewal provision of the Federal Cable Act.

In calendar year 2022, cable licenses for the three cable providers to the Town will expire. We have notified and received agreement from the three carriers to hold this joint Ascertainment Hearing.

The current (10) year cable television license held by RCN will expire on July 9, 2022.

The current (5) year cable television license held by VERIZON will expire on August 14, 2022.

The current (10) year cable television license held by COMCAST will expire on December 17, 2022.

The Town is currently involved in the federally-required ascertainment process. The purpose of tonight's hearing is to (1) identify future cable-related community needs and interests, and (ii) review the performance of RCN, VERIZON, and COMCAST respectively under each of their current cable television licenses.

Once the Town has gathered community input, it will inform each respective cable provider of the kinds of services and facilities that the Town expects will be provided during any possible renewal term. Thus, the testimony that you will give this evening is very important, and I encourage all of you to speak candidly and specifically about any cable-related matters. You must provide testimony in order for your views to count and be part of the official record. ***So, please raise your hand, using the Zoom raise-hand button, and testify.***

When you are recognized to speak, please give your name, address and identify to which cable provider your remarks are related. Because this is an ascertainment hearing for the Town, I ask that you not pose direct questions to the cable providers to answer. **All testimony and/or inquiries should be directed through me.**

Finally, I would like to clarify that while this is an ascertainment hearing on cable television matters, there are two (2) related subjects over which the Select Board has no authority to

regulate. The first is the rates that are charged by each cable provider for its services; the second is the commercial programming that these providers choose to show on their respective cable systems. I realize that these are two important issues for cable subscribers, regardless of what provider you use. While people are certainly free to comment on these matters this evening, it is important for everyone to realize that the Select Board cannot mandate the specific rates that each cable provider charges, nor can the Select Board mandate the commercial programming that each provider carries on the Needham cable system.

With those introductory comments, I would call on members of the public to testify. Please raise your hands to be heard.

MEMBERS OF THE PUBLIC TESTIFY FIRST.

Then if a representative of each of the cable providers is attending the Zoom call and would like to make a statement, please raise your hands to be heard.

REPRESENTATIVES OF THE CABLE PROVIDERS MAY SPEAK.

Is there someone from RCN on the call who wishes to speak?

Then,

Is there someone from VERIZON on the call who wishes to speak?

Then,

Is there someone from COMCAST on the call who wishes to speak?

PUBLIC HEARING CONCLUDING REMARKS

If there is no further testimony, that concludes tonight's public hearing. I will keep tonight's hearing open for fourteen (14) days in order to receive additional testimony. Interested parties are encouraged to submit written testimony on any renewal-related issue discussed tonight or, indeed, regarding any cable-related issue.

Written testimony or comments may be addressed to the Select Board's Office by October 27, 2020 (i.e. 14 days after the hearing). Those comments should be sent to Select Board Office, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492, or emailed to selectboard@needhamma.gov. Please be sure to include the name of the cable provider in your comments.

If you have questions about tonight's hearing or the cable television renewal process, please call the Select Board's Office at (781) 455-7500.

Thank you all for attending tonight's public ascertainment hearing.



**COMMUNITY
NEWSPAPER
COMPANY**

GateHouse Media New England

**Community Newspaper Co. – Legal
Advertising Proof**

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Salesperson: Deborah Dillon

Sandy Cincotta
Needham Bd Of Selectman
TOWN HALL
1471 HIGHLAND AVENUE
NEEDHAM, MA 02192

Title:	Needham Times	Class:	Legals
Start date:	9/24/2020	Stop date:	10/1/2020
Insertions:	2	#Lines:	30 ag
Price:	\$57.82		

CABLE TELEVISION RENEWAL

LEGAL NOTICE

**TOWN OF NEEDHAM CABLE TELEVISION RENEWAL
LICENSE PUBLIC HEARING**

The Town of Needham Select Board, as cable television Issuing Authority under MGL 166A, s. 1, will hold an online, virtual public ascertainment hearing on Tuesday, October 13, 2020 at 6 p.m., as part of the Town’s Verizon, Comcast and RCN cable television license renewal process. The hearing will be held via ZOOM: <https://us02web.zoom.us/j/83012497485>.

The RCN Renewal License shall expire on July 9, 2022, the Verizon Renewal License shall expire on August 14, 2022 and the Comcast Renewal License shall expire on December 17, 2022. Public comment is invited regarding the cable television-related needs and interests of the Town. Records regarding RCN, COMCAST and/or VERIZON and the renewal process are available for public inspection at the Office of the Town Manager. For additional information, contact selectboard@needhamma.gov.

NEEDHAM SELECT BOARD

AD#13913418
Needham Times 9/24, 10/1/20



956 Massachusetts Avenue | Needham, MA 02476 | rcn.com

cc: SB
Sandy
RECEIVED
TOWN OF NEEDHAM
SELECT BOARD

2019 SEP 16 P 2:07

September 12, 2019

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02492

To the Board:

The years do go by and here we are at RCN coming to you for a second renewal of our cable television license. I note that RCN's cable television license is due to expire on July 10, 2022. We are within the thirty-six month window opened by federal law to begin the cable television license renewal process.

The Cable Communications Policy Act of 1984 (the "Act") encourages issuing authorities and cable operators to reach agreement on a renewal license at any time through an informal process of discussion. The Act also provides for commencement of a formal renewal process. In order to comply with these provisions, RCN requests that the Town of Needham begin renewal proceedings in accordance with the requirements of Section 626 (a) through (g) of the Act (47 U.S.C. section 546).

While I take these necessary steps to assert RCN's rights under federal law I fully expect that an informal process of good faith negotiations will lead to a mutually agreeable renewal of the cable television license. I look forward to meeting with you and your representatives in the future to discuss going forward toward renewal. If you have any questions please do not hesitate to contact me at 617-797-7788 or by e-mail at tom.steel@rcn.net.

Thank you for your consideration in this matter.

Very truly yours,

Thomas K. Steel, Jr.
Vice President and Regulatory Counsel

111 Main Street, 6th Floor
White Plains, NY 10601
(914) 821-9702
pamela.goldstein@verizon.com

Pamela N. Goldstein
Associate General Counsel

By U.S. Postal Service Certified Mail

January 3, 2020

Town of Needham
Town Hall
1471 Highland Avenue
Needham, MA 02492
Attention: Board of Selectmen

*Re: Cable Television License Renewal Notice Requesting Commencement of Formal
Renewal Proceedings under Section 626 of the Communications Act*

Dear Honorable Selectmen:

Verizon New England Inc. ("Verizon") appreciates the opportunity to provide competitive cable service in the Town of Needham (the "Town"). Our records indicate that the cable television renewal license granted by the Town and held by Verizon expires on August 14, 2022. Section 626 of the Communications Act of 1934, as amended, delineates formal procedures to be followed to renew cable television licenses that must be invoked 30 – 36 months prior to license expiration or certain protections may be lost. As we are now in that time frame, by way of this letter Verizon gives notice that it seeks renewal of its cable television renewal license and respectfully requests that the Town commence renewal proceedings pursuant to Section 626(a).

While Verizon seeks to preserve its rights under the formal renewal process, the Communications Act also authorizes franchise renewal through good faith, informal negotiations. Section 626(h) contemplates an alternative renewal process that also affords public notice and opportunity for comment but does not require strict adherence to the substantive and procedural requirements outlined in the statute. I have enclosed a copy of Section 626 of the Communications Act for your review. The informal approach may be mutually beneficial. With the understanding that proceeding in this manner will not waive any of the rights of the parties under the formal process, Verizon is agreeable to discussing the terms of a renewal agreement with the Town on an informal basis at a mutually convenient time.

Verizon is proud to serve the residents of Needham. We will contact you shortly to schedule a meeting to determine how best to proceed. We look forward to meeting with you and working with you on the license renewal.

Yours sincerely,


Pamela N. Goldstein
Associate General Counsel

Enclosure: Communications Act Section 626 (47 U.S.C. § 546)

cc: Town Counsel

verizon



Comcast
676 Island Pond Road
Manchester, NH 03109
Phone: 603-695-1400
Facsimile: 603-628-3303
www.comcast.com
www.comcastcorporation.com

April 1, 2020

Via EMAIL selectmen@needhamma.gov

Town of Needham
Board of Selectmen
1471 Highland Avenue
Needham, MA 02492

Re: Commencement of Renewal Process

Dear Chair and Members of the Select Board:

Over the years, we at Comcast have appreciated the opportunity to serve the citizens of the Town of Needham (the "Town"). We have done our best to provide the high quality cable television service the Town and its residents demand, and we anticipate being able to provide that service to our subscribers in the Town for many years to come. Therefore, we are taking this step to ensure the renewal of our agreement with you.

The Cable Communications Policy Act of 1984 encourages issuing authorities and cable companies to reach agreement on a renewal agreement at any time through an informal process of discussion. However, Section 626 of the Act also provides for a contemporaneous alternative formal renewal procedure with specific substantive and procedural requirements. If either the issuing authority or the cable company does not initiate the formal process within a certain time frame, the protections of that process may be lost. To that end, Comcast hereby notifies the Town that the renewal period for our agreement under Section 626 is now open, and we request the start of renewal proceedings pursuant to the Section 626(a)(1).

This letter is not intended to preclude informal negotiations, but instead is intended only to preserve the rights of Comcast under the formal renewal process. Comcast has every reason to believe that the Town and Comcast will reach a mutually agreeable renewal of the cable television agreement through good-faith negotiations, thus making many of the Act's formal procedures unnecessary. The relevant provision of Section 626 on the informal process is brief and reads as follows:

"(h) . . . [A] cable operator may submit a proposal for the renewal of a franchise pursuant to this subsection at any time, and a franchising authority may, after affording the public adequate notice and opportunity for comment, grant or deny such proposal at any time (including after formal proceedings pursuant to this section have commenced) . . ."

Re: Commencement of Renewal Process

April 1, 2020

Page 2

The “formal” process generally includes the following steps:

1. Within six (6) months of the submission of this letter, the Town conducts an ascertainment proceeding which affords residents an opportunity to a) identify the future cable-related needs, and b) review Comcast’s performance under the current agreement.
2. At your request or on our own, Comcast submits a renewal proposal with a draft cable television agreement.
3. Within four (4) months of the Town’s receipt of Comcast’s proposal, the public is afforded “adequate notice and opportunity to comment on the renewal proposal” and the Town must choose to renew the agreement or issue a preliminary denial, which triggers a further formal process.

I am attaching a copy of Section 626 of the Cable Act for your review. Gregory Franks will be in contact with you soon to arrange a meeting with the Town to discuss informally negotiating a renewal agreement. Please feel free to contact Greg at 508-647-1418 at any time. Comcast looks forward to meeting with the Town in the near future and continuing the long relationship that, we believe, has benefited both the community and the residents of the Town of Needham.

Sincerely,



Timothy Murnane
Vice President, Government and Regulatory Affairs

TM/cam
Attachment



cc: Cable Advisory Committee
Town Manager
Gregory Franks – Comcast Government & Regulatory Affairs

The Communications Act of 1934, as amended

(47 USC Sec. 546-Renewal)

Section 626. Renewal

(a) Commencement of proceedings; public notice and participation -

- (1) A franchising authority may, on its own initiative during the 6-month period which begins with the 36th month before the franchise expiration, commence a proceeding which affords the public in the franchise area appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of the cable operator under the franchise during the then current franchise term. If the cable operator submits, during such 6-month period, a written renewal notice requesting the commencement of such a proceeding, the franchising authority shall commence such a proceeding not later than 6 months after the date such notice is submitted.
- (2) The cable operator may not invoke the renewal procedures set forth in subsections (b) through (g) of this section unless -
 - (A) such a proceeding is requested by the cable operator by timely submission of such notice; or
 - (B) such a proceeding is commenced by the franchising authority on its own initiative.

(b) Submission of renewal proposals; contents; time -

- (1) Upon completion of a proceeding under subsection (a) of this section, a cable operator seeking renewal of a franchise may, on its own initiative or at the request of a franchising authority, submit a proposal for renewal.
- (2) Subject to section 544 of this title, any such proposal shall contain such material as the franchising authority may require, including proposals for an upgrade of the cable system.
- (3) The franchising authority may establish a date by which such proposal shall be submitted.

(c) Notice of proposal; renewal; preliminary assessment of nonrenewal; administrative review; issues; notice and opportunity for hearing; transcript; written decision -

- (1) Upon submittal by a cable operator of a proposal to the franchising authority for the renewal of a franchise pursuant to subsection (b) of this section, the franchising authority shall provide prompt public notice of such proposal and, during the 4-month period which begins on the date of the submission of the cable operator's proposal pursuant to subsection (b) of this section, renew the franchise or, issue a preliminary assessment that the franchise should not be renewed and, at the request of the operator or on its own initiative, commence an administrative proceeding, after providing prompt public notice of such proceeding, in accordance with paragraph (2) to consider whether -
 - (A) the cable operator has substantially complied with the material terms of the existing franchise and with applicable law;
 - (B) the quality of the operator's service, including signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services or other services provided over the system, has been reasonable in light of community needs;
 - (C) the operator has the financial, legal, and technical ability to provide the services, facilities, and equipment as set forth in the operator's proposal; and
 - (D) the operator's proposal is reasonable to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.
- (2) In any proceeding under paragraph (1), the cable operator shall be afforded adequate notice and the cable operator and the franchise authority, or its designee, shall be afforded fair opportunity for full participation, including the right to introduce evidence (including evidence related to issues raised in the proceeding under subsection (a) of this section), to require the production of evidence, and to question witnesses. A transcript shall be made of any such proceeding.
- (3) At the completion of a proceeding under this subsection, the franchising authority shall issue a written decision granting or denying the proposal for renewal based upon the record of such proceeding, and transmit a copy of such decision to the cable operator. Such decision shall state the reasons therefor.

(d) Basis for denial -

Any denial of a proposal for renewal that has been submitted in compliance with subsection (b) of this section shall be based on one or more adverse findings made with respect to the factors described in subparagraphs (A) through (D) of subsection (c)(1) of this section, pursuant to the record of the proceeding under subsection (c) of this section. A franchising authority may not base a denial of renewal on a failure to substantially comply with the material terms of the franchise under subsection (c)(1)(A) of this section or on events considered under subsection (c)(1)(B) of this section in any case in which a violation of the franchise or the events considered under subsection (c)(1)(B) of this section occur after the effective date of this subchapter unless the franchising authority has provided the operator with notice and the opportunity to cure, or in any case in which it is documented that the franchising authority has waived its right to object, or the cable operator gives written notice of a failure or inability to cure and the franchising authority fails to object within a reasonable time after receipt of such notice.

(e) Judicial review; grounds for relief

- (1) Any cable operator whose proposal for renewal has been denied by a final decision of a franchising authority made pursuant to this section, or has been adversely affected by a failure of the franchising authority to act in accordance with the procedural requirements of this section, may appeal such final decision or failure pursuant to the provisions of section 555 of this title.
- (2) The court shall grant appropriate relief if the court finds that -
 - (A) any action of the franchising authority, other than harmless error, is not in compliance with the procedural requirements of this section; or
 - (B) in the event of a final decision of the franchising authority denying the renewal proposal, the operator has demonstrated that the adverse finding of the franchising authority with respect to each of the factors described in subparagraphs (A) through (D) of subsection (c)(1) of this section on which the denial is based is not supported by a preponderance of the evidence, based on the record of the proceeding conducted under subsection (c) of this section.

(f) Finality of administrative decision -

Any decision of a franchising authority on a proposal for renewal shall not be considered final unless all administrative review by the State has occurred or the opportunity therefor has lapsed.

(g) "Franchise expiration" defined -

For purposes of this section, the term "franchise expiration" means the date of the expiration of the term of the franchise, as provided under the franchise, as it was in effect on October 30, 1984.

(h) Alternative renewal procedures -

Notwithstanding the provisions of subsections (a) through (g) of this section, a cable operator may submit a proposal for the renewal of a franchise pursuant to this subsection at any time, and a franchising authority may, after affording the public adequate notice and opportunity for comment, grant or deny such proposal at any time (including after proceedings pursuant to this section have commenced). The provisions of subsections (a) through (g) of this section shall not apply to a decision to grant or deny a proposal under this subsection. The denial of a renewal pursuant to this subsection shall not affect action on a renewal proposal that is submitted in accordance with subsections (a) through (g) of this section.

(i) Effect of renewal procedures upon action to revoke franchise for cause - Notwithstanding the provisions of subsections (a) through (h) of this section, any lawful action to revoke a cable operator's franchise for cause shall not be negated by the subsequent initiation of renewal proceedings by the cable operator under this section.



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

MEETING DATE: 10/13/2020

Agenda Item	Public Hearing – Small Cell Wireless Facilities Policy
Presenter(s)	Select Board

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>At its meeting on 8/18/20 the Board discussed the draft policy for small cell attachments in the Town's public ways. The draft policy was uploaded to the Town's website and public notice of this public hearing was provided via Newsflash and advertisement in the Needham Times. This hearing is for the Board to hear public comments, discuss any written comments received and consider the adoption of this policy.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Suggested Motion:</i> That the Board vote to adopt the Small Cell Wireless Facilities Policy.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>a) Public Hearing notice b) Small Cell Wireless Facilities Policy Draft dated 8/13/2020</p>	



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Sandy Cincotta
Needham Town Manager Office
1471 Highland Ave
Needham, MA 02492

Title:	Needham Times	Class:	Legals
Start date:	9/10/2020	Stop date:	10/1/2020
Insertions:	2	#Lines:	36 ag
Price:	\$69.38		

SMALL CELL WIRELESS FACILITIES POLICY
LEGAL NOTICE
Select Board
Notice of Public Hearing
Small Cell Wireless Facilities Policy

AT its meeting on August 18, 2020, the Needham Select Board discussed a draft policy for small cell attachments in the Town’s public ways. The draft policy (Town of Needham Select Board Small Cell Wireless Facilities Policy) can be viewed on the Town’s website at: www.needhamma.gov/smallcellpolicy.

The Select Board will hold a public hearing on **Tuesday, October 13, 2020 at 6:30 p.m.** to discuss written comments received, take additional comments, and to consider adopting the Draft Policy. This Policy has been developed in furtherance of the FCC Order requiring Towns to adopt small cell wireless policies in order to regulate small cell wireless facilities.

Zoom information for meeting:
<https://us02web.zoom.us/j/83012497485>

The Board invites all residents and interested parties to attend and provide input regarding this subject. Written

comments may also be submitted to the Select Board, c/o
Needham Town Hall, 1471 Highland Avenue, Needham,
MA 02492 or by email to selectboard@needhamma.gov.

AD#13911550

Needham Times 9/10, 10/1/20

TOWN OF NEEDHAM
NEEDHAM SELECT BOARD

SMALL CELL WIRELESS FACILITIES POLICY

I. Statement of Purpose & Authority

A. *Purpose*

The purpose of the Town of Needham Small Cell Wireless Facilities Policy (“Policy”) is to establish a process and application criteria for permitting the placement of small cell wireless facilities within the Town’s public ways and/or on Town Property. The goal of this policy and the application process shall to be to ensure the safety, non-interference, and visual quality of the public right of way and the Town generally, while also providing the benefits of improved cell service consistent with applicable law and this Board’s statutory grant of location role and practices.

B. *Authority*

The Select Board holds a wide range of authorities and responsibilities relative to public ways, traffic rules, parking, permits, licenses, approvals, and enforcement of regulations on the use and maintenance of public ways under applicable laws, including but not limited to its well established authority over the public ways pursuant to the Massachusetts grant of location statutes, M.G.L. c. 166 §§ 21 and 22 and statutes on municipal regulation of the public way, e.g., M.G. L. c. 166 § 25 *et seq*; and pursuant to the long recognized police power responsibilities of Select Boards and towns over the municipal public ways and municipal property. Regarding further authority of the Department of Public Works and municipal officials over the public way also see Town of Needham Bylaws (‘Bylaw’) Section 2.2.5.1.4 *Street Occupancy Permits*; Bylaw Section 2.2.5.1.7 *Construction and Maintenance of Overhead Poles*; Bylaw Section 2.2.5.4 *Trench Safety* and Bylaw Section 8.2.2.4 on Police Regulations, titled ‘*Street Occupancy Permit/Excavation in a Public Way*’ (attached as Exhibit 1) and incorporated herein to the extent applicable. The Select Board is also the general authority for similarly scoped access rights to most Town properties.

Implementation of this Policy shall be pursuant and subject to the Federal Communications Commission (FCC) Small Cell Wireless Order, *In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order*, FCC WT Docket Nos. 17-79 and 17-84, released September 27, 2018 (“*FCC Small Cell Wireless Order*” or “*FCC Order*”) and 47 United States Code §§ 253 and 332, respectively the federal statutes on telecommunications in the public right-of-way and wireless siting; and any other

applicable laws and regulations. Further, the FCC Order specifically mandates that municipalities, after publication and due consideration, adopt objective standards, policies or regulations consistent with the FCC Order to have authority to regulate small wireless facilities. Consistent with the foregoing, to the extent required by applicable law, it shall be the policy of the Select Board and its Designee(s) to review and act on Small Wireless Facilities applications in a manner that does not effectively prohibit or materially inhibit Small Cell deployments and is non-discriminatory with respect to similarly situated applicants.

II. Definitions:

- A. “*Antenna*” means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.
- B. “*Applicable Codes*” means the building, fire, electrical, plumbing, and mechanical and other codes adopted by the Commonwealth of Massachusetts and applicable within the Town of Needham.
- C. “*Application*” means a written request or petition for a permit to collocate or otherwise locate small wireless facilities in the ROW consistent with and including the information called for in this Policy and applicable law and shall be in the form of an Application or petition for a grant of location pursuant to applicable Massachusetts grant of location law including M.G.L. c. 166 §§ 21-22 *et seq.* unless applicant demonstrates and the Town finds that a particular Application is not subject to said grant of location law.
- D. “*Board Designated Agent*” means a lawfully designated Town department, government body and/or employee or official as may be authorized by the Select Board to review applications prior to public hearing and/or establish Design and Public Safety Rules and Regulations subject to the Select Board reserving ultimate control and authority to approve or disapprove such Design and Public Safety Rules and Regulations. The Department of Public Works (DPW), Department of Public Health and the Town Manager are Board Designated Agents for review of Applications prior to grant of location public hearing or proceedings and for providing customary and lawful assistance to the Select Board as determined and directed by the Select Board.
- E. “*Collocate*” means to install, mount, maintain, modify, operate, or replace small wireless facilities on or adjacent to a pole or wireless support structure existing at the time of Application. “Collocation” has a corresponding meaning.
- F. “*Communications service provider*” means a cable operator, as defined in 47 U.S.C. § 522(5); a provider of information service, as defined in 47 U.S.C. § 153(24); a telecommunications carrier, as defined in 47 U.S.C § 153(51); a Wireless Provider or a provider substantially equivalent to any of the aforementioned categories of Communications services providers.

- G. *“Design Rules and Regulations”* means additional reasonable, lawful, non-discriminatory aesthetic, safety and/or right-of-way management standards for SWFs set by the Board Designated Agent or other appropriate Town authority, provided that such standards shall be published and considered at a public hearing with sufficient public notice.
- H. *“Double Poles”* means any set of presently co-located utility poles erected directly alongside one another and typically connected to one another for any purpose including, but not limited to, replacing an aging pole, shoring up a damaged pole, or adding more equipment than can be borne by a single pole.
- I. *“Micro Wireless Facility”* means a wireless facility that meets the following qualifications: (i) is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height; and (ii) any exterior antenna is no longer than 11 inches.
- J. *“Person”* means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization.
- K. *“Pole”* means a pole or similar structure that is or may be used in whole or in part for communications, electric transmission or distribution, lighting, signage, or a similar function.
- L. *“Public Shade Tree”* means trees as defined by M.G.L. c. 87 sec 1.
- M. *“Rights-of-Way”* or *“ROW”* means the area on, below, or above a public roadway, highway, street, sidewalk, alley, utility easement, or similar property, but not including a federal interstate highway, in the Town.
- N. *“Small wireless facility,” “SWF”* or *“Small cell wireless facility”* means a wireless facility that meets the Federal Communications Commission definition of Small Wireless Facility as set forth in Section 1.1312(e)(2) of the FCC’s Small Cell Wireless Order.
- O. *“Wireless facility”* means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, Antennas, coaxial or fiber-optic cable, regular and backup power supplies and rectifiers, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term does not include the structure or improvements on, under, or within which equipment is collocated.
- P. *“Wireless provider”* means a person who provides wireless services or builds or installs wireless communication transmission equipment, wireless facilities or wireless support structures.

- Q. “*Wireless services*” means any services, whether at a fixed location or mobile, provided to the public using wireless facilities.
- R. “*Wireless support structure*” means a freestanding structure, such as a monopole; a tower, either guyed or self-supporting; or, other existing or proposed structure designed to support or capable of supporting wireless facilities. Such term does not include a pole.

III. Permit Requirements & Prohibitions

A. *Applicability*

1. No person shall locate a small wireless facility in the ROW without first applying for and obtaining a permit for it, except if and as otherwise provided in this policy.
2. A permit shall not be required for: (i) routine maintenance of an existing small wireless facility; (ii) the replacement of a small wireless facility with another small wireless facility that is substantially similar or smaller in size, weight, and height; or (iii) the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are strung on cables between existing poles, in compliance with applicable codes.

B. *Small Wireless Facilities (SWF) Requirements*

SWFs in the ROW shall comply with the following requirements:

1. The SWF will not interfere with the safety and convenience of ordinary travel over the ROW or access as required by the Americans with Disabilities Act (“ADA”) before or after installation of the SWFs and/or other related equipment;
2. The SWF may not extend more than ten feet above the pole supporting them, or 60 feet total in height above the ground, whichever is lower in height;
3. The appearance of the SWF shall be similar to and reasonably blend with the appearance of (a) the existing equipment on the pole or on other nearby poles (b) the color of the pole, or (c) another color reasonably requested by the Board Designated Agent and/or by the Select Board;
4. The dimensions of the Antenna shall not exceed sixteen (16) inches in diameter or forty (40) inches in height;
5. No part of the SWF shall extend further than four (4) feet from the pole if installed twenty (20) feet or higher above the ground or further than two (2) feet if installed below 20 feet above the ground;

6. No part of the SWF shall extend below eight (8) feet above ground level;
7. If technically feasible and not unduly burdensome, the subject SWF shall not be installed within 180 feet of another pole-mounted SWF or within 50 feet of a residence or school buildings and playground structures and shall exercise diligent efforts to meet the foregoing standards;
8. No SWF shall be installed on double poles;
9. No SWF shall be installed on poles with existing SWF or other substantial wireless equipment already in place if poles are reasonably available without existing SWF or other substantial wireless equipment already in place, except that equipment may be replaced with or without permit in a manner consistent with this policy;
10. No SWF shall cause damage to public shade trees and the SWF provider shall exercise diligent efforts to locate facilities in a manner designed to reasonably minimize the need for significant tree trimming;
11. No SWF shall be placed upon poles which cannot safely structurally support additional equipment;
12. To protect lawful and reasonable aesthetic and location interests of the Town and its residents, an applicant shall in its application disclose whether it provides multiple hardware, design, color and aesthetic options and features that may reduce the size and/or improve upon visual characteristics of the small cell hardware.
13. Applicant shall state in its application if, when and how it is available to voluntarily meet with the Town Engineer, the Town Planner, the Director of Public Works and/or a designee of the Select Board to discuss public safety; right-of-way management practices; size, color, concealment and other design options, if any, and to discuss other Town information needs, if any.
14. Any additional non-discriminatory aesthetic, safety or other lawful requirements set forth in Design Rules and Regulations approved by the Select Board or Board Designated Agent if sufficient public notice to has been provided prior to adoption of additional requirements.

C. Waiver of Requirements

The Select Board or its Designated Agent may waive one or more of the requirements in this Policy upon good cause shown. Such waivers shall be granted in a non-discriminatory manner.

D. Installation & Access

All SWFs shall be installed in accordance with the applicable codes in force at the time of installation including but not limited to electrical, fire, building, mechanical and construction codes and/or such other codes as in effect and applicable in the Commonwealth of Massachusetts.

E. Access

Wireless providers and their employees, agents, and contractors shall have a right of access to Town-permitted poles, wireless support structures and small wireless facilities in the ROW in accordance with the reasonable and non-discriminatory policies of the Town and/or pole and conduit owners applicable to all utilities with facilities in the ROW or doing work in the ROW.

F. Repairs

A wireless provider shall repair, at its sole cost and expense, any damage to Town streets, sidewalks, curbs, gutters, trees, parkways, Town poles (if any) or other property, utility lines and systems, or sewer or water systems or lines resulting from the collocation of a small wireless facility in the ROW or the installation of a pole in the ROW. The wireless provider shall restore such areas, structures and systems to substantially the same condition in which they existed prior to the damage.

IV. Application:

A. Manner of Application

A wireless provider seeking a Town of Needham permit under this Policy, or its duly authorized representative, shall apply to the Office of the Select Board by filing an Application, paper or electronic, including the information as may be required under all parts of this Policy and applicable law, including but not limited to the information required in Policy Section IV.B, Application Contents. The Application should include a cover letter from the Applicant or its representative summarizing the subject matter and contents of the Application and Exhibits to the Application.

B. Application Contents

The Application shall be filed and processed in accordance with Massachusetts grant of location law, including M.G.L. c. 166 §§ 21 – 22 and such lawful Town grant of location regulations and/or policies as may be applicable. It shall be the responsibility of the Applicant to prepare and file a form of written Application and

cover letter containing the information as may be required under this Policy and applicable law. Copies of the Applications as filed shall be made available to the public at the Department of Public Works or such other Town offices as determined by the Select Board. Applications shall be supplemented by Applicant with Exhibits and continuation sheets if and as needed to contain at minimum the information required by all parts of this Policy and applicable law, including but not limited to the following:

1. The wireless provider's name, address, telephone number, and e-mail address;
2. The name address, telephone number, and e-mail address of the wireless provider's representative, if different than the wireless provider;
3. For use in the event of approval of the application, an emergency contact number available 24/7 for use by Town public safety officials in the event of an emergency warranting immediate notification of pole and/or conduit attachers;
4. A general description of the proposed work and an engineering diagram showing the small wireless facility as mounted on the pole or structure, including underground or on ground conduit, if any, or other equipment, with dimensions specifically including the elevation of the proposed equipment;
5. A site plan signed by a professional engineer, with sufficient detail to identify the location of the site and show the proposed location of the facilities the applicant seeks to install in the ROW, including any manholes or poles and the size, type, and depth of any conduit or enclosure, and showing street fixtures, lampposts, traffic lights and any other street installations within the area shown on the site plan;
6. Photographs of the proposed equipment as installed in other jurisdictions, if any. If not installed in other jurisdictions, please include photographs of the equipment as proposed for installation;
7. The pole number(s) if applicable;
8. The total number of small cell wireless facilities within the Town that Applicant estimates it will be applying to deploy within the public ways of the Town (above and beyond those applied for in any one application and grant of location petition);
9. The expected useful life of the equipment;
10. A statement signed by a professional radio frequency engineer as to how the proposed pole is the most feasible location for an SWF;

11. A radio frequency emissions report demonstrating or certifying that the compliance of the proposed SWF with the maximum permissible exposures adopted by the Federal Communications Commission (FCC), including FCC regulations, standards and guidance on RF emissions and facility operations applicable to uncontrolled general population exposure. Further, where there are multiple sources of emissions at or proximate to a location the report filed with the application shall reasonably certify and show compliance cumulative of all sources of RF emissions affecting a given area to the extent provided for by the FCC as set forth in OET Bulletin 65 and related FCC guidance or regulations, including the FCC LSGAC *Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance, Page 6* (June 2, 2000);
12. Certification by the applicant that direct abutters were sent notice of the application via certified mail, and further, that a public notice of the petition has been advertised at the applicant's expense;
13. Where applicable, the written consent of the pole or facility owner subject to SWF installation;
14. Proof of liability insurance for installation of SWFs with insurance coverage meeting requirements set forth in Part VII below; and/or
15. Insurance certificates for any SWF or related equipment located in the public Right-of-Way showing insurance coverage meeting requirements set forth in Part VII below. Said insurance certificate shall name the Town and its Departments as additional insureds.
16. If and to the extent any proposal to locate a small wireless facility in the ROW includes underground and/or on ground equipment or installation, the Application shall set forth information required hereunder with respect to above ground installations with respect to underground or on ground installations to the extent applicable. Any underground or on-ground work shall comply with local bylaws and policies with respect to street occupancy permits, trench safety and other laws if and to the extent applicable. Applicants are advised to consult with the Department of Public Works regarding street occupancy permit procedures and trench safety requirements that may be in addition to and separate from Grant of Location proceedings and other applicable requirements.

C. Application Fee

An application fee of Five Hundred Dollars (\$500) per application payable to the Town of Needham. The \$500 application fee shall cover up to five (5) locations, which each additional location per application subject to a One Hundred Dollar (\$100) per location fee.

V. Applications with New Poles:

A request by a wireless provider for a grant of location to install a new pole in the right-of-way in order to support small wireless facilities shall be processed and determined in a non-discriminatory manner pursuant to the provisions of applicable law, including but not limited to the Massachusetts grant of location statute, M.G.L. c. 166, §§ 21, 22 *et seq.*, the Town's grant of location bylaws and/or regulations if and as applicable. A request to install an SWF at a new location (not a collocation) shall be approved or denied within the F.C.C. ninety (90) day time limit for reviewing a filing of a complete application (including grant of location petition in Massachusetts) unless the FCC 90-day timetable is tolled in accordance with the FCC Small Wireless Order and applicable law. An application for a new pole shall include a non-recurring fee of One Thousand Dollars (\$1,000.00).

VI. Additional Requirements

1. An SWF Provider deploying facilities in the Town shall annually submit to the Office of the Town Manager a certificate of compliance with FCC limits and standards applicable to facility operations and RF emissions applicable to uncontrolled general population exposure, including but not limited to the standards under FCC OET Bulletin 65 and related guidance. Further, where there are multiple sources of emissions at or proximate to a location the applicant shall reasonably certify and show compliance cumulative of all sources of RF emissions affecting a given area to the extent provided for by the FCC as set forth in OET Bulletin 65 and related FCC guidance or regulations, including the FCC LSGAC *Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance, Page 6* (June 2, 2000).
2. SWF Providers shall ensure that replacement poles, if necessary, are installed at a minimum height necessary to accommodate the small cell antenna equipment.
3. SWF equipment shall not include lights unless required under applicable federal or state law.
4. Facilities shall not emit noise greater than 43dB at one meter (3.28 feet) if technically feasible, and in no case shall emit noise greater than 58 dB at one meter on streets in areas zoned commercial and/or industrial and not greater than 52 dB at one meter in areas zoned residential.
5. In the event of Town installation of Town-owned poles, attachments to Town Poles shall only be permitted where the wireless provider applicant has executed a license agreement with the Town.
6. Small Wireless Providers shall comply with generally applicable Town bylaws and policies and applicable law including but not limited to Town lawful

requirements and policies for police detail deployments in and around Small Wireless ROW work and installation sites.

7. *Non-Exclusivity* - To maximize collocation and prevent cluttering of street that may result from installation of new poles, it is the policy of the Town that wireless facility providers not enter into exclusive arrangements with any person for the right to collocate on poles or in conduits and other facilities in Town public ways or on Town property.

VII. Insurance

A wireless provider that has been granted a permit to place a small wireless facility on a pole in the ROW shall maintain in effect, during the time that its small wireless facility is located in the ROW, commercial general liability insurance and commercial automobile liability insurance covering the Town against claims, injury or damage to persons or property caused by the proposed work, in amounts of \$1,000,000 per occurrence and \$2,000,000 annual aggregate, and \$2,000,000 for each personal injury liability and shall maintain an umbrella liability coverage of at least \$5,000,000.00 per occurrence with a \$5,000,000.00 Annual Aggregate naming the Town as an additional insured. On request of the Town, such wireless provider shall provide certificates of insurance or other evidence of the above coverage. Such a provider may self-insure any required coverage as long as it or its parent maintains a net worth of at least \$200 million.

VIII. Review of Small Wireless Facility Applications

A. *Board Designated Agent Review*

1. The application shall be date-stamped upon receipt by the Select Board Office. Within ten (10) days of receiving an application, the Select Board or a Board Designated Agent will determine and notify the applicant by e-mail if an application is incomplete, and the Select Board or a Board Designated Agent will identify the missing information. The processing deadline in this section shall be tolled from the date of the e-mail notice of incompleteness to the date the applicant provides the missing information. That processing deadline also may be tolled by agreement of the applicant and the Board Designated Agent or by agreement of the applicant and the Select Board if and as applicable.
2. The Select Board or Board Designated Agent, as determined by the Select Board, will coordinate scheduling of a public hearing on petitions for a grant of location and applications for approvals hereunder. At the public hearing testimony and evidence will be accepted regarding the Applicant's showing ability and intent to comply with this Policy and applicable law, including consideration of whether the proposed collocation or other location fails to comply with applicable codes, this Policy including but not limited to the requirements of Section III.B of this Chapter. The Select Board or Board Designated Agent will issue a permit upon approval of an application.

3. All applications shall be processed on a non-discriminatory basis. Once the Select Board or a Board Designated Agent has determined that an Application is complete in accordance with Section VIII. A. 1 above, the Select Board or its Board Designated Agent will schedule and convene a public hearing of the Select Board to consider the Application, such that a determination may be made on any Application for any Installation(s) on an existing structure within sixty (60) days of initial receipt of the Application by the Town, and on a new structure within ninety (90) days of receipt of the Application by the Town consistent with FCC Small Wireless Facility rules and subject to applicant providing such additional information as may be lawfully required.
4. The Select Board or a Board Designated Agent shall document the basis for a denial, including the specific code provisions or requirements of Section III.B or noncompliance with other sections of this Policy and applicable law on which the denial is based, and send the documentation to the applicant on or before the day the Select Board or a Board Designated Agent denies the application. The applicant may cure the deficiencies identified by the Select Board or Board Designated Agent and resubmit the application within 60 days of the denial without paying an additional application fee. The Select Board or Board Designated Agent shall approve or deny the revised, complete application within 35 days. Any subsequent review shall be limited to the deficiencies cited in the denial.

B. Appeal

Within 30 days of any denial by the Select Board or a Board Designated Agent of an initial application or a resubmitted application, the applicant may appeal a decision of a Board Designate Agent to the Select Board or move for reconsideration of a Select Board decision as applicable, and the Select Board will make a decision within 30 days of the appeal or motion to reconsider. The Board shall base its decision exclusively on whether the Select Board or Board Designated Agent's determination that the proposed collocation or location decision fails to comply with applicable law and this Policy, or was otherwise not reasonably supported by evidence, or was arbitrary and capricious. If the initial denial was by the Select Board, the applicant may within 30 days of a denial appeal to the Select Board for reconsideration and the Select Board shall complete its review on reconsideration within thirty (30) days of a filing of a written petition for reconsideration accompanied by a statement of the legal basis for applicant's arguments in favor of reversal of the initial decision.

An applicant may in its discretion file a consolidated application to collocate small wireless facilities at multiple locations. The denial of one or more facilities in a consolidated application shall not delay processing of any other facilities in the same application, and the Town will issue a single permit for all approved locations. If any facility in a consolidated application is denied, each such facility may be the subject of an appeal or motion for reconsideration of a resubmitted application as provided

above. In all such proceedings the Select Board shall afford the applicant a fair and reasonable opportunity to be heard.

C. Permit Duration

A permit issued under this Chapter shall be presumed to be of unlimited duration, unless the Select Board and applicant otherwise stipulate; provided, however, that such permit shall expire if construction of the proposed facility is not commenced within twelve (12) months of the permit issuance date or is commenced and then suspended for more than six (6) month unless the delay is caused by the lack of commercial power or communications facilities at the site, in which case these periods are automatically extended until six months after such facilities become available at the site. The Select Board or Board Designated Agent and the applicant may also agree to extend the period within which construction must commence or may be suspended.

IX. Abandonment and Removal of SWFs:

A. Removal

Within ninety (90) days following written notice from the Town, a wireless provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small wireless facilities collocated or otherwise located on a pole or structure in a public ROW whenever the Town has reasonably determined that such action is necessary for the construction, repair, maintenance, or installation of any Town improvement in the ROW or the operations of the Town in the ROW.

B. Abandonment

The Town may require a wireless provider to remove a small wireless facility permitted hereunder within 180 days after the date that the facility ceases to be used unless the wireless provider gives the Town reasonable evidence that it is diligently working to place the facility or pole back in service. Should the wireless provider fail to timely remove the small wireless facility or pole, the Town may remove such facility and recover the actual, reasonable cost of such removal from the wireless provider.

Upon written request of the Select Board or its designated agent the SWF provider shall within 45 days of such request provide the Select Board a written inventory, including location information, of all small wireless facilities deployed in the town and all small wireless facilities not being used for six months or longer or known to be abandoned and not in use.

X. Indemnification

As a condition of its permit, a wireless provider granted a permit under this Policy shall defend, indemnify, and hold harmless the Town, its Select Board, other boards, commissions, officials, officers, agents, contractors, volunteers, and employees from and against any and all loss, damages, liability, claims, suits, costs and expenses, including court costs and reasonable attorney's fees resulting from the negligence of the wireless provider, its officers, agents, or employees in connection with the permitted work. This indemnity provision shall apply regardless of the merit or outcome of such claim or suit.

XI. Severability

If any provision or section of this Policy, or the application thereof to any person or circumstances, shall to any extent be invalid or unenforceable, the remainder of this Policy or the application of such term to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term of this Lease shall be valid and be enforced to the fullest extent permitted by law.

DRAFT

Exhibit 1 – Related Town of Needham Bylaws

If and to the extent applicable, Applicants for approval of Small Wireless Facilities placements in the Town of Needham’s public ways may be subject to other applicable laws, including but not limited to the Town of Needham bylaws on Street Occupancy Permits; Installations on Chestnut Street and Trench Safety in effect as of the date hereof including those set forth in this **Exhibit 1** (below) for the Applicant’s convenience and reference. Applicants are advised to check with Public Works and review the Town’s bylaws for current information on street occupancy, underground installations, trenching, street cuts and regarding grant of location policies and related information.

Section 2.2.5.1.4 of the Town of Needham Bylaw on Street Occupancy Permits

Section 2.2.5.1.4 - Street Occupancy Permit Except as herein provided, a Street Occupancy Permit, issued by the Director of Public Works, in such form and content as said Director may require, must be obtained before undertaking any work, including, without limitation, construction, repair, maintenance or reconstruction work, in, within or affecting a public way. The person responsible for such work or in charge of those performing such work shall review such work with the Director of Public Works and the Police Chief, or their designees, to determine whether or not such work will result in the disruption of the normal flow of traffic or cause a safety hazard to pedestrian or vehicular traffic, the person responsible for such work, or in charge of those performing such work, shall follow the safety precautions ordered by the Director of Public Works and the Police Chief, or their designees, including but not limited to, the hiring of a Needham Police Officer, under the existing regulations governing privately paid police details, to direct traffic and minimize the vehicle safety hazards connected with such work.

No work shall be commenced in, within or affecting a public way until those persons responsible for such work comply with the requirements of Sub-section 2.2.5.1.4. The Town of Needham is exempt from these requirements of this sub-section. Whoever violates the provisions of Sub-section 2.2.5.1.4 shall be subject to a fine not exceeding one hundred dollars (\$100) each day being a separate offense.

The Chief of Police or Director of Public Works, or their respective designees, are hereby authorized to stop any work on any way conducted in violation of this sub-section.

Section 2.2.5.1.7 of the Town of Needham Bylaw on Poles along Chestnut Street

Section 2.2.5.1.7 - Construction and Maintenance of Overhead Poles

Any person, firm, corporation or partnership, or their agents and employees, granted any license, permission or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways, is forbidden from installing or constructing, and shall remove immediately, any poles, overhead wires and associated overhead structures which are located on, along or across Chestnut street between its intersection with School Street and the railroad bridge at Needham Junction.

Section 2.2.5.4 of the Town of Needham Bylaw on Trench Safety

Section 2.2.5.4 - Trench Safety

2.2.5.4.1 The Town Manager is authorized to designate a local permitting authority for issuing trench permits and/or licenses under the regulations promulgated by the Commonwealth of Massachusetts Department of Public Safety and Division of Occupational Safety in accordance with Chapter 82A of the General Laws relative to excavation and trench safety.

2.2.5.4.2 A trench is defined as a subsurface excavation greater than three feet in depth and is fifteen feet or less between the soil walls as measured from the bottom.

2.2.5.4.3 The Select Board may, from time to time enact fees to cover the costs of processing said permits and for enforcement thereof.

2.2.5.4.4 The Select Board may, from time to time, and after a public hearing, enact local rules and regulations consistent with Chapter 82A relative to the trench permitting process, the standard and special conditions for issued permits, and the enforcement of issued permits.

2.2.5.4.5 The Town may perform temporary repairs to private property if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations issue by the Select Board in accordance with Section 2.2.5.4.4. Said repairs shall be considered necessary to abate an immediate hazard.

Section 8.2.2.4 V. - Police Regulations

Section 8.2.2.4 V. - Street Occupancy Permit/Excavation in a Public Way

Enforcement Agent: Director of Public Works

Fine Schedule: \$300 per offense

Doc.Needham Small Cell Policy 8.13.20



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

MEETING DATE: 10/13/2020

Agenda Item	KENO Hearing 7-Eleven 36044 – 173 Chestnut Street
Presenter(s)	7-Eleven Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>According to the Massachusetts State Lottery Commission (MSLC), 7-Eleven 36044 located at 173 Chestnut Street has applied for a KENO license. Pursuant to M.G.L. c.10, §27A, the Select Board has an opportunity to object to a KENO license application. Any objection must be “in writing as a result of an official action” of the Board.</p> <p>In the past, the Select Board has objected to the issuance of KENO licenses based on several criteria:</p> <ul style="list-style-type: none">• The location of a KENO license encourages an environment in which individuals will be congregating in convenience stores for gambling. This is particularly important during the COVID pandemic.• There is a likelihood that any increase in parking demand will flow into adjacent residential areas.• Many convenience stores are located on or near school walking routes, and many students use the stores for various purchases. <p>The notice from the MSLC states that the Select Board should provide the applicant with an opportunity to appear to discuss the application. Accordingly, the applicant should be allowed to speak on their behalf. Otherwise, however, this agenda item does not require additional public notice or public comment.</p> <p>The MSLC has granted the Town an extension of time in order to accommodate the Board’s meeting schedule. Any objection must be submitted by October 20, 2020.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Suggested Motion:</i> That the Board vote to object to the issuance of a KENO license for the 7-Eleven 36044 located at 173 Chestnut Street, and to authorize the Town Manager to submit a letter stating the Board’s objection to the MSLC.</p>	
3.	BACK UP INFORMATION ATTACHED
<ul style="list-style-type: none">a. Notice from the MSLC dated September 15, 2020b. Notice of extension from the MSLC dated October 5, 2020c. Notice from the Town to the Manager	



Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG
Treasurer and Receiver General

RECEIVED
TOWN OF NEEDHAM
MICHAEL R. SWIENEY
SELECT BOARD
Executive Director

2020 SEP 17 P 2:37

September 15, 2020

Needham Board of Selectmen
1471 Highland Avenue
Needham, MA 02492

Dear Sir/Madam:

In accordance with Massachusetts General Laws, chapter 10, section 27A, (as amended on 5/20/96), you are hereby notified that an application for a KENO license has been received by the Massachusetts State Lottery Commission, (MSLC) from:

7-ELEVEN 36044
173 CHESTNUT ST
NEEDHAM, MA

If the city/town objects to the issuance of the KENO license, it must claim its right to a Hearing before the MSLC within twenty-one (21) days of receipt of this notice.

In accordance with section 27A(b), the objection of the city/town must be "as a result of an official action" taken by said city or town regarding the KENO applicant. In order to be fair and apply the same criteria to all cities, towns, and applicants, the MSLC defines an "official action" to be one in which the applicant appeared, or was given the opportunity to appear, before the licensing authority to discuss the issue at the local level in an open hearing or meeting prior to the Hearing at the MSLC.

Please address your written objection to, Gregory Polin, General Counsel, Legal Department, Massachusetts State Lottery Commission, 150 Mt. Vernon St., Dorchester, MA 02125

Very truly yours,

MSLC Licensing Department

100585 - 7-ELEVEN 36044
USPS Certified Article Number: - 7019 2280 0000 7195 4191 ✓



Supporting the 351 Cities and Towns of Massachusetts



Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG
Treasurer and Receiver General

MICHAEL R. SWEENEY
Executive Director

October 5, 2020

Via Email to cheep@miyares-harrington.com

Needham Select Board
c/o Christopher H. Heep, Esq.
Miyares and Harrington LLP
40 Grove Street, Suite 190
Wellesley, MA 02482

Re: Applications for KENO License (7-ELEVEN 32485 & 7-ELEVEN 36044)

Dear Attorney Heep:

This correspondence pertains to the recent notificatino letters the Massachusetts State Lottery Commission (“MSLC” or “Lottery”) sent to the Needham Select Board, pursuant to G.L. c. 10, § 27A(b), regarding the KENO license applications of the above referenced Lottery Sales Agents. These letters state that “[i]f the city/town objects to the issuance of the KENO license, it must claim its right to a Hearing before the MSLC within twenty-one (21) days of receipt of [the] notice.”

In your email sent to me on October 2, 2020, you wrote, in pertinent part:

The [Needham] Select Board wishes to consider [the] applications [of 7-ELEVEN 32485 and 7-ELEVEN 36044] and give the applicants the opportunity to appear as indicated in the notice. The Select Board is not scheduled to meet until October 13, however, which is beyond the 21-day window referenced in the notices. Accordingly, I respectfully request that the MSLC allow a brief extension of time in order to allow the Select Board to review these applications at its October 13 meeting, and to submit its written responses to the MSLC following any official action taken at the meeting.

Please be advised that the Lottery will withhold the issuance the above referenced KENO licenses and provide the Needham Select Board additional time to review the applications. If the Needham Select Board will object to either of the above referenced KENO applications, the Lottery expects to receive such objection by October 20, 2020.



Supporting the 351 Cities and Towns of Massachusetts

150 Mount Vernon Street, Suite 300 • Dorchester • Massachusetts • 02125-3573 • Tel: 781-849-5555 • www.masslottery.com

Feel free to contact me if you have any questions or if additional time is needed for review.

Respectfully,

/s/ Gregory M. Polin
Gregory M. Polin
Assistant Executive Director and General Counsel

cc: Licensing, Massachusetts State Lottery Commission



TOWN OF NEEDHAM

TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669

Office of the
SELECT BOARD

TEL: (781) 455-7500
FAX: (781) 449-4569
TDD: (781) 455-7558

VIA: CERTIFIED & REGISTERED U.S. MAIL

October 6, 2020

Mohammad Khan
7-Eleven Store #36044
173 Chestnut Street
Needham, MA 02492

Dear Mr. Khan:

The Needham Select Board will hold a hearing regarding your application for a KENO license from the Massachusetts State Lottery. This hearing will be held on Tuesday, October 13, 2020 as part of the Board's regularly scheduled meeting. The discussion for this KENO application is scheduled on the agenda for 6:45 p.m.; however, it could be brought up earlier or later, depending on the previously scheduled items for this meeting. I recommend that you sign onto the call at 6:30 p.m.

The meeting will be held via ZOOM and the information follows. If you have any questions, please contact me at (781) 455-7500 extension 204.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83012497485>

Directions:

Step 1 Go to www.zoom.us

Step 2 click on Join a Meeting button at the top

Step 3 enter the Meeting ID# to join at the time of the meeting: **83012497485**

Click on "Join with Video"

Choose "Call using internet Audio"

When your agenda item starts, I will move you from being an attendee over to being a participant, so that you can see and converse with the Select Board.

Very truly yours,

Sandra J. Cincotta
Support Services Manager



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

MEETING DATE: 10/13/2020

Agenda Item	KENO Hearing 7-Eleven 32485 – 845 Highland Avenue
Presenter(s)	7-Eleven Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
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According to the Massachusetts State Lottery Commission (MSLC), 7-Eleven 32485 located at 845 Highland Avenue has applied for a KENO license. Pursuant to M.G.L. c.10, §27A, the Select Board has an opportunity to object to a KENO license application. Any objection must be “in writing as a result of an official action” of the Board.

In the past, the Select Board has objected to the issuance of KENO licenses based on several criteria:

- The location of a KENO license encourages an environment in which individuals will be congregating in convenience stores for gambling. This is particularly important during the COVID pandemic.
- There is a likelihood that any increase in parking demand will flow into adjacent residential areas.
- Many convenience stores are located on or near school walking routes, and many students use the stores for various purchases.

The notice from the MSLC states that the Select Board should provide the applicant with an opportunity to appear to discuss the application. Accordingly, the applicant should be allowed to speak on their behalf. Otherwise, however, this agenda item does not require additional public notice or public comment.

The MSLC has granted the Town an extension of time in order to accommodate the Board’s meeting schedule. Any objection must be submitted by October 20, 2020.

2.	VOTE REQUIRED BY SELECT BOARD
-----------	--------------------------------------

Suggested Motion: That the Board vote to object to the issuance of a KENO license for the 7-Eleven 32485 located at 845 Highland Avenue, and to authorize the Town Manager to submit a letter stating the Board’s objection to the MSLC.

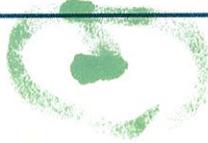
3.	BACK UP INFORMATION ATTACHED
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- a. Notice from the MSLC dated September 15, 2020
- b. Notice of extension from the MSLC dated October 5, 2020
- c. Notice from the Town to the Manager



Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG
Treasurer and Receiver General



RECEIVED
TOWN OF NEEDHAM
SELECT BOARD
MICHAEL R. SWENEY
Executive Director

2020 SEP 17 P 2:37

September 15, 2020

Needham Board of Selectmen
1471 Highland Avenue
Needham, MA 02492

Dear Sir/Madam:

In accordance with Massachusetts General Laws, chapter 10, section 27A, (as amended on 5/20/96), you are hereby notified that an application for a KENO license has been received by the Massachusetts State Lottery Commission, (MSLC) from:

7-ELEVEN 32485
845 HIGHLAND AVE
NEEDHAM, MA

If the city/town objects to the issuance of the KENO license, it must claim its right to a Hearing before the MSLC within twenty-one (21) days of receipt of this notice.

In accordance with section 27A(b), the objection of the city/town must be "as a result of an official action" taken by said city or town regarding the KENO applicant. In order to be fair and apply the same criteria to all cities, towns, and applicants, the MSLC defines an "official action" to be one in which the applicant appeared, or was given the opportunity to appear, before the licensing authority to discuss the issue at the local level in an open hearing or meeting prior to the Hearing at the MSLC.

Please address your written objection to, Gregory Polin, General Counsel, Legal Department, Massachusetts State Lottery Commission, 150 Mt. Vernon St., Dorchester, MA 02125

Very truly yours,

MSLC Licensing Department

754887 - 7-ELEVEN 32485
USPS Certified Article Number: - 7019 2280 0000 7195 4191 ✓





Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG
Treasurer and Receiver General

MICHAEL R. SWEENEY
Executive Director

October 5, 2020

Via Email to cheep@miyares-harrington.com

Needham Select Board
c/o Christopher H. Heep, Esq.
Miyares and Harrington LLP
40 Grove Street, Suite 190
Wellesley, MA 02482

Re: Applications for KENO License (7-ELEVEN 32485 & 7-ELEVEN 36044)

Dear Attorney Heep:

This correspondence pertains to the recent notificatino letters the Massachusetts State Lottery Commission (“MSLC” or “Lottery”) sent to the Needham Select Board, pursuant to G.L. c. 10, § 27A(b), regarding the KENO license applications of the above referenced Lottery Sales Agents. These letters state that “[i]f the city/town objects to the issuance of the KENO license, it must claim its right to a Hearing before the MSLC within twenty-one (21) days of receipt of [the] notice.”

In your email sent to me on October 2, 2020, you wrote, in pertinent part:

The [Needham] Select Board wishes to consider [the] applications [of 7-ELEVEN 32485 and 7-ELEVEN 36044] and give the applicants the opportunity to appear as indicated in the notice. The Select Board is not scheduled to meet until October 13, however, which is beyond the 21-day window referenced in the notices. Accordingly, I respectfully request that the MSLC allow a brief extension of time in order to allow the Select Board to review these applications at its October 13 meeting, and to submit its written responses to the MSLC following any official action taken at the meeting.

Please be advised that the Lottery will withhold the issuance the above referenced KENO licenses and provide the Needham Select Board additional time to review the applications. If the Needham Select Board will object to either of the above referenced KENO applications, the Lottery expects to receive such objection by October 20, 2020.



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Feel free to contact me if you have any questions or if additional time is needed for review.

Respectfully,

/s/ Gregory M. Polin
Gregory M. Polin
Assistant Executive Director and General Counsel

cc: Licensing, Massachusetts State Lottery Commission



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TDD: (781) 455-7558

VIA: CERTIFIED & REGISTERED U.S. MAIL

October 6, 2020

Hiram Patel
7-Eleven Store #32485-C
845 Highland Avenue
Needham, MA 02494

Dear Mr. Patel:

The Needham Select Board will hold a hearing regarding your application for a KENO license from the Massachusetts State Lottery. This hearing will be held on Tuesday, October 13, 2020 as part of the Board's regularly scheduled meeting. The discussion for this KENO application is scheduled on the agenda for 6:45 p.m.; however, it could be brought up earlier or later, depending on the previously scheduled items for this meeting. I recommend that you sign onto the meeting at 6:30 p.m.

The meeting will be held via ZOOM and the information follows. If you have any questions, please contact me at (781) 455-7500 extension 204.

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When your agenda item starts, I will move you from being an attendee over to being a participant, so that you can see and converse with the Select Board.

Very truly yours,

Sandra J. Cincotta
Support Services Manager



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

MEETING DATE: 10/13/2020

Agenda Item	Traffic Markings – Complete Streets Update
Presenter(s)	Carys Lustig, Director of Public Works, and Rhain Hoyland, Superintendent of Highway

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Ms. Lustig and Mr. Hoyland will provide an update on the Town’s Complete Street process.
2.	VOTE REQUIRED BY SELECT BOARD
	<i>Discussion Only</i>
3.	BACK UP INFORMATION ATTACHED
	<ul style="list-style-type: none">a. Complete Street Prioritization Planb. Street striping plan for West Street, Hunting Road, Greendale Avenue, and Great Plain Avenue



Complete Streets Funding Program Project Prioritization Plan DRAFT

Municipality
MassDOT District

Needham
6

Date
Name/Title

10/8/2020
Richard Merson, PWLF, Director of Public Works

Project Details			EJ	Complete Streets Location			Project Origin and Type		Complete Streets Needs						Complete Streets Funding Request			Construction Schedule			
Rank	Project Name	Project Description	Environmental Justice Population	Project Limits	Project Start Location: X,Y Coordinates (MA State Plane meter)	Project End Location: X,Y Coordinates (MA State Plane meter)	Complete Streets Project Origin (planning documentation or supporting analysis)	Complete Streets Project Type (refer to the Eligible Projects Worksheet)	Safety	ADA Accessibility	Pedestrian Mobility	Bicycle Mobility	Transit Operations and Access	Vehicular Operations	Freight Operations	Will this project be in Coordination with other Communities? (list, if applicable)	Total Estimated Project Cost	Complete Streets Funding Requested	Other Funding Source(s) and Amount (if applicable)	Anticipated Construction Duration (number of months)	Desired Construction Start Date (month/year)
1	Highland Avenue / Memorial Field Access	Stripe new midblock crosswalk between the north and south access stairways to the Needham Memorial Park with curb extensions, or bump-outs. Install solar-powered flashing beacons, such as RRFBs, at the new crosswalk to alert vehicles to crossing pedestrians. Add ADA-compliant ramps at the new crossing location in compliance with the DPW Town-wide Handicap Ramp Assessment. Remove on-street parking spaces to provide for proper alignment of the new crosswalk and sufficient landing area. Consider a highly-visible crosswalk treatment, such as colored and stamped pavement. This location was identified as a priority within the "Preliminary High-Risk Crosswalk Locations" study, October 2018.	No	Highland Avenue at Needham Memorial Park	221,832m; 892,907m	N/A	Bicycle/Pedestrian Audit	P2, P3, P8, P9, P12	X	X	X					No	\$125,000	\$125,000	\$0	1	Sep-20
2	Needham High School and Webster Street Bicycle Accommodations - Phase 1	Stripe new 5-foot bike lanes on either side of Webster Street between Great Plain Avenue and High Street to reduce vehicle travel lane widths and slow vehicle speeds. Install bicycle-safe drainage grates as necessary. Add bicycle infrastructure at the signalized intersection of Webster Street / High Street such as bicycle detection and bike boxes to aid in crossing High Street. Construct ADA-compliant wheelchair ramps at all existing cross-street crosswalks within the project limits and at the three existing mid-block crosswalks at the Needham High School as necessary per the DPW Town-wide Handicap Ramp Assessment. Install a flashing beacon, such as an RRFB, at the crosswalk across Webster Street at May Street as identified in the "Preliminary High-Risk Crosswalk Locations" study, October 2018. Evaluate Webster Street along the High School frontage for designation as a Speed Zone per the recommendation within the "Town-wide Pedestrian Safety Audit," August 2019.	No	Approximately 5,000 feet along Webster Street between Great Plain Avenue and High Street	222,281m; 892,239m	222,108m; 893,656m	Bicycle/Pedestrian Audit	S1, B2, B5, B13, P2, P3, P9, P12	X	X	X	X				No	\$325,000	\$325,000	\$0	3	Sep-20
3	Dedham Avenue / Harris Avenue / Warren Street Intersection Improvements	Tighten the Harris Avenue and Warren Street corners at Dedham Avenue to shorten the pedestrian crossing distances and reduce vehicle turning speeds. Extend the existing median on Harris Avenue to create a pedestrian refuge area. Consider restricting Warren Street south of Dedham Avenue to one-way vehicular traffic southbound to simplify the intersection. Construct ADA-compliant wheelchair ramps at the reconfigured crosswalk/median in compliance with the DPW Town-wide Handicap Ramp Assessment. Install a flashing beacon, such as an RRFB, at the existing crosswalk across Dedham Avenue to the south of Harris Avenue to alert vehicles to crossing pedestrians. This location was identified as a priority within the "Preliminary High-Risk Crosswalk Locations" study, October 2018.	No	At the intersection of Warren Street / Dedham Avenue / Harris Avenue	222,019m; 891,993m	N/A	Bicycle/Pedestrian Audit	S13,P2, P13, P16	X	X	X		X		No	\$150,000	\$150,000	\$0	1	Sep-20	



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4	Harris Avenue Pedestrian and Bicycle Accommodation (Pollard Middle School)	Stripe buffered bicycle lanes along both sides of Harris Avenue between Dedham Avenue and Great Plain Avenue. Extend existing medians on Harris Avenue at Stevens Road and Pinewood Road and relocate crosswalks to provide pedestrian refuge areas, while ensuring to maintain necessary school bus access to the Pollard Middle School. Construct ADA-complaint wheelchair ramps at the modified crossing locations and consider high-visibility crosswalks. Add bicycle detection symbols and/or bike boxes at the signalized intersection with Webster Street. Construct ADA-compliant ramps and restripe crosswalks at all side street approaches within the project limits as necessary per the DPW Town-wide Handicap Ramp Assessment. Install bicycle-safe drainage grates as necessary. Replace existing bicycle route signage.	No	Approximately 5,500 feet along Harris Avenue between Dedham Avenue and Great Plain Avenue	222,032m; 891,982m	223,283m; 891,918m	CS Needs Assessment	B2, B5, B9, B13, P2, P3, P7, P9, P12, P16	X	X	X	X				No	\$250,000	\$250,000	\$0	2	Sep-20
5	Great Plain Avenue at Hersey Station	This location was identified as a priority within the "Preliminary High-Risk Crosswalk Locations" study, October 2018. Construct curb extensions, or bump outs for the existing crosswalks across Great Plain Avenue at Broad Meadow Road and Hillcrest Road. Reset or reconstruct the existing curb along the gas station frontage to better define the pedestrian storage areas and reduce the Broad Meadow Road crossing distance. Reconstruct existing sidewalk along the east side of Great Plain Avenue between Broadmeadow Road and Hillcrest Road to provide a consistent 5-foot width and ADA-compliant cross slope. Relocate the flashing beacons to the improved crosswalks across Great Plain Avenue if necessary to alert vehicles to crossing pedestrians and improve access to the Hersey MBTA rail station and Pollard Middle School. Construct ADA-compliant wheelchair ramps for the crosswalks within the project area as necessary per the DPW Town-wide Handicap Ramp Assessment. Evaluate Great Plain Avenue for designation as a Speed Zone as recommended within the "Town-wide Pedestrian Safety Audit," August 2019.	No	Approximately 500 feet along Great Plain Avenue between Broadmeadow Road and Hillcrest Road	223,338m; 891,878m	223,513m; 891,749m	Bicycle/Pedestrian Audit	P1, P2, P3, P8, P9, P12	X	X	X		X			No	\$200,000	\$200,000	\$0	1	May-21
6	Hillside Avenue / West Street Intersection Reconstruction	This intersection is a high-crash location, designated as a HSIP Crash Cluster 2014-2016. Remove the brick inlay area located to the west of the intersection. Provide pedestrian refuge islands on each approach of West Street to reduce pedestrian crossing widths and divert vehicles from their straight-line path to reduce vehicle speeds. Construct a new, high-visibility crosswalk across West Street to the west of the intersection to improve visibility of the crosswalk. Install in-road warning light system, and flashing beacons, such as RRFBs at the West Street crosswalk to alert vehicles to crossing pedestrians especially when solar glare is present. Install sign warnings of expected solar glare. Construct new ADA-compliant wheelchair ramps at all crosswalks as necessary per the DPW Town-wide Handicap Ramp Assessment.	No	At the intersection of West Street / Hillside Avenue	221,697m; 893,672m	N/A	Safety Audit	P2, P3, P9, P7, P12	X	X	X					No	\$125,000	\$125,000	\$0	1	May-21



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7	Webster Street Bicycle Accommodations - Phase 2	Stripe new bike lanes along both sides of Webster Street between High Street and Central Avenue to reduce vehicle travel lane widths and slow vehicle speeds. Construct ADA-compliant wheelchair ramps at all existing cross-street crosswalks within the project limits as necessary per the DPW Town-wide Handicap Ramp Assessment. Install bicycle-safe drainage grates as necessary.	No	Approximately 1 mile along Webster Street between Rosemary Street and Central Avenue	221,172m; 893,224m	221,726m; 895,192m	CS Needs Assessment	B2, B5, P2, P3, P9	X	X	X	X				No	\$225,000	\$225,000	\$0	3	May-21
8	Central Avenue Bicycle and Pedestrian Accommodations	Bicycle lanes have been recently striped in the vicinity of the Sunita L. Williams Elementary School on Central Avenue. Enhance existing shoulder striping along Central Avenue to the north of the existing bicycle lanes to approximately Cedar Street and south to approximately Great Plain Avenue to include 5' wide bike lanes and gore-striped buffer areas up to 3' in width to visually narrow roadway width. Install bicycle-safe drainage grates as necessary. Refresh all existing side street crosswalks to provide new striping and ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment to promote safe routes to school for the three elementary schools located along Central Avenue.	No	Approximately 1.9 miles along Central Avenue between Cedar Street and Great Plain Avenue	221,589m; 895,133	220,386m; 892,602m	CS Needs Assessment	B2, B5	X		X					No	\$350,000	\$350,000	\$0	3	Sep-21
9	Central Avenue / Newman Elementary School Pedestrian Accommodations	Reconfigure the existing crosswalk across Central Avenue at the Newman Elementary School Driveway intersection to provide a pedestrian refuge island to reduce pedestrian crossing widths and divert vehicles from their straight-line path to reduce vehicle speeds. Relocate the crosswalk across Central Avenue to align with the walkway to the school entrance and construct ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment. This project will augment the flashing beacons installed per the "Preliminary High-Risk Crosswalk Locations" study, October 2018.	No	At the intersection of Newman Elementary School driveway / Central Avenue	220,341m; 892,350m	N/A	Bicycle/Pedestrian Audit	P2, P3, P7, P9, P12	X	X	X					No	\$75,000	\$75,000	\$0	1	Sep-21



Complete Streets Funding Program Project Prioritization Plan DRAFT

Municipality
MassDOT District

Needham
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Name/Title
10/8/2020
Richard Merson, PWLF, Director of Public Works

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10	Greendale Avenue Bicycle Accommodations	Restripe Greendale Avenue between Great Plain Avenue and Kendrick Street to provide 5-foot bicycle lanes in both directions. Install bicycle- safe drainage grates as necessary. <i>An Alternative would be a shared-use path on the east side of Greendale Avenue, separated from the roadway for all users .</i>	No	Approximately 2 miles along Greendale Avenue between Great Plain Avenue and Kendrick Street	224,303m; 891,232m	22,991m; 893,857m	CS Needs Assessment	S1, B2, B5	X			X				No	\$100,000	\$100,000	\$0	2	Sep-21
11	South Street Sidewalk Link	Reduce eastbound travel lane width along South Street between Edgewater Drive and Dedham Avenue to construct new 5-foot sidewalk with granite curbing to close an existing network gap. South Street is an established Scenic Road adopted by Town Meeting and any proposed improvements would be subject to a public hearing. <i>An Alternative could extend new sidewalk to the east to Livingston Circle.</i>	No	Approximately 350 feet along South Street between Edgewater Drive and Dedham Avenue	223,007m; 890,895m	223,087m; 890,973m	CS Needs Assessment	S14, S16, P2, P3, P5, P9, P13	X	X	X					No	\$100,000	\$100,000	\$0	1	May-22
12	South Street at Dedham Avenue Intersection Improvements	Reconstruct the intersection corners to reduce radii and slow vehicular traffic speeds. Construct short sidewalk sections with curbing to provide pedestrian refuge areas. Stripe new crosswalks with ADA-compliant wheelchair ramps in conformance with the DPW Town-wide Handicap Ramp Assessment across the west approach of South Street and the north approach of Dedham Avenue at this signalized intersection. Add pedestrian signal heads and pedestrian detection, including countdown heads and audible detection for the new crossings. Revise signal timings to ensure sufficient crossing times. South Street is an established Scenic Road adopted by Town Meeting and any proposed improvements would be subject to a public hearing.		At the intersection of Dedham Avenue / South Street	223,087m; 890,973m	N/A	CS Needs Assessment	S3, S6, S14, P2, P3, P6, P9, P11, P13	X	X	X					No	\$175,000	\$175,000	\$0	1	May-22



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13	Central Avenue / Reservoir Street Intersection Reconstruction	Remove the existing Central Avenue eastbound channelized right turn lane onto Reservoir Street to create a landscaped area, reduce pedestrian crossing distances and minimize conflict points. Reconstruct the northeast corner of the intersection to reduce the corner radii to reduce crossing distances and slow turning vehicle speeds. Relocate existing bus stop (MBTA Bus Route 59) from the parking lot to the new landscaped area and install a bus shelter at this location. Restripe the existing crosswalks at the intersection subsequent to the roadway geometry modification to reduce crossing distances and provide clear and appropriate crossing locations. Add ADA-compliant wheelchair ramps in conformance with the DPW Town-wide Handicap Ramp Assessment.	No	At the intersection of Central Avenue / Reservoir Street	222,361m; 895,672m	N/A	CS Needs Assessment	S6, S13, P1, P2, P3, P9, T1, T3	X	X	X	X			No	\$125,000	\$125,000	\$0	1	May-22	
14	Central Avenue / Gould Street Intersection Reconstruction	Relocate existing crosswalk across the east approach to the intersection to the east to remove the crossing from a driveway and mid-intersection location. Relocate the existing westbound MBTA Bus Route 59 bus stop to the east from the driveway access. Construct ADA-compliant wheelchair ramps at both crosswalks at this intersection as necessary per the DPW Town-wide Handicap Ramp Assessment. Reconstruct the existing sidewalk along the south side of Central Avenue between Gould Street and Hampton Avenue and along the north side of Central Avenue between Gould Street and 165 Central Avenue to provide curbing and improve the separation between pedestrians and vehicles.	No	Approximately 600 feet along Central Avenue between Gould Street and Hampton Avenue	222,025m; 895,461m	222,170m; 895,546m	CS Needs Assessment	S14, P1, P2, P3, P9	X	X	X	X			No	\$125,000	\$125,000	\$0	1	Sep-22	
15	Great Plain Avenue Bicycle Accommodations - Phase 1	Restripe Great Plain Avenue between Greendale Avenue and Beaufort Avenue to provide buffered 5-foot bicycle lanes in both directions to improve multi-modal access to the Hersey MBTA Rail Station. Install bicycle-safe drain grates as necessary.	No	Approximately 1 mile along Great Plain Avenue between Greendale Avenue and Beaufort Avenue	224,304m; 891,232m	223,090m; 892,248m	CS Needs Assessment	S1, B2, B5	X		X	X			No	\$75,000	\$75,000	\$0	1	Sep-22	



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Richard Merson, PWLF, Director of Public Works

Project Details			EJ	Complete Streets Location			Project Origin and Type		Complete Streets Needs						Complete Streets Funding Request			Construction Schedule			
Rank	Project Name	Project Description	Environmental Justice Population	Project Limits	Project Start Location: X,Y Coordinates (MA State Plane meter)	Project End Location: X,Y Coordinates (MA State Plane meter)	Complete Streets Project Origin (planning documentation or supporting analysis)	Complete Streets Project Type (refer to the Eligible Projects Worksheet)	Safety	ADA Accessibility	Pedestrian Mobility	Bicycle Mobility	Transit Operations and Access	Vehicular Operations	Freight Operations	Will this project be in Coordination with other Communities? (list, if applicable)	Total Estimated Project Cost	Complete Streets Funding Requested	Other Funding Source(s) and Amount (if applicable)	Anticipated Construction Duration (number of months)	Desired Construction Start Date (month/year)
16	Great Plain Avenue Bicycle Accommodations - Phase 2	Stripe new buffered bike lanes along the north side Great Plain Avenue between Beaufort Avenue and the Wellesley town line. Install bicycle-safe drain grates as necessary.	No	Approximately 2.75 miles along Great Plain Avenue between Beaufort Avenue and Wellesley town line	223,090m; 892,248m	219,017m; 893,400m	CS Needs Assessment	B2,B5				X				No	\$150,000	\$150,000	\$0	3	Sep-22
17	Greendale Avenue / Great Plain Avenue Pedestrian Accommodations and Intersection Improvements	Remove channelized right turn lanes to reduce crossing distances and eliminate additional pedestrian and vehicle conflict points. Replace the pedestrian signal heads and audible detection. Reconfigure existing crosswalks and extend sidewalks to provide full access to crossing areas. Construct ADA-compliant wheelchair ramps at all crosswalk locations as necessary per the DPW Town-wide Handicap Ramp Assessment. Revise signal timings to ensure sufficient crossing times. In conjunction with Projects #10 and #15, add bicycle detection and turn boxes. <i>An alternative would include a roundabout installation.</i>	No	At the intersection of Great plain Avenue / Greendale Avenue	224,303m; 891,232m	N/A	CS Needs Assessment	S3, S13, B 13, P1, P2, P3, P5, P9, P11, P13	X	X	X	X	X		No	\$250,000	\$250,000	\$0	1	May-23	
18	Beaufort Park / Perry Park Pedestrian Accommodations	Reconstruct existing poor condition sidewalk circling Beaufort Park, to provide a consistent 5-foot width and ADA-compliant cross-slope. Reconfigure the existing pedestrian crossings at Hawthorn Avenue and Sargent Street to provide high-visibility crosswalks across Beaufort Avenue, south of Hawthorn Avenue and north of Sargent Street. Add appropriate pedestrian crossing signs and remove conflicting crosswalks. Install a flashing beacon, such as an RRFB, at the crosswalk across Beaufort Avenue at Sargent Street. Widen the shoulder along the east side of Beaufort Avenue between Hawthorn Avenue and Arden Street to provide more width to accommodate on-street parking as well as pedestrians. Add ADA-compliant wheelchair ramps where crosswalks are located in accordance with the DPW Town-wide Handicap Ramp Assessment. Evaluate Beaufort Avenue for designation as a Speed Zone as recommended within the "Town-wide Pedestrian Safety Audit," August 2019.	No	Approximately 400 feet along Beaufort Avenue between Hawthorn Avenue and Arden Street	223,120m; 892,381m	223,123m; 892,493m	Bicycle/Pedestrian Audit	S15, P1, P2, P3, P9	X	X	X				No	\$250,000	\$250,000	\$0	2	May-23	



Complete Streets Funding Program Project Prioritization Plan DRAFT

Municipality: Needham
MassDOT District: 6

Date: 10/8/2020
Name/Title: Richard Merson, PWLF, Director of Public Works

Project Details			EJ	Complete Streets Location			Project Origin and Type		Complete Streets Needs						Complete Streets Funding Request			Construction Schedule			
Rank	Project Name	Project Description	Environmental Justice Population	Project Limits	Project Start Location: X,Y Coordinates (MA State Plane meter)	Project End Location: X,Y Coordinates (MA State Plane meter)	Complete Streets Project Origin (planning documentation or supporting analysis)	Complete Streets Project Type (refer to the Eligible Projects Worksheet)	Safety	ADA Accessibility	Pedestrian Mobility	Bicycle Mobility	Transit Operations and Access	Vehicular Operations	Freight Operations	Will this project be in Coordination with other Communities? (list, if applicable)	Total Estimated Project Cost	Complete Streets Funding Requested	Other Funding Source(s) and Amount (if applicable)	Anticipated Construction Duration (number of months)	Desired Construction Start Date (month/year)
19	Highland Avenue Intersections Reconstruction	At Highland Avenue / Hunnewell Street, reconstruct the northwest corner of the intersection to reduce pedestrian crossing distances and slow vehicular turning speeds. Add a curb extension, or bump-out on the northeast corner. Remove the existing crosswalk across Highland Avenue and replace with new crosswalks to the north and south of the intersection and add ADA-compliant wheelchair ramps. At Highland Avenue / Mark Lee Road / Avery Square, construct new curb extensions, or bump-outs, on the northeast and southeast corners to reduce pedestrian crossing distances. Consider access management on the northwest corner to define and minimize the areas of pedestrian conflict with vehicles. Realign the crosswalk across Highland Avenue to take advantage of the reduced crossing distance and provide more efficient access to the Needham Heights MBTA Rail station and add ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment.	No	At the intersections of Highland Avenue / Hunnewell Street and Highland Avenue / Mark Lee Road / Avery Square	221,831m; 893,848m	221,830m; 893,729m	CS Needs Assessment	S6, P1, P2, P3, P8, P9	X	X	X		X		No	\$200,000	\$200,000	\$0	2	May-23	
20	Kendrick Street Pedestrian and Bicycle Accommodation	Widen the existing sidewalk along the north side of Kendrick Street between 4th Avenue and 3rd Avenue to close a network gap between the north and south legs of the DCR Blue Herron multi-use trail. Replace the pedestrian signal equipment at the intersection of Kendrick Street / 3rd Avenue to provide ADA-compliant signal heads and audible detection. Revise signal timings to ensure sufficient crossing times. Add ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment. The intersection of Kendrick Street / 4th Avenue is a high-crash location, designated as a HSIP Crash Cluster 2014-2016.	No	Approximately 1,000 feet along Kendrick Street between 4th Avenue and 3rd Avenue	223,939m; 894,073m	223,640m; 893,983m	CS Needs Assessment	S3, S4, B10, P2, P3	X	X	X	X			No	\$350,000	\$350,000	\$0	2	May-23	
21	Rosemary Street / Nehoiden Street / Parish Road Intersection Reconstruction (Option A)	Realign Rosemary Street to remove the channelized right turn between Parish Road and Nehoiden Street to create two standard T- intersections to reduce pedestrian and vehicle conflict areas. Evaluate the stop-sign placement based upon traffic volumes and turning movements. Realign the crosswalks and provide ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment. Provide a high-visibility crosswalk across Nehoiden Street. Consider additional school bus shelter for students.	No	At the intersection of Rosemary Street / Nehoiden Street / Parish Road	221,019m; 892,951m	N/A	Bicycle/Pedestrian Audit	S13, P2, P3, P9	X	X	X		X		No	\$150,000	\$150,000	\$0	1	Sep-23	



Complete Streets Funding Program Project Prioritization Plan DRAFT

Municipality
MassDOT District

Needham
6

Date
Name/Title

10/8/2020
Richard Merson, PWLF, Director of Public Works

Project Details			EJ	Complete Streets Location			Project Origin and Type		Complete Streets Needs						Complete Streets Funding Request			Construction Schedule			
Rank	Project Name	Project Description	Environmental Justice Population	Project Limits	Project Start Location: X,Y Coordinates (MA State Plane meter)	Project End Location: X,Y Coordinates (MA State Plane meter)	Complete Streets Project Origin (planning documentation or supporting analysis)	Complete Streets Project Type (refer to the Eligible Projects Worksheet)	Safety	ADA Accessibility	Pedestrian Mobility	Bicycle Mobility	Transit Operations and Access	Vehicular Operations	Freight Operations	Will this project be in Coordination with other Communities? (list, if applicable)	Total Estimated Project Cost	Complete Streets Funding Requested	Other Funding Source(s) and Amount (if applicable)	Anticipated Construction Duration (number of months)	Desired Construction Start Date (month/year)
22	Rosemary Street / Nehoiden Street / Parish Road Intersection Reconstruction (Option B)	Realign Rosemary and Nehoiden Street at the intersection to create a new single-lane roundabout to simplify vehicular movements and more clearly define pedestrian conflict and crossing areas. Restripe/ relocate the existing crosswalks and construct ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment.	No	At the intersection of Rosemary Street / Nehoiden Street / Parish Road	221,019m; 892,951m	N/A	Bicycle/Pedestrian Audit	S13, P2, P3, P9	X	X	X				X	No	\$1,000,000	\$400,000	\$600,000	6	Sep-23
23	Great Plain Avenue / North Hill Avenue Intersection Improvements	Reconstruct the North Hill Avenue corner radii to reduce pedestrian crossing distances and slow vehicular turning speeds. Relocate the crosswalk across Great Plain Avenue to the west of the intersection to extend vehicle sight lines to the crosswalk and provide more efficient access to the Newman Elementary School. Add ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment. This project will augment the flashing beacons installed per the "Preliminary High-Risk Crosswalk Locations" study, October 2018.	No	At the intersection of Great Plain Avenue and North Hill Avenue	220,126m, 892,809m	N/A	Bicycle/Pedestrian Audit	S6, P2, P3, P8, P9	X	X	X					No	\$125,000	\$125,000	\$0	1	May-24
24	Great Plain Avenue / Wilshire Park Intersection Improvements	Reconstruct the Mt Vernon Avenue approach corner radii to reduce pedestrian crossing distances, better align the intersection opposite Wilshire Park and slow vehicular turning speeds. Relocate the crosswalk across Great Plain Avenue to the west of the intersection, to Washington Avenue to extend vehicle sight lines to the crosswalk. Add ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment. This project will augment the flashing beacons installed per the "Preliminary High-Risk Crosswalk Locations" study, October 2018.	No	At the intersection of Great Plain Avenue and Wilshire Park	223,091m, 892,246m	N/A	Bicycle/Pedestrian Audit	S6, P2, P3, P8, P9	X	X	X					No	\$75,000	\$75,000	\$0	1	Sep-24



Complete Streets Funding Program Project Prioritization Plan DRAFT

Municipality
MassDOT District

Needham
6

Date
Name/Title

10/8/2020
Richard Merson, PWLF, Director of Public Works

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25	Forest Street Pedestrian Accommodations	Extend the existing sidewalk along the north side of Forest Street from the current terminus at 230 Forest Street to the existing sidewalk at Glendale Road to close a network gap and provide additional pedestrian access to the Sunita Williams Elementary School on Central Avenue. Stripe crosswalks across Glendale Road, Brookside Road and Rolling Lane with ADA-compliant wheelchair ramps in conformance with the DPW Town-wide Handicap Ramp Assessment.	No	Approximately 2,000 feet along Forest Street between #230 Forest Street and Glendale Road.	220,018m, 893,975m	220,382m, 893,627m	CS Needs Assessment	P2, P3, P5, P9	X	X	X				No	\$350,000	\$350,000	\$0	2	Sep-24	
26	Country Way Pedestrian Accommodations	Extend the existing sidewalk along the south side of Country Way from the current terminus at 56 Country Way and along the north side of Country Way from the current terminus at 45 Country Way to the existing sidewalk at Central Avenue to close a network gap and provide additional pedestrian access to the Temple Aliyah on Central Avenue. Stripe crosswalks across Village Lane and Central Avenue with ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment.	No	Approximately 700 feet along Country Way between #56 Country Way and Central Avenue.	219,386m, 890,764m	219,159m, 890,794m	CS Needs Assessment	P2, P3, P5, P9	X	X	X				No	\$275,000	\$275,000	\$0	2	May-25	
27	Chestnut Street Sidewalk Link	Construct a new 5-foot sidewalk with granite curbing along the east side of Chestnut Street between South Street and the Dover Town line to close an existing network gap. Stripe new a crosswalk with ADA-compliant wheelchair ramps in accordance with the DPW Town-wide Handicap Ramp Assessment across the east approach of South Street at this signalized intersection. Add new pedestrian signal equipment, including pedestrian signals and detection.	No	Approximately 1,500 feet along Chestnut Street between South Street and the Dover town line.	221,683m, 890,370m	221,688m, 889,965m	CS Needs Assessment	S14, S16, P2, P3, P5, P9, P13	X	X	X				No	\$300,000	\$300,000	\$0	2	May-25	



Complete Streets Funding Program Project Prioritization Plan DRAFT

Municipality
MassDOT District

Needham
6

Date
Name/Title

10/8/2020
Richard Merson, PWLF, Director of Public Works

Project Details			EJ	Complete Streets Location			Project Origin and Type		Complete Streets Needs						Complete Streets Funding Request			Construction Schedule			
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28	Walker Gordon Field Pedestrian Accommodations	Construct new 5-foot wide sidewalk on the south side of Charles River Street between Central Avenue and Moseley Avenue to improve pedestrian access to the Walker Gordon Field. Provide new crosswalks with ADA-compliant wheelchair ramps as necessary per the DPW Town-wide Handicap Ramp Assessment. Charles River Street is an established Scenic Road adopted by Town Meeting and any proposed improvements would be subject to a public hearing.	No	Approximately 1,500 feet along Charles River Street between Central Avenue and Moseley Avenue.	219,127m, 890,668m	219,392m, 890,380m	CS Needs Assessment	S14, P2, P3, P5, P9	X	X	X				No	\$250,000	\$250,000	\$0	2	May-25	
29	Highland Avenue / May Street / Chapel Street Pedestrian Signal Updates	Replace the pedestrian signal heads and pedestrian detection to current ADA-compliant standards, including countdown heads and audible detection. Reconfigure existing crosswalks to decrease crossing lengths. Construct ADA-compliant wheelchair ramps at all crosswalk locations as necessary per the DPW Town-wide Handicap Ramp Assessment. Revise signal timings to ensure sufficient crossing times.	No	At the intersection of Highland Avenue / May Street / Chapel Street	221,765m, 892,519m	N/A	CS Needs Assessment	S3, P2, P3, P9, P11, P13	X	X	X	X			No	\$125,000	\$125,000	\$0	1	Sep-25	
30	Central Avenue / Great Plain Avenue Pedestrian Accommodations and Intersection Improvements	Remove channelized right turn lane to reduce crossing distances and eliminate additional pedestrian and vehicle conflict points. Replace the pedestrian signal heads and pedestrian detection to current ADA-compliant standards, including countdown heads and audible detection. Reconfigure existing crosswalks to provide full access to crossing areas. Construct ADA-compliant wheelchair ramps at all crosswalk locations in accordance with the DPW Town-wide Handicap Ramp Assessment. Revise signal timings to ensure sufficient crossing times. In conjunction with Projects #8 and #16, add bicycle detection and turn boxes. <i>An alternative would include a roundabout installation.</i>	No	At the intersection of Great Plain Avenue and Central Avenue	220,390m, 892,593m	N/A	CS Needs Assessment	S3, S13, B13, P1, P2, P3, P9, P11, P13	X	X	X	X	X		No	\$200,000	\$200,000	\$0	1	Sep-25	

TRANSPORTATION IMPROVEMENT PROJECT

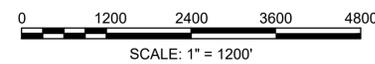
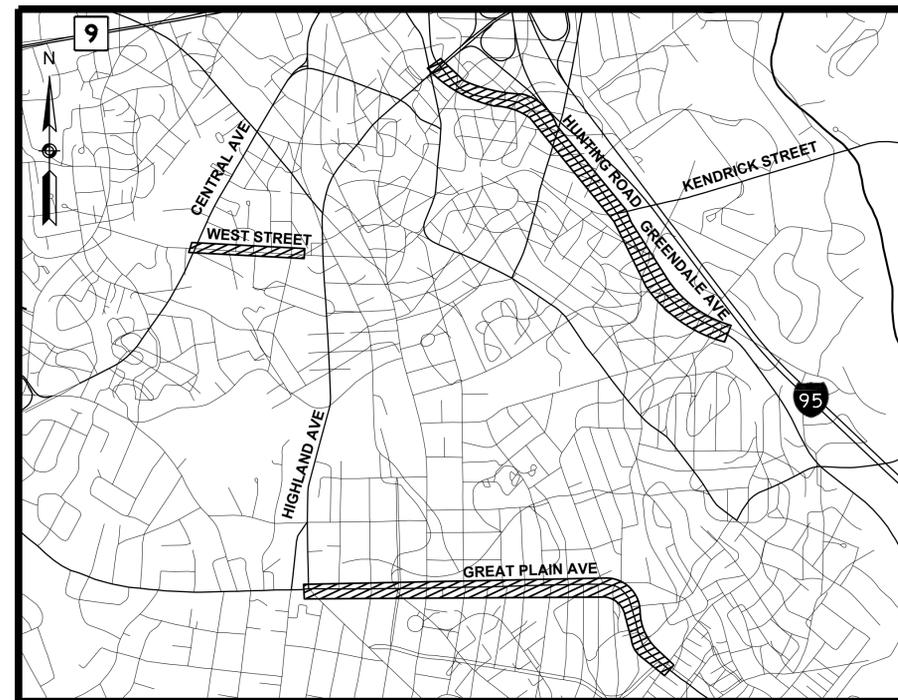
NEEDHAM
PAVEMENT MARKING LAYOUT
TITLE SHEET & INDEX
SHEET 1 OF 11

PLAN OF
WEST STREET, HUNTING ROAD,
GREENDALE AVENUE, & GREAT PLAIN AVENUE

IN THE TOWN OF
NEEDHAM
NORFOLK COUNTY

THESE PLANS ARE SUPPLEMENTED BY THE OCTOBER 2017 CONSTRUCTION STANDARD DETAILS, THE 2015 OVERHEAD SIGNAL STRUCTURE AND FOUNDATION STANDARD DRAWINGS, MASSDOT TRAFFIC MANAGEMENT PLANS AND DETAIL DRAWINGS, THE 1990 STANDARD DRAWINGS FOR SIGNS AND SUPPORTS, THE 1968 STANDARD DRAWINGS FOR TRAFFIC SIGNALS AND HIGHWAY LIGHTING, AND THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK.

INDEX	
SHEET NO.	DESCRIPTION
1	TITLE SHEET & INDEX
2-3	PAVEMENT MARKING LAYOUT (WEST STREET)
4-5	PAVEMENT MARKING LAYOUT (HUNTING ROAD)
6-7	PAVEMENT MARKING LAYOUT (GREENDALE AVENUE)
8-10	PAVEMENT MARKING LAYOUT (GREAT PLAIN AVENUE)
11	CONSTRUCTION DETAILS



LENGTH OF PROJECT = 13,500 FEET = 2.56 MILES

DATE	DESCRIPTION	REV #
9/21/2020	REVISED PER DPW COMMENTS	1
9/15/2020	ISSUED FOR CONSTRUCTION	-

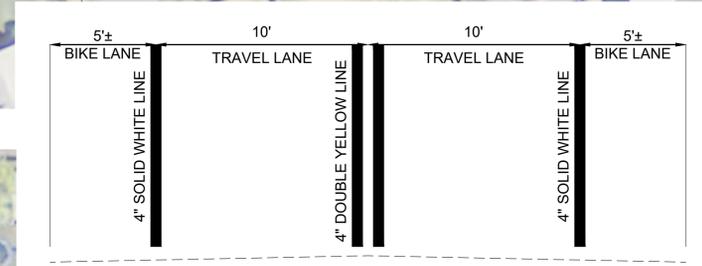


146 Dascomb Road Andover, MA 01810 978-794-1792	311 Main Street 2nd Floor Worcester, MA 01608 508-868-5104	169 Ocean Blvd, Unit 3 PO Box 249 Hampton, NH 03842 603-601-8154
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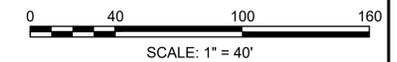
PROPOSED STRIPING LAYOUT
WEST STREET
CENTRAL AVENUE TO HILLSIDE AVENUE
(NOT TO SCALE)



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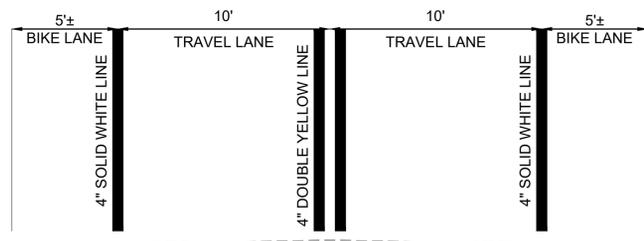
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NOTE: ALL PAVEMENT MARKINGS SHALL BE EPOXY.

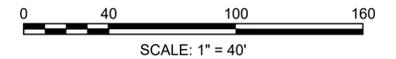




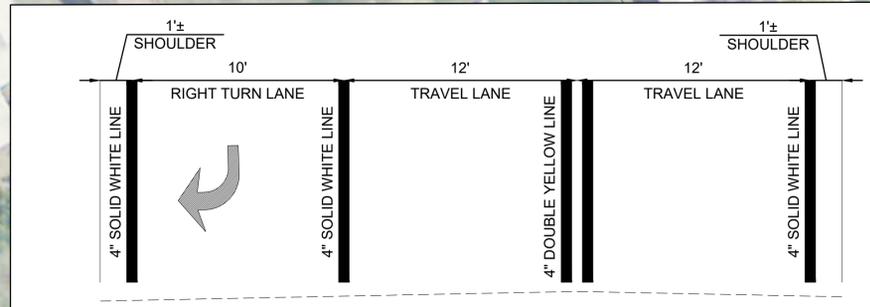
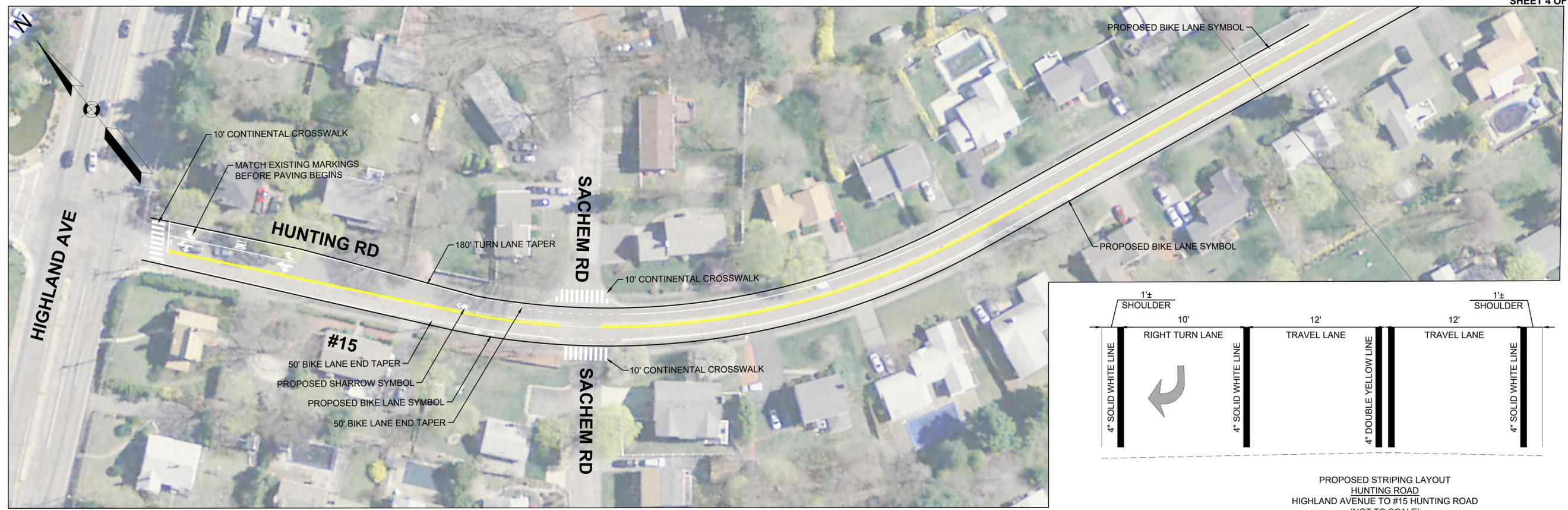
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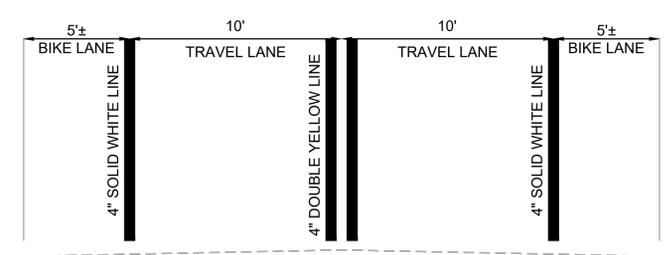
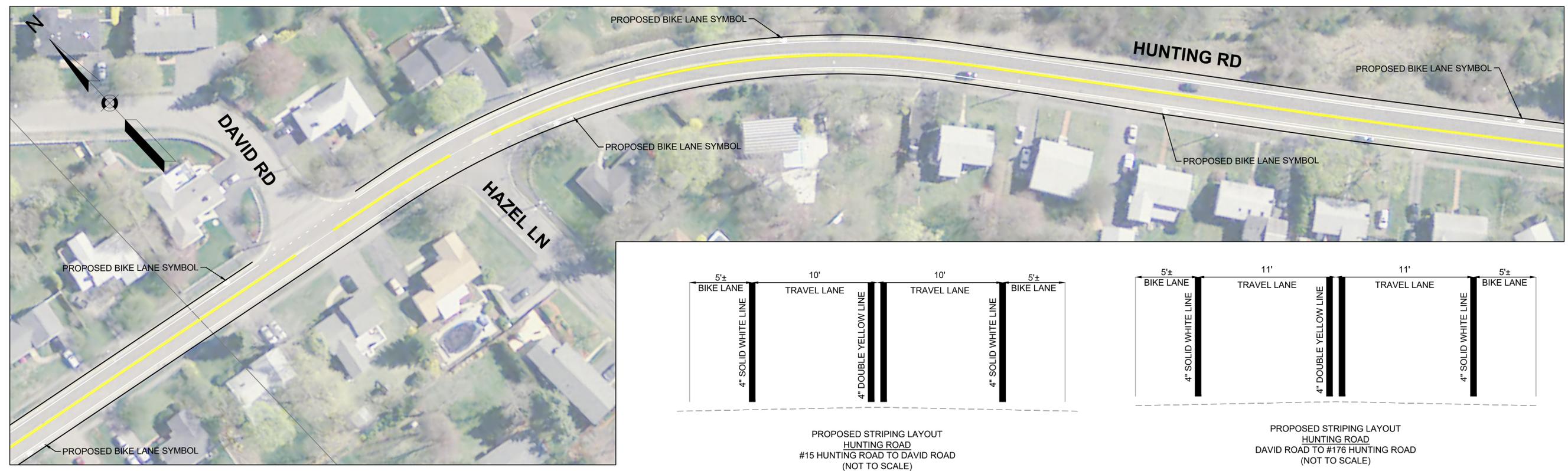
PROPOSED STRIPING LAYOUT
WEST STREET
CENTRAL AVENUE TO HILLSIDE AVENUE
(NOT TO SCALE)



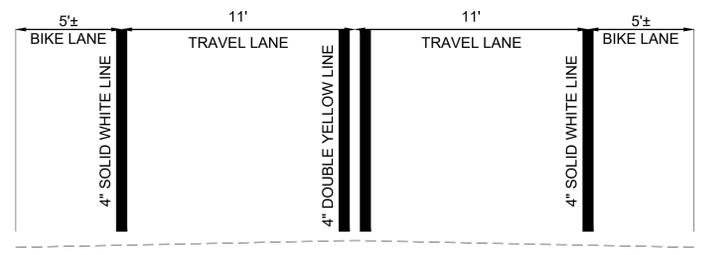
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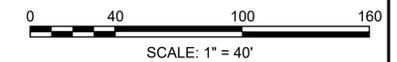
PROPOSED STRIPING LAYOUT
HUNTING ROAD
HIGHLAND AVENUE TO #15 HUNTING ROAD
(NOT TO SCALE)



PROPOSED STRIPING LAYOUT
HUNTING ROAD
#15 HUNTING ROAD TO DAVID ROAD
(NOT TO SCALE)

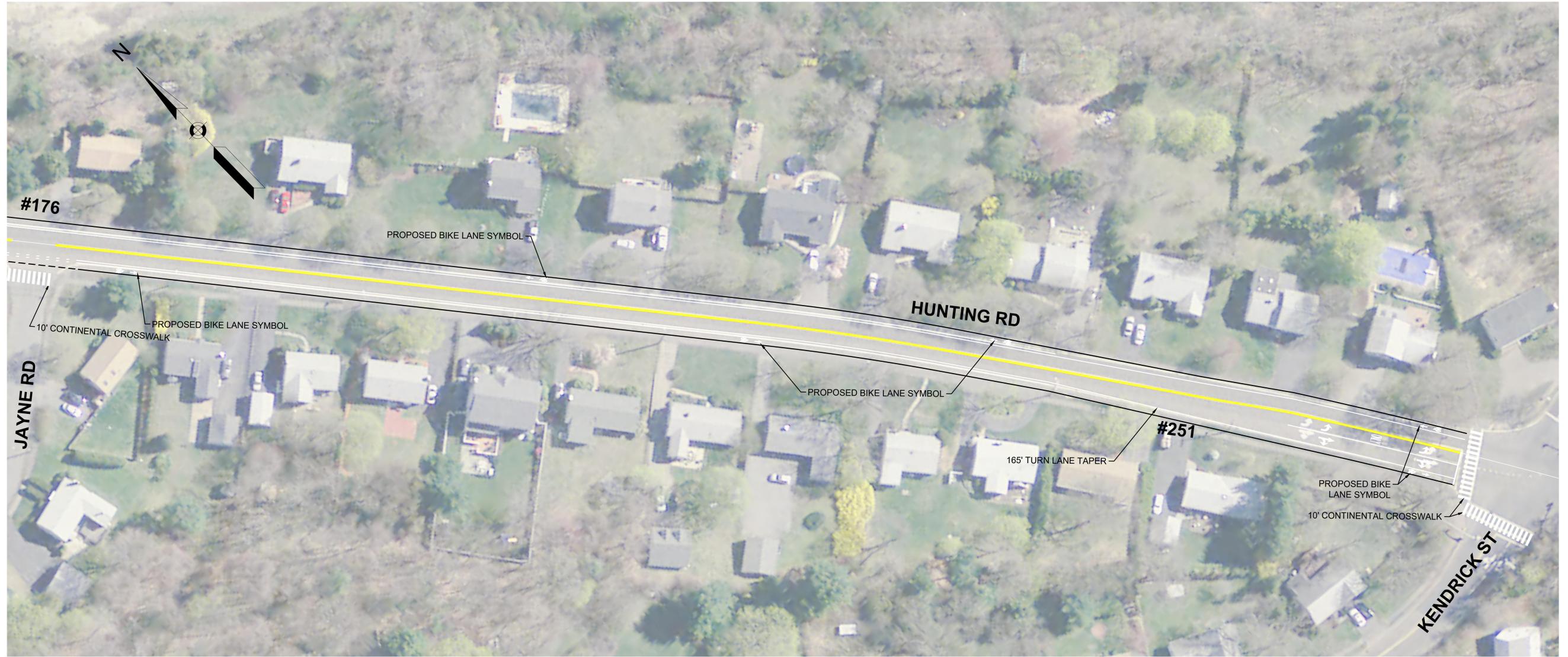


PROPOSED STRIPING LAYOUT
HUNTING ROAD
DAVID ROAD TO #176 HUNTING ROAD
(NOT TO SCALE)



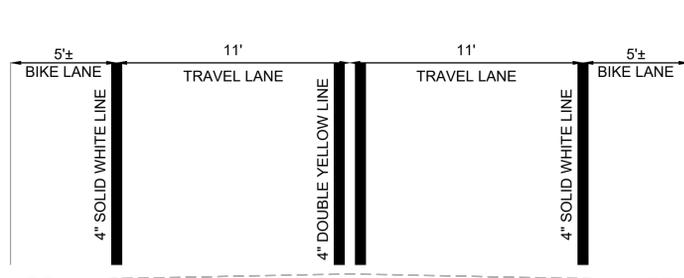
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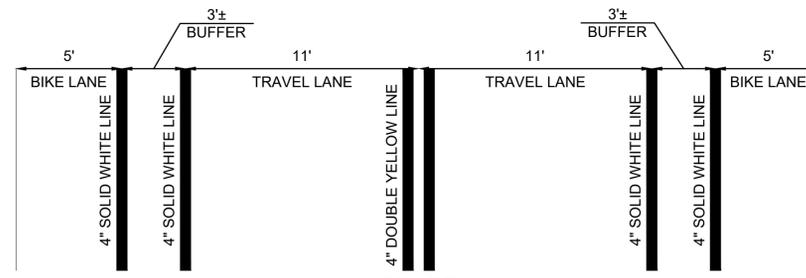


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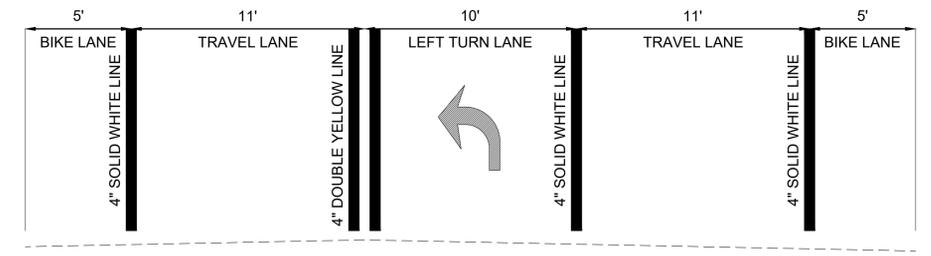
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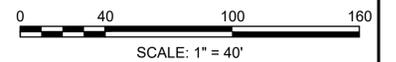
PROPOSED STRIPING LAYOUT
HUNTING ROAD
DAVID ROAD TO #176 HUNTING ROAD
(NOT TO SCALE)

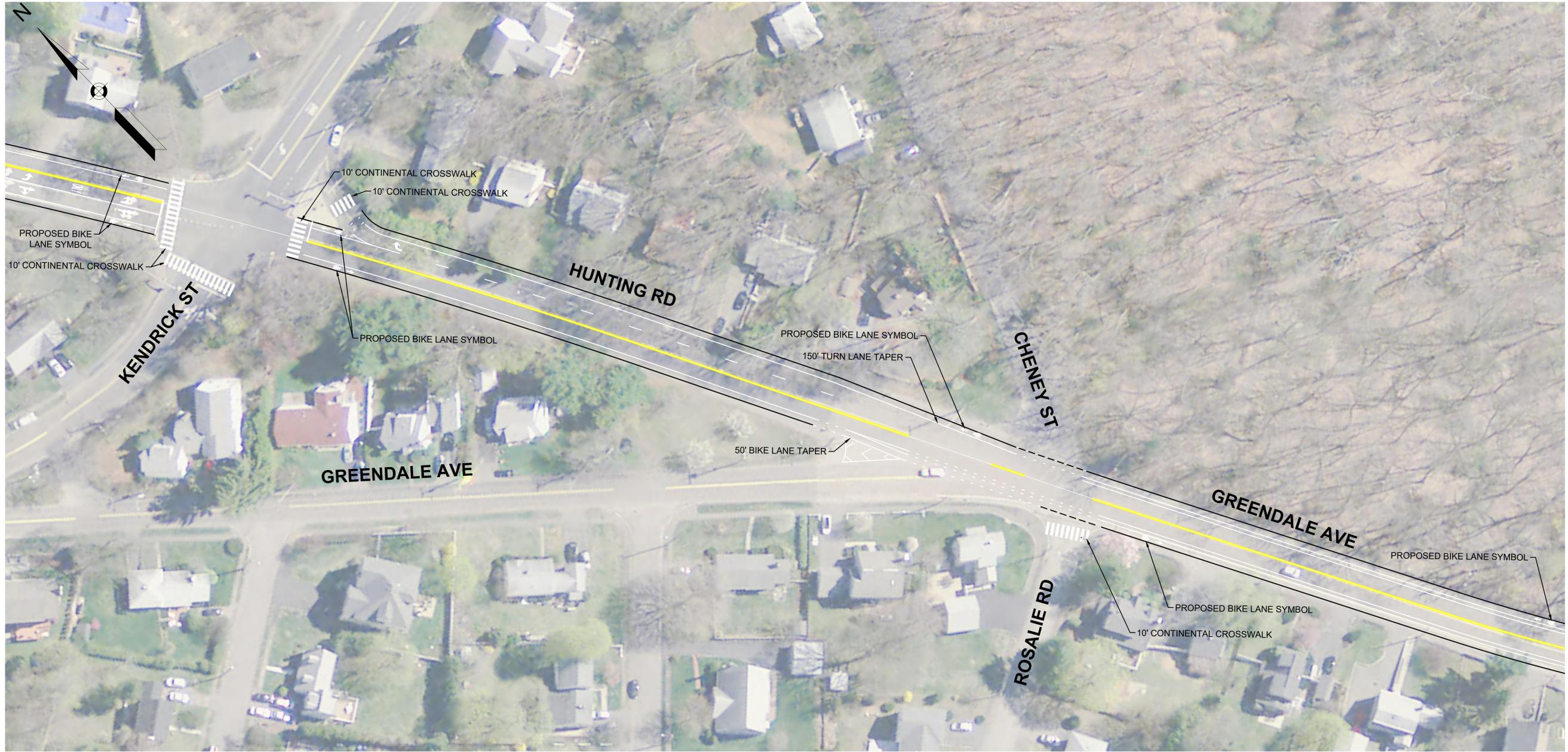


PROPOSED STRIPING LAYOUT
HUNTING ROAD
#176 HUNTING ROAD TO #251 HUNTING ROAD
(NOT TO SCALE)



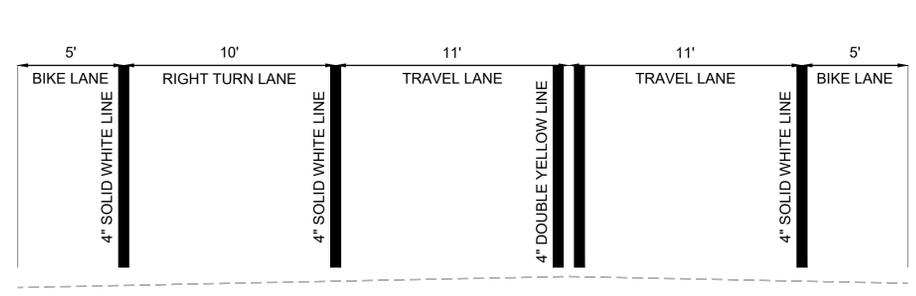
PROPOSED STRIPING LAYOUT
HUNTING ROAD
#251 HUNTING ROAD TO KENDRICK STREET
(NOT TO SCALE)



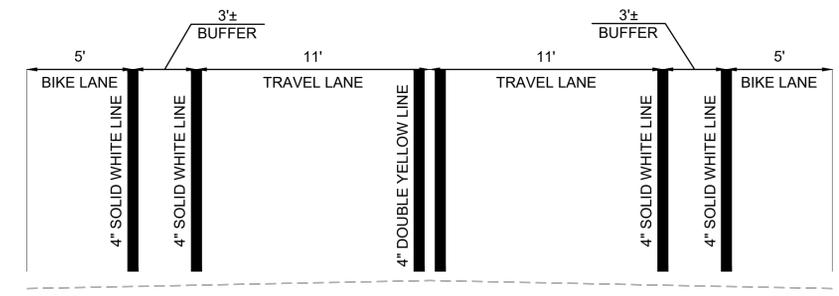


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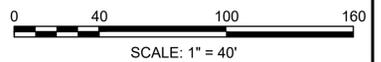
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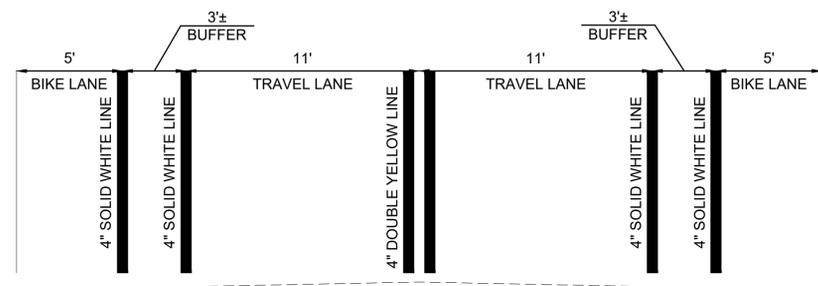
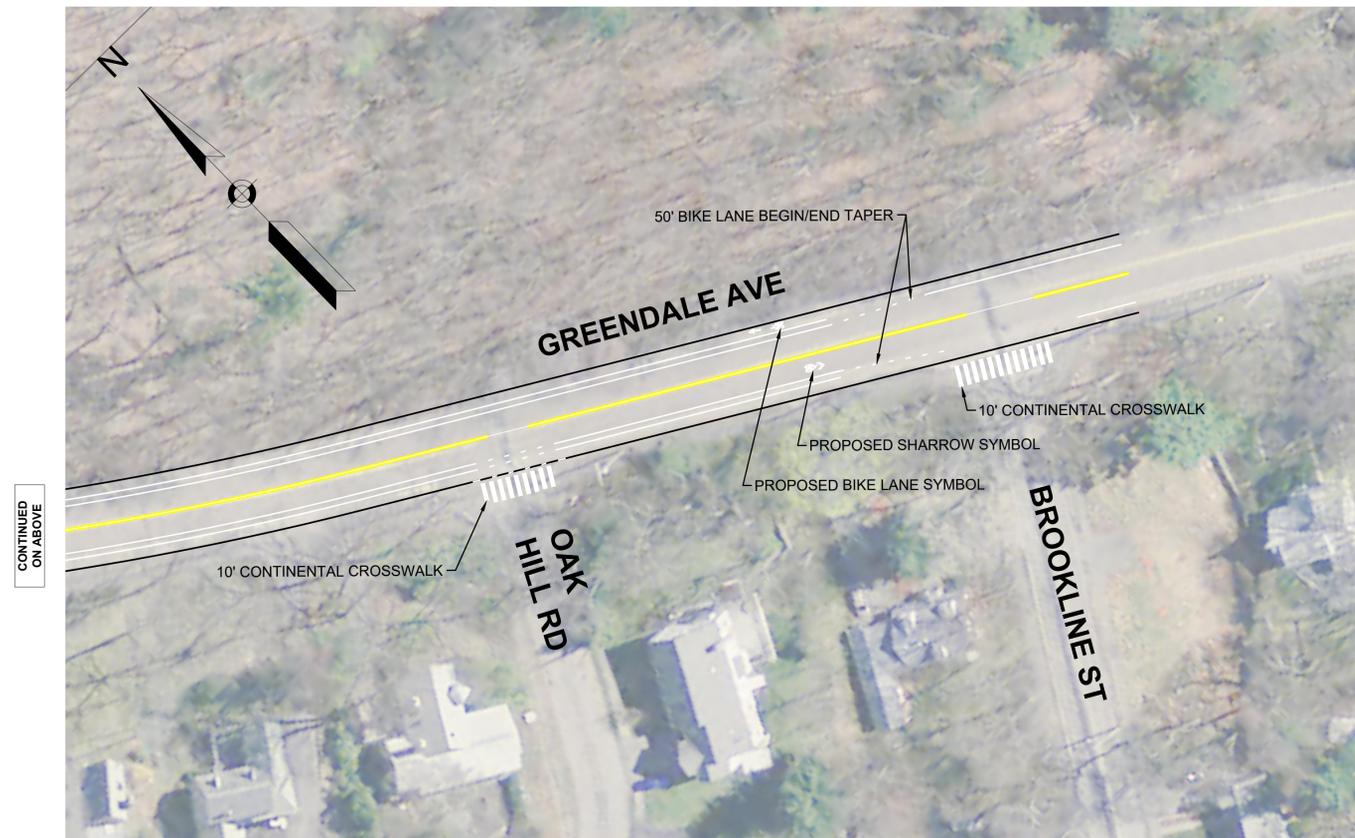
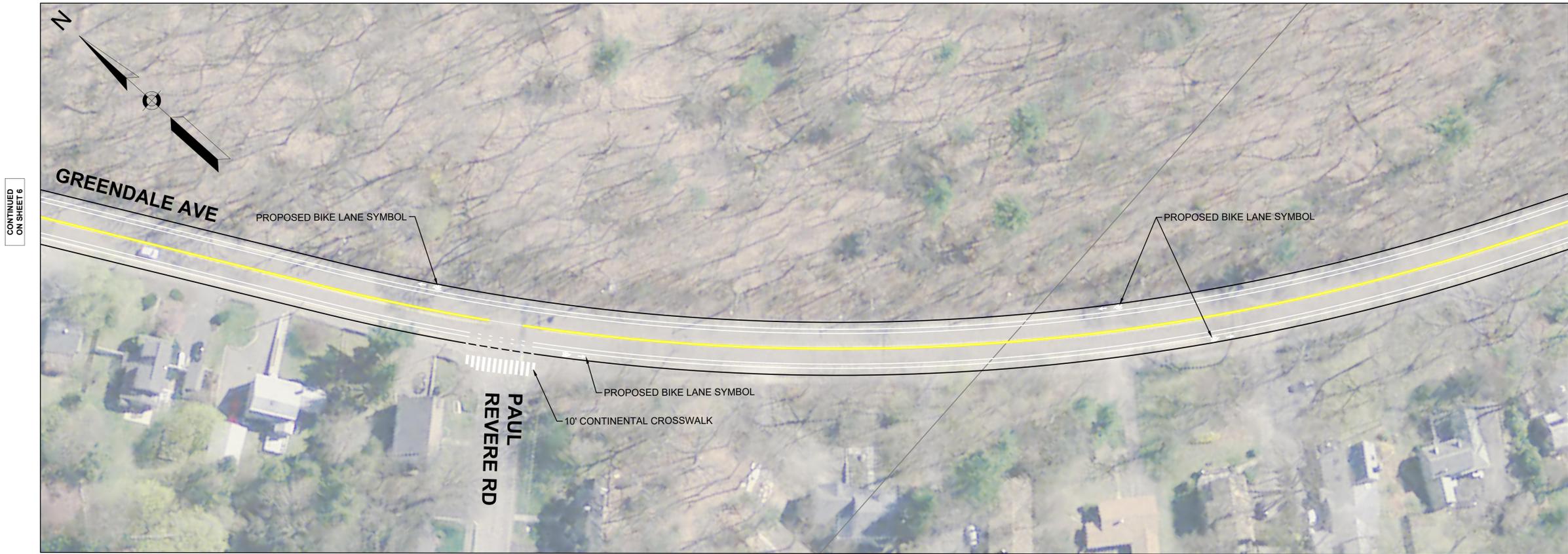


PROPOSED STRIPING LAYOUT
HUNTING ROAD
KENDRICK STREET TO GREENDALE AVENUE
(NOT TO SCALE)

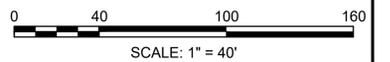


PROPOSED STRIPING LAYOUT
GREENDALE AVENUE
HUNTING ROAD TO BROOKLINE STREET
(NOT TO SCALE)



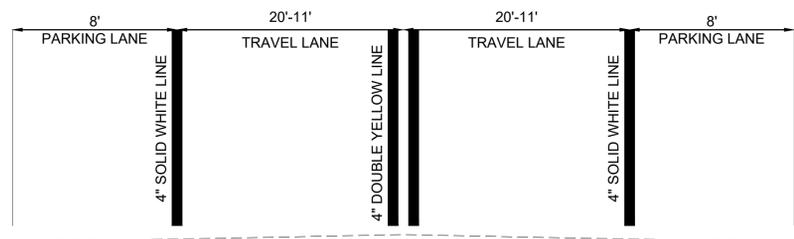


PROPOSED STRIPING LAYOUT
GREENDALE AVENUE
HUNTING ROAD TO BROOKLINE STREET
(NOT TO SCALE)

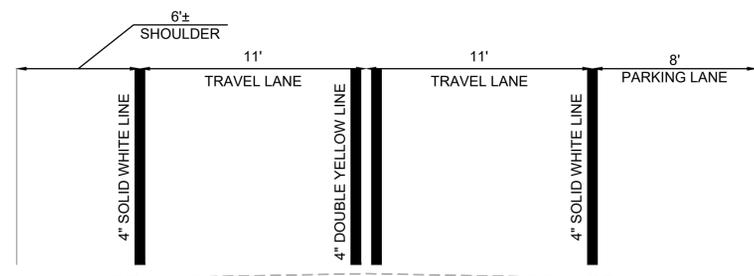




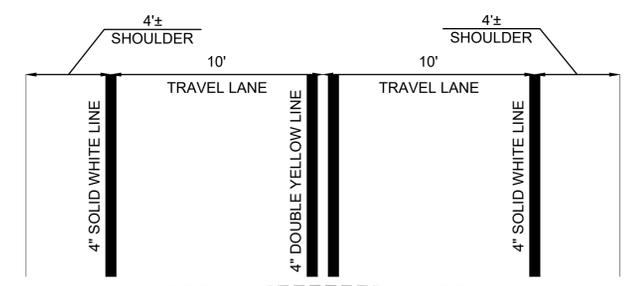
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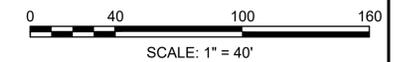
PROPOSED STRIPING LAYOUT
GREAT PLAIN AVENUE
PICKERING STREET TO #870 GREAT PLAIN AVENUE
(NOT TO SCALE)



PROPOSED STRIPING LAYOUT
GREAT PLAIN AVENUE
#870 GREAT PLAIN AVENUE TO WARREN STREET
(NOT TO SCALE)



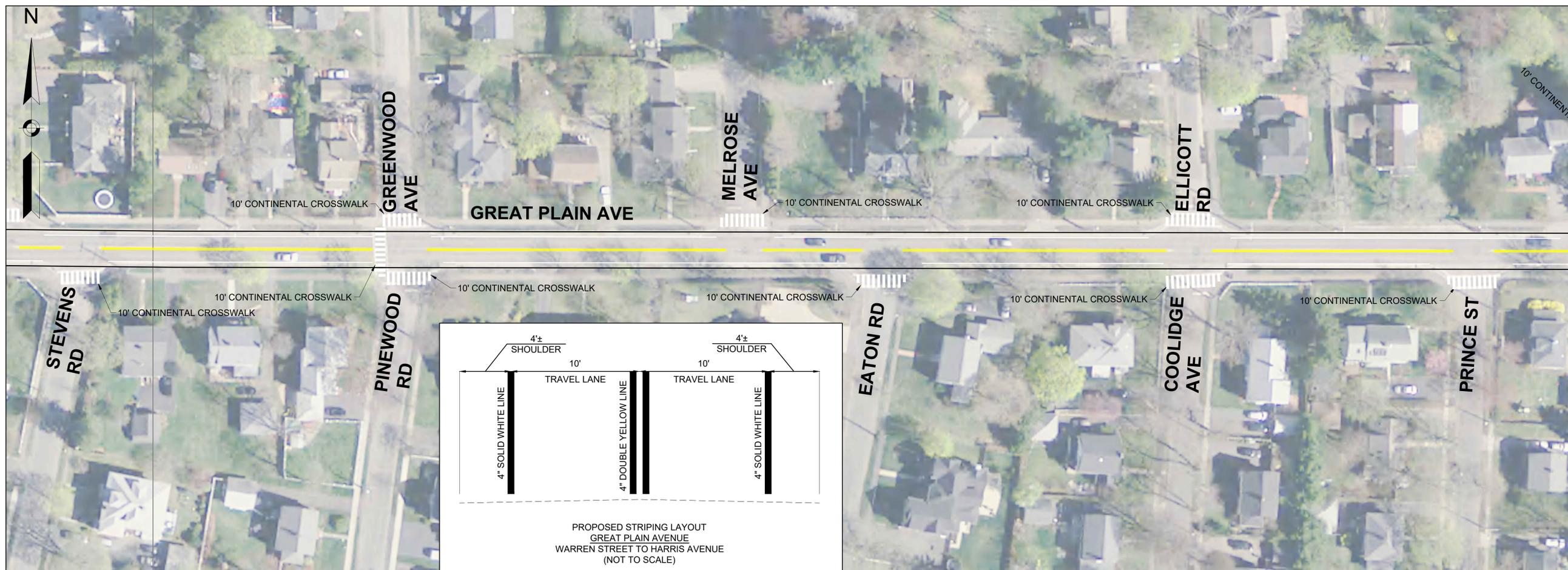
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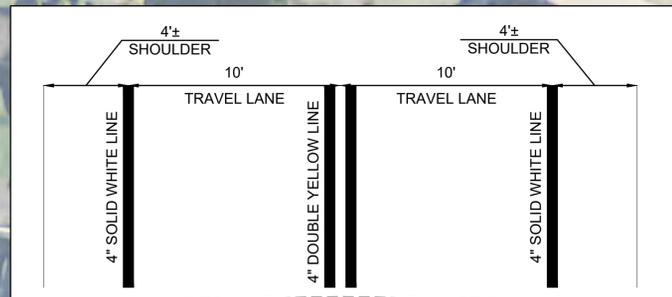
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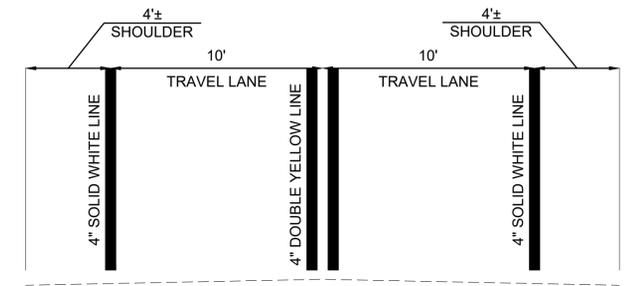
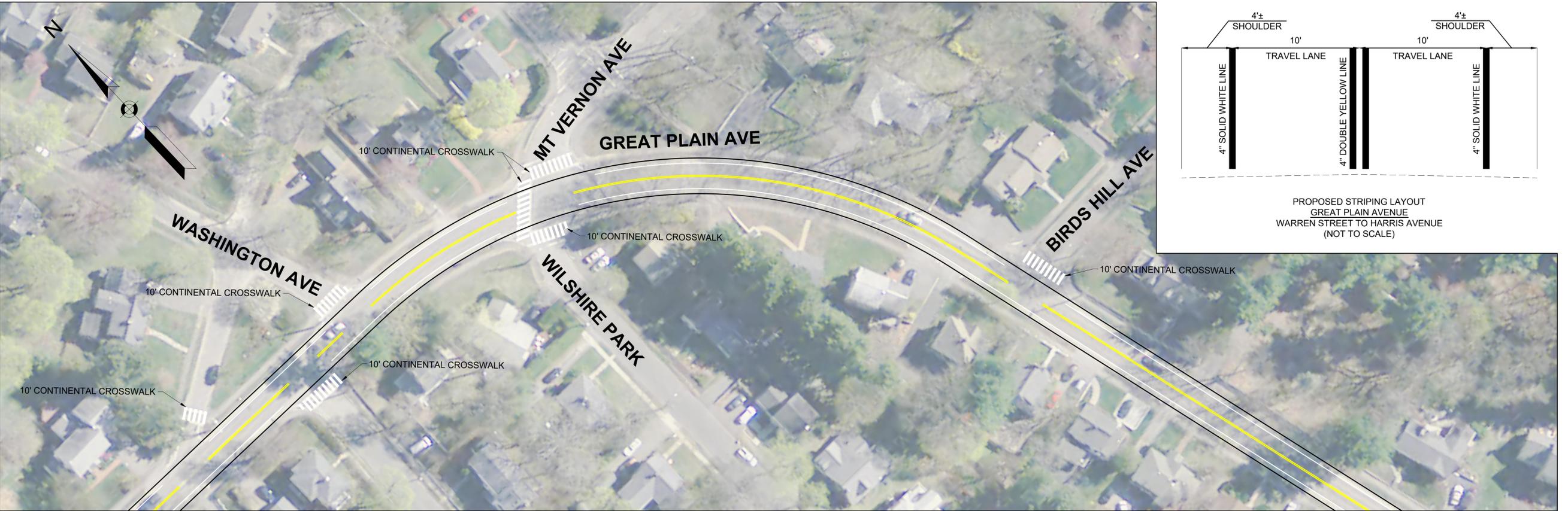
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PROPOSED STRIPING LAYOUT
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(NOT TO SCALE)

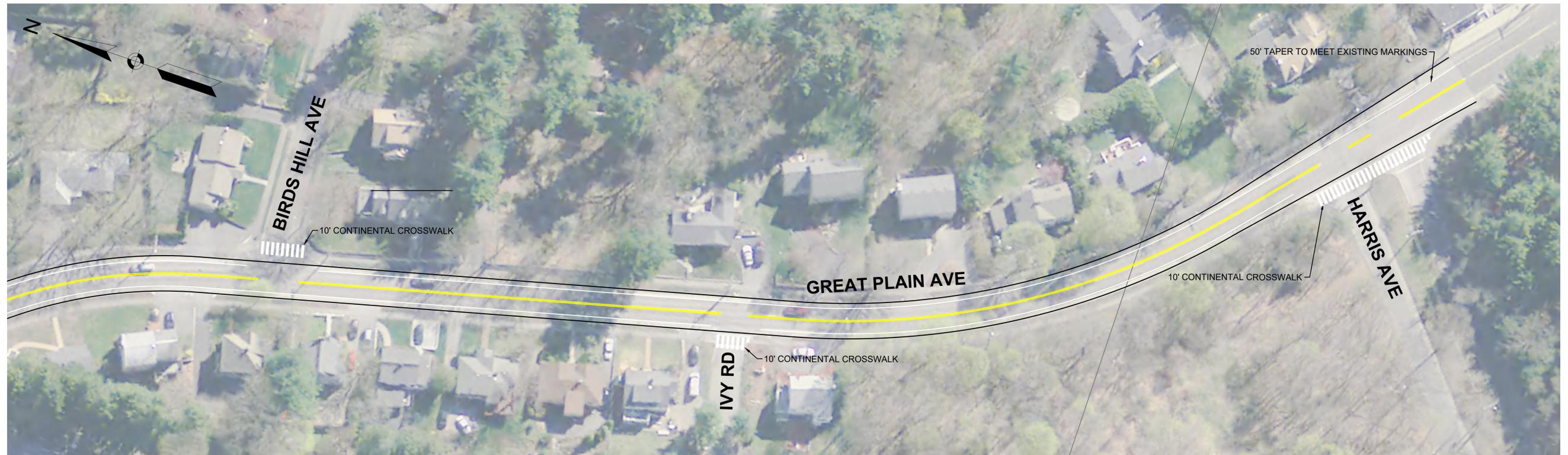




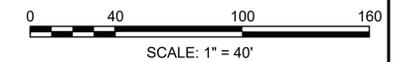
PROPOSED STRIPING LAYOUT
GREAT PLAIN AVENUE
WARREN STREET TO HARRIS AVENUE
(NOT TO SCALE)

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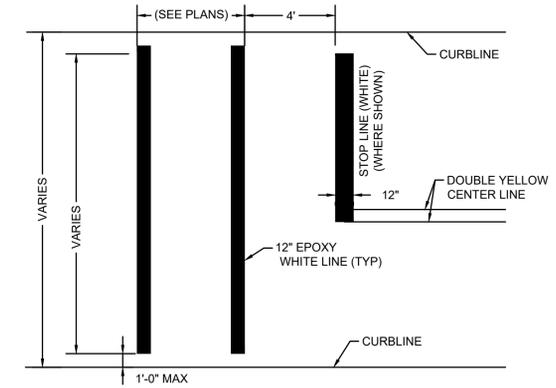
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PAVEMENT MARKINGS SYMBOLS

EXISTING	PROPOSED	DESCRIPTION
		PAVEMENT ARROW - WHITE
		LEGEND "ONLY" - WHITE
		BIKE LANE LEGEND - WHITE
		STOP LINE
		CROSSWALK
		SOLID WHITE LINE
		SOLID YELLOW LINE
		BROKEN WHITE LINE
		BROKEN YELLOW LINE
		4" DOTTED WHITE LINE (3' LINE W/ 9' GAP)
		4" DOTTED YELLOW LINE (3' LINE W/ 9' GAP)
		4" DOTTED WHITE LINE EXTENSION (2' LINE W/ 6' GAP)
		4" DOTTED YELLOW LINE EXTENSION (2' LINE W/ 6' GAP)
		DOUBLE WHITE LINE
		DOUBLE YELLOW LINE

NOTE: ALL PAVEMENT MARKINGS SHALL BE EPOXY.

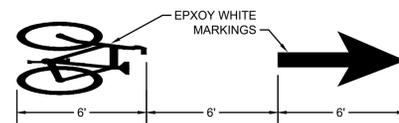


NOTES:

- ALL 12" LINES SHALL BE APPLIED IN ONE APPLICATION, NO COMBINATION OF LINES (TWO - 6" LINES) WILL BE ACCEPTED.
- LAYOUT OF CROSSWALKS SHALL BE APPROVED BY THE ENGINEER PRIOR TO APPLICATION.

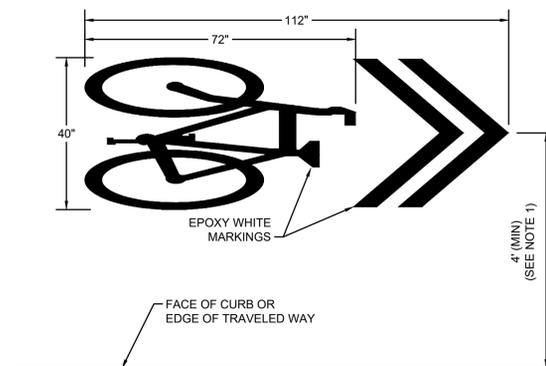
BAR CROSSWALK PAVEMENT MARKING

N.T.S.



BICYCLE LANE PAVEMENT MARKING

N.T.S.

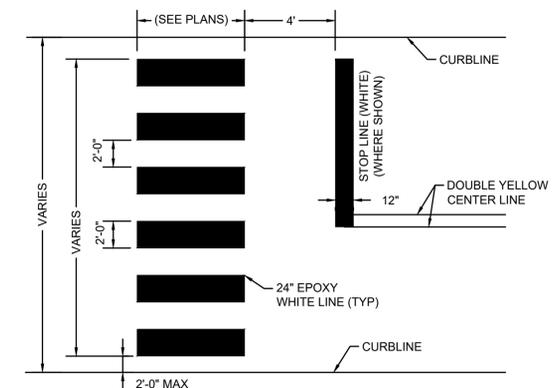


NOTES:

- 11' (MIN) ADJACENT TO ON-STREET PARALLEL PARKING.
- SHARED LANE PAVEMENT MARKING SHALL BE PLACED IMMEDIATELY AFTER AN INTERSECTION AND SPACED AT INTERVALS NOT GREATER THAN 250 FEET THEREAFTER.

SHARED LANE PAVEMENT MARKING

N.T.S.

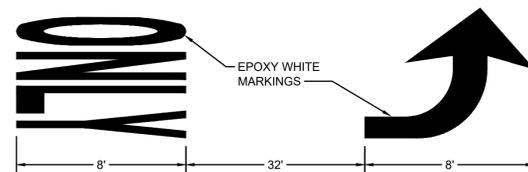


NOTES:

- ALL 12" LINES SHALL BE APPLIED IN ONE APPLICATION, NO COMBINATION OF LINES (TWO - 6" LINES) WILL BE ACCEPTED. ALL 24" LINES MAY BE EITHER ONE 24" LINE OR A COMBINATION OF TWO - 12" LINES.
- LAYOUT OF CROSSWALKS SHALL BE APPROVED BY THE ENGINEER PRIOR TO APPLICATION.
- CROSSWALK BARS SHALL BE PLACED OUTSIDE THE VEHICULAR WHEEL PATH WHEREVER POSSIBLE.

CONTINENTAL CROSSWALK PAVEMENT MARKING

N.T.S.



NOTE: SPACING SHALL BE SAME FOR RIGHT TURN LANE AND THRU ONLY PAVEMENT MARKING (REFER TO MASSDOT STANDARD DRAWING TR.6.1)

LEFT TURN LANE PAVEMENT MARKING

N.T.S.



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

MEETING DATE: 10/13/2020

Agenda Item	COVID-19 Update
Presenter(s)	Katie King, Assistant Town Manager/Operations

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Assistant Town Manager will provide an update to the Board regarding COVID-19.
2.	VOTE REQUIRED BY SELECT BOARD
	None.
3.	BACK UP INFORMATION ATTACHED
	None.



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

MEETING DATE: 10/13/2020

Agenda Item	Town Manager's Report
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Town Manager will update the Board on issues not covered on the agenda.
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
	none



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

MEETING DATE: 10/13/2020

Agenda Item	Special Town Meeting
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board may wish to discuss the results of the Special Town Meeting.	
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED



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

MEETING DATE: 10/13/2020

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 SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
(Describe backup below)	
None	

**WARRANT FOR THE
STATE ELECTION**
The Commonwealth of Massachusetts
TUESDAY, NOVEMBER 3, 2020

Norfolk, ss.

To either of the Constables of the Town of Needham

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the State Election to vote at their respective voting places in said Town, namely:

PRECINCT A – Center at the Heights - 300 Hillside
PRECINCT B – Center at the Heights - 300 Hillside
PRECINCT C – Newman School, 1155 Central Ave. Gym
PRECINCT D – Newman School, 1155 Central Ave. Gym
PRECINCT E – Needham Golf Club – 49 Green St.

PRECINCT F – Rosemary Recreation Complex
PRECINCT G – Rosemary Recreation Complex
PRECINCT H – Needham Golf Club, 49 Green St.
PRECINCT I - Town Hall - Powers Hall
PRECINCT J - Town Hall - Powers Hall

**ON TUESDAY, THE THIRD DAY
OF NOVEMBER, 2020**

From 7:00 A.M. to 8:00 P.M. for the following purposes:

To cast their votes in the State Election for the candidates for the following offices and questions:

ELECTORS OF PRESIDENT AND VICE PRESIDENT For These United States
SENATOR IN CONGRESS For This Commonwealth
REPRESENTATIVE IN CONGRESS For Fourth (4th) Congressional District
COUNCILLOR For Second (2nd) Councillor District
SENATOR IN GENERAL COURT (Precincts A,B,C,I,J) . . . For Norfolk, Bristol, and Middlesex Senatorial District
SENATOR IN GENERAL COURT. (Precincts D,E,F,G,H) For Norfolk and Suffolk Senatorial District
REPRESENTATIVE IN GENERAL COURT. For Thirteenth (13th) Norfolk Representative District
REGISTER OF PROBATE For Norfolk County
COUNTY COMMISSIONER For Norfolk County
COUNTY TREASURER For Norfolk County
SHERIFF (To Fill Vacancy) For Norfolk County

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

SUMMARY

This proposed law would require that motor vehicle owners and independent repair facilities be provided with expanded access to mechanical data related to vehicle maintenance and repair.

Starting with model year 2022, the proposed law would require manufacturers of motor vehicles sold in Massachusetts to equip any such vehicles that use telematics systems – systems that collect and wirelessly transmit mechanical data to a remote server – with a standardized open access data platform. Owners of motor vehicles with telematics systems would get access to mechanical data through a mobile device application. With vehicle owner authorization, independent repair facilities (those not affiliated with a manufacturer) and independent dealerships would be able to retrieve mechanical data from, and send comments to, the vehicle for repair, maintenance, and diagnostic testing.

Under the proposed law, manufacturers would not be allowed to require authorization before owners or repair facilities could access mechanical data stored in a motor vehicle’s on-board diagnostic system, except through an authorization process standardized across all makes and models and administered by an entity unaffiliated with the manufacturer.

The proposed law would require the Attorney General to prepare a notice for prospective motor vehicle owners and lessees explaining telematics systems and the proposed law’s requirements concerning access to the vehicle’s mechanical data. Under the proposed law, dealers would

have to provide prospective owners with, and prospective owners would have to acknowledge receipt of, the notice before buying or leasing a vehicle. Failure to comply with these notice requirements would subject motor vehicle dealers to sanctions by the applicable licensing authority.

Motor vehicle owners and independent repair facilities could enforce this law through state consumer protection laws and recover civil penalties of the greater of treble damages or \$10,000 per violation.

A YES VOTE would provide motor vehicle owners and independent repair facilities with expanded access to wirelessly transmitted mechanical data related to their vehicles' maintenance and repair.

A NO VOTE would make no change in the law governing access to vehicles' wirelessly transmitted mechanical data.

YES _____
NO _____

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

SUMMARY

This proposed law would implement a voting system known as "ranked-choice voting" in which voters rank one or more candidates by order of preference. Ranked-choice voting would be used in primary and general elections for all Massachusetts statewide offices, state legislative offices, federal congressional offices, and certain other offices beginning in 2022. Ranked-choice voting would not be used in elections for president, county commissioner, or regional district school committee member.

Under the proposed law, votes would be counted in a series of rounds. In the first round, if one candidate received more than 50 percent of the first-place votes, that candidate would be declared the winner and no other rounds would be necessary. If no candidate received more than 50 percent of the first-place votes, then the candidate or candidates who received the fewest first-place votes would be eliminated and, in the next round, each vote for an eliminated candidate would instead be counted toward the next highest-ranked candidate on that voter's ballot. Depending on the number of candidates, additional rounds of counting could occur, with the last-place candidate or candidates in each round being eliminated and the votes for an eliminated candidate going to the voter's next choice out of the remaining candidates. A tie for the last place in any round would be broken by comparing the tied candidates' support in earlier rounds. Ultimately, the candidate who was, out of the remaining candidates, the preference of a majority of voters would be declared the winner.

Ranked-choice voting would be used only in races where a single candidate is to be declared the winner and not in races where more than one person is to be elected.

Under the proposed law, if no candidate received more than 50 percent of first-place votes in the first round, the rounds of ballot-counting necessary for ranked-choice voting would be conducted at a central tabulation facility. At the facility, voters' rankings would be entered into a computer, which would then be used to calculate the results of each round of the counting process. The proposed law provides that candidates in a statewide or district election would have at least three days to request a recount.

The Secretary of State would be required to issue regulations to implement the proposed law and conduct a voter education campaign about the ranked-choice voting process. The proposed law would take effect on January 1, 2022.

A YES VOTE would create a system of ranked-choice voting in which voters would have the option to rank candidates in order of preference and votes would be counted in rounds, eliminating candidate with the lowest votes until one candidate has received a majority.

A NO VOTE would make no change in the laws governing voting and how votes are counted.

YES _____
NO _____

**The Polls Will Be Open From
7:00 A.M. to 8:00 P.M.**

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.
Given under our hands this 13th day of October, A.D. 2020.

Maurice P. Handel, Chair

Matthew D. Borrelli, Vice Chair

Marianne B. Cooley, Clerk

Daniel P. Matthews

John A. Bulian
Select Board of Needham

A true copy,
ATTEST _____ 2020
Constable (month) (day)

(Warrant must be posted by **October 28, 2020**, (at least *seven days prior* to the **November 3, 2020**, State Election).

Town of Needham
Select Board
Minutes for Tuesday, September 8, 2020
By Zoom Video Conference
<https://us02web.zoom.us/j/81178733033>

5:45 p.m. Informal Meeting with Citizens: No activity.

6:00 p.m. Call to Order:

A meeting of the Select Board was convened by Chair Maurice P. Handel. Those participating were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, Dave Davison, ATM/Finance, and Katie King, ATM/Operations. Recording Secretary Mary Hunt recorded the meeting remotely.

Mr. Handel announced this open meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020 due to the current state of emergency from the outbreak of the COVID-19 virus. He noted all public gatherings have been suspended as advised and directed by the Commonwealth. And, as such, suspending the requirement of the open meeting law to have all meetings in a public, accessible, physical location while encouraging and allowing members of all public bodies to participate remotely. Mr. Handel stated the meeting will not include public comment and the Needham Select Board and all attendees are convening by Zoom, as posted on the Town's website identifying how the public may join. He said all supporting documents used at this meeting are available on the Town's website www.needhamma.gov.

6:01 p.m. Public Hearing: Eversource Energy Grant of Location - Linden Street
Maureen Carroll, Eversource Energy representative appeared before the Board requesting to install approximately 10 feet of conduit in Linden Street. This work is necessary to provide underground electric service to 29 Linden Street, Needham.

Ms. Fitzpatrick said all paperwork is in order.

Mr. Handel invited public comment. No comments were heard.

Motion by Mr. Bulian that the Select Board vote to approve and sign a petition from Eversource Energy to install approximately 10 feet of conduit in Linden Street. This work is necessary to provide underground electric service to 29 Linden Street, Needham.

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

6:03 p.m. Change of Manager - Bertucci's Restaurant:

Bertucci's Restaurant Corp., 1257 Highland Avenue, has submitted an application for a change in manager. A review indicates that Mr. Sprague meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol.

However, Section 6.4 of the Select Board's Regulations for the Sale of Alcoholic Beverages states: "No alcohol license will be issued to any applicant unless such applicant is the licensee named in a common victualler's license and has operated a restaurant and function rooms for the twelve month period immediately preceding the filing of an application. When deemed appropriate by the Select Board this provision may be waived." Mr. Sprague is seeking a waiver of this section. All other additional filing materials seem in order.

Mr. Handel asked for questions and comments from the Board.

Mr. Matthews noted this will be the first time Mr. Sprague will be the manager of a liquor license. Mr. Sprague said it will be his second time as manager of a liquor license, but it has been a number of years. Mr. Matthews reminded Mr. Sprague that as manager, he is personally responsible and liable for anything that goes wrong with alcohol service at the premises. Mr. Matthews noted Needham was a historically dry town and the importance of operating a business consistent with community expectations, including no sale of alcohol to minors and undercover compliance checks. Mr. Sprague said he agrees 100% with community expectations. Mr. Matthews wished Mr. Sprague well in his new position.

Mr. Borrelli commented on the recently adopted stringent rules and penalties for alcohol violations. He suggested Mr. Sprague become familiar with the new rules.

Motion by Mr. Bulian that the Select Board waive Section 6.4 of the Select Board's Regulations for the Sale of Alcoholic beverages for Mr. Sprague and approve and sign the application for a Change in Manager to Stephen Sprague for Bertucci's Restaurant Corp., 1257 Highland Avenue, Needham and to forward this application to the ABCC for approval.

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

6:10 p.m.

Appointments and Consent Agenda:

Motion by Mr. Bulian that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Approve Select Board Minutes from July 23, 2020, August 6, 2020, August 18, 2020, and August 21, 2020.**
- 2. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$1500 from Needham Public Library and \$200 from Ashly Scheufele.**
- 3. Water and Sewer Abatement Order #1295.**
- 4. Accept a \$20 donation made to Needham Youth & Family Services' Volunteers Around Needham Program from the Coppinger family.**

5. **Accept the following gifts received by the Needham Public Library for the period of May 1, 2020 to August 31, 2020: The Needham Garden Club donated \$35.00 to purchase a book on native plants in memory of Marjorie Ounanian; Si Si Goneconto and friends made face coverings for the library staff (priceless); Ann MacFate donated \$250.00 in memory of Irene MacFate; Kristen Toohill made a \$100.00 donation for the purchase of audiobooks on race; The following people made donations to the library in memory of David C. Yoke: Odette Howard--\$20.00, Deborah W. Coogan--\$50.00, Eleanor & Joseph Morrison--\$25.00, Sheila Goldstein--\$20.00, and Anne Madaus--\$50.00; Patricia Menno-Coveney and Stephen Menno made a \$75.00 donation to the library in honor of Tom Harkins 75th birthday; Monica Main sent the library a copy of her new book, The Lost Secret: Unlocking the Hidden Chapters of Napoleon Hill's Think and Grow Rich. (\$22.95); The Friends of the Needham Public Library made a \$500 donation in honor of Greg Shesko; Mass Audubon sent the library a copy of Barry Van Dusen's new book, Finding Sanctuary: An Artist Explores the Nature of Mass Audubon. (\$35.00); Barnes and Noble gave the library a copy of John Shallman's new book, Return from Siberia. (\$24.99); Lois and Bill Bacon donated \$200.00 in support of the Diversity Series at the library; and Keith and Lynn McClelland donated a copy of Ginger Bolton's new book, Boston Scream Murder (\$15.95).**

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

6:11 p.m.

Town Manager:

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

1. Needham Unite Against Racism Working Group

Ms. Fitzpatrick and Ms. King recommend the Select Board endorse the charge of the Unite Against Racism Working Group and appoint the inaugural members of the group. Ms. Fitzpatrick stated the Working Group will help guide the Town over the coming year, help create a vision for racial equity, and make recommendations to the Select Board. She said the following people have expressed willingness to assist in the work: Marianne Cooley, Select Board, Matt Borrelli, Select Board, Sue Neckes, School Committee, Jen Howard, NHRC, Marcus Nelson, NHRC, David Summergrad, NDI, Jay Spencer, Owner, French Press, Ramin Abrashamin, Member, Needham Clergy Association, Vivian Hsu, Resident, Dennis Zhang, Resident, Natasha Espada, Resident, Dr. Olutoyin Fayemi, Resident, Oluwatoni Ajayi, recent NHS graduate.

Ms. Cooley thanked Ms. Fitzpatrick and Ms. King for their work in forming the Working Group. She said the community is committed to making Needham a better place.

Mr. Borrelli said the Working Group will be a great benefit for the Town.

Mr. Bulian said he is looking forward to seeing the work of the group.

Mr. Matthews said a lot of work must be done in the coming years on race equity issues and it helps to have a broad range of experienced members. He said the charge is carefully crafted, the work is not easy, but needs to be done.

Mr. Handel said racism affects every aspect of the community and every organization must look to itself to improve their situation. He said the composition of the Working Group reflects a commitment to bring many aspects of the community into the discussion.

Motion by Mr. Bulian that the Select Board approve the charge and composition of the Needham Unites Against Racism Working Group contained in the recommendation dated September 8, 2020.

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

2. Close Special Town Meeting Warrant

Ms. Fitzpatrick updated the Board on changes to the draft warrant since the last Select Board meeting. In particular, she commented on the withdrawal of the COVID-19 economic grant program, withdrawal of a Citizen's Petition regarding zoning, and a new Citizen's Petition on behalf of Equal Justice Needham. She said the petition, certified by the Town Clerk with over 300 signatures, was revised. Ms. Fitzpatrick said the petitioners have asked the Board to consider swapping out language.

Mr. Matthews said the revised language is somewhat different from the language submitted with over 300 signatures, but it is clear that the Select Board can respond under its authority to insert the matter into the warrant. He said rather than quibble over whether the 300 signers agreed to the language, he offered a motion to insert the article text provided by the petitioner to the Town Manager into the warrant and mark that the insertion by the Select Board is at the request of the petitioner, Noah Mertz.

Motion by Mr. Matthews that the Select Board vote to approve insertion of article text into the fall 2020 Special Town Meeting Warrant, Citizen's Petition - Racism Happens Here provided by the petitioner after gathering and submitting more than the required 300 resident signatures to the Town Manager.

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

Mr. Matthews clarified that by inserting the text into the warrant, it is not a position of the Select Board, rather a mere convenience and courtesy to the petitioner and bring the matter to the attention of Town Meeting Members so they may act on it.

Mr. Borrelli clarified the intent of the Select Board is to place the zoning article withdrawn by the proponents into the Annual Town Meeting Warrant in May 2021. Mr. Handel noted the petitioners, on two occasions at the request of the Select

Board, have postponed their request. He said the Select Board will honor their intent of getting the article into the spring 2021 warrant or next earliest opportunity (mindful of Covid-19 implications).

Mr. Matthews said he appreciates the courtesy of the petitioners in withdrawing in this way, so the Town can facilitate the meeting. He reiterated, inserting the article is not a position of the Select Board, as there are many points of view as to the merits of the issue.

**Motion by Mr. Bulian that the Select Board vote to close the warrant for the October 4, 2020 Special Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel, and/or Bond Counsel.
Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.**

Ms. Fitzpatrick reminded Town Meeting Members that the Special Town Meeting will be held on Sunday, October 4, 2020, at the parking lot of Memorial Field.

3. Positions on Warrant Articles

The Board took positions on Articles contained in the October 4, 2020 Special Town Meeting Warrant:

Article 1 - Amend the FY2021 Operating Budget - Defer

Motion by Mr. Borrelli that the Select Board vote to support Article 2 - Appropriate for Needham Property Tax Assistance Program in the Special Town Meeting Warrant.

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

Article 3 - Appropriate for Covid-19 Expenses - Defer

Dave Davison, ATM/Finance and Roger McDonald, Director/MIS told the Board Article 4 was on the 2020 Annual Town Meeting Warrant, but at the request of the Town, action was postponed in order to shorten the warrant. Mr. Davison said the article now appears in the fall 2020 Special Town Meeting Warrant, rather than waiting for the spring 2021 Annual Town Meeting, due to timing. He stated the current billing system is over 30 years old, no longer supportable, and the company intends to phase out the software.

Discussion ensued on upgrades and benefits of the new software.

Ms. Cooley stated her strong support for the article.

Motion by Mr. Bulian that the Select Board vote to support Article 4 - Appropriate for Billing and Collection Software in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Select Board vote to support Article 5 - Appropriate for Transportation Improvement Fees in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Select Board vote to support Article 6 - Amend Zoning By-Law - Avery Square Overlay District in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Select Board vote to support Article 7 - Amend Zoning By-Law - Map Change to Avery Square Overlay District In the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Select Board vote to support Article 8 - Appropriate for Walker Lane Sewer in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Select Board vote to support Article 9 - Rescind Debt Authorization in the Special Town Meeting Warrant.

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

Article 10 - Appropriate for Emergency Rental Assistance Program - Defer

Article 11 - Appropriate for First Baptist Church Preservation and Restoration - Defer

Article 12 - Appropriate for First Parish Church Steeple Preservation - Defer

Article 13 - Appropriate for Needham Community Farm Growing Bed Expansion - Defer

Article 14 - Appropriate for Claxton Field Lights and Skin Diamond Renovation - Design - Defer

Article 15 - Appropriate for Resurfacing of Synthetic Track at DeFazio Complex - Defer

Article 16 - Appropriate to Community Preservation Fund - Defer

Article 17 - Citizen's Petition - Defer

4. Town Manager Update

Ms. Fitzpatrick commented on the school's reopening plan and the number of Town staff that are spending hours each week supporting the effort. She said reopening schools for in person learning is the #1 priority and everything is being done to support the Superintendent and the School Committee.

Mr. Handel said it is important the public understands the efforts being made for a successful and safe reopening. He also commented on the work of the School Committee, noting it is a major undertaking, time consuming, and very stressful. He said a debt of appreciation is owed to town staff, school department staff, and school committee.

Ms. Fitzpatrick reported on the success of the “Dine Around Needham” initiative, stating two more events are scheduled for September 16, 2020 and October 14, 2020 from 6-9 p.m.

Ms. Fitzpatrick reported the Town is close to signing a contract to hire an outside investigator to look into an incident that happened earlier in the year outside CVS. She said an announcement will be made very soon.

Mr. Matthew said he hopes people understand how hard town government is working for them on a number of issues including COVID-19, reopening schools, and race equity issues. He said staff are working on enormous challenges, in addition to their everyday workload. He thanked all Town staff for their efforts.

Mr. Handel commented society is under a great deal of stress at this time, making all the issues much more current and demanding.

Ms. Cooley stated she returned from a weekend away to find the “Black Lives Matter ” sign in front of her house (and her neighbors sign) had been taken over the weekend. She said challenges continue in the community and it will be a discussion where hopefully everyone can hear each other.

Mr. Handel mentioned the vandalism on the first responders sign outside Eaton Funeral Home. He commented people must listen to each other and respect the fact that not everyone has the same opinion on every issue.

Mr. Borrelli said we are one community with different voices that need to come together in many ways.

6:49 p.m. Committee Reports:

1. Town Common Renovation Committee

Mr. Handel reported Ed Olsen, Tree Warden, Parks and Forestry and Bob Mackey, BETA Corp., will meet with the Select Board next month to discuss alternatives for upgrading and restoring the beauty of the Town Common. He stated the committee includes representatives from the Historical Commission, Select Board, Department of Public Works, landscape architects, and residents. He said the Common is extremely well used.

2. Newton Needham Chamber of Commerce

Mr. Handel said he attended a Zoom meeting with the Chamber of Commerce to discuss how to get the word out so people shop locally. He said there are many

imaginative ideas and incentives for people to shop locally, which will be discussed at a future meeting.

6:53 p.m.

Adjourn:

Motion by Mr. Bulian that the Select Board vote to adjourn the Select Board meeting of Tuesday, September 8, 2020.

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

A list of all documents used at this Select Board meeting are available at:

<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>

**Town of Needham
Select Board
Minutes for Tuesday, September 22, 2020
By Zoom Video Conference
<https://us02web.zoom.us/j/89093905788>**

5:45 p.m. Informal Meeting with Citizens: No activity.

6:00 p.m. Call to Order:

A meeting of the Select Board was convened by Chair Maurice P. Handel. Those participating were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, Dave Davison, ATM/Finance, and Katie King, ATM/Operations. Recording Secretary Mary Hunt recorded the meeting remotely.

Mr. Handel announced this open meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020 due to the current state of emergency from the outbreak of the COVID-19 virus. He noted all public gatherings have been suspended as advised and directed by the Commonwealth. And, as such, suspending the requirement of the open meeting law to have all meetings in a public, accessible, physical location while encouraging and allowing members of all public bodies to participate remotely. Mr. Handel stated the meeting will not include public comment and the Needham Select Board and all attendees are convening by Zoom, as posted on the Town's website identifying how the public may join. He said all supporting documents used at this meeting are available on the Town's website www.needhamma.gov.

6:01 p.m. Public Hearing: Eversource Energy Grant of Location - Central Avenue

Maureen Carroll, Eversource Energy representative appeared before the Board requesting permission to install approximately 4 ½ feet of conduit in Central Avenue. This work is necessary to provide underground electric service to 1681 Central Avenue, Needham, MA.

Mr. Handel invited public comment. No comments were heard.

Ms. Fitzpatrick said all paperwork is in order, however work was completed prior to receiving a grant of location.

Mr. Bulian asked Chris Woodley, builder to explain what happened.

Mr. Woodley said this was his first time installing underground service and that he was unaware a grant of location was necessary, even after receiving inspections from the Town.

Mr. Matthews explained to Mr. Woodley approval is necessary prior to work being completed as a connection underground involves an easement in real estate, which belongs to the public, requiring a public hearing.

Ms. King commented she will be meeting with staff next week from the building department and public works to address the issue and improve communications to avoid the situation in the future. She acknowledged the frustration of all parties.

Motion by Mr. Bulian that the Select Board vote to approve and sign a petition from Eversource Energy to install approximately 4 1/2 feet of conduit in Central Avenue. This work is necessary to provide underground electric service to 1681 Central Avenue, Needham.

Second: Ms. Cooley. Unanimously approved 4-0 by roll call vote.

Mr. Borrelli recused himself from the discussion and vote.

6:07 p.m. Public Hearing: Uncontrollable Dog
Mr. Handel recommended the public hearing be postponed, as the dog in question is gravely ill.

Motion by Mr. Borrelli that the Select Board vote to continue this public hearing to October 27, 2020.

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

6:09 p.m. Introduce Economic Development Manager:
Katie King, Assistant Town Manager/Operations introduced Amy Haelsen, who was recently appointed Economic Development Manager. She said Ms. Haelsen will be coordinating the town's overall economic development strategy, staffing the Council of Economic Advisors, and working with the business community. She gave a brief history of Ms. Haelsen's work experience in Dedham.

Ms. Haelsen said she has been working for over a month in Needham and is very impressed with the professionalism and "thinking outside the box." She said she has been speaking with small business owners in Needham Center and the Heights to see how they are doing in this challenging time. She said business owners are grateful for the efforts of the Town during the COVID-19 pandemic. Ms. Haelsen mentioned a meeting with the Newton Needham Chamber of Commerce regarding the collaborative 100 Day Challenge campaign designed to support small businesses. She said she will be meeting with many of the economic developers from cities and towns in the greater Boston area on a regular basis to share best practices, as well as forging relationships with commercial property owners. Ms. Haelsen said she is glad to be working for the Town of Needham.

Mr. Bulian welcomed Ms. Haelsen to the town and asked she consider the Highland Avenue corridor from Webster Street to the Newton line, as the area is about to undergo the MassDOT Corridor Project, which will further challenge the small

businesses and restaurants in the area through the winter months, in addition to the pandemic.

The Board welcomed Ms. Haelsen to Needham and said they are looking forward to working with her to support the small businesses in town.

6:18 p.m.

Recognition of Rick Merson, Director of Public Works:

Ms. Fitzpatrick introduced several speakers to congratulate and wish Mr. Merson well in his retirement after a 48-year career of working for the Town of Needham.

Denise Garlick, State Representative personally thanked Mr. Merson for his extraordinary work including safe snow plowed roads and sidewalks, well designed intersections, and the “Merson Miracle” of filling cracks and potholes on the streets. She thanked Mr. Merson for his vision, commitment to clean water and energy efficiency, noting these all add to the quality of life in Needham. Ms. Garlick, as representative of the state legislature, presented Mr. Merson with resolution congratulating him on his extraordinary 48 years of service and commitment to Needham. She said the resolution will be voted upon by both the state House of Representatives and Senate.

Michael Fee, Town Moderator said Mr. Merson is a man of devotion to family, profession, staff, causes, and to the Town. He said Mr. Merson has made things better with clean water, state of the art facilities, advanced sanitation systems, good roads, parks, shade trees, and efficient recycling and disposal. Mr. Fee said Mr. Merson has made the Town proud on both a state and national level, and that he leaves a legacy and an example of public service with his remarkable career. Mr. Fee, on behalf of Town Meeting, congratulated Mr. Merson and wished him the best in his retirement. He said he will be missed at Town Meeting.

Dan Gutekanst, School Superintendent offered congratulations on behalf of the Needham Public Schools. He said he will miss the 3:00 a.m. conversations to decide whether school can be held when it is snowing. He shared Mr. Merson is known around Town for his bad jokes, detailed weather reports, and snow removal. Dr. Gutekanst said Mr. Merson is one of the kindest gentlemen that he has been privileged to work with. He congratulated Mr. Merson on his well-deserved retirement.

Dennis Condon, Fire Chief said Mr. Merson’s emails are long, relentless, and informative. He said he admires Mr. Merson’s work ethic and relentless effort to have public works recognized as public safety. Chief Condon thanked Mr. Merson, wished him well, and said he hopes he receives more retirement checks than paychecks. He said he will miss Mr. Merson and that no one will ever look as good in a fedora.

John Schlittler, Police Chief congratulated and thanked Mr. Merson on his retirement and his remarkable. He referred to the 1980’s when Mr. Merson was his

boss during the summer when he worked in the water and sewer department. Chief Condon said Mr. Merson was a great mentor, always in a good mood, always approachable, and has a wealth of knowledge. Chief Schlittler said Mr. Merson is a genuine, kindhearted person, who cared about his staff and the town. He said he leaves ‘big shoes’ to fill.

Kate Fitzpatrick, Town Manager said Mr. Merson has been a mainstay during her career. She said Mr. Merson can tell you why a street in Needham is considered an ancient way and why it matters, he can tell you where the U.S. Army buried the cable for the Nike missile site, and even knows what store was on the corner of Chapel Street before the Crest. She told of their 30 year relationship standing together at parades for veterans, astronauts, and Olympians, touring the Town in hurricanes and blizzards, consulting in the early morning hours about snow, standing at building demolitions and bridge dedications, watching a scuba diver crawl across the bottom of the prior Rosemary pool, standing together at countless wakes and funerals, budget hearings and Town Meetings, railroad crossings, intersections, schools, parks, and sewer pumping stations. Ms. Fitzpatrick said for 48 years Mr. Merson has stood up for the critical and daily needs of residents and businesses, and for public works. She said Mr. Merson is the kindest person and will be missed very much.

Mr. Handel said Mr. Merson helped him when he moved to Needham with a water issue, and that he is the quintessentially decent and competent public servant. He thanked Mr. Merson for his service.

Mr. Borrelli, referring to his father who said Mr. Merson was fair and treated people with respect. He said Mr. Merson is a wealth of knowledge who made Needham a better place to live. Mr. Borrelli said he will miss the funny jokes and how Mr. Merson bridged the generational gap. He wished Mr. Merson the best in his retirement.

Ms. Cooley said she appreciates the history, thoroughness, and photos from Mr. Merson. She said the town has been blessed to have Mr. Merson all these years and thanked him for his service.

Mr. Bulian said Mr. Merson would make a great adjunct professor in the Needham Public Schools with his wealth of knowledge. He said there have been many meetings attended, where Mr. Merson joined him in a resident living room to address an issue. He said Mr. Merson is “always there with a steady guiding hand.” Mr. Bulian congratulated Mr. Merson on his retirement.

Mr. Matthews said Mr. Merson has been working for the town longer than he has and will be missed. He said the unfailing good nature, kindness, and courtesy is what stands out. He thanked Mr. Merson and wished him all the best.

Mr. Merson said he is overwhelmed by the response and thanked everyone for their kind words. He said the work is just what he does every day and it was never a burden. He said his intent was always to show respect for the community and individual. He noted he began working as a co-op student in the engineering division, hired by Jack Maher who mentored him along with other people during his career. He referred to Bob Lannigan, Bob McKeown, and Tony Cefalo and their advice to him over the years. He thanked everyone for their comments.

7:05 p.m. School Opening Update:

Dan Gutekanst, Superintendent of Schools updated the Board on plans for reopening schools. He thanked the Public Health Department, Town Manager, as well as custodial staff for their help. He said school started remotely and students are engaged, and that in person school will begin on Tuesday, September 29, 2020. Dr. Gutekanst said efforts have focused on HVAC systems and ventilation to make sure the buildings are as healthy as possible, acknowledging the buildings will not be risk free environments. He said Town collaboration has crafted a program for students to re-enter schools safely. Dr. Gutekanst said additional custodial staff will also be employed. He thanked Ms. Fitzpatrick for her efforts and being available to meet multiple times a day.

Mr. Matthews thanked the Superintendent, and everyone involved in this huge undertaking, noting it is important to get children back to school, if it can be done safely.

Mr. Borrelli echoed Mr. Matthews comments saying his children just want to get back to school and be with their friends.

Ms. Cooley wished everyone well as the schools reopen.

Mr. Bulian and Mr. Handel concurred.

Ms. Fitzpatrick said many people are working around the clock to get schools open.

7:13 p.m. Appointments and Consent Agenda:

Motion by Mr. Bulian that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Accept an \$8,000 donation made to the Needham Health Department's Interface Referral Service from Beth Israel Deaconess Hospital – Needham Campus.**
- 2. Accept a \$20,000 donation made to the Needham Council on Aging Services Donation Account from the Friends of the Center at the Heights, Inc.**

3. **Accept a donation from the League of Women Voters of a public art installation on the Needham Town Common to honor the people and events that had a role in the women's suffrage movement. The display will be up from October 16, 2020 through October 30, 2020. The League of Women Voters would like to donate this art installation to the Town of Needham in honor of the 100th anniversary of the passage of the 19th amendment and the founding of the League of Women Voters. Materials used for this display are valued at \$150, not including the many hours of labor for production and assembly from dedicated League and community members.**
4. **Accept a \$1,000 donation made to the Needham Health Department's Traveling Meals Program from the Darshana Thakore Family Fund.**
5. **Accept the following donations made to the Needham Community Revitalization Trust Fund: \$586 from Newton Needham Chamber of Commerce and \$250 from Marcus Hughes.**
6. **Water and Sewer Abatement Order #1296**

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

7:14 p.m.

CPC Warrant Articles Discussion:

Peter Pingitore, CPC Chair and Carys Lustig, CPC Liaison discussed with the Board articles recommended by the Community Preservation Committee for the October 4, 2020 Special Town Meeting Warrant.

Mr. Pingitore thanked the Select Board and staff for their dedication to the Town. He reviewed seven warrant articles including Emergency Rental Assistance Program, First Baptist Church Preservation and Restoration, First Parish Church Steeple Preservation, Needham Community Farm Growing Bed Expansion, Claxton Field Lights and Skin Diamond Restoration, and Resurfacing of Synthetic Track at the DeFazio Complex.

The Board thanked Mr. Pingitore for the presentation and recognized the hard work of the Community Preservation Committee.

7:30 p.m.

Citizens Petition Warrant Article:

Noah Mertz, Lead Petitioner, Rebecca Waber, and John Kirk provided the Board with a summary of the citizens petition contained in the warrant for the October 4, 2020 Special Town Meeting.

Mr. Kirk said the citizens petition, as presented, supports the efforts of the Needham Unite Against Racism Initiative, and that he hopes the Needham Unite Against Racism Initiative (NUARI) group could take on some of the elements proposed. Mr. Kirk said the purpose of the citizens petition is to identify areas for inclusion in the scope including racism experienced by people in Town, discussions with committee chairs to understand how their role and areas of responsibility are affected by systemic racism, police oversight and accountability, evaluation of alternative police policies, racial profiling, and housing and zoning policies. He

said it will be an opportunity for Town Meeting to “weigh in” as a part of the process.

Rebecca Waber reiterated Mr. Kirk’s comments saying the non-binding resolution is a way of affirming that, as Town Meeting, the issue matters to residents. She said she hopes tangible actions can come out in the long term, commenting the warrant article does not assert any particular action be taken, simply that the Town considers them in decision making.

Noah Mertz said 340 signatures were collected in three days and people are paying attention to the issue. He said he feels the conversation is long overdue.

Mr. Handel said everyone shares the concern about racism and social equity in Needham, and partly why NUARI was formed. He said the Select Board is looking for meaningful suggestions.

Mr. Borrelli said everyone agrees racism is an issue, noting he is a member of NUARI. He said however, the article as written, is too broad. He suggested postponing the citizens petition until spring 2021 and let NUARI explore the issue. Mr. Borrelli said he is concerned with the policing issue. He said it is very difficult, as the Town has supported the police department, noting Needham is a safe town because of the professionalism of the police department. Mr. Borrelli wondered about the intent of the article and where it is going. He said he does not agree with the part of the article regarding policing, the language, or the housing and zoning issue. Mr. Borrelli suggested keeping the article simple, rather than lumping a lot of issues together, where he said he does not believe there is broad support. He suggested postponing the Citizens Petition until a group can meet to determine what the actual problem is, rather than first coming up with a set of potential solutions. Mr. Borrelli acknowledged some of the issues are national, saying however, he is more concerned with Needham issues.

Mr. Handel noted the town has engaged the services of a professional analyst to consider policing issues in Needham.

Discussion ensued on language in the citizens petition.

Mr. Matthews agreed a lot of work needs to be done on race equity, a core focus for the Select Board, and it is clear there is genuine interest both nationally and locally. He said now is a good time to do a lot more. Mr. Matthews said there are parts of the citizens petition he agrees with, and parts of it he looks at differently or with concern. He said he believes most people in Needham want to improve public safety, rather than reduce it. He noted he is not willing to marginalize people who work for Needham in the discussion, including the people who work for the Police Department. He said that he hopes that is not the intent of the petitioners. Mr. Matthews acknowledged some people are anxious to move quickly, but patience and persistence is what will “see us through.” He reiterated now is the time for real

progress on racial justice and equity, which he stated is achievable both nationally and in Needham.

Rebecca Waber said she feels the same spirit Mr. Matthews articulated, noting now is the time to reflect and think about the kind of oversight there is in Needham. Ms. Waber referred to language around policing, suggesting there may be opportunities for improvement in Needham's policies and procedures.

Mr. Handel thanked Ms. Waber for her clarification.

Mr. Bulian thanked Ms. Waber for her statement. He concurred with Mr. Matthews, saying there are elements of the citizens petition he favors and some elements that he does not favor or is unsure. Mr. Bulian said he would have preferred more outreach by the petitioners for conversations with members of the Select Board for their perspective and to gather information. Mr. Bulian commented on the housing and zoning issue, noting the work of the Select Board to reach 13.6% subsidized housing inventory. He commented through the actions of the Select Board and Planning Board, and other stakeholders including Town Meeting, the Town has increased Needham's population by as much as 20%, which has not been fully digested. Mr. Bulian said there was no explanation on the housing and zoning item. He also noted the pandemic has created budgetary downswing from a revenue standpoint for FY2021 and FY2022, and possibly beyond. Mr. Bulian said residents expect a certain level of service, including DPW, public safety, education, etc. He said he would like more information. Mr. Bulian said he doesn't know the answer to racism, but there is not a "switch" to turn it off, and it is a very difficult challenge. He suggested more conversations with the petitioners to gain a better understanding.

Mr. Handel said NUARI is an effort organized by the Town, and that it does not preclude citizens from tackling individual problems and putting forth proposals. He noted the Select Board is not the monopoly of good solutions but must make sure the Town functions properly and is balanced.

Mr. Mertz said the intent of the petitioners is not to be prescriptive or determine results ahead of time. He said the housing and zoning issue is a suggestion of an area already being considered, noting racism as it functions systemically is very complicated and nuanced. He said he is happy to have more conversation with the Select Board.

Ms. Cooley said NUARI was created this year with existing groups focusing on equal justice. She said it is possible for everyone to believe and consider that black lives matter, while also believing that the police serve Needham with good intent. She said that does not mean things are not perfect or that there are not things that can be learned. Ms. Cooley said the problem is long and embedded, not solely within the domain of the Town, but rather within the domain of citizens and will

require lots of education and understanding over a period of time. She said she is hopeful everyone can learn together.

Mr. Borrelli commented on his concern with the language in the executive summary of the resolution (found at equaljusticeneedham.org), noting the conclusions may be inflammatory and argumentative, rather than saying “what can we do as a community to help with racism?”

Mr. Kirk explained NUARI, as an existing committee, is to look at policing, racism, etc., and that it is the hope of the petitioners the items in the citizens petition can be included. He said the purpose of the warrant article is very narrow, direct, and non-binding. Mr. Kirk commented on the annual budget of \$7.4 million for police compared with \$2.3 million for health and human services, noting the vast majority of problems in Needham are related to mental health, substance abuse, domestic abuse, etc. He said there is an imbalance.

Mr. Borrelli asked the petitioners if they would be willing to postpone the citizens petition until the spring 2021 in order to let NUARI do their work based on some of the input of the signed petition?

Mr. Handel concluded that in dealing with racism, and until there is a common understanding of the issues, people will be “talking past each other.” He said effective communication is key. He asked Mr. Kirk to answer Mr. Borrelli’s question.

Mr. Kirk said he, Mr. Mertz, and Ms. Waber are not in a position to answer on behalf of the 340 folks who wanted to see the petition voted upon. Mr. Kirk said Mr. Borrelli’s question can be considered.

The Board thanked the petitioners for their presentation.

8:07 p.m.

Town Manager:

1. Needham Unite Against Racism Initiative Update (NUARI)

Ms. Fitzpatrick told the Board the NUARI working group has scheduled a meeting for October 20, 2020 at 6:00 p.m.

Ms. King briefly explained the Lived Experiences project has received 93 stories since July, and the first report will be presented to the Select Board in October.

Ms. Cooley said information about NUARI, and members of the working group is on the Town’s website.

Mr. Matthews said there is a sense of urgency for the committee formulate and stick to a schedule, which he said will pay dividends.

2. Special Town Meeting: Positions on Warrant Articles

The Board reviewed and took positions on articles in the October 4, 2020 Special Town Meeting warrant.

Ms. Fitzpatrick recommended, for a variety of reasons, that the Board withdraw Articles 1 and 3 until a later date.

Mr. Davison said the current level of uncertainty, in terms of funding sources, is why now is not the time to move forward with Article 1 and Article 3. He said he believes the Town will be in a better position and understanding of costs at the May 2021 Town Meeting. He said if there is an unexpected expense requiring immediate attention, there is a reserve fund appropriated annually within the operating budget.

Ms. Fitzpatrick explained the costs are very real and include retrofitting, advanced cleaning and ventilation, public health resources, PPE, substitute teachers, and the establishment of a remote academy for the 600 students opting not to return to the schoolhouse this year. She proposed regular updates for the Board and Finance Committee on the progress of expenses, as there could be great variation in costs. Ms. Fitzpatrick suggested, if the Board withdraws the articles, to prepare a memo to Town Meeting explaining the expectations and why the articles were withdrawn, so there is not the impression that the costs have gone away.

Motion by Mr. Bulian that the Select Board vote to withdraw Article 1 - Amend the FY2021 Operating Budget and Article 3 - Appropriate for COVID-19 Expenses in the Special Town Meeting Warrant.

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

Ms. Fitzpatrick asked the Board to consider an amendment to Article 9 - Rescind Debt Authorization to \$10,000,000 from \$9,000,000.

Motion by Mr. Bulian that the Select Board vote to amend Article 9 - Rescind Debt Authorization from \$9,000,000 to \$10,000,000 in the Special Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Select Board vote to support Article 10 - Appropriate for Emergency Rental Assistance Program in the Special Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Select Board vote to support Article 11 - Appropriate for First Baptist Church Preservation and Restoration in the Special Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Select Board vote to support Article 12 - Appropriate for First Parish Church Steeple Preservation in the Special Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Select Board vote to support Article 13 - Appropriate for Needham Community Farm Growing Bed Expansion in the Special Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Board vote to support Article 14 - Appropriate for Claxton Field Lights and Skin Diamond Renovation - Design in the Special Town Meeting Warrant.

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

Article 15 - Appropriate for Resurfacing of Synthetic Track at DeFazio Complex - Withdrawn

Motion by Mr. Borrelli that the Select Board vote to support Article 16 - Appropriate to Community Preservation Fund in the Special Town Meeting Warrant.

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

Article 17 - Citizen's Petition - Defer

3. Extend Authorization for Local Outdoor Dining Alcoholic Licensing Approval and Fee Waiver

Ms. Fitzpatrick told the Board that on September 10, 2020 Governor Baker issued Covid-19 Order 50 - Order Making Certain Phase III Adjustments. Included in this order is an extension of outdoor dining provisions, allowing the Local Licensing Authority to permit outdoor dining with alcohol for a period past November 1, 2020. On June 9, 2020 the Board authorized the Town Manager to grant all local approvals necessary to allow existing local businesses to utilize outdoor dining with alcohol until November 1st. With the signing of Covid 19 Order 50, the Town Manager would need authorization to permit outdoor dining with alcohol through December 1st. The cooler weather will necessitate the use of heaters in the outdoor dining spaces, and it is requested that the Board waive the fees associated with the permitting of outside heaters.

Motion by Mr. Bulian that the Board vote to extend the date authorizing the Town Manager to grant local outside dining with alcohol to December 1, 2020 and vote to waive the fees associated with the permitting of outside heaters.

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

Discussion ensued on the safety of outside heaters.

4. Free 2-Hour Downtown Parking

Ms. Fitzpatrick asked the Board to consider free 2-hour metered parking through January 4, 2021 to help businesses. She said businesses are in support of the free parking but have requested enforcement.

Motion by Mr. Bulian that the Board vote to support free 2-hour metered parking through January 4, 2021.

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

5. Town Manager's Report

Ms. Fitzpatrick reported Ms. King prepared a grant application and, if awarded, would allow for the purchase of additional outside heaters and concrete barriers to help facilitate outdoor dining and retail options in the business district.

Ms. Fitzpatrick reported new banners were placed on Chapel Street encouraging local shopping and mask wearing.

Ms. Fitzpatrick reported the "Dine Around Needham" initiative held last week was a big success. She said one more event is scheduled for October 14, 2020.

Ms. Fitzpatrick thanked the Board for accepting a gift from the League of Women Voters who donated an art installation to be displayed on the Town Common from October 16 - October 30, 2020 in recognition of the 100th anniversary of women's suffrage.

Ms. Cincotta reported the tent on the Town Common will be in place until November 1, 2020, with the possibility of extending the date. Ms. Fitzpatrick said the Board will hear from the committee charged with redesign of the Town Common in the coming months, which includes the ability of putting up a tent, due to its popularity.

8:32 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

8:33 p.m. Adjourn:

Motion by Mr. Borrelli that the Select Board vote to adjourn the Select Board meeting of Tuesday, September 22, 2020.

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

A list of all documents used at this Select Board meeting are available at:

<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>

Town of Needham
Select Board
Minutes for Tuesday, September 29, 2020
By Zoom Video Conference
<https://us02web.zoom.us/j/79111111111>

5:00 p.m.

Call to Order:

A meeting of the Select Board was convened by Chair Maurice P. Handel. Those participating were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt recorded the meeting remotely.

Mr. Handel announced the purpose of this special Select Board meeting is to take positions on remaining warrant articles for the October 4, 2020 Special Town Meeting. He said public comment is not anticipated. He noted Article 17 - Citizen's Petition is the topic of discussion.

Ms. Cooley referred to discussion with proponents for Article 17 - Citizens Petition at the Select Board meeting of September 22, 2020, saying it appears the public position as discussed, is somewhat at odds with the Executive Summary on the website (equaljusticeneedham.org) and other available information. She commented, in terms of what the proponents are saying, the topic is definitely something the town wants to support, and feels is an important topic. However, she noted the request from the petitioners directs the Select Board to do a number of things across many organizations and committees in Needham. She said how that works and is coordinated makes sense that it could fall under the scope of Needham United Against Racism Initiative (NUARI), which is looking broadly across a variety of organizations and town government. She commented it is appropriate for Article 17 - Citizens Petition to be referred back to the Select Board as part of an overall coordination effort to understand and bring an organized proposal back to the town.

Mr. Borrelli said he made his comments clear after the proponents' presentation at the Select Board meeting on September 22. He said right now the Town is embarking on NUARI, reiterating his request that Article 17 - Citizens Petition be postponed until the Annual Town Meeting in 2021, as the Town must do its work and see what may come from those discussions to move forward in understanding the problems. He said it is clear the proponents are not going to postpone Article 17 until Spring 2021. Mr. Borrelli said he has issues with language in the article, as well as some of the 'Where As' statements. He said the best course of action at this time, which he supports, would be to refer the article back to the Select Board to look at some of the issues along with the work of NUARI.

Mr. Matthews said race equity is an important part of the work for the Select Board this year and in the coming years. He commented on discussion last week with the petitioners, saying there are some broad areas of agreement, some specific

disagreements, and some differences on individual language items. Mr. Matthews said the purpose, which he believes everyone at the table shares, is to advance the work of race equity. He noted the efforts being pursued by NUARI, the Select Board, the school department, and other town agencies, commenting incorporating Article 17 - Citizens Petition into that work and referring the subject matter to the Select Board makes a lot of sense.

Mr. Bulian concurred that the referral makes sense. He said he understands and agrees with his colleagues with respect to the elements of the petition that may be at odds with each other, and the executive summary vs. bullet points the proponents are looking to explore. He noted however, the petitioners are asking/directing the Select Board to establish a committee, which Mr. Bulian said is already being done. He agreed that it makes a lot of sense to refer the item back to the Select Board at Town Meeting. He commented he is hopeful Town Meeting members will agree. Mr. Bulian reiterated the Select Board is actively engaged in moving the issue of racial equity forward.

Mr. Handel said he believes the Citizens Petition is well intended and tracks closely, in many respects, to what the Town is already doing. He commented it is good Town Meeting will weigh in, but the most prudent course to accomplish the work already begun is to vote to refer Article 17 back to the Select Board.

Motion by Ms. Cooley that the Select Board vote to recommend that the subject matter of Article 17 - Citizens Petition: Resolution to Request A Study of Systemic Racism in Needham be referred back to the Select Board, and that the Select Board shall report back to the 2021 Annual Town Meeting or sooner.

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

Ms. Fitzpatrick noted the next Select Board meeting is scheduled for Sunday, October 4, 2020 at 12:45 p.m., just prior to the start of the Special Town Meeting.

5:08 p.m.

Adjourn:

Motion by Mr. Bulian that the Select Board vote to adjourn the Select Board meeting of Tuesday, September 29, 2020.

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

A list of all documents used at this Select Board meeting are available at:

<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>

SELECT BOARD

* MINUTES *

October 4, 2020

12:57 a.p.m. A special meeting of the Select Board was convened by Chair Moe Handel at the Memorial Park Field House Parking Lot. Present were Mr. Matthew Borrelli, Ms. Marianne Cooley, Mr. Daniel Matthews, Mr. John Bulian, and Town Manager Kate Fitzpatrick.

12:57 p.m. **Motion: Mr. Bulian moved that the Board adjourn its meeting contemporaneously with the adjournment of Town Meeting. Mr. Borrelli seconded the motion. Unanimous: 5-0.**

Note: The Special Town Meeting adjourned at 4:30 p.m.