

BOARD OF SELECTMEN
June 11, 2013
Powers Hall in Town Hall
Agenda

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Public Hearing – Tree Removal on South Street <ul style="list-style-type: none"> • Kate Fitzpatrick, Town Manager • Ed Olsen, Parks & Forestry Superintendent
2.	7:30	Public Hearing – Parking Ticket Fines <ul style="list-style-type: none"> • David Davison, Assistant Town Manager/Finance Director
3.	7:45	Department of Public Works <ul style="list-style-type: none"> • Order of Taking – Portion of Booth Street
4.	7:55	Citizens Connect <ul style="list-style-type: none"> • Roger MacDonald, Director of Information Technology • Carys Lustig, Supervisor of Administration, DPW
5.	8:15	Approve Sale of Notes <ul style="list-style-type: none"> • David Davison, Assistant Town Manager/Finance Director • Evelyn Pones, Treasurer/Collector
6.	8:30	Town Manager <ul style="list-style-type: none"> • Highland Avenue/Needham Street Corridor/TIP Project • Lincoln Street Parking Lot Improvements • Determination of Unique Status/Parking Lot at 870 Great Plain Avenue • Town Manager's Report
7.	8:45	Board Discussion <ul style="list-style-type: none"> • Committee Reports
8.	8:55	Executive Session Exception 3

CONSENT AGENDA *=Backup attached

1.*	Ratify a request from Seana Gaherin of Dunn Gaherins to ride a portion of its "Pete Leary Road Race" through Needham on June 2, 2013. The route was approved by the following departments: Police, Fire, DPW & Park and Recreation.
2.	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 June 17, 2013 to July 17, 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.

3.	Accept donations made to the Needham Health Department's Domestic Violence Action Committee from the following: \$50- Lynn & Stephen Baum; and \$25- Cathy & Richard Freedberg.					
4.	Accept the following donations made to The Park and Recreation Commission for Arts in the Park and Programs: \$700 from Middlesex Savings; \$600 from Louise Condon Realty; \$600 from Dedham Savings Bank; \$600 from North Hill; \$100 from Needham Business Association; \$75 from Thomas Nutile; and \$600 from the Needham Exchange Club.					
5.	Accept gifts of materials and labor from the following Eagle Scouts who worked on various projects for the Needham Park and Recreation Commission and Department: Ted Morin- built new turnboards for Rosemary Pool- estimated value of materials \$1,000; Scott Groux- improvements to Perry Park- estimated value of materials \$270; and Matthew Bejian- 2 benches and 25 arborvitae at NHS tennis courts- estimated value of materials \$820.					
6.	Accept donation made in the amount of \$22,000 to The Needham Park and Recreation Commission from the Declaration of Trust of Harold J.A. Street to be placed in the department's Gift Fund.					
7.	Approve a request from Charles York, of the Needham Sheraton, to extend the hours of its liquor license on 12/31/2013 for a wedding that has been booked. They would like to provide bar service until 1:00 a.m.					
8.*	Approve Minutes from May 14, 2013 and May 28, 2013.					
9.*	Water and Sewer Abatement Order # 1163.					
10.	Accept gift in the amount of \$12,550 to the Town of Needham from The Needham Channel for the purpose of improving community access television by enabling the routing of digital signals containing video and audio from facilities on the Town's fiber optic network through the data hub at Town Hall to the Needham Channel Studios for broadcast.					
11.	Accept the following donations made to the Needham Off-Leash Dog Park gift account: \$360 from Michael Verdun; \$50 from Alan & Judith Richman; \$50 from Terry & James Windhorst; \$50 from Myra & John Anderson; \$10 from Janice Klein; \$1000 from Highland Animal Hospital; \$100 from Debbie Winnick; \$100 from the Rotary Club of Needham; \$15 from Fredrick & Alice Rapkin; and \$100 from Emily Cooper.					
12.	Grant permission for the following residents to hold a Block Party:					
	Name	Address	Party Location	Date	Rain Date	Time
	Ashly Scheufele	29 Davenport Rd	Davenport Rd	6/22/2013		3-7pm
	Deb Tormey	33 Lawton Rd	Lawton Rd	6/22/2013		3-9pm
	Virginia Carnahn	671 Great Plain Ave	Greenwood Avenue	7/13/2013	7/14/2013	3-11pm



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

MEETING DATE: 6/11/2013

Agenda Item	South Street Tree Removal Project
Presenter(s)	Kate Fitzpatrick, Town Manager Ed Olsen, Parks & Forestry Superintendent

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<p>The Town Manager and Parks & Forestry Superintendent will describe the proposed tree removal project on South Street between Chestnut Street and Charles River Street. Under the Scenic Road Act (M.G.L. c. 40 Section 15C) approval of the Planning Board after hearing is also required prior to the removal of trees in the Right of Way.</p>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<p><i>Suggested Motion:</i> That the Board vote to endorse the South Street tree removal project and forward same to the Planning Board for its approval.</p>			
3.	BACK UP INFORMATION ATTACHED	YES	NO
<ul style="list-style-type: none"> a. Notice of Public Hearing b. M.G.L. c. 40 Section 15C c. M.G.L. c. 87 Section 5 d. Needham Zoning By-law Section 4.2.1 (c) e. Rules & Regulations of the Needham Planning Board Governing its Administration of the Scenic Road Act f. NSTAR Tree Removal Control Form, 3/12/13 g. Pictures of trees along distribution line 			



TOWN OF NEEDHAM

TOWN HALL

Needham, MA 02492-2669

Office of the
TOWN MANAGER

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Public Hearing on Tree Removal Project in Needham

The Town of Needham, in collaboration with NSTAR, is working on a plan to ensure safe, reliable and continuous service to the Town. This includes the removal of over one hundred dead, diseased and dying trees that have been identified as hazardous and are located along South Street, between Chestnut Street and Charles River Road. These trees have been marked with blue ribbon.

The Board of Selectmen will hold a public hearing regarding this proposed plan on Tuesday, June 11, 2013, at 7:00 pm at the Needham Town Hall, 1471 Highland Avenue, Needham.

The Board of Selectmen invites all residents and interested parties to provide input at this meeting related to the tree removal project. Public comments may also be directed to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or selectmen@needhamma.gov. Questions may be directed to Superintendent of Parks & Forestry, Ed Olsen, (781) 455-7550 extension 316.

Needham Times
June 6, 2013

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[Search the Laws](#)

Go To:
[Next Section](#)
[Previous Section](#)
[Chapter Table of Contents](#)
[MGL Search Page](#)
[General Court Home](#)
[Mass.gov](#)

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 40. POWERS AND DUTIES OF CITIES AND TOWNS

TAKING, PURCHASE AND ABANDONMENT OF LAND

Chapter 40: Section 15C. Scenic road designations; improvements; fines

Section 15C. Upon recommendation or request of the planning board, conservation commission or historical commission of any city or town, such city or town may designate any road in said city or town, other than a numbered route or state highway as a scenic road; provided, however, that a numbered route may be designated by a city or town as a scenic road if its entire length is contained within the boundaries of said city or town, and no part of said route is owned or maintained by the commonwealth.

After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a public hearing must be held under the provisions of this section and under section three of chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided in said section three of chapter eighty-seven. Any city or town making said scenic road designation may make an ordinance or by-law establishing that a violation of this paragraph shall be punished by a fine not to exceed three hundred dollars.

Designation of a road as a scenic road shall not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of chapter ninety.



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[Home](#) [Glossary](#) [FAQs](#)

Options

[Massachusetts Laws](#)

[Bills](#)

[State Budget](#)

[People](#)

[Committees](#)

[Educate & Engage](#)

[Events](#)

Massachusetts Laws

General Laws

[Massachusetts Constitution](#)

[General Laws](#)

[Session Laws](#)

[Rules](#)

[Print Page](#)

PART I	ADMINISTRATION OF THE GOVERNMENT (Chapters 1 through 182)	PREV NEXT
TITLE XIV	PUBLIC WAYS AND WORKS	PREV NEXT
CHAPTER 87	SHADE TREES	PREV NEXT
Section 5	Cutting down, trimming or removing bushes and small trees	PREV NEXT

Section 5. **Tree wardens and their deputies, but no other person, may, without a hearing, trim, cut down or remove trees, less than one and one half inches in diameter one foot from the ground, and bushes, standing in public ways; and, if ordered by the mayor, selectmen, road commissioners or highway surveyor, shall trim or cut down trees and bushes, if the same shall be deemed to obstruct, endanger, hinder or incommode persons traveling thereon or to obstruct buildings being moved pursuant to the provisions of section eighteen of chapter eighty-five. Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree which endangers persons traveling on a highway, or the removal of any tree, if so ordered by the proper officers for the purpose of widening the highway and nothing herein contained shall interfere with the suppression of pests declared to be public nuisances by section eleven of chapter one hundred and thirty-two, including the Dutch elm disease.**

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[Home](#) [Glossary](#) [FAQs](#)

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[Massachusetts Laws](#)

[Bills](#)

[State Budget](#)

[People](#)

[Committees](#)

[Educate & Engage](#)

[Events](#)

Massachusetts Laws

[Massachusetts Constitution](#)

[General Laws](#)

[Session Laws](#)

[Rules](#)

General Laws

[Print Page](#)

PART I	ADMINISTRATION OF THE GOVERNMENT (Chapters 1 through 182)	PREV	NEXT
TITLE XIV	PUBLIC WAYS AND WORKS	PREV	NEXT
CHAPTER 87	SHADE TREES	PREV	NEXT
Section 3	Cutting of public shade trees; public hearing; damages to fee owner	PREV	NEXT

Section 3. Except as provided by section five, public shade trees shall not be cut, trimmed or removed, in whole or in part, by any person other than the tree warden or his deputy, even if he be the owner of the fee in the land on which such tree is situated, except upon a permit in writing from said tree warden, nor shall they be cut down or removed by the tree warden or his deputy or other person without a public hearing and said tree warden or his deputy shall cause a notice of the time and place of such hearing thereof, which shall identify the size, type and location of the shade tree or trees to be cut down or removed, to be posted in two or more public places in the town and upon the tree at least seven days before such hearing and published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than seven days before the day of the hearing or if no such local newspaper exists then in accordance with the provisions of section six of chapter four; provided, however, that when a public hearing must be held under the provisions of this section and under section fifteen C of chapter forty prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided herein. Any person injured in his property by the action of the officers in charge of the public shade trees as to the trimming, cutting, removal or retention of any such tree, or as to the amount awarded to him for the same, may recover the damages, if any, which he has sustained, from the town under chapter seventy-nine.

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the Charles River Valley Storage Project shall be counted in calculating the area of a lot for purposes of determining the respective minimum lot areas in Single Residence A, Single Residence B, General Residence and Institutional Districts. The provisions of the second sentence of this paragraph (a) shall apply in Single Residence A, Single Residence B and General Residence Districts to any lot created after May 8, 1989.

Not more than a combined total of ten (10) percent of: (a) land located in a Flood Plain District; (b) land areas subject to the Wetlands Protection Act and the Inland Wetlands Act, M.G.L., Ch. 131, S. 40 and 40A (but not including any area defined as a buffer area under said statutes); and (c) land subject to federal flood storage restrictions included within the Charles River Valley Storage Project shall be counted in calculating the area of a lot for purposes of determining the minimum lot area in a Rural Residence-Conservation District.

(b) No building or structure, or addition to any building or structure, but not including accessory buildings or structures, shall be erected or placed on a lot which will result in the covering by buildings or structures of more than fifteen percent (15%) of the lot area in a Rural Residence-Conservation District.

 (c) In a Rural Residence-Conservation District, the first thirty-five (35) feet of the required minimum front setback of fifty (50) feet, as measured from Chestnut Street and from the designated Scenic Roads of South Street and Charles River Street, shall remain as a natural vegetative buffer not to be cut or cleared except for normal maintenance and vehicular access, including private driveways and subdivision roadways.

4.2.2 Height Limitation Exceptions

The maximum height regulation in Section 4.2.1 shall not apply to schools and municipal buildings which may contain three (3) stories or may be as high as forty (40) feet. Any municipal building which ceases to be a municipal building, because of a change of use or ownership, may continue to be used, maintained and reconstructed so as to contain up to the number of stories and the height which existed at the time of the change to non-municipal use or ownership. Notwithstanding the above, nothing contained herein shall in anyway limit the rights conferred under footnote (h) of Section 4.2.1 Table of Regulations.

In the case of schools or other buildings devoted to educational purposes and located in an Institutional District, including dormitories and accessory buildings, projections above a roof for housing elevator machinery, chimneys, ventilators, and mechanical flues or exhausts will not be subject to the heights limitations in Section 4.2.1, footnote (h) or this Section 4.2.2. Such projections shall not occupy an aggregate area of the roof exceeding thirty-three percent (33%) of the total ground coverage of the building and no housing for elevator machinery or mechanical equipment (other than chimneys, ventilators and mechanical flues or exhausts), or the equipment itself, shall extend more than fifteen (15) feet above the main roof elevation. At no point shall any such projection exceed 90 feet above grade. The Board of Appeals shall have the authority to grant

RULES AND REGULATIONS OF THE NEEDHAM PLANNING BOARD
GOVERNING ITS ADMINISTRATION OF THE
SCENIC ROAD ACT (MGL CH. 40, SEC. 15C)

1. STATUTORY PROVISIONS OF THE SCENIC ROAD ACT - MGL CHAPTER 40, SECTION 15C

"Upon recommendation or request of the planning board, conservation commission, or historical commission of any city or town, such city or town may designate any road in said city or town other than a numbered route or state highway, as a scenic road.

After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing.

Designation of a road as a scenic road shall not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of chapter ninety."

2. NEEDHAM STREETS SUBJECT TO THE PROVISIONS OF THE SCENIC ROAD ACT

Charles River Street - 1982 ATM
South Street - 1982 ATM

3. DEFINITIONS

In the absence of contrary meaning established through legislation or judicial action pursuant to Section 15C, Chapter 40, MGL, these terms contained in that statute shall be construed as follows:

"Cutting or removal of trees" shall not be construed to include routine or emergency tree maintenance which removes only permanently diseased or damaged limbs, trunks, roots, or whole trees as determined by the Tree Warden, or sound limbs, trunks, or roots of a tree with a diameter of one and one half inch diameter or smaller, DBH (diameter at breast height) or four feet from the ground.

"Repair, Maintenance, Reconstruction, or Paving Work" shall mean any work done within the right-of-way by any person or agency, public or private. Within this

definition is any work on any portion of the right-of-way which was not physically commenced at the time the road was designated as a scenic road. Construction of new driveways or alterations of existing ones is also included, insofar as it takes place within the right-of-way.

"Road" shall mean the entire right-of-way including, but not limited to a vehicular travelled way plus its necessary appurtenances within the right-of-way including bridge structures, drainage systems, retaining walls, traffic control devices, pedestrian facilities, and the air space above them, but not intersecting streets or driveways. When the boundary of the right-of-way is in issue so that a dispute arises as to whether or not certain trees or stone walls are within the right-of-way, it shall be presumed to be within the way until the contrary is shown.

"Stone Walls" shall not be construed to include assemblages of stone involving less than one cubic foot of wall material per linear foot, or totalling less than five feet in length.

"Tearing down or destruction of stone walls" shall not be construed to include temporary removal and replacement within 30 days at the same location with the same materials.

"Trees" shall mean any woody plants having trunk diameter of one and one-half inches or more, one foot from the ground.

4. CONSTRUCTION AND APPLICABILITY OF THE RULES AND REGULATIONS CONTAINED HEREIN

The Planning Board authority and jurisdiction shall be consistent with MGL Ch. 40S, 15C. These rules and regulations shall be controlling and may be amended from time to time.

5. PROCEDURES

5.1 Filing

Any person or organization seeking the consent of the Planning Board under Sec. 15C, Ch. 40, MGL (The Scenic Roads Act) regarding the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, in connection with the repair, maintenance, reconstruction or paving work on Scenic Roads, shall submit a request with the Planning Board together with the following:

- a. An identification of the location and the nature of the proposed action and a description of the proposed changes to trees and stone walls;
- b. a statement of the purpose(s) for the changes proposed;
- c. a list of owners of property located in whole or in part within 100 feet of the proposed action;
- d. except in the case of town agencies, a filing fee of \$50.00 plus a prior deposit sufficient to cover advertising, notification, and other necessary costs for the public hearing, and
- e. any further explanatory material useful to adequately inform the planning board prior to the public hearing.

Notice of submittal shall be filed with the Town Clerk after it is accepted and signed for by the Planning Board or its staff.

5.2 Notice

The Planning Board shall, as required by statute, give notice of its public hearing by advertising twice in a newspaper of general circulation in the area. This notice shall contain a statement as to the time, date, place, and purpose of the hearing with a reasonable description of the action proposed by the applicant. Copies of this notice shall be sent to the Selectmen, the Conservation Commission, the Historic Commission, the Public Works Department, the Town Engineer, the Tree Warden, and the owners of property within 100 feet of the proposed action.

5.3 Timing

The Planning Board shall hold a public hearing within 45 days from the date on which notice of submittal is received by the Town Clerk, and shall make a decision within 60 days of that receipt; unless a longer time is agreed to by the applicant.

5.4 Tree Warden

Whenever feasible, Planning Board hearings shall be held in conjunction with those to be held by the Tree Warden acting under Ch. 87, MGL. Consent to an action by the Planning Board shall not be construed as interfering consent by the Tree Warden, or the reverse.

6. CONSIDERATIONS

In acting on Scenic Road, the Planning Board shall take into consideration the following:

1. Preservation of natural resources;
2. Environmental and historical values;
3. Scenic and aesthetic characteristics;
4. Public safety;
5. Traffic volume and congestion;
6. Relationship of road design to the standards of the Planning Board's Subdivision Regulations and the Massachusetts D.P.W.:
7. Compensatory actions proposed, such as replacement of trees or walls;
8. Functional urgency of the repair, maintenance, reconstruction, or paving;
9. Financial and other consequences of design revision to avoid or reduce damage to trees or stone walls;
10. Evidence contributed by abutters, town agencies, and other interested parties;
11. Other sound planning principles.

NSTAR Tree Removal Control Form

Contract Arborist: Brande Tarantino Street: South St. Sheet #: 1 of 8
 Date Planned: 03/12/13 Town: Needham Circuit #: 148-01 Needham South St. Removal Project

Pole # - Pole #	Hse #	Perm Type	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 32"	32"+	Haul Wood	Comments	PUB/ PRIV
12/92-93	7 Stonecrest Dr					1 oak				unacceptable risk of failure; on slope, soil erosion, large cavity/extensive decay at base of trunk, leaders over primaries Homeowner in agreement	public
12/92-93	7 Stonecrest Dr		3 elm							elms: electrical safety hazard, dead & in contact with primary electrical wires. Homeowner in agreement	public
12/95-96	10 Stonecrest Dr.		1 poplar	1 poplar						central leaders within electrical safety regulations, maintenance pruning to ensure proper clearance will disfigure trees	public
12/98	869		6 elm	2 elm						electrical safety hazard, growing directly under & in contact with primary electrical wires	public
12/98-99	869		1 cherry							electrical safety hazard, leaning toward & in contact with primary electrical wires	public
12/98-99	869		2 elm	1 elm						electrical safety hazard, growing directly under & in contact with primary electrical wires	public
12/98-99	869		2 leaders oak 1 oak							2 oaks: electrical safety hazard, growing directly under & in contact with primary electrical wires	public
12/99-100	corner of South & Farley Pond Ln			2 leaders pine						codominant leaders (weak attachment point), electrical safety hazard, growing under & in direct contact with primary electrical wires	public
12/99-100	corner of South & Farley Pond Ln	no			1 pine					permission to prune only by tree warden during site inspection	public
12/100-101	6 Farley Pond Ln						1 pine			codominant white pine leaders, growing within clearance regulations on both sides of primary electrical wires	public
Totals			15	6	1	1	1	0			

NSTAR Tree Removal Control Form

Contract Arborist: Brande Tarantino Street: South St. Sheet #: 2 of 8
 Date Planned: 03/12/13 Town: Needham Circuit #: 148-01 Needham South St. Removal Project

Pole # - Pole #	Hse #	Perm Type	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 32"	32"+	Haul Wood	Comments	PUB/ PRIV
12/102-103	Farley Pond					1 hemlock				completely dead	public
12/102-103	Farley Pond	no				1 oak				white oak to monitor, permission to prune only by tree warden during site inspection	public
12/102-103	Farley Pond			1 ash						central leader/canopy arches over primaries, deadwood half way up trunk	public
12/102-103	Farley Pond					1 maple				unacceptable risk of failure: large cavity/extensive decay at base of trunk	public
12/102-103	Farley Pond			1 elm						poor growth form, central leader/canopy arching over & within clearance regulations of primary electrical wires	public
12/103-104	Farley Pond						1 oak			unacceptable risk of failure: decaying trunk, huge poison ivy vines, behind pole with transformer - environmental hazard due to risk of oil spill within wetland	public
12/103-104	Farley Pond						1 oak			unacceptable risk of failure: codominant leaders, 1 is completely dead, other leans toward primaries, extensive decay on backside of trunk	public
12/103-104	Farley Pond			1 oak						codominant trunks, decay at base of trunk, damage on trunk approx. 7 ft. up, vines, canopy over primaries	public
12/103-104	Farley Pond		2 maple							electrical safety hazard, growing under & in direct contact with primary electrical wires	public
12/103-104	Farley Pond			1 oak						disfigured by maintenance pruning, potential road hazard will remain	public
Totals											
			2	3	1	3	2	0			

NSTAR Tree Removal Control Form

Contract Arborist: Brande Tarrantino Street: South St. Sheet #: 3 of 8
 Date Planned: 03/12/13 Town: Needham Circuit #: 148-01 Needham South St. Removal Project

Pole # - Pole #	Hse #	Perm Type	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 32"	32"+	Haul Wood	Comments	PUB/ PRIV
12/103-104	Farley Pond				1 oak					dead branches in canopy, tree declining	public
12/113-114	after 969	Abutter Yes					1 oak			unacceptable risk of failure: canker/decay at base of trunk, electrical and road hazard	public
12/115-116	corner of South & Burr Dr			1 pine						electrical safety hazard, growing directly under & in contact with primary electrical wires	public
12/117-118				1 leader oak						remove leader over wires, canker on branch; tree declining (or whole tree - 18"-24")	public
12/118-119					2 ash					unacceptable risk of failure: completely dead & leaning toward wires & road	public
12/119-120					1 ash					statue- reduce height to eliminate risk to wires & road	public
12/119-120			1 cherry	2 elm						unacceptable risk of failure: completely dead & leaning toward road second elm and cherry under conductors	public
12/119-120					1 leader oak					deadwood on leader, leaning toward & over primaries	public
12/119-120				1 ash						unacceptable risk of failure: completely dead & leaning toward wires & road	public
12/119-120				1 elm						electrical safety hazard, growing directly under & in contact with primary electrical wires	public
Totals											
			1	6	5	0	1	0			

NSTAR Tree Removal Control Form

Contract Arborist: Brande Tarantino Street: South St. Sheet #: 4 of 8
 Date Planned: 03/12/13 Town: Needham Circuit #: 148-01 Needham South St. Removal Project

Pole # - Pole #	Hse #	Perm Type	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 32"	32"+	Haul Wood	Comments	PUB/ PRIV
12/119-120						1 oak				unacceptable risk of failure: completely dead, electrical & road hazard	public
12/119-120			1 elm							electrical safety hazard, growing directly under & in contact with primary electrical wires	public
12/120-121				1 ash	2 ash					unacceptable risk of failure: completely dead, electrical & road hazard	public
12/120-121			1 cherry							growing directly under & toward wires, maintenance pruning & poison ivy will kill tree leaving road hazard	public
12/120-121		1 maple 1 hickory								electrical safety hazard, growing directly under & in contact with primary electrical wires (maple declining-cankers on trunk)	public
12/120-121			1 ash	1 ash 1 elm	2 ash					unacceptable risk of failure: completely dead, electrical & road hazard	public
12/121-122		2 elm, 6 spruce		1 ash						ash - unacceptable risk of failure: completely dead, electrical & road hazard, second elm under conductors smaller trees under conductors	public
12/121-122		2 elm	1 oak							electrical safety hazard, growing directly under & in contact with primary electrical wires	public
12/121-122			1 elm							unacceptable risk of failure: completely dead, road hazard	public
12/122-123		7 maple	1 maple							growing under/toward/within clearance regulations of primary electrical wires	public
Totals			19	6	4	5	0	0			public

NSTAR Tree Removal Control Form

Contract Arborist: Brande Tarantino Street: South St. Sheet #: 5 of 8
 Date Planned: 03/12/13 Town: Needham Circuit #: 148-01 Needham South St. Removal Project

Pole # - Pole #	Hse #	Perm Type	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 32"	32"+	Haul Wood	Comments	PUB/ PRIV
12/121-122							3 oak			unacceptable risk of failure: codominant trunks with decay/ deadwood, extensive decay on backside of trunk, electrical & road hazard. Remove at least 2	public
12/122-123			7 maple							growing under/toward/within clearance regulations of primary electrical wires	public
12/122-123						2 ash				unacceptable risk of failure: completely dead, electrical & road hazard	public
12/123-124			5 maple	4 maple						growing under/toward/within clearance regulations of primary electrical wires. Will be disfigured by pruning	public
12/123-124				1 ash						unacceptable risk of failure: completely dead, electrical & road hazard	public
12/123-124							1 oak			deadwood/decay in canopy, evidence of decay at base of trunk, leaning toward & over primaries	public
12/124-125						1 ash				unacceptable risk of failure: completely dead, electrical & road hazard	public
12/124-125					1 oak					central leader within clearance regulations, deadwood/decay in canopy/canopy leaning over primaries, bulge at base of trunk	public
12/125-126				1 ash						unacceptable risk of failure: completely dead, road hazard	public
12/125-126			1 oak, 2 maple			1 pine				trunk within clearance regulations pine undesirable species, oak and maple under conductors	public
Totals			15	5	1	5	4	0			

NSTAR Tree Removal Control Form

Contract Arborist: Brande Tarantino Street: South St. Sheet #: 6 of 8
 Date Planned: 03/12/13 Town: Needham Circuit #: 148-01 Needham South St. Removal Project

Pole # - Pole #	Hse #	Perm Type	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 32"	32"+	Haul Wood	Comments	PUB/ PRIV
12/125-126							1 oak			unacceptable risk of failure: extensive decay & loss of codominant leaders on backside of trunk, leaning hard toward primaries	public
12/125-126						1 oak				remnant of decaying leader on backside indicates weak or damaged structure	
12/125-126							1 oak			unacceptable risk of failure: hollow trunk, hole on backside	
12/126-127			2 hickory, 1 maple					1 oak		oak - remaining codominant trunk within clearance regulations, remnant of decaying leader on backside, deadwood in canopy. Smaller trees under conductors	
12/127-128										or remove 1 12-18" leader leaning over & within clearance & 1 6-12" limb over primaries	
12/127-128				2 leaders oak						remove 2 front leaders	
12/127-128			1 ash, 3 elm, 1 poplar 18 saplings	1 oak, 1 elm, 2 ash		1 oak				oak trunk within clearance regulations of primaries, tree in decline - deadwood in canopy, epicormic shoots along trunk	
12/127-128					2 ash					unacceptable risk of failure: completely dead, electrical & road hazard	
12/128-129			3 maple,	2 ash	1 ash					unacceptable risk of failure: completely dead, electrical & road hazard	
12/128-129					1 maple					unacceptable risk of failure: completely dead, road hazard	
Totals			29	8	4	2	2	1			

NSTAR Tree Removal Control Form

Contract Arborist: Brande Tarantino Street: South St. Sheet #: 7 of 8
 Date Planned: 03/12/13 Town: Needham Circuit #: 148-01 Needham South St. Removal Project

Pole # - Pole #	Hse #	Perm Type	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 32"	32"+	Haul Wood	Comments	PUB/ PRIV
12/128-129				2 elm						within clearance regulations of primary electrical wires	
12/128-129					1 oak					deadbranches, huge poison ivy vine, leaning toward primaries	
12/130-131	1150	Abutter Yes	5 saplings (pine, oak)							growing directly under primary electrical wires, will be distigured by maintenance pruning	
12/130-131	1150	Abutter Yes			1 ash					unacceptable risk of failure: completely dead & leaning toward wires & road	
12/136-137	1187				1 ash 1 elm					declining health	
12/137-138 after 1187						1 ash				unacceptable risk of failure: completely dead & leaning toward wires & road	
12/142-143	1245				1 leader maple					codominant trunks (structurally weak attachment point) leaning over primary electrical wires from across the street	
12/143-144	1265							1 pine		white pine with canker on trunk leaking pitch. Indicated structural issues Tree across the street from primaries	
Totals											
			5	2	5	1	0	1			14







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

MEETING DATE: 6/11/2013

Agenda Item	Parking Fines Public Hearing
Presenter(s)	David Davison, Assistant Town Manager/Finance

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
	Mr. Davison will outline a proposal for changing the Town's parking fine structure.		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
	The Board may wish to defer action on the proposal until its meeting on June 26, 2013 to allow additional time for public comment, if necessary. <i>Suggested Motion:</i> That the Board vote to adopt the proposed parking fine structure as presented (or as amended) on the notice of public hearing dated June 11, 2013.		
3.	BACK UP INFORMATION ATTACHED	YES	NO
	a. Notice of Public Hearing b. Memo Dated June 7, 2013		



Office of the
TOWN MANAGER

TOWN OF NEEDHAM
TOWN HALL
Needham, MA 02492-2669

TEL: (781) 455-7500
FAX: (781) 449-4569
TDD: (781) 455-7558

Public Hearing

The Board of Selectmen will hold a public hearing regarding proposed changes to the parking fines on Tuesday, June 11, 2013, at 7:30 pm at the Needham Town Hall, 1471 Highland Avenue, Needham.

The Board of Selectmen invites all residents and interested parties to provide input at this meeting related to the parking fines. Public comments may also be directed to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or selectmen@needhamma.gov.

	Proposed	Current
Restricted Place or Prohibited Area	\$15.00	\$10.00
Overtime Parking Non-Metered	\$15.00	\$10.00
Parking Meter Overtime	\$15.00	\$10.00
Parking Meter Violation	\$15.00	\$10.00
Obstructing a Driveway	\$15.00	\$10.00
Parking within 20 ft. of an Intersecting Way Over 1 ft. from Curb	\$15.00	\$10.00
Wrong Direction	\$15.00	\$10.00
Obstructing a Sidewalk	\$15.00	\$10.00
All Night Parking	\$15.00	\$10.00
Double Parking	\$15.00	\$10.00
Improper Parking	\$15.00	\$10.00
Impede Snow Removal	\$20.00	\$10.00
Obstructing a Crosswalk	\$20.00	\$10.00
Parking within 10 ft. of a Fire Hydrant	\$25.00	\$10.00
Fire Lane Violation	\$25.00	\$10.00
Handicapped Parking Violation	\$100.00	\$100.00
Blocking Handicapped Curb Cut	\$100.00	\$100.00
Parking within a Bus Stop	\$100.00	\$100.00

And to list the fine groups as follows:

Fine Group B \$15.00

Restricted Place or Prohibited Area
Overtime Parking Non-Metered
Parking Meter Overtime
Parking Meter Violation

Obstructing a Driveway
Parking within 20 ft. of an Intersecting Way
Over 1 ft. from Curb
Wrong Direction
Obstructing a Sidewalk
All Night Parking
Double Parking
Improper Parking

Group C \$20.00

Impede Snow Removal
Obstructing a Crosswalk

Group D \$25.00

Parking within 10 ft. of a Fire Hydrant
Fire Lane Violation

Fine Group H \$100.00

Handicapped Parking Violation
Blocking Handicapped Curb Cut
Parking within a Bus Stop

Needham Times
June 6, 2013

MEMORANDUM

TO: BOARD OF SELECTMEN

FROM: DAVID DAVISON, ASSISTANT TOWN MANAGER/FINANCE DIRECTOR

SUBJECT: RECOMMENDATION FOR AWARD

DATE: JUNE 7, 2013

CC: FILE; KATE FITZPATRICK, TOWN MANAGER; CHRISTOPHER COLEMAN, ASSISTANT TOWN MANAGER/ OPERATIONS; PHILIP DRONEY, POLICE CHIEF; TOM LEARY, PARKING CLERK; EVELYN PONESS, TREASURER/COLLECTOR; DAVID TOBIN, TOWN COUNSEL

In accordance with Massachusetts General Laws Chapter 90, the Town may establish and amend fines for various parking (or non-moving) violations from time to time by vote of the Board of Selectmen, provided that the schedule of fines shall be uniform for the same offense committed in the same zone or district, if any, and shall not exceed \$25 if paid within 21 days. However, the fine for parking a motor vehicle in a posted bus stop is \$100 under chapter 465 of the Acts of 2008. Handicap parking violations are not subject to the \$25 limit - the fine is \$100.

Although a Public Hearing is not required to change the fines, it has been many years since an overall change to the fine structure has been presented to the Board, so the proposal is being presented in a more formal process in order to provide opportunity for public comment.

The current review of the fine structure was first prompted when the Town was reviewing its parking type allocations and concerns were raised about enforcement. Secondly, during a meeting between the Board of Selectmen and the Commission on Disabilities a comment was made that the fine for parking in a handicap space were low. The Finance Department reviewed parking enforcement practices with the Police Department, and determined that the concern seems to be one of perception. Several years ago the Town Manager made budgetary changes to the Police budget that allowed greater flexibility and better use of parking enforcement dollars by hiring part-time personnel to increase patrols in the downtown areas, especially during the peak hours of use.

During the past several months, the Finance Department reviewed the parking fine rates in area communities. We found that several communities did not view all violation types equally, and most communities have fines that are higher than Needham's. Given that the last change to the general parking fine was in 1989, inflation has eroded the financial incentive not to

violate parking restrictions. Costs related to enforcement have certainly increased since 1989.

Needham has two fine amounts: \$100 for handicap parking violations and parking in a posted bus stop, and \$10 for everything else. The Finance Department contacted a number of area cities and towns to review their parking fines. We found that parking violations that have a greater public safety concern typically carry a higher fine than those issued for overtime or improper parking. Higher fines were found to be levied on violators who park in a fire lane or in front of a fire hydrant. Parking in a manner to hinder snow removal operations or affect pedestrian safety were also situations where a higher fine is imposed. Even the most basic type of violation such as overtime parking was, on average, higher than Needham. The table below shows the fines of some of the most common type parking violations.

Community	Meter	Overtime	Overnight	Obstructing	Restricted	Hydrant	Fire Lane	Handicapped
Belmont	\$15.00	\$15.00	\$15.00	\$25.00	\$15.00	\$25.00	\$50.00	\$100.00
Brookline	\$25.00	\$30.00	\$30.00			\$100.00	\$25.00	\$100.00
Concord	\$15.00	\$15.00	\$20.00			\$50.00	\$20.00	\$100.00
Dedham	\$20.00			\$25.00	\$25.00	\$50.00	\$50.00	\$100.00
Milton	\$25.00	\$25.00	\$15.00		\$25.00	\$50.00		\$100.00
Newton	\$15.00	\$15.00		\$15.00	\$20.00	\$25.00	\$15.00	\$100.00
Norwood		\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	\$100.00
Waltham	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	\$100.00	\$50.00	\$100.00
Watertown	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	\$25.00	\$50.00	\$150.00
Wellesley	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	\$25.00	\$50.00	\$150.00
Westwood		\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	\$25.00	\$50.00
Average	\$18.89	\$19.00	\$18.89	\$19.38	\$19.44	\$44.09	\$35.50	\$104.55
Needham	\$10.00	\$100.00						

The shaded and bolded communities are abutting Needham; the other communities are often surveyed by Needham for comparisons due to their proximity or similar characteristics. Although for certain fine types the community reports an amount higher than the statutory limit, it may be that the community has a special act or there is another authorization to charge the amount. It should be noted that even removing the fine amounts which are greater than \$25, the average is still above the fine currently assessed in Needham, and none are at or below our current rate.

The proposal recommends four violation groups, a change from the current two groups. Group B fines cover most types of violations. Presently the fine is \$10; the proposal is to increase to \$15. Group C identifies two violations which are seen as a greater safety issue, that is impeding snow removal (currently listed as snow removal on the present schedule) and obstructing a crosswalk. The proposal is to increase these fines from \$10 to \$20. Group D identifies two violations which clearly have public safety concerns, parking or obstructing a fire lane or parking within 10 feet of a fire hydrant. As the survey indicated, many communities have a fine greater than \$25 for this type of violation, but absent information to the contrary, the recommendation is to assess the maximum fine amount of \$25. The current

fine is \$10. The fourth group (H) is for handicap parking violations and parking in a posted bus stop. The current rate is \$100.

Handicap parking spaces are reserved for persons with disabilities to provide convenient access to commercial and residential properties. Unauthorized persons or vehicles parking in these reserved spaces deny access to those dependent on the spaces. Vehicles must display disability license plate or placard. The overall incident rate of individuals who are not disabled and parking in such spaces is low. The fine is recommended at \$100.

However a condition which has been more frequent is the parking of a motor vehicle in such a manner that it blocks a handicap ramp. Individuals using wheelchairs or other mobility assistance devices frequently are unable to negotiate a curb. Curb ramps are designed to enable persons with disabilities to move easily from the sidewalk to the street. Vehicles blocking the curb ramp, in whole or in part restrict mobility and access. Although the Police currently have the authority to ticket for such violations, to better inform and to make it much clearer what the violation is, the proposal is to specifically call out in the schedule of fines that blocking a handicapped curb cut is not allowed and is subject to a fine of \$100 for each offence.

Current Code	Current Description	Rate	Group	New Description	Proposed	Change
15	Non-Payment MBTA	\$ 10.00		Not Applicable		\$ (10.00)
12						
1	Restricted Place or Prohibited Area	\$ 10.00	B	Restricted Place or Prohibited Area	\$ 15.00	\$ 5.00
6	Overtime Parking	\$ 10.00	B	Overtime Parking Non-Metered	\$ 15.00	\$ 5.00
	Overtime Parking	\$ 10.00	B	Parking Meter Overtime	\$ 15.00	\$ 5.00
	Overtime Parking	\$ 10.00	B	Parking Meter Violation	\$ 15.00	\$ 5.00
3	Obstructing a Driveway	\$ 10.00	B	Obstructing a Driveway	\$ 15.00	\$ 5.00
4	Parking within 20 ft. of an Intersecting Way	\$ 10.00	B	Parking within 20 ft. of an Intersecting Way	\$ 15.00	\$ 5.00
7	Over 1 Ft from Curb	\$ 10.00	B	Over 1 ft. from Curb	\$ 15.00	\$ 5.00
8	Wrong Direction	\$ 10.00	B	Wrong Direction	\$ 15.00	\$ 5.00
9	Obstructing a Sidewalk	\$ 10.00	B	Obstructing a Sidewalk	\$ 15.00	\$ 5.00
11	All Night Parking	\$ 10.00	B	All Night Parking	\$ 15.00	\$ 5.00
13	Double Parking	\$ 10.00	B	Double Parking	\$ 15.00	\$ 5.00
14	Improper Parking	\$ 10.00	B	Improper Parking	\$ 15.00	\$ 5.00
5	Snow Removal	\$ 10.00	C	Impede Snow Removal	\$ 20.00	\$ 10.00
10	Obstructing a Crosswalk	\$ 10.00	C	Obstructing a Crosswalk	\$ 20.00	\$ 10.00
2	Parking within 10 ft. of a Fire Hydrant	\$ 10.00	D	Parking within 10 ft. of a Fire Hydrant	\$ 25.00	\$ 15.00
		\$ 10.00	D	Fire Lane Violation	\$ 25.00	\$ 15.00
100	Handicapped Parking	\$ 100.00	H	Handicapped Parking Violation	\$ 100.00	\$ -
			H	Blocking Handicapped Curb Cut	\$ 100.00	\$ 100.00
120	Parking within a Bus Stop	\$ 100.00	H	Parking within a Bus Stop	\$ 100.00	\$ -
				Group B	\$ 15.00	
				Group C	\$ 20.00	
				Group D	\$ 25.00	
				Group H	\$ 100.00	

I will be at the Board's June 11, 2013 meeting to speak to the recommendations and to answer questions you may have.



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

MEETING DATE: 6/11/2013

Agenda Item	Order of Taking For a Town Way (Form 3) for a portion of Booth Street
Presenter(s)	Richard P. Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<p>This is the next step in the Street Acceptance process where the Board of Selectmen adopt the Order for Acceptance as voted favorably at the May 2013 Annual Town Meeting and record the document and plans at the Registry of Deeds.</p> <p>The portion of Right of Way to be taken is between Central Avenue and to the 1964 acceptance location (50 Booth Street). This Right of Way acceptance will connect to the existing accepted town right of way on Booth Street.</p>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
<p><i>Suggested Motion:</i></p> <p style="text-align: center;"><i>“That the Board vote to approve and sign the Order of Taking for Town Way (Form 3) for the acceptance of Booth Street.”</i></p>			
3.	BACK UP INFORMATION ATTACHED	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
<p>(Describe backup below) Original Form 3 to be provided by the presenter</p> <p>Provided:</p> <ul style="list-style-type: none"> • Copy of Form 3, “Order of Taking for Town Way and Betterment Assessments” • Copy of the acceptance plan on a 8 1/2” x 11” sheet 			



Town of Needham

IN BOARD OF SELECTMEN

WHEREAS, in the opinion of the Board of Selectmen of the Town of Needham the public necessity and convenience require that a town way be laid out, graded and constructed as and in the location hereinafter described, which is substantially the present location of a way known as a portion of Booth Street

from the intersection of Central Avenue and Booth Street
to the 1964 Town Accepted portion of Booth Street.

WHEREAS said Board, having first complied with all preliminary requirements described by law, held a hearing at 7 o'clock PM of the 5th day of April 19 2011

WHEREAS said Board did on the 5th day of April, 2011 approve said layout, verified by our signatures, as shown on the plan and profile dated March 29, 2011 ~~19~~, attached hereto and by reference made a part thereof. It is thereby

ORDERED that said Portion of Booth Street

from the intersection of Central Avenue and Booth Street
to the 1964 Town Accepted portion of Booth Street

be and the same is hereby laid out, graded and constructed under the provisions of law authorizing the assessment of betterments as a town way of the Town of Needham as shown on said plan and profile, and it is further

ORDERED that an easement in and over the following described parcel of land be and the same is hereby taken for all purposes of a town way.

Beginning at the intersection of the southeasterly sideline and the northwesterly end of the 1964 layout of a portion of Booth Street, thence running N59-41-15W a distance of 607.50 feet to a point, being non-tangent, at the intersection of the 1922 layout of Central Avenue, thence turning and running by said layout and by the northwesterly end of Booth Street S31-00-30E a distance of 40.00 feet to a drill hole in a stone bound, being non-tangent, thence turning and running by the northeasterly sideline of Booth Street S59-41-15E a distance of 425.88 feet to a point of intersection with the westerly sideline of the 1961 acceptance of Hill Street, thence S59-41-15E a distance of 65.00 feet, by the southerly end of Hill Street, to the point of intersection with the easterly sideline of Hill Street, thence S59-41-15E, a distance of 132.44 feet to the point of intersection with the northwesterly end of the 1964 acceptance, of a portion of Booth Street, thence turning and running by said end S52-29-17W a distance of 43.19 feet to the point of beginning.

For further reference see plan to be recorded herewith entitled:
 "Acceptance Plan of Booth Street, from 1964 Booth St. acceptance
 to Central Ave. - a distance of 619 ft.+/-, in Needham, Mass.,
 Anthony L. Del Gaizo, P.E., Town Engineer, March 29, 2011,
 Scale: 1" = 40'."

The following named persons and mortgagees are believed to be the owners of the fee thereof and said Board of Selectmen do hereby assess and award as the damages sustained by said owners of land, rights and interests caused by the laying out, grading and construction of said way, whether for land taken or for damages to the remaining lands:

LOT	NAMES	AMOUNTS	L.C. CERT. #
4A	Patricia M. Foley 530 Central Avenue Needham, MA 02494	\$0	
11-A	Vera and Fernando Senatore 546 Central Avenue Needham, MA 02494	\$0	
12-C	Jeffrey McMann 15 Booth Street Needham, MA 02494	\$0	
4B	Sheldon and JoAnn M. Itzkowitz 18 Booth Street Needham, MA 02494	\$0	
3	Matthew and Jennifer Packard 20 Booth Street Needham, MA 02494	\$0	
12-B	Brian A. and Theresa B. Murch 21 Booth Street Needham, MA 02494	\$0	
1	Sandra L. Mack 29 Booth Street Needham, MA 02494	\$0	
2	David and Leslie D. Ofer 37 Booth Street Needham, MA 02494	\$0	
10	Scott R.. and Danielle L. Sammut 44 Booth Street Needham, MA 02494	\$0	
15-A	James Alan and Ann L. Shuman 45 Booth Street Needham, MA 02494	\$0	
10A-1	Michael R. and Patricia F. Pauleté 50 Booth Street Needham, MA 02494	\$0	
4	Christopher J. and Susan M. Fisichella 37 Hill Street Needham, MA 02494	\$0	

And the Board of Selectmen hereby adjudge that all abutting lots on said portion of Booth Street from the intersection of Central Avenue and Booth Street to

the 1964 Town accepted portion of Booth Street as shown on said plan which is attached hereto and made a part hereof, will receive benefit or advantage other than the general advantage to the community from said improvement.

And it is hereby estimated that the several abutting lots shown on said plan will be assessed the following amounts:—

LOT NUMBER	OWNER	AMOUNT	L.C. CERT #
4A	Patricia M. Foley 530 Central Avenue Needham, MA 02494	\$12,247.50	
11-A	Vera and Fernando Senatore 546 Central Avenue Needham, MA 02494	\$8,342.03	
12-C	Jeffrey McMann 15 Booth Street Needham, MA 02494	\$8,735.11	
4B	Sheldon and JoAnn M. Itzkowitz 18 Booth Street Needham, MA 02494	\$8,298.36	
3	Matthew and Jennifer Packard 20 Booth Street Needham, MA 02494	\$11,399.33	
12-B	Brian A. and Theresa B. Murch 21 Booth Street Needham, MA 02494	\$6,988.09	
1	Sandra L. Mack 29 Booth Street Needham, MA 02494	\$9,608.63	
2	David and Leslie D. Ofer 37 Booth Street Needham, MA 02494	\$11,956.63	
10	Scott R. and Danielle L. Sammut 44 Booth Street Needham, MA 02494	\$3,974.48	
15-A	James Alan and Ann L. Shuman 45 Booth Street Needham, MA 02494	\$7,424.85	
10A-1	Michael R. and Patricia F. Paulete 50 Booth Street Needham, MA 02494	\$7,587.32	
4	Christopher J. and Susan M. Fisichella 37 Hill Street Needham, MA 02494	\$5,241.07	

And it is further

ORDERED: That the trees located within the proposed berm upon the land taken for purposes of a town way are hereby taken and are not to be removed by abutting owners. But, other trees, structures and fences appurtenant thereto which may obstruct the construction of said way are not taken and the owners are allowed sixty (60) days from the adoption of this order to remove the same.

Selectmen of Needham

} _____

June 11, 2013 ~~13~~

The following is an extract from the records of the 2013 Annual
Town Meeting held May 6, 2013 said meeting being finally dissolved _____
May 13, 2013

Under Article 16 it was

VOTED:

That the Town 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:

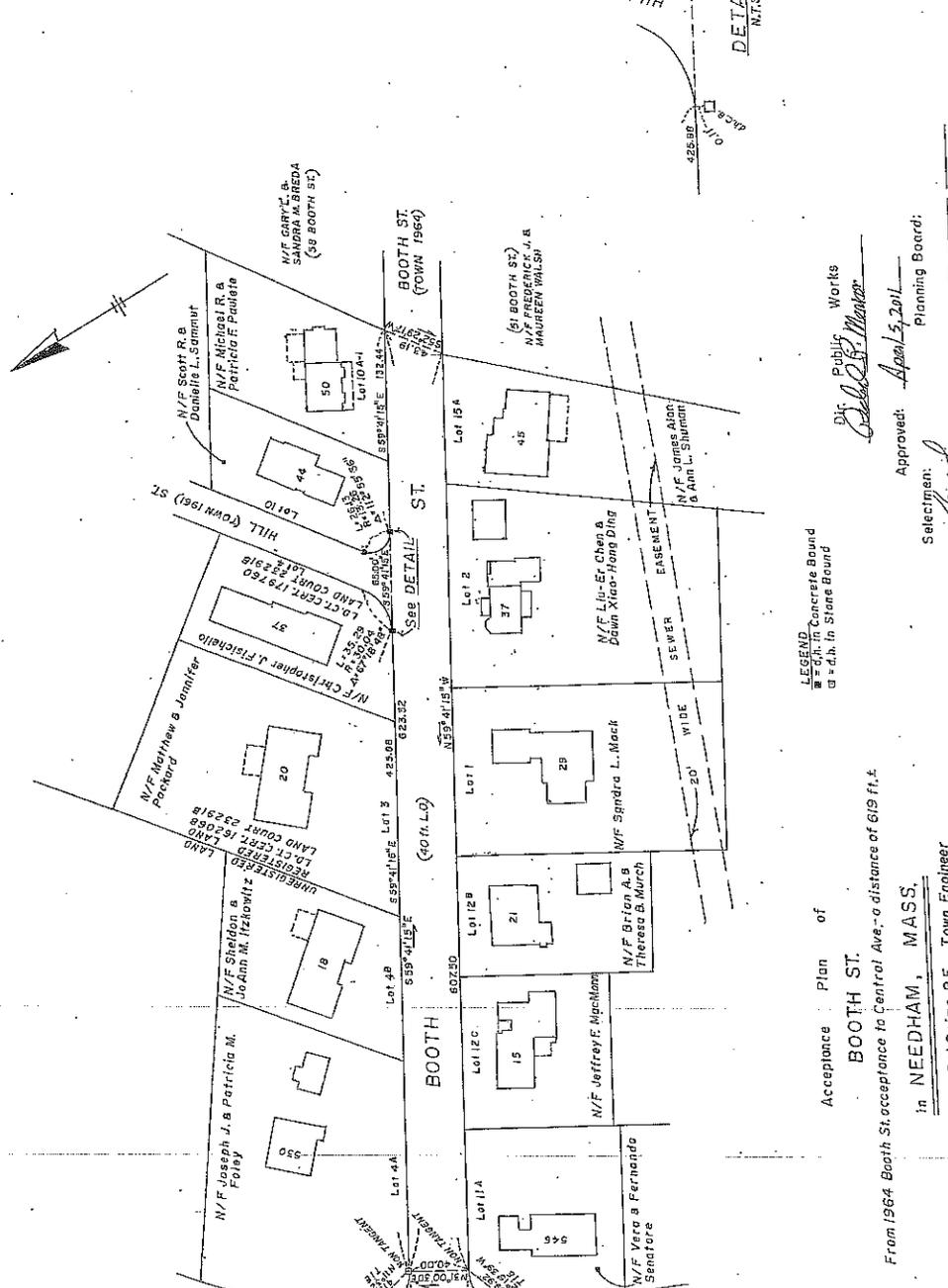
Booth Street - From the intersection of Central Avenue and Booth Street to the end of the 1964 Acceptance of Booth Street, including the taking or acceptance of easements as shown on said plan, under the provisions of law authorizing the assessment of betterments.

UNANIMOUS CONSENT

A true copy. Attest:

Town Clerk of Needham.

I certify this plan conforms to the rules and regulations of the Registers of Deeds.
James P. Powell
 3/29/11
 ddie

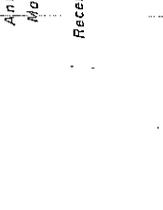
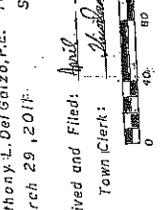


Acceptance Plan of
BOOTH ST.
 From 1964 Booth St. acceptance to Central Ave. - a distance of 619 ft. 4 in.
 in NEEDHAM, MASS.
 Anthony L. DelGiuzo, P.E. Town Engineer
 March 29, 2011 Scale: 1" = 40'

LEGEND
 Concrete Bound
 4" - 6" in Stone Bound
 12" - 18" in Stone Bound

Approved: *April 5, 2011*
 Planning Board:
 Selection: *April 5, 2011*

Received and Filed: *April 14, 2011*
 Town Clerk: *Sharon K. Sutton*





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

MEETING DATE: 6/11/2013

Agenda Item	Citizens Connect
Presenter(s)	Roger MacDonald, Director of Information Technology Carys Lustig, Supervisor of Administration, DPW

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
	<p>The City of Boston has been working with others to provide citizens and the City itself with a means to report common problems items such as pot holes and overfilled trash cans easily with their mobile phones. The City extended participation to other Massachusetts communities and Needham was one of the early communities to reach out to Boston. The Town's Information Technology Center and Department of Public Works staff have been working on the set-up and roll out logistics of the system are will be rolling it out to the general public very soon. They will discuss the history of the application; demonstrate how it works, how one can access it with a smart phone app, and how it can be used internally by Town departments.</p>		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
	No Vote Necessary		
3.	BACK UP INFORMATION ATTACHED	YES	NO



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

MEETING DATE: 06/11/2013

Agenda Item	Approve Sale of Notes
Presenter(s)	David Davison, Assistant Town Manager/Finance Evelyn Poness, Town Treasurer/Collector

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
We will review the results of the note sale and future debt issues.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Suggested Motions: (please note there are EIGHT motions to be acted upon by the Board)			
Motion A			
Move to approve the sale of the Town's \$266,000 General Obligation Bond Anticipation Note (Subject to Federal and Massachusetts Income Taxation) dated June 14, 2013 and payable June 28, 2013 (the "Note") to Century Subsidiary Investments Inc. III at par.			
Motion B			
Move that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 30, 2013 and a final Official Statement dated June 4, 2013, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.			
Motion C			
Move that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Note.			
Motion D			
Move that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.			
3.	BACK UP INFORMATION	YES	NO
(Describe backup below)			
a. Cover Memo Dated June 7, 2013			

Memorandum

To: Board of Selectmen
From: David Davison, Assistant Town Manager/Director of Finance
CC: Kate Fitzpatrick, Town Manager; Evelyn Pones, Treasurer/Collector;
Michelle Vaillancourt, Town Accountant
Date: June 7, 2013
Re: Sale of Note

The Town received two bids on its 14 day \$266,000 taxable bond anticipation note. The lowest bidder was Century Bank which offered an interest rate of 0.55% with no premium, which results in a net interest cost (NIC) of 0.55% and is the basis for award. Interest rates continue to be low, but this rate is slightly higher than the taxable bond anticipation note sold last year by 0.05%. Attached is a summary of the bids received.

The proceeds of the note will fund expenses related to a number of general fund projects: Rosemary Pool (\$30,000), Public Services Administration Building (\$10,000), stormwater improvements (\$3,000), and the Pollard School roof (\$3,000); RTS projects include soil remediation work (\$42,000) and construction equipment \$20,000); and water projects: St Mary's water pump station design (\$78,000) and water distribution system rehabilitation (\$80,000).

The purpose of this note is to retire corresponding authorization amounts that are being spent on the projects with the current year debt service allocations, which is keeping with past practice. Due to the dollar size of the Note, in order to avoid arbitrage issues, given the short duration and low interest rates, we find this to be a more efficient way to issue. The Bond and Notes that will be presented to the Board for action on June 26, 2013 all will be issued as tax exempt.

The Board will be asked to approve the sale of the Note and other documents. Upon approval, the Board will need to execute several documents that will be brought to the meeting.

Please do not hesitate to contact me if you have any questions prior to the meeting.

**Town of Needham
Note Sale
\$266,000**

Notice Date 6/4/2013
Date of Sale 6/11/2013
Date of Board Action 6/14/2013
Settlement 6/28/2013
Maturity

Bidder	Amount	Rate	Interest	Premium	Net Interest	NIC
Century Bank	\$266,000	55.00%	\$56.89	\$0.00	\$56.89	0.45%
Eastern Bank	\$266,000	60.00%	\$62.07	\$0.00	\$62.07	0.23%

Prepared by Finance Director June 7, 2013



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

MEETING DATE: 6/11/2013

Agenda Item	Highland Avenue/Needham Street Corridor/TIP Project
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<p>The Town Manager will recommend that the Board submit a letter to the Boston Region Metropolitan Planning during the comment period for the FFY2014 – 2017 Transportation Improvement Program (TIP) requesting advancement of the Highland Avenue/Needham Street corridor project for inclusion in the next TIP.</p>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<p><i>Suggested Motion:</i> That the Board vote to approve and authorize the Chairman to sign a letter to the Boston Region MPO seeking advancement of the Highland Avenue/Needham Street corridor project to the FFY2014 – 2017 TIP.</p>			
3.	BACK UP INFORMATION ATTACHED	YES	NO
<p>a. Draft letter to be provided under separate cover</p>			



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

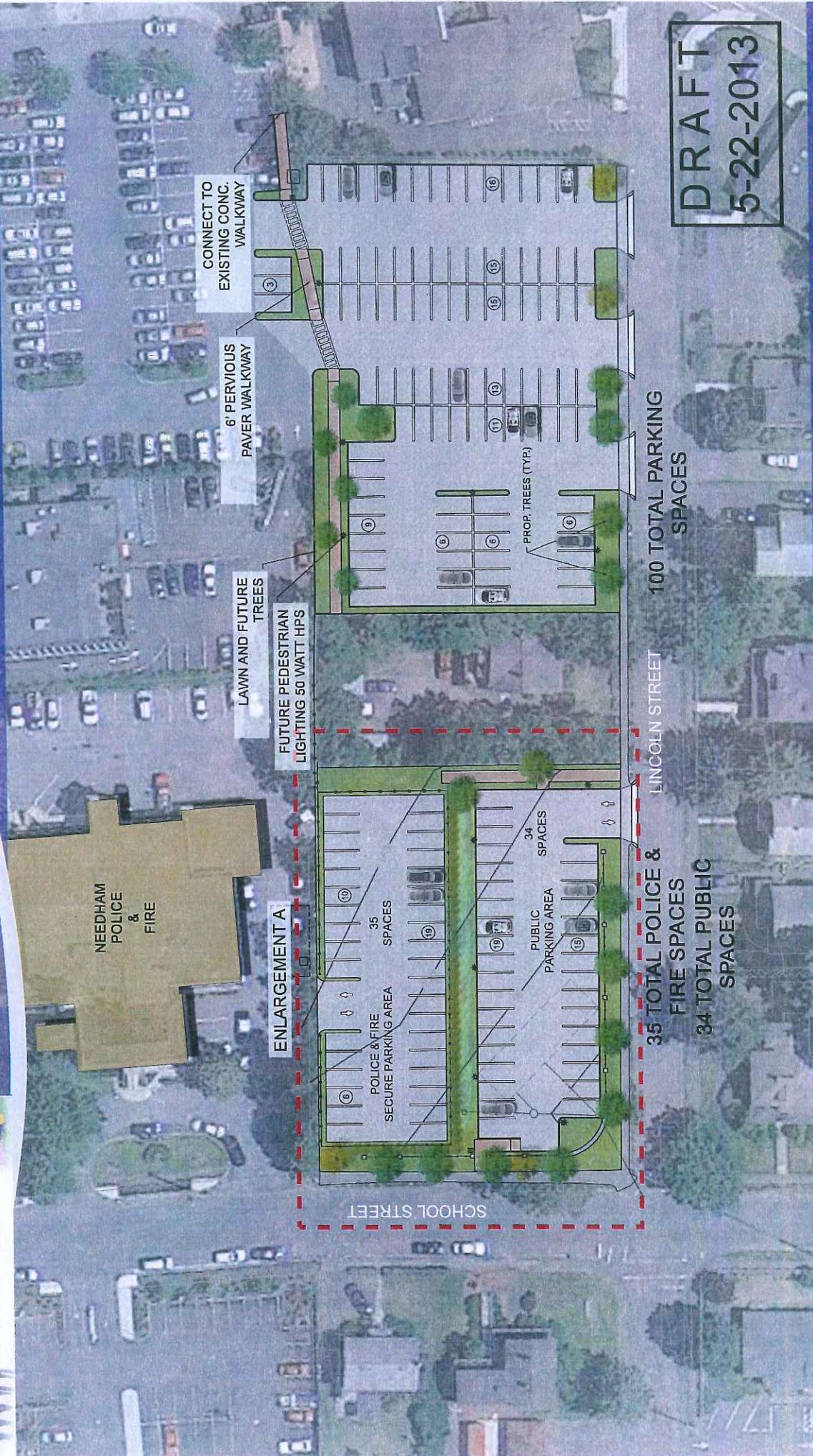
MEETING DATE: 6/11/2013

Agenda Item	Lincoln Street Parking Lot Improvements
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<p>The Town Manager will recommend that the Board of Selectmen approve the Lincoln/School Parking Lot Improvement Plan Design as proposed. The mix of parking space designations will be monitored and changes will be recommended as needed.</p>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<p><i>Suggested Motion:</i> That the Board approve the Lincoln/School Parking Lot Improvement Plan Design dated May 22, 2013 for filing with the Planning Board.</p>			
3.	BACK UP INFORMATION ATTACHED	YES	NO
<p>a. Proposed Parking Lot Design, 5.22.13</p>			



Proposed Parking Lot Design



DRAFT
5-22-2013

Weston & Sampson
WSP, INC. 100 WESTON STREET, NEEDHAM, MASSACHUSETTS 02461

Lincoln Street Parking Lot Improvements



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

MEETING DATE: 6/11/2012

Agenda Item	Determination of Unique Status/Parking Lot at 870 Great Plain Avenue
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<p>The Town is contemplating entering into a license agreement with First Church of Christ, Scientist for the use of its parking lot for municipal parking. The 2013 Annual Town Meeting approved the lease of private land for public use for up to ten years. The parking lot is immediately adjacent to the Town's municipal parking lot on Dedham Avenue and has been in use for municipal parking for decades. In accordance with M.G.L. c. 30B, a public procurement process is not required if the Board of Selectmen determines that advertising will not benefit the Town's interest because of the unique qualities of the parcel.</p>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<p><i>Suggested Motion:</i> That the Board vote to determine that in the case of the proposed lease of the parking lot associated with 870 Great Plain Avenue, advertising will not benefit the Town's interest because of the unique qualities of the location of the property needed. This determination is made on the basis that the property abuts the municipal parking lot on Dedham Avenue.</p>			
3.	BACK UP INFORMATION ATTACHED	YES	NO
<p>(Describe backup below)</p> <p>a. Dedham Avenue Municipal Parking Lot Space Designations, 1/4/2012 b. M.G.L. c. 30B Section 16</p>			



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE III LAWS RELATING TO STATE OFFICERS

CHAPTER 30B UNIFORM PROCUREMENT ACT

Section 16 Real property; disposition or acquisition

Section 16. (a) If a governmental body duly authorized by general or special law to engage in such transaction determines that it shall rent, convey, or otherwise dispose of real property, the governmental body shall declare the property available for disposition and shall specify the restrictions, if any, that it will place on the subsequent use of the property.

(b) The governmental body shall determine the value of the property through procedures customarily accepted by the appraising profession as valid.

(c) A governmental body shall solicit proposals prior to:

(1) acquiring by purchase or rental real property or an interest therein from any person at a cost exceeding twenty-five thousand dollars; or

(2) disposing of, by sale or rental to any person, real property or any interest therein, determined in accordance with paragraph (b) to exceed twenty-five thousand dollars in value.

(d) The governmental body shall place an advertisement inviting the submission of proposals in a newspaper with a circulation in the locality sufficient to inform the people of the affected locality. The governmental body shall publish the advertisement at least once a week for two consecutive weeks. The last publication shall occur at least eight days preceding the day for opening proposals. The advertisement shall specify the geographical area, terms and requirements of the proposed transaction, and the time and place for the submission of proposals. In the case of the acquisition or disposition of more than twenty-five hundred square feet of real property, the governmental body shall also cause such advertisement to be published, at least thirty days before the opening of proposals, in the central register published by the state secretary pursuant to section twenty A of chapter nine.

(e) The governmental body may shorten or waive the advertising requirement if:

(1) the governmental body determines that an emergency exists and the time required to comply with the requirements would endanger the health or safety of the people or their

property; provided, however, that the governmental body shall state the reasons for declaring the emergency in the central register at the earliest opportunity; or

(2) in the case of a proposed acquisition, the governmental body determines in writing that advertising will not benefit the governmental body's interest because of the unique qualities or location of the property needed. The determination shall specify the manner in which the property proposed for acquisition satisfies the unique requirements. The governmental body shall publish the determination and the reasons for the determination, along with the names of the parties having a beneficial interest in the property pursuant to section forty J of chapter seven, the location and size of the property, and the proposed purchase price or rental terms, in the central register not less than thirty days before the governmental body executes a binding agreement to acquire the property.

(f) Proposals shall be opened publicly at the time and place designated in the advertisement. The governmental body shall submit the name of the person selected as party to a real property transaction, and the amount of the transaction, to the state secretary for publication in the central register.

(g) If the governmental body decides to dispose of property at a price less than the value as determined pursuant to paragraph (b), the governmental body shall publish notice of its decision in the central register, explaining the reasons for its decision and disclosing the difference between such value and the price to be received.

(h) This section shall not apply to the rental of residential property to qualified tenants by a housing authority or a community development authority.

(i) Acquisitions or dispositions of real property or any interest therein pursuant to this section between governmental bodies and the federal government, the commonwealth or any of its political subdivisions or another state or political subdivision thereof shall be subject to subsections (a), (b) and (g).



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

MEETING DATE: 6/11/2013

Agenda Item	Town Manager Report
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
	At this time, the Town Manager will update the Board on issues not covered on agenda, as needed.		
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
	<i>Suggested Motion:</i>		
3.	BACK UP INFORMATION ATTACHED	YES	NO
	(Describe backup below) none		



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

MEETING DATE: 06/11/2013

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

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

P+R ✓ Police ✓
 DPW ✓ Fire ✓

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

Name of Organization: Pete leary Road Race /Dunn Gaherin	
Organization Mailing Address: 344 Elliot St. Newton Ma 02464	
Primary Contact: Seana Gaherin	Contact Title: owner
Contact Address: 344 Elliot St Newton Ma	
Contact Phone (Day): 781 864 2681	Contact Phone (Cell): 617 527-6271
Contact Email: Sgaherin@aol.com / Ritcey, Michaela@gmail.com	
Event Date(s): 6/2/13	Date Expected to be in Needham: 6/2/16
Earliest Time Expected in Needham: 10:00 AM	Latest Time Expected in Needham: 11:30 AM
Number of Expected Participants: 75 max	Number of Expected Spectators at Peak Time: 12
Is event for-profit or not-for-profit? Non	Are participants charged a fee? \$25

Estimated Number of Vehicles: 0 in needham	What type of Parking is needed: 0
Are event organizers available to meet with members of the Town to plan event? yes	
What will be done in case of inclement weather? rain post pone	
Are there other events that take place at the same time as this one, just before or just after this event? NO	
Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked: In newton at Dunn Gatherins and echo bridge	
Will neighborhoods be impacted by parking and traffic? No	
What activities are planned for the start of the race (if in Needham)? 0	
What activities are planned for the end of the race (if in Needham)? 0	
What facilities are needed for the start of the race (if in Needham)? 0	
What facilities are needed for the end of the race (if in Needham)? 0	
Once the event begins, how long will it take to complete the event? an hour	

Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	NO, we are using Paper
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.	NO
Will there be any food served?	NO
Will portable toilets be used?	NO
Will hydration stops be set up along route? If yes, please include these on route plan.	YES Hampton @ Ellis
If the event takes place after dark, what is the plan to meet lighting needs?	Ø
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	First aid kit on hand and proper notification to the town
Does the event take place during commuter times?	NO
Is school in session during the event? Will school drop off or pick up be impacted by the event?	NO
Are businesses open during the time of the event?	NO
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	NO
Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	NO
What is the plan to handle trash?	trash bins and clean up crew
Please attach event route map, include map and text of route.	

**Town of Needham
Board of Selectmen
Minutes for May 14, 2013
Needham Town Hall**

- 6:45 p.m. Informal Meeting with Citizens:
Annette Orlando spoke with the Board regarding her application for a permit to hold a bake sale in an effort to raise money for One Fund Boston. The Board suggested she speak with the Board of Health.
- 7:05 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.
- 7:05 p.m. Public Hearing: New All Alcoholic Beverages License - Hotel Colwen Management, Inc., d/b/a Residence Inn by Marriott Needham located at 80 B Street. Roy Cramer, Attorney, Stephen Miller, Attorney, Terrance Bickhardt, Sr. Vice President, Colwen Management, and Michael W. Gendrin, proposed Manager appeared before the Board with an application for an All Alcoholic Beverage License for a Hotel: Colwen Management, Inc., d/b/a Residence Inn by Marriott Needham, located at 80 B Street. Mr. Cramer said the licensed premises will contain approximately 5,340 sq. ft. on the first floor of the hotel with a total seating capacity for 150 patrons. Mr. Cramer said the applicant also seeks a waiver of the Town of Needham Regulations for the Sale of Alcoholic Beverages: Section 7.3 Operation of a Restaurant for the twelve month period immediately preceding application.
- Mr. Matthews noted an affirmative vote by the Board will require of waiver of the Town's regulations regarding prior business experience and mentioned the Marriott is an established entity. He reminded Mr. Gendrin of the Town's rules and regulations for serving alcohol to the public, and that public safety is a top priority.
- Motion by Mr. Handel that the Board of Selectmen vote to approve the application for a new All Alcohol License Innolder/Hotel for Colwen Management, Inc., d/b/a Residence Inn by Marriott Needham located at 80 B St., Michael W. Gendrin, Manager, including a waiver for Section 7.3 of the Town of Needham Regulations for the Sale of Alcoholic Beverages, a 2013 Common Victualler License, Innkeeper License and to forward the approved Alcohol License application to the ABCC for approval.
Second: Mr. Borrelli. Unanimously approved 4-0.**
- 7:18 p.m. National Public Works Week Proclamation:
Mr. Richard P. Merson, DPW Director appeared before the Board regarding National Public Works Week. Mr. Bulian read a proclamation recognizing the

week of May 19th through May 25th as National Public Works Week in the Town of Needham.

Motion by Mr. Bulian that the Board of Selectmen vote to approve and sign the Proclamation for National Public Works Week May 19-May 25, 2013. Second: Mr. Borrelli. Unanimously approved 4-0.

Mr. Merson mentioned the annual "Touch the Trucks" day will be held on May 18, 2013 at DeFazio Park.

7:25 p.m. Execution of Water Pollution Abatement Trust Loan:
David Davison, ATM/Finance Director, Evelyn Poness, Treasurer, and Rick Merson Director of Public Works spoke with the Board and asked them to execute the documents for the permanent financing of the Reservoir B Sewer Pumping Station project through the MWPAT. Mr. Davison said the Board approved the loan agreement with the Trust at its meeting of May 22, 2012. He said the interim Note with the Trust will mature on May 22, 2013 and asked the Board sign both the Certificate and the actual Bond.

The Board signed the required documents.

7:28 p.m. Solar Energy Committee Update:
Liz Driscoll, Chair SEEC, Kathleen Phelps, Vice Chair SEEC, David Harris, Secretary SEEC, and Ann Dorfman, RTS Superintendent appeared before the Board with an update on the progress made to date by the Solar Energy Exploratory Committee. Mr. Harris highlighted the findings in the report dated May 14, 2013, saying the Committee feels there is an opportunity to generate income for the Town by using land located at the RTS for solar power. He explained the process of compiling the information in the report. He noted the state of Massachusetts is very supportive of this type of activity and encourages the use of solar power through a number of programs. He said timing of the project is very important due to various available incentives. Mr. Harris commented many Towns in the Commonwealth are already utilizing solar power and said Needham is "not a trailblazer", but rather jumping in at a time when many of the pitfalls have already been sorted out. Mr. Harris mentioned the Committee also looked at the opportunity of utilizing rooftops to hold solar panels. Mr. Harris commented the Town will need to pass 3 warrant articles for the project, including a zoning by-law change, long-term lease negotiations, and authority for the Board to negotiate a long term lease. Mr. Harris noted it is important to build consensus among Town boards prior to Special Town Meeting. Mr. Harris asked the Board for its support to move forward with the RFP process.

Mr. Borrelli said the committee did a great job putting its report together. He asked about a leased model, rather than the PPA model. Mr. Borrelli suggested the Park and Recreation Department should have a chance to "weigh in" on the issue and whether this is the best use of the land, as it would be tied up for 20 years. Mr.

Borrelli asked about the bidding process to hire a consultant and complexities of the lease.

Mr. Handel said he was very impressed with the quality of the work and the analysis made in the report. He commented a solar energy facility at the RTS would be a very good use of the site. He asked if there is any downside to the project.

Mr. Bulian said he supports the project. He noted the high wind conditions of the site make it un-useable for sports groups. Ms. Phelps said parking and traffic, along with RTS activities would be an issue.

Mr. Matthews said the analysis in the report is very good and commented it makes sense to use a vendor model and to focus on the RTS site, rather than rooftop sites. He concurred it is important to talk to all stakeholders to make sure using the site for a solar energy facility is the best use for the land. Mr. Matthews cautioned about promoting the idea of how much money the Town will save as there are too many changeable parts over the next twenty years. He said he does not believe there would be any issues going to Special Town Meeting, as long as there is a good plan to present. Mr. Matthews asked Town Manager Kate Fitzpatrick about the role of the PPBC and the possible timeline.

The Board thanked the Solar Energy Exploratory Committee for its report.

7:55 p.m.

Town Manager Report:

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

1. Greene's Field Play Structure

Ms. Fitzpatrick noted the Town was fortunate to be given a gift of \$181,000 at the Board's meeting on April 23, 2013 and reported a new play structure has been purchased. She said the project is moving forward.

2. Needham Streetscape Committee

Ms. Fitzpatrick said the Needham Streetscape Committee will present its plans to the Board at a meeting in June 2013.

3. Parking Lots on Lincoln Street

Ms. Fitzpatrick said a public hearing will be held at the Board's meeting on May 28, 2013 to discuss the concept plan for parking lots on Lincoln Street.

4. Senior Center, Hillside Avenue

Ms. Fitzpatrick noted construction of the new Senior Center continues and said the outside of the building is aesthetically pleasing.

8:05 p.m.

Consent Agenda:

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

CONSENT AGENDA

- 1. Accept a \$100 donation made to the Needham Fire Department from the Fidelity Charitable Gift Fund to be used for the Student Awareness of Fire Education program.**
- 2. Accept with gratitude the donation of \$181,612.25 from the Needham Sports Council on behalf of the Greene's Field Fundraising Committee.**
- 3. Approve a One Day Special Wines & Malt Beverages license for Suzanne Kajunski of Needham Pool & Racquet Club to hold its new member reception on Friday, June 14, 2013 from 6:00 p.m. to 9:00 p.m. at Needham Pool & Racquet Club, 1550 Central Avenue, Needham.**
- 4. Approve application for a 2013 Common Victualler license from Zucchini Gold, LLC d/b/a The Rice Barn, located at 1037 Great Plain Avenue, Needham.**
- 5. Approve application for a 2013 Public Entertainment license on Sundays from Jeffrey Friedman, of Needham Farmers Market, Inc., located on front lawn of First Parish Church, 23 Dedham Avenue, Needham.**
- 6. Approve application for a 2013 Sale of Second Hand Articles license from Segaloff's Jewelers, located at 20 Chestnut Street, #5.**
- 7. Grant permission for the Community Center of Needham to hold a community-wide luminary event (meet and stroll) on Sunday, November 3, 2013 between 4:00 p.m. and 7:00 p.m. with a set-up time of 12:00 p.m. Participants would gather first at the Town Common and the stroll would conclude back at Town Common. Permission has been given from Police, Fire, Park & Recreation, and DPW.**
- 8. Ratify a request from Caroline Genco and Brendan Genco of the CCG Foundation to use the Newman School parking lot as a rest stop along the route of "The Christina Clarke Genco Foundation's Mother's Day Memorial Bike Ride" event to be held on Sunday, May 12, 2013 from 8:00 a.m. to 4:00 p.m. The route that the riders will take through Needham has been approved by the following departments: DPW, Police, Fire and Park and Recreation.**
- 9. Accept donation of 300 Hoodsie Ice Cream cups, and 300 spoons at a value of \$125 for the Memorial Day observation to be held on May 27, 2013 from Roche Brothers, Needham.**
- 10. Accept \$650 in donations received for The Needham Health Department's Domestic Violence Action Committee fund from the following: Magda & Avner Butnaru, Needham Women's Club, Jennifer H & Donald W. Schroeder, Alan K. Stern & Lori I. Tenser, Susan C. & Warren P. Kirk, Marilyn Brooks, Karen Goldsmith, Mariele Fortè, Ann C. MacFate, David J. & June B. Smith, Claire Blum, and Miriam Grodberg.**
- 11. Accept the following donations made to the Needham Public Library during the period February 8, 2013 – May 8, 2013: Mary Bilder donated the following books in honor of Eleanor and Lucy Mackey: ZOOology by Joelle Jolivet (\$19.00), and Almost Everything by Joelle Jolivet (\$20.00); The following**

people made donations in memory of Bertha Marram: Dan Alford and Barbara St. Onge (\$50.00), Marian Novick and Marc Gorenstein (\$50.00), Sabra and Steve Sherry (\$25.00), Susan Davies and Richard Talkov (\$200.00), Carolyn Carey (\$100.00), Nancy Fischer (\$15.00), Wellesley College Trustees (\$125.00); Marc Mandel of the Needham Channel gave the library DVDs 25-85 of Jack Cogswell's program, Talk of the Town (priceless); The Krieger Family donated a copy of Giambattista Bodoni's Manual of Typography (\$70.00); Needham Bank donated \$250.00 for the library's 125th Anniversary Celebration; Authors Beverly Ford & Stephanie Schorow gave the library a copy of their book, The Boston Mob Guide (\$16.99); The following people made donations in memory of Shirley G. Muther: Marjorie Tucker (\$25.00), Alice Rapkin (\$10.00), CSL International of Beverly, MA (\$100.00), The Molloy Family (\$100.00), Leslie & Charles McGowan (\$25.00), Mildred & William Galvin (\$100.00), George & Christine Hoffmeister (\$25.00), Hope Cruickshank (\$25.00), Connie Owens (\$30.00), Faye Lasher (\$25.00), Linda McCusker (\$20.00), Suzanne Mack (\$100.00), Pete & Jo Belval (\$25.00), Charlotte Sidell (\$50.00), Leslie Owen (\$50.00), The Gallagher Family (\$100.00), Jean Lindblad (\$50.00), Catherine & Roy Prout (\$20.00), Elizabeth Paulette-Coughlin and husband (\$200.00), Virginia Blondell (\$40.00), Jennifer & Michael Borislow (\$50.00), Lillian C. Fader (\$25.00), Katie & Steve Palmer (\$100.00), and Virginia Lacy (\$100.00); Nina Borromeo gave the library two copies of her new Children's Book, Lucy the Wonder Weenie (\$9.00); George Markarian gave the library a copy of The Massachusetts Tree Wardens' and Foresters' Association: The Centennial Year, 1913 – 2013 (\$50.00); Cathy & Barbara Collishaw donated \$25.00 in memory of Mary E. DiMasi; Marc Mandell and Derick Risner gave the library the following DVDs: The Millen-Faber Gang and Needham Public Library 125th Anniversary Celebration March 16, 2013.

12. Approve Applications for Weekday and Sunday Entertainment Licenses from The Rotary Club of Needham for a carnival to be held in the General Dynamics parking lot on June 6 through June 9, 2013.
13. Approve and sign Ambulance Abatement for \$515.
14. Accept gift of Town flag, pole and stand from the Melick Foundation. The flag is for the stage in Powers Hall.
15. Water and Sewer Abatement Order #1161.
16. Approve Minutes March 5, 2013 (Executive Session) and April 23, 2013.
17. Approve a request from Michelle Harris, of PLGA Foundation d/b/a A Kids Brain Tumor Cure, to ride a small portion of its "Geared Up for Kids 2013" bike ride through Needham. The bike ride will be starting and ending at PTC, 140 Kendrick Street. Riders will take a right out of the parking lot and proceed into Newton where the ride will primarily take place. A Needham Police detail has been hired for the Needham portion of the event.
18. 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 May 17, 2013 to June 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.

19. **Accept a \$1500 donation made to the Needham Health Department's Gift of Warmth fund from The Congregational Church of Needham Outreach Committee.**
20. **Approve and authorize the Chair to sign \$15,000 grant from the Massachusetts Housing Partnership, 40B Technical Assistance Grant, for the Zoning Board of Appeals.**
21. **Grant permission for the following residents to hold a Block Party:**

Name	Address	Party Location	Date	Rain Date	Time
Carter Center for Children	800 Highland Ave	Carter Center for Children	6/8/13		1:30-5:00PM
Julie Vanderklish	71 Ardmore Road	Corner of Ardmore/Taylor St in cul-de-sac	6/22/13	6/23/13	4-8PM
Andrew Allen	955 Webster	900 Block of Webster	7/20/13	7/27/13	12-3PM
Jeffrey Steiger	119 Whitman Road	End of Grove St @ Charles River St-In front of 541 Grove	6/9/13		3:30-7:30PM
Stephanie Arendell	41 Kimball St	Corner of Grant and Kimball	6/7/13	6/8/13	5:30-9:00PM
Jennifer Berk	10 Hollow Ridge Road	Hollow Ridge Road	6/22/2013		3pm-dusk

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

8:05 p.m. Board Discussion:

1. Consideration of All Alcohol Licenses for Restaurants with fewer than 100 seats
The Board discussed the possibility of granting all alcoholic licenses for restaurants with fewer than 100 seats. Mr. Matthews said it may make sense, under some circumstances, to allow All Alcohol licenses to restaurants with less than 100 seats. Mr. Handel said it is well worth considering, but the key is to make sure the alcohol laws are obeyed. Mr. Borrelli said he is supportive of the idea. Mr. Bulian said he is open to learning more, including the unintended consequences. He suggested learning from other communities.
2. Committee Reports
Mr. Matthews reported the Minuteman Regional High School committee continues to work on very difficult issues.

8:10 p.m. Executive Session (Exception 3)

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

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

Not to return to open session prior to adjournment.

Second: Mr. Bulian. Mr. Matthews polled the Board. Unanimously approved 4-0.

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

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

**Town of Needham
Board of Selectmen
Minutes for May 28, 2013
Needham Town Hall**

- 6:45 p.m. Informal Meeting with Citizens: No Activity.
- 7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Vice Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.
- 7:00 p.m. Public Hearing - Lightower Fiber Networks Petition for 50 Chestnut Street:
Shawn Alles, Fiber Engineer, Lightower Fiber Networks and Michael Joyce, Joyce Consulting Group appeared before the Board requesting permission to install approximately eighteen feet of new four inch fiber optic conduit from an existing NSTAR manhole on the east side of Chestnut Street to the building at 50 Chestnut Street. The conduit run shall be installed and owned by Lightower and shall serve to provide telecommunication service to the business at 50 Chestnut Street from the Lightower network.
- Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Lightower Fiber Networks to install approximately eighteen feet of new four inch fiber optic conduit from an existing NSTAR Manhole on the east side of Chestnut Street to the building at 50 Chestnut Street. The conduit run shall be installed and owned by Lightower and shall serve to provide telecommunication service to the business at 50 Chestnut Street from the Lightower network.**
- Second: Mr. Borrelli. Unanimously approved 4-0.**
- 7:05 p.m. Public Hearing - Lincoln Street Parking Improvements:
Kate Fitzpatrick, Town Manager, Rick Merson, Director of Public Works, and Tony Del Gaizo, Town Engineer appeared before the Board with an outline of the proposed design for the Lincoln Street/School Street parking lot for municipal parking and for Police and Fire expansion. Ms. Fitzpatrick discussed the existing parking conditions and showed proposed design plans. She discussed key features of the plan.
- Mr. Matthews opened the Public Hearing.
- John Sylvan, 45 Grant Street asked about the permit fee structure and the Town's return on investment by acquiring the property. Mr. Sylvan wanted to know how much the Town paid for the properties on School Street and Lincoln Street.
- Jeff Becker, 117-119 Chestnut Street complimented the Town for addressing the parking issue. Dr. Becker asked the Town consider permit parking for businesses

other than the hospital. Dr. Becker said the hospital should take care of its own parking issues.

Jeff Heller, 1092 Central Avenue and 40 Lincoln Street supports increased parking and elimination of buddy spaces. Mr. Heller said he is concerned with the “big picture” and wanted to know how the proposed parking plan ties into the Town’s streetscape plan. Mr. Heller suggested the entire block should have a “campus” feel, and that the parking lot have an entrance/exit onto School Street.

Cheryl McSherry, 39 Grant Street stated she feels the downtown area is slowly creeping into her neighborhood. Ms. McSherry is concerned with traffic on School Street. She noted the importance of trees and shrubs in the design and asked the Town consider the look and feel of the neighborhood.

Leslie LaFaver, 69 School Street asked that the Town address the issue of large trucks and tankers on School Street. He suggested allowing abutters access to overnight parking permits.

Phil Droney, Needham Police Chief said parking is an issue at the police station. He noted the current state of the public safety building does not meet the needs of the Town, noting new technology, dispatching, and training issues need to be addressed.

Carol McCarthy, 78 Lincoln Street is concerned with exits/entrances to the parking lot, and increased traffic onto School Street. She said she is concerned that new lighting may be too bright.

Karl Heinz, 132 Lincoln Street asked about the storm management plan for the project and whether drainage improvements will be done in the area.

John Sylvan, 45 Grant Street asked if the number of parking permits issued to the hospital will be limited.

Jeff Becker, 117-119 Chestnut Street asked about the elimination of some on-street parking on School Street between Chestnut Street and Lincoln Street, opposite the police station. He suggested drivers in the parking lot must be able to make a u-turn.

Maryclare Siegel, 27 Grant Street said the large trucks traveling on School Street is an issue.

Mr. Matthews thanked the residents for their comments and closed the public hearing.

8:15 p.m. Consent Agenda:

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

APPOINTMENTS

1. **Human Rights Committee** Nathan Rosen (term expires 6/30/14)
2. **MWRA Advisory Board** John Cosgrove (term expires 6/30/14)
3. **MWRA Advisory Board (alternate)** Vincent Roy (term expires 6/30/14)

CONSENT AGENDA

1. **Sign the Warrants for the Special State Election and Special Town Election to be held on June 25, 2013.**
2. **Approve minutes of May 6, 2013 and May 8, 2013 meetings.**
3. **Accept gift of 1902 Needham Map from Moe Handel, which is valued at \$95.**
4. **Accept the gift of two new, made in America, nylon United States Flags from the Norfolk Lodge A.F. & A.M.**
5. **Disband with thanks the Greene's Field Play Structure Working Group.**
6. **Approve Water & Sewer Abatement #1162**
7. **Accept the following donations made to Needham Youth Services this year to date, to enhance Youth Services overall programming: \$100 from Lisa Teeter; \$25 from Clair Cole; \$50 from Barbara Mason; \$30 from Meg Galligan; and \$90 from the Hillside Girl Scout Troop for Babysitting Training.**

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

8:15 p.m. Town Manager:
Kate Fitzpatrick, Town Manager updated the Board on three items. She told the Board that paving on Webster Street at Avery Field is nearing completion. She said Parker Road, Mayflower Road, and Carol Road will be re-paved. She told the Board that at its next meeting on June 11, 2013 a public hearing will be held regarding parking fines.

8:20 p.m. Board Discussion:
1. I-95/Rte. 128 Improvement
Mr. Handel told the Board he recently attended a meeting of the Three Rivers Council, a constituent of the Metropolitan Area Planning Commission. He said members of the Three Rivers Council were asked to gather support for the Commonwealth's Tiger Grant application to fund the slip-ramps, bridge, and roadway widening at the Dedham Street overpass at Interstate 95.

Motion by Mr. Borrelli that the Board vote to support and sign the letter of support of the I95/Route 128 improvements in the Commonwealth's Tiger Grant.

Second: Mr. Bulian. Unanimously approve 4-0.

2. Committee Reports

Mr. Borrelli commented that the public hearing held by the Zoning Board of Appeals on May 23, 2013 regarding the Greendale Mews project was well attended. He thanked Mr. Matthews for stating the view of the Board of Selectmen to the Zoning Board. Mr. Matthews said residents expressed their concern about the proposal and commented the Board of Selectmen will work to achieve the best outcome for the Town.

8:25 p.m. Executive Session - Exception 3 (potential litigation) & Exception 6 (interest in real property)

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

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

Exception 6 - To consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.

Second: Mr. Handel. Mr. Matthews polled the Board. Unanimously approved 4-0.

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

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

Town of Needham
Water Sewer Billing System
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

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

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

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

Water Sales:	-\$105.75
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$435.80
Transfer Station Charges:	\$0.00
Total Abatement:	-\$541.55

Order #: 1163

Read and Approved: 6/7/2013
[Signature] 6/6/2013
Assistant Director of Public Works

For the Board of Selectmen

Date: 6/11/2013

[Signature]
Director of Public Works

**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
DB	C/O SLD Forty A LLC		36197	19218	40	A Street	\$0.00	\$0.00	-\$186.35	-\$186.35	ACC	N
JO	Council on Aging (1)						\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N

Total: -\$541.55

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