

**BOARD OF SELECTMEN**  
**April 10, 2013**  
**Needham Town Hall**  
**Agenda**

	<b>6:45</b>	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>
<b>1.</b>	<b>7:00</b>	Board Reorganization
<b>2.</b>	<b>7:00</b>	Grant of Location- Level 3 Communications- 77 A Street <ul style="list-style-type: none"> <li>• Fred York, Phoenix Communications</li> </ul>
<b>3.</b>	<b>7:10</b>	Babson Scholarships <ul style="list-style-type: none"> <li>• Melissa Shaak, Babson College</li> </ul>
<b>4.</b>	<b>7:20</b>	Zoning Articles <ul style="list-style-type: none"> <li>• Lee Newman, Director Planning &amp; Community Development</li> <li>• Bruce Eisenhut, Chair, Planning Board</li> </ul>
<b>5.</b>	<b>7:30</b>	Director of Public Works <ul style="list-style-type: none"> <li>• Annual Town Meeting Warrant Articles</li> </ul>
<b>6.</b>	<b>7:40</b>	Town Manager <ul style="list-style-type: none"> <li>• Close Special Town Meeting Warrant</li> <li>• Positions on Warrant Articles</li> </ul>
<b>7.</b>	<b>8:00</b>	NEF Spelling Bee Recognition
<b>8.</b>	<b>8:05</b>	Board Discussion <ul style="list-style-type: none"> <li>• Committee Reports</li> </ul>

**APPOINTMENTS**

1.	Needham Community Revitalization Trust Fund	Bill Dermody (term expires 6/30/2014)
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**CONSENT AGENDA      \*=Backup attached**

1.	Approve continuation of the experimental Traffic Regulation in accordance with the Needham Traffic Rules and Regulations Section 3-6 for Great Plain Avenue for the period April 17, 2013 to May 16, 2013: One Handicap Parking spot, and one 15 minute Parking spot, in front of the former Eaton Square Right of Way adjacent to MBTA Right of Way.
2.*	Ratify a Special One Day Liquor License for Kathryn Lozano of the YMCA to have a "Going Away Celebration" on Wednesday, April 3, 2013 from 6:00 p.m. to 8:00 p.m. at the Charles River YMCA, located at 863 Great Plain Avenue, Needham.
3.*	Approve application for a 2013 Common Victualler license from Volante Farms Inc. located at 292 Forest Street, Needham.

4.*	Approve a request from Emma Bagnell of Have2Run Productions to hold its Father's Day 5K road race on Sunday, June 16, 2013 from 9:00 a.m. to 12:00 p.m. on the grounds of the LT. Mason Carter VFW Post on Junction Street and the surrounding streets. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
5.	Grant permission for the Needham Business Association to use the Town Common and surrounding area for its Street Fair on Saturday, June 1, 2013 and Harvest Fair on Saturday, October 5, 2013. Permission includes any changes as recommended by the Needham Police Department.
6.	Grant permission for free meter parking in the downtown area on Saturday, June 1, 2013 and Saturday, October 5, 2013 so that residents may enjoy the Street Fair and Harvest Fairs.
7.*	Approve Application for Deferral of Water & Sewer User Fees.
8.	Accept a donation of \$700 made to Needham Youth Services from the Needham Community Council. They would like the monies to be used to sponsor the Youth Services' Project VAN.
9.	Accept the following donations made to Needham Youth Services this year to date, to enhance Youth Services overall programming: \$5 from Carolyn Guttilla; \$50 from Sara Silva; \$100 from Sara Fruman; \$25 from Martha Gowetski; and \$5 from Stacie Shapiro.
10.*	Water & Sewer Abatement Order No.1159
11.*	Special Sewer Assessment Order No. 590

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## NEEDHAM BOARD OF SELECTMEN RE-ORGANIZATION MEETING FOR APRIL 10, 2013

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1. Town Clerk swears in the Elected Officials.
2. Chairman calls for nominations for the re-organization of the Board of Selectmen.

Chairman: \_\_\_\_\_

Vice Chairman: \_\_\_\_\_

Secretary/Clerk: \_\_\_\_\_

3. Members now change to new seating arrangement.
4. The Board of Selectmen regular meeting schedule for the year.

May 14, 2013	Sept 10, 2013	Dec 3, 2013	March 11, 2014
May 28, 2013	Sept 24, 2013	Dec 17, 2013	March 25, 2014
June 11, 2013	Oct 8, 2013	Jan 14, 2014	April 9, 2014*
June 26, 2013*	Oct 22, 2013	Jan 28, 2014	April 22, 2014
July 16, 2013	Nov 12, 2013	Feb 11, 2014	
August 20, 2013	Nov 26, 2013	Feb 25, 2014	* <i>Wednesday</i>

5. Committee Secretary for Board of Selectmen:  Sandy Cincotta  
\_\_\_\_\_
6. Recording Secretary for Board of Selectmen:  Mary Hunt



## Town of Needham Board of Selectmen (1950 - 2013)

1988-89	H. Phillip Garrity, Jr.	Sally B. Davis	John D. Marr, Jr.		David F. Edridge, Jr.	1988-89
1989-90				Marcia M. Carleton		1989-90
1990-91				Ted Owens		1990-91
1991-92	H. Phillip Garrity, Jr.	Sally B. Davis	John D. Marr, Jr.	Marcia M. Carleton	David F. Edridge, Jr.	1991-92
1992-93				Ted Owens		1992-93
1993-94					David F. Edridge, Jr.	1993-94
1994-95	H. Phillip Garrity, Jr.					1994-95
1995-96		Sally B. Davis	John D. Marr, Jr.		David F. Edridge, Jr.	1995-96
1996-97				Ted Owens	William M. Powers	1996-97
1997-98	Daniel P. Matthews	John H. Cogswell	John D. Marr, Jr.			1997-98
1998-99				Ted Owens	William M. Powers	1998-99
1999-00						1999-00
2000-01	Daniel P. Matthews					2000-01
2001-02		John H. Cogswell	Gerald A. Wasserman			2001-02
2002-03				Colleen Schaller	William M. Powers	2002-03
2003-04	Daniel P. Matthews					2003-04
2004-05		John H. Cogswell	Gerald A. Wasserman			2004-05
2005-06				James G. Healy	John A. Bulian	2005-06
2006-07	Daniel P. Matthews	John H. Cogswell	Gerald A. Wasserman			2006-07
2007-08				James G. Healy	John A. Bulian	2007-08
2008-09						2008-09
2009-10	Daniel P. Matthews					2009-10
2010-11		Denise C. Gartick	Gerald A. Wasserman			2010-11
2011-12		James G. Healy	Gerald A. Wasserman	Maurice P. Handel	John A. Bulian	2011-12
2012-13	Daniel P. Matthews					2012-13
2013-14		Matthew D. Borrelli				2013-14
2014-15				Maurice P. Handel	John A. Bulian	2014-15
2015-16	Daniel P. Matthews					2015-16
2016-17						2016-17
2017-18						2017-18
2018-19						2018-19
2019-20						2019-20

## Town of Needham Board of Selectmen (1950 - 2013)

Spring Town Election									
1950-51				Edward J. Stewart	George M. Pond	Emery S. Doane	Three Selectmen		
1951-52				Edward J. Stewart	George M. Pond	Emery S. Doane	-elected each for		
1952-53				Edward J. Stewart	George M. Pond	Frank E. Godfrey	one year term		
1953-54				Edward J. Stewart	George M. Pond	Frank E. Godfrey			
1954-55				Edward J. Stewart	Everett C. Cross	Philip F. Foss			
1955-56				Edward J. Stewart	Everett C. Cross	Philip F. Foss			
1956-57			Marian F. Keith	Edward J. Stewart	Everett C. Cross	Philip F. Foss	By vote of		
1957-58							STM 11.14.1955,		
1958-59	Clarke H. Wertheim						changed number of		
1959-60			Marian F. Keith	Peter W. Carre			BOS from 3 to 5,		
1960-61							Effective 1956		
1961-62	Clarke H. Wertheim						town election.		
1962-63			Marian F. Keith	Peter W. Carre	J. Roland Ackroyd	Philip F. Foss			
1963-64					Paul F. Saint	Philip F. Foss			
1964-65	Clarke H. Wertheim								
1965-66			Henry D. Hersey	Peter W. Carre					
1966-67					Paul F. Saint	Philip F. Foss			
1967-68	Clarke H. Wertheim								
1968-69			Henry D. Hersey	Peter W. Carre	Paul F. Saint	Philip F. Foss		1968-69	
1969-70								1969-70	
1970-71	Richard M. Salamone							1970-71	
1971-72			Henry D. Hersey	Benedict Horowitz	John C. Hatch	H. Phillip Garrity, Jr.		1971-72	
1972-73								1972-73	
1973-74	Richard M. Salamone							1973-74	
1974-75			Henry D. Hersey	Benedict Horowitz		H. Phillip Garrity, Jr.		1974-75	
1975-76								1975-76	
1976-77	Richard M. Salamone							1976-77	
1977-78			Henry D. Hersey	Benedict Horowitz				1977-78	
1978-79	Richard M. Salamone					Francis A. Faccetti		1978-79	
1979-80	H. Phillip Garrity, Jr.							1979-80	
1980-81			Henry D. Hersey	Norman P. Jacques		Francis A. Faccetti		1980-81	
1981-82								1981-82	
1982-83	H. Phillip Garrity, Jr.							1982-83	
1983-84			Henry D. Hersey	Norman P. Jacques				1983-84	
1984-85						Francis A. Faccetti		1984-85	
1985-86	H. Phillip Garrity, Jr.							1985-86	
1986-87			Sally B. Davis	Norman P. Jacques				1986-87	
1987-88						David F. Edridge, Jr.		1987-88	



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

**MEETING DATE: 04/10/2013**

<b>Agenda Item</b>	Public Hearing – Level 3 Communications Petition for 128 A Street
<b>Presenter(s)</b>	Fred York, Phoenix Communications

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>Level 3 Communications requests permission in front of 128 A Street to place a handhole in the sidewalk and then install approximately 130 feet of 4" sch 40 pvc conduit down A Street to another smaller handhole. Level 3 will cross A Street for approximately 90' to 77 A Street in Needham, and at this location will provide General Dynamics a fiber optic circuit. Phoenix Communications is their preferred contractor for this work and they have filed a bond with the Town of Needham for this construction.</p> <p>The Department of Public Works has approved this petition, based on Level 3 Communication's commitment to adhere to regulation that <b>all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.</b></p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<p>Suggested Motion: Move that the Board of Selectmen approve and sign a petition from Level 3 Communications to place a handhole in the sidewalk and then install approximately 130 feet of 4" sch 40 pvc conduit down A Street to another smaller handhole. Level 3 will cross A Street for approximately 90' to 77 A Street in Needham, and at this location will provide General Dynamics a fiber optic circuit.</p>			
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<p><b>(Describe backup below)</b></p> <ul style="list-style-type: none"> <li>a. Letter of Application</li> <li>b. Petition Plan</li> <li>c. Notice Sent to Abutters</li> <li>d. List of Abutters</li> </ul>			



03-11-13

Petition for Conduit Location  
Town of Needham  
Needham Board of Selectman, Needham, MA

Level 3 Communications requests permission to lay and maintain underground conduits and handholes, with cables placed therein, under the surface of the follow public way or private ways:

In front of #128 A Street, Level 3 would place a handhole in the sidewalk and then install approximately 130' of 4" sch 40 pvc conduit down A street to another smaller handhole. Level 3 would cross A Street for approximately 90' to #77 A Street, Needham. At this location, Level 3 will provide General Dynamics a fiber optic circuit. Construction is expected to be completed in four days. We will have 2 Needham Police Officer details onsite for traffic control and pedestrian travel. The trench will conform the Town of Needham standards with 24" of cover along with the proper compaction. Phoenix Communications is our preferred contractor for this work and they have filed a bond with the Town of Needham for this construction.

Please see enclosed plan Numbered 9134 filed herewith. It shows the location of the proposed conduit to be constructed.

Level 3 Communications

3/11/2013

By Gordon Gee  
Federal Program Manager  
Government PMO  
Level 3 Communications  
7900 Westpark Drive, Suite 1200  
McLean, VA 22102

7900 Westpark Drive, McLean, VA

571 730-6591

*OK to proceed  
TMM, DPW Engr.  
3/19/13  
OK  
RPM, DPW Director  
3/19/13*

*Approved by BOS: \_\_\_\_\_  
Date: \_\_\_\_\_*

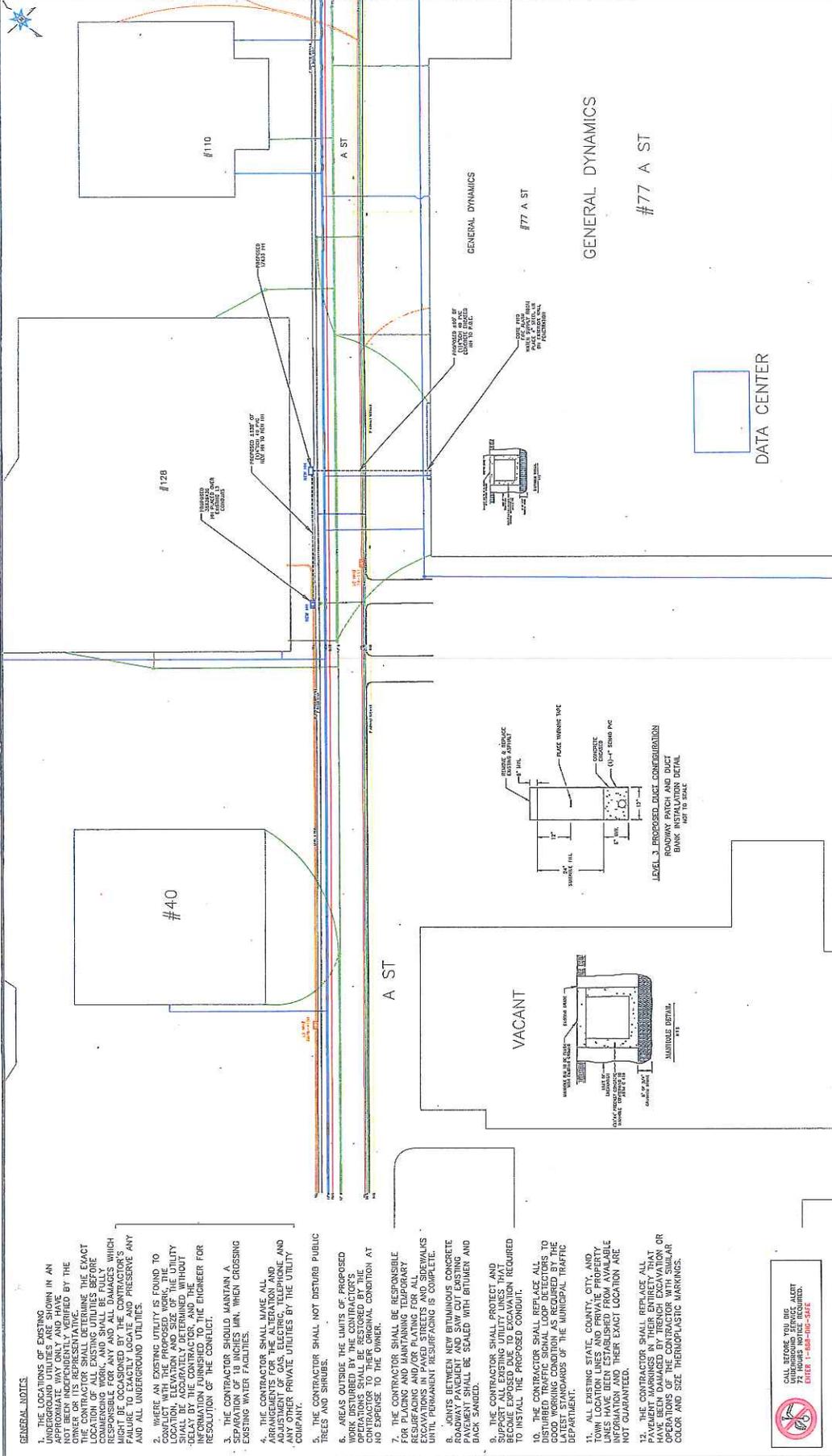
www.level3.com



**PROPOSED CONDUIT  
INSTALLATION  
TO  
77 A STREET  
GENERAL DYNAMICS  
IN THE  
TOWN OF NEEDHAM**

**INDEX OF DRAWING**

SHT NO.	DESCRIPTION
01	PROPOSED PLAN



PROPOSED RETIRED PLAN

77 A STREET

PROJECT NO. 110000013

DATE 11/01/2013

SCALE 1"=40'

REVISIONS

NO.	DATE	DESCRIPTION
1		ISSUED FOR PERMITS
2		REVISED PER COMMENTS
3		REVISED PER COMMENTS

LEGEND

1	UTILITY POLE	1	WATER MAIN
2	STREET LIGHT	2	SEWER MAIN
3	TRAFFIC LIGHT	3	TELEPHONE LINE
4	TRAFFIC SIGNAL	4	TELEPHONE CABLE
5	TRAFFIC SIGNAL	5	TELEPHONE CABLE
6	TRAFFIC SIGNAL	6	TELEPHONE CABLE
7	TRAFFIC SIGNAL	7	TELEPHONE CABLE
8	TRAFFIC SIGNAL	8	TELEPHONE CABLE
9	TRAFFIC SIGNAL	9	TELEPHONE CABLE
10	TRAFFIC SIGNAL	10	TELEPHONE CABLE
11	TRAFFIC SIGNAL	11	TELEPHONE CABLE
12	TRAFFIC SIGNAL	12	TELEPHONE CABLE
13	TRAFFIC SIGNAL	13	TELEPHONE CABLE
14	TRAFFIC SIGNAL	14	TELEPHONE CABLE
15	TRAFFIC SIGNAL	15	TELEPHONE CABLE
16	TRAFFIC SIGNAL	16	TELEPHONE CABLE
17	TRAFFIC SIGNAL	17	TELEPHONE CABLE
18	TRAFFIC SIGNAL	18	TELEPHONE CABLE
19	TRAFFIC SIGNAL	19	TELEPHONE CABLE
20	TRAFFIC SIGNAL	20	TELEPHONE CABLE

NOTE:

THE LOCATION OF SURFACE AND UNDERGROUND OBJECTS SHOWN ARE NOT WARRANTED TO BE CORRECT.

STREET: ASPHALT

SIDEWALK: CONCRETE

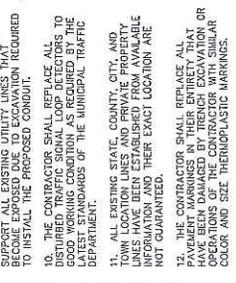
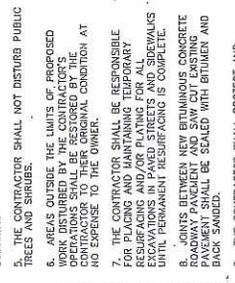
CURB: GRANITE

CALL BEFORE YOU DIG

UNDERGROUND SERVICE ALERT

1-800-4-A-SAFE

- GENERAL NOTES
1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN UNBROKEN LINE. THE LOCATION OF UTILITIES NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE.
  2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY OCCUR AS A RESULT OF ANY FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
  3. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY OCCUR AS A RESULT OF ANY FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
  4. THE CONTRACTOR SHALL MAINTAIN A MINIMUM CLEARANCE OF 10 FEET FROM ALL EXISTING UTILITIES.
  5. THE CONTRACTOR SHALL MAINTAIN A MINIMUM CLEARANCE OF 10 FEET FROM ALL EXISTING UTILITIES.
  6. THE CONTRACTOR SHALL MAKE ALL NECESSARY ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE AND OTHER PRIVATE UTILITIES BY THE UTILITY COMPANY.
  7. THE CONTRACTOR SHALL NOT DISTURB PUBLIC UTILITIES.
  8. AREAS OUTSIDE THE LIMITS OF PROPOSED WORK SHALL BE RESTORED TO ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE TO THE OWNER.
  9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING UTILITIES AND FOR PLACING FOR ALL EXCAVATIONS IN PAVED STREETS AND SIDEWALKS UNTIL PERMANENT RESURFACING IS COMPLETE.
  10. JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAW CUT EXISTING PAVEMENT SHALL BE SEALED WITH BRUSHER AND BACK SANDING.
  11. THE CONTRACTOR SHALL PROTECT AND SUPPORT ALL EXISTING UTILITY LINES THAT BECOME EXPOSED DUE TO EXCAVATION REQUIRED TO INSTALL THE PROPOSED CONDUIT.
  12. THE CONTRACTOR SHALL REPLACE ALL EXISTING UTILITY LINES TO MEET THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
  13. ALL EXISTING STATE, COUNTY, CITY, AND LOCAL UTILITY LINES SHALL BE IDENTIFIED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
  14. THE CONTRACTOR SHALL REPLACE ALL EXISTING UTILITY LINES TO MEET THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
  15. ALL EXISTING STATE, COUNTY, CITY, AND LOCAL UTILITY LINES SHALL BE IDENTIFIED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
  16. THE CONTRACTOR SHALL REPLACE ALL EXISTING UTILITY LINES TO MEET THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
  17. ALL EXISTING STATE, COUNTY, CITY, AND LOCAL UTILITY LINES SHALL BE IDENTIFIED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
  18. THE CONTRACTOR SHALL REPLACE ALL EXISTING UTILITY LINES TO MEET THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
  19. ALL EXISTING STATE, COUNTY, CITY, AND LOCAL UTILITY LINES SHALL BE IDENTIFIED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
  20. THE CONTRACTOR SHALL REPLACE ALL EXISTING UTILITY LINES TO MEET THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.





## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on April 10, 2013** upon petition of Level 3 Communications dated **March 11, 2013**: in front of #128 A Street to place a handhole in the sidewalk and then install approximately 130' of 4" sch 40 pvc conduit down A street to another smaller handhole. Level 3 will cross A Street for approximately 90' to #77 A Street in Needham, and at this location will provide General Dynamics a fiber optic circuit.

If you have any questions regarding this petition, please contact Phoenix Communications representative, Fred York at 508-438-0360 (Ext 224).

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

BOARD OF SELECTMEN

Dated: March 22, 2013

77 A STREET

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/300.0-0026-0000.0	254	SECOND AVE	254 SECOND AVENUE, LLC	197 FIRST AVE	NEEDHAM HTS	MA	02494
199/300.0-0027-0000.0	77	A ST	GENERAL DYNAMICS C4 SYSTEMS, INC. GENERAL DYNAMICS NETWORK SYSTEMS, I	77 A STREET - BLDG. 24	NEEDHAM	MA	02494
199/300.0-0028-0000.0	37	A ST	NORMANDY GAP- V 37 A NEEDHAM, LLC C/O NORMANDY GAP-V DEVEL NEEDHAM LLC	53 MAPLE AVE	MORRISTOWN	NJ	07960-5219
199/300.0-0030-0000.0	300	FIRST AVE	ROBERTS, PAUL G., TR. C/O 300 FIRST AVE REALTY LLC	60 WELLS AVE SUITE 100	NEWTON	MA	02459
199/300.0-0031-0000.0	250	FIRST AVE	NEEDHAM DEVELOPMENT CORP TR 250 FIRST REALTY TRUST	250 FIRST AVE- STE 200	NEEDHAM	MA	02494-2805
199/300.0-0032-0000.0	40	A ST	FORTY A LIMITED PARTNERSHIP	P.O. BOX 95	WESTWOOD	MA	02090
199/300.0-0033-0000.0	72	A ST	DIGITAL FIRST AVENUE, LLC	128 FIRST AVENUE	NEEDHAM	MA	02494
199/300.0-0033-0001.0	72	A ST	DIGITAL 128 FIRST AVENUE, LLC	128 FIRST AVENUE	NEEDHAM	MA	02494
199/300.0-0033-0002.0	128	FIRST AVE	PARTNERS HEALTHCARE SYSTEM, INC.	PRUDENTIAL TOWER 800 BOYLSTON	BOSTON	MA	02119
199/300.0-0034-0000.0	110	A ST	HATOUN, ANTOINE G., TRUSTEE THE INTEX REALTY TRUST	110 A STREET	NEEDHAM	MA	02494
199/300.0-0035-0000.0	130	A ST	130-150 A STREET, LLC	197 FIRST AVENUE, SUITE 300	NEEDHAM	MA	02494
199/300.0-0037-0000.0	206	A ST	ECLIPSE REALTY MANAGEMENT, LLC.	BOX 920757	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: 4/10/2013**

<b>Agenda Item</b>	Babson College Scholarships
<b>Presenter(s)</b>	Melissa Shaak, Director of Financial Aid, Babson College

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>																
<p>The Board of Selectmen awards scholarships to local residents from a fund made available to the Town from Babson College. The number of scholarships and their size is determined by the Board of Selectmen and the Financial Aid Office of Babson College. Melissa Shaak and Dan Matthews met recently and reviewed all the applications.</p>																	
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>														
<p><i>Suggested Motion:</i> That the Board of Selectmen votes to award the Town of Needham Babson Scholarships to the following applicants:</p> <table style="margin-left: 40px;"> <tr> <td>Kelsey Bronski</td> <td>Current junior</td> </tr> <tr> <td>Lauren Confort</td> <td>Current junior</td> </tr> <tr> <td>Anthony Elian</td> <td>Current junior</td> </tr> <tr> <td>Susanna Kroll</td> <td>Current junior</td> </tr> <tr> <td>Matthew Leskanic</td> <td>Current first-year student</td> </tr> <tr> <td>Julia Salamone</td> <td>Current sophomore</td> </tr> <tr> <td>Nicholas Wong</td> <td>Current sophomore</td> </tr> </table>				Kelsey Bronski	Current junior	Lauren Confort	Current junior	Anthony Elian	Current junior	Susanna Kroll	Current junior	Matthew Leskanic	Current first-year student	Julia Salamone	Current sophomore	Nicholas Wong	Current sophomore
Kelsey Bronski	Current junior																
Lauren Confort	Current junior																
Anthony Elian	Current junior																
Susanna Kroll	Current junior																
Matthew Leskanic	Current first-year student																
Julia Salamone	Current sophomore																
Nicholas Wong	Current sophomore																
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>														
<p>a. Listing of Awards (confidential)</p>																	



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

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**MEETING DATE: 4/10/2013**

<b>Agenda Item</b>	Zoning Articles in 2013 Annual Town Meeting Warrant
<b>Presenter(s)</b>	Bruce Eisenhut, Chairman, Planning Board Lee Newman, Director of Planning & Community Development

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>Mr. Eisenhut and Ms. Newman will provide background information about the four articles in the Annual Town Meeting Warrant, and will answer any questions that the Board may have.</p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<p>a. Draft Annual Town Meeting Warrant Provided under separate cover</p>			



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

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**MEETING DATE: 4/10/2013**

<b>Agenda Item</b>	Public Works Articles in 2013 Annual Town Meeting Warrant
<b>Presenter(s)</b>	Rick Merson, Director of Public Works

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
	Mr. Merson will provide background information about Public Works articles in the Annual Town Meeting Warrant, and will answer any questions that the Board may have.		
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
	a. Draft Annual Town Meeting Warrant provided under separate cover		



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

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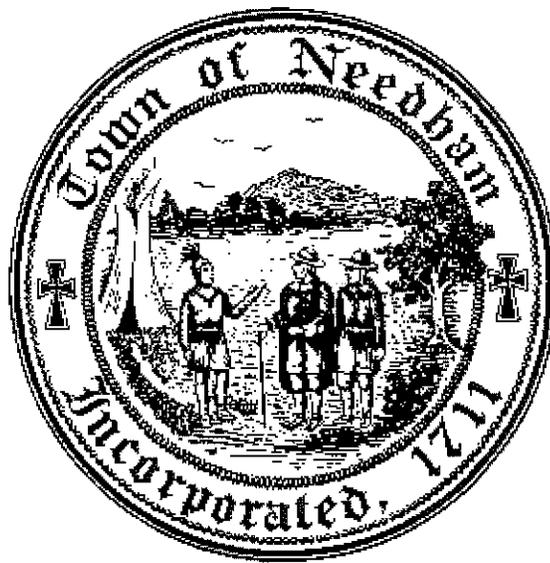
**MEETING DATE: 4/10/2013**

<b>Agenda Item</b>	Close Special Town Meeting Warrant
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
<p>The Town Manager will recommend that the Board close the warrant for the May 13, 2013 Special Town Meeting.</p>			
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<p><i>Suggested Motion:</i> That the Board approve and close the May 13, 2013 Special Town Meeting Warrant as presented by the Town Manager subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.</p>			
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
<p>a. Draft Special Town Meeting Warrant (4/5/13)</p>			

# **SPECIAL TOWN MEETING**

## **WARRANT**



# **TOWN OF NEEDHAM**

**MONDAY, MAY 13, 2013**

**7:30 P. M.**

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

**1471 HIGHLAND AVENUE**

**NEEDHAM**

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

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**May 13, 2013 Special Town Meeting Warrant  
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**Article 1**

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**Article 2**

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**Article 3**

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**Article 4**

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**Article 5**

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**Article 6**

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COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

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

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

**MONDAY, THE THIRTEENTH DAY OF MAY, 2013**

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

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**ARTICLE X      APPROPRIATE FOR TREE INVENTORY GRANT MATCHING FUNDS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$30,000 as matching funds for an Urban Forestry Grant to create a tree inventory, said sum to be spent under the direction of the Town Manager and transferred from available funds; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X      APPROPRIATE FOR WASTE CONTAINERS**

To see if the Town will vote to raise and /or transfer and appropriate the sum of \$34,000 for purchase of open and dome waste containers, said sum to be spent under the direction of the Town Manager, and that \$15,000 be transferred from Article 59 of the 2001 Annual Town Meeting, and that \$19,000 be transferred from Article 5 of the May 2001 Special Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X      AMEND THE FY2013 OPERATING BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2013 Operating Budget



**ARTICLE**

INSERTED BY:  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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

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

Given into our hands at Needham aforesaid this 10<sup>th</sup> day of April 2013.

**DANIEL P. MATTHEWS  
JOHN A. BULIAN  
MAURICE P. HANDEL  
MATTHEW D. BORRELLI**

*Selectmen of Needham*

A TRUE COPY

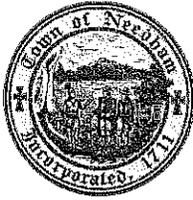
Attest:

Constable:

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

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

**ATTN: SPECIAL TOWN MEETING WARRANT**



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

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**MEETING DATE: 4/10/2013**

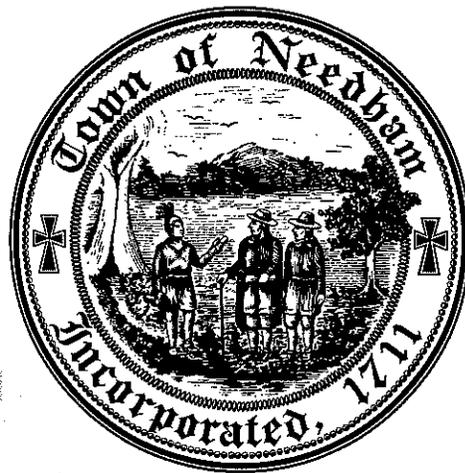
<b>Agenda Item</b>	Positions on Warrant Articles
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
	The Board will review articles contained in the Annual Town Meeting Warrant.		
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
	<i>Suggested Motion:</i> That the Board vote to support (not to support) articles _____ in the Annual Town Meeting Warrant.		
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>
	a. Draft Annual Town Meeting Warrant (4/5/13)		

# TOWN OF NEEDHAM

## MASSACHUSETTS

### 2013 Annual Town Meeting Warrant



**Election: Tuesday, April 9, 2013**

**Business Meeting at 7:30 p.m. on Monday, May 6, 2013**

**At the James Hugh Powers Hall, Needham Town Hall**

DRAFT 4.5.2013

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

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Article	Description	Inserted By	Page
1	Annual Town Election		
2	Committee and Officer Reports	Board of Selectmen	
<b>HUMAN RESOURCES ARTICLES</b>			
3	Establish Elected Officials' Salaries	Personnel Board	
<b>FINANCE ARTICLES</b>			
4	Accept Chapter 73, Section 4 of the Acts of 1986	Board of Selectmen	
5	Appropriate for Needham Property Tax Assistance Program	Board of Selectmen	
6	Appropriate for Facility Master Plan Study	Board of Selectmen	
7	Appropriate for Warner Field Renovation	Board of Selectmen	
8	Appropriate for LED Conversion	Board of Selectmen	
9	Appropriate the FY2014 Operating Budget	Board of Selectmen & Finance Committee	
10	Appropriate the FY2014 RTS Enterprise Fund Budget	Board of Selectmen & Finance Committee	
11	Appropriate the FY2014 Sewer Enterprise Fund Budget	Board of Selectmen & Finance Committee	
12	Appropriate the FY2014 Water Enterprise Fund Budget	Board of Selectmen & Finance Committee	
13	Continue Departmental Revolving Funds	Board of Selectmen	
14	Establish Revolving Fund – Facility Activity Use	Board of Selectmen	
15	Authorization to Expend State Funds for Public Ways	Board of Selectmen	
<b>ZONING / LAND USE ARTICLES</b>			
16	Betterment Street Acceptance – Booth Street	Board of Selectmen	
17	Extinguish Sewer Easement – Dale Street	Board of Selectmen	
18	Amend Zoning By-Law – Interim Regulations For Medical Marijuana Uses	Board of Selectmen	
19	Amend Zoning By-Law - Dimensional Regulations	Planning Board	
20	Amend Zoning By-Law – Definitions	Planning Board	
21	Amend Zoning By-Law – Dimensional Controls for Exempt Uses	Planning Board	
22	Amend Zoning By-Law – Dimensional Regulations for Mixed Use 128	Planning Board	
<b>GENERAL ARTICLES / CITIZENS' PETITIONS / COMMITTEE ARTICLES</b>			
23	Amend General By-Law – Marijuana Consumption on Public Property	Board of Selectmen	
24	Amend General By-Law – Alcoholic Beverages on Public Property	Board of Selectmen	
25	Amend General By-Law – Type and Length of Contracts	Board of Selectmen	
26	Amend General By-Law – Private Ways	Board of Selectmen	

Article	Description	Inserted By	Page
27	Amend General By-Law – Sign By-Law	Board of Selectmen	
28	Authorize Lease of Rail Corridor	Board of Selectmen	
29	Re-determine Sewer Betterment Rate	Board of Selectmen	
<b>COMMUNITY PRESERVATION ACT ARTICLES</b>			
30	Appropriate for Community Housing Specialist	Community Preservation Committee	
31	Appropriate for Open Space and Recreation Plan	Community Preservation Committee	
32	Appropriate for Trail Design for Reservoir ADA Trail and Ridge Hill Loop	Community Preservation Committee	
33	Appropriate for Newman Fields and Eastman Conservation Area Design	Community Preservation Committee	
34	Appropriate for Newman Preschool Playground Surfacing	Community Preservation Committee	
35	Appropriate for Mills Field Park Design	Community Preservation Committee	
36	Appropriate for Needham Community Farm Soil Quality Improvements	Community Preservation Committee	
37	Appropriate to Community Preservation Fund	Community Preservation Committee	
<b>CAPITAL ARTICLES</b>			
38	Rescind Debt Authorizations	Board of Selectmen	
39	Appropriate for General Fund Cash Capital	Board of Selectmen	
40	Appropriate for Pollard Boiler Replacement	Board of Selectmen	
41	Appropriate for Public Works Infrastructure Program	Board of Selectmen	
42	Appropriate for DPW Complex Renovations	Board of Selectmen	
43	Appropriate for RTS Enterprise Fund Cash Capital	Board of Selectmen	
44	Appropriate for RTS Construction Equipment	Board of Selectmen	
45	Appropriate for Sewer Enterprise Fund Cash Capital	Board of Selectmen	
46	Appropriate for Water Enterprise Fund Cash Capital	Board of Selectmen	
47	Appropriate for St. Mary's Pump Station	Board of Selectmen	
<b>TOWN RESERVE ARTICLES</b>			
48	Appropriate to Athletic Facility Improvement Fund	Board of Selectmen	
49	Appropriate to Capital Improvement Fund	Board of Selectmen	
50	Appropriate to Capital Facility Fund	Board of Selectmen	
51	Omnibus	Board of Selectmen	

**WARRANT FOR THE ANNUAL TOWN MEETING  
TUESDAY, APRIL 9, 2013  
TOWN OF NEEDHAM  
COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

To either of the constables in the Town of Needham in said County. Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Needham qualified to vote in elections and in Town Affairs to meet in their respective voting places in said Town namely:

Precinct A	-	Hillside School – Cafeteria (4/9/13)
Precinct B	-	Hillside School – Cafeteria (4/9/13)
Precinct C	-	Newman School - Gymnasium
Precinct D	-	Newman School - Gymnasium
Precinct E	-	Pollard Middle School – Inner Space
Precinct F	-	Stephen Palmer Community Room
Precinct G	-	Broadmeadow School - Performance Center
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, THE NINTH DAY OF APRIL, 2013

from seven o'clock in the forenoon, until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

**ARTICLE 1: ANNUAL TOWN ELECTION**

To choose by ballot the following Town Officers:

One Moderator for One Year;  
One Selectman for Three Years;  
One Town Clerk for Three Years;  
One Assessor for Three Years;  
Three Members of School Committee for Three Years;  
One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years;  
One Trustee of Memorial Park (trustee of soldiers' memorials – non-veteran) for Three Years;  
Two Trustees of Needham Public Library for Three Years;  
One Member of Board of Health for Three Years;  
One Member of Planning Board for Five Years;  
One Member of Needham Housing Authority for Five Years;  
One Commissioner of Trust Funds for Three Years;  
One Commissioner of Trust Funds for One Year;  
Two Members of Park and Recreation Commission for Three Years;  
Eight Town Meeting Members from Precinct A for Three Years;  
Two Town Meeting Members from Precinct A for Two years;

Eight Town Meeting Members from Precinct B for Three Years;  
 Eight Town Meeting Members from Precinct C for Three Years;  
 One Town Meeting Member from Precinct C for One Year;  
 Eight Town Meeting Members from Precinct D for Three Years;  
 Eight Town Meeting Members from Precinct E for Three Years;  
 Eight Town Meeting Members from Precinct F for Three Years;  
 Eight Town Meeting Members from Precinct G for Three Years;  
 Eight Town Meeting Members from Precinct H for Three Years;  
 One Town Meeting Member from Precinct H for Two Years;  
 Eight Town Meeting Members from Precinct I for Three Years;  
 Eight Town Meeting Members from Precinct J for Three Years.

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**Warrant for the Annual Town Meeting**

**Monday, May 6, 2013 at 7:30 p.m. at Needham Town Hall**

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**ARTICLE 2:      COMMITTEE AND OFFICER REPORTS**

To hear and act on the reports of Town Officers and Committees.

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**HUMAN RESOURCE ARTICLES**

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**ARTICLE 3:      ESTABLISH ELECTED OFFICIALS' SALARIES**

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2013, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$68,075
Town Clerk with 6 years of service in that position	\$86,258 (1)
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$5,176, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$45,014. The annual salary of \$86,258 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$8,792. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$12,309; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

PERSONNEL BOARD RECOMMENDS THAT: Article be Adopted

*Article Information:* In accordance with M.G.L. Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits as close to that of other full-time employees as possible. Payment for longevity, as well as buy-back of sick leave and vacation no later than the time of separation from Town service, is included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000; such payment to be made no later than the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

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## FINANCE ARTICLES

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### **ARTICLE 4: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986**

To see if the Town will vote to accept, for fiscal year 2013, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 99% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2013, the cumulative increase above the statutory limit was 95%.

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### **ARTICLE 5: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,025 for the purpose of funding the Needham Property Tax Assistance Program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The voluntary fund received \$15,025 in fiscal year 2012.*

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**ARTICLE 6: APPROPRIATE FOR FACILITY MASTER PLAN STUDY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$150,000 for a facility master plan feasibility study, to be spent under the direction of the Permanent Public Building Committee/Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: This article will fund a feasibility study as a follow-up to the plan released in 2007. The DiNisco study included an action plan for years 2008 – 2012 and a tentative plan for years 2013 – 2022. Since the release of the plan, the Town has renovated and re-opened the High Rock School, renovated and re-opened the Town Hall, constructed and opened a new Public Services Administration Building, renovated and re-opened the Newman School, and begun construction on a new Senior Center. Funding for the relocation of the Salt Shed has been secured, and funding for DPW garage bay storage is proposed for funding under Article 43. A study of options for location of the School Administration staff and the suitability of the Emery Grover Facility are underway, as is an evaluation of Rosemary Pool. Condition Assessments of the Hillside, Mitchell, and Pollard School have been conducted and energy audits of 10 facilities were completed in 2011. A pre-feasibility study for the options for renovation or reconstruction of the Hillside and Mitchell Schools is complete, and the Town is in the process of preparing a Statement of Interest to submit to the Massachusetts School Building Authority for reconstruction of those schools. Evaluation and planning for existing municipal facilities, including Police and Fire Stations, Public Works Operations, RTS, Ridge Hill/Nike, and School buildings, as well as future possibilities such as a community center, is needed to update the Facility Master Plan for the next five year period and beyond.*

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**ARTICLE 7: APPROPRIATE FOR WARNER FIELD RENOVATION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the renovation of Warner Field at DeFazio Park, said sum to be spent under the direction of the Town Manager and transferred from available funds; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

DRAFT ANNUAL TOWN MEETING WARRANT APRIL 5, 2013 PAGE 8

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information.

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**ARTICLE 8:      APPROPRIATE FOR LED CONVERSION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$28,070 for LED Conversion, said sum to be spent under the direction of the Town Manager and transferred from available funds; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information.

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**ARTICLE 9:      APPROPRIATE THE FY2014 OPERATING BUDGET**

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$40,000, from Free Cash in the amount of \$1,619,224, from the overlay surplus in the amount of \$500,000, from amounts reserved for debt exclusion offsets in the amount of \$122,507, and \$711,000 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted as Shown on Pages X - X

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**ARTICLE 10:      APPROPRIATE THE FY2014 RTS ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2014, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham  
RTS Enterprise  
FY 2014**

Line #	Description	FY 2012		FY 2013		FY 2014		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Salary & Wages	\$ 635,630	9.0	\$ 653,290	9.0	\$ 666,915	9.0	
101B	Expenses	\$ 1,029,974		\$ 1,214,293		\$ 1,221,816		
101C	Operating Capital	\$ 37,620		\$ 43,000		\$ 60,000		
101D	Debt Service	\$ 149,361		\$ 150,000		\$ 150,000		
102	Reserve Fund	Transfers Only		\$ 25,000		\$ 25,000		
<b>TOTAL</b>		<b>\$ 1,852,585</b>	<b>9.0</b>	<b>\$ 2,085,583</b>	<b>9.0</b>	<b>\$ 2,123,731</b>	<b>9.0</b>	
FY2014 Budget Percentage Change from FY2013 Budget								1.8%

and to meet this appropriation that \$801,458 be raised from the tax levy and transferred to the RTS Enterprise Fund, and \$85,000 be transferred from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

**Article Information:**

**ARTICLE 11: APPROPRIATE THE FY2014 SEWER ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2014, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham  
Sewer Enterprise  
FY 2014**

Line #	Description	FY 2012		FY 2013		FY 2014		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Salary & Wages	\$ 837,531	12.0	\$ 902,938	12.0	\$ 931,141	12.0	
201B	Expenses	\$ 292,361		\$ 475,056		\$ 369,945		
201C	Capital Outlay	\$ 22,314		\$ 25,000		\$ 25,000		
201D	MWRA Assessment	\$ 5,291,080		\$ 5,440,127		\$ 5,403,053		
201E	Debt Service	\$ 1,301,699		\$ 1,400,000		\$ 1,500,000		
202	Reserve Fund	Transfers Only		\$ 35,000		\$ 35,000		
<b>TOTAL</b>		<b>\$ 7,744,985</b>	<b>12.0</b>	<b>\$ 8,278,121</b>	<b>12.0</b>	<b>\$ 8,264,139</b>	<b>12.0</b>	
FY2014 Budget Percentage Change from FY2013 Budget								-0.2%

and to meet this appropriation that \$468,936 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and \$118,940 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

**Article Information:**

**ARTICLE 12: APPROPRIATE THE FY2014 WATER ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2014, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Town of Needham  
 Water Enterprise  
 FY 2014**

Line #	Description	FY 2012		FY 2013		FY 2014		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Salary & Wages	\$ 863,102	16.0	\$ 1,028,088	16.0	\$ 1,048,593	16.0	
301B	Expenses	\$ 936,221		\$ 1,026,906		\$ 1,047,350		
301C	Capital Outlay	\$ 52,000		\$ 20,000		\$ 31,500		
301D	MWRA Assessment	\$ 610,028		\$ 965,737		\$ 1,273,404		
301E	Debt Service	\$ 1,540,937		\$ 1,550,000		\$ 1,550,000		
302	Reserve Fund	Transfers Only		\$ 75,000		\$ 75,000		
<b>TOTAL</b>		<b>\$ 4,002,288</b>	<b>16.0</b>	<b>\$ 4,665,731</b>	<b>16.0</b>	<b>\$ 5,025,847</b>	<b>16.0</b>	
FY2014 Budget Percentage Change from FY2013 Budget							7.7%	

and to meet this appropriation that \$359,567 be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

**Article Information:**

**ARTICLE 13: CONTINUE DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2013:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2014 Budget
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,100
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	\$60,000
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	\$75,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home composting bins	\$3,000
Youth Services Activities	Youth Services Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000
School Transportation Program	School Committee	Fee-Based Transportation Program Receipts	Pupil and other District-wide transportation	\$819,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.*

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**ARTICLE 14: ESTABLISH REVOLVING FUND – FACILITY ACTIVITY USE**

To see if the town will vote to authorize a revolving fund for the Public Facilities Department under MGL Chapter 44 Section 53E1/2, that may be spent by the Director of Facility Operations without further appropriation during fiscal year 2014 for the purposes of paying expenses related to community use of public facilities. The Facility Activity Use Fund is to be credited with fees for permits and associated details, and the Director of Facilities Operations may spend \$250,000 in revolving fund monies; or take any other action thereto.

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

*Article Information:*

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**ARTICLE 15: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS**

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

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

*Article Information:* The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY2014 award amounts had not been released.

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**ZONING / LAND USE ARTICLES**

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**ARTICLE 16: BETTERMENT STREET ACCEPTANCE – BOOTH STREET**

To see if the Town will vote to accept the following street or portion thereof as laid out by the Board of Selectmen and according to a plan entitled “Acceptance Plan of Booth St. From 1964 Booth St. acceptance to Central Ave. – a distance of 619 ft. + in Needham, Mass.” on file with the Town Clerk:

Booth Street – From the intersection of Central Avenue and Booth Street to the end of the 1964 Acceptance of Booth Street, including the taking or acceptance of easements as shown on said plan, under the provisions of law authorizing the assessment of betterments; or take any action relative thereto.

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

*Article Information:* The Town received a petition to accept the private way section of Booth Street as a Public Way. The Town approved funding at the 2011 Annual Town Meeting under Article 41 to reconstruct the private section of Booth Street from Central Avenue to #50 Booth Street under the laws authorizing the assessment of betterments. The street has been reconstructed and betterment assessment letters have been mailed to the owners of the private way section of Booth Street. This Article requests that Town Meeting accept the recently reconstructed street as a Public Way under the laws authorizing the assessment of betterments.

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**ARTICLE 17:     EXTINGUISH SEWER EASEMENT – DALE STREET**

To see if the Town will authorize the Board of Selectmen to abandon a sewer easement parallel to and on the west side of the section of Dale Street that intersects West Street in the Town of Needham, being more fully described in a grant to the Town recorded at the Norfolk Registry of Deeds in Book 4065, Page 241; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

*Article Information:* A developer has requested that an existing sewer easement running parallel to Dale Street be abandoned. The existing sewer main within the easement has been removed and a new sewer main has been constructed within the Public right-of-way of Dale Street. The existing sewer easement running parallel to Dale Street is no longer needed by the Town.

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**ARTICLE 18:     AMEND ZONING BY-LAW – INTERIM REGULATIONS FOR MEDICAL MARIJUANA USES**

To see if the Town will vote to amend the Zoning By-Law, as follows:

(a) By adding a new Section 8, Interim Regulations for Medical Marijuana Uses, to read as follows:

“8 Interim Regulations for Medical Marijuana Uses

8.1 Purpose

This section is intended to provide restrictions that will allow the Town adequate time to consider whether to allow facilities associated with the medical use of marijuana, to the extent that such facilities are permitted under state laws and regulations, and, if so, where and under what conditions. Given that a law permitting the medical use of marijuana in the Commonwealth of Massachusetts shall be in effect beginning January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities in Needham shall provide the opportunity to study their potential impacts on adjacent uses and on general public health, safety and welfare, and to develop zoning

and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.

## 8.2 Definition

A Medical Marijuana Treatment Center shall mean any medical marijuana treatment center, as defined under state law as a Massachusetts not-for-profit entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

## 8.3 Exclusion of other Marijuana Uses

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.

## 8.4 Exclusion of Accessory Uses

In no case shall the acquisition, cultivation, possession, processing, transference, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.

## 8.5 Interim Restriction

8.5.1 Medical Marijuana Treatment Centers shall not be permitted in any zoning district in Needham so long as this Section 8 is effective, as set forth in Section 8.6 below.

8.5.2 The cultivation, processing, sale, distribution and distribution of marijuana, products containing or derived from marijuana or related products shall not be permitted in any zoning district in Needham so long as this Section 8 is effective, as set forth in Section 8.6 below.

## 8.6 Expiration

This Section 8 shall be effective through March 1, 2014.

- (b) Amend the Table of Contents to add Section 8, Interim Regulations for Medical Marijuana Uses.

Or take any action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

PLANNING BOARD RECOMMENDS THAT:

*Article Information:* This article seeks to amend the Town's Zoning By-law to impose an interim moratorium on the location of medical marijuana facilities in the Town of Needham including but not limited to the operation of medical marijuana clinics and the cultivation of marijuana plants, until March 1, 2014. Given that the system for regulating medical marijuana at the State level is not yet clear, and the Town has not had the opportunity to study and discuss the land use implications of the new law, the Board of Selectmen believes that it would be beneficial to establish an interim restriction on the establishment of such uses in the Town to provide the opportunity to develop a framework for regulating these uses under the Town's Zoning By-law. The proposed moratorium would provide adequate opportunity for the development of such zoning to be presented to the 2014 Annual Town Meeting, if warranted.

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**ARTICLE 19: AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.1 Basic Requirements, Subsection 4.1.3, Reduction of Area and Frontage Requirements, by revising the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

“4.1.3 Reduction of Area, Frontage, and Setback Requirements

No lot shall be reduced in area or frontage if it already has or will be caused to have less area or frontage than required by this section, except by a taking by eminent domain or a conveyance for a public purpose. Such lots reduced in area or frontage by a taking by eminent domain or a conveyance for a public purpose shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming lots. Further, if an existing structure is rendered nonconforming as to setback (or more non-conforming as to setback) by a taking by eminent domain or conveyance for a public way or access way or by the approval of a subdivision way for a third party, said structure shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming structures. Notwithstanding the foregoing, the protections afforded by this section shall not apply to vacant lots existing prior to the effective date of this section which are less than 5,000 sq. ft. and/or with less than 50 feet of frontage.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Explanation:* This provision clarifies that a lot reduced in area or frontage by public action is entitled to grandfathered protection. It further clarifies that similar public actions that reduce the setback of preexisting structures on the lot to public or private ways are similarly entitled to grandfathered protection. The protections afforded by this section do not apply to vacant lots existing prior to the effective date of this section which are less than 5,000 sq. ft. in area and/or which have less than 50 feet of frontage.

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**ARTICLE 20: AMEND ZONING BY-LAW -- DEFINITIONS**

To see if the Town will vote to amend the Needham Zoning By-Law, Section 1.3, Definitions, by revising the existing definition of the term “Half-Story or ½ Story”, so that it shall now read as follows: (new language underlined):

“Half-Story or ½ Story – For all single-family detached dwellings and two-family detached dwellings located in all Districts, and apartment and multi-family dwelling units permitted by Special Permit in the Center Business District and located in the half-story directly above the second floor, that portion of a building included between the upper surface of a floor and the lower surface of a sloping roof next above where the area contained therein has a finished ceiling height exceeding 5’-0”. Dormers installed in a sloping roof directly above the second story of a structure shall be limited in size as follows: the total length of the front wall(s) of a dormer(s) shall not exceed 30% (thirty percent) of the eave length of the portion of the roof in which the dormer is built. There are no restrictions on dormers installed in a sloping roof directly above the first story of a structure. This definition shall apply to all single-family detached dwellings, two-family detached dwellings, and apartment and multi-family dwelling units permitted by Special Permit in the Center Business District and located in the half-story directly above the second floor. For all other buildings the definition is, that part of a building under a sloping roof where the full-length rafters rest on the top beam of the story below.”

Or take any other action relative thereto.

INSERTED BY: PLANNING BOARD

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

*Article Explanation: This provision is a technical change designed to make explicit, as previously adopted by Town Meeting, what may be included in the top half-story of a 2 ½ story single or two-family dwelling, and applies to all districts where such uses are allowed by right or by special permit and the height limit is 2 ½ stories. The current rule adopted by Town Meeting in May of 1999 allows for the placement of dormers in the “½ story” of a 2 ½ story single or two-family dwelling subject to the following restrictions: (1) no more than 50% of the area contained in the ½ story could have a finished ceiling height exceeding 5 feet; and (2) the length of dormers installed in a sloping roof directly above the second story of a structure could not exceed 30% of the eave length of the portion of the roof in which the dormer is built. No change to this rule is proposed by this amendment. Rather the amendment clarifies the applicability of the provision to single-family detached dwellings and two-family detached dwellings located in all zoning districts as has been the practice since its adoption in 1999.*

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**ARTICLE 21: AMEND ZONING BY-LAW – DIMENSIONAL CONTROLS FOR EXEMPT USES**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.7 Special Conditions, Subsection 4.7.4 Dimensional Controls for Exempt Uses, by deleting Section 4.7.4 in its entirety.
2. In Section 4.7 Special Conditions, Subsection 4.7.5 Change in Dimensional Regulations by Special Permit, by replacing “4.7.5” with “4.7.4” in the first sentence of the second paragraph.

3. In Section 4.7 Special Conditions by renumbering Subsection 4.7.5 Change in Dimensional Regulations by Special Permit as Subsection 4.7.4.

Or take any other action relative thereto.

INSERTED BY: PLANNING BOARD

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Explanation: This amendment is offered to assure that the Town remains compliant with the provisions of the Dover Amendment. The Dover Amendment, is a subsection of the state's Zoning Act contained within M.G.L. c. 40A, §3, and applies to land owned or leased by non-profit educational corporations, by the Commonwealth, or by religious institutions, and protects educational or religious uses by those organizations "from bylaws or ordinances that prohibit, regulate or restrict the use of land or structures..." Although this protection is often described as an 'exemption' from zoning regulations, such protected uses are still subject to "reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements". In determining whether a regulation is reasonable under the Dover Amendment nondiscriminatory intent and effect as to the exempt organization must be demonstrated in the bylaw's application.*

*Currently, the Needham Zoning By-law imposes a minimum open space requirement of 50% on exempt religious and educational uses not otherwise applicable to non-exempt religious and educational uses thereby violating the nondiscriminatory intent and effect rule of the Dover Amendment. The proposed amendment creates parity between exempt and non-exempt uses by eliminating this additional open space requirement for exempt uses. Current dimensional requirements (front, side and rear yard setbacks, floor area ratio, and lot coverage) requirements for all buildings and structures devoted to public, semi-public and institutional uses remain in place and are applied equally to both exempt and nonexempt uses.*

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**ARTICLE 22:      AMEND ZONING BY-LAW/ DIMENSIONAL REGULATIONS FOR MIXED-USE 128 ZONING DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

**1. In Section 4.9 Dimensional Regulations for Mixed-Use 128**

**Amend 4.9 Table**

**By adding to Front Setback and Side Setbacks notation to footnote (1)**

**By changing Maximum Lot Coverage from 60% to 65%**

**By changing Floor Area Ratio from 0.30 to 1.00**

**By changing Maximum Height from 54 feet to 70 feet**

**Amend Footnote (1)**

By changing the first sentence to read: "All buildings shall be limited to a height of 70 feet, except that, buildings within 350 feet of a river shall be limited to a height of 54 feet."

By adding a new second sentence: "Notwithstanding the forgoing, the Planning Board may allow by special permit a maximum height of up to 84 feet except within 350 feet of a river. If the height of a building is increased above the height of 54 feet, the front setback shall be increased to 15 feet and the side setback to 20 feet."

#### Amend Footnote (2)

By changing first sentence to read: "Maximum lot coverage shall be 65% for all projects." [65% replaces 60%]

By changing second sentence to read: "However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet the maximum lot coverage may be increased to 75%." [75% replaces 70%]

#### Amend Footnote (4)

By adding the following sentence at the end of this footnote: "Notwithstanding the preceding sentence, open space shall include pervious surfaces used for ways, access streets, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas. (Pervious surfaces shall not preclude porous pavement, porous concrete, and/or other permeable pavers.)"

#### Amend Footnote (5)

By changing first sentence to read: "A floor area ratio of up to 1.75 may be allowed by a special permit from the Planning Board." [1.75 replaces 1.5]

By adding the following sentence at the end of the footnote: "Further, the Planning Board may allow a floor area ratio of up to 2.0, by special permit, where the applicant demonstrates, to the Board's satisfaction, that the proposed use will not generate peak hour trips in excess of 0.6 trips per 1,000 square feet of total development area."

### 2. In Section 4.9.2 Floor Area Ratio, Incentives

#### Amend Section 4.9.2

By changing the first sentence to read: "In the Mixed Use-128 District the maximum floor area ratio (FAR) permitted by right shall be 1.00." [1.00 replaces 0.3.]

### 3. Add New Section 4.9.3

The Planning Board may, by special permit, waive any or all dimensional requirements set forth above in this Section 4.9 (including sections 4.9.1 and 4.9.2), by relaxing each by up to a maximum percentage of 25% if it finds that, given the particular location and/or configuration of a project in relation to the surrounding neighborhood, such waivers are consistent with the public good, that to grant such waiver(s) does not substantially derogate from the intent and purposes of the By-Law or the Goals of the District Plan cited in Section 6.8.1(b) of these Zoning By-Laws, and that such waivers are consistent with

the requirements of Section 6.8. This section does not authorize the Planning Board to waive the maximum height regulations. (By way of example, the 15' front yard setback could be waived to 11.25'; the 65% lot coverage could be waived to 81.25%; or the 40,000 sq. ft. minimum lot area could be waived to 30,000 sq. ft.)

[The words in brackets are not part of the change but are an explanation of the change.]

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: Subsequent to Town Meeting adoption of zoning changes with respect to the New England Business Center ("NEBC"—now Needham Crossing), the Council of Economic Advisors ("CEA"), a committee established by the Board of Selectmen to evaluate Town-wide economic conditions and make recommendations to promote and encourage new and existing businesses, held symposia on the Mixed Use-128 Zoning District to explore the effect of height, floor area ratio, minimum open space and other dimensional requirements on development in that District. As a result of its meetings with the public, affected businesses and other interested parties, the CEA made recommendations regarding dimensional changes to address the constraints and the lack of flexibility in the existing zoning. The CEA sought to bring the zoning of the Mixed Use-128 District in line with that adopted for the NEBC. After notice and hearing, the Planning Board has recommended those changes contained in this warrant. Information regarding specific changes is as follows.*

*The amendments to the Section 4.9 Table would change in the Mixed Use-128 District, the maximum lot coverage to 65% (from 60%), the floor area ratio to 1.0 (from 0.3), and the as of right height to 70 feet (from 54'—although height was allowed to be 68' except within 350' of the river). Under the amendment, building height may be increased up to a maximum of 84 feet by special permit from the Planning Board except within 350 feet of a river. The amendment also provides for the front setback to be increased (from 5' to 15') and side setback (from 10' to 15') if the height of the building is increased above 54'. The 54' height limitation within 350' of the river would be unchanged.*

*Maximum lot coverage would increase from 60% to 65. The adjoining lot landscaping provision, which gives a bonus for combined open space, would be changed from the existing 70% to 75%, so that if a project is designed so that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaping of an adjoining project for at least a distance of 50', the maximum lot coverage could be increased to 75%.*

*The amendments also increase the floor area ratio by right to 1.00 (from 0.3) and by special permit to 1.75 (from 1.5) and the floor area ratio for low traffic generating uses to 2.0. Open space would also be defined to include pervious surfaces used for walkways, access streets, parking areas, ways, driveways, aisles, or other constructed approaches or service areas.*

*Because the CEA and Planning Board have concluded that the future development of the Mixed Use-128 District depends on Needham's ability to be responsive to the requirements of new or proposed uses, they have recommended a new section 4.9.3, as was added to the NEBC zoning amendments recently adopted. Successful office parks, such as those located in Waltham and Burlington, have flourished due to the flexibility of their zoning provisions. This amendment will impart greater flexibility into the Zoning By-Law by allowing the Planning Board to relax dimensional requirements up to a maximum of 25%, except*

*height, by special permit after making specific findings as to the propriety of the waivers as to a particular project and location.*

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

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**ARTICLE 23:      AMEND GENERAL BY-LAW –MARIJUANA CONSUMPTION ON PUBLIC PROPERTY**

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 sub-section:

“J. Use Of Controlled Substances (Section 3.10)

Fine Schedule:  
\$200 per offense”

And to renumber following subsections accordingly.

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

*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.*

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**ARTICLE 24:      AMEND GENERAL BY-LAW –ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY**

To see if the Town will vote to amend Article 8.2.2.4 (I) of the General By-laws by deleting the sum \$50 and inserting in place thereof the sum \$200; or take any other action relative thereto.

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



**ARTICLE 27: AMEND GENERAL BY-LAW – SIGN BY-LAW**

To see if the Town will vote to amend the Needham General By-Law, Article 5, the Sign By-Law as follows:

1. Amend Section 5.2 **DEFINITIONS** as follows:
  - a. By adding to e) the word “signs” after the words “on premises” so that it reads: “on-premises signs guiding and directing traffic and parking, not exceeding two square feet in area and bearing no advertising matter;”
  - b. By adding to f) the words “regularly or recurrently” between the words “unless” and “located” so that it reads: “devices hand-carried or mounted on vehicles, unless regularly or recurrently located for fixed display;”
  - c. By adding a new definition to the end of the section as follows: “Street Banner: A sign in the form of a banner spanning a public street, placed within the Town right-of-way, and/or in locations designated pursuant to Section 5.3.1.5 below.”
2. Amend Section 5.3 **ADMINISTRATION** as follows:
  - a. By adding to the first sentence of Section 5.3.1 **Design Review Board** the following: “Except for street banners governed, reviewed, and approved by the Board of Selectmen pursuant to Subsection 5.3.1.5, the” so that it reads in pertinent part: “Except for street banners governed, reviewed, and approved by the Board of Selectmen pursuant to Subsection 5.3.1.5, the review of all sign permit applications, and requests for special permits shall be performed by the Design Review Board (herein referred to as the “Board”), as further defined in Section 7.7 of the Needham Zoning By-Law.”
  - b. By adding a new Section 5.3.1.5 as follows: “**Board of Selectmen.** Street Banners which are placed within the Town right-of-way, spanning public streets and/or in locations authorized by the Board of Selectmen providing notice of a public entertainment or advertising a public, charitable, religious or educational event may be specifically approved by the Board of Selectmen and displayed in locations authorized by the Board of Selectmen for a time period not to exceed fourteen (14) consecutive days before the announced event. No commercial advertising shall be allowed to appear on the street banner. All street banners shall be removed within two business days following the end of the announced event or entertainment. Street Banners shall not be subject to the sign requirements of Subsections 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6, and 5.3.7, and Sections 5.4 and 5.5. The Board of Selectmen may promulgate such regulations regarding street banners as it deems appropriate.”
  - c. By adding to Section 5.3.2 **Issuance of Permits** the words “,at which the applicant shall appear,” in the first sentence of the first paragraph between the words “Board” and “and a sign permit” so that the section reads in pertinent part: “No sign shall be erected, enlarged, redesigned, structurally altered, or used without the review of the Board, at which the applicant shall appear, and a sign permit issued by the Building Inspector, except for signs described in Sub-sections 5.5.1 (a), 5.5.1 (c), and 5.5.3.4.”
  - d. By adding to Section 5.3.2 the following sentences after the first sentence of the second paragraph: “If an applicant requires guidance as to whether any special permits are required or knows that such permit or permits are required, the applicant may file his application with the Building Inspector. If the Building Inspector finds that the proposed sign is in all respects in conformance with this article, he shall within 35 days of filing instruct the applicant to file the application directly to the Design Review Board.” Also by adding the following sentence as the last sentence in this paragraph: “If approved by the Design Review Board, the Building Inspector shall issue a sign permit within 45 days of the filing of the application.” This paragraph shall now read as follows:

“Applicants shall file a permit application accompanied by a photograph of the facade to which the sign is to be attached, or the area of intended location if unattached, and two prints of scale drawings of the sign and supporting structure showing placement thereon; the applicant shall also file five copies of the permit application, including five copies of all application materials, with the Design Review Board. (See Section 7.7 Design Review, of the Zoning By-Law.) If an applicant requires guidance as to whether any special permits are required or knows that such permit or permits are required, the applicant may file his application with the Building Inspector. If the Building Inspector finds that the proposed sign is in all respects in conformance with this article, he shall within 35 days of filing instruct the applicant to file the application directly to the Design Review Board. The Design Review Board shall review requests for sign permits submitted and shall, within thirty-five (35) days of the receipt of the application materials, transmit its advisory recommendations regarding the design of the sign to the Building Inspector and the applicant. No sign permit shall be issued by the Building Inspector within this thirty-five (35) day period unless said recommendations are sooner received. If approved by the Design Review Board, the Building Inspector shall issue a sign permit within 45 days of the filing of the application.”

- e. By deleting the last paragraph of Section 5.3.2 and replacing it with the following: “If the Building Inspector, upon requested review, finds that the proposed sign is not in conformance with this Article as aforesaid, he shall, within 35 days of the filing of the application notify the applicant in writing of the reasons why a sign permit cannot be granted as of right and give the applicant the option of revising the signage or applying for a special permit. The Building Inspector shall forward a copy of such notice to the Board.”
- f. By deleting the heading of Section 5.3.4 “**Variances**” and inserting instead “**Special Permits.**”
- g. By deleting from the first and second sentence of the first paragraph of Section 5.3.4 the words: “apply to the Building Inspector for a permit in accordance with the proceedings established by Sub-section 5.3.2 of this Article. Upon denial of the permit, the applicant shall” so that this section reads in pertinent part: “If an applicant wishes to obtain a permit for a sign that does not comply with this article, he shall apply to the Board for a Special Permit from the requirements of this article in accordance with the procedure established under Sub-section 5.3.3 of this Article.”

3. Amend Section 5.4 **GENERAL REGULATIONS** as follows:

- a. By deleting from Section 5.4.2.2 **Location** in subsection d) the first “is” in the first sentence and replacing it with “it”; by deleting “upon the issuance of a Special Permit, a”; and by deleting “may be used that does not materially obstruct any neighboring signs or businesses” and inserting instead after the word “perpendicular” the following: “ , blade, or projecting sign (hereinafter “projecting sign”) is allowed by right, even if it is a second sign, provided it does not, in the opinion of the Board, materially obstruct neighboring signs or businesses. Projecting signs may not be internally illuminated. If the projecting sign is the only sign requested by an applicant seven (7) square feet are allowed by right. If the projecting sign is in addition to a sign on the façade, three (3) square feet is allowed by right. Projecting signs may have a maximum projection of four (4) feet from the wall and a minimum of eight (8) feet above the sidewalk.” The section would then read:  
“No sign shall extend above or beyond the end of the wall to which it is attached, nor overhang a street or sidewalk by more than the thickness (up to 12”) of a flat wall sign: except one perpendicular, blade, or projecting sign (hereinafter “projecting sign”) is allowed by right, even if it is a second sign, provided it does not, in the opinion of the Board, materially obstruct neighboring signs or businesses. Projecting signs may not be internally illuminated. If the projecting sign is the only sign requested by an applicant

seven (7) square feet are allowed by right. If the projecting sign is in addition to a sign on the façade, three (3) square feet is allowed by right. Projecting signs may have a maximum projection of four (4) feet from the wall and a minimum of eight (8) feet above the sidewalk.”

- b. By adding in Section 5.4.2.3 **Type** in subsection b) the word “banners” between the words “flags” and “spinners” so that the section reads: “Pennants, streamers, advertising flags, banners, spinners or similar devices shall not be permitted.”
  - c. By adding a new subsection d) to Section 5.4.2.3 **Type** as follows: “Sandwich boards are also permitted provided they meet the following requirements: one sign per business; 2 feet by 3 feet maximum sign panel in a black colored frame; they are comprised of permanent printed sign panels or handwritten sign panels; they are located on the site of the advertised business’ street front on private property, or if on public property, do not block or interfere with the 48” width of the public sidewalk; they are on display during the business’ operating hours only; they may advertise short term sales, daily menus, sign-up periods up to three weeks ahead of end date, and similar special events; they are not internally illuminated; and they do not contain any alcohol or cigarette advertisements.”
4. Amend Section 5.5 **PERMITTED SIGNS** as follows:
- a. By adding to Subsection 5.5.3 **Business, Industrial and Industrial Park Zoning Districts** subsection 5.5.3.1 **Number** the words “and 5.4.2.2 d)” so that the section reads in pertinent part: “In addition to the signs allowed under Sub-section 5.5.1 and 5.4.2.2 d) the following are permitted:...”
  - b. By deleting from Subsection 5.5.3.3 **Permanent Freestanding Signs** a) the last sentence, reading: “If a sign is oriented for visibility from Route 128 (I-95) and is to exceed 32 square feet, then it must be approved by the Board; and the Board shall approve the sign only if it finds that the sign complies with the design guidelines established in Sub-section 5.3.5 of this article.”
  - c. By adding to Subsection 5.5.3.4 **Temporary** at the beginning of the section the words: “Except as provided in Section 5.4.2.3 d), temporary” so that the section now reads: “Except as provided in Section 5.4.2.3 d), temporary signs, in addition to signs allowed under Sub-section 5.5.3.1, are permitted only if unlighted, inside of windows, occupying not more than 25% of the area of each window, and advertising sales, special events or changes in the nature of an operation, but shall not otherwise be used to advertise a continuing or regularly recurring business operation and shall be removed promptly when the information they display is out of date or no longer relevant. No permit is required.”

Or take any action relative thereto.

INSERTED BY: Board of Selectmen

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

*Article Information:* In addition to a few technical corrections, the amendments address various issues which have come up in recent years. The Town is currently studying the downtown streetscape and one of the amenities which has been sought is the allowance of street banners to announce Townwide events (such as the Street Fair, Harvest Fair, and New Year’s Eve celebration). The amendment defines street banners, makes the Board of Selectmen the issuing Board, and specifies who might be entitled to the issuance of one. It restricts locations to those approved by the Board of Selectmen and dictates the temporary nature of such banners. The Board of Selectmen is also authorized to promulgate regulations regarding street banners.

*The amendment also allows applicants who think they may or know they need a special permit for the sign they are seeking to go directly to the Building Inspector and either seek his guidance and/or arrange for the notice necessary for the hearing on such permit applicants. Presently special permit applicants are required to go the Design Review Board twice, even if they know they require a special permit. The amendment simplifies the procedure. It also makes clear that applicants must appear before the Design Review Board with their application.*

*In addition, the amendment allows blade or projecting signs as of right even if such sign is a second sign. The amendment makes clear the rules regarding such signs, including size, illumination, and height. Finally, the amendment allows for the use of sandwich signs (which already but illegally dot the streetscape) which would be regulated per the By-Law in relation to design, size, location, hours of use, nature of advertising and illumination.*

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**ARTICLE 28: AUTHORIZE LEASE OF RAIL CORRIDOR**

To if the Town will vote to authorize the Board of Selectmen to acquire by purchase or gift or otherwise the fee, easement, leasehold, license and/or other real property interests in (a) all or any portion of the land, premises, easements, rights-of-way in the abandoned railroad right-of-way from the Dover town line to the Newton city line and (b) abutting and underlying properties as necessary or desirable, in the discretion of the Selectmen for acquiring title to said railroad right-of-way, for laying out an improved multi-use rail trail and related facilities and improvements, and providing access to the rail trail area for construction, maintenance and repair purposes and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, on such terms and conditions as the Selectmen may determine; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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

*Article Information: This Article authorizes the Selectmen to acquire the former railroad right-of-way to allow design and construction of a rail trail/pedestrian path between the Dover town line and the Newton city line. The property will be available for walking, running, road and mountain biking, wheelchairs and accessible cycling equipment, inline skating, scooters and tricycles, rolling backpacks, strollers, cross country skiing, and other forms recreation.*

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**ARTICLE 29: RE-DETERMINE SEWER BETTERMENT RATE**

To see if the Town will vote to re-determine the fixed uniform rate charged to abutters for the construction of sewers as authorized under the provisions of M.G.L. c. 83, section 15A, by increasing the rate to \$30 per linear foot of lot frontage and \$0.40 per square foot of accessible area within 100 feet of the street; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* Section 27 of the Town Charter specifies that the amount of the cost of constructing new sewer systems paid by the Town shall be not less than one-fourth and not more than two-thirds of the entire cost. In 1925, Town Meeting voted that the Town would pay one third of the cost of its sewer system and the remaining two thirds would be paid by the abutting land owners. This article proposes to increase the rate charged to abutters for the construction of sewer mains last determined under Article 25 of the 1988 Annual Town Meeting. Current sewer construction costs are in the range of \$210 per linear foot in average conditions which would result in a charge of \$140 per foot to each abutting property. This charge, reduced to a fixed uniform rate, produces \$30 per linear foot of lot frontage and \$0.40 per square foot of accessible area within 100 feet of the street. Public construction of sewer lines has decreased significantly over the past thirty years. However, the rate should be kept current in the event that a petition for sewer construction by betterment is approved by the Town. The existing rate is \$10 per linear foot of frontage and \$0.15 per square foot within 100 feet.

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## COMMUNITY PRESERVATION ACT ARTICLES

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### **ARTICLE 30: APPROPRIATE FOR COMMUNITY HOUSING SPECIALIST**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$70,000 to hire a community housing specialist, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The Town Manager and the Director of Planning and Community Development have requested funds to hire a part-time Community Housing Specialist. The request for \$70,000 is intended to be spent over a two year period of time, for an average of \$35,000 per year. Working under the supervision of the Director of Planning and Community Development, the Community Housing Specialist would provide technical and administrative support on issues related to affordable housing, including but not limited to the monitoring of local affordable housing units; provide technical support during the application process for new units under M.G.L Chapter 40B; initiate and pursue collaborative efforts among local, state, federal, and private agencies; serve as liaison to Needham Housing Authority, West Metro Home Consortium; and provide staff support to any Town committees charged with the support of affordable housing.

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### **ARTICLE 31: APPROPRIATE FOR OPEN SPACE AND RECREATION PLAN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 to update the Town's Open Space and Recreation Plan, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Open Space and Recreation Plan is a planning process for municipalities to assess open spaces, recreation parks and facilities, water resources, trails, and critical plant and wildlife habitats. The document provides a stewardship plan, and assists the community with making plans relative to compatible development. The Commonwealth requires communities to have updated Open Space and Recreation master plans in order to be eligible for a variety of grant programs. The request for \$25,000 will assist the Conservation Commission, Park and Recreation Commission, Board of Selectmen and Planning Board to create an updated plan with revised goals, objectives and priorities.

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**ARTICLE 32: APPROPRIATE FOR TRAIL DESIGN FOR RESERVOIR ADA TRAIL AND RIDGE HILL LOOP**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$85,000 for the design and permitting of a handicap accessible perimeter trail around the Needham Reservoir and for the connection of a trail loop at Ridge Hill, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Representatives of the Conservation Commission, Park and Recreation Commission and Board of Selectmen meet regularly to provide guidance on the maintenance of trails and the pursuit of the goals and objectives contained in the Needham Trails Master Plan. Two recommended improvement projects are (1) the rebuilding of the trail that surrounds the Needham Reservoir, enabling it to become an all-person trail; and (2) the connection of a trail loop at Ridge Hill that will allow trail users to remain on Town property and avoid crossing onto private property. The funds requested are for the design of the two projects, and they have been combined into one request in order to increase the number of possible qualified designers with interest in pursuing the project. The design estimate for the Reservoir Trail is \$65,000, and the design estimate for the Ridge Hill loop is \$20,000, for a total request of \$85,000. A decision will be made during the design process on whether to request construction funds individually or as a combined project.

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**ARTICLE 33: APPROPRIATE FOR NEWMAN FIELDS AND EASTMAN CONSERVATION AREA DESIGN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$248,000 for design for the athletic fields located at the Newman School and the adjacent Eastman Conservation area, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Preservation General Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Needham School Committee is requesting design funds for the athletic fields located at the Newman School and the adjacent Eastman Conservation area. This request is supported by the Park and Recreation Commission, the Board of Selectmen and the Conservation Commission. The Eastman Conservation Area is used by the Needham Science Center for curriculum programs at many

grade levels. The viewing areas and trails provide a learning opportunity for many environmental projects, and the rebuilding of the trails will provide an opportunity to connect to the newly created trails at the recently purchased Carol/Brewster properties and the adjacent Anna Volante conservation area. Linking newly created trails to existing trails is a goal of the Trails Master Plan. The athletic fields include two 60' diamonds and a multi-purpose field. The students at Newman and participants in youth sports programs cannot have consistent use of the fields as they are adjacent to wetlands and do not drain properly. The design tasks for both projects are connected and will require a complex permitting process. The combined design request is \$248,000, with an estimate of \$158,000 for the fields and \$90,000 for the conservation area.

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**ARTICLE 34:     **APPROPRIATE FOR NEWMAN PRESCHOOL PLAYGROUND SURFACING****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$60,000 to replace the surfacing at the Preschool Playground located at the Newman School, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Preservation General Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The Massachusetts Architectural Access Board (MAAB) has requested that the School Committee replace the surfacing at the preschool playground located at the Newman School. Though the current wood fiber surfacing material is considered compliant under federal guidelines, the MAAB has asked for a different surface product at this site. Surfacing products must meet federal requirements for shock absorption, reducing the severity of injuries including life-threatening head injuries. The surface must also meet accessibility needs. The current wood fiber surface is the least expensive product to meet these different regulations, but requires more maintenance than other products. The request is for \$60,000 to install a poured-in-place rubber surface during the summer of 2013.

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**ARTICLE 35:     **APPROPRIATE FOR MILLS FIELD PARK DESIGN****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$40,000 for design for improvement projects at Mills Field, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The Department of Public Works, in conjunction with the Park and Recreation Commission, is requesting \$40,000 for design for improvement projects at Mills Field. The major cost of the project will be to create parking within the park, to relieve parking congestion on neighborhood roads. The concept is to build parallel parking within the park on Hampton Avenue, and remove the circular drive for additional spaces near the playground and basketball court. The turf in the 60' diamond would be removed and replaced with sod. The basketball court would be renovated, and picnic tables and grills would be replaced.

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**ARTICLE 36: APPROPRIATE FOR COMMUNITY FARM SOIL IMPROVEMENTS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$8,200 for improvements to the soil at the Community Farm location at the Nike Site, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: Needham Community Farm, Inc. is requesting \$15,000 to make improvements to the soil at its location at the Nike Site. The property is under the jurisdiction of the School Committee and the farm operates under a license from the School Committee, which has stated its support for this project. Compost from Needham's Recycling and Transfer Station would be one of the products used to improve the quality of the soil. Produce is made available through the Community Council, and educational programs are held at the farm for students in Needham Public Schools, as well as other Needham residents.*

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**ARTICLE 37: APPROPRIATE TO COMMUNITY PRESERVATION FUND**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to M.G.L. Chapter 44B from the estimated FY2014 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

**Appropriations:**

A. Administrative and Operating Expenses of the Community Preservation Committee \$82,000

**Reserves:**

B. Community Preservation Fund Annual Reserve	\$915,200
C. Community Housing Reserve	\$240,900
D. Historic Resources Reserve	\$0
E. Open Space Reserve	\$240,900

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The Town Meeting and the voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the CPC and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation*

for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve. The CPC also recommends an appropriation of approximately 5% for administrative and operating expenses.

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## CAPITAL ARTICLES

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### **ARTICLE 38: RESCIND DEBT AUTHORIZATIONS**

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

Project	Town Meeting	Article	Authorized	Rescind
Public Safety Building Roof	2008 ATM	36	\$535,000	\$61,500
Rte 128 Water Main Relocation	2006 ATM	71	\$3,000,000	\$735,000
<b>Total</b>				<b>\$796,500</b>

or take any other action relative thereto.

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

*Article Information: When a project is financed by borrowing, the project has been completed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded, and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids.*

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### **ARTICLE 39: APPROPRIATE FOR GENERAL FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate \$1,034,584 for General Fund Cash Capital, to be spent under the direction of the Town Manager, \$500,000 to be transferred from Overlay Surplus and \$534,584 to be transferred from Free Cash; or take any other action relative thereto:

General Fund	Description	Recommended	Amendment
General Government	Election Equipment	\$ -	
General Government	Network Hardware Servers & Switches	\$ -	

General Fund	Description	Recommended	Amendment
Public Facilities	Core Fleet	\$ -	
Public Facilities	Energy Efficiency Upgrade Improvements	\$ -	
Public Facilities	Facilities Maintenance Program	\$ 432,169	
Public Facilities	Police/Fire Station Gas Tank Removal	\$ 28,500	
Public Facilities	Pollard School Telephone System	\$ 53,000	
Public Facilities	Portable Generator	\$ -	
Public Safety	Core Fleet (Building)	\$ -	
Public Safety	Core Fleet (Fire)	\$ -	
Public Safety	Heart Monitor/Defibrillator	\$ 27,500	
Public Safety	Wireless Municipal Radio Master Box	\$ -	
Public Schools	Furniture & Equipment	\$ -	
Public Schools	High School Radio System	\$ 37,275	
Public Schools	School Copier Replacement	\$ -	
Public Schools	Technology	\$ 410,049	
Public Works	Core Fleet	\$ -	
Public Works	PSAB Radio Upgrade	\$ 20,191	
Public Works	Small Specialty Equipment	\$ 25,900	
Public Works	Snow & Ice Equipment	\$ -	
	<b>Total Appropriation</b>	<b>\$ 1,034,584</b>	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

**Election Equipment** The purpose of replacing the Accuvote Electronic Voting System is to update and replace the Town's current voting system purchased in 1994. These machines and the black plastic ballot boxes that hold the machines are currently 19 years old and are beginning to require more and more frequent repairs. There are currently 11 Accuvote machines – one for each of the ten precincts plus one spare machine. Both the read heads and scanner cannot be upgraded due to the age of the equipment. The new Accuvote Voting Machines will have more features. The ballot boxes will be smaller making storage more convenient and accessibility at the polls will be easier. Absentee voters will no longer require special marking pens in order to vote thus making voting easier. Within the next few years, all the machines will be handicapped accessible. The new DS200 Voting Machine is the next generation Optical Scan voting equipment. This voting machine will have a paper ballot and the memory cards have been replaced with memory sticks. Approval of new equipment by the Elections Division of the Secretary of the Commonwealth is required, and has not yet been granted.

**Network Hardware Servers and Switches** The fiscal year 2014 funding request for network servers and switches will support the replacement of older servers, spam filter, virus firewall, and internet filtering, and also the replacement of older network switches to connect buildings, departments, and workstations throughout the Town. Newer models of both servers and switches are better able to take advantage of the Town's fiber and will increase the speed of data within the Town's fiber network. Older servers, both application and data, will be replaced with newer, faster, and more energy efficient servers and attached storage configured for virtualization of hardware and software. Not replacing or updating this equipment can affect Town wide access to email, financial applications, Internet, and data.

**Public Facilities Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicle scheduled to be replaced in FY2014 is a 2001 Ford F250 Pick-Up Truck with a cab that is primarily used by the Town's carpenter. The current vehicle has an odometer reading of over sixty thousand miles and is due for replacement as it is currently beyond its useful life.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
702	PFD	2001	Ford 250 Pick up With Cab	Same	65,780	\$33,600

**Energy Efficiency Upgrade Improvements** The Town conducted an engineering study for energy upgrades in 10 key buildings in the summer of 2011. The results of this study revealed that if the Town makes an initial investment in selected and recommended energy upgrades, the cost of these upgrades will pay for themselves within 10 years. FY2014 funding is planned for some of the more involved projects at the Eliot and Broadmeadow Schools, which will upgrade the already modern buildings and improve their energy usage. Some of these items include retro-commissioning the HVAC system at Broadmeadow, installing motion sensors for the lighting at Broadmeadow, installing timers on the roof top exhaust fans in both buildings, and converting the lighting to more energy efficient lighting in both buildings.

**Public Facilities Maintenance Program** This request funds annual maintenance of public buildings throughout the Town and School Department including but not limited to: asbestos abatement, small equipment replacement, duct cleaning, painting, and other repairs and necessary upgrades. FY2014 funding is planned for duct cleaning at the C & D Buildings of the High School, asbestos abatement at Hillside and Mitchell Schools, flooring replacement at the Eliot and Broadmeadow Schools, and xeriscaping at the High School. Flooding issues at the Hillside School will be addressed as will containment of fuel oil, accessible routes to and from the building, and water fountain replacement at the Pollard School. With the natural gas line installation on Brookline Street and the replacement of the Pollard boilers, the Department will convert the existing Mitchell School boilers to natural gas using remaining parts from the old Pollard boilers.

**Underground Storage Tank Removal** This funding will enable the Department of Public Facilities to remove the underground fuel storage tank behind the Police Station. Public safety vehicles will utilize the fueling station at the Department of Public Works. This request includes potential clean up should there be any contamination. The removal is required both because of the age of the facility and the need to redesign the boundary of the Police Station parking lot and the new parking lot on land acquired by the Town.

**Pollard Telephone System Replacement** This request will fund the upgrade of the telephone system at the Pollard Middle School to a more modern system. There are presently more telephone users at the Pollard than the current equipment can handle, and the manufacturer no longer supports the existing equipment. This system has required frequent repairs and has caused intermittent disruption of phone service to the building occupants. This request would include rewiring areas where appropriate and procuring and installing the new system.

**Portable Generator** It has been determined by emergency planning personnel that the new Senior Center will be an ideal location for use as a respite shelter for residents during power outages. This request will fund the purchase of a 100kW portable generator that can be temporarily installed at the Senior Center to ensure comfort and safety to those occupying the site. The Center has been designed to accommodate the use of an external, portable generator.

**Building Department Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. The FY2014 – 2018 Capital Plan included a recommendation for the replacement of Unit #456, a 2002 Ford Taurus Sedan, with a Ford Hybrid Escape. Since that time, the Department has experienced a reduction in the availability of Unit#454 due to the number of repairs. As a result, the Building Commissioner has evaluated the previous request, and proposes the elimination of the request for a Ford Escape, and the replacement of two Ford Taurus vehicles (units 456 and 454) with Ford Fusion vehicles. The MPG for the Fusion is a combined 28 MPG.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
456	Building	2002	Ford Taurus	Ford Fusion	68,707	\$22,521
454	Building	2005	Ford Taurus	Ford Fusion	48,714	\$22,521

**Fire Department Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. This request is to replace a 2004 Ford pick-up truck with a utility body. The truck functions primarily as a brush fire truck, but has many other uses. In the winter months, the modular brush unit and water tank is removed, and the truck is used to transport materials and emergency equipment. This vehicle is also used to tow fire department rescue boats, the hazardous materials trailer, the firefighting foam trailer, the mass decontamination trailer, and the Health Department Emergency Dispensing Trailer. Presently, this truck has over 29,000 miles of service on it, and at the time of replacement mileage is estimated to be approximately 35,000.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
C-6	Fire	2004	Pick-up with Utility Body	Same	27,531	\$49,200

**Heart Monitor/Defibrillator** This request is to replace a 12 Lead Cardiac Heart Monitor/Defibrillator with a new 15 Lead Cardiac Heart Monitor/ Defibrillator. The older of the two current units is 8 years old, and due to advancements in technology it will become obsolete in 2013. It is anticipated that replacement parts will no longer be available. The Department's second unit is approximately four (4) years old, and is scheduled for similar replacement in FY2016. These monitors/defibrillators are required by the State Office of Emergency Medical Services (OEMS), as a licensing component of the Town's Advanced Life Support (ALS) ambulance, and are essential to the provision of emergency services.

***Wireless Municipal Radio Master Fire Box System*** The long-term plan is to eliminate the older style fire alarm master boxes and install wireless radio master box systems where needed. All pole mounted fire alarm boxes (222) would be permanently removed. Building master boxes (129) would be replaced with radio box transmitters. The 129 master boxes are privately owned, and property owners pay the Town an annual monitoring fee of \$480. Privately owned buildings would not be required to change over to the new municipal system if they chose to use their own private alarm company. Of the \$164,000 requested for this project, \$52,000 would be for the head-end equipment to be located within the fire dispatch center. An additional \$112,000 would be to purchase radio boxes for 28 Town buildings at approximately \$4,000 each. This cost would be for the box and installation at each Town building. With this new system, the fire dispatch center will be capable of monitoring alarms, troubles, security/intrusion, and any other alarm or status that uses a contact closure. Wireless systems are more reliable in storm conditions when often times overhead lines are out of service. Once the wireless system is complete, the Fire Department will evaluate the continued need for staffing and equipment in the Fire Alarm Division.

***School Furniture, Musical Instruments, Fitness Equipment and Graphic Arts Equipment***

***Musical Equipment*** The purpose of this program is to replace musical instruments, especially large string instruments and pianos, which are over 25 years old. After decades of heavy use, many of the School Department's string instruments are no longer usable or repairable. The older pianos, while still usable, are costly to repair and maintain. The Department is in the ninth year of the replacement cycle, and continues to see major improvement in the quality of musical instruments available for student use. Funding in the final year of the replacement cycle (FY2014) would replace the grand piano in the Newman School Auditorium. The Department intends to change the replacement program to an expansion program due to population growth in fiscal years 2015 – 2018 and beyond.

***School Furniture*** This purpose of this program is to continue the replacement cycle for school furniture in poor and fair condition at Hillside, Mitchell, Newman and Pollard. In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. By FY2015, all furniture in poor condition will have been replaced at these schools. Unless circumstances dictate otherwise, the FY2014 funding is planned for the Newman School.

***Fitness Equipment*** The Needham High School renovation project budget included a large amount of fitness equipment for student use, which will need to be replaced as the components age and the equipment reaches the end of its useful life. In addition, the Pollard Middle School owned a number of strength circuit machines, which will need to be replaced on a regular basis going forward. The manufacturer's estimated life cycle is five (5) years for treadmills, six (6) years for cross trainers, eight (8) years for recumbent and upright bicycles, 23 years for rowing machines, and 25 years for circuit training equipment. The Department's request is based on a longer replacement cycle of: five to seven (5 – 7) for treadmills, nine (9) years for cross trainers, eight (8) years for recumbent bikes, 12 years for upright bikes, 19-20 years for rowing machines and 11-16 years for circuit training equipment. Unless circumstances dictate otherwise, the FY2014 funding is planned for three spinning bikes and one treadmill.

***High School Graphics Production Room*** This program continues the equipment replacement cycle for equipment used in the Graphics Production Center at Needham High School. This program provides convenient and cost effective service, and also provides hands-on educational training in the field of professional graphics and printing production for students. Unless circumstances dictate otherwise, the FY2014 funding is intended for purchase of a vinyl cutter – heavy duty, a thermal transfer press, a flash dryer, and a paper jogging machine.

***Needham High School Radio System*** This funding will support the purchase and installation of a radio repeater, antenna and 25 portable radios at Needham High School, for the purpose of implementing a unified and reliable administrative radio system for communicating during lockdowns and emergencies. Currently, a limited number of two-way radios are in use. However, the existing equipment is aged and does not possess the power or range necessary for building-wide communication. The funding will increase the number of functioning radios so that all personnel can communicate in an emergency. The purchase includes: a radio repeater, programming for the repeater, UHF antenna system, two and four-way portable radios, spare batteries, set up, programming and tuning, FCC licensing & frequency coordination.

***School Copier Replacement*** Photocopiers are located in all of the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets, etc. Currently, the School Department owns 44 copiers and 4 RISO duplicating machines. Copier replacement is planned on a lifecycle analysis, which projects when a copier should be replaced based on actual usage and the manufacturer's total estimated capacity. Copiers that are heavily used are replaced more frequently than copiers that are lightly used. A seven-year maximum duty life is assumed for most machines, even if they have not yet reached maximum copy allowances, given the additional operating expense associated with servicing and maintaining older equipment, as well as the difficulty in obtaining replacement parts. This analysis assumes that copiers are re-deployed around the District, as needed, to match copier use with equipment capacity. The requested funding will support the replacement of eight (8) copiers/RISO machines.

#### ***School Technology***

***Interactive Whiteboard Technology*** This program funds the purchase and installation of whiteboard technology in the Needham schools. Unless circumstances dictate otherwise, the FY2014 funding is planned for Broadmeadow, Mitchell and Pollard. The overall number of whiteboards to be installed at Pollard and Broadmeadow has increased due to the reallocation of rooms and the use of the modular classrooms at the Pollard School.

***School Department NPS 1:1 Initiative*** This program continues the initiative to introduce tablet technology on a 1:1 basis at Pollard, High Rock and Needham High School. The FY2014 funding is planned for the expansion of the program to all grade eight students during the 2013 – 2014 school year, and preparation for expansion to students in the seventh grade and current students attending the High School in the following year. The FY2014 request will support the installation of additional wireless access points at Pollard and Needham High School and the purchase of tablet devices for the remaining Pollard Grade Eight teachers as well as High School teachers and Pollard Grade Seven teachers preparing for the implementation.

***Technology Innovation*** In years past, the School Technology Request has been organized as funding for computer replacements, interactive whiteboards, and, most recently, inclusion of the NPS 1:1 Initiative. The funds received are earmarked for the replacement cycle, as guided by the constraints of the technology plan. This framework does not allow School staff to evaluate and experiment with emerging technologies to foster student learning and achievement in the District. The requested funding will support experimentation on a small scale, which will be useful for assessment and for building staff capacity. The FY2014 funding is for the purchase of eReaders, such as Kindles and Nooks, for use in School libraries, and for the purchase of iPads for experimentation at the elementary school level.

**Technology Replacement** The FY2014 school technology funding request includes the replacement of 313 teacher, administrator, student, lab and laptop computers that have reached or are functioning beyond the end of their seven-year lifecycle. A total of 124 of these computers are for teachers and administrators throughout the District. Another 163 are lab and classroom computers at Eliot, Hillside, Newman, Pollard and the High School. The majority of the computers being purchased will be deployed at the High School. FY2014 represents the second year of the anticipated five-year timeframe to replace the High School computers. The request also includes the replacement of four school-based servers, the High School Foreign Language lab server and five district data servers that are housed at the ETC. These servers have been running 24/7 for three and four years and will be repurposed to less critical functions for two and three years respectively. This category also includes the replacement of eight UPS batteries that support critical servers throughout the District. Other requested items are the replacement of 47 printers across the District, and funding to analyze the impact of the recent operating system conversion to Apple's new operating system, Lion, on the hundreds of software packages owned by the District.

**DPW Core Fleet** The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2014 include:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
65	Parks & Forestry	2008	4WD F350 Pick-up Truck	Same	41,393	\$51,900
66	Highway	2007	One Ton Dump Truck	Same	46,749	\$78,300
6	Highway	2000	Six Wheel Dump Truck	Same	39,895	\$178,400
72	Parks & Forestry	2007	One Ton Dump Truck	Same	42,106	\$78,400

**Two-Way Radio Upgrade** Effective January 2013, the Federal Communications Commission has mandated that all existing licensees must convert their wideband (25kHz systems) radio systems to narrowband (12.5kHz). The majority of the two-way radios installed in DPW vehicles have been converted to radios that are capable of functioning on narrowband. This proposal would provide for the purchase of ten two-way radios to be installed in vehicles that have radios that do not presently comply with the narrowband requirement and are not up for replacement. An additional six radios will be purchased to provide the DPW Garage with replacement narrowband compliant two-way radios should any of the existing radios fail. Twelve portable radios and chargers will be purchased to be used during snow and emergency events. Additionally, base radios for the first floor of the PSAB and portable radios for Public Facilities and Building Department Staff are included in this request.

**Small Specialty Equipment** This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Department's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment scheduled to be replaced in FY2014 includes:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
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186	Parks & Forestry	1963	Leaf Collector	Same	N/A	\$25,900
303	Parks & Forestry	1985	Tractor	Same	2,749	\$74,900
356	Parks & Forestry	1985	Aerator	Same	N/A	\$30,000

*Snow and Ice Equipment* This request will provide funding for equipment used primarily in the Snow and Ice Program. Unless circumstances require otherwise, the vehicles and equipment proposed for replacement in FY2014 are as follows:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
6A	Highway	2000	Material Spreader	Same	N/A	\$32,200
116	Highway	1998	Sidewalk Tractor (Track)	Same	3,609	\$169,300
66A	Highway	2006	Material Spreader	Same	N/A	\$8,800

**ARTICLE 40: APPROPRIATE FOR POLLARD BOILER REPLACEMENT**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$800,000 for the Pollard School boiler replacement and the removal of the existing fuel tank, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* This request will fund the replacement of the two (2) boilers in the back boiler room of the Pollard Middle School with three (3) high efficiency condensing boilers. Currently, the building is designed to operate with two (2) boiler rooms with two (2) boilers in each of those rooms. These boiler rooms are presently oversized, and there have been logistical problems with running the boilers in both of these rooms simultaneously. An inability to successfully run boilers in both rooms simultaneously does not allow for sufficient redundancy should any failure in one of these boilers occur. Upgrading the front boiler room with three (3) high efficiency boilers and removing the boilers in the back boiler room will allow the front boiler room to carry the heating load of the entire building without any of the problems currently being experienced. The current boilers are over twenty (20) years old, and are becoming problematic. The new boilers will be designed for natural gas and will increase the energy efficiency of the heating systems at the Pollard School. This project should be eligible for NStar energy efficiency rebates to offset the cost of buying a more efficient model. The project also includes funding for the removal of the current oil tank at the Pollard School. The elimination of underground fuel storage reduces the Town's liability in case of leakage or tank failure.

**ARTICLE 41: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$600,000 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

**Street Resurfacing** *The purpose of this program is to improve the structural and surface integrity of the Town's miles of accepted streets. The primary strategy of this program is asphalt paving and incidental work, such as asphalt berm curb, new grass shoulders, corner reconstruction including handicapped ramps, minor drainage improvements, street sign replacement, traffic markings and signs.*

**Traffic Signal & Intersection Improvements** *This program funds traffic signal and intersection improvements, and new traffic signal installations. Unless circumstances dictate otherwise, FY2014 funding is proposed for Forest Street at Central Avenue.*

**Combined Sidewalk Program** *This Program funding addresses the failing network of sidewalks throughout the community. There are over 160 miles of accepted sidewalks in Needham. Over half of the Town's sidewalks do not comply with current standards and require significant improvements including the installation of handicapped ramps. Sidewalk improvements must comply with Federal and State laws and construction standards.*

**Storm Drain Capacity Improvements** *This program provides funding to improve roadway drainage capacity. The Town has identified and prioritized a number of areas throughout Needham where improvements are required to resolve flooding problems and illicit discharge. These measures include installation of additional storm drains, and storm drain replacement, extension, and capacity increases.*

**Brooks and Culvert Repair and Maintenance** *This repair and maintenance program was developed to address flooded and poor draining brooks, streams, waterways and culverts throughout the Town that have been severely damaged by heavy rains/storms. Proposed work includes cleaning and debris removal and restoration of retaining walls. Unless circumstances require otherwise, FY2014 funding will be directed to continued wall repair along Rosemary Brook.*

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**ARTICLE 42: APPROPRIATE FOR DPW COMPLEX RENOVATIONS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,100,000 for construction of garage bays and associated site improvements at the DPW Complex, to be spent under the direction of the Permanent Public Building Committee/ Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

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

*Article Information:* The recently completed Public Services Administration Building was occupied by the DPW in November 2011, eliminating the space problems and air quality issues experienced on the second floor of the current DPW Operations Building. However, deficiencies continue to exist throughout the 470 Dedham Avenue building internally and the DPW site externally. Ultimately the expansion and renovation of the DPW Operations Building and site, referred to as DPW Phase II, will be required to address both storage space for equipment and storm water quality issues. In FY 2013, Town Meeting appropriated \$40,000 for a feasibility study of the proposed DPW storage garage. The work proposed for FY2014 is the construction of six garage bays. The work addresses part of the storage space needs for DPW equipment and will provide for enclosed vehicle coverage. The project is proposed for funding through tax levy supported debt (\$400,000) and Water and Sewer Enterprise Funds (\$700,000).

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**ARTICLE 43: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$218,100 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and that \$110,000 be transferred from Article 51 of the 2009 Annual Town Meeting and that \$108,100 be transferred from RTS Enterprise Fund retained earnings; or take any other action relative thereto:

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

*Article Information:*

*Large Specialty Equipment* Public Works specialty equipment consists of power-assisted equipment or other specialized tools used by the Department in the performance of its work. The vehicle scheduled to be replaced in FY2014 is a truck with a tilt frame that loads and unloads roll-off containers. The roll-off is used to move the trash and recycling materials around the RTS yard. [source of funds]

Unit	Division	Year	Description - Existing	Description - Request	Miles	Cost
42	RTS	1999	Roll-Off	Same	N/A	\$218,100

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**ARTICLE 44: APPROPRIATE FOR RTS CONSTRUCTION EQUIPMENT**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$324,400 for RTS Construction Equipment, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

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

*Article Information:* The construction equipment proposal is for the replacement of the waste handler. The waste handler is a track style machine used to grind and compact trash in the tipping floor building. This provides compacted materials for hauling.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
105	RTS	1998	Waste Handler	Same	N/A	\$324,400

**ARTICLE 45: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$647,900 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Sewer	Core Fleet	\$ 47,900	
Sewer	Infiltration & Inflow Program	\$ 600,000	
	<b>Total Appropriation</b>	<b>\$ 647,900</b>	

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

*Article Information:*

*Core Fleet* The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicle scheduled to be replaced in FY2014 is:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
94	Sewer	2008	4WD F250 with Utility Body	Same	75,314	\$47,900

**Sewer System Rehabilitation Infiltration and Inflow Removal Programs** This request is for the second phase of the study of Infiltration and Inflow (I/I) in the existing sewer system. The Town of Needham, along with numerous other communities, is under Administrative Orders from the DEP to identify and remove Infiltration and Inflow (I/I) in existing sewer systems. Infiltration is defined as groundwater or storm water runoff that enters the system thru deteriorated pipe or manhole structures that by definition need to be repaired. Inflow is defined as clean, non-septic water, which is introduced to

the system. This water is generally produced by residential sump pumps that drain basements. The ongoing infiltration study will identify the areas of the collection system that are contributing high volumes of I/I into the system. On the basis of volumes of flow and knowledge of local sewer system overflows (SSO) or basement flooding, a new order of priority will be established to determine the scheduling of the engineering, design and remediation work. The master plan that the Sewer Division is using to identify areas of work is outdated. The first phase of the current study was funded in fiscal year 2013 and included engineering, and permanent and portable flow meter installation. The components of the second phase include engineering (\$100,000) and closed circuit TV services (\$500,000).

**ARTICLE 46: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,563,100 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Water Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Small Specialty Equipment	\$ 57,300	
Water	Filter Media Replacement	\$ 115,000	
Water	Irrigation Supply Feasibility Design	\$ 80,000	
Water	SCADA System Upgrade	\$ 435,000	
Water	System Rehabilitation Program	\$ 715,800	
Water	Service Connections	\$ 160,000	
	<b>Total Appropriation</b>	<b>\$ 1,563,100</b>	

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

Article Information:

**Small Specialty Equipment** This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Department's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment scheduled to be replaced in FY2014 is a Vac. Tech Trailer. The Vac. Tech Trailer is used to wash down and vacuum debris from water gate shut-offs and also to exercise gate valves.

Unit	Division	Year	Description - Existing	Description - Request	Miles	Cost
160	Water	2006	Vac. Tech Trailer	Same	N/A	\$57,300

**Filter Media Replacement** Filter media is used for manganese removal at the Charles River Water Treatment Facility. FY2014 represents the second year of the five year replacement cycle using a synthetic product as a substitute for natural greensand.

**Irrigation Supply Facility Design** This feasibility study will determine the potential yield of the two previously abandoned wells that are located at 480 Dedham Ave. These wells were originally abandoned due to water quality issues, but the water produced from these wells would be acceptable for irrigation. This study will determine if these wells will provide sufficient water to supply the DeFazio Playfields, Pollard Playfields, and the Needham Golf Club. The potential benefit of this project is reduced reliance on potable water - produced both by the Town and the MWRA - for irrigation. The study will provide an estimated cost for construction and potential revenue generation if the project is feasible.

**SCADA System Upgrade** The purpose of this request is to update the existing SCADA system, add a power monitoring system, and install a video monitoring system. A design study was conducted in the fall of 2012 for this system. SCADA is an acronym that stands for Supervisory Control and Data Acquisition. The Town's Water SCADA System collects data from various sensors at the Charles River Water Treatment Plant as well as remote locations throughout the system. The data is then sent to a central computer which efficiently manages and controls the operations of the entire Water System. The current SCADA system is outdated. It communicates through copper communications lines owned and serviced by Verizon. These lines are unreliable and have resulted in an increase in communications failures over time. This new system will utilize a different method of communication which will make the system more reliable and efficient. Additionally, this project will include replacing the PLCs. These are programmable logic converters for the remote terminal units that relay information. A power monitoring system is being included as part of this upgrade for the primary pumps associated with the Town's Water facilities. This system will increase the efficiency of the operations and reduce energy consumption. This project will also include the installation of video monitoring equipment at water treatment facility and tanks, in accordance with guidance issued by Homeland Security.

**Water System Rehabilitation Program** The annual Water System Rehabilitation Program draws from the recommendations of the Water System Master Plan. The master plan recommends that pipes 85 years or older be considered for replacement or relining. This list of older pipes is evaluated and prioritized, and then cross-referenced with work proposed for other utilities, road repairs, or reconstruction. Unless circumstances require otherwise, FY2014 funding will support construction of a new eight inch pipe (2,500 linear feet) on Grant Street from Junction Street to Dedham Avenue.

**Service Connections** The purpose of this program is to remove old iron pipe water services that contain lead from the water distribution system. Old iron and lead water services are replaced prior to a road reconstruction/paving project. If the water service connections are not replaced, an element of the subsurface infrastructure is susceptible to failure before the useful life of the reconstructed roadway has been realized. The FY2014 funding will provide approximately one year's value of water service replacements, which will fall in line with the road resurfacing program schedule.

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**ARTICLE 47:      APPROPRIATE FOR ST. MARY'S PUMP STATION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$5,565,100 for the renovation or reconstruction of the St Mary's Pumping Station, to be spent under the direction of the Permanent Public Building Committee/Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L. Chapter 29C, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44, Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement

Trust (MWPAT) established pursuant to M.G.L. Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The St. Mary's Pump Station, built in 1957, was designed to pump potable water from the MWRA aqueduct to supplement the Town's demand for water. There are five pumps located within the station; however only two of the pumps are operable, resulting in less capacity than the permitted 6.5 million gallons per day (mgd). This request will provide necessary improvements - either renovation or total reconstruction - to meet future water demands, and to ensure the station has emergency back-up electrical power. The budget includes design and engineering, project management, contract management, owner's expenses, site development, general contractor, heavy equipment, F, F&E, and technology. Town Meeting previously appropriated \$490,000 for design and engineering.*

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## TOWN RESERVE ARTICLES

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### **ARTICLE 48: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$50,450 to the Athletic Facility Improvement Fund, as provided under Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The 2012 Annual Town Meeting authorized the creation of an athletic facility stabilization fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities, particularly Memorial and DeFazio, which were renovated as part of a remarkable public/private partnership at a cost of more than \$7 million. The December 31, 2012 balance in the fund was \$283,020.*

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### **ARTICLE 49: APPROPRIATE TO CAPITAL IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the

Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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

*Article Explanation: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The December 31, 2012 balance in the fund was \$648,336.*

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**ARTICLE 50: APPROPRIATE TO CAPITAL FACILITY FUND**

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L. Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

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

*Article Information: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing) systems of then existing capital facilities. The December 31, 2012 balance in the fund was \$1,292,178.*

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**ARTICLE 51: OMNIBUS**

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least 7 days before said meeting.

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

Given under our hands at Needham aforesaid this 27<sup>th</sup> day of February, 2013.

**GERALD A. WASSERMAN, *Chairman***  
**DANIEL P. MATTHEWS, *Vice Chair***  
**JOHN A. BULIAN, *Clerk***  
**MAURICE P. HANDEL**  
**MATTHEW D. BORRELLI**

*Selectmen of Needham*

a true copy  
ATTEST



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

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**MEETING DATE: 4/10/2013**

<b>Agenda Item</b>	Needham Education Foundation Spelling Bee Recognition
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>		
	The Board will recognize the winning team at the 2013 NEF Spelling Bee.		
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>	<b>YES</b>	<b>NO</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>	<b>YES</b>	<b>NO</b>



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

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**MEETING DATE: 04/10/2013**

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

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

sent to Police 3/20 for review.

\*pd. cash

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

Event Manager Name (Name that will appear on license)	Kathryn Lozano		
Event Manager Address	863 Great Plain Ave Needham		
Event Manager Phone Number	781-444-6400		
Organization Representing (if applicable)	YMCA (Charles River)		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input checked="" type="checkbox"/> Non-profit	<input type="checkbox"/> For profit	
	<input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Kathy Lozano Going Away Celebration		
Date of Event	April 3 2013		
License is for Sale of:	No Sale		
	<input checked="" type="checkbox"/> Wines & Malt Beverages Only		
	<input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)		
Requested Time for Liquor License	FROM:	6 pm	TO: 8 pm
Are tickets being sold in advance for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO no cost
Is there an admission fee for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
How many people are you expecting at this event?	100		
Name & address of event location. Please attach proof of permission to use this facility.	863 Great Plain Avenue		
Who will be serving the alcohol to your guests?	Kathy Lozano		
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	see attached		
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.	will have table with wine & beer for guests to enjoy as they eat and socialize.		
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:	Kathryn Lozano		Date: 3/20/13

Marian Slavin  
617-510-3372



## CERTIFICATE OF COMPLETION

This is to Certify that

**Kathryn Lozano**

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

**SureSell Responsible Alcohol Service Training**

June 18, 2012

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

SureSellNow.com

*Rhiana Ustide*

Authorized Signature



For Calendar Year: 2013

# TOWN OF NEEDHAM

## APPLICATION/ RENEWAL FOR A COMMON VICTUALLER LICENSE

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN  
2013 MAR 28 A 9:18

The undersigned hereby applies for a Common Victualler License in accordance with the provisions of the Statutes relating thereto:

Name of Corporation: Volante Farms

Name of Establishment (d/b/a): \_\_\_\_\_

If business is a Corporation / Corporate Name and Officers: Volante Farms Inc.

Officers: David Volante, Terese Beardman, Steven Volante, Alhed Volante, Melodie Volante

If business is not a Corporation, Name of Owner: \_\_\_\_\_

Email Address: dave@volantefarms.com

Address of Establishment: 292 Forest St. Needham, MA

Contact Person (name who will receive notices under this license): David Volante

Mailing Address (of contact person), if different from Establishment: same

Establishment's Days of Operation: 7 days a week

Establishment's Hours of Operation: M-F 8AM-7PM Sat-Sun 8AM-6PM

Manager: David Volante # of Staff: 30 # of Seats: 22

Telephone Number: 781-444-2351 Fax Number: 781-449-5284

Signature of Owner: [Signature] Date: 3/25/13

(If corporation, signature of a duly authorized agent of the corporation)

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

If you currently hold an alcoholic beverages license, you must provide a copy of a certificate of liquor liability insurance in the minimum amount of \$100,000/person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage before your alcoholic beverages license will be renewed.

Pursuant to MGL Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have read and am in compliance with the contents of M.G.L. Chapter 62C, Section 49A (on reverse side of this application).

Signature of Applicant (Mandatory)

04-2622484

Either a Social Security Number  
Or Federal Identification Number Must Be Supplied

By Corporate Officer (if applicable)

3/26/13

Date (required)

Dear Kate,

I am submitting a completed Town of Needham Road Race Event Form for an application for HAVE2RUN productions to bring a new event to Needham in 2013. The event would be an inaugural Father's Day 5K Road Race to be hosted on Sunday 16<sup>th</sup> June 2013.

HAVE2RUN productions is committed to organizing high-quality, medium-large scale fun events while supporting the Local Community and worthy causes. HAVE2RUN productions have experience at producing multi and single day events. We have worked in the past with permitting and police departments of Boston, Cambridge, Dedham, Canton, Milton, and Brookline. We are extreme professionals and leave each site as we have found it. Our owner Emma Bagnell moved to Needham in September 2010 and would like to bring her first event to the town and help build on the amazing community that already exists within Needham. Should HAVE2RUN productions receive permission for this event we will be making a donation from the proceeds of this event directly to a local community groups that benefits the people in the Town of Needham.

We have included with this letter, two different potential routes, one that would start and finish at Needham High School on Webster St and the second route would start/finish at LT Mason Carter VFM Post on Junction St. We are interested in see which route and location the Town and police departments would prefer.

The following is a proposed schedule of the Father's Day 5K Road Race

**Event Schedule**

- 6:00 am – Event Setup begins
- 7:30 am – Registration Opens
- 8:40 am – Registration Close and Runners Line Up
- 8:50 am – Street Closures begin
- 9:00 am – Race Starts
- 10:00 am - Street Closures End
- 10:30 am – Post- Award Races
- 11:30 am – Event is broken down and leave site

We can supply a Certificate of Insurance listing Town of Needham as additionally insured, should we receive official permission for the event. We would like to work with Town of Needham to minimize the impact on your residents, we also commit to a full clean-up of the area.

We look forward to hearing from you. If you have any questions, please do not hesitate to contact Emma Bagnell at [info@have2run.com](mailto:info@have2run.com) or by phone at (857) 205 2932.

Best Regards,



Emma

**Town of Needham, Massachusetts  
Road Race/Walk/Bicycling Event Form**

<b>Name of Organization:</b> HAVE2RUN productions	
<b>Organization Mailing Address:</b> 180 MAPLE STREET, NEEDHAM, MA, 02492	
<b>Primary Contact:</b> EMMA BAGNELL	<b>Contact Title:</b> Founder / Event Director
<b>Contact Address:</b> 180 MAPLE STREET, NEEDHAM, MA, 02492	
<b>Contact Phone (Day):</b> 781-444-1608	<b>Contact Phone (Cell):</b> 857-205-2932
<b>Contact Email:</b> info@have2run.com	
<b>Event Date(s):</b> June 16th, 2013	<b>Date Expected to be in Needham:</b> June 16th, 2013
<b>Earliest Time Expected in Needham:</b> 6am (Race Start @ 9am)	<b>Latest Time Expected in Needham:</b> 12 noon cleanup complete
<b>Number of Expected Participants:</b> 600-900	<b>Number of Expected Spectators at Peak Time:</b> 300
<b>Is event for-profit or not-for-profit?</b> for profit event. Will donate % to local Needham organizations	<b>Are participants charged a fee?</b> Yes

<p><b>Estimated Number of Vehicles:</b> Anywhere 100 - 300/400</p>	<p><b>What type of Parking is needed:</b> see site maps</p>
<p><b>Are event organizers available to meet with members of the Town to plan event?</b> Yes</p>	
<p><b>What will be done in case of inclement weather?</b> Potential Hazard is Thunderstorms (delay event until they are over) Reschedule for June 30th.</p>	
<p><b>Are there other events that take place at the same time as this one, just before or just after this event?</b> Potentially a kids 1k (500 yard Dash run)</p>	
<p><b>Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked:</b>  See attached</p>	
<p><b>Will neighborhoods be impacted by parking and traffic?</b> see attached</p>	
<p><b>What activities are planned for the start of the race (if in Needham)?</b> Face painting for kids Photo zone to take pics</p>	
<p><b>What activities are planned for the end of the race (if in Needham)?</b> Awards, refreshments, music</p>	
<p><b>What facilities are needed for the start of the race (if in Needham)?</b> <del>Not applicable</del> Police</p>	
<p><b>What facilities are needed for the end of the race (if in Needham)?</b> Police</p>	
<p><b>Once the event begins, how long will it take to complete the event?</b> Event starts @ 9am, participants done by 10am. Cleanup complete by 12noon</p>	

Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	Yes - indicating Special Event We have alot of signage we can use
Will volunteers be placed along the route?	Yes
Will you be using a sound system? If yes, please describe where and when it will be used.	Using megaphone Also sound system/provided by DJ/ Radio station
Will there be any food served?	Water, bananas, bagels, chips, bars
Will portable toilets be used?	Yes
Will hydration stops be set up along route? If yes, please include these on route plan.	See attached.
If the event takes place after dark, what is the plan to meet lighting needs?	Not applicable
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	See attached
Does the event take place during commuter times?	Not applicable
Is school in session during the event? Will school drop off or pick up be impacted by the event?	Not applicable
Are businesses open during the time of the event?	Yes, Sunday early AM so alot of stores closed. Will inform businesses.
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	Dunkin Donuts Church on Route Option 2
Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	Will inform churches & work with them on any concerns.
What is the plan to handle trash?	All trash will be removed from site whether Public Works can assist or need to use private vendor
<b>Please attach event route map, include map and text of route.</b>	

**Proposed Fathers Day 5K**

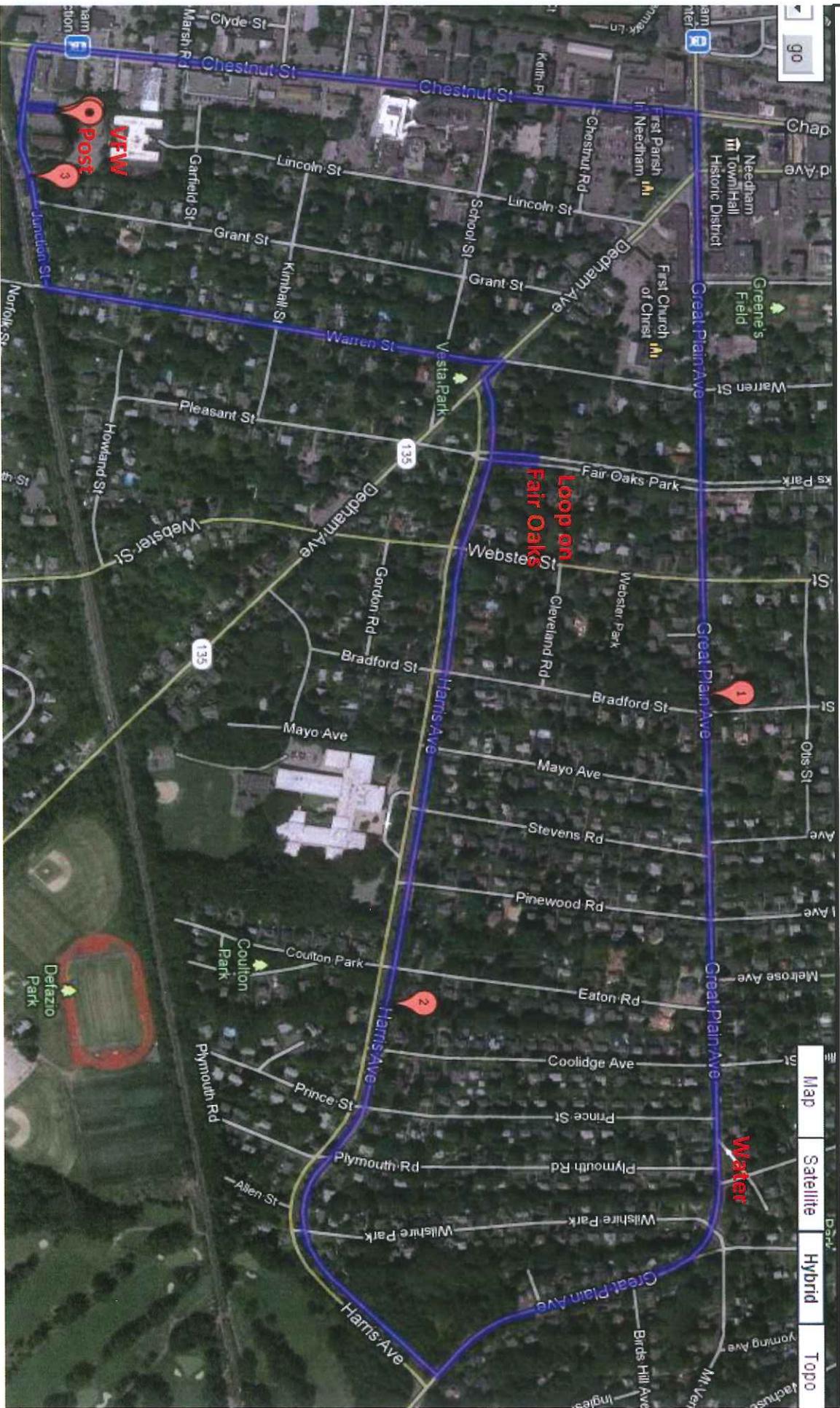
Sunday June 16, 2013

Race Start | 9:00 AM

Event Times | 6:00 AM – 12:00 Noon

**Start/Finish @ LT. Manson H Carter VFW Post 2498**

20 Junction St | Needham | MA 02494



**Town of Needham  
Road Race Event Additional Information**

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**Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked:**

Option 1 – Needham High School | Webster St

Participants and spectators can use the parking lot at Needham High School. They can park there for the duration of the event as well as the hour before and after the event.

Option 2 – LT Manson Carter VFM Post | Junction St

Participants and spectators can use the parking lot at VFM Post and also avail of parking at the Needham Junction stop.

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**Will neighborhoods be impacted by parking and traffic?**

Option 1 – Needham High School | Webster St

The following streets Kingsbury, Holland, Brookline, Webster, Rosemary St may be impacted by traffic arriving at the area, should not need parking on these streets since High School Lot can be used.

Event would request no parking be permitted on Kingsbury St, since this is part of the event route.

Option 2 – LT Manson Carter VFM Post | Junction St

The following streets Grant St, Warren St, Lincoln St, Kimball St, Garfield St may be impacted.

Event would request no parking be permitted on Grant St and Kimball St, since this is part of the event route.

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**What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?**

There will be volunteer medical professionals on-hand certified in CPR/AED for Adults and Children to respond to medical situations.

Should an emergency situation occur that requires further medical assistance, the plan would be to call 911. There are two Needham Fire Authority within a mile of the Start/Finish Area who serve as First Responders to calls in the Needham Area.

The race is also within close proximity to one local hospitals Beth Israel Deaconess.

Since the event is in June and we could experience hot/humid temps we will prepare by having plenty of water and ice available to the start/finish line. Should temps be extreme we can set up a water hose at the Start/Finish line.

13 MAR 22 11:30

Commonwealth of Massachusetts  
Needham, Massachusetts

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN

APPLICATION FOR DEFERRAL OF WATER AND SEWER USER FEES

General Laws Chapter 40 Section 42J and Chapter 83 Section 16G

2013 MAR 22 A 10:35

To be completed by the Applicant

Name of Applicant: \_\_\_\_\_  
Resident Address: 222 Hillside Ave  
Mailing Address: Same  
Telephone Number: \_\_\_\_\_

I hereby apply to the water/sewer commissioners for the deferral of all water and sewer charges under G.L. Ch.40 s42J and G.L. Ch. 83 s16G imposed on the property located at the address shown above.

I am aware that interest charges are added to the deferral of the water and sewer user fees. The rate of 4% per annum is charged on the deferred amount until such time when the property is sold, the death of the applicant, or the death of the surviving spouse if a new agreement has been entered into. Upon the sale of the property or death of the applicant, the interest rate then increases to 16% per annum until the deferred taxes are repaid.

[Signature]  
Signature

3-22-2013  
Date

To be completed by the Board of Assessors

The above named applicant is receiving a deferral of property taxes under G.L. Ch.59 s5 Cl. 41A.

BOARD OF ASSESSORS

DATE: \_\_\_\_\_

Disposition by Board of Selectmen acting as Town of Needham Water and Sewer Commissioners.

Date Voted: \_\_\_\_\_

[ ] GRANTED [ ] DENIED

\_\_\_\_\_  
\_\_\_\_\_

Water /Sewer Commissioners

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

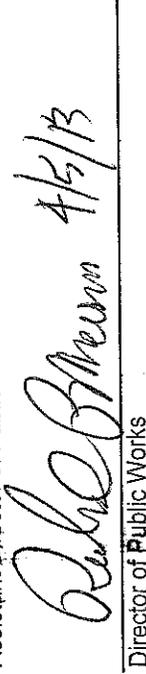
WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	\$0.00
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$540.95
Transfer Station Charges:	\$0.00
Total Abatement:	-\$540.95

Order #: 1159

Read and Approved: 4/5/2013

  
Assistant Director of Public Works

  
Director of Public Works

For the Board of Selectmen

Date: 4/10/2013

**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	Nashawaty	Stephanie	35761	16282	155	Oak Street	\$0.00	\$0.00	-\$540.95	-\$540.95	EC	N

**Total:**                   -\$540.95

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

TOWN OF NEEDHAM  
BOARD OF SELECTMEN

April 10, 2013

ORDER NO. 590  
TO THE ASSESSORS:

SPECIAL SEWER ASSESSMENT

Pursuant to the provisions of General Laws, Chapter 83, Section 17 and the amendments thereto, we hereby commit to you for collection the following assessment, contained in one (1) sheet and made by us for the installation of common sewers in the Town of Needham, and we direct you to collect this assessment, as herein set forth and pay the sum so collected to the Town Treasurer in accordance with the provision of law.

STREET LOCATION	PLAN & LOT	OWNER	OWNER'S ADDRESS	AMOUNT ASSESSED
1746 Great Plain Avenue	243/1A	Richard Webman, Trustee Sadie Trust	10 Bowdoin Street Boston, MA 02114	\$3,352.60
BOARD OF SELECTMEN-NEEDHAM, MA				

NOTE: Sewer originally assessed on 05/12/98  
under Sewer Assessment Order No. 559

DND