

BOARD OF SELECTMEN
January 8, 2013
Needham Town Hall
Agenda

	6:45	Informal Meeting with Citizens <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>
1.	7:00	Public Hearing NSTAR- Locust Lane <ul style="list-style-type: none"> • Maureen Carroll, NSTAR representative
2.	7:00	Medical Marijuana Law <ul style="list-style-type: none"> • Board of Health
3.	7:10	Town Manager <ul style="list-style-type: none"> • FY2014 Budget Consultation • Open 2013 Annual Town Meeting Warrant • Mid-Year Review of Goals
4.	7:30	Board Discussion <ul style="list-style-type: none"> • MMA Annual Meeting Resolutions • Committee Reports

APPOINTMENTS

None

CONSENT AGENDA * = Backup attached

1.	Accept donations made to the Health Department's Gift of Warmth Fund from the following: \$6,000 from the Needham Community Council; \$200 from Mrs. Shahin S. Sagafi, a Needham resident; \$500 from St. Bartholomew Church; and \$200 from Mary Clare Siegel, a Needham resident.
2.	Correct a donation amount made to the Health Department's Gift of Warmth Fund that was approved at the December 18, 2012 meeting. The correct amount should be \$200 donated from Shahin Sagafi, a Needham resident.
3.	Accept \$100 donation made to the Health Department's Domestic Violence Action Committee from Elaine Beilin, a Needham resident.
4.	Accept donation of \$500 made to the Needham Community Revitalization Trust Fund from Needham Tercentennial for 100% Maintenance for Needham 300 Walkway.
5.	Accept donations to the Needham Community Revitalization Trust Fund for Needham 300 Walkway from Cynthia Chaston, \$ 500, Anna Hunnicutt, \$ 250, Ann McFate, \$200 and Sandra Moose, \$250.
6.	Accept the following donations made to the New Year's Needham Committee in

	<p>support of New Year's Needham for 2012: \$3000 – Roche Bros.; \$1275- Needham Cultural Council; \$1000- Briarwood Healthcare; \$1000- Beth Israel Deaconess; \$1000- Exchange Club of Needham; \$1000- Coca Cola Refreshments; \$1000- Needham Bank; \$1000- Needham Women's Club; \$500- Wingate Healthcare; \$500- Dedham Savings; \$500- Equity Industrial Partners Corp; \$500- Louise Condon Realty; \$500- Sheraton Needham; \$250- Brookline Bank; \$250- Copley Motorcars Corp; \$250- Petrini Corporation; \$100- Chestnut Street Animal Hospital; \$100- Personal Image; \$100- William Dermody/Coldwell Banker; \$100- Nigohsian Carpet & Rug; \$100 "You-do-it" Electronics Corp.; \$50- Edward Jones Financial; \$30- Needham Shoe Repair; and \$25- Jenson Cleaners.</p>
7.*	Approve minutes of December 10, 2012
8.*	Vote to designate David Davison, Assistant Town Manager/Finance, as the Town's designated voting delegate for the MIIA and MIIA Property and Casualty Board elections at the MMA Annual Meeting on January 26, 2013.
9.	Accept \$150 donation made to Needham Youth Services from Cathy and Richard Freedberg, of Needham. The monies will be used towards Youth Services' Make A Statement Day in March, 2013.
10.	Accept the following donations made to Needham Youth Services for Fall/Winter 2012 Registration: \$25- Colleen Beacham; \$10- Griffin Berger; \$25- Beth Cohen; \$10- Katy Dirks; \$50- Florence Graves; \$10- Caroline Johnson; \$5- Renata Miller; \$25- Alison Reif; \$25- Jodi Rooney; \$20- Jennifer Shaw; \$10- Maria Simon; and \$10- Lisa Tanzer. All donors are Needham residents.
11.	Accept the following donations made to the Needham Community Revitalization Trust Fund from the following residents: Michael Heffernan \$100, John Russo \$50, Anita Olson \$50 , Maryruth & Richard Perras \$250 and Helen Hicks \$25.
12.*	Water & Sewer Abatement Order #1154
13.	Accept a \$500 donation made to the Fire Department from Sven and Birgit Paulin for the Student Awareness of Fire Education program.



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

MEETING DATE: 01/08/2013

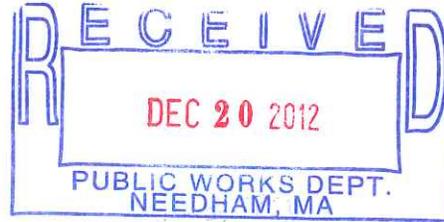
Agenda Item	Public Hearing – NSTAR Petition for Locust Lane
Presenter(s)	Maureen Carroll, NSTAR

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<p>NSTAR requests permission to install approximately 34 feet of conduit from Pole 423/7 on Locust Lane, Needham. This work is necessary to relocate overhead electric service to underground service at 71 Locust Lane, Needham.</p> <p>The Department of Public Works has approved this petition, based on NSTAR's commitment to adhere to regulation that 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.</p>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<p>Suggested Motion: Move that the Board of Selectmen approve and sign a petition from NSTAR to install approximately 34 feet of conduit from Pole 423/7 on Locust Lane, Needham. This work is necessary to relocate overhead electric service to underground service at 71 Locust Lane, Needham.</p>			
3.	BACK UP INFORMATION ATTACHED	YES	NO
<p>(Describe backup below)</p> <ul style="list-style-type: none"> a. Letter of Application b. Petition c. Order d. Petition Plan e. Notice Sent to Abutters f. List of Abutters 			



200 Calvary Street
Waltham, Massachusetts 02453

December 17, 2012



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

RE: **Locust Lane**
Needham, MA
W.O. #1906973

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 34'± feet- conduit from Pole 423/7 Locust Lane, Needham.

This work is necessary to relocate overhead electric service to underground service @ #71 Locust Lane

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

WDL/amw
Attachments

OK to proceed
T. Myler Engr.
12/31/12
OK Rasmussen
DPW Director

**PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR
CONDUITS
AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

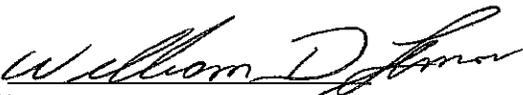
Respectfully represents **NSTAR Electric Company** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated December 12, 2012**, and filed herewith, under the following public way or ways of said Town:

Locust Lane - Easterly @ pole 423/7 approximately 935'± feet northeast of Charles River street a distance of about 34'± feet - conduit

(WO. 1906973)

NSTAR ELECTRIC COMPANY

BY 
William D. Lemos
Rights & Permits, Supervisor

Dated this 17th day of December 2012

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2012

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:

Locust Lane - Easterly @ pole 423/7 approximately 935'± feet northeast of Charles River street a distance of about 34'± feet - conduit

(WO. 1906973)

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, Dated December 12, 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.

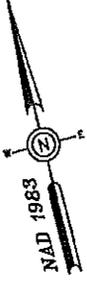
1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	NEEDHAM
5	_____	

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

#80



LANE

LOCUST

423/7

34.8±

CUSTOMER TO INSTALL
1 - 4" PVC PIPE
SCHEDULE 40 NO CONCRETE

HH

#71

CHARLES RIVER ST
APPROX. 935.6±



SCALE IN FEET

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC & GAS CORPORATION NOR ITS AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD NSTAR ELECTRIC & GAS CORPORATION HARMLESS FROM ANY SUCH LOSS OR INJURY.
THE INFORMATION DOES NOT REPRESENT A SURVEY; MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

S:\SHARED\CIMAGE\BASELINS\NEE\LOCUSTAA.dwg



GIS SERVICES
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of LOCUST LANE, NEEDHAM

Showing PROPOSED CONDUIT LOCATION

Scale 1"=20' Date DECEMBER 12, 2012

SHEET 1 of 1

C#

Ward #

Work Order # 1908973

Surveyed by

Structures by

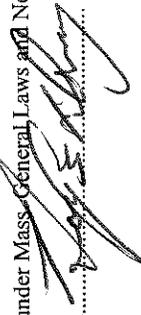
Plotted by PDM

Approved DEBENEDICTIS

P# J-2

71 LOCUST LANE

<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</u>	<u>CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/223.0-0042-0000.0	59	LOCUST LN	HORTON, DAVID C., JR. & HORTON, THERESE M.	59 LOCUST LN	NEEDHAM	NEEDHAM	MA	02492
199/223.0-0043-0000.0	71	LOCUST LN	SCHERNECKER, PAMELA S	71 LOCUST LANE	NEEDHAM	NEEDHAM	MA	02492
199/223.0-0044-0000.0	89	LOCUST LN	WEITZEL, RICHARD S. & WEITZEL, CHRISTINE C.	89 LOCUST LN	NEEDHAM	NEEDHAM	MA	02492
199/223.0-0052-0000.0	94	LOCUST LN	FLECKNER, SARAH K. & FLECKNER, JAMES O.	94 LOCUST LN	NEEDHAM	NEEDHAM	MA	02492
199/223.0-0053-0000.0	80	LOCUST LN	DEMOS, PAUL G	80 LOCUST LANE	NEEDHAM	NEEDHAM	MA	02492
199/223.0-0054-0000.0	60	LOCUST LN	TZOUROS, ARTHUR & TZOUROS, SANDRA	60 LOCUST LN	NEEDHAM	NEEDHAM	MA	02492

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**

MEETING DATE: 1/8/2013

Agenda Item	Medical Marijuana Law
Presenter(s)	Board Discussion with Board of Health

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
	The Board will discuss the impact of the new medical marijuana law on the Town of Needham. Members of the Board of Health will share their concerns about the implementation of the new law.		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
	a. Text of Medical Marijuana Law b. FAQ Regarding Medical Marijuana in Massachusetts – Mass. DPH c. Draft Public Consumption By-law		



FAQ Regarding Medical Marijuana in Massachusetts

In November 2012, Massachusetts voters approved a ballot question which allows qualifying patients with certain medical conditions to obtain and use medical marijuana. While the ballot question makes medical marijuana legal in the state, the Massachusetts Department of Public Health must consider several important issues to ensure safe and responsible use.

To that end, DPH has been meeting internally to begin the process of developing these regulations. DPH is partnering with a wide range of stakeholders in public safety, patient advocacy groups, the medical community, and municipal governments and will learn from other states' experiences to put a system in place that is right for Massachusetts.

The following are a series of frequently asked questions about the current status and planned timeline for the implementation of regulations required by the new law:

What happens on January 1, 2013?

The medical marijuana law takes effect on January 1, 2013. At that point, the Department will have 120 days (until May 1, 2013) to issue regulations. Until regulations are in place, medical marijuana dispensaries cannot open, and DPH cannot issue any registration cards. DPH's regulations will reflect input from various stakeholders, and the Department will hold a hearing and comment period to allow for further public input before the regulations are finalized.

Are qualifying patients eligible for medical marijuana under the new law starting January 1 while DPH is drafting its regulations?

During the time DPH is crafting its regulations, the ballot measure allows the written recommendation of a qualifying patient's physician to act as a medical marijuana registration card. Similarly, the law allows a qualifying patient to cultivate their own limited supply of marijuana during this period. Under the law, until DPH issues its regulations, it is not involved in regulating any medical marijuana recommendations between physicians and patients, or in defining the limited cultivation registration.

How do I qualify as a patient?

The patient must obtain a written certification from a physician for a debilitating medical condition. The law specifies: cancer, glaucoma, AIDS, hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis and other conditions as determined in writing by a qualifying patient's physician. The law allows qualified patients to possess up to a 60-day supply of marijuana for their personal medical use. The law directs DPH to define a 60-day supply through regulation.

What must DPH decide before dispensaries can be registered and registration cards can be issued?

Beginning on January 1, DPH will have 120 days to issue regulations governing numerous sections of the law. Some of the provisions include: setting application fees for non-profit medical marijuana treatment centers to fully cover the cost to the state; defining the quantity of marijuana that constitutes a 60-day supply; setting rules for cultivation and storage of marijuana, which will be allowed only in enclosed, locked facilities; creating registration cards for qualified patients; and defining rules around registration cards, personal caregivers, employees of medical marijuana treatment centers and individuals who qualify for a hardship cultivation registration.

I want to operate a medical marijuana dispensary. Can I apply for registration while regulations are being written?

No, because the regulations will specify what information and fee must be submitted for an application to be considered. In the first year, the law allows DPH to register up to 35 non-profit treatment centers across the state, with at least one but no more than five centers per county. The non-profit treatment centers would be registered under the law to grow, process and provide marijuana to qualified patients.

Will Massachusetts give guidance to health care providers on the medical marijuana law?

The Board of Registration in Medicine is collaborating with DPH to determine how to ensure that physicians understand the law and its provisions. The Board welcomes the recommendations of the Massachusetts Medical Society and other interested stakeholders, and will collaborate with DPH to successfully implement the law and promote patient safety.

Will health insurers or governments be required to cover medical marijuana?

No. Nothing in the law requires any health insurance provider, or any government agency or authority, to reimburse any person for the expenses of the medical use of marijuana.

Published 12/31/2012

HOUSE No. 3885

The Commonwealth of Massachusetts

INITIATIVE PETITION OF RICHARD ELLIOT DOBLIN AND OTHERS.

OFFICE OF THE SECRETARY.
BOSTON, JANUARY 4, 2012.

Steven T. James
Clerk of the House of Representatives
State House
Boston, Massachusetts 02133

Sir: - I herewith transmit to you, in accordance with the requirements of Article XLVIII of the Amendments to the Constitution, an Initiative Petition for Law entitled "An Act for the Humanitarian Medical Use of Marijuana", signed by ten qualified voters and filed with this department on or before December 7, 2011, together with additional signatures of qualified voters in the number of 80,710, being a sufficient number to comply with the Provisions of said Article.

Sincerely,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

AN INITIATIVE PETITION.

Pursuant to Article XLVIII of the Amendments to the Constitution of the Commonwealth, as amended, the undersigned qualified voters of the Commonwealth, ten in number at least, hereby petition for the enactment into law of the following measure:

The Commonwealth of Massachusetts

In the Year Two Thousand and Twelve.

AN ACT FOR THE HUMANITARIAN MEDICAL USE OF MARIJUANA.

Be it enacted by the People, and by their authority, as follows:

1 SECTION 1. Purpose and Intent.

2 The citizens of Massachusetts intend that there should be no punishment under
3 state law for qualifying patients, physicians and health care professionals,
4 personal caregivers for patients, or medical marijuana treatment center agents
5 for the medical use of marijuana, as defined herein.

6

7 Section 2. As used in this Law, the following words shall, unless the context
8 clearly requires otherwise, have the following meanings:

9 (A) "Card holder" shall mean a qualifying patient, a personal caregiver, or a
10 dispensary agent of a medical marijuana treatment center who has been issued
11 and possesses a valid registration card.

12 (B) "Cultivation registration" shall mean a registration issued to a medical
13 marijuana treatment center for growing marijuana for medical use under the
14 terms of this Act, or to a qualified patient or personal caregiver under the terms
15 of Section 11.

16 (C) "Debilitating medical condition" shall mean:

17 Cancer, glaucoma, positive status for human immunodeficiency virus, acquired
18 immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis
19 (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis and other
20 conditions as determined in writing by a qualifying patient's physician.

21 (D) "Department" shall mean the Department of Public Health of the
22 Commonwealth of Massachusetts.

23 (E) "Dispensary agent" shall mean an employee, staff volunteer, officer, or
24 board member of a non-profit medical marijuana treatment center, who shall be
25 at least twenty-one (21) years of age.

26 (F) "Enclosed, locked facility" shall mean a closet, room, greenhouse, or other
27 area equipped with locks or other security devices, accessible only to
28 dispensary agents, patients, or personal caregivers.

29 (G) "Marijuana," has the meaning given "marihuana" in Chapter 94C of the
30 General Laws.

31 (H) "Medical marijuana treatment center" shall mean a not-for-profit entity, as
32 defined by Massachusetts law only, registered under this law, that acquires,
33 cultivates, possesses, processes (including development of related products such
34 as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells,
35 distributes, dispenses, or administers marijuana, products containing marijuana,
36 related supplies, or educational materials to qualifying patients or their personal
37 caregivers.

- 38 (I) "Medical use of marijuana" shall mean the acquisition, cultivation,
39 possession, processing, (including development of related products such as
40 food, tinctures, aerosols, oils, or ointments), transfer, transportation, sale,
41 distribution, dispensing, or administration of marijuana, for the benefit of
42 qualifying patients in the treatment of debilitating medical conditions, or the
43 symptoms thereof.
- 44 (J) "Personal caregiver" shall mean a person who is at least twenty-one (21)
45 years old who has agreed to assist with a qualifying patient's medical use of
46 marijuana. Personal caregivers are prohibited from consuming marijuana
47 obtained for the personal, medical use of the qualifying patient.
48 An employee of a hospice provider, nursing, or medical facility providing care
49 to a qualifying patient may also serve as a personal caregiver.
- 50 (K) "Qualifying patient" shall mean a person who has been diagnosed by a
51 licensed physician as having a debilitating medical condition.
- 52 (L) "Registration card" shall mean a personal identification card issued by the
53 Department to a qualifying patient, personal caregiver, or dispensary agent.
54 The registration card shall verify that a physician has provided a written
55 certification to the qualifying patient, that the patient has designated the
56 individual as a personal caregiver, or that a medical treatment center has met
57 the terms of Section 9 and Section 10 of this law. The registration card shall
58 identify for the Department and law enforcement those individuals who are

59 exempt from Massachusetts criminal and civil penalties for conduct pursuant to
60 the medical use of marijuana.

61 (M) "Sixty-day supply" means that amount of marijuana that a qualifying
62 patient would reasonably be expected to need over a period of sixty days for
63 their personal medical use.

64 (N) "Written certification" means a document signed by a licensed physician,
65 stating that in the physician's professional opinion, the potential benefits of the
66 medical use of marijuana would likely outweigh the health risks for the
67 qualifying patient. Such certification shall be made only in the course of a bona
68 fide physician-patient relationship and shall specify the qualifying patient's
69 debilitating medical condition(s).

70

71 Section 3. Protection from State Prosecution and Penalties for Health Care
72 Professionals

73 A physician, and other health care professionals under a physician's
74 supervision, shall not be penalized under Massachusetts law, in any manner, or
75 denied any right or privilege, for:

76 (a) Advising a qualifying patient about the risks and benefits of medical use
77 of marijuana; or

78 (b) Providing a qualifying patient with written certification, based upon a full
79 assessment of the qualifying patient's medical history and condition, that the
80 medical use of marijuana may benefit a particular qualifying patient.

81

82 Section 4. Protection From State Prosecution and Penalties for Qualifying
83 Patients and Personal Caregivers

84 Any person meeting the requirements under this law shall not be penalized
85 under Massachusetts law in any manner, or denied any right or privilege, for
86 such actions.

87 A qualifying patient or a personal caregiver shall not be subject to arrest or
88 prosecution, or civil penalty, for the medical use of marijuana provided he or
89 she:

90 (a) Possesses no more marijuana than is necessary for the patient's personal,
91 medical use, not exceeding the amount necessary for a sixty-day supply; and

92 (b) Presents his or her registration card to any law enforcement official who
93 questions the patient or caregiver regarding use of marijuana.

94

95 Section 5. Protection From State Prosecution and Penalties for Dispensary
96 Agents.

97 A dispensary agent shall not be subject to arrest, prosecution, or civil penalty,
98 under Massachusetts law, for actions taken under the authority of a medical
99 marijuana treatment center, provided he or she:

100 (a) Presents his or her registration card to any law enforcement official who
101 questions the agent concerning their marijuana related activities; and

102 (b) Is acting in accordance with all the requirements of this law.

103

104 Section 6. Protection Against Forfeiture and Arrest

105 (A) The lawful possession, cultivation, transfer, transport, distribution, or
106 manufacture of medical marijuana as authorized by this law shall not result in
107 the forfeiture or seizure of any property.

108 (B) No person shall be arrested or prosecuted for any criminal offense solely for
109 being in the presence of medical marijuana or its use as authorized by this law.

110

111 Section 7. Limitations of Law

112 (A) Nothing in this law allows the operation of a motor vehicle, boat, or
113 aircraft while under the influence of marijuana.

114 (B) Nothing in this law requires any health insurance provider, or any
115 government agency or authority, to reimburse any person for the expenses of
116 the medical use of marijuana.

117 (C) Nothing in this law requires any health care professional to authorize the
118 use of medical marijuana for a patient.

119 (D) Nothing in this law requires any accommodation of any on-site medical use
120 of marijuana in any place of employment, school bus or on school grounds, in
121 any youth center, in any correctional facility, or of smoking medical marijuana
122 in any public place.

- 123 (E) Nothing in this law supersedes Massachusetts law prohibiting the
124 possession, cultivation, transport, distribution, or sale of marijuana for
125 nonmedical purposes.
- 126 (F) Nothing in this law requires the violation of federal law or purports to give
127 immunity under federal law.
- 128 (G) Nothing in this law poses an obstacle to federal enforcement of federal
129 law.
- 130
- 131 Section 8. Department to define presumptive 60-day supply for qualifying
132 patients.
- 133 Within 120 days of the effective date of this law, the department shall issue
134 regulations defining the quantity of marijuana that could reasonably be
135 presumed to be a sixty-day supply for qualifying patients, based on the best
136 available evidence. This presumption as to quantity may be overcome with
137 evidence of a particular qualifying patient's appropriate medical use.
- 138
- 139 Section 9. Registration of nonprofit medical marijuana treatment centers.
- 140 (A) Medical marijuana treatment centers shall register with the department.
- 141 (B) Not later than ninety days after receiving an application for a nonprofit
142 medical marijuana treatment center, the department shall register the nonprofit
143 medical marijuana treatment center to acquire, process, possess, transfer,

144 transport, sell, distribute, dispense, and administer marijuana for medical use,
145 and shall also issue a cultivation registration if:

146 1. The prospective nonprofit medical marijuana treatment center has submitted:

147 (a) An application fee in an amount to be determined by the department
148 consistent with Section 13 of this law.

149 (b) An application, including:

150 (i) The legal name and physical address of the treatment center and the
151 physical address of one additional location, if any, where marijuana will be
152 cultivated.

153 (ii) The name, address and date of birth of each principal officer and board
154 member.

155 (c) Operating procedures consistent with department rules for oversight,
156 including cultivation and storage of marijuana only in enclosed, locked
157 facilities.

158 2. None of the principal officers or board members has served as a principal
159 officer or board member for a medical marijuana treatment center that has
160 had its registration certificate revoked.

161 (C) In the first year after the effective date, the Department shall issue
162 registrations for up to thirty-five non-profit medical marijuana treatment
163 centers, provided that at least one treatment center shall be located in each
164 county, and not more than five shall be located in any one county. In the event
165 the Department determines in a future year that the number of treatment centers

166 is insufficient to meet patient needs, the Department shall have the power to
167 increase or modify the number of registered treatment centers.

168 (D) A medical treatment center registered under this section, and its
169 dispensary agents registered under Section 10, shall not be penalized or
170 arrested under Massachusetts law for acquiring, possessing, cultivating,
171 processing, transferring, transporting, selling, distributing, and dispensing
172 marijuana, products containing marijuana, and related supplies and educational
173 materials, to qualifying patients or their personal caregivers.

174

175 Section 10. Registration of medical treatment center dispensary agents.

176 (A) A dispensary agent shall be registered with the Department before
177 volunteering or working at a medical marijuana treatment center.

178 (B) A treatment center must apply to the Department for a registration card for
179 each affiliated dispensary agent by submitting the name, address and date of
180 birth of the agent.

181 (C) A registered nonprofit medical marijuana treatment center shall notify the
182 department within one business day if a dispensary agent ceases to be
183 associated with the center, and the agent's registration card shall be immediately
184 revoked.

185 (D) No one shall be a dispensary agent who has been convicted of a felony
186 drug offense. The Department is authorized to conduct criminal record checks
187 with the Department of Criminal Justice Information to enforce this provision.

188

189 Section 11. Hardship Cultivation Registrations.

190 The Department shall issue a cultivation registration to a qualifying patient
191 whose access to a medical treatment center is limited by verified financial
192 hardship, a physical incapacity to access reasonable transportation, or the lack
193 of a treatment center within a reasonable distance of the patient's residence.

194 The Department may deny a registration based on the provision of false
195 information by the applicant. Such registration shall allow the patient or the
196 patient's personal caregiver to cultivate a limited number of plants, sufficient to
197 maintain a 60-day supply of marijuana, and shall require cultivation and storage
198 only in an enclosed, locked facility. The department shall issue regulations
199 consistent with this section within 120 days of the effective date of this law.
200 Until the department issues such final regulations, the written recommendation
201 of a qualifying patient's physician shall constitute a limited cultivation
202 registration.

203

204 Section 12. Medical marijuana registration cards for qualifying patients and
205 designated caregivers.

206 (A) A qualifying patient may apply to the department for a medical marijuana
207 registration card by submitting

208 1. Written certification from a physician.

209 2. An application, including:

210 (a) Name, address unless homeless, and date of birth.

211 (b) Name, address and date of birth of the qualifying patient's personal
212 caregiver, if any.

213

214 Section 13. Department implementation of Regulations and Fees.

215 Within 120 days of the effective date of this law, the department shall issue
216 regulations for the implementation of Sections 9 through 12 of this Law. The
217 department shall set application fees for non-profit medical marijuana treatment
218 centers so as to defray the administrative costs of the medical marijuana
219 program and thereby make this law revenue neutral.

220 Until the approval of final regulations, written certification by a physician shall
221 constitute a registration card for a qualifying patient. Until the approval of final
222 regulations, a certified mail return receipt showing compliance with Section 12
223 (A) (2) (b) above by a qualifying patient, and a photocopy of the application,
224 shall constitute a registration card for that patient's personal caregiver.

225

226 Section 14. Penalties for Fraudulent Acts.

227 (A) The department, after a hearing, may revoke any registration card issued
228 under this law for a willful violation of this law. The standard of proof for
229 revocation shall be a preponderance of the evidence. A revocation decision
230 shall be reviewable in the Superior Court.

231 (B) The fraudulent use of a medical marijuana registration card or cultivation
232 registration shall be a misdemeanor punishable by up to 6 months in the house
233 of correction, or a fine up to \$500, but if such fraudulent use is for the
234 distribution, sale, or trafficking of marijuana for non-medical use for profit it
235 shall be a felony punishable by up to 5 years in state prison or up to two and
236 one half years in the house of correction.

237

238 Section 15. Confidentiality

239 The department shall maintain a confidential list of the persons issued medical
240 marijuana registration cards. Individual names and other identifying
241 information on the list shall be exempt from the provisions of Massachusetts
242 Public Records Law, M.G.L. Chapter 66, section 10, and not subject to
243 disclosure, except to employees of the department in the course of their
244 official duties and to Massachusetts law enforcement officials when verifying
245 a card holder's registration.

246

247 Section 16. Effective Date.

248 This law shall be effective January 1, 2013.

249

250 Section 17. Severability.

251 The provisions of this law are severable and if any clause, sentence, paragraph
252 or section of this measure, or an application thereof, shall be adjudged by any

253 court of competent jurisdiction to be invalid, such judgment shall not affect,
254 impair, or invalidate the remainder thereof but shall be confined in its operation
255 to the clause, sentence, paragraph, section or application adjudged invalid.

FIRST TEN SIGNERS

<u>NAME</u>	<u>RESIDENCE</u>	<u>CITY OR TOWN</u>
Richard Elliot Doblin	3 Francis Street	Belmont
Regis A. Desilva	40 Larchwood Drive	Cambridge
Alexander T. Bok	35 Melrose Street	Boston
Barbara Theran	65 East India Row #6F	Boston
Erik Wunderlich	20 Seymour Street, #3	Boston
Rebecca A. Frank	20 Seymour Street, #3	Boston
Harold Theran	65 East India Row #6F	Boston
Marcella M. Duda	151 Bondsville Road	Ware
Susan S. Poverman	65 Larchwood Drive	Cambridge
Jesse R. Greenblatt	56 Elm Street	Somerville

Summary of No. 11-11

This proposed law would eliminate state criminal and civil penalties for the medical use of marijuana by qualifying patients. To qualify, a patient must have been diagnosed with a debilitating medical condition, such as cancer, glaucoma, HIV-positive status or AIDS, hepatitis C, Crohn's disease, Parkinson's disease, ALS, or multiple sclerosis. The patient would also have to obtain a written certification, from a physician with whom the patient has a bona fide physician-patient relationship, that the patient has a specific debilitating medical condition and would likely obtain a net benefit from medical use of marijuana.

The proposed law would allow patients to possess up to a 60-day supply of marijuana for their personal medical use. The state Department of Public Health (DPH) would decide what amount would be a 60-day supply. A patient could designate a personal caregiver, at least 21 years old, who could assist with the patient's medical use of marijuana but would be prohibited from consuming that marijuana. Patients and caregivers would have to register with DPH by submitting the physician's certification.

The proposed law would allow for non-profit medical marijuana treatment centers to grow, process and provide marijuana to patients or their caregivers. A treatment center would have to apply for a DPH registration by (1) paying a fee to offset DPH's administrative costs; (2) identifying its location and one additional location, if any, where marijuana would be grown; and (3) submitting operating procedures, consistent with rules to be issued by DPH, including cultivation and storage of marijuana only in enclosed, locked facilities.

A treatment center's personnel would have to register with DPH before working or volunteering at the center, be at least 21 years old, and have no felony drug convictions. In 2013, there could be no more than 35 treatment centers, with at least one but not more than five centers in each county. In later years, DPH could modify the number of centers.

The proposed law would require DPH to issue a cultivation registration to a qualifying patient whose access to a treatment center is limited by financial hardship, physical inability to access reasonable transportation, or distance. This would allow the patient or caregiver to grow only enough plants, in a closed, locked facility, for a 60-day supply of marijuana for the patient's own use.

DPH could revoke any registration for a willful violation of the proposed law. Fraudulent use of a DPH registration could be punished by up to six months in a house of correction or a fine of up to \$500, and fraudulent use of a registration for the sale, distribution, or trafficking of marijuana for non-medical use for profit could be punished by up to five years in state prison or by two and one-half years in a house of correction.

The proposed law would (1) not give immunity under federal law or obstruct federal enforcement of federal law; (2) not supersede Massachusetts laws prohibiting possession, cultivation, or sale of marijuana for nonmedical purposes; (3) not allow the operation of a motor vehicle, boat, or aircraft while under the influence of marijuana; (4) not require any health insurer or government entity to reimburse for the costs of the medical use of marijuana; (5) not require any health care professional to authorize the medical use of marijuana; (6) not require any accommodation of the medical use of marijuana in any workplace, school bus or grounds, youth center, or correctional facility; and (7) not require any accommodation of smoking marijuana in any public place.

The proposed law would take effect January 1, 2013, and states that if any of its part were declared invalid, the other parts would stay in effect.

CERTIFICATE OF THE ATTORNEY GENERAL.

September 7, 2011.

Honorable William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Room 1705
Boston, Massachusetts 02108

RE: Initiative Petition No. 11-11: An Initiative Petition for a Law for the
Humanitarian Medical Use of Marijuana

Dear Secretary Galvin:

In accordance with the provisions of Article 48 of the Amendments to the Massachusetts Constitution, I have reviewed the above-referenced initiative petition, which was submitted to me on or before the first Wednesday of August of this year.

I hereby certify that this measure is in proper form for submission to the people; that the measure is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people at either of the two preceding biennial state elections; and that it contains only subjects that are related or are mutually dependent and which are not excluded from the initiative process pursuant to Article 48, the Initiative, Part 2, Section 2.

In accordance with Article 48, I enclose a fair, concise summary of the measure.

Cordially,

MARTHA COAKLEY,
Attorney General.

**Proposed Warrant Article -Public Consumption of Marijuana or
Tetrahydrocannabinol**

To see if the Town will vote to amend its General By-Laws, Article 3, Police Powers, Authority and Regulations, by adding the following section;

“3.1.10. Use of Controlled Substances. No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.”

And to amend Article 8, Section 8.2.2.4 Police Regulations, by adding the following subsection:

“J. Use Of Controlled Substances (Section 3.10)

Fine Schedule:
\$200 per offense”

And to renumber following subsections accordingly.

Article Information: The public consumption of alcohol on Town property is currently regulated under Section 3.1.9 of the General By-laws of the Town of Needham. The purpose of this article is to similarly prohibit the public consumption of marijuana or tetrahydrocannabinol on Town property or in any place accessible to the public, and to allow the Town to impose a fine of \$200 per offence for violation of the By-law provision.



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

MEETING DATE: 1/8/2013

Agenda Item	Budget Consultation
Presenter(s)	Kate Fitzpatrick, Town Manager Dave Davison, Assistant Town Manager/Finance

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
	The Town Manager and Assistant Town Manager/Finance will discuss the fiscal year 2014 operating budget. The Town Manager's budget presentation is scheduled for January 29, 2013.		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
3.	BACK UP INFORMATION ATTACHED	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO



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

MEETING DATE: 1/8/2013

Agenda Item	Open Annual Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board will open the warrant for the 2013 Annual Town Meeting. Requests for warrant articles are due by Monday, February 4 th .			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board vote to open the warrant for the 2013 Annual Town Meeting.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Preliminary List of Warrant Articles (1/4/13)			

**Preliminary List of Warrant Articles
2013 Annual Town Meeting
1.4.2012**

Annual Town Election
Committee and Officer Reports Board of Selectmen

HUMAN RESOURCES ARTICLES

Establish Elected Officials' Salaries Personnel Board

FINANCE ARTICLES

Transfer of Budgetary Fund Balance	Board of Selectmen
Accept Chapter 73, Section 4 of the Acts of 1986	Board of Selectmen
Appropriate for Needham Property Tax Assistance Program	Board of Selectmen
Appropriate for Facility Master Plan Study	Board of Selectmen
Appropriate the FY2014 Operating Budget	Finance Committee
Appropriate the FY2014 RTS Enterprise Fund Budget	Board of Selectmen & Finance Committee
Appropriate the FY2014 Sewer Enterprise Fund Budget	Board of Selectmen & Finance Committee
Appropriate the FY2014 Water Enterprise Fund Budget	Board of Selectmen & Finance Committee
Continue Departmental Revolving Funds	Board of Selectmen
Establish Revolving Fund – Facility Rentals	Board of Selectmen
Authorization to Expend State Funds for Public Ways	Board of Selectmen

ZONING/LAND USE ARTICLES

Non-Betterment Street Acceptance – Amend Zoning By-law	Planning Board
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GENERAL ARTICLES/ CITIZENS' PETITIONS/COMMITTEE ARTICLES

Amend General By-law/Type and Length of Contracts	Board of Selectmen
Authorize Lease of Rail Corridor	Board of Selectmen
Abandon Sewer Easement	Board of Selectmen

COMMUNITY PRESERVATION ACT ARTICLES (Placeholders)

Appropriate for CPA Project –Community Housing Specialist	CPC
Appropriate for CPA Project –Conservation Restriction	CPC
Appropriate for CPA Project –Reservoir Trail	CPC
Appropriate for CPA Project –Newman Fields Design& Engineering	CPC
Appropriate for CPA Project –Ridge Hill Loop Trail	CPC
Appropriate for CPA Project – Mills Field Improvements	CPC
Appropriate for CPA Project – Community Farm Soil Improvements	CPC
Appropriate for CPA Project – Purchase of Land	CPC
Appropriate to Community Preservation Fund	CPC

CAPITAL ARTICLES

Rescind Debt Authorizations	Board of Selectmen
Appropriate for General Fund Cash Capital	Board of Selectmen
Appropriate for Pollard Boiler Replacement	Board of Selectmen
Appropriate for Public Works Infrastructure Program	Board of Selectmen
Appropriate for DPW Complex Renovations	Board of Selectmen
Appropriate for RTS Enterprise Fund Cash Capital	Board of Selectmen
Appropriate for RTS Construction Equipment	Board of Selectmen
Appropriate for Sewer Enterprise Fund Cash Capital	Board of Selectmen
Appropriate for Water Enterprise Fund Cash Capital	Board of Selectmen

TOWN RESERVE ARTICLES

Appropriate for Athletic Facility Improvement Fund	Board of Selectmen
Appropriate for Compensated Absences Fund	Board of Selectmen
Appropriate to Workers Compensation Absences Fund	Board of Selectmen
Appropriate to Capital Improvement Fund	Board of Selectmen
Appropriate to Capital Facility Fund	Board of Selectmen
Appropriate to Stabilization Fund	Board of Selectmen & Finance Committee

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

MEETING DATE: 1/8/2013

Agenda Item	Board of Selectmen Goal Update
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
	The Town Manager will update the Board on the progress of the Board's goals and objectives for fiscal years 2013 and 2014.		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
	a. Board of Selectmen/Town Manager Statement of Obligations and Goals		

**Board of Selectmen/Town Manager
Statement of Obligations and Goals 2013/2014**

Committed Obligations Over and Above On-going Municipal Operations	
Goal	Status
Maximize the use of Town assets and ensure that Town and School services are housed in buildings that provide suitable and effective environments.	
Monitor construction of Senior Center with expected opening in fall, 2013	On-going.
Update the Facility Master Plan, including renovation or replacement of the Hillside and Mitchell Schools, identification of office space for School Administration, and determining appropriate reuse, if any, of the Stephen Palmer Senior Ctr. Emery Grover and the Ridge Hill buildings.*	A placeholder for the Facility Master Plan update has been included in the 2013 Annual Town Meeting Warrant. The RFP for the evaluation of School Administration office needs and the Emery Grover Building was issued on December 5 th , and consultants will be interviewed by the PPBC on January 7 th . The Board agreed that its goal relative to reuse of the NIKE site should be considered in conjunction with future use of the Ridge Hill buildings. The Board agreed that a decision on reuse of the buildings should be held until after the on-going feasibility study relative to Emery Grover, and that all historical properties should be evaluated at that time.
Evaluate and make changes as necessary to polling locations.	The Town Manager will prepare a report evaluating the number of precinct voting locations which can be accommodated at each available Town-owned building. The report will be available in February, 2013.
Improve the DPW Complex beginning with the construction of garage bays	The Town Manager and Director of Public Works were appointed by the Board of Selectmen to serve as user agency representatives to this project. Weston & Sampson has completed the preliminary design work for a six bay garage structure that is recommended in the FY14 – 18 CIP and will be presented to the 2013 ATM for funding.
Redevelop 59 Lincoln Street and 89 School Street for additional parking to support public safety operations.	The October/November 2012 STM appropriated funds for the purchase of 51 Lincoln Street – an adjoining parcel. Weston & Sampson has been selected to assist in the design process. Construction is planned for 2013.
Continue efforts to maintain and improve the vitality and economic success of the Town.	
Further review the Needham Center Zoning*	The Board asked the Town Manager to inquire about the status of this project. The Board's opinion

	was that the Town committed to comprehensive review of parking, traffic, and commercial viability (height and density). The Board noted that the Board has supported an aggressive plan for increasing surface parking in the downtown. The subject will be discussed at a chair/vice chair meeting.
Expand the amount and accessibility of surface parking in Needham Center, including restructuring the permit parking system, in Needham Center, evaluating "buddy parking," and reconfiguring the Lincoln Street lot with the acquisition of 37-39 Lincoln Street.	The Town Manager will present a design for the configuration of parking in the existing and planned Lincoln Street lots. A proposal for fee restructuring will be presented in 2013.
Improve the Needham Center streetscape and infrastructure including traffic signals.	The Board of Selectmen voted to create the Needham Center Streetscape Working Group at its meeting on December 18 th . The estimated completion of the preliminary design phase is summer, 2013.
Develop regulations for the retail sale of alcoholic beverages in Needham prior to submitting a ballot question.	After multiple public hearings, the Board of Selectmen adopted regulations for the retail sale of alcoholic beverages at its meeting on December 18, 2012.
Improve the streetscape and infrastructure of the NEBC.	As part of its permitting process, Normandy Real Estate Partners provided the Town with a \$75,000 donation for a traffic study, and an up-front payment of its traffic mitigation fund requirement in the amount of \$930,000. Normandy also committed to funding more than \$1 million to an owners group that will work with the Town to improve traffic flow, infrastructure, and streetscape in the NEBC. The Board of Selectmen held a public hearing on December 18, 2012 relative to the rebranding of the NEBC, and will consider a recommendation from the CEA in early 2013.
Complete the preferred renovation of Highland Avenue from Webster Street to the Charles River (State highway).	On-going.
Monitor implications of the add-a-lane project and assure that Needham's interests are addressed in the final design.	On-going.
Develop a consensus with Newton regarding transportation options along the Highland Avenue/Needham Street corridor.	The Board of Selectmen met with Mayor Seti Warren in October, 2012 to discuss this and other issues. There is consensus that the corridor should support both trail and transit uses and not (private) vehicular use.

<p>Review the Town's sign by-law*</p>	<p>The Town Manager will ask the Design Review Board and Building Inspector to review and make recommendations for changes to the sign by-law. The Board is particularly interested in receiving input on so-called "sandwich board" signs, perpendicular hanging signs, the number of signs on a building that has more than one front, neon signs, signs along Route 128 (to promote business visibility) and signs inside windows. The Board also asked that the process for obtaining a variance for certain signs be reviewed and streamlined if necessary. The Needham Center Streetscape Working Group may also make some recommendations in this area.</p>
<p>Review the Town's by-laws relative to outdoor displays, furniture, etc.</p>	<p>The Town Manager will prepare a report of the current status of outdoor furniture and displays after which the Board will discuss the issue further. The Needham Center Streetscape Working Group may also make some recommendations in this area.</p>
<p>Evaluate options, including incentives, to address the issue of empty storefronts in Needham Center</p>	<p>On-going.</p>
<p>Evaluate the need to develop a formal protocol for mobile food vendors.</p>	<p>The Town Manger will prepare a recommendation for regulating mobile food vendors.</p>
<p>Encourage a review of the thresholds for site plan and special permit review, particularly in the downtown.</p>	<p>The Town Manger will ask the CEA to make recommendations and will discuss proposed changes with the Planning Board.</p>
<p>Continue working toward energy efficient and environmentally sound operations for both the Town and its residents and businesses.</p>	
<p>Complete fleet inventory and develop a policy for purchasing fuel efficient vehicles.</p>	<p>The Town Manager will complete the fleet inventory, and will develop a proposed policy for purchase of fuel efficient vehicles. The Town Manager will develop a cost/benefit analysis and identify appropriate opportunities for purchasing hybrid vehicles.</p>
<p>Evaluate the generation of power through alternative or renewable energy sources, including solar power.</p>	<p>The Board of Selectmen appointed a solar exploration committee which held its first meeting in December, 2012. The October/November STM approved an appropriation of \$15,000 for a consultant to assist the Committee, if needed. Needham.</p>
<p>Review and revise as necessary the Integrated Pest Management Policy.</p>	<p>The IPM Committee has met and discussed proposed changes to the IPM Policy. The Town Manager and the IPM Committee will recommend</p>

	policy changes to the Board of Selectmen and to other affected Boards, Committees and Commissions this winter.
Adopt a plan based on EMG's, study for improving energy efficiency in town buildings.	The 2014 – 2018 Capital Improvement Plan includes a five year plan implementing the recommendations in the EMG study.
Maintain and develop amenities that contribute to the desirability of Needham as a place to live and work.	
Replace the Greene's Field play structure.	The CPC recommended and the October/November STM approved funding to replace the structure and renovate the entire park. A group of citizens is raising funds to complement the Town funding. Construction is planned for spring and summer, 2013.
Develop a shared use recreational rail trail from Needham Junction to the Dover line.	The MBTA Board of Directors voted to authorize the General Manager to lease the rail corridor to the Town of Needham. The CPC recommended and the October/November STM approved funding for a feasibility study to be conducted by Bay Colony Rail Trail Association. A placeholder for the lease of the rail has been included in the preliminary list of warrant articles for the 2013 Annual Town Meeting.
Evaluate the future of Rosemary Pool and its site, in cooperation with the Park and Recreation Commission.*	The Bi-annual citizen survey confirmed that there is a high level of interest in evaluating the possibility of reconstructing the pool in Rosemary Lake. A feasibility study of the engineering options will be overseen by the PPBC using a prior Town Meeting appropriation for this purpose. The RFP for this project will be issued on January 16 th .
Evaluate the impact of broadening the historical demolition delay By-law.	On-going.
Review and make recommendations, as necessary, relative to the creation of an off-leash dog area in Needham.	The Town Manager will consult with the School Superintendent and then make a recommendation to the Board outlining the costs and any implementation issues.
Evaluate user fees and field maintenance fees in cooperation with the Park and Recreation Commission.*	On-going.
Work with the Planning Board on re-evaluation of zoning provisions relating to residential construction.*	The Chair and Vice Chair had a preliminary discussion with the Director of Planning and Community Development and a member of the Planning Board. A future meeting of both boards will be arranged. The Board will specifically ask the Planning Board to consider the adoption of a

	residential FAR. The Town Manager will consult with the Building Inspector to develop a list of recommendations in addition to the FAR.
Develop a plan for recreation and open space improvements if proposed changes to the Community Preservation Act are approved.*	Proposed changes to the CPA were approved by the Legislature and Governor. Representatives of the Finance Committee, School Committee, Park and Recreation Commission, Historic Commission, Housing Authority, Conservation Commission and CPC met on several occasions during the summer and fall, 2012 to develop a list of priority projects. The Town Manager developed a preliminary, draft five-year CPA Capital Plan, which was reviewed by the CPC in December. The Town Manager will finalize the CPA Capital Plan for distribution to the Board and other affected Boards, Committees, Commissions and stakeholders.
Develop a strategic plan for property acquisition including the financial impact and financial options	The Town Manager will schedule a chair/vice chair meeting with the School Committee to discuss specific parcels.
Oversee final cost certification of Charles River Landing project, participate in development of 40B guidelines, evaluate and make recommendations relative to 40B project proposals, review existing affordable housing units and ensure compliance with applicable laws and regulations.	On-going. The Town Manager recommended and the Board of Selectmen endorsed a CPA project request for a Community Housing Specialist to provide assistance and support in this area.
Evaluate and make recommendations, as necessary, relative to the future use of the NIKE site.*	Combined with evaluation of Ridge Hill buildings (above).
Evaluate the need to regulate services offered in day spas.	The Town Manager will consult with the Police Department and make a recommendation.
Implement amended hunting regulations	Appropriate signage was posted prior to the 2012 hunting season.
Maintain and enhance the Town's Financial Sustainability New Initiatives.	
Review and amend as necessary the specialized stabilization policies; formalize fund targets.	Representatives of the School Committee, Finance Committee and Board of Selectmen met to discuss this matter. A list of issues and concerns was developed which will be promulgated by the Town Manager.
Review and amend as necessary the debt management policy with emphasis on the appropriate use of tax-levy supported ("3%") debt.	Representatives of the School Committee, Finance Committee and Board of Selectmen met to discuss this matter. A list of issues and concerns was developed which will be promulgated by the Town Manager.
Create a super committee to evaluate and make recommendations relative to the financial	The Board created the RTS Super Committee which made a preliminary report in September and will

sustainability of the RTS.	provide another report on January 22, 2013.
Implement a new financial software system for Town and School operations.	On-going.
Review current approaches to financing school playgrounds.	The Town Manager will draft a list of approaches and will schedule a chair/vice chair meeting including the School Committee, Park and Recreation Commission, and Finance Committee to discuss this issue.
Evaluate Town Operations and Administration.	
Evaluate Open Meeting Attendance/Remote Participation Options	It was the consensus of the Board not to pursue this option at this time.
Evaluate and Update the Town's Website to enhance the level of customer service	The website is undergoing a redesign, with a go live date targeted for June 27, 2013. The emphasis on the redesigned site is for user-friendliness. Gone is the "organizational structure" format (which users found not at all useful), which will be replaced with a home page that will feature frequently used "button" options, news announcements, calendar items and the like. Items on the help menu will be designed with the user in mind, not by the department that provides the service. There will be four seasonal banners and a slide show on the home page with easily updated photos.



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

MEETING DATE: 1/8/2013

Agenda Item	MMA Annual Meeting - Resolutions
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<p>The Board will discuss resolutions to be presented at the MMA Annual Business Meeting to be held January 26, 2013.</p>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<p><i>Suggested Motion:</i> That the Board vote to endorse and authorize the Chairman to cast a vote in favor of _____.</p>			
3.	BACK UP INFORMATION ATTACHED	YES	NO
<p>a. Proposed Resolution Calling for a Full Local-Federal Partnership to Protect the United States Economy, Preserve Essential Services for Citizens, and Ensure the Fiscal Health of the Cities and Towns of the Commonwealth</p> <p>b. Proposed Resolution on the Urgent Need to Ensure Sustainability for Other Post Employment Benefit Costs</p> <p>c. Proposed Resolution Supporting a Local-State-Federal Partnership to Protect the Environment</p> <p>d. Proposed Resolution Calling for Solutions to the Transportation Finance Crisis</p> <p>e. Voting at the MMA Annual Business Meeting</p>			

Proposed Resolution Calling for a Full Local-Federal Partnership to Protect the United States Economy, Preserve Essential Services for Citizens, and Ensure the Fiscal Health of the Cities and Towns of the Commonwealth



Whereas, a true partnership between federal, state, and local government is necessary and in the best interest of our citizens, our communities, our economy, and our quality of life; and

Whereas, the economy of our nation is only as strong as the economies of our cities and towns; and

Whereas, federal funds are used at the municipal level to develop communities, foster economic growth and prosperity, protect public safety, safeguard the environment and public health, improve transportation and infrastructure, support public education, and provide essential social services; and

Whereas, federal funds support several key industries in Massachusetts that drive cutting-edge research and development in health, technology, and higher education, and employ thousands of residents in our municipalities; and

Whereas, any reduction in federal funding to municipalities will have a direct and negative impact on the vitality of each municipality, on the health of our economy, and the quality of life of our citizens; and

Whereas, scheduled across-the-board reductions in federal spending on domestic programs as required by the Budget Control Act of 2011, or any successor legislation, would impose harmful cuts that would erode economic and community development programs, undermine the delivery of essential services to citizens, and limit the capacity for long-term planning at the local level; and

Whereas, even the threat of this "fiscal cliff" has had a debilitating effect on economic growth in cities and towns across the country and our nation's overall economy; and

Whereas, the passage of a six-month federal budget continuing resolution at the end of the federal fiscal year 2012 did not resolve any of these issues, and actually increased economic uncertainty about future spending; and

Whereas, independent economists have reported that the nation will be at risk of slipping into another recession if deep across-the-board domestic spending cuts are implemented by the federal government, which would increase the demand for government services at the state and local level, and cause even greater harm to state and local finances;

Therefore it is hereby resolved by the Members of the Massachusetts Municipal Association, on behalf of the cities and towns of the Commonwealth, as follows:

- Congress and the President must only enact policy that carefully balances the priority of long-term deficit reduction with the priority of partnering with local government to create strong cities and towns that can promote economic growth and job creation; and
- Congress and the President must recognize that full economic recovery will be possible only if local governments have the resources necessary to maintain crucial services, many of which depend upon federal funding for operational costs through the Community Development Block Grant (CDBG), the Choice Neighborhoods Program, the State and Local Law Enforcement Assistance Grants, the Community Oriented Policing Services (COPS) program, the EPA Clean and Safe Drinking Water State Revolving Funds, Title 1 and IDEA education funds, FEMA state and local programs for emergency preparedness and homeland security, and for capital costs through the Federal Transit Capital Investment Grants program; and
- Congress and the President must recognize the vital importance of preserving tax-exempt municipal bonds and oppose any proposal to limit tax-exempt financing, as this would drive up costs for local property taxpayers, increase the cost of state and local infrastructure projects, limit the number of projects that can be funded, and destabilize one of the most successful governmental financing vehicles in the history of the United States; and
- Congress and the President must understand that local governments operate on lean budgets and cannot withstand further cuts to essential federally funded programs; and
- Congress and the President must take action on federal fiscal policy in a timely manner, recognizing the uncertainty that is created when the formulation and implementation of long-term fiscal policy is delayed, and the harmful impact that extended fiscal uncertainty creates at the local government level and across the public and private sectors; and

Be it further resolved that a copy of this resolution shall be presented to the Governor, the members of the Massachusetts Legislature, the members of the Massachusetts Congressional Delegation, and the President of the United States on behalf of the cities and towns of the Commonwealth.

For consideration at the MMA Annual Business Meeting, January 26, 2013

Proposed Resolution on the Urgent Need to Ensure Sustainability for Other Post-Employment Benefit Costs



Whereas, Other Post-Employment Benefits (OPEBs) are the set of benefits offered to retirees and their dependents other than pensions, mainly consisting of medical insurance, dental insurance, and Medicare Part B premiums; and

Whereas, in most communities an employee can work for 10 years for 20 hours a week and be 55 years of age and receive these benefits for life, and there is no relationship between the benefit and the years of service and age of the recipient at retirement; and

Whereas, the financial liability to be paid by local taxpayers is the present value of the government entity's share of retiree benefits for those who are retired, as well as for those who are vested and therefore have a right to retire in the future; and

Whereas, taxpayers in the cities and towns of the Commonwealth are facing a combined OPEB liability of \$30 billion, double that of the much more visible and understood pension liability; and

Whereas, OPEB differs from pensions in that municipalities have control over wages, which are the primary input into pension costs, but have little control over the underlying cost drivers of health care, which are determined by the health care providers and institutions, and which have been increasing at double the rate of wages; and

Whereas, despite municipal health insurance reform and payment reform, health care costs are rising at a rate faster than revenues; and

Whereas, these costs are unsustainable in the long term for cities and towns, particularly as more employees retire and a rising number of communities have a greater number of retirees than active employees; and

Whereas, under Proposition 2 1/2, municipalities will be forced to drastically cut jobs and eliminate vital municipal services if OPEB costs cannot be controlled;

Therefore, in order protect municipal jobs and vital local programs and services, it is hereby resolved by the members of the Massachusetts Municipal Association as follows:

- The MMA will take a prominent role as part of the Special Commission to Investigate and Study Other Post-Employment Benefits and subsequent committees, commissions, and working groups to advocate for reforms to make OPEBs affordable and sustainable for decades to come for both employees and municipalities; and
- The Commonwealth must recognize the unaffordable OPEB liability that cities, towns and taxpayers

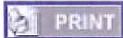
are facing, and provide a path to reform and sustainability that ensures benefits for retirees that are affordable for taxpayers, and allows for flexibility and locally set practices to ensure solutions that fit each community; and

- Municipalities must have options for managing OPEB costs that recognize the importance of tools to invest funds when the municipality deems it manageable and appropriate, but the Commonwealth must reject any policy that would impose a prefunding requirement, as such an unfunded mandate would increase property taxes and force cuts in vital municipal and school programs; and

Be it further resolved that a copy of this resolution shall be presented to the Governor, the members of the Massachusetts Legislature, the members of the Massachusetts Congressional Delegation, and the President of the United States on behalf of the cities and towns of the Commonwealth.

For consideration at the MMA Annual Business Meeting, January 26, 2013

Proposed Resolution Supporting a Local-State-Federal Partnership to Protect the Environment



Whereas, the cities and towns of Massachusetts are national leaders as environmental stewards, embracing renewable energy technology, protecting and preserving land and natural resources, and providing safe, clean and affordable drinking water, wastewater and stormwater management systems; and

Whereas, thanks in great part to the leadership of cities and towns, Massachusetts is now ranked number one in the nation in energy efficiency and ranked second for solar energy generation; and

Whereas, more than 100 municipalities have become Green Communities and 340 municipalities host renewable facilities, producing more than 220 megawatts of power, a 50-fold increase in the past five years, with a greater increase in 2011 than ever in the history of Massachusetts; and

Whereas, the dramatic increase in locally based and locally supported renewable energy facilities has occurred under existing property tax laws that enable cities and towns to appropriately collect revenues from private developers and protect the interests of local taxpayers; and

Whereas, communities, working with the residents, nonprofit institutions, land trusts and state agencies, have protected more than 1 million acres of open space, surpassing developed land for the first time in Massachusetts history; and

Whereas, during this past legislative session, Massachusetts cities and towns led the fight to pass legislation to limit nutrients in fertilizers, to enhance the Community Preservation Act, and to update the Green Communities Act so that Massachusetts can continue to lead the nation in protecting our environment; and

Whereas, in spite of this demonstrated progress, the federal government has imposed additional costly environmental regulatory requirements, based on incomplete scientific analysis and review, on the cities and towns of Massachusetts without any additional appropriations; and

Whereas, the federal fiscal 2012 budget cut approximately \$100 million from Clean Water and Safe Drinking Water Act appropriations, and the fiscal 2013 House Interior Committee proposal would impose a further 40 percent cut of \$866 million, which would threaten our residents' access to clean water and add to the already significant backlog of safe drinking water infrastructure projects and imperil the proven job creation that these investments would bring; and

Whereas, the Massachusetts Water Infrastructure Finance Commission has estimated a \$20.4 billion gap needed for water and wastewater infrastructure over the next 20 years, in addition to an \$18 billion deficit to meet proposed federal stormwater regulations; and

Whereas, the cities and towns of Massachusetts cannot continue to absorb these and additional unfunded mandates and the corresponding workload imposed by the Commonwealth of Massachusetts and the federal government without reimbursement or relief, as these state and federal unfunded mandates undermine the ability of municipal officials to adequately safeguard the environment and maintain current services and programs;

Therefore, it is hereby resolved by the members of the Massachusetts Municipal Association as follows:

- The state Legislature, the Governor, the Commonwealth's administrative agencies, the U.S. Congress, the President, and federal agencies must commit to a cooperative partnership with municipalities and should reject all proposals and policies that would undermine this partnership, either by imposing unfunded mandates or preempting municipal taxing authority in any way; and
- The state Legislature should pass legislation requiring the Executive Branch and the Legislature to provide a fiscal note as part of any proposal in order to clearly explain the benefits and costs imposed on municipal government and local taxpayers as a result of such legislation or regulation, including staff necessary to administer or implement said legislation or regulation and the benefits to be derived through such expenditure; and
- In the event there is a cost identified in a fiscal note, the Legislature or executive agency should refrain from enacting any legislative proposal or regulation until such time as an appropriation matching that amount is provided both initially and annually thereafter, or the enacted or promulgated proposal shall cease to have authority; and
- The Governor and the Legislature should approve a multi-year environmental bond bill to fund water, wastewater and stormwater infrastructure improvements and grant authority to cities and towns to establish drinking water, stormwater and sewer infrastructure banks to build, repair, and maintain water-related infrastructure systems; and
- With more than 3,000 dams in Massachusetts, most in disrepair, causing untold environmental damage, the state must pass dam removal and repair legislation to restore our fish and aquatic habitat, assist communities as they seek to protect the health and safety of their residents, and reduce the costs of complying with the federal phosphorus reduction mandates; and
- The Administration should immediately allocate the \$25 million Drinking Water Quality Act Authorization as passed in the 2008 Massachusetts Environmental Bond Act; and
- The U.S. Congress and the President should, at a minimum, restore funding for the Drinking Water and Clean Water state revolving fund programs to the fiscal 2010 level of \$1.38 billion and \$2.1 billion, respectively, in the fiscal 2013 Interior Appropriations Bill; and

Be it further resolved that a copy of this resolution shall be presented to the Governor, the members of the Massachusetts Legislature, the members of the Massachusetts Congressional Delegation, and

the President of the United States on behalf of the cities and towns of the Commonwealth.

For consideration at the MMA Annual Business Meeting, January 26, 2013

Proposed Resolution Calling for Solutions to the Transportation Finance Crisis



Whereas, a modern and fully functioning transportation system is essential for economic competitiveness, growth and a high quality of life in Massachusetts, ensuring productive and efficient commerce for all businesses, and safe and efficient travel for individuals and families across the Commonwealth;

Whereas, investments in public roads, bridges and transit are essential to prevent a decline in competitiveness, to ensure public safety, and to preserve the quality of life in Massachusetts;

Whereas, transportation construction investments are a vital source of employment and economic benefits, with estimates by the American Road and Transportation Builders Association showing that every \$1 billion spent by federal, state and local governments creates or supports 27,832 jobs;

Whereas, transportation finance in the Commonwealth is a critical and urgent matter because the current state and federally funded program has been operating on intermittent and short-term extensions that undermine predictability and stability, interfering with the ability of towns, cities and states to plan and manage their infrastructure maintenance and improvement operations;

Whereas, the Massachusetts Transportation Finance Commission found that there is a state transportation funding deficit of approximately \$20 billion over the next two decades, including a \$1 billion gap in the Chapter 90 program, and funding for Chapter 90 has not kept pace with increases in the cost of materials and labor, as evidenced by an MMA survey of cities and towns that determined that the actual need for the Chapter 90 program is more than \$400 million a year; and

Whereas, authorization for the federal highway transportation program will end in less than two years, and the federal highway trust fund and federal gas and fuel taxes are inadequate to meet the promises made in the law, creating uncertainty and undermining the federal partnership that is necessary to ensure adequate investments in roads, bridges, transit and regional transportation systems;

Whereas, cities and towns in Massachusetts must receive increased resources and revenues from the state and federal governments to allow communities to maintain their public roads and bridges in acceptable conditions; and

Whereas, the MMA has been a leading member of a statewide coalition of key stakeholders working to educate the public and state about the transportation funding crisis;

Therefore, in order to build our local and regional economies, enhance economic development, create essential construction jobs, protect and promote safety on roadways, and keep our transportation system moving, it is hereby resolved by the members of the Massachusetts

Municipal Association as follows:

- The MMA will continue to take a leadership role in examining the extent of the funding crisis, advocating for multi-faceted solutions, and educating the public about the critical needs of the Commonwealth's local and state transportation systems, including the promotion of a stable, broad-based revenue structure that is adequate to support and maintain our roads, bridges, highways, bicycle and pedestrian accommodations, and transit systems in a manner that shares resources fairly with the cities and towns of Massachusetts; and
- The Governor must submit and the Legislature must approve a new multi-year state transportation bond authorization that includes at least a five-year Chapter 90 bond authorization, including not less than a total of \$300 million in any one year; and
- Recognizing that transportation investments are vital to our nation's economic recovery, federal budget cuts should not be targeted at federal highway and transit programs, and Congress and the President should prioritize the formulation and passage of a longer-term surface transportation bill of at least five years that includes competitive grant funding opportunities that are directly accessible to municipalities, to be enacted immediately upon expiration of MAP-21; and

Be it further resolved that a copy of this resolution shall be presented to the Governor, the members of the Massachusetts Legislature, the members of the Massachusetts Congressional Delegation, and the President of the United States on behalf of the cities and towns of the Commonwealth.

For consideration at the MMA Annual Business Meeting, January 26, 2013

Voting at the MMA Annual Business Meeting



Each city or town that is a member of the MMA is entitled to one vote at the Annual Business Meeting, under the guidelines established in the association's bylaws [Article II, Sect. 6].

According to the bylaws, the person who votes on behalf of a member community must be:

- The mayor or chief executive of a member city; or
- The chair of the board of selectmen of a member town.



In the event that the designated official from a member community cannot attend, a councillor, selectman, or manager from that community can vote in the person's place, but only with written authorization from the designated official. Those eligible voting officials who cannot attend the Annual Business Meeting and who designate someone else to take their place must provide written authorization.

Voting delegates may obtain voting cards at the credentials table before the meeting begins. Only one voting card will be issued per member community.



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

MEETING DATE: 01/08/2013

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

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

BOARD OF SELECTMEN

* MINUTES *

December 10, 2012

- 4:00 p.m. A special meeting of the Board of Selectmen was convened by Chairman Gerald Wasserman at the Needham Town Hall. Present were Mr. Dan Matthews, Mr. John Bulian, Mr. Maurice Handel, Mr. Matthew Borrelli, Assistant Town Manager David Davison, Assistant Town Manager Christopher Coleman, Support Services Manager Sandy Cincotta, Town Counsel David Tobin, and Town Manager Kate Fitzpatrick.
- 4:00 p.m. Tax Classification
Mr. Davison and Mr. Chip Davis, Administrative Assessor appeared before the Board to recommend approval of the residential factor that was the subject of the Board's hearing on December 4th.

Motion: Mr. Bulian moved that the Board vote to confirm the residential factor of .891440 and approve and sign the fiscal year 2013 Tax Recapitulation Forms. Mr. Handel seconded the motion. Unanimous: 5-0.
- 4:10 p.m. Budget Priorities
Ms. Fitzpatrick proposed a set of budget priorities for the fiscal year 2014 budget. Mr. Wasserman said that he wanted to make it clear that the first priority of the Board is to maintain existing services, and that the budget priorities were subject to the availability of adequate revenue. Ms. Fitzpatrick agreed to provide a revised version of the budget priorities for the Board's December 18th meeting.
- 4:20 p.m. Capital Improvement Plan
Mr. Davison and Ms. Fitzpatrick presented the five year Capital Improvement Plan including recommendations for all five years. Mr. Davison noted that the Board would be asked to vote on the CIP at its meeting on December 18th, and that he would be happy to answer any questions on particular projects in the meantime.
- 4:30 p.m. Alcohol Regulations
The Board discussed the draft alcohol regulations and suggested changes proposed by members of the public and other Board members. Ms. Cincotta outlined the changes from the prior draft – all were housekeeping items. Topics included:

Home Delivery
Mr. Borrelli asked if home delivery should be delayed. Mr. Bulian

said that he had concerns as well. Mr. Wasserman said that residents can call other towns for home delivery and it is a fairness issue. Ms. Fitzpatrick said that her office will inspect the home delivery records. Mr. Bulian said that the Town should be on notice if the store will provide home delivery. It was the consensus that home delivery must be made within the stated hours of the store, that the person delivering must be over 21 years of age, and that the licensed establishment will notify the Town of its intent to provide home delivery.

Zoning

Mr. Handel suggested that the Board should use the zoning proposal as a guide when the Board makes decisions on applications. Mr. Borrelli agreed. Mr. Matthews said that he would like to let proponents have an opportunity to be heard before making a decision. He agreed that the Board can take the zoning information into the record, consider it, and use it as an advisory opinion. Mr. Bulian agreed.

Signage

Mr. Borrelli said that he would like to make it clear that the Board has a role in controlling signage. He wondered if the word "limited" is too open. Mr. Wasserman said that applicants should have some guidance. Mr. Matthews said that he would like to see the Board make a decision on a case by case basis – restrictions can be placed on the license. Mr. Bulian suggested separating the storefront advertising from the athletic team advertising. The Board agreed. Mr. Bulian asked if the regulations could require a plan for signage on premises. It was the consensus of the Board to include that provision.

Fees

Mr. Bulian asked if the initial fee can be higher than the renewal fee. Mr. Tobin said that was allowed. Mr. Bulian suggested a fee structure of \$3,500 initial and \$3,000 renewal for all-alcohol, and \$2,500 and \$2,000 for beer and wine. It was the consensus of the Board to take this approach.

ID Detection Equipment

Mr. Bulian said that he wondered if this equipment would be useful. Mr. Handel said that the outcome is more important than the method and he would prefer not to dictate the method. Mr. Bulian said that he was willing to take a wait and see approach.

Beer and Wine in Grocery Stores

Mr. Wasserman said that he felt very strongly that the Board had committed to the sale of beer and wine only in food stores. Mr. Matthews said there may be circumstances where a food store has a companion store front and he wouldn't want to limit the license before hearing from the proponent. He said that he agreed that

traditional food stores should be limited to beer and wine, but proposed that limit in the license and not in the regulations in case there are special circumstances. Mr. Borrelli said that he could not see supporting sale of all alcohol in a food store. It was the final consensus of the Board to limit food store licenses to beer and wine only.

Geographic Restriction

The Board discussed a proposal to extend the geographic limit for notice to schools and houses of worship from 500 feet to 1,000 feet. Mr. Borrelli said that he preferred that the limit not be changed from State law as the distance is arbitrary anyway. The Board agreed.

Sale of Nips and Pints

It was the consensus of the Board that the sale of nips and pints be restricted to behind a counter or similar measure. Ms. Cincotta agreed to find language from another community.

Employment of Personnel Under 21 at Food Stores

Mr. Borrelli suggested that the regulations mirror State law that 18 year olds can handle alcohol and check out customers with the verification of someone over 21. Mr. Bulian asked how it works in other communities, and Ms. Cincotta agreed to contact a Sudbury Farms and a Trader Joe's. Mr. Handel said that he feels the license is so important to the business that it will self-enforce. Mr. Wasserman said that he is troubled about the appearance of 18 year olds handling alcohol in family stores and that food stores are different from package stores. He said that he would agree to this approach as long as someone who is over 21 would verify the sale. The Board agreed to this approach, and also agreed that staff in package stores must be over 21.

5:55 p.m.

Motion: Mr. Matthews made a motion to adjourn. Mr. Handel seconded the motion. Unanimous: 5-0.



One Winthrop Square, Boston, MA 02110

617-426-7272 or 800-882-1498

Facsimile 617-426-9546 • www.emiia.org

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN

2012 DEC 20 P 2:49

MEMORANDUM

TO: MIIA Members

FROM: Geoffrey Beckwith, President, MIIA

DATE: December 20, 2012

SUBJECT: Report of the Nominating Committees

It is once again time to select nominees for Directors of the Massachusetts Interlocal Insurance Association, Inc. and the MIIA Property and Casualty Group, Inc. The members for these Boards will be elected at the MIIA Annual Meeting on January 26, 2013.

The Property and Casualty Group, Inc. is the corporation that provides members with insurance coverages. The Massachusetts Interlocal Insurance Association, Inc. is the designated administrator for the organization. Your municipality is a voting member of both corporations.

Enclosed you will find the Nominating Committee Report for each of the above-mentioned organizations, a Nominating Form for each in case you wish to nominate someone else as a Director of one or more of the organizations, and a form to specify who is your "voting delegate." Please read the enclosed Requirements for Voting prior to completion of the Voting Delegate Designation Form and return that form to us as soon as possible.

We look forward to seeing you at the Annual Meeting.



MEMORANDUM

TO: MIIA Members

FROM: **Massachusetts Interlocal Insurance Association, Inc.**
Nominating Committee: Geoffrey Beckwith, Ira Singer, Mary Pat Flynn, Reginald Stapczynski, Colleen Corona

DATE: December 20, 2012

SUBJECT: Nominating Committee Report

MIIA is again calling on its members to participate in electing officials to serve on the Massachusetts Interlocal Insurance Association, Inc. Board of Directors. The Board is responsible for approving and directing the overall policies of the MIIA programs. This is an important task since MIIA now has a combined membership of more than 350 members for the health, property and liability, and workers' compensation insurance programs.

At the MIIA Annual Meeting to be held on January 26, 2013, members will elect two individuals to fill three-year terms to expire in January, 2016. The Nominating Committee respectfully submits the following candidates for nomination as members of the Board of Directors:

For three-year terms expiring in January 2016:

David Kielson, Select Person, Chesterfield – Mr. Kielson is a Certified Public Accountant and has served as Town Accountant for four small communities in western Massachusetts. He currently serves on the MIIA Property and Casualty Group, Inc. and MIIA, Inc. boards.

Wayne Marquis, Town Manager, Danvers – Mr. Marquis has served on the MIIA Board of Directors since 1991 and is currently a member of the MIIA, Inc. and MIIA Property & Casualty Group boards. He is a former member of the MMA Board of Directors and a former member of the Board of Directors of Blue Cross Blue Shield.

Colleen Corona, Selectman, Easton and Reginald Stapczynski, Town Manager, Andover will continue to serve in three-year terms expiring in January, 2014. **Ira Singer, Town Administrator, Middleton and Mary Pat Flynn, Selectman, Falmouth** will continue to serve in three-year terms expiring in January, 2015.

MIIA, Inc.



One Winthrop Square, Boston, MA 02110
617-426-7272 or 800-882-1498
Facsimile 617-426-9546 • www.emiia.org

MEMORANDUM

TO: Property and Casualty Group Members

FROM: **MIIA Property and Casualty Group, Inc. Nominating Committee:**
Geoffrey Beckwith, Wayne Marquis, Ira Singer

DATE: December 20, 2012

SUBJECT: Nominating Committee Report

Three members of the Board of Directors of the MIIA Property and Casualty Group, Inc. are to be elected this year for two-year terms expiring in 2015. The Nominating Committee respectfully submits the following candidates for nomination as members of the Board.

For two-year terms expiring January 2015:

David Kielson, Select Person, Chesterfield – Mr. Kielson is a Certified Public Accountant and has served as Town Accountant for four small communities in western Massachusetts. He currently serves on the MIIA Property and Casualty Group, Inc. and MIIA, Inc. boards.

Kenneth Walto, Town Manager, Dalton - Mr. Walto has been the town manager in Dalton since 2001 and served in local government for more than 20 years. He serves on the MIIA Health Benefits Trust board and is an active member of the Massachusetts Municipal Management Association and the Massachusetts Municipal Personnel Association.

Mary Pat Flynn, Selectman, Falmouth - Ms. Flynn was the Human Resources Director for the Town of Plymouth. She is presently a member of the MIIA Property and Casualty Group, Inc. board.

Ira Singer, Town Administrator, Middleton; Wayne Marquis, Town Manager, Danvers; and Rocco Longo, Town Administrator, Marshfield, will continue to serve in two-year terms expiring in January 2014.

MIIA P&C

REQUIREMENTS FOR VOTING

The requirements for voting are detailed in the by-laws of each organization. In summary:

Each member shall have one vote which may be cast only by its voting delegate. The following individuals are eligible voting delegates.

1. In the case of a city or a town with a city form of government, (a) its chief executive, or (b) a person designated in writing by such chief executive;
2. In the case of all other towns, (a) the Chairman of its Board of Selectmen, (b) another Selectman designated in writing by such Chairman, or (c) the Manager designated in writing by such Chairman.

Voting in person is required for the election of the Board of Directors. All voting will be by a vote of hands, unless a roll call is requested by three or more voting delegates.

The nominees receiving the greatest number of votes shall be deemed elected as directors and shall commence their terms at the conclusion of the meeting.

If you are a voting delegate and wish to nominate another person as a director, such nomination must be received in writing no later than January 14, 2013, twelve days prior to the Annual Meeting. Enclosed is a nomination form for this purpose.

VOTING DELEGATE DESIGNATION FORM

The voting delegate for the City/Town of Needham

is David Davison
(Name) (Please Print)

X _____
Gerald A. Wasserman,
Chairman, Board of Selectmen

Please return this form by January 14, 2013 to:

Stanley J. Corcoran
Executive Vice President
Massachusetts Interlocal Insurance Association
One Winthrop Square
Boston, MA 02110

or FAX to:
(617) 426-9546

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

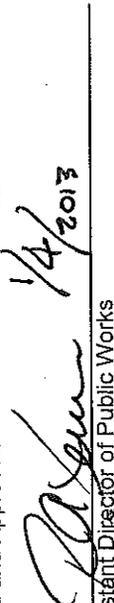
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

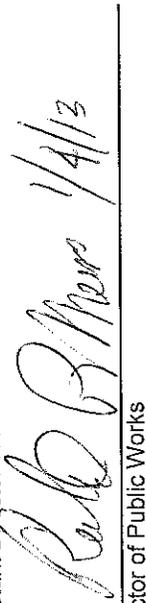
WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	-\$132.30
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$2,833.45
Transfer Station Charges:	\$0.00
Total Abatement:	-\$2,965.75

Order #: 1154

Read and Approved: 1/4/2013


Assistant Director of Public Works


Director of Public Works

For the Board of Selectmen

Date: 1/8/2013

**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	Utin	Danil M.	28901	18982	161	Winding River Rd	\$0.00	\$0.00	-\$406.45	-\$406.45	ACC	N
DB	Hurney	William P.	3805	16228	167	Oak Street	\$0.00	\$0.00	-\$188.55	-\$188.55	ACC	N
DB	McDonough	Kathleen	22187	1346	211	Broad Meadow Rd	\$0.00	-\$26.55	-\$32.25	-\$58.80	EQUIP	Y
DB	Fruman	Jeffrey	34023	17634	255	Fox Hill Rd	\$0.00	\$0.00	-\$986.40	-\$986.40	ACC	N
DB	Cohen	Daniel	29453	14900	1313	Great Plain Ave	\$0.00	\$0.00	-\$970.35	-\$970.35	ACC	N
JO	Council on Aging (1)											

Total: -\$2,965.75

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.
- TWN = Town Project caused damage to private property
- EC = Extenuating Circumstances
- Equip = Equipment Malfunction
- UEW = Unexplained water loss
- ACC = Accidental Water Loss
- BP = Billing Period beyond 100 days
- COA = Council on Aging