

**Town of Needham
Select Board
Minutes for Tuesday, July 26, 2022
Needham Town Hall
Select Board's Chamber
and
Via ZOOM
<https://us02web.zoom.us/j/86082115013>**

- 6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Marianne B. Cooley. Those present were Marcus Nelson, Kevin Keane, Heidi Frail, Matthew Borrelli, 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.
- 6:00 p.m. Public Comment Period: No comments were heard.
- 6:00 p.m. Proclamation for Purple Heart Day August 7, 2022:
Mr. Nelson read a proclamation recognizing Needham as a Purple Heart Community and that August 7, 2022 will be considered Purple Heart Day in the Town of Needham.
- Motion by Mr. Nelson that the Select Board of the Town of Needham does hereby proclaim that Needham is a Purple Heart Community and that August 7th will be considered Purple Heart Day in Needham. The Select Board encourages residents and businesses to display the American Flag and recognize Purple Heart recipients on that day, honoring the service and sacrifice of our military personnel.**
Second: Mr. Borrelli. Unanimously approved 5-0.
- 6:02 p.m. Proclamation for India Independence Day August 15, 2022:
Mr. Nelson read a proclamation recognizing August 15, 2022, as India Day in the Town of Needham.
- Motion by Mr. Nelson that the Select Board of the Town of Needham does hereby proclaim August 15, 2022, as India Day and encourages all residents to join the Indian Community to celebrate and commemorate its 75th Independence Day.**
Second: Mr. Borrelli. Unanimously approved 5-0.
- 6:06 p.m. Fire Chief Swearing In:
Town Clerk Theodora Eaton swore in Thomas Conroy as the next Fire Chief in the Town of Needham.

Chief Conroy thanked the Town Manager and the Select Board for the opportunity given to him as Fire Chief, and to all firefighters for their support.

The Board thanked Chief Conroy for his service and wished him well in his new role.

6:12 p.m. Public Hearing: Grant of Location - 233 Great Plain Avenue
Joanne Callender, Eversource Representative requested permission from the Board to install approximately 21 feet of conduit in Berkshire Road.

Ms. Fitzpatrick indicated all paperwork is in order.

Ms. Cooley invited public comment. No comments were heard.

Motion by Mr. Borrelli that the Select Board approve and sign a petition from Eversource Energy to install approximately 21 feet of conduit in Berkshire Road.

Second: Mr. Nelson. Unanimously approved 5-0.

6:14 p.m. Joint Meeting with Park and Recreation Commission:
A joint meeting was held with members of the Park and Recreation Commission including Chris Gerstel, Chair, Cindy Chastain (via Zoom), and Michelle Geddes (via Zoom). Select Board members Kevin Keane and Heidi Frail recused themselves from discussion.

It was noted that Marcus Nelson, Vice Chair of the Select Board and Chris Gerstel, Chair of the Park and Recreation Commission, held interviews with six applicants on June 15, 2022 for the current vacancy on the Park and Recreation Commission. Mr. Nelson and Mr. Gerstel recommended Frederica Lalonde be appointed to serve the remainder of the term until the next Town Election.

Ms. LaLonde said she is honored to be appointed to the position and looks forward to making a positive contribution to the Town.

Motion by Mr. Nelson that the Select Board and Park and Recreation Commission vote to appoint Frederica Lalonde to the Park and Recreation Commission until the next Town Election to be held on April 11, 2023.

Second: Mr. Borrelli. Unanimously approved 6-0 by roll call vote.

Mr. Nelson said it has been great to get to know Ms. Lalonde and an honor to appoint her to the position, and that her service to Needham will make everyone proud.

Mr. Borrelli thanked Ms. LaLonde for stepping up for the position, as it is a very important Town role. He said he looks forward to working with her.

Ms. Cooley concurred with Mr. Nelson and thanked Ms. LaLonde for her service. She wished her well in her new role.

**Motion by Mr. Nelson that the Select Board and Park and Recreation Commission vote to appoint Frederica Lalonde to the Park and Recreation Commission until the next Town Election to be held on April 11, 2023.
Second: Mr. Borrelli. Unanimously approved 6-0 by roll call vote.**

6:20 p.m. Public Hearing: Comcast Cable Television Contract Renewal
Bill August, Town Cable Counsel (via Zoom), Greg Franks, Comcast Representative (via Zoom), Kate Fitzpatrick, Town Manager, and Myles Tucker, Support Services Manager spoke with the Board about the cable television renewal license with Comcast of Needham.

Ms. Cooley read a statement regarding the Town’s Comcast Cable Television Contract Renewal.

Ms. Fitzpatrick recommended that the Select Board, as Issuing Authority for the Town, enter into a ten-year cable television renewal license with Comcast of Needham Inc. for the period of December 18, 2022, through December 17, 2032.

Mr. Tucker discussed items that were negotiated and included in the proposed ten-year license. He recognized Greg Franks and the Comcast team for their partnership and Attorney August for his assistance during the renewal process. Mr. Tucker also thanked Marc Mandel for his invaluable technical expertise during negotiation on this license, as well as the other two cable licenses that were negotiated earlier this year.

Ms. Cooley invited public comment. No comments were heard. Ms. Cooley said no emails or public comments have been received.

**Motion by Mr. Borrelli that the Board find that the cable franchise renewal proposal of Comcast of Needham, Inc. reasonably meets the franchise and cable related renewal needs and interests of the public and Town; and that Comcast of Needham, Inc.’s financial and technical qualifications and local programming channels, facilities, and services are reasonable to meet Town cable franchise needs, find that the Select Board, as Issuing Authority for the Town, votes to accept the renewal agreement with Comcast of Needham, Inc. effective December 18, 2022.
Second: Mr. Nelson. Unanimously approved 5-0.**

6:30 p.m. Appointments and Consent Agenda:
Motion by Mr. Borrelli that the Select Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS
1. Avery Newton Affordable Housing Trust Fund Term Exp: 6/30/2025

2. Colleen Schaller	Council on Aging	Term Exp: 6/30/2025
3. Kathleen Robey	Council on Aging	Term Exp: 6/30/2025
4. Amy Lam	Needham Council on Arts and Culture	Term Exp: 6/30/2025
5. Daniel Goodman	Council of Economic Advisors	Term Exp: 6/30/2025
6. Thomas Conroy	PPBC User Rep – Public Safety Project:	Indefinite Term
7. Donna Mullin	Traffic Management Advisory Committee	Term Exp: 6/30/2025
8. Rebecca Tarantino	Traffic Management Advisory Committee	Term Exp: 6/30/2025
9. Robert Ciccolo	Traffic Management Advisory Committee	Term Exp: 6/30/2025
10. Guus Dreissen	Traffic Management Advisory Committee	Term Exp: 6/30/2023
11. Election Workers for 2022–2023 See attached.		

CONSENT AGENDA *=Backup attached

- 1.* **Approve minutes of June 14, 2022 (open session), June 28, 2022 (open and executive session)**
2. **Accept the following donation made to the Needham Community Revitalization Trust Fund: \$2,500 from Mr. C. Bruce Johnstone.**
3. **Accept the following gift card donations made to the Needham’s Aging Services Division to use at the Council on Aging: \$105 Café Fresh Bagel, \$60 Town House of Pizza, \$375 Roche Brothers, \$400 Sweet Basil, \$150 Volante Farms, and \$25 from Linda S. Sohmer.**
4. **Accept the following donation made to the Needham Free Public Library: \$30 from Catherine J. Collishaw in memory of Anita Marie Love.**
- 5.* **Sign the Warrant for the State Primary Election to be held on Tuesday, September 6, 2022.**
- 6.* **Authorize the Chief of Police to assign police officers to each polling location and Town Hall in accordance with the “Votes Act” for all future elections.**
- 7.* **Approve a request from Julia Karr, Development Associate for the 35th Annual Bike-A-Thon, Bikes Not Bombs. The road event will pass through Needham on Sunday, September 11, 2022, with a rain date of Sunday, September 22, 2022. The route was approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 8.* **Approve a request from Allan Eyden, Race Coordinator for the PanMassachusetts Challenge, PMC Road Race. The event will pass through Needham on Saturday, August 6 and Sunday, August 7, 2022. The route of the race was approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 9.* **Approve a request from Clint Moon, Route Coordinator for the Ride for Food. The event will pass through Needham on Sunday, October 2, 2022. The route was approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 10.* **RATIFY a One Day Special License for Monique Goodrow-Trach of Needham Pool and Racquet Club who hosted its Beers, Bags and Annual Corn Hole Tournament on Friday, July 15, 2022. The event was held at Needham Pool & Racquet Club 1545 Central Ave, Needham. The Police and Fire Department approved the event.**
11. **Approve and sign integrated collective bargaining agreement between the Town and the Needham Police Union for the period July 1, 2021, through June 30, 2022 and July 1, 2022 through June 30, 2025.**

- 12.* Approve and sign integrated collective bargaining agreement between the Town and the Needham Police Superior Officers Association for the period July 1, 2021 through June 30, 2022 and July 1, 2022 through June 30, 2025.
- 13.* Approve and sign integrated collective bargaining agreements between the Town and the Needham Firefighters Union Local 1706 Unit A & Unit C for FY21 and FY22
- 14.* Approve and authorize the chair to sign the Employment Agreement between the Town and Thomas Conroy, Fire Chief.
- 15.* Approve and authorize the Town Manager to executive an estoppel certification for Sun Life.
- 16. Grant permission for the following residents to hold block parties:

Name	Address	Party	Party	Party	Party
Cindy Osgood	27 Laurel Drive	Lower Laurel Drive	9/10/22	9/11/22	4pm-8pm
Katherine Calzada	9 Morton Street	Morton Street	9/10/22	9/17/22	12pm-4pm
Catherine Holland	104 Newell Ave.	Intersection near Newell, Prospect, and Lewis	9/10/22	9/11/22	5pm-8pm
Paul Kaboub	57 Parkinson St.	Parkinson St. Bet. Webster and Manning	9/10/22	9/17/22	4pm-8pm

Second: Mr. Nelson. Unanimously approved 5-0.

6:31 p.m.

Public Hearing Water & Sewer Rates:

John Tallerico, Chair and members of the Water and Sewer Rate Structure Committee, David Davison, Assistant Town Manager/Finance, Carys Lustig, Director of Public Works (via Zoom), and Michael Retzky, Superintendent of Water and Sewer spoke with the Board about the town’s proposed water and sewer rates.

Mr. Davison noted the Water and Sewer Rate Structure Committee met on June 23, 2022, July 8, 2022, and again on July 19, 2022, to finalize its recommendation to the Board. He commented on consumption trends, noting the impact of Coca Cola ending its bottling operations in Needham, planned rate changes that were not implemented in FY2021 and FY2022 due to the onset of COVID, and annual charges in comparable surrounding communities, and the Rate Structure Proposal.

Mr. Tallerico explained the evaluation process and potential impact to the community. He said the Water and Sewer Rate Structure Committee generally provides several options, but the members agreed the one option proposed is best for Needham.

Discussion ensued on the proposed water and sewer rates, possible MWRA restrictions on the availability of water. Mr. Retzky said the MWRA is currently at 95% capacity and can supply every bit of water currently needed.

Ms. Fitzpatrick commented on the non-essential outdoor water use restriction from 2013 until a few years ago, when the Town gave up its permit relying only on registered water, which she said the Town believes the Commonwealth is not allowed to impose restrictions. She said restrictions are coming and the Town may end up in a situation where its registered water does get restricted in some way.

Discussion ensued on Needham's average water use which is much higher than comparable towns and the reason why must be understood, the environmental impact, conservation, and cost.

Ms. Cooley invited public comment. No comments were heard.

It is anticipated that the Select Board will vote on final water and sewer rates at its meeting on August 9, 2022.

7:00 p.m. Transfer of an All-Alcohol Innkeeper License - 365 Management Company LLC, d/b/a Residence Inn
Caroline O'Connell, Applicant Counsel and Michael Gendrin, Proposed Manager spoke with the Board regarding 365 Management Company LLC, d/b/a Residence Inn application for the transfer of an Innkeeper All Alcoholic Beverages Liquor License to be operated at 80 B Street, Needham, MA. The applicant is requesting the appointment of Michael Gendrin as Manager of Record.

Ms. Cooley reminded Mr. Gendrin of the Town of Needham's rules and regulations for the service of alcohol and that he is responsible to make sure they are followed.

Motion by Mr. Borrelli that the Select Board vote to approve the Section 12 All Alcohol Innkeeper License transfer application submitted by 365 Management Company LLC, d/b/a Residence Inn including the appointment of Michael Gendrin as Manager of Record, and submit the application to the ABCC.

Second: Mr. Keane. Unanimously approved 5-0.

7:03 p.m. Proposed Alcohol Regulations Changes - Breweries
Katie King, Assistant Town Manager spoke with the Board about the Town's proposal to allow breweries in Needham to further diversify the business inventory and offer an additional amenity to residents and visitors. The Planning Board is advancing a zoning amendment for the Special Town Meeting in the fall, which would define brewery business types and determine where each could be located by special permit. The Select Board oversees liquor licenses for all establishments that sell alcohol in Needham and must update the Town's liquor license policies to

allow for breweries. The Select Board discussed proposed changes at their June 14, 2022 meeting and held a public hearing at their June 28, 2022 meeting.

Motion by Mr. Nelson that:

1. The Board vote to adopt the revised Regulations for the Sale of Alcoholic Beverages effective July 26, 2022.

2. The Board vote to adopt the revised Calendar Year 2022 fee schedule.

Second: Ms. Frail. Unanimously approved 5-0.

The Board thanked Ms. King for her work.

7:07 p.m.

Recycling and Transfer Station Charges and Fees:

Jeff Heller, Solid Waste Disposal & Recycling Advisory Committee, David Davison, Assistant Town Manager/Finance, and Carys Lustig, Director of Public Works spoke with the Board about the Department of Public Works proposed revisions to some of the fees that are charged for the disposal of specific items and two new fees due to volume and cost. There are no broad-based (Sticker Fee, Bag Fee, Scale Fee) service fee changes recommended this year. Mr. Davison stated the Solid Waste Disposal & Recycling Advisory Committee met on Tuesday, March 15, 2022 and voted to recommend the proposed rate changes and the new fees.

Mr. Heller commented on changes to the fees.

Ms. Frail stated a discussion should be had at some point regarding the possibility of a pay-per-throw compostable garbage bag, rather than continuing to use plastic bags. She stated a compostable bag is better for the environment.

Discussion ensued on fees, pay per throw program, and the use of yellow plastic bags.

Motion by Mr. Borrelli that:

A: the Board approve the proposed rate changes effective September 1, 2022: Automobile Tires \$7.50, Truck Tires \$15.00, Convenience Fee (illegal dumping without a pay-to-throw bag) \$10.00, and

B: the Board approve the consolidation of the computer monitor 15" or less, computer monitor greater than 15", flat screen TV 15" or less, flat screen TV greater than 15", and television disposal fees to be titled monitors and that the rate be set at \$20.00 per item effective September 1, 2022, and

C: the Board approve the implementation of the following new fees effective September 1, 2022: Fluorescent tube disposal \$1.00 each (not more than 10 tubes per week), Small printers \$2.50 each item.

Second: Mr. Keane. Unanimously approved 5-0.

7:21 p.m.

Public Hearing: Dangerous Dog Hearing (Continued)

Chief Schlittler has requested that the Select Board hold a dangerous dog hearing in accordance with MGL c. 140 Section 157 and Town By-Law 3.7.5 on a complaint about a dog by the name of "Axel" residing at 233 West Street in Needham.

Ms. Cooley commented that Ms. Diana Rasoul-Agha, dog owner, supplied additional information late this afternoon that the Board needs time to consider. She stated the Board must understand the new information, noting it appears Ms. Rasoul-Agha has secured insurance for Axel, has completed a behavioral analysis as required by the Board, and scheduled neutering of Axel.

Ms. Cooley suggested tonight's public hearing be continued to the Select Board's next meeting on August 9, 2022.

Motion by Mr. Borrelli that the Select Board vote to continue Public Hearing: Dangerous Dog Hearing to August 9, 2022.

Second: Mr. Nelson. Unanimously approved 5-0.

Mr. Borrelli suggested mandating any further materials on this issue be delivered by Thursday prior to the Select Board meeting. Ms. Cooley concurred with Mr. Borrelli noting Ms. Rasoul-Agha must understand the current Select Board orders required a weekly update of any new information or if there has been no change.

7:24 p.m.

Introduction of Director of Assessing:

Dave Davison, ATM/Director of Finance introduced M. Motta, the Town's new Director of Assessing to the Select Board. He noted the search to fill the vacancy was exhaustive, noting Ms. Motta's work experience is well suited for the position as Director of Assessing.

Ms. Motta said she is already very impressed with the Town Manager and staff interaction. She said she is happy to be part of the team.

The Board welcomed Ms. Motta to Needham and wished her well in her new position.

7:30 p.m.

Leadership ICMA Presentation Recruitment & Retention:

Kate Fitzpatrick, Town Manager told the Board the Town contracted with the Leadership ICMA Program to conduct an evaluation of the Town's options for increasing employee satisfaction, recruitment, and retention through benefit

strategies. She introduced members of the team including Jack Daly, Assistant Director of Public Works, Georgetown, TX, Jared Jones, Assistant City Manager, Panama City, FL, Jennifer Prochazka, Assistant City Manager, College Station, TX, Stephanie Reyes, Interim City Manager, San Marcos, TX, and Laura Savage, Senior Program Manager, ICMA.

Ms. Fitzpatrick noted Leadership ICMA is a competitive, intensive two-year ICMA University program designed to cultivate key competencies needed for successful leadership at all levels of local government management. Participants complete a series of five class modules and a team-based capstone project. The 2022 cohort has selected the Town of Needham for its capstone project.

A PowerPoint presentation was viewed titled “Recruitment and Retention, Strategies for an Employer of Choice.” Mr. Daly gave a project overview describing the scope of the project, its objectives, best practices, diversity, new benefit offerings, and compensation. He commented on meetings and interviews with employee focus groups and key findings.

Mr. Borrelli commented on private sector businesses competing with other towns and municipalities for employees. He asked, “what can Needham offer against the private sector that would make Needham more desirable?” He commented on the idea of allowing children of employees to attend Needham public schools. He stated the private sector, particularly now, has a large advantage in hiring over municipalities.

Mr. Daly commented on the schools and the stability of Needham, as municipalities are less likely to let people go when there is a downturn. He said financial stability, predictability, and resources to deliver great services to the community makes Needham attractive.

Ms. Fitzpatrick commented people also come to Needham because of the mission and their desire to make a positive impact on people's lives, which she said is not the same in the private sector.

Mr. Nelson asked for suggestions, solutions, or ideas on lower ranked answers from employees when asked ‘what’s the best part about working for Needham?’

Mr. Daly said the responses weren’t necessarily negative, but just lower on the chart and echo what people like about working for Needham.

The Board thanked Ms. Fitzpatrick and the team for the work they have done for Needham.

8:00 p.m. National Community Survey Presentation:

Cyndi Roy Gonzales, Public Information Officer presented the results of the recently completed Needham Community Survey, including methodology and results.

The wide range of responses and the broad-based opinions expressed by the survey participants provide the Town with a unique perspective about service delivery, highlighting successes, opportunities, and areas that deserve greater attention. The Town has completed the survey on a biannual basis since 2008 (except for 2020). The primary purpose is to establish a formal, systematic mechanism for evaluating customer satisfaction with Town services, and then using the information to inform organizational, management, and funding decisions. Resident opinion should be a major factor in local government decision making, yet it is often hard to measure. Citizen surveys provide valuable information to help to understand residents' concerns, improve communication, and measure satisfaction with the overall operation of local government. By almost every measure, the level of citizen satisfaction with local government in Needham is quite high.

A PowerPoint presentation titled "The Town of Needham 2022 Community Survey, National Research Center by Polco" was viewed and Ms. Gonzalez discussed the results. She spoke about benchmark comparisons with other communities including safety, health and wellness, economy, mobility, natural environment, education and enrichment, and general governance etc.

Discussion ensued on the results and their interpretation.

Ms. Fitzpatrick commented residents should be proud of the results and much of the data can be used to make improvements.

Mr. Borrelli said he was looking forward to seeing the results of the survey as it is a "good check with reality." He said the data shows people continue to feel Needham is a wonderful place to live.

The Board thanked Ms. Gonzalez for the presentation.

8:36 p.m.

Town Manager:

Ms. Fitzpatrick spoke with the Board regarding 2 items:

1. Accept and Refer Zoning

Ms. Fitzpatrick reminded the Board that the Planning Board, at its meeting of July 7, 2022, voted to place the following article on the warrant for the October 24, 2022, Special Town Meeting: "Amend Zoning By-Law – Schedule Of Use Regulations Brew Pub and Microbrewery." She asked the Board to accept the proposed zoning article for referral to the Planning Board for its review, hearing, and report.

Motion by Mr. Borrelli that the Board vote to accept the proposed zoning article for referral to the Planning Board for its review, hearing, and report.

Second: Mr. Nelson. Unanimously approved 5-0.

2. Town Manager Report

Ms. Fitzpatrick reminded folks that on August 7, 2022 at 7 p.m. at Memorial Park a Purple Heart Day Observance will be held.

Ms. Fitzpatrick reminded folks that in person early voting for the state primary will begin on Saturday, August 27, 2022 and end on Friday, September 2, 2022 at Town Hall in the Select Board's Chamber. She said the state primary will be held on September 6, 2022.

Ms. Fitzpatrick told the Board the Special Town Meeting warrant will be opened on August 9, 2022, noting the Special Town Meeting will be held on October 24, 2022.

8:39 p.m. Board Discussion:

1. Committee Reports

Mr. Keane reported budget requests from the climate action committee are forthcoming for Town Meeting.

Ms. Frail reported the affordable housing committee meeting will be held on Thursday, July 28, 2022.

8:40 p.m. Executive Session: Exceptions 3 (Collective Bargaining Police & Fire Unions) & 6 (Purchase of Real Property)

Motion by Mr. Borrelli that the Select Board vote to enter into Executive Session.

Exception 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

and

Exception 6 – To consider the purchase, exchange, lease or value of real estate if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Not to return to open session.

Second: Mr. Keane. 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>

The next Select Board meeting is scheduled for Tuesday, August 9, 2022 at 6 p.m.

Note: The meeting adjourned at 9:15.