

BOARD OF SELECTMEN

November 9, 2016

Needham Town Hall

Agenda

Note: Agenda subject to revision, start times are approximate and agenda items may be discussed at earlier or later times.

1.	6:00	Executive Session Exception 6
	6:45	<p>Informal Meeting with Citizens</p> <p><i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i></p>
2.	7:00	Veterans Day Proclamation
3.	7:00	Public Hearing: Comcast Corporation- 1040 Great Plain Avenue
4.	7:00	Cable Television RCN Renewal License Transfer Hearing
5.	8:00	Public Hearing: Regulation of Food Trucks & Food Carts
6.	8:45	<p>Director of Public Works</p> <ul style="list-style-type: none"> • Sign Notice of Traffic Regulation- Great Plain Avenue • Sign Notice of Tow-Away Zone Regulation
7.	8:50	<p>Town Manager</p> <ul style="list-style-type: none"> • Proposed Revision – Regulation for the Sale of Alcoholic Beverages • Traffic Control Box Wrap- Oak and Chestnut Streets
8.	9:00	<p>Board Discussion</p> <ul style="list-style-type: none"> • Minuteman School District Status • Committee Reports

CONSENT AGENDA *=Backup attached

1.	<p>Accept donations made to the Needham Cultural Council's NeedArts fund from the following people for its Winter Arts Festival: \$45 from Lauren Giardina, \$45 from Deniz Ozaslan Sikora, \$45 from Barbara Reynolds, \$45 from Stephanie Lederman, \$45 from James Cook, \$45 from Geraldine M. Daigler, \$45 from Sophie Schaffer, \$45 from Sylvia Y. Quiroga, \$45 from Chia L. Chan, \$45 from Adi Sky, \$45 from Needham Art Association, \$45 from Inga Puzikov, \$45 from Judith S. Ogilvie, \$45 from Jordan M Fuller, \$45 from Candace L. Sidner, \$45 from Nancy G. Van Broekhoven, \$45 from Edward M. Bruckner, \$45 from Barbara D Brownell, \$45 from Elise M. Miller, \$45 from Mary Murphy Hensley, \$45 from Judith Lynn Silverstein, \$45 from Susan C. Goldman, \$45 from Anne E.G. Nydam, \$45 from Gail Fischer, \$45 from Donna DeMaria, \$45 from Joanne Ellman, \$45 from Robert Y. Larsen, \$45 from Berline L. Chao, and \$45 from Samuel M. Behar.</p>
2.*	Ratify a Special One Day Wines & Malt Beverages Only license for Amy Sinclair of

	Trip Advisor, who hosted a UMass Alumni event on November 3, 2016 from 4:00 p.m. to 9:00 p.m. The event was held at Trip Advisor, 400 1 st Avenue, Needham.
3.	Accept the following donations made to the Needham Community Revitalization Trust fund: \$1200 from Eaton Funeral Home for the Eaton Traffic Control Box Wrap and \$100 from Needham Lights for Banner Showcase Program.
4.*	Water and Sewer Abatement Order #1225.
5.	Accept a \$250 donation made to the Needham Health Department's Substance Abuse Prevention & Education Program from Steve Scherneck, a Needham resident.

Proclamation

WHEREAS: On Veterans Day our Nation comes together to honor our veterans and commemorate their legacy of service and sacrifice; and

WHEREAS: Needham residents have answered the call of duty in every war and expedition in our nation's history to ensure the security of our Country and its ideals; and

WHEREAS: Returning veterans contribute in important ways to the civic life of our Town; and

WHEREAS: Their service, performed with a sense of duty and honor, reflects great credit upon themselves and upon our community;

NOW THEREFORE, The Board of Selectmen of the Town of Needham, do hereby recognize Friday, November 11, 2016 as Veterans Day and ask all the citizens of the Town to join in appropriate observance of those who have served to preserve the principles of justice, freedom and democracy.

Signed this 9th day of November 2016

Matthew D. Borrelli, Chairman

Marianne B. Cooley, Vice Chairman

Daniel P. Matthews, Clerk

John A. Bulian

Maurice P. Handel



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

MEETING DATE: 11/09/2016

Agenda Item	Public Hearing: Comcast Corporation- 1040 Great Plain Avenue
Presenter(s)	Manuel Furtado, Comcast Corporation representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>Comcast Corporation requests permission to install approximately 128 feet of conduit in roadway from existing Vault in Sidewalk in front of 53 Chestnut Street to PL @ Keith's Way (paper road) as described in the attached plan. This work is necessary to provide service at 1040 Great Plain Avenue, Needham.</p> <p>The Department of Public Works has approved this petition, based on Comcast Corporation's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.</p>
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
	<p>Suggested Motion:</p> <p>Move that the Board of Selectmen approve and sign a petition from Comcast Corporation to install approximately 128 feet of conduit in roadway from existing Vault in Sidewalk in front of 53 Chestnut Street to PL @ Keith's Way (paper road) as described in the attached plan. This work is necessary to provide service at 1040 Great Plain Avenue, Needham.</p>
3.	BACK UP INFORMATION ATTACHED
	<p>(Describe backup below)</p> <ul style="list-style-type: none">a. Letter of Applicationb. Orderc. Petition Pland. Notice Sent to Abutterse. List of Abutters

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN
2016 OCT 31 P 2: 10

PETITION OF COMCAST CABLE INC. FOR COMMUNICATION CABLE INSTALLATION

Town of Needham / Board of Selectman:-

Comcast Corporation hereby respectfully requests your consent to the locations of Distribution cable hereinafter described for the transmission and distribution of communication signals in and under the following public streets, lanes, highways, and places of the **Town of Needham** and of the conduit, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said distribution cables and accomplish the objective of said company: and the digging up and opening the ground to lay or place same:

To install Approximately 128' of Conduit in roadway from existing Vault in Sidewalk in front of 53 Chestnut street to PL @ Keith's Way (paper road) as described in Attached Sketch.

Submitted is a set of plans of said communications infrastructure.

DATE **12 October 2016**

BY 
Manuel Furtado

Permit Representative

OK TO PROCEED
T. Snyder, DPW Engineer
10/31/16
OK R.P. Dawson
DPW Director 10/31/16

RETAIN DUPLICATE FOR YOUR RECORDS

ORDER FOR COMMUNICATIONS PLACEMENT OF CONDUIT

Town of Needham / Board of Selectmen:

IT IS HEREBY ORDERED that the locations of said communications additions of the Comcast Communications structure in and under the public streets, lanes, highways, and places of the **Town of Needham** substantially as described in the petition dated _____ attached hereto and hereby made a part hereof, and of the conduit, equipment, manholes, and other structure, fixtures, and appurtenances designed or intended to protect or operate said distribution cables and/or accomplish the objectives of the said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and **APPROVED**.

The said Comcast Corporation shall comply with all applicable provisions of law and ordinances of the **Town of Needham** applicable to the enjoyment of said locations and rights.

Dated this _____ day of _____, 20_____.

I hereby certify that the foregoing order was duly adopted by the _____ of the town of ___Needham ___, MA on the _____ day of _____ 20_____.

BY _____

TITLE

RETURN ORIGINAL TO THE PERMIT SECTION

Attn: Manuel Furtado

COMCAST CORP.

440 Myles Standish Blvd

Taunton MA 02780

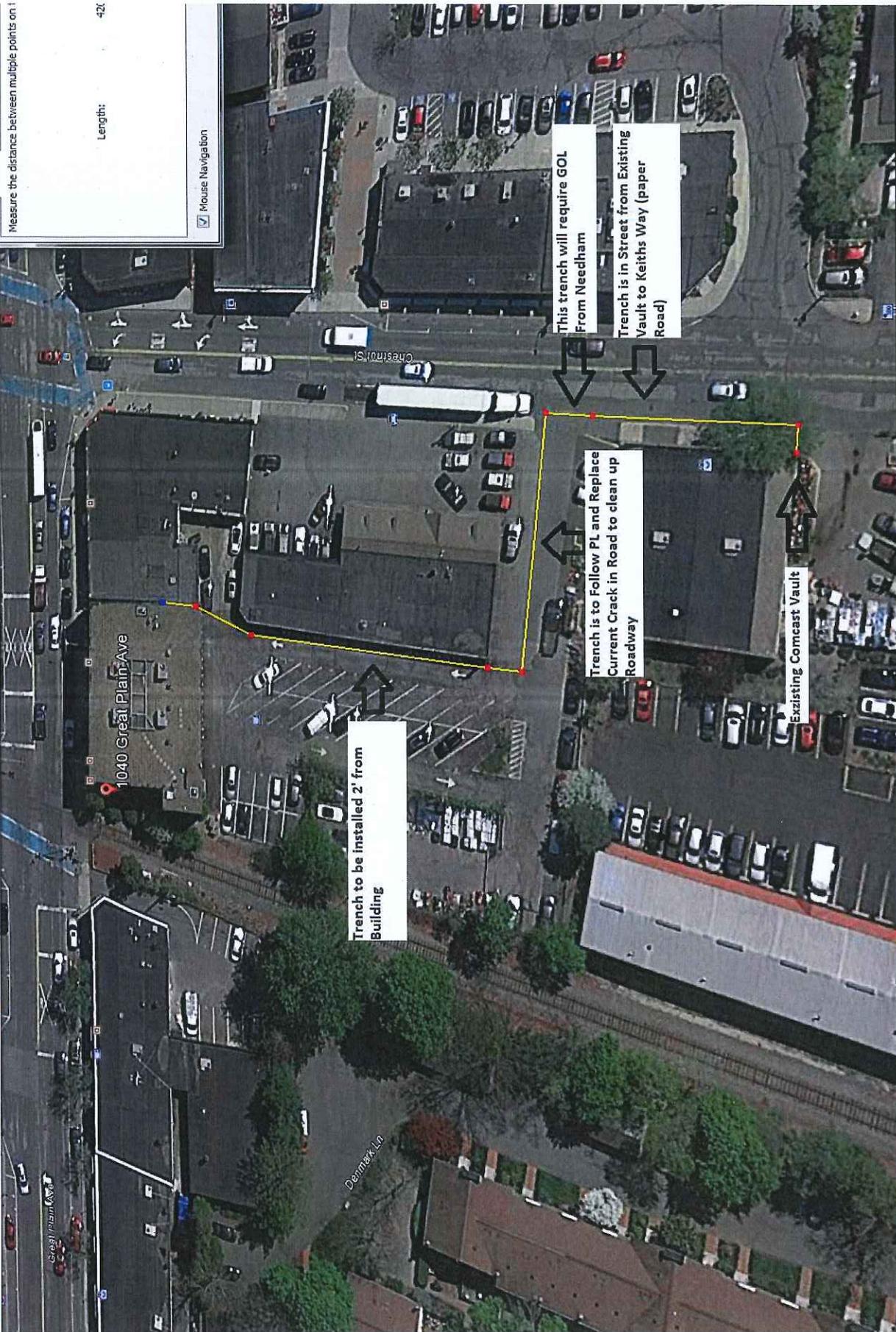
RETAIN DUPLICATE FOR YOUR RECORDS

Line Path Pro

Measure the distance between multiple points on 1

Length: 420

Mouse Navigation



Trench to be installed 2' from Building

Trench is to Follow PL and Replace Current Crack in Road to clean up Roadway

Existing Comcast Vault

This trench will require GOL From Needham

Trench is in Street from Existing Vault to Keiths Way (paper Road)

Tour Guide

- Massachusetts
- Harvard Business S... 00:39
- Ferway Park 00:35
- Museum of Fine Art... 00:39
- New Hampshire
- Boston
- Rhode Island
- MIT
- Albany
- Connecticut
- Saint Anselm College 00:37
- Boston Common 00:42

Search

Get Directions History

Earth Gallery >>

Windows taskbar with icons for Internet Explorer, Google Chrome, and other applications.



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on November 9, 2016** upon petition of Comcast Corporation dated **October 12, 2016** to install approximately 128 feet of conduit in roadway from existing Vault in Sidewalk in front of 53 Chestnut Street to PL @ Keith's Way (paper road) as described in the attached plan. This work is necessary to provide service at 1040 Great Plain Avenue, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Comcast Corporation representative, Manuel Furtado, at 508-884-2362.

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

BOARD OF SELECTMEN

Dated: October 31, 2016

1040 GREAT PLAIN AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
DENMARK LANE CONDOMINIUM	ATT: RACHEL C. CHAFFEY #16 MASTER DEED	0 DENMARK LN	NEEDHAM	MA	02492	1991320002000000	0 DENMARK LN
TOWN OF NEEDHAM	PARKING LOT	1471 HIGHLAND AVE	NEEDHAM	MA	02492	1990470005800000	0 CHESTNUT ST
KATZ, JEFFREY A. & GARY M., TRUSTEES,	AJ REALTY TRUST	1004 GREAT PLAIN AVE	NEEDHAM	MA	02492	1991320000200260	996 GREAT PLAIN AVE
POOLEY, CHRISTOPHER		26 DENMARK LN	NEEDHAM	MA	02492	1991320000200320	26 DENMARK LN
MANOLI, JOHN F. &	MANOLI, AMY J.	32 DENMARK LN	NEEDHAM	MA	02492	1991320000200180	32 DENMARK LN
18 DENMARK LN		18 DENMARK LN	NEEDHAM	MA	02492	1991320000200180	18 DENMARK LN
1 SHEPARD LN		1 SHEPARD LN	MEDFIELD	MA	02052	1990470006900000	37 CHESTNUT ST
87 CHESTNUT ST		87 CHESTNUT ST	NEEDHAM	MA	02492	1990470007400040	87 CHESTNUT ST
34 DENMARK LN		34 DENMARK LN	NEEDHAM	MA	02492	1991320000200340	34 DENMARK LN
1340 SOLDIERS FIELD ROAD	C/O GREENE,RUBIN,MILLER & PACINO	1340 SOLDIERS FIELD ROAD	BOSTON	MA	02135	1990470007000000	1032 GREAT PLAIN AVE
10 DENMARK LN		10 DENMARK LN	NEEDHAM	MA	02492	1991320000200100	10 DENMARK LN
205 SOUTH ST		205 SOUTH ST	MEDFIELD	MA	02052	1990470007000020	1032 GREAT PLAIN AVE - UNIT #9
1340 SOLDIERS FIELD RD	C/O GREENE,RUBIN,MILLER, & PACINO	1340 SOLDIERS FIELD RD	BRIGHTON	MA	02135	1990470007000030	1032 GREAT PLAIN AVE - UNIT #3
8 DENMARK LN		8 DENMARK LN	NEEDHAM	MA	02492	1991320000200080	8 DENMARK LN
ONE SHEPARD LANE		ONE SHEPARD LANE	MEDFIELD	MA	02052	1990470007100000	0 KEITH PL
1340 SOLDIERS FIELD RD	C/O GREEN, RUBIN, MILLER & PACINO	1340 SOLDIERS FIELD RD	BOSTON	MA	02135	19904700070000001	1032 GREAT PLAIN AVE
24 DENMARK LN		24 DENMARK LN	NEEDHAM	MA	02492	1991320000200240	24 DENMARK LN
20 DENMARK LN		20 DENMARK LN	NEEDHAM	MA	02492	1991320000200200	20 DENMARK LN
1776 WASHINGTON ST		1776 WASHINGTON ST	WALPOLE	MA	02081	1990470007200000	53 CHESTNUT ST
10 PARK PLAZA		10 PARK PLAZA	BOSTON	MA	02116	1990510008400000	0 GREAT PLAIN AVE
12 DENMARK LN	CORFIELD, JOSEPH E.	12 DENMARK LN	NEEDHAM	MA	02492	1991320000200120	12 DENMARK LN
1004 GREAT PLAIN AVE	AJ REALTY TRUST	1004 GREAT PLAIN AVE	NEEDHAM	MA	02492	1990470006700000	1004 GREAT PLAIN AVE
PO BOX 850918	1016 GREAT PLAIN AVE TRUST	PO BOX 850918	BRAINTREE	MA	02185	1990470006800000	1016 GREAT PLAIN AVE
99 WHITMAN RD	HEFFERNAN, ELIZABETH A., TRS.	99 WHITMAN RD	NEEDHAM	MA	02492	1990510001000000	1013 GREAT PLAIN AVE
1471 HIGHLAND AVE	PARKING LOT	1471 HIGHLAND AVE	NEEDHAM	MA	02492	1990510001700000	0 EATON SQ.
22 DENMARK LN	THE PETER C. FORRESTER FAMILY TRUS	22 DENMARK LN	NEEDHAM	MA	02492	1991320000200220	22 DENMARK LN
4 DENMARK LN	PHILLIPS, FRANCES G., TR	4 DENMARK LN	NEEDHAM	MA	02492	1991320000200040	4 DENMARK LN
1340 SOLDIERS FIELD RD	C/O GREENE, RUBIN, MILLER & PACINO	1340 SOLDIERS FIELD RD	BRIGHTON	MA	02135	19904700070000400	1032 GREAT PLAIN AVE - UNIT #4
16 DENMARK LN		16 DENMARK LN	NEEDHAM	MA	02492	1991320000200160	16 DENMARK LN
1034 GREAT PLAIN AVE	C/O BERGER, BRUCE & BORNSTEIN, GLENN TRS	1034 GREAT PLAIN AVE	NEEDHAM	MA	02492	19904700070000200	1032 GREAT PLAIN AVE - UNIT #2
10 PARK PLAZA		10 PARK PLAZA	BOSTON	MA	02116	19900109999999980	0 RAILROAD
P O BOX 920585	LEVLEE REALTY TRUST	P O BOX 920585	NEEDHAM	MA	02492	1990470007400030	73 CHESTNUT ST
1471 HIGHLAND AVE		1471 HIGHLAND AVE	NEEDHAM	MA	02492	1990510008300000	0 GREAT PLAIN AVE
1063 GREAT PLAIN AVE	ATTN: ACCOUNTING DEPARTMENT	1063 GREAT PLAIN AVE	NEEDHAM	MA	02492	1990510008600000	1063 GREAT PLAIN AVE.
15 MANOR AVE	G. & K REALTY TRUST	15 MANOR AVE	WELLESLEY	MA	02482	1991320000100000	1056 GREAT PLAIN AVE
14 DENMARK LN	HEFFERNAN, SUZANNE M.	14 DENMARK LN	NEEDHAM	MA	02492	1991320000200140	14 DENMARK LN
1340 SOLDIERS FIELD RD	C/O GREENE,RUBIN, MILLER & PACINO	1340 SOLDIERS FIELD RD	BRIGHTON	MA	02135	19904700070000440	1032 GREAT PLAIN AVE - UNIT #7
6 DENMARK LN		6 DENMARK LN	NEEDHAM	MA	02492	1991320000200060	6 DENMARK LN
2 DENMARK LN	FICCARDI, JOHN A	2 DENMARK LN	NEEDHAM	MA	02492	1991320000200020	2 DENMARK LN
1471 HIGHLAND AVE	ALFRED W. GREYMONT REVOCABLE TRUST	1471 HIGHLAND AVE	NEEDHAM	MA	02492	1990470005700000	66 CHESTNUT ST
PO BOX 149		PO BOX 149	TUFTONBORO	NH	03816	1990470005900000	30 CHESTNUT ST
P.O. BOX 281		P.O. BOX 281	NATICK	MA	01760	1990470006500000	18 CHESTNUT ST
198 CURVE ST	THOMAS, TRIANTOS	198 CURVE ST	DEDHAM	MA	02026	1990510001100000	1027 GREAT PLAIN AVE
342 SEWALL RD	PHILIP CLARKSON 2004 REVOCABLE TRU	342 SEWALL RD	WOLFEBORO	NH	03894	1991320000200300	30 DENMARK LN
28 DENMARK LN		28 DENMARK LN	NEEDHAM	MA	02492	1991320000200280	28 DENMARK LN
2500 N. ROSEMONT		2500 N. ROSEMONT	TUCSON	AZ	85712	1990470007000120	1032 GREAT PLAIN AVE - UNIT #10

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



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

MEETING DATE: 11/9/2016

Agenda Item	Cable Television RCN Renewal License Transfer Hearing
Presenter(s)	Peter Epstein, Esquire, Epstein & August, LLP Cable Television Legal Counsel for Town of Needham

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Board will convene a Cable Television Renewal License Transfer Hearing.</p> <p>TPG Capital has entered into an agreement to acquire RCN Telecom Services, LLC from Yankee Cable Partners, LLC, a subsidiary of ABRY Partners. RCN currently holds a Renewal License, dated July 10, 2012, to offer cable services in the Town. TPG will operate the RCN Renewal License under the ownership and indirect control of its affiliate, Radiate Holdings, L.P.</p> <p>This hearing is required by the regulations of the Massachusetts Division of Telecommunications and Cable ("DTC") at 207 CMR. 4.00 and Section 2.6(g) of the current RCN Renewal License.</p>	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<p>Suggested Motion: That the Board vote to hold the record open for additional public comments until November 22, 2016.</p>	
3.	BACK UP INFORMATION ATTACHED
<ul style="list-style-type: none">a. Public Hearing Legal Noticeb. Letter to Board from Yankee Cable Partners, LLC and Radiate Holdings, L.P. dated September 7, 2016c. Form 394 provided under separate cover	

The Boston Globe

Classified Legal Notice Proof

Town of Needham/Town Manager Off
1471 Highland Ave
Needham, MA 02492

Thank you for placing your Legal Notice in The Boston Globe.

Your order information and a preview of your notice are displayed below for your review. If there are any changes or questions, please contact the Classified Department at 617-929-1314 or email legals@globe.com.

Thank you,
Boston Globe Classified Sales

617-929-1314
Monday – Friday 9:30 am - 4:30 pm
legals@globe.com

ORDER INFORMATION:		Order Number:	218783
Title:	Boston Globe	First date:	10/22/2016
Classification:	1504 Legal - Public Hearing	Last date:	10/22/2016
Order Price:	\$169.75	Number of	1
		Days:	
Payment	Invoice		
Method:			

NOTICE PREVIEW:

PUBLIC HEARING NOTICE CABLE TELEVISION RENEWAL LICENSE TRANSFER HEARING

The Board of Selectmen of the Town of Needham, as Assisting Authority, has scheduled a Cable Television Renewal License Transfer Hearing to be held on Wednesday, November 9, 2016, at 7:00 PM at the Needham Town Hall, 1471 Highland Avenue, Needham. The purpose of the hearing will be to review the FCC Form 394 completed transfer request received by the Town on September 12, 2016. The Form 394 seeks the Board of Selectmen's approval for a transfer of control of the cable television license from Yankee Cable Partners, LLC to Radate Holdings, LP. A copy of the FCC Form 394 is in the Needham Town Clerk's office and may be viewed during regular business hours. Interested parties can call the Town Manager's Office at (781) 455-7500 for more information.

TM/CABLE TV LICENSE
LEGAL NOTICE
PUBLIC HEARING NOTICE
CABLE TELEVISION RENEWAL LICENSE
TRANSFER HEARING

The Board of Selectmen of the Town of Needham, as Issuing Authority, has scheduled a Cable Television Renewal License Transfer Hearing to be held on Wednesday, November 9, 2016, at 7:00 PM at the Needham Town Hall, 1471 Highland Avenue, Needham. The purpose of the hearing will be to review the FCC Form 394 completed transfer request received by the Town on September 12, 2016. The Form 394 seeks the Board of Selectmen's approval for a transfer of control of the Cable Television Licensee from Yankee Cable Partners, LLC to Radiate Holdings, LP. A copy of the FCC Form 394 is in the Needham Town Clerk's Office and may be viewed during regular business hours. Interested parties can call the Town Manager's Office at (781) 455-7500 for more information.

AD#13494385
Needham Times 10/27, 11/3/16

**Yankee Cable Partners, LLC
650 College Road East, Suite 3100
Princeton, NJ 08540**

**Radiate Holdings, L.P.
c/o TPG Capital, L.P.
301 Commerce Street, Suite 3300
Fort Worth, TX 76102**

September 7, 2016

Matthew Borrelli, Chair, Board of Selectmen
Needham Town Hall
1471 Highland Avenue
Needham, MA 02492

Dear Mr. Borrelli:

As you may have heard, an affiliate of TPG Capital, the global private equity fund of leading alternative asset firm TPG, has entered into an agreement to acquire RCN Telecom Services, LLC ("RCN") from certain subsidiaries of ABRY Partners. RCN currently holds a franchise to offer service in your community. Both companies believe that the transaction offers tremendous prospects for continued enhancements to the system and services available to cable customers in the Town of Needham.

When the transaction under the agreement is consummated, the indirect control of your community's franchisee will have changed. Your community's franchise will continue to be held by the same legal entity that holds your franchise today, it will continue to provide service pursuant to that franchise, and the same company that manages the system today will continue to do so. However, it will do so under the ownership and indirect control of TPG affiliate Radiate Holdings, L.P. ("Radiate").

As part of this transaction, Radiate has no current plans to change the local operations or structure of the cable operations, or the services offered. Upon completion, Radiate will combine its resources and expertise with RCN's knowledge of the local cable marketplace to build upon the successes of RCN and further enhance the customer experience in your community.

In accordance with the terms of your franchise, we have enclosed for your review the required number of copies of the FCC Form 394. The Form 394 is designed to provide you with the information necessary to assess the financial, legal, and technical qualifications of Radiate with regard to the franchise. As part of this filing, you are receiving a copy of the agreement, and financial, legal and technical information about Radiate, as well as all other required information. Certain of this information, as designated therein, is confidential and not routinely made available to the public, and its dissemination would be harmful to Radiate's business interests. Pursuant to FCC

September 7, 2016

pg. 2

Form 394, these materials must be maintained as confidential by you and any or all of your agents. Also enclosed is a copy of the Public Interest Statement that was attached to our filing with the FCC for approval of this transaction.

Under the FCC rules, you have 120 days from the date you receive this information to consider the application. No action on your part is required; should you choose not to take any action within this 120 day period, under federal law the application will be deemed granted. In the event that you choose to act upon the application, we have enclosed for your convenience a draft resolution for your use. Please let us know if you place the matter on your agenda for consideration.

We look forward to working with you. If you have any questions, please call Thomas K. Steel at 617-670-2906 or Seth A. Davidson at 202-434-7447.

Sincerely,



Thomas K. Steel, Jr.
Vice President and Regulatory
Counsel
RCN Telecom Services, LLC



Seth A. Davidson
Mintz, Levin, Cohn, Ferris, Glovsky
and Popeo, P.C.
Counsel to Radiate Holdings, L.P.

Enclosures

September 7, 2016

pg. 3

CC:

Town Counsel

Cable Advisory Committee



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

MEETING DATE: 11/9/2016

Agenda Item	Public Hearing: Regulation of Food Trucks & Food Carts
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Board of Selectmen will gather input from interested parties regarding the subject of Food Trucks/Carts in the Town of Needham. Topics include:</p> <ul style="list-style-type: none">• The definition and differentiation between food trucks and food carts;• Use of food trucks and/or food carts as invited concessioners by authorized users of public and private property;• Whether or not to allow food trucks and or food carts to operate on public property without invitation from an authorized user for that date and time;• Re-evaluation of areas under-served by fixed location restaurants;• Expansion of areas where food trucks and/or food carts may operate on the public way or public property in the various business districts;• Potential General and Zoning By-law amendments that may be required;• The impact of food trucks and food carts on the existing community concerns relative to trash and parking;• The impact of expansion of the use of food trucks and food carts on pedestrian safety; and• Any other topics raised by Board members and the public.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
3.	BACK UP INFORMATION ATTACHED
(Describe backup below)	
<ul style="list-style-type: none">a. BOS Policy on the Regulation of Food Trucks dated October 8, 2013b. Notice of Public Hearing	

Town of Needham Board of Selectmen

Policy Number:	BOS-LIC-013
Policy:	Regulation of Food Trucks
Date Approved:	October 8, 2013
Date Revised:	Revised June 9, 2015
Approved:	Chairman, Board of Selectman

Section 1: Definitions

Food Truck - A readily movable trailer or motorized wheeled vehicle, currently registered with the Massachusetts Division of Motor Vehicles, designed and equipped to cook, prepare, and serve food.

Section 2: Authorized Locations and Restrictions for Food Truck Sales in or on Designated Public Right of Way Areas

- 2.1 Food trucks may be located in public right of way areas which are underserved by “brick and mortar” restaurant facilities (hereafter “traditional restaurant facilities”) during the period April 1 to November 30 on Mondays through Fridays from 7:00 a.m. to 8:00 p.m. A food truck may not be located in or on any portion of a designated public right of way when and where such location would prevent the safe use of the public right of way by motor vehicles, pedestrians, and/or customers. The vending location shall not otherwise interfere with the movement of motor vehicles in the area.
- 2.2 Commercial areas listed in Appendix 1 are those identified as presently underserved by traditional restaurant facilities. The Board of Selectmen, in consultation with the Planning Board, shall have authority under this Policy to review and modify the areas deemed underserved by traditional restaurant facilities. The current locations identified for use by food trucks within the public right of way are listed in Appendix 2. The Board of Selectman may authorize additional locations within the underserved areas. The Board of Selectmen reserves the right to modify any of the areas listed in Appendix 1 or locations listed in Appendix 2 as needed.
- 2.3 Food trucks shall comply with applicable provisions of the Town of Needham General By-laws with respect to locations near schools and recreation facilities.
- 2.4 Food trucks must be positioned at least 200 feet from the customer entrance of a traditional restaurant, unless the food truck vendor provides documentation that the restaurant owner supports a closer proximity.

- 2.5 Food trucks shall be positioned on designated right of way areas and shall not block drive entrances, exits, access to loading and/or service areas, or emergency access and fire lanes. Food trucks must also be positioned at least 20 feet away from fire hydrants, any fire department connection, driveway entrances, alleys, and handicapped parking spaces.
- 2.6 Each year, the Board of Selectmen shall establish an open period from December 1 to January 30 of the following year for applications to operate a food truck in public right of way areas. Should the number of applicants exceed available locations within the public right of way, then the Town Manager will create an equitable distribution of available locations among qualified applicants. If locations are available after the close of the open period and after issuance to those applicants who applied during the open period, then applicants may apply after the open period but any permits issued will be on a first come first served basis.
- 2.7 Food Truck vendors shall comply with all local, county and state tax regulations, including but not limited to retail sales applicable to food and beverages.

Section 3: Public Safety and Nuisance Prevention

- 3.1 Food truck vendors must obtain requisite licenses or permits for operation from the Needham Health Department, Police Department, Fire Department, and Board of Selectmen.
- 3.2 Temporary connections to potable water are prohibited. All plumbing and electrical connections shall be accordance with the State Building Code.
- 3.3 Grease must be contained and disposed of in accordance with State Sanitary Code.
- 3.4 Grey water must be contained and disposed of in accordance with State Sanitary Code.
- 3.5 Food trucks must have the following fire extinguisher on board during hours of operation: one 15 lb. multipurpose subject to the determination of the Fire Chief or his designee.
- 3.6 Food trucks may not operate as a drive-in/drive-up/drive-through operation. All service must be walk-up by customers.
- 3.7 Trash and recycling receptacles shall be provided for customers and trash and recyclables shall be removed from the site daily.
- 3.8 If a food truck is proposed to operate after dark, the vendor must provide appropriate lighting.
- 3.9 No signage shall be allowed other than signs permanently attached to the motor vehicle and a portable menu sign no more than 9 square feet in display area on the ground in the customer waiting area.

- 3.10 No food truck shall make or cause to be made any unreasonable or excessive noise or odor.
- 3.11 No food truck shall set up tables, chairs, umbrellas or similar facilities (except standing counters and tables without chairs or stools).

Section 4: Permitting

- 4.1 A food truck will be licensed by the Town's Health Department and Fire Department before issuance or renewal of the Food Truck Permit from the Board of Selectmen, which must be prominently displayed on the truck.
- 4.2 A fee in the amount of \$1000.00 for a five day a week seasonal Permit shall be paid upon issuance of the Food Truck Permit. Such fee shall be subject to prorating based on the number of days per week licensed.
- 4.3 Food truck vendors must obtain requisite insurance, bonding and workers compensation as required from time to time by the Board of Selectmen.
- 4.4 Food Truck vendors must obtain a Massachusetts Hawker and Peddler License (issued through the Police Department).
- 4.5 The Board of Selectmen may waive any conditions or requirements of this Policy if the Board determines such to be in the best interests of the Community.
- 4.6 Violation of any of the provisions of this Section may result in revocation of the permits and licenses issued to the vendor to operate in Needham.
- 4.7 A fee in the amount of \$25 for a permit valid for up to one week ("Limited Food Truck Permit") shall be paid upon the issuance of the Limited Food Truck Permit. Such permit shall be issued only to the extent spaces are available; that is, not otherwise occupied by seasonal Food Truck Permit holders. Seasonal permit requests shall have precedence over limited ones. All regulations related to seasonal food trucks apply.

Section 5: Exceptions (Food Truck Permits not Required)

With the exception of food safety and hawker and peddler requirements, if applicable, this policy shall not apply to canteen or coffee trucks that move from place to place and are stationary for no more than thirty minutes at a time or ice cream trucks which move from place to place and are stationary for no more than ten minutes. Further, this policy is not applicable to special one-day events on public property authorized by the Town.

APPENDIX 1

Underserved Commercial Areas

1. New England Business Center
2. Mixed Use-128
3. Industrial 1

APPENDIX 2

Locations Presently Approved for Food Trucks

The current locations identified for use by food trucks within the public right of ways areas are: Second Avenue across the street from Charles River Landing, First Avenue across the street from 40 A Street (which location may be revisited once construction begins at 400 First Avenue), and Cabot Place once all construction projects have been completed on the street.



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 on Regulation of Food Trucks & Food Carts

The Board of Selectmen will hold a public hearing on Wednesday, November 9, 2016, at 8:00 pm at the Needham Town Hall, 1471 Highland Avenue, Needham to gather input from interested parties regarding the subject of Food Trucks/Carts in the Town of Needham. Topics include:

- The definition and differentiation between food trucks and food carts;
- Use of food trucks and/or food carts as invited concessioners by authorized users of public and private property;
- Whether or not to allow food trucks and or food carts to operate on public property **without** invitation from an authorized user for that date and time;
- Re-evaluation of areas under-served by fixed location restaurants;
- Expansion of areas where food trucks and/or food carts may operate on the public way or public property in the various business districts;
- Potential General and Zoning By-law amendments that may be required;
- The impact of food trucks and food carts on the existing community concerns relative to trash and parking;
- The impact of expansion of the use of food trucks and food carts on pedestrian safety; and
- Any other topics raised by Board members and the public.

Current Mobile Food Truck Regulations can be viewed on the Town's website: www.needhamma.gov/foodtruckpolicy. This public hearing is to provide input to the Board as it determines whether the existing regulations should be revised, and to inform discussions with other Town boards, committees, and commissions.

The Board of Selectmen invites all residents and interested parties to attend and provide input regarding this subject. Written comments may also be submitted to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or by email to selectmen@needhamma.gov.



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

MEETING DATE: 11/09/2016

Agenda Item	Sign Notice of Traffic Regulation- Great Plain Avenue
Presenter(s)	Richard P. Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>The Traffic Management Advisory Committee (TMAC) received a request from residents of Great Plain Avenue near Marked Tree Road asking that a 2 hour parking zone be established to prevent all-day parking on the south side of Great Plain Avenue from Marked Tree Road to a point opposite Marshall Street. The TMAC recommended that a 2 hour parking zone be established on the south side of Great Plain Avenue between Marked Tree Road and a point opposite Marshall Street.</p>
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
	<p><u>Suggested Motion:</u></p> <p>That the Board vote to approve and sign the Notice of Traffic Regulation Permit #P16-11-09 for Great Plain Avenue, Time Limited in Designated Places, South side from Marked Tree Road to a point opposite Marshall Street – 2 Hour Parking, 9:00A-3:00P, Mon-Fri.</p>
3.	BACK UP INFORMATION ATTACHED
	<p>(Describe backup below)</p> <ol style="list-style-type: none">1. Copy of Traffic Regulation P16-11-09

TOWN OF NEEDHAM
BOARD OF SELECTMEN

NOTICE OF TRAFFIC REGULATION

By virtue of the authority vested in the Board of Selectmen of the Town of Needham, it is hereby

VOTED: That the Town of Needham Traffic Rules and Regulations adopted by the Board of Selectmen February 14, 1989 and subsequent amendments thereto be and are hereby further amended as follows:

By adding to Schedule I – PARKING of Article V, Section 5-6, the following:

TIME LIMITED IN DESIGNATED PLACES

GREAT PLAIN AVENUE – South side from Marked Tree Road to a point opposite Marshall Street, TIME- 2 Hours, 9:00A-3:00P, Mon-Fri, Permit P16-11-09.

BOARD OF SELECTMEN

Permit No. P16-11-09

Date of Passage _____

Attest of Town Clerk _____

DD



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

MEETING DATE: 11/09/2016

Agenda Item	Sign Notice of Tow-Away Zone Regulation
Presenter(s)	Richard P. Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>The Town Manager requests that Section 5, "General Prohibition Towing Zones", located in the Tow-Away Zone Regulations section of the Town's Traffic Rules and Regulations be amended by adding the following:</p> <p>"i. Upon any way in such a manner as to impede road construction operations where properly posted".</p>
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
	<p><u>Suggested Motion:</u></p> <p>That the Board vote to approve and sign the Notice of Tow-Away Zone Regulation Permit #TZ16-11-09 for Section 5, General Prohibition Zones, amended by adding "i. Upon any way in such a manner as to impede road construction operations where properly posted".</p>
3.	BACK UP INFORMATION ATTACHED
	<p>(Describe backup below)</p> <ol style="list-style-type: none">1. Copy of Traffic Regulation TZ16-11-092. Copy of the Tow-Away Zone Regulations

TOWN OF NEEDHAM
BOARD OF SELECTMEN

NOTICE OF TOW-AWAY ZONE REGULATION

By virtue of the authority vested in the Board of Selectmen of the Town of Needham, it is hereby

VOTED: That the Town of Needham Tow-Away Zone Regulations adopted by the Board of Selectmen February 14, 1989 and subsequent amendments thereto be and are hereby further amended as follows:

By adding to Section 5, General Prohibition Towing Zones, the following:

- i. Upon any way in such a manner as to impede road construction operations where properly posted.

BOARD OF SELECTMEN

Permit No. TZ16-11-09

Date of Passage _____

Attest of Town Clerk _____

DWD

TOWN OF NEEDHAM

TOW-AWAY ZONE REGULATIONS

SECTION 1: In General

In accordance with the provisions of Chapter 40, Section 22D of the General Laws (Ter.Ed.) the Board of Selectmen of the Town of Needham hereby enact the following regulations authorizing the removal to a convenient place of vehicles parked or standing in such manner, or in such areas as are hereafter described on any way under the control of the Town of Needham. Vehicles specifically exempt by Chapter 40, Section 22D shall not, however, be subject to such removal.

SECTION 2: Authorization of Police

The moving or towing of any vehicle under the provisions of these Regulations shall be by and at the direction of the Chief of Police or such other officer(s) of the rank of Sergeant or higher as he may from time to time designate.

SECTION 3: Fees

The Board of Selectmen hereby imposes upon the owner of any vehicle moved or towed to a convenient place, under the provision of these Regulations, the following fees:

- a. Removal or towing fee not to exceed that which is provided in or as authorized by Statute Law.
- b. Storage Fees - Not to exceed that which is provided in or as authorized by Statute Law.

SECTION 4: Liability for Damage During Removal or Storage

The contractor shall be liable to the owner for any damage arising out of negligence caused to a vehicle in the course of removal and storage.

SECTION 5: General Prohibition Towing Zones

No person shall stand or park or allow, permit or suffer any vehicle registered in his name to stand or park in any of the following places. Vehicles found in violation of the provisions of this Section except those specifically exempt by law, shall be removed to a convenient place under the direction of an officer of the Police Department and the owner of the vehicle so removed or towed away shall be liable to the cost of such removal and storage, if any, as set forth in Section 3 of these Regulations. The owner of any vehicle removed or towed away under the provisions of this Section shall also be subject to the penalties provided in Chapter 90, Section 20A² of the General Laws (Ter. Ed.).

- a. Upon any way in such a manner as to impede the removal of or plowing of snow or ice except vehicles parked in accordance with approved regulations governing All Night Parking.
- b. Upon any sidewalk.
- c. Upon any crosswalk.
- d. Upon any way within twenty (20) feet of an intersecting way except alleys.
- e. Upon a way within ten (10) feet of a fire hydrant.
- f. On a roadway side of any vehicle stopped or parked at the edge or curb of the way.
- g. In front of a public or private driveway.
- h. Upon any way where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.

SECTION 6: Parking Prohibitions, Towing Zone

No person shall stand or park or allow, permit or suffer any vehicle registered in his name to stand or park on any of the ways or parts of ways hereinafter described and during the periods of time set forth. (See Schedule I) Vehicles found in violation of the provisions of this Section except those specifically exempted by law shall be removed to a convenient place under the direction of an officer of the Police Department and the owner of the vehicle so removed, or towed away, shall be liable to the cost of such removal and storage, if any, as set forth in Section 3 of these Regulations. The owner of any vehicle removed or towed away under the provisions of this Section shall also be subject to the penalties provided in Chapter 90, Section 20A^{1/2} of the General Laws (Ter. Ed.).

SECTION 7: Official Traffic Signs

The provisions of Section 6 shall be effective only during such time as a sufficient number of official traffic signs bearing the legend TOW-AWAY ZONE are installed, erected, maintained and located so as to be visible to approaching drivers, said signs to be appended above or incorporated into the legend of Parking Prohibition Signs.

SECTION 8: Police to Keep Record of Towed Vehicles

The Police Department shall keep a record of all vehicles towed or removed under the provisions of these Regulations. Such record shall be retained for one (1) year and shall contain the following information:

1. The registration of the vehicle.
2. The location from which it was towed, and time and date of tow order.
3. The location to which it was moved.
4. The fee charged for towing.
5. Name of towing contractor, if any.
6. Name and rank of officer who authorized towing.

(Date of Passage) February 14, 1989

By: TOWN OF NEEDHAM
BOARD OF SELECTMEN

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Attest: Town Clerk Theodora K. Eaton



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

MEETING DATE: 11/9/2016

Agenda Item	Proposed Revision – Regulation for the Sale of Alcoholic Beverages
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Town Manager will recommend that the Board consider revising the Town of Needham Regulations for the Sale of Alcoholic Beverages by:</p> <ul style="list-style-type: none">• Requiring the same training requirements for on premise sale of alcohol as off premise sales;• Consolidate training requirements together under Section IV – General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town; and• Amend initial license pro-ration provisions to be based on time of occupancy.	
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<p><i>Suggested Motion:</i> that the Board of Selectmen vote to approve amendments to the Town of Needham Regulation for the Sale of Alcoholic Beverages under Sections IV and IX effective November 9, 2016.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>(Describe backup below)</p> <ul style="list-style-type: none">a. Proposed Town of Needham Regulations for the Sale of Alcoholic Beverages (track changes version)b. Proposed Town of Needham Regulations for the Sale of Alcoholic Beverages	



CONTAINS DRAFT CHANGES Section 4 &
Section 9
TOWN OF NEEDHAM

**REGULATIONS FOR THE SALE OF ALCOHOLIC
BEVERAGES**

- I. Types of Licenses to be Granted in Needham
- II. Compliance
- III. Special License Provisions
- IV. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town
- V. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders
- VI. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants and Function Rooms
- VII. Rules and Regulations applicable to Clubs and Veterans Organizations seeking and issued Alcoholic Beverage Licenses within the Town authorized by Special Act of the General Court (Chapter 3 of the Acts of 1977)
- VIII. Rules and Regulations applicable to One-Day Special Event Licenses
- IX. Rules and Regulations applicable to Package Stores

Licensing Authority: Board of Selectmen

The Needham Board of Selectmen, acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Needham. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

The Town of Needham issues the types of alcoholic beverages licenses listed below. All licenses shall comply with Chapter 138 of the Massachusetts General Laws, and Chapter 204 of the Code of Massachusetts Regulations, as they relate to the specific type of license.

- 1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Board of Selectmen. (M.G.L. c.138, s.11, D; 11/7/72 election)
- 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.11, E; 11/4/80 election; M.G.L. c.138, s.12; Chapter 32 of the Acts of 2014; 4/8/2014 election)
- 1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; Chapter 169 of the Acts of 2001; 11/8/01 election)
- 1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; 11/8/88 election)
- 1.5 One Day Special Event: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules

& Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.14)

- 1.6 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.7 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)

II. COMPLIANCE

- 2.1 The issuance of a license by the Board of Selectmen for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.
- 2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission or the Town's bylaws may result in the revocation, suspension or cancellation of the license.

III. SPECIAL LICENSE PROVISIONS (applicable to Restaurants only)

- 3.1 Service Bars / Waiting Areas (with or without stools/chairs), as defined for the purposes of these regulations as a counter, tabletop or other mechanism which is used for the purpose of providing alcoholic beverages to patrons who are waiting to dine, are permitted only in locations expressly approved and authorized by the Board of Selectmen. The sale or service of alcoholic beverages for consumption at any unapproved service bar / waiting area bar is prohibited.

An applicant or licensee may request from the Board of Selectmen, on an annual basis, an addendum to allow for the premises to have designated waiting areas for the service of alcoholic or wine and malt beverages only to those patrons who are waiting to dine, including stools / chairs located at the service bar area. This addendum shall be for one year and shall lapse unless renewed. In each instance, such addendum shall not be granted or renewed except under the following conditions:

- a) the Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the designated waiting areas;
- b) no more than a total of fifteen (15) seats or ten percent (10%) of the total seats in the premises, whichever is less, shall be allowed in the designated waiting area, including any seats at service bar(s);
- c) when calculating the number of seats in the premises, the seats where food is served in the designated waiting areas and service bars shall be included;
- d) all food and beverages on the menu served in the public dining room shall be available for service to the patrons in the designated waiting areas, including service bars. This requirement may be waived by the Board of Selectmen in waiting areas that do not have a service bar, but in such event no alcoholic or wine and malt beverages shall be served except to patrons who have asked to be seated in the dining area for a meal;
- e) no patron shall be served more than two (2) drinks or two (2) servings of wine or malt beverage until such time as a meal is served to that patron. For the purposes of this provision, a drink shall not contain more than one ounce of (pure) alcohol;
- f) any violation of the conditions set forth in this section, or any violation of any of the laws of the United States of America, the Commonwealth of Massachusetts or the Town of Needham shall be a basis for denying the granting or renewal of the allowance or for the revoking of the addendum;
- g) the applicant for a renewal of an addendum shall provide the Board of Selectmen with a statement certified by a Certified Public Accountant as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic or wine and malt beverages. If the percentage exceeds twenty-five (25%), the Board of Selectmen may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may deny the granting or renewal of the addendum or suspend or revoke the addendum;
- h) any application for the original granting of an addendum shall be acted on only after notice as set forth in M.G.L. Chapter 138, Section 15A and a hearing by the Board of Selectmen. The annual renewal of the addendum shall be in a manner to be determined from time to time by the Board of Selectmen; and
- i) upon approval of such application for an addendum, the licensee shall pay an additional fee determined by the Board.

IV. GENERAL RULES AND REGULATIONS APPLICABLE TO HOLDERS OF LICENSES TO SELL ALCOHOLIC BEVERAGES WITHIN THE TOWN

This section shall apply to any and all alcoholic beverages licenses issued by the Board to eligible restaurants, clubs, veterans' organizations, innholders licensees, package stores and, with noted exceptions, one-day special event licensees. The Licensing Board reserves the right to add to, amend, modify or revoke these rules and regulations at such time or times as the Licensing Board deems appropriate.

Subject to further limitations fixed or from time to time modified by the Board of Selectmen with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

4.1 Fire Safety Inspections (applicable to Restaurants, Innholders & Clubs only)

Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety In the Commonwealth, requires that every license holder under M.G.L. Chapter 138 Section 12 must submit as a precondition of renewal of the license "a valid certificate of inspection issued by a local inspector and signed by the head of the fire department for the city, town or district in which the premises is located." No license shall be issued for the sale of alcoholic beverages in the Town until such time as a copy of the valid certificate of inspection has been filed with application.

4.2 Hours of Operation

The hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public. The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any licensee shall be from 11:00 a.m. to 12:00 midnight on secular days and from 12:00 noon to 12:00 midnight on Sundays unless otherwise determined by the Board of Selectmen. The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any licensee shall be from 9:00 a.m. to 10:00 p.m., Monday through Saturday, including legal holidays, and 12:00 noon to 6:00 p.m. on Sundays, unless otherwise determined by the Board of Selectmen. Holiday sales hours are further limited to the holiday schedule set by the ABCC. The hours when sales may be made will be established by the Board of Selectmen with each individual application.

4.2.1 The Board may adjust hours for individual and/or classifications of licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.

4.2.2 No patron shall be served or sold alcoholic beverages within the licensed premises before or after the hours stated in the license.

4.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.

4.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.

4.2.5 With the exception of the licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while

actually engaged in cleaning, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises.

4.3 Payment of Charges and Taxes

Applicants and licensees must pay in full all taxes and charges owed to the Town on a current basis prior to the issuance of a new license, the transfer of an existing license and/or the annual renewal of a license.

4.4 Filing and Application Requirements (excludes One Day Special Event Licenses)

4.4.1 Abutter Notification

When conducting a public hearing to consider the issuance of a license to sell or serve wine, malt and/or alcoholic beverages, the Board will endeavor to ask applicant to notify all owners of property within a 300 foot radius of the premises to be licensed. This will be in addition to any notification which is required by law.

4.4.2 Insurance

No license shall be issued for the sale of alcoholic beverages (one day special licenses excluded) in the Town until such time as the applicant shall present to the Board of Selectmen a certificate of insurance showing that the applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of \$100,000 per person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage.

4.4.3 Fees

All license fees of the Board are incorporated in these rules and regulations as Attachment I, Schedule of Town of Needham Liquor License Fees. These fees shall be non-refundable.

4.4.3.1 Filing Fees All required filing fees shall be paid in full at such time as the application is filed. The Board's filing fee shall be paid by check, made payable to the "Town of Needham". Filing fees required by the Commission must be by certified check or bank treasurers check made payable to the "Commonwealth of Massachusetts" and/or the "Alcoholic Beverages Control Commission". Filing fees shall not be pro-rated for any reason.

4.4.3.2 License Fees All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The payment of the license fee shall be by cash, certified check or bank treasurer's check payable to "Town of Needham". The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

4.4.4 Floorplans – On Premises Licenses (M.G.L. Ch 138 s.12)

4.4.4.1 With the exception of applicants for package store licenses and a one-day special events license and without limiting the application of Chapter 6 of the State Building Code, applicants or licensees shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a. the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;
- b. the location of any proposed bars/waiting areas and cocktail lounges (for innkeepers license only);
- c. areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
- d. entrances and exits;
- e. kitchens and/or food preparation areas;
- f. take out areas;
- g. storage areas;
- h. restrooms;
- i. all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
- j. total occupant load; and
- k. other spaces, or in relevant cases, exterior premises for which approval of the Board for the sale of alcoholic beverages is requested. Approval of the use of exterior space will only be allowed if there is a physical barrier and signage restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

4.4.4.2 The number and location of all seats, chairs, and stools upon or

→ old text:

The license Fee
shall ONLY BE
PRORATED IF FEWER
than six (6) months
remain in the
calendar year for at
the time when a new
license is issued by a
vote of the Board.

within the licensed premises must be approved in writing by the Board. In no event shall the total number of seats, chairs, and stools upon the licensed premises exceed the maximum seating capacity nor the maximum occupancy capacity of the licensed premises.

4.4.4.3 No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without prior written approval of the Board.

4.4.4.4 Outdoor seating shall be excluded from the seating capacity used to determine the type of license granted to applicant.

4.5.5 Floor Plans -- Off Premise Licenses (M.G.L. Ch 138 s. 15)

4.5.5.1 Applicants for a package store license shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked

- a. the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed;
- b. gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages;
- c. entrances and exits;
- d. storage areas;
- e. restrooms;
- f. cash register areas.

4.5.5.2 Applicants shall submit a plan for signage including window display signs.

4.6 General and Miscellaneous Provisions

4.6.1 No alcoholic beverages shall be taken from the building so approved in the licenses, with exception of approved exterior seating noted on floorplan, as noted in section 4.4.4.1 (k). This does not apply to package stores.

4.6.2 No licensee shall sell alcoholic beverages in any part of the premises not specified on this license. No change of such area or location shall be made without prior written approval of the Board of Selectmen. The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

- 4.6.3 The licensed premises must be well lighted at all times.
- 4.6.4 There shall be no indecent or immoral entertainment on the licensed premises.
- 4.6.5 Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.
- 4.6.6 The licensed premises shall be subject, at all times, to inspection by members of the Board of Selectmen, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Selectmen.
- 4.6.7 Service of food is required in all areas where alcoholic beverages are to be served for consumption on premises.
- 4.6.8 Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery is permitted. Alcoholic beverages may be consumed only from glassware. Package stores and one day licenses are excluded from this provision.
- 4.6.9 No pitchers of beer may be served. (applicable to on premises licenses only).
- 4.6.10 No licensed restaurant or package store may permit the use of any amusement service such as electronic games on the premises.
- 4.6.11 Service of alcoholic beverages shall be by a server/wait person. (applicable to on premise licensees only).
- 4.6.12 At all times that the licensed premises are open for the sale or service of alcoholic beverages, the licensee shall have on the premises a manager or assistant manager who has successfully completed an alcoholic beverage server training program satisfactory to the Board of Selectmen. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant manager shall have full authority to make decisions concerning the operation of the establishment.
- a. — ~~4.6.12a All restaurants and function rooms must maintain An~~ current updated employee roster that shall be available upon request to the Town for all licensed establishments. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.

- text in parenthesis is
New.

the underlined text is
all new

former 9.1.4

b. ~~4.6.12b~~ Any employees engaged in the sale and handling of alcoholic beverages must complete Board of Selectmen approved courses in alcohol safety training and have on file with the licensee and available for inspection by the Town a copy of current training certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.

formerly in
9.1.5

c. ~~4.6.12c~~ All employees shall be required to be recertified every three years by a Town- approved program. Newly hired employees shall complete a Town-approved training program within 30 days of their employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees ~~whothat~~ are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.

formerly in
9.1.6

d. ~~4.6.12d~~ No licensee shall allow any employee to sell alcohol until such employee reads the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws regarding the sale of alcohol, and signs a statement, a copy of which will be placed on file in the office of the employer, that he/she has read and understands the regulation and applicable state laws.

formerly in
9.1.4

~~4.6.12de~~ A manager or assistant manager must be on the premise during all hours that the establishment is serving or selling alcohol.

4.6.13 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.

~~4.6.14~~ A designated manager will be onsite at all times the establishment is open. The onsite manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager shall have full authority to make decisions concerning the operation of the establishment.

~~4.6.14a~~ All managers must attend an in-person, Town-approved responsible beverage server training

V. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNOLDERS

Subject to further limitations fixed or from time to time modified by the Board of Selectmen with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

- 5.1 No application for an alcoholic beverage license shall be accepted except from qualified owners of a hotel having a dining room capacity of not less than ninety-nine [99] persons and living capacity of not less than fifty [50] rooms.
- 5.2 Each applicant shall submit to the Board of Selectmen with each application for a license a floor plan of the building or that portion of the building on which is clearly marked and designated the location of the proposed seating arrangement, service bars, dining rooms, function rooms or other rooms in which approval of the Board of Selectmen for the sale of alcoholic beverages is requested.
- 5.3 Cocktail lounges are permitted with the approval of the Board of Selectmen but limited to approved areas by the Board of Selectmen with appropriate identification of the specific location documented by the Inspector of Buildings.
- 5.4 The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Board of Selectmen.

VI. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS AND FUNCTION ROOMS

Subject to further limitations fixed or from time to time modified or amended by the Board of Selectmen acting as the duly constituted Licensing Board of the Town of Needham with respect to this class of license, the General Laws of Massachusetts and the Regulations of the Alcoholic Beverages Commission, the following rules and regulations shall be in full force and effect:

- 6.1 It is the policy and purpose of the Board of Selectmen acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an accommodating and incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.
- 6.2 The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.
- 6.3 No function room may be separately licensed.

- 6.4 No alcohol license will be issued to any applicant unless such applicant is the licensee named in a common victualler's license and has operated a restaurant and function rooms for the twelve month period immediately preceding the filing of an application. When deemed appropriate by the Board of Selectmen this provision may be waived.
- 6.5 Service of food is required in all areas in which alcoholic beverages are to be served. Where a function room is available, the service of alcoholic beverages is permitted as authorized herein and may be closed to the general public.

VII. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS SEEKING AND ISSUED ALCOHOLIC BEVERAGE LICENSES WITHIN THE TOWN AUTHORIZED BY SPECIAL ACT OF THE GENERAL COURT (CHAPTER 3 OF THE ACTS OF 1977)

Licenses issued by the Needham Licensing Board shall be subject to the minimum requirements of G.L. Chapter 138, Regulations of the Alcoholic Beverage Commission and the following regulations of the local Licensing Board and any amendments thereto hereinafter adopted:

- 7.1 Every club applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Licensing Board.
- 7.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 7.3 Each applicant shall furnish the Licensing Board with a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Licensing Board.
- 7.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.
- 7.5 Each licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

VIII. RULES AND REGULATIONS APPLICABLE TO ONE-DAY SPECIAL EVENT LICENSES

The Board will review requests for One-Day Special Event Licenses in accordance with section 14 of Chapter 138 of the General Laws after receipt of the following documentation. A public hearing is not required for the issuance of a One-Day Special Event License.

- 8.1 Request for the sale of alcohol under a Special License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on secular days and 12:00 p.m. and 12:00 a.m. on Sundays.
- 8.2 One-Day licenses are exempt from the legal notice and publication requirements.
- 8.3 No special event license will be granted to a licensed premise of any person whose application for a license is pending before the licensing authorities.
- 8.4 No person shall be granted a special license for more than 30 days in a calendar year.
- 8.5 Forms and documentation required for One-Day Special License:
 - a) ABCC Notice of Approval of Special License (completed by the Town)
 - b) Town of Needham Board of Selectmen Event Information Sheet
 - c) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
 - d) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
 - e) Written evidence of the owner's permission to use the proposed licensed premises.
 - f) Proof of Non-profit Status (if request is for all alcoholic beverages).
 - g) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
 - h) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
 - i) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)
- 8.6 The One-Day Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the

duration of the entire event and shall sign the Event Information Sheet. The One-Day Special Event Manager shall display such special One-Day License where sale of alcoholic beverages is taking place.

**IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES
(M.G.L. CH 138, SEC. 15)**

9.1 General Provisions

9.1.1 Employees at the licensed premises on which a Section 15 license is exercised, must be 21 years of age except that such licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display and may sell alcohol provided that the onsite designated manager, aged 21 or over, approves and authorizes the transaction for sale.

9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store licensee upon or within the licensed premises, or upon any area under the direction and control of the licensee.

9.1.3 Where the liquor licenses are granted to serve the public, licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Board of Selectmen may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.

~~9.1.4 All licensed liquor establishments must maintain an updated employee roster that shall be available upon request to the Town. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.~~

Comment [KF1]: Moved to 4.6.12

~~9.1.5 Any employees engaged in the sale and handling of alcoholic beverages must complete Board approved courses in alcohol safety training and have on file with the licensee and available for inspection by the Town a copy of current training certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.~~

Comment [KF2]: Moved to 4.6.12

~~9.1.6 All employees shall be required to be recertified once every three years by a Town approved program. Newly hired employees shall complete a~~

Comment [KF3]: Moved to 4.6.12

Town-approved training program within 30 days of their employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees that are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.

~~9.1.8~~ No licensee shall allow any employee to sell alcohol until such employee reads the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws regarding the sale of alcohol, and signs a statement, a copy of which will be placed on file in the office of the employer, that he/she has read and understands the regulation and applicable state laws.

Comment [KF4]: Moved to 4.6.12

~~9.1.78~~ A designated manager will be onsite at all times the establishment is open. The onsite manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager shall have full authority to make decisions concerning the operation of the establishment.

Comment [KF5]: Already contained in 4.6.12

~~9.1.78a~~ All managers must attend an in person, Town-approved responsible beverage server training

9.1.849 No consumption of alcoholic beverages shall be permitted on the premises outside of the licensed hours of operation.

9.1.9510 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not.

~~9.1.1601~~ Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.

9.1.1712 The licensing of liquor establishments, and what constitutes the public convenience in Needham, will be subject to the informed discretion of the Board of Selectmen. In determining suitability for licenses, the Board of Selectmen will consider the proximity of the proposed premises to neighborhoods, especially residential neighborhoods, and other sensitive areas as determined by the Board.

9.1.12813 Section 15 licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.

9.1.9143 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the licensee will comply with the Town of Needham Sign By-law, as from time to time amended.

9.1.1405 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.

9.1.15116 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within the premises to which customers do not have direct access, such as behind a counter.

9.2 Hours Of Operation

~~9.2.1 Subject to further conditions or limitations fixed or from time to time modified by the Board with respect to a particular liquor license, these regulations and the laws of the Commonwealth of Massachusetts, including but not limited to M.G.L. c.138, the hours during which sales of alcoholic beverages may be made by any approved licensee shall be from no earlier than 9:00 a.m. to no later than 10:00 p.m. Monday through Saturday, including legal holidays recognized by the Commonwealth of Massachusetts, and from no earlier than 12:00 noon to no later than 6:00 p.m. on Sundays. The hours which sales may be made will be established by the Board of Selectmen with each individual application.~~

Comment [KF6]: Redundant with Section 4.2

~~9.2.2 No sales are permitted on Memorial Day, Thanksgiving Day or Christmas.~~

9.2.23 For all deliveries conducted off the licensed premises, the licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

- a. Deliveries must be made during the operating hours of the store.
- b. Deliveries shall be made by persons no less than 21 years of age.

c. -A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

9.2.37 All transactions for the sale of alcoholic beverages must be completed on or before the closing hour set out in this section.

9.2.48 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

9.3 Consumption On Premises Prohibited Except Sample Tastings

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

9.4 Limitations On Transferability Of Off-Premises Section 15 Licenses

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

9.5 Food Store Alcohol License Requirements

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

9.5.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Board of Selectmen reserves

the right to consider each of these factors when determining if an applicant will be considered a convenience store.

- 9.5.3 Any applicant for a Section 15 License (whether for an original application, change of ownership or change of location) must provide with the application materials, a floor plan evidencing the gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages. The licensee may not materially change the portions of its premises dedicated to sale, storage or display of alcoholic beverages without the approval of the Board of Selectmen. The licensee may not be open for business except during its licensed hours for sale of alcoholic beverages unless it has applied for and received approval by the Board of Selectmen of plan to properly secure all alcoholic beverages on the premises from public access during that time.
- 9.5.4 Regular sales and operation of the food store must continue during all times when the sales of wine and malt beverages are permitted.
- 9.5.5 Package store licenses issued to food stores shall be limited to wine and malt beverages only.

APPROVED:	6/14/77
Amended and revised:	11/18/97
Amended and revised:	2/9/99
Revised fee schedule:	12/7/99
Revised fee schedule:	12/5/00
Revised and approved:	8/20/02
Fee changes	12/21/04
Addition of Liquor	
Liability Insurance:	1/25/05
Addition of One-Day License:	1/25/05
Amended and revised:	11/14/06
Amended and revised:	6/22/10
Amended and revised:	12/18/12
Amended and revised:	5/13/14
Amended and revised:	9/10/2014
<u>Amended and revised:</u>	<u>11/9/2016</u>

**BOARD OF SELECTMEN
ACTING AS
NEEDHAM LICENSING BOARD**



TOWN OF NEEDHAM

REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

- I. Types of Licenses to be Granted in Needham
- II. Compliance
- III. Special License Provisions
- IV. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town
- V. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders
- VI. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants and Function Rooms
- VII. Rules and Regulations applicable to Clubs and Veterans Organizations seeking and issued Alcoholic Beverage Licenses within the Town authorized by Special Act of the General Court (Chapter 3 of the Acts of 1977)
- VIII. Rules and Regulations applicable to One-Day Special Event Licenses
- IX. Rules and Regulations applicable to Package Stores

Licensing Authority: Board of Selectmen

Revision Date: 11/9/2016

The Needham Board of Selectmen, acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Needham. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

The Town of Needham issues the types of alcoholic beverages licenses listed below. All licenses shall comply with Chapter 138 of the Massachusetts General Laws, and Chapter 204 of the Code of Massachusetts Regulations, as they relate to the specific type of license.

- 1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Board of Selectmen. (M.G.L. c.138, s.11, D; 11/7/72 election)
- 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.11, E; 11/4/80 election; M.G.L. c.138, s.12; Chapter 32 of the Acts of 2014; 4/8/2014 election)
- 1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; Chapter 169 of the Acts of 2001; 11/8/01 election)
- 1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; 11/8/88 election)
- 1.5 One Day Special Event: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all

conditions stipulated for the specific license. (M.G.L. c.138, s.14)

- 1.6 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.7 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)

II. COMPLIANCE

- 2.1 The issuance of a license by the Board of Selectmen for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.
- 2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission or the Town's bylaws may result in the revocation, suspension or cancellation of the license.

III. SPECIAL LICENSE PROVISIONS (applicable to Restaurants only)

- 3.1 Service Bars / Waiting Areas (with or without stools/chairs), as defined for the purposes of these regulations as a counter, tabletop or other mechanism which is used for the purpose of providing alcoholic beverages to patrons who are waiting to dine, are permitted only in locations expressly approved and authorized by the Board of Selectmen. The sale or service of alcoholic beverages for consumption at any unapproved service bar / waiting area bar is prohibited.

An applicant or licensee may request from the Board of Selectmen, on an annual basis, an addendum to allow for the premises to have designated waiting areas for the service of alcoholic or wine and malt beverages only to those patrons who are waiting to dine, including stools / chairs located at the service bar area. This addendum shall be for one year and shall lapse unless renewed. In each instance, such addendum shall not be granted or renewed except under the following conditions:

- a) the Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the designated waiting areas;
- b) no more than a total of fifteen (15) seats or ten percent (10%) of the total seats in the premises, whichever is less, shall be allowed in the designated waiting area, including any seats at service bar(s);
- c) when calculating the number of seats in the premises, the seats where food is served in the designated waiting areas and service bars shall be included;
- d) all food and beverages on the menu served in the public dining room shall be available for service to the patrons in the designated waiting areas, including service bars. This requirement may be waived by the Board of Selectmen in waiting areas that do not have a service bar, but in such event no alcoholic or wine and malt beverages shall be served except to patrons who have asked to be seated in the dining area for a meal;
- e) no patron shall be served more than two (2) drinks or two (2) servings of wine or malt beverage until such time as a meal is served to that patron. For the purposes of this provision, a drink shall not contain more than one ounce of (pure) alcohol;
- f) any violation of the conditions set forth in this section, or any violation of any of the laws of the United States of America, the Commonwealth of Massachusetts or the Town of Needham shall be a basis for denying the granting or renewal of the allowance or for the revoking of the addendum;
- g) the applicant for a renewal of an addendum shall provide the Board of Selectmen with a statement certified by a Certified Public Accountant as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic or wine and malt beverages. If the percentage exceeds twenty-five (25%), the Board of Selectmen may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may deny the granting or renewal of the addendum or suspend or revoke the addendum;
- h) any application for the original granting of an addendum shall be acted on only after notice as set forth in M.G.L. Chapter 138, Section 15A and a hearing by the Board of Selectmen. The annual renewal of the addendum shall be in a manner to be determined from time to time by the Board of Selectmen; and
- i) upon approval of such application for an addendum, the licensee shall pay an additional fee determined by the Board.

IV. GENERAL RULES AND REGULATIONS APPLICABLE TO HOLDERS OF LICENSES TO SELL ALCOHOLIC BEVERAGES WITHIN THE TOWN

This section shall apply to any and all alcoholic beverages licenses issued by the Board to eligible restaurants, clubs, veterans' organizations, innholders licensees, package stores and, with noted exceptions, one-day special event licensees. The Licensing Board reserves the right to add to, amend, modify or revoke these rules and regulations at such time or times as the Licensing Board deems appropriate.

Subject to further limitations fixed or from time to time modified by the Board of Selectmen with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

4.1 Fire Safety Inspections (applicable to Restaurants, Innholders & Clubs only)

Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety In the Commonwealth, requires that every license holder under M.G.L. Chapter 138 Section 12 must submit as a precondition of renewal of the license “a valid certificate of inspection issued by a local inspector and signed by the head of the fire department for the city, town or district in which the premises is located.” No license shall be issued for the sale of alcoholic beverages in the Town until such time as a copy of the valid certificate of inspection has been filed with application.

4.2 Hours of Operation

The hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public. The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any licensee shall be from 11:00 a.m. to 12:00 midnight on secular days and from 12:00 noon to 12:00 midnight on Sundays unless otherwise determined by the Board of Selectmen. The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any licensee shall be from 9:00 a.m. to 10:00 p.m., Monday through Saturday, including legal holidays, and 12:00 noon to 6:00 p.m. on Sundays, unless otherwise determined by the Board of Selectmen. Holiday sales hours are further limited to the holiday schedule set by the ABCC. The hours when sales may be made will be established by the Board of Selectmen with each individual application.

4.2.1 The Board may adjust hours for individual and/or classifications of licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.

4.2.2 No patron shall be served or sold alcoholic beverages within the licensed premises before or after the hours stated in the license.

4.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.

4.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.

4.2.5 With the exception of the licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed establishment may remain upon or enter upon

the licensed premises outside of the regular hours of operation while actually engaged in cleaning, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises.

4.3 Payment of Charges and Taxes

Applicants and licensees must pay in full all taxes and charges owed to the Town on a current basis prior to the issuance of a new license, the transfer of an existing license and/or the annual renewal of a license.

4.4 Filing and Application Requirements (excludes One Day Special Event Licenses)

4.4.1 Abutter Notification

When conducting a public hearing to consider the issuance of a license to sell or serve wine, malt and/or alcoholic beverages, the Board will endeavor to ask applicant to notify all owners of property within a 300 foot radius of the premises to be licensed. This will be in addition to any notification which is required by law.

4.4.2 Insurance

No license shall be issued for the sale of alcoholic beverages (one day special licenses excluded) in the Town until such time as the applicant shall present to the Board of Selectmen a certificate of insurance showing that the applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of \$100,000 per person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage.

4.4.3 Fees

All license fees of the Board are incorporated in these rules and regulations as Attachment I, Schedule of Town of Needham Liquor License Fees. These fees shall be non-refundable.

4.4.3.1 Filing Fees All required filing fees shall be paid in full at such time as the application is filed. The Board's filing fee shall be paid by check, made payable to the "Town of Needham". Filing fees required by the Commission must be by certified check or bank treasurers check made payable to the "Commonwealth of Massachusetts" and/or the "Alcoholic Beverages Control Commission". Filing fees shall not be pro-rated for any reason.

4.4.3.2 License Fees All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The payment of the license fee shall be by cash, certified check or bank treasurer's check payable to "Town of Needham". The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

4.4.4 Floorplans – On Premises Licenses (M.G.L. Ch 138 s.12)

4.4.4.1 With the exception of applicants for package store licenses and a one-day special events license and without limiting the application of Chapter 6 of the State Building Code, applicants or licensees shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a. the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;
- b. the location of any proposed bars/waiting areas and cocktail lounges (for innkeepers license only);
- c. areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
- d. entrances and exits;
- e. kitchens and/or food preparation areas;
- f. take out areas;
- g. storage areas;
- h. restrooms;
- i. all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
- j. total occupant load; and
- k. other spaces, or in relevant cases, exterior premises for which approval of the Board for the sale of alcoholic beverages is requested. Approval of the use of exterior space will only be allowed if there is a physical barrier and signage restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

- 4.4.4.2 The number and location of all seats, chairs, and stools upon or within the licensed premises must be approved in writing by the Board. In no event shall the total number of seats, chairs, and stools upon the licensed premises exceed the maximum seating capacity nor the maximum occupancy capacity of the licensed premises.
- 4.4.4.3 No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without prior written approval of the Board.
- 4.4.4.4 Outdoor seating shall be excluded from the seating capacity used to determine the type of license granted to applicant.

4.5.5 Floor Plans – Off Premise Licenses (M.G.L. Ch 138 s. 15)

- 4.5.5.1 Applicants for a package store license shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked
 - a. the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed;
 - b. gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages;
 - c. entrances and exits;
 - d. storage areas;
 - e. restrooms;
 - f. cash register areas.
- 4.5.5.2 Applicants shall submit a plan for signage including window display signs.

4.6 General and Miscellaneous Provisions

- 4.6.1 No alcoholic beverages shall be taken from the building so approved in the licenses, with exception of approved exterior seating noted on floorplan, as noted in section 4.4.4.1 (k). This does not apply to package stores.
- 4.6.2 No licensee shall sell alcoholic beverages in any part of the premises not specified on this license. No change of such area or location shall be made without prior written approval of the Board of Selectmen. The licensed

premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

- 4.6.3 The licensed premises must be well lighted at all times.
- 4.6.4 There shall be no indecent or immoral entertainment on the licensed premises.
- 4.6.5 Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.
- 4.6.6 The licensed premises shall be subject, at all times, to inspection by members of the Board of Selectmen, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Selectmen.
- 4.6.7 Service of food is required in all areas where alcoholic beverages are to be served for consumption on premises.
- 4.6.8 Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery is permitted. Alcoholic beverages may be consumed only from glassware. Package stores and one day licenses are excluded from this provision.
- 4.6.9 No pitchers of beer may be served (applicable to on premises licenses only).
- 4.6.10 No licensed restaurant or package store may permit the use of any amusement service such as electronic games on the premises.
- 4.6.11 Service of alcoholic beverages shall be by a server/wait person (applicable to on premise licensees only).
- 4.6.12 At all times that the licensed premises are open for the sale or service of alcoholic beverages, the licensee shall have on the premises a manager or assistant manager who has successfully completed an alcoholic beverage server training program satisfactory to the Board of Selectmen. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant manager shall have full authority to make decisions concerning the operation of the establishment.
 - a. A current employee roster shall be available upon request to the Town for all licensed establishments. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham

Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.

- b. Any employees engaged in the sale and handling of alcoholic beverages must complete Board of Selectmen approved courses in alcohol safety training and have on file with the licensee and available for inspection by the Town a copy of current training certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.
- c. All employees shall be required to be recertified every three years by a Town- approved program. Newly hired employees shall complete a Town-approved training program within 30 days of their employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees who are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.
- d. No licensee shall allow any employee to sell alcohol until such employee reads the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws regarding the sale of alcohol, and signs a statement, a copy of which will be placed on file in the office of the employer, that he/she has read and understands the regulation and applicable state laws.

4.6.13 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.

V. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNOLDERS

Subject to further limitations fixed or from time to time modified by the Board of Selectmen with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

- 5.1 No application for an alcoholic beverage license shall be accepted except from qualified owners of a hotel having a dining room capacity of not less than ninety-nine [99] persons and living capacity of not less than fifty [50] rooms.
- 5.2 Each applicant shall submit to the Board of Selectmen with each application for a license a floor plan of the building or that portion of the building on which is clearly marked and designated the location of the proposed seating arrangement, service bars, dining rooms, function rooms or other rooms in which approval of the Board of Selectmen for the sale of alcoholic beverages is requested.

- 5.3 Cocktail lounges are permitted with the approval of the Board of Selectmen but limited to approved areas by the Board of Selectmen with appropriate identification of the specific location documented by the Inspector of Buildings.
- 5.4 The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Board of Selectmen.

VI. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS AND FUNCTION ROOMS

Subject to further limitations fixed or from time to time modified or amended by the Board of Selectmen acting as the duly constituted Licensing Board of the Town of Needham with respect to this class of license, the General Laws of Massachusetts and the Regulations of the Alcoholic Beverages Commission, the following rules and regulations shall be in full force and effect:

- 6.1 It is the policy and purpose of the Board of Selectmen acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an accommodating and incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.
- 6.2 The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.
- 6.3 No function room may be separately licensed.
- 6.4 No alcohol license will be issued to any applicant unless such applicant is the licensee named in a common victualler's license and has operated a restaurant and function rooms for the twelve month period immediately preceding the filing of an application. When deemed appropriate by the Board of Selectmen this provision may be waived.
- 6.5 Service of food is required in all areas in which alcoholic beverages are to be served. Where a function room is available, the service of alcoholic beverages is permitted as authorized herein and may be closed to the general public.

VII. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS SEEKING AND ISSUED ALCOHOLIC BEVERAGE

LICENSES WITHIN THE TOWN AUTHORIZED BY SPECIAL ACT OF THE GENERAL COURT (CHAPTER 3 OF THE ACTS OF 1977)

Licenses issued by the Needham Licensing Board shall be subject to the minimum requirements of G.L. Chapter 138, Regulations of the Alcoholic Beverage Commission and the following regulations of the local Licensing Board and any amendments thereto hereinafter adopted:

- 7.1 Every club applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Licensing Board.
- 7.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 7.3 Each applicant shall furnish the Licensing Board with a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Licensing Board.
- 7.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.
- 7.5 Each licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

VIII. RULES AND REGULATIONS APPLICABLE TO ONE-DAY SPECIAL EVENT LICENSES

The Board will review requests for One-Day Special Event Licenses in accordance with section 14 of Chapter 138 of the General Laws after receipt of the following documentation. A public hearing is not required for the issuance of a One-Day Special Event License.

- 8.1 Request for the sale of alcohol under a Special License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on secular days and 12:00 p.m. and 12:00 a.m. on Sundays.
- 8.2 One-Day licenses are exempt from the legal notice and publication requirements.

- 8.3 No special event license will be granted to a licensed premise of any person whose application for a license is pending before the licensing authorities.
- 8.4 No person shall be granted a special license for more than 30 days in a calendar year.
- 8.5 Forms and documentation required for One-Day Special License:
- a) ABCC Notice of Approval of Special License (completed by the Town)
 - b) Town of Needham Board of Selectmen Event Information Sheet
 - c) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
 - d) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
 - e) Written evidence of the owner's permission to use the proposed licensed premises.
 - f) Proof of Non-profit Status (if request is for all alcoholic beverages).
 - g) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
 - h) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
 - i) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)
- 8.6 The One-Day Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The One-Day Special Event Manager shall display such special One-Day License where sale of alcoholic beverages is taking place.

IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES (M.G.L. CH 138, SEC. 15)

9.1 General Provisions

- 9.1.1 Employees at the licensed premises on which a Section 15 license is exercised, must be 21 years of age except that such licensees may employ a person under the age of 21 who does not directly handle, sell,

store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display and may sell alcohol provided that the onsite designated manager, aged 21 or over, approves and authorizes the transaction for sale.

- 9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store licensee upon or within the licensed premises, or upon any area under the direction and control of the licensee.
- 9.1.3 Where the liquor licenses are granted to serve the public, licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Board of Selectmen may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.
- 9.1.4 No consumption of alcoholic beverages shall be permitted on the premises outside of the licensed hours of operation.
- 9.1.5 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not.
- 9.1.6 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 9.1.7 The licensing of liquor establishments, and what constitutes the public convenience in Needham, will be subject to the informed discretion of the Board of Selectmen. In determining suitability for licenses, the Board of Selectmen will consider the proximity of the proposed premises to neighborhoods, especially residential neighborhoods, and other sensitive areas as determined by the Board.
- 9.1.8 Section 15 licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.
- 9.1.9 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the licensee will comply with the

Town of Needham Sign By-law, as from time to time amended.

9.1.10 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.

9.1.11 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within the premises to which customers do not have direct access, such as behind a counter.

9.2 Hours Of Operation

9.2.1 For all deliveries conducted off the licensed premises, the licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

- a. Deliveries must be made during the operating hours of the store.
- b. Deliveries shall be made by persons no less than 21 years of age.
- c. A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

9.2.2 All transactions for the sale of alcoholic beverages must be completed on or before the closing hour set out in this section.

9.2.3 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

9.3 Consumption On Premises Prohibited Except Sample Tastings

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

9.4 Limitations On Transferability Of Off-Premises Section 15 Licenses

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

9.5 Food Store Alcohol License Requirements

- 9.5.1 A food store is defined as a grocery store or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Board of Selectmen shall determine whether an applicant is a food store as set out herein and in compliance with any and all requirements.
- 9.5.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Board of Selectmen reserves the right to consider each of these factors when determining if an applicant will be considered a convenience store.
- 9.5.3 Any applicant for a Section 15 License (whether for an original application, change of ownership or change of location) must provide with the application materials, a floor plan evidencing the gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages. The licensee may not materially change the portions of its premises dedicated to sale, storage or display of alcoholic beverages without the approval of the Board of Selectmen. The licensee may not be open for business except during its licensed hours for sale of alcoholic beverages unless it has applied for and received approval by the Board of Selectmen of plan to properly secure all alcoholic beverages on the premises from public access during that time.
- 9.5.4 Regular sales and operation of the food store must continue during all times when the sales of wine and malt beverages are permitted.

9.5.5 Package store licenses issued to food stores shall be limited to wine and malt beverages only.

APPROVED:	6/14/77
Amended and revised:	11/18/97
Amended and revised:	2/9/99
Revised fee schedule:	12/7/99
Revised fee schedule:	12/5/00
Revised and approved:	8/20/02
Fee changes	12/21/04
Addition of Liquor	
Liability Insurance:	1/25/05
Addition of One-Day License:	1/25/05
Amended and revised:	11/14/06
Amended and revised:	6/22/10
Amended and revised:	12/18/12
Amended and revised:	5/13/14
Amended and revised:	9/10/2014
Amended and revised:	11/9/2016

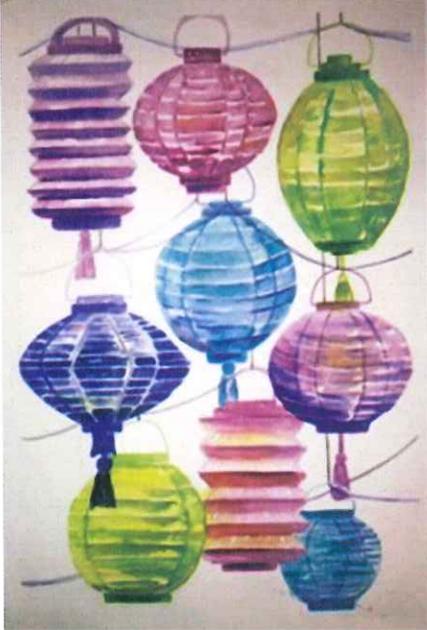
**BOARD OF SELECTMEN
ACTING AS
NEEDHAM LICENSING BOARD**



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

MEETING DATE: 11/9/2016

Agenda Item	Traffic Control Box Wrap – Oak and Chestnut Streets
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>The Town Manager will present and seek the Board's approval for a traffic control box wrap project, located at the corner of Oak and Chestnut Streets. The artistic cover theme for this wrap is lanterns. The final wrap design was created by Needham artist Mary Hensley.</p>
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
<p><i>Suggested Motion:</i> That the Board approve the traffic control wrap project for the corner of Oak and Chestnut Streets with the presented design.</p>	
3.	BACK UP INFORMATION ATTACHED



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

MEETING DATE: 11/9/2016

Agenda Item	Minuteman School District Status
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Board will discuss the status of the Minuteman School District and the notification provided by the Town of Belmont of its intent to withdraw from the District in accordance with the Regional Agreement.
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
3.	BACK UP INFORMATION ATTACHED
	(Describe backup below) a. October 28, 2016 Letter from the Minuteman Regional School Committee



MINUTEMAN
A REVOLUTION IN LEARNING

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN
2016 OCT 31 P 2:25

October 28, 2016

Theodora Eaton, Town Clerk
Town of Needham
Town Hall 1471 Highland Ave.
Needham, MA 02492

Dear Ms. Eaton:

Pursuant to Section IX(A) of the Minuteman Regional Vocational Technical School District Agreement ("the Regional Agreement"), I write to notify you that, on October 26, 2016, the Minuteman Regional School Committee received a notice of withdrawal from the Town of Belmont, stating Belmont's desire to withdraw from the Minuteman Regional Vocational Technical School District ("the District"). This notice of withdrawal was sent in accordance with Sections IV(I) and IX(A) of the Regional Agreement, after: (1) a majority of voters in Belmont voted against the District incurring debt for the construction of a new school in the district-wide election held on September 20, 2016, and; (2) Belmont's Town Meeting voted by more than a two-thirds (2/3) majority, on October 19, 2016, to seek to withdraw from the District. A copy of Belmont's notice of withdrawal is attached to this letter.

In accordance with Section IX(A) of the Regional Agreement, Belmont's withdrawal from the District will be allowed only if it is approved by a majority of the District's other member communities. Under the Regional Agreement, a member community will be deemed to have approved Belmont's withdrawal from the District unless, within sixty (60) days following October 26, 2016, the legislative body of the member community votes *disapproval* of Belmont's requested withdrawal.

Please feel free to contact Superintendent Edward Bouquillon, who would be happy to provide any further information which you or other Town officials might desire in connection with this matter. Thank you for your cooperation.

Sincerely,

David Horton, Secretary
Minuteman Regional School Committee

cc: Town Administrator ✓
Enclosure



TOWN OF BELMONT
TOWN CLERK'S OFFICE
455 CONCORD AVENUE
BELMONT, MASSACHUSETTS 02478

ELLEN O'BRIEN CUSHMAN
TOWN CLERK

TEL. (617) 993-2600
FAX (617) 993-2601

October 24, 2016

VIA USPS EXPRESS MAIL

Jeffrey W. Stulin, Chairperson
Minuteman Regional Vocational Technical School Committee
758 Marrett Road
Lexington, MA 02421

Re: *Notice of Withdrawal of the Town of Belmont*

Dear Mr. Stulin:

I write to provide the Minuteman Regional Vocational Technical School Committee with notice, pursuant to Section IV(I) and IX(A) of the Regional Agreement, amended as of March 11, 2016, of the Town of Belmont's desire to withdraw from the Minuteman Regional Vocational Technical School District (the "District").

On September 20, 2016, a majority of voters in Belmont voted against the District incurring debt for the construction of a new school in an election held pursuant to G.L. c. 71, § 16(n). Within sixty (60) days of that election, on October 19, 2016 at a duly-called Special Town Meeting, the legislative body for the Town of Belmont voted by more than a two-thirds (2/3rds) majority to seek to withdraw from the District. I have attached the certification of that vote to this letter.

Please acknowledge receipt of this Notice pursuant to Section IX(A) in the minutes of the next Regional School Committee meeting. We look forward to continuing to work with you to effectuate the Town of Belmont's withdrawal from the District.

Best regards,

Ellen Cushman
Belmont Town Clerk

**BELMONT, MASSACHUSETTS
SPECIAL TOWN MEETING
OCTOBER 19, 2016**

CERTIFICATION OF VOTES

**ARTICLE 1: WITHDRAWAL FROM MINUTEMAN REGIONAL VOCATIONAL SCHOOL
DISTRICT**

MOVED: That the Town withdraw from the Minuteman Regional Vocational School (the "District") pursuant to Sections IV(I) and IX of the 2016 Amended Regional Agreement for the District, as amended March 11, 2016, and to authorize the Board of Selectmen and other appropriate Town officials to all take such actions as may be necessary and appropriate to accomplish the withdrawal so authorized, or take any other action relative thereto.

The Motion was adopted by a vote of more than a two thirds (2/3rds) majority (172 Yes; 66 No) at the Special Town Meeting held October 19, 2016 at the Chenery Middle School Auditorium; in accordance with Town of Belmont Representative Town Meeting Act of 1926, as amended, Section 8, this vote shall not be operative until the expiration of seven days, exclusive of Sundays and holidays, from the dissolution of the meeting.

A True Copy, Attest:


Ellen O'Brien Cushman, Town Clerk
Belmont, MA

October 24, 2016
Date



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

MEETING DATE: 11/09/2016

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

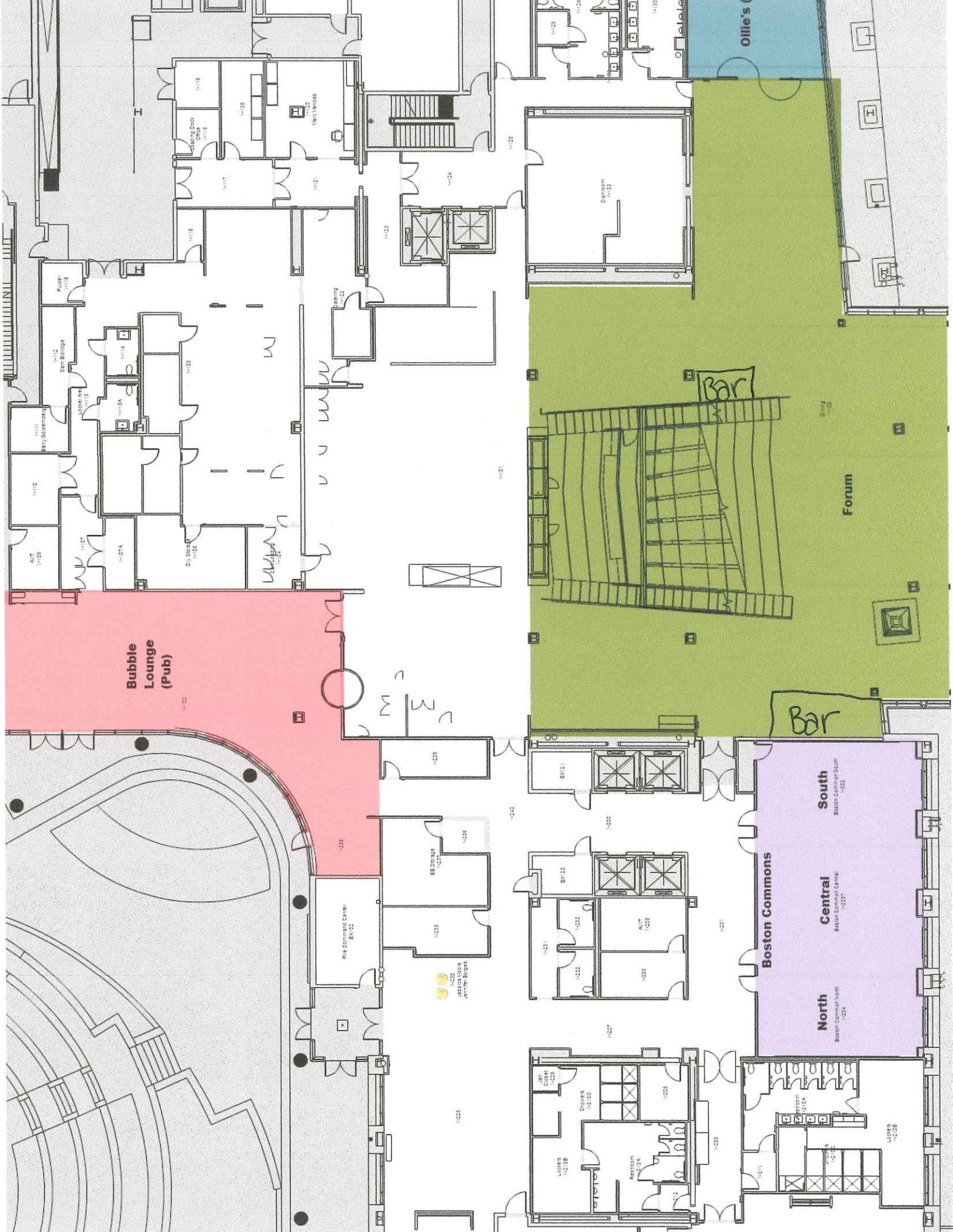
1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<i>Board members will report on the progress and / or activities of their Committee assignments.</i>
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
3.	BACK UP INFORMATION ATTACHED
	(Describe backup below) None

pd check 10/24/16
emailed 10/24/16

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

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

Event Manager Name (Name that will appear on license)	Amy Sinclair		
Event Manager Address	400 1st Avenue		
Event Manager Phone Number	978 494 3013		
Organization Representing (if applicable)	Trip Advisor		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input type="checkbox"/> Non-profit	<input checked="" type="checkbox"/> For profit	
	<input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____		
Name of Event	UMASS Alumni		
Date of Event	11.3.15		
License is for Sale of:	<input checked="" type="checkbox"/> Wines & Malt Beverages Only <input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)		
Requested Time for Liquor License	FROM: 4	TO: 9	
Are tickets being sold in advance for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO
Is there an admission fee for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
How many people are you expecting at this event?	200		
Name & address of event location. Please attach proof of permission to use this facility.	400 1st Avenue Needham MA 02474		
Who will be serving the alcohol to your guests?	Amy Sinclair		
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	Amy Sinclair		
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.	Wine & Beer will be served to guests		
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:	Amy Sinclair		Date: 10/24/16



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:		-\$510.20
Water Irrigation:		\$0.00
Water Admin Fees		\$0.00
Sewer Sales:		-\$1,061.90
Transfer Station Charges:		\$0.00
	Total Abatement:	-\$1,572.10

Order #: 1225

Read and Approved:

 11/3/2016
Assistant Director of Public Works


Director of Public Works

For the Board of Selectmen
Date: 11/9/16

Town of Needham
Water Sewer Billing System
Adjustment Form

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
DB	A J Realty Trust	Lisa	24855	21304	998	Great Plain Avenue	\$0.00	-\$82.70	-\$81.95	-\$164.65	ACC	N
DB	Fiering		32123	22568	290	West Street	\$0.00	-\$118.80	-\$138.00	-\$256.80	ACC	N
JO	Council on Aging (3)						\$0.00	-\$308.70	-\$841.95	-\$1,150.65	COA	N
Total:										-\$1,572.10		

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