

Town of Needham
Select Board
Minutes for Tuesday, June 8, 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 Marianne Cooley, Daniel P. Matthews, Lakshmi Balachandra, Marcus Nelson, and Town Manager Kate Fitzpatrick. . In addition to the Select Board, Dave Davison, ATM/Finance, Katie King, ATM/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. Cooley that this meeting be continued to the Select Board's next scheduled meeting on Tuesday, June 22, 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 5-0 by roll call vote.

6:32 p.m. Proclamation in Honor of George Yered:
Ms. Cooley read a proclamation congratulating George J. Yered on his 100th birthday and thanked him for his service to our country.

Motion by Ms. Cooley that the Needham Select Board and the citizens of Needham jointly express their congratulations on the 100th birthday of George J. Yered and appreciation for his service to our country.

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

The Board wished Mr. Yered all the best on the occasion of his 100th birthday.

6:34 p.m. Appointments and Consent Agenda:
Motion by Ms. Cooley 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 request from the Exchange Club of Needham to sponsor the 4th of July parade which will begin at 9:00AM and finish by 11:30AM. Event has been approved by the Police, Fire, and Health Department.**
- 2.* Approve a request from Julie Richmond of the Charles River YMCA, who has submitted a Road Event form, to hold its “Charles River Annual Independence Day 5K Run” on Monday, July 5, 2021 from 8:00AM to 9:00 AM The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.**
- 3. Vote to extend the authorization granted to the Town Manager by its votes of June 9, September 22, and November 10, 2020 to grant all local approvals necessary to allow existing local businesses to utilize outdoor seating in parking lots, on-street parking spaces, sidewalks, landscaped yard areas or other appropriate locations to provide more space to serve patrons from sixty days after the Governor’s Declaration of Emergency is rescinded to October 31, 2021 or such later date as may be approved by the Massachusetts Legislature, such authorization to remain subject to all the terms and conditions stated in the Board’s original vote.**
- 4.* Approve minutes of May 19, 2021 and May 25, 202**
- 5* Approve a Special One Day Wines & Malt Beverages Only License for Lindsay Martin, of Needham Pool & Racquet Club to host a New Member Reception on Friday, June 11, 2021 from 6:00 p.m. to 9:00 p.m. The event will be held at Needham Pool & Racquet Club, 1550 Central Avenue, Needham, pending Police approval.**
- 6. Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Sean Finnegan	41 Mellen Street	Mellen Street	6/12/21	6/13/21	2pm-10pm
Celia Carboni	42 Greenwood Ave	Greenwood Ave	7/17/21	7/18/21	2pm-9pm

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

6:35 p.m. Park & Recreation Summer Update:
Cindy Chaston, Chair, Park & Recreation Commission, Chris Gerstel, Vice-Chair, Park & Recreation Commission, and Stacey Mulroy, Director of Park & Recreation updated the Board on Summer 2021 recreational programs and the Pools at Rosemary Recreation Complex.

Ms. Chaston said she is excited for the summer pool season and thanked the community for its incredible support of resources over the last few years.

Mr. Gerstel said he is excited for the pool season and the summer camps, and reiterated Ms. Mulroy has the full support of the Park and Recreation Commission.

Ms. Mulroy commented seven weeks of programs are being offered from June 28, 2021 to August 15, 2021. She said programs will be held at the Newman Elementary School, Eliot School, and Cricket Field, and will include arts and crafts, sports, theatre, tennis, reading and math.

Ms. Balachandra asked about choosing program locations, staffing, and commented on the poor condition of the tennis courts.

Ms. Mulroy said locations are chosen in consultation with the Building and Maintenance department, noting schools requiring upgrading or heavy maintenance over the summer are avoided so work can take place. She commented that staffing programs is easier due to the set schedule, noting staffing the pool with lifeguards is more challenging. Ms. Mulroy concurred the tennis courts need upgrading and are on the long-term capital plan for renovation.

Mr. Borrelli commented on Covid-19 and asked about incorporating CDC guidelines into summer activities?

Ms. Mulroy said, at this time, everyone will be required to have a mask with them at all times, noting masks will not be required to be worn outside, but everyone will be required to wear a mask inside.

Ms. Cooley suggested funds for upgrading the tennis courts could come from the Athletic Facilities Fund.

Ms. Mulroy commented on the pools, saying the spray deck is open 10 a.m. - 6 p.m. and is very popular. She said the pool will open this weekend on Friday, Saturday, and Sunday from 2 p.m. to 7:30 p.m., with three time slots available for residents to choose. Ms. Mulroy said lifeguard, recertification, swim lesson instructor training, and on-going maintenance will take place the week of June 13th, while school is still in session. Ms. Mulroy said the pool will be fully open to the public on June 18th until August 15th. She said after August 15th, the pool will remain open as long as staffing is available. She noted time slots and capacity limits are in effect, based on the number of staff, noting the challenging lifeguard issue across the nation. Discussion ensued on the pool safety, the number of lifeguards necessary to run a fully operational pool, and on-going lifeguard certification training.

The Board thanked Ms. Chaston, Mr. Gerstel, and Ms. Mulroy for the update.

6:56 p.m.

Policing Recommendations Update:

John Schlitter, Chief of Police and Kate Fitzpatrick, Town Manager discussed the recommendations that have been made about policing in Needham and have asked for Board feedback on the next steps and priorities.

Mr. Borrelli acknowledged the past week in Massachusetts has been tragic for several police departments and offered condolences to the families. Chief Schlitter said he appreciates the thoughts.

Ms. Fitzpatrick commented the “Status of Recommendations Relating to Law Enforcement in Needham, DRAFT June 4, 2021” include recommendations made by the NUARI working group, Equal Justice Needham, and the Tidwell Report. She pointed out the Select Board agenda packet also includes detailed information on the police department’s operations. She said a link will be on the Town’s website and encouraged people to take a look at the information.

Chief Schlittler reviewed the “Status of Recommendations to Law Enforcement in Needham, DRAFT June 4, 2021” saying some recommendations are repetitive, but all will be addressed during the presentation. Chief Schlittler commented on NUARI recommendations including building mutual trust and respect, a series of conversations between the public and police officers, and education through the Citizen’s Academy. Chief Schlittler commented he has met with a local AAPI group to discuss the increase in hate crimes and violence against the Asian American Pacific Islander community. He said a goal of the discussion was to let the group know the police can be contacted and how complaints are investigated. Chief Schlittler said he also spoke with representatives from the Chinese Friends of Needham as a panelist with the Norfolk District Attorney and local government representatives about the increase in hate crimes. He commented on discussions with the chair and members of the Needham Human Rights committee to discuss collaborating, the role of the police, and creation of a response and compliant process. Chief Schlittler said NUARI has been contacted to continue discussion and find ways to make connections within the BIPOC community. He commented that building trust and relationships within the community is an ongoing process. Chief Schlittler said he will continue working with the Town Manager and ATM/Operations to develop a framework for discussions between police officers and members of the BIPOC community. Discussion ensued on the planned Citizen’s Police Academy for the fall 2021 as a way of educating the public as to what police officers do on a daily basis. Chief Schlittler said he is also scheduled to speak with members of the North Hill community in November 2021.

Chief Schlittler commented on mental health training, threshold inquiries, de-escalation techniques, and the impact of implicit bias on policing. Chief Schlitter said he believes Needham has robust mental health resources in place, including a Community Outreach Officer and an embedded clinical social worker to assist people before a crisis occurs.

Ms. Balachandra questioned terminology and asked Chief Schlittler to define the meaning of de-escalation. Chief Schlittler explained de-escalation occurs in two ways: to help a person who may be at an assaultive level to calm down for a safe outcome and also to help officers to calm down as well. Ms. Balachandra thanked

Chief Schlitter for the helpful explanation, saying it is good to hear that both sides must think about de-escalation.

Mr. Nelson asked about recently completed implicit bias training and asked how frequently the training occurs? He said frequent sub-courses would be beneficial.

Chief Schlittler said the training is yearly but could be supplemented. He said the Massachusetts Police Training Council will have mandatory in-service training on implicit bias, racial profiling, etc., and that the Needham police department will offer additional training.

Ms. Cooley commented the training is important and appreciated. She said an observation made at the NUARI meeting last night was that there needs to be a more holistic and integrative approach, suggesting a daily and/or on-going refresher approach.

Chief Schlittler concurred with Ms. Cooley's observation.

Discussion ensued on recommendations, including the priority of leaving the Civil Service, implementation of the new state police reform law and the POST Commission, review of the Use of Force policy, the Select Board serving as the oversight body, regular reporting of available key enforcement data and the NPD Dashboard of information, and regional collaboration with surrounding communities.

Chief Schlittler commented on recommendations in the Tidwell Report. He addressed NPD policy 4.01, Internal Affairs, including Eyewitness Identification, Follow-up investigations, Courtesy to the Public, Requests for Officer Identification, Articulation of Standard of Proof, Review and Oversight of Internal Investigations, and Recording of IA Interviews.

Chief Schlittler commented on the Equal Justice in Needham Public Safety Report Recommendations including the creation of a dashboard of relevant metrics, publication of the names, rank/role and training of all NPD employees, policies related to mental health, complaints and disciplinary procedures, bias, and hiring.

Mr. Nelson suggested publishing training information on a more frequent basis rather than annually, as it is beneficial for communication and transparency.

Chief Schlittler said some of the information could be published more frequently, including in-house group training.

Chief Schlittler commented on the priority NPD's response to mental health, noting officers presented Needham's mental health model to other departments in Norfolk County and beyond because of how beneficial and productive it has been. He said

Needham and the state of Massachusetts are “above the curve.” He commented on mental health training and the One Mind Pledge.

Discussion ensued on the POST Commission, its oversight, and the timeline. Chief Schlittler said he anticipates more information by the end of summer or fall on the roll out of the POST Commission, the importance of the School Resource Officer, and the goal of becoming a certified and accredited police department.

Ms. Balachandra suggested it would be helpful to have data and information (i.e. school data) shared on the Dashboard for residents to know the community activities of the police department.

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

Mr. Nelson thanked Chief Schlittler for his time, saying he appreciates the thought he is putting into the recommendations. He said he looks forward to working with Chief Schlittler and collaborating with him in the future. Mr. Nelson said Needham is taking steps toward the common goal of making the Town better due in part, to the leadership of Chief Schlittler. Mr. Nelson said he looks forward to further updates, acknowledging “the process has begun” and it is a bright spot for the Town.

Mr. Matthews thanked Chief Schlittler and Ms. Fitzpatrick, noting the work is very thorough and took time to compile. He said all of the work is aimed at following through on commitments made by the Select Board and Town to improve public safety and race equity in Needham. Mr. Matthews commented on the creation of the POST Commission to oversee police performance statewide. He said there is a long period to roll out the new agency, construct policies, and work through any unintended consequences. He said how the Town continues operations in the interim is the question. Mr. Matthews said the Chief is acting carefully and independently to use his authority to do things in Town that will fit with the new statewide system once it is rolled out. He thanked the Chief for his work. He noted exiting the Civil Service is complicated, but an important step for the Town. Mr. Matthews concluded change is not easy, but it must be done fairly and equitably for everyone.

Ms. Balachandra echoed her thanks to Chief Schlittler, saying the report and his responses are tremendous. She said she appreciates the chief’s efforts to address the recommendations. She reiterated her offer of help and collaboration.

Ms. Cooley thanked Chief Schlittler for his work.

Mr. Borrelli thanked Chief Schlittler for his leadership in making Needham a strong and safe community. He said the duty of the Select Board is to support the Chief and the department in the work. He said he appreciates tonight’s discussion.

8:24 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Board regarding 6 items:

1. Remote Participation by Members of Public Bodies

Katie King, ATM/Operations reminded the Board the Governor's COVID-19 State of Emergency expires on June 15, 2021, ending certain relief provided to the Town under the Open Meeting Law (M.G.L. c.30A, §§18-25). Barring changes in state law, as of June 15, all public bodies will be required to provide in-person access for the public and all members of public bodies would be required to attend meetings in person. The Governor has filed legislation to allow entirely remote public meetings to continue until September 1, 2021, to provide more time for municipalities to transition and for the Legislature to consider more permanent changes to the Open Meeting Law.

She suggested the Select Board authorize the adoption of 940 CMR 29.10, which would allow members of public bodies to participate remotely until September 1, 2021.

Motion by Mr. Matthews that the Board vote to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted for meetings of all local public bodies within the Town of Needham until September 1, 2021.

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

2. July 4th Parade Update

Katie King, ATM/Operations updated the Board on the status of the July 4th Parade. Ms. King said the Exchange Club will host the annual parade on Monday, July 5, 2021 at 9 a.m. She reiterated the annual fireworks display will not take place until 2022. She said additional details can be found at needhamexchangeclub.org.

3. On-line Bill Payment Options

David Davison, ATM/Finance updated the Board on the status of current and planned on-line bill payments. He noted many bills can already be paid online by credit card or echeck, including water and sewer, motor vehicle excise tax. He said several types of donations including the Property Tax Assistance, Gift of Warm fund, and the Community Revitalization fund can be made online. He noted birth certificates, death certificates, burial permits, dog licenses, building permits, parking tickets, and people registering for many Park and Recreation programs can pay online through the Town's website. Mr. Davison said additional online payments, including property tax payments are scheduled to be available in the future, noting many software applications are necessary to process different types of payments.

Mr. Borrelli thanked Mr. Davison for the comprehensive list of available online payment options.

4. Reservoir Path Naming

Ms. Fitzpatrick reminded the Board it discussed options for renaming the Reservoir Trail on April 14, 2021, noting additional feedback from the public and various stakeholders was solicited. Based on feedback and comments received, the Town Manager recommends the name Amity Path. She noted it will be important that the status of the path as accessible to persons of all abilities continue to be communicated.

Motion by Mr. Matthews that the Select Board vote to rename the Reservoir Trail the Amity Path.

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

5. Off-premises Sale of Alcohol

Ms. Fitzpatrick discussed options for updating the Town's off-premises sale of alcohol Special Act. She commented on the draft Home Rule petition to allow the Town to adjust the number of off-premises licenses, essentially bringing the number in line with M.G.L chapter 138, which sets forth quotas for licenses based on population size. She said if the Board wishes to proceed and move forward in October, she said she will talk to the appropriate people to make sure the format is in order for house counsel and included in the Special Town Meeting warrant.

Mr. Matthews concurred, noting Needham's quota was set by a referendum.

Mr. Borrelli suggested the Board revisit the language of the petition at a future meeting.

6. Town Manager Report

Mr. Davison reminded the Board water and sewer rates are usually set in June. He noted, however, water usage changed significantly in the past year since the start of the pandemic, as commercial usage is down, and residential usage is up. He explained that now that the state is reopening, there is a possibility of a reversal in the trend and additional data could prove helpful in setting rates. He said the Water and Sewer Rate Committee will reconvene in September to review data and to recommend a rate structure to the Select Board, with an anticipated public hearing on October 12, 2021 and vote by the Board on October 26, 2021.

Mr. Borrelli concurred with Mr. Davison, particularly due to the fluctuating market and use.

Ms. Fitzpatrick said she was informed by Congressman Auchincloss's office that the Christina Street Bridge project was funded by the House Committee for \$1.6 million. She said she is hopeful full funding will be approved by the House.

8:52 p.m. Board Discussion:

1. June 22, 2021 Meeting

Mr. Borrelli said he desires an in-person meeting in Powers Hall on June 22, 2021, noting the situation is not ideal.

Ms. Fitzpatrick explained the technology available in Powers Hall for the meeting so people can attend in-person and on Zoom.

Motion by Ms. Cooley that the Board vote to hold its June 22, 2021 meeting in-person.

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

2. NUARI Update

Ms. Cooley reviewed key points from last night's NUARI meeting, noting discussion on setting up a committee to work on planning for community conversations. She said the committee will include representatives from Needham Human Rights, Needham Diversity Initiative, etc. She said discussion included the composition of the committee, saying a new school committee representative and high school student representative will be added. She said the first communication session being run by the Public Information Officer will be held on June 30, 2021 and NUARI members were asked to reach out to their networks to make sure people are aware of the sessions. She encouraged the Select Board to also reach out to their network of constituents. Ms. Cooley mentioned NUARI will also gather in person on June 28, 2021, noting the chairs of various committees that have vacancies will be asked to join the meeting and answer questions for NUARI members who may be interested in applying for various committee openings.

Mr. Nelson concurred it is important to get as broad a pool of interest in the various vacant committees and to remain committed to diversifying Town boards, committees, and Town employees.

Mr. Borrelli said the in-person NUARI meeting will be terrific, as many people on the committee are new to town government and will get to meet in person.

3. Committee Reports

No Committee Reports

9:06 p.m. Adjourn:

Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board Meeting of Tuesday, June 8, 2021.

Second: Mr. Matthews. 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>