

**Town of Needham
Select Board
Minutes for Tuesday, February 8, 2022
Needham Town Hall
Powers Hall
and
Via ZOOM
<https://us02web.zoom.us/j/88070840457>**

6:00 p.m. The public portion of the Select Board meeting of February 8, 2022 was convened by Chair Matthew D. Borrelli. Those present were Daniel P. Matthews, Marianne Cooley, Marcus Nelson (via Zoom), Kevin Keane, and Town Manager Kate Fitzpatrick. Dave Davison, ATM/Finance, Katie King, ATM/Operations, Myles Tucker, Support Services Manager, Kristin Scoble, Administrative Specialist, and Mary Hunt, Recording Secretary were also in attendance.

Public Comment Period:

Diane Blasotto, 9 Richard Road read a prepared statement saying as a nation, county, state, and town, our founding fathers believed in one nation under God. She said there is no mention of God in our homes, schools, or on our streets. She suggested there should be a common ground and if we are all united as one under ‘absolute truth’ then there would be no diversity. She asked the Select Board to ponder these words.

6:03 p.m. Public Hearing - Eversource Grant of Locations:
Joanne Callender, Eversource Representative (via Zoom) spoke with the Board regarding three Grant of Locations:

1. 59 Winding River Road

Ms. Callender requested permission to install approximately 10 feet of conduit in Winding River Road. She said this work is necessary to provide underground service to 59 Winding River Road, Needham.

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

Motion by Mr. Matthews that the Select Board approve and sign a petition from Eversource Energy to install approximately 10 feet of conduit in Winding River Road.

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

2. 155 Country Way

Ms. Callender requested permission to install approximately 68 feet of conduit in Scott Road. This work is necessary to provide underground service to 155 Country Way, Needham.

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

Motion by Mr. Matthews that the Select Board approve and sign a petition from Eversource Energy to install approximately 68 feet of conduit in Scott Road.

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

3. 86 Plymouth Road

Ms. Callender requested permission to install approximately 16 feet of conduit in Plymouth Road. This work is necessary to provide underground service to 86 Plymouth Road, Needham.

Ms. Fitzpatrick indicated work was performed prior to receiving approval from the Select Board. She said Patrick Stern, the homeowner, is in attendance.

Mr. Stern explained the situation, stating he was unaware of the required steps and that the licensed contractor he hired is no longer working on the project.

Discussion ensued on the current status of the project, the hiring of an electrician and a new general contractor.

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

Ms. Fitzpatrick recommended approval pending the hiring of a new electrician and receiving a new electrical permit from the building department.

Mr. Matthews recommended the Town Manager hold the order, then sign it after contingencies are achieved.

Mr. Borrelli asked for a project update in a couple of weeks. Mr. Stern agreed.

Motion by Mr. Matthews that the Select Board approve and sign a petition from Eversource Energy to install approximately 16 feet of conduit in Plymouth Road, contingent on the homeowner hiring an electrician, a new electrical permit being issued, and relevant underground work completed to the satisfaction of the Town.

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

Mr. Borrelli reiterated to Mr. Stern if a licensed electrician is hired, a new electrical permit is pulled, and everything is inspected to the satisfaction of the building department, then he will not need to come before the Select Board again. He said the work order will be held and once signed off, it will be released for work to proceed.

6:24 p.m.

Town Manager:

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

1. Close Annual Town Meeting Warrant

Ms. Fitzpatrick reviewed the draft of the Annual Town Meeting warrant, particularly items that are not routine including collective bargaining warrant articles, financial warrant articles, zoning board warrant articles, and community preservation warrant articles, and others. She asked the Select Board to vote to close the warrant and to let her know if they would like presentations on any of the articles.

Motion by Mr. Nelson that the Board vote to close the warrant for the 2022 Annual Town Meeting subject to minor technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel.

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

6:28 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 minutes of January 25, 2022 (open session)**
- 2. Accept the following donation made to Youth & Family Services: \$100 donation from Andrew & Elizabeth Alperstein (100 Women of Needham) for the Crisis Donation Fund.**
- 3. Accept the following donation made to Youth & Family Services: \$100 donation from Andrew & Deborah Feldman (100 Women of Needham) for the Crisis Donation Fund.**
- 4.* Approve and sign Water & Sewer Abatement #1318**
- 5.* Approve the schedule of penalties for alcohol compliance check failures for the following license holders: Innovative Distributing Concepts, LLC d/b/a Bin Ends, Henry Hospitality Inc. d/b/a The James, Sol Soul Family Foods LLC. d/b/a Hearth Pizzeria, Pancho's Taqueria Needham, LLC d/b/a Pancho's Taqueria, Capella LLC d/b/a Cappella, Fu Yuan, Inc. d/b/a Fuji Steak House, New Garden Inc., d/b/a New Garden Restaurant, TDRG Needham, Inc. d/b/a Cook Needham, & Zucchini Gold, LLC d/b/a The Rice Barn.**
- 6.* Approve and sign the integrated collective bargaining agreement between the Town and the Needham Police Union for FY2020 & FY2021.**
- 7* Support Youth & Family Services' "Needham Unplugged" for the month of March 2022 including its annual no-meeting night/no-homework night which will be held on Thursday, March 10, 2021.**
- 8.* Approve a request from Jessica Rice race coordinator from the Jog Your Memory 5K Run to hold a race in Needham. The event is scheduled for Sunday, September 18, 2022. The event and route have been approved by the following departments: Fire, Police, DPW, Park & Recreation.**

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

2. Initial American Rescue Plan Act Funding Reallocation Proposal

Ms. Fitzpatrick updated the Board on the purchase of COVID test kits and N95/KN95 masks. She recommended that the Select Board expand the proposal to approve the allocation of up to 500 test kits for residents of limited means and those in high-risk groups.

Discussion ensued on the possibility of receiving kits from the state of Massachusetts.

Motion by Mr. Keane that the Select Board vote to approve a reallocation of American Rescue Plan Funding to provide for the acquisition of at-home COVID-19 testing kits for staff and students and to approve the allocation of up to 500 test kits for residents of limited means and those in high-risk groups. Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

3. Town Manager Report

Ms. Fitzpatrick reported the Public Health Department received a \$50,000 grant from the MetroWest Health Foundation to support the rental and operation of an Abbott ID Now rapid test machine to test for COVID-19 and other respiratory infections. She said the Town is fortunate to have received the grant.

Ms. Fitzpatrick reminded the Board that the relaxed outdoor dining rules will expire April 1 unless the legislature takes action, which she said may happen. She commented that last week the Planning Board approved an application from the Town to allow for outdoor dining on the Town's parking lots. She encouraged restaurants to get applications in as early as possible.

Ms. Fitzpatrick reported 3,000 subscribers to the "News You Needham" newsletter. She encouraged folks to sign up to receive the newsletter.

6:37 p.m. Board Discussion:

1. Massachusetts Department of Housing and Community Development/MBTA Draft Multifamily Zoning Guidelines

Mr. Matthews said the matter, although mainly in the work area of one committee, is likely to have substantial public policy discussion in the state in the coming weeks. He commented an effort must be made to make sure that people interested in affordable housing issues in the Commonwealth know about the discussions. He commented he and Mr. Nelson serve on the housing working group focusing on options to improve the range of moderately priced housing available in Needham. Discussion ensued on the Economic Development Act passed by the legislature and signed by the governor in 2019 encouraging multi-family housing near MBTA stations. He said, although the regulations are in draft form, they are a priority of the governor's administration. Mr. Matthews outlined the regulations and zoning as it relates to Needham. He said the issue is complicated and that the regional supply and demand imbalance causes housing prices to go up every year, more than

the cost of living. He said the effort must be a regional one, and although the regulations are imperfect, they are a “good faith” effort to address a serious regional housing issue. Mr. Matthews said he hopes Needham can find a way to work constructively and encourage surrounding communities to do the same. He encouraged anyone interested in the topic to look at the housing working group’s website to view the draft regulations.

Discussion ensued on zoning, density, and the draft regulations.

Ms. Cooley said the draft regulations fundamentally change the way the Town has been thinking about affordable housing. She said she hopes the working group can take into account the change and to start thinking about the new approach. She commented Needham has worked very hard with the rules that previously existed, contributing significantly to the expansion of housing in the region. She said Needham is being asked to do more under the new plan and will require input from citizens.

Mr. Borrelli suggested a long-term strategy may include working with a consultant.

2. Committee Reports

Ms. Cooley reported she continues working on the climate action committee and will present recommendations to the Select Board tomorrow, with appointments to be made at the next Select Board meeting.

Mr. Borrelli reported on the number of liquor license violations over the last couple months, as listed in the Consent Agenda. He said meetings have been held with the license holders who had an opportunity to explain what happened, culminating in a one-days suspension of the license for some applicants. He said a public hearing will be held with the Residence Inn regarding numerous violations.

Ms. Cooley said she is encouraged that more businesses are moving toward technology solutions to help them with reading a license. She asked residents to continue patronizing all of the restaurants.

3. Carter Mill Project Discussion

Mr. Borrelli recused himself from discussions for this evening and asked Ms. Cooley to take the gavel to continue the meeting. Mr. Borrelli left the meeting.

The Board discussed revisions to the plans for the Carter Mill Project. Ms. Cooley commented that when Town Meeting voted on changes to zoning last spring, it did so on the basis of the project as presented to the Town which included memory care, assisted living, and independent living with an affordable housing component. She said the Town was very excited for the project. However, she said the new proposal eliminated the independent living component. Ms. Cooley said it will be important for the Select Board to provide feedback to the Planning Board before they make any final decisions or recommendations to the developer.

Mr. Nelson said he watched the meeting, noting he heard there is “no way” to include the three components. He said having the affordable housing component is something the Select Board, Planning Board, and Town were all excited about. He said more work must be done to have the affordable housing component piece of the project.

Mr. Keane said there is no public good in the plan and Needham gets nothing as a community. He said he agrees with the Planning Board, and Town Meeting voted on the project based on both the affordable and senior housing components.

Mr. Matthews said he shares the disappointment. He noted the primary jurisdiction for this project is the Planning Board. He said it is a private developer and the Town cannot make them do one thing or another. Mr. Matthews said three years of work has already been spent. He commented removing the independent living component devalues the deal, as zoning was done specifically for the new property owner. He suggested Town Meeting members and residents watch the Planning Board’s recent meeting on February 1, 2022 (starting at minute 40, ending at minute 156) on the Town’s website. He said it is important to have the property back in use and that the legitimate expectations of the Town are met. He said the Select Board must work and support the Planning Board’s efforts.

The Board agreed and asked the Town Manager to write a letter to the Planning Board expressing the Select Board’s concerns and opinion.

7:05 p.m.

Adjourn:

Motion by Mr. Nelson that the Select Board vote to adjourn the Select Board meeting of Tuesday, February 8, 2022.

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

The next Select Board meeting is scheduled for Tuesday, February 22, 2022.

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

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