

Town of Needham
Select Board
Minutes for Tuesday, May 25, 2021
<https://us02web.zoom.us/j/89093905788>

6:30 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Matthew Borrelli. Those present were Daniel P. Matthews, Lakshmi Balachandra, Marcus Nelson, and Town Manager Kate Fitzpatrick. Ms. Cooley joined the meeting at 6:35 p.m. In addition to the Select Board, Dave Davison, ATM/Finance, Katie King, Assistant Town Manager/Operations, and Sandy Cincotta, Support Services Manager also participated. Recording Secretary Mary Hunt recorded the meeting remotely.

Mr. Borrelli 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. Borrelli 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.

Motion by Ms. Balachandra that this meeting be continued to the Select Board's next scheduled meeting on Tuesday, June 8, 2021, if a technical problem develops that makes it impossible for the Select Board to conduct the meeting in this format.

Second: Mr. Nelson. Unanimously approved 4-0 by roll call vote.

6:32 p.m. Certificate of Appreciation: Carol Boulris
Mr. Matthews read a Certificate of Appreciation awarded to Carol Boulris for her years of volunteer work for the Town of Needham.

Motion by Mr. Matthews in recognition of over 45 years of service to the Town of Needham, including 28 years as a Town Meeting Member, 9 years as a School Committee member, and 29 years as a member of the Historical Commission, serving as chair for 14 years. The Town thanks you for your many years of dedication, commitment, and contributions to Needham. Congratulations!

Second: Mr. Nelson. Unanimously approved 4-0 by roll call vote.

6:33 p.m. June is Pride Month Proclamation:
Ms. Balachandra read a Proclamation declaring the month of June 2021 Pride Month in Needham.

Motion by Ms. Balachandra that June, 2021 be declared Pride Month in the Town of Needham and that all residents be encouraged to recognize and acknowledge the contributions of the LGBTQIA+ members of our community as we continue to advance the principles of liberty, equality and inclusivity for all.

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

6:35 p.m. Proclamation for Karen Price, League of Women Voters:
Ms. Cooley read a Proclamation recognizing Karen Price for her volunteer work for the Town of Needham.

Motion by Ms. Cooley that the Needham Select Board and the citizens of Needham jointly express their appreciation for the collaborative, conscientious, and creative service of Karen Price to the League of Women Voters of Needham.

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

6:40 p.m. Hearing: Change of Manager - Bertucci's Restaurant
Charles Franklin, Proposed Manager spoke with the Board regarding Bertucci's Restaurant Corp., 1257 Highland Avenue, application for a change in manager.

Mr. Franklin briefly explained his work experience in the food service industry.

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

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

Mr. Matthews reminded Mr. Franklin the rules for alcohol service must be followed to ensure public safety.

It was noted Mr. Franklin has been recertified and is TIPS trained.

6:45 p.m. Needham Council for Arts & Culture Update:
Charly Nanda, NCAC Chair and Amy Haelsen, Economic Development Manager updated the Board on art initiatives in Needham.

Ms. Nanda explained the work done over the last year, including a name change to the Needham Council for Arts & Culture from Needham Cultural Council. She spoke about the passionate volunteers, available State funding, grant funded events sponsored by the Needham Council for Arts & Culture, as well as public art projects including the Utility Art Box project, art in storefronts, and art on jersey barriers in the downtown. Ms. Nanda presented to the Board the recommended design "Save

the Bees" by Emma Curry for a wrapped vinyl utility box located at the corner of Great Plain Avenue and Central Avenue in Needham. She said the design by Ms. Curry, a senior at Needham High School, was part of an art mural school project. She asked the Select Board to approve the recommended design.

Motion by Mr. Matthews that the Select Board vote to approve the design and location for the Utility Art Box Project, as presented.

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

Ms. Balachandra thanked Ms. Nanda for her work while operating with a very limited budget. She asked how the Select Board could help, suggesting a partnership with the Public Works Department for community art in public spaces.

Ms. Cooley pointed out all of the art is in partnership with the Town, and that she is grateful for the work of Ms. Haelsen who is contacting business owners and building partnerships around projects the Town wanted in order to create a positive environment. She said more public art in Needham is a priority, suggesting an open-air art event in conjunction with the farmers market to bring people to the downtown.

Mr. Borrelli concurred, saying Ms. Haelsen has bridged the gap between the public, raising money, and seeing ideas come to fruition.

Mr. Matthews said the work is great and thanked Ms. Nanda and Ms. Haelsen. He commented that the Select Board approved the designs for the jersey barriers, noting the artwork looks great, is colorful, and adds a lot.

Mr. Borrelli commented on art walk events in western Massachusetts, suggesting storefront events, art, and music bring the community together. He noted "Piano's in the Park" and the possibility of art on the Dedham Avenue underpass.

Mr. Nelson commented music and art is an instant mood changer, and the kind of positivity on which the Town thrives. He thanked Ms. Nanda for being a catalyst for change that makes people smile.

Ms. Haelsen acknowledged the countless hours from members and volunteers of the NCAC.

7:07 p.m.

Communications Update:

Cyndi Roy Gonzalez, PIO spoke with the Select Board about the Town's communications efforts planned for the next six months.

Ms. Gonzalez said the Town's weekly COVID-19 update to the community will end as the state reopens. She told the Board a series of community communications and engagement forums will be held to better understand how residents receive information from the Town and the methods they use to access information. She

said five forums are scheduled including general communications discussion, as well as targeted discussions on the Town website and Town Meeting Member communications. Ms. Gonzalez commented on the use of Civic Plus for its website, noting the Town is eligible for a “refresh” in December 2021, but will expedite the refresh beginning in August. She commented on the feedback from residents and the desire for a better functioning, easily searchable website, noting she hopes for a new website and the possibility of a mobile app to be launched in 2022. Ms. Gonzalez commented on the Town’s email newsletter, saying there is a great deal of information beyond COVID to share with the community. She reiterated the Town’s weekly COVID update will be replaced the week of May 24, 2021 with an email newsletter, sent on a regular basis, that includes information and updates from all Town departments. Ms. Gonzalez discussed community surveying and polling to gather information on community engagement and how people wish to communicate with the Town. She noted the Town is planning to once again use The National Community Survey (NCS) to solicit information and feedback from residents.

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

Mr. Nelson suggested the topic of Town Meeting Member Communications, scheduled for March 16, 2022 be held sooner rather than later, as it would be helpful to Town Meeting Members leading up to Town Meeting in spring of 2022.

Ms. Roy Gonzalez said the key piece is to have the involvement of Town Clerk, Tedi Eaton in the discussion.

Ms. Balachandra suggested Town Meeting Members have needhamma.gov email for Town business. She commented on the website, saying many people are dissatisfied. She asked who is responsible for the design, content, and maintenance of the website, as well as continued use Civic Plus? Ms. Balachandra asked about the ability to make online payments through the website? She said online payments should be a priority. Ms. Balachandra concurred with Mr. Nelson that some of the work should be done sooner.

Ms. Roy Gonzalez explained the redesign process, saying she is responsible for the overall strategy, direction, design, and oversight of the website. She commented each department is responsible for maintaining their own webpage, noting there is a content and style guide for uniformity. Ms. Roy Gonzalez explained the benefits of continuing to use Civic Plus, including the cost and that many towns use it as well. She said other websites may look better, but not have the same functionality. She concluded saying other options could be considered. Ms. Roy Gonzales said several payments can be made online, and other permitting and payment options are scheduled to become available soon.

Discussion ensued on website design, Town updates, and polling.

Ms. Cooley said she hopes Civic Plus will be able to articulate the difference between the current website templates. She commented online payments has been on the Select Board's priority list and is hopeful Civic Plus has improved their search function. Ms. Cooley commented on whether there are things that could be done sooner so constituents could email everyone in their precinct.

Mr. Matthews commented on improved service and the search function must be more user friendly. He acknowledged the site could be better. He noted the availability of online payments, saying it would be good to know which ones are offered and which ones are not offered. He noted user fees, service charges, and municipal accounting rules. He said it would be very interesting to see what other communities do to communicate with voters and Town Meeting Members, as well as knowing systems or legal limitations. Mr. Matthews noted Town Meeting Members are not like other public officials and are not subject to the same laws and regulations as elected officials. He suggested learning from other communities.

Mr. Borrelli said Ms. Roy Gonzalez inherited the website as it is when she was hired. He said the website is important and will improve greatly after being redesigned. He thanked Ms. Roy Gonzalez for the presentation.

7:37 p.m.

Expiration of the COVID-19 State of Emergency:

Katie King, Assistant Town Manager/Operations provided an overview on the local impact of Governor Baker's COVID19 State of Emergency ending on June 15, 2021. She included recommendations for potential Board actions relative to outdoor dining and transitioning public meetings out of the current all-remote structure.

Ms. King referred to "State of Emergency Outdoor Dining Implications" commenting on policy changes affecting restaurants, liquor licenses that were approved for expanded patio/outdoor service, temporary policies adopted by the Select Board and Planning Board to allow outdoor seating and dining in public open spaces, and the Select Board's temporary policy to allow the consumption of "to go" alcohol purchases from restaurants on public property. Ms. King recommended to the Select Board and Planning Board to extend the policies to the end of October, which is the end of Needham's normal outdoor dining season under Town by-laws. Ms. King said the extension would also give more time in crafting an updated policy framework to bring to the fall Town Meeting. She said the October 31, 2021 endpoint may make sense; however, she noted the Board may want to consider tying local policy to the November 29, 2021 extension set by Governor Baker.

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

Ms. Cooley reiterated it is important for both the Select Board and the Planning Board to act to extend the current non-enforcement provisions to continue the outdoor dining in the way citizens have conveyed they would like to see. Ms.

Cooley said she supports aligning the dates with those set by the Governor and encouraged people to feel free to convey their opinion to the ABCC.

Ms. Balachandra concurred with Ms. Cooley, suggesting a motion to continue operations through the end of the year. She said it would be great for the Select Board to show its support immediately.

Mr. Borrelli said the Planning Board will also take up the discussion and believes everyone is “on board” with continuing the amenity for the Town. He said he intends to have further Board discussion in June.

Discussion ensued on the timeline.

Mr. Matthews suggested the Town Manager encourage action by the legislative delegation and through the Massachusetts Municipal Association. He said it is important for things to move quickly, as people need to plan their business operations for the next 6 months.

Mr. Borrelli said everyone is on the same page with helping out the businesses as best we can.

Ms. King returned to discussion commenting on implications of the state of emergency ending on holding public meetings. Ms. King referred to her memorandum to the Select Board dated May 21, 2021 regarding Hybrid (In-Person & Remote) Public Meetings Policy Framework. She commented on key considerations including legal, technology, budget & timing, and staffing. Ms. King commented on Options & Recommendations for Group 1: Select Board (and Affordable Housing Trust), School Committee, Zoning Board of Appeals, and Planning Board and Group 2: All other Boards & Committees. Ms. King concluded with comments on the chart titled “Scenario Summary & Decision Points.”

Mr. Borrelli thanked Ms. King for the very clear presentation. He said Town Hall is reopening June 1, stating he would like to see the Select Board meet live and in person as soon as possible, even if the Governor extends the date further.

Ms. Cooley commented some boards and committees could have issues with returning to in-person meetings immediately.

Discussion ensued on holding public meetings in-person, allowing a hybrid approach, and remote participation.

Ms. Balachandra concurred with Ms. Cooley. She said the notion of remote access to meetings during the pandemic has been eye opening and helpful for people to be able to take part in conversations. She said as a teacher, her experience shows a hybrid approach is the worst of all options.

Mr. Borrelli said June 22, 2021 will be the first opportunity for the Select Board to meet in person and asked the Board for their thoughts. He said as Town Hall reopens, the Select Board should be a model and to show residents that Needham is back in business.

Ms. Cooley said she supports meeting in person on June 22. She concurred with Ms. Balachandra that certain meetings may work better with some remote participation and clearly allows for much broader access.

Mr. Matthews commented he would like to return to meeting in person, acknowledging the anxieties people feel with the health environment and planning. He concurred with Ms. Balachandra in the convenience and participation that remote access has offered. He said he is skeptical of invoking remote participation rules under the existing pre-existing open meeting law statute, as it is subject to abuse. He acknowledged real life contingencies must be dealt with and he wants to know what other towns are doing. Mr. Matthews agreed with Ms. Balachandra that people lose a lot in communication using a hybrid approach. He commented on meetings with and without public participation, noting there are great advantages to having people gather in person to give testimony in front of their neighbors, acknowledging it is frequently a burden for some people. Mr. Matthews concluded it is important to have the extension to September 1st to figure things out.

Mr. Nelson said even with an extension to September 1st, there is a great deal to consider. He commented that the decision by the Select Board to return to in person meetings affects other boards and committees. He said he thinks about the day masks can be removed (May 29, 2021) and what may happen in the weeks thereafter. He suggested taking a pause and to think about everyone.

Mr. Borrelli said he understands the concerns, but said it is important for the Select Board to return to in person meetings on June 22nd or as soon as possible, as it is a symbol to residents that the Town is open for business. He said he has the same concerns about remote participation.

Ms. King underscored as we hope for the best with quick action at the state level, noting there is a gap of time where the Select Board would need to contemplate temporary policies to bridge the gap from June to the outcome of the Governor's legislation.

Discussion ensued on permitting remote participation through Labor Day and crafting a recommended motion for the Select Board to consider at its meeting on June 8, 2021.

The Board thanked Ms. King and Ms. Fitzpatrick for their guidance.

- 8:21 p.m. Town Manager:
1. Town Manager Report

Ms. Fitzpatrick reported Town Hall will fully reopen for business, eliminating the need for appointments on June 1, 2021, and that the Needham Library will also reopen on June 1, 2021. Ms. Fitzpatrick said the Center at the Heights is scheduled to reopen on July 1, 2021 with programming and lunch.

Ms. King reported the Exchange Club and the Town have mutually agreed to postpone the July 4 fireworks event until July 2022. Ms. King said the annual July 4th parade will take place along its traditional route.

Ms. Fitzpatrick reported the Special Town Meeting is being scheduled for October 25, 2021.

8:25 p.m.

Board Discussion:

1. Alcohol Licensing

The Board discussed the possibility of increasing the number of alcohol licenses and what would need to be done to go to Town Meeting with a recommendation.

Mr. Matthews explained it makes sense to raise the question of whether or not to seek to increase the quota. He recommends seeking guidance from Town Counsel. He commented the simplest way would be to seek to change from having the special quota to the standard state quota (population based). Mr. Matthews said it makes sense to put the issue on track to go to Town Meeting in the fall 2021, subject to referendum.

Discussion ensued on the potential number of licenses based on population, should the Town seek an increase.

Ms. Balachandra said it makes sense and practical if the Town is in line with state law.

Discussion ensued on the number of package store, restaurant, club, and seasonal licenses.

Ms. Cooley said she supports placing the question on the April ballot and to bring the Town into state compliance.

2. Committee Reports

Mr. Matthews reported members of the Select Board, police chief, school superintendent, and others attended the memorial for George Floyd, held on the first anniversary. He commented the memorial was very moving and the graphic experience really helped the country recognize major failings on racial equity and justice in many different sectors. He said each person can speak from their own experience, noting he feels a lot of progress has been made in the United States, however, not nearly enough as should have been made. He said the pandemic over the last year has allowed focus to shift to other things that might not have gotten attention. He said the work needs to continue, challenging folks to mark 4 years

from today which will be the 5th anniversary of the death of George Floyd, and to ask “what have we done?” and “have we accomplished what we have set out to do as a town, state, and country?” and “have I done what I was supposed to have done?”

Mr. Nelson commented on the brutal murder of George Floyd, noting the reckoning and awakening of this kind of consistent brutality, which has existed for hundreds of years. He said it is sad and disappointing knowing a verdict was reached a year later, noting there was accountability rather than justice for the family of Mr. Floyd. He noted the 181 police killings since that time. He said while some progress has been made, we can be thankful that people in law enforcement and the legislatures are finally waking up to something that has been a problem for so long. He commented progress has been extremely slow and in Needham we aspire to be much greater than what we see in the media, and to continue to hold ourselves to a higher standard. He said we should praise the good work that we do and to hold ourselves accountable for when we don't. Mr. Nelson said it was a tough and somber day, noting the events of a year ago made people angry and made people who are not of color want to do something and advocate for change. He said he wakes up angry knowing the government has not passed bills or the Police Justice Act that has still not been passed and remains in Congress. Mr. Nelson said Needham can continue to work as a town, with its leaders, and law enforcement to make sure we are pillars that other communities look to for guidance and support. He said the dialogue with the community going forward is important, as well as doing our best to be the strongest advocates for sustainable change as we can be. Mr. Nelson concluded we, as a community, should celebrate people for their individuality, welcome differences, be accepting and loving. He said there is a lot of good that can come and that he is excited to be part of town leadership and to be a moving force with everyone, and that one day aspire to rid ourselves of the feeling and hate that is in the world. He said he appreciates the Town for the memorial that took place today.

Mr. Borrelli thanked Mr. Nelson for his thoughtful and powerful comments.

Ms. Balachandra recognized Rev. Catie Scudera for her monumental role today. She said part of the memorial was to hold silent for nine minutes to remember George Floyd and how he died. She said nine minutes is a long time and no one did anything to help, which she said is not OK. Ms. Balachandra echoed the comments of Mr. Nelson, noting it has been a year and she does not feel as if enough progress has been made. She noted it was very positive to see the police chief in attendance and to open the conversation, along with the Equal Justice Needham committee to speak about racial inequities in policing. She said she hopes the conversation continues to make sure everyone feels safe while living and working in Needham.

Mr. Borrelli thanked Ms. Balachandra for her comments.

Mr. Borrelli thanked the Board for their comments as it was a turning point in our country and in our Town. He said everyone has a role moving forward for a better Needham and a better country.

8:12 p.m. Appointments and Consent Agenda:
Motion by Mr. Matthews 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. Approve a proclamation declaring June 2021 as Pride Month in the Town of Needham.**
- 2. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$300 from Needham Council for Arts & Culture and \$35 from Edward & Carol De Lemos.**
- 3. Accept the following donation made to the Needham Aging Services Donation Account: \$16,023.95 from Friends of the Center at the Heights.**
- 4. Accept the following donation made to the Needham Park & Recreation Department for the Arts in the Parks and the Children’s Theatre Summer Series: \$600.00 from Louise Condon Realty.**
- 5.* Approve a request from Ronit Velde, who has submitted a Road Event form, to hold its “Needham 5K Your Way – Girls on the Run 5K Run/Walk” on Sunday, June 6, 2021 from 8:00 a.m. to 10:30 a.m. Approvals for the route are pending from the DPW, Police, and Park and Recreation. Fire Department has approved.**
- 6.* Approve a request from Aaron Sicotte, who has submitted a Road Event form, to hold its “NHS Class of 2021 Car Parade” on Saturday, June 5, 2021 from 8:00 a.m. to 11:30 a.m. Approvals for the route are pending from the DPW, Police, Fire and Park and Recreation Departments.**
- 7.* Approve request from Jennifer Kenneway, who has submitted a Road Event form, for a walk to benefit Children’s Hospital. The walk is not an organized event, participants are to walk their own routes at their leisure – all on June 13, 2021. Police have approved.**
- 8.* Approve application for Change of Corporate Name for Blue on Highland. This application comes at the request of the ABCC to update the name on this alcohol license to be in line with its Massachusetts Corporation filings paperwork.**
- 9.* Approve and sign Water & Sewer Abatement #1306.**
- 10.* Approve placement of Needham Community Farm sign at the Nike Site.**
- 11.* Approve minutes of May 11, 2021.**
- 12. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Susan Benzie	18 Hollow	Hollow	6/12/21	6/19/21	4pm-

Ridge Rd. Ridge Rd.

10pm

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

8:13 p.m.

Adjourn:

Motion by Ms. Cooley that the Select Board vote to adjourn the Select Board Meeting of Tuesday, May 25, 2021.

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

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

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