

BOARD OF SELECTMEN
October 10, 2017
Needham Town Hall
REVISED Agenda

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

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Volante Farms Certificate of Appreciation <ul style="list-style-type: none"> • Teri Volante Boardman
2.	7:00	Public Hearings Eversource Energy- <ul style="list-style-type: none"> • 1st Avenue • Sutton Road
3.	7:05	Director of Public Works <ul style="list-style-type: none"> • Downtown Design Update
4.	7:10	Town Manager <ul style="list-style-type: none"> • Intermunicipal Agreement/Concurrent Representation • Conveyance of Property to the Commonwealth/DCR
5.	7:20	Board Discussion <ul style="list-style-type: none"> • Recreational Marijuana Next Steps • Committee Reports
6.	7:30	Executive Session <ul style="list-style-type: none"> • Exception 3: Collective Bargaining with multiple Collective Bargaining Units • Exception 6: To consider the purchase, exchange, lease or value of real property

APPOINTMENTS

1.	Future School Needs	Marianne Cooley (term indefinite) Matthew Borrelli (term indefinite)
2.	Council on Aging	Sandra Prinn (term expires 6/30/20) Helen Gregory (term expires 6/30/20)

CONSENT AGENDA *=Backup attached

1.	Accept a \$500 donation made to the Needham Health Department's Substance Abuse Prevention & Education Program from the Needham Women's Club.
2.*	Approve a request from the Needham Running Club to hold its annual road race on Monday, January 1, 2018 from 9:00 a.m. to 1:00 p.m. The race application has been

	approved by the following departments: DPW, Police, Fire and Park and Recreation.
3.	<p>Accept the following gifts received by the Needham Public Library for the period of July 1, 2017 to October 5, 2017: Janet Campbell donated \$25.00 to the library for the purchase of a new book; Nelson Hammer donated \$5.00 commission from the sale of a painting that was part of a display in the Friends' Gallery; Katie Dammann donated a copy of Matthew Thomas' book, <i>We Are Not Ourselves</i> (\$28.00); Brendan Bartczak gave the Children's Room copies of: <i>The Lightning Thief</i> by Rick Riordan (\$7.99) and <i>Pokemon: Gotta catch 'em all!</i> (\$11.99); Holli Bassin donated a copy of her book, <i>From Anaphylaxis to Buttercream</i> (\$14.95); Mary Supple made a donation in memory of Betty Ann Keane (\$75.00); Sharon Slaton Howell gave the library a copy of her new book, <i>On a Cold Windy Hill: Essays</i> (\$17.00); Amit Kapoor donated the DVD, <i>Casual: Season One</i> (\$30.00); April Stevens donated copies of the following books: <i>Circle of Jinn</i> by Lori Goldstein (\$18.99), <i>Shiver</i> by Maggie Stiefvater (\$17.99), <i>Cuckoo Song</i> by Frances Hardinge (\$9.95), <i>Native American Stories of the Sacred</i> retold by Evan Pritchard (\$16.99), and <i>Things Fall Apart</i> by Chinua Achebe (\$11.95); Cathy and Barbara Collishaw donated \$50.00 in memory of Suzanne M. Silvernail; Helen Giragosian gave the library a copy of the children's book, <i>Niko and His Magical Earmuffs</i> (\$14.95); Paul and Polly Attridge donated 15 "coffee table" books (\$420.00); The Millis Public Library sent copies of: Clarke's <i>History of Needham</i>, Bound into one volume, Needham Town Reports from 1886 to 1890, and Bound into one volume, Needham Town Reports from 1891 to 1893 (priceless); Joyce and Bill Jacobson donated a copy of the book, <i>Tigger: Memoirs of a Cosmopolitan Cat</i>, in memory of the Kaufman Family's cat Tigger (\$18.00); Allen D. Boyer gave the library a copy of his book, <i>Rocky Boyer's War: An unvarnished History of the Air Blitz that Won the War in the Southwest Pacific</i>, in honor of his mother, Margaret Anne Boyer (\$30.00); Andreas Johns sent the library a copy of his new book, <i>The Art of Emma Bormann</i> (\$60.00); Kip Nissen donated nine children's DVDs and Blu-Rays (\$125.00); Emily Rood donated four puzzles (\$98.00); Lu-Ann Caron-Leslie gave the library a copy of <i>Rabbit: The Autobiography of Ms. Pat</i> by Patricia Williams (\$25.99); Mary Lou Pierron gave the library 8 VHS tapes for the Children's Room (\$25.00); Barbara Rudnick donated copies of <i>The Needham High Alumni Directory, 1994 and 2002</i> (\$100.00); The Friends of the Needham Library donated \$200.00 in memory of Friends' volunteer and Board member Lynne D. Stern; Anne O'Keefe gave the Children's Room two beanbag chairs; Frances Wolff donated \$10.00 toward the purchase of a new book; James Generoso gave the library the DVD set up <i>The Marseille Trilogy</i> (\$80.00); Angela Hockman donated the puzzle <i>Hundred & Hundreds of Pencils</i> (\$15.00); The following people attended a block party sponsored by Denise Arrondo and made donations in memory of neighbors Marguerite Ryan and Patrick Brady that totaled \$1,400: Denise Arrondo, Christine McMahon, Mary Montague, Mary Ostrofsky, Julie Bullard, Rosemary Dunn, Roselyn Maslow, Elizabeth Stanton, Kristen Jones, Amanda Doran, Carol deLemos, Constance Ryan, Kelly Maloy, Elizabeth Goodband, James Ryan, Elinor Brady, Mary York, Jane Carroll, Huifang Li, and Ann Murphy.</p>
4.*	Approve a One Day Special Wines & Malt Beverages License for Morgan Murphy, of Restaurant Associates at Trip Advisor to host a UMass Alumni event on October 19, 2017 from 5:30 p.m. to 8:00 p.m. The event will be held at Trip Advisor, 400 1 st Avenue, Needham MA.
5.*	Approve a One Day Special Wines & Malt Beverages License for Morgan Murphy, of Restaurant Associates at Trip Advisor to host a Harvard Business School event on October 11, 2017 from 6:30 p.m. to 8:00 p.m. The event will be held at Trip Advisor, 400 1 st Avenue, Needham MA.

6.*	Approve a One Day Special All Alcoholic Beverages License for Chris Brinkhaus, of St. Sebastian's School to hold its Alumni Dinner event on October 26, 2017 from 6:00 p.m. to 9:00 p.m. The event will be held in Ward Hall, 1191 Greendale Avenue, Needham MA.
7.*	Water & Sewer Abatement Order #1243
8.*	Approve Open Session minutes from August 28, 2017, September 18, 2017, September 26, 2017, and October 2, 2017; and approve Executive Session minutes from September 12, and September 26, 2017.
9.	Approve request from the Needham Business Association to have "meter-free" parking in Needham Center and Needham Heights from November 24, 2017 through January 2, 2018.

**Certificate Of
Appreciation**

From The
Town of Needham, Massachusetts
Board of Selectmen

Awarded to:

VOLANTE FARMS

In recognition of its 100th anniversary in service to the residents of Needham. From the delectable foods and high quality items in your store and café to the popular "Dinners in the Fields", you enrich the lives of our citizens. We wish you many more years of success in your future. Congratulations!

Signed this 26th day of September, 2017



MB Cooley

Daniel P. Matthews

[Signature]

[Signature]



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

MEETING DATE: 10/10/2017

Agenda Item	Public Hearing: Eversource Energy – 1 st Avenue
Presenter(s)	Maureen Carroll, Eversource Energy representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>Eversource Energy requests permission to install approximately 7 feet of conduit in 1st Avenue. This work is necessary to provide underground electric service at 200 1st Avenue, Needham.</p> <p>The Department of Public Works has approved this petition, based on Eversource Energy'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><u>Suggested Motion:</u></p> <p>Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 7 feet of conduit in 1st Avenue. This work is necessary to provide underground electric service at 200 1st Avenue, Needham.</p>
3.	BACK UP INFORMATION ATTACHED
	<p>(Describe backup below)</p> <ul style="list-style-type: none">a. Petition Letter of Applicationb. Orderc. Petition Pland. Notice Sent to Abutterse. List of Abutters

September 27, 2017

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

* 200
RE: 1st Avenue
Needham, MA
W/O #2226146

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 7 feet of conduit in 1st Avenue.

The reason for this work is to provide underground electric service to 200 1st Avenue.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,



Kelly-Ann Correia, Supervisor
Rights and Permits

KAC/kj
Attachments

OK to
Proceed
Myler, Engr.
9/29/17
OK R.P. Marsom
PW Director

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated September 6, 2017 revised September 27, 2017**, and filed herewith, under the following public way or ways of said Town:

**1st Avenue - Easterly from pole 401/1 approximately 325 feet north
of A Street a distance of 7 ± feet of conduit.**

(W.O. #2226146)

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

BY Kelly-Anne Correia
Kelly-Anne Correia, Supervisor
Rights & Permits

Dated this 27th day of September

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2017

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

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

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

1st Avenue - Easterly from pole 401/1 approximately 325 feet north of A Street a distance of 7 ± feet of conduit.

(W.O. #2226146)

Hearing Required

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated September 6, 2017, revised September 27, 2017**, on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

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

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2017 at _____ in said Town.

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

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts

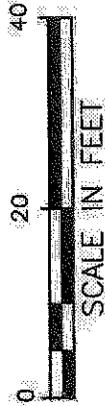
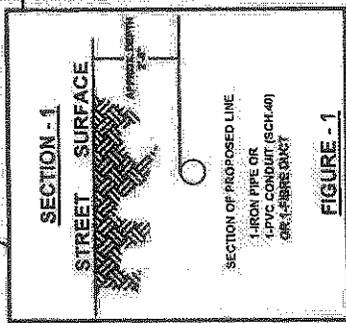
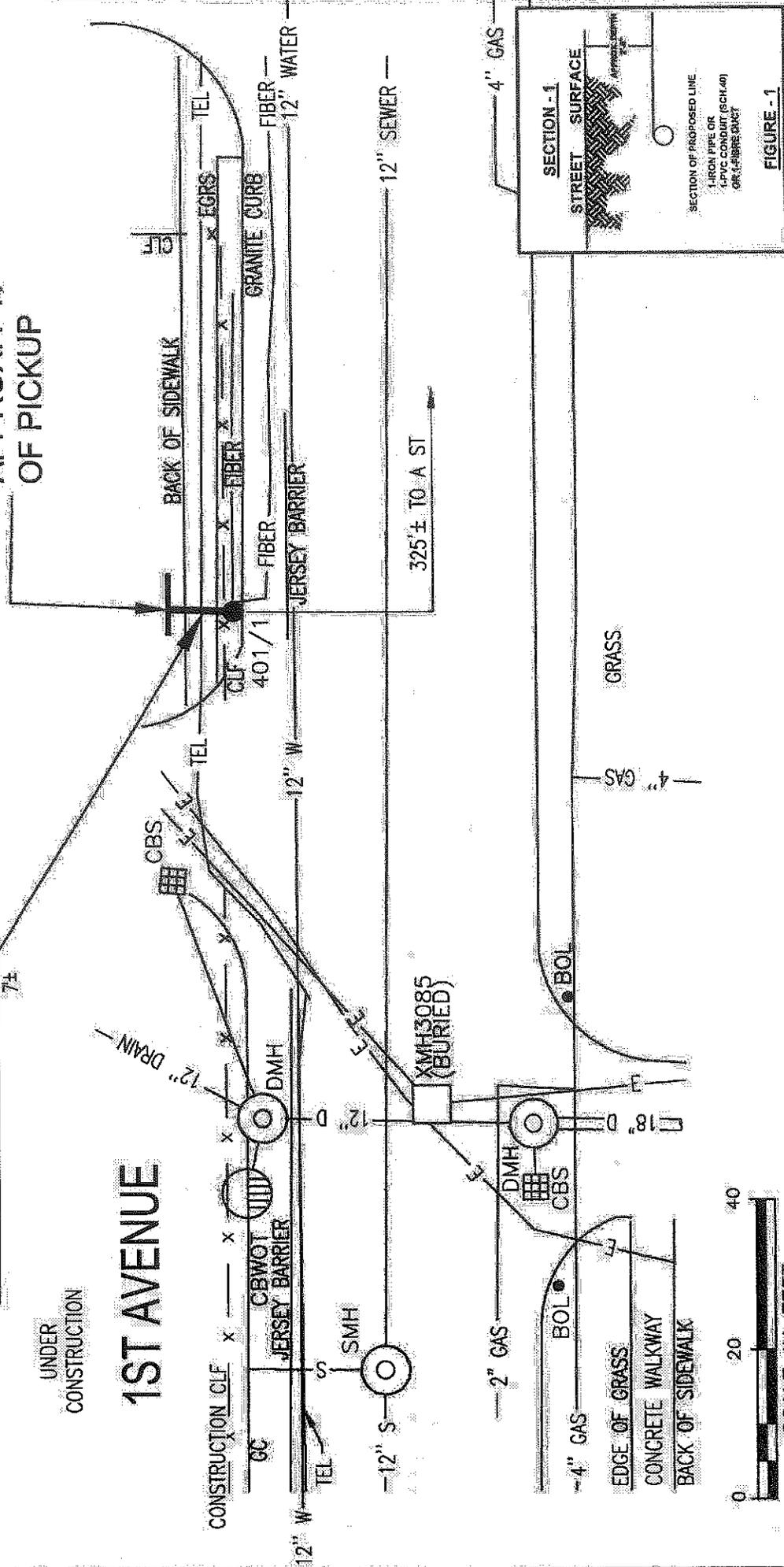


APPROX. PT.
OF PICKUP

INSTALL 1 - 4" PVC PIPES
SCHEDULE 40, NO CONCRETE
SECTION - 1, FIGURE - 1

UNDER
CONSTRUCTION

1ST AVENUE



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION, WHETHER INSURE ELECTRIC COMPANY, INSURE GAS COMPANY OR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES, OR AGENTS (COLLECTIVELY THE "INSURE ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE THEREON, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THIS MAP TO RELEASE, HOLD HARMLESS AND HOLD THE INSURE ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE, AND LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION. OTHER EXPRESSED OR IMPLIED UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

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

NOTES:
THE LOCATION OF UNDERGROUND STRUCTURES ARE FROM PLANS AND RECORDS AND ARE APPROXIMATE ONLY. IN ADDITION, SURFACE FEATURES OF UTILITIES AND SERVICES LOCATED BY FIELD SURVEY ARE TIED-IN TO THEIR NEAREST MAIN SERVICE LINE IF NO RECORDS WERE AVAILABLE TO CONFIRM ITS UNDERGROUND EXISTENCE.

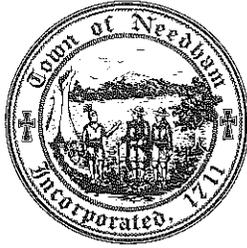
ANY UNDERGROUND STRUCTURES NOT EVIDENT WERE REQUESTED, YET UNAVAILABLE AT THIS PRESENT TIME.

C#	163-17
Ward #	-
Work Order #	2228148
Surveyed by	GC/BP
Research by	PG/SC
Plotted by	BP
Proposed Structures	MR/TL
Approved	A DEBENEDICTIS
P#	

INSURE EVERSOURCE
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of 1ST AVENUE
NEEDHAM
Showing PROPOSED CONDUIT LOCATION

Scale 1"=20'
Date 09/06/17
REV: 09/12 & 09/23/17
SHEET 1 of 1



NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 10, 2017** upon petition of Eversource Energy dated **September 27, 2017** to install about 7 feet of conduit in 1st Avenue. The work is necessary to provide underground electric service to 200 1st Avenue, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

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

BOARD OF SELECTMEN

Dated: September 29, 2017

ONE FIRST AVENUE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
R:K:NEEDHAM LLC		50 CABOT ST. STE 200	NEEDHAM	MA	02494	1993000005500000	50 CABOT ST
TERRAZZINO, SAMUEL TRS	TERRAZZINO INVESTMENT TRUST	18 OAK HILL ROAD	NEEDHAM	MA	02492	1993000005900000	238 HIGHLAND AVE
RIVERSIDE COMMUNITY MENTAL HEALTH & RETARDATION CENTER, INC		270 BRIDGE ST SUITE 301	DEDHAM	MA	02026	1990740003900000	255 HIGHLAND AVE
JMDH REAL ESTATE OF NEEDHAM, LLC		15-24 132 STREET	COLLEGE POINT	NY	11356	1993000005300000	114 FIRST AVE
MCMANUS, JAMES H. III, TRUSTEE	ONE FIRST AVENUE REALTY TRUST	188 NEEDHAM ST	NEWTON	MA	02464	1993000005400000	1 FIRST AVE
COHEN, RONI TRUSTEE	THE HIGHLAND AVENUE NOMINEE TRUST	2400 NORTH BRAESWOOD BLVD #305	HOUSTON	TX	77030	1993000005800000	254 HIGHLAND AVE

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: 10/10/2017

Agenda Item	Public Hearing: Eversource Energy – Sutton Road
Presenter(s)	Maureen Carroll, Eversource Energy representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>Eversource Energy requests permission to install approximately 9 feet of conduit in Sutton Road. This work is necessary to provide underground electric service at 7 Sutton Road, Needham.</p> <p>The Department of Public Works has approved this petition, based on Eversource Energy'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><u>Suggested Motion:</u></p> <p>Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 9 feet of conduit in Sutton Road. This work is necessary to provide underground electric service at 7 Sutton Road, Needham.</p>
3.	BACK UP INFORMATION ATTACHED
	<p>(Describe backup below)</p> <ul style="list-style-type: none">a. Petition Letter of Applicationb. Orderc. Petition Pland. Notice Sent to Abutterse. List of Abutters

September 21, 2017

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

RE: ^{#17} Sutton Road
Needham, MA
W/O #2232172

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 9 feet of conduit in Sutton Road.

The reason for this work is to provide new underground electric service to 7 Sutton Road.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,



Kelly-Ann Correia, Supervisor
Rights and Permits

KAC/kj
Attachments

OK to proceed
myler, Engr.
9/28/17
OK R.R. [unclear]
Director

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated September 21, 2017** and filed herewith, under the following public way or ways of said Town:

Sutton Road - Westerly from pole 152/16 approximately 159 feet east of Webster Street a distance of 9 ± feet of conduit.

(W.O. #2232172)

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

BY Kelly-Ann Correia
Kelly-Ann Correia, Supervisor
Rights & Permits

Dated this 21st day of September

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2017

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

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

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

**Sutton Road - Westerly from pole 152/16 approximately 159 feet
east of Webster Street a distance of 9 ± feet
of conduit.**

(W.O. #2232172)

Hearing Required

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

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated September 21, 2017**, on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____
3 _____
4 _____
5 _____

Board of Selectmen
the Town of
NEEDHAM

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2017 at _____ in said Town.

1 _____
2 _____
3 _____
4 _____
5 _____

Board of Selectmen
the Town of
NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM**, Massachusetts

#8

SUTTON ROAD

APPROX. R.O.W.

EDGE OF ROAD

APPROX. 150'± TO
WEBSTER STREET

EDGE OF ROAD

APPROX. R.O.W.

#7

APPROX. PT.
OF PICKUP

152/16

9'±

#17

152/15



CUSTOMER TO INSTALL
INSTALL 1 - 3" PVC PIPES
SCHEDULE 40, NO CONCRETE
SECTION - 1, FIGURE - 1

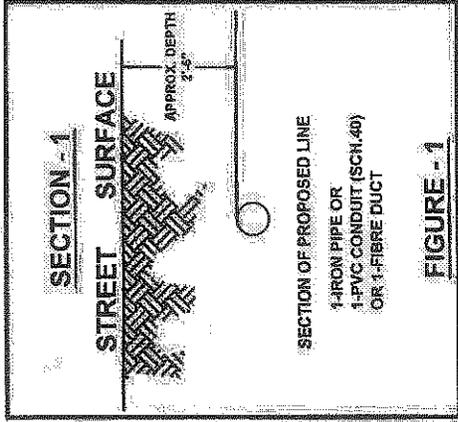


FIGURE - 1

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN BY THE PROVIDER OF THIS INFORMATION. THE PROVIDER OF THIS INFORMATION, ITS AGENTS, EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND/OR AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, AND/OR REPRESENTATIVES SHALL BE LIABLE FOR ANY LOSS OR DAMAGE CAUSED BY THE USE OF THIS INFORMATION, OR IN RELIANCE THEREON, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE TO WAIVE ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY. MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN THE INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-866-344-7233

CH: Ward # 232172
Work Order # N/A
Surveyed by: SC
Research by: PG
Plotted by: SC
Proposed Structures: SC
Approved: A DEBENEDICTIS
P#:

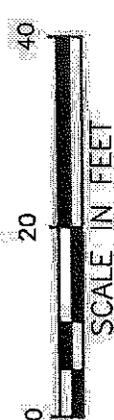
NSTAR EVERSOURCE
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

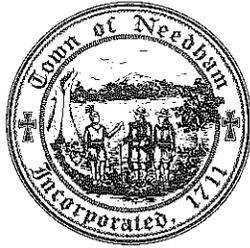
Plan of SUTTON ROAD
NEEDHAM

Showing PROPOSED CUSTOMER CONDUIT LOCATION

Scale 1"=20'
Date SEPTEMBER 21, 2017

SHEET 1 of 1





NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 10, 2017** upon petition of Eversource Energy dated **September 21, 2017** to install about 9 feet of conduit in Sutton Road. The work is necessary to provide underground electric service to 7 Sutton Road, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

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

BOARD OF SELECTMEN

Dated: September 29, 2017

7 SUTTON ROAD

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
MURRAY, JOHN G. & RICHMAN, STEPHEN D. & ASWAL, HAFEZA	MURRAY, JANE BLAKE RICHMAN, SUSAN H.	17 SUTTON RD 1077 WEBSTER ST 4 LARKSPUR ROAD	NEEDHAM NEEDHAM NEEDHAM	MA MA MA	02492 02492 02492	1990360000300000 1990370000100040 1990370003600050	0 SUTTON RD 1077 WEBSTER ST 4 LARKSPUR RD
WEST, ALAN R & MYRA WINIFRED, TRS MURRAY, JOHN G. & TAGGART, KAREN K. GLEASON, DANIEL J	WEBSTER STREET 1098 REALTY TRUST MURRAY, JANE BLAKE	1098 WEBSTER ST 17 SUTTON RD 7 SUTTON RD 8 SUTTON RD	NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA	02492 02492 02492 02492	1992020005000000 1992020005100000 1992020005200000 1992020005300000	1098 WEBSTER ST 17 SUTTON RD 7 SUTTON RD 8 SUTTON RD
WEKSTEIN, PATER & BOUTIN, JEFFREY &	WEKSTEIN, TRACY A BOUTIN, ELISABETH	1087 WEBSTER ST 100 LAUREL DRIVE	NEEDHAM NEEDHAM	MA MA	02492 02492	19920300000100030 19920300000200010	1087 WEBSTER ST 100 LAUREL DR

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: 10/10/2017

Agenda Item	Downtown Improvement Project Update
Presenter(s)	Richard P. Merson, Director of DPW

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Phase 1 is drawing to a close. The Director of Public Works will provide an update on outstanding punch list items and plans for the system activation.
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
	N/A
3.	BACK UP INFORMATION ATTACHED
	None



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

MEETING DATE: 10/10/2017

Agenda Item	Intermunicipal Agreement/Concurrent Representation
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
-----------	---

The Town Manager will recommend that the Town of Needham join the towns of Wellesley and Hamilton in connection with the renewal of its Water Management Act registration. Needham, Hamilton and Wellesley are seeking to protect the right to withdraw water under their registrations. In order to participate in this litigation with Hamilton and Wellesley, the Board must vote to approve an Intermunicipal Agreement to share the cost of the shared legal services. In addition, the Board must agree to the concurrent representation and acknowledge that its interests are not currently in conflict with the towns of Hamilton and Wellesley.

2.	VOTE REQUIRED BY BOARD OF SELECTMEN
-----------	--

Suggested Motion: That the Board vote to:

1. Approve and sign the Amendment to Intermunicipal Agreement Between the Towns of Hamilton and Wellesley for Shared Attorney Services
2. Sign the waiver of conflict and consent to the concurrent representation by J. Raymond Miyares and Miyares and Harrington LLP of the towns of Needham, Hamilton, and Wellesley.

3.	BACK UP INFORMATION ATTACHED
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(Describe backup below)

- a. Intermunicipal Agreement Between The Towns of Hamilton and Wellesley, Shared Attorney Services
- b. Amendment to the Intermunicipal Agreement Between The Towns of Hamilton and Wellesley, Shared Attorney Services
- c. Joint Representation Consent Letter

Intermunicipal Agreement Between
The Towns of Hamilton and Wellesley

Shared Attorney Services

This Intermunicipal Agreement (the "Agreement") is made by and between the Town of Hamilton and the Town of Wellesley (collectively, the "Towns"), pursuant to *M.G.L. c.40, §4A*, for the shared cost of legal services provided by Miyares and Harrington, LLP (the "Firm") in regards to each community's rights to withdraw water under the *Water Management Act* ("WMA"), *M.G.L. c.21G*.

WHEREAS, the Towns individually hold a Registration to withdraw water under the WMA that is set to expire on December 31, 2017;

WHEREAS, the WMA provides that "[u]pon the expiration of any... renewal registration statement..., the registrant shall be entitled, upon the filing of a renewal registration statement, to continue existing withdrawals specified in the registration statement for a period of ten years," (*M.G.L. c.21G, §5*) and that such request shall be "submitted on forms provided by the Department [of Environmental Protection] and received by the Department six months prior to the expiration date" (*310 CMR 36.10(2)*);

WHEREAS, the Department has formally taken the position that the *Permit Extension Act* (Chapter 240, §173 of the Acts of 2010, extended by Chapter 238, §75 of the Acts of 2012) extends the expiration date of all WMA Registrations until December 31, 2021, and therefore has refused to issue renewal Registration forms;

WHEREAS, the Towns are independently considering the commencement of a legal action relative to the production of such forms;

WHEREAS, the Firm currently is appointed Town Counsel for each municipality;

WHEREAS, the Towns seek to engage the Firm to represent them independently in matters related to the renewal of their Registrations;

WHEREAS, the Towns recognize that although any legal challenge brought by one community would be independent and separate from any challenge brought by the other, similar legal questions may be present during the concurrent representation; and

WHEREAS, the Towns anticipate a public benefit to each town through savings on legal fees due to the Firm's work on shared legal issues;

NOW THEREFORE, the Towns, by and thorough their Boards of Selectmen, agree to the following:

I. Services.

A. The Towns agree to share the cost for the Firm to provide services related to any similar legal issue that arises during the renewal of each Town's WMA Registration, as provided in Section III of this Agreement.

B. The Firm shall determine whether a legal issue is shared between the Towns.

C. If the Towns elect to file a challenge in a court of law, and such cases are consolidated, costs for Firm services applicable equally to both cases shall be considered a shared service and split equally between the Towns, as provided in Section III.

II. Term.

A. This Agreement shall become effective upon signature by both of the Towns' Board of Selectmen ("Effective Date").

B. The Agreement shall expire within three years, unless sooner terminated pursuant to Section V.

C. The Towns may extend the Term of this Agreement in writing, provided that the maximum extended term shall not exceed twenty-five (25) years from the Effective Date.

III. Costs

A. The Towns agree that the cost for the Firm's services that apply equally to both towns will be shared equally (50%).

B. Each Town bears no financial obligation to the Firm to pay the portion of the legal services apportioned to the other Town.

C. To the extent that the Firm can parse the services between the Towns so that each can be billed only for time and expenses incurred for that Town, the Town so served will be billed separately.

IV. Billing

A. The Firm shall provide each Town with invoices for all shared and separate services within 60 days of performance of the service, in accordance with the following requirements:

1. The invoices shall clearly indicate which legal matters are shared between the two Towns;
2. The invoices shall include a notation that the work was performed under the authority of this Agreement;
3. The invoices shall identify the full cost for providing shared services; and

4. The invoices shall split the costs as provided in Section III, such that each Town is billed appropriately for its portion of the costs.

B. Each Town shall pay for its portion of the shared services directly to the Firm and in accordance with the terms of their legal services agreements with the Firm for General Counsel services.

C. The Towns shall direct the Firm to maintain detailed records of the services performed and to make those records available for review by the Towns upon request.

V. Termination of Agreement.

This Agreement shall terminate three years from the Effective Date, except that it may terminate sooner if:

A. Either Town provides 30 days written notice to the other Town and to the Firm indicating its intent to withdraw from the Agreement; or

B. Either Town renews their Registration Statement.

VI. Resolution of Disputes.

In the event that disputes arise among the Towns in the interpretation or performance of this Agreement, the dispute shall be submitted to an independent mediator agreed to by all parties, the costs of which shall be equally borne by all. If the dispute is limited to the amount, nature, and segregation of invoiced fees, the fee dispute will be submitted to the Massachusetts Bar Association Legal Fee Arbitration Board.

VII. Amendments.

A. This Agreement may only be modified by a writing executed by all parties.

B. The Agreement may be amended in writing to incorporate any additional Towns that would like to share the services of the Firm, provided that all current parties to the Agreement agree to add the additional Town.

VIII. Notice

Where notice is required under this Agreement, notice shall be made to the addresses specified below. All notices shall be made in writing.

Hamilton Board of Selectmen

577 Bay Road
South Hamilton, MA 01982
Tel: 978-468-5573

Wellesley Board of Selectmen

525 Washington Street
Third Floor
Wellesley, MA 02482
Tel: 781-431-1019, x2201

Miyares and Harrington, LLP

40 Grove Street
Suite 190
Wellesley, MA 02482
Tel: 617-489-1600

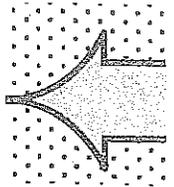
Hamilton Board of Selectmen

Wesley L. Laska
by Town Manager as authorized

Date: July 14, 2017

Wellesley Board of Selectmen

Date: _____



Waiver of Conflict

I, Michael Lombardo, Town Manager of the Town of Hamilton, and on behalf of same, hereby acknowledge that I have carefully read the foregoing letter, informing me that the Town's interests are not currently in conflict with those of the Town of Wellesley in connection with Miyares and Harrington, LLP's representation of Hamilton's interests and those of Wellesley with respect to renewing the Town's *Water Management Act* Registration, but that a conflict may arise in the future.

I expressly acknowledge that the concurrent representation by J. Raymond Miyares and Miyares and Harrington, LLP of Hamilton's interests and those of Wellesley constitutes the representation of future potentially conflicting interests between Hamilton and Wellesley. I nevertheless knowingly and voluntarily consent to such concurrent representation at this time. I further expressly acknowledge that the Town has been advised that it has the right to seek independent legal counsel in connection with the advisability of waiving said future potential conflict, and that it has had a reasonable opportunity to do so.

Dated: July 14, 2017

Michael Lombardo

Amendment to Intermunicipal Agreement Between
The Towns of Hamilton and Wellesley

Shared Attorney Services

This Amendment ("Amendment") provides for the addition of the Town of Needham to the Intermunicipal Agreement (the "Agreement") by and between the Town of Hamilton and the Town of Wellesley (collectively, the "Towns"), pursuant to *M.G.L. c.40, §4A*, for the shared cost of legal services provided by Miyares and Harrington, LLP (the "Firm") in regards to each community's rights to withdraw water under the *Water Management Act* ("WMA"), *M.G.L. c.21G*.

WHEREAS, Hamilton, Wellesley, and Needham individually hold a Registration to withdraw water under the WMA that is set to expire on December 31, 2017;

WHEREAS, Hamilton and Wenham have executed the Agreement to permit shared attorney services and define the terms under which the Firm will provide such services; and

WHEREAS, the Firm is appointed outside counsel for Needham on water issues, including all matters pertaining to its registration statement;

WHEREAS, Needham desires to join in the Agreement, under the terms and conditions as provided therein;

NOW THEREFORE, the Towns of Needham, Hamilton, and Wellesley, by and thorough their Boards of Selectmen, agree to amend the Agreement as follows:

I. Services.

C. The costs for Firm services applicable equally to all three Towns in the pending Norfolk County Superior Court case shall be considered a shared service and split equally between all three Towns, as provided in Section III, notwithstanding that Needham may not then be a party in the litigation.

D. If Needham files a similar case in a court of law, it may move to consolidate the case with Wellesley and Hamilton's consolidated pending action in the Norfolk County Superior Court. Costs for Firm services applicable equally to the consolidated case shall be considered a shared service and split equally between the Towns, as provided in Section III.

II. Term.

This Amendment shall become effective upon the date that the last signing Board of Selectmen executes it ("Effective Date").

III. Costs

A. The Towns agree that the cost for the Firm's services that apply equally to all three towns will be shared equally (33.33%).

IV. Billing

A. The Firm shall provide each Town with invoices for all shared and separate services within 60 days of performance of the service, in accordance with the following requirements:

1. The invoices shall clearly indicate which legal matters are shared between the three Towns.

V. Termination

A. A Town provides 30 days written notice to the other two Towns and to the Firm indicating its intent to withdraw from the Agreement; or

B. A Town renews their Registration Statement.

VIII. Notice

Where notice is required under this Agreement, notice shall be made to the addresses specified below. All notices shall be made in writing.

Hamilton Board of Selectmen	577 Bay Road South Hamilton, MA 01982 Tel: 978-468-5573
Wellesley Board of Selectmen	525 Washington Street Third Floor Wellesley, MA 02482 Tel: 781-431-1019, x2201
Needham Board of Selectmen	1471 Highland Ave. Needham, MA 02492 Tel: 781-455-7500, x204
Miyares and Harrington, LLP	40 Grove Street Suite 190 Wellesley, MA 02482 Tel: 617-489-1600

IX. Incorporation by Reference

Any provision of the Agreement that is not set forth herein remains valid and effective as to all signatories hereto. For the convenience of the parties, a copy of the Agreement is attached to this Amendment.

Needham Board of Selectmen

Date: _____

Hamilton Board of Selectmen

Date: _____

Wellesley Board of Selectmen

Date: _____

J. Raymond Miyares
Thomas J. Harrington
Christopher H. Heep
Donna M. Brewer
Jennie M. Merrill

Rebekah Lacey
Ivria Glass Fried
Eric Reustle
Blake M. Mensing
Katherine E. Stock

September 27, 2017

Kate Fitzpatrick
1471 Highland Ave.
Needham, MA 02492

Re: Inter Municipal Agreement/Concurrent Representation
Waiver of Potential Conflict of Interest

Dear Kate:

This letter will confirm and follow up on our recent conversation in which you requested that Miyares and Harrington LLP, concurrently represent the Town of Needham, the Town of Wellesley, and the Town of Hamilton in connection with the renewal of their *Water Management Act* registrations. The Canons of Ethics that govern attorneys licensed to practice law in Massachusetts preclude an attorney from representing a client if that client's interests are adverse to another client of the firm. In my opinion, no actual conflict exists between Needham, Wellesley, and Hamilton.

First, Needham, Wellesley, and Hamilton are all seeking to protect their rights to withdraw water under their *Water Management Act* registrations. While these are separate and distinct factual matters, all three communities recognize that similar legal questions may arise. Needham, Wellesley, and Hamilton have entered into an Intermunicipal Agreement to share the cost of researching shared legal issues. The Towns also recognize that each community is free to withdraw from the IMA at any time.

Second, because Needham and Hamilton do not withdraw water from the same sub-basin, the communities have no interest in each other's registration. To the extent that Needham and Wellesley withdraw from the same sub-basin, a conflict does not currently exist because the WMA *requires* the Department to renew a community's registration *irrespective of any other withdrawals from the sub-basin*. The fact that Needham and Wellesley withdraw from the same sub-basin is immaterial to the analysis. Based on this information, the Towns share a commonality of interest.

In undertaking the concurrent representation, I cannot and will not advise any Town as to any matters upon which an actual conflict of interest develops. In

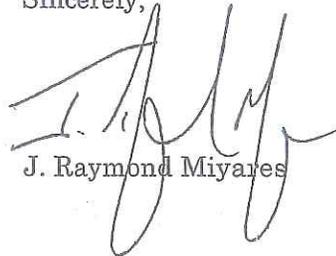
Miyares and Harrington LLP

the event than any conflict, dispute or disagreement arises among the Towns as to a Town's respective rights, I may decline to represent any or all Towns in any manner in connection with that dispute or disagreement.

By executing this letter where indicated below, the Town of Needham confirms that it has been fully informed as to the nature of the potential conflicts that may arise as a result of my concurrent representation of Needham, Wellesley, and Hamilton, that Needham has been provided a reasonable opportunity to seek the advice of independent counsel of its choice regarding these potential conflicts and waiver thereof, and that Needham understands that a conflict may arise in the future, which may require an additional disclosure and waiver by the Town or alternatively withdrawal by this firm of representation of any or all communities. Additionally, Needham confirms that it will take the opportunity to retain independent counsel in the event that it has any reservations regarding the concurrent representation of its interest, the issues arising from that representation, and the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects Needham's understanding, please execute and return the waiver form appended hereto. Of course, if you have any questions, please feel free to give me a call.

Sincerely,



J. Raymond Miyares

Waiver of Conflict

The Needham Board of Selectmen hereby acknowledges that its members have carefully read the foregoing letter informing it that the Town's interests are not currently in conflict with those of the Town of Hamilton and the Town of Wellesley in connection with Miyares and Harrington LLP's representation of Needham's interests and those of Hamilton and Wellesley with respect to renewing the Town's *Water Management Act* Registration, but that a conflict may arise in the future.

The Board expressly acknowledges that the concurrent representation by J. Raymond Miyares and Miyares and Harrington LLP of Needham's interests and those of Hamilton and Wellesley constitutes the representation of future potentially conflicting interests between Needham, Hamilton, and Wellesley. The Board nevertheless knowingly and voluntarily consents to such concurrent representation at this time. The Board further expressly acknowledges that the Town has been advised that it has the right to seek independent legal counsel in connection with the advisability of waiving said future potential conflict, and that it has had a reasonable opportunity to do so.

Needham Board of Selectmen

Date: _____



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

MEETING DATE: 10/10/2017

Agenda Item	Conveyance of Property to the Commonwealth of Massachusetts/Department of Conservation and Recreation
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>The Department of Conservation and Recreation has completed the legal process to finalize the conveyance of Town property to the Commonwealth, and the Town Manager will ask the Board to approve and sign the deed.</p> <p>As part of the construction of the South Street/Willow Street Bridge, the Commonwealth and the Town agreed to the placement of stormwater management infrastructure on approximately 1,358 of nearby DCR land. The Commonwealth agreed to grant an easement to the Town for this purpose. In return the Town agreed to convey to the Commonwealth a fee interest in municipal land located between Great Plain Avenue, the State Highway Route 128, and the Charles River. This parcel consisted of approximately 4.67 acres of land and 1.2 acres of waterway previously acquired by the Town for water supply purposes. The land was needed by the Commonwealth to meet mitigation requirements imposed by the Federal government for work performed on the Add-A-Lane project. The Town retained easements across the property for sewer main purposes, discharging septage, Town-owned and other public utilities, and access.</p> <p>It should be noted that the Town received credit for the difference between the 4.67 acres and the 1,358 feet toward any no-net-loss requirements for a ten year period. This transaction was enabled under chapter 226 of the Acts of 2012.</p> <p>At its meeting on April 24, 2013 the Board voted that the parcel of land adjacent to Great Plain Avenue and the Charles River was no longer needed for highway or water supply purposes, and the May 14, 2012 Special Town Meeting voted to approve the change in use and conveyance.</p>
2.	VOTE REQUIRED BY BOARD OF SELECTMEN



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

Suggested Motion: That the Board vote to approve and sign the deed granting to the Commonwealth of Massachusetts, through its Department of Conservation and Recreation, a deed for a plan of land entitled "Plan of Land in Needham, MA Great Plain Avenue.

3. BACK UP INFORMATION ATTACHED

(Describe backup below)

- a. Deed
- b. Plan of Land in Needham, MA Great Plain Avenue draft 8/10/2016
- c. Chapter 226 of the Acts of 2012
- d. Article 7 of the May 14, 2012 Special Town Meeting
- e. Letter to MassDOT from Kate Fitzpatrick dated 11/6/2012
- f. Letter to MassDOT from David Tobin dated 6/1/2016

DEED

KNOW ALL PERSONS BY THESE PRESENTS that the Town of Needham, of 1471 Highland Avenue, Needham, Norfolk County, Massachusetts (hereinafter called the Grantor), for no consideration, as authorized by Section 3 of Chapter 226 of the Acts and Resolves of 2012, hereby grants to the Commonwealth of Massachusetts, acting by and through its Department of Conservation and Recreation, with a mailing address at 251 Causeway Street, Boston, Massachusetts, 02114, acting under the authority of and in accordance with Section 79 of Chapter 92 of the Massachusetts General Laws, as amended, its successors and assigns (hereinafter called the Grantee), with quitclaim covenants, in perpetuity and for the purposes set forth in Article 97 of the Amendments to the Massachusetts Constitution and for conservation and recreation purposes, the land located in the Town of Needham, Norfolk County, Commonwealth of Massachusetts, containing 5.87 acres, more or less, as shown on a plan of land entitled "Plan of Land in Needham, MA Great Plain Avenue", recorded herewith.

The Premises are bounded and described as follows:

A certain parcel of land located east of Interstate 95 and State Route 128, northeasterly of the Charles River, and south of Great Plain Ave, in the Town of Needham, in the County of Norfolk and Commonwealth of Massachusetts bounded and described as follows:

Beginning at a point on the easterly sideline of the 1953 State Highway Layout No. 4062, at the beginning of the 2013 State Highway Layout No. 8361;

Thence, easterly by a curve to the left with an arc length of 101.55' and a radius of 700.00' by land now or formerly of Commonwealth of Massachusetts;

Thence, S 86°29'20" E a distance of about 485' by land now or formerly of Commonwealth of Massachusetts, to the northwesterly bank of the Charles River;

Thence, by said river bank with a tie line bearing of N 82°11'48" E a distance of 40.78';

Thence, with a tie line bearing of S 05°46'00" E a distance of about 44' to the approximate center of the Charles River and Dedham Town Line;

Thence, with a tie line bearing of S 66°13'04" W a distance of 159.98';

Thence, with a tie line bearing of S 38°06'41" W a distance of 177.27';

Thence, with a tie line bearing of S 52°53'55" W a distance of 222.13';

Thence, with a tie line bearing of S 78°08'21" W a distance of 442.49', the last four courses by the approximate center of the Charles River and Dedham Town Line;

Thence, with a tie line bearing of N 13°54'45" W a distance of about 155' to said river bank and the centerline of a ditch to the easterly sideline of the 1953 State Highway Layout No. 4062;

Thence, N 38°46'09" E a distance of 189.33';

Thence, northeasterly by a curve to the left with an arc length of 263.68' and a radius of 3,190.00' to the point of beginning, the last two courses by the easterly sideline of the 1953 State Highway Layout No. 4062.

The above described parcel of land contains about 5.87 acres in the Town of Needham, Massachusetts. The parcel includes about 4.67 acres of upland area outside the banks of the Charles River, and about 1.2 acres of the bed of the Charles River.

Reserving for the Grantor easements as depicted on the "Plan of Land in Needham, MA Great Plain Avenue", recorded herewith for the purposes of owning, operating, maintaining, and replacing a sewer main and appurtenances; providing access for discharging septage and related purposes; and for other utilities including natural gas, electric, telephone, cable, and similar.

Meaning and intending to convey all and the same premises described in an instrument recorded with the Norfolk County Registry of Deeds in Book _____, Page ____, to which instrument reference may be had for Grantor's title.

Dated as of this _____ day of _____, 2017.

**TOWN OF NEEDHAM
by its
BOARD OF SELECTMEN**

Chairman

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this ____ day of _____, 2017, before me, the undersigned notary public, personally appeared _____ of the Town of Needham, Massachusetts, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. The identify of such person was proved to me through satisfactory evidence of identification, which was [] photographic identification with signature issued by a federal or state governmental agency, [] oath or affirmation of a credible witness, or [] personal knowledge of the undersigned.

My commission expires: _____

ACCEPTED BY:

**THE COMMONWEALTH OF MASSACHUSETTS
acting through its DEPARTMENT OF
CONSERVATION AND RECREATION**

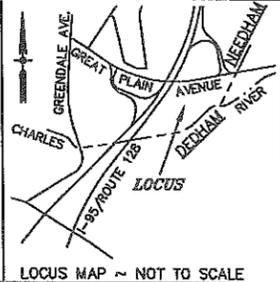
Leo P. Roy
Commissioner

COMMONWEALTH OF MASSACHUSETTS

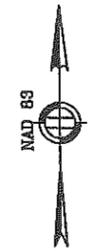
Suffolk, ss.

On this ____ day of _____, 2017, before me, the undersigned notary public, personally appeared Leo P. Roy, Commissioner of the Massachusetts Department of Conservation and Recreation, whose name is signed on the preceding document, and such person acknowledged to me that he signed such document voluntarily for its stated purpose. The identify of such person was proved to me through satisfactory evidence of identification, which was [] photographic identification with signature issued by a federal or state governmental agency, [] oath or affirmation of a credible witness, or [] personal knowledge of the undersigned.

My commission expires: _____



FOR REGISTRY OF DEEDS USE ONLY LOCUS MAP ~ NOT TO SCALE



I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

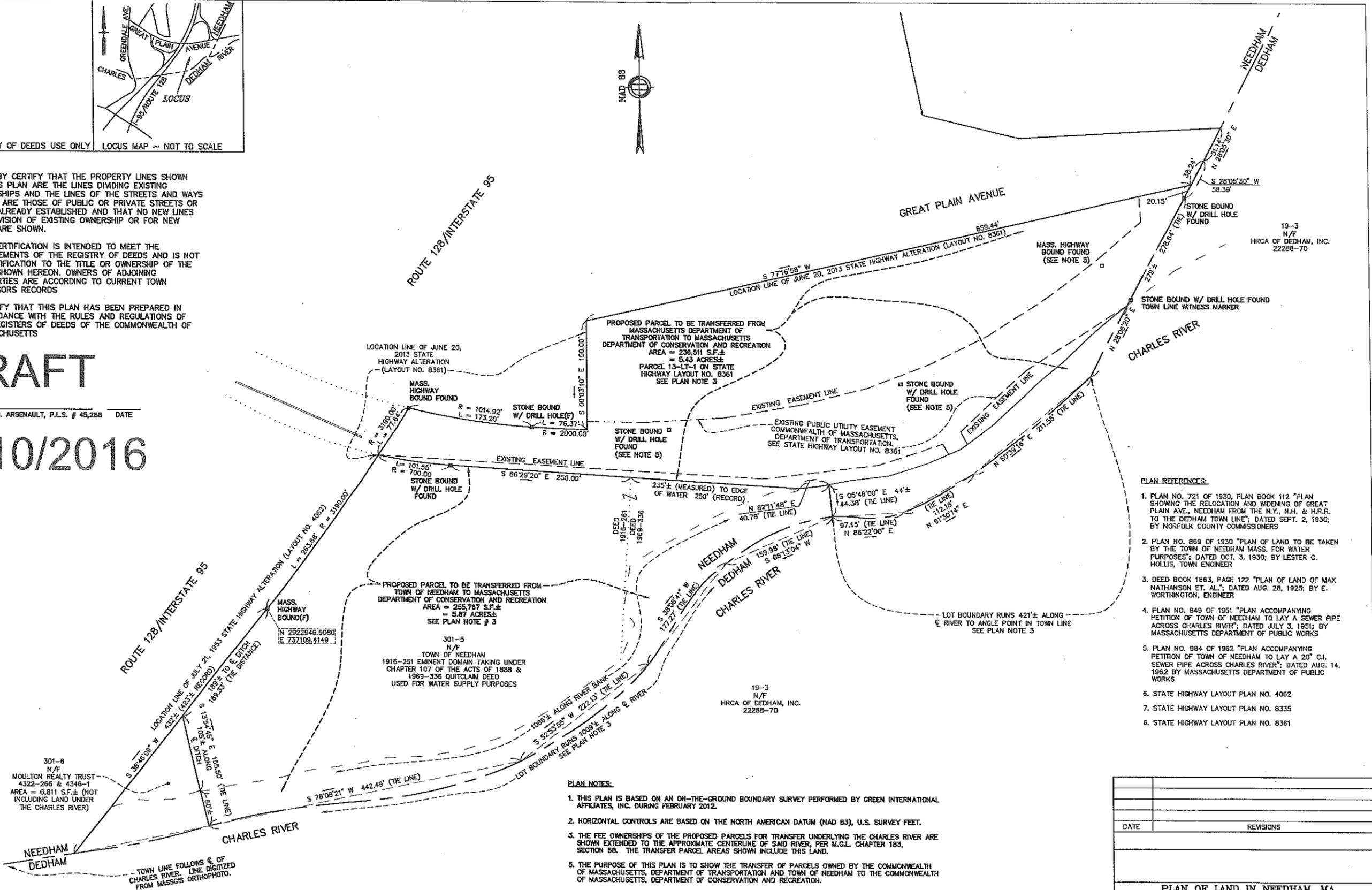
THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

DRAFT

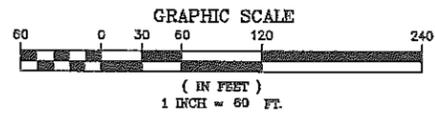
KEVIN D. ARSENAULT, P.L.S. # 45,286 DATE

8/10/2016



- PLAN REFERENCES:**
1. PLAN NO. 721 OF 1930, PLAN BOOK 112 "PLAN SHOWING THE RELOCATION AND WIDENING OF GREAT PLAIN AVE., NEEDHAM FROM THE N.Y., N.H. & H.R.R. TO THE DEDHAM TOWN LINE", DATED SEPT. 2, 1930; BY NORFOLK COUNTY COMMISSIONERS
 2. PLAN NO. 869 OF 1930 "PLAN OF LAND TO BE TAKEN BY THE TOWN OF NEEDHAM MASS. FOR WATER PURPOSES"; DATED OCT. 3, 1930; BY LESTER C. HOLLIS, TOWN ENGINEER
 3. DEED BOOK 1663, PAGE 122 "PLAN OF LAND OF MAX NATHANSON ET. AL.", DATED AUG. 28, 1925; BY E. WORTHINGTON, ENGINEER
 4. PLAN NO. 849 OF 1951 "PLAN ACCOMPANYING PETITION OF TOWN OF NEEDHAM TO LAY A SEWER PIPE ACROSS CHARLES RIVER"; DATED JULY 3, 1951; BY MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS
 5. PLAN NO. 984 OF 1962 "PLAN ACCOMPANYING PETITION OF TOWN OF NEEDHAM TO LAY A 20" C.I. SEWER PIPE ACROSS CHARLES RIVER"; DATED AUG. 14, 1962 BY MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS
 6. STATE HIGHWAY LAYOUT PLAN NO. 4062
 7. STATE HIGHWAY LAYOUT PLAN NO. 8335
 8. STATE HIGHWAY LAYOUT PLAN NO. 8361

- PLAN NOTES:**
1. THIS PLAN IS BASED ON AN ON-THE-GROUND BOUNDARY SURVEY PERFORMED BY GREEN INTERNATIONAL AFFILIATES, INC. DURING FEBRUARY 2012.
 2. HORIZONTAL CONTROLS ARE BASED ON THE NORTH AMERICAN DATUM (NAD 83), U.S. SURVEY FEET.
 3. THE FEE OWNERSHIPS OF THE PROPOSED PARCELS FOR TRANSFER UNDERLYING THE CHARLES RIVER ARE SHOWN EXTENDED TO THE APPROXIMATE CENTERLINE OF SAID RIVER, PER M.G.L. CHAPTER 183, SECTION 58. THE TRANSFER PARCEL AREAS SHOWN INCLUDE THIS LAND.
 4. THE PURPOSE OF THIS PLAN IS TO SHOW THE TRANSFER OF PARCELS OWNED BY THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF TRANSPORTATION AND TOWN OF NEEDHAM TO THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF CONSERVATION AND RECREATION.
 5. STONE BOUNDS FOUND ARE REFERENCED TO STATE HIGHWAY LAYOUT NO. 4062



DATE	REVISIONS

**PLAN OF LAND IN NEEDHAM, MA
GREAT PLAIN AVENUE**

GREEN INTERNATIONAL AFFILIATES, INC.
CONSULTING ENGINEERS WESTFORD, MASSACHUSETTS

SCALE 1" = 60'	DATE 8/10/2016	PROJECT NO. 10017.016
APPROVED:	DESIGNED BY:	PLAN NO.
	DRAWN BY: SY	1 OF 1
	CHECKED BY: KA	

Chapter 226

THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Twelve

AN ACT AUTHORIZING THE DIVISION OF CAPITAL MANAGEMENT AND MAINTENANCE TO GRANT AN EASEMENT OVER A PARCEL OF LAND IN THE TOWN OF NEEDHAM IN EXCHANGE FOR A PARCEL OF LAND TO BE CONVEYED TO THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to grant forthwith an easement over a parcel of land managed for conservation and recreation purposes to the town of Needham, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may grant an easement for no monetary consideration for stormwater management purposes over land described in section 2 and located in the town of Needham, and currently under the care and control of the department of conservation and recreation for recreation and conservation purposes, to the town of Needham.

SECTION 2. The easement granted to the town of Needham contains approximately 1,358 square feet of land located along the Charles river and is described as Parcel DS-1 on a plan of land entitled "Alteration Plan for a Portion of South Street in Needham, Massachusetts" dated April 13, 2010, and recorded in the Norfolk District Registry of Deeds on June 30, 2010 in Plan Book 600, Page 82. The exact boundaries of the easement shall be determined by the commissioner of capital asset management and maintenance in consultation with the commissioner of conservation and recreation after completion of a survey. This easement shall be conveyed by deed without warranties or representations by the commonwealth.

SECTION 3. In consideration for and as a condition of the grant of easement authorized in section 1 and to ensure a no-net-loss of lands protected for natural resource and recreation purposes, the town of Needham shall convey to the commonwealth for no monetary consideration a fee interest in municipal land located in the town of Needham and lying between Great Plain avenue, state highway route 128 and the Charles river. The parcel, comprising approximately 4.67 acres, was previously acquired by the town of Needham for water supply purposes and is more particularly described as parcel 301-6 on a plan of land entitled "Needham - Topographic and Boundary Survey Plan, Great

Plain Ave., Green International Affiliates, Inc., Consulting Engineers, Westford Massachusetts, 7/27/2012." Any land area that exceeds the amount necessary to ensure a no-net-loss of lands protected for natural resource and recreation purposes shall be available to the Town of Needham to satisfy no-net-loss of lands for a period not to exceed ten years from the date of enactment of this bill. The Massachusetts department of transportation shall perform a survey to determine the valuation and surplus of lands described in this section.

SECTION 4. Notwithstanding any general or special law to the contrary, the town of Needham shall be responsible for all costs and expenses, including but not limited to, costs associated with any engineering, surveys, appraisals, and deed preparation related to the conveyances authorized pursuant to this act as such costs may be determined by the commissioner of capital asset management and maintenance.

SECTION 5. The town of Needham shall use the easement described in section 2 solely for the purposes of stormwater management. The easement or other agreement pertaining to the grant of the easement to the town of Needham shall include a provision restricting the use of the property to such purposes and providing that such property shall revert to the commonwealth, under the care and control of the department of conservation and recreation, if the property ceases to be so used or is used for any other purpose.

House of Representatives, July 31, 2012.

Preamble adopted,

Paul Donato, Speaker.

In Senate, July 31, 2012.

Preamble adopted,

Kevin Dwyer, President.

House of Representatives, July 31, 2012.

Bill passed to be enacted,

Paul Donato, Speaker.

In Senate, July 31, 2012.

Bill passed to be enacted,

Kevin Dwyer, President.

6 August, 2012.

Approved,

at 5 o'clock and 10 minutes, P. M.

[Signature]

ARTICLE 7: CHANGE IN USE AND CONVEYANCE OF REAL PROPERTY

To see if the Town will vote to change the use of parcels of land between Great Plain Avenue, the Dedham Town line, the Charles River, and Route I-95 from highway purposes and water supply purposes to conservation and recreation purposes, and to authorize the Board of Selectmen to convey same to the Commonwealth of Massachusetts for conservation and recreation purposes; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: MassDOT has requested that the Town of Needham convey approximately 5 acres of property held for roadway and water supply purposes by the Town of Needham to the Division of Conservation and Recreation. This action will permanently preserve the property, which abuts the Charles River, and can be used by MassDOT as part of its mitigation requirements imposed by the Federal government for work performed as part of the Route 128 transportation Improvement ("Add-a-Lane") project. The Town will retain an easement for access to its utilities in the area.

ARTICLE 8: APPROPRIATE FOR PROPERTY ACQUISITION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,175,000 for the acquisition of real property known as 59 Lincoln Street and 89 School Street, and associated improvements thereto, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The acquisition of 59 Lincoln Street and 89 School Street would allow for the future expansion of the Police and Fire Station which is immediately adjacent to the two properties. The parcels will be immediately available to satisfy the existing lack of parking at the two stations.

ARTICLE 9: EXTINGUISH SEWER EASEMENT – NEHOIDEN STREET

To see if the Town will authorize the Board of Selectmen to abandon a sewer easement at 263 Nehoiden Street, in the town of Needham, being more fully described in a grant to the Town recorded at the Norfolk Registry of Deeds in Book 4818, page 462 and to accept the grant of a new sewer easement and sidewalk easement at 263 Nehoiden Street as shown on a plan entitled Grant of Easements Plan of Land, 263 Nehoiden Street, Needham, Mass.," dated January 2, 2012, scale 1" = 20', prepared by Field Resources, Inc. which is on file at the Needham Engineering Department; or take any other action relative thereto.

INSERTED BY: Board of Selectmen



TOWN OF NEEDHAM

TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669

DONE

11-6-12

Office of the
TOWN MANAGER

November 6, 2012

TEL: (781) 455-7500
FAX: (781) 453-2522
TDD: (781) 455-7558

Mr. Kevin Walsh
Director of Environmental Services
MassDOT, Highway Division
10 Park Plaza, Suite 4160
Boston, MA 02116

RE: I-95/Route 128 Bridge V/Add-a-Lane Great Plain Avenue on the Charles River Mitigation Site

Dear Mr. Walsh:

This letter is in response to your letter dated July 27, 2012, requesting documentation from the Needham Board of Selectmen regarding the above-referenced site, specifically relative to the original purpose(s) for the Town's obtaining the land as well as its current designated uses.

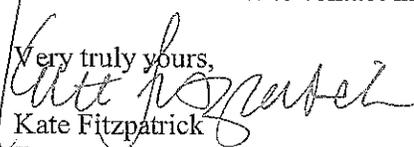
The Town of Needham acquired by eminent domain the land parcel along the Charles River in October, 1930 for water supply purposes. The use of the site for this purpose was never developed, and there is no currently anticipated need for such uses on the site. The site consists of the Charles River and approximately 1,500 feet of the north bank of the River, as well as bordering floodplain that extends into the original layout of Great Plain Avenue. The paved section of the original Great Plain Avenue continues to extend east-west along the north side of the Charles River. This site is not considered or designated as a Town public park, recreation area, or wildlife/waterfowl refuge.

At present, the only official uses of the site for Town purposes are for a sewer main and for access to the Massachusetts Water Resource Authority (MWRA) sewer trunk line that is connected to a man-hole on this site via a siphon line that extends under the Charles River. Access to the site for this purpose is controlled via a gate on the current Great Plain Avenue, and vehicular access through this gate is limited to Town vehicles and licensed sewage disposal companies approved by the Town's Department of Public Works. This access and use is required to continue after conveyance of the land to the DCR.

On May 14, 2012 the Needham Town Meeting voted by unanimous consent to approve the conveyance of the Town land to DCR for permanent preservation as mitigation for the I-95/Route 128 Bridge V/Add-a-Lane wetland impacts.

Please do not hesitate to contact me if this office can be of further assistance.

Very truly yours,


Kate Fitzpatrick
Town Manager

cc: Board of Selectmen
Richard Merson, Director of Public Works
Anthony Del Gaizo, Town Engineer
David Tobin, Town Counsel



TOWN OF NEEDHAM
Town Hall
1471 Highland Avenue
Needham, MA 02492-2669

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

June 1, 2015

Mr. Kevin Walsh
Director of Environmental Services
MassDOT, Highway Division
10 Park Plaza, Suite 4260
Boston, MA 02116

This letter is in response to your request for additional documentation from the Town of Needham regarding the above referenced Town land that the Town of Needham has approved for conveyance to Massachusetts DCR for permanent preservation as mitigation for the I-95/Route 128 Bridge V/Add-a-Lane wetland impacts.

The attached letter dated November 6, 2012 provided an overview of the original purpose for the Town's obtaining the land as well as the designated uses of the site. I understand that MassDEP has requested that Needham's town counsel examine the title and render an opinion as to whether the land is subject to Article 97 based upon the specific language in the 1930s instrument of taking for this parcel. I have examined the records starting in December 1930, as indexed in the Norfolk County Registry of Deeds, the county within which the premises herein described is located, to a parcel of land containing approximately 5.87 acres located along the southerly side of Great Plain Ave in Needham, Norfolk County, Massachusetts, shown on MassDOT L.O. #8361. While the order of taking states it was for water supply purposes, I have determined that the premises are not explicitly held by the Town of Needham for Article 97 purposes. The records in the custody of the Town's Department of Public Works show that the premises have been used for access to the MWRA sewer main by the Town and private septic system servicers since November of 1951, many years prior to the adoption of Article 97. I know of no other use of the premises since my familiarity with Needham since 1968.

Please contact me with any further questions regarding this issue.

Very truly yours,

David S. Tobin
Needham Town Counsel

Attachment



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

MEETING DATE: 10/10/2017

Agenda Item	Recreational Marijuana Next Steps
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Board will discuss the retail sale of marijuana in Needham and the potential of placing articles on the 2018 Annual Town Meeting Warrant.
2.	VOTE REQUIRED BY BOARD OF SELECTMEN
	Suggested Motion: That the Board vote <ol style="list-style-type: none">1. To ask the Planning Board for assistance in drafting zoning and general by-law amendments prohibiting the retail sale of marijuana in Needham for inclusion on the 2018 Annual Town Meeting Warrant; and2. To ask the Planning Board to consider zoning options for the retail sale of marijuana in the event that Town Meeting does not vote to approve a prohibition.
3.	BACK UP INFORMATION ATTACHED
	<ol style="list-style-type: none">a. An Act to Ensure Safe Access to Marijuana Guide issued by KP Law, August, 2017

AN ACT TO ENSURE SAFE ACCESS TO MARIJUANA A GUIDE TO THE REVISED LAW LEGALIZING RECREATIONAL USE OF MARIJUANA AUGUST 2017

On the November 2016 state election ballot, Massachusetts voters approved Question 4 to allow the non-medical (hereinafter “recreational”) use of marijuana by adults in the Commonwealth (Chapter 334 of the Acts of 2016, entitled, “The Regulation and Taxation of Marijuana Act”). We issued a guide to the new law in January, 2017. On July 28, 2017, Governor Baker signed the General Court’s revised law on the subject, “An Act to Ensure Safe Access to Marijuana” (the “Act”), adopted as Chapter 55 of the Acts of 2017.

The Act makes numerous changes to the laws that were approved by the voters. The most significant changes from the municipal perspective involve the licensing process, the optional local tax surcharge, and amendments to the optional local restrictions or prohibitions that may be considered. Additionally, the Act will soon repeal Chapter 369 of the Acts of 2012, entitled “An Act for the Humanitarian Medical Use of Marijuana,” and move the statutory requirements for the limited cultivation, distribution, possession and use of marijuana for medical purposes into a new G.L. c.94I. This guide will summarize the key points.

CURRENT TIMELINE

AUGUST 1, 2017 Cannabis Advisory Board	Appointment of a 25-member Cannabis Advisory Board, with members appointed by a variety of officials and organizations, charged with making recommendations on guidelines, rules, and regulations for the recreational use of marijuana. The President (or a designee) of the Massachusetts Municipal Association shall hold one seat.
SEPTEMBER 1, 2017 Cannabis Control Commission	Appointment of a five-member Cannabis Control Commission (“CCC”), by the Governor, Attorney General and Treasurer. The CCC will have authority to adopt regulations and issue licenses for commercial production and sale of marijuana, much like the Alcoholic Beverages Control Commission for alcohol. The CCC shall also assume authority over the licensing of medical marijuana treatment centers, which will be transferred from the Department of Public Health before December 31, 2018.
MARCH 15, 2018 CCC Adoption of Regulations	Adoption of regulations, guidelines and protocols by the CCC for the issuance of licenses for recreational marijuana establishments. The CCC must additionally make necessary accommodations and promulgate special regulations for the counties of Dukes and Nantucket by May 1, 2018.

<p>April 1, 2018</p> <p>License Applications Begin</p>	<p>Acceptance of applications by the CCC for recreational marijuana licenses pursuant to G.L. c.94G will begin not later than April 1.</p> <p>IMPORTANT: The CCC will be governed by the zoning bylaws or ordinances <u>in effect at the time of application</u>. Municipalities must inform the CCC of any bylaw or ordinance that would make the applicant noncompliant if the license is issued.</p>
<p>June 1, 2018</p> <p>License Issuance</p>	<p>The CCC may begin issuing licenses, prioritizing applications under statutory criteria. The CCC must approve or deny applications within 90 days.</p>

ZONING MORATORIA

The emerging area of marijuana regulation presents many policy and planning issues for municipalities. A zoning moratorium, which would impose a temporary limit on the ability of applicants to locate marijuana establishments within a municipality, is a powerful tool available to municipalities to provide additional time to consider how a community will regulate marijuana uses.

Many municipalities have already adopted a zoning moratorium on locating a recreational marijuana facility. In light of the revisions to Chapter 94G, it appears that the Attorney General will continue to approve such moratoria for towns. We recommend that municipalities not seek to impose a moratorium beyond December 31, 2018. A moratorium may be important if a municipality is considering seeking a prohibition or other limitation but may not be able to have the bylaw or ordinance in place before April 1, 2018. A sample zoning moratorium is attached.

LOCAL REGULATION UNDER G.L. c.94G, §3

Municipalities may regulate the time, place and manner of marijuana establishment operations and may adopt ordinances and bylaws that impose reasonable safeguards on the operation of marijuana establishments, provided they are not “unreasonably impracticable.” Ordinances and bylaws may also restrict licensed cultivation, processing and manufacturing of marijuana that is a “public nuisance,” establish restrictions on public signs related to marijuana establishments and establish a civil penalty for violation of an ordinance or bylaw.

Municipalities seeking to prohibit or otherwise limit the number or types of marijuana establishments within a community must follow the method revised by the General Court to impose such limitations.

Prohibitions or Limitations Permitted by Bylaws or Ordinances

Pursuant to G.L. c.94G, §3, a municipality may prohibit or limit recreational marijuana establishments by bylaw or ordinance with respect to the following:

- prohibit the operation of one or more types of marijuana establishments;

- limit the number of marijuana retailers to fewer than 20 per cent of the number of retail off-premises alcoholic beverage licenses issued under G.L. c.138 by the municipality; or
- limit the number of any type of marijuana establishment to fewer than the number of medical marijuana treatment centers registered to engage in the same type of activity in the municipality.

The procedure for adopting a bylaw or ordinance to prohibit or limit the number of recreational marijuana establishments has significantly changed.

- If a municipality voted in *favor* of Question 4 on November 8, 2016 [i.e., a majority of voters casting ballots voted “yes” on the question], then two votes must be taken before an ordinance or bylaw can be effective – (1) it must be approved by the voters by ballot at an annual or special election, and (2) the ordinance or bylaw must be approved by the local legislative body.
- If a municipality voted *against* Question 4, a ballot question is not required and the ordinance or bylaw may be adopted by the local legislative body. This special provision will expire on December 31, 2019, after which the two-step process requiring a ballot question and legislative approval will apply to all municipalities.

Chapter 94G, §3 now provides the general form for a ballot question. The question must include the entire proposed bylaw or ordinance and also directs that the City Solicitor/Town Counsel prepare a brief summary that makes clear the number and types of marijuana establishments that will be permitted to operate. As with all ballot questions, pursuant to G.L. c.54, §42C, a City or Town Clerk must receive notice of the ballot question, with the full legislation text and counsel summary, no less than 35 days prior to the date of the election. Sample ballot questions are attached.

Additional Issues to Consider When Imposing Prohibitions or Limitations

The Act is silent on several issues concerning the adoption of local legislation. These issues include:

Zoning v. General Legislation: The language in the Act is ambiguous with respect to whether a bylaw or ordinance implementing a prohibition or limitation must be zoning or general in nature. We recommend that a municipality consider adopting both a general and a zoning bylaw or ordinance to prohibit or limit recreational marijuana establishments. A general bylaw or ordinance may serve to protect the Town from zoning issues such as zoning freezes and “grandfathering” of existing uses. A lower quantum of vote is also required to pass a general bylaw. The Attorney General has already approved zoning bylaws imposing prohibitions and limitations on recreational marijuana establishments. The Attorney General has also approved a similar general bylaw, but recommended that the town adopt a zoning bylaw as well. This is an evolving issue that will also involve different policy considerations. Samples of bylaw/ordinance language are attached.

Agreement of Bylaw or Ordinance Language with Ballot Question: For municipalities subject to the two-step approval process for implementing a prohibition or limitation, it is important that the bylaw or ordinance approved by ballot be the same or substantially similar as that approved by the local legislative body in order to avoid any challenge to its validity.

Conversion of Existing Marijuana Treatment Centers

The prior law required a city or town to allow a recreational marijuana establishment to be located in “any area in which a medical marijuana treatment center is registered to engage in the same type of activity.” The new Act rescinded that requirement, but added a new requirement prohibiting a zoning bylaw or ordinance from preventing a medical marijuana establishment, licensed by the Commonwealth on or before July 1, 2017, from converting to a recreational marijuana establishment “engaged in the cultivation, manufacture or sale of marijuana or marijuana products to a marijuana establishment engaged in the same type of activity.” It is important to note, however, that such a conversion may be prohibited if the municipality has adopted a total prohibition of all recreational marijuana establishments by ordinance or bylaw.

Petition for Ballot Question to Permit Marijuana “Cafés”

The procedure for allowing consumption on the premises where marijuana is sold remains unchanged from the previous legislation. A petition, which must be signed by at least 10% of the registered voters, is the only mechanism to put this question on a ballot, and it can only appear on a ballot for the biennial state election, the next of which will be held in November 2018.

Marijuana Growing and Cultivation

As our previous memorandum indicated, Chapter 351 of the Acts of 2016 amended the Zoning Act, G.L. c.40A, §3, to provide that the “growing, cultivation, distribution or dispensation of marijuana” does not qualify for the agricultural exemption under the Zoning Act. The new Act expressly adds, however, that municipalities are not precluded “from establishing zoning bylaws or ordinances which allow commercial marijuana growing and cultivation on land used for commercial agriculture, aquaculture, floriculture, or horticulture.”

HOST COMMUNITY AGREEMENTS

The Host Community Agreement (HCA) provision in G.L. c.94G, §3 was substantially revised to cover both recreational and medical marijuana establishments. The Act now requires that recreational marijuana establishments and medical marijuana treatment centers enter into such agreements with host communities. The Act authorizes a “reasonable” community impact fee but caps it at no more than 3% of the establishment’s gross sales and limits the terms of the agreement to no more than five years. The Act does not preclude renegotiation of a HCA at the end of the initial five-year term. The Act continues to require that a host community agreement only include community impact fees that are “reasonably related” to the costs imposed upon the municipality by the operation of the marijuana establishment. The municipality is required to document its costs.

TAXATION ON SALE OF RECREATIONAL MARIJUANA

The Act increases the amount of local tax that municipalities may impose on the “sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the city or town” to 3% of the total sales price, an increase from 2%.

- If a municipality wishes to adopt the local sales tax, it must accept G.L. c.64N, §3 by a vote of its Town Meeting, Town Council, or the approval of a City Council and Mayor. If a municipality has already accepted §3, a new vote of the legislative body will be required in order to increase a sales tax rate between 2% – 3%.
- This local tax does not apply to sales of marijuana or marijuana product between marijuana establishments.

The Act, at G.L. c.64N, §2, increased the amount of state tax on sales of recreational marijuana from the original 3.75% up to 10.75%.

CHANGES TO MEDICAL MARIJUANA LAWS

The Act makes a number of significant changes to the regulation of medical-use marijuana including the following:

- The eventual repeal of chapter 369 of the Acts of 2012, “An Act for the Humanitarian Medical Use of Marijuana.”
- The adoption of a new Chapter 94I – “Medical Use of Marijuana.”
- The transfer of the oversight and regulation of medical-use marijuana to the Cannabis Control Commission.
- The continuation of the Department of Public Health regulating medical-use marijuana in the short-term under its existing regulatory scheme, 105 CMR 725, until the transfer of oversight and regulation is complete. This transfer must occur on or before December 31, 2018.

We will address these changes in more depth in a separate update.

PERSONAL USE OF RECREATIONAL MARIJUANA

The following personal use of recreational marijuana is permitted under the Act:

- Persons 21 years of age or older may possess two ounces or less of marijuana. G.L. c94C, §32L.
- Within a person’s “primary residence,” a person may possess up to 10 ounces of marijuana and any marijuana produced on the premises for personal use by not more than six marijuana plants. If there is more than one grower at the residence, there may be up to 12 plants cultivated on the premises.
- A person may give away or transfer without “remuneration” to a person age 21 years or older up to one ounce of marijuana, of which no more than five grams may be in the form of marijuana concentrate, provided that such transfer is not advertised or promoted to the “public.”
- A person 21 years of age or older may also possess or manufacture marijuana accessories or sell such accessories to a person 21 years of age or older.

The following are significant limitations imposed on personal use of recreational marijuana under the Act:

- Cultivation and processing marijuana plants may not be visible from a public place.
- Marijuana or marijuana products exceeding 1 ounce within the person's place of residence must be secured by a lock.
- No person shall consume marijuana in a public place or smoke marijuana where smoking tobacco is prohibited. The term "public place" is not defined in the Act but is generally understood to include areas both privately and publicly owned to which the public have rights of access by invitation, either express or implied.
- Open containers of marijuana or marijuana products are prohibited in the passenger area of any motor vehicle.

FURTHER DEVELOPMENTS

We shall continue to monitor developments in this changing area of the law, particularly as the proposed regulations of the CCC are made public.

In the meantime, if you have any questions concerning regulation or recreational marijuana, please contact Attorneys Joel Bard (jbard@k-plaw.com), Katherine Laughman (klaughman@k-plaw.com), or Brian Riley (briley@k-plaw.com) at 617.556.0007. Members of our Labor and Employment Practice Group are also available to assist with employment-related questions.

MODEL MORATORIUM WARRANT ARTICLE

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section _____, **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section _____, "Temporary Moratorium on Recreational Marijuana Establishments:"

Section _____ Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

Section _____ Definition

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

Section _____ Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through December 31, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

Or take any action relative thereto.



The Leader in Public Sector Law

**MODEL RECREATIONAL MARIJUANA ESTABLISHMENT BAN
WARRANT ARTICLES FOR MUNICIPALITIES REQUIRING A BALLOT
VOTE**

ZONING BYLAW ARTICLE:

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], "Marijuana Establishments":

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical "marijuana establishments" as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

This Section shall be effective upon passage by the voters at a Town Election.

Or take any action relative thereto.

GENERAL BYLAW ARTICLE:

To see if the Town will vote to amend the Town's General Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], "Marijuana Establishments":

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical "marijuana establishments" as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

This Section shall be effective upon passage by the voters at a Town Election.

Or take any action relative thereto.

SAMPLE



The Leader in Public Sector Law

**MODEL RECREATIONAL MARIJUANA ESTABLISHMENT BAN
WARRANT ARTICLES FOR MUNICIPALITIES NOT REQUIRING A
BALLOT VOTE**

ZONING BYLAW ARTICLE:

To see if the Town will vote to amend the Town’s Zoning Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], “Marijuana Establishments”:

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

Or take any action relative thereto.

GENERAL BYLAW ARTICLE:

To see if the Town will vote to amend the Town’s General Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], “Marijuana Establishments”:

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

Or take any action relative thereto.



The Leader in Public Sector Law

**MODEL RECREATIONAL MARIJUANA ESTABLISHMENT
BALLOT QUESTION FOR IMPOSING LIMITATION OR PROHIBITION**

Shall this [City or Town] adopt the following [bylaw or ordinance]?

[Insert solicitor/counsel summary]

[Insert full text of bylaw or ordinance]



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

MEETING DATE: 10/10/2017

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

e-mailed 9/15/17
pd.ck129



Town of Needham, Massachusetts
Road Event Form

2017 SEP -7 P 2:05

INTERNAL USE ONLY

DPW Police
 Fire OTM
 Park & Rec
 PFD Paid

TYPE OF EVENT: (check all that apply)

RUN WALK BICYCLE MOTORCYCLE

Name of Event:

Needham New Year's Day 5K

Name of Organization:

Needham Running Club

Has this event been conducted in other
Towns in the past? YES NO

If yes, name of Town and date:

Has this event been held in Needham in
the past? YES NO

If yes, are you repeating the same route as
in prior year(s)? YES NO

Organization Mailing Address:

48 Hawthorn Ave Needham, MA 02492

Organization
is
Not-for-Profit

Organization Billing Address (if Police Detail is required):

48 Hawthorn Ave Needham, MA 02492

Primary Contact:

Bill Gallagher

Contact Title:

Pres of NRC

Contact Address: 48 Hawthorn Ave Needham MA 02492

Contact Phone (Day):

781-449-9773

Contact Phone (Cell):

857-330-7628

Contact Email:

Bill.Gall3@gmail.com

<p>What facilities are needed for the start of the race (if in Needham)? <i>YMCA will provide speakers + bathrooms</i></p>	
<p>What facilities are needed for the end of the race (if in Needham)? <i>speakers</i></p>	
<p>Once the event begins, how long will it take to complete the event? <i>1.5 hrs</i></p>	
<p>Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?</p>	<p><i>start/finish line, 1, 2, 3, mile markers</i></p>
<p>Will volunteers be placed along the route?</p>	<p><i>yes @ each turn + mile markers</i></p>
<p>Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.</p>	<p><i>yes @ YMCA parking lot if above 38 degrees</i></p>
<p>Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)</p>	<p><i>water, bagels + bananas</i></p>
<p>Will portable toilets be used? List locations.</p>	<p><i>no</i></p>
<p>Will hydration stops be set up along route? If yes, please include these on route plan.</p>	<p><i>no</i></p>
<p>If the event takes place after dark, what is the plan to meet lighting needs?</p>	<p><i>no</i></p>
<p>What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?</p>	<p><i>we have 2 ER docs + 2 nurses @ start line + after race, plus YMCA + NRC have first aid boxes</i></p>
<p>Does the event take place during commuter times?</p>	<p><i>no</i></p>
<p>Is school in session during the event? Will school drop off or pick up be impacted by the event?</p>	<p><i>no</i></p>
<p>Are businesses open during the time of the event?</p>	<p><i>no</i></p>
<p>Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)</p>	<p><i>no</i></p>

**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)	Morzan Murphy		
Event Manager Address	400 1st Ave. Needham		
Event Manager Phone Number	781-822-5858		
Organization Representing (if applicable)			
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 type="checkbox"/> For profit	
	<input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____		
Name of Event	UMass Alumni Event		
Date of Event	10/19/17		
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:	5:30p	TO: 8p
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?	100		
Name & address of event location. Please attach proof of permission to use this facility.	400 1st Ave. Needham TipAdvisor		
Who will be serving the alcohol to your guests?	Restaurant Associates		
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).			
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.			
Bar on Consumption			
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:			Date: 10/4/17

**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)	Morgan Murphy
Event Manager Address	400 1st Ave, Needham
Event Manager Phone Number	781-850-5858
Organization Representing (if applicable)	1
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 type="checkbox"/> For profit <input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____
Name of Event	Harvard Business School Happy Hour
Date of Event	10/11/17
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: 6:30p TO: 8pm
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?	30
Name & address of event location. Please attach proof of permission to use this facility.	The Advisor 400 1st Ave, Needham
Who will be serving the alcohol to your guests?	Restaurant Associates
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).	
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.	
Bar on Consumption	
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))	
Event Manager Signature:	Date: 10/4/17

**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)	Chris Brinkhaus
Event Manager Address	1191 Greenbelt Ave
Event Manager Phone Number	781-247-0147
Organization Representing (if applicable)	St Sebastian's School
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input checked="" type="checkbox"/> Non-profit <input type="checkbox"/> For profit <input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____
Name of Event	Alumni Dinner
Date of Event	10/26/17
License is for Sale of:	
<input type="checkbox"/> Wines & Malt Beverages Only	
<input checked="" type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License FROM:	6 PM TO: 9 PM
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES \$ 25-45 /per ticket <input 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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO
How many people are you expecting at this event?	100
Name & address of event location. Please attach proof of permission to use this facility.	Wald Hall
Who will be serving the alcohol to your guests?	Sage Dining Services
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).	Yes
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.	Bartenders to serve drinks to guests at the bar
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))	
Event Manager Signature:	Date: 10/4/17



The Alumni Association cordially invites you to the

ALUMNI RECEPTION

Honoring this year's Alumni Service Award Recipient

THURSDAY, OCTOBER 26, 2017

6:00 PM Reception | 6:30 PM Program

Ward Hall, St. Sebastian's School

TICKETS

1945-2006: \$45 | 2007-2013: \$25

Register online by October 19 at:
www.stsebs.org/AlumniReception

*For questions, please contact the Alumni Office
at 781.247.0121 or alumnioffice@stsebs.org.*

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.

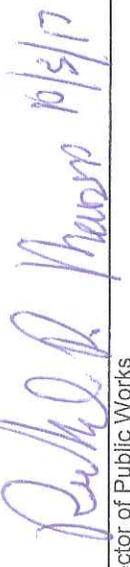
Water Sales:	-\$394.20
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$754.50
Transfer Station Charges:	\$0.00
Total Abatement:	-\$1,148.70

Order #: 1243

Read and Approved:

 10/3/2017

Assistant Director of Public Works

 10/3/17

Director of Public Works

For the Board of Selectmen

Date: 10/10/17

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	Rubinshtein	Michael	40009	16462	1312	Great Plain Avenue	\$0.00	-\$49.20	-\$46.68	-\$95.88	ACC	N
DB	Prout	Matt	36977	4288	39	Stevens Road	\$0.00	-\$139.20	-\$134.70	-\$273.90	ACC	N
JO	Council on Aging (2)											
							\$0.00	-\$205.80	-\$573.12	-\$778.92	COA	N

Total: -\$1,148.70

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

BOARD OF SELECTMEN

* MINUTES *

August 28, 2017

7:10 p.m. A special meeting of the Board of Selectmen was convened by Chairman Marianne Cooley at the Hillside Elementary School. Present were Mr. Daniel Matthews, Mr. Maurice Handel, Mr. Matt Borrelli, and Town Manager Kate Fitzpatrick.

7:10 p.m. **Public Safety Facilities** – Ms. Cooley welcomed the neighbors who attended the meeting to hear about the proposed construction of the Public Safety Building.

Ms. Fitzpatrick outlined the history of the project, noting that there had been three feasibility appropriations, and that Kaestle Boos had been selected as the designer. She said that an appropriation for design will be presented to the October 2, 2017 Special Town Meeting, and that construction funds would be sought in the fall of 2018. A debt exclusion override is planned in November, 2018. She outlined the phases of the project.

Michael McKeon, project architect, showed a PowerPoint presentation outlining the programming and discussed the process by which the program and the size and configuration had developed. He showed a perspective of what the building might look like.

Questions from residents included the size of the structure, the exterior treatment and finishes, the type of landscaping contemplated, whether equipment would continue to be dispatched onto Chestnut Street, whether the facility contemplated a more gender-balanced workforce in the future, how drainage would be handled, and what green building elements were included.

Ms. Cooley thanked the residents who attended and reiterated that the Town understands that the neighborhood has seen its fair share of development. She said that residents could contact the Town Manager with any questions or concerns, and that they would be notified about opportunities to be heard during the permitting process.

8:15 p.m. **Motion: Mr. Handel moved that the meeting be adjourned. Mr. Matthews seconded the motion. Unanimous: 4-0.**

BOARD OF SELECTMEN

* MINUTES *

September 18, 2017

7:05 p.m. A special meeting of the Board of Selectmen was convened by Chairman Marianne Cooley at the Hillside Elementary School. Present were Mr. Daniel Matthews, Mr. John Bulian, Mr. Maurice Handel, and Town Manager Kate Fitzpatrick.

7:05 p.m. **Public Safety Facilities** – Ms. Cooley welcomed invited neighbors of Fire Station #2 and the Hillside School to hear about the Town's plans for reconstructing Fire Station #2.

Ms. Fitzpatrick provided an overview of the entire project, the reconstruction plans for Station #2, and the intent to use the Hillside School as swing space for both Police and Fire operations. She provided information about the project schedule.

A Birch Street resident asked if businesses in Needham would help pay for the project. He said that the new doors on Station #2 did not look much bigger, and that the equipment still fits. Ms. Cooley noted that because the Town has a split tax rate, the commercial sector bears a higher share of the tax burden. Chief Condon confirmed that the apparatus bay doors are significantly wider.

A Birch Street resident noted that there are 50 children on the street. Many will attend the Williams School and do not qualify for a bus. She said that they do not want to walk down West Street and along Central Avenue – they want to be able to cut through the Hillside School. She asked if there had been any accidents with the fire apparatus at the Station. Chief Condon said that there have been accidents. He said that in order to staff a full-time ambulance in Needham Heights the station must be bigger. Ms. Cooley suggested that the resident contact the School Department about hazard busing.

A West Street resident asked about lights and sirens. Chief Condon said that sirens would be limited until vehicles enter West Street as they are intended to alert traffic. He said that firefighters will be considerate of neighbors. He said that lights are on when vehicles exit the station but not upon return. He said that the current Station #2 has a good relationship with neighbors. Michael McKeon, project architect, noted that the designers are contemplating a temporary traffic signal at Glen Gary and West Street.

A West Street resident said that he is concerned about traffic and safety. He said there are a lot of children and the situation is dangerous. He suggested an overpass be constructed over West Street. George Kent, Chairman of the PPBC reiterated that the

A Birch Street resident said they had been told the Hillside School would become a park. Ms. Cooley noted that may be the case once the Mitchell School is rebuilt. The resident said the neighbors were told they could use the school as community space. She said that the station will affect property values and the Town should acknowledge that and mitigate it. Ms. Cooley said that the building is currently controlled by the School Department.

A Webster Street resident asked if the Police and Fire Chiefs had input on the design. Both chiefs asserted that they had been fully involved in the design process.

A Birch Street resident questioned whether the ladder truck can make the turn onto West Street. Chief Condon said that it happens all the time.

A Birch Street resident asked the Board to find ways to shorten the timeframe that the station would be located at Hillside.

Mr. Matthews summarized the project, noting that at a \$65 million cost the project is very expensive but seen as critically important to the Board.

Ms. Cooley thanked the residents for their participation and said that there is a lot of work still to be done, and that input would be carefully evaluated.

8:20 p.m. Motion: Mr. Handel moved that the meeting be adjourned. Mr. Matthews seconded the motion. Unanimous: 4-0.

**Town of Needham
Board of Selectmen
Minutes for September 26, 2017
Needham Town Hall
Selectmen's Chamber**

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

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

7:00 p.m. Certificate of Appreciation: Carol Boulris
Motion by Mr. Matthews to award a Certificate of Appreciation recognizing Carol Boulris for 30 years of distinguished service to the Town of Needham. Thank you for your many contributions to the Needham Historical Commission and the many years of dedication in serving as its Chair. Second: Mr. Borrelli. Unanimously approved 5-0.

Mr. Matthews commented Ms. Boulris has been involved in the community in many ways including serving on the Needham School Committee and Historical Commission where she played a key role in the vision of renovating the Needham Town Hall. He said her work is appreciated.

Mr. Handel said Ms. Boulris was instrumental in saving Needham's last one-room schoolhouse, where she chaired the committee to find the means and succeed in the effort.

Mr. Bulian stated Ms. Boulris has "made Needham what it is" through her years of service.

The Board congratulated Ms. Boulris.

7:03 p.m. Certificate of Appreciation: Volante Farms
Motion by Mr. Matthews to award a Certificate of Appreciation to Volante Farms in recognition of its 100th anniversary in service to the residents of Needham. From the delectable foods and high quality items in your store and cafe to the popular "Dinners in the Fields," you enrich the lives of our citizens. We wish you many more years of success in your future. Congratulations! Second: Mr. Borrelli. Unanimously approved 5-0.

Mr. Matthews recognized the changes in farming over the last 100 years, noting Volante Farms weathered changes over generations, continuing to contribute to the Town. He wished them many successful years.

7:04 p.m. Public Hearing Continuation: Eversource Energy - Country Way
Maureen Carroll, Eversource Energy representative appeared before the Board requesting permission to install approximately 30 feet of conduit in Country Way. She stated this work is necessary to provide underground electric service for a new home at 45 Country Way, Needham.

Ms. Cooley invited public comment. No comments were heard.

Ms. Fitzpatrick indicated all paperwork is in order.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 30 feet of conduit in Country Way. This work is necessary to provide underground electric service 45 Country Way, Needham.

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

7:06 p.m. Public Hearing: Wellesley Municipal Light Plant - Lehigh Road
David Allen, Wellesley Municipal Light Plant appeared before the Board requesting permission to install approximately 86 feet of conduit in Lehigh Road. He stated this work is necessary to provide underground electric service at 50 Lehigh Road, Needham. It was noted Daniel Trant, Wellesley Municipal Light Plant was also in attendance.

Ms. Cooley invited public comment. No comments were heard.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Handel pointed out a portion of homes in Needham receive their electrical service from the Town of Wellesley.

Motion by Mr. Handel that the Board of Selectmen approve and sign a petition from Wellesley Municipal Light Plant to install approximately 86 feet of conduit in Lehigh Road. This work is necessary to provide underground electric at 50 Lehigh Road, Wellesley.

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

7:07 p.m. Hearing: Great Plain Hospitality, LLC d/b/a RFK Kitchen - Change of Beneficial Interest in a Liquor License

Francesco Melandri, Owner appeared before the Board seeking approval of multiple Changes in Beneficial Interest in its liquor license.

Motion by Mr. Matthews that the Board vote to approve the application submitted for Change in Beneficial Interest by Great Plain Hospitality, LLC,

d/b/a RFK Kitchen and forward application to the Alcoholic Beverages Control Commission for its approval.

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

The Board acknowledged and thanked Mr. Melandri for his effort to get paperwork in order.

7:09 p.m. Public Hearing: Application for a License to Store Fuel Aboveground at 470 Dedham Avenue, Needham
Richard P. Merson appeared before the Board requesting a license for the Town of Needham to store 9,990 gallons of gasoline fuel aboveground, and a tank that will store 9,990 gallons of diesel fuel at 470 Dedham Avenue, Needham. Section 4.3 of the Town of Needham General By-laws states that any amount of liquid petroleum gas in excess of 500 gallons on a property requires a license issued by the Board of Selectmen.

Mr. Merson stated the request is necessary for future development at 470 Dedham Avenue.

Ms. Fitzpatrick indicated all paperwork is in order and Dennis Condon, Needham Fire Chief is supportive of issuing the license. Chief Condon was unable to attend the hearing.

Motion by Mr. Handel that the Board of Selectmen vote to approve and authorize the Chair to sign a license for the Town of Needham to store 9,990 gallons of gasoline fuel aboveground, and a tank that will store 9,990 gallons of diesel fuel at 470 Dedham Avenue, Needham.

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

7:11 p.m. Department of Public Works:
Richard P. Merson, Director of Public Works appeared before the Board with two items to discuss:

1. Traffic Regulation - Linden Street

Motion by Mr. Bulian that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P17-09-26 for Linden Street, Parking Prohibited During Certain Hours, East side, from opposite the northerly sideline of Sylvan Road to a point 500 feet north - No Parking, 7 AM - 8 AM and 2 PM - 3 PM, Monday - Friday.

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

2. Traffic Regulation - Chestnut Street

Mr. Merson commented the TMAC received a request from the franchisees at 260 Chestnut Street asking that a one hour parking zone be established on the east side of Chestnut Street from the extension of the south sideline of Chestnut Place to 40 feet south of the extension of the south sideline of Chestnut Place. He said the TMAC recommended a one hour parking zone be established on the east side of

Chestnut Street from the extension of the south sideline of Chestnut Place to 40 feet south of the extension of the south sideline of Chestnut Place.

Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P17-09-26 for Chestnut Street, Time Limited in Designated Places, East side from the extension of the south sideline of Chestnut Place to 40 feet south of the extension of the south sideline of Chestnut Place, Time - 1 Hour.

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

Mr. Borrelli suggested the parking area should have a better flow. He asked if 15 minute parking was considered. Mr. Merson commented quick turnover parking for the area would not be appropriate.

7:17 p.m.

Town Manager:

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

1. Affordable Housing Trust Fund

Ms. Fitzpatrick reminded the Board the 2017 Annual Town Meeting approved the creation of an Affordable Housing Trust in accordance with M.G.L. c. 44 Section 55C. Ms. Fitzpatrick recommended the Board approve the Declaration of Trust document as the first step in implementing the Trust in Needham. She noted the proposal is for the membership of the Trust to be the Board of Selectmen, Town Manager (as required under state law), and one resident.

Motion by Mr. Bulian that the Board vote to approve and sign the Declaration of Trust for the Needham Affordable Housing Trust Fund.

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

2. Public Safety Facility Project Update

Ms. Fitzpatrick updated the Board on the Public Safety Facility Project, and discussed feedback received at two neighborhood meetings. She said it is expected, after Town Meeting discussion on Monday, October 2, 2017, that open houses will be scheduled for residents to view possible design options. Slides of potential designs for Fire Station #2 in Needham Heights and Police and Fire Station Headquarters in Needham Center were shown.

Ms. Cooley said neighborhood meetings have been helpful. She noted zoning for Fire Station #2 in Needham Heights is not just helpful but necessary, saying Town Meeting support is critical for the project.

Mr. Borrelli commented Needham is fortunate to have temporary space during construction at the Hillside School for the police and fire departments. He thanked the neighbors in the area for their understanding and commented cost savings are a benefit and far reaching.

Ms. Cooley reiterated use of Hillside School as temporary space will be after the opening of the new Williams School on Central Avenue.

3. Town Meeting Preparation

The Board took positions on remaining articles contained in the Special Town Meeting warrant dated October 2, 2017.

Motion by Mr. Handel that the Board vote to support Article 7 - Authorization for Acquisition of Real Property in the Special Town Meeting Warrant.

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

Ms. Fitzpatrick reminded the Board an appropriation is not being sought for the acquisition because mitigation for public safety response was part of the agreement when constructing the Second Avenue residences.

Motion by Mr. Handel that the Board vote to support Article 8 - Amend Zoning By-law: Map Change to Center Business District in the Special Town Meeting Warrant.

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

Motion by Mr. Handel that the Board vote to support Article 9 - Amend Zoning By-law: Floor Area Ratio and Lot Coverage Requirement for a Municipal Building or Structure in the General Business District in the Special Town Meeting Warrant.

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

Mr. Matthews noted zoning changes are directly linked to the public safety construction project.

Motion by Mr. Handel that the Board vote to support Article 11 - Appropriate for High School Expansion Construction in the Special Town Meeting Warrant.

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

Dave Davison, Assistant Town Manager/Finance explained additional taxes are not being sought as funding for the High School Expansion project. He said cash sources including residual balances from prior appropriations for capital projects, monies set aside by Town Meeting in the Capital Facility Fund, and monies from an Overlay Surplus Fund will be utilized. He noted a 2/3 vote is required at Town Meeting.

7:40 p.m. Board Discussion:

1. Needham Crossing Boundary Definition

The Board discussed options for setting boundary lines for the area known as Needham Crossing. A map was viewed.

Ms. Cooley said the general question is whether the definition of Needham Crossing should expand to encompass commercial districts (Area-1 and Area-2 on the map) on both sides of Route 128.

Mr. Handel said he is open minded, noting Route 128 is a significant psychological boundary and the railroad right-of-way is a barrier to Reservoir Street. He surmised most people do not associate the area known as Needham Crossing as part of Needham Heights. He said the issue is worth exploring with residents and the real estate community, and a good question for the Planning Board and Council on Economic Advisors.

Mr. Borrelli said he is concerned with the identity of the Needham Heights area. He questioned whether the residential area would seem more industrial, thereby affecting home values.

Ms. Cooley said the Planning Board and Council on Economic Advisors will have an opportunity to weigh in on the issue. She contemplated the possibility of Needham Crossing having its own zip code.

Mr. Matthews said the map is helpful, commenting incorporating the Wexford Street area into Needham Crossing make sense. He said more discussion and a slow approach is needed for Area-2 and Area-3. He noted the main issue for Area-2 is it is very appropriate for the discussion, except that it is not contiguous by road. He said the possibility of physically linking Area-1 and Area-2 makes a lot of sense. Mr. Matthews said he does not remember any prior discussion of incorporating Area-3 (on the south side of Route 128) into Needham Crossing, except for possible zoning changes to try and modernize the area. He said solving the geographical connection of Area-2 should be explored, and a much broader discussion is needed for Area-3. He concluded he likes the idea of having the Council on Economic Advisors and the community involved in the discussion.

Mr. Bulian concurred with Mr. Matthews, saying commercial Area-1 (Needham Crossing) and Area-2 (Reservoir Street) should be connected. He said he is not sure about Area-3, and requires more discussion.

Ms. Cooley said Area-2 would benefit by a connection, and is a reasonable first step. She agreed Area-3 is perceived differently. She asked Ms. Fitzpatrick to contact the Council on Economic Advisors and Planning Board for their thoughts.

Mr. Bulian suggested the Board of Selectmen start looking at ways to connect Area-1 and Area-2.

2. Recreational Marijuana Next Steps

The Board discussed the concept of engaging with the Planning Board to consider zoning and general by-law articles for the 2018 Annual Town Meeting, should the Board of Selectmen seek to prohibit recreational marijuana sales in Needham. Ms.

Fitzpatrick said advice of Town Counsel is zoning and a general by-law should be passed due to ambiguities in the law.

Mr. Matthews clarified Needham voted "No" for recreational use of marijuana. He commented the new statute allows Needham, because of its "No" vote, to act by Town Meeting to prohibit retail sales within the Town. He said people dissatisfied with the vote have the option of taking it to the ballot under a number of procedures. He said while zoning and general by-laws may be two separate articles, they are basically one action of Town Meeting by two votes. He said the question of whether or not voters weigh in involves some procedural complexities. He commented if Town Meeting feels this "ought to be the law of the Town" then he is willing to frame the questions for Town Meeting, unless other persons avail themselves of rights under the complicated statute to raise the issue again with the voters. He said if voters reject by referendum or are not satisfied with what Town Meeting put in place, then the Board of Selectmen would take the necessary corrective action to put those decisions in front of Town Meeting. He said the third course of action being discussed tonight may not be logical because of the way the statute is laid out. Mr. Matthews said the new statute is well intentioned but convoluted, suggesting perhaps placing a non-binding referendum on the Town ballot in April.

Ms. Fitzpatrick and Mr. Bulian suggested a timeline and flow chart showing different options.

Discussion ensued on the best way for voters to be represented.

Ms. Cooley said asking the Planning Board to consider what zoning would look like seems prudent.

3. Committee Reports

No Committee Reports were made.

8:15 p.m.

Appointments and Consent Agenda:

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

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA

- 1. Accept the following donations made to the Needham Health Department's Needham Substance Use Prevention & Education Donation Program: \$1,500 from Needham High School PTC Trust, \$1,500 from Norfolk County Sheriff's Department, and \$1,500 from the Norfolk District Attorney.**
- 2. Grant permission for the Needham Business Association to use the Town Common and surrounding area for its Harvest Fair and Souper Bowl on Saturday, October 7, 2017. Permission includes: Set up Booths on the Town**

Common; use of the parking lot behind Town Hall for kids activities and portable toilets (to be delivered and picked up on the same day); close Chapel Street from the corner of Great Plain Ave. to the Chapel Street parking lot for Souper Bowl Tent, and the food court; erect a tent to host the soup tasting contest on Chapel Street; erect a bounce house sponsored by the Charles River YMCA on the Town Common (far right corner closest to intersection of Highland and Great Plain Avenue facing Needham Center Fine Wines); have annual pumpkin patch set up in the middle of the town common; use the Town's generator to supply the electricity for the Souper Bowl and Food Court; use the outlets on the town common (in the dog house and next to the Blue Tree to power booths in that area); DJ and performers in front of Town Hall on Garrity Way; free parking for meters downtown; NBA member businesses may have items for sale on sidewalk in front of their own stores; A Trolley ride provided by Louise Condon that will run from Highland Avenue by the Town Common, will loop around the town, and return to the Town Common; and any changes as recommended by the Needham Police Department.

3. Approve minutes from September 12, 2017 meeting.
4. Approve a One Day Special Wines and Malt Beverages License for Nancy Berger, of NHS Friends of Music, to host its Kick-Off event on October 18, 2017 from 5:00 p.m. to 7:00 p.m. The event will be held at the Needham Historical Society, 1147 Central Avenue, Needham. Issuance of license is pending appropriate TIPS certification is provided prior to the event.
5. Approve a One Day All Alcoholic Beverages License for Julie Richmond of the Charles River YMCA, to host its YMCA Giving Gala on October 14, 2017 from 6:00 p.m. to 11:00 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham. Issuance of license is pending appropriate TIPS certification is provided prior to the event.
6. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Ratify – Jill Oetheirmer	75 Coolide Ave	Middle of block on Coolidge Ave	9/24/17	10/1/17	4pm-7:30pm
Ratify – Amy Hurley	154 South Street	Corner of Green St & Needhamdale	9/24/17	N/A	3pm-8pm
Ratify – Jill Cotter	15 Holland St	Holland Street	9/24/17	10/1/17	4pm-8pm
Ratify – Sue Pouliot	54 Eaton Road	54 Eaton Road	9/23/17	9/24/17	4pm-8pm
Chrissy McCourt	181 Richdale Rd	114 Richdale Rd	10/29/17	N/A	3pm-8pm
Kelly Allen	103 Sylvan Rd	Sylvan/Harding	10/8/17	N/A	1pm-4pm
Michael McHugh	25 Blacksmith Drive	5-35 Blacksmith Drive	10/14/17	N/A	4pm-9pm
Jessica Karlin	36 Wilshire Park	Wilshire Park	10/1/17	N/A	4pm-8pm
Julie Middleton	74 Henderson St	Miller &	9/30/17	N/A	4pm-10pm

		Henderson Street			
Liz Berkman	113 Melrose Ave	Hatfield Park	10/15/17	10/22/17	3pm-6pm

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

8:16 p.m.

Executive Session - Exception 3 (potential litigation):

Motion by Ms. Cooley that the Board of Selectmen vote to enter into Executive Session.

Exception 3 - To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares. Not to return to open session prior to adjournment.

Second: Mr. Handel. Ms. Cooley polled the Board. Unanimously approved 5-0.

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

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

Note: The meeting adjourned at 8:35 p.m.

BOARD OF SELECTMEN

* MINUTES *

October 2, 2017

7:05 p.m. A special meeting of the Board of Selectmen was convened by Chairman Marianne Cooley at the Needham Town Hall. Present were Mr. Daniel Matthews, Mr. John Bulian, Mr. Maurice Handel, Mr. Matthew Borrelli and Town Manager Kate Fitzpatrick.

7:05 p.m. Town Meeting Preparation – The Board discussed items on the Special Town Meeting Warrant.

Motion: Mr. Borrelli moved that the Board vote to support the amendment to Article 9 – Amend Zoning By-Law. Mr. Handel seconded the motion. Unanimous: 5-0.

Motion: Mr. Handel moved that the Board vote to amend Article 11 – Appropriate for High School Expansion. Mr. Borrelli seconded the motion. Unanimous: 5-0.

7:15 p.m. **Motion: Mr. Handel moved that the Board adjourn its meeting contemporaneously with the adjournment of Town Meeting. Mr. Bulian seconded the motion. Unanimous: 5-0.**

Note: The Annual Town Meeting adjourned for the evening at 10:20 p.m.