

# BOARD OF SELECTMEN

## October 23, 2012

### Needham Town Hall

### Agenda

	<b>6:45</b>	<p>Informal Meeting with Citizens</p> <p><i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i></p>
<b>1.</b>	<b>7:00</b>	<p>HST Lessee Needham LLC d/b/a Sheraton Needham Hotel</p> <ul style="list-style-type: none"> <li>• Charles York, New Manager</li> </ul>
<b>2.</b>	<b>7:00</b>	<p>Public Hearing NSTAR- Central Avenue/ Cefalo Road/ Sunset Road</p> <ul style="list-style-type: none"> <li>• Maureen Carroll, NSTAR representative</li> </ul>
<b>3.</b>	<b>7:05</b>	<p>Bay Colony Rail Trail Presentation</p> <ul style="list-style-type: none"> <li>• Tad Staley and Kathleen Phelps</li> </ul>
<b>4.</b>	<b>7:25</b>	<p>Town Manager</p> <ul style="list-style-type: none"> <li>• Proposed Alcohol Regulations</li> <li>• Tax Increment Financing Options</li> </ul>
<b>5.</b>	<b>8:00</b>	<p>Board Discussion</p> <ul style="list-style-type: none"> <li>• Positions on Warrant Articles</li> <li>• Greendale Mews c. 40B Site Approval</li> <li>• Hillside School Environmental Report</li> <li>• Committee Reports</li> </ul>

### APPOINTMENTS

There are no appointments this meeting.

### CONSENT AGENDA      **\*=Backup attached**

1.*	Approve minutes from September 11, 2012 and September 18, 2012, October 2, 2012 and October 9, 2012 open meetings; approve executive session minutes from September 11, 2012, September 18, 2012, and October 2, 2012.
2.*	Approve a Special One Day Wines & Malt Beverages license from Steve Volante of Volante Farms to hold a event called "Food Sol Closing Reception" on October 23, 2012 from 7:00 p.m. to 11:00 p.m. at Volante Farms, 292 Forest Street, Needham.
3.*	Approve a Special One Day All Alcoholic license from Kathryn Lozano of the Charles River YMCA to hold a event called "The Y Giving Gala" on November 17, 2012 from 6:30 p.m. to 11:00 p.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.
4.	Accept donation of two new United States flags for the Town Common and Needham Heights Common for winter use from the members of Norfolk Lodge, A.F. & A.M.
5.	Accept donation of 250 re-usable cloth totes (valued at approximately \$370) made to the Needham Park and Recreation Commission from Dedham Savings Bank to be

	used as participant Trick-or-Treat bags for the annual Spooky Walk Program.					
6.*	Approve application for a 2012/2013 Weekday Entertainment license from Sai Restaurant, Inc. d/b/a Masala Art located at 990 Great Plain Avenue, Needham.					
7.*	Approve application for a 2012/2013 Sunday Entertainment license from Sai Restaurant, Inc. d/b/a Masala Art located at 990 Great Plain Avenue, Needham.					
8.	Approve integrated collective bargaining agreement between the Town and the Needham Police Superior Officers Association for fiscal years 2013 through 2015.					
9.	Approve integrated collective bargaining agreement between the Town and Local #116, Laborer's Intenational Union of North America/Building Custodian and Tradesmen Association for fiscal years 2013 through 2015.					
10.	Approve request from the Needham Business Association to hold Annual Blue Tree Ceremony on Saturday, November 24, 2012 at 5:00 p.m. in Avery Square and Blue Tree festivities at the Town Common at 5:10 p.m.					
11.	Approve request from the Needham Business Association to have "meter-free" parking in Needham Center and Needham Heights from November 24, 2012 through January 1, 2013.					
12.*	Water and Sewer Abatement Order #1149					
13.*	Special Sewer Assessment Order #589					
14.	Grant permission for a location sign for Avita of Needham to be installed on Town property adjacent to the access drive to 880 Greendale Avenue.					
15.	Grant permission for the following residents to hold a Block Party:					
	<u>Name</u>	<u>Address</u>	<u>Party Location</u>	<u>Date</u>	<u>Rain Date</u>	<u>Time</u>
	Valerie St Peters	15 Fairfield	Fairfield	10/31/12		4-8pm
	Kelly Allen ratify	103 Sylvan Road	Harding Road	10/6/12		3-7pm
	Maureen Rossi Ratify	65 Douglas	Douglas Road	Changed to 10/6/12	10/7/12	3-9pm
	Cathy Aikman ratify	19 Beaufort Ave	Beaufort Ave	10/21/12	10/28/12	4-8pm
	Ginger Finelli	62 Broad Meadow Road	Broad Meadow Road	10/28/12		2-5pm



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Change of Manager, HST Lessee Needham LLC d/b/a Sheraton Needham Hotel
<b>Presenter(s)</b>	Charles York, Director of Operations Sheraton Needham Hotel, proposed Alcohol Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>The Sheraton Needham Hotel changed General Managers from William Young to Girky Singh. Mr. Singh is not a U.S. citizen; 204 CMR 2.01 prohibits non-U.S. citizens from holding the alcohol manager license. Mr. York, who is a U.S. Citizen, is the newly appointed Director of Operations at the Sheraton Needham Hotel and is applying for the transfer of Alcohol License from former General Manager William Young. The Sheraton Needham Hotel is located at 100 Cabot Street, Needham.</p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<p><i>Suggested Motion:</i></p> <p><b>Moved that the Board of Selectmen approve and sign an application, for a change in manager, submitted by Charles York for Sheraton Needham Hotel and to forward this application to the ABCC for approval.</b></p>			
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<p><b>(Describe backup below)</b></p> <ol style="list-style-type: none"> <li>1. 204 CMR 2.01</li> <li>2. Form 43</li> <li>3. Petition for Change of License</li> <li>4. Personal Information Form</li> <li>5. Manager Application</li> <li>6. Certificate of Authority to Act</li> </ol>			



The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street Boston, MA, 02114

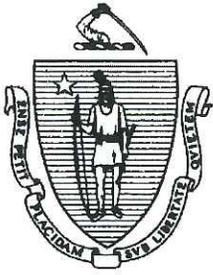
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### Regulations

204 CMR 2.00:  
REGULATIONS OF THE ALCOHOLIC BEVERAGES  
CONTROL COMMISSION

204-2.01: Licenses and Permits

- (1) Every applicant for a license or permit, either individually or as a member of a partnership or association, shall furnish proof of his citizenship by production of a certificate of birth, naturalization or as a registered voter.
- (2) Every application for a license or permit made by an individual shall be signed by the applicant therefor, who shall give his or her full name and home address.
- (3) Every application for a license or permit made by a partnership shall state the full names and home addresses of all the members of the partnership and shall be signed by a majority thereof.
- (4) Every application for a license or permit made by an association shall be signed by a majority of the members of the governing body thereof, who shall state their full names and home addresses.
- (5) Every applicant for a license or permit required by the provisions of Section 5, Chapter 110, General Laws, to file a certificate stating the real name of a person conducting a business, shall file with his application a certified copy thereof.
- (6) Every application for a license or permit made by a corporation shall state the full names and home addresses of the president, treasurer, clerk and secretary, directors and manager or other principal representative of the corporation. It shall be signed by some officer duly authorized by a vote of its board of directors or other similar board. A copy of such vote certified by the clerk or secretary of the corporation, together with a copy of the certificate of its organization, shall accompany the application. A copy of the vote appointing its manager or other principal representative shall also accompany the application.
- (7) All applications for licenses and permits shall be made upon blanks furnished by the licensing authorities, shall be fully answered in detail and shall be typewritten or legibly written in ink. Applications written in pencil, in whole or in part, will not be accepted.
- (8) All applications shall be made under the penalties of perjury and any false statement contained in any application shall be a cause or ground for refusing to grant the license or permit or for suspending, cancelling or revoking a license or permit already granted.
- (9) Every application made to local licensing authorities which in any way has to do with a license for the sale of alcoholic beverages, other than an application for the straight renewal of such license, shall be filed in duplicate and one copy thereof shall accompany notice of any favorable action taken thereon by the said authorities when the same shall be forwarded to the Commission. In the case of an application upon which adverse or no action is taken by such authorities, the duplicate copy shall not be forwarded to the Commission, except upon request, following the filing of an appeal with respect thereto.



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
 www.mass.gov/abcc

For Reconsideration

FORM 43  
 MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

77000001  
 ABCC License Number

Needham  
 City/Town

10/23/2012  
 Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- New License
- New Officer/Director
- Pledge of License
- Change Corporate Name
- Transfer of License
- Change of Location
- Pledge of Stock
- Seasonal to Annual
- Change of Manager
- Alteration of Licensed Premises
- Transfer of Stock
- Change of License Type
- Cordials/Liqueurs Permit
- Issuance of Stock
- New Stockholder
- Other
- 6-Day to 7-Day License
- Management/Operating Agreement
- Wine & Malt to All Alcohol

Name of Licensee: HST Lessee Needham LLC. EIN of Licensee: 261483022

D/B/A: Sheraton Needham Hotel Manager: Charles York

ADDRESS: 100 Cabot Street CITY/TOWN: Needham STATE: MA ZIP CODE: 02492

Annual All Alcohol Inn/Hotel

Annual or Seasonal

Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials)

Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

100,100A, 100B, 100C Cabot Street, 5 floors, liquor service in 10 meeting rooms and function rooms, restaurant, pool area, lounge area, and 247 guest rooms.

Application Filed: Sep 20, 2012 Advertiser: [ ] Abutters Notified: Yes  No   
 Date & Time Date & Attach Publication

Licensee Contact Person for Transaction: Charles York Phone: [ ]

ADDRESS: 18 North Main Street CITY/TOWN: Mount Vernon STATE: NH ZIP CODE: 03057

Remarks: [ ]

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission  
 Ralph Sacramone  
 Executive Director

\_\_\_\_\_  
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ABCC Remarks:

\_\_\_\_\_



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

PETITION FOR CHANGE OF LICENSE

077000001

ABCC License Number

Needham

City/Town

The licensee #261483022-HST LESSEE NEEDHAM, LLC respectfully petitions the Licensing Authorities to approve the following transactions:

- Change of Manager
- Pledge of License/Stock
- Change of Corporate Name/DBA
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")
- Alteration of Premises
- Cordial & Liqueurs
- Change of Location

Change of Manager

Last-Approved Manager: William O. Young

Requested New Manager: Charles W York

Pledge of License /Stock

Loan Principal Amount: \$ Interest Rate:

Payment Term: Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out attached financial information form)

Description of Alteration:

Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

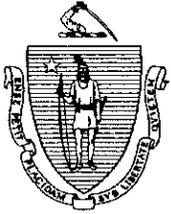
Signature of Licensee

  
 Digitally signed by Charles York  
 DN: cn=Charles York, o=Sheraton Needham, ou=Sheraton Needham, email=Charles.York@sheraton.com, c=US  
 Date: 2012.09.20 09:26:21 -0400

(If a Corporation/LLC, by its authorized representative)

Date Signed

9/20/12



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
 www.mass.gov/abcc

**PERSONAL INFORMATION FORM**

Each individual listed in Section 10 of this application must complete this form.

**1. LICENSEE INFORMATION:**

A. Legal Name of Licensee	HST LESSEE NEEDHAM LLC	B. Business Name (dba)	Sheraton Needham Hotel
C. Address	100 CABOT STREET	D. ABCC License Number (If existing licensee)	077000001
E. City/Town	NEEDHAM	State	MA
		Zip Code	02494
F. Phone Number of Premise	781-444-1110	G. EIN of License	261483022 HST LESSEE NEEDHAM, LLC

**2. PERSONAL INFORMATION:**

A. Individual Name	Charles York	B. Home Phone Number	[REDACTED]
C. Address	[REDACTED]		
D. City/Town	[REDACTED]	State	[REDACTED]
		Zip Code	[REDACTED]
E. Social Security Number	[REDACTED]	F. Date of Birth	[REDACTED]
G. Place of Employment	Sheraton Needham Hotel		

**3. BACKGROUND INFORMATION:**

Have you ever been convicted of a state, federal or military crime? Yes  No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

**4. FINANCIAL INTEREST:**

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

n/a

**IMPORTANT ATTACHMENTS (8):** For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.  
 \*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature  Date

Title  (If Corporation/LLC Representative)



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
 www.mass.gov/abcc

**MANAGER APPLICATION**

All proposed managers are required to complete a **Personal Information Form**, and attach a copy of the corporate vote authorizing this action and appointing a manager.

**1. LICENSEE INFORMATION:**

Legal Name of Licensee:  Business Name (dba):

Address:

City/Town:  State:  Zip Code:

ABCC License Number:  (If existing licensee) Phone Number of Premise:

**2. MANAGER INFORMATION:**

A. Name:  B. Cell Phone Number:

C. List the number of hours per week you will spend on the licensed premises:

**3. CITIZENSHIP INFORMATION:**

A. Are you a U.S. Citizen: Yes  No  B. Date of Naturalization:  C. Court of Naturalization:

(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)

**4. BACKGROUND INFORMATION:**

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes  No

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes  No

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes  No

If yes, please describe:

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date

CERTIFICATE OF AUTHORITY TO ACT

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT:

1. I am the Secretary of HST Lessee Needham LLC (the "Company"), a limited liability company organized and existing under the laws of the State of Delaware and having an office at 6903 Rockledge Drive, Suite 1500, Bethesda, Maryland 20817, and that, as such officer, I am authorized to execute this Certificate of Authority to Act on behalf of the Company.

2. The Company is the leasehold owner of certain real property and improvements located at 100 A-C Cabot Street Needham, Massachusetts 02494, and commonly known as the Sheraton Needham (the "Hotel").

3. Pursuant to the provisions of that certain Operating Agreement dated January 19, 2006 (the "LLC Operating Agreement"), the Company is authorized to enter into agreements relating to the ownership and operation of the Hotel.

4. The Hotel is managed and operated by Sheraton License Operating Company, LLC ("Sheraton") pursuant to that certain Operating Agreement, dated April 10, 2006 (the "Hotel Operating Agreement").

5. Sheraton, through its authorized representatives, is authorized, on behalf of the Company, to execute and deliver instruments or documents relating to the operation of the Hotel, including any and all documents relating to licenses for the hotel and hiring and employing all employees of the Hotel, including but not limited to the General Manager, as deemed necessary or advisable by Sheraton in connection with operation of the Hotel. The LLC Operating Agreement and the Hotel Operating Agreement are presently in full force and effect.

IN WITNESS WHEREOF, I have subscribed my name as of this 30<sup>th</sup> day of September, 2012.

BY: William K. Kelso

NAME: William K. Kelso

TITLE: Secretary



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Public Hearing – NSTAR Petition for Central Avenue, Cefalo Road, and Sunset Road
<b>Presenter(s)</b>	Maureen Carroll, NSTAR

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
	<p>NSTAR requests permission to install approximately 1,077 feet of conduit at Pole 8/80 and 8/81, and install three new manholes at #29515, 29555, and 29556 on Central Avenue, Cefalo Road, and Sunset Road, Needham. This work is necessary to replace existing direct buried cable with new manholes and conduit, to improve system reliability in this area.</p> <p>The Department of Public Works has approved this petition, based on NSTAR's commitment to adhere to regulation that <b>all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.</b></p>		
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
	<p>Suggested Motion: Move that the Board of Selectmen approve and sign petition from NSTAR to install approximately 1,077 feet of conduit at Pole 8/80 and 8/81, and install three new manholes at #29515, 29555, and 29556 on Central Avenue, Cefalo Road, and Sunset Road, Needham. This work is necessary to replace existing direct buried cable with new manholes and conduit, to improve system reliability in this area.</p>		
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
	<p><b>(Describe backup below)</b></p> <ul style="list-style-type: none"> <li>a. Letter of Application</li> <li>b. Petition</li> <li>c. Order</li> <li>d. Petition Plan</li> <li>e. Notice Sent to Abutters</li> <li>f. List of Abutters</li> </ul> <p>*Large map on file in office, but is not included in packet.</p>		



200 Calvary Street  
Waltham, Massachusetts 02453

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN  
2012 SEP 27 P 12:55

C:DPW 9/27/12

September 26, 2012

Board of Selectmen  
Town Hall  
1471 Highland Ave  
Needham, MA 02192

RE: **Central Ave, Cefalo Road, Sunset Road  
Needham, MA  
W.O. #1821185**

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company for the purpose of obtaining a Grant of Location to install approximately 1,077'± feet - conduit @ pole 8/80 and 8/81 , install three (3) new manholes #29515, 29555 and 29556 on Central Ave, Cefalo Road and Sunset Road, Needham.

This work is necessary to replace existing direct buried cable with new manholes and conduit, to improve system reliability in this area.

If you have any further questions, contact Maureen Carroll @ (617) 369-6421.  
Your prompt attention to this matter would be greatly appreciated.

Sincerely,

William D. Lemos-Supervisor  
Rights & Permits

OK to proceed  
Eng  
TM  
10/12/12  
OK R.P. Anderson  
DPW Director  
10/12/12

WDL/amw  
Attachments

RECEIVED  
SEP 28 2012  
PUBLIC WORKS DEPT.  
NEEDHAM, MA



**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES  
Town of NEEDHAM**

WHEREAS, **NSTAR ELECTRIC COMPANY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

**Central Ave -** At Cefalo Road a distance of about 155'± feet - conduit  
Install one (1) new manhole #29515

**Cefalo Road -** At and westerly from Central Ave a distance of about 290'± - conduit

**Sunset Road -** Install 632'± feet – conduit  
Install two (2) new manholes #29555 and 29556

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. DeBenedictis, Revised September 26, 2012** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 \_\_\_\_\_  
2 \_\_\_\_\_ Board of Selectmen  
3 \_\_\_\_\_ the Town of  
4 \_\_\_\_\_ **NEEDHAM**  
5 \_\_\_\_\_

**CERTIFICATE**

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_ 2012 at \_\_\_\_\_ in said Town.

1 \_\_\_\_\_  
2 \_\_\_\_\_ Board of Selectmen  
3 \_\_\_\_\_ the Town of  
4 \_\_\_\_\_ **NEEDHAM**  
5 \_\_\_\_\_

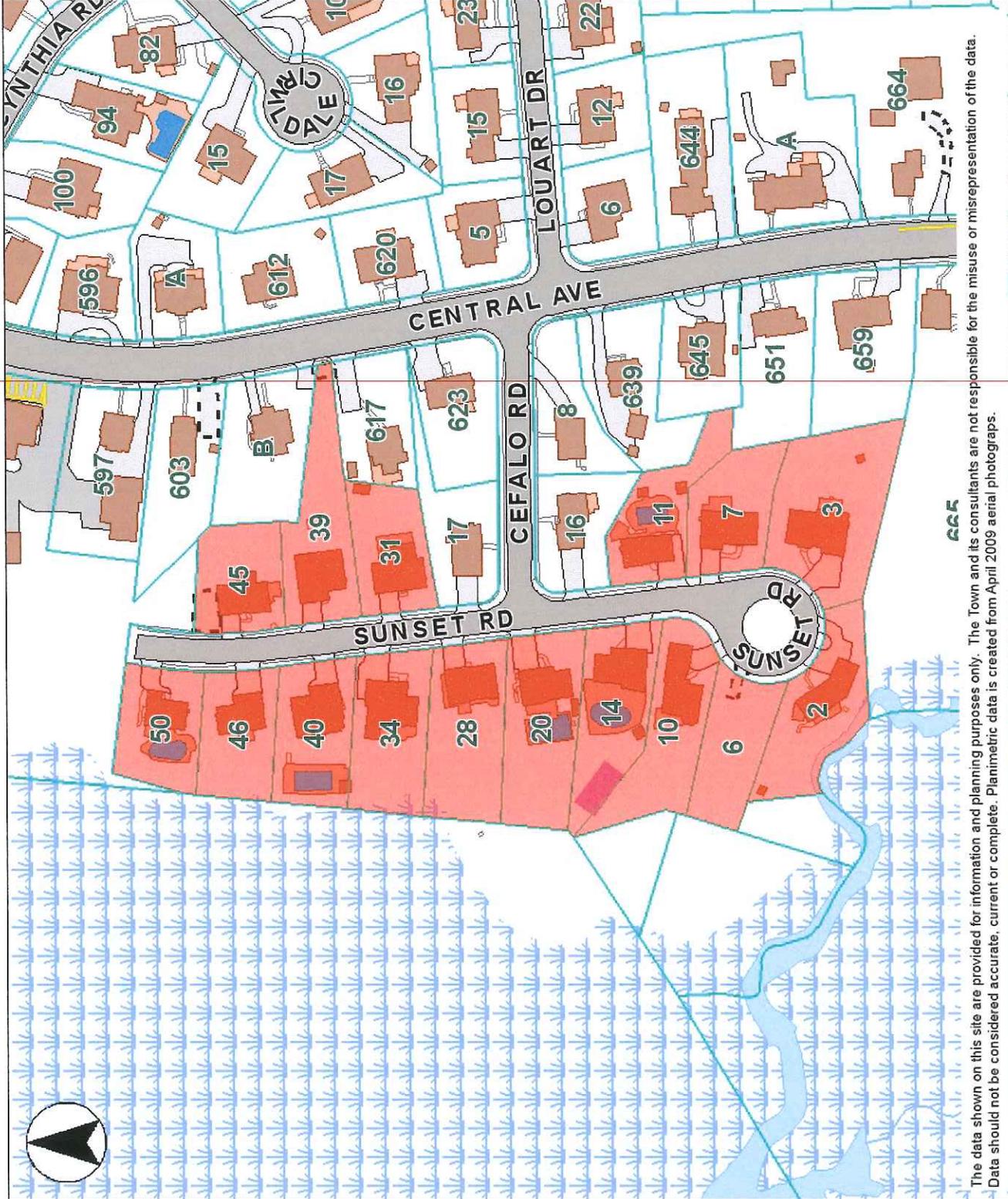
**CERTIFICATE**

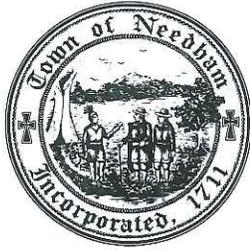
I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 and recorded with the records of location Orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: \_\_\_\_\_  
Clerk of the Town of **NEEDHAM**, Massachusetts

**Needham GIS**  
 mapsonline.net/needham  
 needhamma.gov/GIS

- Parcels
- Towers
- Satellite Dish
- Tower
- Tower Anchor
- Town Boundary
- Printed Lines
- Crosswalk
- Parking Line
- Spots Lines
- Court Striping
- Field Striping
- Railroad Track
- Trail
- Streams and Drainage Ditches
- Road Centerlines
- Abutting Towns
- Bridge
- Roads
- Paved Road
- Unpaved Road
- Building
- Swimming Pool
- Decks & Patios
- Driveways
- Paved Driveway
- Unpaved Driveway
- Parking Lots
- Paved Parking Lot
- Unpaved Parking Lot
- Sidewalks
- Sidewalk
- Exterior Stairway
- Spots Areas
- Baseball
- Baseball Infield
- Baseball and Tennis
- Bleacher
- Golf Bunker
- Golf Fairway, Green, Tee
- Playground
- Track and Field
- Tank
- Wetlands
- Waterbody





## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 23, 2012** upon petition of NSTAR dated **September 26, 2012** to install approximately 1,077 feet conduit @ pole 8/80 and 8/81, and install three new manholes #29515, 29555, and 29556 on Central Avenue, Cefalo Road, and Sunset Road, Needham. This work is necessary to replace existing direct buried cable with new manholes and conduit, to improve system reliability in this area. A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact NSTAR representative, Maureen Carroll at 617-369-6421.

Gerald A. Wasserman  
Daniel P. Matthews  
John A. Bulian  
Matthew D. Borrelli  
Maurice P. Handel

BOARD OF SELECTMEN

Dated: October 12, 2012

CENTRAL AVE, CEFALO RD & SUNSET RD

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/104.0-0002-0000.0	586	CENTRAL AVE	THE 586-588 CENTRAL AVENUE CONDOMINIUM20 PICKERING ST MASTER DEED		NEEDHAM	MA	02492
199/104.0-0002-0001.0	586	CENTRAL AVE	LYNES, PHILIP T & LYNES, CAROLYN D.	586 CENTRAL AVE	NEEDHAM	MA	02492
199/104.0-0002-0002.0	588	CENTRAL AVE	GHIZZONI, TAMMY A	588 CENTRAL AVE	NEEDHAM	MA	02492
199/104.0-0003-0000.0	604	CENTRAL AVE	GIUNTA, GEORGE N. & ANN MARIE, TRS. G & A GIUNTA REALTY TRUST	76 NEHOIDEN ST	NEEDHAM	MA	02494
199/104.0-0004-0000.0	612	CENTRAL AVE	CHO, JOHN & CHO, AMY Y.	612 CENTRAL AVENUE	NEEDHAM	MA	02494
199/104.0-0005-0000.0	620	CENTRAL AVE	BORGOS, ERIC A. & BORGOS, MARLANA J. TR 620 CENTRAL AVE C/O DUSSAULT, I. & MANOUKIAN, RAFFI TRS	620 CENTRAL AVE	NEEDHAM	MA	02492
199/104.0-0006-0000.0	5	LOUART DR	JESURUM, C. ESTHER & BROWN, JEFFREY S.	5 LOUART DR	NEEDHAM	MA	02494
199/104.0-0020-0000.0	6	LOUART DR	BURNS, DANIEL & BURNS, SARAH	6 LOUART DR	NEEDHAM	MA	02494
199/104.0-0021-0000.0	644	CENTRAL AVE	644 CENTRAL AVE., LLC C/O THE PILOT HOUSE/COADY	32 ATLANTIC AVE -5TH FLR	BOSTON	MA	02110
199/104.0-0021-0644.0	644	CENTRAL AVE	INBAR, YEHUDA & INBAR, DEBRA	644 CENTRAL AVE	NEEDHAM	MA	02494
199/104.0-0021-0646.0	646	CENTRAL AVE	SOSTEK, DONALD	85 TAYLOR AVE	DEDHAM	MA	02026
199/104.0-0022-0000.0	652	CENTRAL AVE	FELLERMAN, JO-ANNE	106 PARISH ROAD	NEEDHAM	MA	02494
199/104.0-0051-0000.0	596	CENTRAL AVE	SKIPITARIS, DEMOSTHENES & SKIPITARIS, SANGITA D.	596 CENTRAL AVE	NEEDHAM	MA	02492
199/108.0-0009-0000.0	597	CENTRAL AVE	OWEN, RAYMOND H., TR., R & D REALTY TR C/O OWEN, DOUGLAS	585 CENTRAL AVE	NEEDHAM HTS	MA	02494
199/108.0-0010-0000.0	603	CENTRAL AVE	OWEN, DOUGLAS C., TR PEACOCK REALTY TRUST	585 CENTRAL AVE	NEEDHAM	MA	02494
199/108.0-0011-0000.0	609	CENTRAL AVE	FONTECCHIO, LINO & ROSALIE, TRS. 609 CENTRAL AVENUE NOMINEE TRUST	115 CANTON TERRACE	WESTWOOD	MA	02090

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>OWNER CITY</u>	<u>Mailing Address State</u>	<u>OWNER ZIP</u>
199/108.0-0012-0000.0	617	CENTRAL AVE	ROONEY, PAUL & ROONEY, JODIL	617 CENTRAL AVENUE	NEEDHAM	MA	02494
199/108.0-0013-0000.0	623	CENTRAL AVE	TASHJIAN, SARA & TASHJIAN, HRATCH	623 CENTRAL AVE	NEEDHAM	MA	02492
199/108.0-0014-0000.0	8	CEFALO RD	NEWMAN, ANDREW J + NEWMAN, ADELE D	8 CEFALO RD	NEEDHAM HTS	MA	02494
199/108.0-0015-0000.0	639	CENTRAL AVE	BAKER, RAYMOND R. + BAKER, PATRICIA A.	639 CENTRAL AVE	NEEDHAM HTS	MA	02494
199/108.0-0016-0000.0	645	CENTRAL AVE	MAYSKY, MICHAEL & SKURLATOVE-MAYSKY, IRINA	645 CENTRAL AVE	NEEDHAM HTS	MA	02494
199/108.0-0017-0000.0	651	CENTRAL AVE	BORRELLI, JOSEPH ANTONIO, TR. THE BLUEJACKET REALTY TRUST	100 BORDER RD	NEEDHAM	MA	02492
199/108.0-0018-0000.0	659	CENTRAL AVE	KAYSERMAN, ISAK, TR. & KAYSERMAN, MAYA, TR	659 CENTRAL AVENUE	NEEDHAM	MA	02494
199/108.0-0019-0000.0	3	SUNSET RD	LIN, SAMUEL J & LIN, VALERIE	3 SUNSET RD	NEEDHAM	MA	02494
199/108.0-0021-0000.0	7	SUNSET RD	BUFFINGER, NICHOLAS S. & BUFFINGER, MARY P.	7 SUNSET ROAD	NEEDHAM HTS	MA	02494
199/108.0-0022-0000.0	11	SUNSET RD	PAYNE, WILLIAM T + PAYNE, MARY B	11 SUNSET RD	NEEDHAM HTS	MA	02494
199/108.0-0023-0000.0	16	CEFALO RD	SICILIANO, NICHOLAS J. & SICILIANO, SARA O.	16 CEFALO RD	NEEDHAM	MA	02492
199/108.0-0024-0000.0	17	CEFALO RD	MILLER, LINDA G.	17 CEFALO RD	NEEDHAM HTS	MA	02494
199/108.0-0025-0000.0	31	SUNSET RD	BASS, LEV & PEKELIS, ZHANA M	31 SUNSET RD	NEEDHAM	MA	02492
199/108.0-0026-0000.0	39	SUNSET RD	ROSEN, RICHARD + ROSEN, JO ANN	39 SUNSET RD	NEEDHAM HTS	MA	02494
199/108.0-0027-0000.0	45	SUNSET RD	OWEN, RAYMOND H., TR. R & D REALTY TRUST	585 CENTRAL AVE	NEEDHAM HTS	MA	02494
199/108.0-0028-0000.0	50	SUNSET RD	CUMMINGS, THOMAS P & CATHERINE E. F/O CATHERINE COUGHLIN	13 MAINE AVE	NATTICK	MA	01760
199/108.0-0029-0000.0	46	SUNSET RD	ARMSTRONG, JAMES W + ARMSTRONG, HELEN C	46 SUNSET RD	NEEDHAM HTS	MA	02494
199/108.0-0030-0000.0	40	SUNSET RD	COTTON, DONALD P. + COTTON, MARY SUE	40 SUNSET RD	NEEDHAM HTS	MA	02494

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/108.0-0031-0000.0	34	SUNSET RD	TASHIJIAN, JERRY J. & TASHIJIAN, DONNA J.	34 SUNSET RD	NEEDHAM	MA	02492
199/108.0-0032-0000.0	28	SUNSET RD	DALY, KEVIN P & DAYA-DALY, JOAN M	28 SUNSET RD	NEEDHAM	MA	02494
199/108.0-0033-0000.0	20	SUNSET RD	IRITI, CARMELO	20 SUNSET RD	NEEDHAM HTS	MA	02494
199/108.0-0034-0000.0	14	SUNSET RD	GROBERG, CAROLE L. & GROBERG, RANDALL	14 SUNSET RD	NEEDHAM HTS	MA	02494
199/108.0-0035-0000.0	10	SUNSET RD	SHAPIRO, JON K. & SHAPIRO, ALEXIS L.	10 SUNSET RD	NEEDHAM	MA	02494
199/108.0-0036-0000.0	6	SUNSET RD	DONG, HUA & YANG, YULAI	6 SUNSET RD	NEEDHAM	MA	02494
199/108.0-0037-0000.0	2	SUNSET RD	CEFALO, ANTHONY E. + CEFALO, DORA G.	2 SUNSET ROAD	NEEDHAM HTS	MA	02494
199/310.0-0003-0000.0	585	CENTRAL AVE	OWEN, RAYMOND H.; OWEN, RAYMOND H., T 585 CENTRAL AVE R & D REALTY TRUST + OWEN, DONALD R. &		NEEDHAM HTS	MA	02494

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge  
For the Needham Board of Assessors.





**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Bay Colony Rail Trail Presentation
<b>Presenter(s)</b>	Tad Staley, Bay Colony Rail Trail Association Kathleen Phelps, Bay Colony Rail Trail Association

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>Mr. Tad Staley and Ms. Kathleen Phelps will provide information about the Bay Colony Trail Association and will discuss citizens' petitions filed under articles 8 and 9 of the Special Town Meeting warrant.</p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<ul style="list-style-type: none"> <li>a. Bay Colony Rail Trail Background</li> <li>b. Rail Trail Feasibility Study Information – Article 11</li> <li>c. Needham Bikes Information</li> </ul>			



## Effective Public / Private Partnership

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- ▶ In Needham, BCRTA has facilitated an active group of public volunteers that meets convenes regularly and openly to discuss the project and share tasks such as research and outreach. These meetings are fully open to the public.
- ▶ These meetings provide the opportunity to discuss issues, opportunities and approaches on any topic related to rail trails in Needham.
- ▶ The current active volunteer list is 42, each public meeting draws 15-20 participants. The broader mailing list of Needham residents exceeds 600.
- ▶ Needham officials have actively participated in the process throughout, including:
  - ▶ Patty Carey, Director of Park & Rec, who has been active liaison and leader for the town.
  - ▶ Kate Fitzpatrick, Town Manager, who has participated in many public meetings.
  - ▶ Karen Peirce, Assistant Director of Park & Rec, and Town trails coordinator, who has attended every public rail trail meeting.
- ▶ Moe Handel, Selectmen, has been actively engaged in the discussion and public meetings.

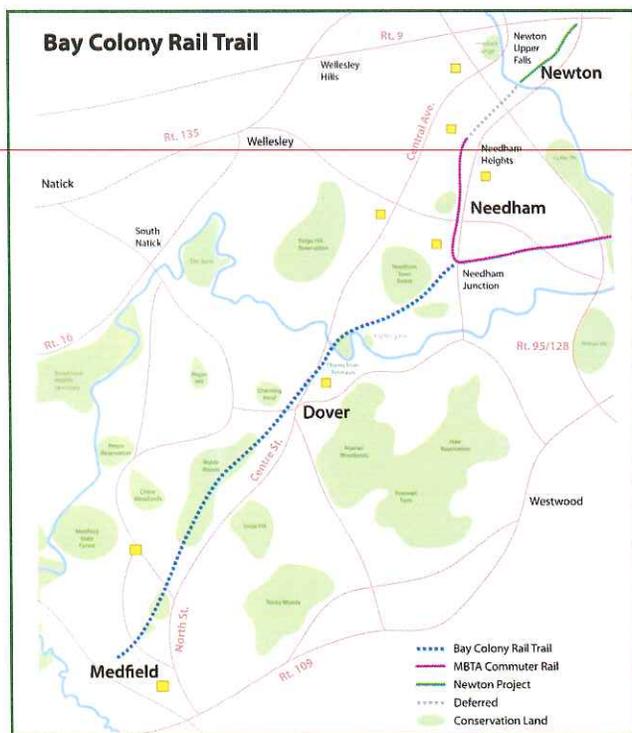


## Introduction

This document provides background on Article 11, CPC Appropriation for Rail Trail Feasibility Study, which will be considered at the town meeting on October 29, 2012.

## Description of the Trail

The Bay Colony Rail Trail (BCRT) is a proposed multi-use path approximately seven miles in length spanning the towns of Needham, Dover and Medfield. It would convert the inactive railway into a multi-use recreational path. The Needham portion of the trail is approximately two miles long and extends along the unused railway corridor from Needham Junction to the Charles River near Red Wing Bay and Central Avenue.



At the request of the town Selectmen, the current focus of the Bay Colony Rail Trail does not include the unused railroad corridor that runs northeast from Needham Heights into Newton.

The trail would create a safe and scenic path for a variety of activities, including walking, running, biking and cross-country skiing for area residents of all ages and physical abilities. It would create a natural community resource. The proposed path traverses three communities linking residential areas to business districts, public transportation, schools, recreation areas. Approximately half the distance runs through conservation land.

## Broad Support throughout Needham

The Bay Colony Rail Trail Association, founded in 2009, has been working actively with the residents and officials in Needham from the beginning, to ensure that that the vision aligns with local priorities.

In order to build awareness and support for the project, the BCRT Association has participated in local events and hosted public information meetings and presentations to

interested community groups. The BCRTA mailing list has approximately 2,000 supporters, over 1,000 in Needham.

In 2011, the Needham Board of Selectmen unanimously approved adding the evaluation and, if feasible, the construction of the rail trail to the town goals.

The town has appointed a point person to the BCRT effort, Patty Carey, director of Park & Recreation, and other town officials are actively engaged in the planning process, including several Selectmen, the town manager, and Karen Peirce, who now oversees the trails plan for the town.

State Representative Denise Garlick has been very supportive of the trail, which traverses all three towns in the district. A recent transportation bond bill authorized \$250,000 for the BCRT.

### **Proposed Use of the CPA Funds**

In July 2012, the Bay Colony Rail Trail Association came to the Community Preservation Committee seeking funding for a Conceptual Planning and Design Study. This study would apply exclusively to the Needham Junction to Dover portion of the abandoned railway. (Refer to discussion below for more information on other abandoned tracks in town.)

The purpose of the study is to provide critical background information and an assessment of feasibility, from an experienced engineering firm, on various aspects of the prospective project.

Based on a proposal from the engineering firm, the study is estimated to cost \$35,000. The proposed feasibility study will address the following critical issues:

- The timber pile bridge crossing the Charles River
- Roadway crossings
- Surfacing options
- Current trail alignment and conditions
- Environmental matters and wetland resource areas, vegetation
- Trail access, trail heads
- Parking considerations
- ADA access

### **Need for the Engineering Study**

As early as spring 2013, BCRTA will look to add an article on the town meeting warrant, seeking to move forward on the project. The first step in this process will be requesting approval by the Town of the lease from the MBTA.

The proposed engineering study will enable officials and town meeting members to make an informed decision on that commitment, and the construction effort that would follow.

## The Engineering Firm

BCRTA and the town of Needham have received a draft proposal from the engineering firm Weston & Sampson for the Conceptual Planning and Design Study. The firm, based in Peabody, MA, has experience working with rail trail projects on Cape Cod, Franklin County, MA, Southington, CT, and Mansfield, CT.

## A Separate Rail Trail Project in Needham

On the northeastern side of Needham there is another abandoned railroad corridor. Starting where the Commuter rail ends at Needham Heights, this line heads northeast, crossing Webster and Gould Streets, Rte. 128 and the Charles River into Newton. This too, is a promising corridor. As a recreational path it could provide alternate and safe access to the Needham Street area of Newton, where it could connect to the proposed Upper Falls Greenway in Newton.

Conversion of this section, however, will require more time to develop. Because of the impending Rte. 128 Add-a-Lane project, and the need to replace the railroad bridge across the highway. The current train bridge must come down to accommodate the additional highway lanes. According to the current MassDOT schedule, this will take several years and even a temporary bike/pedestrian bridge across the highway is a distant proposition.

At the request of the Board of Selectmen, BCTRA has deferred focus on the Needham Heights section. Instead the focus has been on the two-miles from Needham Junction to the Charles River (and beyond). This presents a great opportunity to demonstrate the value of a rail trail in Needham in just a few short years.

Once the Needham Junction-Charles River section has been completed, and residents experience, first hand, the benefits of the recreational path, it will both demonstrate the value of the resource and allow time for the issues on the northwest section to be resolved. A recreational path from Needham Heights to Newton would then become a natural Phase 2 rail trail effort that would extend alternate and healthy transportation passage throughout Needham.

A separate group, called Friends of Needham Rail Trail Greenway, has been focused on the Needham Heights to Newton rail trail.

## Bay Colony Rail Trail Prospective Timeline

### 2012

- Lease approved by MBTA, pending approval from towns. (\$1 for 99 years)
- Public hearings with residents
- Work with town departments
- Secure funding for engineering feasibility study
- Initial fundraising to cover design
- Begin design work

### 2013 - 14

- Seek approval at town meetings to approve lease
- Town signs lease with MBTA
- Private fundraising for construction
- Town, or the BCRTA acting under license from the town to execute project: remove rails and ties, complete initial surface
- Enable access points and crossings

### 2014 - 16

- Rehabilitate the bridge over the Charles River
- Add top surface layer, if desired and approved
- Add amenities (benches, kiosks, etc.)
- Ongoing maintenance & stewardship

## Funding the Trail

The objective is to create the community resource at minimal expense to the town. The Bay Colony Rail Trail Association (BCRTA), a non-profit working in partnership with town residents, officials, and businesses, has been organized to build awareness, raise funds and oversee stewardship of the trail,

### BCRTA efforts include:

*Awareness:* Early funding by Needham Bank has provided support to raise awareness at numerous local functions and events.

*Fundraising:* BCRTA has begun active fundraising among local businesses and residents, with incremental targets to underwrite the planning, design and construction of the trail.

*Design / Planning:* Funds from the Community Preservation Act (CPA) are to be used for the engineering feasibility study. Funds from other sources will be used to complement CPA funding.

*Construction:* As a near term prospect, the Bay Colony Rail Trail Association is investigating working with an organization known as the Iron Horse Preservation Society (IHPS) to remove the rails and ties from the unused railroad corridor between Medfield and Needham.

*On-going maintenance:* The BCRTA will be raising funds from private sources to support on-going maintenance of the trail. Funds may also be available from the Commonwealth of Massachusetts authorized to support bicycle trails.

### Iron Horse Preservation Society

IHPS would construct a path, topped with crushed stone or stone dust, in place of the railroad tracks, at no cost to the community. The salvage value of the steel rails covers the cost of removing the ties and rails and building a “linear park” as a natural recreation and environmental resource for the community.

IHPS, based in Nevada, is in the business of removing railroad rails and ties, and disposing of each in an environmentally appropriate manner. The organization has successfully delivered projects at little or no cost to over a dozen communities in Eastern Massachusetts, including Danvers, Ipswich, Topsfield, and Haverhill.

The surface left by IHPS may not be the final form. If there is subsequent interest and funding – presumably from private sources – a denser surface could be added later.

More information on the Iron Horse opportunity is available on the Bay Colony Rail Trail website at [www.baycolonyrailtrail.org/IHPS FAQ](http://www.baycolonyrailtrail.org/IHPS_FAQ).

### About the Bay Colony Rail Trail Association

The Bay Colony Rail Trail Association is a non-profit organization that is working actively and cooperatively with residents, officials, businesses and local organizations in the host communities to convert the corridor into a valued and sustainable recreational and environmental resource that is accessible by active transportation enthusiasts of all ages and kinds.

We have accomplished much in our first few years. In 2010, BCRT became a 501(c)3 non-profit organization. We have actively worked with town officials and residents to raise awareness. Since then, each of the towns has expressed serious interest in the creation of a rail trail. In Needham, the rail trail is part of the town’s 2012-2013 goals, unanimously endorsed by the Board of Selectmen. Both Dover and Medfield have rail trail committees actively working on the project. Residents in each town have shown overwhelming support. The current base of local supporters now stands at around two thousand.

You can learn more about the Bay Colony Rail Trail Association at <http://www.baycolonyrailtrail.org>.

# needham bikes

- ▶ Needham Bikes is an advocacy group that promotes the safe and widespread use of bicycles for transportation and recreation in Needham, Massachusetts. Our vision is to encourage Needham to become a bicycle friendly community by:
  - ▶ Creating safe and well marked bike routes through the town, establishing bicycle lanes and signs to raise awareness and increase safety
  - ▶ Broadening awareness of bicycles as a safe, enjoyable and healthy alternative to cars
  - ▶ Advocating for better bicycle facilities in public facilities
  - ▶ Supporting people who want to connect with other bicyclists in Needham
  - ▶ Providing resources for those interested in learning about biking in the area

# Needham Bikes Background

- ▶ In 2000, Neil Baron and a group of volunteers, working with town officials, developed a bicycle plan for Needham.
- ▶ The original goals of the bicycle plan were:
  1. To reduce accident risk to cyclists;
  2. To make cycling an attractive means of transportation;
  3. To provide recreational opportunities that will improve quality of life for Needham's residents;
  4. To promote a healthy, active lifestyle for citizens of all ages, and especially for children; and
  5. To improve mobility for children, lessening society's reliance on teenage driving and on parent chauffeurs.
- ▶ The plan focused on defining and marking bicycle lanes on designated streets, and adding "Needham Bikeway" signs.
- ▶ The plan was reviewed and ultimately approved by the Traffic Management Advisory Committee.

## A Bicycling Plan for the Town of Needham

October, 2000  
Bicycle Advisory Committee  
Contact: Neil Baron  
njbaron@comcast.net

### Purpose

This plan is in response to a request from Tony Del Gaizo, Town Engineer and other town leaders to propose a set of recommendations to make Needham more bicycling friendly. Recognizing that a bicycling network in Needham will not appear as a single, large project but rather as an accumulation of smaller projects, it is important that a bicycling master plan exist to guide its incremental development. This document presents the foundation for such a master plan. It also lays out the principles that should guide bicycle planning in specific projects and in future modifications of the plan.

This document deals only with bicycle routes on existing roadways. Other aspects of bicycle planning such as bicycle parking, motorist and cyclist education and enforcement of vehicle laws are not covered. Also not covered are potential off road bicycle paths. Because of the overlap of bicycle and pedestrian needs, it also touches on pedestrian accommodation needs.

### Background

In order to make sound recommendations, the committee conducted extensive research. A major source of information came from US cities that are recognized for being among the best at promoting bicycle use and safety. These cities are Boulder, CO; Santa Barbara, CA; Portland, OR; Cambridge, MA; Chicago, IL; and Tucson, AZ. All of these cities have a full time bicycle advisory staff. We conducted phone interviews with the bicycle advisory staff and made on site visits. We also reviewed relevant academic literature and mainstream bicycling magazines.

### Key Findings

Bicycling improvements can be traced to economic, environment improvements and less tangible benefits such as improved quality of life. For example, Boulder, CO has a population of 100,000 and supports 80,000 jobs. During the non-winter months, the city estimates that over 10% of all jobs are commuted to by bicycle and that 10% of all trips within the city are conducted by bicycle.

Bicycles need to be treated as vehicles with the same rights and responsibilities as vehicles.

Leading edge bicycling communities encourage police ticketing or warning of bicyclists who are not obeying the rules of the road.

A system of well designed and marked bicycle routes and lanes has been shown to dramatically increase the proportion of trips taken by bicycle, increase the percentage of cyclists who follow the rules of the road and improve overall bicycle safety.

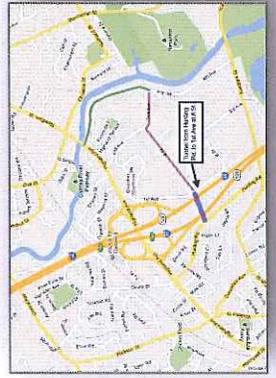
### Why Bicycle Planning

# Needham Bikes is the Force Behind Cycling in Needham

- ▶ In 2010, Needham Bikes became a non-profit organization, with the mission to implement the Bicycling Plan.
- ▶ Needham Bikes works very closely and constructively with the town on policies and priorities. Designated contacts exist with DPW, Selectmen, Park & Rec.
- ▶ As a non-profit, Needham Bikes partners with the town on funding critical bicycle features, such as the caution signs on South Street, and additional bike racks.

## Advocacy

Needham Bikes is the voice in town advocating for safer passage, and better bicycle accommodations.



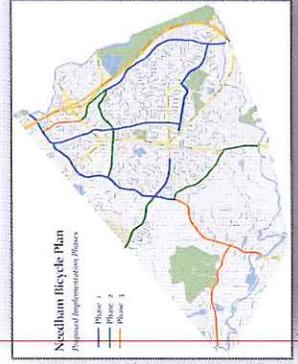
## Awareness

Through regular newsletters, articles, public events and evident signage, Needham Bikes promotes biking.



## Planning

Needham Bikes holds regular open public meetings to solicit input and involvement in addressing key biking issues.



## Participation

Through the annual Needham Bike Fair and regular Family Fun Rides, hundreds of families have gotten involved



## Advocacy vs. Advisory

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- Bicycle policy makers sometimes differentiate between “Advocacy” and “Advisory” roles for local bicycle organizations.
- Though the distinction is often subtle, these roles are effectively played by two existing groups within the Town.

### Needham Bikes: Advocacy

- ▶ Needham Bikes works with residents and area cycling mavens to identify ways to improve cycling in the town.
- ▶ Input received via open meetings, web site, Facebook page and more.
- ▶ Sub-groups of volunteers develop plans to address concerns and create proposals.
- ▶ These are brought before TMAC for review, refinement and approval.

### TMAC: Advisory

- ▶ Needham’s Traffic Management Advisory Committee is comprised of town officials, residents, reps of the Needham Police and Fire and DPW.
- ▶ Role: Advise the “Board of Selectmen regarding education, enforcement and engineering options for addressing traffic issues,” including bicycling.
- ▶ Needham Bikes works regularly and effectively with the TMAC to implement bicycling plans.

# Needham Bikes IS Biking in Needham



Better biking in Needham, MA

Forums    [Bicycling Plan](#)    [Rail Trail](#)    [Resources](#)    [Images](#)    [About](#)



## Family Fun Rides

Needham Bikes hosts regular family fun rides in the spring and fall. Trips of 4 - 8 miles within Needham, to interesting destinations, accessible to most of the family (usually ages 6 and up).

### Things You Can Do

- [Add Blog Post](#)
- [Add Forum Topic](#)
- [Add an Event](#)
- [Upload image](#)
- [Logout](#)

### What's Happening

The mission of Needham Bikes is to make bicycling a safer and more common mode of transport in town. Our current focus is on two specific projects related to Needham biking:

#### **Bicycling Plan for Needham:**

Needham Bikes is working to create better, safer biking conditions in Needham by updating and implementing the nine year old plan.

**The Bay Colony Rail Trail:** Imagine

## An Alternative Way Across Rt. 128: A Tunnel??

Submitted by [Tad Staley](#) on Sun, 10/07/2012 - 16:19

Needham Bikes has a vision in which more open, clean and safe passage between Needham and Newton will provide access to:

- Natural resources like Cutler Park and the Charles River
- A less congested experience when shopping on Needham St.
- More open commuting routes to Newton and beyond that are safer and more appealing

Over the past couple months, there has been an active discussion among cycling advocates in Needham and Newton, expressing concern over the published designs for the Kendrick St. and Highland Avenue crossings over Rt. 128 as part of the Add-a-Lane project. A description of the concern is summarized in the a recent post [here](#), **Advocating for Better Routes Between Needham and Newton!**

[Tad Staley's blog](#)    1 comment    [Read more](#)

## September Newsletter. Early October Public Meeting!

Submitted by [Tad Staley](#) on Wed, 09/26/2012 - 22:47

[Greetings Needham Cyclists!](#)

### Thanks to CRW!

The new signs on South Street were the result of a generous donation by the Charles River Wheelmen.



*On the Roads of New England Since 1866*

### Active forum topics

- [People for Bikes](#)
- [Transportation Bill Briefing: Cut Bike Funds](#)
- [AASHTO Wants to Weaken Bike Policy](#)
- [Cycling vacation alternatives?](#)
- [Letter to the Needham Times](#)

[more](#)



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Proposed Alcohol Regulations
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>The Town Manager will discuss draft regulations for the sale of alcohol not to be drunk on the premises in anticipation of the possible approval of the ballot question on November 6<sup>th</sup>.</p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<p>a. Draft Rules and Regulations for Section 15 Licenses – Package Stores</p>			

## **RULES & REGULATIONS FOR SECTION 15 LICENSES – PACKAGE STORES**

### **A. GENERAL PROVISIONS**

- #. The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises. *(This will be added to Section IV – rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town.)*
- 1. Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages.
- 2. No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store licensee upon or within the licensed premises, or upon any area under the direction and control of the licensee.
- 3. Where the liquor licenses are granted to serve the public, licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Board of Selectmen may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.
- 4. All licensed liquor establishments must maintain an updated employee roster that shall be available upon request to the Town. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.
- 5. Any employees engaged in the sale and handling of alcoholic beverages must complete Board approved courses in alcohol safety training and have on file with the licensee and available for inspection by the Town a copy of current certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.
- 6. All employees shall be required to be recertified once every three years by a Town-approved program. Newly hired employees shall complete a Town-approved training program within 30 days of their employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees that are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.

7. A designated manager will be onsite at all times the establishment is open. The onsite manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager shall have full authority to make decisions concerning the operation of the establishment.
8. No consumption of alcoholic beverages shall be permitted on the premises outside of the licensed hours of operation.
9. Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not.
10. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
11. The licensing of liquor establishments, and what constitutes the public convenience in Needham, will be subject to the informed discretion of the Board of Selectmen. In determining suitability for licenses, the Board of Selectmen will consider the proximity of the proposed premises to residential neighborhoods and other sensitive areas as determined by the Board.
12. Section 15 licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.
13. Alcohol-related signage displayed so that it is visible to the public will be limited. Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.

## **B. HOURS OF OPERATION**

1. Subject to further conditions or limitations fixed or from time to time modified by the Board with respect to a particular liquor license, these regulations and the laws of the Commonwealth of Massachusetts, including but not limited to M.G.L. c.138, the hours during which sales of alcoholic beverages may be made by any approved licensee shall be from 9:00a.m. to 10:00p.m. Monday through Saturday, and from 12:00 noon to 5:00p.m. on Sundays and legal holidays recognized by the Commonwealth of Massachusetts.

2. No sales are permitted on Memorial Day, Thanksgiving Day or Christmas.
3. For all deliveries conducted off the licensed premises, the licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.
4. All transactions for the sale of alcoholic beverages must be completed on or before the closing hour set out in this section.

**C. CONSUMPTION ON PREMISES PROHIBITED EXCEPT SAMPLE TASTINGS**

1. Consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, by any person is strictly prohibited except for sample tasting.

**D. LIMITATIONS ON TRANSFERABILITY OF OFF-PREMISES SECTION 15 LICENSE**

1. An application for a transfer of ownership at the same location or transfer of location may be granted by the Board after a public hearing in compliance with these regulations and state law.

**E. FOOD STORE ALCOHOL LICENSE REQUIREMENTS**

1. A food store is defined as a grocery store or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Board of Selectmen shall determine whether an applicant is a food store as set out herein and in compliance with any and all requirements.

2. A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00p.m. and may or may not sell gasoline. The Board of Selectmen reserves the right to consider each of these factors when determining if an applicant will be considered a convenience store.
3. Any applicant for a Section 15 License (whether for an original application, change of ownership or change of location) must provide with the application materials, a floor plan evidencing the gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages. The licensee may not materially change the portions of its premises dedicated to sale, storage or display of alcoholic beverages without the approval of the Board of Selectmen. The licensee may not be open for business except during its licensed hours for sale of alcoholic beverages unless it has applied for and received approval by the Board of Selectmen of plan to properly secure all alcoholic beverages on the premises from public access during that time.
4. Regular sales and operation of the food store must continue during all times when the sales of wine and malt beverages are permitted.

## **FEES**

Retail Package Goods Store, All Kinds of Alcoholic Beverages:	\$2,000
Retail Package Goods Store, Wine & Malt Beverages Only:	\$1,500



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Tax Increment Financing
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
	In 2007, the Town of Needham sought and received designation as a Regional Technology Center – one of the types of Economic Target Areas available to communities to enable tax increment financing decisions. The Town Manager will present draft criteria for determining whether the Town should utilize tax increment financing (TIF) options.		
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
	Discussion Only at this time		
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
	a. Suggested Criteria for Determining Whether to Utilize Tax Increment Financing Options		

## **Suggested Criteria for Determining Whether to Utilize Tax Increment Financing Options**

The Town of Needham applied for and received designation as a Regional Technology Center – one of the types of Economic Target Areas available to communities to enable tax increment financing (TIF) options – in 2007.

In its application for the designation, the Town set forth certain economic development goals that would serve as the basis for evaluation of requests for tax increment financing (TIF) agreements. The following is a proposed set of criteria, in priority order, to guide the decision making when the Town is presented with requests for TIF agreements

1. The project is of a size, scope, and industry that will expedite the redevelopment of the NEBC (i.e. is seen as a “game changer.”)
2. The project creates synergy by attracting other high technology firms to locate in the NEBC.
3. The project will help leverage private and/or State funds for infrastructure or other local improvements.
4. The project will facilitate the redevelopment of greyfield or brownfield sites.
5. The proposed site has been underdeveloped or vacant for more than two years.
6. But for the possibility of a TIF Agreement, the opportunity for redevelopment is low.
7. The project will promote the utilization and expansion of regional workforce skills, and provide attractive job opportunities for Needham residents.
8. The project encourages the development of businesses which will improve the economic viability of other businesses within the proposed area.
9. The project will facilitate the reduction of commercial vacancies.
10. The TIF Agreement should enable the project to receive State economic development funds.



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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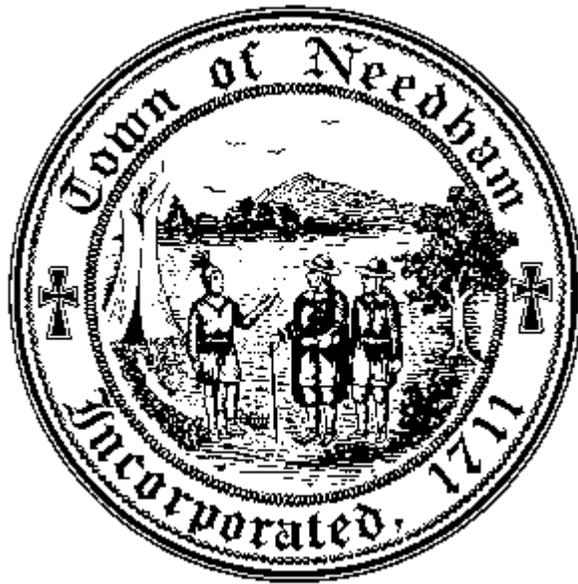
**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Positions on Warrant Articles
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>The Board will review the Special Town Meeting Warrant and determine which articles can be considered for recommendation at this time, and which articles require additional information.</p> <p>Mr. Chip Laffey will be available to answer any questions relative to Article 13 – Appropriate for Pollard Boiler Replacement Design.</p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<p><i>Suggested Motions:</i> That the Board vote to recommend adoption of Article _____ in the Special Town Meeting Warrant.</p>			
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<ul style="list-style-type: none"> <li>a. Special Town Meeting Warrant</li> <li>b. Position on Warrant Articles dated October 18, 2012</li> <li>c. Pollard Boiler Information from Chip Laffey, 10/4/12</li> <li>d. Information on Salt Shed Construction and Related Remediation Work</li> </ul>			

# **SPECIAL TOWN MEETING**

## **WARRANT**



# **TOWN OF NEEDHAM**

**MONDAY, OCTOBER 29, 2012**

**7:30 P. M.**

**JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL**

**1471 HIGHLAND AVENUE**

**NEEDHAM**

Additional information on particular warrant articles will be made available from time to time at [www.needhamma.gov/townmeeting](http://www.needhamma.gov/townmeeting) during the weeks leading up to the Special Town Meeting.

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COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Town Hall:

**MONDAY, THE TWENTY NINTH DAY OF OCTOBER, 2012**

at seven-thirty in the afternoon, then and there to act upon the following articles, viz:

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**HUMAN RESOURCES ARTICLES**

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**ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT – FIRE UNION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Fire Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2013 and fiscal year 2014; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted  
PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* The Town and the Needham Fire Union reached agreement on a contract for fiscal year 2013 and fiscal years 2014 through 2016 that includes a wage restructuring for fiscal year 2013 and 2014, a 2.5% wage increase in fiscal year 2015, and a 1%/1% (July and January) split increase in fiscal year 2016. Among other items, the Agreement transitions the Needham Fire Union employees to the higher out-of-pocket, lower premium Rate Saver health insurance plans (along with a 1% increase as part of the sharing of the savings) and a cap on the amount of sick leave that can be “bought back” at the time of retirement from Town service.

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**ARTICLE 2: ACCEPT THE PROVISIONS OF CHAPTER 176 OF THE ACTS OF 2011 - SUPPLEMENTAL PENSION ALLOWANCE**

To see if the Town will vote to accept the provisions of Chapter 176 of the Acts of 2011: An Act Increasing the Supplemental Pension Allowance under M.G.L. c. 32 Section 12 to survivors of members who die while employed by the Town from an annual amount of \$3,000 to \$6,000; or take any other action relative thereto.

INSERTED BY: Retirement Board  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* Acceptance of this legislation will allow the Needham Retirement Board to increase the

*benefit to surviving spouses of members who die while employees. This benefit will take effect on the date that certification of acceptance is filed with the Public Employee Retirement Administration Commission and is not retroactive. Currently there are four (4) survivors who would qualify for this benefit. The increase to those survivors currently receiving the benefit would be approximately \$3,300 per year in total. Acceptance of this Act will have no material impact on the annual funding required by the Town to the Retirement System.*

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**FINANCE ARTICLES**

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**ARTICLE 3: APPROPRIATE FOR SOLAR ENERGY FEASIBILITY STUDY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for a study of the feasibility of locating solar facilities within the Town, to be spent under the direction of the Town Manager, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
 FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The Board of Selectmen appointed a committee to evaluate the possibility of installing solar facilities on Town property, with particular emphasis on the closed landfill at the Recycling and Transfer Station (RTS). The requested funds will provide the committee with technical expertise in the development of its recommendations.*

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**ARTICLE 4: AMEND THE FY2013 OPERATING BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2013 Operating Budget adopted under Article 10 of the 2012 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
3	Group Health Insurance	\$9,973,869	\$9,908,775
10	Reserve Fund	\$1,199,821	\$1,309,072
15A	Finance Department Salary & Wages	\$1,512,620	\$1,600,620
15B	Finance Department Expenses	\$746,495	\$793,865
20A	Police Department Salary & Wages	\$4,842,392	\$4,884,076
20C	Police Department Capital	\$200,000	\$228,018
21A	Fire Department Salary & Wages	\$6,079,147	\$6,102,557
25C	Department of Public Works Capital	\$6,500	\$126,500

And to meet this appropriation that \$244,621 be raised from the FY2013 tax levy, \$28,018 be transferred from Insurance Proceeds in Excess of \$20,000, and \$120,000 be transferred from Article 4 of the March 3, 2008 Special Town Meeting; or take any other action relative thereto.

INSERTED BY: Finance Committee  
 FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: This article is to amend the Town's operating budget for FY2013. A total of*

*\$244,621 of new revenue and \$148,018 of other available funds has been identified for appropriation under this article. Another change is the transfer of \$65,094 from the health insurance budget to the Police and Fire Department budgets.*

*The reduction to the Health Insurance budget (\$65,094) is to transfer anticipated savings in the health insurance budget to the Police and Fire Department operating budgets to cover costs associated with the new collective bargaining agreement reached with the Police Union earlier this year and the Fire Union being acted upon at this Town Meeting. The reduction in the health insurance budget is reflective of the conversion from traditional HMO plans to Rate Saver Plans that the Police employees elected to choose with the new collective bargaining agreement and the Fire employees are choosing with the January 2013 conversion date.*

*As in prior budget years, when new revenue is identified for the Special Town Meeting in the fall, the Reserve Fund is one of the budgets that is recommended for supplemental funding. The proposed change is to increase the FY2013 Reserve Fund by \$109,251.*

*There are proposed increases to the Finance Department salary and wages line of \$88,000, and the Finance Department expense line of \$47,370, some expenses of which are temporary, and others which will be ongoing. The Town is in the process of changing its accounting and financial software applications used on a system-wide basis (inclusive of the Needham Public Schools) - a process that is expected to take eighteen months to complete. During the conversion process, the Town will be running two systems, increasing some of the licensing and operating expenses of the Finance Department during FY2013 and FY2014. The set-up, validation, testing, and auditing of the new system is expected to increase the work day for a number of employees in different departments during the process, so additional funding is being sought to pay those costs (the expenses are being centralized under the Finance Department). These costs are viewed as temporary, and should cease after FY2014. The Finance Department budget is also being recommended for amendment to provide funding for a permanent technology position to support the ongoing operations and network. Funding at this time is necessary as the work is now underway with the change to the new financial applications and the integration that will be necessary with other applications. The Finance Department consulted with the Finance Committee last summer and explained the need for the additional staff person. The Finance Committee endorsed the recommendation for additional funding this fall. In addition to the increase in salary and wages for the technology position, there are some one-time equipment expenses (a computer, workstation, etc.) which are incurred this year related to the new position.*

*The change to the Police Department salary and wages (\$41,684) and the Fire Department salary and wages (\$23,410) line items reflect the transfer from the health insurance budget to implement the provisions of the collective bargaining agreements which provided a 1% increase in wages at the time of conversion to the lower premium, higher out-of-pocket cost health insurance plan.*

*The \$28,018 increase to the Police Department capital line is to appropriate funds to replace a Police vehicle that was declared a total loss by the Town's insurance company. The funds were received from the insurance company and are reserved specifically to purchase a replacement vehicle. Because the specific property loss resulted in a payment to the Town in excess of twenty-thousand dollars, the funds must be appropriated by Town Meeting in order for the Police Department to use the funds to purchase a replacement vehicle.*

*The last change is to the Department of Public Works capital line in the amount of \$120,000. The Town is finalizing the work that is to be done at Walker Gordon Park this fall. The work that is to be done onsite requires additional funds as the actual bids have come in higher than the original estimate. The total project involves the grading and sequencing work which incorporates 174 Charles River Street property with Walker Gordon (\$256,644), new fencing (\$24,385), baseball field including backstops, fencing, foul poles and player*

benches (\$43,017), irrigation (\$27,611), and parking lot improvements (\$18,613) for a total of \$370,270. The recommended transfer of \$120,000 provides the additional funds to have the work completed and provides a contingency of \$13,730. The \$120,000 would be transferred from the athletic facility improvements capital project article that was approved at the March 3, 2008 Special Town Meeting. This represents the available balance of that project which is not required to finish the work intended at DeFazio.

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**ARTICLE 5: RESCIND DEBT AUTHORIZATIONS**

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

Project	Town Meeting		Article	Authorized	Rescind
Rte 128 Sewer Main Relocation	2005	STM (N)	9	\$3,500,000	\$90,000
Kendrick Street Bridge Design	2009	ATM	46	\$125,000	\$35,000
RTS Construction Equipment	2009	ATM	52	\$230,000	\$44,000
Kendrick Street Bridge Repair	2010	ATM	35	\$850,000	\$100,000
Needham High School Roof	2011	ATM	38	\$320,000	\$240,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
 FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* When a project is financed by borrowing, the project has been completed, and all the bills have been paid, the balance of the authorization that was not borrowed can be rescinded. A Town Meeting vote is necessary for the above authorizations to reduce the amounts that may be borrowed. After a rescission vote has been taken, the amount rescinded may not be borrowed, which frees up borrowing capacity for future projects. In some cases, the full appropriation for a project is not required, due to monies received from other sources, changes in scope, cost saving measures, or favorable bids.

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**ZONING / LAND USE ARTICLES**

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**ARTICLE 6: AMEND ZONING BY-LAW – HEIGHT LIMITATION EXCEPTIONS**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.2 Dimensional Regulations for Rural Residence Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, Subsection 4.2.2 Height Limitation Exceptions, by adding the following after the first sentence:

“Notwithstanding the foregoing sentence, a municipal building or structure located on a lot in excess of twenty (20) acres created by deed or plan, endorsed or recorded before September 1, 2012, may be as high as fifty (50)

feet, provided the building or structure contains no more than one story, is used primarily for storage purposes and is located at least two hundred (200) feet from all property lines.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: This article proposes to amend the section of the Zoning By-Law that limits the height of a municipal building or structure in the Rural Residence Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts. The amendment is offered by the Planning Board in an effort to enable the construction of the Town’s salt storage building proposed to be sited at the Recycling and Transfer Station located on Central Avenue. The amendment would allow a municipal building or structure in the Rural Residence Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts having a height of up to fifty feet, provided the building or structure contains no more than one story, is used primarily for storage purposes, is located on a lot in excess of twenty acres, and is sited at least two hundred feet from all property lines. Currently, in the above-noted districts, the height of a municipal building or structure is limited to forty feet.*

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**ARTICLE 7: AMEND ZONING BY-LAW – MINIMUM SIDE AND REAR LINE SETBACKS: ACCESSORY STRUCTURES**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.2 Dimensional Regulations for Rural Residence Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, Subsection 4.2.3 Minimum Side and Rear Line Setbacks: Accessory Structures, by adding the following sentence to the end of the paragraph:

“Notwithstanding the foregoing, an accessory building or structure associated with a pool use which is less than eleven (11) feet in height and has less than one-hundred (100) square feet of ground coverage need not comply with the foregoing ten (10) foot distance from any other building or structure requirement as said requirement pertains to the placement of the accessory building or structure from the edge of the pool, provided that such accessory building or structure is placed no less than eight (8) feet from the edge of the pool.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information: Presently, in the Rural Residence Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, accessory buildings and structures (excepting fences) are required to be placed at least ten feet from any other building or structure on the lot. This article would permit an exception to the above-noted rule for an accessory building or structure associated with a pool use. In the subject case, an accessory building or structure associated with a pool use would be permitted to be placed eight feet from the edge of the pool, provided the building or structure was less than eleven feet in height and had less than one-hundred square feet of ground coverage. All other dimensional setback requirements from abutting properties and from streets and ways would remain unchanged.*

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**GENERAL ARTICLES / CITIZENS' PETITIONS / COMMITTEE ARTICLES**

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**ARTICLE 8: CITIZENS' PETITION - RAIL TRAIL COMMITTEE**

**Whereas** the town has two distinct sections of unused rail right-of-way, from Newton to Needham Heights and from Dover to Needham Junction.

**Whereas** the board of the Massachusetts Department of Transportation has voted to grant the MBTA authority to engage in a long-term lease for the two sections to the town for possible conversion into rail trail greenways.

The selectmen shall appoint a rail trail committee to study both sections and recommend a proposal for conversion of the unused rail sections into a linear park greenway. The committee shall conduct an inclusive public process of engagement with stakeholders, in particular the individuals, businesses and institutions in the neighborhoods near the rail lines to ensure the proposed project has community input and support. The committee shall recommend a rail trail conversion plan to the selectmen for their adoption, with town meeting approval.

INSERTED BY: Citizens' Petition – Thomas Connors et. al.

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information:* This article proposes creation of a Town Rail Trail Committee to study and recommend conversion of both sections of currently unused rail right of way within the Town to rail trails. One (southern) section runs from Needham Junction to the Dover line, connecting to Medfield. The other (northern) section runs from Needham Heights to the Newton Line, where it connects to unused right of way in Newton. The Selectmen are currently engaged in an evaluation of the southern section (Needham Junction to the Dover line) in cooperation with the local non-profit group Bay Colony Rail Trail Association (BCRTA). The BCRTA is seeking Community Preservation Funds for a feasibility study of this first phase under Article 11 of this Warrant. The Selectmen have deferred action on the northern section (Needham Heights to Newton line), other than to consider a nominal cost lease of the right of way, pending further developments and related considerations. These include several competing alternative use plans for the route, both in Needham and Newton, and the anticipated removal of the right of way's current rail bridge over 128 by MassDOT as part of the widening of Route 128. MassDOT has advised that its design will allow for construction of a new bridge across the highway if a decision is made to do so at a later time, but a bridge is not part of the current MassDOT design.

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**ARTICLE 9: CITIZENS' PETITION - BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE**

The Selectmen shall appoint a bicycle and pedestrian advisory committee to prepare and recommend a comprehensive Bicycle and Pedestrian plan for the town, to include improvements to streets, sidewalks, street crossings and the proposed rail trails. The committee may consult with and make recommendations to individuals, departments, agencies and committees. The committee shall recommend a proposed Needham Bicycle and Pedestrian plan to the selectmen for their adoption.

INSERTED BY: Citizens' Petition – Thomas Connors et. al.

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information:* This article proposes creation of a Town Bicycle and Pedestrian Advisory Committee. Currently, Town transportation and recreational bicycling matters are primarily addressed by the Town's Traffic Management Advisory Committee (TMAC), Department of Public Works, and Park and Recreation Commission, depending on the specific issues involved. The TMAC is an appointed committee charged with evaluating and making recommendations relative to vehicle, bicycle, and pedestrian traffic. The Town has adopted a bicycle plan under the auspices of the TMAC, and is in the process of implementing that plan through the efforts of the Department of Public Works.

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## COMMUNITY PRESERVATION ACT ARTICLES

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### **ARTICLE 10: APPROPRIATE FOR SOUTH STREET HOME - CHARLES RIVER ARC**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$500,000 for the construction by the Charles River Center of an accessible home for individuals with disabilities, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information:* The Charles River Center (Charles River ARC) has recently purchased property on South Street and is seeking funding to construct a group home for 5-6 adults with developmental disabilities. The request is for \$500,000, but based on funds that are anticipated from other resources that will be finalized in October, the amount that will actually be requested will be less than \$500,000. The Charles River Center has already purchased the property and will rely on architectural designs created for a home being built in another community. If approved, this project would increase the Town's number of affordable units by five.

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### **ARTICLE 11: APPROPRIATE FOR RAIL TRAIL FEASIBILITY STUDY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$35,000 for a feasibility study of the abandoned rail corridor from Needham Junction to the Dover line for use as a shared use rail trail, to be spent under the direction of the Town Manager, said sum to be transferred from the CPA Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information:* With the support of the Board of Selectmen, the Bay Colony Rail Trail Committee (BCRTC) is seeking \$35,000 to engage in an engineering study in order to provide answers to the Board of Selectmen and others on the feasibility of creating a rail trail that would begin near Needham Junction on Chestnut Street and continue to the Charles River. Some of the issues to be studied include access to the rail trail from the Chestnut Street area, possible parking areas for trail users, ADA considerations, and the integrity of the timber bridge crossing the Charles River. BCRTC has already been reaching out to close abutters of the possible rail trail, and the study will include public workshops for input. BCRTC is also working with the Town of Dover and the Town of Medfield, as the long-term vision is to have a seven-mile trail extending from Needham Junction to Medfield, and participates in a three-town working group of

board/staff members from each town. As long-term discussions are still underway between Needham and Newton on a variety of transportation needs between the two communities, this current project does not include the unused rails extending beyond the Needham Heights station.

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**ARTICLE 12: APPROPRIATE FOR GREENE’S FIELD IMPROVEMENT**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$445,000 for the renovation of Greene’s Field including the installation of a play structure, to be spent under the direction of the Town Manager, said sum to be transferred from the CPA Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

*Article Information: It has been two years since the Greene’s Field play structure was removed, and with the assistance of the Greene’s Field Play Structure Advisory group, the Town has reviewed the needs of the whole park. The request for \$445,000 is for the creation of a new playground area, with equipment for young children and school-aged children; the restoration of the 60’ diamond and small multi-purpose field; restoration of the basketball court; and the addition of a small walking path. A Greene’s Field fundraising group has already begun the effort to raise at least \$50,000 towards this project, as the overall cost is anticipated to be closer to \$500,000.*

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**CAPITAL ARTICLES**

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**ARTICLE 13: APPROPRIATE FOR POLLARD SCHOOL BOILER DESIGN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$55,000 for engineering and design for Pollard School boiler replacement, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to met this appropriation that \$18,951 be transferred from Article 8 of the May 2010 Special Town Meeting and \$36,049 be transferred from Article 32 of the May 2010 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The 2013 – 2017 Capital Improvement Plan recommends the replacement of the Pollard School boiler in fiscal year 2014. This article seeks appropriation for design of the new boiler installation in order to ensure that the project can be completed during the 2013 summer vacation period. New high efficiency condensing boilers in conjunction with more efficient circulating pump motors and variable frequency drives will reduce the Town’s consumption of natural gas and electricity. The existing dual-fired burners at the Pollard will be repurposed to the Mitchell School, enabling the Mitchell School to tie into the new gas main which was recently installed by NSTAR. This repurposing will provide a reduction of energy costs at the Mitchell School.*

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**ARTICLE 14: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$310,000 for improvements and repairs to the Town’s infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum to be transferred from Article 35 of the 2010 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The fiscal year 2013 through fiscal year 2015 recommendation for Public Works Infrastructure program appropriation was lower than in previous years in order to accommodate the financing plan for the new senior center. In making that recommendation, the Board of Selectmen made a commitment to review options for increasing the Public Works Infrastructure Program funding when possible. This article seeks to reallocate a portion of the proceeds for the Kendrick Street Bridge reconstruction which was completed, in conjunction with the City of Newton, under budget as a result of favorable pricing and site conditions.*

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**ARTICLE 15: APPROPRIATE FOR SALT SHED CONSTRUCTION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,913,000 for engineering, design, construction, and associated improvements for the construction of a salt storage shed, to be spent under the direction of the Town Manager, and to meet this appropriation, the Treasurer with the approval of the Board of Selectmen, is authorized to borrow said sum under Chapter 44 of the General Laws or any other enabling authority; and that the Town Manager is authorized to contract for and expend any federal or state aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this vote; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The existing 1,200 ton salt storage building located at the rear of 470 Dedham Ave was constructed during the 1970s with a grant from the Massachusetts Highway Department, and has deteriorated significantly. The 2011 Annual Town Meeting appropriated \$75,000 for a feasibility study for the relocation and construction of a new salt shed under the oversight of the Permanent Public Building Committee. The report is now complete, and the new salt shed is proposed to be constructed at the Recycling and Transfer Station (RTS). The cost of the construction may be reimbursed by the Commonwealth of Massachusetts through the “Chapter 90” program. If the Commonwealth determines that the entire project is eligible to be funded by Chapter 90 funds, this article will be withdrawn.*

---

**ARTICLE 16: APPROPRIATE FOR RTS REMEDIATION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$400,000 for soil remediation and removal and associated costs at the Recycling/Transfer Station, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation, the Treasurer, with the

approval of the Board of Selectmen, is authorized to borrow said sum under Chapter 44 of the General Laws or any other enabling authority; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The consultant engaged by the Permanent Public Building Committee to conduct the feasibility of relocating the salt shed to the Recycling/Transfer Station (RTS) has identified the potential need for soil remediation and removal at the site in the area of the excavation. The requested appropriation of \$400,000 represents the high end of the estimated cost. Because any soil contamination that may be encountered is an existing condition, the expense associated with remediation and removal is the responsibility of the RTS Enterprise Fund.*

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### **ARTICLE 17: APPROPRIATE FOR PROPERTY ACQUISITION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,100,000 for the acquisition of real property known as 51 Lincoln Street, and associated improvements thereto, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The acquisition of 51 Lincoln Street will complement the acquisition of 59 Lincoln Street and 89 School Street that were approved by the Special Town Meeting in May, 2012 and the acquisition of 37-39 Lincoln Street that was approved by the Annual Town Meeting in May, 2012. The consolidation of these parcels under Town ownership will augment the amount of municipal parking in Needham Center, and will allow for the future expansion of the Police and Fire Station which is immediately adjacent to the property. The parcel will be immediately available to satisfy the existing lack of parking at the two stations.*

---

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given into our hands at Needham aforesaid this 18<sup>h</sup> day of September, 2012.

**GERALD A. WASSERMAN, *Chairman***

**DANIEL P. MATTHEWS, *Vice Chair***

**JOHN A. BULIAN, *Clerk***

**MAURICE P. HANDEL**

**MATTHEW D. BORRELLI**

*Selectmen of Needham*

A TRUE COPY

Attest:

Constable:

**Town Clerk's Office  
Needham, MA 02492**

**First Class Mail  
U.S. Postage Paid  
Needham, MA  
Permit No. 58224**

**ATTN: SPECIAL TOWN MEETING WARRANT**

**Special Town Meeting Status of Articles October 29, 2012**

Article	Title	Status	BOS Rec.	FC Rec.	BOS Member	FC Member
1	Fire Union Contract		Adopt	Adopt	Dan M.	Rick L.
2	Supplemental Pension Allowance		Adopt	Adopt	Dan M.	Gary M.
3	Appropriate for Solar Feasibility		Adopt	Adopt	Jerry W.	Rick Z.
4	Amend Operating Budget			Adopt	Matt B.	Dick R.
5	Rescind Debt Authorizations		Adopt	Adopt	Matt B.	Dick R.
6	Amend Zoning By-law/ Height Limitation		Adopt	Adopt	Moe H.	John C.
7	Amend Zoning By-law/ Minimum Setbacks		Adopt	No position	Moe H.	Lisa Z.
8	Citizens' Petition Rail Trail Committee			No position	Jerry W.	Lisa Z.
9	Citizens' Petition Bicycle & Pedestrian Committee			No position	John B.	Lisa Z.
10	CPA/South Street Home	Amend to #220K			Moe H.	Rick L.
11	CPA/Rail Trail Feasibility				Jerry W.	Dick R.
12	CPA/Greene's Field Improvement				John B.	Lisa Z.
13	Appropriate for Pollard Boiler Design			Adopt	John B.	John C.
14	Appropriate for Public Works Infrastructure		Adopt	Adopt	Dan M.	Dick R.
15	Appropriate for Salt Shed Construction	Withdraw		Adopt	Matt B.	John C.
16	Appropriate for RTS Remediation			Adopt	Matt B.	John C.
17	Appropriate for Parcel Acquisition		Adopt	Adopt	Jerry W.	Richard C.
	* The Finance Committee found that the financial impact, if any was not clearly quantifiable					

10/4/12

## Pollard Boilers

The Pollard boilers were installed twenty years ago. Since that time there have been substantial improvements in heating technology. The old boilers typically run at an efficiency rating of approximately 84%. The new proposed condensing boilers will operate at an efficiency rating of approximately 94%. The new proposed boilers in conjunction with more efficient circulating pump motors and variable frequency drives will reduce the Town's consumption of natural gas and electricity. In 2011 the Town hired the consulting firm EMG to perform an energy audit of 10 municipal and school buildings. One of the energy conservation measures identified by EMG at the Pollard School was to replace the existing old boilers with new condensing boilers.

---

## MEMORANDUM

**TO:** James R. Fair P.E., Weston & Sampson Engineers, Inc.

**FROM:** Sean F. Healey, LSP Weston & Sampson Engineers, Inc.  
Prasanta K. Bhunia, LSP Weston & Sampson Engineers, Inc.

**DATE:** June 14, 2012

**SUBJECT:** **Potential Environmental Scope of Work and Cost Estimate  
Proposed Salt Shed - Town of Needham, Massachusetts.**

**WSE Project:** 2120140.A

---

This memorandum provides a summary of the potential environmental scope of work and cost estimate in association with the construction of the proposed salt shed at the Recycling and Transfer Station facility at 1407 Central Avenue in Needham, Massachusetts (Site). The structure is proposed in the central portion of the Site, which is located immediately south of a closed municipal landfill. We understand that the proposed structure is a salt shed with an attached storage canopy and vehicle bay, with total combined footprint of approximately 14,300 square feet.

Based on a review of recent geotechnical investigations performed at the Site in the area of the proposed building footprint, we understand that fill material has been identified to a depth of at least 14 feet below grade surface (bgs). The fill material consists of sand fill containing variable amounts of gravel, occasional cobbles; and debris including concrete, bricks, dimensional lumber, metal, and plastic. Minor hydrocarbon odors were identified in the test pits excavated. In one soil boring (B-4), a strong hydrocarbon odor and high photoionization detector (PID) reading was identified. Soil samples were not collected for chemical analysis as part of the geotechnical investigations.

Because of the fill and hydrocarbon impacted soil identified, at this time we are assuming that the Site will be regulated under the Massachusetts Contingency Plan (MCP). However, testing of the soil will be required to confirm this assumption. Based on this assumption, and additional assumptions listed below, the following is a potential scope of work and cost estimate for managing the Site in accordance with the MCP as part of the proposed construction:



Weston & Sampson Engineers, Inc.  
 Five Centennial Drive  
 Peabody, Massachusetts 01960-7985  
[www.westonandsampson.com](http://www.westonandsampson.com)  
 Tel: (978)532-1900 Fax: (978)977-0100

*Innovative Solutions since 1899*

<u>Scope of Work</u>	<u>Cost Range</u>
<b>Initial Site Assessment / DEP Notification</b> <ul style="list-style-type: none"> <li>▪ Review of Site history and Site assessment of soil and groundwater in proposed construction area.</li> <li>▪ Preparation and submittal of Release Notification Form (RNF) to DEP.</li> </ul>	<b>\$15,000 to \$20,000</b>
<b>Additional Assessment and Report to DEP</b> <ul style="list-style-type: none"> <li>▪ Additional subsurface investigation.</li> <li>▪ Preparation and submittal of Phase I Report and Tier Classification to the DEP.</li> </ul>	<b>\$20,000 to \$30,000</b>
<b>Remedial Design and Preparation of Soil Management Plan, and Plans and Specifications</b> <ul style="list-style-type: none"> <li>▪ Prepare plans and specification for soil and groundwater management during construction and potential cover requirements.</li> </ul>	<b>\$15,000 to \$30,000</b>
<b>Construction Release Abatement Measure (RAM) Plan for Soil Management and Associated Reports to DEP</b> <ul style="list-style-type: none"> <li>▪ Preparation and submittal of RAM Plan for soil and groundwater management during construction activities.</li> <li>▪ Preparation of one RAM Status Report and one RAM Completion Report.</li> </ul>	<b>\$20,000 to \$30,000</b>
<b>Soil Management Oversight</b> <ul style="list-style-type: none"> <li>▪ On-site documentation of soil and groundwater management activities during construction.</li> </ul>	<b>\$25,000 to \$50,000</b>
<b>Soil Transportation and Disposal</b> <ul style="list-style-type: none"> <li>▪ Transportation and disposal of impacted soil generated during construction activities (assumes 1,000 to 3,000 tons to in-state lined landfills at \$50 ton).</li> </ul>	<b>\$50,000 to \$150,000</b>
<b>Other MCP Compliance Activities</b> <ul style="list-style-type: none"> <li>▪ Additional assessment (outside the salt shed footprint)</li> <li>▪ Preparation of Phase II, III, or IV Reports for submittal to DEP.</li> <li>▪ Preparation and submittal of Response Action Outcome (RAO) Statement and Activity and Use Limitation (AUL) in support of regulatory closure.</li> </ul>	<b>\$20,000 to \$ 80,000</b>
<b>Total Potential Cost Estimate</b>	<b>\$165,000 to \$390,000</b>



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Tel: (978)532-1900 Fax: (978)977-0100

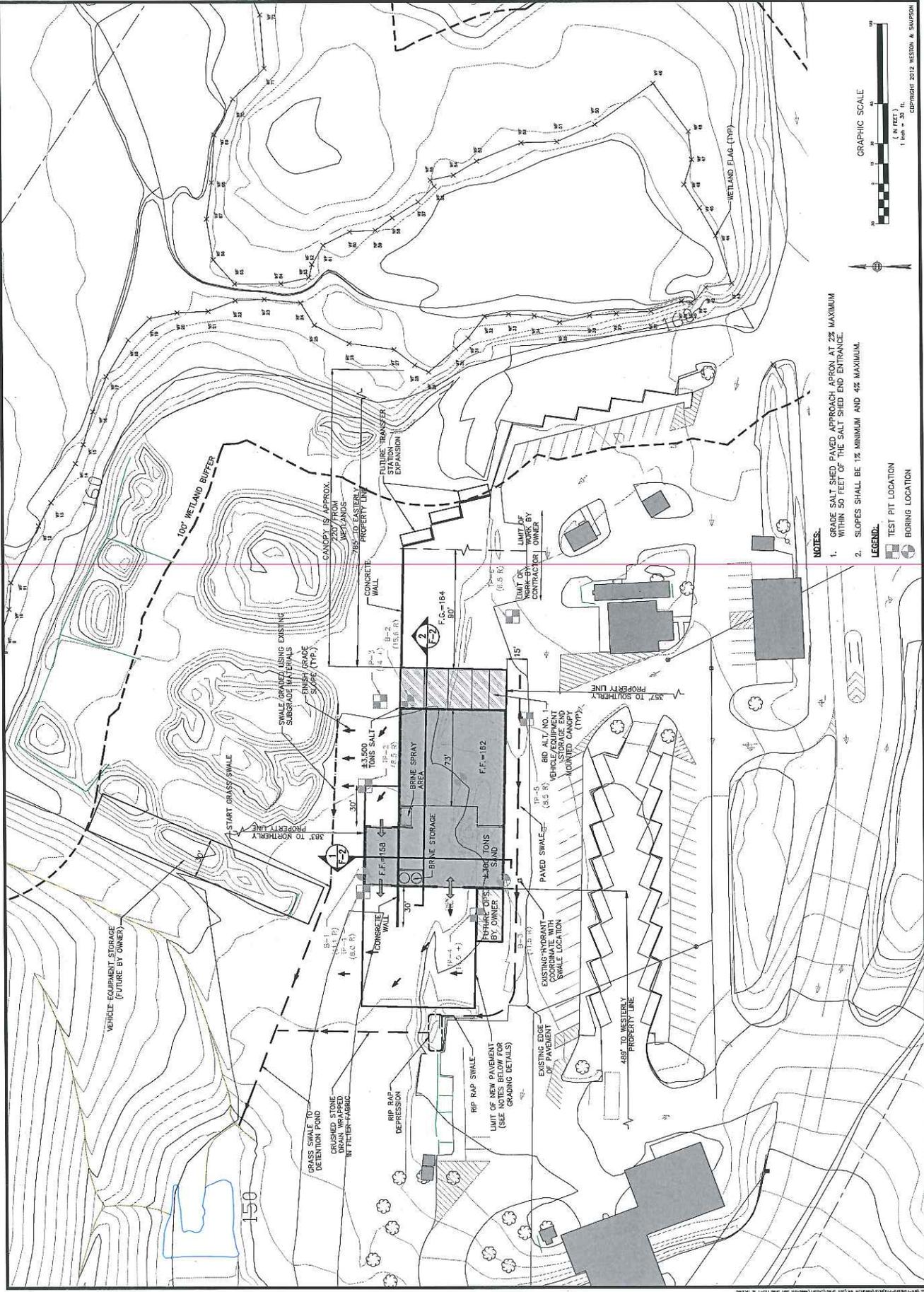
*Innovative Solutions since 1899*

### ***ASSUMPTIONS***

- 1.) Site will be regulated under MCP.
- 2.) Soil management work will be completed within 6 months.
- 3.) Concentrations are not identified above MCP upper concentration limits (UCLs).
- 4.) On-site construction documentation of up to 20 hrs. per week for 6 months.
- 5.) Between 1,000 to 3,000 tons of soil disposal. Assumes app. 50% of soil can be reused on Site.
- 6.) Groundwater is not impacted and groundwater treatment will not be required.

NO.	DATE	DR BY	CHK BY	APP BY	DESCRIPTION

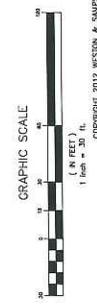
REGISTERED PROFESSIONAL ENGINEER  
 DATE: \_\_\_\_\_



- NOTES:**
- GRADE SALT SHED PAVED APPROACH APPROX. AT 2% MAXIMUM WITHIN 50 FEET OF THE SALT SHED END ENTRANCE.
  - SLOPES SHALL BE 1% MINIMUM AND 4% MAXIMUM.

**LEGEND:**

- TEST PIT LOCATION
- BORING LOCATION



**Town of Needham,  
Massachusetts**

**- DRAFT -  
Salt Shed Project  
Feasibility Report  
and Schematic  
Design**

August 2012

*Weston & Sampson*  
ENGINEERS, INC.

*Report*

Weston & Sampson Engineers,  
Inc.  
Five Centennial Drive  
Peabody, MA 01960-7985  
[www.westonandsampson.com](http://www.westonandsampson.com)  
Tel: 978-532-1900  
Fax: 978-977-0100

**Town of Needham, MA**  
**Salt Shed Project Feasibility Report and Schematic Design**

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**Appendices**

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Appendix B – Project Presentations

Appendix C – Wetlands Delineation Documentation

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## **Needham Salt Shed Project**

### **Executive Summary**

Weston & Sampson is providing this executive summary for the Salt Shed Project Feasibility Study and Schematic Design. In general, the project entailed the assessment of four sites located on or adjacent to the Town's Recycling and Transfer Station (RTS) located at 1407 Central Avenue, for the suitability of the construction of a new salt shed storage structure, along with supporting functions. In addition, the work included the assessment of the various types of salt shed structures available to determine the most appropriate structure type for the Town, as described further below.

### **Initial Investigations and Program Assessment**

Work on the project started with a series of meetings to develop an understanding of the preliminary program space and functional requirements. This process was initiated by having a series of program related questions answered by the Town, which are provided in Appendix A, followed by several meetings to further refine the Town's requirements. In general, the following initial program requirements were identified:

- Storage capacity of 5,000 tons of salt and 300 tons of sand
- Provide a covered area for truck loading operations
- Accommodate storage of 3,000 gallons of liquid de-icing chemicals with appropriate spray and distribution system
- Provide covered canopy storage for snow fighting equipment including plows, trucks and sand/salt spreader bodies
- Provide a +/- 800 square foot pre-fabricated operations building to accommodate snow fighting personnel and support functions

Work also included the review of existing site plans and reports.

### **Site Alternatives Assessment**

Following the development of the initial program requirements several potential sites were assessed to determine the most appropriate location for the new facility. The following initial sites were identified:

- Compost Area
- Materials Handling Area
- Eastern "7-Acres" Site
- Transfer Station "Seam Site"

The Compost Area was ruled out early in the process due to several factors which include the lack of a viable alternative location for this operation which needs to be maintained, DEP permitting issues with the landfill cap in this area, and proximity to wetlands. The Materials Handling Area was also ruled out early in the process because there is no other viable alternative location for this operation, which also needs to be maintained on site. The results of these findings, along with additional details, were presented to the Permanent Public Building Committee (PPBC) on April 30<sup>th</sup>, a copy of which is provided in Appendix B.

The Eastern Site and the Transfer Station Seam Site were retained for further analysis. Due to the known presence of wetlands on the Eastern Site, Weston & Sampson had the wetlands in this area flagged by a wetland scientist, and then had the wetland flag locations surveyed. Additional details regarding the wetlands delineation, along with the Department of Environmental Protection forms required by 310 CMR 10.55, are included in Appendix C. In addition to wetlands delineation, Weston & Sampson also prepared Environmental Receptor, Human Impact, and Solid Waste Facility Maps using the Massachusetts GIS Data Base, a copy of which are included in Appendix D.

Using the new wetland limits that were identified, a site development alternative was developed for the Eastern Site which minimized impacts to the 100 foot wetland buffer zone, as shown in Appendix E. As shown in this figure, there are steep grades present at the site and numerous bedrock outcrops were observed throughout the site. Based on the site grading and presence of bedrock, it was estimated that up to 16,000 cubic yards of bedrock may need to be removed from the site which could cost on the order of \$800,000 or more to remove. In addition to ledge removal costs associated with this alternative, there would also be wetland permitting requirements, noise issues with the neighbors, a potential zoning variance, and truck traffic congestion at the site entrance that would all need to be addressed. For these reasons, the Eastern Site was not considered for further evaluation.

The Seam Site was selected as the preferred development site for the project, and was further assessed. The benefits of this site include the following:

- Greater distance from abutting residential properties
- Pre-existing road is largely independent of the RTS operations
- Greater distance from wetlands (no wetland permitting requirements)
- Pre-disturbed site
- Lower cost to develop

The results of this assessment and the selection of the seam site were also addressed in our April 30<sup>th</sup> PPBC meeting included in Appendix B.

Weston & Sampson also prepared a preliminary zoning analysis, which is included in Appendix F. As indicated in this zoning analysis, the site has a maximum allowable building height of 40 feet, and it is anticipated that the required structure height will be approximately 45 feet, and a variance will be required. In addition, because the project will involve the construction of over 10,000 SF of gross floor

area, the project will likely be classified as a Major Project which will require a Special Permit from the Planning and Design Review Boards, along with Site Plan Review. Also, because the site is located on a transfer station, it is anticipated that a BWP SW07 Modification to a Large Handling Facility Permit will need to be obtained from the Department of Environmental Protection (DEP).

Weston & Sampson also prepared a preliminary building code review, which is also included in Appendix F. As indicated in this review, fire suppression systems are not typically required for salt sheds, however this should be verified with the Town's Fire Department.

### **Site Development Alternatives and Cost Estimates**

Through a series of working meetings with the Town seven development alternatives were prepared and assessed along with the preparation of several cost estimates for the Seam Site to help guide the decision making process. Site plans for the seven alternatives for the Seam Site are provided in Appendix G, and it was determined that alternative number seven was the preferred alternative.

The estimated cost for the full program assuming a High Arch Gambrel type structure and a Fabric type structure was prepared for comparison purposes. A cost estimate for a dome style structure was not prepared, as it was decided early on that this style of salt shed structure would not fit with the site constraints and operational needs. The cost estimate for the full program with a High Arch Gambrel type structure was estimated at approximately \$2.3 M and the full program cost assuming a Fabric Type Structure was approximately \$2.2M.

Weston & Sampson performed a comparative analysis of the High Arch Gambrel structure versus the Fabric type structure, and as discussed with the Town it was decided that the High Arch Gambrel structure was the preferred building type for the following reasons:

- More durable building
- Longer warranty (30 year on roof vs. 10 year on fabric)
- Better suited for installing attached canopy structures
- Relatively small cost differential (about \$100K)
- Increased footprint required for a fabric structure

As discussed during the working meetings and the April 30<sup>th</sup> PPBC meeting, the cost for the full program of about \$2.3M described above exceeded the \$1.5 M budget for the project. In order to further assess the program and costs, the cost estimate for the various project components were broken out to identify what core components could fit within the \$1.5M budget, including soft costs, and what components would require funding beyond the \$1.5M limit. Through this process it was identified that 3,500 tons of salt storage could be provided along with the necessary site development and soft costs for the \$1.5M budget, and it was agreed that this would meet the Town's salt storage and loading needs.

It was also agreed that due to budget constraints, that the amount of canopy area be scaled back to 2,400 SF from the original plan of 10,800 SF, and that this canopy would be listed as a bid alternate under the project. In addition, the Town will dispose of non-contaminated excess fill generated during the work and will provide structural fill for the project by processing/re-using existing on-site soils, to meet structural fill requirements. Also, to further reduce costs, the Operations Building was removed from the project at this time, with possible installation at a later date. Copies of selected cost estimates that were prepared during the alternatives selection process are included in Appendix H, and copies of minutes from selected meetings are included in Appendix I.

### **Preliminary Subgrade Assessment and Additional Costs**

Following the establishment of the building location, type, and general size/layout, test pits were performed in the proposed development area to assess subgrade conditions. The test pit results, which are summarized in a memorandum dated May 24, 2012 in Appendix J, indicate that fill materials are present on site at depths ranging from approximately 6.5 feet to over 14 feet deep, which was the excavation limit of the backhoe being used to excavate the test pits. As described in the May 24<sup>th</sup> memorandum, the non-native fill material that was encountered is not suitable for supporting building foundations due to the potential for variable rates of compression and decomposition of organic materials that were encountered. It was observed that bedrock was present in two of the test pits at depths of approximately 6 to 8 feet below grade.

Following the test pitting program, borings were performed on site to further assess the fill materials and the depth to bedrock. The results of this boring program are summarized in a memorandum dated June 7, 2012, which is also included in Appendix J. As indicated in this June 7<sup>th</sup> memorandum, bedrock was encountered beneath the fill materials at depths ranging from approximately 11 feet to 15 feet below grade. In addition, at one boring location, a strong petroleum odor was encountered approximately eight feet below grade and an approximate reading of 2,000 parts per million was obtained from the soil using a photo-ionization detector (PID). This elevated PID reading along with the petroleum odor, indicate that the soil in this area is likely to be impacted with petroleum. Lower PID readings were also obtained at the other boring locations, along with a slight petroleum odor, indicating that lightly petroleum impacted soils may be present at these locations.

Following the review of several alternatives with the Town, it was decided that a rammed aggregate pier (RAP) supported foundation would be used to extend down through the compressible fill materials to the firm undisturbed bedrock below. In addition, it was also decided for preliminary budgeting purposes, to assume that all impacted soil to be removed from the site would need to be tested and transported to an in-state landfill for disposal purposes.

Based on preliminary analysis, it is estimated that a RAP foundation system will add approximately \$250,000 to the base project cost. In addition, handling and removal of petroleum impacted soil from the site could add approximately \$165,000 to \$400,000 which would include the anticipated soil and

groundwater sampling and assessment, removal and disposal of impacted soil, along with the necessary support documentation that is required in accordance with the Massachusetts Contingency Plan. Additional details regarding the environmental costs are included in a memorandum in Appendix K.

Adding the foundation and environmental requirements to the project gives a total project cost of approximately \$1,915,000 - \$2,150,000. If it is decided to include the end mounted canopy, additional funding in the amount of \$96,000 should be allocated, as shown in Appendix H.

Please note that the budgetary figures being provided are preliminary figures only for initial planning purposes. These figures will be further assessed during the final design phase of the project. Due to the unknowns at this time involved with the environmental work, and because the final design has not yet been completed, it is recommended that the higher end of this range be used for initial budgeting purposes. Funding would then only be used as needed as the project progresses.

### **Schematic Design Drawings**

Using the preferred alternative, Alternate No. 7, schematic design drawings were prepared. These drawings include a conceptual layout and drainage plan, building cross sections, building elevations, and details, and are included in Figures 1 through 5.

### **Chapter 90 Funding**

The Town has been in discussions with the State regarding the use of Chapter 90 funding. At this time it is anticipated that the main salt shed and canopy structure will be eligible for Chapter 90 funding, and it is also possible that the paved approach aprons and other site development/drainage features will also be covered. It is not yet known if the pile foundation system or the handling of impacted soils will be covered, and this will be further assessed with the State by the Town.

### **Schedule**

The following schedule for the project is anticipated:

- |                                               |                  |
|-----------------------------------------------|------------------|
| • Complete Schematic Design                   | August 10, 2012  |
| • Town Meeting (funding appropriated)         | October 29, 2012 |
| • Submit Permit Applications (see note below) | November 2012    |
| • Obtain Permits (see note below)             | February 2012    |
| • Design Complete/Start Bidding               | March 2013       |
| • Start Construction                          | June 2013        |
| • Construction Complete                       | December 2013    |

A milestone schedule is also attached for reference. In addition, based on recent discussions with the Town, it may be decided to have the environmental work funded under a separate warrant article, and performed in advance of the salt shed project. If remediation is extensive, the salt shed project may be delayed, and an alternate schedule will be established.

Note that during the design process several permits will need to be obtained, as discussed above, which include:

- Transfer Station Modification Permit (BWP SW 07), which is obtained from the DEPs solid Waste Group and has a review period of about 3 months, which is comprised of an initial Administrative Review (24 day review period) followed by a Technical Review (72 day review period). If necessary, a second technical review could be required by the DEP, however we would work closely with DEP to help avoid this.
- A Zoning variance for the structure height of 45 feet will be needed. The variance would need to be obtained from the Town's Board of Appeals. As discussed with the Town, it is our understanding that this process is addressed through the Special Permitting process described below.
- Planning Board Special Permit/Site Plan Review for Major Project (greater than 10,000SF) will also be needed in accordance with Section 7.4.4 of the Zoning By-Laws. Note that this section indicates that the structure height variance would need to be secured in advance of filing the Site Plan Review application, however as discussed with the Town we understand that the height variance can be addressed concurrently/through the Special Permit process. The Planning Board has a 75 day review time frame.
- Review and approval will also be needed by the Design Review Board.
- Note that the permitting process should be verified by the Town reviewing authorities, and it is assumed that the permits can be filed, processed simultaneously, and obtained within approximately 3 months.



**Town of Needham**  
**New Salt Shed Project**  
**Cost Estimate**  
**4-Oct-12**

**Base Program - 3500 Ton Capacity, Reduced Pavement, Three Walls Concrete**

Main Building with Drive-thru Canopy: 12,005 SF  
Lean-to Canopy: 0 SF (2,400 SF Bid Alt. No. 1)  
Detached Canopy: 0 SF  
Modular Operations Building: 0 SF  
**Total: 12,005 SF**

Description	Unit	2012 Cost	Hi-Arch Gambrel	Total (No OH&P)
<b>DIVISION 2 - SITE WORK</b>				
<b>GENERAL SITE WORK</b>				
Site Clearing	LS	\$8,000.00	1	\$8,000
Curb Removed and Stacked	LF	\$5.00	0	\$0
Dewatering	LS	\$5,000.00	1	\$5,000
General Earth Excavation Site	CY	\$5.00	2,500	\$12,500
Grading - cut material	CY	\$5.00	607	\$3,035
Grading - fill material	CY	\$5.00	733	\$3,665
Ledge Removal	CY	\$50.00	150	\$7,500
Tree Removal	LS	\$2,500.00	1	\$2,500
Stump Removal	EA	\$400.00	1	\$400
Finish Grading	SY	\$1.00	5,600	\$5,600
Cast-in-Place Concrete Material Storage Bins	CY	\$500.00	0	\$0
Wood Framed Cover Over Storage Bins	SF	\$10.00	0	\$0
Loam	CY	\$38.00	0	\$0
Seed	SY	\$4.00	0	\$0
Granite Curb	LF	\$38.00	270	\$10,260
Heavy Stone	CY	\$38.00	23	\$855
Gravel Road	CY	\$38.00	610	\$23,180
Gravel Road Geotextile Fabric	SY	\$2.50	1,833	\$4,583
Gravel Pavement Subbase	CY	\$38.00	985	\$37,430
Bituminous Concrete (Hot Mix Asphalt = SY*.056*5 in)	TN	\$70.00	827	\$57,890
Misc. Storm Water Improvements	AL	\$10,000.00	1	\$10,000
Drainage System - Underground Leaching Chambers	LF	\$60.00	0	\$0
Drainage System - Manhole	EA	\$3,000.00	0	\$0
Drainage System - Catchbasin	EA	\$2,300.00	0	\$0
Drainage System - Oil/Grit Separator	EA	\$8,000.00	0	\$0
Drainage System - 12" RCP	LF	\$40.00	50	\$2,000
Drainage System - 15" RCP	LF	\$60.00	0	\$0
Drainage System - Detention Pond Expansion	AL	\$10,000.00	1	\$10,000
Drainage System - 24" RCP	LF	\$75.00	0	\$0
Drainage System - 6" Perf. PVC Roof Drain System	LF	\$40.00	0	\$0
Drainage System - Connect to Existing System	LS	\$5,000.00	0	\$0
Drainage System - Clean Existing Plugged System	LS	\$3,000.00	0	\$0
Drainage System - Relocate Upper Drainage System	LS	\$40,000.00	0	\$0
Water Distribution System - Domestic Tap	LS	\$4,000.00	0	\$0
Water Distribution System - Fire Service Tap	LS	\$6,000.00	0	\$0
Water Distribution System - 2" Water Service	LF	\$35.00	0	\$0
Water Distribution System - 8" DI Fire Service	LF	\$50.00	0	\$0
Water Distribution System - Hydrant	EA	\$2,500.00	0	\$0
Water Distribution System - Valves	EA	\$1,000.00	0	\$0
Water Distribution System - Replace Existing Service	LF	\$100.00	0	\$0
Water Distribution System - Misc. Accessories	LS	\$5,000.00	0	\$0
Electrical & Communication System	LF	\$50.00	325	\$16,250
Allowance for Misc. Electrical	LS	\$2,500.00	1	\$2,500
Sanitary Sewer Manhole	EA	\$3,000.00	0	\$0
Sanitary Sewer Oil/Sand Trap	EA	\$5,000.00	0	\$0
8" PVC Sanitary Sewer Service	LF	\$35.00	0	\$0
Tight Tank System	EA	\$15,000.00	0	\$0
Tight Tank Monitoring System	LS	\$10,000.00	0	\$0
Bollards	EA	\$580.00	12	\$6,960
Retaining Walls	CY	\$415.00	125	\$51,875
Retaining wall foundation excavation	CY	\$18.00	466	\$8,388
Retaining wall crushed stone	CY	\$38.00	80	\$3,040
Rip Rap Swale	LF	\$40.00	160	\$6,400
Grass Swale	LF	\$25.00	300	\$7,500
Sedimentation Control	LF	\$10.00	300	\$3,000
Chain Link Fence	LF	\$24.00	0	\$0
Chain Link Fence Gate	LF	\$120.00	0	\$0
Misc Utility Concrete Pads	CY	\$300.00	0	\$0
Main Entry / Approach Concrete Slabs / Side Walks	CY	\$300.00	0	\$0
Timber Guardrail	LF	\$24.00	0	\$0
Site Lighting	LS	\$15,000.00	0	\$0
<b>DIVISION 2 - BUILDING SITE WORK</b>				
Earth Excavation - Bldg Foundations	CY	\$14.00	1,510	\$21,140
Backfill Building Foundations	CY	\$5.00	755	\$3,775

Town of Needham  
New Salt Shed Project  
Cost Estimate  
4-Oct-12

Base Program - 3500 Ton Capacity, Reduced Pavement, Three Walls Concrete

Main Building with Drive-thru Canopy: 12,005 SF  
Lean-to Canopy: 0 SF (2,400 SF Bid Alt. No. 1)  
Detached Canopy: 0 SF  
Modular Operations Building: 0 SF  
**Total: 12,005 SF**

Description	Unit	2012 Cost	Hi-Arch Gambrel	Total (No OH&P)
<b>DIVISION 3 - CONCRETE</b>				
03300 CAST-IN-PLACE CONCRETE				
Building Foundation/Columns (included in building estimate)	CY	\$500.00	0	\$0
<b>08100 DOORS AND FRAMES</b>				
Personnel Doors - Door, Frame, and Hardware Wood	EA	\$1,600.00	0	\$0
Personnel Doors - Dr, Frame, and Hardware Metal	EA	\$1,400.00	0	\$0
Added Cost for Door Lites	LS	\$1,000.00	0	\$0
<b>DIVISION 11 EQUIPMENT</b>				
Brine Distribution System Upgrade	AL	\$15,000.00	1	\$15,000
Relocate existing brine system	AL	\$5,000.00	0	\$0
<b>DIVISION 13 SPECIAL CONSTRUCTION</b>				
Pre-Engineered Building including Drive-thru (Hi-Arch Gambrel)	LS	\$651,000.00	1	\$651,000
Wood Wall Savings (\$400/ft of wall X 265')	LS	-\$24,000.00	0	\$0
Pre-Engineered Building, Canopies on both Sides (Fabric Structure)	LS	\$450,000.00	0	\$0
Modular Building	LS	\$99,418.00	0	\$0
Canopy Lean-to (Hi-Arch Gambrel)	SF	\$21.50	0	\$0
Detached Canopy (Hi-Arch Gambrel)	SF	\$21.50	0	\$0
Detached Canopy (Fabric Structure)	SF	\$12.00	0	\$0
<b>15700 HVAC EQUIPMENT</b>				
Ventilation	AL	\$15,250.00	1	\$15,250
<b>DIVISION 16 ELECTRICAL</b>				
16000 ELECTRICAL				
Misc. Electric and Site Lighting	AL	\$7,000.00	1	\$16,450
Building Subtotal:				\$722,615
Cost per SF:				
General Conditions (7.5%):				\$54,196
Overhead & Profit (5%):				\$38,841
Insurance & Bonds (2%):				\$16,313
Subtotal:				\$831,965
Cost per SF:				\$69
Site Work:				\$310,311
Site Work Overhead & Profit (10%):				\$31,031
Site Work Insurance & Bonds (3%):				\$10,240
Building / Site / Equipment Subtotal:				\$1,183,547

Town of Needham  
New Salt Shed Project  
Cost Estimate  
4-Oct-12

Base Program - 3500 Ton Capacity, Reduced Pavement, Three Walls Concrete

Main Building with Drive-thru Canopy: 12,005 SF  
 Lean-to Canopy: 0 SF (2,400 SF Bid Alt. No. 1)  
 Detached Canopy: 0 SF  
 Modular Operations Building: 0 SF  
**Total: 12,005 SF**

Description	Unit	2012 Cost	Hi-Arch Gambrel	Total (No OH&P)
Owner's Soft Cost				
Contingency (15%)				\$177,532
Escalation 2012 - 2013 (3%):				\$40,832
Construction Cost With Contingency and Escalation		\$1,401,911		
A&E Fees for Building, RAPs and Canopy (design, bid, const. admin., permitting, survey)				\$195,000
<b>TOTAL BASE PROGRAM COST (3500 Ton Capacity):</b>				<b>\$1,596,911</b>

ADDITIONAL PROGRAM COMPONENTS:				
Deep Foundation System (RAP)	LS	\$220,089	1	\$220,089
<b>TOTAL PROGRAM WITH RAPs</b>				<b>\$1,817,000</b>
Bid Alt. No. 1 - 30'X80' Canopy with RAPs	SF	\$40	2400	\$96,000
<b>TOTAL PROGRAM WITH RAPs and CANOPY</b>				<b>\$1,913,000</b>
Env. Remediation (price range \$165K - \$400K)	AL	\$400,000	1	\$400,000
<b>TOTAL PROGRAM COST WITH RAPs, CANOPY, and ENVIRONMENTAL:</b>				<b>\$2,313,000</b>

**Base Building Notes:**

1. Estimate is conceptual only for initial planning purposes, and will be verified during the design stage.
2. A&E Fees are conceptual estimates only and will be verified once program/scope has been finalized.
3. Only the approach aprons to/from the salt shed/loading bay are assumed to be paved plus some gravel road improvements.
4. North, east and south walls of the salt shed are assumed to be concrete, the west wall is a wood wall.
5. Building estimate is in +/- 5% range per building manufacturer.
6. If the height exemption is not obtained an additional \$42,000 will be required to modify the building design and site grading to meet the 40' zoning height limitation.
7. If the sprinkler waiver is not obtained an additional \$142,000 will be needed to add sprinklers to the base building, plus another \$25,000 if the canopy is required to have sprinklers, for a total of \$167,000.
8. Sprinkler system cost assumes there is 50-60 PSI water pressure available at nearby hydrant for water supply, to be verified by the Town.

**Environmental Notes:**

9. The high end of the environmental remediation cost is being used for budgeting purposes. Environmental work will include performing environmental assessment/design, preparing DEP documentation, site preparation, off-site disposal of impacted soils, and/or capping of soils in place per DEP requirements.
10. Assumes Town will relocate/dispose of excess non-contaminated fill materials generated during construction under base program, and will provide structural fill as discussed at working group meetings. It is recommended that Town fill be mixed with silt-free gravel material at a 50:50 ratio to meet structural fill requirements and to facilitate compaction.



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Needham Mews 40B Development
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>The Massachusetts Housing Finance Agency (MassHousing) is reviewing an application for site approval for a 40B housing development known currently as "Needham Mews." The Board will discuss the project request and the development of a response to MassHousing.</p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<p><i>Suggested Motion:</i> That the Board vote to authorize the Town Manager to forward a letter to MassHousing summarizing the comments of the Board.</p>			
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<p><b>(Describe backup below)</b></p> <p>a. Letter from MassHousing dated October 2, 2012 b. Needham Mews Project eligibility provided under separate cover</p>			



Massachusetts Housing Finance Agency  
One Beacon Street, Boston, MA 02108

Tel: 617.854.1000 | Fax: 617.854.1091  
Vp: 866.758.1435 | www.masshousing.com

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN  
2012 OCT -3 P 2:25

October 2, 2012

VIA CERTIFIED MAIL

Gerald A. Wasserman, Chair  
Board of Selectmen  
Needham Town Hall  
1471 Highland Avenue  
Needham, MA 02492

RE: 692 Greendale Avenue/Needham Mews  
MH # SA-12-003  
Site Approval Application Notification

Dear Mr. Wasserman:

The Massachusetts Housing Finance Agency (MassHousing) is currently reviewing an application for Site Approval submitted by Greendale Avenue Venture LLC. The proposed Needham Mews development will consist of 300 newly constructed rental housing units located on 6.02 acres of land located at 692 and 744 Greendale Avenue in Needham. Of the 300 total units, 75 will be made available to low-moderate income applicants. Needham Mews will also include 510 total parking spaces most of which will be located within interior spaces.

The site approval process is offered to project sponsors who intend to apply for a comprehensive permit under Chapter 40B. MassHousing's review involves an evaluation of the site, the design concept, the financial feasibility of the proposal, and the appropriateness of the proposal in relation to local housing needs and strategies. As part of our review, we are soliciting comments from the local community and we would appreciate your input. You also may wish to include in your response, issues or concerns raised by other town boards, officials or other interested parties. Pursuant to the Massachusetts General Laws Chapter 40B regulations (760 CMR 56.00) your comments may include information regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, multifamily districts adopted under G.L. c.40A and overlay districts adopted under G.L. c.40R. Your comments will be considered as part of our review.

We have been informed by Greendale Avenue Venture LLC that the Town has received a copy of the Needham Mews application and plans. Please inform us of any issues that have been raised or are anticipated in the Town's review of this application. We request that you submit

692 Greendale Avenue, Needham Mews  
MH # SA-12-003

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Site Approval Application Notification

October 1, 2012

Page 2

your comments to this office within 30 days so we may process this application in a timely manner.

During the course of its review, MassHousing will conduct a site visit, which Local Boards, as defined in 760 CMR 56.02, may attend. The site visit for Needham Mews has been scheduled for October 11, 2012 at 10 AM. Please notify me promptly if any representatives of your office or if other Local Boards plan to attend the scheduled site visit.

Please note that if and when an application is submitted for a comprehensive permit, assistance is available to Needham's Zoning Board of Appeals (ZBA) to review the permit application. The Massachusetts Housing Partnership's (MHP) *Ch. 40B Technical Assistance Program* administers grants to municipalities for up to \$15,000 to engage qualified third-party consultants to work with Needham's ZBA in reviewing the Chapter 40B proposal. For more information about MHP's technical assistance grant visit MHP's web site, [www.mhp.net/40B](http://www.mhp.net/40B) or e-mail MHP at [communityinfo@mhp.net](mailto:communityinfo@mhp.net). Also available at MHP's web site are the "Local 40B Review and Decision Guidelines" that were released in November 2005 to provide guidance to local officials as they review comprehensive permit applications. The Chapter 40B regulations and accompanying guidelines issued by DHCD, however, take legal precedence over the MHP guidelines.

If you have any questions, please do not hesitate to telephone me at (617) 854-1880.

Thank you for your assistance.

Sincerely,



Gregory P. Watson, AICP  
Manager of Comprehensive Permit Programs

cc: Lee Newman, Planning Director  
Kate Fitzpatrick, Town Manager



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Hillside Environmental Report
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
The Board will discuss the recently released environmental report regarding the Hillside School site.			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
Report provided previously under separate cover			



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/23/2012**

<b>Agenda Item</b>	Committee Reports
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
	<i>Board members will report on the progress and / or activities of their Committee assignments.</i>		
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	YES	<b>NO</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	YES	<b>NO</b>
	<b>(Describe backup below)</b>		
	None		

**Town of Needham  
Board of Selectmen  
Minutes for September 11, 2012  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:  
Adam Conviser, 348 Hillcrest Road spoke with the Board concerning signage for a new store to be located in the former Friendly's building on Chestnut Street. Mr. Conviser said the pylon on site is important to the new tenant who may terminate the lease if they are not able to use the pylon. Mr. Conviser said permits have been denied by the Design Review Committee and he asked for help from the Board of Selectmen.

Heather Yountz, 7 Hillside Avenue invited the Selectmen to a neighborhood block party on Sunday, September 16, 2012 from 12 p.m. to 6 p.m. on Cricket Field. Ms. Yountz also told the Board 1,367 signatures have been collected from residents opposed to construction of a new school on Cricket Field.

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Introduce Fire Captain and Fire Lieutenant:  
Paul Buckley, Fire Chief appeared before the Board to introduce newly promoted Fire Captain Dennis Condon and newly promoted Fire Lieutenant Peter Cosgrove. Chief Buckley said the Needham Fire Department is experiencing some exciting staffing transitions due to retirements, new recruits, and those newly promoted. He said Fire Captain Condon and Fire Lieutenant Cosgrove have the education, dedication, and experience, and are very deserving of their promotions. Chief Buckley said it is a pleasure to introduce Captain Dennis Condon and Lieutenant Peter Cosgrove. The Board congratulated and thanked Captain Condon and Lieutenant Cosgrove for their service to the community.

7:10 p.m. Continuation Public Hearing - Verizon and NSTAR Petition for Damon Road:  
Ellen Joy, Verizon representative appeared before the Board to continue the hearing opened August 14<sup>th</sup>. Ms. Joy said Verizon and NSTAR are in agreement and will withdraw the petition to install an anchor on Damon Road between houses 112 and 116. She said a new design has been approved by the Town and is satisfactory to all neighbors.

**Motion by Mr. Matthews that the Board of Selectmen re-open the public hearing from August 14<sup>th</sup> and accept the withdrawal of the petition to install an anchor on Damon Road between houses 112 and 116.**  
**Second: Mr. Handel. Unanimously approved 5-0.**

7:15 p.m.

Public Hearing – Verizon and NSTAR Petition for Colby Street:

Ellen Joy, Verizon representative appeared before the Board on a joint petition requesting permission to install one anchor and sidewalk guy at existing Pole #331/7. This work is necessary on Colby Street between house numbers 11 and 21 as the existing guy wire is attached to a tree that is being taken down.

Eleanor and Robert Reilly, 11 Colby Street are concerned the proposal to install an anchor and guy wire will be placed on their property. Mr. Wasserman suggests continuing the public hearing until the next Board of Selectmen meeting on September 18, 2012.

**Motion by Mr. Matthews that the Board of Selectmen vote to continue the public hearing to install one anchor and sidewalk guy at existing Pole #331/7 until 7:00 p.m. on September 18, 2012.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

7:20 p.m.

Board of Health Presentation:

Jane Fogg, Ed Cosgrove, Janice Berns, Carol Reed, and Steve Epstein appeared before the Board to discuss the petition for the law for humanitarian medical use of marijuana. Dr. Fogg explained two issues to consider: (1) Do we believe marijuana is a medicine? (2) Is this law the right vehicle to distribute marijuana, whether or not we believe it is a medicine? Dr. Fogg said research shows marijuana has great potential as a medicinal use, but further research is required to understand potency, dosing, and safety. Dr. Fogg questioned whether the petition for law is the appropriate vehicle to deliver, regardless of ones feelings about marijuana's medicinal value. She said the Board of Health is concerned about the practicality of the law and for this reason the Board of Health cannot support the petition for law as it is written. Dr. Fogg gave a brief overview of how the program would work.

Mr. Borrelli asked for clarification on the distribution centers.

Mr. Matthews thanked the Board of Health for taking the time to do the research and making a presentation. He said a referendum is a right people have in the state with a lot of good, but there are frequently problems with complicated bills, like this one, that appear on the ballot to be decided by the voters in November, many of whom do not even know it is there. He said the positive effort by the Board of Health contributes to the process.

Mr. Handel asked whether there are any states with the program that the Board of Health considers effective with respect to control and avoidance of abuse.

Mr. Borrelli said zoning regulations need to be considered in the future.

Mr. Wasserman asked if there was any evidence regarding effectiveness whether a person takes pills with the compound or actually smokes it.

7:30 p.m.

Appointments and Consent Agenda:

**Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.**

#### **APPOINTMENTS**

No Appointments were made.

#### **CONSENT AGENDA \*=Backup attached**

- 1. Approve and sign integrated collective bargaining agreement between the Town and the Needham Independent Employees Association for fiscal years 2012, 2013 and 2014.**
- 2. Ratify Aly Raisman Proclamation dated August 26, 2012.**
- 3. Accept donations made to the Needham Community Revitalization Trust fund for a bench in memory of Town Meeting Member, Jane Howard: Daniel Howard- \$200, Needham Cares -\$ 500, Pauline Attridge-\$100, Joanne & Peter Roth-\$25.**
- 4.\* Approve a One Day Special All Alcoholic Beverages license request from Michael R. Despres of The Village Club Building, Inc. to hold an Oktoberfest event on September 22, 2012 from 3:00 p.m. to 11:00 p.m. at The Village Club, 83 Morton Street, Needham.**
- 5. Accept the following donations made to the Needham Public Library for the period May 17, 2012- September 5, 2012: Polly Fitzgerald donated \$30.00 in memory of Cpl. Francis Karalewicz; Debbie & Bill Pryor donated 75.00 in memory of Irving Laker; Ann MacFate donated \$250.00 for the purchase of large print books in memory of Irene MacFate; The Needham Community Council gave the library a subscription to Easy English News (\$38.00); Keith and Lynn McClelland donated a copy of Keith's sister's mystery new book, Threaded for Trouble (\$7.99); Lizzy's Ice Cream donated 100 coupons for Summer Reading Club prizes (app. \$200); The library received a \$22,000.00 donation from a donor who wishes to remain anonymous; The Friends of the Needham Public Library made the following donations: \$200.00 in memory of Board Member Jim Fraylick and \$6,000.00 for audiovisual purchases; The Needham Lions Club donated \$500 for the purchase of large print books; Mrs. Raymond F. Keyes donated \$25.00 in memory of Sheila Ryan; Jay and Neeta Wadekar donated a copy of The Age of Ananda: Conscious Evolution to the Life Divine by Kumar S. Sharma (\$18.00); Cynthia Stern donated \$60.00 in memory of Demetria Olga Stern, for the purchase of an adult fiction book and a children's book; Paul Shore donated the following books: ABC Chinese-English Comprehensive Dictionary (\$67.00), and Prisma's Swedish-English and English-Swedish Dictionary (\$60.00); Wendy Porter of Needham Market, England, sent the library a copy of a booklet on the history of Christchurch, Needham Market, on its 350th anniversary; and Michael Stedman donated a copy of his book, A for Argonaut (\$14.99).**
- 6.\* Water & Sewer Abatement Order #1146**

7. **Accept donations and sponsorships made to the Town of Needham in support of the event for Aly Raisman's parade and rally held on August 26, 2012.**
- 8.\* **That the Board vote to approve and authorize the Chairman to sign the RCN Institutional Network Agreement letter between the Town of Needham, RCNBECOCOM, LLC and NSTAR Communications, Inc.**
- 9.\* **Approve minutes from June 26, 2012 (Executive Session) and August 17, 2012 (Open Meeting).**
10. **Grant permission for the following residents to hold a Block Party:**

Name	Address	Party Location	Date	Rain Date	Time
Tina Chin ratify	37 North Hill Avenue	Howe Road	9/8/12		4-11pm
Julie Middleton	74 Henderson St	Henderson St	9/15/12		3-10pm
Stephen Hamburger ratify	76 Grosvenor Rd	Grosvenor Rd	9/8/12	9/9/12	3-8pm
Valerie Maio ratify	15 Park Ave	Park Ave between Greendale & Mercer	9/8/12	9/9/12	12-10pm
Amy Rielly ratify	121 Newell Ave	Newell Ave closer to the intersection of Prospect	9/8/12	9/9/12	4-8pm
Molly Kerrigan ratify	386 Warren St	6-21 Laurel Dr ( Lower Laurel)	9/8/12	9/9/12	4-7pm
Kathleen Phelps ratify	9 Fuller Rd	Fuller Rd	9/8/12	9/9/12	4-9pm
Beata Fernandez	7 Woodledge Rd	Corner Woodledge rd/Highgate to Highgate/Audrey Rd	9/15/12	9/22/12	3-7pm
Lisa Cherbuliez	17 Lindbergh	Lindbergh Ave at bottom of hill, between Manning and Webster	9/15/12	9/16/12	4-8pm 4-7pm
Lisa Greig	83 Valley Road	Valley Road between Peacedale and Norwich	10/27/12	10/28/12	3-6pm
Susan Pouliot	54 Eaton Road	Eaton Rd	9/22/12	9/29/12	3:30-7pm
Liza Berkman	113 Melrose Ave	Park on Melrose/Ellicott	10/13/12	10/14/12	12-5pm
Bill Gallagher	48 Hawthorn Ave	Hawthorn Ave	9/15/12	9/16/12	3-8pm
Randall Deck	45 Bennington St	Bennington St	9/15/12/	9/22/12	4-10pm
Kim Marie Nicols	12 Crescent Rd	Crescent Road between West and Union St	9/23/12		3-7pm
Joanne Crispin	46 Hillcrest	Intersection of 49 Hillside Road & Ingleside Road	9/29/12		1-6pm

Ting & John Sherry	130 Birds Hill Ave	Thornton Road & Bird Hill Ave	9/23/12	9/30/12	4- 6:30pm
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**Second: Mr. Handel. Unanimously approved 5-0.**

7:35 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 4 items to discuss:

1. Charge for Solar Committee

Ms. Fitzpatrick reminded the Board of its goal to explore alternative energy in the Town, particularly solar energy. She recommended the creation of a Solar Energy Exploration Committee to evaluate options and make recommendations to the Board. She asked the Board to support an appropriation for a consultant to answer highly technical questions for the Committee.

**Motion by Mr. Handel that the Board of Selectmen vote to create a solar energy exploratory committee to evaluate options for installing solar technology on public property including specifically the Town's closed landfill site and other parcels or structures, as appropriate. The Exploratory Committee will evaluate options, costs, benefits and implementation and operating considerations, and make recommendations to the Board of Selectmen. The Exploratory Committee shall consist of 7 members. When practicable, the committee should include members with expertise in alternative energy and energy facility installation or management. The Superintendent of Solid Waste and Recycling shall be an additional, ex officio and non-voting member of the Committee.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

2. Senior Center Naming

On behalf of the Council on Aging, Ms. Fitzpatrick asked the Board to consider naming the new facility The Center at the Heights. She said in accordance with the Board's policy, requests for naming must be discussed at one meeting and approved at a future meeting, in order to provide an opportunity for public input.

The Board agreed to vote on the name of the new Senior Center at the next Selectmen's meeting on September 18, 2012.

Mr. Wasserman said a fundraising event to augment town funded amenities will be held at the Needham Golf Club on Wednesday, October 17, 2012.

3. Open Special Town Meeting Warrant

Ms. Fitzpatrick recommended that the Board of Selectmen open the warrant for the Special Town Meeting to be held on October 29, 2012. She reminded the Board it voted to call for the Special Town Meeting on June 26, 2012. She commented because of the holiday observances and election that occur in

November, if a second night of Town Meeting is required, it will likely to be held on Tuesday, October 30<sup>th</sup>. Ms. Fitzpatrick reviewed the articles in the warrant, noting there could be changes by the next Selectmen meeting on September 18, 2012.

**Motion by Mr. Bulian that the Board of Selectmen vote to open the warrant for the Special Town Meeting to be held on October 29, 2012.**

**Second: Mr. Handel. Unanimously approved 5-0.**

4. Fiscal Year 2014 – 2018 Pro Forma Budget

Ms. Fitzpatrick and David Davison, Assistant Town Manager/Finance provided the Board with an overview of the five year, pro forma budget analysis for fiscal years 2014-2018. Ms. Fitzpatrick asked Mr. Davison to speak about the general conditions the Town may face in the next five years, address the projected budget gap, and answer any questions the Board may have. Mr. Davison presented the Selectmen with the “Town of Needham General Fund Revenue and Expense FY2014-FY2018 Pro Forma” and reviewed Revenues, Property Taxes and Local Receipts, and State Aid, as well as other items.

The Board noted the amount of work put into the presentation and thanked Mr. Davison for his efforts.

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8:45 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

8:50 p.m. Executive Session (Exception 2):

**Motion by Mr. Handel that the Board of Selectmen vote to enter into Executive Session.**

**Exception 2 – To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, not to return to open session prior to adjournment.**

**Second: Mr. Bulian. Mr. Wasserman polled the Board. Unanimously approved 5-0.**

A list of all documents used at this Board of Selectmen meeting are available at:

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

Note: The meeting adjourned at 9:00 p.m.

**Town of Needham  
Board of Selectmen  
Minutes for September 18, 2012  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing NSTAR – Pershing Road:  
Maureen Carroll, NSTAR representative, appeared before the Board requesting permission to install approximately 33 feet of conduit at Pole 229/1 on Pershing Road, Needham.

**Motion by Mr. Handel that the Board of Selectmen approve and sign petition from NSTAR to install approximately 33 feet of conduit at Pole 229/1 on Pershing Road, Needham. This work is necessary to relocate existing overhead service to underground at 4 Pershing Road, Needham.**  
**Second: Mr. Bulian. Unanimously approved 5-0.**

7:00 p.m. Public Hearing Verizon and NSTAR – Colby Street (continuation)  
Maureen Carroll, NSTAR representative, appeared before the Board to continue Verizon and NSTAR's joint hearing opened September 11<sup>th</sup>, 2012. Ms. Carroll said Verizon and NSTAR will be withdrawing the petition to install one anchor and sidewalk guy at existing Pole #331/7 on Colby Street between houses 11 and 21. Ms. Carroll said a new design has been agreed upon.

**Motion by Mr. Handel that the Board of Selectmen re-open the public hearing from September 11<sup>th</sup> and accept the withdrawal of the petition to install one anchor and sidewalk guy at existing Pole #331/7 on Colby Street between houses 11 and 21.**  
**Second: Mr. Bulian. Unanimously approved 5-0.**

7:05 p.m. Introduction of Deputy Director, West Suburban Veterans' District:  
Christopher Coleman, ATM/Director of Operations, and Stanley Spear, Director, West Suburban Veterans' District appeared before the Board to introduce Matt Ching, the newly appointed Deputy Director of Veterans' Services. Mr. Coleman gave a brief background concerning the creation of the West Suburban Veterans' District. He said the District has grown and administrative services have expanded, requiring a new Deputy Director. Mr. Spear said he is pleased to work with Mr. Ching and that he is an asset to the District.

The Board welcomed and congratulated Mr. Ching on his new position.

7:10 p.m.

Consent Agenda and Appointments:

**Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.**

**APPOINTMENTS**

**No appointments were made.**

**CONSENT AGENDA \*=Backup attached**

- 1. Approve and authorize the Chairman to sign the Fire Chief's Employment Agreement for calendar years 2012, 2013 and 2014.**
- 2. Approve request from Park and Recreation Commission to host their annual "Spooky Walk" on Saturday, October 20th, 2012 which commences on Town Common at 10:45am, with a rain date for Saturday, October 27th, 2012.**
- 3.\* Approve a One Day Special All Alcoholic Beverages license request from Ed Davis of St. Sebastian's School to hold an Alumni Dinner event on October 25, 2012 from 6:00 p.m. to 10:00 p.m. in Ward Hall at St. Sebastian's School, 1191 Greendale Avenue, Needham.**
- 4. In accordance with Section 3.12 of the Needham General By-laws, provide consent to the discharge of bow and arrow as part of programs sponsored by the Park and Recreation Commission including the Outdoor Living Adventure program held at Ridge Hill and archery lessons held at the quarry area of Claxton Field.**
- 5. Accept donations made to the Needham Community Revitalization Trust fund for a bench for Town meeting member Jane Howard: Tedi Eaton- \$50, Mary & Lewis Ostrofsky- \$ 65.**
- 6.\* Approve minutes of August 14, 2012 (Open Meeting), and August 28, 2012 (Executive Session).**
- 7. Approve and sign integrated Collective Bargaining Agreement between the Town and the Needham Independent Town Workers Association.**
- 8.\* Approve a One Day Special Wines & Malt Beverages license request from Laura Schindler of Century 21 Commonwealth to host a Monte Carlo night to benefit the Easter Seals on September 29, 2012 from 7:00 p.m. to 11:00 p.m. at the Needham Village Club, 83 Morton Street, Needham.**
- 9.\* Approve a One Day Special Wines & Malt Beverages license request from Laura Schindler of Needham Junior Football & Cheerleading to hold a "Dance Party" event on October 6, 2012 from 7:00 p.m. to 11:00 p.m. at the Village Club, 83 Morton Street, Needham.**
- 10.\* Water and Sewer Abatement Order #1147**
- 11.\* Approve a request from Gerard Chisholm, of the American Legion in Canton, who is organizing the "Tony Andreotti" Veterans Charity Motorcycle Ride to have a portion of its ride to go through Needham. The event is scheduled to be held on Sunday, September 23, 2012. The ride is expected to be in Needham at 12:15 p.m. and be out of Needham by 12:50**

**p.m. The route that the riders will take through Needham has been approved by the following departments: DPW, Police, Fire, and Park and Recreation.**

**12. Grant permission for the following residents to hold a Block Party:**

Name	Address	Party Location	Date	Rain Date	Time
Lauren Kinghorn	165 South St	Corner of Needhamdale & Green	8/22/12	10/13/12	3-9pm
Beth Garceau	98 Wilshire Park	Wilshire Park	9/30/12		3-8pm
Ginger Finelli	62 BroadMeadow	Broad Meadow Rd.	9/22/12		2-8pm
Chrissy McCourt	181 Richdale Rd	Richdale Road	10/27/12		3-7pm
Lisa Kaplan	8 Bonwood Rd	Intersection of Avalon & Bonwood Rd	9/22/12	9/30/12	1-4pm
James Rochford	74 Rolling Lane	Rolling Lane	9/29/12	9/30/12	2:30-6pm
Sarah Berney	30 Mayo Ave	Mayo Avenue	9/23/12		3-6pm
Dale McCarthy	72 Stevens Road	Stevens Road	10/8/12	10/14/12	4-7pm
Jill Oetheimer	75 Coolidge Ave	Coolidge Ave	9/23/12	9/30/12	4-6pm
					4-7:30pm

**Second: Mr. Handel. Unanimously approved 5-0.**

7:10 p.m.

**RTS ad hoc Super Committee Report:**

Jeff Heller, Chairman and members of the Super Committee appeared before the Board to make its first report. Mr. Heller said the Committee first met on June 28, 2012 and has met throughout the summer every two weeks to discuss the framework for making recommendations to the Board of Selectmen. He said the Committee has reviewed past documentation of RTS operations, as well as the budget. He told the Board the Committee developed a survey which was distributed to 14 communities, and is in the process of collecting and evaluating data. Mr. Heller said the Committee is considering measures to make immediate changes to ensure short term sustainability. Such recommendations, he said would be made in time for the FY2014 budget. He commented the second phase of the Committee's work includes a review of the operational and service practices at the RTS. Recommendations, he said, would be made to the Board of Selectmen at a later date.

Mr. Matthews said he is interested in ideas brought forward by the Committee. He said Needham is unique in that it is the largest town in the state with drop-off solid waste disposal. He agrees the system works well for the Town, but suggests it may be beneficial to go back to a system with direct tax support to the operation of the RTS.

Mr. Borrelli said the feedback is very important. He asked whether there were any glaring issues that need to be tackled. He also suggested a review of the current schedule the RTS is open, the minimum scale fees, and handling of construction materials.

Mr. Wasserman commented Needham does a great job recycling and it is something the Town wants to keep doing, even if it means providing funding from the Town. He said all residents benefit in some way by having the RTS.

The Board thanked the RTS ad hoc Super Committee for its report.

7:40 p.m.

Sign Notice of Traffic Regulation – High Rock Street:

Richard P. Merson, DPW Director appeared before the Board with a request from the Traffic Management Advisory Committee (TMAC) for a no parking zone to be established on High Rock Street in order to provide adequate clearance for vehicular traffic.

**Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P12-09-18 for High Rock Street, Parking Prohibited, Both sides from Tolman Street to Central Avenue, No Parking, April 1 to October 31.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

7:50 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager, appeared before the Board with 6 items to discuss:

1. The Center at the Heights – Naming Request

On behalf of the Council on Aging, Ms. Fitzpatrick requested that the Board of Selectmen name the new facility The Center at the Heights.

**Motion by Mr. Handel that the Board vote to approve the name of the new facility The Center at the Heights.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

2. Accept and Refer Zoning Amendment

Ms. Fitzpatrick said the Planning Board voted to place two articles on the warrant for the October 29, 2012 Special Town Meeting: 1. Amend Zoning By-law: Height Limitation Exceptions and 2. Amend Zoning By-law: Minimum Side and Rear Line Setbacks for Accessory Structures. She commented the Board has 14 days to accept the proposed amendment and refer the amendment back to the Planning Board for its review, hearing, and report. She said the Board's action in this matter is ministerial, and that the Board's decision and discussion on recommendations of the actual content of the article will be in October.

**Motion by Mr. Handel that the Board vote to accept the proposed zoning amendment and to refer the matter to the Planning Board for review, public hearing, and report.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

3. Greene's Field Improvement Project Fundraising Plan

Ms. Fitzpatrick said the Greene's Field Fundraising Committee has proposed a fundraising plan to raise funds for the Greene's Field improvement project. She said the Committee is planning for the inclusion of donor names on plaques and/or pathway planks (or boards) through contribution levels made by

individuals or organizations. She said the Committee is focused on raising \$50,000 for the play structure. She commented the Committee is really raising funds for the entire park, and are hoping to raise an additional \$50,000 to help pay for additional features in the park, including shade, benches, and other items.

**Motion by Mr. Handel that the Board of Selectmen vote to approve the fundraising plan proposed by the Greene's Field Fundraising Committee.  
Second: Mr. Bulian. Unanimously approved 5-0.**

4. Cross Access and Parking Easement Agreement & Memorandum of Agreement – Needham Bank Eaton Square Project

Ms. Fitzpatrick reminded the Board the Needham Bank will soon begin its expansion project. She commented the project includes 85 parking spaces for municipal parking on Town property and the Bank's property. She said parking on Bank property will be available to the public during the times that the Bank is closed. In addition, she said the Agreement provides easements to both parties for access and maintenance, and it grants an easement to the Town to maintain a pedestrian plaza between the Bank and the MBTA right of way. She told the Board the bank will reconstruct the parking lot and construct the pedestrian plaza.

**Motion by Mr. Handel that the Board of Selectmen vote to approve and sign the Cross Access and Parking Easement Agreement and Memorandum of Understanding with Needham Bank.  
Second: Mr. Bulian. Unanimously approved 5-0.**

5. Close Special Town Meeting Warrant

Ms. Fitzpatrick told the Board the Town received two Citizen's Petitions for inclusion in the Warrant. She recommended the Board close the warrant subject to usual technical corrections, and authorize the removal of the article titled 'Appropriate for Salt Shed Construction'.

**Motion by Mr. Borrelli that the Board of Selectmen vote to close the warrant for the Special Town Meeting to be held on October 29, 2012, subject to technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel, and further that the Board vote to authorize the Town Manager to remove the article entitled "Appropriate for Salt Shed Construction" based on information to be confirmed with MassDOT and Bond Counsel, and further that the Board vote to include in the warrant any Citizen's Petitions filed by 5:00 p.m. on Tuesday, September 18, 2012 that are certified by the Town Clerk.  
Second: Mr. Handel. Unanimously approved 5-0.**

6. Preliminary Facility Financing Plan Revision Discussion

Ms. Fitzpatrick presented the Board with the "Town of Needham Facility Financing Plan Update for the General Fund". She said the plan includes items recommended for funding in the FY2013-FY2017 Capital Improvement Plan, a

minor amendment to the Pollard boiler project, and includes a placeholder for property acquisition. Mr. Davison reviewed the Financing Plan with the Board.

8:25 p.m. Board Discussion:

1. Call for Special Town Election

The Board discussed the possibility of calling for a special election to be held simultaneously with the Presidential election on November 6, 2012 for the purpose of presenting to the voters the question relative to the sale of alcohol to be drunk off premises. Mr. Wasserman said the Town has been notified by the Office of the Secretary of State that inclusion of the question on the State ballot is not possible.

**Motion by Mr. Handel that the Board call for a special election to be held on November 6, 2012 and to request that the Town Clerk place the following question on the ballot: "Shall the licensing authority in the Town of Needham be authorized to grant licenses for both the sale of all alcoholic beverages in packages not to be drunk on the premises and the sale of wine and malt beverages in packages not to be drunk on the premises?"**

Yes

No

**PACKAGE STORE LICENSES BALLOT SUMMARY**

**This ballot question asks the voters of the Town of Needham if they will authorize the Board of Selectmen to issue licenses for the sale of alcoholic beverages not to be drunk on the premises ("package store licenses"). The question shall be approved if a majority of the votes cast are in the affirmative. The licenses shall be subject to the provisions of Massachusetts General Laws, Chapter 138, the General Laws regulating licenses for the sale of alcoholic beverages, except that:**

**a. The Selectmen may establish the days and hours the license may operate, and b. The number of licenses shall be limited to six until January 1, 2018, and eight thereafter. At no time shall there be more than six licenses for sale of all alcoholic beverages, the remaining licenses shall be limited to wine and malt beverages."**

**Second: Mr. Matthews. Unanimously approved 5-0.**

A list of all documents used at this Board of Selectmen meeting are available at:

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

Executive Session (Exceptions 6 and 3)

**Motion by Mr. Handel that the Board of Selectmen 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 litigation position of the public body and the chair so declares; and**

**Exception 6 – To consider the purchase, exchange, lease, or value of real property 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 prior to adjournment.**

**Second: Mr. Bulian. Mr. Wasserman polled the Board. Unanimously approved 5-0.**

Note: Meeting adjourned at 9:00 p.m.

**Town of Needham  
Board of Selectmen  
Minutes for October 2, 2012  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Gerald A. Wasserman. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Mr. Matthews arrived at 7:03 p.m.

7:00 p.m. Public Hearing – NSTAR Petition for 221 Great Plain Avenue:  
Maureen Carroll, NSTAR representative, appeared before the Board requesting permission to install approximately 11 feet of conduit on Great Plain Avenue. This work is necessary to provide underground electric service for a new house at 221 Great Plain Avenue.

**Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 11 feet of conduit at Pole 3/40 on Great Plain Avenue, Needham. This work is necessary to provide underground electric service for a new house at 221 Great Plain Avenue, Needham.**

**Second: Mr. Handel. Unanimously approved 4-0.**

7:00 p.m. Public Hearing – NSTAR Petition for 1362 Great Plain Avenue:  
Maureen Carroll, NSTAR representative, appeared before the Board requesting permission to install approximately 6 feet of conduit on Great Plain Avenue. This work is necessary to provide underground electric service for a new house at 1362 Great Plain Avenue, Needham.

**Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from NSTAR to install approximately 6 feet of conduit at Pole 11/17 on Great Plain Avenue, Needham. This work is necessary to provide underground electric service for a new house at 1362 Great Plain Avenue, Needham.**

**Second: Mr. Handel. Unanimously approved 4-0.**

7:05 p.m. Consent Agenda:  
**Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.**

**APPOINTMENTS No Appointments were made**

**CONSENT AGENDA \*=Backup attached**

- 1.\* **Water and Sewer Abatement Order #1148**
- 2.\* **Sign the Warrant for the State Election Warrant and the Special Town Election Warrant scheduled for November 6, 2012.**
3. **Accept donations made to the Needham Community Revitalization Trust fund for a bench in memory of Town Meeting Member, Jane Howard: Maryruth & Richard Perras- \$100, Needham Women's Club- \$150.**
4. **Ratify a change in Event Manager for a Special One Day Liquor license from Laura Schindler of Century 21 Commonwealth to Mike Despres of the Village Club. The event is a Monte Carlo night scheduled for Saturday, September 29, 2012 from 7:00 p.m. to 11:00 p.m. at The Village Club, 83 Morton Street, Needham. The original license was approved at the September 18, 2012 BOS meeting.**
5. **Approve a change in Event Manager for a Special One Day Liquor license from Laura Schindler of the Needham Junior Football and Cheerleading to Mike Despres of the Village Club. The event is a Dance Party scheduled for Saturday, October 6, 2012 from 7:00 p.m. to 11:00 p.m. at The Village Club, 83 Morton Street, Needham. The original license was approved at the September 18, 2012 BOS meeting.**
6. **Accept a \$500 donation made to The Needham Health Department's Gift of Warmth fund from Missions & Outreach Ministry, The First Baptist Church in Needham.**
7. **Grant permission for the following residents to hold a Block Party:**

Name	Address	Party Location	Date	Rain date	Time
Beth Reilly	52 Fairfield	52 Fairfield	10/13/12		1-6pm
Heidi Wiesel	46 Ware Road	Ware Road	10/27/12		2-6pm
Kimberly Christie (ratify)	179 Harris Ave	Pinewood Road	9/29/12		3-7pm
Bruce Patz (ratify)	39 Woodbine Circle	Fay Lane	9/23/12	9/30/12	3:30-7pm
Liz Lawlor (ratify)	76 Howland St	Howland St/Pleasant T	9/29/12	10/1/12	3-6pm
Karen Kopf	55 Walnut St	Walnut St between Henderson & Willow St	10/6/12		2-8 pm
Barbara Mason (ratify)	45 Washington St	In front of 45 Washington St	9/29/2012	9/30/12	4-8pm

**Second: Mr. Handel. Unanimously approved 5-0.**

7:05 p.m. Introduction of Division Superintendent, Solid Waste and Recycling:

Rick Merson, Director of Public Works appeared before the Board to introduce the Town's new Solid Waste and Recycling Superintendent, Ann Dorfman. Mr. Merson gave a brief overview of the selection process. Ms. Dorfman told the Board she has been in the recycling field since the 1990's, holding various positions in Newton, Waltham, Concord, and at the Massachusetts DEP.

Mr. Wasserman noted the challenges and opportunities ahead for the Solid Waste and Recycling Center, and said he is glad to have Ms. Dorfman on board. The Board welcomed Ms. Dorfman and wished her well in her new position.

7:15 p.m.

Legislative Update:

Denise Garlick, State Representative, updated the Board as to the Legislative accomplishments over the past two years, and a forecast for the year ahead. Ms. Garlick introduced Amanda Bernardo, Legislative Director for her office and stated Ms. Bernardo is a graduate of Needham High School and Loyola University.

Ms. Garlick said she is proud of the work done by the State of Massachusetts. She noted the State has the second lowest unemployment rate in the nation and the highest bond rating at any time in the Commonwealth's history. She said local aid for cities and towns was higher in FY13 than in past years. She said this has been done without adding any new taxes or fees. She commented the state has closed a \$1.3 billion budget gap this year and passed the Massachusetts budget in the House of Representatives with only four dissenting votes. She said the State has increased funding for elder protective services, substance abuse services, veteran services, and increased oversight on community colleges.

Ms. Garlick spoke about the impact on the Town of Needham. She noted the health care reform bill, and said she is the only representative to serve on both the Joint Committee on Public Health and the Joint Committee on Health Care Financing. She said it has been a tremendous opportunity to see bills from inception reach the floor of the House of Representatives and have input about the Town of Needham in the process.

Ms. Garlick said it was clear this legislative cycle was going to focus on jobs, economic development, and healthcare costs. Ms. Garlick focused on the healthcare bill "An Act Improving the Quality of Healthcare and Reducing Costs through Increased Transparency, Efficiency, and Innovation." She commented 98% of the people in the Commonwealth are insured, but costs have spiraled upward. Ms. Garlick also worked on workforce protection, and prohibition of mandatory overtime for nurses, except in emergencies, both of which are in the bill.

Ms. Garlick said she also worked on a transportation bill and the issues of the MBTA, particularly trying to save bus 59 and Saturday service. She said the Saturday service was not able to be preserved, but service on bus 59 was saved.

She commented Secretary Davey has committed to continue to look at the MBTA commuter rail service in Needham. Ms. Garlick said she is also working on funding for the expansion of the Needham Street/Highland Avenue Corridor. In addition, she said \$250,000 has been authorized, but not yet appropriated, for the Needham/Dover/Medfield Rail Trail.

Ms. Garlick spoke about the Community Preservation Act, the Valor Act, and Home Rule Petitions. She reported the Valor Act has been passed. She commented on the Alcohol Law Referendum and said she was able to get support from colleagues to expedite the bill. She told the Board the Town received \$100,000 in state money for the new Senior Center. Ms. Garlick also commented on the NSTAR issue of maintaining vegetation underneath transmission lines.

The Board thanked Ms. Garlick for the many accomplishments on behalf of the Town of Needham. Mr. Matthews praised Ms. Garlick for her work concerning the NSTAR issue. Mr. Bulian thanked Ms. Garlick for her work and said he is particularly interested in the first use of Community Preservation money for the renovation of Greene's Field. Mr. Borrelli commended Ms. Garlick on her many accomplishments for the Town of Needham.

7:55 p.m.

Community Preservation Committee Proposals under Review:

Janet Bernardo, Vice Chairman, Community Preservation Committee and Patty Carey, Director of Park and Recreation appeared before the Board with an update on each of the projects currently under review by the Community Preservation Committee for the October 29, 2012 Special Town Meeting.

Ms. Bernardo gave a brief overview of the three projects including a new home on South Street, renovation of Greene's Field in Needham, and the Bay Colony Rail Trail Engineering Study.

Mr. Wasserman said he and the Board appreciate the work that has been done in order to get the three projects ready for Special Town Meeting.

8:05 p.m.

Citizens' Petitions on STM Warrant:

Tom Connors, Proponent and Linda Hughes, member of Friends of the Needham Rail Trail Way appeared before the Board to discuss the petitions he submitted for inclusion in the warrant for the October 29, 2012 Special Town Meeting.

Mr. Connors briefly explained the petitions, one for a Bicycle and Pedestrian Advisory Committee and one for a Rail Trail Committee. Mr. Connors said there is a great economic opportunity to have a rail trail in the community and spoke specifically of a rail trail from Needham Heights to Newton.

Mr. Bulian said he is not opposed to a northern trail, but is not in favor of it at this time. He commented a northern trail is something that could be considered at a later time. Mr. Handel said the Town is working on transit connections to the

New England Business Center prior to looking at a northern section rail trail. Mr. Matthews said he is not in agreement with the two articles for inclusion in the warrant for STM. Mr. Borrelli said the project does have merit, but not at this time. Mr. Wasserman said public transportation is essential in that area of Needham, but more answers are needed prior to committing to building a rail trail. The Board thanked Mr. Connors for his work.

8:30 p.m.

Zoning Articles on STM Warrant:

Jeanne McKnight, Planning Board and Lee Newman, Director of Planning and Community Development appeared before the Board to explain the basis for the two zoning articles included in the October 29, 2012 Special Town Meeting.

Ms. McKnight explained the two articles in the Special Town Meeting warrant: "Amend Zoning By-Law – Minimum Side and Rear Line Setbacks; Accessory Structures" and "Amend Zoning By-Law – Height Limitation Exceptions.

The Board thanked Ms. McKnight and Ms. Newman for their presentation.

8:40 p.m.

Permission to Encroach into Sewer Easement – Dale Street:

Richard P. Merson, DPW Director told the Board the property owner for 9-11 and 15-17 Dale Street and 206 and 214 West Street is requesting permission to construct on (within) an existing sewer easement that traverses the properties. He said if the encroachment into the Town's sewer easement is approved, the owner may start construction of houses within the easement once building permits are issued and will relocate the existing sewer to an approved location in Dale Street. He commented once the sewer main has been relocated into Dale Street, the property owner will seek approval to abandon the existing sewer easement in order to remove the encumbrances on the properties. Mr. Merson said all costs are being borne by the developer and that he is not aware of any potential liability to the Town. He said the sewer system is being properly protected and work is being inspected.

**Motion by Mr. Handel that the Board vote to approve the requested encroachments into the existing sewer easement as shown on the attached Proposed Utility Connection Plan.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

8:45 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 5 items to discuss.

1. Approve MOA/Fire Union

Ms. Fitzpatrick told the Board the Town and the Needham fire union has reached agreement on a collective bargaining agreement for FY2013 and FY2014 through FY2016. She asked that the Board approve the agreement.

**Motion by Mr. Handel that the Board of Selectmen approve and sign the Memorandum of Agreement between the Town and the Needham Fire Union**

for Fiscal Year 2013 and Fiscal Years 2014-2016.  
Second: Mr. Bulian. Unanimously approved 5-0.

2. Determination of Unique Status/51 Lincoln Street

Ms. Fitzpatrick reminded the Board the Town has identified a parcel for acquisition that is proposed for funding in the October 29, 2012 Special Town Meeting. She commented a public procurement process is not required if the Board of Selectmen determines that advertising will not benefit the Town's interest because of the unique qualities of the parcel. She asked the Board determine, because of the unique qualities of the location, that advertising is not required.

**Motion by Mr. Handel that the Board vote to determine that in the case of the proposed acquisition of 51 Lincoln Street, advertising will not benefit the Town's interest because of the unique qualities of the location of the property needed. This determination is made on the basis that the property abuts the Police and Fire operations, and is nearby public parking lots and may be used for municipal parking.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

3. CPA Priorities

Ms. Fitzpatrick outlined for the Board a list of potential projects to be funded with CPA funds given the recent change in the Legislation. She said stakeholders are working with the Community Preservation Committee to develop a draft funding plan for future projects. The Board reviewed "Proposed List of CPA Priorities, October 2012" encompassing projects the Town may pursue in the next 5 to 10 year period.

4. Sewer Rate Relief Application

Dave Davison, ATM/Finance and Evelyn Poness, Town Treasurer/Collector appeared before the Board asking it to approve the FY 2013 Sewer Rate Relief Application.

**Motion by Mr. Handel that the Board of Selectmen approve and execute the FY2013 Sewer Rate Relief Application.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

5. Town Manager Report

No report was made.

9:00 p.m.

Board Discussion:

1. Positions on Warrant Articles

The Board took positions on the October 29, 2012 Special Town Meeting Warrant Articles.

**Motion by Mr. Bulian that the Board vote to recommend adoption of Article 1 – Fund Collective Bargaining Agreement – Fire Union in the Special Town Meeting Warrant.**

**Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Matthews that the Board vote to recommend adoption of Article 2 – Accept The Provisions of Chapter 176 of the Acts of 2011/Supplemental Pension Allowance in the Special Town Meeting Warrant.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

**Motion by Mr. Matthews that the Board vote to recommend adoption of Article 3 – Appropriate for Solar Energy Feasibility Study in the Special Town Meeting Warrant.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

Article 4 – Defer.

**Motion by Mr. Bulian that the Board vote to recommend adoption of Article 5 – Rescind Debt Authorizations in the Special Town Meeting Warrant.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

**Motion by Mr. Handel that the Board vote to recommend adoption of Article 6 – Amend Zoning By-Law – Height Limitation Exceptions in the Special Town Meeting Warrant.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

**Motion by Mr. Handel that the Board vote to recommend adoption of Article 7 – Amend Zoning By-Law – Minimum Side and Rear Line Setbacks: Accessory Structures in the Special Town Meeting Warrant.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

Article 8 – Defer.

Article 9 – Defer.

Article 10 – Defer.

Article 11 – Defer.

Article 12 – Defer.

Article 13 – Defer.

**Motion by Mr. Matthews that the Board vote to recommend adoption of Article 14 – Appropriate for Public Works Infrastructure Program in the Special Town Meeting Warrant.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

Article 15 – Defer.

Article 16 – Defer.

**Motion by Mr. Matthews that the Board vote to recommend adoption of Article 17 – Appropriate for Property Acquisition in the Special Town Meeting Warrant.**

**Second: Mr. Handel. Unanimously approved 5-0.**

The Board discussed the possibility of rearranging the order of the articles in the Special Town Meeting warrant. Mr. Borrelli said he is concerned large capital items are discussed and voted on too late in the evening. Mr. Wasserman said the order of the articles was discussed last year and said more time is needed before making any change. The Board agreed to keep the order of the articles as listed.

2. Committee Reports: No reports were made.

9:10 p.m.

Executive Session (Exceptions 3 & 6):

**Motion by Mr. Handel that the Board of Selectmen 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 litigation position of the public body and the chair so declares; and**

**Exception 6 – To consider the purchase, exchange, lease, or value of real property 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 prior to adjournment.**

**Second: Mr. Bulian. Mr. Wasserman polled the Board. Unanimously approved 5-0.**

A list of all documents used at this Board of Selectmen meeting are available at:

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

**(Note: The meeting adjourned at 9:35 p.m.)**

**Town of Needham  
Board of Selectmen  
Minutes for October 9, 2012  
Needham Town Hall**

4:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Gerald A. Wasserman. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Assistant Town Manager David Davison, and Recording Secretary Nikki Witham. Mr. Borelli arrived at 4:10 p.m.

4:00 p.m. Consent Agenda:  
**Motion by Mr. Handel that the Board of Selectmen vote to accept the Consent Agenda as presented.**

**CONSENT AGENDA**

1.*	Sign corrected State Election Warrant for election on November 6, 2012.
-----	-------------------------------------------------------------------------

**Second: Mr. Bulian. Unanimously approved 4-0.**

4:05 p.m. Approve Sale of Bonds and Notes:  
Dave Davison ATM/Finance Director and Evelyn Poness, Treasurer appeared before the Board to review the results of the bond sale and discuss the S&P rating.

**Motion A**

**Mr. Matthews made a motion to approve the sale of the \$12,244,000 General Obligation Municipal Purpose Loan of 2012 Bonds of the Town dated October 15 (the "Bonds"), to Morgan Stanley & Co., LLC at the price of \$13,095,144.30 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on July 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:**

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2013	\$919,000	2.00%	2023	\$510,000	4.00%
2014	910,000	2.00	2024	510,000	2.00
2015	905,000	3.00	2025	505,000	2.00
2016	900,000	3.00	2026	505,000	2.00
2017	740,000	3.00	2027	500,000	2.25
2018	590,000	4.00	2028	500,000	2.25
2019	590,000	4.00	2029	500,000	2.25
2020	590,000	4.00	2030	500,000	2.50
2021	590,000	4.00	2031	445,000	3.00

2022            590,000                            4.00                            2032            445,000                            3.00

**Motion B**

Mr. Matthews made a motion to approve the sale of a \$5,008,000 1.50 percent General Obligation Bond Anticipation Note of the Town dated October 15, 2012, and payable July 2, 2012 (the "Note"), to Mitsubishi UFJ Securities (USA), Inc. at par and accrued interest plus a premium of \$46,223.84.

**Motion C**

Mr. Matthews made a motion to approve the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 25, 2012 and a final Official Statement dated October 3, 2012 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

**Motion D**

Mr. Matthews made a motion to approve the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 26, 2012, and a final Official Statement dated October 3, 2012, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

**Motion E**

Mr. Matthews made a motion to approve that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

**Motion F**

Mr. Matthews made a motion to approve that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and Significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Note, as applicable, for the benefit of the holders of the Bonds and Note from time to time.

**Motion G**

**Mr. Matthews made a motion to approve that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes.**

**Motion H**

**Mr. Matthews made a motion to approve that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

It is noted that Tedi Eaton, Town Clerk, was in attendance to witness the vote.

Mr. Davison updated the Board on the Newman Playground project. Several Needham residents appeared before the Finance Committee last week speaking about a shortfall of \$30,000 in fundraising to purchase playground equipment. The Finance Committee is receptive to helping with the cost. The issue was whether or not the Town could participate in the private process. The Town can purchase playground equipment and can do so without going through procurement because the vendor that the equipment will be purchased from is on the state contract. Since public money is involved, if parents choose to install the equipment themselves, they do not have to follow prevailing wage. If they decide to go with a contractor, they are subject to prevailing wage which could change the cost. Patty Carey, Director of Park and Recreation, will be working with Mary Kelly from the Newman Playground Committee and the vendor who is selling the equipment to the Town.

4:24 p.m.

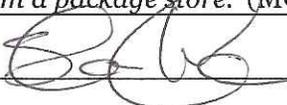
Adjourn:

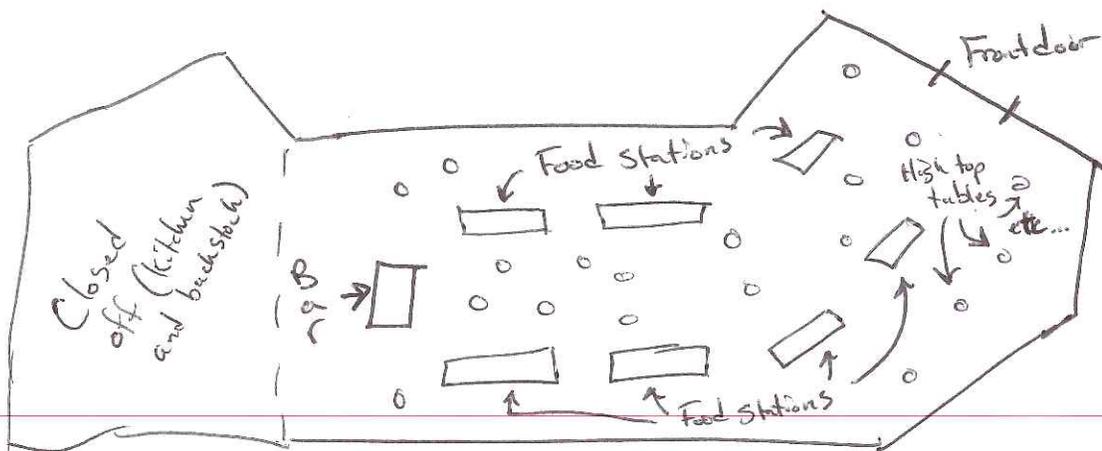
**Motion by Mr. Matthews that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of October 9, 2012.**

**Second: Mr. Bulian. Unanimously approved 5-0.**

A list of all documents used at this Board of Selectmen meeting are available at:  
<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=Recent>

**ONE DAY SPECIAL LICENSE  
TOWN OF NEEDHAM BOARD OF SELECTMEN  
EVENT INFORMATION SHEET**  
*(Please complete and attach event flyer or other information.)*

Event Manager Name (Name that will appear on license)	Steve Volante		
Event Manager Address	226 Brookside Rd		
Event Manager Phone Number	781-964-1821		
Organization Representing (if applicable)	Volante Farms		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input type="checkbox"/> Non-profit	<input checked="" type="checkbox"/> For profit	
	<input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Food Sol Closing Reception		
Date of Event	October 23, 2012		
License is for Sale of:			
<input checked="" type="checkbox"/> Wines & Malt Beverages Only			
<input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	TO:	
	7pm	11pm	
Are tickets being sold in advance for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO
Is there an admission fee for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
How many people are you expecting at this event?	125		
Name & address of event location. Please attach proof of permission to use this facility.			
292 Forest St, Needham MA 02492 Volante Farms			
Who will be serving the alcohol to your guests?			
Steve Volante (myself)			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
" " over for tips card			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
Guests will purchase alcohol from the bar indicated on the floorplan (attached)			
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:			Date:
			10/5/12



**IMPORTANT:** Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.

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s, or  
you

**TIPS**  
TIPS On Premise 2.0 SSN: XXX-XX-XXXX  
Issued: 7/31/2012 Expires: 7/31/2015  
ID#: 3285670 D.O.B.: XXXXX/XXXX

Steven Volante  
Volante Farms  
799 Central Ave  
Needham, MA 02492-2013

For service visit us online at [www.gettips.com](http://www.gettips.com)

**ONE DAY SPECIAL LICENSE  
TOWN OF NEEDHAM BOARD OF SELECTMEN  
EVENT INFORMATION SHEET**

10/2 flyer  
floor plan  
TIPs cert.

*(Please complete and attach event flyer or other information.)*

Event Manager Name (Name that will appear on license)	Kathryn Lozano	
Event Manager Address	463 Great Plain Ave Needham, MA 02492	
Event Manager Phone Number	781 444-4400	
Organization Representing (if applicable)	Charles River Y	
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input checked="" type="checkbox"/> Non-profit <input type="checkbox"/> For profit <input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____	
Name of Event	The Y Giving Gala	
Date of Event	11/17/12	11/17/12
License is for Sale of:	<input type="checkbox"/> Wines & Malt Beverages Only <input checked="" type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License	FROM: 6:30pm	TO: 11:00pm
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES \$ 75/per ticket	<input type="checkbox"/> NO
Is there an admission fee for this event?	<input checked="" type="checkbox"/> YES \$ 75/per ticket	<input type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
How many people are you expecting at this event?	200	
Name & address of event location. Please attach proof of permission to use this facility.	Powers Hall Needham Town Hall	
Who will be serving the alcohol to your guests?	Baker's Best Catering	
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	Bartender certification will be supplied by 10/15/12	
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.	Guests will purchase tickets from a Y employee next to the bar and will redeem them for drinks	
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))		
Event Manager Signature:	Kathryn Lozano	Date: 10/4/12



## CERTIFICATE OF COMPLETION

This is to Certify that

**Kathryn Lozano**

has met all training requirements and successfully completed the following course and/or exam.

**SureSell Responsible Alcohol Service Training**

**June 18, 2012**



Authorized Signature

Diversys Learning, Inc.  
1101 Arrow Point Drive, Suite 302  
Cedar Park, TX 78613  
SureSellNow.com



*Please join us*

**CHARLES RIVER Y**

*Giving Gala*

**2012**

ALL of the money raised at this event will proudly support the Y's annual fund, which provides financial assistance to local individuals and families in need in the Charles River YMCA community.

**CHARLES RIVER Y**

*Giving Gala*

**2012**



**A dinner, dance and live auction that  
directly benefits the local community.**

**Saturday, November 17, 2012**

**6:30 P.M.**

**Powers Hall - Needham Town Hall  
1471 Highland Avenue Needham, MA**

Purchase event tickets at the Y's member service desk  
or online today at: [ymcaboston.org/charlesriver/giving-gala](http://ymcaboston.org/charlesriver/giving-gala)



For Calendar Year: 2012

TOWN OF NEEDHAM

APPLICATION FOR A WEEKDAY ENTERTAINMENT LICENSE

The undersigned hereby applies for a Weekday Entertainment License in accordance with the provisions of the statutes relating thereto:

Name of Establishment: MASALA ART

Applicant (must be an individual): VINOD KAPOOR

If Business is a Corporation / Corporate Name and Officers: SAI RESTAURANT, Inc.

If Business is not a Corporation, Name of Owner: -

Address of Establishment: 990 Great Plain Avenue, Needham, MA 02492

Mailing Address: "Same" Telephone Number: -

Email Address: VINOD KAPOOR 1@gmail.com Fax Number: (781)863-8907

Describe the type of entertainment at your Establishment: Karaoke / CD Player / TVS  
Live Singer / Dancers occasionally

Signature of Applicant: [Signature] Date: 10.05.12

*A certificate of insurance showing evidence that the applicant has workers' compensation insurance must be included with this completed application.*

Pursuant to M.G.L. Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

06-164-3522  
Signature of Applicant (Mandatory)

[Signature] VINOD KAPOOR  
By Corporate Officer (If applicable) President  
Sai Restaurant, Inc.

10.03.12  
Date (required)

~~Either a Social Security Number~~  
~~or Federal Identification Number~~  
Must Be Supplied

*This License will not be issued unless this certification clause is signed by the applicant.*

For Calendar Year: 2012



### TOWN OF NEEDHAM

#### APPLICATION FOR LICENSE FOR PUBLIC ENTERTAINMENT ON SUNDAY

The undersigned hereby applies for a License for Public Entertainment on Sunday in accordance with the provisions of the statutes relating thereto:

Name of Establishment: MASALA ART

Applicant (must be an individual): —

If Business is a Corporation / Corporate Name and Officers: SAI RESTAURANT, Inc.

If Business is not a Corporation, Name of Owner: —

Address of Establishment: 990 Great Plain Avenue, Needham,

Mailing Address: "Same" Telephone Number: MA 02492

Email Address: VINODKAPoor 1 @ gmail . com Fax Number: (781) 863-8907

Describe the type of entertainment at your Establishment: Karaoke / CD Played / TVs  
Live Singer / Dancers occasionally

The entertainment above mentioned is to be in keeping with the character of the Lord's Day and not inconsistent with its due observance.

No change to be made in the program without permission of the authorities granting and approving the license.

Signature of Applicant: Vinod Kapoor Date: 10.05.12

*A certificate of insurance showing evidence that the applicant has workers compensation insurance must be included with this completed application.*

Pursuant to M.G.L. Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Signature of Applicant (Mandatory)

Vinod Kapoor  
By Corporate Officer President  
(If applicable) Sai Restaurant, Inc

06-164-3522

10.03.12  
Date (required)

Either a Social Security Number  
 Federal Identification Number  
Must Be Supplied

*This License will not be issued unless this certification clause is signed by the applicant.*

Town of Needham  
Water Sewer Billing System  
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR  
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:		-\$105.75
Water Irrigation:		-\$1,527.24
Water Admin Fees		\$0.00
Sewer Sales:		-\$249.45
Transfer Station Charges:		\$0.00
	Total Abatement:	-\$1,882.44

Order #: 1149  
Read and Approved: 10/18/2012

  
Assistant Director of Public Works 10/18/2012

  
Director of Public Works

For the Board of Selectmen  
Date: 10/23/2012

**Town of Needham  
Water Sewer Billing System  
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
DB	ZAKS	JAMES	34879	1566	56	BARBARA RD	-\$1,527.24	\$0.00	\$0.00	-\$1,527.24	ACC	N
JO	COUNCIL ON AGING (1)						\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N

**Total:           -\$1,882.44**

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

**Legend:**  
 O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.  
 Leak = Leak in house or at spigot that caused loss of water, with proof of repair  
 TWN = Town Project caused damage to private property  
 Equip = Equipment Malfunction  
 UEW = Unexplained water loss  
 ACC = Accidental Water Loss  
 BP = Billing Period beyond 100 days  
 COA - Council on Aging

