

Town of Needham
Select Board
Minutes for Tuesday, February 23, 2021
<https://us02web.zoom.us/j/89093905788>

5:45 p.m. Informal Meeting with Citizens:
No Informal Meeting with Citizens due to Affordable Housing Trust Meeting at 5:00 p.m.

6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chairman Maurice Handel. In addition to the Select Board, Kate Fitzpatrick, Town Manager, Dave Davison, ATM/Finance, and Katie King ATM/Operations were in attendance. Recording Secretary Mary Hunt joined the meeting at 6:00 p.m.

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 that 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.

Motion by Mr. Bulian that this meeting be continued to the Select Board's next scheduled meeting on Tuesday, March 9, 2021, if a technical problem develops that makes it impossible for the Select Board to conduct the meeting in this format.

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

6:02 p.m. Needham Community Council Proclamation:
Ms. Cooley read a Proclamation and congratulated the Needham Community Council for its 90 years of service to the residents of the Town of Needham.

Motion by Ms. Cooley that the Needham Select Board congratulates the Needham Community Council for its 90 years of service to the residents of the Town of Needham.

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

6:04 p.m. Welcome Gilda Barabino, President, Olin College:
The Board welcomed Ms. Barabino, the new President of Olin College.

Ms. Barabino said she was excited for her work as President of Olin College, as well as being a part of the Needham community. She said she is looking forward to more and deeper connections with the community, saying it is important for an institution of higher learning to be part and give back to the community in which it resides. She said due to the pandemic, the college is continuing with a hybrid model of learning with much instruction being done remotely. She said she wants to find ways to transform higher education focusing on educating the whole person and making education more accessible and affordable. Ms. Barabino thanked the Select Board for the opportunity to lead Olin College and is happy to be part of the Needham community.

The Board noted Ms. Barabino's extraordinary qualifications and welcomed her as the second President of Olin College.

6:15 p.m.

Sale of Retail Alcoholic Beverages Proposal:

David Gordon, GordonsWine.com presented a proposal for a retail alcoholic Section 15 package store. Michael Baker, owner of Bakers Best was also present.

Mr. Gordon gave a brief PowerPoint presentation saying Gordon's was started in 1934 and is a 4th generation family business. Mr. Gordon said diverse business practices and e-commerce has allowed Gordon's to continue thriving to a point where more space is necessary to service customers the right way. He said his relationship with Michael Baker led him to an opportunity to occupy space within the same building as Baker's Best. He explained the space will be used to fulfill orders for delivery and for fine wine consultation.

Mr. Baker gave a brief history of Baker's Best, which began 37 years ago. He stated his business has steadily grown over the years, but since the pandemic most of his corporate catering business has evaporated. Mr. Baker said, at this point, the overhead is substantial, and he is having a difficult time utilizing his rental space. Mr. Baker said it would be a godsend for Gordon's to rent the space and a wonderful opportunity for both companies to share space.

Mr. Gordon explained various ways both Gordon's and Bakers Best will give back to the community.

Ms. Cooley said it was helpful to hear the proposal and the thoughtfulness about the relationship with the Town.

Mr. Bulian said the concept is different from other package stores, cutting edge, and forward thinking. He said he likes the idea.

Mr. Borrelli said this would be the last alcohol license Needham can issue, suggesting the Board consider increasing the number of licenses for concepts the Town feels is different from package stores. He said he is concerned in giving the last license at this time, especially during the COVID environment.

Mr. Matthews commented on Needham's last available alcohol license. He said there has been other expressions of interest in the license, noting his experience tells him the issue tends to be a highly politicized process. He noted Needham has had a cautious approach to issuing alcohol licenses, with a lot of community input, and that people have, generally, been satisfied with licenses issued on the package and pouring side. He commented on the possibility of asking the legislature for additional alcohol licenses. Mr. Matthews said it would take work at a time when people already have a lot "on their plate." He said he personally has reservations and is not anxious to issue the remaining license. He noted the Select Board is empowered to make the decision, but the decision is really for the community. Mr. Matthews said he appreciates Gordon's and Baker's Best coming before the Board to discuss the business plan on television for everyone to see, ahead of filing the application. Mr. Matthews said if a full hearing does occur, he will try to have an open mind. He concluded by saying discussion about licensing and quotas tonight is not a reflection on the quality of either Gordon's or Baker's Best, which he knows are some of the best in the field.

Mr. Handel said it would be a good idea for the Select Board to consider expanding the supply of all alcohol licenses to make the situation less difficult to navigate. He said he is open to hearing a formal proposal.

Ms. Cooley concurred, saying this proposal is different. She noted if more licenses were available, there are other proposals that would have also been acceptable for Needham. She said the Select Board should consider additional licenses.

Discussion ensued on the process for amending the number of alcohol licenses, and it was said the process could take up to a year

6:40 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 *=Backup attached

- 1. Accept the following donation made to the Vietnam Veterans Memorial Maintenance Donation Fund: \$50 from MarySue Cotton.**
- 2. Approve minutes of February 9, 2021 (open and executive session).**
- 3.* Approve and Sign Town Manager Contract Amendment.**
- 4. Accept the following donations made to the Needham Health Division's Gift of Warmth program: \$25 from the Blums, \$500 from Temple Beth Shalom, and \$300 from Mr. & Mrs. Bacon.**
- 5.* Support and ratify the individual member signatures on the FY2021 sewer rate relief application which was due to the Commonwealth by February 19,**

2021 and approve applying the proceeds of the grant, if any, as a credit against the sewer bill.

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

6:41 p.m.

Refunding Bonds:

David Davison, Assistant Town Manager/Director of Finance and Evelyn Pones, Town Treasurer & Tax Collector spoke with the Board and said the Town is working with Hilltop Securities to explore refunding (refinancing) bond options to lower the Town's debt service expenses on eligible outstanding debt.

Motion by Mr. Bulian that in order to save interest costs, the Treasurer is authorized to provide for the sale and issuance of bonds under G.L. c. 44, Section 21A, to refund all or any portion of the remaining principal of and redemption premium and interest on the Town's General Obligation Bonds dated June 1, 2009, June 15, 2010 and June 1, 2011 and that for this purpose the Treasurer is authorized to provide for the preparation and distribution of a Preliminary Official Statement; provided, however, that no bonds shall be issued under this vote unless and until the final interest rates and other terms of the refunding bonds are approved by the Board.

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

6:44 p.m.

Approve Transfer Request for Change of Control of RCN Telecom Services:

Ms. Fitzpatrick reminded the Board it held a public hearing on January 12, 2021 and closed it on January 26, 2021 regarding the FCC Form 394 transfer request received by the Town on December 2, 2020. Form 394 seeks the Select Board's approval for a change of control of the Cable Television Franchisee, RCN Telecom Services of MA, LLC., from Radiate Holdings, LP to Stonepeak Associates, IV, LLC. Ms. Fitzpatrick noted no public input was received at the public hearing, nor in the two weeks following. She asked the Board to render a decision on the request.

Motion by Mr. Matthews that the Board vote to approve the FCC Form 394 transfer request for a change in control of the Cable Television Franchisee, RCN Telecom Services of MA, LLC from Radiate Holdings, LP to Stonepeak Associates, IV LLC.

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

Mr. Borrelli noted all questions have been satisfactorily answered.

Mr. Matthews commented on the different environment and ways of communicating these days, saying in most sectors corporate reorganization or business transactions would not be required to come before local public authorities for approval. He said RCN has followed the process and has been a good corporate citizen.

6:47p.m.

Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Select Board regarding 4 items:

1. Accept & Refer Zoning

Ms. Fitzpatrick told the Board that the Planning Board, at its meeting on February 16, 2021 voted to place the following articles on the warrant for the 2021 Annual Town Meeting: (1) Amend Zoning By-Law - Highway Commercial 1 Zoning District; (2) Amend Zoning By-Law - Highway Commercial 1 Zoning District/Schedule of Permitted Special Permit Uses; and (3) Amend Zoning By - Law Map Change to Highway Commercial 1. She said under State law, the Select Board has 14 days to accept the proposed amendments and refer them to the Planning Board for its review, hearing, and report. The Board's action in this matter is not discretionary.

Ms. Fitzpatrick asked the Select Board to vote to accept the proposed zoning articles.

Motion by Mr. Matthews that the Board vote to accept the proposed zoning articles (1) Amend Zoning By-Law - Highway Commercial 1 Zoning District; (2) Amend Zoning By-Law Highway Commercial 1 Zoning District/Schedule of Permitted Special Permit Uses; and (3) Amend Zoning By-Law - Map Change to Highway Commercial 1 for referral to the Planning Board for its review, hearing, and report.

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

2. Set Annual Town Meeting Time and Location and Call for Special Town Meeting

Ms. Fitzpatrick recommended that the Board vote to set the location of the Annual Town Meeting at Memorial Park at 5:00 p.m. on Monday, May 3, 2021 and to update the Annual Town Meeting warrant. She recommended that the Board also call for a Special Town Meeting to be held on Saturday, May 1, 2021, and open the warrant for the meeting.

She noted Michael Fee, Town Moderator was consulted and said she is hopeful Town Meeting will resume in Powers Hall in the fall 2021. Ms. Fitzpatrick gave a brief update on articles in the warrant.

Motion by Ms. Cooley that the Board vote to change the location and time for the Annual Town Meeting to Monday, May 3, 2021 at 5:00 p.m. at the parking lot at Memorial Field; and to update the Annual Town Meeting Warrant, subject to minor technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel; and to call for a Special Town Meeting to be held on Saturday, May 1, 2021, and open the warrant for the meeting.

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

3. Police Department Enforcement Data

Ms. Fitzpatrick reminded the Board that during its goal setting process, the Board discussed oversight and reports needed from public safety. The Board subsequently asked to review data on arrests by race and gender, motor vehicle stops by race and gender, use of force by race and gender, and calls for service by priority.

She commented that additional conversation is needed to determine the baseline for analyzing data and how to evaluate and interpret success and trends, among other things. She said historical data, resource information and information on what other communities are doing is being gathered.

Mr. Handel commented the Select Board and every other Town Board should be committed to racial equity.

Mr. Borrelli said there are different ways to determine and interpret data, suggesting putting data in context and getting the correct baseline will really help the Town move forward.

Ms. Cooley concurred, saying the goal is to be transparent, but a lot of learning is necessary in understanding what the data means, how it is interpreted, and how it is used for the process of improvement. She commented there may be other items to monitor on a regular basis.

Mr. Handel concluded, in terms of racial equity, policing is only one aspect. He noted “it is a community issue affecting everything we do.”

4. COVID-19 Vaccination Planning

Ms. Fitzpatrick discussed the current status of vaccine planning in Needham and recommended that the Board submit a letter to the Governor in support of local Boards of Health retaining dispensation site status. She said a regional partnership is being explored in Norfolk County.

Motion by Mr. Bulian that the Board vote to approve and authorize the Chair to sign a letter to Governor Baker in support of the Board of Health’s status as a COVID-19 vaccination center.

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

7:12 p.m. Board Discussion:

1. NUARI Update

Ms. Cooley told the Board NUARI continues its work formulating its guiding principles. She said at last night’s meeting significant conversation continued aimed at increasing specificity and the kind of examples to provide guidance for people using guiding principles, and to be clear about the equitable lens for each area to use as they are considering their work and how those guiding principles apply. Ms. Cooley thanked Lee Newman and Karen Sunnarborg for developing a housing and zoning guide for NUARI, which she said is helpful and

comprehensive. Ms. Cooley commented housing efforts are spread across many departments and people. She said the survey was provided to NUARI members with an opportunity to discuss and ask questions. She said while there is absolutely intent interest from many people in Town with having more diversity in Needham, it will be critical that people of color living in Town are able to say to their friends who do not live in Needham that Needham is a great Town to live in. She said if people are not able to say that, then Needham will not change the diversity in town. Ms. Cooley said it will be the responsibility of everyone to dig deep to understand the issues and reflect on our own particular biases that we all have in many directions and how they inform the way that we think about different things so that we can be more generous with each other. Ms. Cooley concluded the work of NUARI is aimed at making Needham a great place for everybody to live and work.

2. Committee Reports

Ms. Cooley relayed a story about life after the pandemic and the desire by a second grader who told his mother that all he wants to do is go swimming at Rosemary Pool in the summer and the Needham Library in the winter.

7:17 p.m.

Adjourn:

Motion by Ms. Cooley that the Select Board vote to adjourn the Select Board meeting on Tuesday, February 23, 2021.

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